

CENTRAL COAST COUNCIL

DEVELOPMENT SUPPORT SPECIAL COMMITTEE

Notice of Meeting and

Agenda

10 APRIL 2017

To all members

NOTICE OF MEETING

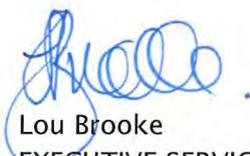
In accordance with the *Local Government (Meeting Procedures) Regulations 2015*, notice is given of the next ordinary meeting of the Development Support Special Committee which will be held in the Council Chamber of the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 10 April 2017. 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 5th 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

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 Development Support Special Committee 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

NOTES

AGENDA

MEMBERS PRESENT

MEMBERS APOLOGIES

EMPLOYEES ATTENDANCE

EMPLOYEES APOLOGIES

PUBLIC ATTENDANCE

BUSINESS

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1 CONFIRMATION OF MINUTES OF THE COMMITTEE

1.1 Confirmation of minutes

The Director Community Services reports 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.

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 meeting of the Development Support Special Committee held on 14 March 2017 be confirmed.”
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2 MAYOR'S COMMUNICATIONS

2.1 Mayor's communications

The Mayor reports 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.

A suggested resolution is submitted for consideration.”

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

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3 DECLARATIONS OF INTEREST

3.1 Declarations of interest

The Mayor reports as follows:

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

The Director Community Services reports 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.”

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4 ADJOURNMENT OF MEETING

4.1 Adjournment of meeting

The Mayor reports 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.”

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5 DEPUTATIONS

5.1 Deputations

The Director Community Services 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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6 OPEN REPORTS

6.1 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
<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.

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 219.5m² in area, single-storey, three to four bedrooms, hexagon shaped and clad in timber veneer. The development would include a 40m² deck on the western side of the dwelling and an 18.52m² 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 70m² 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
26.1.2 Local Area Objectives	
<p>(a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;</p> <p>(b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;</p> <p>(c) Air, land and water resources are protected against –</p> <p style="padding-left: 20px;">(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: 20px;">(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>
<p>26.1.3 Desired Future Character Statements</p>	
<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"> (i) expansive areas for agriculture and forestry; (ii) mining and extraction sites; (iii) utility and transport sites and extended corridors; and (iv) service and support buildings and work areas of substantial size, utilitarian character, and visual prominence that are sited and managed with priority for operational efficiency <p>(b) may be interspersed with –</p> <ul style="list-style-type: none"> (i) small-scale residential settlement nodes; (ii) places of ecological, scientific, cultural, or aesthetic value; and (iii) pockets of remnant native vegetation <p>(c) will seek to minimise disturbance to –</p> <ul style="list-style-type: none"> (i) physical terrain; (ii) natural biodiversity and ecological systems; 	<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.
26.3 Use Standards	
26.3.1 Requirement for discretionary non-residential use to locate on rural resource land	
<p>26.3.1-(P1) Other than for residential use, discretionary permit use must:</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement;</p> <p>(c) be required to locate on rural resource land for operational efficiency:</p> <p style="padding-left: 40px;">(i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;</p> <p style="padding-left: 40px;">(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>

<ul style="list-style-type: none"> (iii) to access a product of primary industry from a use on the site or on adjacent land in the zone; (iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone; (v) if required – <ul style="list-style-type: none"> a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose; b. for security; c. for public health or safety if all measures to minimise 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; (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; (vii) to provide an essential utility or community service infrastructure for the municipal or regional community 	
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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>	
<p>26.3.2 Required Residential Use</p>	
<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>	
<p>26.3.3 Residential use</p>	
<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 100m² 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>
<p>26.4 Development Standards</p>	
<p>26.4.1 Suitability of a site or lot on a plan of subdivision for use or development</p>	
<p>26.4.1-(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) unless for agricultural use, have an area of not less than 1.0 hectare not including any access strip; and</p> <p>(b) if intended for a building, contain a building area</p> <p>(i) of not more than 2,000m² or 20% of the area of the</p>	<p>(a) Compliant. Land area is 7.97ha.</p> <p>(b)(i) Compliant. Proposed building area would be 289m².</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 ^{R31} with a storage capacity of not less than 10,000 litres if:</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for:</p> <p>a. a single dwelling; or</p> <p>b. a use with an equivalent population of not more than 10 people per day.</p>	<p>(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"> a. is for a single dwelling; or b. provides for an equivalent population of not more than 10 people per day; or (iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS 1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip. 	
<p>26.4.1-(A5) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <ul style="list-style-type: none"> (a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or (b) if stormwater cannot be drained to a stormwater system: <ul style="list-style-type: none"> (i) for discharge to a natural drainage line, water body or watercourse; or (ii) for disposal within the site if: <ul style="list-style-type: none"> a. the site has an area of not less than 5,000m²; 	<ul style="list-style-type: none"> (a) Not applicable. Satisfied by (b)(i). (b)(i) Compliant. Stormwater drainage to a minor tributary that drains to Claytons Rivulet. (b)(ii) Not applicable. Satisfied by (b)(i).

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

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 <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;
 - (vii) 100m from land designated for production forestry;

- (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>(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>
<p>26.4.4 Subdivision</p>	
<p>26.4.4-(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use either State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>
<p>26.4.5 Buildings for Controlled Environment Agriculture</p>	
<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>

(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	
E1 Bushfire-Prone Areas Code	Not applicable. Not a subdivision or vulnerable or hazardous use.
E2 Airport Impact Management Code	Not applicable. No Code in this Scheme.
E3 Clearing and Conversion of Vegetation Code	Not applicable. No clearing or conversion of native threatened vegetation.
E4 Change in Ground Level Code	Not applicable. No cut or fill proposed greater than 1 m.
E5 Local Heritage Code	Not applicable. No places of local significance listed in this Scheme.
E6 Hazard Management Code	Not applicable. Site not included in a mapped hazard area.
E7 Sign Code	Not applicable. No signs proposed.
E8 Telecommunication Code	Not applicable. No telecommunications proposed.

E9 Traffic Generating Use and Parking Code	
E9.2 Application of this Code	Applicable. Applies to all use and development
E9.4 Use or development exempt from this Code	Not exempt. No Local Area Parking Scheme.
E9.5 Use Standards	
E9.5.1 Provision for parking	
E9.5.1-(A1) Provision for parking must be:	Compliant.
(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;	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.
E9.5.2 Provision for loading and unloading of vehicles	
E9.5.2-(A1) There must be provision within a site for:	(a) Not applicable. Not required for residential development.
(a) on-site loading area in accordance with the requirement in the Table to this Code; and	(a) Not applicable. Passenger pick-up and set-down facilities not required for residential development.
(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.	

E9.6 Development Standards	
E9.6.2 Design of vehicle parking and loading areas	
E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and	Compliant. 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.
E9.6.2 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –	(a) Compliant. 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.
(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;	(b) Not applicable. Applies where 20 spaces are proposed or required.
(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;	(c) Not applicable. Applies where 20 spaces are proposed or required.
(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;	(d) Not applicable. Applies where 20 spaces are proposed or required.
(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;	(e) Compliant. The site has sufficient area to accommodate this requirement. A Permit should require compliance with the Standard.
(e) Each parking space must be separately accessed from the	

<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>E10 Water and Waterways Code</p>	<p>Not applicable. Not within 30m of a waterway.</p>
<p>Specific Area Plans</p>	<p>Not applicable. No Specific Area Plans apply to this area.</p>

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.”

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.....

.....

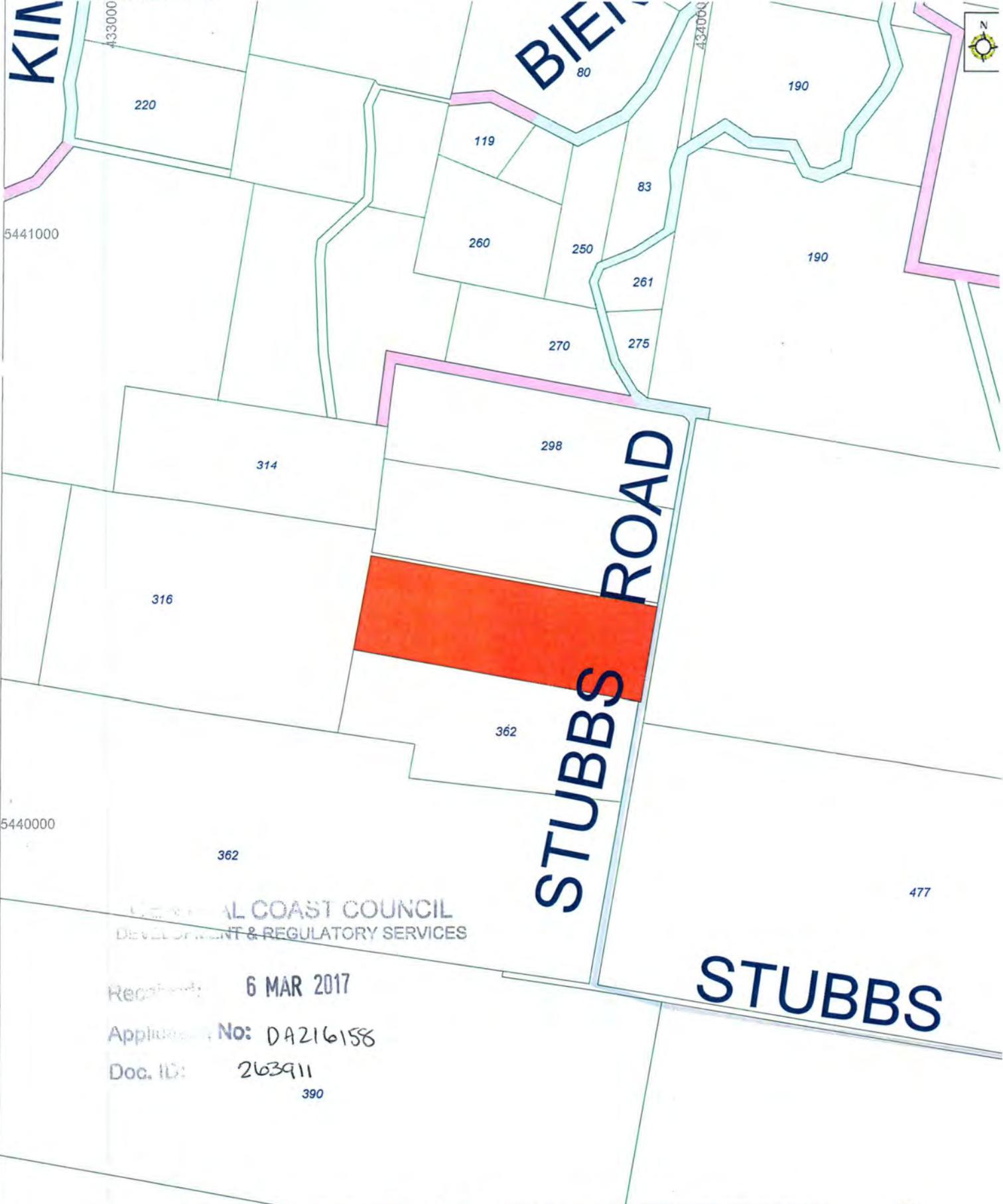
Associated Reports And Documents

Annexure 1

CT7334/4 Stubbs Road, Forth

KIM

BIEI



CENTRAL COAST COUNCIL
DEVELOPMENT & REGULATORY SERVICES

Received: 6 MAR 2017

Application No: DA216158

Doc. ID: 263911
390



DA216158

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
www.centralcoast.tas.gov.au



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

Office use only
 Application No PA216158
 Date Received 15/2/17
 Permit Pathway - Permitted/Discretionary

Use or Development Site:

Street Address	Stubbs Road, Forth	CENTRAL COAST COUNCIL DEVELOPMENT & REGULATORY SERVICES Received: 15 FEB 2017 Application No: DA 216158 Doc ID: 263910
Certificate of Title Reference	7334/4	

Applicant/s

First Name		Second Name	
Surname or Company name	Ian 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 & 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 289.5m²

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	\$
TOTAL	\$
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

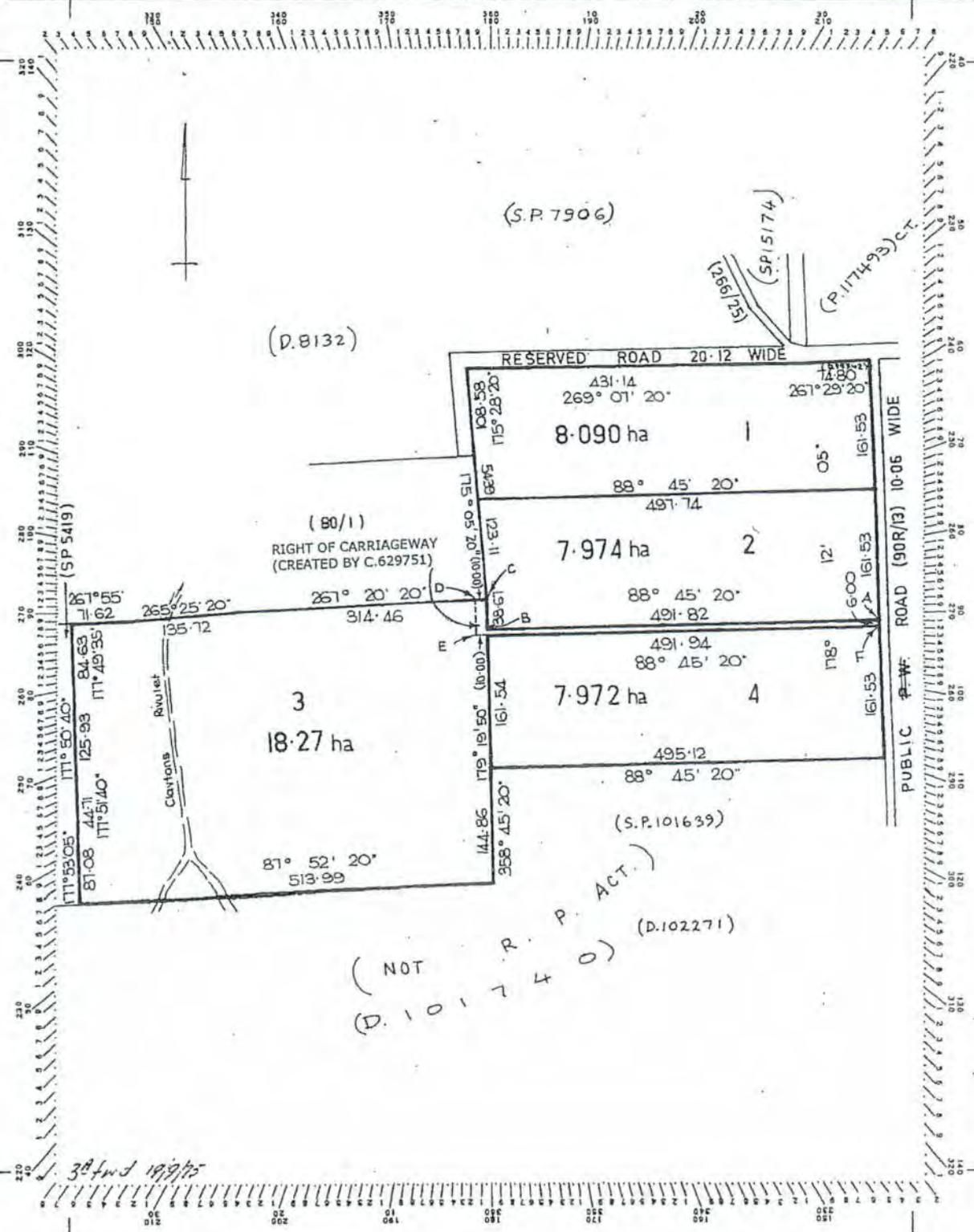
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

DA216158
DOC ID: 26391

7334 18 SEP 1975 C.T. 3514-79

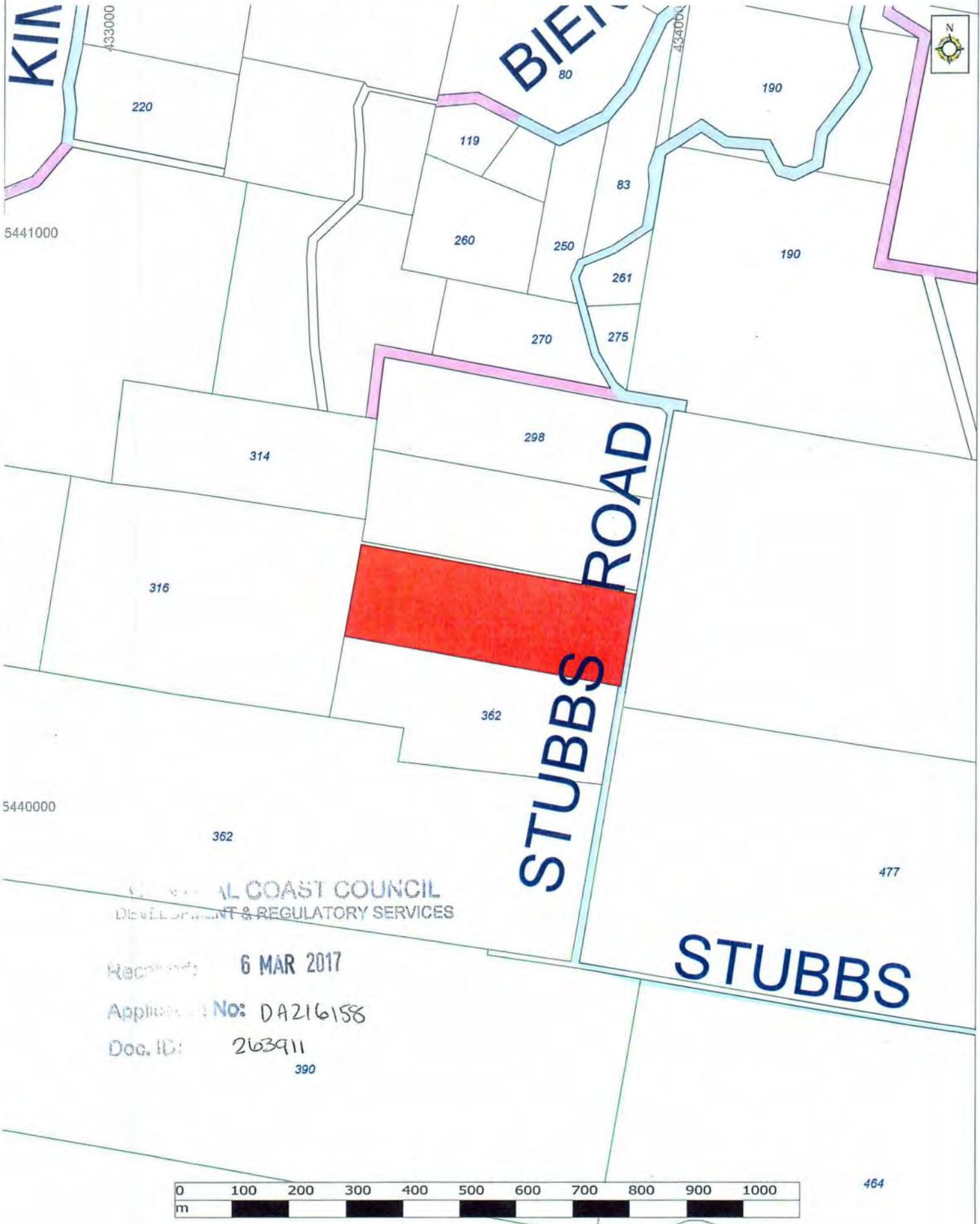
Owner: A. J. Gillam	PLAN OF SURVEY by Surveyor MR. N. D. LESTER of land situated in the	Registered Number: S.P. 7334
Title Reference: Conv 32-5718		LAND DISTRICT OF DEVON PARISH OF ABBOTSHAM
Grantee: Part of Lot 491, 259 Ac., Thomas Drew Pur.	Scale: 1:5000 Measurements in metres	P/I Recorder of titles



(NOT
(D. 101740)
P. ACT.)
(D. 102271)

30th and 1997/75

CT7334/4 Stubbs Road, Forth



CENTRAL COAST COUNCIL
DEVELOPMENT & REGULATORY SERVICES

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)
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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 m² with a 40 m² deck on the western façade and an 18.5 m² 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 m²) than that defined in the planning scheme:

ancillary dwelling

means an additional dwelling:

- (a) with a floor area not greater than 60m²;*
- (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>A1</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 100m² 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>P1</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).

<p>26.1.2 Local Area Objectives</p> <p><i>(a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;</i></p> <p><i>(b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;</i></p> <p><i>(c) Air, land and water resources are protected against -</i></p> <p><i>(i) permanent loss to a use or development that has no need or reason to locate on land containing such a resource; and</i></p> <p><i>(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;</i></p> <p><i>(d) Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;</i></p> <p><i>(e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;</i></p> <p><i>(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;</i></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

(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

<p>A1</p> <p><i>A building or a utility structure, other than a crop protection structure for an agricultural use, must be setback -</i></p> <ul style="list-style-type: none"> <i>(a) not less than 20.0m from the frontage; or</i> <i>(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;</i> <i>(c) not less than 10.0m from each side boundary; and</i> <i>(d) not less than 10.0m from the rear boundary; or</i> <i>(e) in accordance with any applicable building area shown on a sealed plan</i> 	<p>P1</p> <p>...</p>
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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.

<p>A2 Building height must not be more than 8.5m</p>	<p>P2 ***</p>
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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.

<p>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 - (a) not project above an elevation 15m below the closest ridgeline; (b) be not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland; (c) be below the canopy level of any adjacent forest or woodland vegetation; and (d) clad and roofed with materials with a light reflectance value of less than 40%.</p>	<p>P3.1 ***</p>
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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

<p>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;</p>	<p>P1 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 - (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 Water Management</p>
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<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>
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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>A1</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>P1</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 m² 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>A1.1</p> <p><i>All development must provide for the collection, drainage and disposal of stormwater; and</i></p> <p>A1.2</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>P1</p> <p>***</p>

E9.6.1 Design of vehicle parking and loading areas	
<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>	

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	P2 ***
<p><i>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</i></p>	

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.

APPENDIX A

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

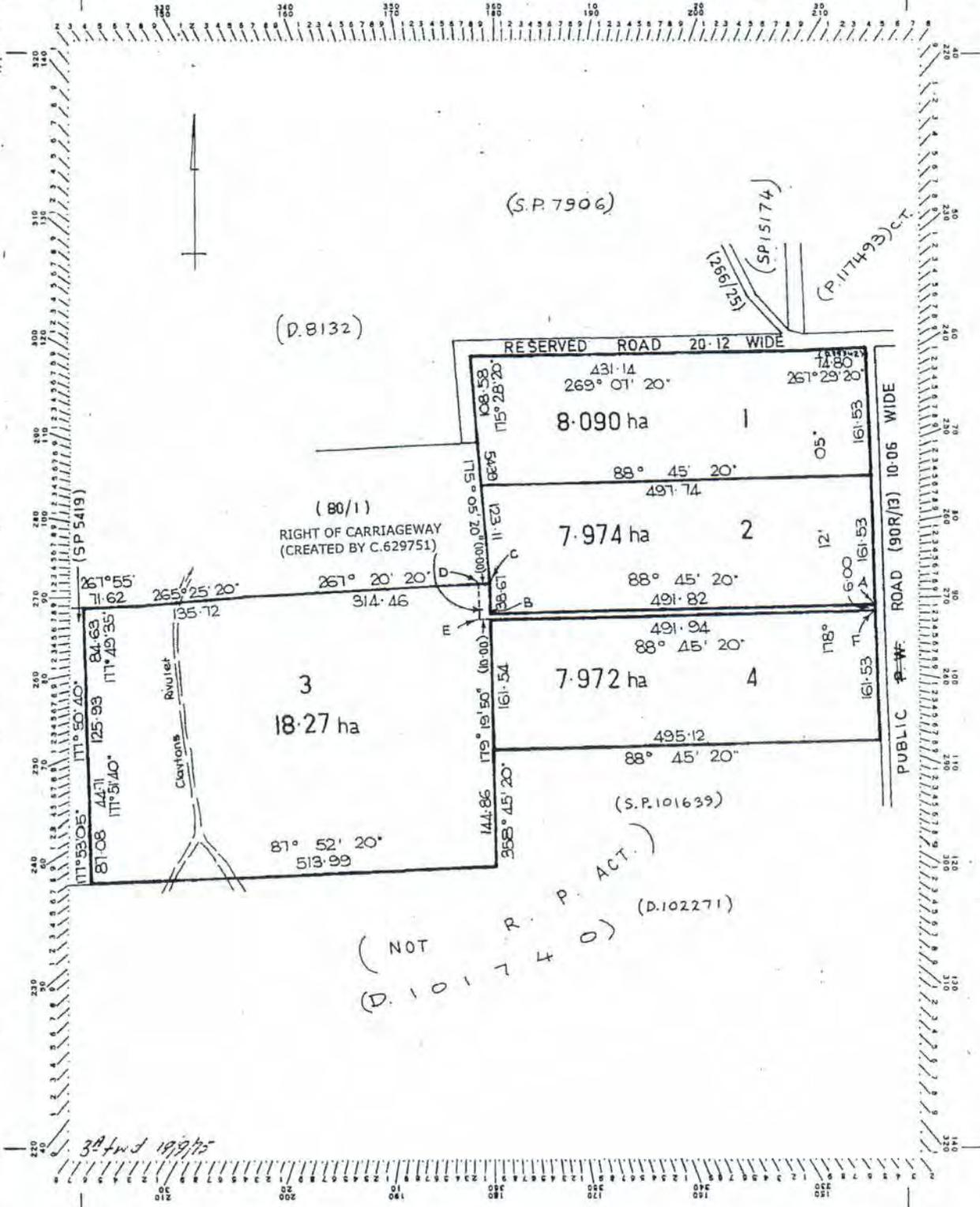
Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

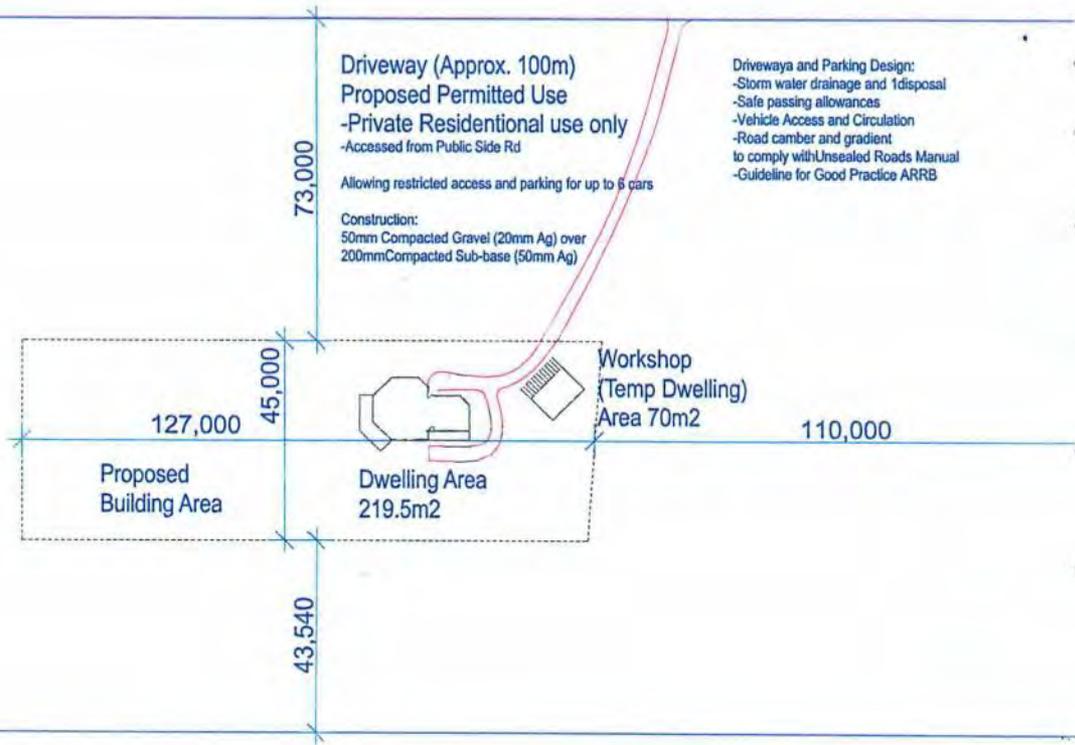
7334 18 SEP 1975 C.T. 3514-79

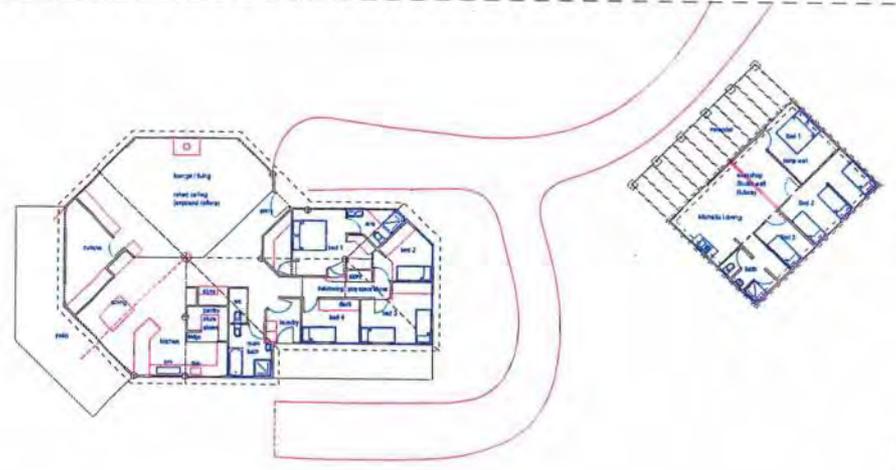
Owner: A. J. Gillam	<p>PLAN OF SURVEY</p> <p>by Surveyor <u>MR. N. D. LESTER</u> of land situated in the</p> <p>LAND DISTRICT OF DEVON PARISH OF ABBOTSHAM</p> <p>Scale: 1:5000 Measurements in metres</p>	Registered Number: S.P.7334
Title Reference: Conv 32-5718		Effective from: 25 FEB 1976
Grantee: Part of Lot 491, 259 Ac., Thomas Drew Pur.		<p>P/I <i>M. D. Lester</i></p> <p>Recorder of titles</p>



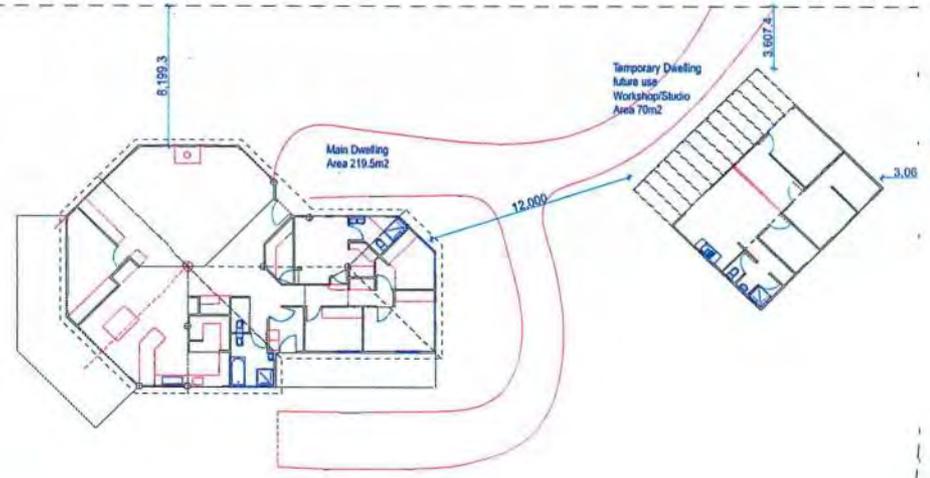
APPENDIX B
Proposal Plans

ArchICAD Student version, not for resale. Courtesy of Graphisoft. ArchICAD Student version, not for resale. Courtesy of Graphisoft.



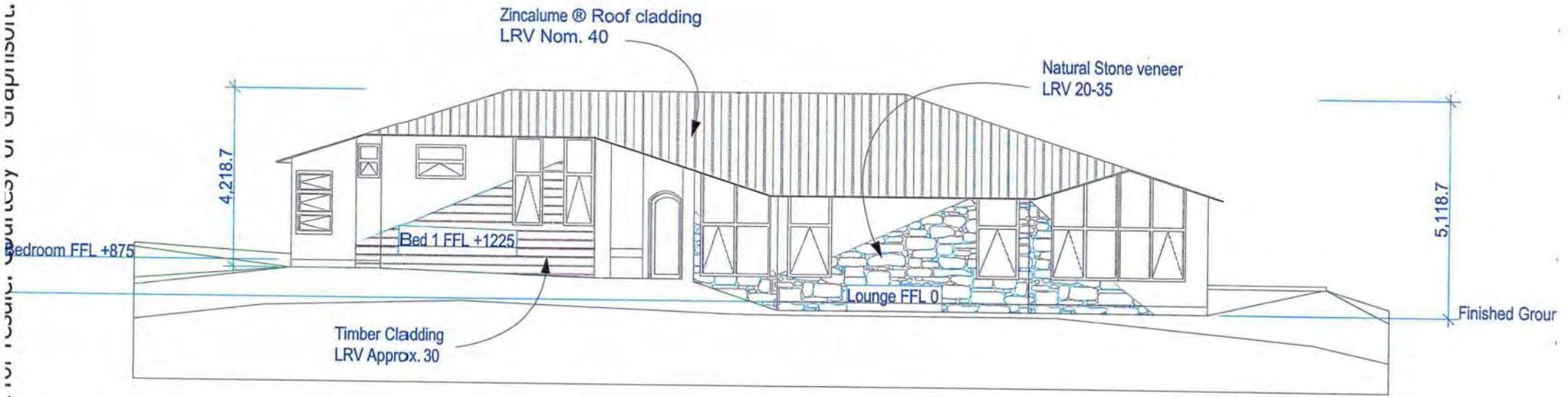


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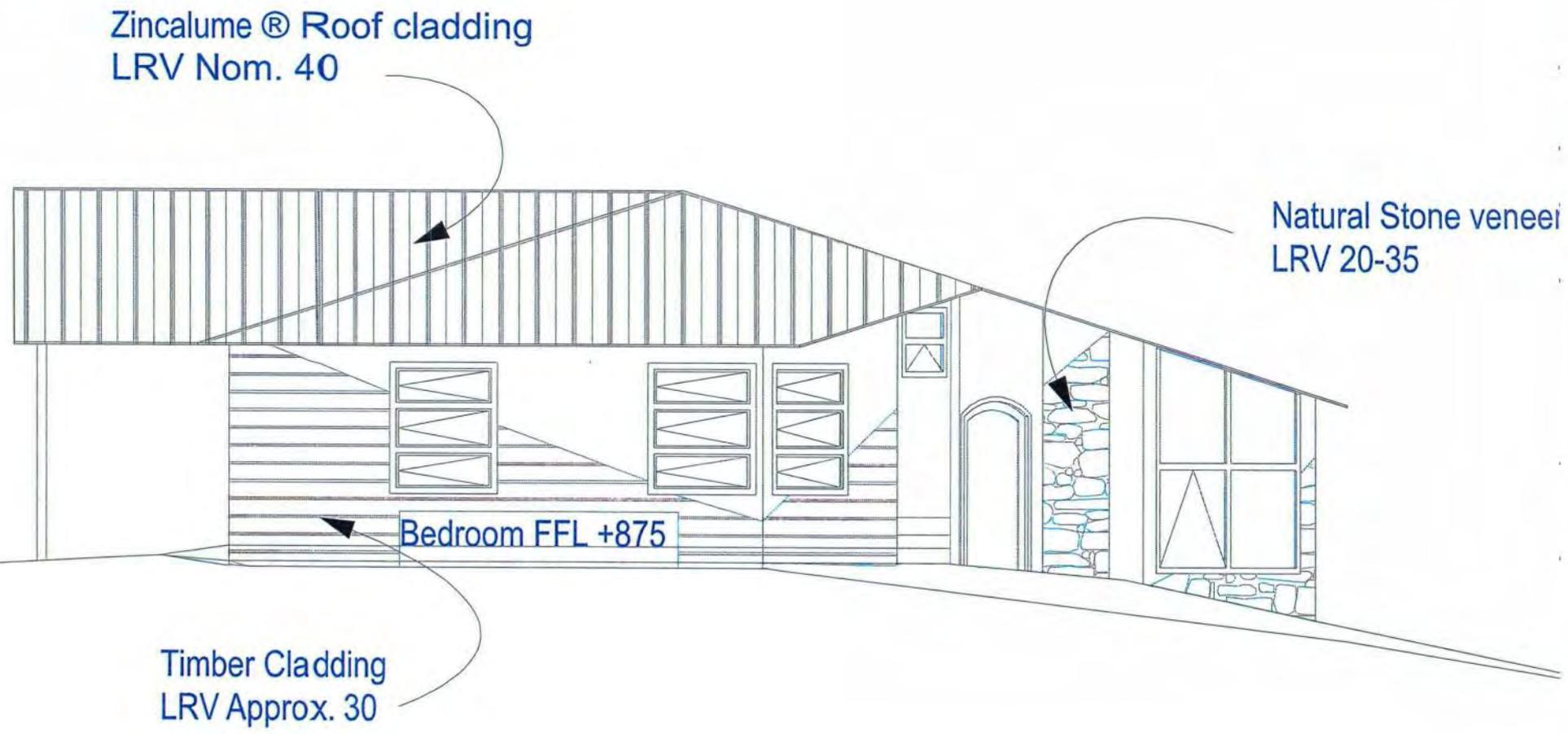


Proposed Building Area

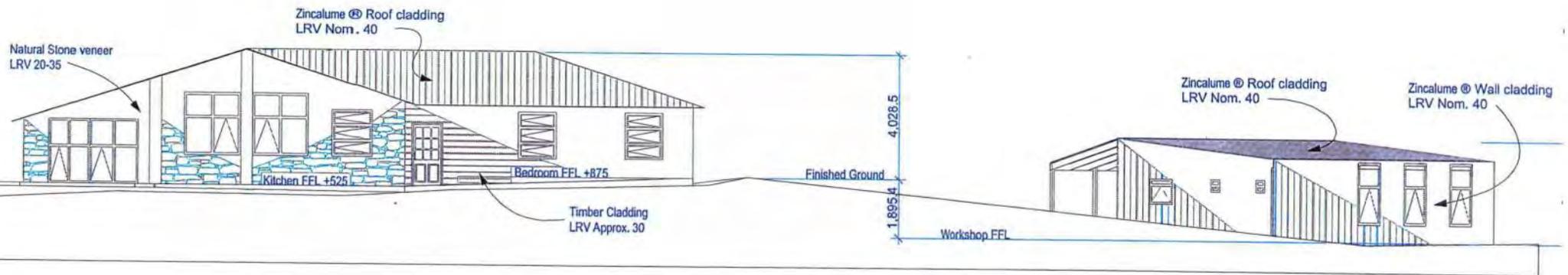
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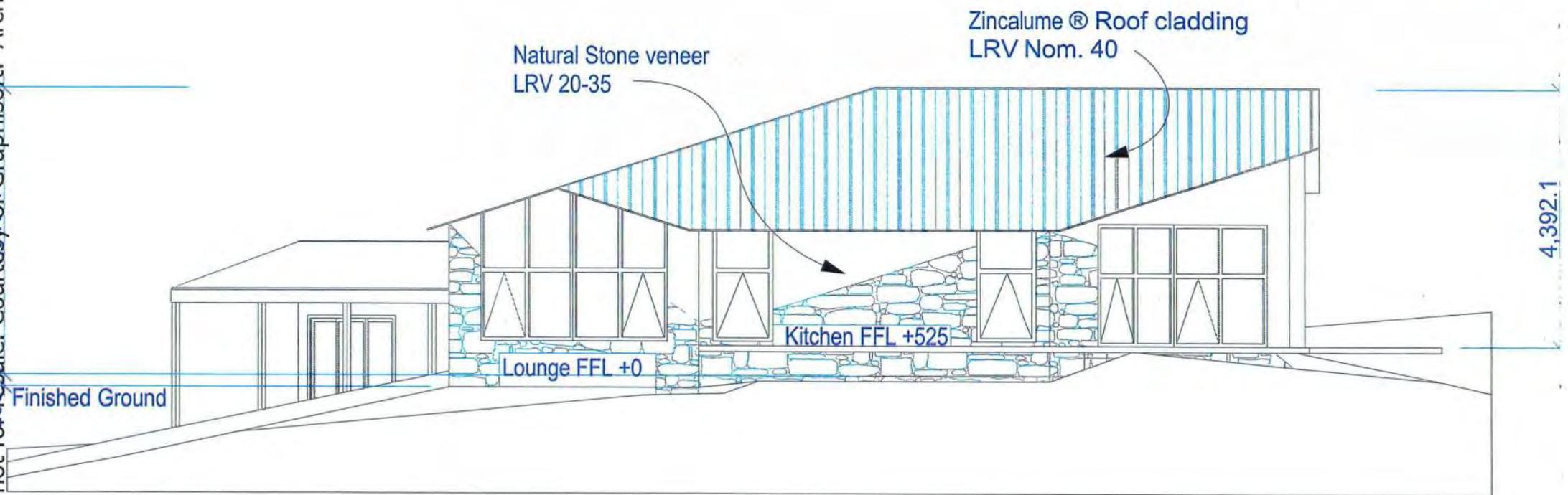
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APPENDIX C
Agricultural Report

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: 24th January 2017



Summary

Client: I & S Reynolds

Property identification: CT 7334/4 (7.98ha), Stubbs Rd, Forth, Rural Resource Zone, (*Central Coast Interim Planning Scheme 2013*).

Proposal: Proposed construction of a dwelling.

Land Capability: 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.

Assessment comments: 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.

Conclusion: 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



INTRODUCTION

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 13th 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

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' characteristics¹. 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.

¹As 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

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

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.

REFERENCES

- Central Coast Council (2013). *Central Coast Interim Planning Scheme*.
- DPIPWE. (2009, August). Cadastral Parcels Dataset. TASMAR Department of Primary Industries, Parks, Water and Environment.
- DPIPWE. (2007, November). Land Capability of Tasmania Dataset. Department of Primary Industries, Parks, Water and Environment.
- DPIPWE. (2015,). *Tasmanian Register of Water Licences and Dam Permits*. Retrieved from Water Information Management System: <http://wims.dpiwe.tas.gov.au>.
- DPIPWE. (2013). Tasmanian Vegetation Monitoring and Mapping Program TASVEG 3.0. Department of Primary Industries, Parks, Water and Environment.
- 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.

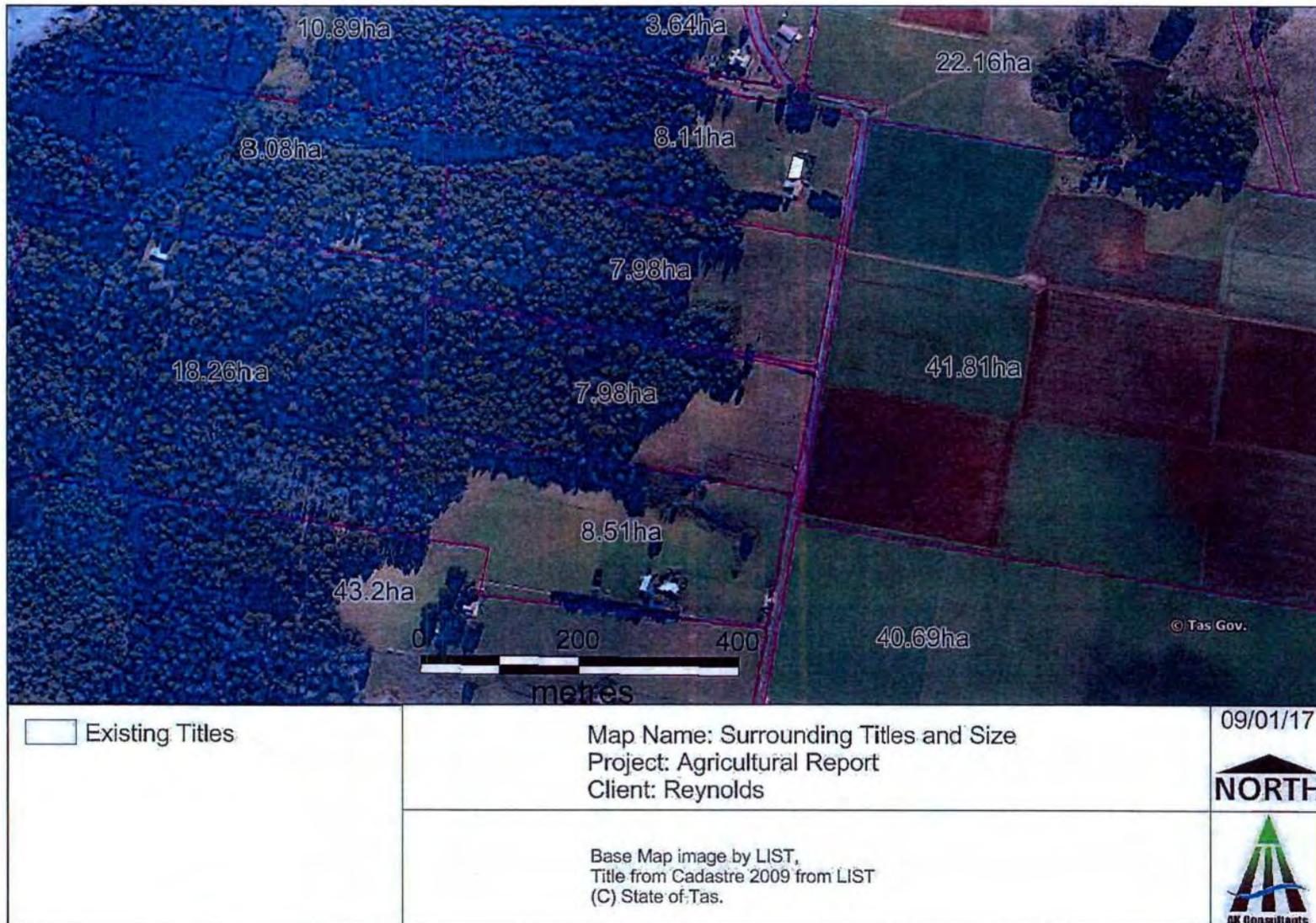


Figure 3. Surrounding Titles.

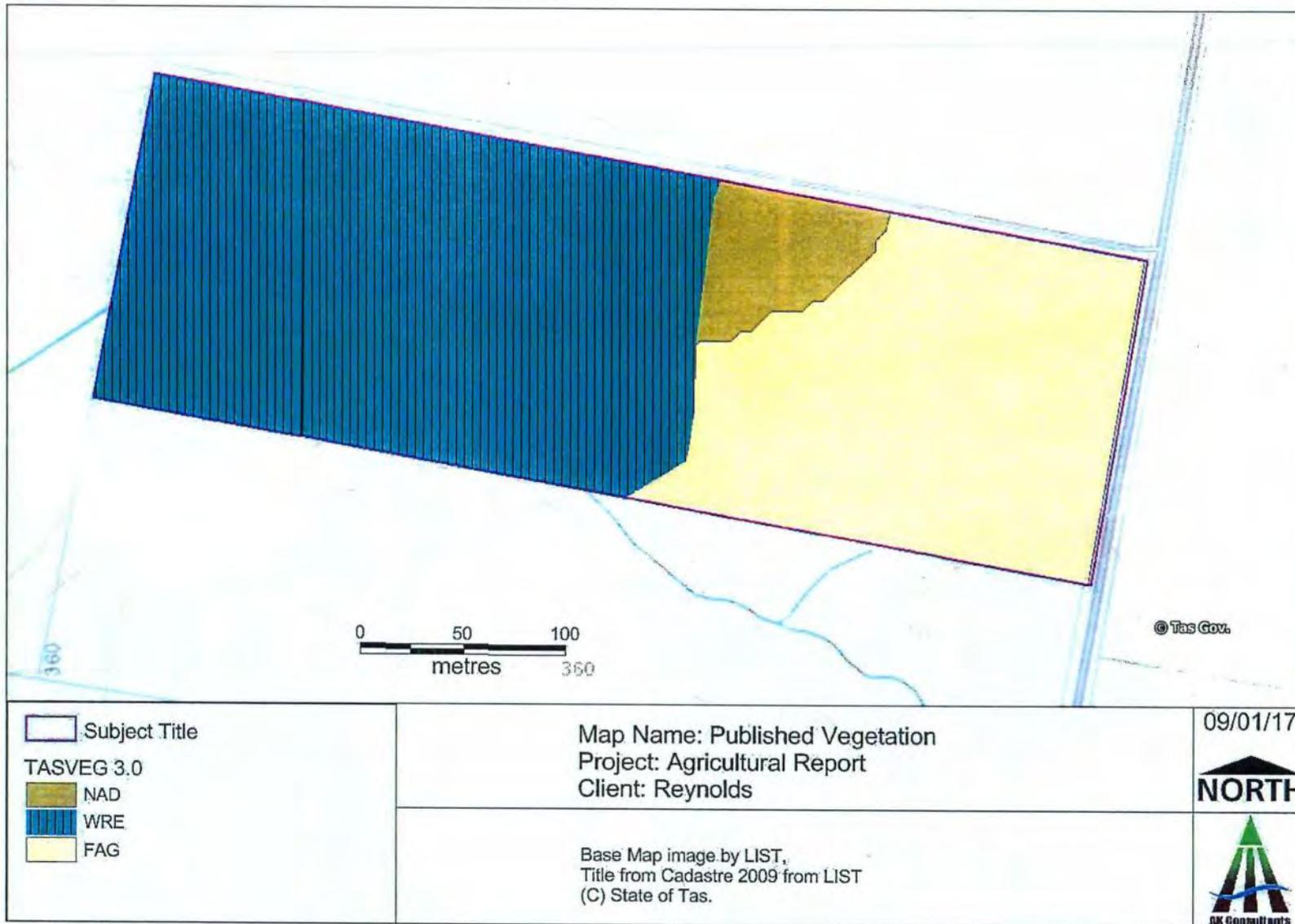


Figure 4. Published Vegetation, TASVEG 3.0



Figure 5. Mapped Land Capability compared to assessed Land Capability.

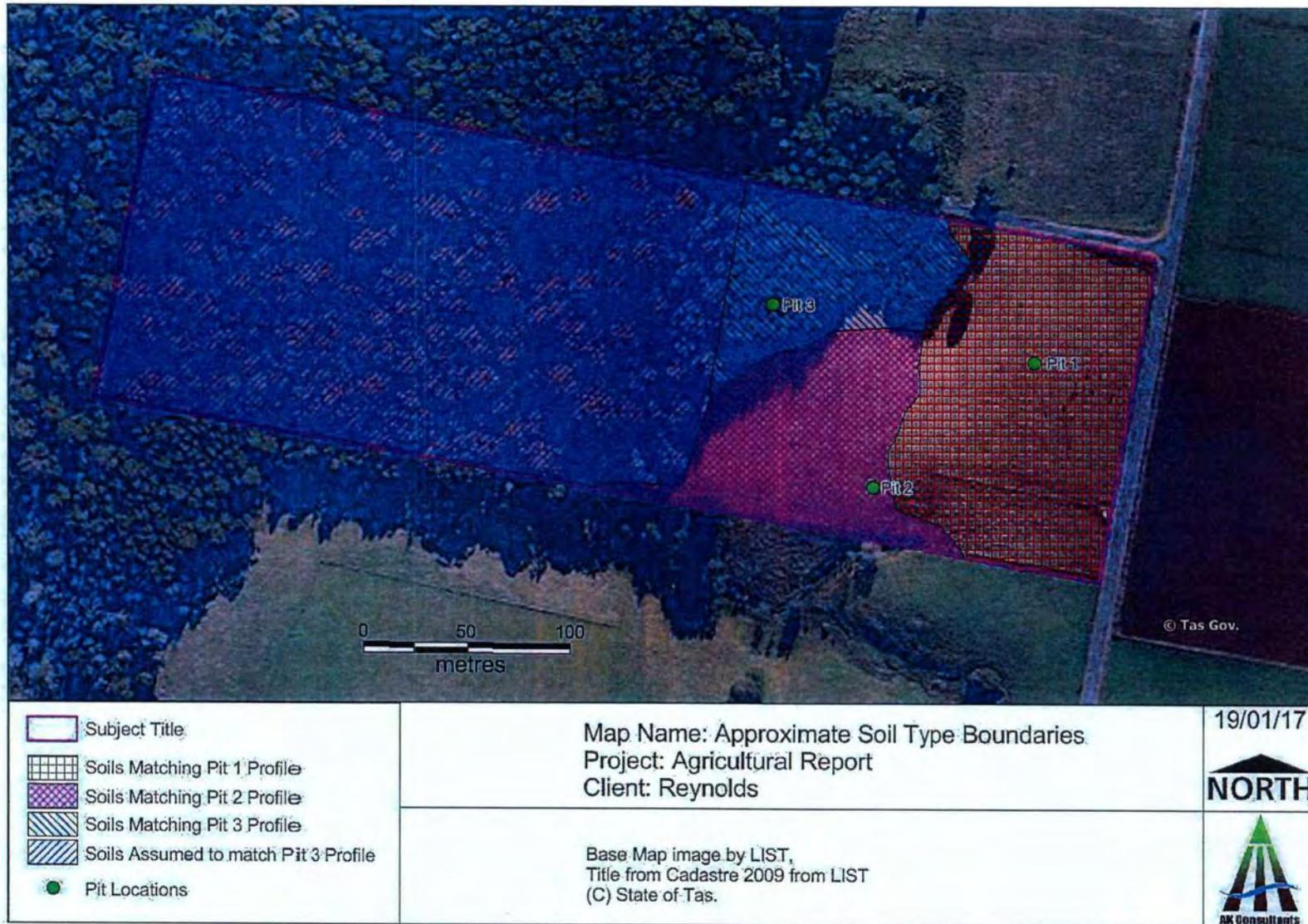
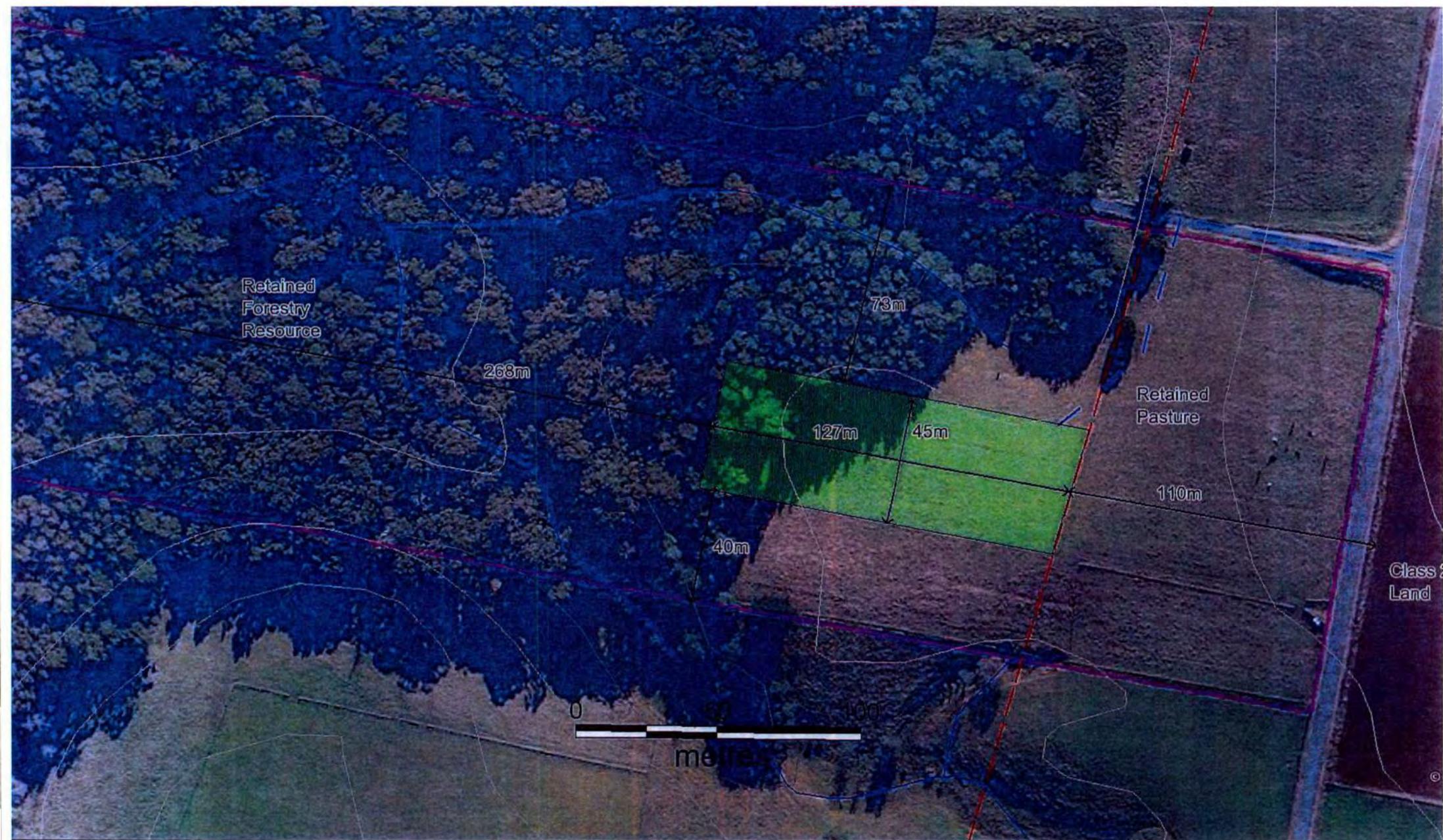


Figure 6. Approximate soil type boundaries and Land Capability described pit locations.



Project Title	Line of Existing Dwellings
Possible Building Area	Drainage Lines
Used	Contours (10m)

Map Name: Possible Building Area
 Project: Ag Report
 Client: Reynolds

APPENDIX 2. PHOTOGRAPHS



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)

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 vegetatin 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 ³	Area assessments of less than 15ha
1 : 5 000	1ha	15m	500m ³	Site specific assessments for houses and areas less than 4ha
1 : 1 000	0.04ha	3m	20m ³	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

Grose, C J. *Land capability Handbook. Guidelines for the Classification of Agricultural Land in Tasmania*. Second Edition. Tasmania: Department of Primary Industries, Water and Environment, 1999.

Gunn, R H, J A Beattie, R E Reid, and R H.M van de Graaff. *Australian Soil and Land Survey Handbook: Guidelines for Conducting Surveys*. Melbourne: Inkata Press, 1988.

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: 13th 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: 13th 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: 13th 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.

APPENDIX D

Wastewater Design Report

ONSITE WASTEWATER
REPORT FOR PLANNING

For IAN REYNOLDS

New Dwelling at
338 Stubbs Road
Turners Beach

February 2017



Engineers & Planners
Your Vision is Our Mission



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Johnstone McGee and Gandy Pty Ltd

incorporating Dale P Luck & Associates
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info@jmg.net.au

Issuing Office: 49-51 Elizabeth Street, Launceston						
JMG Project No. J173001PH						
Document Issue Status						
Ver.	Issue Date	Description	Originator	Checked	Approved	
1	07-02-2017	Onsite Wastewater	CP 	CP 	RB	

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LIMITATIONS & DISCLAIMERS

1. This report is based on a 'walkthrough' visual inspection of the various components of the building. The report does not check original designs or previous contracts. Our inspections do not cover system performance testing, nor destructive testing or intrusive inspections requiring breaking out, opening up or uncovering.
2. Compliance with BCA is not part of the scope of this report. The report may include references to BCA as a guide to likely compliance/non-compliance of a particular aspect but should not be taken as definitive nor comprehensive in respect of BCA compliance.
3. This report presents information and opinions which are to the best of our knowledge accurate. JMG accepts no responsibility to any purchaser, prospective purchaser, or mortgagee of the property who relies in any way on this report.
4. JMG have no pecuniary interests in the property or sale of the property.
5. This report presents information provided by others. JMG do not claim to have checked, and accept no responsibility for, the accuracy of such information.

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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

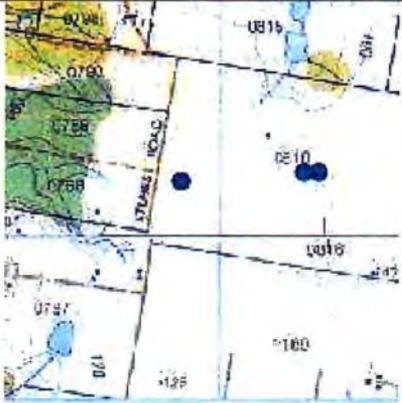
2. Onsite Assessment

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

<p>Nearest Bore?</p>	 <p>Nearest known groundwaer bore is approximately 300m upslope from the proposed wastewater area.</p>
<p>Drainage and flooding data?</p>	<p>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.</p>

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 ²
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 ²

Bed Construction Requirements	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).

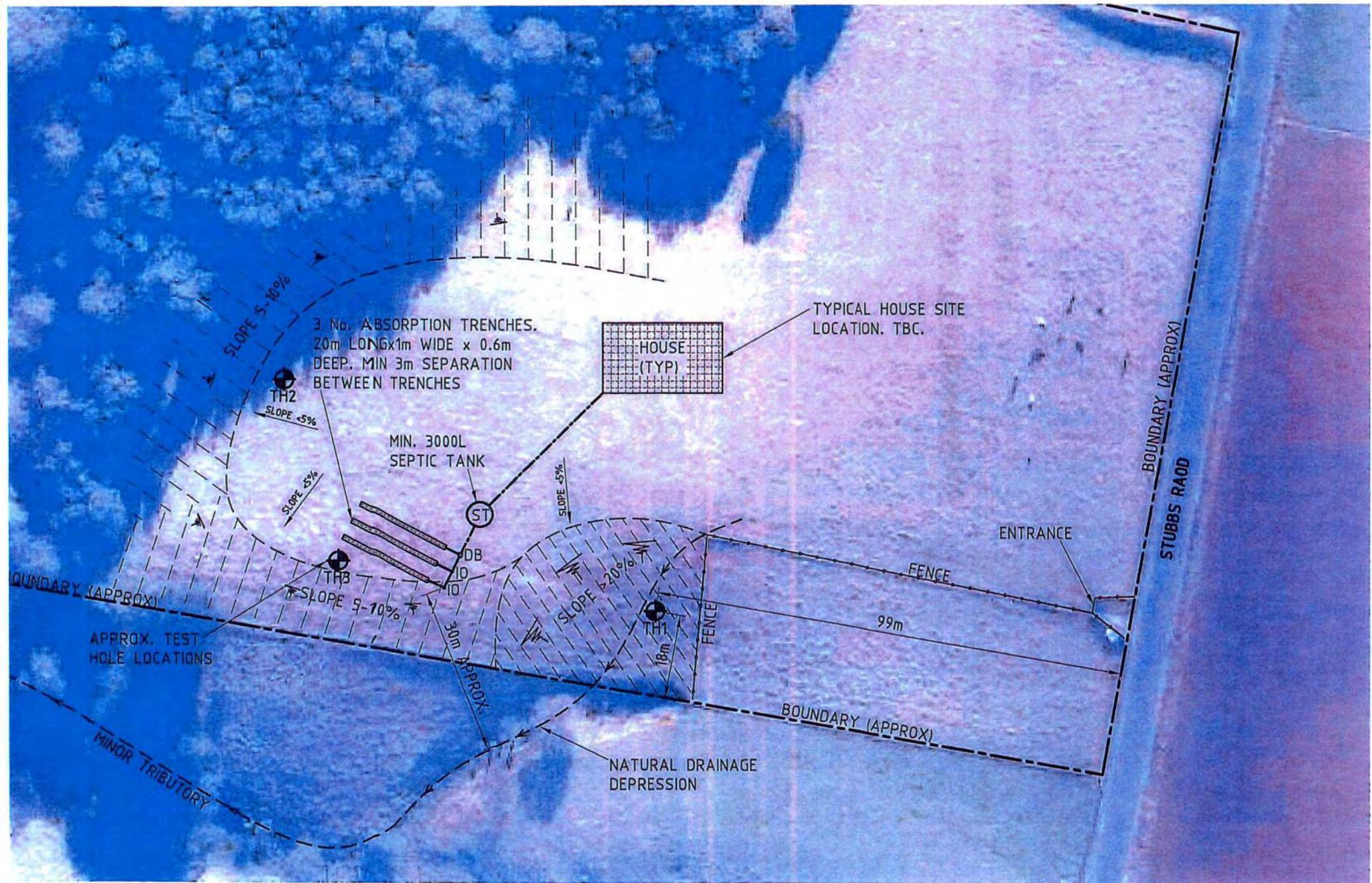
Signed
JOHNSTONE MCGEE AND GANDY



Carmel Parker BSc App
SENIOR ENVIRONMENTAL SCIENTIST

APPENDIX A

Wastewater Design: E01

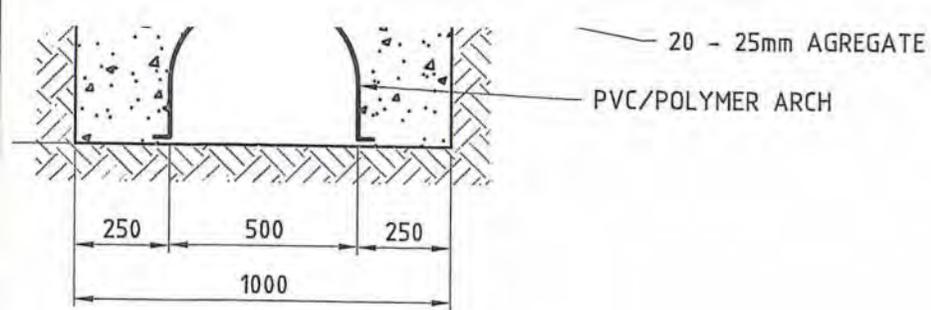


SITE PLAN

DRAWING SCHEDULE

APPENDIX B

E02 Typical Trench Design



TRENCH DESIGN

SCALE 1:20

NOTE

TRENCHES ARE TO BE POSITIONED ALONG THE CONTOUR LEVEL ALONG THE LENGTH OF THE BASE.

H-SE XSEC ARCH SINGLE 1.0M WIDE

IN ACCORDANCE WITH TASMANIAN PLUMBING REGULATIONS 2004, S 3500, AS1547:2000 AND TO LOCAL AUTHORITY APPROVAL.

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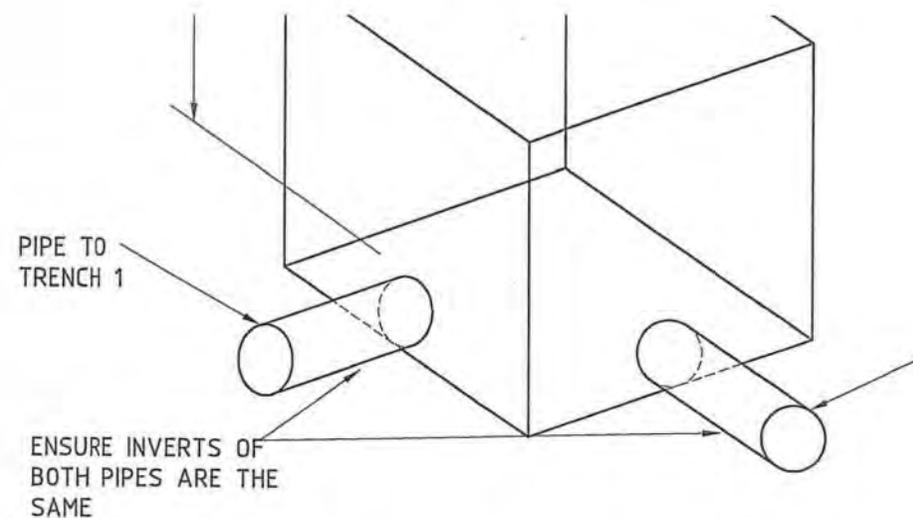
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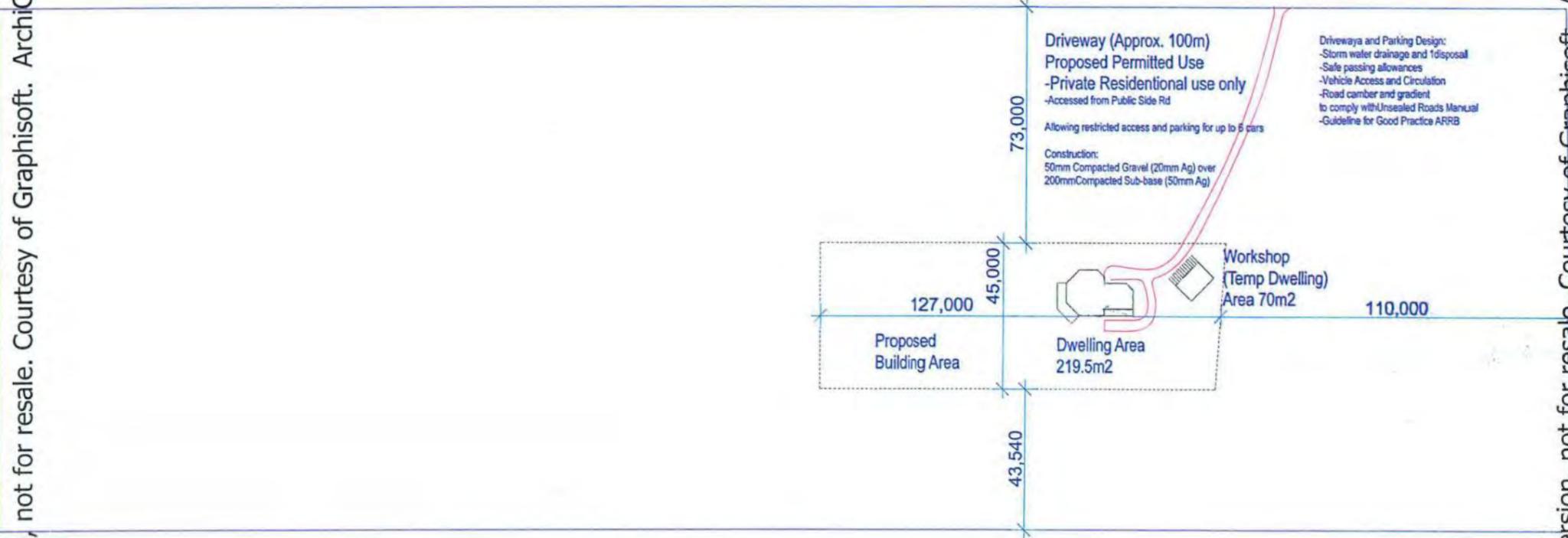


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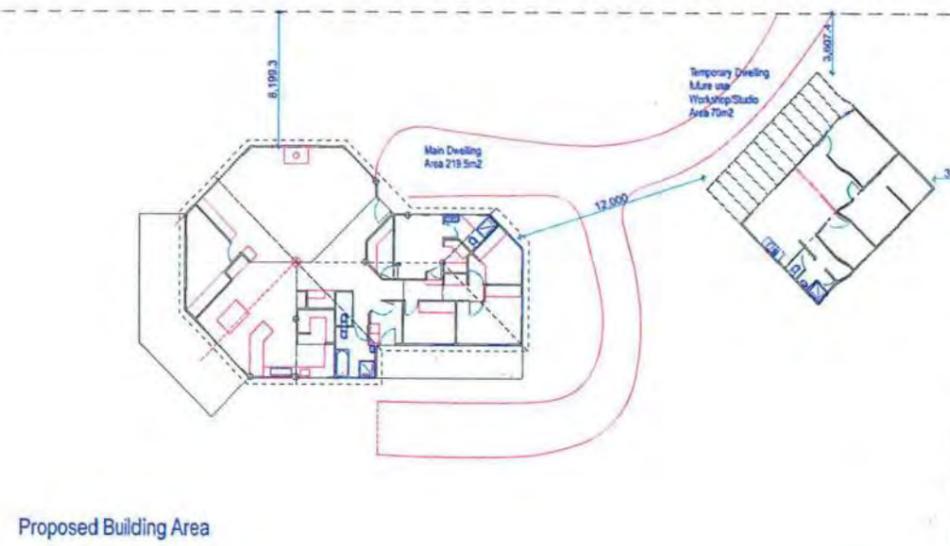
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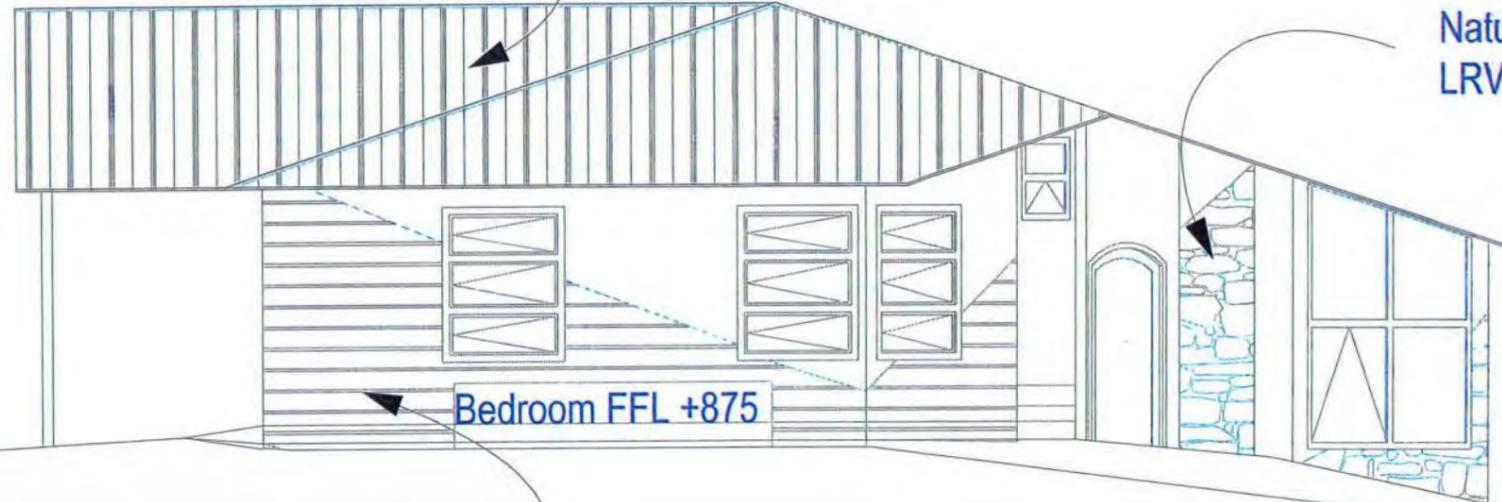
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Zincalume® Roof cladding
LRV Nom. 40

Natural Stone veneer
LRV 20-35



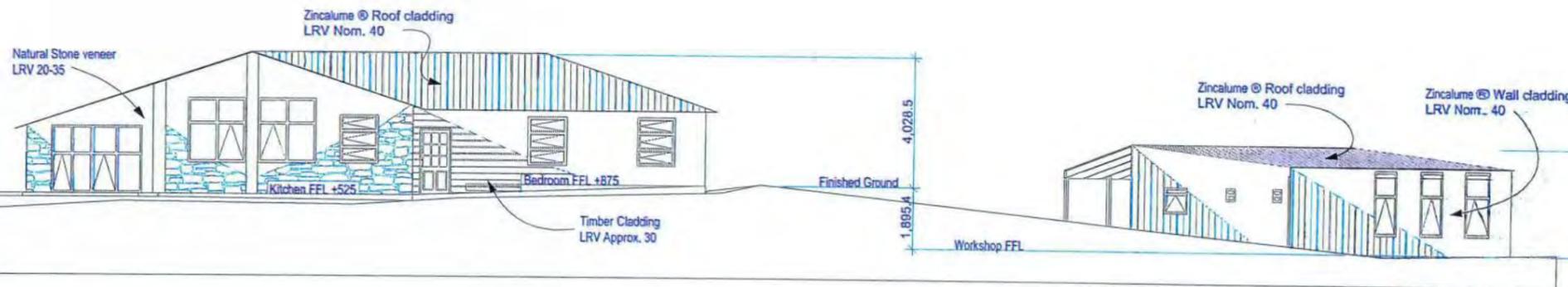
Bedroom FFL +875

Timber Cladding
LRV Approx. 30

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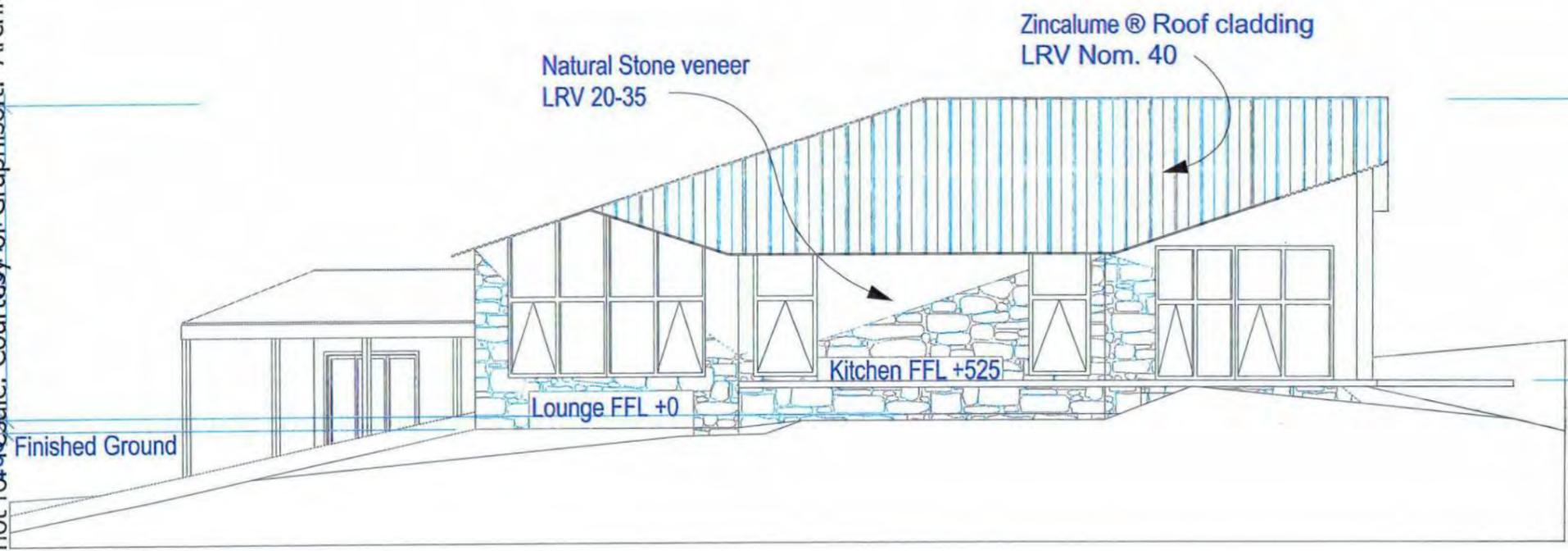
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Death Notices

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

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.

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.

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.

Exchange

ADELAIDE EXCHANGE JEWELLERS
Cash buyers of jewellery, coins and bullion will be at Burnie-Beachfront Voyager Motel, 5 North Terrace on Thursday, 9th March, 2017 from 9am-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!
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Local Government

KING ISLAND COUNCIL

Notice under section 30IA(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 (asports 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;
The office of the Tasmanian Planning Commission as Level 4, 144 Macquarie Street, Hobart or at www.iplan.tas.gov.au
Dated: 8 March 2017
Zoe Behrendt
ACTING GENERAL MANAGER

CENTRAL COAST COUNCIL
19 King Edward Street
Ulverstone Tasmania 7315
Tel. 03 5429 8900
Fax 03 6425 1224
www.centralcoast.tas.gov.au

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 and quoting the Application No. Any representations received by the Council are classed 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

Happy 18th Birthday
SMITH Cassandra
Happy 18th Birthday.
Congratulations
Best wishes for your 18th Birthday.
Love Mum, Dad, April and Hayden.

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 Dearn, 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."

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

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.

Death Notices

DEVLIN
John
Dearly loved brother and brother-in-law of Gae and Frank (dec.). Loved uncle of Michelle and Jan.
Wonderful memories.

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.



Funeral Notices

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 Nandie 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

Death Notices

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, Kirri, Mark & Grace and Dan.

Death Notices

TILLEY
Lawrence Arthur
Loved and loving husband of Joan (dec). Respected step-father of Janine and Nigel, Roslyn and Michael, and "Laurie" of Nevilla, Brendan and Martin (dec).
Rest peacefully.

Funeral Notices

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.



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.

Events & Functions

Train rides - Vintage cars - Demonstrations
Food & craft stalls - Live music & more

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Sheffield

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SPECIAL PRICE \$20.00 per/m³ pick up direct, truck or trailer
NOTE: collect from: Fossil Bank Native Plains Road Sassafras
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Funeral Notices

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.

T. M. Foley
FUNERAL DIRECTOR
NICHOLAS LEE
Ph: 6334 3388

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
Ulverstone 7315
Tas

CENTRAL COAST COUNCIL
DEVELOPMENT & REGULATORY SERVICES

Received: 20 MAR 2017

Application No: 00216155

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