

Notice of Ordinary Council Meeting and

# Agenda

19 APRIL 2017

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To all Councillors

NOTICE OF MEETING

In accordance with the *Local Government (Meeting Procedures) Regulations 2015*, notice is given of the next ordinary meeting of the Central Coast Council which will be held in the Council Chamber at the Administration Centre, 19 King Edward Street, Ulverstone on Wednesday, 19 April 2017. The meeting will commence at 6.00pm.

An agenda and associated reports and documents are appended hereto.

A notice of meeting was published in The Advocate newspaper, a daily newspaper circulating in the municipal area, on 7 January 2017.

Dated at Ulverstone this 12th day of April, 2017.

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



Lou Brooke  
EXECUTIVE SERVICES OFFICER

# **Code of Conduct of Councillors**

## **PART 1 – Decision making**

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

## **PART 2 – Conflict of interest**

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

### **PART 3 – Use of office**

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

### **PART 4 – Use of resources**

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

### **PART 5 – Use of information**

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



## **PART 6 – Gifts and benefits**

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

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

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

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

## **PART 8 – Representation**

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

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

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

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*QUALIFIED PERSON'S ADVICE*

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

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

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

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



Sandra Ayton  
GENERAL MANAGER

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## **AGENDA**

**COUNCILLORS ATTENDANCE**

**COUNCILLORS APOLOGIES**

**EMPLOYEES ATTENDANCE**

**GUEST(S) OF THE COUNCIL**

**MEDIA ATTENDANCE**

**PUBLIC ATTENDANCE**

**OPENING PRAYER**

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

**BUSINESS**

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## 1 CONFIRMATION OF MINUTES OF THE COUNCIL

### 1.1 Confirmation of minutes

The Executive Services Officer reports as follows:

“The minutes of the previous ordinary meeting of the Council held on 20 March 2017 have already been circulated. The minutes are required to be confirmed for their accuracy.

The *Local Government (Meeting Procedures) Regulations 2015* provide that in confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.

A suggested resolution is submitted for consideration.”

- “That the minutes of the previous ordinary meeting of the Council held on 20 March 2017 be confirmed.”
- .....
- .....
- .....

## 2 COUNCIL WORKSHOPS

### 2.1 Council workshops

The Executive Services Officer reports as follows:

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

- . 27.03.2017 – Presentation from Director of Local Government;
- . 03.04.2017 – Quarterly update with the Senior Leadership Team/ Budget parameters
- . 10.04.2017 – Planning Scheme Transition and Rural Mapping.

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

- 
- “That the Officer’s report be received.”
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### **3 MAYOR’S COMMUNICATIONS**

#### **3.1 Mayor’s communications**

The Mayor to report:

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#### **3.2 Mayor’s diary**

The Mayor reports as follows:

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

- . State Grants Commission – hearing (Devonport)
- . Radio 7AD – community reports
- . XVI Australian Masters Games – information evening (Ulverstone)
- . Council–community morning tea – Sulphur Creek–Preservation Bay districts (Sulphur Creek)
- . Ulverstone RSL Sub–branch – annual dinner
- . UTAS Rural Clinical School – Rural Week 2017 Year 2 medical students – welcome to Central Coast
- . Switch Tasmania (Cradle Coast Innovation) – Bright ideas | Speed pitch night (Turners Beach)
- . Business visitation program – ISO Tech Engineering
- . Local Government Association of Tasmania – Mayors’ Professional Development Day and Mayors’ Dinner (Launceston)
- . Local Government Association of Tasmania – General Meeting (Launceston)
- . North West Eco Fest – performed official opening



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- . Central Coast Council and Devonport City Council – meeting with TasWater Chairman (Devonport)
  - . University of the Third Age (U3A) – performed official Central Coast launch
  - . Cradle Coast Authority – launch of MOU between Authority and Parks & Wildlife Service (Burnie).”

Cr Downie reports as follows:

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

- . Mosaic installation on Penguin foreshore – performed official unveiling and attended afternoon tea.”

Cr Carpenter reports as follows:

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

- . Ulverstone District Cricket Club – Annual Dinner.”

The Executive Services Officer reports as follows:

“A suggested resolution is submitted for consideration.”

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

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### 3.3 Declarations of interest

The Mayor reports as follows:

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

The Executive Services Officer reports as follows:

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

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

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

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### **3.4 Public question time**

The Mayor reports as follows:

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

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

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## **4 COUNCILLOR REPORTS**

### **4.1 Councillor reports**

The Executive Services Officer reports as follows:

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

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

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## **5 APPLICATIONS FOR LEAVE OF ABSENCE**

### **5.1 Leave of absence**

The Executive Services Officer reports as follows:

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

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

There are no applications for consideration at this meeting.”

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## **6 DEPUTATIONS**

### **6.1 Deputations**

The Executive Services Officer reports as follows:

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

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## **7 PETITIONS**

### **7.1 Petitions**

The Executive Services Officer reports as follows:

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

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## **8 COUNCILLORS' QUESTIONS**

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

The Executive Services Officer reports as follows:

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

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

(a) of the chairperson; or

(b) through the chairperson, of –

(i) another councillor; or

(ii) the general manager.

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

- 
- (a) offer an argument or opinion; or
  - (b) draw any inferences or make any imputations –
- except so far as may be necessary to explain the question.
- (3) The chairperson of a meeting must not permit any debate of a question without notice or its answer.
  - (4) The chairperson, councillor or general manager who is asked a question without notice at a meeting may decline to answer the question.
  - (5) The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.
  - (6) Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.
  - (7) The chairperson may require a councillor to put a question without notice in writing.'

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

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

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

[illegible]

## 8.2 Councillors' questions on notice

The Executive Services Officer reports as follows:

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

‘30 (1) A councillor, at least 7 days before an ordinary council meeting or a council committee meeting, may give written notice to the general manager of a question in respect of which the councillor seeks an answer at that meeting.

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

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

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

No questions on notice have been received.”

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## 9 DEPARTMENTAL BUSINESS

### GENERAL MANAGEMENT

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

The General Manager reports as follows:

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

- . Central Coast Youth Engaged Steering Committee – meeting held on 23 February 2017
- . Turners Beach Community Representatives Committee – meeting held on 23 February 2017
- . Central Coast Community Shed – meeting held on 6 March 2017
- . East Ulverstone Swimming Pool Management Committee – meeting held on 9 March 2017
- . Development Support Special Committee – meeting held on 14 March 2017
- . Devonport City Council and Central Coast Council – Shared Audit Panel – meeting held on 20 March 2017
- . Central Coast Council Audit Panel – meeting held on 20 March 2017
- . Development Support Special Committee – meeting held on 10 April 2017.

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

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

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#### 9.2 Shared Audit Panel Charter (370/2014 – 15.12.2014)

The General Manager reports as follows:

##### *“PURPOSE*

The purpose of this report is to review the Audit Panel Charter which is required bi-annually.



### *BACKGROUND*

At the meeting of 15 December 2014 (Minute No. 370/2014), the Council resolved to endorse the Audit Panel Charter.

### *DISCUSSION*

There have been a few minor changes made to the Charter clauses regarding composition and tenure and administrative arrangements. Changes are identified in the revised Audit Panel Charter attached.

The Audit Panel has recommended the appointment of a proxy for the elected members serving on the Audit Panel. It is suggested that a proxy be appointed for the remainder of the current term of office and then listed for future consideration at the time the Council appoints representatives to all Committees, Panels and community organisations after the Council elections.

### *CONSULTATION*

Devonport City Council has already considered and adopted the revised Charter.

### *RESOURCE, FINANCIAL AND RISK IMPACTS*

The Council is required to establish and maintain an Audit Panel as legislated. Failure to do so creates risks associated with non-compliance with legislation, e.g. qualification of the audit report.

### *CORPORATE COMPLIANCE*

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

#### Council Sustainability and Governance

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

### *CONCLUSION*

The Council must review its Audit Panel Charter bi-annually. It is recommended that the Council endorse the revised Audit Panel Charter and appoint a proxy to the Central Coast Audit Panel."

The Executive Services Officer reports as follows:

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

■ “That the Council

- 1 endorse the Audit Panel Charter, with changes, as circulated (a copy being appended to and forming part of the minutes);
  - 2 appoint Cr ..... as a proxy for the Central Coast Audit Panel.”
- .....
- .....
- .....

**9.3 Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working Groups – Dulverton Regional Waste Management Authority – Representatives Group – Appointment of proxy – (334/2014 – 17.11.2014)**

The General Manager reports as follows:

*“PURPOSE*

The purpose of this report is to consider the nomination of a proxy to the Dulverton Regional Waste Management Authority – Representatives Group.

*BACKGROUND*

Dulverton Regional Waste Management Authority has written to the Council to consider the nomination of a proxy, in the case that either of the two Representatives appointed, are unable to attend

*DISCUSSION*

The Current Representatives on the Dulverton Regional Waste Management Authority – Representatives Group are: Cr Garry Carpenter and Mr Philip Adams, Environmental Engineer. The General Manager has the authority to appoint a substitute Representative when either of the aforementioned Representatives are unable to attend.

To ensure continuity, it may be prudent for the Council to appoint a proxy (who can attend), whenever one of the two Representatives are unable to attend.

It would be the responsibility of the Representative unable to attend to advise both the proxy (providing the agenda) and the Dulverton Regional Waste Management Authority.

### *CONSULTATION*

Consultation is not relevant to this report.

### *RESOURCE, FINANCIAL AND RISK IMPACTS*

This is a governance matter. The Estimates provide for the governance operations of the Council.

### *CORPORATE COMPLIANCE*

The *Local Government Act 1993* provides for the establishment of council committees and special committees.

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

Council Sustainability and Governance

- . Improve corporate governance
- . Effective communication and engagement.

### *CONCLUSION*

That nominations be called for a proxy to attend the Dulverton Regional Waste Management Authority – Representatives Group in the event that one of the Representatives are unable to attend.”

The Executive Services Officer reports as follows:

“A suggested resolution is submitted for consideration.”

■ “That the Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working Groups hereby be amended as follows:

- . Cr ..... be appointed as proxy for the Dulverton Regional Waste Management Authority – Representatives Group.”

#### 9.4 Local Government Association of Tasmania – 2017 Election – General Management Committee

The General Manager reports as follows:

*“PURPOSE*

This report invites consideration of nominations for the Local Government Association of Tasmania's 2017 Election; in particular for General Management Committee representation.

*BACKGROUND*

The Electoral Commissioner, Tasmanian Electoral Commission, has written as follows:

‘The Tasmanian Electoral Commission has been asked to conduct the 2017 election of President and 4 members of the General Management Committee for a two-year term in accordance with the rules of the Local Government Association (LGAT). The LGAT have advised that elections for Southern Electoral District (population > 20 000) and Southern Electoral District (population < 20 000) will not be required due to these positions being filled at recent by-elections, and the Membership extending the terms of office for a further two years.

Nominations are now invited from LGAT members and must be received at my office by 5:00pm Tuesday 23 May 2017. Candidates will be notified of receipt of their nominations by this office.

*Election timetable*

Nominations open.....Thursday 23 March 2017

Nominations close.....5:00 pm Wednesday 23 May 2017

Ballot material posted (if ballot required).....Friday 26 May 2017

Close of postal ballot.....10:00 am Wednesday 12 July 2017

Declaration of result.....Wednesday 12 July 2017

A nomination form and reply paid envelope are enclosed.

If you would like further information or assistance, please call Kristi Read of this office on 6208 8772.'

### *DISCUSSION*

Attached is a copy of the Electoral Nomination Form and an extract from the LGAT Rules in which, the General Management Committee's functions and composition are outlined and the representative process detailed.

The majority of (current) members of the General Management Committee are Mayors but the membership is not limited to such.

Within the North West & West Coast Electoral District, nominations are invited for two candidates; one to represent the member councils which have a population of 20,000 or more, and another to represent the remaining councils. All councils vote for both positions.

There are two councils in this District with a population of 20,000 or more. These are Central Coast and Devonport City. They are currently represented by Mayor Jan Bonde.

In the event of there being more than one Central Coast Councillor seeking nomination, a ballot will be required to determine the successful candidate. It is noted in this regard that the *Local Government (Meeting Procedures) Regulations 2015* provide that, 'voting at a meeting may be conducted by secret ballot if the purpose is to select a person to represent the council on a committee or other body.'

### *CONSULTATION*

Consultation is not required in respect of this matter.

### *RESOURCE, FINANCIAL AND RISK IMPACTS*

Apart from provision of briefings in respect of agenda items being considered by the General Management Committee, and travel costs to meetings, this representative role does not otherwise impact on the Council's resources.

### *CORPORATE COMPLIANCE*

Corporate compliance is not relevant to this matter.

*CONCLUSION*

The Council's consideration of nominating a candidate is invited."

The Executive Services Officer reports as follows:

"Copies of the LGAT Rules (extract) and electoral Nomination Form have been circulated to all Councillors."

- "That Cr ..... be nominated as a candidate for election as the Central Coast and Devonport City Councils' representative on the General Management Committee of the Local Government Association of Tasmania for a two-year term commencing in July 2017."

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## NOTES

COMMUNITY SERVICES

**9.5 Statutory determinations**

The Director Community Services reports as follows:

“A Schedule of Statutory Determinations made during the month of March 2017 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reports as follows:

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

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

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**9.6 Council acting as a planning authority**

The Mayor reports as follows:

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

The Director Community Services has submitted the following report:

‘If any such actions arise out of Agenda Items 9.7 and 9.8 they are to be dealt with by the Council acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.’”

The Executive Services Officer reports as follows:



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

A suggested resolution is submitted for consideration.”

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

### 9.7 Items referred from Development Support Special Committee

The Director Community Services reports as follows:

“In the event that any items listed for consideration by the Development Support Special Committee at its scheduled meeting on 10 April 2017 are referred, under its terms of appointment, to the Council or if the Committee is unable to make a determination within the relevant statutory time limit, such items will be placed before the Council at this time while it is acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.”

The Executive Services Officer reports as follows:

“One such item has been referred from the meeting of the Development Support Special Committee on 10 April 2017 because the decision, although carried, was not a unanimous one. Application No. DA216158 is accordingly to be dealt with by the Council at Agenda Item No. 9.8.”

### 9.8 Residential (multiple dwellings x two) – discretionary use class in Rural Resource Zone and variation to location of a sensitive use at CT7334/4 Stubbs Road, Forth – Application No. DA216158

The Director Community Services reports as follows:

“The Town Planner has prepared the following report:

<i>'DEVELOPMENT APPLICATION NO.:</i>	DA216158
<i>PROPOSAL:</i>	Residential (multiple dwellings x two) discretionary use class in Rural Resource Zone and variation to location of a sensitive use
<i>APPLICANT:</i>	JMG Engineers and Planners
<i>LOCATION:</i>	CT7334/4 Stubbs Road, Forth
<i>ZONE:</i>	Rural Resource
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	8 March 2017
<i>REPRESENTATIONS EXPIRY DATE:</i>	23 March 2017
<i>REPRESENTATIONS RECEIVED:</i>	Two
<i>42-DAY EXPIRY DATE:</i>	14 April 2017 (extension granted until 19 April 2017)
<i>DECISION DUE:</i>	10 April 2017

*PURPOSE*

The purpose of this report is to consider an application for two dwellings in the Rural Resource zone on land identified as CT7334/4 Stubbs Road, Forth.

Accompanying the report are the following documents:

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

*BACKGROUND*

*Development description –*

Application is made to construct two dwellings on a 7.97ha parcel of rural resource land. The proposal would include the following:

Dwelling 1 would be the principal dwelling. It is proposed to be 219.5m<sup>2</sup> in area, single-storey, three to four bedrooms, hexagon shaped and clad in timber veneer. The development would include a 40m<sup>2</sup> deck on the western side of the dwelling and an 18.52m<sup>2</sup> deck on the southern side of the dwelling. The dwelling height would be approximately 5.26m above natural ground level.

Dwelling 2 would be a temporary dwelling to accommodate the owners while the principal dwelling is constructed. It would be 70m<sup>2</sup> in area, 3.3m high,

contain three bedrooms and be sited approximately 110m from the frontage to Stubbs Road. Following completion of the principal dwelling the second dwelling would be converted to a workshop.

On-site stormwater collection, storage of drinking water and wastewater treatment and disposal would be required.

### *Site description and surrounding area –*

The land lies to the west of Stubbs Road, located approximately 2.78kms south of the Turners Beach residential area. The land supports an area of native bush and cleared pasture.

The land comprises Class 3 & 4 land and is located within the Kindred North Motton Proclaimed Irrigation District.

An unnamed tributary flows westerly, into the Claytons Rivulet that transects other land further to the west.

Surrounding parcels of rural land vary in size from 8ha to 41ha.

### *History –*

The parcel of land is one of a cluster of four 7.5ha –8ha allotments subdivided in 1976.

### *DISCUSSION*

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

## 26.0 Rural Resource Zone

CLAUSE	COMMENT
<b>26.1.2 Local Area Objectives</b>	
<p>(a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;</p> <p>(b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;</p> <p>(c) Air, land and water resources are protected against –</p> <p style="padding-left: 40px;">(i) permanent loss to a use or development that has no need or reason to locate on land containing such a resource; and</p> <p style="padding-left: 40px;">(ii) use or development that has potential to exclude or unduly conflict, constraint, or interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource;</p>	<p>“Residential (multiple dwellings)” is a Discretionary use of the land in the Rural Resource zone.</p> <p>(a) Proposal does not satisfy the Objective. The proposed use is not a primary industry use of the site, would not be dependent upon access to a naturally occurring resource and would not augment ongoing farm operations.</p> <p>(b) Proposal does not satisfy the Objective. The proposed development is not a Permitted use and is not reliant on air, land or water resources for primary industry production.</p> <p>(c)(i) Proposal does not satisfy the Objective. The proposal is for the use and development of land that would result in the permanent loss of a land resource for a purpose that has no need to locate on the land.</p> <p>(c)(ii) Proposal does not satisfy the Objective. The proposal is for the use and development of land that would unduly</p>

## COMMUNITY SERVICES

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<p>(d) Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;</p> <p>(e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;</p> <p>(f) Rural land may be used and developed for economic, community, and utility activity that cannot reasonably be accommodated on land within a settlement or nature conservation area;</p> <p>(g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry;</p> <p>(h) Residential use and development on rural land is appropriate only if –</p> <p style="padding-left: 40px;">(i) required by a primary industry or a resource based activity; or</p> <p style="padding-left: 40px;">(ii) without permanent loss of land significant for primary industry use and without constraint or interference to</p>	<p>conflict, constrain or interfere with the natural resources of air, land or water.</p> <p>(d) Not applicable. Use class is not associated with primary industry.</p> <p>(e) Not applicable. Use class is not associated with agricultural land.</p> <p>(f) Proposal does not satisfy the Objective. Proposed use could be located in other zones, such as Residential, Low Density Residential or Rural Living.</p> <p>(g) Not applicable. Use is not for tourism or recreation.</p> <p>(h)(i) Proposal does not satisfy the Objective. Proposed residential use and development is not required by a primary industry or resourced based activity.</p> <p>(h)(ii) Proposal does not satisfy the Objective. Proposed residential use and development would result in permanent loss of land for primary industry.</p>
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existing and potential use of land for primary industry purposes.	
<b>26.1.3 Desired Future Character Statements</b>	
<p>Use or development on rural land –</p> <p>(a) may create a dynamic, extensively cultivated, highly modified, and relatively sparsely settled working landscape featuring –</p> <ul style="list-style-type: none"> <li>(i) expansive areas for agriculture and forestry;</li> <li>(ii) mining and extraction sites;</li> <li>(iii) utility and transport sites and extended corridors; and</li> <li>(iv) service and support buildings and work areas of substantial size, utilitarian character, and visual prominence that are sited and managed with priority for operational efficiency</li> </ul> <p>(b) may be interspersed with –</p> <ul style="list-style-type: none"> <li>(i) small-scale residential settlement nodes;</li> </ul>	<p>(a)(i) Proposal is not consistent with Desired Future Character Statements. The proposed use and development is not associated with a working landscape featuring agriculture or forest.</p> <p>(a)(ii) Proposal is not consistent with Desired Future Character Statements. The proposed use is not associated with mining and extraction.</p> <p>(a)(iii) Proposal is not consistent with Desired Future Character Statements. The proposed use is not associated with utility and transportation sites or corridors.</p> <p>(a)(iv) Not applicable. The proposal would not result in service and/or support buildings for agriculture, forestry, mining, extraction, utility or transport corridors.</p> <p>(b)(i) Proposal is not consistent with Desired Future Character Statements. Use and development is not within or interspersed by small scale residential settlement nodes.</p>

<p>(ii) places of ecological, scientific, cultural, or aesthetic value; and</p> <p>(iii) pockets of remnant native vegetation</p> <p>(c) will seek to minimise disturbance to –</p> <p>(i) physical terrain;</p> <p>(ii) natural biodiversity and ecological systems;</p> <p>(iii) scenic attributes; and</p> <p>(iv) rural residential and visitor amenity;</p> <p>(d) may involve sites of varying size –</p> <p>(i) in accordance with the type, scale and intensity of primary industry; and</p> <p>(ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources;</p> <p>(e) is significantly influenced in temporal nature, character, scale, frequency, and intensity by external factors, including</p>	<p>(b)(ii) Not applicable. The subject and surrounding land is not identified as places of ecological, scientific, cultural or aesthetic value.</p> <p>(b)(iii) Proposal is consistent with Desired Future Character Statements. The site supports an area of native vegetation bordering a tributary to Claytons Rivulet watercourse.</p> <p>(c)(i) Proposal is consistent with Desired Future Character Statements. The proposal would not unduly disturb the underlying physical terrain of the site.</p> <p>(c)(ii) Proposal is consistent with Desired Future Character Statements. The proposal would not unduly disturb biodiversity or ecological systems on the site, unless land clearance of native vegetation stands was undertaken.</p> <p>(c)(iii) Proposal is consistent with Desired Future Character Statements. The proposed use would not disturb existing scenic attributes of the site.</p> <p>(c)(iv) Not applicable. No identified rural residential or visitor amenity in this area.</p>
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changes in technology, production techniques, and in economic, management, and marketing systems.	<p>(d)(i) Proposal is not consistent with Desired Future Character Statements. The proposed use would not be associated with primary industry.</p> <p>(d)(ii) Proposal is not consistent with Desired Future Character Statements. Proposal is not sustainable commercial production based on a naturally occurring resource.</p> <p>(e) Proposal is not consistent with Desired Future Character Statements. The proposed use is not significantly influenced by changes in technology, production techniques or economic management and marketing systems.</p>
<b>26.3 Use Standards</b>	
<b>26.3.1 Requirement for discretionary non-residential use to locate on rural resource land</b>	
<p>26.3.1-(P1) Other than for residential use, discretionary permit use must:</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement;</p>	<p>Not applicable.</p> <p>Proposed use and development is for non-required "Residential" use (multiple dwellings x two).</p>



<p>(c) be required to locate on rural resource land for operational efficiency:</p> <ul style="list-style-type: none"> <li>(i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;</li> <li>(ii) to access infrastructure only available on the site or on adjacent land in the zone;</li> <li>(iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;</li> <li>(iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;</li> <li>(v) if required – <ul style="list-style-type: none"> <li>a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;</li> <li>b. for security;</li> <li>c. for public health or safety if all measures to minimise impact could create an unacceptable level of risk to human health, life or property if</li> </ul> </li> </ul>	
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<p>located on land in a zone intended for that purpose;</p> <ul style="list-style-type: none"> <li>(vi) to provide opportunity for diversification, innovation, and value-adding to secure existing or potential primary industry use of the site or of adjacent land;</li> <li>(vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or</li> <li>(viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and</li> </ul> <p>(d) minimise likelihood for:</p> <ul style="list-style-type: none"> <li>(i) permanent loss of land for existing and potential primary industry use;</li> <li>(ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and</li> <li>(iii) loss of land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development.</li> </ul>	
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26.3.2 Required Residential Use	
<p>26.3.2-(A1) Residential use required as part of a use must:</p> <ul style="list-style-type: none"> <li>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</li> <li>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</li> <li>(c) not intensify an existing lawful residential use;</li> <li>(d) replace a lawful existing residential use;</li> <li>(e) not create a new residential use through conversion of an existing building; or</li> <li>(f) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</li> <li>(g) there is no change in the title description of the site on which the residential use is located.</li> </ul>	<p>Not applicable.</p> <p>Not a required residential use.</p>

26.3.3 Residential use	
<p>26.3.3-(A1) Residential use that is not required as part of an other use must:</p> <ul style="list-style-type: none"> <li>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</li> <li>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</li> <li>(c) not intensify an existing lawful residential use;</li> <li>(d) not replace an existing residential use;</li> <li>(e) not create a new residential use through conversion of an existing building;</li> <li>(f) be an outbuilding with a floor area of not more than 100m<sup>2</sup> appurtenant to an existing lawful and structurally sound residential building; or</li> <li>(g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</li> </ul>	<ul style="list-style-type: none"> <li>(a) Non-compliant. Not an alteration or addition to an existing lawful residential building.</li> <li>(b) Non-compliant. Not an ancillary dwelling to an existing lawful single dwelling.</li> <li>(c) Not applicable. No existing lawful residential use.</li> <li>(d) Not applicable. No existing residential use on the land.</li> <li>(e) Not applicable. No other buildings on the land.</li> <li>(f) Not applicable. Not an outbuilding.</li> <li>(g) Not applicable. Not a home based business.</li> <li>(h) Compliant. No change to the Title description is proposed.</li> </ul> <p>See "Issues" section of this report.</p>

(h) there is no change in the title description of the site on which the residential use is located.	
<b>26.4 Development Standards</b>	
<b>26.4.1 Suitability of a site or lot on a plan of subdivision for use or development</b>	
<p>26.4.1–(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) unless for agricultural use, have an area of not less than 1.0 hectare not including any access strip; and</p> <p>(b) if intended for a building, contain a building area</p> <p style="padding-left: 40px;">(i) of not more than 2,000m<sup>2</sup> or 20% of the area of the site, whichever is the greater unless a crop protection structure for an agricultural use;</p> <p style="padding-left: 40px;">(ii) clear of any applicable setback from a frontage, side or rear boundary;</p> <p style="padding-left: 40px;">(iii) clear of any applicable setback from a zone boundary;</p> <p style="padding-left: 40px;">(iv) clear of any registered easement;</p>	<p>(a) Compliant. Land area is 7.97ha.</p> <p>(b)(i) Compliant. Proposed building area would be 289m<sup>2</sup>.</p> <p>(b)(ii) Compliant. Development would be clear of applicable front, rear and side boundaries.</p> <p>(b)(iii) Not applicable. No zone boundary setbacks apply.</p> <p>(b)(iv) Not applicable. No registered easements.</p> <p>(b)(v) Not applicable. No right of way benefiting other land.</p> <p>(b)(vi) Not applicable. No restriction imposed by a utility.</p> <p>(b)(vii) Not applicable. No access strip.</p> <p>(b)(viii) Compliant. Land is accessible from a frontage to Stubbs Road.</p>

<ul style="list-style-type: none"> <li>(v) clear of any registered right of way benefiting other land;</li> <li>(vi) clear of any restriction imposed by a utility;</li> <li>(vii) not including an access strip;</li> <li>(viii) accessible from a frontage or access strip.</li> </ul>	
<p>26.4.1 –(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> <li>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</li> <li>(c) by a right of way connecting to a road – <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</li> <li>(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</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Non-compliant. The site plan shows access from a right of way that the land does not have a legal right to use. The subject land should be required to establish a legal access off Stubbs Road.</li> <li>(b) Not applicable. Not an internal Lot.</li> <li>(c) Not applicable. No legal access to a right of way connecting to a road.</li> <li>(d) Compliant. The land has 161.53m of frontage to Stubbs Road. The development should be required to establish a legal access off Stubbs Road.</li> <li>(e) Compliant. The development would be required to establish a legal access off Stubbs Road in accordance with the <i>Local Government (Highways) Act 1982</i>.</li> </ul>

<p>(d) with a width of frontage and any access strip or right of way of not less than 6.0m; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	
<p>26.4.1–(A3) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of connecting to a water supply:</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system <sup>R31</sup> with a storage capacity of not less than 10,000 litres if:</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for:</p>	<p>(a) Non-compliant. Not able to connect to reticulated system.</p> <p>(b)(i) Compliant by condition. The Council’s Planning Permit would require on-site collection and storage of a potable water drinking system.</p> <p>(b)(ii)a. Non-compliant. Development is for multiple dwellings (two).</p> <p>(b)(ii)b. Non-compliant. Development would be able to accommodate up to 12 persons in two dwellings.</p> <p>Refer to “Issues” section of this report.</p>

<ul style="list-style-type: none"> <li>a. a single dwelling; or</li> <li>b. a use with an equivalent population of not more than 10 people per day.</li> </ul>	
<p>26.4.1–(A4) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste:</p> <ul style="list-style-type: none"> <li>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) by on-site disposal if: <ul style="list-style-type: none"> <li>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</li> <li>(ii) the development: <ul style="list-style-type: none"> <li>a. is for a single dwelling; or</li> <li>b. provides for an equivalent population of not more than 10 people per day; or</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Non-compliant. The site is not able to connect to the reticulated sewerage system.</li> <li>(b)(i) Compliant by condition. A Planning Permit should require compliance with the Wastewater Design report by JMG Engineers and Planners, dated February 2017.</li> <li>(b)(ii)a. Not applicable. Satisfied by (b)(iii).</li> <li>(b)(ii)b. Not applicable. Satisfied by (b)(iii).</li> <li>(b)(iii) Compliant. The Council's Planning Permit would require compliance with the Wastewater Design report by JMG Engineers and Planners, dated February 2017.</li> </ul>



<p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS 1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip.</p>	
<p>26.4.1–(A5) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system:</p> <p>(i) for discharge to a natural drainage line, water body or watercourse; or</p> <p>(ii) for disposal within the site if:</p> <p>a. the site has an area of not less than 5,000m<sup>2</sup>;</p> <p>b. the disposal area is not within any defined building area;</p>	<p>(a) Not applicable. Satisfied by (b)(i).</p> <p>(b)(i) Compliant. Stormwater drainage to a minor tributary that drains to Claytons Rivulet.</p> <p>(b)(ii) Not applicable. Satisfied by (b)(i).</p>

<ul style="list-style-type: none"> <li>c. the disposal area is not within any area required for the disposal of sewage;</li> <li>d. the disposal area is not within any access strip; and</li> <li>e. not more than 50% of the site is impervious surface.</li> </ul>	
<b>26.4.2 Location and configuration of development</b>	
<p>26.4.2–(A1) A building or a utility structure, other than a crop protection structure for an agriculture use, must be setback:</p> <ul style="list-style-type: none"> <li>(a) not less than 20.0m from the frontage; or</li> <li>(b) not less than 50.0m if the development is for sensitive use on land that adjoins the Bass Highway;</li> <li>(c) not less than 10.0m from each side boundary; and</li> <li>(d) not less than 10.0m from the rear boundary; or</li> <li>(e) in accordance with any applicable building area shown on a sealed plan.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. Development would be setback 110m from the frontage to Stubbs Road.</li> <li>(b) Not applicable. Satisfied by (a).</li> <li>(c) Compliant. Development would be setback 73m to the northern side boundary and 43.5m to the southern side boundary.</li> <li>(d) Compliant. Development would be setback 380m from the western rear boundary.</li> <li>(e) Not applicable. No building area on a Sealed Plan.</li> </ul>

26.4.2–(A2) Building height must be not more than 8.5m.	Compliant. Building height is 5.26m.
<p>26.4.2 A3.1 A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must –</p> <p>(a) not project above an elevation 15m below the closest ridgeline;</p> <p>(b) be not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</p> <p>(c) be below the canopy level of any adjacent forest or woodland vegetation; and</p> <p>(d) clad and roofed with materials with a light reflectance value of less than 40%.</p> <p>A3.2 Wind power turbines and wind power pumps must not exceed 20m in height.</p>	<p>A3.1</p> <p>(a) Compliant. Proposed multiple dwellings would not project above an elevation of 15m below closest ridgeline.</p> <p>(b) Compliant. Proposed multiple dwellings would be setback 57m from watercourse (creek).</p> <p>(c) Compliant. Proposed multiple dwellings would be below canopy level of vegetation located to the west of the site.</p> <p>(d) Non-compliant. Proposed multiple dwellings would be clad with stone and timber veneer materials. The rooves would be of “Zincalume” material. The Building Code of Australia (BCA) CA classifies roof colour on the basis of solar absorptance, which is deemed under the BCA to be the <i>inverse</i> of colour reflectivity. The BCA deems Zincalume to be a Medium colour, with absorptance &lt;60%. This means reflectivity would be greater than 40%.</p> <p>A3.2 Not applicable. Not wind turbine or wind power pumps.</p>

### 26.4.3 Location of development for sensitive uses

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

(a) be located not less than:

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

- (a)(i) Non-compliant. Proposed multiple dwellings would be setback approximately 80m from adjoining agricultural land to the south and 90m from adjoining agricultural land to the north.
- (a)(ii) Not applicable. No aquaculture, or controlled environment agriculture.
- (a)(iii) Not applicable. No non-blasting extractive industry in surrounding area.
- (a)(iv) Non-compliant. Proposed multiple dwellings would be approximately 955m from an extractive industry that has capability to blast.
- (a)(v) Compliant. No intensive animal husbandry within 500m.
- (a)(iv) Not applicable. Land is not within 100m of land under a reserve management plan.
- (a)(vii) Compliant. Land adjoins a private timber reserve that is approximately 450m to the west of the development site.

<p>(vii) 100m from land designated for production forestry;</p> <p>(viii) 50.0m from a boundary of the land to the Bass Highway, or to a railway line; and</p> <p>(ix) clear of any restriction imposed by a utility; and</p> <p>(b) not be on land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i>, or land that may benefit from the application of broad-scale irrigation development.</p>	<p>(a)(viii) Compliant. Land is approximately 3kms to the Bass Highway and 3.4kms to the Western Rail Line.</p> <p>(a)(ix) Non-compliant. Land is located within the Kindred North Motton Irrigation District proclaimed under Part 9 of the <i>Water Management Act 1999</i> in August 2012.</p> <p>See "Issues" section of this report.</p>
<b>26.4.4 Subdivision</b>	
<p>26.4.4-(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use either State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>
<b>26.4.5 Buildings for Controlled Environment Agriculture</b>	
<p>26.4.5-(A1) A building for controlled environment agriculture use must be a crop protection structure and the agricultural use inside the building must satisfy one of the following:</p>	<p>Not applicable.</p> <p>No controlled environment agriculture proposed.</p>

<p>(a) rely on the soil as a growth medium into which plants are directly sown;</p> <p>(b) not alter, disturb or damage the existing soil profile if conducted in a manner which does not rely on the soil as a growth medium.</p>	
CODES	
<b>E1 Bushfire-Prone Areas Code</b>	Not applicable. Not a subdivision or vulnerable or hazardous use.
<b>E2 Airport Impact Management Code</b>	Not applicable. No Code in this Scheme.
<b>E3 Clearing and Conversion of Vegetation Code</b>	Not applicable. No clearing or conversion of native threatened vegetation.
<b>E4 Change in Ground Level Code</b>	Not applicable. No cut or fill proposed greater than 1m.
<b>E5 Local Heritage Code</b>	Not applicable. No places of local significance listed in this Scheme.
<b>E6 Hazard Management Code</b>	Not applicable. Site not included in a mapped hazard area.
<b>E7 Sign Code</b>	Not applicable. No signs proposed.

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<b>E8 Telecommunication Code</b>	Not applicable. No telecommunications proposed.
<b>E9 Traffic Generating Use and Parking Code</b>	
<b>E9.2 Application of this Code</b>	Applicable. Applies to all use and development
<b>E9.4 Use or development exempt from this Code</b>	Not exempt. No Local Area Parking Scheme.
<b>E9.5 Use Standards</b>	
<b>E9.5.1 Provision for parking</b>	
<p>E9.5.1-(A1) Provision for parking must be:</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p>	<p>Compliant.</p> <p>E9 Traffic and Parking Code of the Scheme requires two car spaces per dwelling. The land has ample areas to allocate this provision. A Permit should require the applicable number of car parking spaces on the site.</p>
<b>E9.5.2 Provision for loading and unloading of vehicles</b>	
<p>E9.5.2-(A1) There must be provision within a site for:</p> <p>(a) on-site loading area in accordance with the requirement in the Table to this Code; and</p>	<p>(a) Not applicable. Not required for residential development.</p> <p>(a) Not applicable. Passenger pick-up and set-down facilities not required for residential development.</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.	
<b>E9.6 Development Standards</b>	
<b>E9.6.2 Design of vehicle parking and loading areas</b>	
E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and	Compliant. The site would be able to drain, collect and dispose of stormwater on-site, clear of building sites, wastewater site and access road. A Permit should require compliance with the Standard.
<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>(a) Compliant. The site has ample area to make provision for circulation and parking areas and vehicle manoeuvring areas in accordance with AS/NZS 2890.1 (2004). A Permit should require compliance with the Standard.</p> <p>(b) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(c) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(d) Not applicable. Applies where 20 spaces are proposed or required.</p>



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<p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	<p>(e) Compliant. The site has sufficient area to accommodate this requirement. A Permit should require compliance with the Standard.</p> <p>(f) Compliant. The site has sufficient area to accommodate this requirement. A Permit should require compliance with the Standard.</p> <p>(g) Compliant by condition. Internal roadway and car parking areas would be constructed with a compacted sub-base and an all-weather surface.</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.	Compliant by condition. Design and construction of access, vehicle circulation, movement and standing areas would be in accordance with the principles and requirements of the <i>Unsealed Roads Manual – Guideline for Good Practice</i> ARRB. A Permit should require compliance with the Standard.
<b>E10 Water and Waterways Code</b>	Not applicable. Not within 30m of a waterway.
<b>Specific Area Plans</b>	Not applicable. No Specific Area Plans apply to this area.

*Issues –*

*1 Local Area Objectives and Desired Future Character Statements –*

The purpose of the Rural Resource zone is to provide for the sustainable use and development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunity for resource production. The Rural Resource zones Local Area Objectives and Desired Future Character Statements together seek to promote use and development that is for primary industry purpose. The Local Area Objectives for the Rural Resource zone reference the requirement of use and development to be reliant upon, be associated with, or have an intention to use a naturally occurring resource (air, land and/or water) that is located on the subject site or adjoining land. The zone may provide for other use and development that does not constrain or conflict with resource development uses.

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

The subject proposal is not a use that is associated with primary industry. The proposal is for non-required Residential development (multiple dwellings x two). As such, the land is considered to be not appropriate for the proposed use, which could result in the constraint, fettering or interference with current or future resource development uses in the area.

The proposed use of the land is not able to satisfy the Local Area Objectives, primarily as the use does not rely on a resource that would be available on the site or on adjacent land.

Further, the proposal does not satisfy the majority of the relevant Desired Future Character Statements, primarily because the use would not result in agriculture, forestry, mining or extraction, utility or transportation activity.

2     *Development within the Kindred North Motton Proclaimed Irrigation District –*

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

The proposed development would be on land that is located within the Kindred North Motton Irrigation District.

The Kindred North Motton Irrigation District comprises 8,483ha and is expected to have the capacity to supply 2,500ML of water over the summer irrigation period, giving water security to affected lands. The Scheme is intended to service pasture and cropping land around the settlements of Kindred, Sprent, Abbotsham, Forth, Gawler, Ulverstone and North Motton. Currently, the production of potatoes, other vegetables, poppies, cereals, pyrethrum, berries and dairy produce are the primary activities in these areas.

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

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

The proposed development does not meet the Scheme's Standards of Clause 26.3.3–(A1) for a non-required “Residential” use to locate on Rural Resource land. It is mandatory that the proposal satisfies the Scheme’s Performance Criteria.

Performance Criteria 26.3.3–(P1) states the following:

“Residential use that is not required as part of other use must–

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

- (c) be on a site within which the existing or proposed development area –
  - (i) is not capable by reason of one or more of factors of topography, resource capability, size or shape of being utilised for resource development or extractive industry use; and
  - (ii) is not capable of utilisation in the operations of a resource development or extract industry use; and
  - (iii) does not constrain or interfere with existing or potential resource development or extractive industry use of land including the balance area on the site.
- (d) not be likely to impose an immediate demand or contribute to a cumulative requirement for public provision or improvement in reticulated or alternate arrangements for utilities, road access, or community service.”

The proposal is not able to satisfy the Performance Criteria. The subject property located at Stubbs Road was subdivided in 1979 and up until this time has been used for resource production. The proposal does not require to be located on Rural Resource land to access a naturally occurring resource on the subject site, or to access infrastructure only available on the subject site or adjacent land.

It is considered the proposal fails on the need to be reliant upon a primary industry resource, would constrain the future use of the land for primary industry and may constrain adjoining land and other land in the immediate vicinity from resource production activity.

4 *The development of a sensitive use on Rural Resource land –*

Residential development is defined as a “sensitive use” under the Scheme. The Scheme’s Acceptable Solution 26.4.1 requires that a sensitive use be setback a minimum of 200m from agricultural land. This is to minimise the proximity of a sensitive use to agricultural operational activities. Close proximity, less than 200m, may result in the conflict, interference or fettering of primary industry activity on adjoining agricultural land. Conflict may arise where a non-required

residential use locates in close proximity to primary industry due to differing expectations, the spraying of agricultural chemicals, pivot irrigation noise and spray, dust, and the activities of planting, ongoing maintenance and the harvesting of crops that may give rise to a nuisance to occupants of an adjoining sensitive use. In this case the property also adjoins a Private Timber Reserve and is within 950m of a blasting quarry.

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

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

It is considered the proposed residential development would result in the permanent loss of land for existing and potential primary industry use. The proposed 75m and 45m side setbacks from agricultural land would result in a likely constraint, interference or/and fettering of primary industry activity on subject land or, more particularly, on adjacent land.

*Referral advice –*

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No comment.
Infrastructure Services	No comment.

TasWater	Not applicable.
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 were received within the prescribed time, copies of which are provided at Annexure 3.

The representations are summarised and responded to as follows:

MATTER RAISED	RESPONSE
REPRESENTATION 1	
1 The property in question has been a productive piece of land for grazing, the cropping of potatoes, barley and raspberries and is a valuable rural asset.	The matter of the loss of productive primary industry land to non-required residential use is discussed in the “Issues” section of this report.

2 The bush aspect of the property should be retained as a “green” belt.	There is no suggestion or application for the clearing of land along the tributary to Clayton Rivulet.
3 Intensive farming operations are undertaken nearby.	This is noted. The land in this area is prime agricultural land within the Kindred North Motton Irrigation District.
4 The Council should uphold its Rural Resource policy.	There is no Rural Resource policy. The representor is most likely making reference to the Scheme and the Objectives contained within the Scheme for the Rural Resource zone.
5 The matter of two dwellings raises concern. Why two dwellings? For a rural undertaking a single dwelling with an outbuilding is sufficient.	The application is for two dwellings that together would accommodate up to 12 people. The applicant proposes to reside in the smaller dwelling while constructing the main building.
REPRESENTATION 2	
1 The access road shown on the site plan is a right of way access to other private property. The proposal refers to this road as ‘public road/private road’ and it is not.	This is correct. Any development on site would need to form a legitimate access to the property off Stubbs Road.

*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 to have merit. The proposed use and development of the land for Residential (multiple dwellings x two) – discretionary use class in Rural Resource Zone and variation to location of a sensitive use would place a “sensitive use” within the surrounds of an area that relies on primary industry, including agriculture, forestry and extractive industry, as the principal means of income and activity. It is considered the potential for land use conflict between primary industry and a non-required residential use is likely.

The proposed development is not able to meet key Local Area Objectives and Performance Criteria that seek to protect land for primary industry purpose. The proposed use is not a primary industry use of the site, would not be dependent upon access to a primary industry that is dependent upon a naturally occurring resource and the development would not augment ongoing farm operations.

It is considered the proposal would result in the permanent loss of viable agricultural land within the proclaimed Kindred North Motton Irrigation District.

*Recommendation –*

It is recommended that the application for Residential (multiple dwellings x two) – discretionary use class in the Rural Resource Zone and variation to location of a sensitive use at CT7334/4 Stubbs Road be refused on the following grounds:

- 1 The proposal is not able to satisfy the Local Area Objectives for development and use in the Rural Resource zone in that the proposed use and development would not protect agricultural land for sustainable, agricultural production and would not be reliant upon, be associated with, or have an intention to use a naturally occurring resource that is located on the subject site or adjoining land.
- 2 The proposal is not able to satisfy Performance Criteria for “Residential use” as stipulated under Clause 26.3.3–(P1) in that the proposed use and development would not be utilised for resource development or extractive industry, would result in the loss of agricultural land that is



located within the proclaimed Kindred North Motton Irrigation District and would constrain or fetter surrounding primary industry activity.

- 3 The development is not able to satisfy the Performance Criteria relative to the “Location of Development for Sensitive Uses” as stipulated under Clause 26.4.3–(P1), in that development less than 200m from agricultural land may result in the constraint, fettering or conflict with current or future resource development uses on the subject or adjoining land.’

The report is supported.”

The Executive Services Officer reports as follows:

“A copy of the Annexures referred to in the Town Planners report having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

■ “That the application for Residential (multiple dwellings x two) – discretionary use class in the Rural Resource Zone and variation to location of a sensitive use at CT7334/4 Stubbs Road be refused on the following grounds:

- 1 The proposal is not able to satisfy the Local Area Objectives for development and use in the Rural Resource zone in that the proposed use and development would not protect agricultural land for sustainable, agricultural production and would not be reliant upon, be associated with, or have an intention to use a naturally occurring resource that is located on the subject site or adjoining land.
  - 2 The proposal is not able to satisfy Performance Criteria for “Residential use” as stipulated under Clause 26.3.3–(P1) in that the proposed use and development would not be utilised for resource development or extractive industry, would result in the loss of agricultural land that is located within the proclaimed Kindred North Motton Irrigation District and would constrain or fetter surrounding primary industry activity.
  - 3 The development is not able to satisfy the Performance Criteria relative to the “Location of Development for Sensitive Uses” as stipulated under Clause 26.4.3–(P1), in that development less than 200m from agricultural land may result in the constraint, fettering or conflict with current or future resource development uses on the subject or adjoining land.”
- .....
- .....
- .....

## 9.9 Dog control – Fixing of registration fees for the 2017–2018 financial year and other fees under the *Dog Control Act 2000*

The Director Community Services reports as follows:

### *“PURPOSE*

This report considers the fixing of dog registration fees for the 2017–2018 financial year and other fees as required under the *Dog Control Act 2000* (the Act).

### *BACKGROUND*

The *Dog Control Amendment Act 2009* provides for the Council to set dog registration fees and other associated animal fees such as kennel licences, dangerous dog licences and so on. This report enables the registration fees to be set and the registration forms and tags to be issued to dog owners before the commencement of the registration period, and other associated animal fees to be set for the 2017–2018 financial year.

### *DISCUSSION*

The dog control legislation requires that all dogs over the age of six months be registered with a local council and it provides for councils to set fees for the purpose of registration and management of the Act. All dogs over six months of age must be registered with a local council; the period of registration being 1 July to 30 June each year.

The dog registration system enables the Animal Control Officer to identify a dog’s owner and records information to enforce the regulations and provisions of the dog control legislation.

The Council will continue to offer a discounted fee in the following instances:

- . should the dog registration be paid prior to 31 July 2017 for the 2017–2018 financial year – as an incentive to maximise dog registrations as at 1 July 2017;
- . should the dog be sterilised – to encourage the reduction in the instances of unwanted or abandoned dogs;
- . should the dog be obedience trained – to promote the value of obedience training;
- . should the dog be a registered working, pure bred, greyhound or hunting dog;

- . should the dog be owned and registered by a pensioner; and
- . newly registered dogs that have either recently been purchased or are up to six months of age.

The Council will continue to provide the registration services free of charge in the following instances:

- . should the dog be a registered and appropriately trained guide, hearing or companion dog (limited to one per person); and
- . should the dog registration be transferred from another Tasmanian council.

The Council has endeavoured to keep any increase in registration fees to a minimum.

The proposed fees continue to reflect the cost of providing the service through increases in the cost of transporting dogs safely (and with a minimum of stress on the animal), together with the demand for out of hours services, notably the number of dangerous dog incidents, and the usual cost increases that affect this service.

The Council will also be continuing an in-house program to pursue infringements for dogs that are not reregistered within the required timeframe. This will be undertaken immediately after the end of the discount period, beginning on 1 August 2017.

In setting the community service obligation component the Council has considered five rationales which include the following questions:

- . is it considered a public good?;
- . is it a private good that has public benefits?;
- . the relative need for the service;
- . the ability to pay for the service; and
- . the essential nature of the service.

The Council considers that while the ownership of dogs is a private good it does have some public benefits, such as companionship, social, therapy, security and recreational benefits. The Council believes that there is a need for the service and that the community sees a high need for the policing of dogs in public areas such as beaches, streets and through legislative requirements. The Council recognises the essential nature of the service in that the community expects that dog control should be provided to ensure quality of life for residents within the municipal area.

The Council also provides a discount period as an incentive to responsible dog owners who endeavour to meet the relevant legislative requirement to register their dog at

the start of the financial year. Under the Act dogs are required to be registered as at 1 July each year and while the Council sends out registration renewals at the start of June each year to facilitate timely registration, the Council also extends the discount period for the payment of registration through to the end of July each year to assist responsible dog owners in meeting the cost of that registration. The Council offers discounted fees to persons who acquire a dog part way through the year and refunds part of the registration cost of deceased dogs where it is appropriate to do so.

During the past year the Council investigated the introduction of a life-long registration fee for any de-sexed, microchipped dog. Following this investigation, a study of the take-up of such registrations in those few council areas that do currently provide this as an option, and subsequent discussions at Council workshop, it was decided that this was not a viable option to make available at this time.

#### *CONSULTATION*

The Central Coast Council falls within the upper range of the mid-sized councils and the proposed dog registration and associated fees fall within the upper range of fees charged by those councils.

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

The proposed fee structure is based on retention of the current dog control procedures and is calculated to meet the projected cost of dog control in 2017–2018 with the exception of the community service obligation to be met from rates.

A copy of the fee structure for the 2016–2017 financial year is appended to this report.

#### *CORPORATE COMPLIANCE*

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

##### The Shape of the Place

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

##### A Connected Central Coast

- . Improve community well-being

##### Council Sustainability and Governance

- . Improve corporate governance
- . Improve service provision.

*CONCLUSION*

It is recommended that dog registration fees be fixed for the financial year 1 July 2017 to 30 June 2018 in respect of all dogs over the age of six months, at the following rates:

DESCRIPTION	INCENTIVE RATE (IF PAID ON OR BEFORE 31 JULY 2017)	FULL RATE (IF PAID AFTER 31 JULY 2017)
Unsterilised dog	\$56.00	\$100.00
Sterilised dog*	\$33.00	\$44.00
Greyhound registered with the Tasmanian Greyhound Racing Board*	\$33.00	\$58.00
Pure Bred dog* (kept for breeding whose owner is the holder of a current stud prefix recognised by the Tasmanian Canine Association)	\$33.00	\$58.00
Working dog kept for the purpose of working farm stock*	\$33.00	\$58.00
Hunting dog*	\$33.00	\$58.00
Guide, Hearing or Companion dog	Nil	Nil
Newly registered dog (purchased through the year) – first year of registration only	**Pro-rata registration rate	**Pro-rata registration rate
Newly registered dog (up to six months of age)* for the first year of registration only	**Pro-rata registration rate	**Pro-rata registration rate
Registration fee for each Declared Dangerous Dog	\$255.00	\$310.00

Pensioners rate***	\$27.00	\$33.00
Transfer of dog registration from another Tasmanian Council for the same registration period (evidence must be provided)	Nil	Nil
Discount for Obedience Certificate****	\$1.00	\$1.00

- . \*Proof of evidence must be provided at the time of registration (such as a veterinarian certificate, Tasmanian Canine Association certificate, Greyhound Racing Board certificate, current membership of a recognised hunting dog organisation).
- . \*\*Pro rata registration rate – The rate is calculated as the Full Rate divisible by 12 and multiplied by the number of months or part thereof remaining in the financial year 1 July 2017 to 30 June 2018, or taken to be the Incentive Rate, whichever is the lesser. Note: the pro-rata registration rate does not apply where the owner has neglected to register a dog prior to being impounded.
- . \*\*\*Pensioners rate – The pensioner's rate applies to ONE dog only (owned by a pensioner at the one property). Evidence such as the Pension Concession Card must be sighted at the time of payment.
- . \*\*\*\*Discount for Obedience Certificate – Proof of evidence must be provided at the time of registration – a current certificate of obedience proficiency has been provided from an approved dog training organisation which has been accepted as a provider of an appropriate obedience certificate.

And that the following fees for the management of the *Dog Control Act 2000* also be fixed:

DETAILS	AMOUNT (\$)
Impounding fee (1 <sup>st</sup> impoundment)*	\$26.00
Impounding fee (subsequent)*	\$79.00
Daily pound fee (per week day or any part thereof)**	\$47.00

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Out of hours release fee (additional charge). Note: available in special circumstances only and if an appropriate authorised person is available.	\$90.00
Investigation of nuisance complaint (non-refundable)	\$25.00
Kennel Licence Application (initial) (not including dog registration)	\$125.00
Kennel Licence renewal (per year)	\$55.00
Replacement tag (each)	\$5.00
Dangerous dog collar (each)	Purchase price (plus 5% admin. fee and GST)
Dangerous dog sign (each)	Purchase price (Plus 5% admin. fee and GST)

- . \*Charged for the collection and short-term (less than 12 hours) impoundment.
- . \*\*Charged for long-term (12 hours or more) impoundment and in addition to the Impounding fee."

The Executive Services Officer reports as follows:

"A schedule of fees fixed for the 2016–2017 financial year having been circulated to all Councillors, a suggested resolution is submitted for consideration."

- "That dog registration fees be and are hereby fixed for the financial year 1 July 2017 to 30 June 2018 in respect of all dogs over the age of six months, at the following rates:

DESCRIPTION	INCENTIVE RATE (IF PAID ON OR BEFORE 31 JULY 2017)	FULL RATE (IF PAID AFTER 31 JULY 2017)
Unsterilised dog	\$56.00	\$100.00
Sterilised dog*	\$33.00	\$44.00

Greyhound registered with the Tasmanian Greyhound Racing Board*	\$33.00	\$58.00
Pure Bred dog* (kept for breeding whose owner is the holder of a current stud prefix recognised by the Tasmanian Canine Association)	\$33.00	\$58.00
Working dog kept for the purpose of working farm stock*	\$33.00	\$58.00
Hunting dog*	\$33.00	\$58.00
Guide, Hearing or Companion dog	Nil	Nil
Newly registered dog (purchased through the year) – first year of registration only	**Pro-rata registration rate	**Pro-rata registration rate
Newly registered dog (up to six months of age)* for the first year of registration only	**Pro-rata registration rate	**Pro-rata registration rate
Registration fee for each Declared Dangerous Dog	\$255.00	\$310.00
Pensioners rate***	\$27.00	\$33.00
Transfer of dog registration from another Tasmanian Council for the same registration period (evidence must be provided)	Nil	Nil
Discount for Obedience Certificate****	\$1.00	\$1.00

- . \*Proof of evidence must be provided at the time of registration (such as a veterinarian certificate, Tasmanian Canine Association certificate, Greyhound Racing Board certificate, current membership of a recognised hunting dog organisation).
- . \*\*Pro rata registration rate – The rate is calculated as the Full Rate divisible by 12 and multiplied by the number of months or part thereof remaining in the financial year 1 July 2017 to 30 June 2018, or taken to be the Incentive Rate, whichever is the lesser. Note: the pro-rata registration rate does not apply where the owner has neglected to register a dog prior to being impounded.



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- . \*\*\*Pensioners rate – The pensioner’s rate applies to ONE dog only (owned by a pensioner at the one property). Evidence such as the Pension Concession Card must be sighted at the time of payment.
- . \*\*\*\*Discount for Obedience Certificate – Proof of evidence must be provided at the time of registration – a current certificate of obedience proficiency has been provided from an approved dog training organisation which has been accepted as a provider of an appropriate obedience certificate.

And that the following fees for the management of the *Dog Control Act 2000* also be fixed:

DETAILS	AMOUNT (\$)
Impounding fee (1 <sup>st</sup> impoundment)*	\$26.00
Impounding fee (subsequent)*	\$79.00
Daily pound fee (per week day or any part thereof)**	\$47.00
Out of hours release fee (additional charge). Note: available in special circumstances only and if an appropriate authorised person is available.	\$90.00
Investigation of nuisance complaint (non-refundable)	\$25.00
Kennel Licence Application (initial) (not including dog registration)	\$125.00
Kennel Licence renewal (per year)	\$55.00
Replacement tag (each)	\$5.00
Dangerous dog collar (each)	Purchase price (plus 5% admin. fee and GST)
Dangerous dog sign (each)	Purchase price (Plus 5% admin. fee and GST)

- . \*Charged for the collection and short-term (less than 12 hours) impoundment.
- . \*\*Charged for long-term (12 hours or more) impoundment and in addition to the Impounding fee.”

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## NOTES

## INFRASTRUCTURE SERVICES

**9.10 Gorse on Council and Government owned land**

- Cr Howard (having given notice) to move, “That action be taken in promoting Government interest in disposal of unrequired gorse infested land and that Council research rezoning of like areas which would be conducive to residential and rural use.”

Cr Howard, in support of his motion, submits as follows:

“Areas of unchecked prolific gorse growth on Council and Government land in Central Coast poses a serious concern for present and future generations.

Some of the more affected locations are situated adjacent to land zoned residential or rural. Adding to the complexity privately owned land is also involved.

It is considered an extreme waste of valued assets in that such prime quality soil is to be environmentally devastated in such a manner. Gorse characteristics are comprehensively recorded and from information available it is acknowledged that eradication is achievable. From a selection of data provided by the Department of Primary Industries, Parks, Water and Environment and the following information is provided: –

*Spread of gorse:*

Gorse reproduces by seed; each plant produces huge numbers of seed with a water-resistant coating which allows them to remain dormant in the soil for up to 30 years.

Seeds are usually released in hot or dry conditions but can be stimulated into germination following burning or mechanical disturbance. Most seeds fall around the parent plant but the pods can split open and shoot seeds for distance of 5m, allowing infestations to spread rapidly.

Gorse can also spread from seed movement in water, soil machinery and footwear. Individual gorse bushes can live for up to 30 years.

*Physical Removal:*

Physical removal of gorse will not control an infestation unless it is combined with other methods of follow-up control. Regular slashing or mowing by themselves are NOT effective in eradicating gorse because plants will regrow from cut stumps or dormant seed in the soil as soon as slashing ceases.

### *Cultivation:*

Mechanical clearing is an ideal method of controlling large infestations on land that is later sown down with a competitive pasture species.

This treatment may require targeted herbicide spraying of regrowth and a second subsequent sowing of pasture.

### *Grazing:*

Grazing can be useful when combined with other control methods such as burning and herbicide, but is usually not effective on its own at eradicating gorse.

Grazing by sheep is only moderately effective at controlling regrowth gorse seedlings. Sheep will browse gorse bushes during spring or when pasture feed is in short supply. However, sheep prefer pasture to gorse, and control of established plants cannot be achieved by sheep grazing alone.

Goats prefer to browse young gorse shoots rather than pasture. However, well established gorse bushes are not readily killed by goats browsing alone, and will recover when the goats are removed.

Strategy is to burn mature gorse bushes, then stock with goats supported by large numbers of sheep during spring and early summer to reduce pasture carry-over. Reducing pasture carryover into late summer/autumn by sheep-grazing in spring, means that goat browsing pressure can be maintained on the gorse bushes throughout the growing season.

Over the past two decades' evidence of gorse burn-off and slashing in and around Penguin have proved worthless, time consuming and costly. A particular area of extreme concern is Government land adjoining residential properties at Kelvin Street, Penguin – residents live in constant fear of losing all to fire.

In positively correcting the situation it is requested that action be taken in promoting Government interest in disposal of unrequired gorse infested land and that Council research rezoning of like areas which would be conducive to residential and rural use."

The Director Infrastructure Services reports as follows:

### *"BACKGROUND*

This report considers a motion on notice from Cr Howard proposing that the Council encourage the State Government to consider the disposal of its unrequired gorse

infested land and to research the rezoning of these areas which would be conducive to residential and rural use.

*DISCUSSION*

There are a number of areas within Central Coast where gorse outbreaks are evident on State Government, Council and private lands. Unfortunately, in the Penguin area the gorse is in more obvious locations including along Preservation Drive as it travels from the Bass Highway to the traffic lights at the intersection with Main Road, along Preservation Drive (westwards from Penguin) and in the Dial Ranges, particularly to the south of the Golf Club and in and around the Mountain Bike Tracks.

Over time Council staff have undertaken eradication programs but these have been on a one-off basis and no ongoing funding has been provided to monitor or continue with the eradication programs, due mainly to higher significance weeds being reported and needing urgent attention. This year is an example, where a number of high priority weeds have become obvious in many parts of the municipal area.

In many of the instances where gorse is currently growing including the area of land between the residences in Kelvin Street and Preservation Drive, there are constraints which would prevent development of the site, e.g. landslip hazard, difficulties in servicing with utilities etc. This would need to be considered before the Council suggests development of land parcels to the State Government to consider.

*CONSULTATION*

When issues with gorse on State Government land are submitted for Council's attention, the Department of Primary Industries, Parks, Water and Environment are advised of such and are responsible for dealing with the complaint.

*RESOURCE, FINANCIAL AND RISK IMPACTS*

The Council has an annual eradication program targeting specific weeds. The program will be reviewed during the development of the Council's Weeds Strategy. In view of the very difficult year experienced this year (with an array of invasive weeds being found throughout Central Coast), it is probable that a targeted program will result as part of the new Strategy. Now that the Council has had a major increase in weed growth across the municipal area it is likely that there are weed outbreaks that the Council are not aware of. This will mean that the next financial year will be another difficult year even if it is not 'a good weed growing season'.

### *CORPORATE COMPLIANCE*

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

#### The Shape of the Place

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

#### The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure
- Contribute to the preservation of the natural environment.

### *CONCLUSION*

The motion on notice from Cr Howard is submitted for consideration.”

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## **9.11 Preservation Drive, Sulphur Creek**

■ Cr Howard (having given notice) to move, “In view of the continued popularity of the Preservation Drive, Sulphur Creek area and allaying local resident concern it is requested that Council consideration be given to:

- the installation of bollards;
- supply of additional garbage bins; and
- additional appropriate signage be erected.

It is deemed a matter of significant importance that in support of local business every endeavour is made towards the Tourist promotion of the delightful area.”

Cr Howard, in support of his motion, submits as follows:

“With the dramatic increase in caravan, camper van etc., visitation over the past 5 years has seen some very unacceptable safety and hygiene problems emerge.

Entrance tracks have been established one of the which ventures onto double white lines.

It is apparent that not all vehicles frequenting the area are self-contained even tents are becoming common place.

With the area devoid of toilet facilities the amount of toilet paper strewn around clearly demonstrates the attitude of a minority.

Friendly discussions with several of the campers revealed distinct disappointment with the offending minority.

A quote received was “we clean up after they make the mess” by they, it was referring to backpackers.

Local residents aware of the abuse of the area have also expressed concern.

In view of the continued popularity of the Preservation Drive, Sulphur Creek area and allaying local resident concern it is requested that Council consideration be given to:

- . the installation of bollards;
- . supply of additional garbage bins; and
- . additional appropriate signage be erected.

It is deemed a matter of significant importance that in support of local business every endeavour is made towards the Tourist promotion of the delightful area.”

The Director Infrastructure Services reports as follows:

*“BACKGROUND*

This report considers a motion on notice from Cr Howard requesting that consideration be given to the installation of bollards, supply of additional garbage bins and the installation of additional appropriate signage at free overnight self-contained caravan and motorhome sites along Preservation Drive, Sulphur Creek.

*DISCUSSION*

There are three informal caravan/motorhome free stop areas along Preservation Drive between Sulphur Creek and Penguin. These are at Halls Point, Midway Point and adjacent to the Penguin Surf Club at Preservation Bay. One of the locations, Halls Point is also a designated picnic area with tables/chairs and rubbish bins which were provided for those using the area during the day, i.e. day visitors only.



There are a number of free caravan/motorhome overnight camping areas within Central Coast, and these areas do not have any facilities, unless they are also a picnic area or are part of a sporting ground, e.g. Forth. They are not specifically signed as overnight camping areas other than those where picnic facilities exist and anyone using the locations are expected to ensure that the site is clean when they leave and all waste is taken with them to dispose of in the appropriate way.

It should be noted that none of these sites are for tent nor self-contained vehicle camping.

Two free dump points are provided within the municipal area for the disposal of grey and black water, one in Johnsons Beach Road, Penguin and the other in Victoria street, Ulverstone.

Investigations into the provision of services to the informal camping areas can be undertaken. The Council is currently negotiating with the State Government to takeover Preservation Drive. Until this time, any proposals to upgrade services to the free overnight camping locations will require the approval of the relevant State Government Departments.

### *CONSULTATION*

Recent issues experienced with campers in the Sulphur Creek area were discussed at the Sulphur Creek/Preservation Bay Community Morning tea on Thursday, 30 March 2017. The main issues appear to have been caused by recent visitors using tents and not abiding by the 'unspoken rules' of camping in the areas.

The Council's Ranger, who visits all locations daily, dealing with the issues and subsequently moving offenders on..

### *RESOURCE, FINANCIAL AND RISK IMPACTS*

At this time, there is no budget for maintenance to any of the free overnight camping areas within the municipal area. Any services provided to these areas would require a Capital Budget allocation to provide facilities as well as a Maintenance Budget allocation to maintain them.

Picnic areas are provided with seating and tables and weekly waste collection and this is already allowed for the Annual Budget.

### *CORPORATE COMPLIANCE*

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

The Shape of the Place

- Improve the value and use of open space

The Environment and Sustainable Infrastructure

- Contribute to the preservation of the natural environment

Council Sustainability and Governance

- Improve service provision.

*CONCLUSION*

The motion on notice from Cr Howard is submitted for consideration.”

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## 9.12 Penguin foreshore erosion

- Cr Howard (having given notice) to move, “That urgent action be taken to address the erosion of the Penguin foreshore.”

Cr Howard, in support of his motion, submits as follows:

“After many years of continual pounding this sensitive picturesque seafront is urgently in need of remedial attention.

Approximately a decade previous the western end of the wall received restoration and at that time Community feeling was that further East should have been included.

Personal observation of the area over the past 5 years has seen a rapid deterioration.

Much of the majestic historical Norfolk Pines root base has become more exposed and the supporting soil is slowly being eroded.

With an emphasis of expediency, it is requested that steps be taken in addressing a situation which left unchecked could result in a costly town disaster.”

The Director Infrastructure Services reports as follows:

### *"BACKGROUND*

As a result of erosion occurring to Penguin Beach over many years a number of remedial measures have been undertaken to prevent or minimise this erosion including the most recent being the extension of the retaining wall between the Beach and Main Road nature strip eastwards toward the access down to the beach adjacent to the children's playground in 2005.

Over the last two-three years concerns have been raised by Penguin residents, Councillors and Council staff about the erosion that has occurred, particularly between the end of the retaining wall and approximately the commencement of the access road to Lions Park ('Old Surf Club Road').

### *DISCUSSION*

Sand movement along Penguin Beach is quite noticeable with regular changes in levels occurring and being evident when compared to the existing concrete retaining wall. One particular area of concern is between the end of the retaining wall and the access ramp to the beach near the Norfolk Pine where undermining of the escarpment was taking place. This area is frequented by residents for picnics etc. and children who like to slide down the grass slope.

The stability of the large Norfolk Pine near the main access to the beach has been raised and this is monitored regularly by a specialist who has assured staff that the tree is quite stable at this time. This monitoring will continue and inform any actions to be undertaken in the future.

At this stage, it is not believed that there is a major risk to the Penguin and Main Road from the beach erosion. However, this can change and monitoring of the erosion areas and beach changes will continue in order to be prepared.

In recent months there has been little change to the steep banks adjacent to the beach. Council staff continue to monitor these areas and undertake risk assessments to ensure that the area is safe for beach and Main Road users.

Preliminary consideration as to how to protect the escarpment from further erosion without detracting from the aesthetic attraction of the area has been given but design work has not been possible to date. The area behind the LINC (library) and shops which back onto the area along Main Road is likely to require a different solution as is the section adjacent to the Lions Park access road.

Investigations need to be undertaken into possible action to resolve the current erosion issues along the beach. Once viable solutions are determined, the Penguin

community needs to be consulted on these to ensure that whatever is undertaken, the long-term future of Penguin Beach is sustainable.

*CONSULTATION*

Consultation has been occurring over at least the last two to three years with Councillors, Council staff and various Penguin community members on concerns raised and viable solutions to the erosion that has occurred.

*RESOURCE, FINANCIAL AND RISK IMPACTS*

Unfortunately, the cost of viable actions to minimise the risk to beach users and property and the Penguin beach environment is likely to be very high. Further research is required into Government funding available to assist with remedial works and then need to be undertaken in the next financial year.

*CORPORATE COMPLIANCE*

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

The Shape of the Place

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

The Environment and Sustainable Infrastructure

- Invest in and leverage opportunities from our natural environment
- Contribute to a safe and healthy environment
- Develop and manage sustainable built infrastructure
- Contribute to the preservation of the natural environment.

*CONCLUSION*

The motion on notice from Cr Howard is submitted for consideration.”

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## NOTES

ORGANISATIONAL SERVICES

**9.13 Contracts and agreements**

The Director Organisational Services reports as follows:

“A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into during the month of March 2017 has been submitted by the General Manager to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reports as follows:

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

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

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

The Director Organisational Services reports as follows:

*“PURPOSE*

This report is to inform the meeting of any correspondence received during the month of March 2017 and which was addressed to the ‘Mayor and Councillors’. Reporting of this correspondence is required in accordance with Council policy.

*CORRESPONDENCE RECEIVED*

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

- . Two letters of representation in respect of planning application for telecommunication tower at the Ulverstone Showground.
- . Letter regarding the Australian Local Government Associations submission to the 2017–2018 Federal Budget for Financial Assistance Grants.

- . Letter regarding the Tasmanian Governments launch of Safe Homes Safe Families: Responding and Reporting.
- . Letter of support from Leonie Hiscutt MLC for proposed community event – The Grasshopper Carnival.

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

The Executive Services Officer reports as follows:

“A suggested resolution is submitted for consideration.”

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

### 9.15 Common seal

The Director Organisational Services reports as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 21 March 2017 to 19 April 2017 is submitted for the authority of the Council to be given. Use of the common seal must first be authorised by a resolution of the Council.

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

The Executive Services Officer reports as follows:

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

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

**9.16 Financial statements**

The Director Organisational Services reports as follows:

“The following principal financial statements of the Council for the period ended 31 March 2017 are submitted for consideration:

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

The Executive Services Officer reports as follows:

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

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

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## NOTES

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## 10 CLOSURE OF MEETING TO THE PUBLIC

### 10.1 Meeting closed to the public

The Executive Services Officer reports as follows:

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

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

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

- . Confirmation of Closed session minutes;
- . Central Coast and Devonport Shared Audit Panel – Appointment of Chairperson; and
- . Exchange and sale of land at 310 and 310A Preservation Drive, Sulphur Creek (388/2013 – 16.12.2013).

These are matters relating to:

- . information of a personal and confidential nature or information provided to the council on the condition it is kept confidential; and
- . proposals for the council to acquire land or an interest in land or for the disposal of land.

A suggested resolution is submitted for consideration.”

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

- . information of a personal and confidential nature or information provided to the council on the condition it is kept confidential; and
- . proposals for the council to acquire land or an interest in land or for the disposal of land.

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

- 
- . Confirmation of Closed session minutes;
  - . Central Coast and Devonport Shared Audit Panel – Appointment of Chairperson; and
  - . Exchange and sale of land at 310 and 310A Preservation Drive, Sulphur Creek (388/2013 – 16.12.2013)."
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The Executive Services Officer further reports as follows:

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

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# Associated Reports And Documents



**Central Coast  
Youth Engaged Steering Committee  
Minutes of a meeting held at  
Ulverstone High School  
Thursday 23 February 2017 at 9.00am**

Doc ID: 264538

**PRESENT:**

**Sandra Ayton** (General Manager – Central Coast Council [CCC]); **Philip Viney** (Councillor/Accountant/Ulverstone Lions Club); **Melissa Budgeon** (Community Wellbeing Officer – Central Coast Council [CCC]); **Kellie Conkie** (Work Placement Coordinator – UHS); **Glen Lutwyche** (Principal – UHS); **Wayne Pepper** (Teacher NWCS); **Mike Vos** (Assistant Principal – LCS); **Matthew Grining** (Principal PDS); **Samantha Evans, Ella Barron and Adam Knapp** (Student Rep. – UHS); **Poppy Giddings, Toni Hall and Ebony Raimondo** (Student Reps. – PDS); **Brianna Chilcott and Harriet Knapman** (Student Reps. – LCS); **Isabel Porter and Chloe Casey** (Student Rep. – NWCS) and **Michael Walsh** (arrived late to the meeting).

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**1 WELCOME**

Sandra Ayton chaired the meeting and welcomed everyone and declared the meeting opened at 9.05am. Introductions were undertaken.

**2 APOLOGIES**

**Cr Rowen Tongs** (Community Rep. /Councillor); **Glenn Mace** (Principal – LCS) and **David McNeil** (Principal – NWCS).

**3 INTRODUCTION AND WELCOME**

The first meeting of the Committee for 2017 was designed to be a meeting for Committee members to meet each other, as well as learn and understand about ideas the Committee have identified to undertake over the next 12 months.

**4 MEETING DISCUSSION**

**4.1 *Role and Scope of the Youth Engaged Steering Committee***

Cr Viney explained the role of the Youth Engaged Steering Committee. He advised that the four points of the terms of reference are:

- . Coordinating and supporting existing relationships, initiatives and programs between schools and the business and community sectors;



- . Provides leadership in the development of new initiatives and programs, including mentoring in the workplace;
- . Develop activities that engage young people currently not in employment, training or education.
- . Promote leadership potential within the schools

He explained that the committee provides the youth of the Central Coast Municipality a voice on issues that affect them in their community in regards to the terms of reference.

#### 4.2 *Discussion on role of the Committee*

Sandra explained that the committee meetings are run by following a meeting agenda. A request will be sent out via email requesting for agenda items for the upcoming meeting. Students and teachers are encouraged to contribute any items for discussion, which should be sent into the Council by the requested date.

Sandra explained that students will be asked to chair meetings and asked the Community Services Administrator to send out the meeting procedure notes to everyone. Sandra will brief each student prior to the meeting on the Agenda and would sit with the student chairing the meeting and mentor them through the Agenda.

### 5 MINUTES OF THE PREVIOUS MEETING

Philip Viney moved and Kellie Conkie seconded, "That the Minutes of the previous meeting held on 10 November 2016 be confirmed"

**Carried**

### 6 MATTERS FOR DISCUSSION FROM PREVIOUS MEETING

#### 6.1 *Ulverstone High School extension of year 11 and 12*

Glenn Lutwyche reported that Ulverstone High School's transition extending to year 11 and 12 has been received with a positive retention of students.

#### 6.2 *All About Arts*

Melissa reported the Council will look at running 'All About Arts' which deals with career opportunities in the arts. Melissa will coordinate with school and confirm a dated at the end of May 2017. It will be for year 10, 11 and 12 students looking at going into an arts career.

The program will cater for 50 to 60 students and be held at the Wharf Precinct in the Gnomon Room.

This is an opportunity for students to have a conversation with artists from different disciplines. The program format has been created to assist students to engage with:

- 1 fine art;
- 2 music and theatre;
- 3 writing and journalism;
- 4 graphic design;
- 5 architecture – design;
- 6 community arts.

### 6.3 *Youth Week – Friday 31 March to Sunday 9 April 2017*

Melissa has applied for a Youth Week Grant. Last year the students organised an outdoor cinema event and because of the uncertainty of the Tasmanian weather it is planned to hold the event this year at the Sulphur Creek hall or Turners Beach hall. A date and time yet to be decided. This is to be advertised through social media and schools.

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## 7 MEMBER REPORTS

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

- Our parent group are holding an open-air cinema showing of The BFG on Friday March 24th
- Our grade 7's (Camp Banksia) and 8's (Paton Park) have had their overnight orientation camps
- Student board elections have been finalised and will be extended from grade 3–10 for 2017
- A number of students are volunteering at Festival in the Park for the combined Rotary Groups
- The Penguin Surf Carnival was recently held.
- Our Schools Swimming Carnival is to be held soon.
- Dial sports precinct construction has commenced.

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

- Our Dedication Service, which included our Burnie Campus, was held last Thursday where we committed our School and 2017 to the Lord.
- During the Dedication Service seven of our 2016 Senior Students were presented with Academic Awards for 'Exceptional Achievement' in their studies.
- Following the Dedication Service our Memorial Garden was officially opened in honour of three students, one Board member and a teacher who passed away whilst enrolled or serving at our School.

- The School is currently preparing for our annual Twilight Fair. This will be held next Friday 3 March from 4.00pm till 8.00pm at the Ulverstone Campus. There will be lots of activities and delicious food on offer so we extend a warm welcome for all to attend.
- On Monday and Tuesday of this week our Year 7s and 11/12s attended their 'Orientation Camps' at Camp Clayton.
- Our Biology and Life Science students are currently on a three-day camp at Maria Island.
- Both campuses are holding 'Welcome Back BBQs' for our Primary School families this evening.
- Our High School and joint Primary Schools Swimming Carnivals will be held next week.
- In October, this year a group of 9–12 students are travelling to Vanuatu for a ten-day mission trip. They will be volunteering at the Port Vila Community Christian School. They are currently in the process of fund raising in order to also provide financial support to the community.

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

- Mrs Walsh has retired and the new principal is David McNeil.
- Re arrange bus drop offs and pickups.

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

- Dental Clinic has been completed and is open for use.
- The school held a meeting in relation to the NDIS for interested parents.
- The school has started with approximately 61 year 11/12 students and we have a 12 seater for use by students 7–12. Currently the bus is transporting students to Sheffield School for the Agricultural program in year 11/12 on Mondays and Thursdays.
- We have a new school nurse Lisa Evans working on Tuesdays.
- The SRC have leadership day on Friday 24 February and this now involves a year 11/12 representation.
- The Wind Turbine has now been replaced and is being tested prior to hand over.
- Ulverstone is part of the Collective Education Project with Beacon and there will be three Beacon staff starting in the school by the end of term one.
- Kellie Conkie's role will continue with work placements and the focus will more than likely move to a year 11/12 focus.
- Kellie will continue to attend the meetings with our students during 2017.
- Our Schools Swimming Carnival is to be held 3 March.
- A visit by the Minister for Education and Premier was held recently.
- Student leadership group will meet and appoint school captains.
- The School is looking at a Targa Tasmania project that is similar to the F1 program in schools.



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## 8 GENERAL BUSINESS

### 8.1 *Youth Engaged Breakfast*

Melissa requested ideas from the students on what topic they would like to have presented at this year's Youth Engaged Breakfast. Glenn Lutwyche suggested that a presentation from the Beacon Foundation may be one suggestion. A date, time and venue to be set.

### 8.2 National Volunteering Week 8–14 May 2017

Students were asked to nominate a mate, someone they know who volunteers at school or in their community. The nominations are looked over by the Mayor and Student Leaders.

### 8.3 *Leaderships values Youth Engaged Steering Committee*

Sandra spoke about a program the Council has with the staff. The Council through workshops with staff have come up with core values that can be used in the work place. Sandra suggested that the Youth Engaged Steering Committee look at these values and discuss if they would work for the committee or alternatively come up with some values that would better suit the Youth Engaged Steering Committee.

### 8.4 *Mentoring students*

Mike Walsh made an offer to the schools to mentor students and run through meeting procedures at their school. It is up to the schools whether they wish to take up this offer.

### 8.5 *The Council's major projects*

Cr Philip Viney reported the Central Coast Council has some major projects to undertake in 2017 and they are the Dial Regional Sports Complex redevelopment program, the redevelopment of the Penguin Recreation Ground, the Wongi Lane – Bus Stop, Coles Car Park redevelopment and the re-aligning of Victoria Street and Beach Road Pedestrian footpath in front of the Beach Shop.

The Council is also looking at putting in a Pump and Jump Park at Fairway Park, this will be subject to a funding application being successful which was put in by the Lions Club.

### 8.6 *Dementia friendly area in Central Coast*

Sandra reported that the Central Coast Council is working towards the Central Coast Municipality becoming a dementia friendly area. Sandra will ask the person who is currently running this project to make a presentation at a future meeting.

#### 8.7 *Council Office visit*

The students of the Youth Engaged Steering Committee would like to do another tour through the Council's Administration building. Melissa to organise a date and time preferably after the next committee meeting at the Council offices.

#### 9 REVIEW OF THE MEETING

The committee reviewed what had been discussed today.

Discussion also took place with regards to the issue of some students getting to school on buses and therefore not being able to get to the meeting on time. It was agreed to move the commencement time for all future meetings to 9.15am.

#### 10 NEXT MEETING

The next meeting is to be held on 30 March 2017 at the North West Christian School commencing at 9.15am.

As there was no further business to discuss the meeting concluded at 10.05am.

## Turners Beach Community Representatives Committee

Minutes of the meeting held in the Turners Beach Hall

Thursday, 23 February 2017 commencing at 4.00pm

### 1 PRESENT

**Community Representatives:** Elaine Eiler, Barry Isaac, Waine Whitbread, Susan Spinks, Rod Priestley, Tim Horniblow, and Barry Isaac.

**Central Coast Council (CCC) Representatives:** Sandra Ayton (General Manager), Jackie Merchant (Community Development Officer) and John Kersnovski (Director Infrastructure Services).

### 2 APOLOGIES: Cor Vander Vlist (Director Community Services), Robert Best, Merryn Gilham, Ben Kearney, , Andrew Leary, Neville Dobson

### 3 MINUTES OF PREVIOUS MEETING

Minutes for the meeting held on Thursday, 25 August 2016 were confirmed.

### 4 MATTERS ARISING FROM PREVIOUS MINUTES

#### (a) Forth and Leith shared pathway

Council is applying for a Community Infrastructure Grant which will go in for the round closing in March 2017.

#### (b) Junction at Bass Highway and Leith

Council has had a meeting with Minister Rene Hidding, and has made a budget submission to State Government for the two intersections.

#### (c) Turners Avenue Speed limit and path

Traffic committee met last Tuesday, and it is on their list to discuss a speed limit reduction for Turners Beach Avenue down to 40km. Committee members also noted that people cutting the corner is an ongoing and dangerous problem.

Construction of the pathway will be put into the long term financial plan.

## 5 MATTERS FOR CONSIDERATION

### 5.1 COUNCIL UPDATE

- (a) Sandra informed the group that in the near future the State Government will be undertaking a review of bus services along the coast, including options such as an express type service which stops in Burnie, Ulverstone and Devonport, but also the provision of timetabled services into community areas.  
Timetable of services will better allow people to plan. The review does not apply to school services.

Sandra urged the community to consider what times of day would suit people best, and to get along to the engagement opportunities to provide their feedback

### 5.2 COMMUNITY UPDATE

- (a) **Rod Priestley**

There is a broken light with wires hanging down in the vicinity of the old service station. John Kersnovski explained it is on private property and not Councils.

Pruning at the viewing platform – still not done and overgrown. John Kersnovski explained the pruning programme has just started and it is on the list.

Tim Horniblow reported on the history of the viewing platform and that it had been a combined project between Coastcare, University of Tasmania and Council to stop surfers tromping on the vegetation and to allow rehabilitation to take place. Tim asked if before any decisions were made about the viewing platform that Council wait on a report and vote from Coastcare so that an informed decision could be made. The Council's General Manager, Sandra Ayton agreed.

Pathway clearing – and bits of walkway entrance structure are on the ground. John Kersnovski will get the maintenance crew to inspect.

Tennis Court fence repair – Sandra explained that the tennis court fence is to be replaced not repaired. Tim Horniblow mentioned how great the courts were for casual users, and he would hate to see them go, especially after the progress association worked so hard to get them up.

Bollard relocation – John Kersnovski will meet with Sonya Stallbaum and Hayley Johnson from the Council to find out the history of the bollards and why they were moved last time before they are moved again.

(b) **Waine Whitbread**

Waine asked when the meeting the Council proposed with stakeholders along Turner Beach foreshore, caravan park etc were likely to happen to clear up areas of responsibility. John Kersnovski assured him the meetings weren't forgotten, and were still planned to happen.

## 6 MATTERS FOR CONSIDERATION

### 6.1 OTHER ITEMS

**WAINE WHITBREAD** – Waine mentioned that Parks and Wildlife have placed sign banning the burning of flood driftwood on the beach. Waine felt the wording was ambiguous, as it read like it was OK to take your own wood and burn that.

Dogs not on a leash on the beach is an ongoing issue. He noted there have been some dead penguins and hoped this was not as a result of dogs, also people not picking up after their dogs continues to be an ongoing problem.

John Kersnovski reported Dogs are an issue for Council across the board.

Council is to circulate to members of the Turners beach group the dog map areas information which Council has.

**BARRY ISAAC** – asked if Council could do some maintenance work on the laneway used for ambulance access between the South side of the Bowls club and the North fence. Could Council mow this as part of their run.

**TIM HORNIBLOW** – Congratulated the community garden on their progress and said the garden looked great.

The repairs to the round-a-bout look great, the new plants look good and it is noted that the big sign is back up.

**ROB PRIESTLEY** – Sea Kiss Cottages – can Council put a dotted line – or some definition at the end of Beach Road where the concrete joins the bitumen.

**Shared pathway** – there are a lot of pebbles that wash, or cars splash out of puddles onto the bitumen area when it has rained, is it possible for Council to get the street sweeper to run across it every couple of weeks to make it safer for bikes and pedestrians.

The camp Clayton entrance continues to be a safety issue for those on the shared pathway.

## 7 NEXT MEETING

As there was no further business to discuss the meeting closed at 5.00 pm. The next ordinary meeting of the Committee will be held on 25 May 2017 at 4.00pm in the Turners Beach Hall.



**Central Coast Community Shed Management Committee  
General Meeting – Minutes of Meeting held at the Community Shed  
Monday, 6 March 2017 commencing at 1.15pm**

**1 PRESENT/APOLOGIES**

Rob McKenzie (Chair) Len Blair, Norm Frampton, Sam Caberica, Sam (Richmond Fellowship) and Len Carr.

**Minute taker:** Melissa Budgeon

**Apologies:** Anne Williams, Trish Bock, David Dunn, Cr Phil Viney, Jack Eaton and Merv Gee.

**2 CONFIRMATION OF MINUTES**

It was resolved, "That the minutes of the meeting held on Monday, 6 February 2017 are confirmed as correct."

**Carried**

**3 BUSINESS ARISING FROM MINUTES**

- . **Building Works/Shed expansion**
  - Work almost completed on the shed expansion.
  - Acquittal details to be forwarded to Melissa.
  - Suggested that an opening, celebration be held, and the appropriate personnel be invited. Melissa to confirm details with the Mayor and GM.
- . **Drainage** – Rob/Len to continue to follow up with Adrian re this matter.
- . **Rubbish** – It was noted that after huge weekends at the sports precinct, ground and facilities, the rubbish was overflowing.

**4 CORRESPONDENCE**

Nil.

**5 TREASURER REPORT**

Income	\$4,318.44	(Fees/projects/donations)
	\$2,500.00	Extensions contributions
Expenses	\$6,032.17	

February – 314 Men, 87 women

It was resolved, "That the Treasurer's report be accepted."

**Carried**

## 6 General Business

- . TMSA – Aurora have offered sponsorship to the Community Shed re a reduced power charge rate, Rob and Len to look into how this could be applied.
- . Wooden Boat Festival was great – with over 150 people registered interest in Community Shed, good PR exercise for the Community Shed.
- . Thursday, March 23 is Safety Audit date. Items identified by Council's Safety Officer have been addressed, including new to service tags.
- . School groups start back at the Community Shed this coming week.
- . Suggested to enclose the open area used on Show Day as an animal nursery, this would make area safe. Currently when the ground is in use young children climb through the structure, vandalism and loitering occurs. Make the area more secure and useable for all groups of the complex. Also, suggested that the exterior could have a depicting mural or some art representing farm/show society/agricultural heritage. Rob and Len to discuss with the Recreation Facilities Coordinator – Robert Bourke and the Show Society.
- . Richmond Fellowship have some clients that are interested in attending the shed. Sam to introduce them to the facility, to seek commitment. They have an outdoor table that needs repairs and refurbishment that could make for a great project first up.
- . Community Safety Partnership Committee meeting – the new Senior Sergeant, Simon Conroy was introduced, and has been invited to attend the shed to meet the group.

## 7 CLOSURE

As there was no more business to discuss the meeting closed at 1.55pm.

## 8 NEXT MEETING

The next meeting will be held on 3 April, 2017 commencing at 1.00pm.

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

as at 6 March 2017

		<i>Estimates</i> \$	<i>Actual</i> \$
<b>Revenue</b>			
11413.03			
	Fees	3,000.00	2772.73
	School Groups		181.82
	Material Donations		\$45.45
	Project Donations	2,000.00	\$1,318.44
	GST allocation		
	<i>Estimate</i>	<b><i>\$5,000.00</i></b>	<b><i>\$4,318.44</i></b>
11413.06	Building Fund (carried over)		\$2,500.00
11413.06			\$8,171.00
<b>Expenditure</b>			
11481			
	1 Aurora	1,800.00	\$843.20
	2 Telstra/Internet	700.00	\$438.99
	3 Office	200.00	\$95.45
	4 Bus	-	-
	5 Testing and tagging	1,000.00	\$413.00
	6 Petty Cash	-	-
	7 Training	250.00	\$154.65
	8 Membership	200.00	\$50.00
	Insurance	-	\$113.08
	9 Room Hire	-	-
	10 Repairs and Maintenance	2,000.00	\$2,612.18
	11 Safety Equipment	500.00	-
	12 Project Materials	3,000.00	\$1,140.25
	Insurance	200.00	-
	Water/Sewage	150.00	\$22.87
	13 Inspections/Building maintenance Checks	-	-
	sign	-	\$148.50
	<i>Estimate</i>	<b><i>\$10,000.00</i></b>	<b><i>\$6,032.17</i></b>



# East Ulverstone Swimming Pool Management Committee

## Meeting Minutes

Thursday, 9 March 2017 at 3.30pm

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Doc. ID: 264707

### 1 PRESENT/APOLOGIES

#### Present

<b>Education Department Representatives</b>	Alan Graham and James Lyons
<b>Council Representatives</b>	Liz Eustace, Steve Turner and Cr Kath Downie
<b>Community Representative</b>	Steve Crocker

**Apologies** Wendy Cracknell and Grant Armitstead

### 2 CONFIRMATION OF MINUTES

The minutes of the previous meeting dated Thursday, 10 November 2016 were accepted as a true and accurate record. Moved by Alan Graham and seconded by James Lyons.

### 3 BUSINESS ARISING FROM THE PREVIOUS MINUTES

- **Carpark Area:** The large tree in the centre of carpark has been assessed by Council works staff and it was deemed to be unsafe and is in the process of being removed. The line marking is yet to be done but the supervisors parking spot has been blacked out ready.
- **Increase in Fees:** This item was in response to Alan's request for info on the current hire cost figure came from, when was the last increase and are the increases in line with CPI. Steve referred the committee to the minutes of 10 May 2012 meeting which stated:
  - Education Department hire charge - next increase due.

The Committee agreed that the Education Department Hire Cost to the Central Coast Council be increased each calendar year by the most recently available annual CPI increase.

### 4 EDUCATION DEPARTMENT REPORT

Refer following report.

### 5 CORRESPONDENCE

#### *Inward*

- Apology from Grant Armitstead and notification that due to a job change he can no longer serve on Pool Committee.
- Apology also from Wendy Cracknell who also raised the issue of setting the alarm.

*Outward* – Nil.

## **6 GENERAL BUSINESS**

Alan to make enquiries regarding a replacement Education Dept. member for Grant Armitstead.

There was a discussion around the need for the setting of the security alarm each night, to save on unnecessary call outs by the Security Company, this needs to be emphasised to the afterhours supervisors and or any cleaners/contractors that may come in.

General business mostly covered in Department of Education Report.

## **7 MEETING CLOSURE**

As there was no further business to discuss the meeting closed at 4.20pm. The next meeting is to be held on Thursday, 25 May 2017.

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

Meeting – 9<sup>th</sup> March 2017

Department of Education Report

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

- Klimate Solutions have conducted the usual preventative maintenance schedule.
- IT Upgrade:
  - A Network Cabinet has been installed which houses all cabling runs and communications equipment (including the router, network switch and cctv system + cables. This work was carried out under a statewide project that all schools/DoE sites are undergoing in order to have Comms Infrastructure up to standard.
  - New cable runs for workstations installed.
  - New Telstra Fibre run brought in from the street. This was also a statewide project to improve bandwidth to all DoE sites. The new Fibre replaces the old ADSL2 (domestic quality) copper connection – old speed was around 12Mbps downlink/less than 1Mbps uplink – new speed is 20Mbps downlink/20Mbps uplink. The new speeds will allow:
    - high quality video calls to be made (via Lync/Skype).
    - larger files to be uploaded quickly – e.g.: email attachments.
    - local and visiting staff will have faster access to their Home and Office drives.
    - there will be faster intranet and internet connections
- Large Tree in Carpark
  - Was always recognised as a danger and has now been pruned.

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

- Re-instatement of Change Room Extraction Ducting
  - Klimate Solutions have completed a quote for this job equating to \$6000. Jason Bell from DoE Facility Operations is negotiating to reduce the cost (as DoE funds are tight). Ensuring the work is done during 'normal' hours will not attract penalty rates (so possibly during a school holiday break) and by opting for a cheaper fan system may reduce the cost sufficiently so the job can be undertaken sooner rather than later.
- Building Heat/Cool Economy Cycle (as mentioned at the previous meeting)
  - Finance has been approved – waiting on Klimate Solutions to act.
- Carpark Area
  - The council has blanked out the 'supervisors' car parking position in preparation for a pedestrian crossing to be painted adjacent to the entrance. This will act as a warning to motorists that pedestrians are present and it is hoped this will solve the potential danger of children crossing the road between parked cars.
- Backwash Controller
  - As of yesterday, the main backwash controller mechanism broke and requires replacing. Klimate Solutions are to provide a quote and submit to the DoE for approval.

### **Other Issues**

- DoE hire cost of the East Ulverstone Pool to the Central Coast Council
  - The DoE is reviewing the hire cost of the pool to the Central Coast Council. These questions were raised at our last meeting – 'Historically does anyone know where the current hire cost figure came from? When was the last increase? Are the increases in line with CPI?'
- James has reduced his hours (as pool attendant) and will share his responsibilities.
  - James will undertake his duties in the morning and presently his son Brad is fulfilling afternoon duties. The afternoon hours have recently been advertised and a decision will be made shortly in regard to this. On some days, the handover of the pool to council is as early as 3.30pm, this may need to be reviewed depending on who secures the afternoon pool attendant hours.

- Setting Alarm
  - Recently we have had a number of 'call-outs' from the security company. They have suggested that the alarm has not been set on occasions. Each 'call-out' costs the SWSP money. We are eager to put in place a system to ensure the alarm is set each night. Questions to be asked: Who has responsibility and when? How can we ensure it is going to be set?
- Pool Keys
  - I am currently doing a key audit. If any council supervisors (who are no longer employed) have a key, can they be returned.

**Alan Graham and Wendy Cracknell**

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**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 March 2017 commencing at 6.00pm**

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**Members attendance**

Cr Jan Bonde (Mayor)  
Cr Garry Carpenter  
Cr Philip Viney

Cr Shane Broad  
Cr Tony van Rooyen  
Ms Sandra Ayton

**Employees attendance**

Director Infrastructure Services (Mr John Kersnovski)

**Public attendance**

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

**CONFIRMATION OF MINUTES OF THE COMMITTEE**

**13/2017 Confirmation of minutes**

The Director Infrastructure Services reported as follows:

“The minutes of the previous meeting of the Development Support Special Committee held on 27 February 2017 have already been circulated. The minutes are required to be confirmed for their accuracy.

The *Local Government (Meeting Procedures) Regulations 2015* provide that in confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.”

■ Cr Viney moved and Cr Broad seconded, “That the minutes of the previous meeting of the Development Support Special Committee held on 27 February 2017 be confirmed.”

Carried unanimously

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## MAYOR'S COMMUNICATIONS

### 14/2017 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 Carpenter moved and Cr Broad seconded, “That the Mayor's report be received.”

Carried unanimously

## DECLARATIONS OF INTEREST

### 15/2017 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 Infrastructure 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

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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**

#### **16/2017      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 6.04pm. The workshop having been concluded, the Mayor resumed the meeting at 6.10pm.

### **DEPUTATIONS**

#### **17/2017      Deputations**

The Director Infrastructure Services reported as follows:

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

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## OPEN REPORTS

**18/2017**      **Subdivision (two lots) and Residential (dwelling on Lot 2) – variations to rear boundary setback, proximity to rail line and Utilities zone and car parking standards (re-advertised) at 65 Alexandra Road, Ulverstone – Application No. DA216040**

The Director Infrastructure Services reported as follows:

“The Town Planner has prepared the following report:

<i>‘DEVELOPMENT APPLICATION No.:’</i>	DA216040
<i>PROPOSAL:</i>	Subdivision (two lots) and Residential (dwelling on Lot 2) – variations to rear boundary setback, proximity to rail line and Utilities zone and car parking standards (re-advertised)
<i>APPLICANT:</i>	Josh Rowe
<i>LOCATION:</i>	65 Alexandra Road, Ulverstone
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	7 January 2017 and 13 February 2017 (re-advertised)
<i>REPRESENTATIONS EXPIRY DATE:</i>	15 February 2017
<i>REPRESENTATIONS RECEIVED:</i>	Three
<i>42-DAY EXPIRY DATE:</i>	3 February 2017 (extension granted until 20 March 2017)
<i>DECISION DUE:</i>	14 March 2017
<i>PURPOSE</i>	

The purpose of this report is to consider an application to subdivide an 889m<sup>2</sup> parcel of land accommodating a single dwelling at 65 Alexandra Road, Ulverstone to form two residential allotments and to develop a single dwelling on the new rear allotment (Lot 1). An existing dwelling would be retained on Lot 2.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representations;
- . Annexure 4 – photographs;
- . Annexure 5 – TasWater Submission to Planning Authority Notice TWDA 2017/00030-CC;



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- Annexure 6 – Statement of Compliance from the Road Authority and Stormwater Authority dated 3 February 2017.

#### *BACKGROUND*

##### *Development description –*

Application is made to subdivide an existing 889m<sup>2</sup> residential allotment that supports a single dwelling and several outbuildings to form two new residential lots. Application is also made to demolish existing outbuildings and develop a single dwelling on the new internal allotment.

##### *Subdivision (two lots) –*

Lot 1: identified as Block A on the Proposed Subdivision Plan, would be an internal allotment with a land area of 513m<sup>2</sup>, accessed via a 4.75m wide, 25m long access strip off Alexandra Road.

Lot 2: identified as Block B on the Proposed Subdivision Plan, would have a land area of 385m<sup>2</sup> and would accommodate an existing 137.75m<sup>2</sup> weatherboard, single-storey dwelling. Access would be off Alexandra Road and existing outbuildings associated with the dwelling would be demolished.

##### *Residential (dwelling) –*

Application is made for the development of a 181m<sup>2</sup> single-storey, three bedroom dwelling on proposed Lot 1. The dwelling would be of brick veneer construction with a “Colorbond” roof, incorporating an internal, single car garage.

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

The subject site is an 889m<sup>2</sup> residential allotment in a suburban area of Ulverstone. The land currently supports a single dwelling and several outbuildings. TasRail infrastructure and an associated Utilities zone adjoins the land on the northern rear boundary. Surrounding land is developed to accommodate residential dwellings with recent applications approved by the Council for the demolition of single dwellings and the construction of multiple dwellings on larger allotments in the area.

##### *History –*

No history relevant to this application.

#### *DISCUSSION*

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

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## General Residential

CLAUSE	COMMENT
<b>10.3.1 Discretionary Permit Use</b>	
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 adverse impact on amenity for use on adjacent land in the zone.	Not applicable.  Residential use is Permitted.
<b>10.3.2 Impact of Use</b>	
10.3.2–(A1) Permitted non-residential use must adjoin at least one residential use on the same street frontage.	Not applicable.  Use is contained within a dwelling.
10.3.2–(A2) Permitted non-residential use must not generate more than 40 average daily vehicle movements.	Not applicable.  Use is contained within a dwelling.

10.3.2–(A3) Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.	Not applicable.  Use is residential.
<b>10.4.1 Residential density for multiple dwellings</b>	
10.4.1–(A1) Multiple dwellings must have a site area per dwelling of not less than:  (a) 325m <sup>2</sup> ; or  (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	Not applicable.  Not an application for multiple dwellings.
<b>10.4.2 Setbacks and building envelope for all dwellings</b>	
10.4.2–(A1) Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:  (a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or	(a) Compliant. Setback of existing dwelling from primary frontage would be 7m. Setback of new dwelling would be 30m.  (b) Not applicable. Satisfied by (a).  (c) Not applicable. Satisfied by (a).  (d) Not applicable. Land does not abut the Bass Highway.

<p>(b) if the frontage is not a primary frontage, at least 3.0m, or, if the setback from the frontage is less than 3.0m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) not less than 50.0m if the development is on land that abuts the Bass Highway.</p>	
<p>10.4.2–(A2) A garage or carport must have a 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>No garage or carport is proposed for the existing dwelling.</p> <p>A single, internal garage is proposed for the new dwelling.</p> <p>(a) Compliant. Garage of new dwelling would be setback 30m from primary frontage.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Not applicable. Site is relatively flat.</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)(i) Non-compliant. Existing dwelling would not be contained in building envelope 10.4.2A. Dwelling would be setback 1m from the proposed rear boundary. Lot 2 non-compliant. New dwelling would</p>

<p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at the side boundaries and a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</li> </ul> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary or the adjoining lot; or</li> <li>(ii) does not exceed a total length of 9.0m or one-third the length of the side boundary (whichever is the lesser).</li> </ul>	<p>not be contained within required building envelope 10.4.2D. Dwelling would be setback 1.84m from the rear boundary of proposed Lot 1.</p> <p>See “Issues” section of this report.</p> <p>(a)(ii) Non-compliant. Existing dwelling would project at a line of 45° at a height of 3m above natural ground level. Dwelling would be setback 1m from proposed rear boundary.</p> <p>Non-compliant. New dwelling would not be contained with required building envelope 10.4.2D with dwelling setback 1.84m from the rear boundary of proposed Lot 1.</p> <p>See “Issues” section of this report.</p> <p>(b)(i) Not applicable. Satisfied by (b)(ii).</p> <p>(b)(ii) Compliant. Existing and new dwelling would be setback 1.5m or greater from eastern and western side boundaries.</p>
<b>10.4.3 Site coverage and private open space for all dwellings</b>	
10.4.3-(A1) Dwellings must have:	<p>(a) Compliant. Site coverage of proposed dwelling on Lot 1 would be 27.87%. Site coverage of existing dwelling on proposed Lot 2 would be 35.7%.</p>

<p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60.0m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>	<p>(b) Not applicable. No multiple dwelling development proposed.</p> <p>(c) Compliant. Area free from impervious surfaces on Lot 1 would be 36.9%. Area free from impervious surfaces on Lot 2 would be 34%.</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 style="padding-left: 40px;">(i) 24.0m<sup>2</sup>; or</p> <p style="padding-left: 40px;">(ii) 12.0m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p style="padding-left: 40px;">(i) 4.0m; or</p>	<p>(a)(i) Compliant. Existing dwelling has approximately 36m<sup>2</sup> of private open space to the north of the dwelling. New dwelling would have 63m<sup>2</sup> of private open space north of the dwelling.</p> <p>(a)(ii) Not applicable. Not a multiple dwelling.</p> <p>(b)(i) Compliant. Existing dwelling would have a private open space horizontal dimension of 9.4m. New dwelling would have private open space horizontal dimension of 19m.</p> <p>(b)(ii) Not applicable. Satisfied by (b)(i).</p> <p>(c) Non-compliant. Private open space of existing dwelling would not be directly accessible from a</p>

<ul style="list-style-type: none"> <li>(ii) 2.0m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</li> <li>(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</li> <li>(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</li> <li>(f) has a gradient not steeper than 1 in 10; and</li> <li>(g) is not used for vehicle access or parking.</li> </ul>	<p>habitable room. Private open space would be accessible via the laundry and rear entry hall. New dwelling private open space would be directly accessible from habitable rooms.</p> <p>See "Issues" section of this report.</p> <ul style="list-style-type: none"> <li>(d) Compliant. Private open space is to the north of both dwellings.</li> <li>(e) Compliant. Private open space for both dwellings is not located between the dwelling and the primary frontage.</li> <li>(f) Compliant. Land is relatively flat.</li> <li>(g) Compliant. Both dwellings have private open space areas clear of vehicle access and parking areas.</li> </ul>
<b>10.4.4 Sunlight and overshadowing for all dwellings</b>	
<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>Habitable rooms face north and north-east.</p>

<p>10.4.4–(A2) A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3.0m from the window; and</li> <li>(ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause the habitable room to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.</li> </ul>	<p>Not applicable.</p> <p>Not multiple dwelling development.</p>
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<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> <ul style="list-style-type: none"> <li>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): <ul style="list-style-type: none"> <li>(i) at a distance of 3.0m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> </li> <li>(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.</li> <li>(c) That part, of a multiple dwelling, consisting of: <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m from the multiple dwelling.</li> </ul> </li> </ul>	<p>Not applicable.</p> <p>Not multiple dwelling development.</p>
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<b>10.4.5 Width of openings for garages and carports for all dwellings</b>	
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>Compliant. Garage of the new dwelling would be setback 31 m from the primary frontage.</p> <p>No garage or carport is proposed for the existing dwelling on proposed Lot 2.</p>
<b>10.4.6 Privacy for all dwellings</b>	
<p>10.4.6-(A1) A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1.0m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no 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>Not applicable.</p> <p>No development more than 1m above natural ground level.</p>

<ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</li> </ul>	
<p>10.4.6–(A2) A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1.0m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3.0m from a side boundary; and</li> <li>(ii) is to have a setback of at least 4.0m from a rear boundary; and</li> <li>(iii) if the dwelling is a multiple dwelling, is to be at least 6.0m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be at least 6.0m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) The window or glazed door:</p>	<p>Not applicable.</p> <p>No development more than 1m above natural ground level.</p>

<ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li> <li>(ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</li> <li>(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%.</li> </ul>	
<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> <ul style="list-style-type: none"> <li>(a) 2.5m; or</li> <li>(b) 1.0m if: <ul style="list-style-type: none"> <li>(i) it is separated by a screen of at least 1.7m in height; or</li> <li>(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.</li> </ul> </li> </ul>	<p>Not applicable.</p> <p>No shared driveway or parking spaces.</p>

<b>10.4.7 Frontage fences for all dwellings</b>	
<p>10.4.7–(A1) A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>	<p>Not applicable.</p> <p>Frontage fence to Alexandra Road is existing and would remain unchanged.</p>
<b>10.4.8 Waste storage for multiple dwellings</b>	
<p>10.4.8–(A1) A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m<sup>2</sup> per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(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>Not applicable.</p> <p>Not multiple dwelling development.</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><b>10.4.9 Suitability of a site or lot for use or development</b></p>	
<p>10.4.9–(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) have an area of not less than 330m<sup>2</sup> 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> <p>(i) clear of any applicable setback from a frontage, side or rear boundary;</p> <p>(ii) clear of any applicable setback from a zone boundary;</p> <p>(iii) clear of any registered easement;</p> <p>(iv) clear of any registered right of way benefiting other land;</p> <p>(v) clear of any restriction imposed by a Utility;</p> <p>(vi) not including an access strip;</p>	<p>(a) Compliant. Lot 1 would have an area of 513m<sup>2</sup>. Lot 2 would have an area of 385m<sup>2</sup>.</p> <p>(b)(i) Non-compliant. Proposed new dwelling on Lot 1 would be clear of setbacks to front and side boundaries however, the dwelling would be setback 1.84m to the rear boundary. The existing dwelling on Lot 2 would be clear of front and side boundaries, however would be within 1m of the rear boundary.</p> <p>See “Issues” section of this report.</p> <p>(b)(ii) Non-compliant. Site adjoins Utilities zone boundary that requires a setback of 10m. Proposed Lot 1 would be setback 1.84m from the Utilities zone boundary. Existing dwelling on Lot 2 would be setback 18.25m from the Utilities zone boundary.</p> <p>(b)(iii) Not applicable. No registered easement.</p> <p>(b)(iv) Not applicable. No registered right of way.</p>

<p>(vii) accessible from a frontage or access strip; and</p> <p>(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>	<p>(b)(v) Not applicable. No restriction imposed by a Utility.</p> <p>(b)(vi) Compliant. Proposed and existing dwellings would be clear of Lot 1 access strip.</p> <p>(b)(vii) Compliant. Lot 1 and Lot 2 would be accessible from Alexandra Road.</p> <p>(b)(viii) Compliant. Lot 1 and Lot 2 would have a long axis within the range 30° east of north and 20° west of north.</p> <p>Assessment of Lot 2 (with existing house). Lot 2 would have a building envelope not less than 10m x 15m.</p> <p>See "Issues" section of this report.</p>
<p>10.4.9–(A2) A site or each lot on a subdivision plan must have a separate access from a road –</p> <p>(a) across a frontage over which no other land has a right of access; and</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p>	<p>(a) Compliant. Lot 1 and Lot 2 have access to Alexandra Road across a frontage which no other land would have a right of access.</p> <p>(b) Compliant. Internal Lot 2 would have a dedicated access strip connecting to a frontage over land not required as the means of access to any other land.</p> <p>(c)(i) Not applicable. Satisfied by (b).</p>

<p>(c) by a right of way connecting to a road –</p> <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</li> <li>(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</li> </ul> <p>(d) with a width of frontage and any access strip or right of way of not less than –</p> <ul style="list-style-type: none"> <li>(i) 3.6m for a single dwelling development; or</li> <li>(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</li> </ul> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>(c)(ii) Not applicable. Satisfied by (b).</p> <p>(d)(i) Compliant. Lot 1 would have a frontage to Alexandra Road of 4.75m wide and Lot 2 would have a frontage to Alexandra Road of 15.4m wide.</p> <p>(d)(ii) Not applicable. Not multiple dwelling or non-residential development.</p> <p>(e) Compliant. Lots 1 and 2 are able to achieve legal access to Alexandra Road in accordance with the <i>Local Government (Highways) Act 1982</i>.</p>
<p>10.4.9–(A3) A site or each lot on a plan of subdivision must 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</p>



	TasWater's approval, included as an attachment to the Planning Permit.
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> .	Compliant.  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.
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> .	Compliant.  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.
<b>10.4.10 Dwelling density for single dwelling development</b>	
<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 325m<sup>2</sup>; and</p> <p style="padding-left: 40px;">(ii) be not more than 830m<sup>2</sup>; or</p> <p>(b) The site is approved for residential use on a plan sealed before this planning scheme came into effect.</p>	<p>(a)(i) Compliant. Site area for Lot 1 would be 513m<sup>2</sup> and site area for Lot 2 would be 385m<sup>2</sup>.</p> <p>(a)(ii) Compliant. Site area for Lot 1 would be 513m<sup>2</sup> and site area for Lot 2 would be 385m<sup>2</sup>.</p> <p>(b) Not applicable. Satisfied by (a)(i) and (ii).</p>

<b>10.4.11 Development other than a single or multiple dwelling</b>	
<b>10.4.11.1 Location and configuration of development</b>	
<p>10.4.11.1–(A1) The wall of a building must be set back from a frontage –</p> <ul style="list-style-type: none"> <li>(a) not less than 4.5m from a primary frontage; and</li> <li>(b) not less than 3.0m from any secondary frontage; or</li> <li>(c) not less than and not more than the setbacks for any existing building on adjoining sites;</li> <li>(d) not less than for any building retained on the site;</li> <li>(e) in accordance with any building area shown on a sealed plan; or</li> <li>(f) not less than 50.0m if the site abuts the Bass Highway.</li> </ul>	<p>Not applicable.</p> <p>Proposed development is subdivision and a single dwelling on proposed Lot 1.</p>
<p>10.4.11.1–(A2) All buildings must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> <li>(a) the applicable frontage setback;</li> <li>(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;</li> </ul>	<p>Not applicable.</p> <p>Proposed development is subdivision and a single dwelling on proposed Lot 1.</p>

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| <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>a. built against an existing wall of an adjoining building; or</p> <p>b. the wall or walls –</p> <p>i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;</p> <p>ii. there is no door or window in the wall of the building; and</p> <p>iii. overshadowing does not result in 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.</p> |  |
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(d) in accordance with any building envelope shown on a sealed plan of subdivision.	
10.4.11.1–(A3) Site coverage must:	Not applicable.
(a) not be more than 50%; or	Proposed development is subdivision and a single dwelling on proposed Lot 1.
(b) not be more than any building area shown on a sealed plan.	
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, must be located behind the primary frontage of a building.	Not applicable. Proposed development is subdivision and a single dwelling on proposed Lot 1.
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:	Not applicable.
(a) 6.0m; or	Proposed development is subdivision and a single dwelling on proposed Lot 1.
(b) half the width of the frontage.	
<b>10.4.11.2 Visual and acoustic privacy for residential development</b>	
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 must:	Not applicable. Proposed development is subdivision and a single dwelling on proposed Lot 1.

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<p>(a) if the finished floor level is more than 1.0m above natural ground level:</p> <ul style="list-style-type: none"><li>(i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site;</li><li>(ii) be not less than 3.0m from a side boundary;</li><li>(iii) be not less than 4.0m from a rear boundary; and</li><li>(iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of an adjacent frontage site; or</li></ul> <p>(b) if less than the setbacks in clause A1(a):</p> <ul style="list-style-type: none"><li>(i) be off-set by not less than 1.5m from the edge of any door or window of another dwelling;</li><li>(ii) have a window sill height of not less than 1.8m above floor level;</li><li>(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</li><li>(iv) have a fixed and durable external screen other than vegetation of not less than 1.8m height above the floor</li></ul>	
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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.	
10.4.11.2–(A2) An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.	<p>Not applicable.</p> <p>Proposed development is subdivision and a single dwelling on proposed Lot 1.</p>
<b>10.4.11.3 Frontage fences</b>	
<p>10.4.11.3–(A1) The height of a fence, including any supporting retaining wall, on or within a frontage setback must be:</p> <p>(a) not more than 1.2m if the fence is solid; or</p> <p>(b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%.</p>	<p>Not applicable.</p> <p>Proposed development is subdivision and a single dwelling on proposed Lot 1.</p>
<b>10.4.12 Setback of development for sensitive use</b>	
<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>(a) Non-compliant. Lot 1 would adjoin a Utilities zone boundary that requires a setback of 10m. Proposed dwelling on Lot 1 would be setback 1.84m from the Utilities zone boundary.</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>(b) Non-compliant. Lot 1 would adjoin a Utilities zone boundary. Proposed dwelling on Lot 1 would be setback 1.84m from the Utilities zone boundary and is not able to be contained with the required building envelope.</p> <p>See "Issues" section of this report.</p>
<p>10.4.12–(A2) Development for a sensitive use must be not less than 50.0m from:</p> <p>(a) Bass Highway;</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>(a) Compliant. Development would be greater than 1.34km from the Bass Highway.</p> <p>(b) Non-compliant. Development adjoins the boundary of a railway line.</p> <p>See "Issues" section of this report.</p> <p>(c) Compliant. The Scheme does not identify land designated for future road or rail.</p> <p>(d) Not applicable. The nearest proclaimed wharf area is in Devonport approximately 15km to the east.</p>
<p><b>10.4.13 Subdivision</b></p>	
<p>10.4.13–(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) intended for residential use;</p>	<p>(a) Compliant. Lot 1 and Lot 2 are intended for residential use.</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.	(b) Not applicable. Lots are not required for public use by the State, a Council or by a Statutory authority.
10.4.13–(A2) A lot, other than a lot to which A1(b) applies, must not be an internal lot	Non-compliant. Proposed Lot 2 would be an internal lot.  See “Issues” section of this report.
<b>10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision</b>	
10.4.14–(A1) Electricity reticulation and site connections must be installed underground.	Compliant.  Overhead reticulation is established in Alexandra Road. Proposed Lot 1 would have underground electrical connection.
CODES	
<b>E1 Bushfire-Prone Areas Code</b>	Not applicable. Site is not in a bushfire-prone area.
<b>E2 Airport Impact Management Code</b>	Not applicable. No Code in the Scheme.
<b>E3 Clearing and Conversion of Vegetation Code</b>	Not applicable. No clearing or conversion of vegetation.
<b>E4 Change in Ground Level Code</b>	Not applicable. No change in ground level greater than 1 m.
<b>E5 Local Heritage Code</b>	Not applicable. No local heritage Code in the Scheme.



<b>E6 Hazard Management Code</b>	Not applicable. Not within a hazard mapped area.
<b>E7 Sign Code</b>	Not applicable. No signage proposed.
<b>E8 Telecommunication Code</b>	Not applicable. No telecommunications proposed.
<b>E9 Traffic Generating Use and Parking Code</b>	
<b>E9.2 Application of this Code</b>	Code applies to all development.
<b>E9.4 Use or development exempt from this Code</b>	Not exempt.  No local Area Parking Scheme applies to the site.
<b>E9.5 Use Standards</b>	
<b>E9.5.1 Provision for parking</b>	
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;	Compliant. The existing dwelling on proposed Lot 2 makes provision for two car parking spaces. The new dwelling on proposed Lot 1 makes provision for an internal and an external car parking space.
<b>E9.5.2 Provision for loading and unloading of vehicles</b>	
E9.5.2–(A1) There must be provision within a site for:  (a) on-site loading area in accordance with the requirement in the Table to this Code; and	Not applicable for the development of a single dwelling.

(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.	
<b>E9.6 Development Standards</b>	
<b>E9.6.2 Design of vehicle parking and loading areas</b>	
E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and	Compliant by a Condition to be placed on the Permit.
<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>	Not applicable for the development of a single dwelling.

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<p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	
E9.6.2-(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.	<p>Not applicable.</p> <p>Land is zoned General Residential.</p>
<b>E10 Water and Waterways Code</b>	Not applicable. Site is not within 30m of a waterway or waterbody.
<b>Specific Area Plans</b>	No Specific Area Plans apply to this location.

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*Issues –*

*1 Setback of dwellings from proposed rear boundaries –*

The Scheme's Acceptable Solution standard 10.4.2–(A3) "Setbacks and building envelope for all dwellings" requires development to be setback 4.5m from the rear boundary of an allotment.

The new dwelling on proposed Lot 1 would be setback 1.84m from the rear boundary and the existing dwelling on proposed Lot 2 would be setback 1m from the rear boundary.

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 habitable rooms of a dwelling on an adjoining lot; 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 compatible with that prevailing in the surrounding area.

The Performance Criteria are addressed below:

*Overshadowing –*

Lot 1, as proposed, would be an internal allotment accessed off Alexandra Road via a 25m long access strip. The land area of the new allotment would be 513m<sup>2</sup>. The rear of the allotment would be on a slight angle to the adjoining railway land and, with the placement of an oblong shaped dwelling on the site, the western end of the dwelling would be 4m off the rear boundary and the dwelling setback would be reduced to 1.84m at the eastern end of the dwelling.

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The proposed rear boundary setback would not result in overshadowing of any habitable rooms or private open space areas of adjoining property, primarily due to the orientation of allotments in this area and the single-storey construction of dwellings.

Similarly, the existing dwelling on proposed Lot 2 would be setback 1m from the new rear boundary for that Lot. The 1m rear boundary setback would not result in the overshadowing of any habitable rooms or private open space areas of adjoining property.

In both cases, this is a consequence of the orientation of the allotments and the development being single-storey construction.

It is considered the Performance Criteria 10.4.2–(P3) (a)(i), (ii) and (iii) are satisfied and an exercise of discretion, to allow the rear boundary setback variation is justifiable.

*Visual impact –*

The visual impact of the proposal would be the additional allotment in this area and an additional dwelling on the land. The proposal to subdivide meets the Scheme's site density and lot size standards, a result of a higher dwelling density being permitted by the Scheme.

The visual impact is to be assessed in relation to the variation to the rear setbacks of the two dwellings. It is considered the proposal would not have any overriding visual impact, above a development that met Scheme standards for rear setback.

Alexandra Road is developed at a typical urban density, where single-storey, single dwellings are located various distances apart and from adjoining boundaries. Recently, multiple dwelling developments have also been approved for this area.

The existing and proposed dwellings would be single-storey and present as average, small dwelling bulk development. The visual presence of the proposed development would be noticeable from the street however, given the permitted status of the proposed land areas and applicable residential development standards, the visual impact would be as expected and, on this basis, is considered to be acceptable.

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2      *Proximity to a rail line and setback from a Utilities zone –*

Clause 10.4.12–(A2) of the Scheme requires sensitive development be setback 50m from a railway line. Clause 10.4.12–(A1) requires a 10m setback from a Utilities zone boundary. The proposed new dwelling on Lot 1 would be approximately 1.8m south of a Utilities zone boundary that supports the TasRail Western Rail Line that passes through Ulverstone.

Consequently, Performance Criteria 10.4.12–(P1) and (P2) apply and are as follows:

10.4.12–(P1) – The location of a building containing a sensitive use must –

- (a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone;
- (b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use.

10.4.12–(P2) – Development for a sensitive use must –

- (a) have minimal impact for safety and efficient operation of the transport infrastructure; and
- (b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or
- (c) be temporary use or development for which arrangements have been made with the relevant transport infrastructure entity for removal without compensation within 3 years.

The application was referred to TasRail which has made no comment.

In summary, the Performance Criteria requires that development will not adversely impact on the safety and efficiency of the rail line and must take into consideration mitigation measures to reduce potential conflict and interference of residential development with the operations of the rail line. Generally, as a means of mitigating noise impacts on future residents, the Council would require the construction of a dwelling in close proximity to a railway to incorporate double glazed windows and sound insulation batts in external walls.

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3      *Subdivision to create an internal allotment –*

The Scheme's Acceptable Solution 10.4.13–(A2) requires that subdivision in the General Residential zone must not result in an internal lot (Scheme Amendment 7 February 2017). The proposed Lot 1 would be an internal lot.

Assessment Performance Criteria 10.4.13–(P2) states:

“An internal lot on a plan of subdivision must be:

- (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:
  - 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
- (ii) without likely impact on the amenity of adjacent land”.

The subject internal allotment needs to meet one of the Performance Criteria stated above and not create a negative impact on the amenity of adjoining land. The proposed division of land reflects a pattern of recent development in Alexandra Road, including multiple dwelling development, whereby new dwellings have been constructed behind existing dwellings that occupy large allotments. The creation of an allotment that requires an access strip to establish a frontage to Alexandra Road further meets the standard required for vehicular access to the road network. It is considered the creation of the internal allotment would not impact on the amenity of adjacent land, with the land areas proposed for each lot meeting the Scheme's standards for allotment size and shape in the General Residential zone.

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4      *Local Government (Building and Miscellaneous Provisions) Act 1993 –*

The *Local Government (Building and Miscellaneous Provisions) Act 1993* provides that the Council may refuse to approve a plan of subdivision if it is of the opinion that the road and pedestrian network is unsuitable, the lot cannot be satisfactorily serviced or that the lots by reason of their shape, size or contours are unsuitable for building on.

Lots 1 and 2 of the proposed subdivision are able to connect to reticulated services. Both lots have access to the road network and meet the General Residential zone Scheme standards for allotment size and shape.

*Suitability of a lot for development –*

Clause 10.4.9 of the Scheme requires that each lot on a plan of subdivision in the General Residential zone have an area of not less than 330m<sup>2</sup>, excluding any access strip, and, if intended for a building, contain a building area of not less than 10m x 15m.

Lot 1 and Lot 2 satisfy the Scheme's requirement in this regard.

Lot 1 (513m<sup>2</sup>) and Lot 2 (385m<sup>2</sup>) have sufficient area to support Residential use class development within the Scheme's standard of a 10m x 15m building envelope.

*Public Open Space Contribution –*

The Council's Public Open Space (POS) Contribution Policy requires a contribution for any residential subdivision where new lots are created. This is either by way of land where there is a deficiency of public open space or a cash-in-lieu payment. In this instance, there is no land that could be taken or required for public open space.

Consequently, a 5% cash-in-lieu contribution based on the unimproved value of the new Lot 1 is required. The Public Open Space contribution is required to provide for the provision or improvement of public open space of local, district or regional value. This will require a condition on the Permit.



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5      *Overflow of sewerage onto private property –*

The primary issue in representations to the Council is the overflow of sewerage into the backyards of private property in this area and the impact additional development would have on the existing system.

The development of an additional dwelling on the western side of Alexandra Road would not result in any significant impact to the sewer line over and above existing conditions. The representations received have been lodged by residents who live across the street, at 100 and 102 Alexandra Road. Properties on the eastern side of Alexandra Road are connected to a different sewer line to those properties located on the western side of Alexandra Road.

There is an issue with the sewer on the eastern side of Alexandra Road, however it is the responsibility of TasWater to deal with such matters. It is understood that TasWater is engaged in a program of testing of various networks across the State. The Council would be notified when such testing is to be undertaken in the municipal area. TasWater has not given any such notice to date and the Council has not been notified by TasWater of any matter that requires works to the Council infrastructure.

*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	Conditions required. Refer to Statement of Compliance from the Road Authority and the Stormwater Authority at Annexure 6.
TasWater	Refer to TasWater Submission to Planning Authority Notice TWDA 2017/00030-CC at Annexure 5.
Department of State Growth	No comment.
Environment Protection Authority	No comment.

TasRail	No comment.
Heritage Tasmania	No comment.
Crown Land Services	No comment.
Other	No comment

#### *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 –*

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

The representations are summarised and responded to as follows:

MATTER RAISED	RESPONSE
REPRESENTATION 1	
<p>1 The sewer lines located in Alexandra Road do not support sewerage flow in this area, resulting in yards flooded with sewerage.</p> <p>Refer to photographs of flooded yards in Annexure 3.</p>	<p>The properties located at 100 and 102 Alexandra Road are connected to a different sewer line than the subject property at 65 Alexandra Road. The western sewer line, supporting 65 Alexandra Road, does not appear to have any overflow issues.</p> <p>It may be that the sewer line on the eastern side of Alexandra Road is insufficient, however this is a matter for TasWater to address and to date the Council has not been advised of</p>

	any works proposed for the eastern sewer line in Alexandra Road. Typically, if a problem is evident by the overflow of the sewer, it is TasWater's responsibility to address the matter and they may enlist the aid of the Council to achieve a satisfactory outcome. The Council has not been advised of any issues or works pending.
2 TasWater has been to inspect the property and has advised the sewer pipes are too small.	The Council has no knowledge of this advice.
3 There are already too many additional houses under construction in Alexandra Road.	The proposed new dwelling at 65 Alexandra Road is not located on the same sewer line as that of the representors at 100 and 102 Alexandra Road. The new dwelling will not result in a negative impact on the existing, western sewer line.
REPRESENTATION 2	
1 Backyard has been flooded with sewage as sewer lines are at full capacity. This is a health and safety issue. TasWater has advised the sewer lines are inadequate.	See response to Representation 1 above.
2 TasWater has conducted smoke testing. Council should have a copy of this information.	The Council has not been made aware of any smoke testing results and would only become involved if there is an issue with the Council's infrastructure.
REPRESENTATION 3	
1 Adjoining land to the north has a pigeon loft next to the side boundary fence. Concerned the	There is no specific licence or regulation that controls the keeping of pigeons or other birds as pets. Such matters could be controlled by

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proposed kitchen is facing the fence where the loft is located.	<p>a By-law, however the Council does not have such a By-law.</p> <p>If the pigeon loft does become an object of complaint in the future, then the matter would need to be dealt with under the nuisance regulations of the <i>Environmental Management and Pollution Control Act 1994</i>.</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 representations received are deemed not to have sufficient merit on planning grounds to justify any site specific related measures by the Council.

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 Local Area Objectives, as well as key Acceptable Solutions and relevant Performance Criteria. It is considered appropriate the proposed development be approved, subject to conditions.

*Recommendation –*

It is recommended that the application for Subdivision (two lots) and Residential (dwelling on Lot 2) – variations to rear boundary setback, proximity to rail line and Utilities zone and car parking standards at 65 Alexandra Road, Ulverstone be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the Plans by Camtec Pty Ltd, Project No. 2016.10, Sheets A100 – Revision C, A101– Revision B, A102 – Revision A, A103 – Revision C, A104 – Revision C, A105 – Revision C, A106– Revision C and A107 – Revision C, 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 2017/00030–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 3 February 2017, issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority (copy attached).
- 4 Double glazed windows and sound insulation batts must be employed in the construction of the dwelling on Block A.
- 5 All parking and internal roadways must be formed and constructed with compacted sub-base and an all-weather surface.
- 6 The development is to provide for the collection, drainage and disposal of stormwater from vehicle parking and manoeuvring areas to an approved stormwater system.
- 7 A cash-in-lieu of public open space contribution of 5% of the unimproved value of Block A must be paid prior to the sealing of the Final Survey plan. The unimproved value of Block A must be determined by a registered valuer.

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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 Fencing to the frontage of the property to a height of 1.2m and fencing that is 30% transparent above 1.2m, to a maximum height of 1.8m, does not require a Permit.
- 4 Building Permits are required for the proposed development. A copy of this Planning Permit should be given to your building surveyor.’

The report is supported.”

The Executive Services Officer reports as follows:

“A copy of the Annexures referred to in the Town Planner’s report having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

■ Cr Viney moved and Cr Carpenter seconded, “That the application for Subdivision (two lots) and Residential (dwelling on Lot 2) – variations to rear boundary setback, proximity to rail line and Utilities zone and car parking standards at 65 Alexandra Road, Ulverstone be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the Plans by Camtec Pty Ltd, Project No. 2016.10, Sheets A100 – Revision C, A101– Revision B, A102 – Revision A, A103 – Revision C, A104 – Revision C, A105 – Revision C, A106 – Revision C and A107 – Revision C, 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 2017/00030–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 3 February 2017, 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 Double glazed windows and sound insulation batts must be employed in the construction of the dwelling on Block A.
  - 5 All parking and internal roadways must be formed and constructed with compacted sub-base and an all-weather surface.
  - 6 The development is to provide for the collection, drainage and disposal of stormwater from vehicle parking and manoeuvring areas to an approved stormwater system.
  - 7 A cash-in-lieu of public open space contribution of 5% of the unimproved value of Block A must be paid prior to the sealing of the Final Survey plan. The unimproved value of Block A must be determined by a registered valuer.

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 Fencing to the frontage of the property to a height of 1.2m and fencing that is 30% transparent above 1.2m, to a maximum height of 1.8m, does not require a Permit.
- 4 Building Permits are required for the proposed development. A copy of this Planning Permit should be given to your building surveyor."

Carried unanimously

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### **Closure**

There being no further business, the Mayor declared the meeting closed at 6.15pm.

CONFIRMED THIS                      DAY OF                      , 2017.

### **Chairperson**

(jk:km)

### **Appendices**

Minute No. 18/2017 – Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2017/00030-CC – 65 Alexandra Road, Ulverstone – Application No. DA216040

Minute No. 18/2017 – Statement of Compliance for Vehicular Access and Drainage Access dated 3 February 2017 – 65 Alexandra Road, Ulverstone – Application No. DA216040



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## QUALIFIED PERSON'S ADVICE

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

. A general manager must ensure that any advice, information or recommendation given to the council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

. A council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the council.

I therefore certify that with respect to all advice, information or 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

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# Appendices

## Submission to Planning Authority Notice

Council Planning Permit No.	DA216040	Council notice date	6/01/2017
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2017/00030-CC	Date of response	17/01/2017
TasWater Contact	Phil Papps	Phone No.	(03) 6237 8246
<b>Response issued to</b>			
Council name	CENTRAL COAST COUNCIL		
Contact details	planning.cmw@centralcoast.tas.gov.au		
<b>Development details</b>			
Address	65 ALEXANDRA RD, ULVERSTONE	Property ID (PID)	6937267
Description of development	Subdivision two lots and dwelling on lot 2		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Camtec	Subdivision Plan / A103	C	09/05/2016
Camtec	Site Plan / A104	C	09/05/2016
<b>Conditions</b>			
<p>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:</p> <p><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>1. A suitably sized metered water connections / sewerage connections to each dwelling unit / lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.</li> <li>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.</li> </ol> <p><b>FINAL PLANS, EASEMENTS &amp; ENDORSEMENTS</b></p> <ol style="list-style-type: none"> <li>3. 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.</li> </ol> <p><b>DEVELOPMENT ASSESSMENT FEES</b></p> <ol style="list-style-type: none"> <li>4. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document 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: <ol style="list-style-type: none"> <li>a. \$246.00 for development assessment; and</li> <li>b. \$133.25 for Consent to Register a Legal Document</li> </ol> <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p> </li> </ol>			



### 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

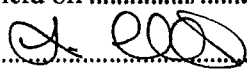
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

CENTRAL COAST COUNCIL	
the Submission to Planning Authority Notice from TasWater	
I certify that this is	
Ref. No. TWDA 2017/00030-CC - 65 Alexandra Road, Ulverstone - Application No.	
DA216040	referred to in
Minute No. 18/2017	of a meeting of the
Development Support Special Committee	
Council held on 14/03/2017	
 Executive Services Officer	

3 February 2017

Our ref.. DA216040, paa:kaa  
Doc ID: 262158

Mr JD & Mrs JA Rowe Pty Ltd  
PO Box 3120  
ULVERSTONE TAS 7315

<p><b>CENTRAL COAST COUNCIL</b> <i>the Statement of Compliance</i> I certify that this is for <u>Vehicular Access and</u> <u>Drainage Access dated 3 February 2017 -</u> <u>65 Alexandra Road, Ulverstone - Application</u> <u>No. DA216040</u> referred to in Minute No. <u>14/2017</u> of a meeting of the <u>Development Support Special Committee</u> <u>Council</u> held on <u>14 / 03 / 2017</u>  Executive Services Officer</p>
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Dear Mr Rowe

LOCAL GOVERNMENT (HIGHWAYS) ACT 1982 AND URBAN DRAINAGE ACT 2013  
STATEMENT OF COMPLIANCE FOR VEHICULAR ACCESS AND DRAINAGE ACCESS  
TWO LOT SUBDIVISION- 65 ALEXANDRA ROAD, ULVERSTONE

I refer to your application DA216040 for a two lot subdivision at 65 Alexandra Road, Ulverstone, and based on the information supplied with the application make the following determination in respect to vehicular access and the disposal of stormwater.

Access can be provided to the road network at 65 Alexandra Road, Ulverstone subject to the following:

- R1 The existing access located on the eastern side of the Alexandra Road frontage shall be maintained as the access to the 'Block B' lot;
- R2 The existing access on the eastern side of the Alexandra Road frontage must be upgraded to the standard 3.6m wide access and must be reconstructed in accordance with Standard Drawing TSD-R09-v1 Urban Roads - Driveways (copy enclosed). Please contact the Council's Environmental Engineer;
- R3 A new 3.6m wide concrete access shall be located on the western side of the Alexandra Road frontage as the access to the 'Block A' lot, generally as shown on the Camtec Pty Ltd Proposed Site Plan, Sheet No. A104 Rev C of Project No. 2016.10 dated 9 May 2016 (copy enclosed), and in accordance with the requirements of TasNetworks in respect to the minimum separation distance between the edge of the access and the existing power pole;

- R4 The new access on the western side of the Alexandra Road frontage must be constructed in accordance with Standard Drawing TSD-R09-v1 Urban Roads – Driveways (copy enclosed). Please contact the Council's Public Safety Coordinator;
- R5 The access apron between the back of the kerb crossover and the front property boundary must be constructed in a standard plain concrete finish unless otherwise approved by the Council's Director Infrastructure Services or his representative;
- R6 The set-out of the access apron between the back of the kerb crossover and the front property boundary must be inspected at least 24 hours prior to the proposed concrete pour and be approved for construction by the Council's Director Infrastructure Services or his representative. Please contact the Council's Public Safety Coordinator;
- R7 A Roadworks Authority (RWA) must be signed by the developer/property owner for the Council to undertake the work relating to the replacement of the existing kerb and channel crossover and the construction of a new kerb and channel crossover, prior to the commencement of any work relating to the subdivision;
- R8 Sight triangle areas adjacent to the access/driveway to the 'Block A' lot must be kept clear of obstructions to visibility, as per Figure 3.3 Minimum Sight Lines for Pedestrian Safety of AS/NZS 2890.1 (copy enclosed);
- R9 Drawings and/or details of the methods proposed to satisfy R8 above must be submitted to the Council and be approved by the Council's Director Infrastructure Services or his representative prior to the commencement of any work relating to the subdivision;
- R10 The height of any fence, vegetation or other structure along the Alexandra Road (front) boundary must be less than 900mm above the adjacent footpath level, with a preference of no fence or one that does not significantly obstruct visibility to footpath traffic;
- R11 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 the commencement of any work relating to the subdivision. Please contact the Council Public Safety Coordinator;

- R12 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;
- R13 Any damage or disturbance to roads, footpaths, kerb and channel, nature strips, or street trees resulting from activity associated with the subdivision must be rectified;
- R14 All works or activity listed above shall be completed to the satisfaction of the Council's Director Infrastructure Services or his representative;
- R15 All works or activity listed above shall be at the developer's/property owner's cost.

Access can be provided to the Council's stormwater network at 65 Alexandra Road, Ulverstone to drain stormwater from the proposed development subject to the following:

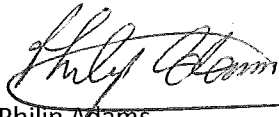
- S1 A DN100 underground stormwater connection must be provided to each lot;
- S2 An Install Stormwater Connection Point authorisation form must be signed by the developer/property owner for the Council to undertake the work relating to the installation of any stormwater connection points, prior to the commencement of any work relating to the subdivision;
- S3 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;
- S4 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;
- S5 Any damage or disturbance to existing stormwater infrastructure resulting from activity associated with the development must be rectified;
- S6 All works or activity listed above shall be completed to the satisfaction of the Council's Director Infrastructure Services or his representative;
- S7 All works or activity listed above shall be at the developer's/property owner'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 subdivision. 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 DA216040.

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'Philip Adams', written over a horizontal line.

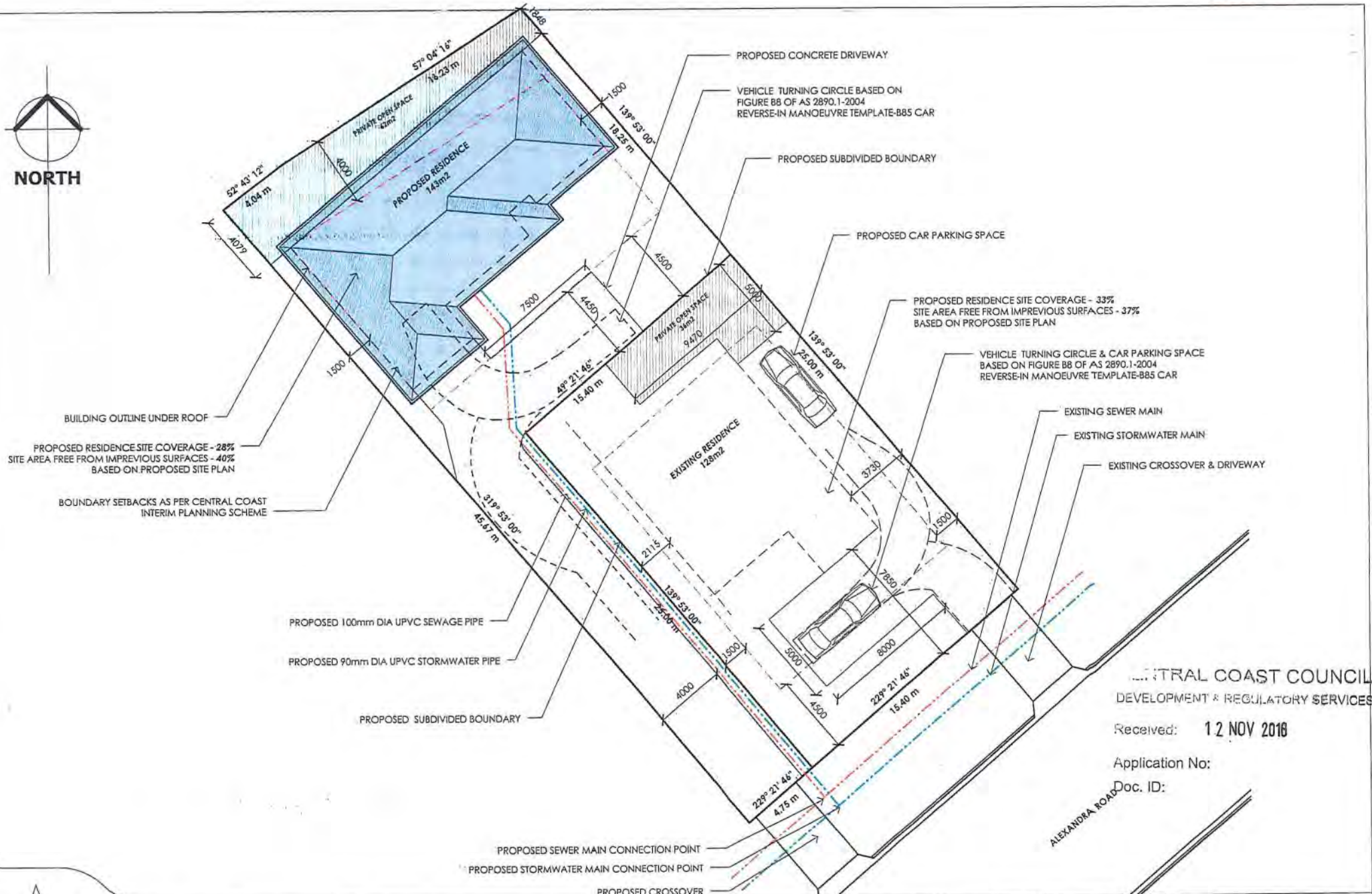
Philip Adams  
ENVIRONMENTAL ENGINEER

Encl.

Administrative Assistant - Planning ✓  
Public Safety Coordinator

A COPY FOR YOUR INFORMATION





CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

Received: 12 NOV 2016

Application No:

Doc. ID:

ALEXANDRA ROAD



**CAMtec**  
Pty. Ltd.  
ABN 16 095 747 650  
P.O. Box 286,  
Latrobe,  
Tasmania, 7307.  
Ph: 03 6426 2075  
Mobile 0419 343 984  
email jcam@tassie.net.au

Rev. No.	Rev. Date	Rev. Description
1	10/11/2016	Issued for Planning

**Architectural Set**  
Building Practitioner - John N. Cameron Accred. No. CC1089H

**JOSH & JENNA ROWE**  
**PROPOSED SUBDIVISION & RESIDENCE**  
**65 ALEXANDRA ROAD**  
**ULVERSTONE**

PROPOSED SITE PLAN				
Order	Scale	Project No.	Sheet Number	Rev. No.
NJB	A3	2016.10	A104	C
Date	09/05/16	1:200		

DEVONPORT CITY COUNCIL & CENTRAL COAST

SHARED AUDIT PANEL

Unconfirmed minutes of meeting held Monday 20 March 2017  
at Central Coast Council commencing at 10am

Attendance

Members – John Howard (Acting Chair): Ald Charlie Emmerton & Ald Leon Perry (Proxy Member): Cr Gary Carpenter & Cr Philip Viney

Officers - Paul West (General Manager DCC), Kym Peebles (Executive Manager Organisational Performance DCC), Sandra Ayton (General Manager CCC) and James Anderson (Finance Group Leader CCC)

Apologies

Ald Grant Goodwin

1. Resignation

Moved: CR Carpenter

Seconded: CR Viney

That the Panel:

(a) note the resignation of the Chairperson, Ms Sue Smith;

(b) formally recognise the valuable contribution Ms Smith had made to the Shared Audit Panel and wish her every success in her new role as Commissioner at Glenorchy City Council.

Carried Unanimously

2. Confirmation of the minutes

Moved: CR Viney

Seconded: Ald Emmerton

That the Minutes of Shared Audit Panel Meeting held on 14 November 2016 be confirmed as true and correct.

Carried Unanimously

3. Matters arising from previous meeting

It was noted that all outstanding matters from previous meetings of the Shared Panel had been addressed.

4. Policies & Procedures

4.1 Credit Card Review

- The Panel discussed the recommendations previously made by the Auditor-General in relation to the review of the general managers' credit card usage and approval. The Panel reaffirmed that it considers this an operational matter and not a matter for the Audit Panel.
- Both Councils have provided information to the Audit Office in relation to credit card usage by the Mayor and General Manager as requested. The review is also considering processes around credit cards in general and Central Coast Council have received a list of further queries in relation to their processes from the Audit Office. It is expected that Devonport may receive a similar list of queries in due course.

- The Panel agreed to conduct a joint review of the existing Credit Card Policies and procedures of both Councils following completion of the Auditor General's review.

#### 4.2 Related Parties Disclosures

- Representatives from both Councils attended a recent workshop hosted by LGAT and the Tasmanian Audit Office.
- A draft Policy and Key Management Personnel (KMP) declaration form is being presented to the DCC Governance & Finance Committee at its meeting on 20 March 2017. A further workshop will be conducted on April 3 to further explain the completion of the declarations.
- CCC have conducted a workshop with Council and will circulate the KMP declaration forms on 20 March.
- The Panel discussed the possible future amendment to the definition of "Close Associate" in the *Local Government Act 1993* as this currently differs from the definition of Related Party in *AASB 124 Related Party Disclosures*.

#### 4.3 Auditor-General's Report to Parliament

- The Panel noted the Report to Parliament prepared by the Auditor-General and tabled on 15 December 2016.
- The Panel worked through each of the Key Finding Recommendations included on page 4 of the summary Report.
- In relation to legacy issues, particularly relating to rehabilitation of landfill sites, CCC advised that they have identified a landfill site at Penguin and DCC currently are not aware of any issues, however both Councils have an indirect exposure via the investment in Dulverton Regional Waste Management Authority.
- The Panel also noted the letter from the Minister for Local Government in relation to the Auditor-General's Report. The Panel discussed and noted current compliance with matters raised in the letter and noted the additional workload and cost of complying with expectations imposed on local government.

### 5. Governance

#### 5.1 Shared Audit Panel Assessment

- The Panel noted the Assessment and Report prepared by the past Chairperson. The Reports will be presented to the respective Councils in due course.
- Paul West advised that the position of Chairperson had been advertised but had not attracted a suitable candidate. It will be re-advertised on Saturday 25 March. The recommendation to be provided to DCC in relation to the appointment of an additional independent member (with specific financial skills) is that the matter be deferred pending the appointment of the new Chairperson.
- The Panel noted the comments in regard to the detail in the minutes and both Councils advised that the current level of detail is adequate at this time.

#### 5.2 Audit Panel Work Plan 2017

- The Panel discussed the draft Audit Panel Work Plan 2017 and adopted the Plan without amendment.

#### 5.3 Shared Services Project

- Paul West provided an update on the Project and status of the draft report which is still to be received by the Cradle Coast Working Group.
- The draft Report will be made available when received.

#### 5.4 Annual Budget Process

- Both Councils provided an outline of the 2017/18 budget process.

### 6. Legislative

The Panel noted the proposed changes to the Local Government Act are due to be released in the near future.

Recent changes have been made to the Dog Control Act.

Recent changes made to the Building Act was also discussed.

### 7. General Business

#### 7.1 TasWater

- Paul West advised that a report on the current situation has been prepared for the Council meeting 27 March. The report concludes that there is currently not enough detail on the proposed takeover of TasWater for Council to form an opinion. Sandra Ayton advised that until more information was available the matter has not been referred formally to CCC.
- The Treasurer will be attending the next LGAT meeting where it is hoped more detail around the future financial impact of the changes will be disclosed.
- The Panel discussed the potential financial impacts of the proposed changes.

#### 7.2 2016 Flood Damage Claims Status

- Both Councils provided details of the status of their damage claims following the floods in June 2016. CCC have submitted the first claim and are awaiting clarification of the treatment of wages costs included in the claim.
- DCC have submitted its second claim and it has been audited.

There being no further business relating to the Shared Audit Panel Meeting the Acting Chair closed the meeting at 11.02am.



# Devonport City Council and Central Coast Council



## Shared Audit Panel

### Annual Work Plan – MARCH 2017

#### Members:

Sue Smith (Chairperson), Councilor Gary Carpenter, Alderman Charlie Emmerton, Alderman Grant Goodwin, John Howard, Councilor Phillip Viney

#### Officers:

Sandra Ayton, Kym Peebles, Paul West

Scheduled Meeting	Agenda Cut-Off	Agenda Delivery	Topic / Activity	Outline	Panel	Update
Monday 20 March  Venue: CCC	Monday 06/03/17	Thursday 09/03/17	Panel Work Program - 2017	Ensure that significant, urgent matters identified through the work program are formally and promptly reported to Council.	Shared	
			Shared Audit Panel Assessment	Review the outcome of the Shared Audit Panel Assessment and determine reporting to Councils.	Shared Individual	
			Annual Budget Program	Review the annual budget program for both Councils	Shared	
			Shared Services Project Update	The Report by consultants Third Horizon will be discussed with Audit Panel members	Shared	
			Credit Card Review – Tas Audit Office	The Auditor General has determined to undertake a review of the credit card usage by General Managers and Elected Members.	Shared Individual	
			Accounting Disclosure Changes	Update on Related Parties Disclosure	Shared	

Scheduled Meeting	Agenda Cut-Off	Agenda Delivery	Topic / Activity	Outline	Panel	Update
			Auditor General's Report to Parliament	Relevant information relating to both Councils	Shared	
			Tas Audit Office Presentation	Officers of Tas Audit to attend to outline Audit Strategy for each Council	Individual	
Monday 5 June  Venue: DCC	Tuesday 23/05/17	Friday 26/05/17	Budget	Review operational plan and draft budget estimates	Individual	
			Long Term Financial Plan	Draft of Plan to be provided to the Councils	Individual	
			Legislative Compliance and Ethics	Outline of process at each Council relating to legislation and compliance – main focus this year to be on delegations	Shared	
			Accounting Disclosure Changes	Related parties disclosure impact on Councils reporting requirements	Shared	
Monday 7 August  Venue: CCC	Monday 24/07/17	Thursday 27/07/17	Year End Reporting	Review the veracity and quality of financial and non-financial information provided by the council in its Annual Financial Statement for example, actual and potential material audit adjustments, financial report disclosures.	Individual	
				Interim Audit Report - monitor and critique management's response to the TAO's findings and recommendations.	Individual	

Scheduled Meeting	Agenda Cut-Off	Agenda Delivery	Topic / Activity	Outline	Panel	Update
			Performance Audits	Outcome of auditor performance audits i.e. credit card	Shared	
			Planning and Regulatory Compliance and KPIs	To allow a comparison of each councils activity in the regulatory area	Shared	
Monday 13 November Venue: DCC	Tuesday 31/10/17	Friday 03/11/17	Internal Controls and Risk Management	Risk registers and assessments including Business Continuity arrangements	Shared	
			Auditor General Report/Responses	Review any available reports to be provided by the Auditor-General to the State Parliament	Shared Individual	
			Legislative Compliance and Ethics	Any follow up actions required from previous meeting	Shared	
			Review Annual Work Plan achievements	To ensure items listed in the 2017 Work Plan were covered	Shared	
			Distribute Audit Panel Assessment criteria for review		Shared	

## Appendix C – Activities an audit panel may undertake as part of its work plan

The following is a list of activities that an audit panel may undertake as part of its work plan.

### Financial management

- determine whether the annual financial statements of the council accurately represent the state of affairs of the council;
- review any significant financial reporting issues and judgements which the financial statements may contain;
- review the veracity and quality of financial and non-financial information provided by the council in its financial statements, internal and external reports - for example, actual and potential material audit adjustments, financial report disclosures;
- review whether the council has followed appropriate accounting standards (e.g. Australian Accounting Standards) and made appropriate estimates and judgements, including considering the views of the Tasmanian Audit Office (TAO);
- review the adequacy of the council's financial governance, systems and processes;
- review the consistency and adequacy of the council's accounting policies and practices;
- review the methods used to account for significant or unusual transactions; and
- review audit programs and audit reports provided by the council's finance department.

### Annual audit and reporting

- monitor and critique management's response to the TAO's findings and recommendations;
- report to the council on action taken regarding issues arising from TAO audit reports and practice guides;
- assess whether a comprehensive process has been established for the purposes of legislative disclosure reporting requirements;
- review and comment on the processes the council has in place to ensure information included in the council's annual report is consistent with the signed financial statements; and
- ensure the council has appropriate quality assurance processes in place to ensure that documents and reports (whether required under legislation or otherwise) are accurate and clear.



## Long-term planning

- determining whether and how the strategic plan, annual plan, long-term financial management plan and long-term strategic asset management plans of the council are integrated and the processes by which, and assumptions under which, those plans were prepared;
- review the performance of the council against the identified benchmarks in the long-term plans, policies and strategies; and
- review the veracity and appropriateness of information contained within the council's long-term plans, policies and strategies.

## Internal controls and risk management

- ensure the council has in place an effective risk management framework that encompasses:
  - policies outlining the relative roles and responsibilities of the council, audit panel and council management;
  - risk registers and assessments; and
  - a plan for ongoing monitoring of the council's risk profile and its relationship to its risk management framework.
- determine whether the council has internal processes for determining and managing material operating risks in the following areas:
  - important accounting judgements or estimates that prove to be incorrect;
  - litigation, claims and complaints against the council;
  - fraud, theft and other illegal and unethical behaviour; and
  - significant business risks, such as workplace health and safety and how these are managed by the council.
- determine whether the council has:
  - a current and effective business continuity or sustainability plan;
  - adequate processes to manage insurable risks, including the insurance cover currently in place for the council;
  - appropriate policies and procedures for the management and exercise of delegations; and
  - sound and effective approaches that are followed in developing strategic risk management plans for major projects or undertakings;
- review summary reports from the council's management on all suspect and actual frauds, thefts and material breaches of legislation, ensuring they have been reported to the council and the relevant authorities;
- assess the councils procurement framework with a focus on the probity and transparency of policies and procedures;

## Legislative compliance and ethics

- monitor compliance with legislation such as the:
  - *Local Government Act 1993*;
  - *Land Use Planning and Approvals Act 1993*;
  - *Work Health and Safety Act 2012*;
  - *Dog Control Act 2000*;
  - *Food Act 2003*;
  - *Environmental Management and Pollution Control Act 1994*;
  - *Water and Sewerage Industry Act 2008*;
  - *Building Act 2000*;
  - *Land Acquisition Act 1993*;
  - *Local Government (Building and Miscellaneous Provisions) Act 1993*;
  - *Local Government (Highways) Act 1982*;
  - *Anti-Discrimination Act 1998*.
- ensure council policies and procedures are appropriately designed and implemented and effective systems are in place to monitor compliance with council policies and procedures;
- determine whether the council possesses an internal culture which is committed to ethical and lawful behaviour and that this culture is promoted by councillors and management.

**CENTRAL COAST COUNCIL  
AUDIT PANEL**



**UNCONFIRMED MINUTES OF MEETING**

Minutes of meeting held on Monday, 20 March 2017 at the Central Coast Council commencing at 12.15pm.

**1 Present**

Members – John Howard (Acting Chairperson), Cr Gary Carpenter & Cr Phillip Viney.

Officers - Sandra Ayton (General Manager), James Anderson (Finance Group Leader) and Rosanne Brown (Minute Secretary).

**2 Apology**

Nil.

**3 Audit Report**

The Chairperson welcomed Ric De Santi and Debbie Scott, representatives from the Tasmanian Audit Office (TAO), to the meeting to present the Financial Audit Strategy 2017 (a copy of which was handed to the Panel at the meeting having been received after the agenda was circulated). Mr De Santi & Ms Scott outlined the Strategy including timeline for the undertaking of the audit program. The General Manager advised that the Finance Group Leader and herself had met with the TAO representatives prior to the Audit Panel meeting.

The TAO representatives left the meeting at 12.25pm.

**4 Confirmation of Minutes**

Moved by Cr Viney, seconded by John Howard and resolved unanimously that the minutes of the meeting held on 14 November 2016 be confirmed as true and correct.

**5 Risk Management**

- 5.1 Claims Update – Allianz Workers Compensation schedule previously circulated to members. Noted there is one open claim.
- 5.2 Potential claims – General Manager gave an update on potential claim regarding Reibey Street planning matter.
- 5.3 Risk Management Initiatives – General Manager advised that training on cyber risk and anti-discrimination sessions for staff are being arranged. Noted that the BSI audit is to be conducted on 21 & 22 March.
- 5.4 Risk Register – copy provided to Panel and noted that the Register is continually reviewed and updated by the Senior Leadership Team.

## **6 Financial Report**

Financial Report for period ended February 2017 previously circulated. Financial Report discussed - noted employee costs are below budget and General Manager advised of rate remissions to be processed for Copper King Road properties.

## **7 Major Projects**

General Manager provided update to Panel members on:

- 7.1 Dial Regional Sports Complex funding and contract works. Noted work has commenced and contractors hope to finish December/January and ground should be ready to use by March. Funding being 1/3 each from State Government, Federal Government and Council.
- 7.2 Handover of potential roads and bridges to the Council:
  - Preservation Drive – negotiations still in progress. Shared pathways cannot be done until road under our control.
  - Bridges – negotiations in progress for Council to take over responsibility of Gawler River bridge, Alma bridge and Spellmans bridge with funding to be provided by State Government.
- 7.3 Economic Stimulus Packages – \$1.2m will be received shortly – to be transferred to reserves and paid back at end of year 5 with no borrowings.
- 7.4 Penguin Recreation Ground – consultation work underway with community to determine future use of this area.

## **8 General Business**

- 8.1 CCC Summary of Performance of Panel Members Report  
Report prepared by the previous Panel Chair had been circulated to all members. Report discussed and noted. General Manager to prepare a report regarding a proxy Council member to be considered as part of the Charter review.
- 8.2 Cr Carpenter queried the Council's position regarding roadworks and sign off procedure with regards to Capital works and in particular South Riana Road. Noted discussions proceeding with contractors and that contract not yet paid.

**Meeting Closed:** 1.10pm

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**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, 10 April 2017 commencing at 6.00pm**

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**Members attendance**

Cr Jan Bonde (Mayor)	Cr Garry Carpenter
Cr Kathleen Downie (proxy)	Cr Tony van Rooyen
Cr Philip Viney	Ms Sandra Ayton

**Members apologies**

Nil

**Employees attendance**

Director Community Services (Mr Cor Vander Vlist)  
Land Use Planning Group Leader (Mr Ian Sansom)

**Employee apologies**

Nil

**Public attendance**

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

**CONFIRMATION OF MINUTES OF THE COMMITTEE**

**19/2017 Confirmation of minutes**

The Director Community Services reported as follows:

“The minutes of the previous meeting of the Development Support Special Committee held on 14 March 2017 have already been circulated. The minutes are required to be confirmed for their accuracy.

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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 Carpenter moved and Cr Viney seconded, "That the minutes of the previous meeting of the Development Support Special Committee held on 14 March 2017 be confirmed."

Carried unanimously

## **MAYOR'S COMMUNICATIONS**

### **20/2017 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 Viney seconded, "That the Mayor's report be received."

Carried unanimously

## **DECLARATIONS OF INTEREST**

### **21/2017 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."

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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**

##### **22/2017      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 6.02pm. The workshop having been concluded, the Mayor resumed the meeting at 6.17pm.

#### **DEPUTATIONS**

##### **23/2017      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.”

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## OPEN REPORTS

**24/2017      Residential (multiple dwellings x two) – discretionary use class in Rural Resource Zone and variation to location of a sensitive use at CT7334/4 Stubbs Road, Forth – Application No. DA216158**

The Director Community Services reported as follows:

“The Town Planner has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA216158
<i>PROPOSAL:</i>	Residential (multiple dwellings x two) discretionary use class in Rural Resource Zone and variation to location of a sensitive use
<i>APPLICANT:</i>	JMG Engineers and Planners
<i>LOCATION:</i>	CT7334/4 Stubbs Road, Forth
<i>ZONE:</i>	Rural Resource
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	8 March 2017
<i>REPRESENTATIONS EXPIRY DATE:</i>	23 March 2017
<i>REPRESENTATIONS RECEIVED:</i>	Two
<i>42-DAY EXPIRY DATE:</i>	14 April 2017 (extension granted until 19 April 2017)
<i>DECISION DUE:</i>	10 April 2017
<i>PURPOSE</i>	

The purpose of this report is to consider an application for two dwellings in the Rural Resource zone on land identified as CT7334/4 Stubbs Road, Forth.

Accompanying the report are the following documents:

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



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## *BACKGROUND*

### *Development description –*

Application is made to construct two dwellings on a 7.97ha parcel of rural resource land. The proposal would include the following:

Dwelling 1 would be the principal dwelling. It is proposed to be 219.5m<sup>2</sup> in area, single-storey, three to four bedrooms, hexagon shaped and clad in timber veneer. The development would include a 40m<sup>2</sup> deck on the western side of the dwelling and an 18.52m<sup>2</sup> deck on the southern side of the dwelling. The dwelling height would be approximately 5.26m above natural ground level.

Dwelling 2 would be a temporary dwelling to accommodate the owners while the principal dwelling is constructed. It would be 70m<sup>2</sup> in area, 3.3m high, contain three bedrooms and be sited approximately 110m from the frontage to Stubbs Road. Following completion of the principal dwelling the second dwelling would be converted to a workshop.

On-site stormwater collection, storage of drinking water and wastewater treatment and disposal would be required.

### *Site description and surrounding area –*

The land lies to the west of Stubbs Road, located approximately 2.78kms south of the Turners Beach residential area. The land supports an area of native bush and cleared pasture.

The land comprises Class 3 & 4 land and is located within the Kindred North Motton Proclaimed Irrigation District.

An unnamed tributary flows westerly, into the Claytons Rivulet that transects other land further to the west.

Surrounding parcels of rural land vary in size from 8ha to 41ha.

### *History –*

The parcel of land is one of a cluster of four 7.5ha –8ha allotments subdivided in 1976.

## *DISCUSSION*

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

## 26.0 Rural Resource Zone

CLAUSE	COMMENT
<b>26.1.2 Local Area Objectives</b>	
<p>(a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;</p> <p>(b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;</p> <p>(c) Air, land and water resources are protected against –</p> <p style="padding-left: 40px;">(i) permanent loss to a use or development that has no need or reason to locate on land containing such a resource; and</p> <p style="padding-left: 40px;">(ii) use or development that has potential to exclude or unduly conflict, constraint, or interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource;</p> <p>(d) Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;</p>	<p>“Residential (multiple dwellings)” is a Discretionary use of the land in the Rural Resource zone.</p> <p>(a) Proposal does not satisfy the Objective. The proposed use is not a primary industry use of the site, would not be dependent upon access to a naturally occurring resource and would not augment ongoing farm operations.</p> <p>(b) Proposal does not satisfy the Objective. The proposed development is not a Permitted use and is not reliant on air, land or water resources for primary industry production.</p> <p>(c)(i) Proposal does not satisfy the Objective. The proposal is for the use and development of land that would result in the permanent loss of a land resource for a purpose that has no need to locate on the land.</p> <p>(c)(ii) Proposal does not satisfy the Objective. The proposal is for the use and development of land that would</p>

<p>(e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;</p> <p>(f) Rural land may be used and developed for economic, community, and utility activity that cannot reasonably be accommodated on land within a settlement or nature conservation area;</p> <p>(g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry;</p> <p>(h) Residential use and development on rural land is appropriate only if –</p> <p>(i) required by a primary industry or a resource based activity; or</p> <p>(ii) without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes.</p>	<p>unduly conflict, constrain or interfere with the natural resources of air, land or water.</p> <p>(d) Not applicable. Use class is not associated with primary industry.</p> <p>(e) Not applicable. Use class is not associated with agricultural land.</p> <p>(f) Proposal does not satisfy the Objective. Proposed use could be located in other zones, such as Residential, Low Density Residential or Rural Living.</p> <p>(g) Not applicable. Use is not for tourism or recreation.</p> <p>(h)(i) Proposal does not satisfy the Objective. Proposed residential use and development is not required by a primary industry or resourced based activity.</p> <p>(h)(ii) Proposal does not satisfy the Objective. Proposed residential use and development would result in permanent loss of land for primary industry.</p>
<b>26.1.3 Desired Future Character Statements</b>	
<p>Use or development on rural land –</p>	<p>(a)(i) Proposal is not consistent with Desired Future Character Statements. The proposed use and</p>

<p>(a) may create a dynamic, extensively cultivated, highly modified, and relatively sparsely settled working landscape featuring –</p> <ul style="list-style-type: none"> <li>(i) expansive areas for agriculture and forestry;</li> <li>(ii) mining and extraction sites;</li> <li>(iii) utility and transport sites and extended corridors; and</li> <li>(iv) service and support buildings and work areas of substantial size, utilitarian character, and visual prominence that are sited and managed with priority for operational efficiency</li> </ul> <p>(b) may be interspersed with –</p> <ul style="list-style-type: none"> <li>(i) small-scale residential settlement nodes;</li> <li>(ii) places of ecological, scientific, cultural, or aesthetic value; and</li> <li>(iii) pockets of remnant native vegetation</li> </ul> <p>(c) will seek to minimise disturbance to –</p> <ul style="list-style-type: none"> <li>(i) physical terrain;</li> <li>(ii) natural biodiversity and ecological systems;</li> </ul>	<p>development is not associated with a working landscape featuring agriculture or forest.</p> <p>(a)(ii) Proposal is not consistent with Desired Future Character Statements. The proposed use is not associated with mining and extraction.</p> <p>(a)(iii) Proposal is not consistent with Desired Future Character Statements. The proposed use is not associated with utility and transportation sites or corridors.</p> <p>(a)(iv) Not applicable. The proposal would not result in service and/or support buildings for agriculture, forestry, mining, extraction, utility or transport corridors.</p> <p>(b)(i) Proposal is not consistent with Desired Future Character Statements. Use and development is not within or interspersed by small scale residential settlement nodes.</p> <p>(b)(ii) Not applicable. The subject and surrounding land is not identified as places of ecological, scientific, cultural or aesthetic value.</p> <p>(b)(iii) Proposal is consistent with Desired Future Character Statements. The site supports an area of native</p>
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<p>(iii) scenic attributes; and</p> <p>(iv) rural residential and visitor amenity;</p> <p>(d) may involve sites of varying size –</p> <p>(i) in accordance with the type, scale and intensity of primary industry; and</p> <p>(ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources;</p> <p>(e) is significantly influenced in temporal nature, character, scale, frequency, and intensity by external factors, including changes in technology, production techniques, and in economic, management, and marketing systems.</p>	<p>vegetation bordering a tributary to Claytons Rivulet watercourse.</p> <p>(c)(i) Proposal is consistent with Desired Future Character Statements. The proposal would not unduly disturb the underlying physical terrain of the site.</p> <p>(c)(ii) Proposal is consistent with Desired Future Character Statements. The proposal would not unduly disturb biodiversity or ecological systems on the site, unless land clearance of native vegetation stands was undertaken.</p> <p>(c)(iii) Proposal is consistent with Desired Future Character Statements. The proposed use would not disturb existing scenic attributes of the site.</p> <p>(c)(iv) Not applicable. No identified rural residential or visitor amenity in this area.</p> <p>(d)(i) Proposal is not consistent with Desired Future Character Statements. The proposed use would not be associated with primary industry.</p> <p>(d)(ii) Proposal is not consistent with Desired Future Character Statements. Proposal is not sustainable commercial production based on a naturally occurring resource.</p>
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	(e) Proposal is not consistent with Desired Future Character Statements. The proposed use is not significantly influenced by changes in technology, production techniques or economic management and marketing systems.
<b>26.3 Use Standards</b>	
<b>26.3.1 Requirement for discretionary non-residential use to locate on rural resource land</b>	
<p>26.3.1-(P1) Other than for residential use, discretionary permit use must:</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement;</p> <p>(c) be required to locate on rural resource land for operational efficiency:</p> <p>(i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;</p> <p>(ii) to access infrastructure only available on the site or on adjacent land in the zone;</p>	<p>Not applicable.</p> <p>Proposed use and development is for non-required "Residential" use (multiple dwellings x two).</p>

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<ul style="list-style-type: none"><li>(iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;</li><li>(iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;</li><li>(v) if required –<ul style="list-style-type: none"><li>a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;</li><li>b. for security;</li><li>c. for public health or safety if all measures to minimise impact could create an unacceptable level of risk to human health, life or property if located on land in a zone intended for that purpose;</li></ul></li><li>(vi) to provide opportunity for diversification, innovation, and value-adding to secure existing or potential primary industry use of the site or of adjacent land;</li><li>(vii) to provide an essential utility or community service infrastructure for the municipal or regional community</li></ul>	
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<p>or that is of significance for Tasmania; or</p> <p>(viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and</p> <p>(d) minimise likelihood for:</p> <p>(i) permanent loss of land for existing and potential primary industry use;</p> <p>(ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and</p> <p>(iii) loss of land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development.</p>	
<b>26.3.2 Required Residential Use</b>	
<p>26.3.2-(A1) Residential use required as part of a use must:</p> <p>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</p> <p>(b) be an ancillary dwelling to an existing lawful and structurally</p>	<p>Not applicable.</p> <p>Not a required residential use.</p>



<p>sound single dwelling;</p> <p>(c) not intensify an existing lawful residential use;</p> <p>(d) replace a lawful existing residential use;</p> <p>(e) not create a new residential use through conversion of an existing building; or</p> <p>(f) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</p> <p>(g) there is no change in the title description of the site on which the residential use is located.</p>	
<b>26.3.3 Residential use</b>	
<p>26.3.3–(A1) Residential use that is not required as part of an other use must:</p> <p>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</p> <p>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</p> <p>(c) not intensify an existing lawful residential use;</p>	<p>(a) Non-compliant. Not an alteration or addition to an existing lawful residential building.</p> <p>(b) Non-compliant. Not an ancillary dwelling to an existing lawful single dwelling.</p> <p>(c) Not applicable. No existing lawful residential use.</p> <p>(d) Not applicable. No existing residential use on the land.</p> <p>(e) Not applicable. No other buildings on the land.</p>

<p>(d) not replace an existing residential use;</p> <p>(e) not create a new residential use through conversion of an existing building;</p> <p>(f) be an outbuilding with a floor area of not more than 100m<sup>2</sup> appurtenant to an existing lawful and structurally sound residential building; or</p> <p>(g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</p> <p>(h) there is no change in the title description of the site on which the residential use is located.</p>	<p>(f) Not applicable. Not an outbuilding.</p> <p>(g) Not applicable. Not a home based business.</p> <p>(h) Compliant. No change to the Title description is proposed.</p> <p>See "Issues" section of this report.</p>
<b>26.4 Development Standards</b>	
<b>26.4.1 Suitability of a site or lot on a plan of subdivision for use or development</b>	
<p>26.4.1-(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) unless for agricultural use, have an area of not less than 1.0 hectare not including any access strip; and</p> <p>(b) if intended for a building, contain a building area</p> <p>(i) of not more than 2,000m<sup>2</sup> or 20% of the area of the</p>	<p>(a) Compliant. Land area is 7.97ha.</p> <p>(b)(i) Compliant. Proposed building area would be 289m<sup>2</sup>.</p> <p>(b)(ii) Compliant. Development would be clear of applicable front, rear and side boundaries.</p> <p>(b)(iii) Not applicable. No zone boundary setbacks apply.</p>

<p>site, whichever is the greater unless a crop protection structure for an agricultural use;</p> <p>(ii) clear of any applicable setback from a frontage, side or rear boundary;</p> <p>(iii) clear of any applicable setback from a zone boundary;</p> <p>(iv) clear of any registered easement;</p> <p>(v) clear of any registered right of way benefiting other land;</p> <p>(vi) clear of any restriction imposed by a utility;</p> <p>(vii) not including an access strip;</p> <p>(viii) accessible from a frontage or access strip.</p>	<p>(b)(iv) Not applicable. No registered easements.</p> <p>(b)(v) Not applicable. No right of way benefiting other land.</p> <p>(b)(vi) Not applicable. No restriction imposed by a utility.</p> <p>(b)(vii) Not applicable. No access strip.</p> <p>(b)(viii) Compliant. Land is accessible from a frontage to Stubbs Road.</p>
<p>26.4.1–(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <p>(a) across a frontage over which no other land has a right of access; and</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p>	<p>(a) Non-compliant. The site plan shows access from a right of way that the land does not have a legal right to use. The subject land should be required to establish a legal access off Stubbs Road.</p> <p>(b) Not applicable. Not an internal Lot.</p> <p>(c) Not applicable. No legal access to a right of way connecting to a road.</p>

<p>(c) by a right of way connecting to a road –</p> <p>(i) over land not required as the means of access to any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than 6.0m; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>(d) Compliant. The land has 161.53m of frontage to Stubbs Road. The development should be required to establish a legal access off Stubbs Road.</p> <p>(e) Compliant. The development would be required to establish a legal access off Stubbs Road in accordance with the <i>Local Government (Highways) Act 1982</i>.</p>
<p>26.4.1–(A3) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of connecting to a water supply:</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p>	<p>(a) Non-compliant. Not able to connect to reticulated system.</p> <p>(b)(i) Compliant by condition. The Council’s Planning Permit would require on-site collection and storage of a potable water drinking system.</p> <p>(b)(ii)a. Non-compliant. Development is for multiple dwellings (two).</p>

<p>(b) from a rechargeable drinking water system <sup>R31</sup> with a storage capacity of not less than 10,000 litres if:</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for:</p> <p>a. a single dwelling; or</p> <p>b. a use with an equivalent population of not more than 10 people per day.</p>	<p>(b)(ii)b. Non-compliant. Development would be able to accommodate up to 12 persons in two dwellings.</p> <p>Refer to “Issues” section of this report.</p>
<p>26.4.1–(A4) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste:</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if:</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development:</p>	<p>(a) Non-compliant. The site is not able to connect to the reticulated sewerage system.</p> <p>(b)(i) Compliant by condition. A Planning Permit should require compliance with the Wastewater Design report by JMG Engineers and Planners, dated February 2017.</p> <p>(b)(ii)a. Not applicable. Satisfied by (b)(iii).</p> <p>(b)(ii)b. Not applicable. Satisfied by (b)(iii).</p> <p>(b)(iii) Compliant. The Council’s Planning Permit would require compliance with the Wastewater Design report by JMG Engineers and Planners, dated February 2017.</p>

<ul style="list-style-type: none"> <li>a. is for a single dwelling; or</li> <li>b. provides for an equivalent population of not more than 10 people per day; or</li> <li>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS 1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip.</li> </ul>	
<p>26.4.1–(A5) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <ul style="list-style-type: none"> <li>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</li> <li>(b) if stormwater cannot be drained to a stormwater system: <ul style="list-style-type: none"> <li>(i) for discharge to a natural drainage line, water body or watercourse; or</li> <li>(ii) for disposal within the site if: <ul style="list-style-type: none"> <li>a. the site has an area of not less than 5,000m<sup>2</sup>;</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Not applicable. Satisfied by (b)(i).</li> <li>(b)(i) Compliant. Stormwater drainage to a minor tributary that drains to Claytons Rivulet.</li> <li>(b)(ii) Not applicable. Satisfied by (b)(i).</li> </ul>

<ul style="list-style-type: none"> <li>b. the disposal area is not within any defined building area;</li> <li>c. the disposal area is not within any area required for the disposal of sewage;</li> <li>d. the disposal area is not within any access strip; and</li> <li>e. not more than 50% of the site is impervious surface.</li> </ul>	
<b>26.4.2 Location and configuration of development</b>	
<p>26.4.2–(A1) A building or a utility structure, other than a crop protection structure for an agriculture use, must be setback:</p> <ul style="list-style-type: none"> <li>(a) not less than 20.0m from the frontage; or</li> <li>(b) not less than 50.0m if the development is for sensitive use on land that adjoins the Bass Highway;</li> <li>(c) not less than 10.0m from each side boundary; and</li> <li>(d) not less than 10.0m from the rear boundary; or</li> <li>(e) in accordance with any applicable building area shown on a sealed plan.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. Development would be setback 110m from the frontage to Stubbs Road.</li> <li>(b) Not applicable. Satisfied by (a).</li> <li>(c) Compliant. Development would be setback 73m to the northern side boundary and 43.5m to the southern side boundary.</li> <li>(d) Compliant. Development would be setback 380m from the western rear boundary.</li> <li>(e) Not applicable. No building area on a Sealed Plan.</li> </ul>

26.4.2–(A2) Building height must be not more than 8.5m.	Compliant. Building height is 5.26m.
<p>26.4.2 A3.1 A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must –</p> <ul style="list-style-type: none"> <li>(a) not project above an elevation 15m below the closest ridgeline;</li> <li>(b) be not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</li> <li>(c) be below the canopy level of any adjacent forest or woodland vegetation; and</li> <li>(d) clad and roofed with materials with a light reflectance value of less than 40%.</li> </ul> <p>A3.2 Wind power turbines and wind power pumps must not exceed 20m in height.</p>	<p>A3.1</p> <ul style="list-style-type: none"> <li>(a) Compliant. Proposed multiple dwellings would not project above an elevation of 15m below closest ridgeline.</li> <li>(b) Compliant. Proposed multiple dwellings would be setback 57m from watercourse (creek).</li> <li>(c) Compliant. Proposed multiple dwellings would be below canopy level of vegetation located to the west of the site.</li> <li>(d) Non-compliant. Proposed multiple dwellings would be clad with stone and timber veneer materials. The rooves would be of “Zincalume” material. The Building Code of Australia (BCA) CA classifies roof colour on the basis of solar absorptance, which is deemed under the BCA to be the <i>inverse</i> of colour reflectivity. The BCA deems Zincalume to be a Medium colour, with absorptance &lt;60%. This means reflectivity would be greater than 40%.</li> </ul> <p>A3.2 Not applicable. Not wind turbine or wind power pumps.</p>



26.4.3 Location of development for sensitive uses	
<p>26.4.3–(A1) New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must –</p> <p>(a) be located not less than:</p> <ul style="list-style-type: none"> <li>(i) 200m from any agricultural land;</li> <li>(ii) 200m from aquaculture, or controlled environment agriculture;</li> <li>(iii) 500m from the operational area boundary established by a mining lease issued in accordance with the <i>Mineral Resources Development Act 1995</i> if blasting does not occur; or</li> <li>(iv) 1000m from the operational area boundary established by a mining lease issued in accordance with the <i>Mineral Resources Development Act 1995</i> if blasting does occur; or</li> <li>(v) 500m from intensive animal husbandry;</li> <li>(vi) 100m from land under a reserve management plan;</li> <li>(vii) 100m from land designated for production forestry;</li> </ul>	<ul style="list-style-type: none"> <li>(a)(i) Non-compliant. Proposed multiple dwellings would be setback approximately 80m from adjoining agricultural land to the south and 90m from adjoining agricultural land to the north.</li> <li>(a)(ii) Not applicable. No aquaculture, or controlled environment agriculture.</li> <li>(a)(iii) Not applicable. No non-blasting extractive industry in surrounding area.</li> <li>(a)(iv) Non-compliant. Proposed multiple dwellings would be approximately 955m from an extractive industry that has capability to blast.</li> <li>(a)(v) Compliant. No intensive animal husbandry within 500m.</li> <li>(a)(iv) Not applicable. Land is not within 100m of land under a reserve management plan.</li> <li>(a)(vii) Compliant. Land adjoins a private timber reserve that is approximately 450m to the west of the development site.</li> </ul>

<p>(viii) 50.0m from a boundary of the land to the Bass Highway, or to a railway line; and</p> <p>(ix) clear of any restriction imposed by a utility; and</p> <p>(b) not be on land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i>, or land that may benefit from the application of broad-scale irrigation development.</p>	<p>(a)(viii) Compliant. Land is approximately 3kms to the Bass Highway and 3.4kms to the Western Rail Line.</p> <p>(a)(ix) Non-compliant. Land is located within the Kindred North Motton Irrigation District proclaimed under Part 9 of the <i>Water Management Act 1999</i> in August 2012.</p> <p>See "Issues" section of this report.</p>
<b>26.4.4 Subdivision</b>	
<p>26.4.4-(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use either State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>
<b>26.4.5 Buildings for Controlled Environment Agriculture</b>	
<p>26.4.5-(A1) A building for controlled environment agriculture use must be a crop protection structure and the agricultural use inside the building must satisfy one of the following:</p> <p>(a) rely on the soil as a growth medium into which plants are directly sown;</p>	<p>Not applicable.</p> <p>No controlled environment agriculture proposed.</p>

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(b) not alter, disturb or damage the existing soil profile if conducted in a manner which does not rely on the soil as a growth medium.	
CODES	
<b>E1 Bushfire-Prone Areas Code</b>	Not applicable. Not a subdivision or vulnerable or hazardous use.
<b>E2 Airport Impact Management Code</b>	Not applicable. No Code in this Scheme.
<b>E3 Clearing and Conversion of Vegetation Code</b>	Not applicable. No clearing or conversion of native threatened vegetation.
<b>E4 Change in Ground Level Code</b>	Not applicable. No cut or fill proposed greater than 1 m.
<b>E5 Local Heritage Code</b>	Not applicable. No places of local significance listed in this Scheme.
<b>E6 Hazard Management Code</b>	Not applicable. Site not included in a mapped hazard area.
<b>E7 Sign Code</b>	Not applicable. No signs proposed.
<b>E8 Telecommunication Code</b>	Not applicable. No telecommunications proposed.

<b>E9 Traffic Generating Use and Parking Code</b>	
<b>E9.2 Application of this Code</b>	Applicable. Applies to all use and development
<b>E9.4 Use or development exempt from this Code</b>	Not exempt. No Local Area Parking Scheme.
<b>E9.5 Use Standards</b>	
<b>E9.5.1 Provision for parking</b>	
<p>E9.5.1–(A1) Provision for parking must be:</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p>	<p>Compliant.</p> <p>E9 Traffic and Parking Code of the Scheme requires two car spaces per dwelling. The land has ample areas to allocate this provision. A Permit should require the applicable number of car parking spaces on the site.</p>
<b>E9.5.2 Provision for loading and unloading of vehicles</b>	
<p>E9.5.2–(A1) There must be provision within a site for:</p> <p>(a) on-site loading area in accordance with the requirement in the Table to this Code; and</p> <p>(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.</p>	<p>(a) Not applicable. Not required for residential development.</p> <p>(a) Not applicable. Passenger pick-up and set-down facilities not required for residential development.</p>

<b>E9.6 Development Standards</b>	
<b>E9.6.2 Design of vehicle parking and loading areas</b>	
E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and	Compliant. The site would be able to drain, collect and dispose of stormwater on-site, clear of building sites, wastewater site and access road. A Permit should require compliance with the Standard.
<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</p>	<p>(a) Compliant. The site has ample area to make provision for circulation and parking areas and vehicle manoeuvring areas in accordance with AS/NZS 2890.1 (2004). A Permit should require compliance with the Standard.</p> <p>(b) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(c) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(d) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(e) Compliant. The site has sufficient area to accommodate this requirement. A Permit should require compliance with the Standard.</p>

<p>internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	<p>(f) Compliant. The site has sufficient area to accommodate this requirement. A Permit should require compliance with the Standard.</p> <p>(g) Compliant by condition. Internal roadway and car parking areas would be constructed with a compacted sub-base and an all-weather surface.</p>
<p>E9.6.2-(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.</p>	<p>Compliant by condition. Design and construction of access, vehicle circulation, movement and standing areas would be in accordance with the principles and requirements of the <i>Unsealed Roads Manual – Guideline for Good Practice</i> ARRB. A Permit should require compliance with the Standard.</p>
<p><b>E10 Water and Waterways Code</b></p>	<p>Not applicable. Not within 30m of a waterway.</p>
<p><b>Specific Area Plans</b></p>	<p>Not applicable. No Specific Area Plans apply to this area.</p>

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*Issues –*

*1 Local Area Objectives and Desired Future Character Statements –*

The purpose of the Rural Resource zone is to provide for the sustainable use and development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunity for resource production. The Rural Resource zones Local Area Objectives and Desired Future Character Statements together seek to promote use and development that is for primary industry purpose. The Local Area Objectives for the Rural Resource zone reference the requirement of use and development to be reliant upon, be associated with, or have an intention to use a naturally occurring resource (air, land and/or water) that is located on the subject site or adjoining land. The zone may provide for other use and development that does not constrain or conflict with resource development uses.

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

The subject proposal is not a use that is associated with primary industry. The proposal is for non-required Residential development (multiple dwellings x two). As such, the land is considered to be not appropriate for the proposed use, which could result in the constraint, fettering or interference with current or future resource development uses in the area.

The proposed use of the land is not able to satisfy the Local Area Objectives, primarily as the use does not rely on a resource that would be available on the site or on adjacent land.

Further, the proposal does not satisfy the majority of the relevant Desired Future Character Statements, primarily because the use would not result in agriculture, forestry, mining or extraction, utility or transportation activity.

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2      *Development within the Kindred North Motton Proclaimed Irrigation District –*

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

The proposed development would be on land that is located within the Kindred North Motton Irrigation District.

The Kindred North Motton Irrigation District comprises 8,483ha and is expected to have the capacity to supply 2,500ML of water over the summer irrigation period, giving water security to affected lands. The Scheme is intended to service pasture and cropping land around the settlements of Kindred, Sprent, Abbotsham, Forth, Gawler, Ulverstone and North Motton. Currently, the production of potatoes, other vegetables, poppies, cereals, pyrethrum, berries and dairy produce are the primary activities in these areas.

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

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

The proposed development does not meet the Scheme's Standards of Clause 26.3.3–(A1) for a non-required “Residential” use to locate on Rural Resource land. It is mandatory that the proposal satisfies the Scheme’s Performance Criteria.

Performance Criteria 26.3.3–(P1) states the following:

“ Residential use that is not required as part of other use must–

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



- 
- (c) be on a site within which the existing or proposed development area –
    - (i) is not capable by reason of one or more of factors of topography, resource capability, size or shape of being utilised for resource development or extractive industry use; and
    - (ii) is not capable of utilisation in the operations of a resource development or extract industry use; and
    - (iii) does not constrain or interfere with existing or potential resource development or extractive industry use of land including the balance area on the site.
  - (d) not be likely to impose an immediate demand or contribute to a cumulative requirement for public provision or improvement in reticulated or alternate arrangements for utilities, road access, or community service.”

The proposal is not able to satisfy the Performance Criteria. The subject property located at Stubbs Road was subdivided in 1979 and up until this time has been used for resource production. The proposal does not require to be located on Rural Resource land to access a naturally occurring resource on the subject site, or to access infrastructure only available on the subject site or adjacent land.

It is considered the proposal fails on the need to be reliant upon a primary industry resource, would constrain the future use of the land for primary industry and may constrain adjoining land and other land in the immediate vicinity from resource production activity.

#### *4 The development of a sensitive use on Rural Resource land –*

Residential development is defined as a “sensitive use” under the Scheme. The Scheme’s Acceptable Solution 26.4.1 requires that a sensitive use be setback a minimum of 200m from agricultural land. This is to minimise the proximity of a sensitive use to agricultural operational activities. Close proximity, less than 200m, may result in the conflict, interference or fettering of primary industry activity on adjoining agricultural land. Conflict may arise where a non-required residential use locates in close proximity to primary industry due to

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differing expectations, the spraying of agricultural chemicals, pivot irrigation noise and spray, dust, and the activities of planting, ongoing maintenance and the harvesting of crops that may give rise to a nuisance to occupants of an adjoining sensitive use. In this case the property also adjoins a Private Timber Reserve and is within 950m of a blasting quarry.

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

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

It is considered the proposed residential development would result in the permanent loss of land for existing and potential primary industry use. The proposed 75m and 45m side setbacks from agricultural land would result in a likely constraint, interference or/and fettering of primary industry activity on subject land or, more particularly, on adjacent land.

*Referral advice –*

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No comment.
Infrastructure Services	No comment.
TasWater	Not applicable.

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

The representations are summarised and responded to as follows:

MATTER RAISED	RESPONSE
REPRESENTATION 1	
1 The property in question has been a productive piece of land for grazing, the cropping of potatoes, barley and raspberries and is a valuable rural asset.	The matter of the loss of productive primary industry land to non-required residential use is discussed in the "Issues" section of this report.
2 The bush aspect of the property should be retained as a "green" belt.	There is no suggestion or application for the clearing of land along the tributary to Clayton Rivulet.

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3 Intensive farming operations are undertaken nearby.	This is noted. The land in this area is prime agricultural land within the Kindred North Motton Irrigation District.
4 The Council should uphold its Rural Resource policy.	There is no Rural Resource policy. The representor is most likely making reference to the Scheme and the Objectives contained within the Scheme for the Rural Resource zone.
5 The matter of two dwellings raises concern. Why two dwellings? For a rural undertaking a single dwelling with an outbuilding is sufficient.	The application is for two dwellings that together would accommodate up to 12 people. The applicant proposes to reside in the smaller dwelling while constructing the main building.
REPRESENTATION 2	
1 The access road shown on the site plan is a right of way access to other private property. The proposal refers to this road as 'public road/private road' and it is not.	This is correct. Any development on site would need to form a legitimate access to the property off Stubbs Road.

#### *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 to have merit. The proposed use and development of the land for Residential (multiple dwellings x two) – discretionary use class in Rural Resource Zone and variation to location of a sensitive use would place a “sensitive use” within the surrounds of an area that relies on primary industry, including agriculture, forestry and extractive industry, as the principal means of income and activity. It is considered the potential for land use conflict between primary industry and a non-required residential use is likely.

The proposed development is not able to meet key Local Area Objectives and Performance Criteria that seek to protect land for primary industry purpose. The proposed use is not a primary industry use of the site, would not be dependent upon access to a primary industry that is dependent upon a naturally occurring resource and the development would not augment ongoing farm operations.

It is considered the proposal would result in the permanent loss of viable agricultural land within the proclaimed Kindred North Motton Irrigation District.

### *Recommendation –*

It is recommended that the application for Residential (multiple dwellings x two) – discretionary use class in the Rural Resource Zone and variation to location of a sensitive use at CT7334/4 Stubbs Road be refused on the following grounds:

- 1      The proposal is not able to satisfy the Local Area Objectives for development and use in the Rural Resource zone in that the proposed use and development would not protect agricultural land for sustainable, agricultural production and would not be reliant upon, be associated with, or have an intention to use a naturally occurring resource that is located on the subject site or adjoining land.
- 2      The proposal is not able to satisfy Performance Criteria for “Residential use” as stipulated under Clause 26.3.3–(P1) in that the proposed use and development would not be utilised for resource development or extractive industry, would result in the loss of agricultural land that is located within the proclaimed Kindred North Motton Irrigation District and would constrain or fetter surrounding primary industry activity.
- 3      The development is not able to satisfy the Performance Criteria relative to the “Location of Development for Sensitive Uses” as stipulated under

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Clause 26.4.3–(P1), in that development less than 200m from agricultural land may result in the constraint, fettering or conflict with current or future resource development uses on the subject or adjoining land.’

The report is supported.”

The Director Community Services reported as follows:

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

■ Cr Viney moved and Cr Downie seconded “That the application for Residential (multiple dwellings x two) – discretionary use class in the Rural Resource Zone and variation to location of a sensitive use at CT7334/4 Stubbs Road be refused on the following grounds:

- 1 The proposal is not able to satisfy the Local Area Objectives for development and use in the Rural Resource zone in that the proposed use and development would not protect agricultural land for sustainable, agricultural production and would not be reliant upon, be associated with, or have an intention to use a naturally occurring resource that is located on the subject site or adjoining land.
- 2 The proposal is not able to satisfy Performance Criteria for “Residential use” as stipulated under Clause 26.3.3–(P1) in that the proposed use and development would not be utilised for resource development or extractive industry, would result in the loss of agricultural land that is located within the proclaimed Kindred North Motton Irrigation District and would constrain or fetter surrounding primary industry activity.
- 3 The development is not able to satisfy the Performance Criteria relative to the “Location of Development for Sensitive Uses” as stipulated under Clause 26.4.3–(P1), in that development less than 200m from agricultural land may result in the constraint, fettering or conflict with current or future resource development uses on the subject or adjoining land.”

Voting for the motion  
(3)  
Cr Downie  
Cr Viney  
Ms Sandra Ayton

Voting against the motion  
(3)  
Cr van Rooyen  
Cr Carpenter  
Cr Bonde

Motion Carried

The meeting noted at this time that, as the matter could not be determined unanimously, it must accordingly be referred to a meeting of the Council for a decision.

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### **Closure**

There being no further business, the Mayor declared the meeting closed at 6.20pm.

CONFIRMED THIS                      DAY OF                      , 2017.

### **Chairperson**

(cvv:km)

### **Appendices**

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## QUALIFIED PERSON'S ADVICE

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

- . A general manager must ensure that any advice, information or recommendation given to the council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

- . A council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the council.

I therefore certify that with respect to all advice, information or 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



# Audit Panel Charter

~~December 2014~~ March 2017

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## 1 BACKGROUND

The Audit Panel is an independent advisory Committee to the Council. The Audit Panel Charter has been established in compliance with Part 8 of Division 4 of the *Local Government Act 1993* (the Act) and the *Local Government (Audit Panels) Order 2014*.

This Charter sets out the Audit Panel's objective, authority, composition, tenure, functions, responsibilities, reporting and administrative arrangements.

The Council wishes to have a shared arrangement with Devonport City Council for the establishment of the Audit Panel and the conduct of meetings where there are matters of mutual interest.

## 2 OBJECTIVE

The Audit Panel's objective is to review the Council's performance under section 85A of the Act and report to the Council its conclusions and recommendations.

## 3 AUTHORITY

The Audit Panel does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility.

The Audit Panel does not have any management functions and is therefore independent of management.

The Central Coast Council authorises the Audit Panel, within its responsibilities, to:

- . obtain any information it requires from any employee or external party (subject to any legal obligation to protect information);
- . discuss any matters with the Tasmanian Audit Office, or other external parties (subject to confidentiality considerations);
- . request the attendance of any employee, including members of the Council, at Audit Panel meetings; and
- . obtain legal or other professional advice, as considered necessary to meet its responsibilities provided the cost of such advice is within the budget granted to the Audit Panel.

## 4 COMPOSITION AND TENURE

The Audit Panel of each Council comprises two ~~Councillors-elected members~~ and two independent members. The independent members are appointed jointly by both Councils to be shared between each Council's Audit Panel.

One of the independent members will be appointed as the Chair of the Audit Panel.

Audit Panel members are appointed by Council for a period of four years coinciding

with Council elections.

Audit Panel members, other than independent members, may be reappointed at the approval of the Council. Independent members need the approval of both Councils to be reappointed.

~~The following persons are eligible to be members of the Audit Panel:~~

- ~~▪ a Councillor other than the Mayor;~~
- ~~▪ an employee of another Council;~~
- ~~▪ a member of an Audit Panel of another Council.~~

In appointing an independent member of the Audit Panel, the Councils are to ensure that the person possesses good business acumen and sound management and communication skills. The Councils may also take into account other skills such as knowledge of financial management and audit practice, governance processes, risk management and relevant industry knowledge.

Should an independent member of the Panel wish to resign, written notice is to be addressed to the General Manager of both Councils.

Should the Panel feel that one of their members is not performing to a satisfactory level or is not meeting expectations of their appointment, in the first instance the Chair will address concerns with the individual concerned. If the matter remains unresolved, the General Managers are to be informed. The Councils, after consultation with each other, may, by resolution, end the term of the Chair and/or an independent member at any time.

## 5 *FUNCTIONS*

The functions of the Audit Panel are to consider whether:

- the annual financial statements of the Council accurately represent the state of affairs of the Council;
- the Strategic Plan, Annual Plan, long-term financial management plan and long-term strategic asset management plans of the Council are integrated and the processes by which, and assumptions under which, those plans were prepared are sound and justified;
- the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that the Council has in relation to safeguarding its long-term financial position are appropriate;
- the Council is complying with the provisions of the Act and any other relevant legislation;
- all strategic and business risks affecting the Council are identified and assessed, and the effectiveness of mitigation controls evaluated; and
- the Council has taken any action in relation to previous recommendations

provided by the Audit Panel to the Council.

In fulfilling its functions, the Audit Panel should consider the following key areas:

- . corporate governance;
- . human resource management, including policies, procedures and enterprise agreements;
- . information and communications technology governance;
- . management and governance of the use of data, information and knowledge; and
- . internal and external reporting requirements.

## 6 *RESPONSIBILITIES OF PANEL MEMBERS*

Members of the Audit Panel are expected to understand and observe the legal requirements of the Act and *Local Government (Audit Panels) Order 2014*. Members are also expected to:

- . act in the best interests of the Council;
- . apply sound analytical skills, objectivity and judgment;
- . express opinions constructively and openly, raise issues that relate to the Audit Panel's functions and pursue independent lines of enquiry; and
- . contribute the time required to review the papers provided.

## 7 *REPORTING*

The Audit Panel is to provide a copy of its meeting minutes to the Council as soon as practical after every Audit Panel meeting.

If the Audit Panel has conducted a review under section 85A of the Act, the Audit Panel must provide a written report of its conclusions and recommendations to the Council.

## 8 *ADMINISTRATIVE ARRANGEMENTS*

### 8.1 *Meetings*

- . The Audit Panel will meet at least four times per year on a shared arrangement basis with Devonport City Council.
- . The shared arrangement will provide for meetings to alternate between Central Coast Council and Devonport City Council.

~~. Each Council will have a meeting with the independent members and a joint~~

~~meeting to discuss matters of mutual interest.~~ Each Council may have a meeting with the Chairperson of the Audit Panel at any time.

- . The Audit Panel is to regulate its own proceedings in accordance with this Charter.
- . The Chair may determine that a meeting is to be held in private.
- . The Chair may call additional meetings if required to by the Council or by at least two other members of the Audit Panel.
- . The General Manager and the Director ~~Corporate~~ & Community Organisational Services, and/or their delegates, are to attend Audit Panel meetings unless the Chair determines a meeting is to be held in private.
- . The Audit Panel may invite any Councillor and/or employee of the Council and/or representative of the Tasmanian Audit Office to attend meetings of the Audit Panel.
- . Meetings of the committee are closed to the public. Minutes of meetings are to be kept.

#### 8.2 Quorum

- . A quorum of an Audit Panel meeting is majority of members, including an independent member.

#### 8.3 Work Plan

- . The Audit Panel is to develop an annual work plan ~~before 1 July of~~ each year that includes, but is not limited to, a schedule of meetings and the known objectives for each meeting.
- . The plan is to be reviewed annually to ensure the Audit Panel effectively discharges its responsibilities.
- . The forward meeting schedule should include the dates, location, and proposed agenda items for each meeting for the forthcoming year, and cover all the functions of the Audit Panel outlined in this Charter.

#### 8.4 Secretariat

Each Council, in consultation with the Audit Panel, will appoint a person to provide secretariat support to the Audit Panel. The secretariat will:

- . ensure the agenda for each meeting is approved by the Chair;
- . ensure the agenda and supporting papers are circulated at least one week prior to the meeting; and
- . ensure the minutes of the meetings are prepared and submitted to the

Council as soon as practicable after each meeting.

### *8.5 Conflict of Interests*

Audit Panel members must declare to the Chair any pecuniary or non-pecuniary interests that may affect them in carrying out their functions.

Independent members are to consider past employment, consultancy arrangements and related party issues in making these declarations and the Chair should be satisfied that there are sufficient processes in place to manage any real or perceived interest.

At the beginning of each Audit Panel meeting, members are required to declare any potential or actual interest that may apply to specific matters on the meeting agenda. Where required by the Chair, the member will be excused from the meeting or from the Audit Panel's consideration of the relevant agenda item(s). Details of potential or actual interests declared by members will be appropriately recorded in the minutes.

### *8.6 Induction*

The Council will provide new Audit Panel members with relevant information and briefings on their appointment to assist them to meet their Audit Panel responsibilities.

### *8.7 Remuneration*

The independent members of the Audit Panel shall be paid a sitting fee of \$500 for each meeting attended. The Chair of the Audit Panel shall be paid an additional fee of \$2,000 per annum. These fees shall be divided equally between the Central Coast Council and Devonport City Council.

## **9 PERFORMANCE EVALUATION**

The ~~General Manager and the~~ Chair will evaluate the performance of the Audit Panel, both of the individual members and collectively, on an annual basis with the appropriate input from ~~the Senior Leadership Team, the external auditors and any other~~ relevant stakeholder as determined by the Chair. This will be reported to the Council on an annual basis.

## **10 REVIEW OF AUDIT PANEL CHARTER**

The Audit Panel will review the Audit Panel Charter bi-annually and recommend any changes to the Council for approval.

The next review date will be: *December 2016*~~8~~.



## Local Government Association of Tasmania Nomination Form

Nomination of a candidate for election of President or Committee Member of the General Management Committee, Local Government Association of Tasmania.

Nominations are invited and must be lodged, posted, emailed or sent by facsimile to be received by the Returning Officer at the address shown below **before 5 pm Tuesday 23 May 2017**. This nomination must be accompanied by a copy of the Resolution passed by the Council that lawfully nominated the candidate for election. Candidates will be notified of receipt of the nominations by this office.

It is the responsibility of the candidate to ensure that the nomination form is received by the Returning Officer before the close of nominations. Late nominations cannot be accepted.

Each member is entitled to:

- nominate one elected Councillor or Alderman of a Member Council for the position of President of the Local Government Association of Tasmania; and
- nominate one elected Councillor or Alderman of a Member Council for the position of Committee Member of the General Management Committee. Members can only nominate a Councillor or Alderman within their own electoral district and population category.
- General membership elections will not be held for the Southern Electoral District. Please see reverse.

**Candidate Please print**

Family Name:	Given names:	Member Council:
Position: <input type="checkbox"/> President <input type="checkbox"/> Committee Member		
Postal address:	Email address:	
Given names for ballot paper: (if different from above)	Contact phone numbers:	
	Mobile	Other
• I accept the nomination as a candidate for election to the position shown above.		
Signature.....		Date.....

**Nominator**

Name of Member Council:	Hereby nominates the above-named candidate for election.
Name of person authorised to lodge nomination on behalf of Member Council	Contact phone numbers:
	Mobile Other
Endorsed at council meeting held on:	This nomination must be accompanied by a copy of the Resolution passed by the Council that lawfully nominated the candidate for election.
Date.....	
Signature of authorised person..... Date.....	

**The address for lodgement at the Tasmanian Electoral Commission is:**

Level 3, TasWater Building, 169 Main Road, MOONAH TAS 7009

Postal Address: PO Box 307, MOONAH TAS 7009

Phone: (03) 6208 8721

Fax: (03) 6208 8791

Email: nominations@tec.tas.gov.au



# Electoral Districts

(for the purpose of electing members to the General Management Committee)

## NORTH WEST AND WEST COAST ELECTORAL DISTRICT

Members within the electoral district having a population less than 20,000 – ***one position***

Burnie City Council

Circular Head Council

King Island Council

Waratah-Wynyard Council

Kentish Council

Latrobe Council

West Coast Council

Members within the electoral district having a population of 20,000 or more – ***one position***

Devonport City Council

Central Coast Council

## NORTHERN ELECTORAL DISTRICT

Members within the electoral district having a population less than 20,000 – ***one position***

Break O'Day Council

Flinders Council

Meander Valley Council

Dorset Council

George Town Council

Northern Midlands Council

Members within the electoral district having a population of 20,000 or more – ***one position***

Launceston City Council

West Tamar Council

## SOUTHERN ELECTORAL DISTRICT – NO ELECTION FOR EITHER CATEGORY

Members within the electoral district having a population less than 20,000 – ***no election***

Brighton Council

Glamorgan-Spring Bay Council

Derwent Valley Council

Southern Midlands Council

Central Highlands Council

Huon Valley Council

Sorell Council

Tasman Council

Members within the electoral district having a population of 20,000 or more – ***no election***

Clarence City Council

Glenorchy City Council

Kingborough Council

# GENERAL MANAGEMENT COMMITTEE AND OTHER COMMITTEES

## **17. FUNCTION OF THE GENERAL MANAGEMENT COMMITTEE**

- (a) The functions of the General Management Committee include:
- (i) appointing and reviewing the performance of the Chief Executive Officer of the Association;
  - (ii) determining Association Policy, with such policy to be ratified at a Meeting of the Association;
  - (iii) providing strategic direction to the Association in accordance with policies resolved by Meetings of the Association;
  - (iv) carrying out such delegations as may be made to it by Meetings of the Association;
  - (v) providing for the good management and administration of the Association;
  - (vi) ensuring that the accounts of the Association are:
    - (A) prepared in accordance with these Rules; and
    - (B) circulated to all Members not less than 28 days prior to the date of the Annual General Meeting;
  - (vii) investing the funds of the Association;
  - (viii) borrowing, raising or securing the payment of money in such manner as the General Management Committee may think fit;
  - (ix) taking or holding mortgages, liens, charges, and any other form of security to secure payment of the purchase price or any part thereof;
  - (x) making nominations to various statutory and other bodies related to the operations of Local Government;
  - (xi) nominating representatives to the Australian Local Government Association in accordance with Rule 30;
  - (xii) approving the appointment of the members of the Board of LGAT ASSIST;

- (xiii) nominating Directors for appointment to the Board of Directors of Tasplan Ltd in accordance with the Constitution of Tasplan Ltd as amended from time to time.
- (b) The General Management Committee may, by resolution, delegate with or without conditions any of its powers, functions or delegations other than this power of delegation, to an employee, contractor or other entity.
- (c) The General Management Committee may determine by simple majority in its absolute discretion all matters relating to the setting up or operation of any Board or Committee to which it delegates any of its powers, duties or discretions.

## **18. COMPOSITION OF THE GENERAL MANAGEMENT COMMITTEE**

- (a) The General Management Committee shall consist of:
  - (i) the President;
  - (ii) provided the Hobart City Council is a current Member, the Lord Mayor of the Hobart City Council or his or her proxy; and
  - (iii) six members to be elected, as provided in Rule 18(b), from the three electoral districts set out in Rule 19.
- (b) The 3 electoral districts referred to in Rule 19 shall elect 2 members as follows:
  - (i) one from a Member within the electoral district having a population of 20,000 or more; and
  - (ii) one from a Member within the electoral district having a population of less than 20,000.
- (c) Where a member of the General Management Committee is subsequently elected President, a recount of votes for the Population category in the electoral district the President represented shall be held to fill the vacancy. If there are no votes to recount, the Council or Councils concerned shall fill the vacancy in accordance with Rule 20 in so far as practicable.

**19. ELECTORAL DISTRICTS FOR THE PURPOSE OF ELECTING MEMBERS TO THE GENERAL MANAGEMENT COMMITTEE**

The 3 electoral districts for the purposes of electing members to the General Management Committee are as follows:

- (a) NORTH WEST & WEST COAST ELECTORAL DISTRICT comprising the Burnie City Council, the Devonport City Council, the Central Coast Council, the Circular Head Council, the King Island Council, the Waratah-Wynyard Council, the Kentish Council, the Latrobe Council, and the West Coast Council;
- (b) NORTHERN ELECTORAL DISTRICT comprising the Launceston City Council, the Break O'Day Council, the Flinders Council, the Meander Valley Council, the West Tamar Council, the Dorset Council, the George Town Council, and the Northern Midlands Council; and
- (c) SOUTHERN ELECTORAL DISTRICT comprising the Clarence City Council, the Glenorchy City Council, the Kingborough Council, the Brighton Council, the Glamorgan-Spring Bay Council, the Derwent Valley Council, the Southern Midlands Council, the Central Highlands Council, the Huon Valley Council, the Sorell Council, and the Tasman Council.

**20. CONDUCT OF ELECTIONS FOR MEMBERSHIP TO THE GENERAL MANAGEMENT COMMITTEE**

Elections for the General Management Committee shall be conducted in accordance with the following procedures:

- (a) The Chief Executive Officer shall request the Electoral Commissioner of Tasmania to act as Returning Officer for the election unless otherwise determined by the General Management Committee.
- (b) In the month of March:
  - (i) following a Council Election; and
  - (ii) in each Mid Term Year;the Returning Officer shall request nominations for the General Management Committee from Members within the 3 electoral districts.
- (c) Each Member is entitled to make only one nomination and if more than one is received all nominations from that Member will be null and void.
- (d) In making a nomination, a Member is not restricted to nominating an elected member from its own Council provided that the nomination is for an elected member from a Member Council in the same electoral district and the same Population category as the nominating Member.

- (e) Nominations:
  - (i) are to be submitted on a form approved and issued by the Returning Officer;
  - (ii) must be accompanied by a copy of a certified copy of the Resolution passed by the Member at a duly convened meeting of the Member that lawfully nominated the candidate for election to the General Management Committee; and
  - (iii) shall close on a date determined by the Returning Officer;
- (f) Nominations cannot be withdrawn after the closing of nominations.
- (g) If at the end of the time for nominations the number of candidates for any office:
  - (i) does not exceed the number then to be elected, those candidates shall be deemed to be duly elected; or
  - (ii) exceeds that number, a poll shall be conducted by postal ballot in accordance with these Rules.
- (h) The Returning Officer shall prepare a postal ballot paper and material for each electoral district detailing nominations within each Population category. Candidates shall be listed on the ballot paper in alphabetical order.
- (i) The postal voting material shall be posted by registered mail to the Mayor of each Member Council within 10 Business Days of the close of nominations. The Mayor shall complete the ballot paper according to the policy or practice of his or her Council.
- (j) Each Member shall have one vote for both population categories within its electoral district.
- (k) The ballot is to close at a date and time determined by the Returning Officer but at least seven (7) days prior to the Annual General Meeting of that year.
- (l) Procedure for the conduct of the scrutiny shall comply as closely as practicable with that for the election of Mayors of Councils.
- (m) Upon completion of the scrutiny, the Returning Officer shall declare the result of the election and provide written advice of the result including scrutiny details to each candidate and the Chief Executive Officer.
- (n) Where more than 1 nomination is received for a Population category within an electoral district, the person polling second shall automatically be the proxy.

- (o) If at the ordinary elections for the General Management Committee there is only one nomination for a Population category, or if the position of proxy for a Population category becomes vacant and there were no further nominations at the last General Management Committee elections from which to draw a proxy, the Chief Executive Officer is to call nominations from Members in the Population category and, if a ballot is necessary, conduct a ballot as soon as practicable.

## **21. TERM OF OFFICE**

- (a) Subject to Rule 21(c), members of the General Management Committee shall take up office at the conclusion of the Annual General Meeting at which his or her election is declared and shall hold office for a 2 year term concluding at the end of the relevant Annual General Meeting or as determined by the Annual General Meeting.
- (b) The office of any member of the General Management Committee shall be vacated if that member:
  - (i) resigns by notice in writing addressed to the Chief Executive Officer;
  - (ii) is absent without leave for three consecutive meetings of the General Management Committee;
  - (iii) ceases to be a Councillor or Alderman; or
  - (iv) has not been lawfully nominated as a candidate for election to the General Management Committee in accordance with Rule 20.
- (c) The term of office of the General Management Committee may be extended by any Meeting of the Association for such periods as it determines.
- (d) A casual vacancy on the General Management Committee shall be filled as soon as practicable by the conduct of a by-election in accordance with Rule 20.

## **22. CALLING MEETINGS OF THE GENERAL MANAGEMENT COMMITTEE**

- (a) The General Management Committee shall determine the frequency, date, time and venue of its meetings.
- (b) At least 7 days before the date of holding any meeting of the General Management Committee, notice of the time and place and of the business to be brought forward at the meeting shall be given to each Member by the Chief Executive Officer.
- (c) Meetings of the General Management Committee may be held by telephone or other technology.
- (d) A resolution signed by the majority of members of the General Management Committee or the written acceptance (including by email transmission) of a resolution by the majority of members of the General Management Committee shall be deemed to be a resolution made at a meeting of the General Management Committee.

**23. QUORUM FOR AND VOTING AT GENERAL MANAGEMENT COMMITTEE**

- (a) At any meeting of the General Management Committee, no business shall be transacted unless:
  - (i) there is a majority of the General Management Committee present; and
  - (ii) there is at least one representative of a Member having a population of 20,000 or more; and
  - (iii) there is at least one representative of a Member having a population of less than 20,000.
- (b) Each member of the General Management Committee shall have one vote.

**24. WHO MAY ATTEND MEETINGS OF THE GENERAL MANAGEMENT COMMITTEE**

Meetings of the General Management Committee may be attended by:

- (a) any Councillor or Alderman from any Member Council; and
  - (b) such other persons as the Committee determines,
- and, with the permission of the President, they may address the Committee.

**25. PRESIDENT**

- (a) The President shall be a Councillor or Alderman of a Member Council.
- (b) The functions of the President are to:
  - (i) chair Meetings of the Association and the General Management Committee;
  - (ii) be the spokesperson of the Association;
  - (iii) provide leadership and direction in furthering the objects of the Association.
- (c) The President has the power to delegate any of his or her functions to other members of the General Management Committee.
- (d) At any Meeting of the Association and of the General Management Committee at which the President is present, he or she:



- (i) has no deliberative vote on any question at a Meeting of the Association by virtue of being in the chair, but may exercise the vote or votes of a Member as the Voting Representative;
- (ii) in the case of equality of votes on any matter, does not have a casting vote.

## **26. ELECTION OF PRESIDENT**

Elections for the President shall be conducted in accordance with the following procedures:

- (a) The Chief Executive Officer shall request the Electoral Commissioner of Tasmania to act as Returning Officer for the election unless otherwise determined by the General Management Committee.
- (b) The Returning Officer shall request nominations for the office of President at the following times:
  - (i) in the month of March following a Council Election;
  - (ii) in the month of March in each Mid Term Year;
  - (iii) where a President vacates the office of President pursuant to Rule 27(b);
  - (iv) where the President gives advance notice that he or she intends to resign or cease to be a Councillor or Alderman pursuant to Rule 27(c).
- (c) Each Member is entitled to make only one nomination and if more than one is received all nominations from that Member will be null and void.
- (d) Nominations for the office of President:
  - (i) shall be submitted on a form approved and issued by the Returning Officer;
  - (ii) must be accompanied by a copy of a certified copy of the resolution passed by the Member at a duly convened meeting of the Member that lawfully nominated the candidate for election as the President; and
  - (iii) shall close on the date determined by the Returning Officer.
- (e) Nominations cannot be withdrawn after the close of nominations.
- (f) If upon the close of nominations:
  - (i) only one nomination has been received, that candidate shall be deemed duly elected; or
  - (ii) more than one nomination has been received, a poll shall be conducted by postal ballot in accordance with these Rules.
- (g) The Returning Officer shall prepare a postal ballot paper and material. Candidates shall be listed on the ballot paper in alphabetical order.

- (h) The postal voting material shall be posted by registered mail to the Mayor of each Member within 10 working days of the close of nominations.
- (i) Each Member is entitled to one vote.
- (j) The Mayor shall complete the ballot paper according to the policy or practice of his or her Council.
- (k) Subject to Rule 26(l) the ballot is to close at a date and time determined by the Returning Officer but at least seven (7) days prior to the Annual General Meeting of that year.
- (l) If an election is called pursuant to Rule 27(b) or 27(c), the ballot shall close at a date determined by the Returning Officer.
- (m) Procedure for the conduct of the scrutiny shall comply as closely as practicable with that for the election of Mayors of Councils.
- (n) Upon completion of the scrutiny, the Returning Officer shall declare the result of the election and provide written advice of the result including scrutiny details to each candidate and the Chief Executive Officer.

## **27. TERM OF OFFICE OF PRESIDENT**

- (a) Subject to Rule 27(d), the President shall take up office at the conclusion of the Annual General Meeting following his or her election and shall hold office for a two year term concluding at the end of the relevant Annual General Meeting.
- (b) The office of the President shall be vacated if the President:
  - (i) resigns by notice in writing addressed to the Chief Executive Officer;
  - (ii) is absent without leave for three consecutive meetings of the General Management Committee;
  - (iii) ceases to be a Councillor or Alderman; or
  - (iv) has not been lawfully nominated as a candidate for election as President in accordance with Rule 26,

and if the office of President becomes vacant more than twelve months before the next Annual General Meeting where a President is due to take up office in accordance with Rule 27(a), then Rule 27(g) applies.

- (c) If the President gives notice in writing to the Chief Executive Officer that he or she:

- (i) intends to resign as President; or
- (ii) intends to cease being a Councillor or Alderman,

and if the effective date of such resignation or cessation will be more than twelve months before the next Annual General Meeting where a new President is due to take up office in accordance with Rule 27(a), then Rule 27(g) applies.

- (d) Where a President is elected in an election held by operation of Rule 27(b) or 27(c), they shall take up office at the time of declaration of their election or at the date the office of President is vacated, whichever is later.
- (e) If the office of President becomes vacant within twelve months of the next Annual General Meeting where a President is due to take up office in accordance with Rule 27(a), the Vice President shall assume office as President until a new President is elected at that Annual General Meeting in accordance with Rule 26.
- (f) The term of office of the President may be extended by any Meeting of the Association for such periods as it determines.
- (g) Where this Rule 27(g) applies, a recount of votes for the election of the President shall be held to fill the vacancy of President. If there are no votes to count, a new President shall be elected in accordance with the procedures in Rule 26. If, as a result of the recount or the election in accordance with Rule 26, the Vice President is elected as President, that person will resign as Vice President and the General Management Committee will appoint a new Vice President under Rule 28(a).

## **28 VICE PRESIDENT**

- (a) At its first meeting following the Annual General Meeting, the General Management Committee shall elect one of its members to be the Vice President of the Association.
- (b) Where the President is absent or ill, the Vice President shall be the acting President.
- (c) If the term of office of the General Management Committee is extended under Rule 21(c) the term of office of the Vice-President shall be extended for the same period of time as that of the General Management Committee.
- (d) If, on any count, 2 or more candidates for Vice President have an equal number of votes, the President is to decide which of them is to be elected by the drawing or casting of lots in the manner prescribed in Rule 29(b).

## **29. Drawing or Casting of Lots**

- (a) If, in an election or appointment under these Rules, 2 or more candidates have an equal number of votes and if applicable, the Returning Officer is unable or not otherwise empowered to resolve which candidate is to be elected or appointed, a drawing or casting of lots in the manner prescribed in Rule 29(b) is to apply.
- (b) To draw or cast lots, the Returning Officer (or President in the appointment of the Vice President) is to –
  - (i) make out, in respect of each candidate to be included in the draw, a slip bearing that candidate's name; and
  - (ii) place each slip in a non-transparent container sufficiently large to allow them to move about freely when shaken or rotated; and
  - (iii) shake or rotate the container and permit any other person present who wishes to do so to shake or rotate the container; and
  - (iv) take out of the container one of the enclosed slips; and
  - (v) record the name of the candidate which appeared on that slip.
- (c) The candidate elected or appointed is the candidate whose name is first recorded in accordance with Rule 29(b)(v).

## **30. AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION**

- (a) The President and the Vice President shall be the Tasmanian delegates to the Annual General Meeting of the ALGA unless otherwise determined by a Meeting of the Association.
- (b) The President and the Vice President shall be the Tasmanian delegates to the Executive of the ALGA unless otherwise determined by the General Management Committee
- (c) Due to the absence or incapacity of the President or Vice President, the General Management Committee may nominate alternate delegates to the Executive of the ALGA.

## **31. SUB-COMMITTEES**

- (a) The General Management Committee or a Meeting of the Association may appoint Sub-committees as required.
- (b) The composition of Sub-committees shall:
  - (i) include a member of the General Management Committee who shall be the Chair of the Sub-committee;

- (ii) as far as possible, comprise such elected members and employees from Members as the General Management Committee determines as being appropriate;
  - (iii) be representative of the diversities of the composition of the Association, taking into account population categories, specific interest groups within Member Councils, and regional diversities; and
  - (iv) contain such employees of Members who may be appropriate in assisting with consideration of the specific issue being examined by the Sub-committee.
- (c) A Sub-committee shall:
  - (i) carry out such delegations as may be given to it by a Meeting of the Association, in which case the Sub-committee need only report back to General Meetings upon progress of the matter; or
  - (ii) investigate and report upon the specific issue to a Meeting of the Association; and
  - (iii) act in accordance with policies established by a Meeting of the Association.
- (d) At any meeting of a Sub-committee, no business shall be transacted unless there is a majority of the Sub-committee present.

# Central Coast Council

## List of Development Applications Determined

Period From: 01-Mar-2017 To 31-Mar-2017

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
DA215116	Seaside Crescent Penguin 7316	Discretionary Development Application	Residential (multiple dwellings x four) and retaining wall 2m high and outbuildings to Dwelling No. 2 (shed and carport) - staged strata development	13-Jan-2016	06-Mar-2017	18
DA216105	36 Penguin Road Ulverstone 7315	Discretionary Development Application	Residential (dwelling extension and garage)	05-Dec-2016	03-Mar-2017	28
DA216040	65 Alexandra Road Ulverstone 7315	Discretionary Development Application	Subdivision (two lots) and Residential (dwelling on Lot 2) - variations to rear boundary setback, proximity to rail line and Utilities Zone and car parking standards (re-advertised)	23-Dec-2016	17-Mar-2017	47
DA216128	8 Davis Street Leith 7315	Discretionary Development Application	Residential (dwelling and outbuilding - shed) - development exposed to a natural hazard (landslide)	27-Jan-2017	03-Mar-2017	31
DA216050	Wilmot Road Forth 7310	Discretionary Development Application	Subdivision (two lots and balance)	27-Jan-2017	08-Mar-2017	39
DA216118	79 Queen Street Ulverstone 7315	Discretionary Development Application	Subdivision - Consolidation of Titles	31-Jan-2017	16-Mar-2017	6
DA216086	3A Risby Street Ulverstone 7315	Discretionary Development Application	Residential (apartment with deck and garage)	06-Feb-2017	15-Mar-2017	28
DA216147	200 Picketts Road Abbotsham 7315	Discretionary Development Application	Residential (dwelling additions, deck and indoor pool)	09-Feb-2017	06-Mar-2017	18
DA216150	3A Main Street Ulverstone 7315	Discretionary Development Application	Residential (carport)	13-Feb-2017	09-Mar-2017	21
DA216149	10 Chamberlain Street Ulverstone 7315	Discretionary Development Application	Residential (shed)	14-Feb-2017	09-Mar-2017	21
DA216146	26 Arcadia Avenue Turners Beach 7315	Discretionary Development Application	Residential (multiple dwellings x two)	14-Feb-2017	24-Mar-2017	30
DA216148	Stubbs Road Turners Beach 7315	Permitted Development Application	Residential (Dwelling & Shed)	14-Feb-2017	14-Mar-2017	28

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
DA216142	15 Hobbs Parade Ulverstone 7315	Discretionary Development Application	Food Services (take-away food premises)	17-Feb-2017	15-Mar-2017	25
DA216157	43 Main Street Ulverstone 7315	Discretionary Development Application	Residential (outbuildings - carport and garage extension)	20-Feb-2017	24-Mar-2017	28
DA216156	1 Tamworth Street Sulphur Creek 7316	Discretionary Development Application	Residential (dwelling and outbuilding - shed)	21-Feb-2017	16-Mar-2017	22
DA216159	2 Flora Street Ulverstone 7315	Discretionary Development Application	Utilities (telecommunications tower)	24-Feb-2017	24-Mar-2017	10
DA216155	8 Thomas Street Ulverstone 7315	Discretionary Development Application	Residential (dwelling extension, carport & garge)	01-Mar-2017	30-Mar-2017	26
DA216162	50 Reibey Street Ulverstone 7315	Discretionary Development Application	Subdivision (consolidation of Titles)	07-Mar-2017	29-Mar-2017	17
DA216161	106 Pine Road Penguin 7316	Discretionary Development Application	Residential (outbuilding - shed)	08-Mar-2017	29-Mar-2017	19
DA216168	Preservation Drive Preservation Bay 7316	Discretionary Development Application	Passive recreation (playground)	09-Mar-2017	29-Mar-2017	15
DA215152-1	14 Beach Road Ulverstone 7315	Discretionary Development Application	Subdivision (5 Lots)	17-Mar-2017	29-Mar-2017	10
DA216178	9 Dysons Lane Ulverstone 7315	Permitted Development Application	Storage (plumbing depot - shed)	21-Mar-2017	29-Mar-2017	6



## SCHEDULE OF STATUTORY DETERMINATIONS

### MADE UNDER DELEGATION

Period: 1 March 2017 to 31 March 2017

#### Building Permits – 4

• New dwelling	3	\$1,260,000
• Demolition	1	\$18,000

#### Permit of Substantial Compliance – 1

• Existing alterations	1	\$25,000
------------------------	---	----------

#### Notifiable Work – Building – 3

• Outbuildings	1	\$74,901
• Additions/alterations	1	\$150,000
• Other	1	\$2,158

#### Plumbing Permits – 2

Certificate of Likely Compliance – Plumbing – 14

Notifiable Work – Plumbing – 3

Special Plumbing Permits (on-site wastewater management systems) – 0

Food Business registrations (renewals) – 8

Food Business registrations – 0

Temporary Food Business registrations – 4

Temporary 12 month Food Business Registrations – 2

Public Health Risk Activity Premises Registration – 2

Public Health Risk Activity Operator Licences – 2

Temporary Place of Assembly licences – 2



Cor Vander Vlist

DIRECTOR COMMUNITY SERVICES

## CT7334/4 Stubbs Road, Forth



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The information shown on this plan has been generated from digital data.  
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Boundary locations should be checked at the State Titles Office.  
GDA94 (Zone 55)

## Annexure 2

CENTRAL COAST COUNCIL

PO Box 220

19 King Edward Street

ULVERSTONE TASMANIA 7315

Ph : (03) 6429 8900

Email : [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au)[www.centralcoast.tas.gov.au](http://www.centralcoast.tas.gov.au)

CENTRAL COAST COUNCIL

**Land Use Planning and Approvals Act 1993****Central Coast Interim Planning Scheme 2013****PERMIT APPLICATION**

Office use only

Application No DA 216158Date Received 15/2/17

Permit Pathway - Permitted/Discretionary

**Use or Development Site:**

Street Address

Stubbs Road, Forth

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICESCertificate of  
Title Reference

7334/4

Received: 15 FEB 2017

Application No: DA 216158

Doc ID: 263910

**Applicant/s**

First Name

Second  
NameSurname or  
Company nameIan Reynolds  
c/- JMG Engineers and Planners

Postal Address:

117 Harrington Street

Phone No:

6231 2555

HOBART

7000

Mobile:

Email address:

delphinstone@jmg.net.au

**Owner** (Note – if more than one owner, all names must be indicated)First  
Name

Caroline &amp; Maxwell

Second  
Name

Surname

Gillam

Postal Address:

74 Acton Road

Phone No

ACTON PARK

7170



**PERMIT APPLICATION INFORMATION**

(If insufficient space, please attach separate documents)

*"USE" is the purpose or manner for which land is utilised.***Proposed Use**

Residential

**Use Class***Office use only**"Development" is the works required to facilitate the proposed use of the land, including the construction or alteration or removal of buildings and structures, signs, any change in ground level and the clearing of vegetation.***Proposed Development**

Development of a single dwelling and associated ancillary dwelling with new driveway.

**Value of the development** — (to include all works on site such as outbuildings, sealed driveways and fencing)

\$ 350,000

Estimate/ ~~Actual~~Total floor area of the development ..... 289.5 .....m<sup>2</sup>**Notification of Landowner****If land is NOT in the applicant's ownership**

I, Dana Elphinstone, declare that the owner/each of the owners  
of JMG Engineers and Planners  
the land has been notified of the intention to make this permit application.

Signature of Applicant



Date 15/2/2017

**If the application involves land owned or administered by the CENTRAL COAST COUNCIL**

Central Coast Council consents to the making of this permit application

General Managers Signature

Date

**If the permit application involves land owned or administered by the CROWN**

I, the Minister responsible for the land, consent to the making of this permit  
application.

Minister (Signature)

Date

### Applicants Declaration

I/ we, Dana Elphinstone, JMB Engineers & Planners  
declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

Signature of Applicant/s



Date 15/2/2017

*NB: If the site includes land owned or administered by the Central Coast Council or by a State government agency, the consent in writing from the Council or the Minister responsible for Crown land must be provided at the time of making the application - and this application form must be signed by the Council or the Minister responsible.*

Office Use Only	\$ .....
Planning Permit Fee	\$ .....
Public Notice Fee	\$ .....
Permit Amendment / Extension Fee	\$ .....
<b>TOTAL</b>	<b>\$ .....</b>
Receipt No.	
Date	

SEARCH OF TORRENS TITLE

VOLUME 7334	FOLIO 4
EDITION 7	DATE OF ISSUE 11-Oct-1999

SEARCH DATE : 27-Jan-2017

SEARCH TIME : 11.28 AM

DESCRIPTION OF LAND

Parish of ABBOTSHAM, Land District of DEVON

Lot 4 on Sealed Plan 7334

Derivation : Part of Lot 491. 259 Acres Gtd. to Thomas Drew  
Prior CT 3516/4

SCHEDULE 1

C190945 TRANSFER to MAXWELL ERIC GILLAM and CAROLINE LESLEY  
GILLAM Registered 11-Oct-1999 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

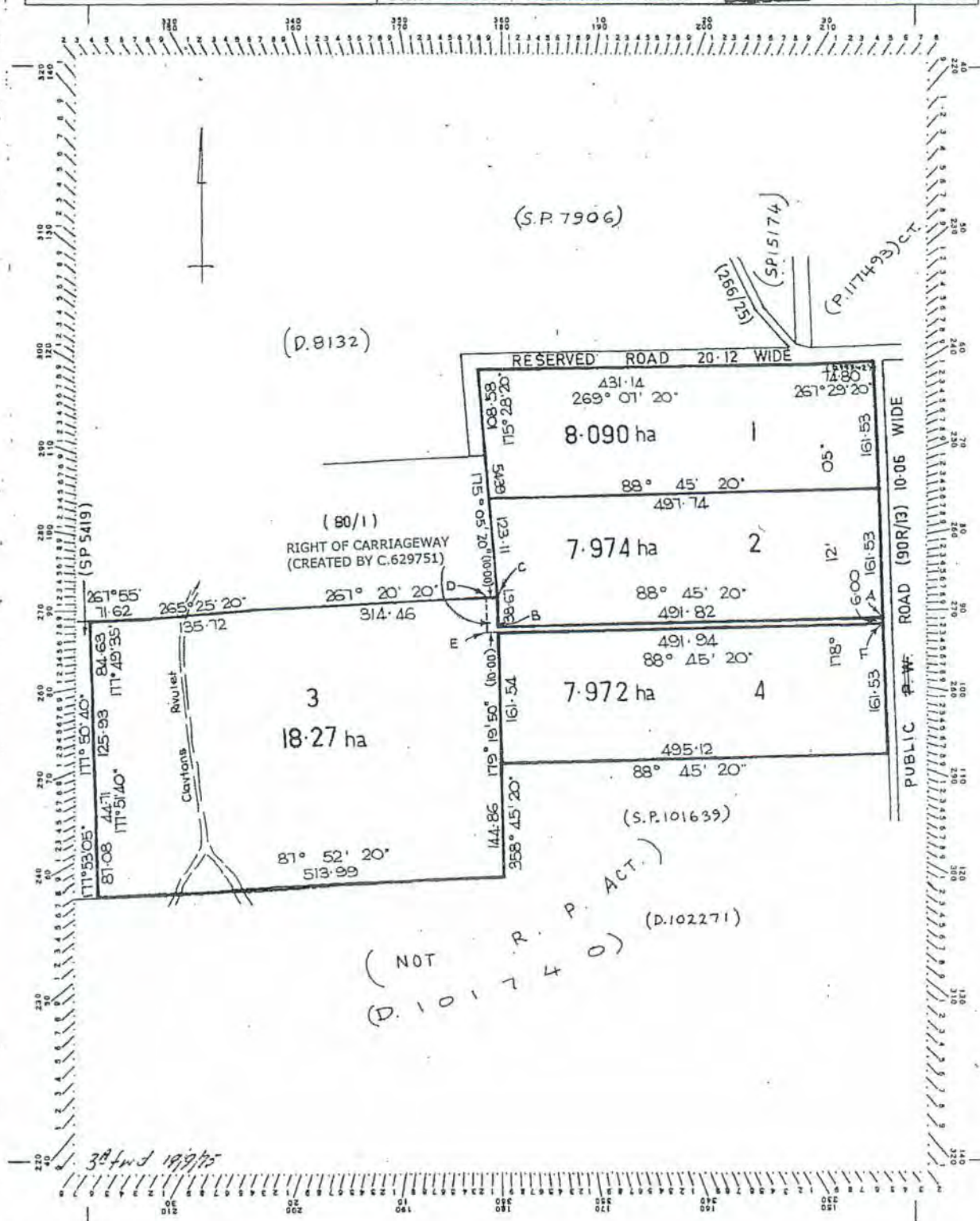
No unregistered dealings or other notations

DA216158  
DOC ID: 26391

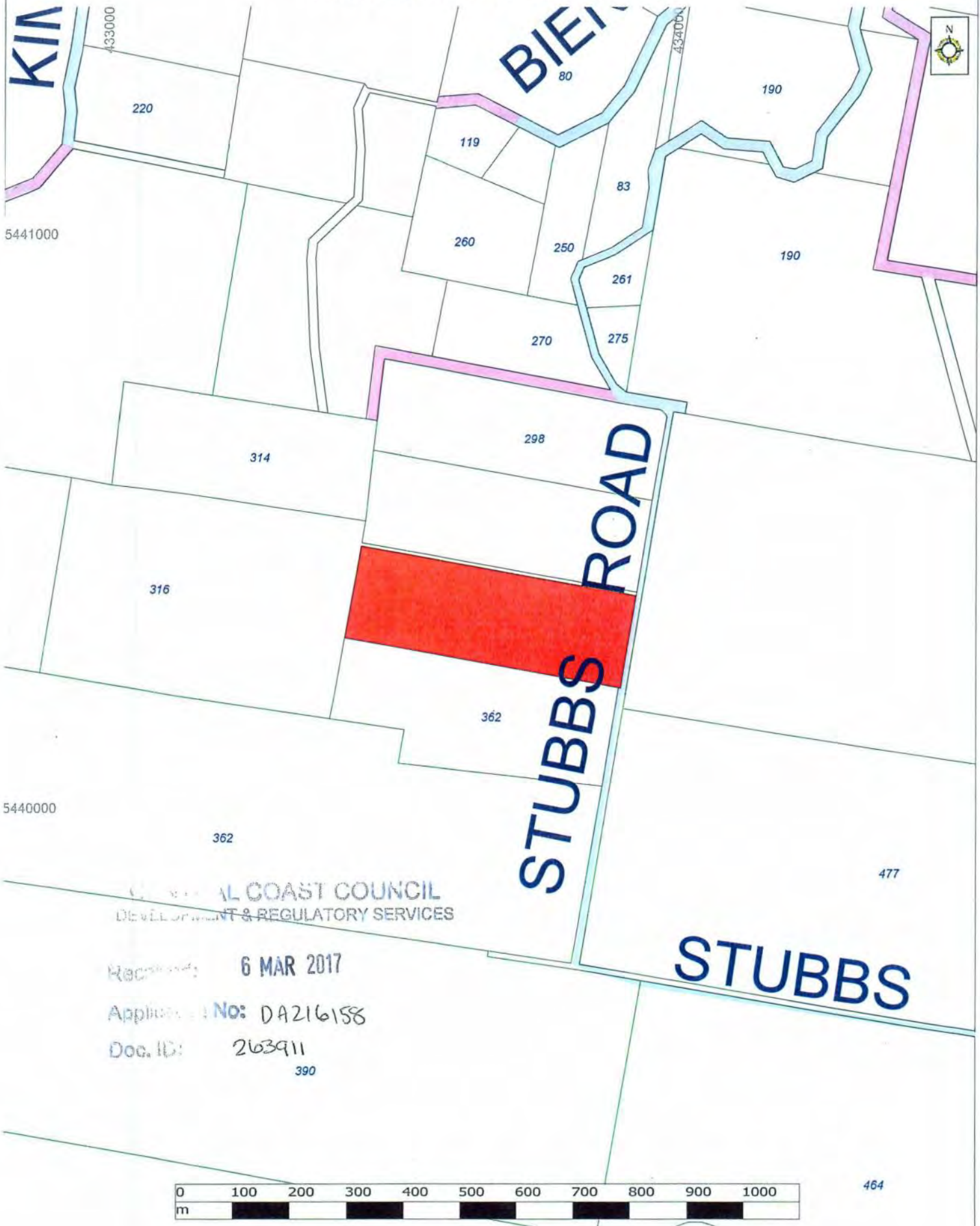


7334 18 SEP 1975 C.T. 3514-79

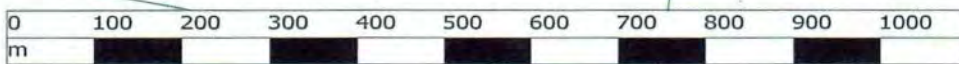
Owner: A. J. Gillam	PLAN OF SURVEY by Surveyor <u>MR. N. D. LESTER</u> of land situated in the	Registered Number: <b>S.P.7334</b>
Title Reference: Conv 32-5718	LAND DISTRICT OF DEVON PARISH OF ABBOTSHAM	Effective from: 25 FEB 1976
Grantee: Part of Lot 491, 259 Ac., Thomas Drew Pur.	Scale: 1:5000 Measurements in metres	<b>P/I</b> <i>[Signature]</i> Recorder of titles



CT7334/4 Stubbs Road, Forth



Received: 6 MAR 2017  
Application No: DA216158  
Doc. ID: 263911  
390



DA216158



# PLANNING REPORT

FOR IAN REYNOLDS

## 338 Stubbs Road Single Dwelling

February 2017

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

Received: 15 FEB 2017

Application No: DA216158

Doc. ID: 263911



**Engineers & Planners**  
*Your Vision is Our Mission*



**Engineers & Planners**  
*Your Vision is Our Mission*

**Johnstone McGee and Gandy Pty Ltd**

incorporating Dale P Luck & Associates  
(trading as JMG Engineers and Planners)

ABN 76 473 834 852 ACN 009 547 139

[www.jmg.net.au](http://www.jmg.net.au)

HOBART OFFICE  
117 Harrington Street  
Hobart TAS 7000  
Phone (03) 6231 2555  
Fax (03) 6231 1535  
infohbt@jmg.net.au

LAUNCESTON OFFICE  
49-51 Elizabeth Street  
Launceston TAS 7250  
Phone (03) 6334 5548  
Fax (03) 6331 2954  
infohbt@jmg.net.au

Issuing Office: 117 Harrington Street, Hobart 7000

JMG Project No. J173001PH

**Document Issue Status**

Ver.	Issue Date	Description	Originator		Checked		Approved	
1.0	15-02-17	For Development Application	DAE		MSC		MSC	

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Appendix A - Title Information

Appendix B - Proposal Plans

Appendix C - Agricultural Report

Appendix D - Wastewater Design Report

# 1 Introduction

JMG Engineers and Planners have been engaged by Ian Reynolds to prepare a development application on their behalf. This report serves to provide an assessment of the proposed development against the provisions of the *Central Coast Interim Planning Scheme 2013* ('the Planning Scheme').

## 2 Site, Location & Context

The subject site is land located at Stubbs Road, Forth (CT 7334/4) (Figure 1). The site has a total area of 7.972 ha with 161.53 m frontage to Stubbs Road. There are no existing structures on the site.



Figure 1 - Subject Site

The site is located in a rural area, south east of Ulverstone.

Approximately 2.6 ha of the eastern portion of the site has been cleared of standing vegetation. The balance of the site is densely vegetated with a combination of native vegetation communities including *Eucalyptus regnans* forest and *Acacia dealbata* forest.

An unnamed tributary of Claytons Rivulet runs into the site from the west.

Title information is enclosed as Appendix A.

## 3 Proposed Use & Development

The proposed development involves the construction of a single four-bedroom dwelling and a temporary dwelling with driveway access from Stubbs Road via 316 Stubbs Road (CT7334/3).



The proposed dwelling has a gross floor area of 219.5 m<sup>2</sup> with a 40 m<sup>2</sup> deck on the western façade and an 18.5 m<sup>2</sup> deck on the southern façade. The building shape is a modified octagonal shape with an extension on the eastern façade.

The proposed temporary dwelling is slightly larger (at 70 m<sup>2</sup>) than that defined in the planning scheme:

*ancillary dwelling*

*means an additional dwelling:*

- (a) with a floor area not greater than 60m<sup>2</sup>;*
- (b) that is appurtenant to a single dwelling; and*
- (c) that shares with that single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters.*

Therefore, whilst the building must be considered a multiple dwelling for assessment, for all intents and purposes, the temporary dwelling is ancillary to the permanent dwelling as it meets (b) and (c) of the definition above. The ancillary building is intended to be used as a workshop and an ancillary dwelling in the future.

A driveway is proposed to the new dwelling with access from a private road on the northern boundary connecting to Stubbs Road to the east.

Proposal plans are enclosed as Appendix B.

An Agricultural Report has been prepared and is enclosed as Appendix C.

Onsite wastewater is proposed as part of the development. A Wastewater Design Report has been prepared and is enclosed as Appendix D.

## 4 Planning Assessment

The site is zoned 'Rural Resource' under the Planning Scheme (see Figure 2). The site is also partially subject to the 'Landslip Hazard' overlay.



Figure 2 - Zoning and Overlay (Landslip Hazard = Brown Hatching)



## 4.1 Rural Resource Zone

The proposed development is location in the Rural Resource zone and has been assessed against the applicable standards.

New residential use is discretionary in the zone under clause 26.2.

### 26.3.3 Residential use

<p><b>A1</b></p> <p><i>Residential use that is not required as part of another use must -</i></p> <p><i>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</i></p> <p><i>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</i></p> <p><i>(c) not intensify an existing lawful residential use;</i></p> <p><i>(d) not replace an existing residential use;</i></p> <p><i>(e) not create a new residential use through conversion of an existing building;</i></p> <p><i>(f) be an outbuilding with a floor area of not more than 100m<sup>2</sup> appurtenant to an existing lawful and structurally sound residential building; or</i></p> <p><i>(g) be home based business in association with occupation of an existing lawful and structural sound residential building; and</i></p> <p><i>(h) there is no change in the title description of the site on which the residential use is located</i></p>	<p><b>P1</b></p> <p><i>Residential use that is not required as a part of other use must -</i></p> <p><i>(a) be consistent with local area objectives;</i></p> <p><i>(b) be consistent with any applicable desired future character statement;</i></p> <p><i>(c) be on a site within which the existing or proposed development area -</i></p> <p><i>(i) is not capable by reason of one or more of factors of topography, resource capability, size or shape of being utilised for resource development or extractive industry use; and</i></p> <p><i>(ii) is not capable of utilisation in the operations of a resource development or extractive industry enterprise, regardless of ownership; and</i></p> <p><i>(iii) does not constrain or interfere with existing or potential resource development or extractive industry use of land including the balance area on the site.</i></p> <p><i>(d) not be likely to impose an immediate demand or contribute to a cumulative requirement for public provision or improvement in reticulated or alternate arrangements for utilities, road access, or community service.</i></p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The proposal does not meet the requirements under the acceptable solution, therefore the performance criteria must be considered.

The local area objectives are considered below P1(a).

#### 26.1.2 Local Area Objectives

- (a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;*
- (b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;*
- (c) Air, land and water resources are protected against -*
  - (i) permanent loss to a use or development that has no need or reason to locate on land containing such a resource; and*
  - (ii) use or development that has potential to exclude or unduly conflict, constraint, or interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource;*
- (d) Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;*
- (e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;*
- (f) Rural land may be used and developed for economic, community, and utility activity that cannot reasonably be accommodated on land within a settlement or nature conservation area;*



*(g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry*

*(h) Residential use and development on rural land is appropriate only if -*

*(i) required by a primary industry or a resource based activity; or*

*(ii) without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes*

The quality of the land does not support primary industry as a priority purpose for this site (refer to Appendix C) (a).

The air and water supply, including potential access to an irrigation resource may support primary industry, however the size and quality of the land does not support a sole primary industry use, nor is it likely to form part of a larger land parcel due to its location and context (refer to Appendix C) (b).

The proposed residential use will not significantly impact upon the air, land or water quality of the site and surrounds (c). Wastewater will be disposed of onsite in accordance with Australian Standards (refer to Appendix D). The location of the dwelling is setback sufficiently to minimise risk of constraining, conflicting or interfering with primary industry use (or similar) in the surrounding area.

No primary industry use is proposed (d).

The land subject to the application is not considered to be a valuable resource for agricultural use in isolation (refer to Appendix C) (e). It is also considered unlikely to be amalgamated into another land parcel due to its location, context and quality (refer to Appendix C).

No economic, community or utility activity is proposed (f).

No tourism or recreation use is proposed (g).

The residential use proposed is not in association with a primary industry or resource-based activity, thus the proposal does not meet (h)(i). However, the site is not considered to be significant for primary industry use and the residential use will therefore not interfere or constrain the potential use of the site for primary industry purposes due to the quality and size of the parcel. The setbacks for the dwelling are considered to minimise the risk of constraining primary industry uses in the surrounding area. The proposal is considered to comply with (h)(ii).

The desired future character statements for the zone are considered below P1(b).

#### *26.1.3 Desired Future Character Statements*

*Use or development on rural land -*

*(a) may create a dynamic, extensively cultivated, highly modified, and relatively sparsely settled working landscape featuring -*

*(i) expansive areas for agriculture and forestry;*

*(ii) mining and extraction sites;*

*(iii) utility and transport sites and extended corridors; and*

*(iv) service and support buildings and work areas of substantial size, utilitarian character, and visual prominence that are sited and managed with priority for operational efficiency*

*(b) may be interspersed with -*

*(i) small-scale residential settlement nodes;*

*(ii) places of ecological, scientific, cultural, or aesthetic value; and*

*(iii) pockets of remnant native vegetation*

*(c) will seek to minimise disturbance to -*

*(i) physical terrain;*



- (ii) natural biodiversity and ecological systems;
- (iii) scenic attributes; and
- (iv) rural residential and visitor amenity;
- (d) may involve sites of varying size -
  - (i) in accordance with the type, scale and intensity of primary industry; and
  - (ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources;
- (e) is significantly influenced in temporal nature, character, scale, frequency, and intensity by external factors, including changes in technology, production techniques, and in economic, management, and marketing systems

The proposed residential development will retain the existing character of the area as it will not significantly increase the density or settlement in the zone. It is located at least 200 m from any other building in the area and does not impact on land that is suitable for extensive, dynamic cultivation (a).

The proposed development is compatible with small-scale residential nodes and preserves the majority of the native vegetation on the site (b). The small stature of the dwelling in the context of the expansive surrounds will limit the impact of the development's potential for disturbance to the above attributes (c).

To undertake primary industry production at a profitable scale would require a larger allotment of land than the site provides (a). The site is not located in a position to be easily added to another allotment of land in order to make it a viable option for primary industry use (refer to Appendix C). The proposed use is to be setback sufficiently to minimise the risk of constraining primary industry use of surrounding land (e).

The size and land capability of the site inhibit the land being used for primary industry use (refer to Appendix C) P1(c)(i)(iii). The site is not located such that it can be usefully added to another parcel to create a financially viable enterprise (refer to Appendix C) P1(c)(ii).

The site will contain wastewater onsite in accordance with Australian Standards (refer to Appendix D) and have a negligible impact on the existing road network. Therefore, the proposed development is not considered to be of a scale to require public provision of, or improvements to, utilities, road access or community service P1(d).

#### 26.4.2 Location and configuration of development

A1

*A building or a utility structure, other than a crop protection structure for an agricultural use, must be setback -*

- (a) not less than 20.0m from the frontage; or
- (b) if the development is for sensitive use on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road;
- (c) not less than 10.0m from each side boundary; and
- (d) not less than 10.0m from the rear boundary; or
- (e) in accordance with any applicable building area shown on a sealed plan

P1

...

The proposed ancillary dwelling is to be setback a minimum of 100 m from the frontage (a). Both buildings are to be setback a minimum of 60 m from a side boundary (c), and over 400 m from the rear boundary (d).

Criterion (b) is not applicable as the site does not adjoins Bass Highway (b).

The folio plan for the site does not include a building area (e).



Therefore, the proposal complies with A1.

A2 <i>Building height must not be more than 8.5m</i>	P2 ***
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The maximum height of the main dwelling above natural ground level is 5.26 m. The maximum height of the ancillary dwelling is 3.3 m above NGL. Therefore, the proposal complies with A2.

A3.1 <i>A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must -</i> <i>(a) not project above an elevation 15m below the closest ridgeline;</i> <i>(b) be not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</i> <i>(c) be below the canopy level of any adjacent forest or woodland vegetation; and</i> <i>(d) clad and roofed with materials with a light reflectance value of less than 40%.</i>	P3.1 ***
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

The closest ridgeline southwest of the property is located at the 130-160 m contour line. The proposed dwelling is to be located at approximately the 110 m contour line to a height of approximately 5 m (a).

Both buildings are located a minimum of 30 m from the unnamed minor tributary closest to the building area (b).

The building sits at approximately 5 m in height, well below the nearby forest vegetation (c).

The proposed roofing material is zincalume roof cladding. The proposed wall cladding is natural stone veneer and timber for the main dwelling and zincalume wall cladding for the ancillary dwelling. All materials will have an LRV of 40% or less.

Therefore, the proposal complies with A3.1.

#### 26.4.3 Location of development for sensitive uses

A1 <i>New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must -</i> <i>(a) be located not less than -</i> <i>(i) 200m from any agricultural land;</i> <i>(ii) 200m from aquaculture or controlled environment agriculture;</i> <i>(iii) 500m from the operational area boundary established by a mining lease issued in accordance with the Mineral Resources Development Act 1995 if blasting does not occur; or</i> <i>(iv) 1000m from the operational area boundary established by a mining lease issued in accordance with the Mineral Resources Development Act 1995 if blasting does occur; or</i> <i>(v) 500m from intensive animal husbandry;</i>	P1 <i>New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must minimise -</i> <i>(a) permanent loss of land for existing and potential primary industry use;</i> <i>(b) likely constraint or interference to existing and potential primary industry use on the site and on adjacent land;</i> <i>(c) permanent loss of land within a proclaimed irrigation district under Part 9 Water Management</i>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



<p>(vi) 100m from land under a reserve management plan;</p> <p>(vii) 100m from land designated for production forestry;</p> <p>(viii) 50m from a boundary of the land to a road identified in Clause 26.4.2 or to a railway line; and</p> <p>(ix) clear of any restriction imposed by a utility; and</p> <p>(b) not be on land within a proclaimed irrigation district under Part 9 Water Management Act 1999 or land that may benefit from the application of broad-scale irrigation development</p>	<p>Act 1999 or land that may benefit from the application of broad-scale irrigation development; and</p> <p>(d) adverse effect on the operability and safety of a major road, a railway or a utility</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The proposed development is a new sensitive use.

The site adjoins land zoned Rural Resource and is within 60 m of a side boundary, thus the proposal cannot comply with (a)(i) and the performance criteria must be considered.

There is no known aquaculture or controlled environment agriculture within 200 m of the proposed building (a)(ii).

The proposed development is located 920 m from the boundary of an existing Level 2 mining licence. The site manager of the quarry has advised that blasting has not occurred on the site since 1999 (a)(iii), but this does not mean blasting will not occur in the future as the lease permits blasting (a)(iv). Notification of blasting would be provided to landowners prior to it occurring. Therefore, the proposal cannot meet the requirements of the acceptable solution.

Land opposite the site at 477 Stubbs Road is mapped as a dairy farm, however dairy farm is not listed as intensive animal husbandry therefore the development is not located within 500 m of intensive animal husbandry (a)(v).

There are no known reserve management plans for land in the surrounding 100 m (a)(vi).

The dwelling will be located over 250 m from a production forest (a)(vii).

The site is not located within 50 m of the Bass Highway or a railway line (a)(viii).

There are no known restrictions imposed by a utility (a)(ix).

The site is located within the Kindred North Motton Irrigation District contrary to (b).

#### *Performance Criteria*

The proposed development is to occur on land not currently used for agriculture and not considered to be suitable for viable agriculture in the future (P1)(a).

The location of the proposed development takes into account the proximity of the sensitive use to surrounding primary industry uses whilst maintaining sufficient distance from bushfire-prone vegetation. The proposed use is not anticipated to conflict or interfere with surrounding primary industry use (b).

The site is within an irrigation district, however would not benefit from irrigation as the land is not suitable for viable primary industry use (c).

The use of the site as a residence is not expected to have a significant impact on the surrounding road network (d).

The proposal is acceptable upon consideration of the performance criteria.

## **4.2 Hazard Management Code**

The Hazard Management Code applies to use and development on land exposed to landslide if shown on the map marked Landslide Hazard Map. The site contains areas of land subject to landslip hazard. Residential use is exempt from the Code under clause E6.4.3(b) as the hazard has a low level of risk. The development is exempt from the Code under clause



E6.4.4 (d) as all landslip hazard areas on land subject to the proposed development are classified as low risk. Therefore, the Hazard Management Code does not apply.

### 4.3 Traffic Generating Use and Parking Code

The Traffic Generating Use and Parking Code applies to all use and development as per clause E9.2. The applicable standards have therefore been addressed.

E9.5.1 Provision for parking	
<p><b>A1</b></p> <p><i>Provision for parking must be -</i></p> <p><i>(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;</i></p>	<p><b>P1</b></p> <p><i>(a) It must be unnecessary or unreasonable to require arrangements for the provision of vehicle parking; or</i></p> <p><i>(b) Adequate and appropriate provision must be made for vehicle parking to meet -</i></p> <p><i>(i) anticipated requirement for the type, scale, and intensity of the use;</i></p> <p><i>(ii) likely needs and requirements of site users; and</i></p> <p><i>(iii) likely type, number, frequency, and duration of vehicle parking</i></p>

Table E9.1 specifies that 2 parking spaces are required for a single dwelling in the Rural Resource zone. However, as the ancillary dwelling is 70 m<sup>2</sup> it is technically a multiple dwelling. The secondary dwelling is intended to be an ancillary dwelling but due to its slightly larger size it does not meet the definition of an ancillary dwelling. Therefore, each dwelling requires 2 x per dwelling and 1 space for visitor/over-flow parking to comply with A1. No formal parking spaces are proposed; therefore, the performance criteria must be considered.

The development includes an extensive driveway which will provide hardstand for parking, and the site has sufficient area around the buildings to accommodate more than five parking spaces informally. Given these facts, it is considered unnecessary to require formal parking arrangements to the extent required under the acceptable solution.

The proposal is considered acceptable upon consideration of the performance criteria.

E9.6.1 Design of vehicle parking and loading areas	
<p><b>A1.1</b></p> <p><i>All development must provide for the collection, drainage and disposal of stormwater; and</i></p> <p><b>A1.2</b></p> <p><i>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 -</i></p> <p><i>(a) Be in accordance with AS/NZS 2890.1 (2004) - Parking Facilities - Off Street Car Parking;</i></p> <p><i>(b) Be in accordance with AS/NZS2890.2 (2002) Parking Facilities - Off Street Commercial Vehicles;</i></p> <p><i>(c) Be in accordance with AS/NZS 2890.3 1993) Parking Facilities - Bicycle Parking Facilities;</i></p>	<p><b>P1</b></p> <p><b>***</b></p>



#### E9.6.1 Design of vehicle parking and loading areas

- (d) Be in accordance with AS/NZS 2890.6 Parking Facilities - Off Street Parking for People with Disabilities;
- (e) Each parking space must be separately accessed from the internal circulation aisle within the site;
- (f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and
- (g) Be formed and constructed with compacted sub-base and an all-weather surface.

Stormwater from the proposed driveway will be drained and disposed subject to detailed design. Therefore, the proposal complies with A1.1.

The proposed driveway is in accordance with the Unsealed Roads Manual. All vehicles will be able to maneuver to leave the site in a forward direction.

The driveway is in accordance with all applicable Australian Standards and will be compacted gravel.

Therefore, the proposal complies with A1.2.

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*

P2

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The driveway is in accordance with the Unsealed Roads Manual compliant with A2.

## 5 Impact Assessment

### 5.1 Visual

The proposed development involves the construction of two buildings over 100 m from the frontage to Stubbs Road. The area is rural in nature with a mixture of rural residential and agricultural land use. On the western side of Stubbs Road, the land is characterised by cleared pasture of variable depth with scattered dwellings, trees and the occasional dam, graduating into dense standing vegetation approximately 130-530 m from Stubbs Road to a variable depth of over 800 m. The eastern side of Stubbs Road is generally extensively cleared pasture used for primary industry purposes such as agriculture.

The proposed development will modify a small area of the standing vegetation to the northwest of the proposed dwelling. This will not have a significant impact on the line of the standing vegetation as the edge of the bushland undulates in an irregular fashion.

The adjoining title south of the site contains a dwelling with a setback of approximately 120 m from Stubbs Road. The primary dwelling proposed will have a similar setback, however the secondary dwelling has a slightly shorter (100 m) setback. This is compatible with the surrounding area as the surrounding dwellings on Stubbs Road have variable setbacks ranging from less than 20 m to approximately 125-130 m.

### 5.2 Traffic and Transport Networks

The proposed development is expected to generate a low volume of traffic typical of a rural residential site. This increase in traffic is not expected to cause conflict or congestion on the traffic network.



### **5.3 Water Quality**

The proposed dwelling will generate a small volume of stormwater by creating new impervious surfaces. The dwelling is located downslope of watercourses on the site, therefore, stormwater will flow downhill towards the road.

### **5.4 Noise**

The proposed development will be residential in nature and is expected to generate noise normally associated with a residential development. It is not anticipated that the proposed use will have a negative impact on amenity from noise generation once construction is complete.

The proposed dwelling is located approximately 930 m from an active quarry that is permitted to undertake blasting. This separation is 70 m less than the acceptable solution for the location of a new sensitive use from the operational area of a mining lease that permits blasting under clause 26.4.3. However, no blasting has occurred since 1999 and no blasting is currently planned. Additionally, the land between the quarry and the dwelling is vegetated with dense bushland for a distance of over 850 m. The combination of separation and vegetation will muffle most sound from the quarry.

### **5.5 Natural Hazards**

The site is partially subject to landslide hazard risk. No development is proposed within those areas mapped as subject to landslide risk.

The dwelling is located in a bushfire-prone area. A bushfire report and bushfire hazard management plan will be prepared at building stage which provides prescription for maintaining an area of land around the dwelling to reduce the risk from bushfire and provide defensible space for the dwelling.

The site is not subject to flooding.

### **5.6 Heritage**

The site is not listed under the Tasmanian Heritage Register or in the Local Heritage Code of the Planning Scheme.

### **5.7 Flora and Fauna**

The site contains approximately 2.6 ha of standing vegetation mapped as primarily *Eucalyptus regnans* forest, and a small amount of *Acacia dealbata* forest immediately north of the dwelling (TASVEG 3.0 database).

The proposed dwelling and much of the hazard management area is located in open pasture minimising disturbance to native vegetation.

No threatened flora or fauna species have been recorded on the site.

### **5.8 Solar Access**

The dwelling is located in an open pasture with not nearby buildings, maximising the solar access to the house.

### **5.9 Economic Impacts**

The proposed use is a discretionary use under the Planning Scheme, as land zoned Rural Resource should be used first and foremost for primary industry where the land supports this use. In this case, the area and quality of the land under the subject title is insufficient

to support a primary industry use in isolation. Further, the location of the site relative to other areas of rural resource zoned land is considered to be isolated in such a way that it's addition to another primary industry operation would not be financially viable.

The development of a single dwelling on this site will increase the value of the title without constraining the financial capacity of surrounding primary industry use. This is evident as the dwelling is to be setback sufficiently to avoid conflict with surrounding uses.

## 6 Conclusion & Recommendations

The proposal seeks to develop land for residential use at Stubbs Road, Turners Beach. The proposal involves the construction of a single dwelling, temporary ancillary (multiple) dwelling, driveway and hazard management area.

The development is in the Rural Resource zone.

The proposed development generates the following discretions under the Planning Scheme:

- 26.3.3 (P1) - Residential use;
- 26.4.3 (P1) - Location of development for sensitive use;
- E9.5.1 (P1) - Provision for parking.

The proposal has been assessed against all relevant performance criteria and found to be acceptable.

In conclusion, the application is considered to be acceptable with respect to the Planning Scheme requirements and therefore ought to be supported by the Planning Authority.

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## **APPENDIX A**

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### **Title Information**



SEARCH OF TORRENS TITLE

VOLUME 7334	FOLIO 4
EDITION 7	DATE OF ISSUE 11-Oct-1999

SEARCH DATE : 27-Jan-2017

SEARCH TIME : 11.28 AM

DESCRIPTION OF LAND

Parish of ABBOTSHAM, Land District of DEVON

Lot 4 on Sealed Plan 7334

Derivation : Part of Lot 491. 259 Acres Gtd. to Thomas Drew  
Prior CT 3516/4

SCHEDULE 1

C190945 TRANSFER to MAXWELL ERIC GILLAM and CAROLINE LESLEY  
GILLAM Registered 11-Oct-1999 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

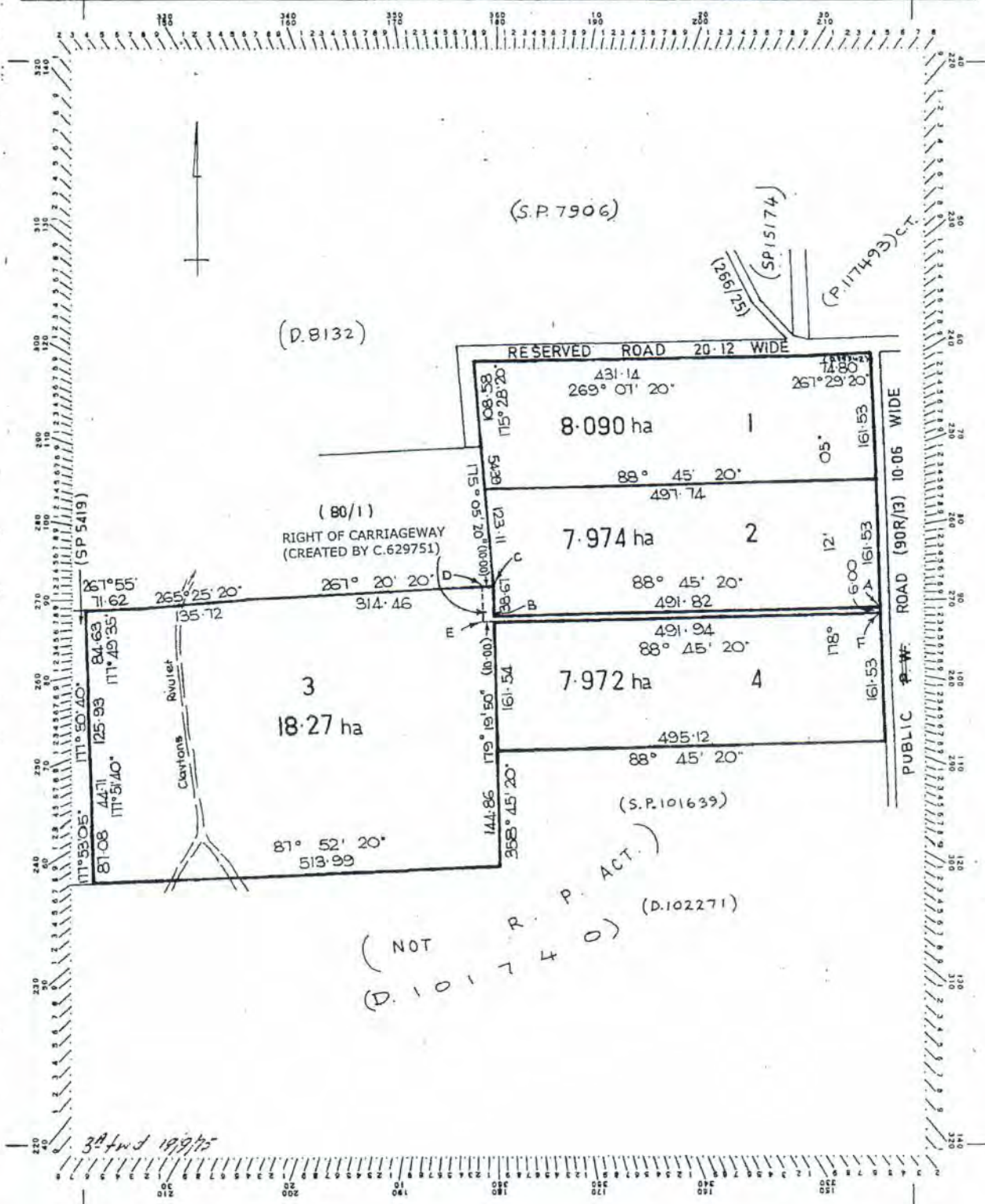
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



7334 18 SEP 1975 C.T. 3514-79

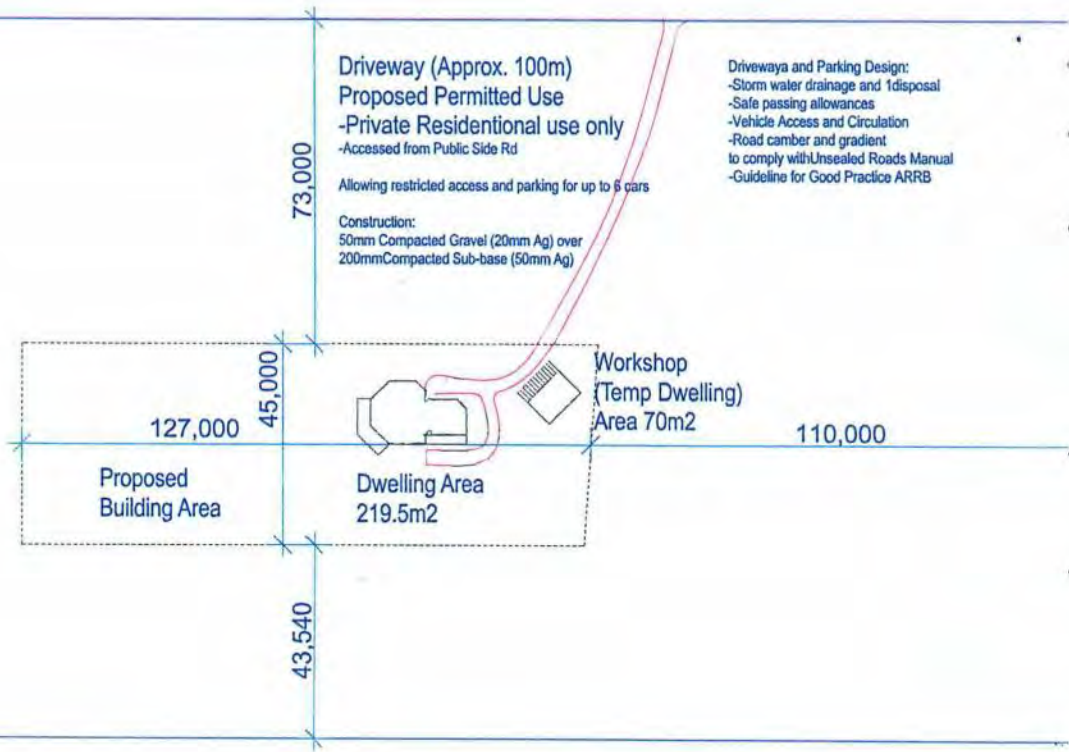
Owner: A. J. Gillam	<b>PLAN OF SURVEY</b> by Surveyor <u>MR. N. D. LESTER</u> of land situated in the <b>LAND DISTRICT OF DEVON</b> <b>PARISH OF ABBOTSHAM</b> Scale: 1:5000 Measurements in metres	Registered Number: <b>S.P.7334</b>
Title Reference: Conv 32-5718		Effective from: 25 FEB 1976
Grantee: Part of Lot 491, 259 Ac., Thomas Drew Pur.		<div style="border: 1px solid black; padding: 2px;">P/I</div> <i>W. H. H. H. H.</i> Recorder of titles



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## **APPENDIX B**

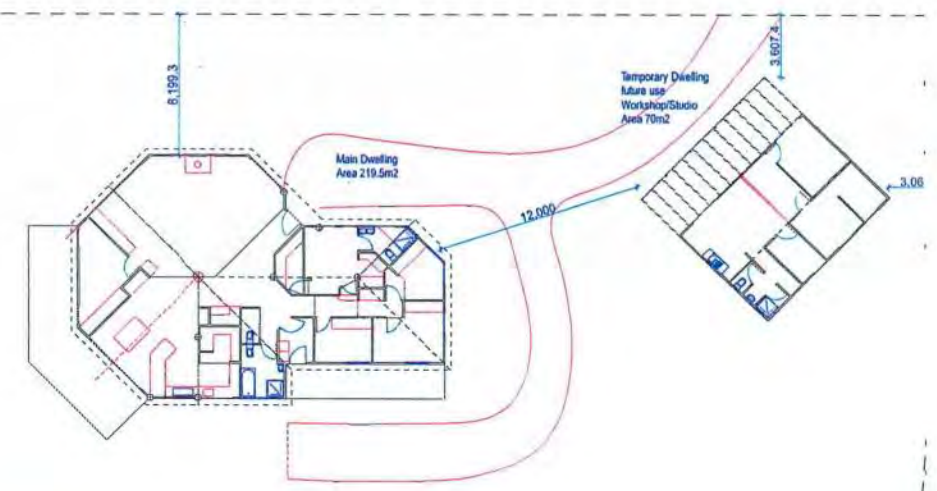
### **Proposal Plans**





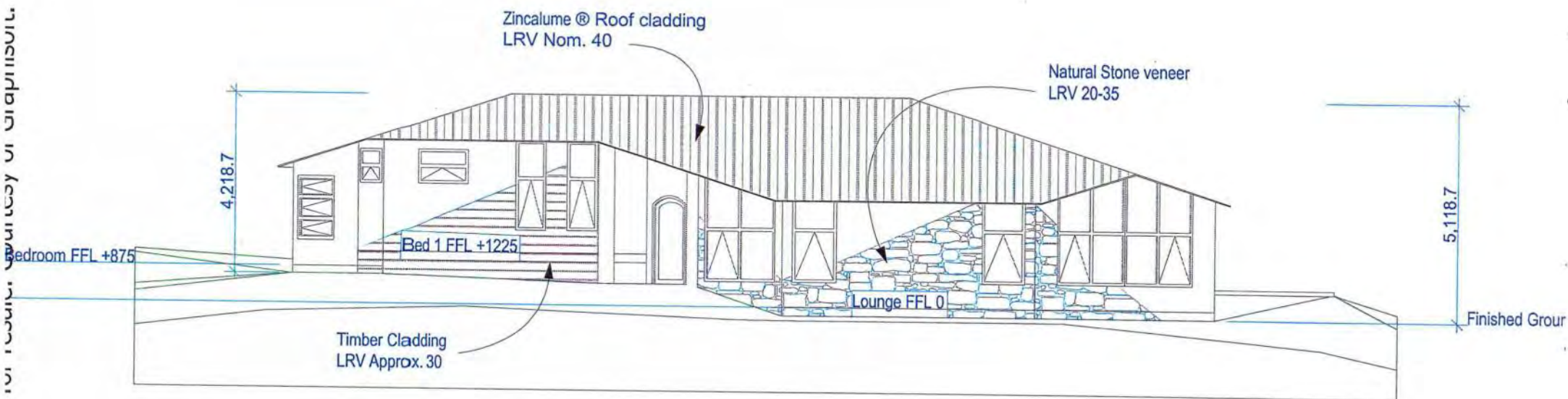


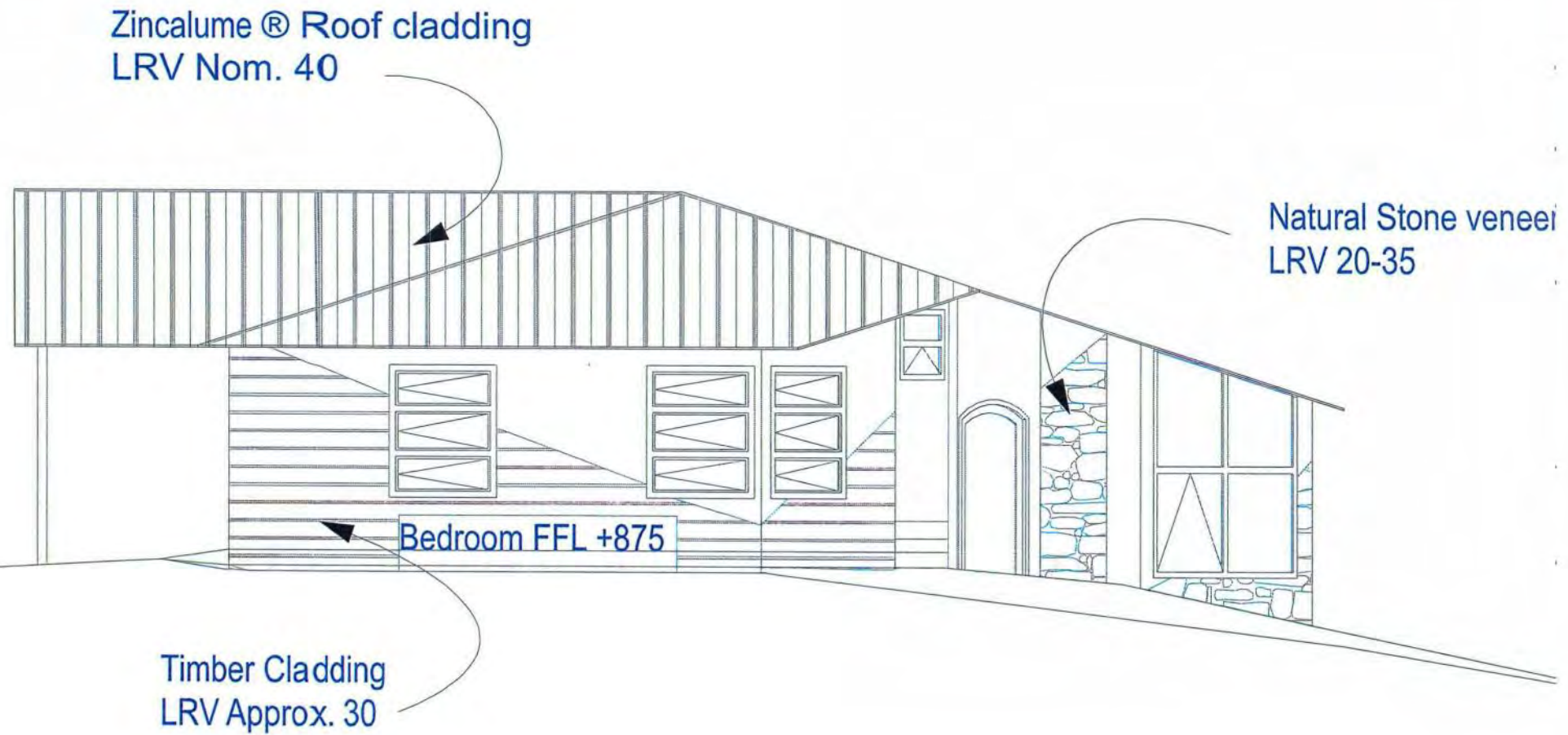
Proposed Building Area



Archicad student version, not for resale. Courtesy of Graphisoft.

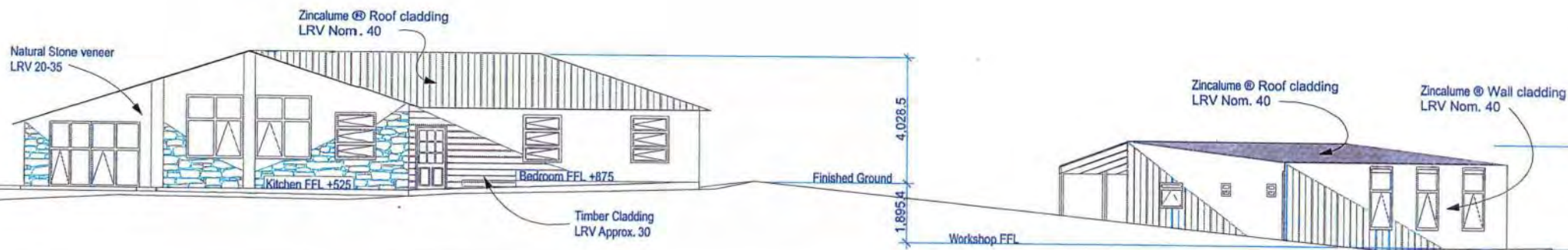
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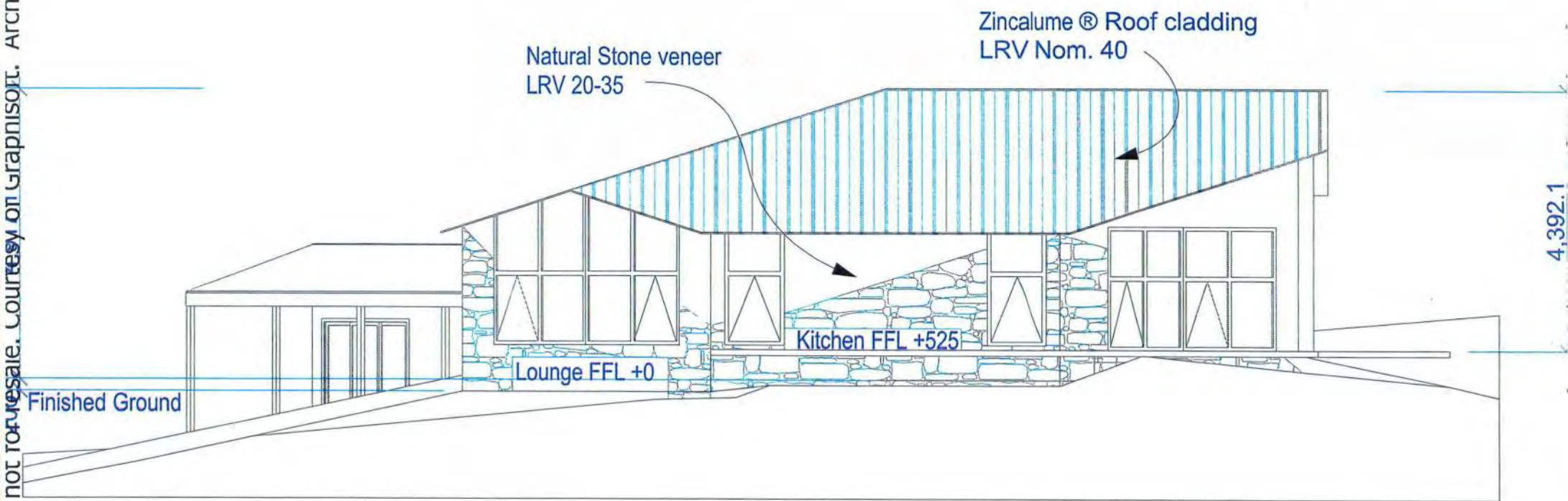


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ArchicAD Student version, not for resale. Courtesy of Graphisoft. ArchicAD Student version, not for resale. Courtesy of Graphisoft.



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## **APPENDIX C**

### **Agricultural Report**

# Agricultural Report



**Report for:** I & S Reynolds

**Property Location:** Stubbs Rd, Forth (CT 7334/4)

**Prepared by:** Astrid Ketelaar and Michael Tempest  
AK Consultants,  
40 Tamar Street,  
LAUNCESTON, TAS 7250

**Date:** 24<sup>th</sup> January 2017



## Summary

<b>Client:</b>	I & S Reynolds
<b>Property identification:</b>	CT 7334/4 (7.98ha), Stubbs Rd, Forth, Rural Resource Zone, ( <i>Central Coast Interim Planning Scheme 2013</i> ).
<b>Proposal:</b>	Proposed construction of a dwelling.
<b>Land Capability:</b>	Assessed Land Capability Class 3 (1.63ha), Class 4 (6.12 & Class 5 (0.23). Published Land Capability at 1:100 000 maps 0.15ha Class 2, 2.19ha Class 3, 2.87ha Class 4+3 & 2.77ha Class 4.  An initial desktop feasibility assessment was undertaken followed by a field inspection on the 13th January 2017 to confirm or otherwise the desktop study findings of the agricultural assessment. This report summarises the findings of the desktop and field assessment.
<b>Assessment comments:</b>	
<b>Conclusion:</b>	The title has approximately 3ha of pasture for grazing and some limited timber values. Due to the size, existing vegetation and Land Capability limitations the primary industry potential of the subject title is considered to be negligible. Because of these characteristics and through considering economies of scale it is highly unlikely that this land would be incorporated with the commercial scale agricultural operations on the eastern side of Stubbs Road.

The proposed location of the building area will provide sufficient setbacks from adjoining titles to minimise the risk of further constraining primary industry uses in the vicinity and follow the precedence of existing dwellings' proximity to Class 2 land. It is unlikely that a dwelling on this title will increase the risk of constraining primary industry any more than occurs from the existing dwellings in the vicinity.

Although the title is within an Irrigation District, it is highly unlikely that a title with these characteristics could make profitable use of an irrigation water resource for commercial scale agriculture.

Assessment by:



Astrid Ketelaar, Natural Resource  
Management Consultant,  
Member, Agricultural Institute  
Australia (current)

and



Michael Tempest,  
Natural Resource Management  
Consultant



**AK Consultants**



## INTRODUCTION

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The subject title (CT: 7334/4) is located at Stubbs Rd, Forth. This title and all surrounding land is zoned as Rural Resource under the *Central Coast Interim Planning Scheme 2013* (the Planning Scheme).

The proponent seeks to gain discretionary approval to construct a dwelling on the title. Generally, there are two pathways for approval for the construction of a dwelling in the Rural Resource Zone;

1 A dwelling may be constructed where it is directly associated and a subservient part of a resource development use (i.e. the development needs to be part of a farming operation).

2 A dwelling may be constructed where the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry uses.

Whether the title is practically capable of supporting an agricultural use depends on the current land-use, previous land use and potential land use, size of the title, Land Capability, whether there is an irrigation water resource or potential for an irrigation resource and whether the title supports any threatened vegetation or threatened species habitat.

If it can be demonstrated that the title cannot be utilised for agriculture, then it also needs to be demonstrated that the house will not impact on any adjacent agricultural land use. This can usually be achieved through appropriate buffers and boundary setbacks.

An initial desktop assessment was carried out, which determined the relevant sections of the Planning Scheme as follows:

### 26.0 Rural Resource Zone

#### 26.3.3 Residential Use

##### Objective:

Residential use that is not required as a part of other use:

- a) Minimises the permanent and unnecessary loss of land with potential for resource development or an extractive industry; and
- b) Minimises likelihood to interfere with or constrain the existing or potential use of land for resource development or an extractive industry.

##### Performance Criteria:

P2) Residential use that is not required as a part of other use must:

- c) Be on a site within which the existing or proposed development area:
  - i. Is not capable by reason of one or more of factors of topography, resource capability, size or shape of being utilised for resource development or extractive industry use; and
  - ii. Is not capable of utilisation in the operations of a resource development or extractive industry enterprise, regardless of ownership; and
  - iii. Does not constrain or interfere with existing or potential resource development or extractive industry use of land including the balance area on site.

A site assessment was conducted on the 13<sup>th</sup> of January 2017 to confirm or otherwise the desktop study findings. This report summarises the findings from the desktop and field assessments and addresses the Planning Scheme requirements.



## DESCRIPTION

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The title is 7.98ha in area and is situated on a moderately sloped (6° (10.5%) over entire title) parcel of land with a westerly aspect. The western boundary sits at approximately 80m ASL while the eastern boundary is approximately 130m ASL.

Published Land Capability mapping at 1:100 000 scale shows the land to be a mix of Class 2 (0.15ha), Class 3 (2.19ha), Class 4+3 (2.87ha) & Class 4 (2.77ha). During the site inspection, a Land Capability Assessment was conducted. From this assessment, it was determined that there is 1.63ha of Class 3 land, 6.12ha of Class 4 and 0.23ha of Class 5. There were two main limiting factors for agricultural use that separated the Class 4 Land Capability from the Class 3 Land Capability. The Class 4 areas showed moderate to poor drainage characteristics and displayed moderate erosion risks. The area mapped as Class 5 displayed high erosion risks. Land Capability Class descriptions are in Appendix 4 and full descriptions of the assessment pits and Land Capability assessment method are in Appendix 5.

The eastern third of the title is mapped by Tasveg 3.0 as agricultural farmland (FAG). The western two thirds of the title are covered in native vegetation which the Forest Groups layer on The LIST identifies as mostly Tall Eucalypt Forest. The Forest Groups layer is derived from forestry data that assesses forests by height and crown density. TasVeg 3.0 maps the dominant vegetation community as *Eucalyptus regnans* forest (WRE). There is also a small area of *Acacia dealbata* forest (NAD). Neither community is listed as threatened community under the *Nature Conservation Act 2002* or listed as Priority Habitat under the Planning Scheme. There are no records of any threatened flora or fauna species associated with the title (the LIST). The vegetation communities were confirmed on the site visit. Sections of the pastured area of the title and a small section of the vegetated of the title have 'low' landslip hazard bands associated with them.

The title is situated within the Leven catchment and is within the Kindred North Motton Irrigation District. According to the Tasmanian Irrigation website, all water resources associated with the Kindred North Motton Irrigation Scheme are allocated. Two unnamed tributaries of Claytons Rivulet flow in an east to west direction through the title, these tributaries are Class 4 streams under the *Forest Practices Code 2015* because their catchment area is less than 50ha. According to DPIPWE's Water Information System of Tasmania (WIST) there are no water allocations associated with the title, however according to DPIPWE's Water Assessment Tool (WAT) there is potentially up to 22ML high reliability water and an additional 8ML mid reliability water available as a winter take for irrigation from the unnamed streams. To utilise this water for summer, a storage would need to be constructed.

Surrounding titles vary in size from 7.98ha to 41.81ha and are zoned Rural Resource. These surrounding titles are a mosaic of farmland and native vegetation, with most of the native vegetation occurring to the north and west of the subject title, while farmland occurs to the south and east. Stubbs Road runs parallel to the subject title's eastern boundary, there is also an access road that runs along the northern boundary that provides access to the title to the west of the subject title from Stubbs Road.

The adjacent title to the north (across the access road), plus the title north of the adjacent title are of similar size (7.98ha & 8.11ha) and are similarly vegetated to that of the subject title. The most northern of these two title has an existing dwelling located near its eastern boundary. To the west is a title of approximately 18.26ha in area, this title is entirely vegetated with native vegetation and has



an existing dwelling located on it. To the south is also a similarly sized title (8.51ha) to the subject title. This title has an existing dwelling located on it and is mostly pastured, with a small area (1.5ha approximately) of native vegetated along western boundary. Agricultural activities on the adjacent titles to both the north and south appear to be limited to small scale grazing. These titles display 'lifestyle block' characteristics<sup>1</sup>. The title to the west does not strictly conform to the 'lifestyle block' characteristics as defined by Ketelaar and Armstrong (2012) due to its slightly larger size, however, its coverage of native vegetation suggests that it is currently managed as a 'bush block' only, although it is likely that there would be some forestry values on this title if harvested in conjunction with surrounding titles. Claytons Rivulet and Little Claytons Rivulet also converge on this title, which suggests that the area that would be available to harvest would be reduced by *Forest Practices Code 2015* required setbacks from watercourses.

Directly east and south east of the subject title on the other side of Stubbs road are two larger titles (41.8aha & 40.69ha). These titles have a published Land Capability of Class 2, meaning they are highly productive and suitable for intensive cropping. Both titles appear to be utilised for 'commercial scale' intensive agricultural operations as defined by Ketelaar and Armstrong (2012).

Through utilising the constraints analysis methodology from Ketelaar and Armstrong 2012, the title is classed as having "High degree of constraint – agricultural potential of the title has significant constraints". That is the title has very limited agricultural potential due to combinations of size of title, fettering from surrounding dwellings and poor connectivity with commercial scale enterprises.

Over the entire title the slope is moderate at around 6° (approximately 10% gradient). However, in localised areas of the pastured area the gradient ranges from 12-20%. This includes the majority of land mapped as Class 3 and is a severely limiting factor for commercial scale agricultural enterprise development on such a small parcel of land.

The title's soils are unmapped. Underlying geology loosely conforms with both the published boundary between Class 3 & Class 4 land and the pastured and native vegetation boundary. Underlying geology of Class 3 land and pastured area on eastern third of title is mapped as Tertiary Basalt (Tbw), which is described as predominately deeply-weathered basalt. Generally, soils formed over Tertiary basalt, are well structured krasnozems and are some of the best soils in the district. The tertiary basalt plateau extends to the east of the title. The balance of the title is mapped as Proterozoic metamorphosed siliceous shelf sequences (Ltpg), which is comprised of predominantly quartz bands. The quarry to the west is in similar geology.

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<sup>1</sup>As defined by AK Consultants in Ketelaar, A and Armstrong, D. 2012, *Discussions paper – Clarification of the Tools and Methodologies and Their Limitations for Understanding the Use of Agricultural Land in the Northern Region* which was a paper written for Northern Tasmania Development.



## DISCUSSION

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The subject title does have a small area of “prime agricultural” land (1.63ha of Class 3 land), the overall size of the title is relatively small (7.98ha). Furthermore, the pastured area of the title is only one third of the overall title size. This pastured area is also limited by a steep topography. This suggests that this area would only be suitable to be utilised for small scale grazing. There was no stock on the title when the site visit was undertaken, however, evidence suggests that the cleared pastured area is occasionally utilised for small scale grazing. Return from such activities would be minimal. If the title was cleared; dryland grazing would be the most likely use. It is unlikely that a return on investment could be obtained from clearing and developing an approximately 8ha area for grazing of livestock due to lack of economies of scale.

Land with these characteristics is best farmed in conjunction with other land to be able to realise the benefits of economies of scale. In this case, it is unlikely that the title would be farmed in conjunction with surrounding titles given the “lifestyle block” characteristics of title to the south and west, a similar sized un-occupied title to the north and the commercial scale cropping enterprises to the east. It is unlikely the cropping enterprises to the east would see much benefit in a commercial arrangement (either purchasing or leasing) such a small relatively undeveloped lot to farm in conjunction, as the cost of developing the land would most likely outweigh the benefits of the increased production land. In addition, Stubbs Road forms a significant barrier for vehicle and stock crossing and is an additional disincentive for farming in conjunction with adjacent land to the east.

The title is regrowth native vegetation and being Tall Eucalypt Forest does have some potential for native forest harvesting, however, limiting factors associated with title size and proximity to streams would limit the area available to approximately 4-5ha. A 4-5ha native forest harvesting and regeneration operation is likely to be of very low economic return unless harvested in conjunction with other areas in close proximity. This is unlikely given the ‘lifestyle block’ characteristics of adjacent similarly vegetated titles.

Although the Kindred North Motton Scheme is fully subscribed the title could access irrigation water by securing a winter take into storage from the stream and constructing a dam. However, the size of the title would limit the storage potential. While the title does provide some sufficient sites for a hillside dam, the earthworks in relation to the volume of water stored would limit the financial feasibility. The complexities of developing irrigation water resources for the title would lead to substantial costs which would render the project unviable unless an enterprise of very high returns could be developed on the title. This seems unlikely for a title with these characteristics.

The land is within the Kindred North Motton Irrigation District, which ostensibly should preclude residential development on the subject title however, there are a number of factors that need to be considered in this regard:

- The characteristics of the title are such that development for an irrigated enterprise is not economically feasible.
- The land is highly unlikely to be farmed in conjunction with other land due to the characteristics of the subject title and surrounding land.
- A dwelling on the title would not preclude irrigation or impact on any existing or potential irrigation in the vicinity.

Potential for conflict of the proposed new dwelling with surrounding primary industry uses needs to also be considered. There are a range of activities associated with grazing and cropping, Learmonth



et.al. (2007) detail the common range of issues associated with sensitive uses, such as residential use in the Rural Resource zone which can constrain agricultural activities (see Appendix 3). The types of activities associated with irrigated cropping which may affect residential amenity include chemical spray drift from fungicide, herbicide and fertiliser, noise from equipment (irrigation equipment, tractors, harvesters, aircraft etc. including during the night and early morning), irrigation water spray drift (generally not potable water), odour from fertilisers and chemicals and dust during harvesting and ground preparation. The types of activities associated with irrigated cropping which may affect residential amenity are generally much more frequent and of greater concern than activities associated with hobby scale grazing activities. These are generally limited to fertiliser spreading, perhaps weed spraying and fodder conservation, and occasional cultivation and re-sowing of pastures.

The Western Australia Department of Health (DOH, 2012) has published guidelines relating specifically to minimising conflict between agricultural activities and residential areas through management of buffer areas. This study particularly focuses on spray drift and dust generation and recommends a minimum separation of 300m to reduce the impact of spray drift, dust, smoke and ash. Through the establishment of an adequately designed, implemented and maintained vegetative buffer, this minimum separation distance can be reduced to 40m. *The Central Coast Planning Scheme 2013* recommends a distance of 200m as a buffer. In this situation, a precedence has been previously established for allowing dwellings within a closer proximity to the Class 2 land on the eastern side of Stubbs Rd. The dwelling on the title directly to the south of the subject title is approximately 133m from the Class 2 cropped land, while the dwelling on the title 2 titles north of the subject title is only 70m from the cropped Class 2 land. There are also more dwellings both north and south of the subject title along Stubbs Road that are located well within 200m of intensively cropped agricultural land

With these existing setbacks in mind, a building area on the subject title has been designed so that the eastern most boundary is line with the diagonal connecting the dwelling to the north with the dwelling to the south. This will ensure that construction of a new dwelling will not unduly intensify the constraint on adjacent Class 2 land any more than existing dwellings in the area already do. This will provide a minimum buffer of 110m between the building area and Class 2 land.

A minimum buffer of 40m has been defined from the southern boundary to the proposed allowable building area. This is considered an adequate separate distance because of the small scale, low intensity farming that takes place on the "lifestyle block" to the south. A larger 73m buffer has been recommended for the northern boundary, as this will allow for required stream side buffers to remain in place. To the west, the separation distance from the building area to the boundary is 268m and this is entirely vegetated. On all sides, additional vegetation can be established to provide further buffering if required.

## CONCLUSIONS

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The title has approximately 3ha of pasture for grazing and some limited timber values. Due to the size, existing vegetation and Land Capability limitations the primary industry potential of the subject title is considered to be negligible. Because of these characteristics and through considering economies of scale it is highly unlikely that this land would be incorporated with the commercial scale agricultural operations on the eastern side of Stubbs Road.

The proposed location of the building area will provide sufficient setbacks from adjoining titles to minimise the risk of further constraining primary industry uses in the vicinity and follow the precedence of existing dwellings' proximity to Class 2 land. It is unlikely that a dwelling on this title will increase the risk of constraining primary industry any more than occurs from the existing dwellings in the vicinity.

Although the title is within an Irrigation District, it is highly unlikely that a title with these characteristics could make profitable use of an irrigation water resource for commercial scale agriculture.



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- Grose, C. J. (1999). *Land Capability Handbook. Guidelines for the Classification of Agricultural Land in Tasmania*. (Second Edition ed.). Tasmania, Australia: Department of Primary Industries, Water and Environment.



Figure 1. Location





Figure 2. Aerial Image.



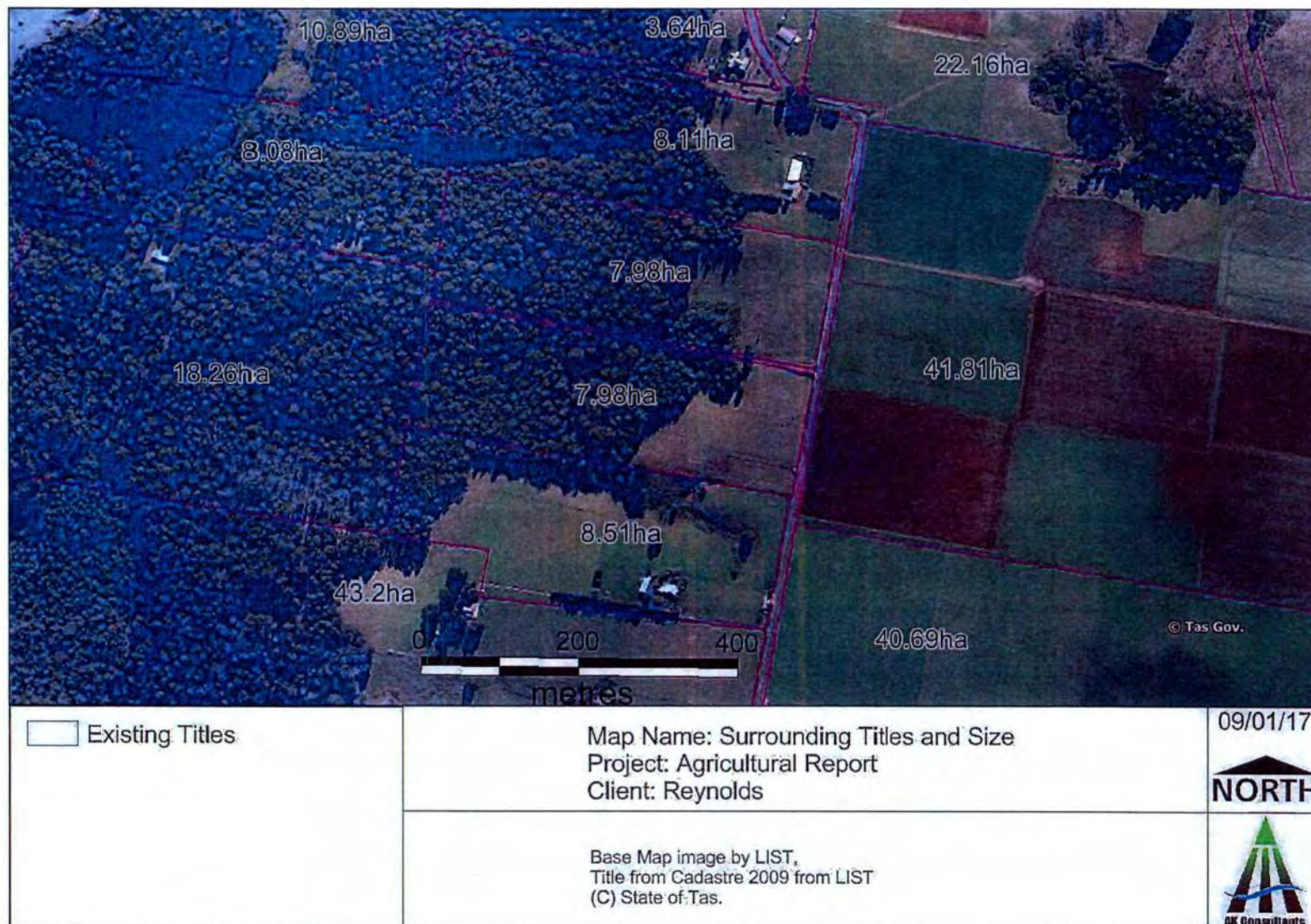


Figure 3. Surrounding Titles.

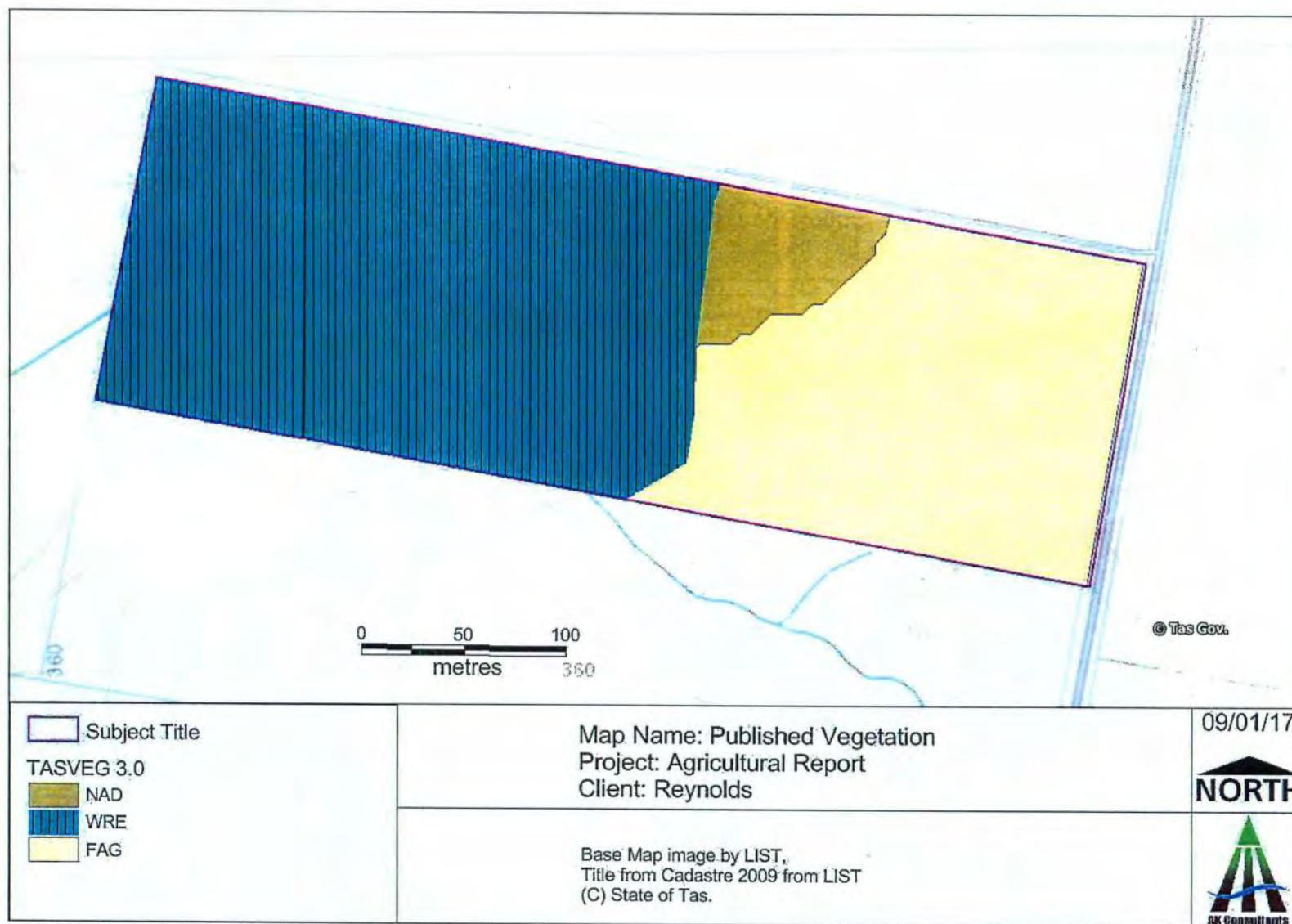


Figure 4. Published Vegetation, TASVEG 3.0





Figure 5. Mapped Land Capability compared to assessed Land Capability.



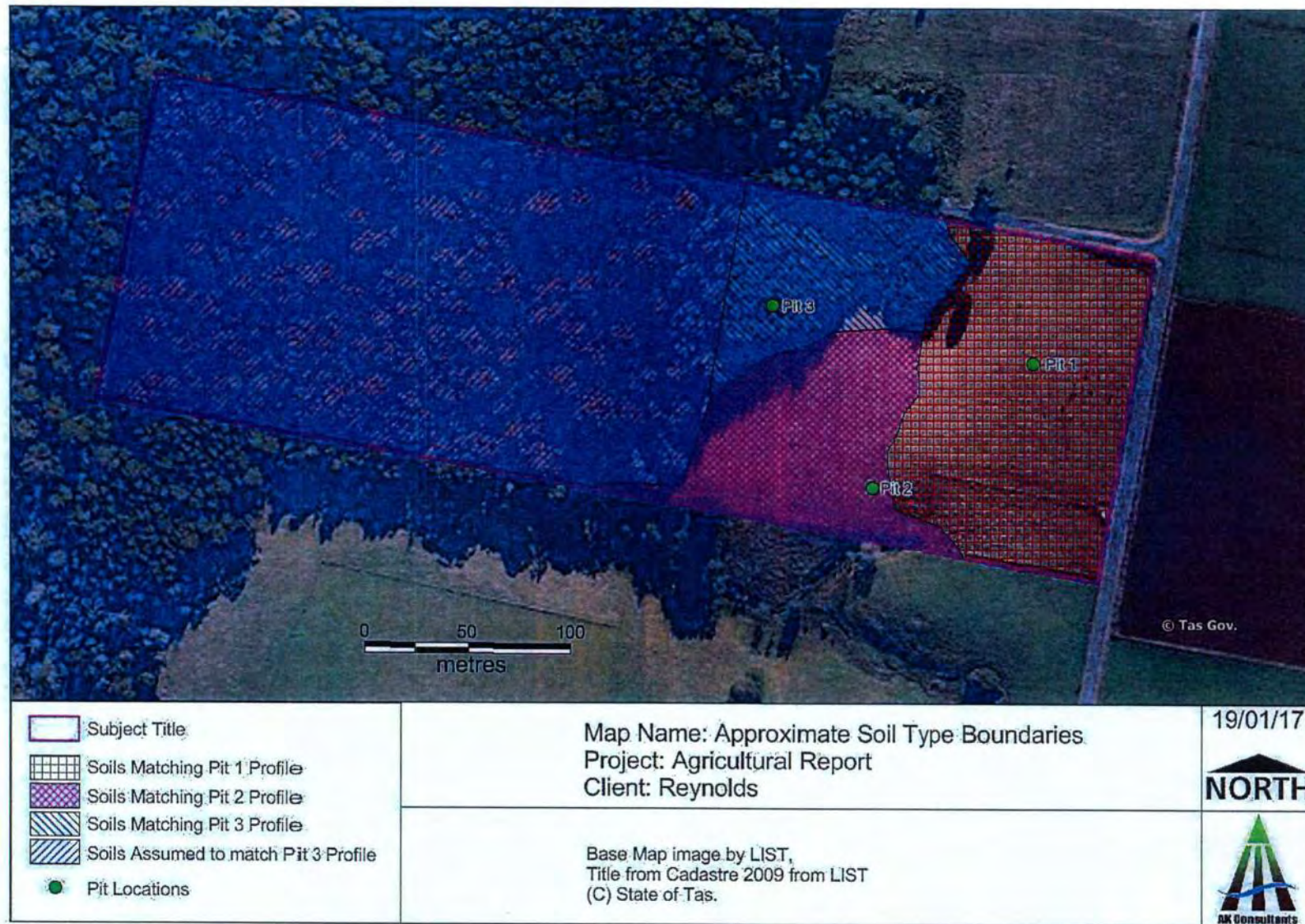
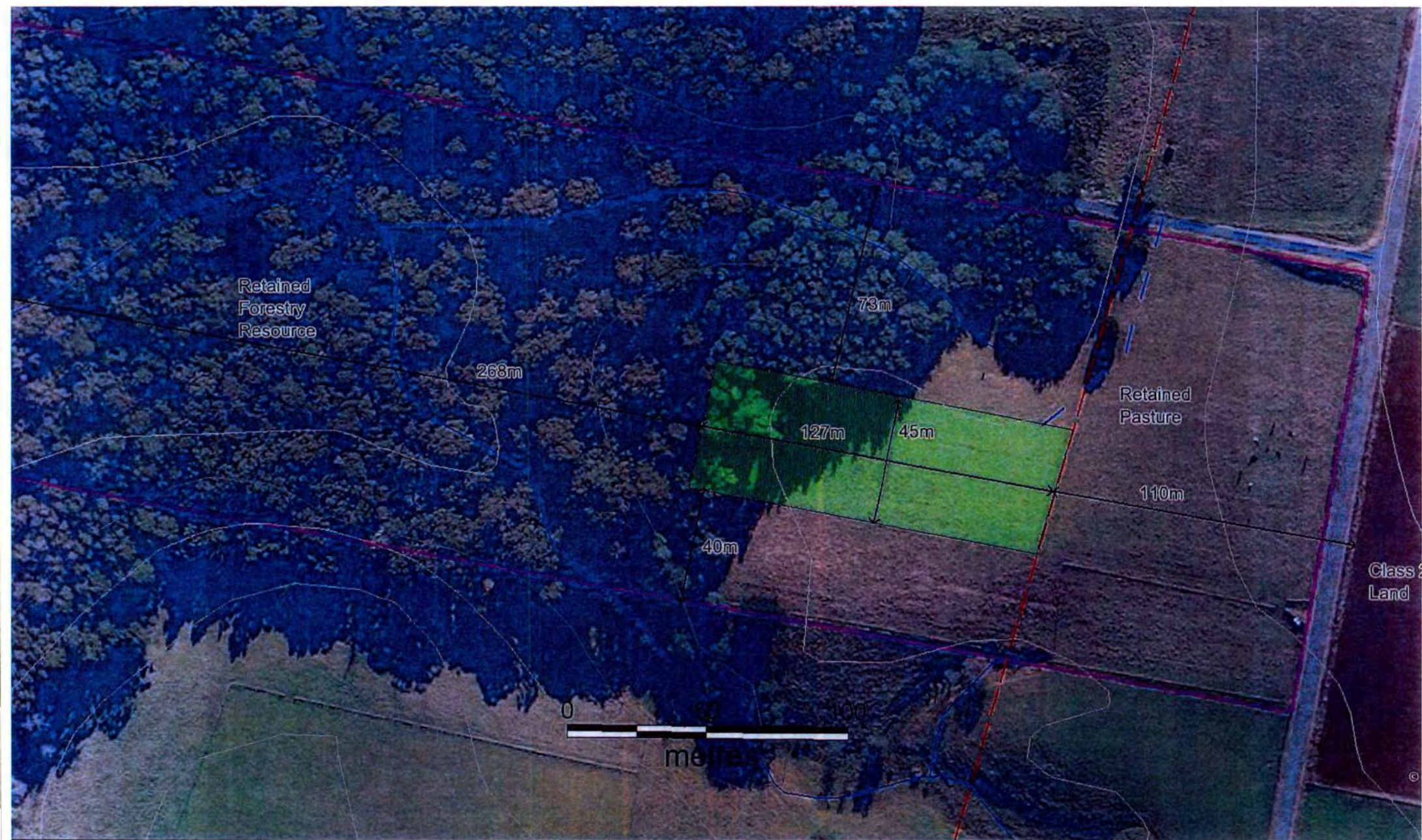


Figure 6. Approximate soil type boundaries and Land Capability described pit locations.





Project Title	Line of Existing Dwellings
Possible Building Area	Drainage Lines
Used	Contours (10m)

Map Name: Possible Building Area  
 Project: Ag Report  
 Client: Reynolds

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## APPENDIX 2. PHOTOGRAPHS

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**1:** View from eastern boundary of proposed building area towards the west. Existing pasture assessed as having a Class 4 Land Capability.



**2:** *Eucalyptus regnans*, with forestry potential on the western portion of the title.



**3: View from building area towards the north across 3 different soil types and Class 4h Land Capability. Soil erodibility of the 3 different soil types varied from 'very low' to 'high'. With the very low erodible soils on the steeper slopes and the highly erodible soils on the lower gradients this leads to a 'moderate' risk of soil erosion and a Land Capability classification of 4h.**



**4: Access road along northern boundary of subject title.**



### APPENDIX 3. LAND CAPABILITY DEFINITIONS FROM GROSE (1999)

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**CLASS 1.** Land well suited to a wide range of intensive cropping and grazing activities. It occurs on flat land with deep, well drained soils, and in a climate that favours a wide variety of crops. While there are virtually no limitations to agricultural usage, reasonable management inputs need to be maintained to prevent degradation of the resource. Such inputs might include very minor soil conservation treatments, fertiliser inputs or occasional pasture phases. Class 1 land is highly productive and capable of being cropped eight to nine years out of ten in a rotation with pasture or equivalent without risk of damage to the soil resource or loss of production, during periods of average climatic conditions.

**CLASS 2.** Land suitable for a wide range of intensive cropping and grazing activities. Limitations to use are slight, and these can be readily overcome by management and minor conservation practices. However, the level of inputs is greater, and the variety and/or number of crops that can be grown is marginally more restricted, than for Class 1 land.

This land is highly productive but there is an increased risk of damage to the soil resource or of yield loss. The land can be cropped five to eight years out of ten in a rotation with pasture or equivalent during 'normal' years, if reasonable management inputs are maintained.

**CLASS 3.** Land suitable for cropping and intensive grazing. Moderate levels of limitation restrict the choice of crops or reduce productivity in relation to Class 1 or Class 2 land. Soil conservation practices and sound management are needed to overcome the moderate limitations to cropping use. Land is moderately productive, requiring a higher level of inputs than Classes 1 and 2. Limitations either restrict the range of crops that can be grown or the risk of damage to the soil resource is such that cropping should be confined to three to five years out of ten in a rotation with pasture or equivalent during normal years.

**CLASS 4.** Land primarily suitable for grazing but which may be used for occasional cropping. Severe limitations restrict the length of cropping phase and/or severely restrict the range of crops that could be grown. Major conservation treatments and/or careful management is required to minimise degradation. Cropping rotations should be restricted to one to two years out of ten in a rotation with pasture or equivalent, during 'normal' years to avoid damage to the soil resource. In some areas longer cropping phases may be possible but the versatility of the land is very limited. (NB some parts of Tasmania are currently able to crop more frequently on Class 4 land than suggested above. This is due to the climate being drier than 'normal'. However, there is a high risk of crop or soil damage if 'normal' conditions return.)

**CLASS 5.** This land is unsuitable for cropping, although some areas on easier slopes may be cultivated for pasture establishment or renewal and occasional fodder crops may be possible. The land may have slight to moderate limitations for pastoral use. The effects of limitations on the grazing potential may be reduced by applying appropriate soil conservation measures and land management practices.

**CLASS 6.** Land marginally suitable for grazing because of severe limitations. This land has low productivity, high risk of erosion, low natural fertility or other limitations that severely restrict agricultural use. This land should be retained under its natural vegetation cover.

**CLASS 7.** Land with very severe to extreme limitations which make it unsuitable for agricultural use.



## APPENDIX 4. POTENTIAL CONFLICT ISSUES

Living and Working in Rural Areas. A handbook for managing land use conflict issues on the NSW North Coast. Learmonth, R., Whitehead, R., Boyd, B., and Fletcher, S. n.d.

Table 1. Typical rural land use conflict issues in the north coast region

Issue	Explanation
Absentee landholders	Neighbours may be relied upon to manage issues such as bush fires, straying stock, trespassers etc. while the absentee landholder is at work or away.
Access	Traditional or informal 'agreements' for access between farms and to parts of farms may break down with the arrival of new people.
Catchment management	Design, funding and implementation of land, water and vegetation management plans are complicated with larger numbers of rural land-holders with differing perspectives and values.
Clearing	Neighbours may object to the clearing of trees, especially when it is done apparently without approvals or impacts on habitat areas or local amenity.
Cooperation	Lack of mutual co-operation through the inability or unwillingness on behalf individuals to contribute may curtail or limit traditional work sharing practices on-farm or in the rural community.
Dogs	Stray domestic dogs and wild dogs attacking livestock and wildlife and causing a nuisance.
Drainage	Blocking or changing drainage systems through a lack of maintenance or failure to cooperate and not respect the rights of others.
Dust	Generated by farm and extractive industry operations including cultivating, fallow (bare) ground, farm vehicles, livestock yards, feed milling, fertiliser spreading etc.
Dwellings	Urban or residential dwellings located too close to or affecting an existing rural pursuit or routine land use practice.
Electric fences	Electric shocks to children, horses and dogs. Public safety issues.
Fencing	Disagreement about maintenance, replacement, design and cost.
Fire	Risk of fire escaping and entering neighbouring property. Lack of knowledge of fire issues and the role of the Rural Fire Service.
Firearms	Disturbance, maiming and killing of livestock and pest animals, illegal use and risk to personal safety.
Flies	Spread from animal enclosures or manure and breeding areas.
Heritage management	Destruction and poor management of indigenous and non indigenous cultural artefacts, structures and sites.
Lights	Bright lights associated with night loading, security etc.
Litter	Injury and poisoning of livestock via wind blown and dumped waste. Damage to equipment and machinery. Amenity impacts.
Noise	From farm machinery, scare guns, low flying agricultural aircraft, livestock weaning and feeding, and irrigation pumps.
Odours	Odours arising from piggeries, feedlots, dairies, poultry, sprays, fertiliser, manure spreading, silage, burning carcasses/crop residues.
Pesticides	Perceived and real health and environmental concerns over the use, storage and disposal of pesticides as well as spray drift.
Poisoning	Deliberate poisoning and destruction of trees/plants. Spray drift onto non-target plants. Pesticide or poison uptake by livestock and human health risks.
Pollution	Water resources contaminated by effluent, chemicals, pesticides, nutrients and air borne particulates.
Roads	Cost and standards of maintenance, slow/wide farm machinery, livestock droving and manure.
Smoke	From the burning of crop residues, scrub, pasture and windrows.
Soil erosion	Loss of soil and pollution of water ways from unsustainable practices or exposed soils. Lack of adequate groundcover or soil protection.
Straying livestock	Fence damage, spread of disease, damage to crops, gardens and bush/rainforest regeneration.
Theft/vandalism	Interference with crops, livestock, fodder, machinery and equipment.
Tree removal	Removal of native vegetation without appropriate approvals. Removal of icon trees and vegetation.
Trespass	Entering properties unlawfully and without agreement.
Visual/amenity	Loss of amenity as a result of reflective structures (igloos, hail netting), windbreaks plantings (loss of
Water	Competition for limited water supplies, compliance with water regulations, building of dams, changes to flows. Stock access to waterways. Riparian zone management.
Weeds	Lack of weed control particularly noxious weeds, by landholders.

Based on: Smith, RJ (2003) Rural Land Use Conflict: Review of Management Techniques – Final Report to Lismore Living Centres (PlanningNSW).



## APPENDIX 5. PROTOCOL FOR LAND CAPABILITY ASSESSMENT USED BY AK CONSULTANTS

This protocol outlines the standards and methodology that AK Consultants uses to assess Land Capability.

In general, we follow the guidelines outlined in the Land Capability Handbook (Grose 1999) and use the survey standards outlined in the Australian Soil and Land Survey Handbooks to describe (McDonald, et al. 1998), survey (Gunn, et al. 1988) and classify (Isbell 2002) soils and landscapes.

Commonly we are requested to assess Land Capability in relation to local government planning schemes. As such the level of intensity of the investigation is usually high and equivalent to a scale of 1:25 000 or better. The choice of scale or intensity of investigation depends on the purpose of the assessment. As the scale increases (becomes more detailed and the scale is a smaller number), the number of observations increases.

An observation can be as much as a detailed soil pit description or as little as measuring the gradient of an area using a clinometer or the published contours in a Geographical Information System and includes soil profile descriptions, auger hole descriptions, and observations confirming soil characteristics, land attributes or vegetation. The table below shows the relationship between scale, observations, minimum distances and areas that can be depicted on a map given the scale and suggested purpose of mapping.

Scale	Area (ha) per observation	Minimum width of map unit on ground	Minimum area of map unit on ground	Recommended use
1:100 000	400ha	300m	20ha	Confirmation of published land capability mapping
1 : 25 000	25ha	75m	1.25ha	Assessments of farms, fettering or alienation of Prime Agricultural Land
1 : 10 000	4ha	30m	2 000m <sup>3</sup>	Area assessments of less than 15ha
1 : 5 000	1ha	15m	500m <sup>3</sup>	Site specific assessments for houses and areas less than 4ha
1 : 1 000	0.04ha	3m	20m <sup>3</sup>	Shown for comparison purposes

Based on 0.25 observations per square cm of map, minimum width of mapping units 3mm on map as per (Gunn, et al. 1988).

### ASSESSMENT METHODOLOGY

With all assessments we examine a minimum of three observations per site or mapping unit and determine Land Capability on an average of these observations.

Land Capability is based on limitations to sustainable use of the land, including the risk of erosion, soil, wetness, climate and topography. The most limiting attribute determines the Land Capability class. This is not always a soil limitation and thus soil profile descriptions are not always required for each mapping unit. For example, land with slopes greater than 28%, areas that flood annually and areas greater than 600m in elevation override other soil related limitations.

The availability of irrigation water can affect the Land Capability in some areas. An assessment of the likelihood of irrigation water and quality is made where it is not currently available.

As a minimum all assessment reports include a map showing the subject land boundaries, observation locations, published contours and Land Capability.

### **DEFINITIONS**

#### *Land Capability*

A ranking of the ability of land to sustain a range of agricultural land uses without degradation of the land resource (Grose 1999).

### **PROTOCOL REFERENCES**

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Isbell, R F. *The Australian soil classification*. Revised Edition. Melbourne: CSIRO Publishing, 2002.

McDonald, R C, R F Isbell, J G Speight, J Walker, and M S Hopkins. *Australian Soil and Land Survey Field Handbook*. Second Edition. Canberra: Australian Collaborative Land Evaluation Program, CSIRO Land and Water, 1998.



## ON SITE LAND CAPABILITY ASSESSMENT

Published Land Capability (LIST at 1:100,000) maps the subject title as a mix of Class 2 (0.15ha), Class 3 (2.19ha), Class 4+3 (2.87ha) & Class 4 (2.77ha).

At the site inspection, nine assessment pits were augured across the eastern third of the property along with a visual inspection. Three representative pits were described.

Land Capability Assessment was conducted and determined that there is 1.63ha of Class 3h land, 6.12ha of Class 4h and 0.23ha of Class 5h. There were two main limiting factors that separated the Class 4 land from the Class 3 land. The Class 4 areas showed moderate to poor drainage characteristics with common & distinct to few & faint mottling observed at test pit sites. The second and dominant limiting factor for agricultural use of the title is the risk of erosion. Soil erodibility of the 3 different soil types found on the title varied from 'very low' to 'high'. With the very low erodible soils on the steeper slopes and the highly erodible soils on the lower gradients this leads to a 'moderate' risk of soil erosion and a Land Capability classification of 4h. Where the low erodibility soils coincide with slopes of 12-18% this dictates a Land Capability classification of 3h. The area mapped as Class 5h coincides with the highly erodible soils on slopes of 12-18%. There was also some evidence of Mass Movement associated with the drainage lane in this area on the southern boundary.

Published Class 4 land on western third of title was not assessed and is assumed to be as mapped.

### **Pit 1**



Site: 338 Stubbs Rd  
Date: 13<sup>th</sup> January 2017  
Pit: 1  
Flood Risk: Low  
Slope: 12-18%  
Morphology: Westerly hill slope  
Surface condition: Pasture.

#### Profile description

Depth (cm)	Munsell Colour		Gley	Bleach	Mottle	Texture	Comments
0	2.5YR	3/4	~	~	0	CL	
60	2.5YR	3/6	~	~	0	LC	

Gradational profile with well-structured and freely draining clay soils. On slopes of 12 – 18% these low erodibility soils have a low risk of erosion which dictates a Land Capability classification of Class 3h.



### Pit 2



Site: 338 Stubbs Rd  
 Date: 13<sup>th</sup> January 2017  
 Pit: 2  
 Flood Risk: Low  
 Slope: 3%  
 Morphology: Flat  
 Surface condition: Pasture.

#### Profile description

Depth (cm)		Munsell Colour		Gley	Bleach	Mottle	Texture	Comments
0	40	7.5YR	4/3	~	~	0	FSL	
40	60	7.5YR	3/3	~	~	5	SC	

Duplex profile. A weakly structured grey fine sandy loam over a sandy clay. Common and distinct mottling in the B Horizon indicates an imperfectly drained B horizon. The weak structure indicates a high erodibility. On slopes of 0 - 12 % these soils have a moderate risk of erosion which dictates a Land Capability classification of Class 4h. On slopes 12 -18% these soils have a high risk of erosion which dictates a Land Capability classification of Class 5h.

### Pit 3



Site: 338 Stubbs Rd  
 Date: 13<sup>th</sup> January 2017  
 Pit: 3  
 Flood Risk: Low  
 Slope: 12-18%  
 Morphology: Northerly hill slope  
 Surface condition: Native vegetation.

#### Profile description

Depth (cm)		Munsell Colour		Gley	Bleach	Mottle	Texture	Comments
0	40	7.5YR	4/3	~	~	0	FSL	
40	60	7.5YR	3/3	~	~	5	SC	

Duplex profile. A moderately structured sandy loam over a sandy clay. The B Horizon displayed few and faint mottling characteristics which indicates a moderately well drained B horizon. The moderate structure indicates a moderate soil erodibility. On slopes of slopes 12 -18% these soils have a moderate risk of erosion which dictates a Land Capability classification of Class 4h.

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## **APPENDIX D**

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# **Wastewater Design Report**

ONSITE WASTEWATER  
REPORT FOR PLANNING

For IAN REYNOLDS

New Dwelling at  
338 Stubbs Road  
Turners Beach

February 2017



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Fax (03) 6231 1535  
infohbt@jmg.net.au

**LAUNCESTON OFFICE**  
49-51 Elizabeth Street  
Launceston TAS 7250  
Phone (03) 6334 5548  
Fax (03) 6331 2954  
infohbt@jmg.net.au

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### APPENDICES

Appendix A - Site Plan

Appendix B - Drainage Plan & Trench Section



## 1. Site Details

Address	338 Stubbs Road Forth TAS 7310
Land Owner	Maxwell and Caroline Gillam
Prospective Owner	Ian Reynolds
Certificate of Title	7334/4
Total Lot Area	7.9 hectares (approx.)
Grid Reference for location of proposed wastewater	433780E 5440245N
Drawings Reference	E01

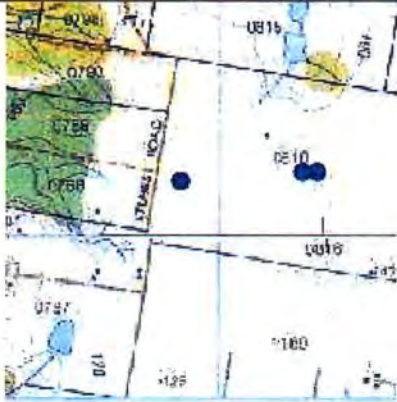
## 2. Onsite Assessment

Name of Assessor	Carmel Parker
Tas. Building Accreditation (Hydraulic Design)	CC6214X
Existing System?	No
Vegetation Cover	Grassed with approximately 4.9 hectares of dense vegetation (tall trees and thick understorey).
Aspect of Proposed WW Location	Easterly and northerly sun exposure for the wastewater area
Slope (%) of Proposed Location	<5% slope Area to the south of the building envelope and including the building envelope is approximately less than 5% slope.
Evidence of Flooding (Y/N)	N
Waterways and Drainage Lines	Yes drainage line running to the east of the building envelope carries surface water to the minor tributary located adjacent to the southern boundary of the property.
Cuttings/Embankments near Proposed WW Area	No
Existing Buildings	No
Other topographical features	Undulating changes in slope form <5% to 20% approximate.
Required Drainage Controls	Surface diversion drain required to the north of the trenches
Other site limitations	Steep slopes in part. Drainage lines. Nearby Minor Tributary.

### 3. Soil Profile

Depth mm b.g.s.	Class	Description / Texture	Colour	Clay Content >5-50%	Ribbon	Structure	Fragments % gravel / cobbles	Water in hole? Y/N
0-100	2	Sandy Loam	Dark Brown	<5%	No	Weak	<5%	N
100-300	2	Sandy Loam	Dark Brown	<5%	No	Weak	<5%	N
300-500	4	Crumbly Clay with mica (mineral with shiny silky appearance)	Light brown / yellow mica	20-30%	20- 30mm	Moderate to weak	5-10%	N
500-1000	4	Light crumbly clay with mica	Light brown / yellow	10-20%	10mm Breaks easily	Moderate to weak	5-10%	N
1000-1500	4	Light crumbly clay with mica. Greater Mica content than 500- 1000.	Light brown / yellow	10-20%	No	Moderate to weak	5-10%	N

### 4. Additional Desktop Information

Nearest Bore?	 <p>Nearest known groundwater bore is approximately 300m upslope from the proposed wastewater area.</p>
Drainage and flooding data?	Distinct drainage lines within the property boundary were observed onsite. Surface runoff drains to a minor tributary located within to the south and west of the building envelope. Good slopes ensure adequate surface drainage.



## 5. Summary of Site and Soil Observations

### Soil Type

The sand and mica content found at various depths through the profile and mixed with light clays increases the porosity and permeability of the soil. Mica is a silicate type mineral as a result of rock (most likely basalt) decomposition. There are pockets of light clays found at varying depths from 0.3mbgs. However, clay is found with mica and the clay is crumbly with reduced permeability.

### Topography

The land is undulating and the gradient changes over a relatively short distance. Steeper slopes are found closer to the southern boundary and to the north and west of the site where the gradient is 5-10% and greater than 10% along the boundary lines. A significant drainage line intersects the southern boundary and water flows are discharged to the minor tributary on the adjacent property to the south (refer E01).

## 6. Design Options

The site is suitable to inground disposal of primary treated effluent in areas where the slope is preferable <10%. A category 4 soil type was adopted for the calculation of the wastewater disposal area. This is a conservative estimate based on the presence of light clays. However, the presence of sandy loam and mica is likely to create greater permeability of the soil up to 1.5mbgs.

## 7. Design Calculations

Soil Type for Design	Category 4 - Light Clay
Adopted DLR	10mm/day
Primary or Secondary Treated?	Primary
Type of System Required	Septic tank and trenches
Daily Wastewater Load	120L/day/pp (tank water supply) x 5 persons (max) = 600 600/10 = 60m trench length required
Description of the Daily Wastewater Load	600L/day
Peak Daily Volumes	600L/day
Land Area Required for Wastewater Disposal	60m <sup>2</sup>
Sizing of the System	One minimum 3,000L dual purpose tank Three trenches with dimensions 20mL x 1m W x 0.6mD (each)
Reserve Area	60m <sup>2</sup>

<b>Bed Construction Requirements</b>	500mm wide poly trench arches 1m wide bed 0.6m total bed depth In accordance with trench cross section shown on Drawing E01.
--------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------

## 8. Recommendations

The site and soil evaluation has shown that conditions exist that are favorable for the construction of an onsite wastewater system.

The site is suitable for below ground disposal of primary treated effluent into trenches in areas with less than 5% slope. The steeper gradients (5-10%) are not suitable for construction of trenches.

The site is also suitable for above ground (i.e. shallow subsurface drip irrigation) of secondary treated effluent so long as irrigation beds are constructed to prevent runoff/escape of effluent from the irrigation area and are sized in consideration with Table M2 (M9.3) of AS1547:2012. In addition, the location of future irrigation areas (if chosen) should ensure sufficient setbacks to the minor tributary on the adjacent property and internal drainage lines.

This report has been prepared for planning application to determine if the site is capable of providing for onsite wastewater. This report will be required to be amended if the chosen wastewater system (location or type) changes for what is proposed in this report (specifically E01).

Signed  
**JOHNSTONE MCGEE AND GANDY**



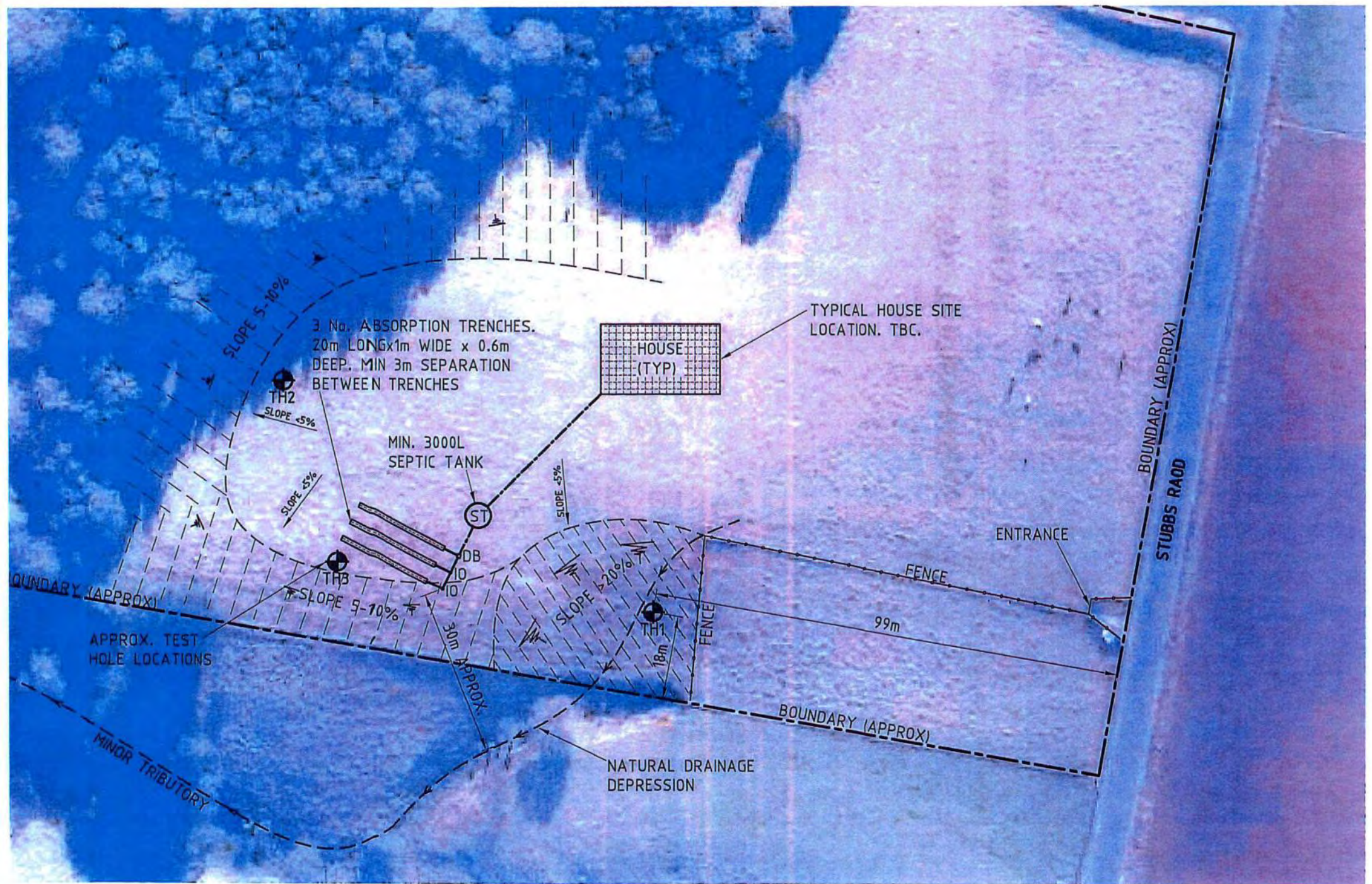
Carmel Parker BSc App  
**SENIOR ENVIRONMENTAL SCIENTIST**

## **APPENDIX A**

---

### **Wastewater Design: E01**

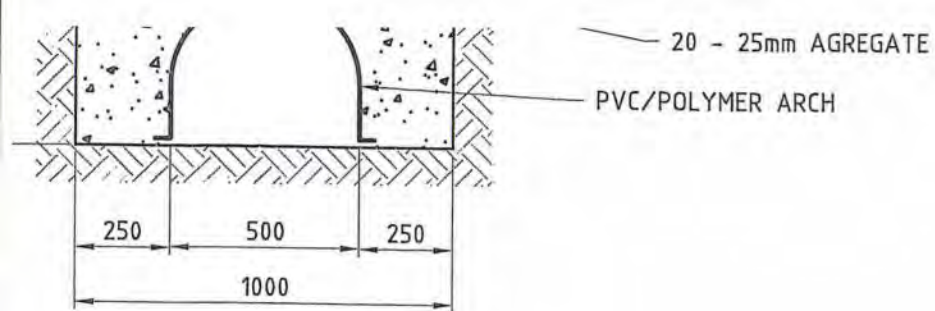






## **APPENDIX B**

### **E02 Typical Trench Design**



## TRENCH DESIGN

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LEVEL ALONG THE LENGTH OF THE BASE.

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IN ACCORDANCE WITH TASMANIAN PLUMBING REGULATIONS 2004,  
S 3500, AS1547:2000 AND TO LOCAL AUTHORITY APPROVAL.

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H STANDARDS, AUTHORITY REQUIREMENTS AND TO FACILITATE

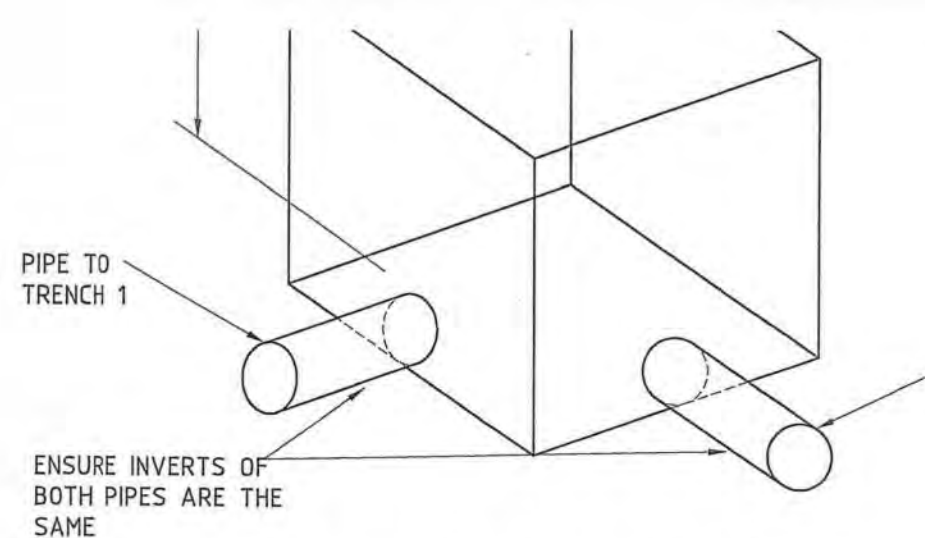
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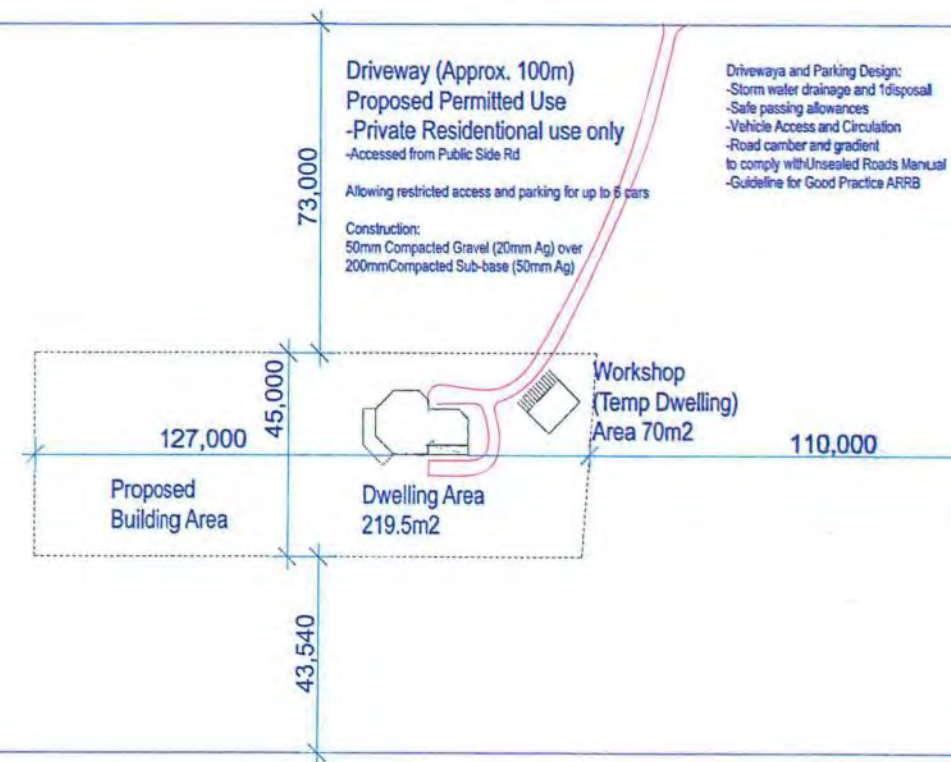
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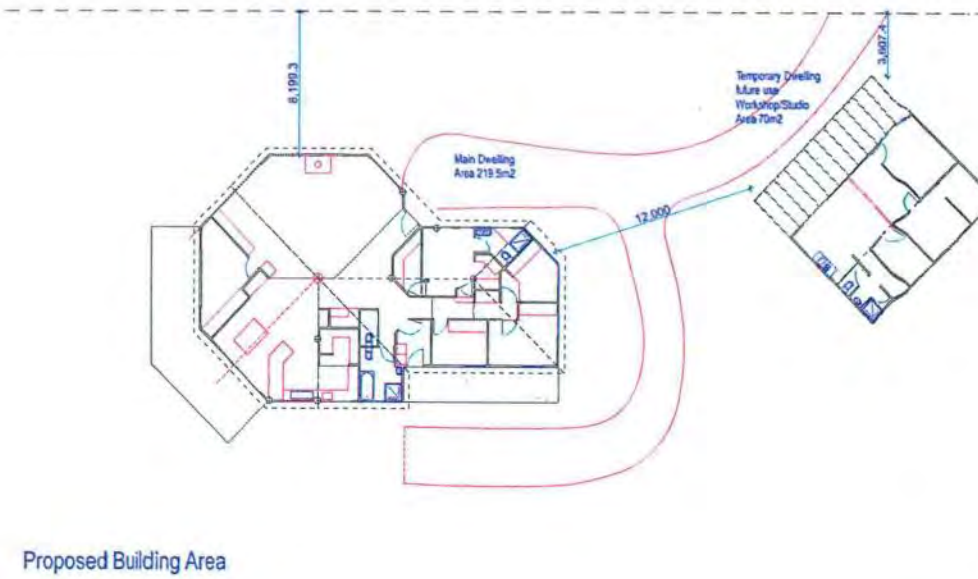
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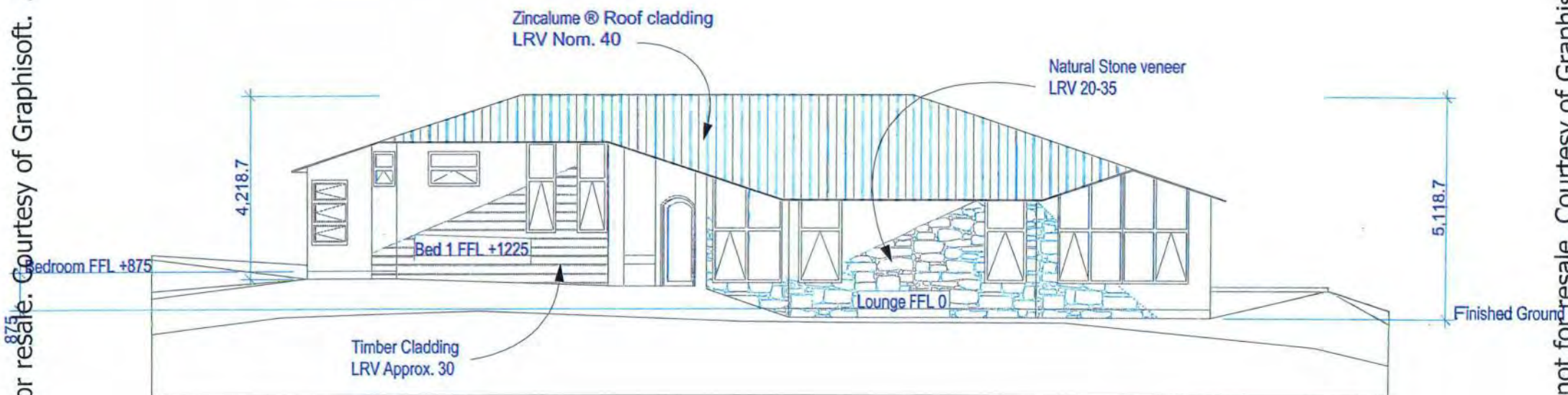
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Zincalume® Roof cladding  
LRV Nom. 40

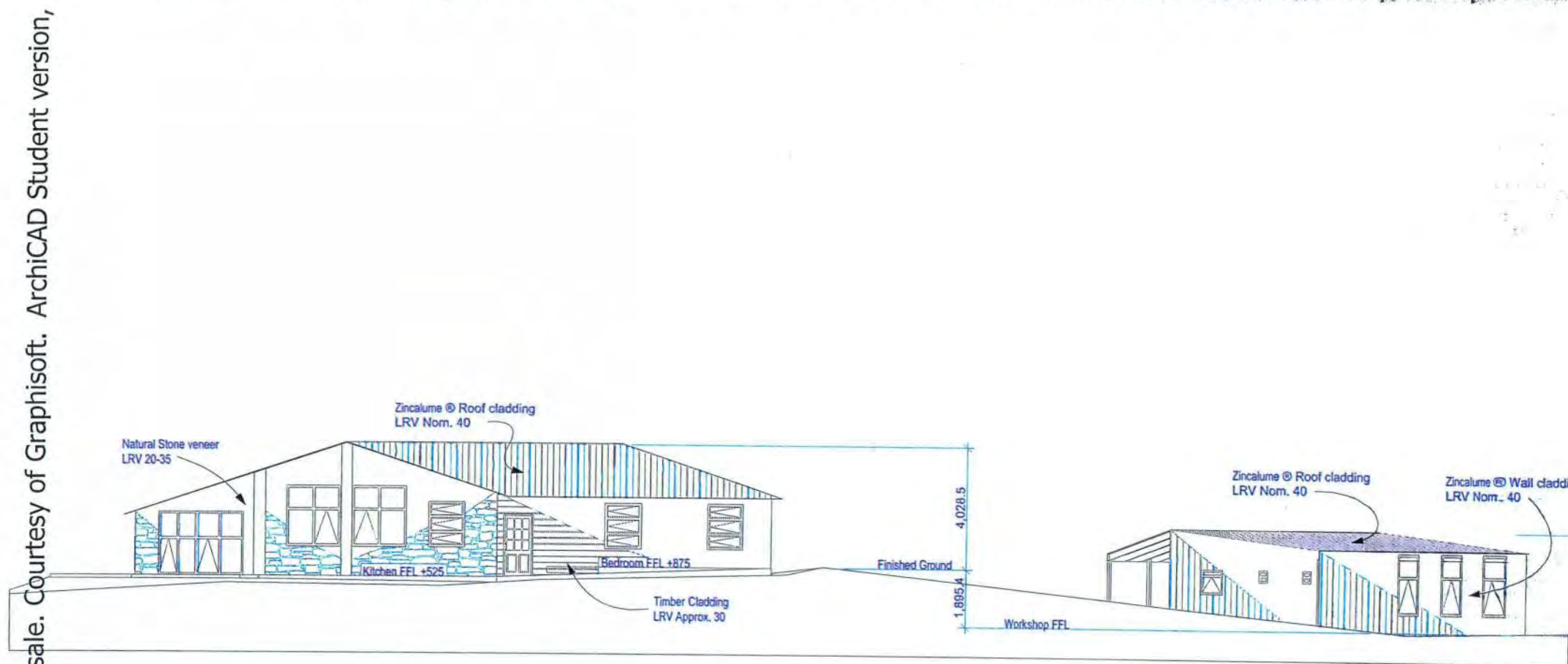
Natural Stone veneer  
LRV 20-35

Bedroom FFL +875

Timber Cladding  
LRV Approx. 30



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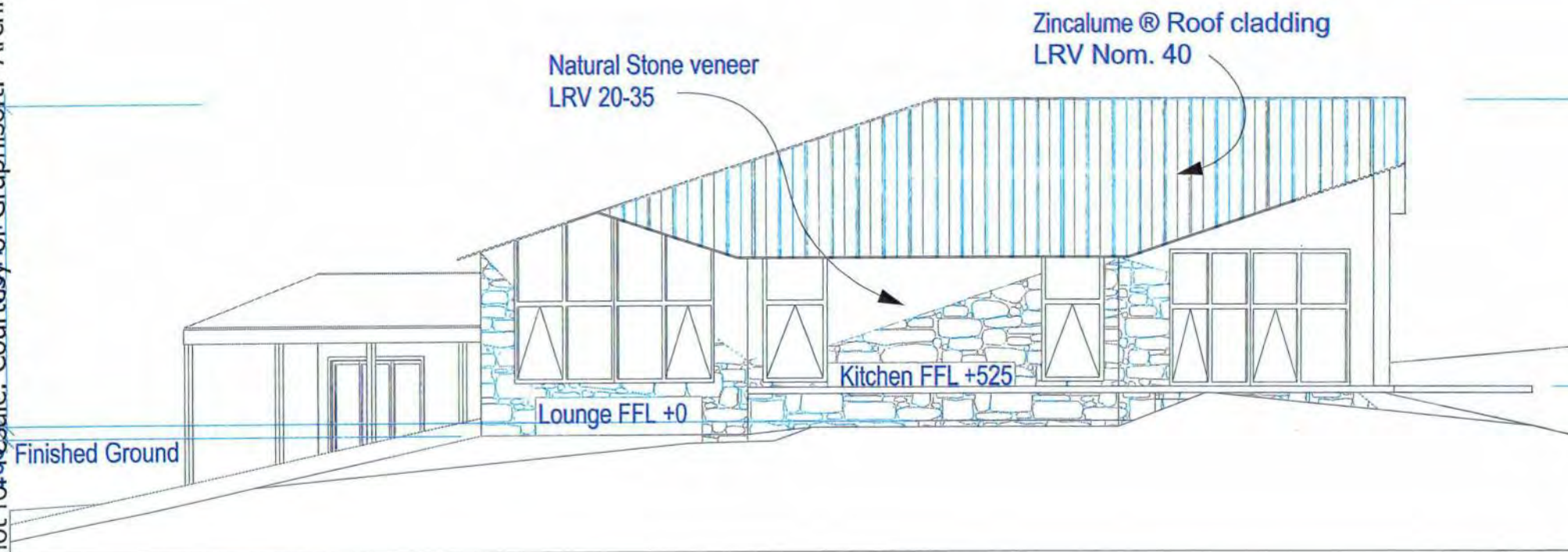
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## Death Notices

### GILL

(nee Griffin)  
Judith Mary  
30.5.1951-5.3.2017  
Dearly loved daughter of Gavin and Moira (both dec.). Sister and sister-in-law of Michael; Peter and Anthea; Patrick and Kate; Gavan and Robbie.  
Peacefully at Rest  
Loved Always

### GILL

(nee Griffin)  
Judith Mary (Judy)  
30.5.1951-5.3.2017  
Our love and special thoughts with Ron, Helen, Robert, Matthew, Pili and David.  
"A life lived with courage, resilience and humour."  
Loved and remembered always.  
Now at peace with Bronwyn (dec.).  
Love Anthea, Peter, Freya, Kiri, Mark & Grace and Dan.

### JEFFREY

(nee Archer)  
Linda Eliza "Lila"  
1.4.1925 - 7.3.2017  
Passed away peacefully at Meercroft Care.  
Beloved wife of the late Max. Beloved Mum of Rod and Jill, Maxine and Teddy, Joe and Kaye. Much loved Nan and Nandee of all her grand and great-grandchildren.  
Loved daughter of the late Lyell "Tot" and Linda Archer. Loved sister and sister-in-law of Jack and Vi, Mick and Jean, Russell and Sis, Rex and Emily (all dec.), Dot and Harold (dec.), Kenzie, Maurice and Fay.  
A beautiful soul at rest

### JONES

Helen Denise O.A.M  
Members of Burnie Arts Council are deeply saddened at the passing of its Patron and inaugural Secretary of the National and State Regional Arts Councils. Helen will long be remembered for her extraordinary contribution to the arts in Burnie: her name will live on through the annual bursary established in 2015.

### MULRANEY

Bernard James (Bernie)  
Passed away unexpectedly on Sunday March 5, 2017. Loving husband of Trish. Proud father of Beau, Melissa and Tom, and Kieran and Caitlyn. Devoted grandpa of Noah.

## Death Notices

### PEARSON

Gale (nee Osborne)  
1951 - 2017  
Passed away peacefully on March 3rd 2017.  
Dearly loved daughter of Lexie and Mick (dec) Osborne. Loved and loving sister of Pam, Lynette, David, Peter and Greg and their partners.  
Loved by all her nieces and nephews.  
A link in the chain has been broken.

### TILLEY

Lawrence Arthur  
Loved and loving husband of Joan (dec). Respected step-father of Janine and Nigel, Roslyn and Michael, and "Laurie" of Neville, Brendan and Martin (dec).  
Rest peacefully.

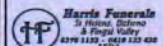
### TILLEY

Lawrence Arthur  
Brethren of Burnie Masonic Lodge are respectfully requested to attend the funeral of their late departed brother at Parkside Funeral Chapel Burnie, Thursday March 2 at 10:30 am.

## Funeral Notices

### BROOKS-KITCHENHAM

Corey Brian  
Family and friends are respectfully invited to attend the Memorial Service for Corey Brian Brooks-Kitchenham to be held on Saturday 11 March 2017 at the Kingdom Hall of Jehovah's Witnesses, 23 Steel Street, Scamander, at 11am.



### CAMERON

Gwen  
Relatives and friends are respectfully invited to attend the funeral service for Mrs Gwen Cameron at the Westbury Uniting Church, cnr of William and Dexter Streets, Westbury on Friday, 10th March 2017, commencing at 3pm.

In lieu of flowers, a donation to the Westbury Community Centre would be appreciated and may be made at the service.



NICHOLAS LEE  
Ph: 6334 3388

## Funeral Notices

### JEFFREY

Linda  
Family and friends of Mrs Linda "Lila" Jeffrey are warmly invited to attend her funeral to be held at Mersey Gardens Chapel 20-24 Stony Rise Road, Devonport on FRIDAY, 10th March 2017 at 2:00 p.m., after which interment will follow at Mersey Vale Memorial Park. In lieu of flowers, donations can be made at the service to Meercroft Care Auxiliary and would be greatly appreciated.



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## Funeral Notices

### MULRANEY

Bernard James  
Relatives and friends are respectfully invited to attend the funeral service of the late Mr Bernard James (Bernie) Mulraney, which will be held at the Garden Chapel, 100 Eastland Drive, Ulverstone (North West Regional Crematorium) at 2 pm on FRIDAY, March 10, 2017. In lieu of flowers donations may be made at the service to the Cancer Council Tasmania.



## In Memoriam

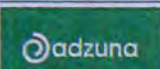
### DUNIAM

Colin  
Goodbyes are not forever, goodbyes are not the end, they simply mean we'll miss you until we meet again.  
Love Maxine and Christine.

## Exchange

### ADELAIDE EXCHANGE JEWELLERS

Cash buyers of jewellery, coins and bullion will be at Burnie-Beachfront Voyager Motel, 9 North Terrace on Thursday 9th March, 2017 from 8am-11am (sharp), and Devonport-Gateway Inn, 16 Fenton Street on Thursday March 9th from 1pm-4pm. We will be paying mainland CASH prices for jewellery of every description, old, new, antique and modern, diamond or stone set, even broken and scrap items, wedding bands, gold lodge medals, dental and mines gold, 1966 50 cent pieces, all coins, bank notes, war medals and collections from Australia and around the world, gold and silver bars, sovereigns, kruggerands. Don't hoard it, bring it in and get some cash!  
Ph. 6234 5000. Est. 1984



## Local Government

### KING ISLAND COUNCIL

Notice under section 301A(6)  
Land Use Planning and Approvals Act 1993  
Urgent Amendment to the King Island Interim Planning Scheme 2013 KIC UA1-2017

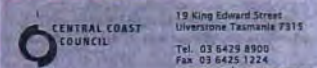
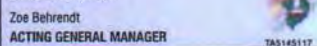
The urgent amendment became effective from 6 March 2017. The Tasmanian Planning Commission made an urgent amendment to the King Island Interim Planning Scheme 2013. The urgent amendment rezones unutilised areas of seabed Taspors licence/operation areas at Currie and Grassy from Environmental Management to Port and Marine.

A copy of the urgent amendment is available for viewing at the following locations for a period of 14 days:

Council office 10 George Street, Currie during normal business hours or on Council's website [www.kingisland.tas.gov.au](http://www.kingisland.tas.gov.au);

The office of the Tasmanian Planning Commission as Level 4, 144 Macquarie Street, Hobart or at [www.ipan.tas.gov.au](http://www.ipan.tas.gov.au)

Dated: 8 March 2017  
Zoe Behrendt  
ACTING GENERAL MANAGER



APPLICATIONS FOR PLANNING PERMITS  
5.57 Land Use Planning and Approvals Act 1993.

The following applications have been received:

- Location: CT7334/4 Stubbs Road, Forth  
Proposal: Residential (multiple dwellings x two) - discretionary use class in Rural Resource Zone and variation to location of a sensitive use  
Application No.: DA216158
- Location: 42 Mary Street, West Ulverstone  
Proposal: Residential (garage) - variation to rear boundary setback standard  
Application No.: DA216160

The applications may be inspected at the Administration Centre, 19 King Edward Street, Ulverstone during office hours (Monday to Friday 8.00am to 4.30pm) and on the Council's website. Any person may make representation in relation to the applications (in accordance with s.57(5) of the Act) by writing to the General Manager, Central Coast Council, PO Box 220, Ulverstone 7315 or by email to [admin@centralcoast.tas.gov.au](mailto:admin@centralcoast.tas.gov.au) and quoting the Application No. Any representations received by the Council are classified as public documents and will be made available to the public where applicable under the Local Government (Meeting Procedures) Regulations 2015. Representations must be made on or before 23 March 2017.

Dated at Ulverstone this 6th day of March, 2017.  
SANDRA AYTON  
General Manager

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## Birthdays



### SMITH Cassandra

Happy 18th Birthday.  
Congratulations  
Best wishes for your 18th Birthday.  
Love Mum, Dad, April and Hayden.

## Death Notices

### BROOKS-KITCHENHAM

Corey Brian  
Sadly passed away on Sunday 5 March 2017. Dearly loved son of Peter and Susan. Beloved brother of Daniel, Rikki, Troy and Sarah.  
Finally at peace, in God's memory, til we meet again in Paradise.  
Privately Cremated.



## Death Notices

### CAMERON

(nee Sheridan)  
Gwen

16.12.1938 - 6.3.2017  
Passed away peacefully at Deloraine District Hospital on Monday.  
Dearly loved and loving wife of Donald for 55 years.

Loved mother and mother-in-law and Nan of John and Sandra, and William; Julie and Tim Broomby, Jodie, Rachael and Daniel; Robert and Deearn, Matthew and Lizzie, and great grandson Tanner; Donald and Karen.  
Sincere thanks to all the staff at Deloraine Hospital for their love and care.  
"Loved always, forever in our hearts, never forgotten."

### DEVLIN

John

Dearly loved brother and brother-in-law of Gae and Frank (dec.). Loved uncle of Michelle and Jan.  
Wonderful memories.



## Annexure 3

Attention: General Manager  
Central Coast Council  
PO Box 220  
Ulverstone.  
7315  
16/03/17

CENTRAL COAST COUNCIL  
Division Plan-lan: S  
Rec'd **20 MAR 2017**  
File No .....  
Doc. Id 264985

Dear Sir/Madam

Re; **DEVELOPMENT APPLICATION - CT7334/4 -**  
**Application Number DA216158** at 338 Stubbs Road Forth.

- (1) Be advised this is a formal "objection" in accordance with 5.7 (5) Land Use Planning and Approvals Act 1993, to the above development.
- (2) The property in question has been a productive piece of agricultural land for cattle and sheep grazing, cropping of potatoes, barley and raspberries, and continues to be a valuable rural asset.
- (3) The bush aspect of the property has not been razed by fire in over 60 years, and should therefore remain as a green belt, thus assisting the many species of wildlife – eg: wallabies, native quoll, Tasmanian Devils, green parrots and other native birds and animals inhabiting the Clayton Rivulet area.
- (4) Council in its wisdom must comply stringently with its "Rural Resource" policy and reject the application on the grounds that the scope of the development is outside the above policy.
- (5) Finally, the matter of 2 dwellings raises concern – why? – in most rural undertakings, one dwelling plus appropriate outbuildings are sufficient.

NOTE: Intensive farming operations are undertaken nearby.

Yours sincerely



Mr H S Harwood  
360 Stubbs Rd  
Turners Beach  
7315

Central Coast Council  
PO Box 220  
19 King Edward St  
Ullwerstone 7315  
Tas

CENTRAL COAST COUNCIL  
DEVELOPMENT & REGULATORY SERVICES

Received: 20 MAR 2017

Application No: 00216153

Doc. ID: 265002

Dear Madam/Sir

Application for planning permit under  
S. 57 Land use planning and approvals act 1993  
CT 7334/4 stubbs RD Forth

As owner of CT-7334/3 and having  
a written agreement with owner of  
CT-241462/1. I would like to bring  
it to your attention that the proposed  
development CT 7334/4 plans on using our  
drive way as a right of way to their land.  
They refer it as a public road/private road  
it is neither.

We are definitely not against the building  
proposal or maybe using the driveway but  
some agreement must be worked out

Yours Sincerely

Dean Gillam





## Annexure 4



Aerial View – CT 7334/4 Stubbs Road, Forth





CT7334/4 Stubbs Road, Forth



CT7334/4 Stubbs Road, Forth





Neighbouring land to CT7334/4 Stubbs Road, Forth



Neighbouring land to CT7334/4 Stubbs Road, Forth



Land adjoining CT7334/4 Stubbs Road, Forth



### 2016–2017 Registration fees and other fees under the *Dog Control Act 2000*

DESCRIPTION	INCENTIVE RATE (IF PAID ON OR BEFORE 31 JULY 2016)	FULL RATE (IF PAID AFTER 31 JULY 2016)
Unsterilised dog	\$53.00	\$96.00
Sterilised dog*	\$31.00	\$42.00
Greyhound registered with the Tasmanian Greyhound Racing Board*	\$31.00	\$55.00
Pure Bred dog* (kept for breeding whose owner is the holder of a current stud prefix recognised by the Tasmanian Canine Association)	\$31.00	\$55.00
Working dog kept for the purpose of working farm stock*	\$31.00	\$55.00
Hunting dog*	\$31.00	\$55.00
Guide, Hearing or Companion dog	Nil	Nil
Newly registered dog (purchased through the year) – first year of registration only	**Pro-rata registration rate	**Pro-rata registration rate
Newly registered dog (up to six months of age)* for the first year of registration only	**Pro-rata registration rate	**Pro-rata registration rate
Registration fee for each Declared Dangerous Dog	\$250.00	\$300.00
Pensioners rate***	\$26.00	\$31.00
Transfer of dog registration from another Tasmanian Council for the same registration period (evidence must be provided)	Nil	Nil
Discount for Obedience Certificate****	\$1.00	\$1.00

\*Proof of evidence must be provided at the time of registration (such as a veterinarian certificate, Tasmanian Canine Association certificate, Greyhound Racing Board certificate, current membership of a recognised hunting dog organisation).

- . \*\*Pro rata registration rate – The rate is calculated as the Full Rate divisible by 12 and multiplied by the number of months or part thereof remaining in the financial year 1 July 2016 to 30 June 2017, or taken to be the Incentive Rate, whichever is the lesser. Note: the pro-rata registration rate does not apply where the owner has neglected to register a dog prior to being impounded.
- . \*\*\*Pensioners rate – The pensioner’s rate applies to ONE dog only (owned by a pensioner at the one property). Evidence such as the Pension Concession Card must be sighted at the time of payment.
- . \*\*\*\*Discount for Obedience Certificate – Proof of evidence must be provided at the time of registration – a current certificate of obedience proficiency has been provided from an approved dog training organisation which has been accepted as a provider of an appropriate obedience certificate.

And that the following fees for the management of the *Dog Control Act 2000* also be fixed:

DETAILS	AMOUNT (\$)
Impounding fee (1 <sup>st</sup> impoundment)*	\$25.00
Impounding fee (subsequent)*	\$75.00
Daily pound fee (per week day or any part thereof)**	\$45.00
Out of hours release fee (additional charge). Note: available in special circumstances only and if an appropriate authorised person is available.	\$90.00
Investigation of nuisance complaint (non-refundable)	\$25.00
Kennel Licence Application (initial) (not including dog registration)	\$120.00
Kennel Licence renewal (per year)	\$50.00
Replacement tag (each)	\$5.00
Dangerous dog collar (each)	Purchase price (plus 5% admin. fee and GST)
Dangerous dog sign (each)	Purchase price (Plus 5% admin. fee and GST)

- . \*Charged for the collection and short-term (less than 12 hours) impoundment.
- . \*\*Charged for long-term (12 hours or more) impoundment and in addition to the Impounding fee.

*Fees for 2016–2017 were approved by the Council on  
18 April 2016 – Minute No. 105/2016*





PERMANENT  
RESIDENT



ENTRANCE  
EXIT



























COPY



CENTRAL COAST  
COUNCIL

## SERVICE REQUEST FORM

10/01/01

### Received Via

☐ Phone ☐ Letter ☐ Fax ☐ In Person ☐ Email  
Date **29/8/13** Time ☐ After Hours  
☒ Councillor

### Details of Requestor

Salutation  
☐ Mr  
☐ Mrs  
☐ Miss  
☒ Ms  
☐ Councillor

First Name

**GERRY**

Surname

**HOWARD**

Address

**9 MAIN RD  
PENGUIN**

### Contact Details

Home Phone

**64372786**

Business Phone

Mobile Phone

Fax

Email

**GERRYANDPAT@BIGPOND.COM**

### Details of Request

#### Request Location

**FRONT BEACH - PENGUIN**

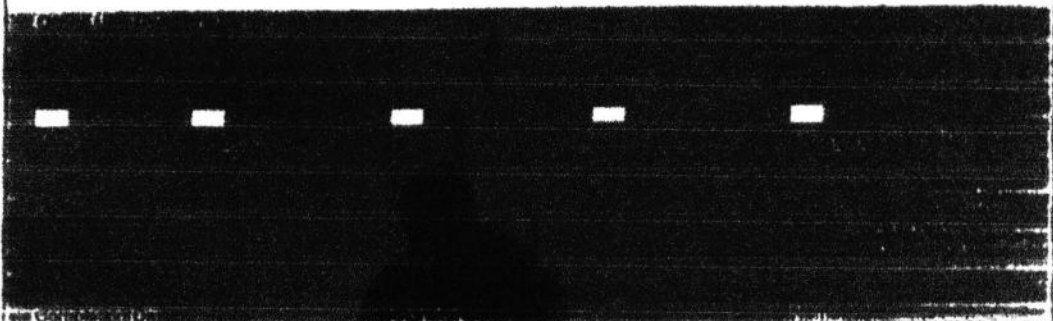
#### Request Details

**FORESHORE WALL BEING ERODED  
& REQUIRES URGENT ATTENTION**

Request Received by:

Job Number

Request Referred to:





## **SCHEDULE OF CONTRACTS AND AGREEMENTS**

(Other than those approved under the Common Seal)

Period: 1 to 31 March 2017

### *Contracts*

- Contract No. 18/2016–2017  
Hardings Hotmix Pty Ltd  
Construction of Wongi Lane bus stops  
Net Price \$303,953.10 (incl. GST)

### *Agreements*

- Infrastructure Relocation and Works Agreement  
Tasmanian Networks Pty Ltd (TasNetworks) and Central Coast Council  
Wongi Lane, Ulverstone – Case Number CS16–8124
- APH Agreement  
Garage No. 4 Annlyn Court  
25–29 Lovett Street, Ulverstone
- Tenancy Agreement  
Unit 14 Cooina Court  
35–37 Main Street, Ulverstone
- Infrastructure Relocation and Works Agreement  
Pitney Bowes Australia Pty Ltd and Central Coast Council  
Software and Data End User Licence Agreement (MapInfo)
- Loan Agreement  
Tasmanian Public Finance Corporation (Tascorp) and Central Coast Council  
\$6,500,000 for 5 years at 3.21%  
Loan Agreement 492
- Loan Agreement  
Tasmanian Public Finance Corporation (Tascorp) and Central Coast Council  
\$780,000 for 5 years at 3.21%  
Loan Agreement 493



- .     Loan Agreement  
      Tasmanian Public Finance Corporation (Tascorp) and Central Coast Council  
      \$200,000 for 5 years at 3.21%  
      Loan Agreement 494
- .     Loan Agreement  
      Tasmanian Public Finance Corporation (Tascorp) and Central Coast Council  
      \$250,000 for 5 years at 3.21%  
      Loan Agreement 495



Sandra Ayton  
GENERAL MANAGER

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

Period: 21 March 2017 to 19 April 2017

*Documents for affixing of the common seal*

· Nil

*Final plans of subdivision sealed under delegation*

- Adhesion Order  
34 Stephen Street, Forth  
Application No. ADH216002 – adhesion of two sub-minimal allotments
- Final Plan of Survey  
212–214 Main Road, Penguin  
Application No. DA216091 – two lot subdivision



Sandra Ayton  
GENERAL MANAGER

**A SUMMARY OF RATES & FIRE SERVICE LEVIES  
FOR THE PERIOD ENDED 31 MARCH 2017**

	2015/2016		2016/2017	
	\$	%	\$	%
Rates paid in Advance	- 837,326.01	-5.95	- 892,195.10	-6.17
Rates Receivable	295,911.64	2.10	228,216.09	1.58
Rates Demanded	14,561,987.40	103.53	15,038,148.67	104.03
Supplementary Rates	44,881.00	0.32	81,005.61	0.56
	14,065,454.03	100.00	14,455,175.27	100.00
Collected	12,519,810.88	89.01	12,930,798.33	89.45
Add Pensioners – Government	872,112.54	6.20	888,632.45	6.15
Pensioners – Council	36,463.67	0.26	34,825.00	0.24
	13,428,387.09	95.47	13,854,255.78	95.84
Remitted	1,492.86	0.01	934.40	0.01
Discount Allowed	547,739.33	3.89	584,736.13	4.05
Paid in advance	- 642,104.50	-4.56	- 705,657.09	-4.88
Outstanding	729,939.25	5.19	720,906.05	4.98
	14,065,454.03	100.00	14,455,175.27	100.00

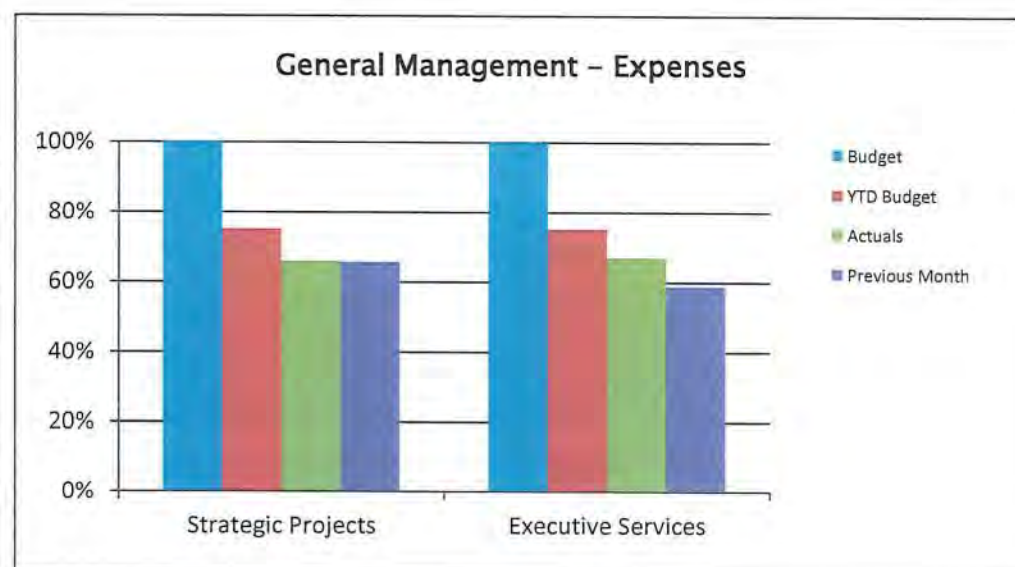
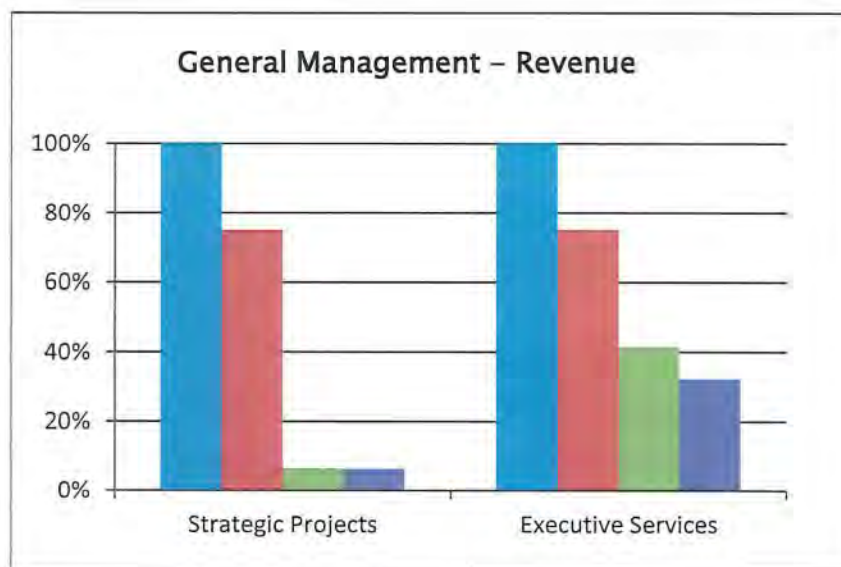


Andrea O'Rourke  
ASSISTANT ACCOUNTANT

1-Apr-2017

## Finance Report – March 2017

GENERAL MANAGEMENT	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
<b>Revenue</b>							
Strategic Projects	(4,373,000)	(3,279,770)	(276,718)	(269,015)	(3,003,052)	(4,096,282)	6%
Executive Services	(16,000)	(12,010)	(6,632)	(5,148)	(5,378)	(9,368)	41%
	<b>\$ (4,389,000)</b>	<b>\$ (3,291,780)</b>	<b>\$ (283,350)</b>	<b>\$ (274,163)</b>	<b>\$ (3,008,430)</b>	<b>\$ (4,105,650)</b>	
<b>Expenses</b>							
Strategic Projects	134,000	100,520	88,201	87,780	12,319	45,799	66%
Executive Services	1,490,000	1,118,210	996,061	873,475	122,149	493,939	67%
	<b>\$ 1,624,000</b>	<b>\$ 1,218,730</b>	<b>\$ 1,084,263</b>	<b>\$ 961,254</b>	<b>\$ 134,467</b>	<b>\$ 539,737</b>	



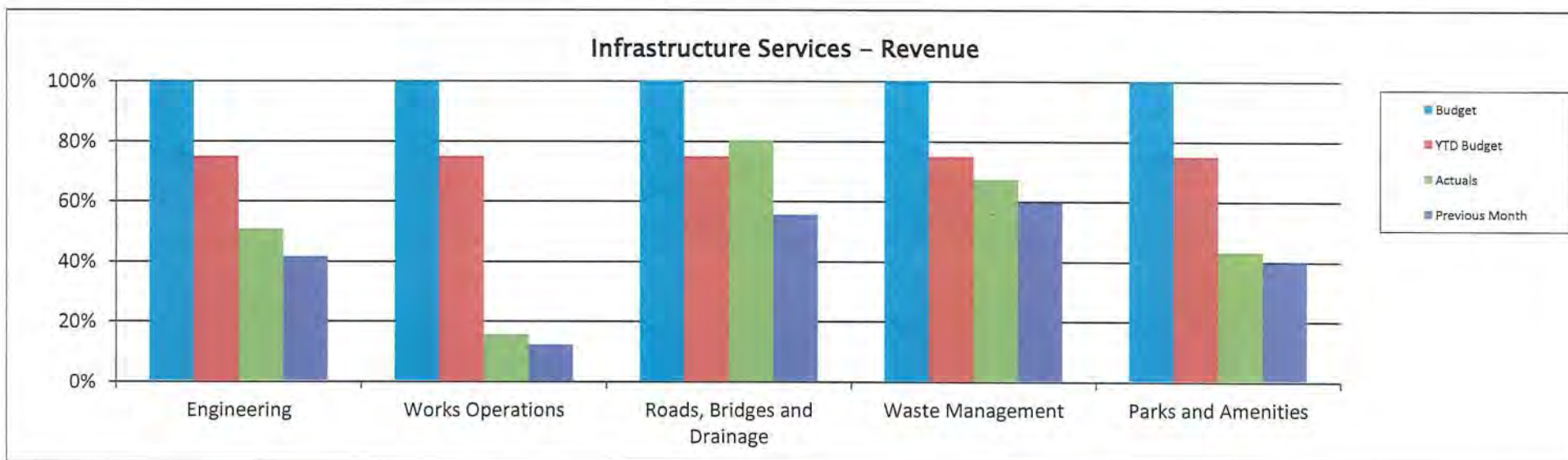
### Variance

Strategic Projects	Revenue less than YTD budget – Budget timing – sale of property and capital contributions.
Strategic Projects	Expenditure greater than YTD budget – Timing in general.
Executive Services	Revenue less than YTD budget – Plant allocated behind budget.
Executive Services	Expenditure less than YTD budget – Timing in general.



## Finance Report – March 2017

INFRASTRUCTURE SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
<b>Revenue</b>							
Engineering	(1,486,000)	(1,114,480)	(753,126)	(616,507)	(361,354)	(732,874)	51%
Works Operations	(3,953,000)	(2,964,749)	(618,789)	(484,901)	(2,345,960)	(3,334,211)	16%
Roads, Bridges and Drainage	(2,542,200)	(1,906,650)	(2,042,435)	(1,414,838)	135,785	(499,765)	80%
Waste Management	(593,500)	(445,120)	(400,238)	(354,793)	(44,882)	(193,262)	67%
Parks and Amenities	(496,250)	(372,182)	(214,509)	(198,510)	(157,673)	(281,741)	43%
	<b>\$ (9,070,950)</b>	<b>\$ (6,803,181)</b>	<b>\$ (4,029,096)</b>	<b>\$ (3,069,549)</b>	<b>\$ (2,774,085)</b>	<b>\$ (5,041,854)</b>	

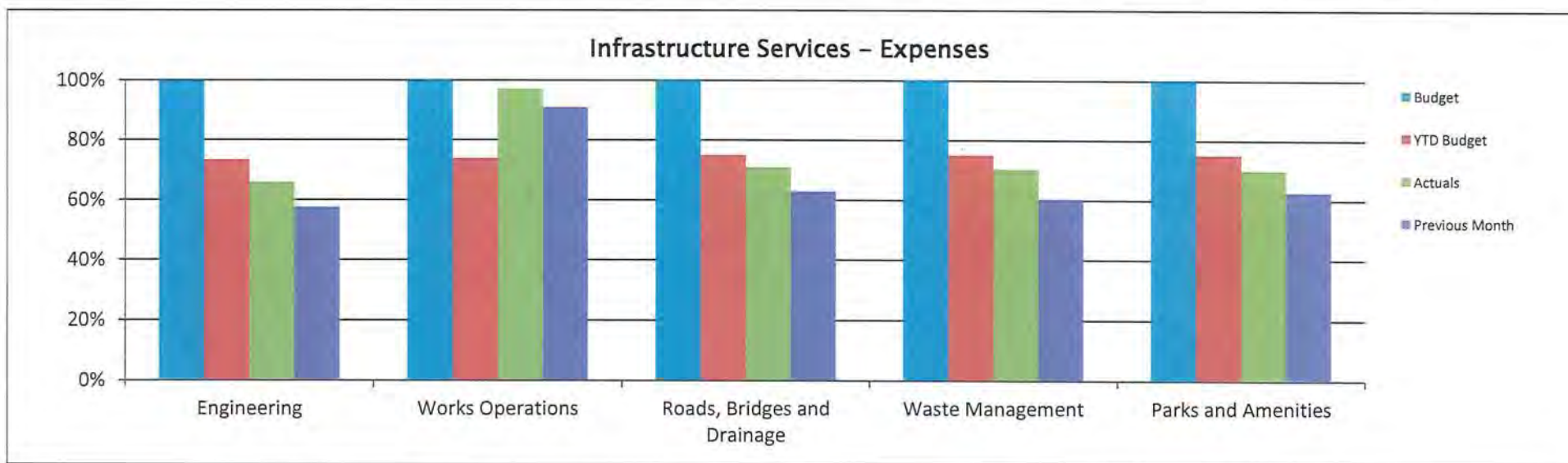


### Variance

Engineering	Revenue under YTD budget – Timing – Capital Works program affected by flood works.
Works Operations	Revenue under YTD budget – Timing – operational programs behind in cost allocations.
Roads, Bridges and Drainage	Revenue under YTD budget – Timing – more Capital Grants have been received.
Waste Management	Revenue under YTD budget – Resource Recovery Centre – entry fees and scrap metal sales behind budget.
Parks and Amenities	Revenue under YTD budget – Timing of revenue in general.

## Finance Report – March 2017

INFRASTRUCTURE SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
<b>Expenses</b>							
Engineering	1,486,000	1,088,105	978,960	853,852	109,145	507,040	66%
Works Operations	1,209,000	892,330	1,173,573	1,099,779	(281,243)	35,427	97%
Roads, Bridges and Drainage	6,997,000	5,247,739	4,959,621	4,399,888	288,118	2,037,379	71%
Waste Management	3,587,500	2,690,524	2,521,197	2,164,659	169,327	1,066,303	70%
Parks and Amenities	2,590,250	1,942,550	1,811,201	1,618,819	131,349	779,049	70%
	<b>\$ 15,869,750</b>	<b>\$ 11,861,248</b>	<b>\$ 11,444,551</b>	<b>\$ 10,136,997</b>	<b>\$ 416,697</b>	<b>\$ 4,425,199</b>	



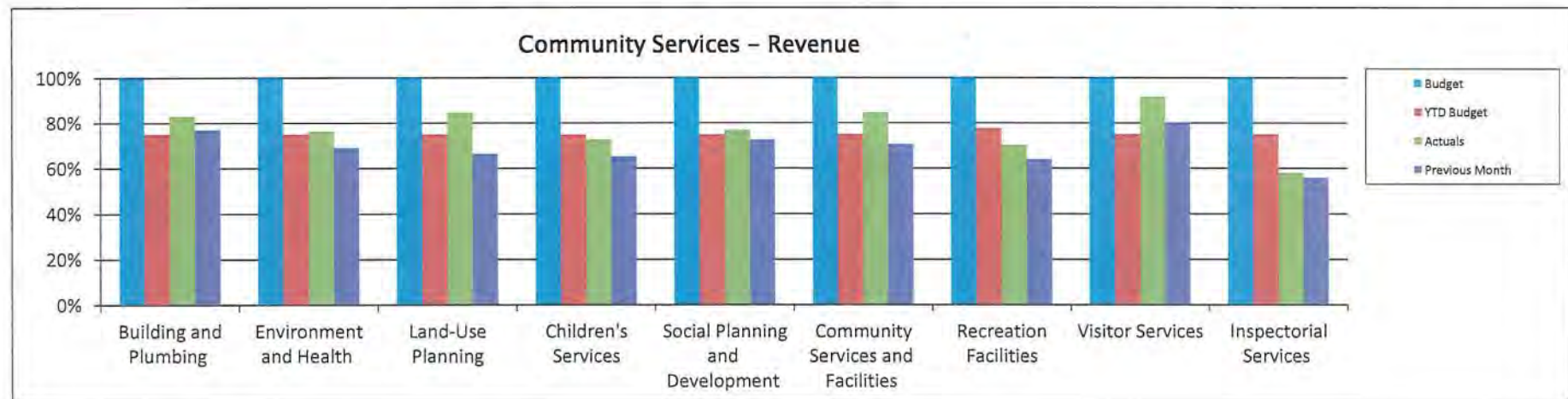
### Variance

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



## Finance Report – March 2017

COMMUNITY SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
<b>Revenue</b>							
Building and Plumbing	(220,000)	(165,010)	(182,374)	(169,074)	17,364	(37,626)	83%
Environment and Health	(70,200)	(52,671)	(53,506)	(48,487)	835	(16,694)	76%
Land-Use Planning	(156,000)	(117,030)	(132,153)	(103,608)	15,123	(23,847)	85%
Children's Services	(1,399,000)	(1,049,200)	(1,018,184)	(913,877)	(31,016)	(380,816)	73%
Social Planning and Development	(90,200)	(67,607)	(69,346)	(65,524)	1,739	(20,854)	77%
Community Services and Facilities	(788,800)	(591,601)	(667,537)	(557,922)	75,936	(121,263)	85%
Recreation Facilities	(616,500)	(478,575)	(433,729)	(394,566)	(44,846)	(182,771)	70%
Visitor Services	(118,000)	(88,489)	(107,961)	(94,689)	19,472	(10,040)	91%
Inspectorial Services	(189,000)	(141,690)	(109,285)	(105,238)	(32,405)	(79,715)	58%
	<b>\$ (3,647,700)</b>	<b>\$ (2,751,873)</b>	<b>\$ (2,774,074)</b>	<b>\$ (2,452,985)</b>	<b>\$ 22,201</b>	<b>\$ (873,626)</b>	

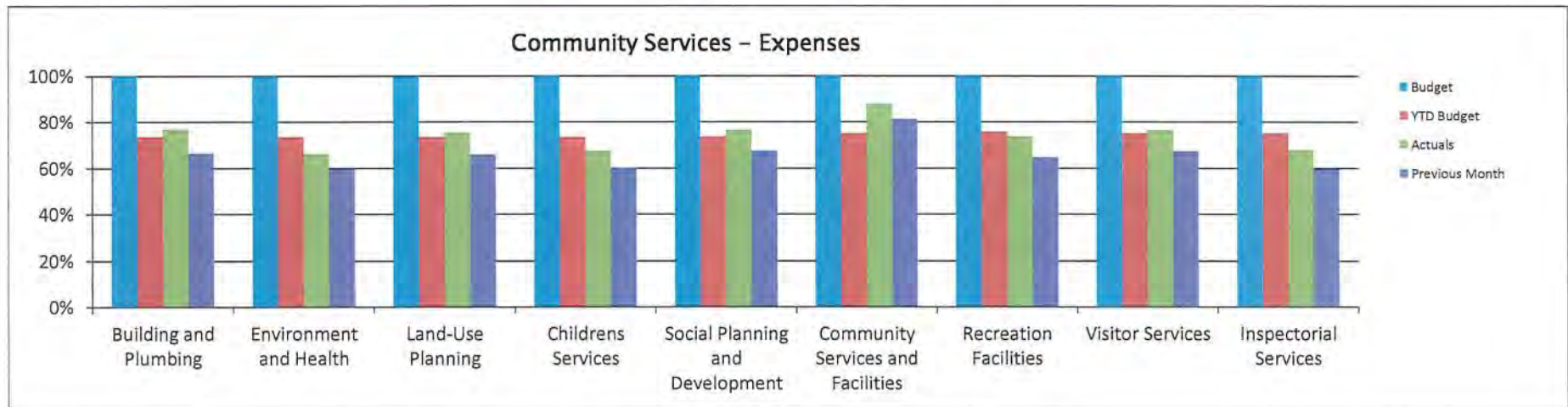


### Variance

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

## Finance Report – March 2017

COMMUNITY SERVICES Expenses	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
Building and Plumbing	474,000	348,410	363,421	315,022	(15,011)	110,579	77%
Environment and Health	338,200	248,171	223,934	201,836	24,237	114,266	66%
Land-Use Planning	577,500	424,120	435,206	380,688	(11,086)	142,294	75%
Children's Services	1,388,000	1,019,390	937,158	834,551	82,232	450,842	68%
Social Planning and Development	824,900	607,657	630,828	557,052	(23,171)	194,072	76%
Community Services and Facilities	1,245,700	934,006	1,094,332	1,012,232	(160,326)	151,368	88%
Recreation Facilities	1,959,300	1,482,652	1,443,790	1,265,825	38,862	515,510	74%
Visitor Services	318,000	238,479	242,790	214,280	(4,311)	75,210	76%
Inspectorial Services	316,000	237,010	214,471	189,724	22,539	101,529	68%
	\$ 7,441,600	\$ 5,539,895	\$ 5,585,930	\$ 4,971,211	\$ (46,035)	\$ 1,855,670	



### Variance

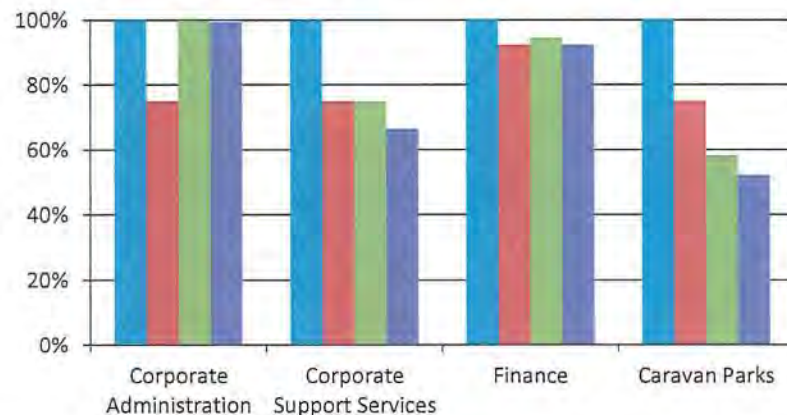
Community Services and Facilities	Actuals greater than YTD budget – Aged Persons Home Units changes.
Recreation Facilities	Actuals less than YTD budget – Timing of expenses mainly in Active Recreation. Actuals more than YTD budget – Due to increased show sale, there is an increase in payments to suppliers, off set by revenue increase.
Inspectorial Services	Actuals less than YTD budget – Timing of costs in general.



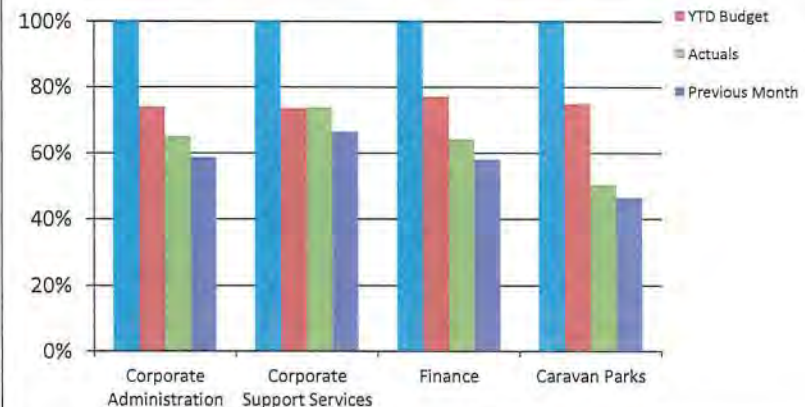
## Finance Report – March 2017

ORGANISATIONAL SERVICES	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
<b>Revenue</b>							
Corporate Administration	(15,200)	(11,390)	(15,375)	(15,099)	3,985	175	101%
Corporate Support Services	(3,333,000)	(2,499,750)	(2,493,812)	(2,217,133)	(5,938)	(839,188)	75%
Finance	(21,083,000)	(19,454,360)	(19,912,194)	(19,457,134)	457,834	(1,170,806)	94%
Caravan Parks	(139,000)	(104,260)	(80,846)	(72,542)	(23,414)	(58,154)	58%
	<b>\$ (24,570,200)</b>	<b>\$ (22,069,760)</b>	<b>\$ (22,502,228)</b>	<b>\$ (21,761,908)</b>	<b>\$ 432,468</b>	<b>\$ (2,067,972)</b>	
<b>Expenses</b>							
Corporate Administration	571,600	423,750	373,273	201,836	50,477	198,327	65%
Corporate Support Services	4,230,000	3,114,900	3,128,818	380,688	(13,918)	1,101,182	74%
Finance	1,817,500	1,400,020	1,167,735	189,724	232,285	649,765	64%
Caravan Parks	84,000	63,000	42,127	–	20,873	41,873	50%
	<b>\$ 6,703,100</b>	<b>\$ 5,001,670</b>	<b>\$ 4,711,953</b>	<b>\$ 772,249</b>	<b>\$ 289,717</b>	<b>\$ 1,991,147</b>	

**Organisational Services – Revenue**



**Organisational Services – Expenses**



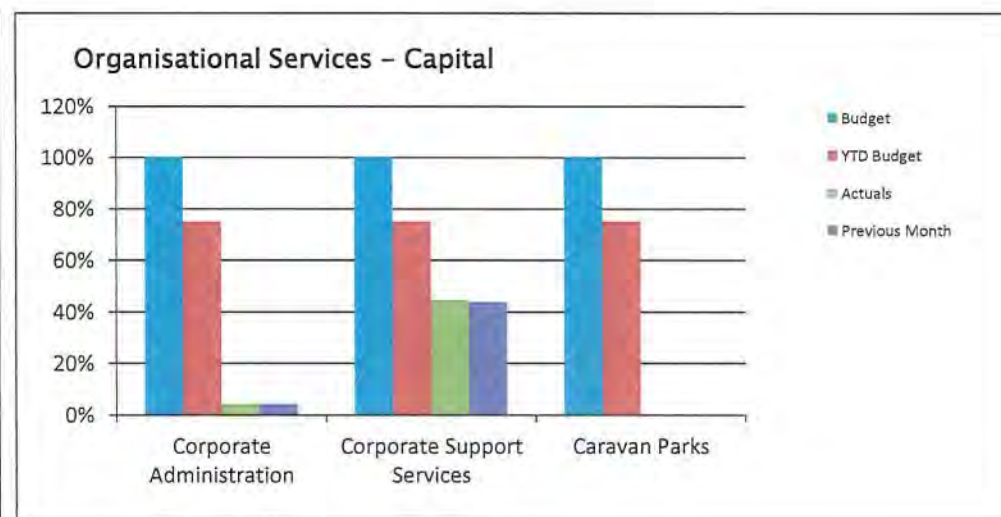
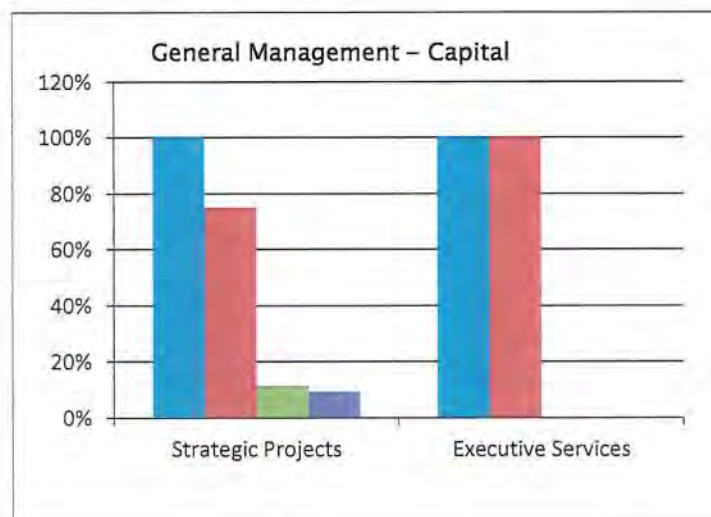
### Variance

Corporate Administration	Revenue more than YTD Budget – Small revenue area and timing in general.
Corporate Support Services	Revenue more than YTD Budget – Timing relating to reimbursements for parental leave.
Finance	Revenue more than YTD Budget – Rates reflected at gross amount before rebates and discounts and Dulverton Dividend.
Caravan Parks	Revenue less than YTD Budget – Timing relating to reallocations.
Caravan Parks	Expenses less than YTD Budget – Timing in general.

## Finance Report – March 2017

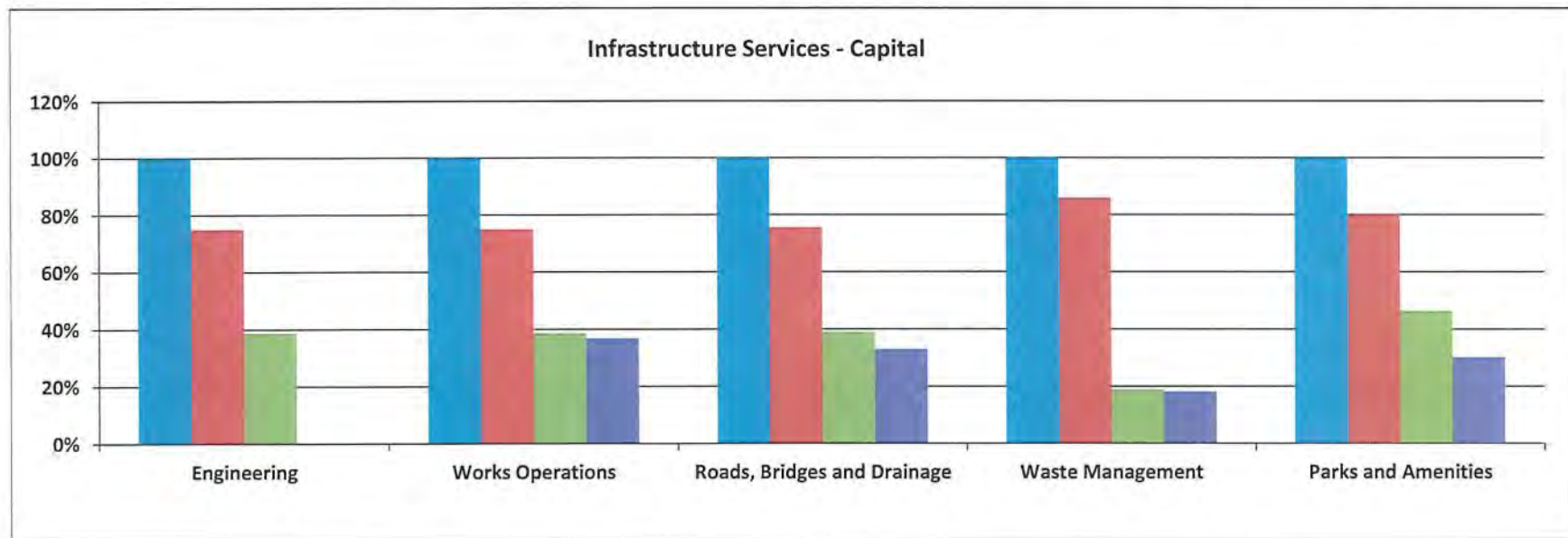
	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
<b>GENERAL MANAGEMENT</b>							
Strategic Projects	6,258,000	4,693,458	718,598	584,027	3,974,860	5,539,402	11%
Executive Services	30,000	30,000	–	–	30,000	30,000	0%
	<b>\$ 6,288,000</b>	<b>\$ 4,723,458</b>	<b>\$ 718,598</b>	<b>\$ 584,027</b>	<b>\$ 4,004,860</b>	<b>\$ 5,569,402</b>	

<b>ORGANISATIONAL SERVICES</b>							
Corporate Administration	81,000	60,771	3,594	3,594	57,177	77,406	4%
Corporate Support Services	160,000	120,001	71,638	70,553	48,363	88,362	45%
Finance	–	–	–	–	–	–	0%
Caravan Parks	42,000	31,500	–	–	31,500	42,000	0%
	<b>\$ 283,000</b>	<b>\$ 212,272</b>	<b>\$ 75,232</b>	<b>\$ 74,147</b>	<b>\$ 137,040</b>	<b>\$ 207,768</b>	



## Finance Report – March 2017

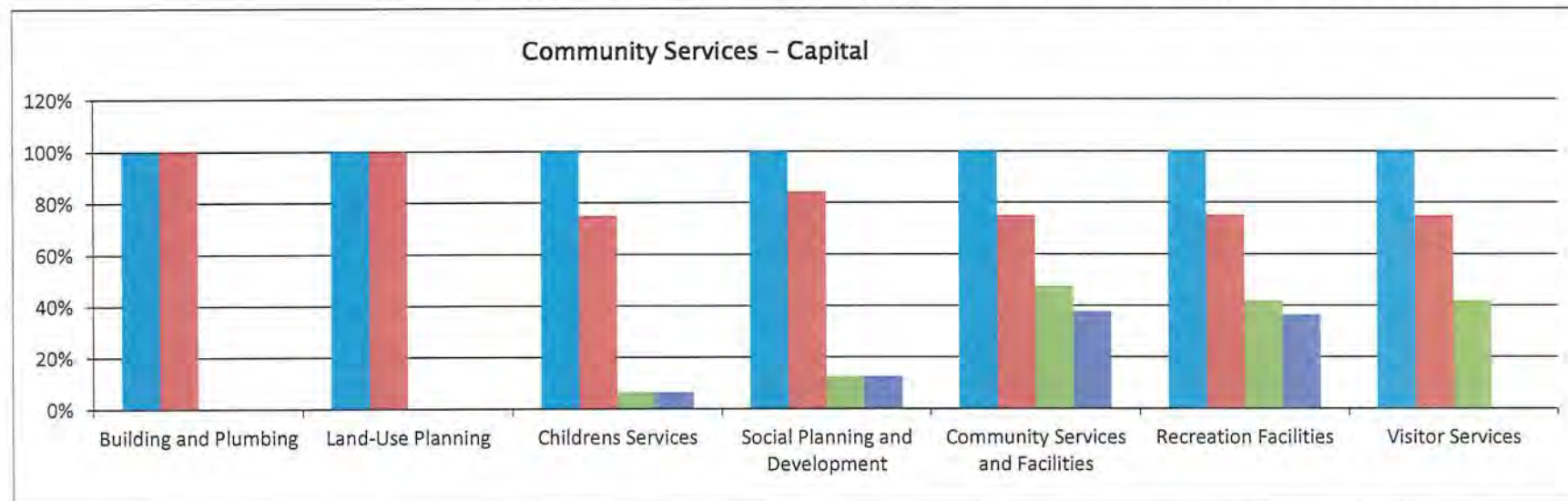
	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
<b>INFRASTRUCTURE SERVICES</b>							
Engineering	152,000	113,999	-	-	113,999	152,000	0%
Works Operations	3,899,000	2,924,249	1,509,164	1,438,258	1,415,085	2,389,836	39%
Roads, Bridges and Drainage	5,799,000	4,389,216	2,261,891	1,915,642	2,127,325	3,537,109	39%
Waste Management	510,000	438,699	96,350	92,208	342,349	413,650	19%
Parks and Amenities	859,000	687,976	396,510	258,840	291,466	462,490	46%
	<b>\$ 11,219,000</b>	<b>\$ 8,554,139</b>	<b>\$ 4,263,915</b>	<b>\$ 3,704,949</b>	<b>\$ 4,290,224</b>	<b>\$ 6,955,085</b>	





## Finance Report – March 2017

	Budget	YTD Budget	Actuals	Previous Month	YTD Variance	Remaining	% of Budget
<b>COMMUNITY SERVICES</b>							
Building and Plumbing	30,000	30,000	–	–	–	30,000	0%
Land-Use Planning	58,000	22,500	–	–	–	58,000	0%
Children's Services	33,000	24,750	2,075	2,075	–	30,925	0%
Community Development	153,000	128,721	19,021	19,021	109,700	133,979	12%
Community Services & Facilities	359,300	269,396	170,486	134,827	98,910	188,814	47%
Recreation Facilities	520,500	390,297	216,818	188,465	173,479	303,682	42%
Environmental Health	30,000	22,500	–	–	22,500	30,000	0%
Visitor Services	5,000	3,740	1,839	–	1,901	3,161	37%
	<b>\$ 1,188,800</b>	<b>\$ 891,904</b>	<b>\$ 410,240</b>	<b>\$ 344,389</b>	<b>\$ 406,489</b>	<b>\$ 778,560</b>	



Strategic Projects	Expenses less than budget – Timing of projects relating to the receipt of grant income.
Works Operations	Expenses less than budget – Timing of projects on works program.
Roads, Bridges and Drainage	Expenses less than budget – Timing of projects and impact of floods on works program.
Waste Management	Expenses less than budget – Timing of projects in general.
Parks and Amenities	Expenses less than budget – Timing of projects in general.
Community Services & Facilities	Expenses less than budget – Timing of projects in general.
Recreation Facilities	Expenses less than budget – Timing of projects in general.
Visitor Services	Expenses less than budget – Timing of projects in general.



## BANK RECONCILIATION

FOR THE PERIOD 1 MARCH TO 31 MARCH 2017

Balance Brought Forward (28/2/2017)	10,246,986.14
Add, Revenue for month	1,874,173.03
	<u>12,121,159.17</u>
Less, Payments for month	2,318,138.06
	<u>9,803,021.11</u>
Balance as at 31 March 2017	

Balance as at Bank Account as at 31 March 2017	55,523.19
Less, Unpresented Payments	<u>16,034.32</u>
	39,488.87
Cash on Hand	<u>36,026.98</u>
Operating Account	3,461.89
Interest Bearing Term Deposits	9,799,559.22
	<u>9,803,021.11</u>



Andrea O'Rourke  
ASSISTANT ACCOUNTANT

05-April-2017

## Works Program 2016-2017

(Schedule indicates site construction only)

[illegible]

## Works Program 2016-2017

(Schedule indicates site construction only)

[illegible]

## Works Program 2016-2017

(Schedule indicates site construction only)

[illegible]