

Notice of Ordinary Council Meeting and

Agenda

17 July 2017

To all Councillors

NOTICE OF MEETING

In accordance with the *Local Government (Meeting Procedures) Regulations 2015*, notice is given of the next ordinary meeting of the Central Coast Council which will be held in the Council Chamber at the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 17 July 2017. The meeting will commence at 6.00pm.

An agenda and associated reports and documents are appended hereto.

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

Dated at Ulverstone this 12th day of July 2017.

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



Lou Brooke
EXECUTIVE SERVICES OFFICER

Code of Conduct of Councillors

PART 1 – Decision making

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

PART 2 – Conflict of interest

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

PART 3 – Use of office

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

PART 4 – Use of resources

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

PART 5 – Use of information

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

PART 6 – Gifts and benefits

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

PART 7 – Relationships with community, councillors and Council employees

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

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

PART 8 – Representation

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

PART 9 – Variation of Code of Conduct

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

QUALIFIED PERSON'S ADVICE

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

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

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

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

A handwritten signature in dark ink, consisting of a large, stylized loop followed by a horizontal line and a small upward tick.

Cor Vander Vlist
ACTING GENERAL MANAGER

AGENDA

COUNCILLORS ATTENDANCE

COUNCILLORS APOLOGIES

EMPLOYEES ATTENDANCE

GUEST(S) OF THE COUNCIL

MEDIA ATTENDANCE

PUBLIC ATTENDANCE

OPENING PRAYER

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

BUSINESS

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1 CONFIRMATION OF MINUTES OF THE COUNCIL

1.1 Confirmation of minutes

The Executive Services Officer reports as follows:

“The minutes of the previous ordinary meeting of the Council held on 19 June 2017 have already been circulated. The minutes are required to be confirmed for their accuracy.

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

A suggested resolution is submitted for consideration.”

- “That the minutes of the previous ordinary meeting of the Council held on 19 June 2017 be confirmed.”
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2 COUNCIL WORKSHOPS

2.1 Council workshops

The Executive Services Officer reports as follows:

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

- . 05.06.2017 – Ulverstone Show Society briefing/Review of Corporate Folder
- . 26.06.2017 – Quarterly update
- . 10.07.2017 – Presentation from St Giles re use of Penguin Playcentre building/ Apex Caravan Park development.

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

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

3.1 Mayor’s communications

The Mayor to report:

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3.2 Mayor’s diary

The Mayor reports as follows:

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

- . Council–community morning tea – North Motton and Gawler districts
- . Tasmanian Health Service – Central Coast Adult Day Centre morning tea/guest speaker
- . Switch Tasmania – meeting
- . Local Government Association of Tasmania – General Management Committee meeting (Hobart)
- . Premier’s Local Government Council – meeting (Hobart)
- . Coast FM/Radio 7AD – community reports
- . Cradle Coast Authority – Rules Review meeting (Burnie)
- . Ulverstone Fire Brigade – annual dinner
- . Tasmanian Brick Enthusiasts Inc. – Brixhibition Ulverstone 2017 (LEGO© event) presentations
- . Cradle Coast Mayors – tour of Central Coast.”

Cr Downie reports as follows:

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

- . Ulverstone Municipal Band – annual general meeting
- . Rotary Club of Ulverstone – changeover dinner.”

Cr Carpenter reports as follows:

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

- . Apex Club of Ulverstone – changeover dinner.”

The Executive Services Officer reports as follows:

“A suggested resolution is submitted for consideration.”

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

The Mayor reports as follows:

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

The Executive Services Officer reports as follows:

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

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

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

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3.4 Public question time

The Mayor reports as follows:

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

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

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4 COUNCILLOR REPORTS

4.1 Councillor reports

The Executive Services Officer reports as follows:

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

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

5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Leave of absence

The Executive Services Officer reports as follows:

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

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

There are no applications for consideration at this meeting.”

6 DEPUTATIONS

6.1 Deputations

The Executive Services Officer reports as follows:

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

7 PETITIONS

7.1 Petitions

The Executive Services Officer reports as follows:

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

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8 COUNCILLORS' QUESTIONS

8.1 Councillors' questions without notice

The Executive Services Officer reports as follows:

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

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

(a) of the chairperson; or

(b) through the chairperson, of –

(i) another councillor; or

(ii) the general manager.

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

(a) offer an argument or opinion; or

(b) draw any inferences or make any imputations –

except so far as may be necessary to explain the question.

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- (3) The chairperson of a meeting must not permit any debate of a question without notice or its answer.
 - (4) The chairperson, councillor or general manager who is asked a question without notice at a meeting may decline to answer the question.
 - (5) The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.
 - (6) Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.
 - (7) The chairperson may require a councillor to put a question without notice in writing.'

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

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

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

<i>Councillor</i>	<i>Question</i>	<i>Department</i>
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[illegible]

8.2 Councillors' questions on notice

The Executive Services Officer reports as follows:

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

'30 (1) A councillor, at least 7 days before an ordinary council meeting or a council committee meeting, may give written notice to the general

manager of a question in respect of which the councillor seeks an answer at that meeting.

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

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

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

No questions on notice have been received."

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NOTES

9 DEPARTMENTAL BUSINESS

GENERAL MANAGEMENT

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

The Acting General Manager reports as follows:

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

- . Local Government Association of Tasmania general meeting-meeting held – 17 February 2017
- . Local Government Association of Tasmania general meeting-meeting held – 7 April 2017
- . Devonport City Council and Central Coast Council – Shared Audit Panel – meeting held on 5 June 2017
- . Central Coast Council Audit Panel – meeting held on 5 June 2017
- . Central Coast Community Safety Partnership Committee – meeting held on 28 June 2017
- . Central Coast Youth Engaged Steering Committee – meeting held on 29 June 2017
- . Central Coast Community Shed Management Committee – meeting held on 3 July 2017
- . Central Coast Community Shed Management Committee – Annual General Meeting held on 3 July 2017
- . Development Support Special Committee – meeting held on 10 July 2017.

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

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

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NOTES

COMMUNITY SERVICES

9.2 Relocation of Penguin 'Pablo'

- Cr Howard (having given notice) to move, "That Council undertake the relocation of 'Pablo' the Penguin from its current location at Howth to the western end of the Main Road Railway Reserve."

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

"Created in 1970 as a project initiated by the Penguin Retail Traders with generous support from manufacturers Penguin Composites, a brother to the Big Penguin came into being. Having for a considerable period resided peacefully at the Johnson's Beach precinct it was disappointing that some time thereafter that the unnamed Penguin was the recipient of a serious attack of vandalism.

Following restoration, the Penguin's future was transferred to the Penguin High School Art Group. Using flair and imagination a stunning art design emerged along with the ingenious name of 'Pablo' being adopted.

After due consideration, it was decided that as a Tourist attraction 'Pablo's' new safe home was to be at Howth.

With the passing of time Public interest has expressed a desire for 'the coming home of Pablo'.

As an acceptable new location, general consensus is that best Tourist advantage would be for Pablo to take up residence at the Main Road Railway Reserve (Western end).

In advancing the proposed venture it is requested that Council commence the process required in allowing the matter to proceed."

The Director Community Services reports as follows:

"PURPOSE

This report considers a motion on notice from Cr Howard relating to the relocation of 'Pablo' the Penguin from its current location on the Bass Highway west of the Howth roundabout to a new location at the western end of the railway reserve adjacent to the Penguin Railway Station on the main street of Penguin.

BACKGROUND

Following a request that 'Pablo' the Penguin be reinstalled in the public domain it was agreed to locate him on the Bass Highway on the western side of the Howth roundabout as a tourist attraction that might tempt visitors to turn off onto Preservation Drive and visit the township of Penguin itself.

DISCUSSION

While the Council is in the process of installing Gateway Signage, particularly aimed at attracting visitors off the Bass Highway into the township of Penguin, this signage will be erected west of the Pine Road entry to Penguin rather than west of the start of Preservation Drive.

Relocating 'Pablo' to the western end of Main Road, Penguin, would in a way 'bookend' the main shopping precinct with the Big Penguin on the northern side of Main Road next to the Library and 'Pablo' on the southern side of Main Road next to the Penguin Railway Station. While the relocation of 'Pablo' would reduce his effectiveness in attracting visitors onto Preservation Drive, his relocation would enhance the Penguin Railway Station Precinct.

It is evident that there are mixed views within the community on this matter and Councillors will need to consider in which location 'Pablo' would be most effective as a tourism drawcard.

Copies of Cr Howard's motion and the accompanying photographs of 'Pablo' are attached.

CONSULTATION

No consultation has been undertaken.

RESOURCE, FINANCIAL AND RISK IMPACTS

The impact on resources would not be significant, and could be met within the current budget as it is considered that, apart from the cement base, the existing frame and signage should be readily relocatable.

CORPORATE COMPLIANCE

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

The Shape of the Place

- . Improve the value and use of open space

A Connected Central Coast

- Improve community well-being.

Community Capacity and Creativity

- Community capacity-building
- Cultivate a culture of creativity in the community.

CONCLUSION

Copies of the motion and the accompanying attachments having been circulated to all Councillors, Cr Howard's motion is submitted for consideration."

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9.3 Statutory determinations

The Director Community Services reports as follows:

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

The Executive Services Officer reports as follows:

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

- "That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received."
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9.4 Council acting as a planning authority

The Mayor reports as follows:

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

The Director Community Services has submitted the following report:

‘If any such actions arise out of Agenda Items 9.5 and 9.6, they are to be dealt with by the Council acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.’”

The Executive Services Officer reports as follows:

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

A suggested resolution is submitted for consideration.”

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

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9.5 Residential (dwelling extension) and outbuilding – (shed) – variation to rear boundary setback and setback of a sensitive use from Utilities zone and a railway at 28 Grove Street, Ulverstone – Application No. DA216228

The Director Community Services reports as follows:

“The Town Planner has prepared the following report:

‘*DEVELOPMENT APPLICATION NO.:*
PROPOSAL:

DA216228
Residential (dwelling extension) and outbuilding – (shed) – variation to rear boundary setback and setback of a sensitive use from Utilities zone and a railway

<i>APPLICANT:</i>	T & E Franks
<i>LOCATION:</i>	28 Grove Street, Ulverstone
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	27 May 2017
<i>REPRESENTATIONS EXPIRY DATE:</i>	10 June 2017
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	3 July 2017 (extension of time granted until 17 July 2017)
<i>DECISION DUE:</i>	17 July 2017

PURPOSE

The purpose of this report is to consider an application for an extension to an existing dwelling and to construct an outbuilding (shed) on the southern rear boundary at 28 Grove Street, Ulverstone.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation;
- . Annexure 4 – photographs;
- . Annexure 5 – TasWater Submission to Planning Authority Notice TWDA 2017/00765-CC; and
- . Annexure 6– Statement of Compliance from the Road Authority and the Stormwater Authority.

BACKGROUND

Development description –

Application is made to construct a 79.47m² addition to an existing 88m² single-storey dwelling and to erect a 192m² Colorbond shed at the rear of the property.

The dwelling additions would accommodate a new laundry, third bedroom with walk-in-robe and ensuite, a second lounge area and a north facing deck.

The 192m² shed would be constructed to within 100mm of the rear property boundary that adjoins land accommodating TasRail's Western Rail line. The shed is required to house a large caravan and associated towing vehicle.

Site description and surrounding area –

The 1,439m² residential allotment is located within the General Residential area of Ulverstone, on the southern fringe of Ulverstone's central business area. The land is bound by a Utility zone to the south, a General Business zone to the east and General Residential zone to the west. Land immediately across the other side of Grove Street is zoned General Business.

The land slopes gently to the south.

History –

The original weatherboard dwelling on the site was constructed in 1913.

A representation was received from TasRail, the adjoining land owner to the rear of the property, requesting the proposed shed be setback 2m from the rear boundary. This matter is discussed in the "Issues" section of this report. The applicant was contacted by the Town Planner, to discuss the matter raised in the representation. The applicant has offered to erect a Colorbond fence along the rear boundary of the property and to install a water line to the rear of the property. The applicant was also offered the opportunity to withdraw their application, however they asked that the proposal be put before the Planning Authority for consideration.

DISCUSSION

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

General Residential

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

10.3.2–(A3) Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.	Not applicable. Use is Residential.
10.4.1 Residential density for multiple dwellings	
<p>10.4.1–(A1) Multiple dwellings must have a site area per dwelling of not less than:</p> <p>(a) 325m²; or</p> <p>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.</p>	<p>Not applicable.</p> <p>Not an application for multiple dwellings.</p>
10.4.2 Setbacks and building envelope for all dwellings	
<p>10.4.2–(A1) Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p>	<p>(a) Compliant. Existing dwelling on the site is setback 2.5m from the Grove Street frontage. The proposed dwelling addition would be setback 15m.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Not applicable. Satisfied by (a).</p> <p>(d) Not applicable. Land does not abut the Bass Highway.</p>

<p>(b) if the frontage is not a primary frontage, at least 3.0m, or, if the setback from the frontage is less than 3.0m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p>	
<p>10.4.2–(A2) A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5m, or alternatively 1.0m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1.0m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10.0m from the frontage.</p>	<p>(a) Compliant. Shed would be setback 22m from the primary frontage.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Not applicable. Site is relatively flat.</p>

<p>10.4.2–(A3) A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at the side boundaries and a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level; and <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9.0m or one-third the length of the side boundary (whichever is the lesser). 	<p>(a)(i) Non-compliant. Development would not be contained in building envelope 10.4.2A. The shed would be setback 100mm from the rear boundary of the allotment. The dwelling extension would be compliant.</p> <p>(a)(ii) Non-compliant. The shed would project at a line of 45° with a wall height of 3.6m above natural ground level and setback of 100mm from the southern rear boundary. Final shed height would be 4.76m.</p> <p>Refer to “Issues” section of this report.</p> <p>(b)(i) Not applicable. Satisfied by (b)(ii).</p> <p>(b)(ii) Compliant. The shed and dwelling extension would be setback a minimum of 33m from the eastern side boundary and 2m from the western side boundary.</p>
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10.4.3 Site coverage and private open space for all dwellings	
<p>10.4.3–(A1) Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60.0m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>	<p>(a) Compliant. Site coverage would be 32%.</p> <p>(b) Not applicable. No multiple dwelling development proposed.</p> <p>(c) Compliant. Area free from impervious surfaces would be 68%.</p>
<p>10.4.3–(A2) A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24.0m²; or</p> <p>(ii) 12.0m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p>	<p>(a)(i) Compliant. Existing dwelling would have 500m² of private open space to the east of the dwelling and 65m² to the north-west of the dwelling.</p> <p>(a)(ii) Not applicable. Not a multiple dwelling.</p> <p>(b)(i) Compliant. Site would retain a private open space area with a minimum dimension of 15m.</p>

<p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4.0m; or</p> <p>(ii) 2.0m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	<p>(b)(ii) Not applicable. Satisfied by (b)(i).</p> <p>(c) Compliant. Private open space is directly accessible from habitable rooms.</p> <p>(d) Compliant. Private open space is to the north and east of the dwelling.</p> <p>(e) Compliant. Private open space is not located between the dwelling and the primary frontage.</p> <p>(f) Compliant. Land does not have a gradient steeper than 1 in 10.</p> <p>(g) Compliant. Dwelling would have private open space area clear of vehicle access and parking areas.</p>
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10.4.4 Sunlight and overshadowing for all dwellings	
10.4.4–(A1) A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	Compliant. Habitable room windows face north.
<p>10.4.4–(A2) A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> (i) at a distance of 3.0m from the window; and (ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal. <p>(b) The multiple dwelling does not cause the habitable room to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p>	<p>Not applicable.</p> <p>Not multiple dwelling development.</p>

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<ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling. 	
<p>10.4.4–(A3) A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): <ul style="list-style-type: none"> (i) at a distance of 3.0m from the northern edge of the private open space; and (ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June. (c) That part, of a multiple dwelling, consisting of: 	<p>Not applicable.</p> <p>Not multiple dwelling development.</p>

<p>(i) an outbuilding with a building height no more than 2.4m; or</p> <p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m from the multiple dwelling.</p>	
<p>10.4.5 Width of openings for garages and carports for all dwellings</p>	
<p>10.4.5-(A1) A garage or carport within 12.0m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6.0m or half the width of the frontage (whichever is the lesser).</p>	<p>Compliant.</p> <p>Shed would be setback 22m from Grove Street.</p>
<p>10.4.6 Privacy for all dwellings</p>	
<p>10.4.6-(A1) A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1.0m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3.0m from the side boundary; and</p>	<p>Not applicable.</p> <p>No finished surface or floor level more than 1m above natural ground level.</p>

<p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4.0m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6.0m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>	
<p>10.4.6–(A2) A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1.0m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <p>(i) is to have a setback of at least 3.0m from a side boundary; and</p> <p>(ii) is to have a setback of at least 4.0m from a rear boundary; and</p>	<p>Not applicable.</p> <p>No window or glazed door to a habitable room more than 1m above the natural ground level.</p>

<p>(iii) if the dwelling is a multiple dwelling, is to be at least 6.0m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be at least 6.0m from the private open space of another dwelling on the same site.</p> <p>(b) The window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or</p> <p>(ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	
<p>10.4.6–(A3) A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or</p>	<p>Not applicable.</p>

<p>glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5m; or</p> <p>(b) 1.0m if:</p> <p style="padding-left: 40px;">(i) it is separated by a screen of at least 1.7m in height; or</p> <p style="padding-left: 40px;">(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.</p>	<p>No shared driveway or parking spaces.</p>
<p>10.4.7 Frontage fences for all dwellings</p>	
<p>10.4.7–(A1) A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>	<p>Not applicable.</p> <p>No front fence proposed.</p>

10.4.8 Waste storage for multiple dwellings	
<p>10.4.8-(A1) A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m² per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <p>(i) has a setback of at least 4.5m from a frontage; and</p> <p>(ii) is at least 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.</p>	<p>Not applicable.</p> <p>Not multiple dwelling development.</p>
10.4.9 Suitability of a site or lot for use or development	
<p>10.4.9-(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) have an area of not less than 330m² excluding any access strip; and</p>	<p>(a) Compliant. Site area is 1,439m².</p> <p>(b)(i) Non-compliant. Building area of proposed shed would not be clear of southern rear boundary setback.</p>

<p>(b) if intended for a building, contain a building area of not less than 10.0m x 15.0m:</p> <ul style="list-style-type: none"> (i) clear of any applicable setback from a frontage, side or rear boundary; (ii) clear of any applicable setback from a zone boundary; (iii) clear of any registered easement; (iv) clear of any registered right of way benefiting other land; (v) clear of any restriction imposed by a Utility; (vi) not including an access strip; (vii) accessible from a frontage or access strip; and (viii) if a new residential lot, with a long axis within the range 30 degrees east of north and 20 degrees west of north. 	<p>(b)(ii) Non-compliant. Shed development would be setback 100mm from a Utilities zone. The Scheme requires a 10m setback.</p> <p>The development of shed and dwelling would be compliant with the required 4m setback from a General Business zone.</p> <p>Refer to "Issues" section of this report.</p> <p>(b)(iii) Not applicable. No registered easement.</p> <p>(b)(iv) Not applicable. No registered right of way.</p> <p>(b)(v) Not applicable. No restriction imposed by a Utility.</p> <p>(b)(vi) Not applicable. No access strip.</p> <p>(b)(vii) Compliant. Land is accessible from Grove Street.</p> <p>(b)(viii) Not applicable. Not a new residential lot.</p>
<p>10.4.9-(A2) A site or each lot on a subdivision plan must have a separate access from a road –</p> <p>(a) across a frontage over which no other land has a right of access; and</p>	<p>(a) Compliant. Frontage to Grove Street.</p> <p>(b) Not applicable. Not an internal lot.</p>

<p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road –</p> <p>(i) over land not required as the means of access to any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than –</p> <p>(i) 3.6m for a single dwelling development; or</p> <p>(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>(c)(i) Not applicable. Satisfied by (a).</p> <p>(c)(ii) Not applicable. Satisfied by (a).</p> <p>(d)(i) Compliant. Site has 36.84m wide frontage to Grove Street.</p> <p>(d)(ii) Not applicable. Not multiple dwelling or non-residential development.</p> <p>(e) Compliant. Site has existing legal access to Grove Street in accordance with the <i>Local Government (Highways) Act 1982</i>.</p>
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10.4.9–(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i> .	Compliant. The site is connected to the reticulated water system.
10.4.9–(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and wastewater to a sewage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i> .	Compliant. The site is connected to the reticulated sewerage system.
10.4.9–(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i> .	Compliant. The site is connected to the reticulated stormwater system.
10.4.10 Dwelling density for single dwelling development	
<p>10.4.10–(A1)</p> <p>(a) The site area per dwelling for a single dwelling must –</p> <p style="padding-left: 40px;">(i) be not less than 325m²; and</p> <p style="padding-left: 40px;">(ii) be not more than 830m²; or</p> <p>(b) The site is approved for residential use on a plan sealed before this planning scheme came into effect.</p>	<p>(a)(i) Compliant. Site area is 1,439m².</p> <p>(a)(ii) Not applicable. Satisfied by (b).</p> <p>(b) Compliant. Plan sealed in 1967.</p>

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

<p>(b) a distance of not less than 4.0m from the rear boundary or if an internal lot, a distance of 4.5m from the boundary abutting the rear boundary of the adjoining frontage site;</p> <p>(c) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback –</p> <p>(i) not less than 1.5m from each side boundary; or</p> <p>(ii) less than 1.5m from a side boundary if –</p> <p>a. built against an existing wall of an adjoining building; or</p> <p>b. the wall or walls –</p> <p>i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;</p> <p>ii. there is no door or window in the wall of the building; and</p>	
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<p>iii. overshadowing does not result in 50% of the private open space of an adjoining dwelling receiving less than 3 hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(d) in accordance with any building envelope shown on a sealed plan of subdivision.</p>	
<p>10.4.11.1–(A3) Site coverage must:</p> <p>(a) not be more than 50%; or</p> <p>(b) not be more than any building area shown on a sealed plan.</p>	<p>Not applicable.</p> <p>Proposed development is Residential.</p>
<p>10.4.11.1–(A4) A garage, carport or external parking area and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage of a building.</p>	<p>Not applicable.</p> <p>Proposed development is Residential.</p>
<p>10.4.11.1–(A5) Other than for a dwelling, the total width of openings in the frontage elevation of a garage or carport (whether freestanding or part of any other building) must be the lesser of:</p> <p>(a) 6.0m; or</p> <p>(b) half the width of the frontage.</p>	<p>Not applicable.</p> <p>Proposed development is Residential.</p>

10.4.11.2 Visual and acoustic privacy for residential development	
<p>10.4.11.2-(A1) A door or window to a habitable room or any part of a balcony, deck, roof garden, parking space or carport of a building must:</p> <p>(a) if the finished floor level is more than 1.0m above natural ground level:</p> <ul style="list-style-type: none"> (i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site; (ii) be not less than 3.0m from a side boundary; (iii) be not less than 4.0m from a rear boundary; and (iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of an adjacent frontage site; or <p>(b) if less than the setbacks in clause A1(a):</p> <ul style="list-style-type: none"> (i) be off-set by not less than 1.5m from the edge of any door or window of another dwelling; (ii) have a window sill height of not less than 1.8m above floor level; 	<p>Not applicable.</p> <p>Proposed development is Residential.</p>

<p>(iii) have fixed glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above floor level; or</p> <p>(iv) have a fixed and durable external screen other than vegetation of not less than 1.8m height above the floor level with a uniform transparency of not more than 25% for the full width of the door, window, balcony, deck, roof garden, parking space, or carport.</p>	
<p>10.4.11.2–(A2) An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.</p>	<p>Not applicable.</p> <p>Proposed development is Residential.</p>
<p>10.4.11.3 Frontage fences</p>	
<p>10.4.11.3–(A1) The height of a fence, including any supporting retaining wall, on or within a frontage setback must be:</p> <p>(a) not more than 1.2m if the fence is solid; or</p> <p>(b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%.</p>	<p>Not applicable.</p> <p>Proposed development is Residential.</p>

10.4.12 Setback of development for sensitive use	
<p>10.4.12–(A1) A building containing a sensitive use must be contained within a building envelope determined by:</p> <p>(a) the setback distance from the zone boundary as shown in the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45 degrees above the horizontal from a wall height of 3.0m at the required setback distance from the zone boundary.</p>	<p>(a) Compliant. Dwelling extension would be 17m to Utilities zone boundary and more than 15m to General Business zone boundary.</p> <p>(b) Compliant. Dwelling extension would be 17m to Utilities zone boundary and more than 15m to General Business zone boundary.</p>
<p>10.4.12–(A2) Development for a sensitive use must be not less than 50.0m from:</p> <p>(a) Bass Highway;</p> <p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road or rail purposes; or</p> <p>(d) a proclaimed wharf area.</p>	<p>(a) Compliant. Dwelling extension would be approximately 778m from the Bass Highway.</p> <p>(b) Non-compliant. Dwelling extension would be 17m from a railway line.</p> <p>Refer to “Issues” section of this report.</p> <p>(c) Not applicable. No land designated for future road or rail.</p> <p>(d) Compliant. The nearest proclaimed wharf area is in Devonport approximately 15km to the east.</p>

10.4.13 Subdivision	
10.4.13–(A1) Each new lot on a plan of subdivision must be – (a) intended for residential use; (b) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a Statutory authority.	Not applicable. No subdivision proposed.
10.4.13–(A2) A lot, other than a lot to which A1(b) applies, must not be an internal lot	Not applicable. No subdivision proposed.
10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision	
10.4.14–(A1) Electricity reticulation and site connections must be installed underground.	Not applicable. No subdivision proposed.
CODES	
E1 Bushfire-Prone Areas Code	Not applicable. Site is not in a bushfire-prone area.
E2 Airport Impact Management Code	Not applicable. No Code in the Scheme.

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E3 Clearing and Conversion of Vegetation Code	Not applicable. No clearing or conversion of vegetation.
E4 Change in Ground Level Code	Not applicable. No change in ground level greater than 1m.
E5 Local Heritage Code	Not applicable. No Local Heritage Code in the Scheme.
E6 Hazard Management Code	Not applicable. Not within a hazard mapped area.
E7 Sign Code	Not applicable. No signage proposed.
E8 Telecommunication Code	Not applicable. No telecommunications proposed.
E9 Traffic Generating Use and Parking Code	
E9.2 Application of this Code	Code applies to all development.
E9.4 Use or development exempt from this Code	Not exempt. No Local Area Parking Scheme applies to the site.

E9.5 Use Standards	
E9.5.1 Provision for parking	
<p>E9.5.1–(A1) Provision for parking must be:</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p>	<p>(a) Compliant. Table E9A requires two car parking spaces for a residential dwelling. The site has existing area to accommodate two car parking spaces.</p>
E9.5.2 Provision for loading and unloading of vehicles	
<p>E9.5.2–(A1) There must be provision within a site for:</p> <p>(a) on-site loading area in accordance with the requirement in the Table to this Code; and</p> <p>(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.</p>	<p>Not applicable for residential development.</p>

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 by a Condition to be placed on the Permit.
<p>E9.6.2 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <ul style="list-style-type: none"> (a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking; (b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles; (c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities; (d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities; (e) Each parking space must be separately accessed from the internal circulation aisle within the site; 	Not applicable for residential development.

<p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	
E9.6.2-(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.	<p>Not applicable.</p> <p>Land is zoned General Residential.</p>
E10 Water and Waterways Code	Not applicable. Site is approximately 330m from the Leven River.
Specific Area Plans	No Specific Area Plans apply to this location.

Issues –

1 *Setback from southern rear boundary –*

The Scheme's Acceptable Solution 10.4.2–(A3) "Setbacks and building envelope for all dwellings" requires that development in the General Residential zone be setback 4m from a rear boundary.

The proposed 16m x 12m (192m²) shed would be developed to within 100mm of the southern rear boundary. An exercise of discretion is required to allow for the outbuilding to be constructed as proposed.

The Scheme's Performance Criteria 10.4.3–(P3) requires that development must:

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

The Performance Criteria have been addressed below:

Reduction of sunlight to habitable rooms –

The proposed shed, whilst substantive in floor area, would not result in any unreasonable, sustained overshadowing of habitable rooms of any adjoining dwellings. The location of the shed is to the southern rear boundary of the allotment. An adjoining dwelling, to the west of the land, is located forward of the proposed shed location and would not be impacted upon by the development. A 22m wide Utility zone that accommodates TasRail's Western Rail line, adjoins the allotment on the southern boundary.

Overshadowing of private open space –

As discussed above, the development of the shed close to the rear boundary would not result in any unreasonable or sustained overshadowing of any private open space area of any adjoining dwelling.

Visual Impact –

The proposed shed would have a substantive floor area of 192m², with a wall height of 3.6m and a total pitch height of 4.76m. The size of the shed is due to the applicant's objective to house a large caravan and associated towing vehicle.

The proposed shed would be noticeable from adjoining residential land to the west and from two residential dwellings located on the opposite side of the railway line, approximately 26m to the south of the proposed development.

The adjoining dwelling to the west is forward of the proposed shed location, with an outbuilding in between that dwelling and the proposed development. Subsequently, the shed would not be visible from habitable rooms of this adjoining dwelling.

The two dwellings located across the other side of the railway line are approximately 26m from the shed location. The shed would be obvious, in contrast to the existing open space view from residential back yards, however the two dwellings opposite are some distance away and the shed does not exceed a height of 8.5m, which residential development can be under the Scheme's standards.

The subject parcel of land slopes to the south. The shed would not impose a visual impact when viewed from Grove Street as the existing dwelling is forward of the shed and the slope of the land, sloping downwards to the south, would in combination reduce any visual impact of the development from the street frontage.

The form of the proposed garage and the type of construction materials (Colorbond material in "Monument" & "Windspray" colours) are standard for residential outbuildings. On this basis, the development of the garage is consistent with other outbuildings in the vicinity.

Separation between dwellings –

The surrounding area is developed to a typical urban density, whereby buildings are commonly single-storey and located at various distances from site boundaries with associated sheds in the back yard. It is considered that the separation between buildings is compatible with that prevailing in the surrounding area.

2 Setback of a sensitive use from a railway –

The Scheme's Acceptable Solution 10.4.12–(A2) requires that sensitive development be setback 50m from a railway line. The extension to the existing dwelling would be approximately 32m from the TasRail Western Rail line that passes through Ulverstone.

Performance Criteria 10.4.12–(P2) requires Council to be satisfied the development:

- (a) has minimal impact on safety and efficiency of the transport infrastructure; and
- (b) incorporates measures to mitigate light, noise odour etc; or
- (c) be a temporary use or development.

The proposal is consistent with the pattern of development that characterises Grove Street, Ulverstone and other residential developments that adjoin the TasRail Western Rail line. The application was referred to Tasmanian Railway Pty Limited (TasRail) who have made a representation that relates to the setback of the shed for vegetation management and fire management proposes. Refer to Annexure 3. No comment was made regarding the proposed dwelling additions. If a Permit was issued, a note would need to be applied to the Permit requesting consideration be given to the use of double glazed windows in construction of the dwelling extension, to mitigate noise impacts.

3 Suitability of site for proposed development –

The Scheme's Acceptable Solution 10.4.9–(A1)(b)(ii) requires that development in the General Residential zone be clear of the applicable setbacks from front rear and side boundaries. As discussed in point 1 of the "Issues", the shed does not meet the rear boundary setback standard, with a proposed setback of 100mm from the rear boundary.

Performance Criteria 10.4.9–(P1)(a) has a different set of tests from that discussed in the rear setback (refer to point 1 of the “Issues” section of this report above).

Performance Criteria 10.4.9–(P1)(a) requires the Planning Authority to be satisfied there is sufficient area for the intended use and development without the likely constraint or interference for –

- (a) the erection of a building;
- (b) access to the site;
- (c) use or development of adjacent land;
- (d) a utility; and
- (e) any easement.

The proposed shed would not constrain the erection of a building, access to the site or impede any easement. However, the issue of constraint or interference of the use of adjoining land by TasRail, a State owned utility, needs to be examined; primarily due to the representation received by TasRail.

In its representation, TasRail requests that the proposed variation to rear boundary setback be 2m, not the 100mm as proposed. The reasoning is that a greater setback would provide a buffer from the rail corridor for vegetation management and fire protection purposes.

It would seem unreasonable that TasRail should request a 2m setback for development adjoining their land as a fire risk mitigation measure, especially when other development in this area and along the North–West coast rail corridor, including commercial buildings, is constructed to the Utility zone boundary line. However, TasRail has confirmed that the 2m setback is a firm policy that it wishes to see implemented to reduce the risk of fire to property adjoining their corridor.

Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No conditions.
Infrastructure Services	Statement of Compliance from Road Authority and Stormwater Authority. Refer Annexure 6.
TasWater	Submission to Planning Authority Notice TWDA 2017/00765-CC. Refer to Annexure 5.
Department of State Growth	Referral was not required.
Environment Protection Authority	Referral was not required.
TasRail	Representation received. Refer to Annexure 3.
Heritage Tasmania	Referral was not required.
Crown Land Services	Referral was not required.
Other	Referral was not required.

CONSULTATION

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

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

Representations –

One representation was received from TasRail within the prescribed time, a copy of which is provided at Annexure 3.

The representations are summarised and responded to as follows:

MATTER RAISED	RESPONSE
1 TasRail request the proposed variation to rear boundary setback be 2m. This would provide a buffer from the rail corridor for vegetation management and fire protection purposes.	Refer to point 3 in the “Issues” section of this report.

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 proposal is deemed to satisfy the Scheme’s Performance Criteria in relation to the likelihood of unreasonable overshadowing and visual impact. There is no cause to require the relocation of the subject garage, as proposed by the representor, and the exercise of discretion to allow a conditional Permit, is considered to be appropriate.

Recommendation –

It is recommended that the application for Residential (dwelling extension) and outbuilding (shed) – variation to rear boundary setback and setback of a sensitive use from Utilities zone and a railway at 28 Grove Street, Ulverstone be refused on the following grounds:

- 1 The proposal is not able to satisfy Performance Criteria for “Suitability of a site for use and development” as stipulated under Clause 10.4.9–(P1)(a) in that the proposed development would constrain or interfere with of the use of adjoining land by TasRail, a

State owned utility, and present as a risk to vegetation management and fire protection of adjoining infrastructure.'

The report is supported."

The Director Community Services reports as follows:

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

■ "That the application for Residential (dwelling extension) and outbuilding (shed) – variation to rear boundary setback and setback of a sensitive use from Utilities zone and a railway at 28 Grove Street, Ulverstone at 28 Grove Street, Ulverstone be refused on the following grounds:

- 1 The proposal is not able to satisfy Performance Criteria for 'Suitability of a site for use and development' as stipulated under Clause 10.4.9–(P1)(a) in that the proposed development would constrain or interfere with of the use of adjoining land by TasRail, a State owned utility, and present as a risk to vegetation management and fire protection of adjoining infrastructure."

9.6 Residential (non-required dwelling) and outbuilding (shed) – discretionary use and development in Rural Resource zone with variations to setback from agricultural land, development in a proclaimed irrigation district, proximity to a blasting extractive industry and the use of materials with a light reflectance value of less than 40% at CT7334/4 Stubbs Road, Forth – Application No. DA216229

The Director Community Services reports as follows:

"The Town Planner has prepared the following report:

*'DEVELOPMENT APPLICATION NO.:
PROPOSAL:*

DA216229
Residential (non-required dwelling) and outbuilding (shed) – discretionary use and development in Rural Resource zone with variations to setback from agricultural land, development in a

	proclaimed irrigation district, proximity to a blasting extractive industry and the use of materials with a light reflectance value of less than 40%
<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>	5 May 2017
<i>REPRESENTATIONS EXPIRY DATE:</i>	1 July 2017
<i>REPRESENTATIONS RECEIVED:</i>	Nil
<i>42-DAY EXPIRY DATE:</i>	17 July 2017
<i>DECISION DUE:</i>	17 July 2017

PURPOSE

The purpose of this report is to consider an application for a non-required dwelling and outbuilding (shed) 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 – photographs;
- . Annexure 4 – Statement of Compliance from the Road Authority.

BACKGROUND

Development description –

Application is made to construct a non-required dwelling and shed on a 7.97ha parcel of rural land at CT7334/4 Stubbs Road, Forth.

The dwelling would be a 219.5m², single storey, 3–4 bedroom, hexagon shaped stone and timber veneer building. The dwelling includes a 40m² deck to the western façade and 18.52m² deck to the southern façade.

The development includes a 70m² Zinalume shed that would accommodate a storeroom, wash basin and workshop.

Stormwater collection, storage of drinking water and overflow disposal, and wastewater treatment and disposal would be required on site.

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.

In February 2017, an application was made for two dwellings on the land, with the applicant proposing that one dwelling be temporary in nature. The *Land Use Planning and Approvals Act 1993* (the “Act”) and the Scheme do not allow for the consideration of temporary use and development on land. The proposal, for multiple dwellings (two), was refused by the Planning Authority at its Ordinary meeting held on 19 April 2017. The application has been resubmitted for a dwelling and shed.

DISCUSSION

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

26.0 Rural Resource Zone

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

<p>(e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;</p> <p>(f) Rural land may be used and developed for economic, community, and utility activity that cannot reasonably be accommodated on land within a settlement or nature conservation area;</p> <p>(g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry</p> <p>(h) Residential use and development on rural land is appropriate only if –</p> <p style="padding-left: 40px;">(i) required by a primary industry or a resource based activity; or</p> <p style="padding-left: 40px;">(ii) without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes.</p>	<p>that would be dependent on the natural resources of air, land or water.</p> <p>(d) Proposal does not satisfy the Objective. Use class is not associated with primary industry.</p> <p>(e) Proposal does not satisfy the Objective. 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) Proposal does not satisfy the Objective. Proposed use is not for tourism or recreation.</p> <p>(h)(i) Proposal does not satisfy the Objective. Proposed non-required 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 non-required residential use and development would result in the permanent loss of land for primary industry.</p>
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26.1.3 Desired Future Character Statements	
<p>Use or development on rural land –</p> <p>(a) may create a dynamic, extensively cultivated, highly modified, and relatively sparsely settled working landscape featuring –</p> <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 	<p>(a)(i) Proposal is not consistent with Desired Future Character Statements. The proposed use and development is not associated with a working landscape featuring agriculture or forestry.</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 proposed use 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>(iii) pockets of remnant native vegetation</p> <p>(c) will seek to minimise disturbance to –</p> <p>(i) physical terrain;</p> <p>(ii) natural biodiversity and ecological systems;</p> <p>(iii) scenic attributes; and</p> <p>(iv) rural residential and visitor amenity;</p> <p>(d) may involve sites of varying size –</p> <p>(i) in accordance with the type, scale and intensity of primary industry; and</p> <p>(ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources;</p> <p>(e) is significantly influenced in temporal nature, character, scale, frequency, and intensity by external factors, including changes in technology, production techniques, and in economic, management, and marketing systems.</p>	<p>(b)(ii) Proposal is not consistent with Desired Future Character Statements. The subject and surrounding land is not identified as places of ecological, scientific, cultural or aesthetic value.</p> <p>(b)(iii) Proposal is consistent with Desired Future Character Statements. The site supports an area of native vegetation bordering a tributary to Claytons Rivulet watercourse.</p> <p>(c)(i) Proposal is consistent with Desired Future Character Statements. The proposal would not unduly disturb the underlying physical terrain of the site.</p> <p>(c)(ii) Proposal is consistent with Desired Future Character Statements. The proposal would not unduly disturb biodiversity or ecological systems on the site, unless land clearance of native vegetation was undertaken.</p> <p>(c)(iii) Proposal is consistent with Desired Future Character Statements. The proposed use would not disturb existing scenic attributes of the site.</p> <p>(c)(iv) Not applicable. No identified rural residential or visitor amenity in this area.</p>
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	<p>(d)(i) Proposal is not consistent with Desired Future Character Statements. The proposed use would not be associated with primary industry.</p> <p>(d)(ii) Proposal is not consistent with Desired Future Character Statements. Proposal is not sustainable commercial production based on a naturally occurring resource.</p> <p>(e) Proposal is not consistent with Desired Future Character Statements. The proposed use is not significantly influenced by changes in technology, production techniques or economic management and marketing systems.</p>
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>Not applicable.</p> <p>Proposed use and development is for a non-required residential use.</p>

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

26.3.3 Residential use	
<p>26.3.3–(A1) Residential use that is not required as part of an other use must:</p> <ul style="list-style-type: none"> (a) be an alteration or addition to an existing lawful and structurally sound residential building; (b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling; (c) not intensify an existing lawful residential use; (d) not replace an existing residential use; (e) not create a new residential use through conversion of an existing building; (f) be an outbuilding with a floor area of not more than 100m² appurtenant to an existing lawful and structurally sound residential building; or (g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and 	<ul style="list-style-type: none"> (a) Non-compliant. Not an alteration or addition to an existing lawful residential building. (b) Non-compliant. Not an ancillary dwelling to an existing lawful single dwelling. (c) Not applicable. Not the intensification of an existing lawful residential use. (d) Not applicable. No existing residential use on the land. (e) Not applicable. No other buildings on the land. (f) Not applicable. Not an outbuilding appurtenant to an existing lawful and structurally sound residential building. (g) Not applicable. Not a home-based business. (h) Compliant. No change to the Title description is proposed. <p>See “Issues” section of this report.</p>

(h) there is no change in the title description of the site on which the residential use is located.	
26.4 Development Standards	
26.4.1 Suitability of a site or lot on a plan of subdivision for use or development	
<p>26.4.1–(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) unless for agricultural use, have an area of not less than 1.0 hectare not including any access strip; and</p> <p>(b) if intended for a building, contain a building area</p> <p style="padding-left: 40px;">(i) of not more than 2,000m² or 20% of the area of the site, whichever is the greater unless a crop protection structure for an agricultural use;</p> <p style="padding-left: 40px;">(ii) clear of any applicable setback from a frontage, side or rear boundary;</p> <p style="padding-left: 40px;">(iii) clear of any applicable setback from a zone boundary;</p> <p style="padding-left: 40px;">(iv) clear of any registered easement;</p>	<p>(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>(b)(iv) Not applicable. No registered easements.</p> <p>(b)(v) Not applicable. No right of way benefiting other land.</p> <p>(b)(vi) Not applicable. No restriction imposed by a utility.</p> <p>(b)(vii) Not applicable. No access strip.</p> <p>(b)(viii) Compliant. Land is accessible from a frontage to Stubbs Road.</p>

<ul style="list-style-type: none"> (v) clear of any registered right of way benefiting other land; (vi) clear of any restriction imposed by a utility; (vii) not including an access strip; (viii) accessible from a frontage or access strip. 	
<p>26.4.1 –(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <ul style="list-style-type: none"> (a) across a frontage over which no other land has a right of access; and (b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or (c) by a right of way connecting to a road – <ul style="list-style-type: none"> (i) over land not required as the means of access to any other land; and (ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the 	<ul style="list-style-type: none"> (a) Compliant. The Site Plan shows development of a new access road off Stubbs Road in accordance with the recommendation of Site Distance Assessment Report by Pitt & Sherry, dated 31 May 2017. (b) Not applicable. Not an internal Lot. (c) Not applicable. No legal access to a right of way connecting to a road. (d) Compliant. The land has a 161.53m frontage to Stubbs Road. (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>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>26.4.1–(A3) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of connecting to a water supply:</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system ^{R31} with a storage capacity of not less than 10,000 litres if:</p>	<p>(a) Not applicable. Satisfied by (b).</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. Compliant. Development is for a single dwelling.</p> <p>(b)(ii)b. Not applicable. Satisfied by (b)(ii)a.</p>

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

COMMUNITY SERVICES

<p>b. provides for an equivalent population of not more than 10 people per day; or</p> <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS 1547:2000 On-site domestic-wastewater management clear of any defined building area or access strip.</p>	
<p>26.4.1–(A5) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system:</p> <p>(i) for discharge to a natural drainage line, water body or watercourse; or</p> <p>(ii) for disposal within the site if:</p> <p>a. the site has an area of not less than 5,000m²;</p>	<p>(a) Not applicable. Satisfied by (b)(i).</p> <p>(b)(i) Compliant. Stormwater drainage to a minor tributary that drains to Claytons Rivulet.</p> <p>(b)(ii) Not applicable. Satisfied by (b)(i).</p>

<ul style="list-style-type: none"> 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. 	
26.4.2 Location and configuration of development	
<p>26.4.2–(A1) A building or a utility structure, other than a crop protection structure for an agriculture use, must be setback:</p> <ul style="list-style-type: none"> (a) not less than 20.0m from the frontage; or (b) not less than 50.0m if the development is for sensitive use on land that adjoins the Bass Highway; (c) not less than 10.0m from each side boundary; and (d) not less than 10.0m from the rear boundary; or 	<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 northern side boundary and 43.5m to southern side boundary. (d) Compliant. Development would be setback 380m from western rear boundary.

<p>(e) in accordance with any applicable building area shown on a sealed plan.</p>	<p>(e) Not applicable. No building area on a Sealed Plan.</p> <p>Compliant. Development satisfies the frontage setback, including the setback shown in the Table to this Clause.</p>
<p>26.4.2–(A2) Building height must be not more than 8.5m.</p>	<p>Compliant.</p> <p>Building height 5.26m.</p>
<p>26.4.2 A3.1</p> <p>A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must –</p> <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>A3.1</p> <p>(a) Compliant. Proposed dwelling and shed would not project above an elevation of 15m below closest ridgeline.</p> <p>(b) Compliant. Proposed dwelling and shed would be setback 57m from watercourse (creek).</p> <p>(c) Compliant. Proposed dwelling and shed would be below canopy level of vegetation located to the west of the site.</p> <p>(d) Non-compliant. Proposed dwelling would be clad with stone and timber veneer materials. The dwelling roof shed would be of zincalume material and the shed walls and roof would be of zincalume material. The Building Code of Australia (BCA) CA classifies roof colour on the basis of solar absorptance, which is</p>

<p>A3.2</p> <p>Wind power turbines and wind power pumps must not exceed 20m in height.</p>	<p>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>Refer to “Issues” section of this report.</p> <p>A3.2.</p> <p>Not applicable. Not wind turbine or wind power pumps.</p>
<p>26.4.3 Location of development for sensitive uses</p>	
<p>26.4.3–(A1) New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must –</p> <p>(a) be located not less than:</p> <ul style="list-style-type: none"> (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 	<p>(a)(i) Non-compliant. Proposed dwelling and outbuilding would be setback approximately 80m from adjoining agricultural land to the south and 90m from adjoining agricultural land to the north.</p> <p>Refer to “Issues” section of this report.</p> <p>(a)(ii) Not applicable. No aquaculture, or controlled environment agriculture.</p> <p>(a)(iii) Not applicable. No non-blasting extractive industry in surrounding area.</p>

<p><i>Mineral Resources Development Act 1995</i> if blasting does not occur; or</p> <p>(iv) 1000m from the operational area boundary established by a mining lease issued in accordance with the <i>Mineral Resources Development Act 1995</i> if blasting does occur; or</p> <p>(v) 500m from intensive animal husbandry;</p> <p>(vi) 100m from land under a reserve management plan;</p> <p>(vii) 100m from land designated for production forestry;</p> <p>(viii) 50.0m from a boundary of the land to the Bass Highway, or to a railway line; and</p> <p>(ix) clear of any restriction imposed by a utility; and</p> <p>(b) not be on land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i>, or land that may benefit from the application of broad-scale irrigation development.</p>	<p>(a)(iv) Non-compliant. Proposed dwelling and outbuilding would be approximately 955m from an extractive industry that has capability to blast.</p> <p>Refer to “Issues” section of this report.</p> <p>(a)(v) Compliant. No intensive animal husbandry within 500m.</p> <p>(a)(iv) Not applicable. Land is not within 100m of land under a reserve management plan.</p> <p>(a)(vii) Compliant. Land adjoins a private timber reserve that is approximately 450m to the west of the development site.</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>
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26.4.4 Subdivision	
26.4.4-(A1) Each new lot on a plan of subdivision must be –	Not applicable.
(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.	No subdivision proposed.
26.4.5 Buildings for Controlled Environment Agriculture	
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:	Not applicable.
(a) rely on the soil as a growth medium into which plants are directly sown;	No controlled environment agriculture proposed.
(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 1m.
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	
<p>E9.5.1–(A1) Provision for parking must be:</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p>	<p>Compliant.</p> <p>E9 Traffic and Parking Code of the Scheme requires two car spaces per dwelling. The land has ample areas to allocate this provision.</p>
E9.5.2 Provision for loading and unloading of vehicles	
<p>E9.5.2–(A1) There must be provision within a site for:</p> <p>(a) on-site loading area in accordance with the requirement in the Table to this Code; and</p> <p>(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.</p>	<p>(a) Not applicable. Not required for residential development.</p> <p>(b) Not applicable. Passenger pick-up and set-down facilities not required for residential development.</p>

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.
<p>E9.6.2 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p>	<p>(a) Compliant. The site has ample area to make provision for circulation and parking areas and vehicle maneuvering areas in accordance with AS/NZS 2890.1 (2004). A Permit should require compliance with the standard.</p> <p>(b) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(c) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(d) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(e) Compliant. The site has sufficient area to accommodate this requirement.</p>

<p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	<p>(f) Compliant. The site has sufficient area to accommodate this requirement.</p> <p>(g) Compliant by condition. 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 zone's Local Area Objectives and Desired Future Character Statements together seek to promote use and development that is for such primary industry purposes.

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 Local Area 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 zone may provide for other use and development that does not constrain or conflict with resource development uses, such as a utility and tourist operation development.

The application is accompanied by an agricultural report by AK Consultants. The report discredits the capability of the land for primary industry use, despite the fact that the land has been used for primary industry since 1976, and fails to address the various Local Area Objectives of the Rural Resource zone.

The subject proposed use of the land is not able to satisfy the Local Area Objectives. The proposal is not a use that is associated with primary industry and does not rely on a resource that would be available on site or on adjacent land. The proposal is for non-required Residential development. 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, specifically including agriculture and quarrying.

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.

The application is accompanied by an Agricultural Report by AK Consultants. The report acknowledges estimates by the State's Department of Primary Industry, Parks, Water and Environment that the land has potential for up to 22ML of highly reliable water resource and an additional 8ML of mid reliable water resource available from two Class 4 unnamed tributaries of Claytons Rivulet (one such tributary flows through the subject land). The report states that the irrigation water resource would be reliant upon the construction of an adequate storage facility. The report in conclusion states it is highly unlikely the land could make profitable use of an irrigation resource and the report is considered to be, in this regard, inconsistent with the otherwise stated capacity of the land.

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 for 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 located 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 operations 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 and/or fettering of primary industry activity on subject land or, more particularly, on adjacent land. Further, the proposed dwelling does not meet the Scheme's setback from an extractive industry that has blasting capability (quarry).

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	Statement of Compliance from the Road Authority. Refer to Annexure 4.
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 –

No representations were received within the prescribed time.

RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

CONCLUSION

The proposed use and development of the land for Residential (non-required dwelling and shed) 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 further considered the proposal would result in the permanent loss of viable agricultural land with the proclaimed Kindred North Motton Irrigation District.

Recommendation –

It is recommended that the application for Residential (non-required dwelling) and outbuilding (shed) – discretionary use and development in Rural Resource zone with variations to setback from agricultural land, development in a proclaimed irrigation district, proximity to a blasting extractive industry and

the use of materials with a light reflectance value of less than 40% at CT7334/4 Stubbs Road, Forth 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 be likely to 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 would be less than 200m from agricultural land and less than 1,000m from an extractive industry that has blasting capability and 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 Planner’s report having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

■ “That the application for Residential (non-required dwelling) and outbuilding (shed) – discretionary use and development in Rural Resource zone with variations to setback from agricultural land, development in a proclaimed irrigation district, proximity to a blasting extractive industry and the use of materials with a light reflectance value of less than 40% at CT7334/4 Stubbs Road, Forth 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 be likely to 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 would be less than 200m from agricultural land and less than 1,000m from an extractive industry that has blasting capability and 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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NOTES

INFRASTRUCTURE SERVICES

9.7 Opening of various streets/roads

The Director Infrastructure Services reports as follows:

“It is necessary to formally resolve that the Council intends to ‘open’, after the expiration of 28 days, the following streets/roads which have been constructed in new subdivisions:

- . Sue Napier Drive, Ulverstone;
- . Tidalbank Avenue, Ulverstone.”

The Executive Services Officer reports as follows:

“Plans of Sue Napier Drive, Ulverstone and Tidalbank Avenue, Ulverstone having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

■ “That, having given notice in accordance with the *Local Government (Highways) Act 1982*, the Council open as a highway Sue Napier Drive, Ulverstone and Tidalbank Avenue, Ulverstone (plans of the streets/roads being appended to and forming part of the minutes).”

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9.8 Various streets/roads – Certificates of completion

The Director Infrastructure Services reports as follows:

“It is necessary for the Council to certify that the following streets/roads have been constructed substantially in accordance with the plans and specifications approved by the Council:

- . Sue Napier Drive, Ulverstone;
- . Tidalbank Avenue, Ulverstone.”

The Executive Services Officer reports as follows:

“Plans of Sue Napier Drive, Ulverstone and Tidalbank Avenue, Ulverstone having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

- “That the Council certify under the hand of the Corporation’s engineer that Sue Napier Drive, Ulverstone and Tidalbank Avenue, Ulverstone (plans of the streets/roads being appended to and forming part of the minutes) have been constructed substantially in accordance with the plans and specifications approved by the Council.”
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9.9 Tenders for bridge replacement – Leven River, Taylors Flats Road, Loongana

The Director Infrastructure Services reports as follows:

“The Engineering Group Leader has prepared the following report:

‘PURPOSE

The purpose of this report is to make recommendation on tenders received for the replacement of the bridge over the Leven River on Taylors Flats Road, Loongana. The existing bridge was damaged in the June 2016 floods and subsequently closed to vehicular traffic due to substantial structural damage.

BACKGROUND

The existing timber bridge was built in 1981 with refurbishment of the deck and additional railing added in 2004. The bridge was listed for replacement in 2024.

Taylors Flats Road is subject to vehicular and pedestrian traffic in low volumes. The road formation is a single vehicle width access with a very low speed environment along its length.

It provides access to freehold property along with access to walking tracks onto Black Bluff and surrounds.

DISCUSSION

Tenders were called for the replacement of the bridge on 3 June 2017 and closed at 2.00pm on 27 June 2017.

A minimum conforming standard was outlined in the design brief. Options with minimal or alternative barriers were also requested given the exposure of this bridge to high flood levels and debris.

Submissions from three tenderers were received as follows (including GST and \$50,000 contingency):

TENDERER	PRICE \$
BridgePro Engineering P/L – Silver Alternative	627,390.00
BridgePro Engineering P/L – Silver	643,010.00
BridgePro Engineering P/L – Gold Alternative	654,100.00
BridgePro Engineering P/L – Platinum Alternative	698,010.00
TasSpan Civil Contracting P/L – Alternative	679,535.70
TasSpan Civil Contracting P/L – Conforming	699,535.70
VEC Civil Engineering P/L – Alternative	766,418.00
VEC Civil Engineering P/L – Conforming	783,413.00
<i>ESTIMATE</i>	<i>1,200,000.00</i>

Following is an outline of each option from the three tenderers:

TENDERER	LENGTH (M)	CLEAR WIDTH (M)	SUPERSTRUCTURE	SUBSTRUCTURE
BridgePro Engineering P/L Silver	42.0	4.5	Precast prestressed concrete with galvanised steel square hollow section (SHS) barriers.	Driven steel tube piles with full depth abutment and wingwalls on south end and perched abutment and wingwalls on north end.
BridgePro Engineering P/L Silver Alternative	42.0	4.5	Precast prestressed concrete with pedestrian rails and no off-structure barrier.	Driven steel tube piles with full depth abutment and wingwalls on south end and perched abutment and wingwalls on north end.
BridgePro Engineering P/L Gold Alternative	42.0	4.5	As per silver plus no fines concrete abutments and additional signage.	Driven steel tube piles with full depth abutment and wingwalls on south end and perched abutment and wingwalls on north end.
BridgePro Engineering P/L Platinum Alternative	42.0	4.5	As per silver and gold plus extended defects liability, routine and post flood bridge inspections and 10-year routine maintenance.	Driven steel tube piles with full depth abutment and wingwalls on south end and perched abutment and wingwalls on north end.

VEC Civil Engineering P/L Conforming	42.0	4.5	Precast prestressed concrete with galvanised steel twin RHS barrier.	Driven steel universal column (UC) piles with full depth abutments and wingwalls.
VEC Civil Engineering P/L Alternative	42.0	4.5	Precast prestressed concrete with 250 x 250 concrete kerb and no barriers.	Driven steel universal column (UC) piles with full depth abutments and wingwalls.
TasSpan Civil Contracting P/L Conforming	42.0	4.5	Precast prestressed concrete with galvanised steel w-beam barriers.	Driven steel universal column (UC) piles with full depth abutments and wingwalls.
TasSpan Civil Contracting P/L Alternative	42.0	4.5	Precast prestressed concrete with pedestrian railing.	Driven steel universal column (UC) piles with full depth abutments and wingwalls.

All four tenderers offer construction programs in compliance with the specified completion date of the 31 December 2017. These programs allow for design work to commence in August (on acceptance of the successful tenderer), component construction to start soon after. BridgePro Engineering P/L and VEC Civil Engineering P/L propose to commence onsite during September and TasSpan Civil Contracting P/L propose to commence in October.

BridgePro Engineering P/L, VEC Civil Engineering P/L and TasSpan Civil Contracting P/L have previously carried out work successfully for the Council and are recognised as being competent to perform the works with their structures conforming to relevant standards.

The preferred option for any bridge replacement is with a permanent concrete structure as there are low lifecycle and maintenance costs.

BridgePro Engineering P/L, VEC Civil Engineering P/L and TasSpan Civil Contracting provide for permanent concrete options. These designs are similar in that they propose a structural concrete deck sitting on concrete abutments over piled footings with a 100-year design life.

All options presented by BridgePro Engineering P/L feature a perched abutment on the north end. The design brief asked for full depth abutments on both ends of the bridge to prevent undermining in future flood events. VEC Civil Engineering P/L and TasSpan Civil Contracting P/L have specified full depth abutments. This aspect of the design was an influencing factor in the assessment.

VEC Civil Engineering P/L also presented other options giving small cost savings. These included reducing the design standard of the bridge which results in shallower beams meaning more waterway area, and a 3-span bridge which also allows for shallower beams but means an additional pier. These were not considered further based on only small cost savings and the desire to keep the number of piers to a minimum.

The Council uses a weighted tender assessment method based on:

- . compliance with tender documents;
- . experience;
- . personnel;
- . construction period;
- . design;
- . WHS system and record; and
- . tender price/value for money.

TasSpan Civil Contracting P/L with its alternative achieved the highest rating based on this method (confidential copy attached).

CONSULTATION

This item has followed a public tendering process.

Local consultation and public notice will be provided at the time of construction.

RESOURCE, FINANCIAL AND RISK IMPACTS

The unscheduled replacement of this bridge is a substantial impact on resources. Funding will effectively consist of 25% share from the Council and 75% share from the Natural Disaster Relief and Recovery Arrangements.

CORPORATE COMPLIANCE

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

A Connected Central Coast

- . Provide for a diverse range of movement patterns

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure

Council Sustainability and Governance

- . Improve the Council's financial capacity to sustainably meet community expectations.

CONCLUSION

It is recommended that the alternative tender from TasSpan Civil Contracting P/L for the sum of \$617,759.73 (exc. GST) [\$679,535.70 (incl. GST)] for the replacement of the Leven River bridge on Taylors Flats Road, Loongana be accepted and approved by the Council.'

The Engineering Group Leader's report is supported."

The Executive Services Officer reports as follows:

"A copy of the confidential tender assessment having been circulated to all Councillors, a suggested resolution is submitted for consideration."

- “That the alternative tender from TasSpan Civil Contracting P/L in the amount of \$679,535.70 (incl. GST) for the replacement of the Leven River bridge on Taylors Flats Road, Loongana be accepted.”
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-
-

9.10 Asset Management Policy review (143/2014 – 19.05.2014)

The Director Infrastructure Services reports as follows:

“The Assets & Facilities Group Leader has prepared the following report:

PURPOSE

The purpose of this report is to consider the adoption by the Council of a revised Asset Management Policy.

BACKGROUND

At the Council meeting held on 19 May 2014 (Minute No. 143/2014) the Council adopted an Asset Management Policy in line with accepted Asset Management practices.

This Policy required a revision to be undertaken to reflect any changes in asset management practices, legislation etc. A copy of the Policy is provided as an annexure to this report.

DISCUSSION

The purpose of the Policy is to outline why asset management is relevant, to document principles and set a corporate framework for undertaking asset management in a structured and coordinated way.

It describes definitions used in asset management as well as principles by which asset management should be undertaken.

The Policy describes how asset management complements and builds on the Council’s Strategic Plan and the benefits achieved, as well as setting out roles

and responsibilities of the Council, the Asset Management Team and employees.

CONSULTATION

Consultation has been undertaken in conjunction with Council staff and the Senior Leadership Team.

RESOURCE, FINANCIAL AND RISK IMPACTS

There is no direct impact on resources to implement the Policy.

CORPORATE COMPLIANCE

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

The Shape of the Place

- Improve the value and use of open space

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

CONCLUSION

It is recommended that the revised Asset Management Policy dated April 2017 be adopted.'

The Assets & Facilities Group Leader's report is supported."

The Executive Services Officer reports as follows:

"A copy of the Asset Management Policy dated April 2017 having been circulated to all Councillors, a suggested resolution is submitted for consideration."

- "That the Asset Management Policy dated April 2017 (a copy being appended to and forming part of the minutes) be adopted."

NOTES

ORGANISATIONAL SERVICES

9.11 Contracts and agreements

The Director Organisational Services reports as follows:

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

The Executive Services Officer reports as follows:

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

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

The Director Organisational Services reports as follows:

“PURPOSE

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

CORRESPONDENCE RECEIVED

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

- . Letter requesting support for a proposal to erect a Memorial in Shropshire Park, Ulverstone
- . Letter regarding the future of the Penguin Cricket Club and request for financial assistance

- . Letter requesting sponsorship of newly formed young professionals group
- . Letter regarding concerns within the Turners Beach area
- . Letter regarding the Ulverstone History Museum
- . Letter requesting review of rental charge and debt assistance for Penguin Cricket Club
- . Letter opposing the relocation of the Howth based penguin
- . Letter regarding Council's interest in the change of date for Australia Day, maintenance issue at the Apex Caravan Park and appreciation of continued community improvements.

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

The Executive Services Officer reports as follows:

"A suggested resolution is submitted for consideration."

- "That the Director's report be received."
-
-
-

9.13 Common seal

The Director Organisational Services reports as follows:

"A Schedule of Documents for Affixing of the Common Seal for the period 20 June 2017 to 19 July 2017 is submitted for the authority of the Council to be given. Use of the common seal must first be authorised by a resolution of the Council.

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

The Executive Services Officer reports as follows:

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

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

The Director Organisational Services reports as follows:

“The following principal financial statements of the Council for the period ended 30 June 2017 are submitted for consideration:

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

The Executive Services Officer reports as follows:

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

- “That the financial statements (copies being appended to and forming part of the minutes) be received.”
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-
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9.15 Fees and Charges 2017–2018 – Correction of clerical errors (181/2017 – 19.06.2017)

The Director Organisational Services reports as follows:

"PURPOSE

The purpose of this report is to correct clerical errors within the Fees and Charges 2017–2018 in regard to the fees relating to the North Motton Recreation Ground; and Sports & Leisure Centre fees for Boomerang Passes, weekend rates for squash courts light meters and racquet hire, and Dormitory fees. This will also provide the opportunity to remove the Gawler Hall from the listing as it is no longer permanently leased out by the Council and to add an additional set of fees for the hire of the small meeting space at the Penguin Railway Station.

BACKGROUND

The Council sets the fees and charges each year and any change to these fees requires a resolution from the Council.

DISCUSSION

In preparing the 2017–2018 Fees and Charges for consideration by the Council it would appear that there have been a number of clerical errors that need to be corrected, while at the same time providing the opportunity to remove a fee that is no longer applicable.

The corrections are listed below.

Page 3:

<i>Other</i>	<i>Current listing</i>	<i>Fee correction to:</i>
. Traffic Counts (New – 1 count)	n/a	\$605.00
. Traffic Counts (New – 2 counts at same time)	n/a	\$880.00
. Traffic Count Report up to 2 years old (available count)	n/a	\$275.00
. Traffic Counts Report more than 2 years old (available count)	n/a	\$55.00

Page 7:

Haywoods Recreation Ground

Gawler Cricket Club (should read East Ulverstone Cricket Club where it twice occurs).

Page 8:

<i>North Motton Recreation Ground</i>	<i>Current listing</i>	<i>Fee correction to:</i>
. Hourly fee – (Juniors) min. 2 hrs	\$100.00	nil
. Hourly fee – (Seniors) min. 2 hrs	\$300.00	nil
. Camping fee – minimum daily fee	\$300.00	\$100.00
. Camping fee – maximum daily fee	\$500.00	\$300.00

. Non sporting major event – min. fee (per day)	\$1,000.00	\$300.00
. Major event – minimum clean up fee (bond)	\$100.00	\$500.00
. Non sporting major event max. fee (per day)	\$150.00	\$1,000.00
. Set-up fee – public even – under 100	\$0.00	\$100.00
. Set-up fee – public event – over 100 – min. fee	\$0.00	\$150.00

Page 8:

Penguin Athletic Track

North West Little Athletics Association (should read Burnie Little Athletics)

Page 18:

Gawler Hall

. Hall – hourly fee	\$12.00
. Hall – minimum fee	\$24.00
. Hall – daily fee	\$80.00

All fees to be deleted as the Hall is not permanently leased out.

Page 19:

Penguin Railway Station

Current listing

Fee correction to

. Small meeting room (community) – excluding kitchen		
. Hourly fee	n/a	\$7.00
. Minimum fee (2 hrs)	n/a	\$14.00
. Daily fee	n/a	\$40.00
. Small meeting room (commercial) – excluding kitchen		
. Hourly fee	n/a	\$14.00
. Minimum fee (2 hrs)	n/a	\$28.00
. Daily fee	n/a	\$100.00

The following two sub-headings will also change to reflect the above:

- . Exhibition Space (community) – excluding kitchen will read: Small meeting room with gallery (community) – excluding kitchen; and

- . Exhibition Space (commercial) – excluding kitchen will read: Small meeting room with gallery (commercial) – excluding kitchen.

Page 21:

<i>Boomerang Pass</i>	<i>Current listing</i>	<i>Fee correction to</i>
. Yearly pass – Juniors	\$100.00	\$50.00
. Yearly pass – Seniors	\$150.00	\$75.00

Page 22:

Squash Courts

	<i>Current listing</i>	<i>Fee correction to</i>
. Weekend rates		
. . Light meters (per 60 minutes)	\$60.00	\$2.00
. . Racquet hire	\$60.00	\$2.00

It is also noted that light meters will be charged per 12 minutes, not per 60 minutes.

Page 23:

<i>Dormitory Accommodation</i>	<i>Current listing</i>	<i>Fee correction to</i>
. 1–5 people (per person one night)	nil	\$30.00
. 6–36 people (per person one night)	\$30.00	\$25.00
. Four or more consecutive nights accommodation (per person per night)	\$25.00	\$20.00

CONSULTATION

This item has no effect in relation to consultation.

RESOURCE, FINANCIAL AND RISK IMPACTS

The corrections should simplify the charging out of these fees.

CORPORATE COMPLIANCE

The Strategic Plan 2014–2024 includes the following objective:

Council Sustainability and Governance

- . Improve service provision.

CONCLUSION

It is recommended that the following fees be updated into the Fees and Charges 2017–2018 to correct clerical errors:

Page 3:

Other

. Traffic Counts (New – 1 count)	\$605.00
. Traffic Counts (New – 2 counts at same time)	\$880.00
. Traffic Count Report up to 2 years old (available count)	\$275.00
. Traffic Counts Report more than 2 years old (available count)	\$55.00

Page 7:

Haywoods Recreation Ground

Should read East Ulverstone Cricket Club (where Gawler Cricket Club twice occurs).

Page 8:

North Motton Recreation Ground

. Hourly fee – (Juniors) min. 2 hrs	nil
. Hourly fee – (Seniors) min. 2 hrs	nil
. Camping fee – minimum daily fee	\$100.00
. Camping fee – maximum daily fee	\$300.00
. Non sporting major event – min. fee (per day)	\$300.00
. Major event – minimum clean up fee (bond)	\$500.00
. Non sporting major event max. fee (per day)	\$1,000.00
. Set-up fee – public even – under 100	\$100.00
. Set-up fee – public event – over100 – min. fee	\$150.00

Page 8:

Penguin Athletic Track

Should read Burnie Little Athletics (where North West Little Athletics Association occurs).

Page 19:

Penguin Railway Station

. Small meeting room (community) – excluding kitchen	
. . Hourly fee	\$7.00
. . Minimum fee (2 hrs)	\$14.00
. . Daily fee	\$40.00

- . Small meeting room (commercial) –excluding kitchen
 - . Hourly fee \$14.00
 - . Minimum fee (2 hrs) \$28.00
 - . Daily fee \$100.00

The following two sub-headings will also change to reflect the above:

- . Exhibition Space (community) – excluding kitchen will read: Small meeting room with gallery (community) – excluding kitchen; and
- . Exhibition Space (commercial) – excluding kitchen will read: Small meeting room with gallery (commercial) – excluding kitchen.

Page 21:

Boomerang Pass

- . Yearly pass – Juniors \$50.00
- . Yearly pass – Seniors \$75.00

Page 22:

Squash Courts

- . Weekend rates
 - . Light meters (per 12 minutes) \$2.00
 - . Racquet hire \$2.00

Page 23:

Dormitory Accommodation

- . 1–5 people (per person one night) \$30.00
- . 6–36 people (per person one night) \$25.00
- . Four or more consecutive nights accommodation (per person per night) \$20.00

and that the entries for the Gawler Hall on page 18 be removed in full.”

The Executive Services Officer reports as follows:

“A suggested resolution is submitted for consideration.”

- “That the following fees be updated into the Fees and Charges 2017–2018 to correct clerical errors and wording amendments:

Page 3:

Other

. Traffic Counts (New – 1 count)	\$605.00
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. Traffic Counts Report more than 2 years old (available count)	\$55.00

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Page 21:

Boomerang Pass

- | | |
|-------------------------|---------|
| . Yearly pass – Juniors | \$50.00 |
| . Yearly pass – Seniors | \$75.00 |

Page 22:

Squash Courts

- | | |
|-----------------------------------|--------|
| . Weekend rates | |
| . . Light meters (per 12 minutes) | \$2.00 |
| . . Racquet hire | \$2.00 |

Page 23:

Dormitory Accommodation

- | | |
|---|---------|
| . 1–5 people (per person one night) | \$30.00 |
| . 6–36 people (per person one night) | \$25.00 |
| . Four or more consecutive nights accommodation
(per person per night) | \$20.00 |

and that the entries for the Gawler Hall on page 18 be removed in full.”

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10 CLOSURE OF MEETING TO THE PUBLIC

10.1 Meeting closed to the public

The Executive Services Officer reports as follows:

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

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

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

- . Confirmation of Closed session minutes;
- . Minutes and notes of other organisations and committees of the Council; and
- . Sale of land – Corner Pine Road and Browns Lane, Penguin.

These are matters relating to:

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

A suggested resolution is submitted for consideration.”

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

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

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

- . Confirmation of Closed session minutes;
- . Minutes and notes of other organisations and committees of the Council; and
- . Sale of land – Corner Pine Road and Browns Lane, Penguin.”

The Executive Services Officer further reports as follows:

- “1 The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of any matter discussed at a closed meeting that the general manager is to record in the minutes of the open meeting, in a manner that protects confidentiality, the fact that the matter was discussed and a brief description of the matter so discussed, and is not to record in the minutes of the open meeting the details of the outcome unless the council determines otherwise.
- 2 While in a closed meeting, the council is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.
- 3 The *Local Government Act 1993* provides that a councillor must not disclose information seen or heard at a meeting or part of a meeting that is closed to the public that is not authorised by the council to be disclosed.

Similarly, an employee of a council must not disclose information acquired as such an employee on the condition that it be kept confidential.
- 4 In the event that additional business is required to be conducted by a council after the matter(s) for which the meeting has been closed to the public have been conducted, the Regulations provide that a council may, by simple majority, re-open a closed meeting to the public.”

Associated Reports And Documents



General Meeting

Minutes

17 February 2017

**The Tramsheds Function Centre
Invermay**

326 Macquarie Street, GPO Box 1521, Hobart, Tas 7000

Phone:

Fax: (03) 6233 5986

Email: admin@lgat.tas.gov.au

Home Page: <http://www.lgat.tas.gov.au>

**PROCEDURAL MATTERS.
RULES REGARDING CONDUCT OF MEETINGS**

13. WHO MAY ATTEND A MEETING OF THE ASSOCIATION

- (a) Each Member shall be entitled to send a voting delegate to any Meeting of the Association, such voting delegate exercising the number of votes determined according to Rule 16(a).
- (b) After each ordinary Council election, the Chief Executive Officer shall request each Member to advise the name of its voting delegate and the proxy for the voting delegate for Meetings of the Association until the next ordinary Council elections.
- (c) Members may change their voting delegate or proxy at any time by advising the Chief Executive Officer in writing over the hand of the voting delegate or the General Manager prior to that delegate taking his or her position at a Meeting.
- (d) A list of voting delegates will be made available at the commencement of any Meeting of the Association.
- (e) Members may send other elected members or Council officers as observers to any Meeting of the Association.

14. PROXIES AT MEETINGS

- (a) Up to 1 hour prior to any Meeting of the Association, a Member may appoint another Member as its proxy.
- (b) The form of the proxy is to be provided by the Chief Executive Officer and is to be signed by either the Mayor or General Manager of the Council appointing the proxy.
- (c) The Chair of the meeting is not entitled to inquire as to whether the proxy has cast any vote in accordance with the wishes of the Member appointing the proxy.
- (d) Proxies count for the purposes of voting and quorum at any meeting.

15. QUORUM AT MEETINGS

At any Meeting of the Association, a majority of the Member Councils shall constitute a quorum.

16. VOTING AT MEETINGS

- (a) Voting at any Meeting of the Association shall be upon the basis of each voting delegate being provided with, immediately prior to the meeting, a placard which is to be used for the purpose of voting at the meeting. The placard will be coloured according to the number of votes to which the Member is entitled:

Population of the Council Area	Number of votes entitled to be exercised by the voting delegate	Colour placard to be raised by the voting delegate when voting
Under 10,000	1	Red
10,000 – 19,999	2	White
20,000 – 39,999	3	Blue
40,000 and above	4	Green

- (b) The Chairman of the meeting shall be entitled to rely upon the raising of a coloured placard as the recording of the vote for the Member and as evidence of the number of votes being cast.
- (c) Except as provided in sub-rule (d), each question, matter or resolution shall be decided by a majority of the votes capable of being cast by Members present at the Meeting. If there is an equal number of votes upon any question, it shall be declared not carried.
- (d)
 - (i) When a vote is being taken to amend a Policy of the Association, the resolution must be carried by a majority of the votes capable of being cast by Members, whether present at the Meeting or not.
 - (ii) When a vote is being taken for the Association to sign a protocol, memorandum of understanding or partnership agreement, the resolution must be carried by a majority of votes capable of being cast by Members and by a majority of Members, whether present at the Meeting or not.
 - (iii) When a vote is being taken to amend the Rules of the Association, the resolution must be carried by at least two-thirds of the votes capable of being cast by Members, whether present at the Meeting or not.

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* Denotes Attachment



GENERAL MEETING SCHEDULE

- 9.30** **Morning Tea on arrival**
- 10.00** **Meeting Commences**
- 10.30** **Tom Black, Chair, RDA Tasmania**
Craig Perkins, CEO, RDA Tasmania
- 11.00** **Alex Tay, Director, Local Government Division**
Greg Brown, Local Government Division
- 1.30 pm** **Approximately lunch**
- Close**

Opening Comment About New Meeting Format

At various times there has been criticism of the General Meeting format and the level of interest/engagement for attending councils. In response, the Association introduced items for topical discussion and has tried to ensure greater relevance in speakers who are presenting.

Reflecting on the level of interaction and engagement at the TasWater workshop held in Longford in early September, the GMC have agreed that LGAT could opportunistically apply a similar style of facilitation (small group work, collective feedback) to some of the items for topical discussion. For example, if seeking early impressions on State Government Policy (such as cat management) or in developing a strategic response to emerging issues (such as the Building Act).

Breaking into smaller groups might make it easier for all members to engage and lend itself to useful and targeted advice to LGAT from Members which supports our strategic/advocacy agenda.

It is not suggested this style be used for every item of topical discussion but where there would be a value add from having a conversation which was deeper and richer.

The rules allow a suspension of meeting procedures for items of topical discussion.

We will try this with **Item 4.1** on this Meeting Agenda.

Further, you will note we have reconfigured the meeting times to allow for us to end with lunch. We will start with a robust morning tea and have a late lunch at 1.30. We are trying this format to see if we achieve a better and more sustained momentum for the meeting.

I would welcome your feedback on these changes.

Dr Katrena Stephenson
CHIEF EXECUTIVE OFFICER

Katrena.stephenson@lgat.tas.gov.au

The President welcomed Members and declared the Meeting open at 10.00am.

Apologies were received from

Latrobe Council	Mayor Peter Freshney
Huon Valley Council	Commissioner Adriana Taylor
Central Highlands Council	Ms Lyn Eyles
Derwent Valley Council	Mr Greg Winton
Kingborough Council	Mayor Steve Wass
City of Hobart	Mr Nick Heath
Glamorgan Spring Bay Council	Mayor Michael Kent
Glamorgan Spring Bay Council	Mr David Metcalf
Dorset Council	Mr Tim Watson
Glenorchy City Council	Commissioner Sue Smith
Tasman Council	Mayor Roseanne Heyward
Tasman/Sorell Councils	Mr Robert Higgins
King Island Council	Mayor Duncan McFie
George Town Council	Mayor Bridgette Archer
George Town Council	Mr John Martin
Launceston City Council	Mayor Albert van Zetten
Northern Midlands Council	Mr Des Jennings
Brighton Council	Mr Ron Sanderson

1. GOVERNANCE

1.1 CONFIRMATION OF MINUTES *

West Tamar Council/Clarence City Council

That the Minutes of the meeting held on 4 November 2016, as circulated, be confirmed.

Carried

Background:

The Minutes of the General Meeting held on 4 November 2016, as circulated, are submitted for confirmation and are at **Attachment to Item 1.1.**

1.2 BUSINESS ARISING *

Central Coast Council/Circular Head Council

That Members note the information.

Carried

Background:

At Attachment to Item 1.2 is a schedule of business considered at the previous meeting and its status.

1.3 CONFIRMATION OF AGENDA

Meander Valley Council/Devonport City Council

That consideration be given to the Agenda items and the order of business.

Carried

Background:

Delegates will be invited to confirm the agenda for the meeting and the order of business.

1.4 FOLLOW UP OF MOTIONS*

Break O'Day Council/Clarence City Council

That Members note the report.

Carried

Background:

A table detailing action taken to date in relation to motions passed at previous meetings is at **Attachment to Item 1.4.**

1.5 PRESIDENT'S REPORT

President/Burnie City Council

That Members note the report on activity since the last General Meeting.

Carried

Meetings

- ALGA Board Meeting
- ALGA Strategic Planning
- ALGA Launch of Disability Guide

- General Management Committee
- Launceston City Council Visit, Flinders Island Council Visit
- LGAT General Meeting
- LGAT Stakeholder BBQ
- Mayor's Professional Development Day
- National Roads and Transport Congress
- NW Regional Breakfast
- Premier's Local Government Council
- Regular meetings with the LGAT CEO
- Minister Gutwein re Budget Submission

Media/Communication

- ALGA Vice Presidency
- The Pulse

Other

- Elected Vice President Australian Local Government Association.

1.6 CEO REPORT

Waratah Wynyard Council/Flinders Council

That Members note the report on activity since the last General Meeting.

Carried

Key meetings and events

- Alex Tay, Director of Local Government
- ALGA Strategic Planning
- Audit Office regarding new related parties standards (working group)
- Audit Office regarding Report on Local Government
- AustCham Shanghai teleconference
- Breakfast meeting with other peak bodies to discuss State Budget priorities
- Commonwealth Bank regarding LGAT investments
- Concepts of Change, TasWater Stakeholder Discussions (pricing)
- Electoral Commissioner – general catch up
- Flood recovery review team
- General Management Committee
- GO1 training providers
- Interview by UTS (Telephone) on Local Government and NDIS
- Kim Evans – Secretary State Growth

- Launceston City Council, Southern Midlands Council, Sorell Council, Hobart City Council, Flinders Island Council, Huon Valley Council
- Launch of Towards Zero Road Safety Strategy
- Legislative Council Committee – TasWater
- LG PR Working Group
- LGAT Assist Board Meeting
- LGAT General Meeting
- LGAT Stakeholder BBQ
- Local Government Professionals Tasmania Board Meeting
- Mark Media regarding future magazine printing
- Mayor's Professional Development Day
- McCarthur regarding LG remuneration survey
- NW Regional Breakfast
- Planning Reform Taskforce x2
- Premier's Local Government Council
- Premier's Local Government Council Officials' Meeting
- Presentation to Women in Leadership Summit
- Regional Authorities regarding State Budget
- Road Safety Advisory Council
- Southern Tasmanian Councils Authority Meeting
- T21 stakeholder update
- Tasmanian Workforce Planning Reference Group Teleconference
- Telstra regarding mobile roaming/impacts on communities
- Tony McCall – Advisor to Minister Gutwein
- VEC Civil Engineering
- Will Joscelyne, Chief of Staff for Minister Hidding

Strategic Policy Activity

- Submission on the State Budget
- Submission to Legislative Council Scrutiny Committee, TasWater

Media and Messaging

- The Pulse Newsletter
- Print and radio regarding Audit-General's Report on Local Government, changes to Building Act/Regulations, Huon Valley Council, TasWater, Air BnB, Council Rates, State Planning Provisions
- Planning Op Ed picked up by the Advocate and the Mercury
- Letter to Editor, TasWater Dividends
- Media release ALGA Vice Presidency

Organisational

- GMC Elections
- Probation Performance Review Executive Officer
- Review of the LGAT Assist Rules
- Introduction of electronic voting at General Meetings
- Changes to LGAT Communications/Better Councils Campaign
- LGAT Member Survey
- Workshop to look at LGAT Sponsorship arrangements and opportunities
- Development of LGAT Sponsorship Policy
- Review of LGAT Investment Policy

1.7 MONTHLY REPORTS TO COUNCILS*

That Members note the reports for October, November and December 2016.

Noted

Background:

Monthly reports to Councils that briefly outline Association activities and outcomes for the previous months are at **Attachment to Item 1.7**.

2. ITEMS FOR DECISION

2.1 MOTION – ELECTED MEMBERS ACCESS TO ELECTORAL ROLLS

Clarence City Council/Devonport City Council

1. That LGAT Supports the entitlement of all councillors in Tasmania to be provided with a hard copy or electronic copy of the electoral roll for their Local Government Area, including the General Manager's Roll for that area, with regular updates; and
2. That LGAT calls on the Tasmanian Government to put forward the legislative changes necessary to give effect to this entitlement, noting that details such as the regularity of updates, permitted uses of the roll and how the costs of providing the roll will be funded; and what safeguards will be put in place to ensure copies of the roll are transmitted securely are matters to be determined by the Tasmanian Government in consultation with Local Government.

Carried

Background

Candidates in Local Government elections in Tasmania are entitled to a hard copy of the electoral roll for their Local Government Area, including the General Manager's Roll, after the roll closes for that election.

Subsection 261(6) of Tasmania's *Local Government Act 1993* provides:

"The returning officer on request is to provide each candidate in an electoral area with one copy of the list of electors free of charge as soon as practicable after the roll closure day".

Subsection (7) provides:

"A person, body or organisation must not, without reasonable excuse, use information obtained from a list of electors provided under subsection (6), unless the information is used for purposes connected with an election.

Penalty:

"Fine not exceeding 50 penalty units".

By law, State and Federal Members of Parliament are entitled to ongoing access to electronic and/or print editions of the electoral roll, updated regularly, for the division they represent throughout their term.

This entitlement is provided by Section 40 of Tasmania's *Electoral Act 2004* and Section 90B of the Commonwealth *Electoral Act 1918*.

It stands to reason that if State and Federal Members of Parliament need to access the electoral roll in order to communicate with the electors they represent then the same argument can be applied to representatives in Local Government.

Under the current law, councillors elected as endorsed candidates of a registered political party may receive an unfair advantage, as it could be reasonably argued that they are entitled to use the electoral roll information supplied to their registered political party for electoral purposes at any time during their term.

A similar advantage may be available to a member of a political party who would seek to be a candidate in a Local Government election and use their party's entitlement to the roll to support their candidacy.

2.2 MOTION - EXTENDING TERM OF GMC MEMBERS

Contact Officer – Katrena Stephenson

Circular Head Council/Brighton Council

That the Members agree to an extension of the term of office of the two Southern GMC Members elected to fill casual vacancies during 2016.

Carried

Background

An election to fill the casual GMC vacancy (Southern Electoral District, councils with populations less than 20,000) left by the resignation of Deidre Flint has been undertaken with Mayor Tony Bisdée declared the new representative in December 2016. In July 2016 Alderman Heather Chong was elected to fill the vacancy left by Mayor Kristie Johnston.

Under our Rules, GMC elections are to be held next year, with nominations to be requested in March and commencement of the newly elected GMC after the AGM/Conference.

It has been usual practice, when a casual vacancy falls close to an election, to extend the term of that GMC Member rather than run a second election so close to the first. The extension of term must be agreed through a General Meeting.

The Meeting last agreed to an extension of term in February 2015 in relation to the President (then Barry Jarvis) when Barry Easther retired before the completion of his term and also to Mayor Perkins, who was filling the casual vacancy created by the election to President of Mayor Jarvis.

Given the membership has only recently voted these positions, the GMC recommend the extension of their terms, noting that the elections for the other GMC positions would be conducted in the normal way.

Budget Impact

Does not apply.

Current Policy

As per LGAT Rules s20 and s21.

3. ITEMS FOR NOTING

3.1 STATE BUDGET SUBMISSION

Contact Officer – Katrena Stephenson

Southern Midlands Council/Waratah Wynyard Council

That Members note the following report.

Carried

Background

LGAT was invited to make a submission to the 2017-18 State Budget Community Consultation process. Submissions were to be provided by 8 December, 2016.

In preparation, LGAT:

- Sought feedback from General Managers in relation to last year's priorities and emerging priorities;
- Met with the regional bodies to identify overarching structural/resourcing issues;
- Initiated a meeting with a range of peak bodies to look at areas of common interest; and
- Reviewed last year's submission against key current policy drivers at a state and national level.

In addition to the LGAT submission, we are working with a range of peak bodies on a joint vision statement to be released in 2017. TasCoss is co-ordinating this work. Each peak body has been asked to submit a few lines related to a broad vision for the State/from the State Government.

Based on our Electoral and Budget submissions last year, LGAT suggested as a starting point:

"We are seeking a range of investments that:

- *Will serve the State well in increasing productivity and securing the wellbeing of all communities.*
- *Improve community outcomes across areas such as education, health, ageing and social inclusion.*
- *Ensure vibrant, resilient, healthy and safe communities.*

There should be clearly understood roles and responsibilities across governments, industries and communities and a joint commitment to outcomes".

As usual, the timeframe to make submissions was very tight and did not allow for much too-ing and fro-ing.

We have indicated that the President and CEO would like to meet with the Minister to run through the submission. The final submission was provided to councils in December and is also available on the LGAT website.

Budget Impact

Does not apply.

Current Policy

Aligns with already articulated positions.

- *Strategic Plan: Priority Area 1: Strengthening Strategic Relationships*

3.2 CODE OF CONDUCT *

Contact Officer – Katrena Stephenson

Northern Midlands Council/Devonport City Council

- 1. That Members note the report by LGAT and presentation by the Local Government Division; and**
- 2. That Members note the Government has committed to a twelve month review of the Code of Conduct legislation.**

Carried

Background

Concerns have been raised about the Code of Conduct legislation which commenced in April 2016. With the significant change of elected members at the October 2014 elections, some of the history on sector led advocacy has been lost. Many of the current provisions relate directly to requests from our sector.

It appears timely to provide some background to Members ahead of the review.

The new code of conduct framework and the subsequent model code of conduct order, is the outcome of significant consideration and consultation with Local Government. This included discussion papers issued by LGAT in June and November 2010, a Working Group Paper issued by LGAT in Sep 2013, an outline of recommendations to the State Government to the December 2013 General Meeting, a discussion paper on the Amendment Bill issued by the State Government in October 2014, and draft Bill for consultation in early 2015.

A joint State Government and Local Government working group developed the new framework. The model code of conduct was developed in close consultation with Local Government and the Integrity Commission.

At the July 2015 General Meeting, the following motions were carried in relation to LGAT's advocacy on the Code of Conduct Bill.

- That the Meeting agree that Mayors will write to MLCs in support of the Local Government (Code of Conduct) Bill, noting the significant consultation that has occurred with councils since 2010.
- That the single Code of Conduct Panel be able to investigate, hear and determine code of conduct complaints.
- Provide for some flexibility for councils to expand upon core elements in the Regulated (Model) Code of Conduct.
- That there continue to be a requirement to pay a fee to lodge a complaint, noting that the fee is reimbursed if the complaint is upheld.
- That there remain an ability to withdraw a complaint.
- That given the need to contain costs and to deal with complaints expeditiously, legal representation not be allowed in Standard Panel Hearings.
- That the legislation allow for a Code of Conduct complaint to be submitted locally to the General Manager to check that proper procedure has been adopted before forwarding to the Standards Panel.
- That the one month suspension sanction be changed to allow for up to three months suspension in order to offer an effective deterrent for bad behaviour.

The Bill was passed in September 2015 and commenced on 13 April 2016.

A key change was that the independent Panel (previously known as the Standards Panel) which was administered by LGAT is now administered by the Local Government Division.

This was an important change for the Association with two impacts:

1. It freed up resources to focus on governance policy and training; and
2. It allowed a more appropriate alignment with the overarching authority for the Local Government Act (the Director of Local Government) as opposed to having a Member body appearing to be sitting in judgement of its Members and charging them for that.

LGAT provided significant support to hand over tools, templates letters and reports and training notes which had been updated to reflect changes to the Act, but undoubtedly there will be a difference in approach and gaps in experience in the early period of transition. The Association continues to provide support and feedback on process as appropriate.

There were a significant number of amendments made by the Legislative Council during the passage of the legislation. A key change of concern was a much more regulated Code with little flexibility for councils to vary the settings. However, the eight standards of conduct set out in the model code of conduct are the same standards as those provided for under the previous framework (e.g., conflict of interest, use of office, and gifts and benefits).

The standard of 'decision making' is technically new however this standard was included in the former Local Government Association of Tasmania (LGAT) model code and was included in a number of the council code of conducts.

An extract from the 2014 LGAT Model Code of Conduct is at **Attachment to Item 3.2**.

The Local Government Division has noted the concerns expressed that councillors cannot speak frankly for fear of causing offence and this is fettering debate.

Part 7 (1) – Relationships with community, councillors and Council employees of the Model Code states that a councillor must treat all persons with courtesy, fairness, dignity and respect and that a councillor "must not cause any reasonable person offence or embarrassment".

They explain that while a "reasonable person" is a common law term and is not defined within the Model Code or the Act, a minor infringement of a council's code of conduct has the ability to be dismissed by the chairperson at the initial assessment stage on the basis that it is frivolous or possibly vexatious.

As the Division continues to work with new Panel Chairs and they gain experience, it is our expectation that there will be more use of these provisions.

The new framework actually provides a number of improvements to the previous system. For example, an initial assessment stage allows complaints to be dismissed at an early stage. This could not be done under the old legislation, once referred to the Standards Panel the matter had to be heard.

It is LGAT's understanding that two complaints have been dismissed without hearing under these new provisions. Further the requirement to have local panels was abolished.

Other improvements which the sector advocated for include:

- Stricter sanctions including suspension of office for up to three months;
- A penalty for failure to comply with a sanction;
- More flexible investigation and hearing provisions which mean that a panel is not obliged to conduct a hearing automatically, thus saving time and expense in appropriate circumstances; and
- A review provision on the grounds of failure to provide natural justice.

Eleven code of conduct complaints have been received by the Local Government Division between 13 April 2016 and 1 December 2016 however it should be noted there were few complaints lodged prior to councils adopting the Model Code and this figure actually represents a higher rate of complaint if the timespan between the first and last complaint is considered.

This likely is a reflection of public interest generated by media coverage of the changes as well as renewed faith in the process because of improvements to process, sanctions and enforcement.

The costs being experienced by councils where complaints have been lodged are not dissimilar to LGAT's full cost attribution (applied to Hobart City Council while they were not a member) but may reflect a higher direct cost than previously experienced by councils because the administration costs were funded through LGAT subscriptions. As outlined earlier, the resource is now being used to support governance policy and training instead.

Regardless of the origin of the changes, as with any significant change process, evaluation is critical and supported.

LGAT will be engaging with councils as part of the review process and will be seeking both general and specific feedback on all aspects of the Code of Conduct legislation and process.

Budget Impact

Does not apply.

Current Policy

As outlined above.

3.3 REVIEW OF THE LOCAL GOVERNMENT ACT

Contact Officer - Katrena Stephenson

Break O'Day Council/Flinders Council

That Members note the following report.

Carried

Background

Following consultation on a targeted review of the *Local Government Act 1993*, the Steering Committee made recommendations to the Minister in September 2016. Cabinet approved the drafting of an amendment Bill on 20 December 2016.

The Local Government Division has advised that drafting on the Bill will commence shortly and as soon as it is completed it will be released for public consultation. A communication plan is being developed.

The key amendments are:

- Clarifying and expanding upon the role of mayor to include, for example, promoting good governance, carrying out civic and ceremonial functions;
- A power to issue Ministerial Orders on matters such as the key roles of mayors and deputy mayors, the recruitment and performance appraisal of general managers and operational and strategic matters;
- Implementing Performance Improvement Directions as a quicker way of addressing dysfunction in a council before requiring a Board of Inquiry or Local Government Board review;
- Improving outcomes and processes for Boards of Inquiry that provide greater efficiencies and flexibility, for example the ability to dismiss individual councillor(s) rather than a whole council;
- Mandating the disclosure of gifts and campaign donations for elected members; and
- Requiring councils to deliver financial statements in line with model statements issued by the Director of Local Government.

The amendments will also include the two additional matters, raised by the Tasmanian Electoral Commission, namely the extension of the Local Government election polling period by one week and amending Schedule 5 of the Regulations to address a technical error regarding vacation of office by elected members.

Budget Impact

Does not apply.

Current Policy

As per LGAT submission.

3.4 ALGA STRATEGIC PLANNING

Contact Officer - Katrena Stephenson

Circular Head Council/West Tamar Council

That Members note the verbal report provided by the President.

Carried

Background

The Australia Local Government Association (ALGA) is the peak body for Local Government at the national level. The current strategic plan is for the period 2014-2017. The ALGA Board and Association CEOs will be workshopping the strategic priorities going forward from 8-9 February.

Current core policy priority areas are:

- Local Government Financing
- Roads, Infrastructure and Transport
- Natural and Built Environment
- Regional Equity and Development
- Community, Sustainability and Resilience
- Strengthening Democratic Processes

Budget Impact

Membership and Board Participation is fully budgeted.

Current Policy

There is significant alignment with LGAT's priorities.

3.5 TASWATER*

Contact Officer – Katrena Stephenson

Devonport City Council/Southern Midlands Council**That the Meeting note:**

1. The submission made by LGAT with regard to TasWater; and
2. That LGAT is currently seeking advice from council GMs in relation to a possible submission to the Price and Service Plan.

Carried

Background

LGAT was invited to make a submission to the Legislative Council Government Business Scrutiny Committee A Hearing with regard to TasWater and a meeting informally with the Committee the day before the formal hearing with TasWater (5 December).

A brief submission was made which focussed on the use of dividends by councils in order to pre-empt suggestions that there be further reductions of dividends. The material reflected the outcomes of the Longford Forum and other papers considered by the broad LGAT Membership.

A copy of this submission is at **Attachment to Item 3.5**

At the time of writing TasWater was seeking written submissions on the Issues Paper as part of the Price and Service Plan 2018-2021. The closing date is 17 Feb 2017. The PSP is required by the Tasmanian Economic Regulator, through the Office of the Tasmanian Economic Regulator (OTTER), to determine prices for water and sewerage services in Tasmania.

The LGAT CEO met with the consultant engaged by TasWater to secure input and advocated strongly that they also meet with some council general managers to get user and owner perspective.

LGAT is seeking advice from council General Managers in relation to a possible sectoral submission.

Budget Impact

Does not apply.

Current Policy

Aligns with already articulated positions.

- Strategic Plan: Priority Area 1: Strengthening Strategic Relationships

3.6 LGAT COMMUNICATIONS AND MARKETING

Contact Officer – Katrena Stephenson

That Members note the changes to LGAT Communications.

Noted

Background

Last year LGAT developed a new Strategic Communications Plan. An early action under that plan was to review our current communication activities and determine the contribution each makes to the strategic and communication objectives. Two other key actions were to develop and articulate key messages and undertake a member engagement survey.

This agenda item seeks to provide an update against those three priority activities.

Public Relations Working Group

Late last year, LGAT was tasked with considering a broad public relations campaign to improve understanding of and confidence in Local Government. This was to leverage off the Better Councils Better Communities television commercial and was to engage General Managers in a working group. A working group was convened comprising relevant LGAT staff and the General Managers of the City of Hobart, Break O'Day Council and Kentish/Latrobe Councils.

While initially looking to deliver something quite immediate, upon the announcement of the dismissal of Huon Valley Council the working group perceived a significant risk to the sector in moving forward at that time. It was agreed that likely any campaign would be perceived as reacting to the governance issues in the South.

The working group agreed additional expertise was required and LGAT engaged a consultant to facilitate a planning workshop on 28 November. This workshop broadly mapped resources, agreed key messages, identified risks and supported the development of a high-level implementation plan and timeframe. It is intended to proceed with the television commercial and related campaign early in 2017 with grass roots support to 'shine a light on the great things happening in municipalities – on what councils deliver'.

Similar to the Constitutional Recognition campaign we will be seeking the support of councils to mirror key messages and link to the materials produced by LGAT (websites, local publications, Mayor's messages, local media).

The major objective of the campaign will be to educate the public about the wide variety of roles, responsibilities and functions that their local council performs. It aims to show them how their council is vitally important to their quality of life and lifestyle. People do not know the diversity of what councils do, nor how innovative and valuable they are. This campaign aims to start the dialogue.

In the meantime, LGAT has continued to collect and develop material for the website to support the Better Councils campaign.

Sponsorship Review

LGAT engaged a consultant to undertake a review of sponsorship opportunities across LGAT and in relation to the new partnership arrangements with Local Government Professionals.

Some different and new ways of thinking about sponsorship were identified but there is some key work that will need to be undertaken first.

The review considered the need to be focussed and efficient (limited staff, time and finances but a lot going on); and to deliver quality and get a greater financial return from sponsorships, adding value for Members.

LGAT and Local Government Professionals have a number of sponsorship assets which overlap to larger or lesser extents. Some of our membership base is the same (e.g. General Managers) and we run some similar style events for example, both have an annual conference.

What became clear is that a core mechanism for leveraging enhanced sponsorship is our website and better utilisation of that by LGAT and more frequent access by our Members and other stakeholders. The focus on our website is also identified as a priority in the Strategic Communications Plan and the Strategic Technology Plan.

Also clear was that we are possibly under valuing our current sponsorship opportunities and we should start reviewing and transitioning those.

Finally, it may be possible to leverage three levels of event sponsorship with a combined conference but that this needed considerable additional thought and work and requires consideration not just of financial and resource feasibility but risks to both Member bases.

LGAT will consider this amongst other priorities when undertaking strategic planning.

Magazine and Newsletter

Over the last two years it has been increasingly difficult to attract advertising to the Magazine and to offset the costs of production. Further, there have been concerns that the content of both the Magazine and the Pulse is too externally driven.

So as part of the broader strategic communications agenda there will be changes to the website, magazine and newsletters. Through a greater focus on what councils are delivering for communities, we aim to build a better understanding of Local Government across Government, industry and communities as well as enable more sharing and learning across our Member councils.

Changes include:

- The Pulse Newsletter will evolve into a monthly electronic publication which has longer feature articles and strong Local Government content. There may be additional themed Pulses quarterly (eg a training Pulse, a procurement Pulse). The Pulse will also continue to inform members about significant legislative and policy issues that are emerging.
- The LGAT News Magazine has served the Association well for many years but communications styles are changing and so in March we are launching a new hardcopy newsletter that will be delivered twice a year. This will further allow us to showcase exciting activity in the Local Government sector.
- Our Annual Report will gain a new lease on life and be reinvigorated as an annual magazine.
- Our website will be providing more information about what councils do through the Better Councils, Better Communities pages. As well as council stories, there will be videos and fact sheets about a range of council activities and processes.
- We will also have a Notice Board on our website where councils can go to find information about grants, training, products and services that can be of use.

Member Survey

The 2016 member survey has been sent to all General Managers and Councillors with a closing date of the end of January. The results will be discussed in relation to **Item 4.1: Strategic Planning**.

This year's survey looks at continuing collection on satisfaction levels amongst membership as well as seeking some broad feedback on LGATs future focus.

Feedback

Collectively our communications strategy embraces a lot of change, and along the way we will be seeking your feedback and your stories. While there will be some formal opportunities for input, feel free at any time to drop a line to reception@lgat.tas.gov.au.

Budget Impact

- Unbudgeted consultancy costs for the workshop and to support campaign implementation estimated at \$9000, to be funded from reserves.
- The Television Commercial is already funded through subscriptions as per the budget passed July 2016.
- Some small cost related to website improvements and newsletter design.
- Sponsorship is being sought for the hard copy newsletter.

Current Policy

Strategic Plan:

- Priority Area 2: Leading Reform and Lifting the Sector's Profile.

3.7 WASTE

Contact Officer - Dion Lester

Central Coast Council/Circular Head Council

That Members note that

1. The Environmental Protection Authority has commenced preparation of an updated Statewide Waste Strategy and is very keen to seek Local Government input;
2. The LGAT Waste Reference group (WRG) has met on two occasions (November and February) with a draft Statewide Waste Strategy from a Local Government perspective being presented at the most recent meeting; and
3. Once endorsed, this document will be used as a tool for engagement with the EPA during their updating of the State Waste Strategy.

Carried

Background

At the July 2016 LGAT General Meeting, members moved that LGAT re-establish the Waste Reference Group (WRG) to develop recommendations for Members, with respect to a waste strategy and/or levy.

At the November 2016 General meeting, members moved that LGAT reconfirm its commitment to the introduction of a statutory waste levy of \$10 per tonne to be collected by public and private landfills as endorsed at the Local Government General Meeting in July 2012.

The Waste Reference Group (WRG) consists of representatives from each of the three regional waste authorities and the LGAT Policy Director. The group met for the first time on Friday 11 November 2016, with a follow up meeting on the 9 February 2017.

At the first meeting the Environmental Protection Authority (EPA) gave a presentation, indicating their current thinking for the proposed process and content of the updated State Waste Strategy, noting the process is still not fully defined. They informed the group that a Waste Levy was currently off the table, but that it was not being ruled out in the future.

It was anticipated that the updated State Waste Strategy would address issues such as:

- Container Deposit Scheme;
- Waste tyres;
- The C-Cell; and
- Organics.

With other issues under consideration including (but not limited to) asbestos, E-waste, plastics, litter, household hazardous waste, construction and demolition waste, industrial and commercial waste and waste tracking.

The draft Strategy was expected to be released by mid 2017, with a three to five year time horizon. It was likely to be project and action based in the first instance.

It was determined that the WRG would prepare a “statewide waste strategy” from a Local Government perspective that pulls together the key issues and projects from each of the three regions and this document will be used as our main tool to engage with the EPA.

This report is due to be completed by the end of February. It will be made available to the three regional waste authorities, Council elected representatives and staff in early May 2017.

MRA Consulting was selected to undertake this work and their initial draft findings were presented to the WRG at the recent February meeting.

Key Issues:

- There are a number of practical waste management projects that require funding.
- The State Government has advised that they would not be introducing a waste levy.
- The Tasmanian Waste and Resource Management Strategy is now seven years old and a new State-wide strategy is needed to deal with issues that are beyond the capacity of regional waste authorities.
- There remains a need to collaboratively consider key waste issues strategically, from a whole of sector basis.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan:

- Priority Area 1: Strategic Relationships
- Priority Area 5: Land Use Planning & Environmental Sustainability

3.8 PLANNING REFORM

Contact Officer - Dion Lester

Clarence City Council/Burnie City Council

That Members note the progress of the State Government's planning reforms and the key issues for the Local Government sector.

Carried

Background

At the time of writing the Planning Minister had received the Tasmanian Planning Commission's (TPC) report on the State Planning Provisions (SPPs) and was awaiting advice from the Planning Reform Taskforce, Planning Policy Unit in the Department of Justice and the Interdepartmental Committee, on how to respond. The Minister is expected to release his response and the final SPPs in February.

Once the State Provisions are made then councils will need to commence the development of the Local Provision Schedules. This will be a substantial amount of work and LGAT are in discussions with the TPC and the Planning Policy Unit about how they can assist the sector in this task. In anticipation of this task the TPC has commenced, on a regional basis, discussions with councils on the updating of each of the Regional Land Use Strategies (RLUSs).

The release of the next tranche of the State Governments Planning Reform agenda is imminent, with the draft legislative amendments to facilitate the development of Tasmanian Planning Policies and Major Project Approvals expected to be released to the sector sometime in February.

Key Issues:

- The final SPPs should be available in February
- The development of Local Provision Schedules needs to commence straight after and this is likely to require significant resources.
- Local Government may bear the brunt of implementation and community angst in relation to the new provisions.

Budget Impact

Being undertaken within current resources, noting this currently forms a significant workload.

Current Policy

Strategic Plan:

- Priority Area 1: Strategic Relationships
- Priority Area 2: Sector Profile & Reform
- Priority Area 5: Land Use Planning & Environmental Sustainability

3.9 FEASIBILITY STUDIES

Contact Officer – Katrena Stephenson

Northern Midlands Council/West Tamar Council

That Members note the President will provide a verbal report should there be new information since the last General Meeting.

Carried

Background

As per last meeting one of the feasibility studies examining voluntary amalgamation in the South of the State has been released, the South-Eastern Councils modelling (Clarence, Sorell, Tasman and Glamorgan Spring Bay Councils).

The other southern feasibility study for the Greater Hobart Councils (Hobart City, Clarence City, Glenorchy City and Kingborough Councils) had not been completed at the time of writing this report.

The North and Northwest studies are progressing but it will be some months before reports are finalised.

Budget Impact

Within current resources at this stage. Further funding or resources may be required to develop supporting tools depending on scale/scope.

Current Policy

Does not apply.

3.10 BUILDING ACT 2016

Contact Officer – Melanie Brown

Flinders Council/Devonport City Council

That Members note the commencement of the Building Act 2016 and related instruments and LGAT's continued advocacy on behalf of the membership and request that the President write to the Minister, urgently, to express our concerns.

Carried Unanimously

Background

As Members will be aware from previous updates, the *Building Act 2016* ('the Act') and associated legislative instruments commenced on 1 January 2017. LGAT worked alongside councils throughout 2016 to represent sectoral interests to the State Government in relation to this significant piece of regulatory reform.

Councils have raised, and continue to raise, a range of concerns and queries, both in relation to the mechanics of the new legislation and its interaction with other instruments, including planning legislation. LGAT has been liaising closely with the Consumer Building and Occupational Services (CBOS) in relation to issues raised by the sector and is endeavouring to provide councils with assistance where appropriate.

In addition, LGAT raised the concerns from the sector at the December PLGC meeting, resulting in the direct contact point being set up (see further below) and a commitment from State Government to consider a review of how the Act is functioning sometime in the first half of 2017.

To this end, LGAT continues to collate feedback received from councils regarding any components of the Act that councils reasonably believe require amendment.

In late 2016 the Consumer Building and Occupational Services (CBOS) Division within State Government ran a series of workshops, and attended numerous additional forums facilitated by both council groups and LGAT, as part of a broader effort to assist council practitioners with the transition to the new legislative framework.

Guidelines were produced both in relation to the Act and the *Building Regulations 2016* ('the Regulations') to help deal with the practical elements of implementation. In addition, the Local Government Division provided guidance on the amendments to Section 337 certificates pursuant to the *Local Government (General) Amendment Regulations (No. 2) 2016*.

CBOS has also set up a direct contact point for information on the Act and related reforms. From 1 January to 31 March 2017 Permit Authorities and Building Surveyors needing technical advice on the operation of the Act can contact a dedicated officer within CBOS who will assist them with questions and can escalate any queries that need a specialist response.

LGAT has initiated an online forum for council staff wishing to share information, discuss issues and pose peer questions regarding implementation of the new regulatory framework in a relatively informal but constructive format.

A number of council officers from around the State have already signed up and it is anticipated that the forum will run until March.

Budget Impact

Being undertaken within current resources, noting this currently forms a significant workload.

Current Policy

Strategic Plan:

- Priority Area 1: Strategic Relationships
- Priority Area 2: Sector Profile & Reform
- Priority Area 5: Land Use Planning & Environmental Sustainability

3.11 TRAINING

Contact Officer – Alyce Jordan

Central Coast Council/Break O'Day Council

That Members note the progress of the updated LGAT Training and Professional Development program.

Carried

Background

The Training and development section of the LGAT website has been updated and is due to go live shortly. Part of these improvements include the addition of PDF fillable forms for registrations and the addition of being able to submit an Expression of Interest for future courses.

Recent Training and workshops delivered include:

- Susan Law workshop;
- LGAT breakfasts (3 regional);
- Mayors Professional Development Day;
- Crucial Conversations Training; and
- Audit Panel workshops (3 regional).

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan:

- Priority Area 4: Sector Capacity

3.12 EMERGENCY MANAGEMENT

Contact Officer – Georgia Palmer

Derwent Valley Council/Northern Midlands Council

That Members note the following report.

Carried

Background:

Significant activity has been occurring in the emergency management sphere in recent times. This brief aims to update and inform members on the status of this activity.

Flood review

On 12 October 2016, Mike Blake was appointed to lead an Independent Government Review into the June 2016 floods. The Review also examined the Huonville floods. The Review received over 50 submissions from affected home owners, farmers, Government Agencies and various Non-Government Organisations.

These submissions are available on the Department of Premier and Cabinet website (<http://www.dpac.tas.gov.au/divisions/osem>)

In addition to the submissions, the review team also conducted a number of face-to-face interviews with Emergency Management responders, affected Councils, LGAT and Government Agencies. Interviews focussed on the Review's terms of reference.

During January, a number of local papers ran stories on the flood review and reported on the information provided in many of the council submissions. Of particular focus was the inadequacy of the warnings to the public, the need for better flood modelling in some catchments, the adequacy of the current radar coverage, and the need to build better awareness of flooding with the community.

The Review Team is continuing to investigate and research the issues and is planning further face-to-face meetings with the public and other relevant parties in early 2017.

The final report with recommendations is scheduled to be presented to Government by 1 June 2017.

Tasmanian Emergency Municipal Risk Assessment Project

An important new project, the Tasmanian Emergency Municipal Risk Assessment project, has commenced within the Emergency Management Unit of the SES. This project aims to support Municipal Emergency Management Committees (MEMCs) in updating and undertaking risk assessments.

A Project Manager has been appointed until October 2017.

The project will be aligned to the National Emergency Risk Assessment Guidelines (NERAG) and build on the achievements of the Tasmanian State Natural Disaster Risk Assessment.

The project will be responsible for:

- Developing a Risk Management Framework, guidelines and a tool to assist with the conduct of NERAG compliant local risk assessments;
- Providing education to MEMC's and groups in relation to the risk management framework and the guidelines and tools to conduct local risk assessments;
- Providing support to MEMC's to undertake their natural hazard risk assessments; and
- Developing a regional risk profile.

LGAT is represented on both the project steering committee and the end user working group for the project. The project is intended to support Municipal Emergency Management Committees and groups by;

- Creating clarity in the system of risk based emergency management planning;
- Generating efficiencies through better aligned processes for emergency management planning;
- Improving effectiveness by building capability of planning participants and providing consistent risk assessment tools at all levels; and
- Supporting risk assessment activities.

Councils will be kept abreast of the project through their participation in regional committees, project newsletters and regular communication from the project manager.

Justice Review

The implementation of the recommendations to come out of the Justice review are progressing well.

Of note to councils are the following items:

- The Tasmanian Emergency Management Plan review is progressing well and the draft plan, to be renamed Tasmanian Emergency Management Arrangements (TEMA), will go out for broad consultation in early February.
- Drafting instructions on the amendments to the Emergency Management Act 2006 have been provided to the Parliamentary Counsel and a drafter has been assigned to commence preliminary work on the amendments.
- A business case has been prepared for a package of resources and recurrent funding programs to:
 - Enhance exercise and lessons management arrangements;
 - Improve the level of emergency management support and development for the municipal committees and local councils, including: training, assistance with planning, and building community resilience; and
 - Provide funding for a permanent recovery officer at the State level.

The State Emergency Management Committee has endorsed the business case.

SES Volunteer Funding Review

The process set up to review the SES volunteer funding model has stalled due to resourcing constraints at the state level. At this stage it is unknown when this work will recommence.

Budget Impact

Does not apply.

Current Policy

Strategic Plan:

- Priority Area 1: Strategic Relationships
- Priority Area 2: Sector Profile & Reform
- Priority Area 5: Land Use Planning & Environmental Sustainability

3.13 ENERGY

Contact Officer – Georgia Palmer

Southern Midlands Council/George Town Council

That the Members note the following report.

Carried

Background:

Significant activity has been occurring in the energy sphere in recent times. This brief aims to update and inform members on the status of this activity.

Energy Security

Independent review into the future security of the national electricity market

At an extraordinary meeting of the COAG Energy Ministers on 7 October 2016 following the power outages in South Australia, Ministers agreed to an independent review of the national electricity market. The review, headed by the Australian Chief Scientist, Dr Alan Finkel is to take stock of its current security and reliability and to provide advice to governments on a coordinated, national reform blueprint.

The review team handed down their preliminary report in December 2016. The preliminary report identified the complex forces driving the rapid transition across the energy sector and is seeking input on key questions around how best to manage the transition.

Key observations from the interim report include:

- A shift from coal fired generators to wind and solar PV generators require solutions to effectively integrate variable renewable electricity generators into the grid. This will require a change in the way we currently operate. Solutions include: intelligent wind turbine controllers, batteries and synchronous condensers.
- The National Electricity Network needs to change to encourage the adoption of such solutions. Emerging markets for ancillary services, which are required to maintain system security, have not kept pace with the transition. New and updated frameworks, technical standards and rules may be required.
- Open cycle gas fired generators are well placed to complement variable renewable electricity generators; however the east coast gas market has undergone profound change with tight supply issues. The need for greater gas supplies for electricity is increasingly urgent.
- Transmission infrastructure remains critical and careful consideration needs to be given to whether additional interconnectors are the most effective way to strengthen the network.
- Affordability is an important consideration when new measures are proposed. New technologies such as battery storage and digital meters could help consumers manage their costs and support system security.
- Long term consistent policy signals are necessary to aid in investment decisions and optimise the allocation of resources. There is a need for an agreed national approach for addressing our emission reduction commitment

Submissions on the interim report are due by 21 February 2017. There are public hearings as part of the review being held in Hobart on 13 and 14 February 2017. LGAT will continue to follow the review with interest and will keep members updated.

Tasmanian Energy Security Taskforce Interim Report

During 2015-16 Tasmania experienced one of the most significant energy security challenges in its history. The combined impact of record low rainfall during spring, combined with the Basslink interconnector being out of service resulted in Hydro Tasmania's water storage levels falling to historically low levels.

As a result of these events the Government established the Tasmanian Energy Security Taskforce (the Taskforce) to advise government on how it could better prepare for and mitigate against the risk of future energy security threats.

In December 2016, the Taskforce handed down its interim report. The report provides initial findings and recommendations to the Tasmanian Government, with a focus on short term actions to support Tasmania's energy security.

The Taskforce has recommended 5 priority actions:

- Define energy security roles and responsibilities to make them absolutely clear;
- Strengthen independent energy security monitoring;
- Establish a more rigorous and more widely understood framework for the management of water storages. In particular, that water storages should be at 30% at the end of June and 40% at the end of Spring. In addition, it should be made clear when Hydro Tasmania can operate freely within its commercial interests and when it must take steps to avoid energy security risks;

- Retain the Tamar Valley Power Station as a backup power station for the present and provide clarity to the Tasmanian gas market; and
- Support new on-island generation and customer innovation by ensuring that new entrant development do not face barriers to entry due to Tasmania's market structure. Tasmania is an excellent test bed for energy innovation and should try to encourage private sector partners to trial new products and services such as storage integration and electric vehicles.

The feasibility of a second interconnector is currently under review by a joint Commonwealth and Tasmanian Government study and the outcome of the review will be included in the final report.

The interim report notes that a second interconnector would afford a substantial increase in Tasmania's energy security resilience and allow some other supply security measures to be set aside.

The final report is due to Government by the middle of 2107 and will provide evidence based solutions to strengthen Tasmania's energy security in the medium to long term. LGAT will update members once the final report is tabled.

Street Lighting

Northern Lights LED Replacement Project

The Northern Lights project has now moved to implementation phase with the roll out beginning in Launceston in February. Councils involved in the project include: Launceston, Meander Valley, West Tamar, George Town, Northern Midlands and Break O'Day.

The media launch for the project occurred on the 24 January.

Key features of the project include:

- Approximately 9,100 street lights replaced with energy efficient LED lights;
- These lights are up to 82% more efficient than the current mercury vapour street light;
- The project will save approximately 7,850 tonnes of greenhouse gas emissions during the life of the new assets (over 20 years); and
- Across all councils cost savings will reach up to \$16 million over 20 years.

Southern and North West Council LED Replacement Projects

Business cases into the viability of the roll out of LED streetlights is currently being undertaken by a number of councils in the Northwest and South of the state. The business cases are expected to be complete by mid-February at which time councils will be able to assess whether they want to invest in the replacement project.

LGAT is currently examining funding opportunities for the project including the Building Better Regions Fund and the Smart Cities Fund.

State-wide Public Lighting Contract

The State-wide Public Lighting Contract concludes on 30 June 2017. The market prices for energy and Large Renewable Energy Certificates have both rallied strongly over the past year or so.

LGAT will shortly be contacting councils regarding the commencement of the competitive tender process, and to enable you to evaluate the impact of these market changes on Council budgets for 2017/18 & 2018/19.

Budget Impact

Does not apply.

Current Policy

Strategic Plan:

- Priority Area 1: Strategic Relationships
- Priority Area 3: Financial Sustainability

3.14 LGAT ANNUAL PLAN*

Contact Officer - Dion Lester

West Tamar Council/Meander Valley Council

That Members note the report.

Carried

A report against the progress of the LGAT Annual Plan is at **Attachment to Item 3.14.**

3.15 POLICY UPDATE

Contact Officer - Dion Lester

Northern Midlands Council/Burnie City Council

That Members note the report on current Policy Activity.

Carried

Workforce Planning

The Centre for Local Government at the University of Technology Sydney, in partnership with LGAT, Waratah-Wynyard, Circular Head and Burnie Councils have recently completed a project to improve Tasmanian Local Government understanding of the benefits of workforce planning and build capacity to enable better workforce planning.

The project was funded from a grant by Skills Tasmania.

The key outputs from the project have been:

- A workforce planning 'how to' guide for Local Governments in Tasmania (available on the LGAT Extranet under the HR tab); and
- A capacity building program for senior staff in councils to develop a workforce plan.

The ultimate goal of this project was to ensure a more sustainable Local Government sector which is better able to support employment and economic growth in local communities. This will be achieved either through Local Government's role as a direct employer or by an increased ability to create favourable conditions for business and industry within their Local Government areas, with workforce planning being the tool to achieve such aims.

The project was successfully delivered and the Local Government staff involved in the project (including those that attended the initial half-day workshop and capacity building program, or who were involved in the Local Government Professionals HR Special Interest Group, or General Managers presentation) have certainly experienced an increased awareness about the value of workforce planning and its role in strategic capacity.

There is now an opportunity to create much broader Local Government understanding about workforce planning and the guidelines in particular, which will improve council service provision and sustainability.

LGAT staff are currently looking at what future opportunities exist in this light and also how to progress the priority recommendations in the final report.

HR Forum

LGAT has been involved in recent conversations with other State Local Government Associations in relation to the organising of the 2017 National Local Government Human Resources Conference, which will be held in Sydney on 29 and 30 March.

The 2017 program will feature keynote presentations, case studies, panel discussions and much more from industry thought leaders and award winners who will provide insight that will help provide the ideas, information and inspiration to move the industry forward.

Roads

LGAT met with Infrastructure Tasmania in December 2016 to discuss a range of road related issues as they pertain to Local Government, and as highlighted in the Audit of Tasmanian Roads in early 2016.

The following updates were provided.

Forestry Roads:

- LGAT has been advised that following the State Government's decision to restructure Forestry Tasmania, it has been determined that all forestry road assets will remain with Forestry Tasmania; that is, Forestry Tasmania will continue to manage its network, and its road assets will not be transferred to other agencies as has previously been contemplated.
- It has been recognised within that network there are some forestry roads that attract significant tourist traffic. Infrastructure Tasmania is presently working with Forestry Tasmania to ascertain the possibility of some additional funding being provided for high profile routes. This will not constitute a significant funding boost for Forestry Tasmania nor will it result in specific routes being upgraded to the standard of public roads.

Road trades:

- A small number of Local-State Government road trades are currently being negotiated, with some of these trades being acknowledged as strategic in nature.

Legislative Reviews:

- *The Roads and Jetties Act* and *Local Government Highways Act* – a review of these pieces of legislation is scheduled for 2017. Infrastructure Tasmania has indicated

that the intention of the review will include ensuring the legislation promotes a consistent management approach across all road managers. The review will be undertaken by State Growth in full consultation with Local Government.

National Local Government Report

In January LGAT fed into the development of the 2015-16 National Local Government Report.

Areas of input sought on behalf of Tasmanian Local Government included:

- Developments in the use of long term financial and asset management plans by Local Government;
- Actions to develop and implement comparative performance measures between local governing bodies;
- Reforms undertaken during 2015-16 to improve the efficiency and effectiveness of Local Government service delivery; and
- Initiatives undertaken and services provided by Local Governments to Aboriginal and Torres Strait Islander communities

LGAT provided an overview of the achievements of and for the sector over the last two years, which included:

- Follow on benefits ensuing from the Local Government Financial and Asset Reform Project;
- The development of Financial and Asset Management Practice Summaries for councils;
- The positive results of Auditor-General Annual Performance Assessments;
- Review of the *Local Government Act 1993*; and
- Ongoing discussions and work regarding sectoral opportunities across resource sharing, collaboration and reform.

Climate Change

In recent months LGAT and other interested stakeholders have been awaiting the release of the final State Government Climate Action Plan, which was anticipated for release prior to Christmas 2016. Whilst it is still unclear as to when the finalised Action Plan will be released, one aspect of the previously released draft Action Plan that was supported by LGAT was the development of a work plan between State and Local Government.

We are keen to establish a program irrespective of the final Plan's release date. To this end LGAT met with the State Government's Tasmanian Climate Change Office (TCCO) in January to discuss the project and activity outlook for 2017 and to identify potential opportunities to partner and/or collaborate on initiatives.

The TCCO indicated an intention to work with the Local Government sector in the first half of 2017 on a governance project aimed at elected members and senior council management.

LGAT also met with Climate Tasmania (an independent body of Climate practitioners) in January to discuss planning for a Local Government Climate Forum that we will be facilitating in the first half of 2017. Whilst details are still being finalised, it is anticipated that the forum will be run as a one day workshop session in Hobart for all councils, and will feature case studies and presentations, both local and interstate, across a range of current relevant topics, including street lighting, governance and risk management, renewable energy, and Local Government mitigation activities.

Cats

Local Government supports the initiative to develop a state-wide approach to cat management however the effective management and control of cats is beyond the capacity of most councils in Tasmania. The cost impact of the plan is likely to be greater in relation to the management of domestic cats than for the management of feral cats.

This seems at odds with the intent of the plan to reduce the impact of cats on the environment, agricultural assets and human health.

Following public consultation, DPWIPE have provided Minister Rockliff with a revised Cat Management Plan and recommendations for changes to the legislation, a response is expected in February. DPIWPE have indicated that the amendments to legislation will enable councils to choose which parts of the legislation to enact/enforce following consultation with its ratepayers.

In our State Budget submission LGAT requested a clear resolution of the various roles and responsibilities; and to ensure that implementation of the plan should not come at an additional cost to local ratepayers.

Health Forum

LGAT is intending to run a forum in March to support Local Government with the delivery of health and wellbeing outcomes for their communities. The forum will seek to understand and describe what Local Government's role in preventive health should be, going forward. In addition, it will showcase current programs being delivered by some councils and identify future initiatives.

Topics the forum will cover include:

- What is the role of Councils in preventative health (including in physical activity, food security and nutrition, alcohol and drugs, mental health and social support); and
- How can Councils develop health plans that support environments for health.

Stay tuned for the final program and date.

Joint Select Committee on Gaming

LGAT provided a whole of sector response on 9 December 2016 based on the motions passed at the July General Meeting. The submission also stated that by removing the power of the *Gaming Act* to override other acts, including the *Land Use Planning and Approvals Act*, councils could, via their planning schemes, have some influence on the location of gaming venues.

This is in the same way that they already determine the appropriate location for other land uses, such as commercial business, industrial areas or different types of residential uses.

Alongside Hobart, Brighton and Glenorchy Councils, LGAT will be addressing the Joint Select Committee hearing on 14 February.

In October 2016 the Government announced the *Gaming Control Amendment (Community Interest) Act 2016*, which introduces the requirement for a community interest test when a new Licensed Premises Gaming Licence is applied for.

The discussion paper for the Community Interest process is currently with Councils for comment (due 20 February to LGAT) with LGAT providing a whole of sector response by 27 February.

Related Parties

There have been changes to the Australian Accounting Standards with respect to related parties transactions. These changes will require new information/reporting in relation to elected members and key management personnel.

From 2016/17, Councils must disclose related party transactions and outstanding balances, including commitments, in the annual financial statements.

Related parties are likely to include the Mayor, Councillors, General Managers and senior managers. The standard also requires disclosures of transactions of close family members and any entities that they control or jointly control. Any transactions between council and these parties, whether monetary or not, may need to be identified and disclosed.

Councils need to start preparing for this change as soon as possible. Each council will need to have systems to identify related parties and capture transactions with them.

LGAT, in conjunction with the Audit Office and the Local Government Division have developed a set of guidelines for councils which will be released at the end of January.

In addition, information sessions will be presented by LGAT, the Tasmanian Audit Office and the Local Government Division to assist in understanding and applying the new standard, the information that will be required and the disclosures that will eventuate.

Councillors, members of audit panels, senior executives and relevant finance staff should consider attending. The sessions are being held following each of the three regional breakfasts during February, as follows:

Hobart:	Salamanca Inn	15 February	9.30 – 11.30
Burnie:	Wellers Inn	16 February	9.30 – 11.30
Launceston:	The Tramsheds	17 February	2.00 – 4.00

Budget Impact

Being undertaken within current resources

Current Policy

Strategic Plan:

- Priority Area 1: Strategic relationships
- Priority Area 2: Sector profile & reform
- Priority Area 3: Financial sustainability
- Priority Area 4: Sector capacity
- Priority Area 5: Land use planning & environmental sustainability

4. ITEMS FOR DISCUSSION

4.1 LGAT STRATEGIC PLAN*

Contact Officer – Katrena Stephenson

That the Members discuss priorities for the 2017-2020 LGAT Strategic Plan and consider –

What are the likely key pressures on/issues for Local Government over the next 3-4 years?

What should LGAT's priorities be for each of the following –

**Advocacy
Products and Services
Training**

Noted

Background

In 2012 LGAT developed a 5-year strategic plan which, while significantly reviewed in 2015, is now due to be fully revisited. This is particularly imperative in the context of ongoing and significant reforms impacting upon the sector (e.g. Local Government Act, Feasibility Studies, Building and Planning) and with State Government and Local Government elections both likely to occur in 2018.

In December 2016, LGAT released a Member survey to aid us in assessing whether we are meeting member expectations and also in flagging concerns and priorities for the sector. This survey closes at the end of January and a summary will be provided to the General Meeting to inform this discussion.

The aim of this agenda item is to get some further, qualitative input, through discussion to inform the Strategic Planning process. GMC and LGAT Staff will be meeting April/May to further workshop priorities and a new strategic plan will be brought back to Members at the July AGM.

It is not intended to comprehensively describe all the work that LGAT undertakes or reflect all the activity within councils within a Strategic Plan and we expect that it will be a living document that will be reviewed regularly in order to appropriately reflect the social, economic and political environments within which councils are working. It will provide the basis for resourcing decisions and work planning by the LGAT CEO and staff and will be supported by an annual work plan.

The current strategic plan is provided at **Attachment to Item 4.1.**

In preparing for this discussion item Members should think about the anticipated environment for the sector over the next three years, the likely agendas which will be prosecuted by the State and Federal Governments, the pressures and issues being experienced by councils and the services which can be provided by LGAT which would most benefit Members.

5. OTHER BUSINESS & CLOSE

Meander Valley Council raised concerns around the Primary Health Services Program in relation to -

- How Rural Primary Health Services identify the needs of their stakeholders;
- The processes in place to determine which services should be provided and the local government areas that will receive the services; and
- Ensuring the current, well used programs are maintained and prevent duplication of services that are being managed by alternate providers.

It was determined that Meander Valley would table a motion at the General Meeting to be held in April 2017.

There being no further business, the President declared the Meeting closed at 1.30pm.



Local Government Association Tasmania

General Meeting

Minutes

7 April 2017

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Launceston**

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**PROCEDURAL MATTERS.
RULES REGARDING CONDUCT OF MEETINGS**

13. WHO MAY ATTEND A MEETING OF THE ASSOCIATION

- (a) Each Member shall be entitled to send a voting delegate to any Meeting of the Association, such voting delegate exercising the number of votes determined according to Rule 16(a).
- (b) After each ordinary Council election, the Chief Executive Officer shall request each Member to advise the name of its voting delegate and the proxy for the voting delegate for Meetings of the Association until the next ordinary Council elections.
- (c) Members may change their voting delegate or proxy at any time by advising the Chief Executive Officer in writing over the hand of the voting delegate or the General Manager prior to that delegate taking his or her position at a Meeting.
- (d) A list of voting delegates will be made available at the commencement of any Meeting of the Association.
- (e) Members may send other elected members or Council officers as observers to any Meeting of the Association.

14. PROXIES AT MEETINGS

- (a) Up to 1 hour prior to any Meeting of the Association, a Member may appoint another Member as its proxy.
- (b) The form of the proxy is to be provided by the Chief Executive Officer and is to be signed by either the Mayor or General Manager of the Council appointing the proxy.
- (c) The Chair of the meeting is not entitled to inquire as to whether the proxy has cast any vote in accordance with the wishes of the Member appointing the proxy.
- (d) Proxies count for the purposes of voting and quorum at any meeting.

15. QUORUM AT MEETINGS

At any Meeting of the Association, a majority of the Member Councils shall constitute a quorum.

16. VOTING AT MEETINGS

- (a) Voting at any Meeting of the Association shall be upon the basis of each voting delegate being provided with, immediately prior to the meeting, a placard which is to be used for the purpose of voting at the meeting. The placard will be coloured according to the number of votes to which the Member is entitled:

Population of the Council Area	Number of votes entitled to be exercised by the voting delegate	Colour placard to be raised by the voting delegate when voting
Under 10,000	1	Red
10,000 – 19,999	2	White
20,000 – 39,999	3	Blue
40,000 and above	4	Green

- (b) The Chairman of the meeting shall be entitled to rely upon the raising of a coloured placard as the recording of the vote for the Member and as evidence of the number of votes being cast.
- (c) Except as provided in sub-rule (d), each question, matter or resolution shall be decided by a majority of the votes capable of being cast by Members present at the Meeting. If there is an equal number of votes upon any question, it shall be declared not carried.
- (d) (i) When a vote is being taken to amend a Policy of the Association, the resolution must be carried by a majority of the votes capable of being cast by Members, whether present at the Meeting or not.
(ii) When a vote is being taken for the Association to sign a protocol, memorandum of understanding or partnership agreement, the resolution must be carried by a majority of votes capable of being cast by Members and by a majority of Members, whether present at the Meeting or not.
(iii) When a vote is being taken to amend the Rules of the Association, the resolution must be carried by at least two-thirds of the votes capable of being cast by Members, whether present at the Meeting or not.

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** Denotes Attachment*

GENERAL MEETING SCHEDULE

9.30	Morning Tea on arrival
10.00	Meeting Commences
11.00	Minister Peter Gutwein
12.00 pm	Phil Edmondson, CEO. Primary Health Tasmania
12.30	Lunch
1.00	Rod Sweetnam, State Fire Management Council
3.00	Close

The President welcomed Members and declared the Meeting open at 10.000am.

Apologies were received from -

Mayor Peter Freshney	Latrobe Council
Mr Nick Heath	City of Hobart
Lord Mayor Sue Hickey	City of Hobart
Mr Robert Dobrzynski	City of Launceston
Mr John Brown	Break O'Day Council
Mayor Daryl Quilliam	Circular Head Council
Mayor Duncan McFie	King Island Council
Mayor Michael Kent	Glamorgan Spring Bay Council
Mr David Metcalf	Glamorgan Spring Bay Council
Ms Lyn Eyles	Central Highlands Council
Mr John Martin	George Town Council
Mayor Loueen Triffit	Central Highlands Council
Mr Andrew Paul	Clarence City Council
Mr Greg Winton	Derwent Valley Council
Mr Peter Brooks	Glenorchy City Council

1. GOVERNANCE

1.1 CONFIRMATION OF MINUTES *

Derwent Valley Council/West Tamar Council

That the Minutes of the meeting held on 17 February 2017, as circulated, be confirmed.

Carried

Background:

The Minutes of the General Meeting held on 17 February 2017, as circulated, are submitted for confirmation and are at **Attachment to Item 1.1.**

1.2 BUSINESS ARISING *

Break O'Day Council/Derwent Valley Council

That Members note the information.

Carried

Background:

At Attachment to Item 1.2 is a schedule of business considered at the previous meeting and its status.

1.3 CONFIRMATION OF AGENDA

Central Coast Council/Burnie City Council

That consideration be given to the Agenda items and the order of business.

Carried

Background:

Delegates will be invited to confirm the agenda for the meeting and the order of business.

1.4 FOLLOW UP OF MOTIONS*

Huon Valley Council/West Tamar Council

That Members note the report.

Background:

A table detailing action taken to date in relation to motions passed at previous meetings is at **Attachment to Item 1.4.**

1.5 PRESIDENT'S REPORT

President/Devonport City Council

That Members note the report on activity since the last General Meeting (20 February 20 24 March 2017 inclusive).

Carried

Meetings

- ALGA Board Meeting/Strategic Planning
- ALGA Executive Teleconference
- LGAT forum water and sewerage
- Meeting with consultant regarding LGAT Strategic Planning
- Meeting with Treasurer and Owner Representatives on TasWater
- Parliamentary Labor Party regarding TasWater and LGAT Budget submission.
- West Coast Council
- Regular discussions with CEO
- Special Meeting GMC (two teleconferences)

Media/Communication

- Copious radio, print and television on:
 - TasWater
 - Financial Assistance Grants
 - Air BnB
 - Code of Conduct
 - State Planning Provisions
 - Dog Control/Greyhounds
 - Glenorchy Council suspension
- The Pulse
- LGTas (new hard copy bulletin)
- LG Focus

Other

- Elected Member Weekend Workshop

1.6 CEO REPORT

Clarence City Council/Waratah Wynyard Council

That Members note the report on activity since the last General Meeting (20 February to 24 March 2017 inclusive).

Carried

Key meetings and events

- ALGA Board Meeting
- Alison Lai, CEO Volunteering Tasmania
- DPAC regarding Open Data
- Elected Member Weekend
- General Manager's workshop
- GMC special teleconferences (two)
- Integrity Commission and Local Government Division regarding confidentiality training.
- Jan Davis, EO Launceston Chamber of Commerce and Industry
- Kym Goodes, CEO TasCoss
- LGAT Assist
- LGAT Water and Sewerage Forum
- Liz Jack, Director LINC Tas regarding recordkeeping
- Local Government Division, regular monthly meeting
- Local Government Professionals Board Meeting
- Meeting with the Treasurer/Owner Representatives on TasWater
- Mike Brewster, CEO TasWater
- Parliamentary Labor Party: TasWater and LGAT Budget Submission.
- Paul Akers forum on Lean Processes
- Sharing Accommodation Working Group

Strategic Policy Activity

- Strategic Grants workshop
- Rating crown lands
- Sharing accommodation
- TasWater

Media and Messaging

- The Pulse Newsletter
- Development of LGTas, new print bulletin.
- Print and radio regarding:
 - State Planning Provisions
 - TasWater
 - Non payment of rates,
 - Code of conduct
 - LGAT TV commercial

- Communiques and media releases:
 - TasWater
 - Dissemination of information to councils,
 - Legislative Council
 - Opposition.
- Better Councils, Better Communities launch

Organisational

- GMC Elections
- Request For Quotation Strategic Planning, consultant selected
- Planning for General Manager's workshop and Mayors' Professional Development Day
- Early stage implementation of SharePoint
- Subscription modelling

1.7 MONTHLY REPORTS TO COUNCILS*

Decision Sought

That Members note the reports for January and February 2017.

Background:

Monthly reports to Councils that briefly outline Association activities and outcomes for the previous months are at **Attachment to Item 1.7.**

2. ITEMS FOR DECISION

2.1 ROADSIDE VEGETATION ON STATE GOVERNMENT CONTROLLED ROADS Council – Circular Head

Circular Head Council/Southern Midlands Council

That LGAT and member Councils lobby the Minister for Infrastructure for improved roadside vegetation management on State Government controlled roads.

Carried

Background

Many municipal areas within the State receive regular complaints stemming from a lack of roadside vegetation management on State Highways.

The complainants refer to safety issues including line of sight, obscured guideposts guardrails and other roadside hazards, difficulty finding a safe road verge and increased risk of fire.

Observations include mainly excessive growth occurs between slashing operations and also questioning the timing of the operations.

Anecdotally the frequency and timing of roadside slashing appears suboptimal.

A review of these practices is sought so that the most efficient service provision outcome can be reached collaboratively.

LGAT Comment

LGAT liaised with the Department of State Growth in order to discuss the proposal within this motion. State Growth's Manager of Assets has advised that the Department engages a contractor to undertake roadside mowing and vegetation management across the State. Over the past 12 months State Growth has requested the contractor to take a different approach to its roadside vegetation management, allocating more resources to 'gateway' areas e.g. highway entrances to townships, key tourist ports and airports, whilst also ensuring that slashing continues to be undertaken safely in less trafficked areas.

On Category One highways such as the Bass Highway, the cut back generally consists of a three metre wide slasher treatment and a one metre spray. This approach is in line with State road managers in other jurisdictions, and has been implemented in consultation with Tas Fire to ensure that any fire risk is addressed.

State Growth advised that it has very recently written to all councils outlining the approach described above, inviting councils to get in touch with them directly if there are areas within a council's municipal area that require additional treatment to ensure that sight lines, town entrances and guide rails are safe and visible.

The Department has already worked closely with both Southern and Northern Midlands Councils to address issues raised by those councils in relation to village gateways and the need for full width mowing in those areas.

Councils are encouraged to get in touch with the Department in response to their correspondence and raise any issues that they may have.

2.2 WEED MANAGEMENT AND BIOSECURITY

Council – Northern Midlands

Northern Midlands Council/Tasman Council

That LGAT lobby the State Government for a more coordinated approach to weed management so that DPIPWE does not need to duplicate work done by Councils; and that all relevant agencies collaborate to map weeds across Tasmania and develop an action plan that can be implemented whenever weed infestations are reported by the community.

Carried

Background

Invasive flora's impact on the Tasmanian environment and economy is well documented and significant. Northern Midlands Council has been proactive and supportive of capacity building, awareness raising and proactive weed management in and for the municipality. Demonstrated by the development of web material to support rate payers weed control activities, print articles, responding to customer requests/complaints regarding weeds and, engaging directly with Community at supervised show stalls which heavily feature invasive species management.

Nationally the overarching policy for weed management in Australia is the Australian Weed Strategy. Also at a National level are a number of international agreements, or national strategies and programmes such as: Convention on Biological Diversity, RAMSAR Convention on Wetlands, The World Heritage Convention and Australia's Biodiversity Conservation Strategy.

The Intergovernmental Agreement on Biosecurity (IGAB) defines the roles and responsibilities of governments and outlines the priority areas for collaboration to minimise the impact of pests and diseases on Australia's economy, environment and community. The first deliverable under the IGAB was the National Environmental Biosecurity Response Agreement (NEBRA).

Biosecurity Tasmania began to review Tasmania's biosecurity laws in 2014. The review has resulted in the Tasmanian Biosecurity Framework which has received in principle support from stakeholders. This framework legislation will replace an existing seven pieces of legislation. In addition to consultation on the policy position to be used in biosecurity regulation there will be extensive consultation on draft legislation in early 2017 prior to Parliament considering it in late 2017.

LGAT Comment

In July 2014 the General Meeting passed a motion that,

"The Local Government Association of Tasmania continue to lobby the State Government to fund and employ, within the Invasive Species Unit, additional weed officers for each of the three regions to actively facilitate the eradication of listed weeds throughout Tasmania."

LGAT sent a letter to the Secretary of the Department of Primary Industries, Parks, Water and Environment in relation to this issue.

LGAT has continued to liaise with DPIPWE regarding support around weed management however they have stated that they provide support through yearly training for council authorised officers. Given the shared roles as outlined in the Weed Management Act, we understand DPIPWE would like to see councils more active around weeds.

2.3 TASWATER *

Break O'Day Council/Waratah Wynyard Council

That Members note the Minister's presentation and agree that further input will be sought from Councils as to the way forward.

Carried

Northern Midlands Council/Circular Head Council

That LGAT convene a Special General Meeting on Tas Water following the Owners' Representative Group Meeting on 11 May and invite Miles Hampton to address the Meeting.

Carried

Devonport City Council/Southern Midlands Council

- A. That in the first instance the information provided by the Treasurer be provided to TasWater with a request that it prepares revised financial modelling based on the relative information now available.**
- B. The Owner Representative Group be encouraged to strongly consider providing permission to TasWater to interact with Treasury to ensure proper modelling of the takeover proposal being put by the State Government.**

Carried

Background

On Sunday 19 February, the Minister released a statement, followed by his address at CEDA's annual Economic and Political Overview in Hobart on 20 February 2017, indicating that the State Government believed the State's water and sewerage situation had reached a "crisis point", and that the Government was "no longer prepared to stand by and let this situation continue".

The Minister stated that the problems that TasWater are being asked to fix are primarily due to a failure by the owners, both prior to the reforms and since.

On Friday 24 February, the Minister held a meeting with the council owner representatives of TasWater to explain that the Government believed urgent action was necessary and that the Government was "actively considering State Government ownership". However, he also indicated that no decision had yet been made and he was happy to collaborate and look at all the options.

In the Premier's Address 2017 on 7 March, it was announced that the State Government would be taking on responsibility for, and control of, TasWater and that the Government has a plan to fix the issues faster, while also being cheaper for consumers.

This was followed, on 8 March, by further details from the Minister by way of a Ministerial Statement.

The key points of this statement were:

- The Government would be introducing legislation in the Spring Session of Parliament to transfer all TasWater's assets, rights, obligations and liabilities to a newly created Government Business Enterprise (GBE);
- The newly created GBE will commence operations by 1 July 2018;
- The new legislation will also explicitly rule out privatisation of the business;
- The GBE act will be amended to enable the new Government Business to be subject to Ministerial directions to ensure that the needs of the community are met;
- Establishing the new entity will allow the State Government to accelerate the infrastructure program to address the public health and environmental compliance concerns more swiftly; and
- Upon taking control of Taswater the State Government will be able to bring forward and complete the remainder of Taswater's ten year \$1.5 billion investment program over a five year period.

LGAT Advocacy

With agreement of the Chief Owner Representative, LGAT have taken a lead in responding to the Minister's announcements about TasWater as the impacts are significant beyond TasWater, applying to the sector more broadly.

Throughout this period LGAT has undertaken a number of advocacy activities. This has included the following eight (8) media releases:

- 20 February Disappointing Process by Treasurer;
- 23 February 2017 State Government Continues to Peddle Half Truths and Misleading Information;
- 24 February 2017 Councils Considering Treasurer's Advice;
- 27 February 2017 LGAT Seeking More Information on TasWater Proposal;
- 7 March 2017 Councils to Carefully Consider State Government Ownership Model for TasWater;
- 8 March 2017 Councils now to Consider ALP Policy on TasWater;
- 9 March 2017 Election Stunt Exposed – Clean Water in Sight;
- 20 March 2017 TasWater Tops the Nation

Each of these releases are available in full from the LGAT website (Media & Publications > Media Releases, <http://www.lgat.tas.gov.au/page.aspx?u=636>). A copy of each of these can also be found at **Attachment to Item 2.3A**.

In addition, LGAT has undertaken a significant number of radio and television interviews and provided written and verbal briefings of the Legislative Council and Labour Party.

The key points raised by LGAT throughout this period have been:

- Disappointment that the Treasurer chose a national forum to attack local councils as opposed to directly engaging with us;
- Councils aren't backing away from the task that needs to be done and are working with TasWater responsibly and as fast as possible;
- We don't believe there is a water crisis. There is a fully funded plan to fix the agreed water and sewerage priorities as quickly as humanly possible;
- As a sector, we are confident that TasWater can deliver the robust 10-year capital plan it has prepared and that all boiled water alerts and "do not consume" notices will be removed by August 2018;

- Councils would like to work in partnership with the State Government to ensure that the water and sewerage systems and services in this State meet the needs of all our communities;
- The Treasurer has not yet provided sufficient detail about his model for TasWater, for Councils to develop a considered response; and
- Councils use the return on decades of community investment into water and sewerage infrastructure to aid in the maintenance and renewal of other community assets and infrastructure.

On 21 March, the LGAT President wrote to the Treasurer indicating that:

- The Local Government sector is committed to carefully considering the model of State Government ownership, however we currently lack sufficient detail to do so;
- We are confident that TasWater can deliver the robust ten year capital plan they have prepared; and
- The Government's suggestion that it could deliver the same program twice as fast seems, on face value, to be logistically impossible and the Government has not yet provided sufficient detail about the proposed model to allow Local Government to better understand the feasibility and impacts of an accelerated program.

In addition, we have requested the following information from The Treasurer prior to his presentation at the General Meeting in April:

1. Government plans to address the key risks associated with attempting to complete TasWater's 10-year capital program by FY2021 rather than FY2026;
2. Capping of price increases between 2.75% and 3.5% can service the projected debt levels of the Corporation, while sustaining the ongoing operations and capital program (that is, we would like to see the Government's 10 year financial modelling setting out annual profit and loss, balance sheet and cashflow projections); and
3. Financial returns to owners can be sustained and improved beyond 2025.

A full copy of this letter can be found at **Attachment to Item 2.3B**.

Alongside the activities of LGAT there have been a number of other stakeholders and commentators providing opinion pieces on the proposal being put forward by the State Government. These have included, but are not limited to, the TasWater Chairman Miles Hampton, Mayor Tony Foster, Hobart City Council, Northern Midlands Council, Martyn Goddard (Health Policy Analyst), Greg Barnes and Mike Gaffney's response speech to the response to the Premiers State of the State address.

A selection of these can be found at **Attachment to Item 2.3C**

LGAT has, and will continue to advocate on behalf of the sector in relation to the poor process undertaken by the State Government and the critical, but missing, detail that we require in order to reach a well-informed position.

Following the General Meeting, LGAT will circulate the Treasurer's advice to councils. In order to clarify LGAT's advocacy role it will be important for all councils to consider that information in detail, as well as specifically what they are seeking from any future model of management for water and sewerage services.

It is suggested that, as a minimum, councils consider whether any or all of the following are considered critical going forward:

- a. A guaranteed ongoing revenue stream to support local services and infrastructure investment for communities;
- b. Local influence on priorities for investment in water and sewerage services;
- c. Investment in water and sewerage services which stimulate growth across Tasmania;
- d. A sustainable water and sewerage entity;
- e. Faster delivery of key projects; and
- f. Downward pressure on costs to consumers for water and sewerage services.

Further, each council should determine, for those aspects or outcomes they deem critical, whether they could be achieved through Local Government ownership.

Budget Impact

Largely being undertaken within current resources, noting this currently forms a significant workload in a time when a number of significant reform agendas are in play. LGAT has secured additional support as required through use of a consultant to support media activity.

Current Policy

Strategic Plan:

- Priority Area 1: Strategic Relationships
- Priority Area 2: Sector Profile & Reform

3. ITEMS FOR NOTING

3.1 PLANNING REFORM Contact Officer – Dion Lester

Launceston City Council/Northern Midlands Council

That Members note the progress of the State Government's planning reforms and the key issues for the Local Government sector.

Carried

Note: time permitting, the Policy Director will give an extended verbal update on planning reform matters.

Background

On the 22nd February, the Minister for Planning released the State Planning Provisions (SPPs). The next phase of the Tasmanian Planning Scheme reform is for councils to prepare and then submit draft Local Provision Schedules (LPSs) for exhibition, representations, assessment and approval in accordance with statutory requirements under the Land Use Planning and Approvals Act 1993. The LPSs comprise the zoning maps (spatial application of the zones) and any specific local provisions (such as Particular Purpose Zones or Special Area Plans) and their preparation will be a substantial task for councils.

The Tasmanian Planning Commission (TPC) and Planning Policy Unit (PPU) of the Department of Justice have met with LGAT recently to indicate a desire to support councils to complete the drafting as quickly and efficiently as possible. To achieve this and to minimise risk of delays, they are proposing that state-wide and regional arrangements be implemented to facilitate and assist councils in this pre-lodgement stage of the LPS process. The TPC and PPU will be meeting with the three regions (Council Planners and General Managers) in late March to present the proposed arrangements.

LGAT has been invited to participate on a Steering Committee, whose purpose will be established to ensure strong co-ordination and communication across all levels of Government about the LPS process and to act as an escalation point if difficulties or issues emerge. The Policy Director will represent LGAT on this Steering Committee. Other members of the Steering Committee will include the Acting Chair of the Planning Reform Taskforce (Emma Riley), the Executive Commissioner of the TPC (Greg Alomes) and the Manager of the Planning Policy Unit (Brian Risby).

In addition, it is understood that there will be funding assistance of \$30,000 to each of the three regions, subject to finalisation of LPS work programs. Although at the time of writing no formal announcement has been made. The PPU will also be consulting with council planners on the draft Zone & Code application framework shortly.

Key Issues:

- The final SPPs have been released
- The development of Local Provision Schedules is likely to require significant resources
- The TPC and PPU will be proposing a state-wide and regional approach to the development of the LPSs to assist councils
- Local Government will bear the brunt of implementation and community angst in relation to the new provisions

Budget Impact

Being undertaken within current resources, noting this currently forms a significant workload.

Current Policy

Strategic Plan:

- Priority Area 1: Strategic Relationships
- Priority Area 2: Sector Profile & Reform
- Priority Area 5: Land Use Planning & Environmental Sustainability

3.2 HEALTH FORUM

Contact Officer – Penny Finlay

Break O'Day Council/Central Coast Council

That Members note the rationale and scope of the upcoming Local Government Health Forum.

Carried

Background

In 2016 the Tasmanian Government released its “A Healthy Tasmania-Five Year Strategic Plan” which has a goal of making Tasmanians the healthiest population in Australia by 2025. Local Government is highlighted throughout the plan as a key player in the provision of preventable health partnerships, initiatives, services, coordination and community engagement. Community Connections is one of the five strategic areas within the Plan where arguably Local Government has a strong role.

LGAT (with assistance from Primary Health Tasmania) supported the sector in 2015-2016 to deliver a range of projects to address the social determinants of health in the council areas of Central Coast, Central Highlands, Circular Head, Glenorchy City and Kingborough.

In April 2016 Professor David Adams gave a presentation to the Mayors Professional Development Day on ‘How Local Government can use land use and economic planning to build strong, regional food economies that support community level food security’. Food security continues to be an area of activity in Tasmania. During his presentation, Professor Adams noted rising community and State Government expectations on the Local Government role in not only food security, but also preventative health more generally.

Professor Adams suggested that it was important for Local Government to both define and understand what its role might be in the future. As a result, it was decided that there was merit in a workshop facilitated by LGAT, to support Local Government with the delivery of health and wellbeing outcomes for their communities. The forum will seek to understand and describe what Local Government’s role in preventive health should be going forward. In addition, it will showcase current programs being delivered by some councils and identify future initiatives.

Why it is important

The “A Healthy Tasmania-Five Year Strategic Plan” states that “people who are connected to their community live longer and healthier lives. Community connections help initiate and maintain healthier choices and lifestyles and support better mental health. Understanding community needs allows services to be better focused and more accessible”.

As per LGAT’s current communications, ‘better councils make better communities’, and better communities provide Tasmanians with the connection to live healthy lives.

What it will generally cover

With the aim of focussing on preventative health rather than health service delivery, the proposed workshop will review where have we been, what initiatives and projects are currently happening and where should we, as a sector, focus our efforts and partnerships.

The workshop will also assist Councils:

- To clarify the role of Local Government in preventative health and how to manage expectations;
- Identify common issues and potential partnerships for future work; and
- Identify grant opportunities.

The workshop will be held in Campbelltown in late May.

Key Issues:

- Under the *Local Government Act*, the functions of a council include “to provide for the health, safety and welfare of the community”.
- Local Government already works in preventative health and will continue to do so in various capacities through use of its facilities and community development activity.
- There is a rising expectation about Local Government’s role in preventative health.

Budget Implications

Planning for the workshop is being undertaken within current resources. The workshop costs will be covered by a small amount of the funds remaining from the 2016 partnership with Primary Health Tasmania.

Current Policy

Strategic Plan

- Priority Area 1: Strategic Relationships
- Priority Area 2: Sector profile & reform
- Priority Area 4: Sector capacity

3.3 POLICY UPDATE*

Contact Officer – Dion Lester

Clarence City Council/West Tamar Council

That Members note the following report on current Policy Activity.

Carried

New ALGA campaign to restore indexation of Financial Assistance Grants

The Australian Local Government Association (ALGA) has launched a new campaign website to restore indexation of Financial Assistance Grants (FAGs) – endthefreeze.com.

Local Government welcomed the Australian Government’s indication of a return of FAGs indexation in last year’s Budget. However, to date, the sector has received no firm guarantee that the Federal Government will indeed restore indexation to FAGs in the upcoming 2017-18 Federal Budget.

The simple 'endthefreeze' website allows councils to join ALGA's campaign by contacting their local Federal MPs via the site. With a template already written up, this powerful contribution from councils will take less than five minutes.

The website also has a council advocacy kit, available at councils.endthefreeze.com that includes templates, background information and talking points to assist councils with their campaigns at the local level to ensure the Government keeps its promise to restore indexation to FAGs in this year's Federal Budget. Communications Managers within councils have been provided with this information for council publications and associated activities.

Climate Resilient Councils – Opportunity for all councils to participate in new climate change governance project

The Department of Premier and Cabinet's Tasmanian Climate Change Office (TCCO) and LGAT are working together to support councils to incorporate climate change adaptation in their decision-making. The Climate Resilient Councils project will assess how councils are currently considering climate change and provide recommendations on how to strengthen this consideration in order to reduce climate-related risks to assets, infrastructure, services and communities.

The project is funded by the TCCO and is supported by LGAT. Consultancy firm Climate Planning will deliver the project using its Informed City™ data analytics platform. First piloted at Kingborough Council, Climate Planning has used the platform to review over 130 councils in Australia.

The data gathered through this project will enable councils, TCCO and LGAT to have a better understanding of the issues, barriers and opportunities for managing climate-related risks and incorporating climate change in decision making.

Climate Planning will provide each council with a report assessing their current consideration of climate change in decision making based on the governance indicators, and a set of recommendations for how to strengthen this consideration.

A report will also be prepared for TCCO and LGAT with an overview of key issues at the regional and state-wide level. This report will provide an important foundation for determining future projects and programs between TCCO and councils to support climate change adaptation.

Council General Managers have been contacted and asked to indicate their interest in participating in the project by 12 April 2017.

The consultant will schedule meetings with councils from late April through to late May. Final reports will be provided to councils, TCCO and LGAT in August and a presentation on the project findings will be given to General Managers in September.

Procurement

Expanding Procurement Opportunities for Tasmanian Councils

This year the Local Government Association Tasmania (LGAT) will continue to work as a member of the National Procurement Network and with other Local Government partners (e.g. the Municipal Association of Victoria) to develop, deliver and maintain procurement benefits for Tasmanian Councils.

Over the past few years LGAT has made available a variety of contracts that provide councils with access to goods and services across a broad range of category areas. Councils can legitimately purchase through these contracts via a Request for Quotation or Purchase Order - removing the need for a costly and often time consuming tender process.

Benefits to councils through using the NPN contracts

This procurement service is offered to LGAT members at nil cost and typically, councils can purchase locally. Arrangements with suppliers are negotiated on behalf of and in the best interest of councils. By leveraging the combined purchasing power of councils, we can achieve better value on products and services.

Working with our members and suppliers, we reduce procurement costs, simplify processes and improve services while delivering sustainable outcomes for communities and Local Government. Councils can also minimise compliance risk associated with procurement by purchasing through the NPN.

Contracts currently available:

- Trucks
- Plant Machinery Equipment
- Specialised Trucks
- Mobile Garbage Bins, Industrial Containers & Bins, Static Compactors and associated products
- Telecommunications
- Corporate Wardrobe
- Fuel (Bulk fuel, fuel card, fuel card services, oils and lubricants)
- Office and Workplace Supplies
- Tyres, Tubes, Automotive and Marine Batteries
- Park and Playground Equipment, Open Space and Recreational Infrastructure, Outdoor Furniture, Signage and Related Products & Services
- Workwear and Personal Protective Apparel

Due for release early 2017:

- Industrial, Construction, Electrical and General Hardware & Materials

Training in procurement and contract management

LGAT will also offer (subject to demand) a coordinated set of e learning modules and face to face training in procurement and contract management. As a starting point, an Expression of Interest for initial e learning modules tailored to Local Government will be distributed to councils to gauge interest by the end March.

These modules will cover:

- Procurement essentials;
- Contract management' and
- Probity in purchasing and procurement

Should you require further information, want to discuss specifics about how to access available contracts or have ideas about future LGAT procurement activity, please contact Deborah Leisser, Senior Policy Consultant, email: deborah.leisser@lgat.tas.gov.au, phone (03) 6233 5971.

Open Data

In late February LGAT met with the State Government's Office of eGovernment (located in the Department of Premier and Cabinet). The State Government has indicated its commitment to open data and is seeking to help facilitate the release of appropriate, high value datasets held by State Government agencies. The Tasmanian Government Open Data Policy provides the policy framework and principles the State Government will apply.

In addition, they have released a Discussion Paper which is intended to prompt views from users, and potential users, of government open data to better understand how high-value data held by government could benefit the Tasmanian community and the Tasmanian economy. A copy of this Discussion Paper is at **Attachment to Item 3.3A**.

In particular, the Office of eGovernment is seeking information on:

- What opportunities could be realised through access to, and reuse of, Tasmanian Government data?
- What Government information would help achieve your organisation's objectives?
- How would your organisation utilise Government open data if it were available?
- How might your use of this open data benefit the economy and/or the community?

LGAT would be happy to receive any feedback from councils on the above questions to discuss with the Office of eGovernment.

Joint Select Committee on Gaming

On 9 December 2016, LGAT provided a whole of sector submission to the Joint Select Committee on Gaming, based on the motions passed at the July 2016 General Meeting.

Alongside Hobart, Brighton and Glenorchy City Councils, LGAT addressed the Joint Select Committee hearing on 14 February 2017. In response, the Legislative Council asked for out of session advice on what motions have been passed by councils regarding poker machines in their municipal area. Our advice included responses from 12 councils as well as a suggestion on the legislative amendments which would allow councils to be able to regulate gaming in their municipalities, should they wish to. This included suggested amendments to the *Gaming Control Act* and the State Planning Provisions of the Tasmanian Planning Scheme.

In addition, LGAT recently responded to the *Gaming Control Amendment (Community Interest) Act 2016*, which introduces the requirement for a community interest test when a new Licensed Premises Gaming Licence is applied for. This response provided conditional support from the sector for a Community Interest Test.

Energy

Street Lighting LED replacement project

The Northern Lights project is rolling out as planned, with LED lights currently being installed in Launceston. Currently, there have been about 650 (~7%) lights replaced of the 9100 lights that are part of the project. ETS Electrical Services and TasNetworks have been very professional throughout the roll-out, providing relevant council staff with weekly updates.

The business cases for the southern and northwest council projects have been finalised and the results show strong evidence of benefit to councils from investing in LED replacement.

Fifteen councils were included in the business cases which examined two scenarios:

1. Councils to replace residential street lights to LEDs and to take ownership of the lights. TasNetworks will continue to provide maintenance services; and
2. Follow the TasNetworks LED roll out program, assuming lights will be replaced over 10 years and ownership of lights will remain with TasNetworks.

The first scenario shows that for all 15 councils to implement the project, the total cost is between \$9.83 million and \$10.65 million with net savings of \$22.24 million to \$34.05 million over 20 years. Whereas, opting to participate in the TasNetworks planned change-over will have no upfront capital expenditure but the total savings are lower at \$1.6 million to \$13.53 million over 20 years. The business cases break down the costs per council.

A teleconference was convened with council officers to discuss the business cases. One of the key points of discussion was in relation to requesting TasNetworks to halt their LED replacement program until councils have had time to consider the business cases and decide a preferred way forward. At the time of writing, formal advice on this issue was yet to be received from councils.

LGAT continues to examine funding opportunities for the project as there may be potential to leverage the Federal Governments current focus on smart cities and open data.

Renewal of Local Government Public Lighting Contract

In July 2014, non-metred public lighting became contestable. As a result, LGAT facilitated a competitive procurement process for the sector which achieved significant savings across the sector (approximately \$500K per annum). That contract is coming to an end on 30 June 2017 and councils have agreed that LGAT should run a similar combined competitive procurement process for non-metered public lighting for the sector.

As a sector, Local Government spends approximately ten million dollars a year on public lighting and consumes around 21,594Mwh per annum. Since the last contract, market prices for energy and Large Renewable Energy Certificates have both rallied strongly.

A request for quotation has gone out for consultancy services to support procurement for the supply of electricity for council public lighting on a sectoral basis. As this is the second time such a competitive procurement process for the retail supply of electricity for council unmetered public lights, it is expected that the process will be smoother, particularly in relation to negotiating contract terms and conditions. However, the process will also need to be cognisant of changing loads in each council area participating in LED replacement programs.

Feasibility Studies South-East Councils

- Finalised study presented to participating councils and State Government on 5 October 2016.
- Sorell and Tasman Councils commenced their consultation with their communities on 6 March 2017 by writing to all ratepayers and residents of their respective municipalities regarding the options and any voluntary amalgamations.
- The remaining councils (Glamorgan Spring Bay and Clarence) participating in the South-East study are expected to consult widely in early to mid 2017. It is understood that the two Councils are still considering how they will approach their respective consultations.

Greater Hobart

- The finalised study was released on 1 March 2017.
- Each council will now need to consider the Greater Hobart Councils' study and how they wish to proceed from here, including how they will consult and engage key stakeholders and their respective communities.
- The State Government has clearly stated that no decision on amalgamation that includes Glenorchy City Council under the Greater Hobart Councils' study will occur while there are no elected representatives governing the Glenorchy City Council.
- In that regard, a decision on progressing consultation with the Glenorchy community will be considered in the context of the Board of Inquiry's process and timing.

Cradle Coast Councils and Northern Tasmania Councils

- Feasibility studies are still underway. It is anticipated that these feasibility studies will be completed by early to mid 2017. KPMG is undertaking the Northern Tasmania study and Third Horizon is undertaking the Cradle Coast study.

Waste Management

Further to the report last Meeting, the LGAT Waste Reference Group has completed a State-wide Waste and Resource Management Strategy. A copy of this Strategy is at **Attachment to Item 3.3B**.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan:

- Priority Area 1: Strategic relationships
- Priority Area 2: Sector profile & reform
- Priority Area 3: Financial sustainability
- Priority Area 4: Sector capacity
- Priority Area 5: Land use planning & environmental sustainability

3.4 BUILDING ACT

Contact Officer – Melanie Brown

Launceston City Council/George Town Council

That Members note the progress of the State Government's building reforms and the key issues for the Local Government sector.

Carried

Background

In March LGAT wrote to the Minister for Buildings and Construction, the Hon. Guy Barnett MP, to raise the significant concerns voiced by members in relation to the recent commencement of the Building Act 2016 ('the Act') and related instruments.

Since 1 January 2017 there has been a persistent voice of concern from councils indicating that the transitional arrangements are causing confusion both within the sector and more broadly across the building industry and the general public, including:

- General confusion around permit requirements and processes, particularly notifiable works;
- Disconnect between building and plumbing processes;
- Disconnect between building and planning processes and reform timelines;
- Lack of clarity around roles and responsibilities in relation to compliance and enforcement;
- Friction among building surveyors; and
- Legislative glitches and issues e.g. delegations.

LGAT's Policy Director is meeting with the Director of Building Control on a fortnightly basis to raise the sectors concern and try to work out the best way forward.

In response to the concerns raised, the Department of Consumer and Building Occupational Services (CBOS) has written to all General Managers and offered to meet individually with each council to provide training for Permit Authorities. At the time of writing 25 Councils had accepted the invitation to attend the training.

In addition, CBOS are undertaking other activities aimed at improving the clarity of the new Building Framework and picking up on the concerns that have been raised. These concerns include:

- Re-establishing the Technical Reference Groups (end of April);
- Building Surveyors' Forum – Launceston 3 April (4 - 6:30 pm);
- Permit Authorities' Forum – Launceston 10 April (10 -12:30 pm);
- Developing a Protection Work Determination;
- Streamlining forms; and
- Clarifying the Building Surveyor's role in planning.

It is anticipated that these activities will assist in alleviating a significant amount of current confusion and afford all parties the opportunity to address teething issues. It will also determine which areas of the building legislation and accompanying instruments and publications require review or amendment.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan:

- Priority Area 1: Strategic Relationships
- Priority Area 2: Sector Profile & Reform
- Priority Area 5: Land Use Planning & Environmental Sustainability

3.5 AIR BNB

Contact Officer – Katrena Stephenson

Central Coast Council/Launceston City Council

That Members note the report on the Government's policy in relation to visitor accommodation.

Carried

Background

On 6 February 2017, the State Government announced its intent to make changes to how visitor accommodation was dealt with through planning schemes from 1 July 2017.

Previously mooted through the draft State Planning Provisions (SPPs) was a 'no permit required' approach for anything less than 42 days per year but the Local Government sector did not support that, as compliance would have been very difficult to manage.

As per our paper to the General Meeting of November 2016, LGAT suggested the divide should centre primarily around whether a property was principle place of residence or not (up to a certain scale). That is, no permit required for those principally interested in sharing their primary residence and meeting new people while supplementing their existing incomes in a small way, versus others interested in listing properties on sites such as Airbnb primarily for commercial gain. We did not support a blanket exemption as from a land use and infrastructure planning perspective it is important to know where this accommodation is.

The accommodation industry had hoped that through the SPPs a trigger for requiring a permit would be that the applicant had an ABN. LGAT did not support that on the basis that an ABN is not an appropriate planning trigger.

The Government considered the feedback and then outlined proposed changes in the Accommodation Sharing Policy Statement. This statement can be found at:

http://www.premier.tas.gov.au/_data/assets/pdf_file/0004/318136/Accommodation_Sharing_Policy_Tas_3_2_16.pdf).

In summary:

- No planning permit will be required for sharing up to 4 rooms in a principle place of residence.
- Sharing a principle place of residence with more than four rooms being let or an investment property or shack of less than 300m² will be permitted but with a new standard application form that also includes a self-assessment with respect to minimum safety standards.
- Large investment properties over 300m² will require planning and building approvals.

Occupancy certificates will determine the maximum number of people that can stay at any one time. The compliance triggers will primarily sit with the Building Act. It was noted that in some zones, councils may require additional measures such as adequate off-street parking, bushfire planning and heritage provisions.

Insurance will be a matter for owners and insurance companies.

The Government have committed to a review of the relevant provisions in two years. Several issues will need to be addressed including:

- Reminding the public that currently any property that is to be used for visitor accommodation requires a planning permit.
- Councils will need to understand and have input into the new combined process (planning permit, self-declaration) and implications at an operational and system level.
- The pressure on councils to move to a flat fee for this process is an area of concern, with the potential then to seek to apply that approach more broadly. The cost of executing the statutory planning requirements varies significantly across councils because of varying volumes.
- It is likely to be difficult to apply commercial rates to a private residence up to four rooms (category 1) as councils simply will not know about these. This also raises questions about how to manage those that currently pay commercial rates but fall into the first category which will likely be rated residential in future.

LGAT understands that concerns around liability (related to the self-declaration) and the ability to issue a planning directive will be dealt with legislatively.

A working group has been established to:

- Provide advice on the joint provision of education and information to their stakeholders and customers;
- Discuss the development of a new standard planning application form and self-assessment for permitted use under a proposed Interim Planning Directive; and
- Whether a standardized fee structure can be agreed across all councils.

An initial meeting has been held and mapped a number of areas for more detailed work and the need for technical input. A second meeting is scheduled for 5 April 2017.

Budget Impact

Does not apply.

Current Policy

- Priority Area 5: Land use planning & environmental sustainability

3.6 ANNUAL PLAN*

Contact Officer – Katrena Stephenson

Launceston City Council/Clarence City Council

That Members note the report.

Carried

Background

A report on progress against the LGAT Annual Plan 2016-17 is at **Attachment to Item 3.6**.

Budget Impact

Does not apply.

Current Policy

Strategic Plan:

- Priority Area 4: Sector Capacity

3.7 REVIEW OF THE LOCAL GOVERNMENT ACT *

Contact Officer – Katrena Stephenson

Devonport City Council/Break O'Day Council

That Members note the following report.

Carried

Background

Late on Friday 24 March LGAT received consultation documents relating to amendments to the *Local Government Act 1993* (see Attachments).

LGAT has now provided those to councils for feedback into a consolidated sector response. Feedback is required by Monday 1 May, 2017.

The amendments are largely as foreshadowed in LGAT General Meeting reports and in the presentation last General Meeting by the Director Local Government, Alex Tay. They also largely reflect the feedback from previous consultation with the sector and the report from the Steering Committee.

Key areas of likely interest include:

- 1 The introduction of powers to make Ministerial Orders to expand and clarify matters in relation to the function of the Mayor, functions of councillors, appointment and performance monitoring of the General Managers, functions of the General Manager and liaison between Mayors and General Managers. There are no draft orders at this stage and it should be noted that they must be developed in consultation with the sector.
- 2 The role of the Mayor has been expanded.
- 3 There are detailed provisions in relation to gifts and benefits. These were not part of the original consultation or the Steering Committee report but appear to align with the requirements of State Government.
- 4 There is clarification that qualified advice must be provided in writing.
- 5 Model Financial Statements are introduced with a transitional period.
- 6 The scope of the Local Government Board review has been broadened to include matters such as governance and performance.
- 7 The Director would be provided the power to issue Performance Improvement Directions following an investigation possibly preventing the need for a Board of Inquiry or LG Board Review.
- 8 The Minister would have the power to suspend individual councillors prior to or during a Board of Inquiry Process. Individual councillors (as opposed to the whole council only) may be dismissed following a Board of Inquiry process.
- 9 Election timeframes have been increased to allow for longer postal delivery times.
- 10 Electoral advertising is to include internet based advertising.
- 11 Minor boundary adjustments can be made without a LG review process.

Budget Impact

Does not apply.

Current Policy

Strategic Plan:

- Priority Area 2: Sector Profile and Reform.

4. OTHER BUSINESS & CLOSE

There being no further business the President declared the Meeting closed at 2.40pm.

Draft

DEVONPORT CITY COUNCIL & CENTRAL COAST

SHARED AUDIT PANEL

**Unconfirmed minutes of meeting held Monday 5 June 2017
at Devonport City Council commencing at 2.10pm**

Attendance

Members – Robert Atkinson (Chair): John Howard: Ald Charlie Emmerton & Ald Grant Goodwin: Cr Gary Carpenter & Cr Tony Van Rooyen (Proxy Member)

Officers - Paul West (General Manager DCC), Kym Peebles (Executive Manager Organisational Performance DCC), Sandra Ayton (General Manager CCC) and Bill Hutcheson (Director Organisational Services CCC)

Apologies

Cr Philip Viney

1. Confirmation of the minutes

The Panel resolved that the Minutes of Shared Audit Panel Meeting held on 20 March 2017 be confirmed as true and correct.

Carried Unanimously

2. Matters arising from previous meeting

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

3. Policies & Procedures

3.1 Credit Card Review

- Both Councils provided an overview of the findings from the recent review of credit card usage undertaken by the Tasmanian Audit Office and the draft Credit Card Policies tabled.
- All matters raised by Audit Office staff have been addressed in the draft Policies presented.
- The Panel discussed the findings and endorsed the Policies presented.

3.2 Related Parties Disclosures

- CCC and DCC have both adopted Policies in relation to Related Party information in accordance with the guidelines issued by Tasmanian Audit Office and LGAT. Both Councils have collected data and are maintaining a register of declarations. Once all related party relationships have been established, transactions will be identified for disclosure in the financial statements.
- The Panel noted the adoption of the accounting standard may lead to a review of the definition of pecuniary interest in the *Local Government Act 1993*.

4. Governance

4.1 Shared Services Review

- Paul West provided an update on the status of the Shared Services Review currently underway by Third Horizon. Work is continuing on the review and member councils are not expecting to receive a draft report before 30 June.

5. Legislative

The Panel noted the proposed changes to the Local Government Act have been discussed with the respective councils and all feedback has been provided to LGAT. It is expected the amended Act will be tabled in Parliament in the Spring sitting.

5.1 Delegations

DCC presented the Delegations Procedure as tabled.

CCC are currently converting the delegation process from a paper based process to using a system (Advent Manager). This system will greatly reduce Council's exposure to risk whilst at the same time create efficiencies in the process. Once this process has been bedded down, a formal procedure will be developed.

The Panel discussed the responsibility for oversight of regulatory compliance. The relevant manager of a department is responsible for compliance at CCC, whereas the Governance Co-ordinator is ultimately responsible for compliance at DCC. It was noted that LGAT manage communication of legislative changes to all Tasmanian councils, ensuring the information comes from one source.

6. General Business

6.1 Audit Panel Charter

The Panel noted that each Council had adopted an Audit Panel Charter as tabled and discussed the concept of the Shared Panel and the role of each council in the arrangement.

6.2 TasWater

- Paul West provided commentary on the latest developments regarding the proposed takeover of TasWater by the State Government. As 23 of the 29 councils do not support the takeover, LGAT in conjunction with TasWater, are proposing mounting a legal challenge based on legal advice received. Each council would be required to contribute financially to fund the challenge.
- The Panel discussed each councils' opposition to the proposal and the lack of detail provided by the Minister to support the claims currently being made.

There being no further business relating to the Shared Audit Panel Meeting the Chair closed the meeting at 3.08pm.

**CENTRAL COAST COUNCIL
AUDIT PANEL**



UNCONFIRMED MINUTES OF MEETING

Minutes of meeting held on Monday, 5 June 2017 at the Devonport City Council commencing at 1.00pm.

1 Present

Members – Robert Atkinson (Chairperson), John Howard, Cr Gary Carpenter & Cr Tony Van Rooyen (proxy).

Officers - Sandra Ayton (General Manager), Bill Hutcheson (Director Organisational Services) and Rosanne Brown (Minute Secretary).

2 Apology

Cr Philip Viney.

3 Introduction

The Chairperson introduced himself and asked each attendee to give a brief introduction.

4 Confirmation of Minutes

Moved by Cr Carpenter, seconded by John Howard and resolved unanimously that the minutes of the meeting held on 20 March 2017 be confirmed as true and correct.

5 Business Arising

John Howard asked if staff training on cyber risk had been undertaken. Advised that it will be organised as part of the IT strategy which is currently being reviewed by Bill Hutcheson.

6 Risk Management

6.1 Claims Update – Allianz Workers Compensation schedule previously circulated to members. Noted low number of claims for year and no concerns.

6.2 Potential claims – none to report.

6.3 Risk Management Initiatives – Director Organisational Services advised that a review of delegations has been completed and a report will go to next Council meeting.

6.4 Risk Register – General Manager reported that the Strategic Risk Register is currently being reviewed and document (with tracked changes) will be provided to the next meeting.

7 Financial Report

- 7.1 Financial Report for period ended April 2017 had been circulated with agenda and Financial Report for period ended May 2017 was circulated at the meeting. Report discussed. General Manager outlined grants funding, loans to be received and provisions for annual reserves for repayments relating to the Dial Sports Complex. Discussion on inclusion of additional columns for annual forecast and addition of notes in future statements. Noted that outstanding rates % is very low. General Manager outlined the rating process and collection of rates, including discount allowed, also highlighted variations in adjustment factors for this year and provided comparison sheet for members.
- 7.2 Operational Plan and draft budget estimates had been circulated with agenda.
- Budget process outlined and discussed. Questioned effect of unpredictable situations (ie floods) on budget process and how reallocation of funds to cover such is dealt with. Discussed reserves funding and policy. Chairperson commended budget documentation and development of budget from Strategic Plan for each area.
- 7.3 Long Term Financial Plan – circulated to members but not looked at in detail at the meeting.

Meeting Closed: 2.10pm

Central Coast Community Safety Partnership Committee

Minutes of a meeting held in the Central Coast Council Chamber,
19 King Edward Street, Ulverstone

Wednesday, 28 June 2017 – Commencing at 10.00am

PRESENT

Cor Vander Vlist (Acting General Manager – CCC); **Melissa Budgeon** (Community Wellbeing Officer – CCC); **Paul Breaden** (Engineering Group Leader CCC); **John Deacon** (Central Coast Community Shed); **Simon Douglas** (Ulverstone Community House); **Ahsleigh Leggatt** (Student – Ulverstone Community House); **Tameka Dornauf** (Coordinator – Community Housing Ltd.) and **Glen Lutwyche** (Principal Ulverstone High School [UHS] Schools Representative).

APOLOGIES

Cr Jan Bonde (Mayor – CCC); **Sandra Ayton** (General Manager – CCC); **Rowen Tongs** (councillor – CCC); **Julie Milnes** (Health Promotion Coordinator (Mersey) DHHS); **Sgt Kym Turale** (Tasmania Police); **Insp. Shane Le Fevre** (Tasmania Police); **Kate Wylie** (CCCCI); **Garth Johnston** (Penguin Neighbourhood Watch); **Kathryn Robinson** (Community Development Officer House Choices Tasmania); and **Barry Isaac** (Turners Beach/Leith Neighbourhood Watch).

WELCOME

Cor Vander Vlist welcomed everyone to the meeting.

1 MINUTES OF PREVIOUS MEETING

- John Deacon moved and Paul Breaden seconded, “That the minutes from the meeting held on Wednesday, 26 April 2017 be confirmed”.

Carried

2 MATTERS ARISING FROM PREVIOUS MEETING

a Industrial Drive Assessment

Paul advised that the council has assessed the road in question and advised that the Police and Council could not see an issue with speeding after a number of sight visits.

b Dementia Friendly Plan and Community Safety Plan

Cor advised that the Council’s Dementia Friendly Plan and the Community Safety Plan have been endorsed by the Council at the last Council Meeting and is now available on the Council’s Website.

3 GENERAL BUSINESS

4 REPRESENTATIVE REPORTS

(a) Community Safety Action Plan

Melissa Budgeon

Include outline of actions for 2017–2018

In the back of the Community Safety Action Plan 2017–2022

Reporting on the Actions

- Priority Area 1: Safe People
 - Safety Messages shared through social media and website, e-newsletters, regular posts (objective to post one per month) – these messages can be shared via other Facebook groups.
- Priority Area 2: Safe Places
 - Promotion of alerting TasNetworks of street lights not working in our community to be undertaken in May/June annually (during Winter).

These will now be put into a document call the Community Safety Actions for 2017–2018 and Outcomes, to be reported each meeting.

Melissa also advised the meeting of an emerging safety concern relating to users of the App 'SnapChat'. This application now indicates user as to location of where a snap has been generated ie. where the smart phone (person) is located. SnapChat is highly used by children in the age bracket of 8 to 16 years. A facebook alert with instructions on how to turn this automatic setting off on this app and make it safe for the users will be circulated.

Glenn said the school is looking to use Facebooks a lot more and will be allocating this to one person who will keep the site updates. Glenn asked Melissa to send things that she places on the Council's Facebook page regarding safety within the Central Coast Area to the School for placement on their Facebook page and website.

(b) Crime Report

Sgt Kym Turale – Tasmania Police

- Reports of hooning, particularly in the West Ulverstone area. Four vehicles have been identified by police as responsible. One has bene defected, one has been clamped and one has been seized indefinitely awaiting an order for disposal by the court. Several people charged, one of whom was held for court such was her dismal driving record and lack of remorse. Court did not grant her bail.
- We continue to utilise marked and unmarked police vehicles to assist in maintaining traffic order. Assistance from the public helps greatly also.

- Cor noted that what applies to the Police applies to council as well e.g. dog. Get the registration plate of the vehicle. Information is confidential.
- Have had reports of burglaries in rural areas. Investigations have resulted in several positive searches where a significant amount of stolen property has been recovered and charges laid.
- Member of the public was vigilant and noticed a youth acting suspiciously around house in east Ulverstone recently. This was reported to police, youth located and police confident that this has prevented the commission of crime.

(c) Central Coast Chamber of Commerce & Industry Report (CCCCI)

Kate Wylie

Nil.

(d) Primary Health Report

Julie Milnes

Nil

(e) Education (all schools) Report

Glen Lutwyche

Glynn Lutwyche – using social media platforms to keep the community informed about emerging trends and safety information. Any posts that the Council have to share, to be passed onto the school for sharing in the school community.

(f) Ulverstone Neighbourhood House

Simon Douglas

Simon reported they have experienced a number of break-ins over the last month. The police have been investigating.

Simon reported that he has found that people, in general, are willing to contact the Neighbourhood House to report suspicious activity in their area rather than contacting the police. The information is then passed on to the Police.

The PCYC in Burnie is running some good youth programs and activities and the Neighbourhood House is looking at working with the PCYC to encourage the youth at risk in the area to attend with the possibility of organising some sessions at the House.

Simon introduced Ashleigh Leggatt a 4th year student Studying Community Services who is doing work experiences at the Neighbourhood House.

(g) Housing Choices Tasmania (HCT) Report

Kathryn Robinson

Nil.

(h) Community Housing Report**Tameka Dornauf**

Tameka is the new representative for Community Housing, she thanked the Council for inviting her along. Tameka has replaced Leonie Hyde who no longer works for Community Housing. Tameka has had a report of an individual or individuals wandering around the community housing in Grove Street. This has been reported to police and she has requested better lighting be placed in that area.

Tameka reported that there has been a reduction in the crimes reported in the Launceston area. She will look into what type of program they are running and how they have achieved this and report to the next meeting.

(i) Community Reports**Garth Johnston**

Nil

(j) Central Coast Community Shed**John Deacon**

Improvements at the Shed – The drainage work has been done and the solar panels have been put up and 4 metres of concrete has been laid.

West Ulverstone primary school children are still attending the Men's Shed and are eagerly making small items to take home.

John reported that he has been speaking with Cor Vander Vlist from the Council regarding cameras in car parks. Cor advised that there are no cameras in any Council car parks.

John asked Paul Breaden was there a plan to refurbish the Queens Gardens as this was mentioned to him at a meeting. Paul advised, there are plans in the pipeline to do this, this financial year. It has come about because of issues with traffic management in this area.

John spoke about the issue of bicycles being ridden on the footpath, there have been complaints about people riding bikes on the footpath in the CBD from shop owners. Cor advised that Council inspectors are not able to issue infringements or confiscate bicycles, only police can do this. The meeting agreed that if people have these concerns they should be urged to contact police.

John made mention of how the Judo Club is combating bullying through their club. He suggested that this should be promoted through other sporting clubs.

The Community Shed's AGM next is to be held on 3 July 2017 and all committee positions will be vacant.

5 OTHER BUSINESS

Coles carpark and toilets – Cor advised that once the Council's Engineering department has confirmed the completion of the Coles carpark and toilets the Council Inspector will commence checking the carpark and issuing infringement.

Council Inspectors and body cameras – Council Inspectors will be attending a session in Hobart soon on how the body cameras work and are worn.

6 CLOSURE

As there was no further business to discuss Cor thanked everyone for attending and the meeting closed at 10.45am.

The next committee meeting is to be held on Wednesday, 28 June 2017, commencing at 10.00am in the Council Chamber, Central Coast Council, 19 King Edward Street, Ulverstone.

**Central Coast
Youth Engaged Steering Committee
Minutes of the meeting held at
the Ulverstone High School
Leven Street, Ulverstone
on Thursday 29 June 2017 at 9.15am**

Doc ID: 272083

PRESENT:

Philip Viney (Councillor/Accountant/Ulverstone Lions Club); **Melissa Budgeon** (Community Wellbeing Officer – Central Coast Council [CCC]); **Glen Lutwyche** (Principal – UHS); **Kelly Conkie** (Work Placement Coordinator – UHS); **Adam Knapp**, **Samantha Evans** and **Ella Barron** (Student Reps. – UHS); **Mathew Grining** (Principal PDS); **Poppy Giddings**, **Toni Hall** and **Ebony Raimondo** (Student Reps. – PDS); **Glenn Mace** (Principal – LCS); **Lili Squire**, **Maeve Stringer** and **Brittany Clingeffer** (Student Reps. – LCS); **Wayne Pepper** (Teacher – NWCS); **Isabel Porter** and **Chloe Casey** (Student Rep. – NWCS) and **Kate Wylie** (Central Coast Chamber of Commerce Rep.) and **Michael Walsh**

1 WELCOME

Prior to the commencement of the meeting Kelly Conkie (Work Placement Coordinator – UHS) gave the committee a tour of the new grade 11 and 12 study area and the Hair Dressing Salon at the Ulverstone High School.

Ella Barron chaired the meeting and welcomed everyone and declared the meeting opened at 9.30am.

2 APOLOGIES

Sandra Ayton (General Manager – Central Coast Council [CCC]); **Cr Rowen Tongs** (Community Rep./Councillor– Central Coast Council [CCC]).

3 MINUTES OF THE PREVIOUS MEETING

Kelly Conkie moved and Poppy Giddings seconded, “That the Minutes of the previous meeting held on 25 May 2017 be confirmed”

Carried

4 MATTERS FOR DISCUSSION FROM PREVIOUS MEETING

4.1 Youth Engaged Breakfast – August 2017

Melissa Budgeon to continue to liaise with Kelly Conkie and Matthew Grining. The date for the breakfast is 10 August 2017 at the Beachway Motel in Ulverstone.



4.2 All About Arts – 9 June 2017

Melissa gave a report on the day and asked the students that attend on their thoughts. The student suggested they would like to have a bit longer to speak and meet with the Artists of each section. They would also like to meet more than three Artists.

5 MEMBER REPORTS

Penguin District School – Student Representatives reported on school events:

- . Junior student board held super hero day on Friday 23 June to raise money for Muscular dystrophy. Two students in our school have Duchenne's MD.
- . Pre-kinder eight-week program will start in term three.
- . Our Interhigh cross-country team came 5th. We felt like we punched above our weight thanks to the motivational speech of Mr Hughes.
- . Parent teacher interviews are next week.
- . Our grade 7 parent information evening is on the 8 August.
- . Our secondary campus awareness program (grade 7 orientation) will run in term three.
- . On the 9 June, our primary campus held their cross-country. Our final house results were Duncan Sharks, Dial Thunder, Montgomery Blaze and Blythe Tigers.
- . This week our Vivace and primary girl's choirs performed in the Burnie Eisteddfod. Both choirs placed first and second in their categories.
- . We had our grade 8's and 9's participated in the Burnie Eisteddfod drama section for the first time in a number of years.
- . Our school is shortlisting which production we will perform next year (down to three choices)
- . We had a group attend the 'About Arts' sessions – feedback was very positive from our students. They suggested seeing more than three 'experts' and a bit longer to eat and mix with students from other schools.
- . Our senior student board held a 'Touch of Silver' social on Friday the 6 June. We raised more than \$220 and had a great turn out on the night.
- . Students have commenced the Premiers Reading Challenge.
- . Grade 9's and 10's have chosen new electives for terms three and four.
- . One of our grade 4 students had the great idea of making a book house for our sensory garden where you bring a book and take a book. The Penguin Men's Shed kindly donated their time and materials.
- . Local mosaic artist Marilyn Tewson donated a sculpture to go in to our sensory garden.
- . We will be starting 'Maths Hour' on a Wednesday after school from next term. Teachers have given their time to work with any students that would like support, pre-exam advice or to catch up on assignments.
- . We currently have second hand computers for sale.
- . Our primary students currently have some beautiful art work on display at the Ulverstone Library.
- . We have been allocated a school health nurse from term four for three days a week.

- . We have had our primary students participate at Symmons Plains for the Statewide cross-country this week and next week we have a team of 10-12 that will compete in the secondary event.
-

Leighland Christian School – Student Representatives reported on school events:

- . Our group of 9–12 students are continuing to raise money for the Vanuatu Mission Trip in October in order to support health and education in the community. Their next fundraiser is a Trivia Night on 30 June.
 - . Our Kinder students at both campuses have been joining together to participate in gymnastics at the Burnie Showgrounds.
 - . We held our Year 7, 2018 Information Evening on 31 May which was well attended.
 - . Thirty-five of our students represented the school at the Inter High School cross-country on 14 June. The entire team competed extremely well taking out 10th place out of a total of fifteen schools from the North–West Coast. Two of our students came 3rd and 5th in their age groups.
 - . Our Year 10's participated in the Driver Awareness program at Camp Clayton on 16 June.
 - . Our Primary School held a gold coin fundraiser on 9 June to support Story Dogs which is a reading support program where selected child read to an accredited dog and its owner.
 - . Our Year 10 Aspire class for high achievers has invited a series of Guest Speakers to share their career stories over Term 2. Last week they heard from one of our parents who is a Farmer and Entrepreneur.
 - . One of our Year 12 students was awarded the highest honour in Scouts on 26 May in Hobart. The Governor, Her Excellency, Kate Warner, presented the Queen's Scout Award to a small group of family and friends at a reception at Government House. This award represents 280 hours of work and 18 badges also contribute to making up the award.
 - . Our newly appointed Visual Arts Coordinator has been working with high school Art students to create beautiful flower shapes from recycled plastic drink bottles in a variety of colours. These are being fixed to our front fence and will eventually cover the whole fence.
 - . Next Monday we will host a Next Level Orientation day for Year 5 and 6 students from both campuses and Devonport Christian School. The day will involve various activities and challenges that are aimed at developing students' familiarity with the School, subject areas, teachers and the students they will be with in High School.
 - . Our Year 11 and 12 students have been studying up for their TASC exams and are currently taking part in their exams over the next two weeks.
-

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

- . Grades 4-6 and 9-10 attended excursions to Ashgrove Cheese Factory and Cradle Coast Olives for their cooking unit 'Preserving'.
- . Grades 7-10 completed their exams last week.
- . Reports are due out next week.
- . High School camp is on the second week of term 3.
- . Hong Kong exchange students arrive on the first week of term 3 and will be going on camp with the high school students, and leaving at the end of week two.

Ulverstone High School – Student Representative reported on school events:

- . Year 11 and 12 class room area was officially opened by the Minister of Education, Jeremy Rockliff MP.
- . Year 11 and 12 midyear exams are completed with the exception of online courses. Results are being handed back this week and next.
- . Year 7 and 10 reports will be sent home next week.
- . Renaming our canteen, taking suggestions from students.
- . Fluro themed social was held on Thursday, two weeks ago which was organised by the SRC.
- . Final assembly for the term is next Wednesday.
- . Elevate Education came to the school yesterday to talk about study strategies with year 11 and 12.
- . The Ulverstone High School football team took part in the football grand finals.
- . Students will be heading off on a Ski trip to New Zealand for nine days soon.
- . A song and dance night was held, tickets sold out and it was a success.
- . Breakfast Club is held every Tuesday and Thursday.
- . Drama students are performing for primary schools.
- . The school will be doing a music performance will be held at Pier01.
- . The school was represented at the Interhigh Cross Country and came 4th place.
- . Grand 6 transitions this week is coming up soon.
- . An offer was made to Ulverstone High School of a scholarship from John Wu who was a student at the school and is now Ophthalmologist in Perth West Australia.
- . Other organisations have made offers of partnerships to Ulverstone High School now they have taken on years 11 and 12.

6 GENERAL BUSINESS

- 6.1 *Adult Learning Australia – New Work Mindset – Foundation of Young Australians* – Melissa reported on a conference she attended in Hobart. Handed out some information from the workshop. Further information about the presentation can be found on the website for the Foundation for Young Australian – www.fya.org.au



**Central Coast Community Shed Management Committee
General Meeting – Minutes of Meeting held at the Community Shed
Monday, 3 July 2017 commencing at 1.55pm**

1 PRESENT/APOLOGIES

Present: Rob McKenzie (Chair), Sam Caberica, Trish Bock, David Dunn, Len Carr, Merv Gee, Lynne Jarvis – Coffin Club, Jack Eaton, Norm Frampton and Len Blair.

Minute taker: Chris Fletcher

Apologies: John Deacon, Colin Perry, Phil Viney and Melissa Budgeon.

2 CONFIRMATION OF MINUTES

The meeting resolved, "That the minutes of the meeting held on Monday, 5 June 2017 are confirmed as correct."

Carried

3 BUSINESS ARISING FROM MINUTES

- . **Building Works/Shed expansion** – The Community Shed requires Petty Cash float. Chris to organize with Melissa Budgeon.

4 CORRESPONDENCE

No correspondence was received.

5 TREASURER REPORT

The Financial Report was circulated to members.

- . 2017–2018 Budget estimates circulated.
- . Statistics – 387 Men and 79 Tuesday groups which is a total of 466 for the Month of June.

The meeting resolved, "That the Treasurer's report be accepted."

Accepted

6 General Business

- . Len Blair reported that the water is still pooling on the eastern side of the main building. This will be passed onto Engineering to have a look at.
- . Laser light has been installed on the Animal Nursery.
- . Coffin Club is looking at hosting a 'Dying to Know Day' event again on August 8. This year the theme being 'You CAN ask that!' BBQ at the shed from 11.30am and the opening from 9.30am. Posters have been circulated.

- . John Klop (safety) suggested that the appointment of a storeman be made. This was directed to the Men's Group for discussion.
- . Women's Group is operating steadily. Women's Group still required a qualified supervisor to assist and mentor.
- . Rob McKenzie presented prices for flashing around doors. This is to come out of the Community Shed budget – \$300.00. Committee accepted this quote.
- . Seniors Week 'Open Shed' for the groups on Tuesday and Friday. Information to be advertised in the COTA booklet.

7 CLOSURE

As there was no further business to discuss the meeting closed at 2.25pm.

8 NEXT MEETING

The next meeting will be held on 7 August 2017 commencing at 1.00pm.



Central Coast Community Shed - Financial Statement 2016-2017

as at 31 June 2017

	<i>Estimates</i>	<i>Actual</i>
	<i>\$</i>	<i>\$</i>
Revenue		
11413.03		
Fees	3,000.00	2,963.64
School Groups	–	181.82
Material Donations	–	45.45
Project Donations	2,000.00	1,491.17
GST allocation		
	Estimate	\$4,682.08
	\$5,000.00	
11413.06		
Expenditure		
11481		
1 Aurora	1,800.00	1,271.81
2 Telstra/Internet	700.00	561.69
3 Office	200.00	95.45
4 Bus	–	–
5 Testing and tagging	1,000.00	942.00
6 Petty Cash	–	–
7 Training	250.00	154.65
8 Membership	200.00	50.00
Insurance	–	113.08
9 Room Hire	–	–
10 Repairs and Maintenance	2,000.00	2,612.18
11 Safety Equipment	500.00	–
12 Project Materials	3,000.00	1,250.25
Insurance	200.00	–
Water/Sewage	150.00	25.86
13 Inspections/Building maintenance Checks	–	–
sign	–	148.50
	Estimate	\$7,225.47
	\$10,000.00	



Central Coast Community Shed Management Committee

Annual General Meeting - Minutes of Meeting held at the Community Shed
Monday, 3 July 2016

1 PRESENT/APOLOGIES

Members Present: Rob McKenzie; Len Blair; Trish Bock; Jack Eaton; Sam Caberica;
John Klop; David Dunn, Norm Frampton; Merv Gee; and Len Carr

Apologies: John Deacon; Colin Perry; Claude Merrett and Cr Philip Viney

Coordinator / Admin: Chris Fletcher

2 CHARTER REVIEW

Review of the Charter – An updated draft of the Charter was circulated. Included in the draft Charter is the appointment of a representative from the Women's Group onto the committee. The meeting approved the change and adopted the update Charter.

Carried

3 ANNUAL REPORT

Chairperson

The Chairperson tabled and presented the Annual Report to the meeting.

Rob McKenzie moved and Jack Eaton seconded, "That the Annual Report be tabled and accepted.

Carried

4 FINANCIAL REPORT

Administration

Melissa Budgeon to forward a financial report following the meeting, 2017 Financial Year has not been finalised.

Carried

5 ELECTION OF COMMITTEE MEMBERS

Rob McKenzie stepped down as chairperson and asked Chris Fletcher to chair the meeting for the election of Committee Members for 2017–2018.

Nomination were taken for Chairperson

Rob McKenzie **Nominated and Accepted**

As there was only one nomination for Chairperson. Rob McKenzie was elected to the position of Chairperson.

Nominations were taken for Vice Chairperson

Len Blair **Nominated and Accepted**

As there was only one nomination for vice Chairperson. Len Blair was elected to the position of Vice Chairperson.

Nomination were taken for Women's Group Representative

Trish Brock **Nominated and Accepted**

Nominations were taken for Program /User Group Representative

Lynne Jarvis **Nominated and Accepted**

Nominations were taken for Community Services Group Representative

Norm Frampton **Nominated and Accepted**

Nominations were taken for Safety Officer Representative

Colin Perry **Nominated**

John Klop also nominated from the floor.

The meeting agreed to accept both nominations and the position be held jointly by John Klop and Colin Perry.

Carried

Nominations were taken for Treasurer Representative

Sam Caberica **Nominated and Accepted**

Nominations were taken for Supervisor Representative

Claude Merrett
Sam Caberica
John Deacon
Dave Dunn

Nominated

Sam Caberica and David Dunn

Accepted

6 GENERAL BUSINESS

It was suggested that the induction process be made more rigorous to avoid safety issues. Supervisors to be made aware and highlight safety risks.

Councillor Representative is Phil Viney.

Chris Fletcher/Melissa Budgeon to find a representative for the Education sector on the committee.

7 CLOSURE

As there were no further discussion to be held the Annual General meeting was closed at 1.50pm. Members were asked to stay and attend the General Meeting of the Committee.

8 APPENDICES

- 1 Chairman's Annual Report
- 2 CCCS Committee Charter June 2016 (updated version)

Appendices



CENTRAL COAST COMMUNITY SHED ANNUAL REPORT 2016-2017

It is with pleasure that I present this annual report for 2016-2017.

The past year had seen a consolidation of the shed in the Ulverstone community. The monthly meetings have been well attended by all community representatives. Some highlights have been the growth and popularity of the Ladies Day held every Tuesday afternoon.

The coffin club also continues to operate on Tuesday mornings.

Mens Shed days have always been well attended with an average turn up of 30 men each Monday Wednesday and Friday.

The Men's Shed volunteers also mentor two school groups and a few disabled people attending with their carers. Our thanks go to the members involved in these activities as it is a very worthwhile project and the participants look forward to coming into the shed every week.

We are fortunate to have gained a grant from the Federal Government via our local member to re roof the second workshop area. This was a dollar for dollar grant, enabling the purchase of new roofing, guttering and back wall panelling. The mens group did most of the "leg work" and installed the back wall panels. Our thanks to the Central Coast Council for getting the roof guttering installed and upgrading the stormwater infrastructure.

The mayor, Jan Bonde and General Manager, Sandra Ayton visited for morning tea and inspected the work.

The Shed also hosted a morning tea with Sarah Courtney and Roger Jencsh, who presented us with the new TV for the community room. This was gained from a grant by the Tasmanian Mens Shed Association.

Our thanks to Ian Nettleton for his tireless work with the grant applications and the Mens Shed newsletter. To this end we have again been successful in gaining Federal funds to install solar panels on our roof. This should nearly eliminate our power bills. This system will be installed during the coming months.

Men's Shed activities have included a couple of fishing trips to lakes on the West Coast, involving 2 or 3 nights away.

Also members enjoyed a bus trip to Exeter and the Tamar region, including a visit to the Exeter Men's Shed.

During the year we lost a valued member of the shed, Peter Hanaveer.

Peter was heavily involved with the garden maintenance.

He was also an excellent chef on the BBQ.

After his trips to King Island he would return loaded with cheese which he shared at morning tea.

He enjoyed our fishing trips away and won our yearly fishing competition. His name is on our fishing competition plaque.

An astute crib player, he helped us win the inaugural crib competition against Port Sorell. Thanks, Peter for all the good times.

We had a visit from representatives of the Black Dog Institute, who supplied coffee and then gave a talk on their experiences with depression and the steps taken to overcome this affliction. They were very thankful for our support and plan to return to Tasmania later in the year.

The Ladies Group have also participated in a session of OH&S with a Council officer. This will allow them to be their own supervisors on their days at the Shed.

At this point, I would like to thank Melissa Budgeon for her enthusiastic support of the Community Men's Shed, Len Blair, Coordinator and Vice Chairman, Sam Cabrica and Len Carr as well as the hard working committee team members. Thank you all.

SIGNED
Rob McInnes

Central Coast Community Shed Committee Charter

June 2016



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The Charter outlines the ongoing arrangements for the effective management of the Central Coast Community Shed owned by the Central Coast Council supported by advice and collaboration with the Central Coast Community Shed Committee (the Committee).

DESCRIPTION OF THE FACILITY

The Central Coast Community Shed (the Shed) has been developed by volunteers and the Central Coast Council, funded through grants, donations and Council funding. The Shed is a well utilised and valued asset, offering a space that is capable of hosting a wide range of programs and activities in a safe, well-equipped workshop environment.

The Shed has well defined areas including a:

- . Large general workshop area with wood heater, an adjoining kitchenette, office space and large noticeboard.
- . Store room with racks and shelves for safe storing of work materials and a fire proof chemical storage cabinet.
- . Open workshop area housing large (dust making) machinery.
- . Open Workshop area – separating the noisy equipment for the social area of the general workshop.
- . ‘Hot room’ housing welding and metal work equipment along with suitable bench amenities.
- . Securely enclosed fenced outdoor area in the North-West corner of the Showground facility, this area surplus material storage and house garden beds.

PURPOSE OF THE COMMITTEE

Participation of the Committee members in the Shed decision making process is essential to ensure the growth of a valuable and efficient Community Shed facility. The Central Coast Council will manage and maintain the Shed, along with input and advice from the Committee.

1 Objectives and Functions of the Committee

The Objectives and Functions of the Committee are to:

- . Determine the purpose, target groups, roles and scope of activities/programs run by the Shed.
- . Ensure all procedures at the Shed are legal, safe and in accordance to Council regulations.
- . Provide a forum for the resolution of issues brought forward by members/volunteers/visiting people.
- . Discuss possible activities/programs, potential sponsors and development strategies.
- . Ensure a variety of activities/programs are encouraged and available to all members of the Community, including disabled, disengaged youths, elderly etc.
- . Create and provide development plans for the growth of an efficient, valuable and productive Shed.

2 *Code of Conduct*

All members of the Committee are to be:

- . Committed;
- . Ethical;
- . Supportive of decision making;
- . Supportive of fairness, the right for every member to be heard equally;
- . Respectful; and
- . Aware of relevant Council regulations/OHWS and comply.

3 *Meetings of the Committee*

- . Meetings of the Committee are to be held on the first Monday of every Month.
- . Members of the Committee are to endeavour to reach a decision by agreement on each matter considered by the Committee.
- . Recommendations requiring a decision from the Council are to be referred to the Community Wellbeing Officer, together with necessary action dates, details for endorsement.
- . Minutes of meetings are to include the date and time of meeting, members present, absentees/apologies, visitors, decisions of the meeting and the conclusion time of the meeting.
- . An Agenda for each meeting is necessary – and is to be forwarded to all members prior to the meeting.
- . Members are to receive notice of a meeting no later than five working days prior to a meeting of the Committee.

4 *Appointments and Responsibilities*

4.1 A Chairman is to be elected by the members of the Committee for a term of 12 months. The Chairman is to:

- . Conduct meetings in an orderly and effective manner;
- . Collect and arrange agenda items;
- . Advise the date and time of meetings;
- . Ensure the agenda is distributed;
- . Ensure that minutes of meetings are kept and distributed; and
- . Ensure that the operation of the Committee is conducted in a professional way.

4.2 A Committee Liaison/Coordinator is to be elected by the members of the Committee for a term of 12 months. The Liaison/Coordinator is to:

- . Reconcile and bank fees at the Council;
- . Ensure that members of the Committee are informed about business relevant to the committee;
- . Liaise with the Administrative Assistant of the committee;
- . Coordinate special events, Men's health forum etc. for the Committee; and
- . Assist the Chairman of the Committee.

- 4.3 An Administrative Assistant is to attend meetings as a non-voting secretary, to provide assistance to the Chairman on the preparation and distribution of the agenda, and to record (providing a copy to the Council) and distribute minutes to all members of the committee and provide a financial report for each meeting.
- 4.4 It is the responsibility of the elected and appointed member to liaise with their relevant group/organisation they represent.
- 4.5 Central Coast Community Shed Committee Representatives:
- . Chairperson;
 - . Vice Chairperson –Community Shed Liaison/Coordinator;
 - . Safety Officer;
 - . Two Supervisor Representatives;
 - . Program/user representatives;
 - . Womens Group Representative;
 - . Councillor representative;
 - . Community/Services Organisation representative;
 - . School/Education Representative.

5 *Vacation of Office*

- . In the event of a committee member resigning from the Committee, a replacement member is, where possible, to be nominated and elected.
- . If a Committee Member wants to withdraw their involvement with the Committee, their resignation should be submitted to the Project Officer.

6 *Information and Advice for the Committee*

- . Information relating to Council regulations shall be made available to members if requested.
- . Reports concerning accidents on site may be made available to the Committee if requested.

7 *OHWS Policy*

- . All members of the Committee must follow the Central Coast Council Occupational Health Welfare and Safety Policy when at the Community Shed to ensure the safety and health of those who are also present at the Community Shed. These policies are accessible in the current Central Coast Community Shed Health & Safety Manual.

- 6.3 *Idea2017* – Kate Wylie from the Central Coast Chamber of Commerce (CCCC) mentioned a workshop being run by Switch Tasmania (previously known as Cradle Coast Innovations) called Idea2017. Kate mentioned this might be something the schools would be interested in. Kate advised she would find some more details and send to the Council for distribution to the schools.
- 6.4 *Ulverstone History Precinct* – reviewing how that works for community. Chris advised that this exciting project is happening and it is a great opportunity for young people to shape the future of this space. History Science, Technology, Math, Engineering, hub education. In August, there will be 3 or 4 concepts and encourage schools to comment on. End October the final master plan. Encourage school to give feedback.
- 6.5 *Innovation and Entrepreneurship* – Mike Walsh discussed the work of the Beacon foundation. Nicki Mann from the Beacon foundation will present at the School Association meeting next Tuesday night. Glen advised that the program was being implemented and included resource to the school in a Parent/Student Liaison, a Pathway planner/Work placement role and also a teacher coach role – working with teachers to improve teaching methods and look at better ways that encourage student retention into year 12. My Education also offers some different links to skills analysis/career specifics for students.
- 6.6 *Council Projects* – Phil Viney commented on the current Council projects that are currently under way and their progress, Wongi Lane Bus Interchange, Dial Regional Sports Complex and the Penguin Recreational Ground redevelopment.

<http://switchtasmania.com.au/idea2017/>

7 REVIEW OF THE MEETING

The committee reviewed what had been discussed today and were all happy with the meeting.

8 NEXT MEETING

The next meeting is to be held on 27 July 2017 in the Chambers at the Central Coast Council administration building, 19 King Edward Street, Ulverstone, commencing at 9.15am.

As there was no further business to discuss the meeting concluded at 10.10am.

Minutes of an ordinary meeting of the Development Support Special Committee held in the Council Chamber of the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 10 July 2017 commencing at 6.00pm

Members attendance

Cr Jan Bonde (Mayor)
Cr Amanda Diprose
Cr Philip Viney

Cr Garry Carpenter
Cr Tony van Rooyen
Cor Vander Vlist (Acting General Manager)

Employees attendance

Director Infrastructure Services (Mr John Kersnovski)

Public attendance

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

CONFIRMATION OF MINUTES OF THE COMMITTEE

33/2017 Confirmation of minutes

The Director Community Services reported as follows:

“The minutes of the previous meeting of the Development Support Special Committee held on 24 April 2017 have already been circulated. The minutes are required to be confirmed for their accuracy.

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

- Cr van Rooyen moved and Cor Vander Vlist seconded, “That the minutes of the previous meeting of the Development Support Special Committee held on 24 April 2017 be confirmed.”

Carried unanimously

MAYOR'S COMMUNICATIONS

34/2017 Mayor's communications

The Mayor reported as follows:

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

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

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

- Cr Viney moved and Cr Diprose seconded, “That the Mayor's report be received.”

Carried unanimously

DECLARATIONS OF INTEREST

35/2017 Declarations of interest

The Mayor reported as follows:

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

The Director Community Services reported as follows:

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

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

matter commences.

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

No interests were declared at this time.

ADJOURNMENT OF MEETING

36/2017 Adjournment of meeting

The Mayor reported as follows:

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

The workshop commenced at 6.01pm. The workshop having been concluded, the Mayor resumed the meeting at 6.02pm.

DEPUTATIONS

37/2017 Deputations

The Director Community Services reported as follows:

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

OPEN REPORTS

38/2017 Residential (multiple dwellings x 2) – variation to car parking and vehicle manoeuvring standards at 13 Walker Street, Ulverstone – Application No. DA216245

The Director Community Services reported as follows:

“The Town Planner has prepared the following report:

<i>'DEVELOPMENT APPLICATION NO.:</i>	DA216245
<i>PROPOSAL:</i>	Residential (multiple dwellings x 2) – variation to car parking and vehicle manoeuvring standards
<i>APPLICANT:</i>	BR & ML Parsons
<i>LOCATION:</i>	13 Walker Street, Ulverstone
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	10 June 2017
<i>REPRESENTATIONS EXPIRY DATE:</i>	26 June 2017
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	19 July 2017
<i>DECISION DUE:</i>	10 July 2017

PURPOSE

The purpose of this report is to consider an application to construct an additional dwelling at the rear of an existing dwelling at 13 Walker Street, Ulverstone.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation;
- . Annexure 4 – photographs;
- . Annexure 5 – TasWater Submission to Planning Authority Notice TWDA 2017/00870-CC; and
- . Annexure 6 – Statement of Compliance from Road Authority & Stormwater Authority.

BACKGROUND

Development description –

Application is made to construct an additional dwelling behind an existing dwelling to form multiple dwellings on site at 13 Walker Street, Ulverstone.

An existing 170.5m² weatherboard, single-storey dwelling would be retained on site. A shed associated with the existing dwelling would be demolished. A second single-storey, two bedroom, single garage dwelling comprising 134.6m², including garage and alfresco area, would be constructed at the rear of the allotment.

Site description and surrounding area -

The subject site is an 838m² residential allotment that forms part of the residential area of Ulverstone. The land is flat, accommodating a single dwelling with outbuildings. The dwelling was constructed in 1920 and has been recently renovated. The allotment adjoins the 'night cart' lanes that run north-south along the rear of properties in this area.

Surrounding land is developed to accommodate single-storey residential dwellings.

A sewer main transects the rear of the site.

History -

No history relevant to this application.

DISCUSSION

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

General Residential

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

10.3.2–(A3) Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.	Not applicable. Use is residential.
10.4.1 Residential density for multiple dwellings	
<p>10.4.1–(A1) Multiple dwellings must have a site area per dwelling of not less than:</p> <p>(a) 325m²; or</p> <p>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.</p>	<p>(a) Compliant. Dwellings would have an area of approximately 419m² per dwelling.</p> <p>(b) Not applicable. Site not in Table 10.4.1.</p>
10.4.2 Setbacks and building envelope for all dwellings	
<p>10.4.2–(A1) Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p>	<p>(a) Compliant. Setback of existing dwelling from primary frontage would be 3.5m. Setback of additional dwelling would be 31m.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Not applicable. Satisfied by (a).</p> <p>(d) Not applicable. Land does not abut the Bass Highway.</p>

<p>(b) if the frontage is not a primary frontage, at least 3.0m, or, if the setback from the frontage is less than 3.0m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p>	
<p>10.4.2–(A2) A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5m, or alternatively 1.0m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1.0m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10.0m from the frontage.</p>	<p>(a) Compliant. Existing carport is setback 3.5m from frontage. Level with existing dwelling. A single, internal garage is proposed for the additional dwelling. Garage of additional dwelling would be setback 32m from the primary frontage.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Not applicable. Site is relatively flat.</p>
<p>10.4.2–(A3) A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p>	<p>(a)(i) Compliant. Existing dwelling would be contained in building envelope 10.4.2A. Additional dwelling would be contained within the required building envelope and would be setback 5.5m from the rear boundary.</p>

<p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at the side boundaries and a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level; and <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary or the adjoining lot; or (ii) does not exceed a total length of 9.0m or one-third the length of the side boundary (whichever is the lesser). 	<p>(a)(ii) Compliant. Existing dwelling would be contained in building envelope 10.4.2A. Additional dwelling would be contained within the required building envelope and would be setback 5.5m from the rear boundary.</p> <p>(b)(i) Not applicable. Satisfied by (b)(ii).</p> <p>(b)(ii) Compliant. Existing dwelling 1 is setback 100mm from northern side boundary for a length of 8m. Additional dwelling would be setback 1.8m from the northern side boundary.</p>
10.4.3 Site coverage and private open space for all dwellings	
<p>10.4.3-(A1) Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p>	<p>(a) Compliant. Site coverage of dwellings would be 36.41%.</p>

<p>(b) for multiple dwellings, a total area of private open space of not less than 60.0m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>	<p>(b) Compliant. Existing dwelling would have 73m² of private open space and additional dwelling would have 91.5m² of private open space.</p> <p>(c) Compliant. Area free from impervious surfaces would be 38.4%.</p>
<p>10.4.3–(A2) A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p style="padding-left: 40px;">(i) 24.0m²; or</p> <p style="padding-left: 40px;">(ii) 12.0m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p style="padding-left: 40px;">(i) 4.0m; or</p> <p style="padding-left: 40px;">(ii) 2.0m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p>	<p>(a)(i) Compliant. Existing dwelling has approximately 73m² of private open space to the north-east of the dwelling. Additional dwelling would have 91.5m² of private open space north-east of the dwelling.</p> <p>(a)(ii) Not applicable. Satisfied by (a)(i).</p> <p>(b)(i) Compliant. Existing dwelling would have a private open space horizontal dimension of 5m. Additional dwelling would have private open space horizontal dimension of 6m.</p> <p>(b)(ii) Not applicable. Satisfied by (b)(i).</p> <p>(c) Compliant. Private open space of existing dwelling would be directly accessible from a habitable room. Additional dwelling is compliant. Private open space would be directly accessible from habitable rooms.</p>

<p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	<p>(d) Compliant. Private open space is to the north of both dwellings.</p> <p>(e) Compliant. An area of private open space of existing dwelling is located to the side of the dwelling. Additional dwelling is excluded as it is to the rear of existing dwelling on the same site.</p> <p>(f) Compliant. Land is relatively flat.</p> <p>(g) Compliant. Both dwellings have private open space areas clear of vehicle access and parking areas.</p>
10.4.4 Sunlight and overshadowing for all dwellings	
10.4.4-(A1) A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	<p>Compliant.</p> <p>Habitable rooms of both dwellings face between 30 degrees west of north and 30 degrees east of north.</p>
10.4.4-(A2) A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and	<p>Not applicable.</p> <p>Existing dwelling is not to the north of the proposed additional dwelling.</p>

<p>30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> (i) at a distance of 3.0m from the window; and (ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal. <p>(b) The multiple dwelling does not cause the habitable room to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling. 	
<p>10.4.4–(A3) A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p>	<p>Not applicable.</p> <p>Existing dwelling is not to the north of private open space of proposed additional dwelling.</p>

<p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <ul style="list-style-type: none"> (i) at a distance of 3.0m from the northern edge of the private open space; and (ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal. <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m from the multiple dwelling. 	
10.4.5 Width of openings for garages and carports for all dwellings	
<p>10.4.5-(A1) A garage or carport within 12.0m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6.0m or half the width of the frontage (whichever is the lesser).</p>	<p>Compliant.</p> <p>Garage of the new dwelling would be setback 32m from the primary frontage.</p> <p>Carport of the existing dwelling is existing lawful structure.</p>

10.4.6 Privacy for all dwellings	
<p>10.4.6-(A1) A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1.0m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3.0m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4.0m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6.0m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site. 	<p>Not applicable.</p> <p>No development more than 1 m above natural ground level.</p>
<p>10.4.6-(A2) A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1.0m above the natural</p>	<p>Not applicable.</p>

<p>ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to have a setback of at least 3.0m from a side boundary; and (ii) is to have a setback of at least 4.0m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6.0m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6.0m from the private open space of another dwelling on the same site. <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or 	<p>No development more than 1m above natural ground level.</p>
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<p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	
<p>10.4.6–(A3) A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5m; or</p> <p>(b) 1.0m if:</p> <p>(i) it is separated by a screen of at least 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.</p>	<p>(a) Not applicable. Satisfied by (b)(i).</p> <p>(b)(i) Compliant. Separating fence between driveway and dwelling would be 1.8m high, setback 1m from the existing dwelling.</p> <p>(b)(ii) Not applicable. Satisfied by (b)(i).</p>
<p>10.4.7 Frontage fences for all dwellings</p>	
<p>10.4.7–(A1) A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p>	<p>Not applicable.</p> <p>No front fence proposed.</p>

<p>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>	
<p>10.4.8 Waste storage for multiple dwellings</p>	
<p>10.4.8-(A1) A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m² per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <p>(i) has a setback of at least 4.5m from a frontage; and</p> <p>(ii) is at least 5.5m from any dwelling; and</p> <p>(b) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.</p>	<p>(a) Compliant. Waste bins are allocated to each dwelling and are not located in the areas in front of the dwellings.</p> <p>(b) Not applicable. Satisfied by (a).</p>

10.4.9 Suitability of a site or lot for use or development

10.4.9–(A1) A site or each lot on a plan of subdivision must:

- (a) have an area of not less than 330m² excluding any access strip; and
- (b) if intended for a building, contain a building area of not less than 10.0m x 15.0m:
 - (i) clear of any applicable setback from a frontage, side or rear boundary;
 - (ii) clear of any applicable setback from a zone boundary;
 - (iii) clear of any registered easement;
 - (iv) clear of any registered right of way benefiting other land;
 - (v) clear of any restriction imposed by a Utility;
 - (vi) not including an access strip;
 - (vii) accessible from a frontage or access strip; and
 - (viii) if a new residential lot, with a long axis within the range 30 degrees east of north and 20 degrees west of north.

- (a) Compliant. Site area is 838m².
- (b)(i) Compliant. Building area of dwelling would be clear of front, rear and side boundaries.
- (b)(ii) Not applicable. No zone boundary.
- (b)(iii) Compliant. No registered easement but sewer line passes through the rear of the property. Development would be clear of the sewer line.
- (b)(iv) Not applicable. No registered right of way on the land.
- (b)(v) Compliant. Development would be clear of sewer line.
- (b)(vi) Not applicable. No access strip.
- (b)(vii) Compliant. Land is accessible from Walker Street.
- (b)(viii) Not applicable. Not a new residential lot.

<p>10.4.9–(A2) A site or each lot on a subdivision plan must have a separate access from a road –</p> <p>(a) across a frontage over which no other land has a right of access; and</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road –</p> <p style="padding-left: 40px;">(i) over land not required as the means of access to any other land; and</p> <p style="padding-left: 40px;">(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than –</p> <p style="padding-left: 40px;">(i) 3.6m for a single dwelling development; or</p> <p style="padding-left: 40px;">(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act</i></p>	<p>(a) Compliant. Frontage to Walker Street.</p> <p>(b) Not applicable. Not an internal lot.</p> <p>(c)(i) Not applicable. Satisfied by (a).</p> <p>(c)(ii) Not applicable. Satisfied by (a).</p> <p>(d)(i) Not applicable. Not a single dwelling.</p> <p>(d)(ii) Compliant. Multiple dwellings would have a frontage to Walker Street 18.33m wide.</p> <p>(e) Compliant. Development would have legal access to Walker Street in accordance with the <i>Local Government (Highways) Act 1982</i>.</p>
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<p>1935 must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	
<p>10.4.9–(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p>	<p>Compliant.</p> <p>The site is connected to the reticulated water system. The Council's Planning Permit would require compliance with TasWater's approval, included as an attachment to the Planning Permit.</p>
<p>10.4.9–(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and wastewater to a sewage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p>	<p>Compliant.</p> <p>The site is connected to the reticulated sewerage system. The Council's Planning Permit would require compliance with TasWater's approval, included as an attachment to the Planning Permit.</p>
<p>10.4.9–(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>.</p>	<p>Compliant.</p> <p>The site is connected to the reticulated stormwater system. The Council's Planning Permit would require compliance with its approval as a Stormwater Authority issued as a Statement of Compliance.</p>

10.4.10 Dwelling density for single dwelling development	
<p>10.4.10–(A1)</p> <p>(a) The site area per dwelling for a single dwelling must –</p> <p style="padding-left: 40px;">(i) be not less than 325m²; and</p> <p style="padding-left: 40px;">(ii) be not more than 830m²; or</p> <p>(b) The site is approved for residential use on a plan sealed before this planning scheme came into effect.</p>	<p>Not applicable.</p> <p>Development is multiple dwellings.</p>
10.4.11 Development other than a single or multiple dwelling.	
10.4.11.1 Location and configuration of development	
<p>10.4.11.1–(A1) The wall of a building must be set back from a frontage –</p> <p>(a) not less than 4.5m from a primary frontage; and</p> <p>(b) not less than 3.0m from any secondary frontage; or</p> <p>(c) not less than and not more than the setbacks for any existing building on adjoining sites;</p> <p>(d) not less than for any building retained on the site;</p>	<p>Not applicable.</p> <p>Development is multiple dwellings.</p>

<p>(e) in accordance with any building area shown on a sealed plan; or</p> <p>(f) not less than 50.0m if the site abuts the Bass Highway.</p>	
<p>10.4.11.1–(A2) All buildings must be contained within a building envelope determined by –</p> <p>(a) the applicable frontage setback;</p> <p>(b) a distance of not less than 4.0m from the rear boundary or if an internal lot, a distance of 4.5m from the boundary abutting the rear boundary of the adjoining frontage site;</p> <p>(c) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback –</p> <p>(i) not less than 1.5m from each side boundary; or</p> <p>(ii) less than 1.5m from a side boundary if –</p> <p>a. built against an existing wall of an adjoining building; or</p> <p>b. the wall or walls –</p>	<p>Not applicable.</p> <p>Development is multiple dwellings.</p>

<ul style="list-style-type: none"> i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land; ii. there is no door or window in the wall of the building; and iii. overshadowing does not result in 50% of the private open space of an adjoining dwelling receiving less than 3 hours of sunlight between 9.00am and 3.00pm on 21 June. <p>(d) in accordance with any building envelope shown on a sealed plan of subdivision.</p>	
<p>10.4.11.1 –(A3) Site coverage must:</p> <ul style="list-style-type: none"> (a) not be more than 50%; or (b) not be more than any building area shown on a sealed plan. 	<p>Not applicable.</p> <p>Development is multiple dwellings.</p>
<p>10.4.11.1 –(A4) A garage, carport or external parking area and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage of a building.</p>	<p>Not applicable.</p> <p>Development is multiple dwellings.</p>

<p>10.4.11.1–(A5) Other than for a dwelling, the total width of openings in the frontage elevation of a garage or carport (whether freestanding or part of any other building) must be the lesser of:</p> <p>(a) 6.0m; or</p> <p>(b) half the width of the frontage.</p>	<p>Not applicable.</p> <p>Development is multiple dwellings.</p>
<p>10.4.11.2 Visual and acoustic privacy for residential development</p>	
<p>10.4.11.2–(A1) A door or window to a habitable room or any part of a balcony, deck, roof garden, parking space or carport of a building must:</p> <p>(a) if the finished floor level is more than 1.0m above natural ground level:</p> <ul style="list-style-type: none"> (i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site; (ii) be not less than 3.0m from a side boundary; (iii) be not less than 4.0m from a rear boundary; and (iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of an adjacent frontage site; or <p>(b) if less than the setbacks in clause A1(a):</p>	<p>Not applicable.</p> <p>Development is multiple dwellings.</p>

<ul style="list-style-type: none"> (i) be off-set by not less than 1.5m from the edge of any door or window of another dwelling; (ii) have a window sill height of not less than 1.8m above floor level; (iii) have fixed glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above floor level; or (iv) have a fixed and durable external screen other than vegetation of not less than 1.8m height above the floor level with a uniform transparency of not more than 25% for the full width of the door, window, balcony, deck, roof garden, parking space, or carport. 	
<p>10.4.11.2–(A2) An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.</p>	<p>Not applicable.</p> <p>Development is multiple dwellings.</p>
<p>10.4.11.3 Frontage fences</p>	
<p>10.4.11.3–(A1) The height of a fence, including any supporting retaining wall, on or within a frontage setback must be:</p> <ul style="list-style-type: none"> (a) not more than 1.2m if the fence is solid; or 	<p>Not applicable.</p> <p>Development is multiple dwellings.</p>

(b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%.	
10.4.12 Setback of development for sensitive use	
<p>10.4.12–(A1) A building containing a sensitive use must be contained within a building envelope determined by:</p> <p>(a) the setback distance from the zone boundary as shown in the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45 degrees above the horizontal from a wall height of 3.0m at the required setback distance from the zone boundary.</p>	<p>(a) Not applicable. No zone boundary.</p> <p>(b) Not applicable. No zone boundary.</p>
<p>10.4.12–(A2) Development for a sensitive use must be not less than 50.0m from:</p> <p>(a) Bass Highway;</p> <p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road or rail purposes; or</p> <p>(d) a proclaimed wharf area.</p>	<p>(a) Compliant. Development would be greater than 730m from the Bass Highway.</p> <p>(b) Compliant. Development would be 140m from a railway line.</p> <p>(c) Not applicable. No land designated for future road or rail.</p> <p>(d) Not applicable. The nearest proclaimed wharf area is in Devonport approximately 15km to the east.</p>

10.4.13 Subdivision	
10.4.13–(A1) Each new lot on a plan of subdivision must be – (a) intended for residential use; (b) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a Statutory authority.	Not applicable. No subdivision proposed.
10.4.13–(A2) A lot, other than a lot to which A1(b) applies, must not be an internal lot	Not applicable. No subdivision proposed.
10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision	
10.4.14–(A1) Electricity reticulation and site connections must be installed underground.	Not applicable. No subdivision proposed.
CODES	
E1 Bushfire–Prone Areas Code	Not applicable. Site is not in a bushfire–prone area.
E2 Airport Impact Management Code	Not applicable. No Code in the Scheme.
E3 Clearing and Conversion of Vegetation Code	Not applicable. No clearing or conversion of vegetation.

E4 Change in Ground Level Code	Not applicable. No change in ground level greater than 1 m.
E5 Local Heritage Code	Not applicable. No Local Heritage Code in the Scheme.
E6 Hazard Management Code	Not applicable. Not within a hazard mapped area.
E7 Sign Code	Not applicable. No signage proposed.
E8 Telecommunication Code	Not applicable. No telecommunications proposed.
E9 Traffic Generating Use and Parking Code	
E9.2 Application of this Code	Code applies to all development.
E9.4 Use or development exempt from this Code	Not exempt. No Local Area Parking Scheme applies to the site.
E9.5 Use Standards	
E9.5.1 Provision for parking	
<p>E9.5.1–(A1) Provision for parking must be:</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p>	<p>(a) Non-compliant.</p> <p>The Code requires two spaces per dwelling plus one visitor car parking space. This equates to a requirement of five spaces on-site.</p>

	<p>The proposal shows area for four car parking spaces.</p> <p>Refer to “Issues” section of this report.</p>
E9.5.2 Provision for loading and unloading of vehicles	
<p>E9.5.2–(A1) There must be provision within a site for:</p> <p>(a) on-site loading area in accordance with the requirement in the Table to this Code; and</p> <p>(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.</p>	Not applicable for residential development.
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 by a Condition to be placed on the Permit.
<p>E9.6.2 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p>	<p>(a) Non-compliant. Car for existing dwelling must reverse onto Walker Street.</p> <p>Refer to “Issues” section of this report.</p>

<p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p> <p>(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>(b) Not applicable. Applies where 20 spaces or more are proposed or required.</p> <p>(c) Not applicable. Applies where 20 spaces or more are proposed or required.</p> <p>(d) Not applicable. Applies where 20 spaces or more are proposed or required.</p> <p>(e) Non-compliant. Vehicles for existing dwelling must access and egress the site directly from Walker Street.</p> <p>Refer to “Issues” section of this report.</p> <p>(f) Non-compliant. Car for existing dwelling must reverse onto Walker Street.</p> <p>Refer to “Issues” section of this report.</p> <p>(g) Compliant by condition to a Permit.</p>
<p>E9.6.2–(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.</p>	<p>Not applicable.</p> <p>Land is zoned General Residential.</p>

E10 Water and Waterways Code	Not applicable. Site is not within 30m of a waterway or waterbody.
Specific Area Plans	No Specific Area Plans apply to this location.

Issues –

1 *Car parking and the manoeuvrability of vehicles –*

The Scheme's E9 Traffic Generating Use and Parking Code requires two on-site car parking spaces be provided for each dwelling and a single visitor car parking space. The application proposes three applicable on-site car parking spaces. The front dwelling's vehicles are parked one behind the other, which does not meet the Scheme's standard and can only be counted as a single space. The site plan does not make provision for a visitor car parking space.

The Code also requires provision for the forward movement of all vehicles on the site, including all entry and egress of the site. The proposal relies on the existing car parking arrangement for dwelling 1, whereby vehicles would need to reverse onto Walker Street.

Consequently, the application does not meet Code standards for the total number of on-site car parking spaces and maneuverability. An assessment against the Performance Criteria is required, involving an exercise of discretion.

Performance Criteria E9.5.1–(P1) requires that the Council be satisfied that:

- (a) It must be unnecessary or unreasonable to require arrangements for the provision of vehicle parking; or
- (b) Adequate and appropriate provision must be made for vehicle parking to meet –
 - (i) anticipated requirement for the type, scale, and intensity of the use;
 - (ii) likely needs and requirements of site users; and
 - (iii) likely type, number, frequency, and duration of vehicle parking demand.

The matter of access to the road network was examined by the Council acting in its capacity as the Road Authority. The development proposes the use of two separate driveways, one for each proposed dwelling. The additional dwelling makes provision for the required two spaces.

The existing dwelling relies on an existing situation, with vehicles parking one behind the other.

Given that this is an area where traffic volumes over the road network are of relatively low impact, the proposal does not make any provision for two independent parking spaces for the existing front dwelling, or for visitor car parking on-site, and to rely instead on the road network in this regard, is considered to be reasonable. The area is flat and adequate sight distances are available. The development is for two dwellings only and other existing developments in Walker Street also rely on reverse egress onto Walker Street.

Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No comment.
Infrastructure Services	Refer to Statement of Compliance by the Road Authority and Stormwater Authority at Annexure 6.
TasWater	Refer to Submission to Planning Authority Notice TWDA 2017/00870-CC at Annexure 5.
Department of State Growth	No comment.
Environment Protection Authority	No comment.
TasRail	No comment.
Heritage Tasmania	No comment.
Crown Land Services	No comment.
Other	No comment.

CONSULTATION

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

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

Representations –

One representation was received within the prescribed time, a copy of which is provided at Annexure 3.

The representation is summarised and responded to as follows:

MATTER RAISED	RESPONSE
REPRESENTATION 1	
1 The subject property currently has no rear fence. If a new rear fence is to be installed, then it must be on the property boundary and laneway is to remain fully accessible at all times to allow for vehicular traffic and maintenance of the laneway.	It is anticipated the rear boundary of the property would be fenced following construction of the second dwelling. Any fence would, by law, need to be on the property boundary and access to the rear 'night cart' laneway maintained for all persons that adjoin that portion of land.

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 representation received does not have sufficient merit on planning grounds to justify the addition of a condition to a Permit issued.

The lack of adequate car parking and vehicle maneuverability is not considered to be material to the future use of the site and is considered to be appropriate for a two dwelling development.

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

- 1 Suburban residential areas make efficient use of land and optimise available and planned infrastructure provision through a balance of infill and redevelopment of established residential areas and the incremental release of new land.
- 2 Suburban residential areas provide equivalent opportunity for single dwelling and multiple dwelling developments and for shared and supported accommodation through private, public and social investment.
- 3 Suburban residential areas enable opportunity for convenient access to basic level services and facilities for education, health care, retail, social and recreational purposes.

The proposal is deemed to satisfy these Local Area Objectives and the relevant Performance Criteria of E9 Traffic Generating and Parking Code. It is considered appropriate the proposed development be approved, subject to conditions.

Recommendation –

It is recommended that the application for Residential (multiple dwellings x 2) – variation to car parking and vehicle manoeuvring standards at 13 Walker Street, Ulverstone be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans by Weeda Drafting & Building Consultants, Project No. 6517, Drawing Nos. 6517-1 to 6517-8 dated 31 May 2017, unless modified by a condition of this Permit.

-
- 2 The development must be in accordance with the conditions of the Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2017/00870-CC (copy attached).
 - 3 The development must be in accordance with the conditions of the Statement of Compliance for Vehicular Access and Drainage Access dated 20 June 2017, issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority (copy attached).
 - 4 Stormwater from vehicle parking and manoeuvring areas must be collected, drained and disposed of to an approved stormwater system.

Please note:

- 1 A Planning Permit remains valid for two years. If the use or development has not substantially commenced within this period, an extension of time may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 “Substantial commencement” is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site or bank guarantee to undertake such works.
- 3 Fencing to the frontage of the property to a height of 1.2m and fencing that is 30% transparent above 1.2m, to a maximum height of 1.8m, does not require a Permit.
- 4 Prior to the commencement of work, the applicant is to ensure that the category of work of the proposed building and/or plumbing work is defined using the Determinations issued under the Building Act 2016 by the Director of Building Control. Any notifications or Permits required in accordance with the defined category of work must be attained prior to the commencement of work.’

The report is supported.”

The Director Community Services reports as follows:

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

■ Cr Viney moved and Cr van Rooyen seconded, “That the application for Residential (multiple dwellings x 2) – variation to car parking and vehicle manoeuvring standards at 13 Walker Street, Ulverstone be approved subject to the following conditions and notes:

-
- 1 The development must be substantially in accordance with the plans by Weeda Drafting & Building Consultants, Project No. 6517, Drawing Nos. 6517-1 to 6517-8 dated 31 May 2017, unless modified by a condition of this Permit.
 - 2 The development must be in accordance with the conditions of the Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2017/00870-CC (copy attached) (a copy being appended to and forming part of the minutes).
 - 3 The development must be in accordance with the conditions of the Statement of Compliance for Vehicular Access and Drainage Access dated 20 June 2017, issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority (copy attached) (a copy being appended to and forming part of the minutes).
 - 4 Stormwater from vehicle parking and manoeuvring areas must be collected, drained and disposed of to an approved stormwater system.

Please note:

- 1 A Planning Permit remains valid for two years. If the use or development has not substantially commenced within this period, an extension of time may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
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- 4 Prior to the commencement of work, the applicant is to ensure that the category of work of the proposed building and/or plumbing work is defined using the Determinations issued under the Building Act 2016 by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work."

Carried unanimously

39/2017 Subdivision (dwelling excision and consolidation of titles) – discretionary use and development in the Rural Resource zone and proximity of a sensitive use to agricultural land at 149 West Pine Road & CT121265/2 Pine Road, Penguin – Application No. DA216187

The Director Community Services reported as follows:

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

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA216187
<i>PROPOSAL:</i>	Subdivision (dwelling excision and consolidation of titles) – discretionary use and development in the Rural Resource zone and proximity of a sensitive use to agricultural land
<i>APPLICANT:</i>	Derek Gee Installations Pty Ltd
<i>LOCATION:</i>	149 West Pine Road & CT121265/2 Pine Road, Penguin
<i>ZONE:</i>	Rural Resource
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	7 June 2017
<i>REPRESENTATIONS EXPIRY DATE:</i>	22 June 2017
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	22 July 2017
<i>DECISION DUE:</i>	17 July 2017
<i>PURPOSE</i>	

The purpose of this report is to consider an application to excise an existing dwelling at 149 West Pine Road, Penguin and consolidate the balance land with an adjoining rural parcel that is located on Pine Road, Penguin.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation;
- . Annexure 4 – photographs; and
- . Annexure 5 – Statement of Compliance from the Road Authority.

BACKGROUND

Development description –

Application is made for the subdivision of land that would result in the excision of an existing dwelling from a 38.34ha Rural Resource property located at 149 West Pine Road, Penguin, identified as CT121265/1, and the consolidation of the balance land to an adjoining 36.6ha rural property.

The proposed subdivision would result in the following allocation of infrastructure and land:

- 1 Lot 1 would have a land area of 9,800m² and would accommodate an existing brick dwelling with associated outbuilding (shed) and wastewater management system. Lot 1 would be accessed from West Pine Road over an existing crossover.
- 2 Lot 2 would be formed from an amalgamation of the balance 37.36ha area of land with an adjoining rural property, identified as CT121265/2, Pine Road. Lot 2 would form a holding of approximately 74.30ha with frontage to Pine Road and Kaines Road, West Pine.

Site description and surrounding area –

The two properties subject to the application to subdivide and consolidate land are located south of Sulphur Creek, approximately 2.71km south of the Bass Highway. CT121265/1 accommodates the existing 173m² brick dwelling with an outbuilding and wastewater management system. The dwelling was constructed in 1982. CT121265/2 is agricultural land used for cropping and the property does not accommodate a dwelling.

The land comprises Class 2 & Class 3 prime agricultural land and is located within the Dial Blythe Proclaimed Irrigation District. Both parcels are used for agricultural production. Extensive agricultural activity is undertaken on land north, east and west of the proposed residential site. The land owner intends to irrigate the land when the water resource becomes available.

An adjoining dwelling, constructed in 1900 and the original farm house for the surrounding land prior to construction of the subject brick dwelling, was excised from surrounding land in 1981, onto a 6,187m² residential allotment, and is located directly to the south of the proposed new residential Lot 1.

History -

In 1981 a dwelling to the immediate south of the existing dwelling at 149 West Pine Road was excised and now makes representation to the proposed excision.

The representation raised a matter of inconsistency between the layout of screen planting as recommended and shown in the agricultural report and the bushfire hazard report that accompanied the application. The Town Planner contacted the agricultural consultant who agreed that a bushfire hazard report should take precedent over the typical 'hedge' screen planting as shown in the agricultural report.

DISCUSSION

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

26.0 Rural Resource Zone

CLAUSE	COMMENT
26.1.2 Local Area Objectives	
<p>(a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;</p> <p>(b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;</p> <p>(c) Air, land and water resources are protected against –</p> <p style="padding-left: 40px;">(i) permanent loss to a use or development that has no need or reason to locate on land containing such a resource; and</p> <p style="padding-left: 40px;">(ii) use or development that has potential to exclude or unduly conflict, constraint, or interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource;</p> <p>(d) Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;</p>	<p>(a) Proposal to excise an existing dwelling does not satisfy the Objective. The proposed use is not a primary industry use of the site and would not be dependent upon access to a naturally occurring resource.</p> <p>(b) Proposal to excise an existing dwelling 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 (residential) 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 may unduly conflict, constrain or interfere with the natural resources of air, land or water.</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 <u>conservation area</u>;</p> <p>(g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry;</p> <p>(h) Residential use and development on rural land is appropriate only if –</p> <p style="padding-left: 40px;">(i) required by a primary industry or a resource based activity; or</p> <p style="padding-left: 40px;">(ii) without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes.</p>	<p>(d) Proposal does not satisfy the Objective. Use class (Residential) is not associated with primary industry.</p> <p>(e) Proposal does not satisfy the Objective. Use class (Residential) 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. Lot 1 would accommodate a Residential use class that is not required by a primary industry or resource based activity.</p> <p>(h)(ii) Proposal does not satisfy the Objective. Lot 1 would accommodate a Residential use class that may constrain or interfere existing and potential use of land for primary industry purposes.</p>
26.1.3 Desired Future Character Statements	
Use or development on rural land –	(a)(i) Proposal is not consistent with Desired Future Character Statements. The proposed use and

<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>	<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) Proposal is consistent with Desired Future Character Statements. The subject and surrounding land is not identified as places of ecological, scientific, cultural or aesthetic value.</p>
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<ul style="list-style-type: none"> (i) physical terrain; (ii) natural biodiversity and ecological systems; (iii) scenic attributes; and (iv) rural residential and visitor amenity; <p>(d) may involve sites of varying size –</p> <ul style="list-style-type: none"> (i) in accordance with the type, scale and intensity of primary industry; and (ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources; <p>(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>(b)(iii) Not applicable. The site is highly modified for residential use and does not support areas of native vegetation.</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 existing, modified biodiversity or ecological systems on the site.</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</p>
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	<p>commercial production based on a naturally occurring resource.</p> <p>(e) Proposal is not consistent with Desired Future Character Statements. The proposed use is not significantly influenced by changes in technology, production techniques or economic management and marketing systems.</p>
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>(d) be consistent with local area objectives;</p> <p>(e) be consistent with any applicable desired future character statement; and</p> <p>(f) be required to locate on rural resource land for operational efficiency:</p> <p>(i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;</p> <p>(ii) to access infrastructure only available on the site or on adjacent land in the zone;</p>	<p>Not applicable.</p> <p>Use would be Residential.</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 	
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<p>community or that is of significance for Tasmania; or</p> <p>(viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and</p> <p>(g) 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>	
26.3.2 Required Residential Use	
<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>The development would not result in a required residential use.</p>

<p>sound single dwelling;</p> <p>(c) not intensify an existing lawful residential use;</p> <p>(d) 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>	
26.3.3 Residential use	
<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) Not applicable. Not an addition or alteration to an existing lawful and structurally sound residential building.</p> <p>(b) Not applicable. Proposal is not an ancillary dwelling to an existing lawful and structurally sound single dwelling.</p> <p>(c) Not applicable. Proposal would not intensify an existing lawful residential use.</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>(d) Not applicable. Proposal would not replace an existing residential use.</p> <p>(e) Not applicable. Proposal would not create a new residential use through conversion of an existing building.</p> <p>(f) Not applicable. Proposal would not be an outbuilding with a floor area of not more than 100m² appurtenant to an existing lawful and structurally sound residential building.</p> <p>(g) Not applicable. Proposal would not be home based business in association with occupation of an existing lawful and structurally sound residential building.</p> <p>(h) Non-compliant. The proposal would result in a change in the title description of the site on which the residential use is located.</p> <p>Refer to “Issues” section of this report.</p>
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26.4 Development Standards

26.4.1 Suitability of a site or lot on a plan of subdivision for use or development

26.4.1–(A1) A site or each lot on a plan of subdivision must:

- (a) unless for agricultural use, have an area of not less than 1.0 hectare not including any access strip; and
- (b) if intended for a building, contain a building area
 - (i) of not more than 2,000m² or 20% of the area of the site, whichever is the greater unless a crop protection structure for an agricultural use;
 - (ii) clear of any applicable setback from a frontage, side or rear boundary;
 - (iii) clear of any applicable setback from a zone boundary;
 - (iv) clear of any registered easement;
 - (v) clear of any registered right of way benefiting other land;
 - (vi) clear of any restriction imposed by a utility;

- (a) Non-compliant. The site area of proposed excised residential land on Lot 1 would be 9,800m².

Lot 2 would be compliant at 74.30ha.

Refer to “Issues” section of this report.
- (b)(i) Compliant. Existing dwelling has a building area of approximately 173m² plus outbuildings.
- (b)(ii) Compliant. Proposed subdivision will not result in setback reductions below the Scheme’s standards. Dwelling would be setback 90m from northern side boundary and 50m from rear boundary. Frontage to West Pine Road would remain unchanged.
- (b)(iii) Compliant. There is no zone boundary setback applicable to the site.
- (b)(iv) Compliant. Development would be clear of gas pipeline and power easements.
- (b)(v) Compliant. Development would be clear of right of way.

<ul style="list-style-type: none"> (vii) not including an access strip; (viii) accessible from a frontage or access strip. 	<ul style="list-style-type: none"> (b)(vi) Compliant. Development would be clear of gas pipeline and power easements. (b)(vii) Compliant. Existing access to Lot 1 off West Pine Road would not change. (b)(viii) Compliant. Lot 1 has frontage to West Pine Road. Lot 2 has frontage to Pine Road and Kaines Road.
<p>26.4.1–(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <ul style="list-style-type: none"> (a) across a frontage over which no other land has a right of access; and (b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or (c) by a right of way connecting to a road <ul style="list-style-type: none"> (i) over land not required as the means of access to any other land; and (ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and 	<ul style="list-style-type: none"> (a) Compliant. Lot 1 would have frontage and access off West Pine Road. Lot 2 would have frontage and access off Pine Road and Kaines Road. (b) Not applicable. Satisfied by (a). (c) Not applicable. Satisfied by (a). (d) Compliant. Frontage to West Pine Road is approximately 109m wide. (e) Compliant by condition that development be in accordance with the Statement of Compliance from the Road Authority.

<p>(d) with a width of frontage and any access strip or right of way of not less than 6.0m; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	
<p>26.4.1–(A3) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of connecting to a water supply:</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system ^{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>Compliant.</p> <p>Lot 1 – has an existing on-site drinking water collection and storage system.</p> <p>Lot 2 – no system required as there would be no dwelling on Lot 2.</p>

<p>b. a use with an equivalent population of not more than 10 people per day.</p>	
<p>26.4.1–(A4) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste:</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if:</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development:</p> <p>a. is for a single dwelling; or</p> <p>b. provides for an equivalent population of not more than 10 people per day; or</p> <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS 1547:2012 On-site domestic-wastewater</p>	<p>(a) Not applicable. Allotments are not able to connect to a reticulated sewer system that would extend beyond the current fencing around the dwelling.</p> <p>(b)(i) Compliant. The existing single dwelling on proposed Lot 1 currently has a failing wastewater management system. The application is accompanied by a wastewater management report by SEAM Environmental, Job No. 17034 dated May 2017. The report includes the design of a new on-site wastewater system.</p> <p>The Standard is not relevant to Lot 2 as no dwelling is proposed or existing.</p> <p>(b)(ii)a. Compliant. The subdivision would result in a single dwelling on Lot 1.</p> <p>(b)(ii)b. Not applicable. Satisfied by (b)(ii)a.</p> <p>(b)(iii) Not applicable. Satisfied by (b)(ii)a.</p>

management clear of any defined building area or access strip.	
<p>26.4.1–(A5) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system:</p> <p>(i) for discharge to a natural drainage line, water body or watercourse; or</p> <p>(ii) for disposal within the site if:</p> <p>a. the site has an area of not less than 5,000m²;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p>	<p>Compliant.</p> <p>Lot 1 has an existing on-site stormwater collection and storage and disposal system.</p> <p>Lot 2 has no dwelling proposed or existing, so not required.</p>

e. not more than 50% of the site is impervious surface.	
26.4.2 Location and configuration of development	
<p>26.4.2-(A1) A building or a utility structure, other than a crop protection structure for an agriculture use, must be set back:</p> <p>(a) not less than 20.0m from the frontage; or</p> <p>(b) not less than 50.0m if the development is for sensitive use on land that adjoins the Bass Highway;</p> <p>(c) not less than 10.0m from each side boundary; and</p> <p>(d) not less than 10.0m from the rear boundary; or;</p> <p>(e) in accordance with any applicable building area shown on a sealed plan.</p>	<p>(a) Compliant. Existing dwelling at 149 West Pine Road is setback 13.34m from frontage to West Pine Road.</p> <p>(b) Compliant. Existing dwelling at 149 West Pine Road is setback 2.71km from Bass Highway.</p> <p>(c) Compliant. Existing dwelling (including outbuilding) would be 90m to the northern side boundary and approximately 60m to southern side boundary.</p> <p>(d) Compliant. Existing dwelling would be approximately 50m to the proposed new rear boundary.</p> <p>(e) Not applicable. No building area on a sealed plan.</p>
26.4.2-(A2) Building height must be not more than 8.5m.	<p>Compliant.</p> <p>Existing single-storey dwelling on Lot 1.</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>(a) Compliant. Existing dwelling is approximately 380m below closest ridgeline.</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>(b) Compliant. Existing dwelling would be 375m to nearest water body (dam).</p> <p>(c) Compliant. Existing dwelling would be 1.5km away from the canopy level of nearest woodland vegetation.</p> <p>(d) Compliant. Existing dwelling is brick.</p> <p>A3.2 Not applicable. The proposed development is not a wind power turbine or wind power pump.</p>
<p>26.4.3 Location of development for sensitive uses</p>	
<p>26.4.3–(A1) New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must –</p> <p>(a) be located not less than:</p> <p>(i) 200m from any agricultural land;</p> <p>(ii) 200m from aquaculture, or controlled environment agriculture;</p>	<p>(a)(i) Non-compliant. New residential building would be 50m from agricultural land.</p> <p>Refer to “Issues” section of this report.</p> <p>(a)(ii) Not applicable. No aquaculture or controlled environment agriculture.</p> <p>(a)(iii) Not applicable. No mining lease within 500m of proposed residential lot.</p>

<p>(iii) 500m from the operational area boundary established by a mining lease issued in accordance with the <i>Mineral Resources Development Act 1995</i> if blasting does not occur; or</p> <p>(iv) 1000m from the operational area boundary established by a mining lease issued in accordance with the <i>Mineral Resources Development Act 1995</i> if blasting does occur; or</p> <p>(v) 500m from intensive animal husbandry;</p> <p>(vi) 100m from land under a reserve management plan;</p> <p>(vii) 100m from land designated for production forestry;</p> <p>(viii) 50.0m from a boundary of the land to the Bass Highway, or to a railway line; and</p> <p>(ix) clear of any restriction imposed by a utility; and</p> <p>(b) not be on land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i>, or land that may benefit from the application of broad-scale irrigation development.</p>	<p>(a)(iv) Not applicable. No blasting extractive industry within 1,000m of proposed residential lot.</p> <p>(a)(v) Not applicable. No intensive animal husbandry within 500m of proposed residential lot.</p> <p>(a)(vi) Not applicable. No reserve management plan within 100m of proposed residential lot.</p> <p>(a)(vii) Compliant. Land is 2.71kms to Bass Highway and 3.6kms to a rail line.</p> <p>(a)(ix) Not applicable. No restriction imposed by a Utility.</p> <p>(b) Non-compliant land is within Dial Blythe proclaimed irrigation district.</p> <p>Refer to "Issues" section of this report.</p>
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26.4.4 Subdivision	
<p>26.4.4–(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) to create 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>(a) Non-compliant. Subdivision would not create a lot required for public use either by a 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>Refer to “Issues” section of this report.</p>
26.4.5 Buildings for Controlled Environment Agriculture	
<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>(b) not alter, disturb or damage the existing soil profile if conducted in a manner which does not rely on the soil as a growth medium.</p>	<p>Not applicable.</p> <p>Not controlled environment agriculture.</p>

CODES	
E1 Bushfire-Prone Areas Code	
E1.2 Application of this Code	Applies as development is a subdivision in a bushfire-prone area.
E1.4 Use or development exempt from this Code	Not exempt.
E1.5 Use Standards	
E1.5.1 Vulnerable Uses	Not applicable. Residential dwelling not classified as a vulnerable use.
E1.5.2 Hazardous uses	Not applicable. Residential dwelling not classified as a hazardous use.
E1.6 Development Standards	
E1.6.1 Development standards for subdivision	
E1.6.1.1 Subdivision: Provision of hazard management areas	
E1.6.1.1-(A1)	(a) Not applicable. Hazard management areas are required. (b)(i) Compliant. Plan of subdivision shows new lots.

<p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</p> <p>(b) The proposed plan of subdivision:</p> <ul style="list-style-type: none"> (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivisions; (ii) shows the building area for each lot; (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas; and (iv) is accompanied by a bushfire hazard management plan for each individual lot, certified by the TFS or accredited person, showing hazard management areas greater than the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas; and 	<p>(b)(ii) Compliant. Plan shows existing building area for Lot 1.</p> <p>(b)(iii) Compliant. The application is accompanied by a Bushfire Hazard Report certified by Ross Murphy of Castellan Consulting, Accreditation No. BFP-122, dated 2 May 2017. The report examines Lot 1. The report determines that Lot 1 (residential) has a BAL19.</p> <p>(b)(iv) Compliant. The application is accompanied by a Bushfire Hazard Report certified by Ross Murphy of Castellan Consulting, Accreditation No. BFP-122, dated 2 May 2017. The report examines Lot 1. The report determines that the new residential allotment is capable of achieving a BAL19 rating.</p> <p>(b)(v) Not applicable. No hazard management required on other land.</p>
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<p>(v) applications for subdivision requiring hazard management areas to be located on land that is external to the proposed subdivision must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>	
<p>E1.6.1.1–(P1) A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area taking into consideration:</p> <p>(a) the dimensions of hazard management areas;</p> <p>(b) a bushfire risk assessment of each lot at any stage of staged subdivision;</p> <p>(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</p> <p>(d) the topography, including site slope;</p> <p>(e) any other potential forms of fuel and ignition sources;</p>	<p>(a) Compliant. Proposed plan of subdivision takes into account recommendations of the Bushfire Hazard Report and dimensions of the hazard management area.</p> <p>(b) Not applicable. Not a staged subdivision.</p> <p>(c) Compliant. Proposed plan of subdivision takes into account the Bushfire Hazard Report and the nature of existing and proposed vegetation buffer.</p> <p>(d) Compliant. Proposed plan of subdivision and Bushfire Hazard Report takes into account topography.</p> <p>(e) Compliant. Proposed plan of subdivision takes into account Bushfire Hazard Report and forms of fuel and ignition sources.</p>

<p>(f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development; and</p> <p>(g) any advice from the TFS.</p>	<p>(f) Compliant. Proposed plan of subdivision takes into account Bushfire Hazard Report and the separation distance between rural land and proposed residential use of land.</p> <p>(g) Not applicable. Advice from TFS not required.</p>
E1.6.1.2 Subdivision: Public and fire fighting access	
<p>E1.6.1.2-(A1)</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of property access to building areas, and which complies to the extent necessary with Tables E3, E4 & E5, is included in a bushfire hazard management plan certified by the TFS or accredited person.</p>	<p>(a) Not applicable. Satisfied by (b).</p> <p>(b) Compliant. Refer to Annexure 2 – Bushfire Hazard Report certified by Ross Murphy of Castellan Consulting, Accreditation No. BFP-122, dated 2 May 2017.</p>
<p>E1.6.1.2-(P1) A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires having regard to:</p>	<p>(a) Compliant. Refer to Annexure 2 – Bushfire Hazard Report certified by Ross Murphy of Castellan Consulting, Accreditation No. BFP-122, dated 2 May 2017.</p>

<p>(a) appropriate design measures, including:</p> <ul style="list-style-type: none"> (i) two way traffic; (ii) all weather surfaces; (iii) height and width of any vegetation clearances; (iv) load capacity; (v) provision of passing bays; (vi) traffic control devices; (vii) geometry, alignment and slope of roads, tracks and trails; (viii) use of through roads to provide for connectivity; (ix) limits on the length of cul-de-sacs and dead-end roads; (x) provision of turning areas; (xi) provision for parking areas; 	<p>(b) Compliant. Refer to Annexure 2 – Bushfire Hazard Report certified by Ross Murphy of Castellan Consulting, Accreditation No. BFP-122, dated 2 May 2017.</p> <p>(c) Not applicable. No advice required from TFS.</p>
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<p>(xii) perimeter access; and</p> <p>(xiii) fire trails; and</p> <p>(b) the provision of access to</p> <p>(i) bushfire-prone vegetation to permit the undertaking of hazard management works; and</p> <p>(ii) fire fighting water supplies; and</p> <p>(c) any advice from the TFS.</p>	
E1.6.1.3 Subdivision: Provision of water supply for fire fighting purposes	
<p>E1.6.1.3-(A1) In areas serviced with reticulated water by the water corporation:</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes; or</p> <p>(b) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire; or</p>	<p>Not applicable.</p> <p>Land is not serviced by a reticulated water supply.</p>

<p>(c) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E6.</p>	
<p>E1.6.1.3–(A2) In areas that are not serviced by reticulated water by the water corporation:</p> <p>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes; or</p> <p>(b) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire; or</p> <p>(c) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E7.</p>	<p>(a) Not applicable. Compliant with (b) & (c).</p> <p>(b) Compliant. Refer to Annexure 2 – Bushfire Hazard Report certified by Ross Murphy of Castellan Consulting, Accreditation No. BFP-122, dated 2 May 2017.</p> <p>(c) Compliant. Refer to Annexure 2 – Bushfire Hazard Report certified by Ross Murphy of Castellan Consulting, Accreditation No. BFP-122, dated 2 May 2017.</p>
<p>E2 Airport Impact Management Code</p>	<p>Not applicable. Not in this Scheme.</p>
<p>E3 Clearing and Conversion of Vegetation Code</p>	<p>Not applicable. No land clearance proposed.</p>

E4 Change in Ground Level Code	Not applicable. No cut and fill greater than 1m.
E5 Local Heritage Code	Not applicable. No places of local heritage listed in this Scheme.
E6 Hazard Management Code	Not applicable. Not identified in hazard mapping.
E7 Sign Code	Not applicable. No signage proposed.
E8 Telecommunication Code	Not applicable. No telecommunications proposed.
E9 Traffic Generating Use and Parking Code	
E9.2 Application of this Code	Code applies to all development.
E9.4 Use or development exempt from this Code	Not exempt. No local Area Parking Scheme applies to the site.
E9.5 Use Standards	
E9.5.1 Provision for parking	
<p>E9.5.1-(A1) Provision for parking must be:</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p>	<p>(a) Compliant. Existing dwelling on Lot 1 has area for the required two car parking spaces on site.</p> <p>Resource development land on Lot 2 must provide an adequate number of spaces to service the likely</p>

	workforce. The land has ample area for vehicle parking and manoeuvring.
E9.5.2 Provision for loading and unloading of vehicles	
<p>E9.5.2-(A1) There must be provision within a site for:</p> <p>(c) on-site loading area in accordance with the requirement in the Table to this Code; and</p> <p>(d) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.</p>	<p>(a) Not applicable for Residential use of Lot 1. Lot 2 would have ample area for the loading and unloading of vehicles.</p> <p>(b) Not applicable for Residential or Resource development use of land.</p>
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	<p>Compliant.</p> <p>Existing on-site stormwater collection and disposal.</p>
<p>E9.6.2 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p>	<p>(a) Compliant. Lot 1 and Lot 2 have ample area to accommodate required car parking spaces and manoeuvring areas.</p>

<ul style="list-style-type: none"> (b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles; (c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities; (d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities; (e) Each parking space must be separately accessed from the internal circulation aisle within the site; (f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and (g) Be formed and constructed with compacted sub-base and an all-weather surface. 	
<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.</p> <p>All-weather road surfaces for access and vehicle circulation areas are existing.</p>

E10 Water and Waterways Code	Not applicable. Site is not within 30m of a water body (dam).
Specific Area Plans	No Specific Area Plans apply to this location.

Issues –

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

In summary, 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 zone's Local Area Objectives and Desired Future Character Statements together seek to promote use and development that is for primary industry purpose, referencing 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 and allows for the develop of tourist or utility infrastructure that cannot reasonably be accommodated on other land.

The Local Area Objectives seek to prevent the permanent loss of land to uses that do not rely on the resources present. Implementation of these Objectives must provide land for primary industry and other uses that are supportive of and do not create land use conflicts with primary industry. According to the Macquarie Franklin report that accompanies the application, the existing dwelling is not required for ongoing management of the rural property and funds from the sale of the dwelling would be redirected into agricultural development over the balance of the land, including irrigation infrastructure, allowing the property managers to be more productive in their operations.

The Desired Future Character Statements encourage the Rural Resource Zone to be sparsely settled but extensively used and developed with activities and buildings that support the rural industry sector. The proposal does not satisfy the Desired Future Character Statements in this regard.

However, the excision of an existing dwelling to create a residential allotment in an area dedicated to primary industry is a trade-off between the loss of a dwelling that was once 'required' for management of the property in exchange for the creation of a larger, amalgamated rural holding and the provision of capital for investment in irrigation infrastructure. Further, the proposed house excision would not lead to any significant change in the visual character of the land as the development already exists and would not result in a new dwelling on rural land.

It is considered that the application demonstrates a reasonable 'trade off' of the loss of a dwelling that is ancillary to primary industry, providing the balance land is amalgamated with adjoining land to form a larger holding to what presently exists.

2 *Subdivision in the Rural Resource zone –*

The subdivision of land in the Rural Resource zone must satisfy Performance Criteria 26.4.4–(P1). The Standard has four tests, only one of which must be met in order to satisfy the Standard. The first test applies where no new lots are created. The second test applies to public utilities and infrastructure. The third test applies where a new lot is created and the fourth test applies when reducing the area of an existing lot. In relation to the subject application, the fourth test most aptly applies.

Performance Criteria 26.4.4–P1(c) requires that:

A plan of subdivision to reduce the area of an existing lot on a sealed plan containing a lawful use must:

- (i) not be land containing a Residential use approved with a Permit under the *Land Use Planning and Approval Act 1993* as a required part of the use of the land;
- (ii) incorporate the excised area into an existing primary industry lot by amalgamation;
- (iii) minimise the likelihood of the existing use on the reduced lot to further constrain or interfere with the use of the balance area or adjacent land for an existing potential primary industry use; and
- (iv) retain a lot with a size and shape that can accommodate the lawful existing use in accordance with applicable standards or not further increase any non-compliance for use or development on the existing lot.

Performance Criteria 26.4.4–P1(c) is addressed as follows:

- (i) The dwelling that is to be excised was constructed in 1982, prior to the ratification of the *Land Use Planning and Approvals Act 1993* and as such cannot be considered approved as a 'required' dwelling approved under the Act.

(ii) The balance land is to be amalgamated with an adjoining primary industry property.

(iii) &(iv) The application is accompanied by an Agricultural Report by agricultural consultants Macquarie Franklin dated 19 December 2016. The report makes the following assessments and conclusions regarding the land:

- 1 The overall objective of the proposal is to excise a dwelling and 9,800m² of land that is not required as part of the farm business and is an impediment to its financial performance and longer-term sustainability. The proposed Lot 1 is surplus to farm requirements and represents an over capitalisation of the property asset base.
- 2 The funds will be redirected into agricultural development on the balance of the property, including the installation of irrigation infrastructure.
- 3 The proposal is designed to maximize the area of balance land that will continue to be used for agricultural activities. There will be negligible loss of agricultural land.
- 4 The excision will create a Residential use in the Rural Resource zone. However, the configuration of the excised lot and the proposed buffers will alleviate any unreasonable interference of neighbouring farming activities and vice versa.
- 5 The proposed residential block has sufficient buffer distances from adjoining agriculture land to prevent unreasonable impact of agricultural activity on residential amenity and vice versa. The proposed setback of the dwelling, with associated vegetation buffers, would provide sufficient distance from the adjoining agricultural land to minimize the risk of constraining primary industry activity.

The Macquarie Franklin report's assessments and conclusions are considered reasonable. On this basis, it is considered that the relevant tests have been satisfied.

3 *Non-required residential use in the Rural Resource zone –*

The proposed subdivision would result in the creation of a non-required Residential use in the Rural Resource zone and consequently does not meet the Scheme's Acceptable Solutions for residential use in the zone. The Scheme's relevant Performance Criteria that needs to be satisfied is 26.3.3–(P1).

The key required tests contained in the Performance Criteria are:

- 1 there be no permanent loss of land significant for primary industry use; and
- 2 there be no constraint or interference to land for primary industry purposes.

Clause 26.3.3–(P1)(c) of the Performance Criteria reinforces these requirements through the inclusion of the following additional tests:

- 1 is not capable of being used for resource development or extractive industry;
- 2 is not capable of use in the operations of resource development or extractive industry; and
- 3 does not constrain or interfere with existing or potential resource development or extractive industry operations.

The matters raised in the standards reflect those raised in the standards for subdivision and the excision of an allotment in the zone. Refer to Issues – 2 above, where matters of constraint or interference are addressed and the relevant standards are considered to be met.

4 *Development within the Dial Blythe 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 Dial Blythe Irrigation District. All surrounding land is also within the Dial Blythe Irrigation District.

The Dial Blythe Irrigation District comprises 12,568ha and is expected to have the capacity to supply 2,855ML 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 South Riana, Riana, Penguin, West Pine, Cuprona and Howth. Currently, the production of potatoes, other vegetables, poppies, pyrethrum, blueberries, beef and dairy produce are the primary activities in these areas.

The proposed development would exclude a 9,800m² area from primary industry activity. However, the balance land would be amalgamated with other adjoining rural land with the potential to be use for irrigation activity. There is a trade-off to be considered when balancing the loss of prime agricultural land and the benefits of releasing capital to fund irrigation infrastructure and creating a larger holding of highly productive rural land. In this circumstance, the trade-off is considered to be reasonable and the Scheme's relevant criteria satisfied.

5 *Location of a 'sensitive' use dwelling within 200m of agricultural land –*

The Scheme's Acceptable Solution 26.4.3–(A1) requires a dwelling (sensitive use) be setback a minimum of 200m from any agricultural land. This is to minimise the proximity of a sensitive use to agricultural operational activities. Close proximity, less than 200m, may result in conflict, interference or fettering of primary industry activity on adjoining agricultural land.

The proposed "non-required" residential allotment would result in a dwelling setback approximately 50m from agricultural land. Assessment against the relevant Performance Criteria is therefore required.

The Scheme's Performance Criteria 26.4.3–(P1) requires that the new sensitive use must minimise 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 operations and safety of a major road, a railway or a utility.

Criteria (a) and (b) have been shown to be satisfied by virtue of the responses included in Issue 3 – Subdivision to create a non-required residential use class in the rural resource zone, above.

The loss of irrigation land is examined in Issue 4, above.

The Scheme's Performance Criteria 26.4.3–(P1)(d) is not relevant to this application as there is no major road, railway or utility in this location.

Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No conditions.
Infrastructure Services	Refer to Statement of Compliance from Road Authority at Annexure 5.
TasWater	Referral was not required.
Department of State Growth	Referral was not required.
Environment Protection Authority	Referral was not required.
TasRail	Referral was not required.
Heritage Tasmania	Referral was not required.
Crown Land Services	Referral was not required.
Other	Referral was not required

CONSULTATION

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

- a site notice was posted;
- letters to adjoining owners were sent; and

-
- an advertisement was placed in the Public Notices section of The Advocate.

Representations –

One representation was received within the prescribed time, a copy of which is provided at Annexure 3.

The representation is summarised and responded to as follows:

MATTER RAISED	RESPONSE
1 The representor is concerned that the Macquarie Franklin requirement of 5m high screen planting along the northern and eastern boundaries of Lot 1 will block water views from their adjoining residential allotment (to the south).	<p>When considering the excision of a dwelling in the Rural Resource zone, the Council must take into consideration the recommendations of an accompanying agricultural consultant's report. The agricultural consultant's report is to advise that the excision would have no material constraint or interference on adjoining primary industry actively, if recommendations contained within the report are implemented.</p> <p>The recommendations contained in both the Macquarie Franklin report and the Bushfire Hazard Report initially had some inconsistency in the layout of the screen planting. However, both plans require screen planting along the new boundaries of Lot 1. The Macquarie Franklin report recommended 'hedge' style planting whereas the Bushfire Hazard Report recommended clumps of trees. Following a discussion with the author of the Macquarie Franklin report, it was established that the screen layout of the Bushfire Hazard Report</p>

	<p>would take priority over the Macquarie Franklin report.</p> <p>The Council is not able to consider the protection of distant views for adjoining owners under the Scheme.</p>
<p>2 The representor requests that the screen buffer be more in accordance with the Bushfire Hazard Management plan and that the maximum height be 2m.</p>	<p>The Bushfire Hazard Report requires that buffer trees be planted in tree clusters (rather than as a hedge row) and that low branches be trimmed up to 2m from the ground.</p> <p>The Bushfire Hazard Report would take precedent over the Macquarie Franklin report where there may be an inconsistency in the actual layout of a planting plan. In this regard, the Permit would condition that a vegetation buffer be implemented and maintained in accordance with the Bushfire Hazard Report.</p>

RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

CONCLUSION

The excision of an existing dwelling to create a residential allotment in an area dedicated to primary industry is a trade-off between the loss of a dwelling that was once 'required' for management of the property in exchange for the

creation of a larger, amalgamated rural holding and the provision of capital for investment in irrigation infrastructure.

The creation of the additional 'residential' lot may result in the establishment of a conflicting form of land use in this area (as is now evident with the existing excised property to the south). However, the proposed boundary locations and the size and the configuration of the proposed house allotment provides space for the dwelling and the supporting services and enough space around the dwelling for a vegetation buffer between the dwelling and the adjacent primary industry activity. The proposed buffer would minimise the potential of the constraint and fettering of rural activity and would also aid in the protection of the dwelling from a rural fire.

It is considered the proposal satisfies the Scheme's Performance Criteria and issue of a Permit can be justified.

Recommendation –

It is recommended that the application for Subdivision (dwelling excision and consolidation of titles) – discretionary use and development in the Rural Resource zone and proximity of a sensitive use to agricultural land at 149 West Pine Road, Penguin and CT121265/2 Pine Road, Penguin be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the application for this Permit, unless modified by a condition of this Permit.
- 2 The balance land of CT121265/1 must be amalgamated with CT121265/2. The amalgamation of the balance land must be by means of registration of a Sealed Plan to create a single lot and a new Certificate of Title.
- 3 The development must be in accordance with the Bushfire Hazard Report by Ross Murphy of Castellan Consulting, Accreditation No. BFP-122, Report No. 17000058 dated 2 May 2017.
- 4 The development must be in accordance with the conditions of the Statement of Compliance for Vehicular Access dated 15 June 2017, issued by the Council acting in its capacity as the Road Authority (copy attached).
- 5 The fencing of Lot 1 and the establishment of screen and buffer planting must be completed prior to the sealing of the Final Plan of Survey.

Please note:

- 1 A Planning Permit remains valid for two years. If the use or development has not substantially commenced within this period, an extension of time may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 “Substantial commencement” is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site or bank guarantee to undertake such works.’

The report is supported.”

The Director Community Services reports as follows:

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

■ Cr Carpenter moved and Cr van Rooyen seconded, “That the application for Subdivision (dwelling excision and consolidation of titles) – discretionary use and development in the Rural Resource zone and proximity of a sensitive use to agricultural land at 149 West Pine Road, Penguin and CT121265/2 Pine Road, Penguin be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the application for this Permit, unless modified by a condition of this Permit.
- 2 The balance land of CT121265/1 must be amalgamated with CT121265/2. The amalgamation of the balance land must be by means of registration of a Sealed Plan to create a single lot and a new Certificate of Title.
- 3 The development must be in accordance with the Bushfire Hazard Report by Ross Murphy of Castellan Consulting, Accreditation No. BFP-122, Report No. 17000058 dated 2 May 2017.
- 4 The development must be in accordance with the conditions of the Statement of Compliance for Vehicular Access dated 15 June 2017, issued by the Council acting in its capacity as the Road Authority (copy attached) (a copy being appended to and forming part of the minutes).
- 5 The fencing of Lot 1 and the establishment of screen and buffer planting must be completed prior to the sealing of the Final Plan of Survey.

Please note:

- 1 A Planning Permit remains valid for two years. If the use or development has not substantially commenced within this period, an extension of time may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 “Substantial commencement” is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site or bank guarantee to undertake such works.”

Carried unanimously

Closure

There being no further business, the Mayor declared the meeting closed at 6.06pm.

CONFIRMED THIS DAY OF , 2017.

Chairperson

(cvv:km)

Appendices

- Minute No. 38/2017 - Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2017/00870-CC - 13 Walker Street, Ulverstone - Application No. DA216245
- Minute No. 38/2017 - Statement of Compliance for Vehicular Access and Drainage Access dated 20 June 2017 - 13 Walker Street, Ulverstone - Application No. DA216245
- Minute No. 39/2017 - Statement of Compliance for Vehicular Access and Drainage Access dated 15 June 2017 - 149 West Pine Road & CT121265/2 Pine Road, Penguin - Application No. DA216187

QUALIFIED PERSON'S ADVICE

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

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

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

I therefore certify that with respect to all advice, information or recommendation provided to the Development Support Special Committee within these minutes:

(i) the advice, information or recommendation was given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and

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



Cor Vander Vlist
ACTING GENERAL MANAGER

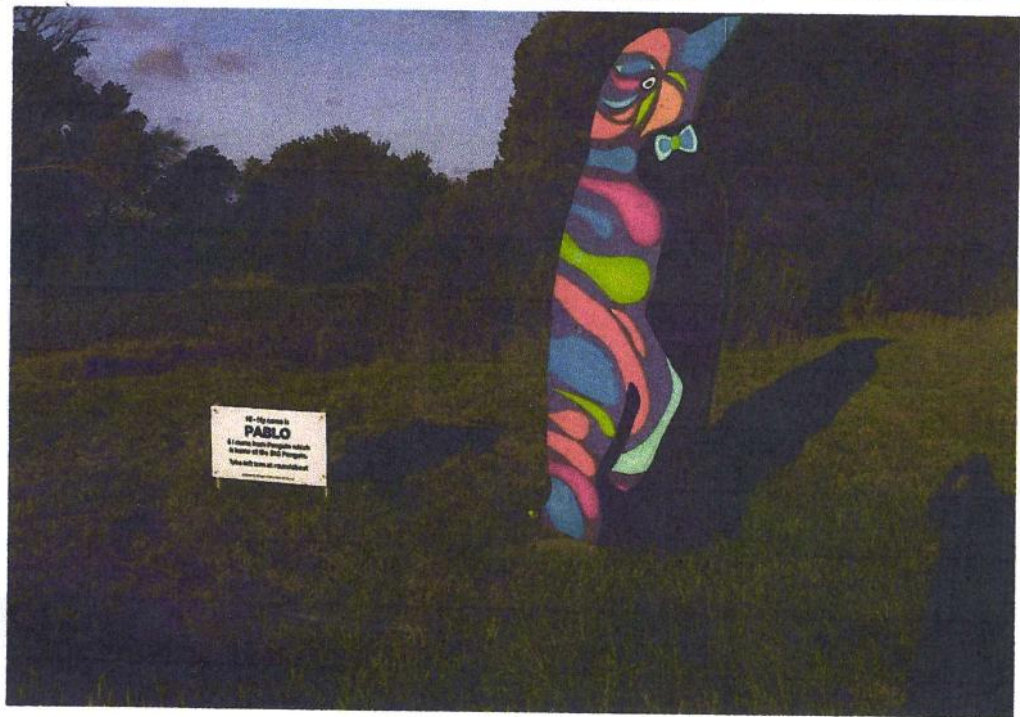
Hi - My name is

PABLO

& I come from Penguin which
is home of the BIG Penguin.

Take left turn at roundabout

Artwork by Penguin High School Art Group



16 - My name is
PABLO
I came from Penguin which
is home of the Big Penguin
Take off from at 10:00 AM

Central Coast Council

List of Development Applications Determined

Period From: 01-Jun-2017 To 30-Jun-2017

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
DA216089	30 King Edward Street Penguin 7316	Discretionary Development Application	Community meeting and entertainment (Change of Use) - mixed use community centre	24-Apr-2017	02-Jun-2017	36
DA216212	48 Explorer Drive Turners Beach 7315	Discretionary Development Application	Residential (dwelling and outbuilding - shed)	04-May-2017	14-Jun-2017	15
DA216211	16 Allegra Drive Heybridge 7316	Discretionary Development Application	Residential (outbuilding - shed)	08-May-2017	06-Jun-2017	23
DA216216	561 Penguin Road Penguin 7316	Discretionary Development Application	Resource development - (Shed)	10-May-2017	13-Jun-2017	29
DA216223	10 Sandhaven Crescent Sulphur Creek 7316	Discretionary Development Application	Residential (Outbuilding - Garage) - variation to the side and rear boundary setback standards	12-May-2017	09-Jun-2017	21
DA216225	862 South Riana Road South Riana 7316	Discretionary Development Application	Utilities (telecommunications tower with ancillary shed and equipment)	12-May-2017	21-Jun-2017	38
DA216218	315 Zig Zag Road Sulphur Creek 7316	Discretionary Development Application	Resource Development - (Outbuildings - two water tanks and pump shed) - variation to frontage setback standard and proximity to a waterbody	15-May-2017	09-Jun-2017	23
DA216224	17 South Road Ulverstone 7315	Discretionary Development Application	Residential (multiple dwellings x two)	19-May-2017	14-Jun-2017	21
DA216226	97 Leven Street Ulverstone 7315	Discretionary Development Application	Residential (multiple dwellings x 2)	19-May-2017	09-Jun-2017	17
DA216232	26 Seabreeze Avenue Sulphur Creek 7316	Discretionary Development Application	Residential (outbuilding - shed)	19-May-2017	19-Jun-2017	21
DA216231	6 Moonbeam Place Ulverstone 7315	Discretionary Development Application	Residential (dwelling and outbuilding - shed)	22-May-2017	14-Jun-2017	22
DA215142	River Road Ulverstone 7315		Sport and recreation (indoor cricket facility)	25-May-2017	14-Jun-2017	20
DA216235	Nine Mile Road Howth 7316	Permitted Development Application	Subdivison (boundary adjustment)	26-May-2017	06-Jun-2017	6

Application Number	Property Address	Development Application Type	Description of Proposed Use	Application Date	Decision Date	Day Determined
DA216193	97-99 Reibey Street Ulverstone 7315	Discretionary Development Application	Food services (banner sign)	29-May-2017	20-Jun-2017	22
DA216237	254 Ironcliffe Road Penguin 7316	Permitted Development Application	Residential - dwelling (extension) and outbuilding (shed and carport)	30-May-2017	27-Jun-2017	21
DA216227	2 Jesamel Place West Ulverstone 7315	Permitted Development Application	Residential (Dwelling)	01-Jun-2017	09-Jun-2017	7
DA216222	106 Leven Street Ulverstone 7315	Discretionary Development Application	Residential (multiple dwellings x two)	02-Jun-2017	26-Jun-2017	24
DA216240	12 Tasma Parade West Ulverstone 7315	Discretionary Development Application	Residential (dwelling)	02-Jun-2017	20-Jun-2017	17
DA216243	7 Ploverton Court Gawler 7315	Permitted Development Application	Residential - dwelling	06-Jun-2017	21-Jun-2017	14
DA216238	12-16 Short Street Ulverstone 7315	Permitted Development Application	Storage (vegetable oil)	07-Jun-2017	14-Jun-2017	7
DA216175	340 Mannings Jetty Road North Motton 7315		Manufacturing and Processing ("as constructed" truss laminating shed and shed addition)	08-Jun-2017	19-Jun-2017	6
DA216167-1	6 Davis Street Leith 7315	Discretionary Development Application	Residential (dwelling) and outbuilding (shed)	13-Jun-2017	26-Jun-2017	7
DA216214	129 Kindred Road Forth 7310	Permitted Development Application	Residential (Dwelling addition)	16-Jun-2017	27-Jun-2017	10
DA216247	224 Lowana Road Gunns Plains 7316	Permitted Development Application	Subdivision - boundary adjustments	19-Jun-2017	21-Jun-2017	1
DA216252	54 Esplanade Turners Beach 7315	Permitted Development Application	Roofs over approved decks	19-Jun-2017	21-Jun-2017	1

**SCHEDULE OF STATUTORY DETERMINATIONS
MADE UNDER DELEGATION**

Period: 1 June 2017 to 30 June 2017

Building Permits – 8

• New dwellings	1	\$201,000
• Outbuildings	3	\$41,000
• Additions/Alterations	2	\$24,000
• Other	2	\$275,000
• Units	0	\$0

Permit of Substantial Compliance – Building – 0

Notifiable Work – Building – 6

• New dwellings	2	\$517,883
• Outbuildings	2	\$92,047
• Additions/Alterations	0	\$0
• Other	1	\$18,500

Building Low Risk Work – 2

Plumbing Permits – 5

Certificate of Likely Compliance – Plumbing – 17

Notifiable Work – Plumbing – 4

Plumbing Low Risk Work – 0

Food Business registrations (renewals) – 20

Food Business registrations – 2

Temporary Food Business registrations – 0

Temporary 12 month Statewide Food Business Registrations – 2

Public Health Risk Activity Premises Registration – 1

Public Health Risk Activity Operator Licences – 2

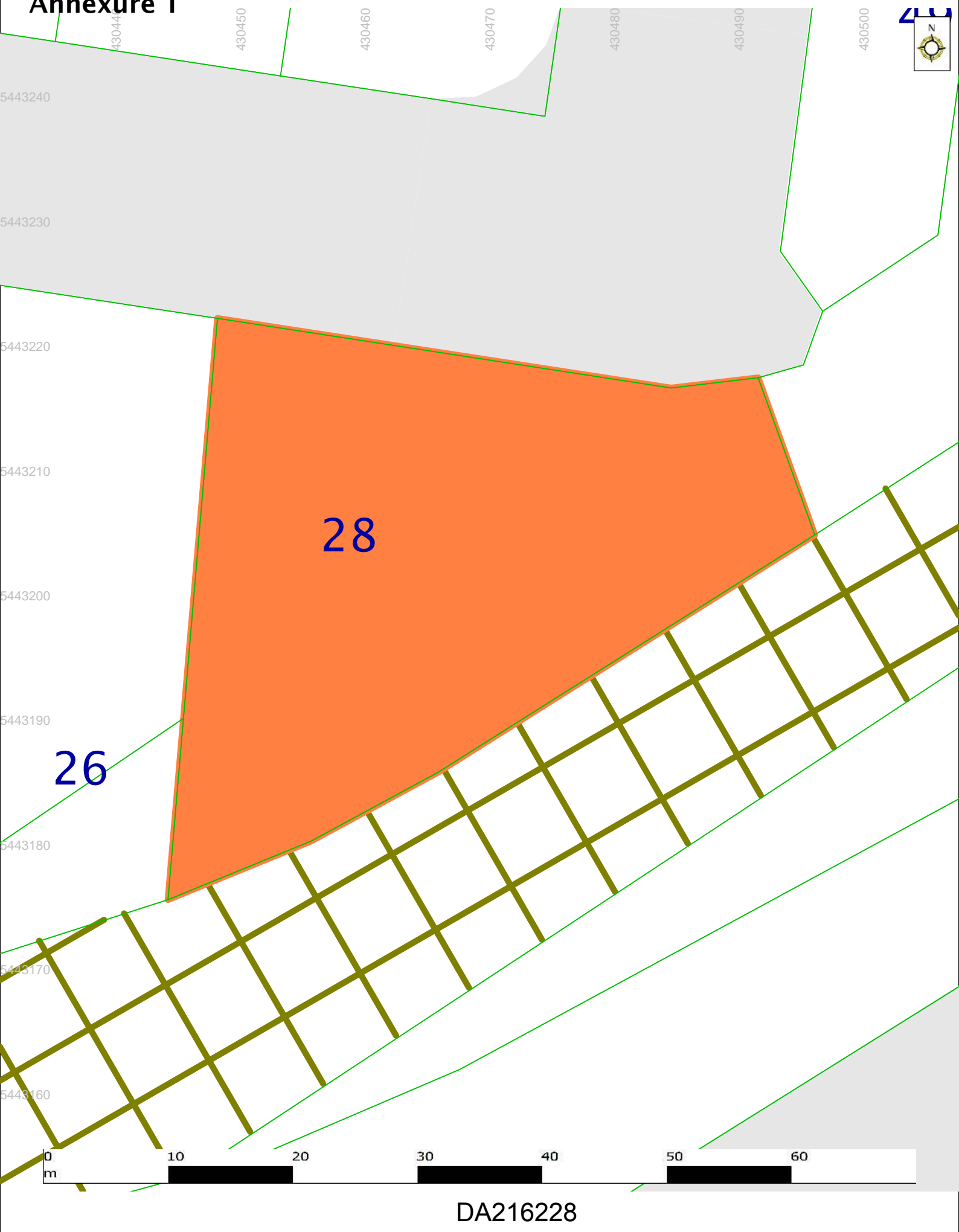
Temporary Place of Assembly licences – 0



Cor Vander Vlist
DIRECTOR COMMUNITY SERVICES

Annexure 1

28 Grove Street, Ulverstone



Annexure 2

Doc 261992.

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



CENTRAL COAST COUNCIL

Land Use Planning and Approvals Act 1993

Central Coast Interim Planning Scheme 2013

PERMIT APPLICATION

CENTRAL COAST COUNCIL
DEVELOPMENT & REGULATORY SERVICES

Received:

9 MAY 2017

Office use only

Application No

DA216228

Date Received

9 May 2017

Permit Pathway - Permitted/Discretionary

Application No:

Use or Development Site:

Doc. ID:

Street Address

28 Grove Street Ulverstone.

Certificate of
Title Reference

140443

Applicant/s

First Name

TERRY
EILEEN

Second
Name

VERNON
MAY

Surname or
Company name

FRANKS

Postal Address:

P.O. Box 165

Phone No:

0412902225

ULVERSTONE

7315

Mobile:

0412902225

Email address:

frankseileen@gmail.com

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

First
Name

TERRY
EILEEN

Second
Name

VERNON
MAY

Surname

FRANKS

Postal Address:

P.O. Box 165

Phone No

0412902225

ULVERSTONE

7315

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

Dwelling Addition + Shed

"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

Dwelling Addition + Shed (Residential)

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

\$ 120,000

Estimate/ Actual

Total floor area of the development 190 m² HOUSEDwelling Extension 80m² SHED**Notification of Landowner****If land is NOT in the applicant's ownership**

I, _____, declare that the owner/each of the owners
of _____
the land has been notified of the intention to make this permit application.

Signature of Applicant

Date

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

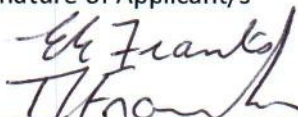
Applicants Declaration

I/we, TERRY & EILEEN

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 18/4/17


Terry

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	

CERTIFICATE OF TITLE

LAND TITLES ACT 1980



TASMANIA

TORRENS TITLE

VOLUME 140443		FOLIO 1
EDITION 2	DATE OF ISSUE 31-Mar-2009	
Page 1		of 1

I certify that the person described in Schedule 1 is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries specified in Schedule 2 and to any additional entries in the Folio of the Register.

Alice Kawa

Recorder of Titles.



DESCRIPTION OF LAND

Town of ULVERSTONE

Lot 1 on Sealed Plan 140443

Derivation : Part of Lot 1 (Sec. N.) Gtd. to H. Mack and Whole of Lot 5 Vested in The Australian National Railways Commission

Prior CTs 62509/4 and 26592/5

SCHEDULE 1

C438421 C492751 TRANSFER to TERRY VERNON FRANKS and EILEEN MAY FRANKS

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP 140443 WATER SUPPLY RESTRICTION

SP 140443 SEWERAGE AND/OR DRAINAGE RESTRICTION

B110818 FENCING PROVISION in Transfer

CENTRAL COAST COUNCIL

DEVELOPMENT & REGULATORY SERVICES

Received: 9 MAY 2017

Application No:

Doc. ID:

GRANTEE WHOLE OF LOT 5, 848m², VESTED
IN THE AUSTRALIAN NATIONAL
RAILWAYS COMMISSION AND PART
OF LOT 1, 2a-3r 21p, GRANTED TO
HANS MACK

PLAN OF SURVEY

BY SURVEYOR MR M A C LESTER
LESTER FRANKS SURVEY & GEOGRAPHIC PTY LTD
LOCATION

TOWN OF ULVERSTONE
(SECTION N.)

SCALE 1:500 LENGTHS IN METRES

REGISTERED NUMBER

SP 140443

~~APPROVED~~
EFFECTIVE FROM 28 JAN 2004

Miss Kava

Recorder of Titles

MAPSHEET MUNICIPAL
CODE No. 104 (4244-43)

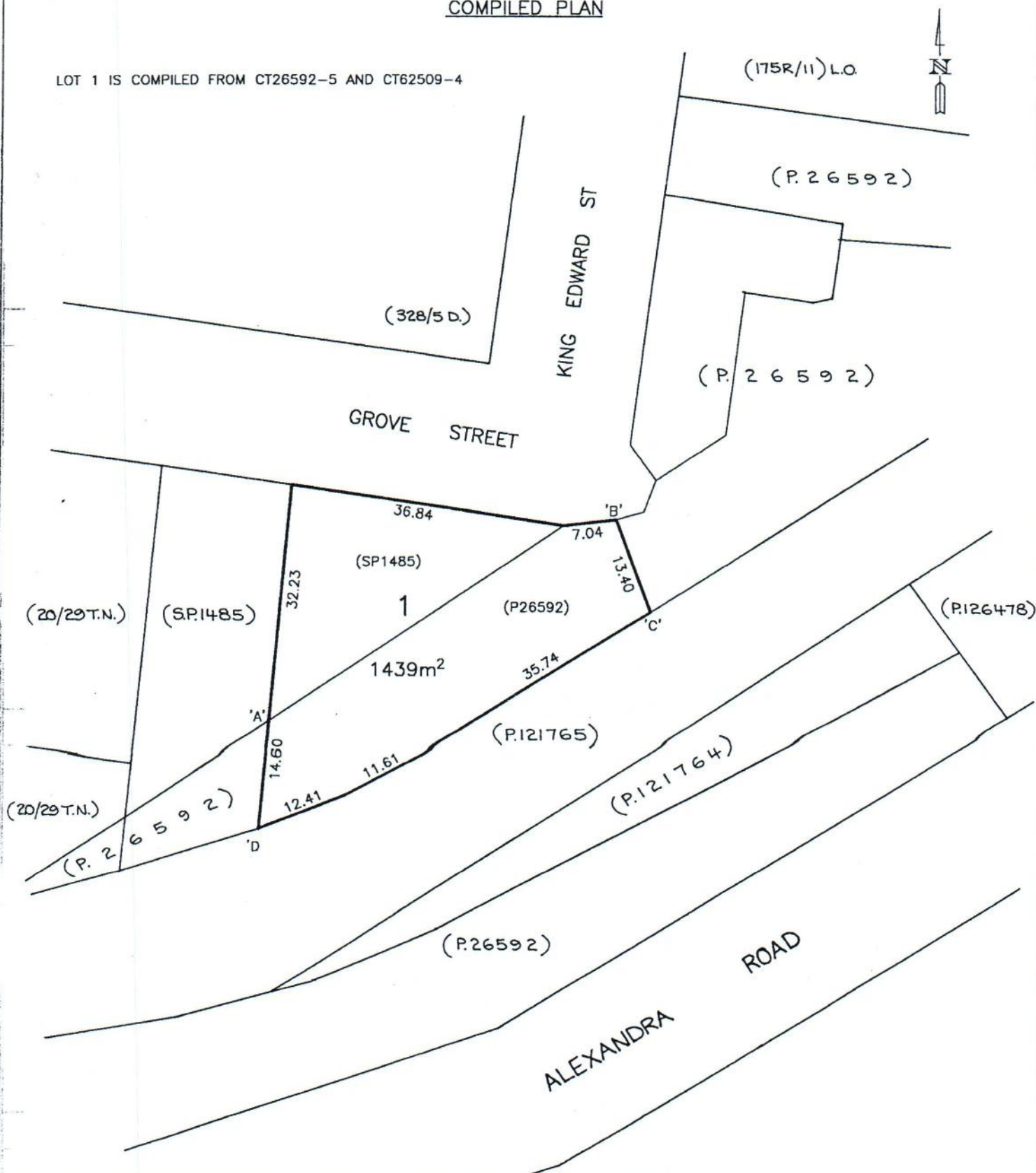
LAST UPI No. GJD89
6304866

LAST PLAN SP.1485,
No. P.26592

ALL EXISTING SURVEY NUMBERS TO BE
CROSS REFERENCED ON THIS PLAN

COMPILED PLAN

LOT 1 IS COMPILED FROM CT26592-5 AND CT62509-4





SCHEDULE OF EASEMENTS

PLAN NO.

S. P. 1485

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

NO easements, covenants or profits a prendre are hereby created to benefit or burden the L_{ts} shown on the Plan.

SIGNED by TREVOR THORNTON FRAMPTON and MAURICE OSWALD LAKIN (as personal representatives of MAUDE CONSTANCE CURNOW Deceased) the registered proprietors of the land comprised in Certificate Of Title Volume 275 Folio 77.

..... *T. T. Frampton* (T. T. Frampton)
In the presence of :- *Dolley*
SOLICITOR'S CLERK
LIVERSTONE
Dated this *19th* day of *September* 1967.

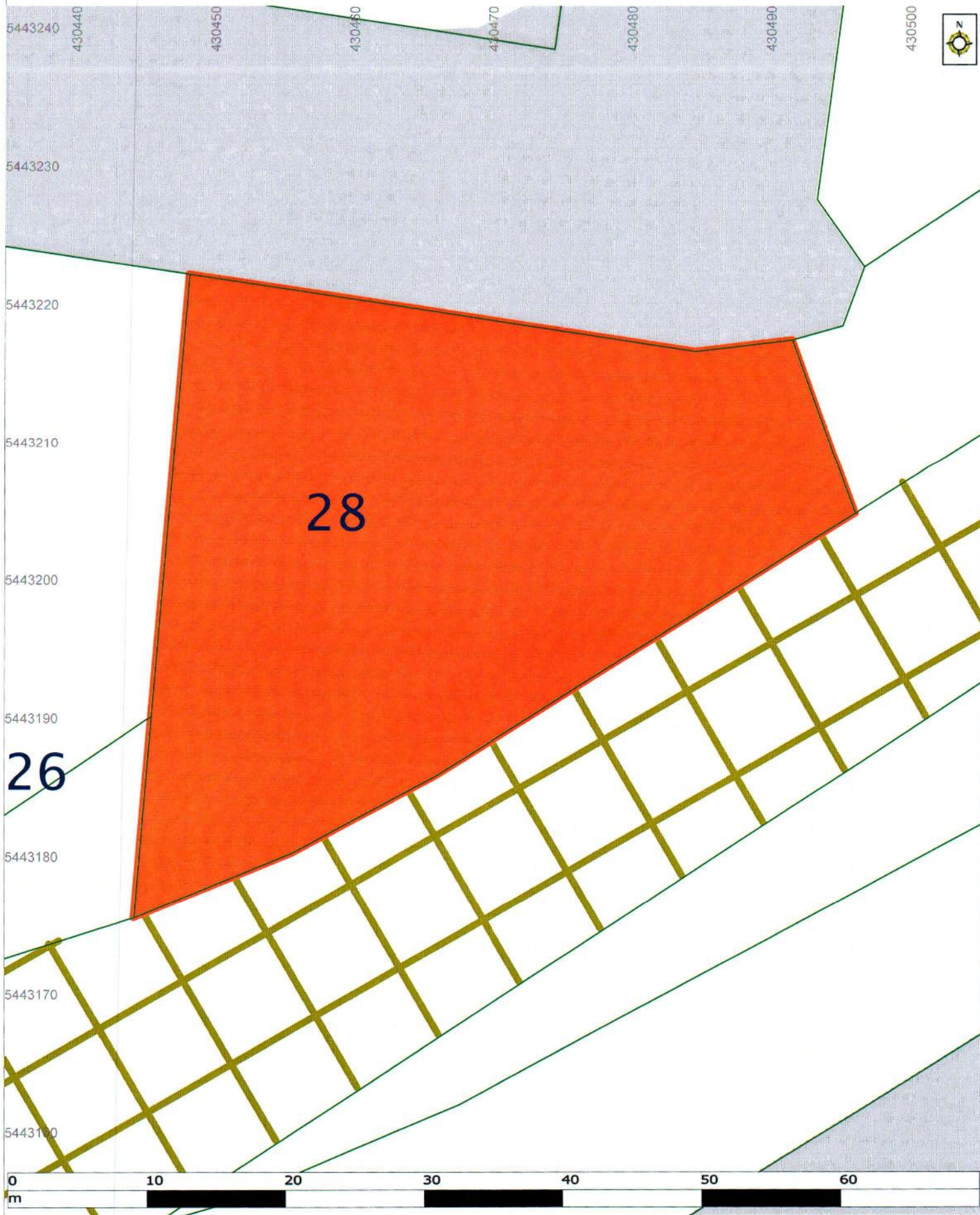
..... *M. O. Lakin* (M. O. Lakin)
In the presence of :- *Dolley*
SOLICITOR'S CLERK
LIVERSTONE
Dated this *19th* day of *September* 1967.

CERTIFIED Correct for the purposes of the Real Property Acts 1862 as amended.

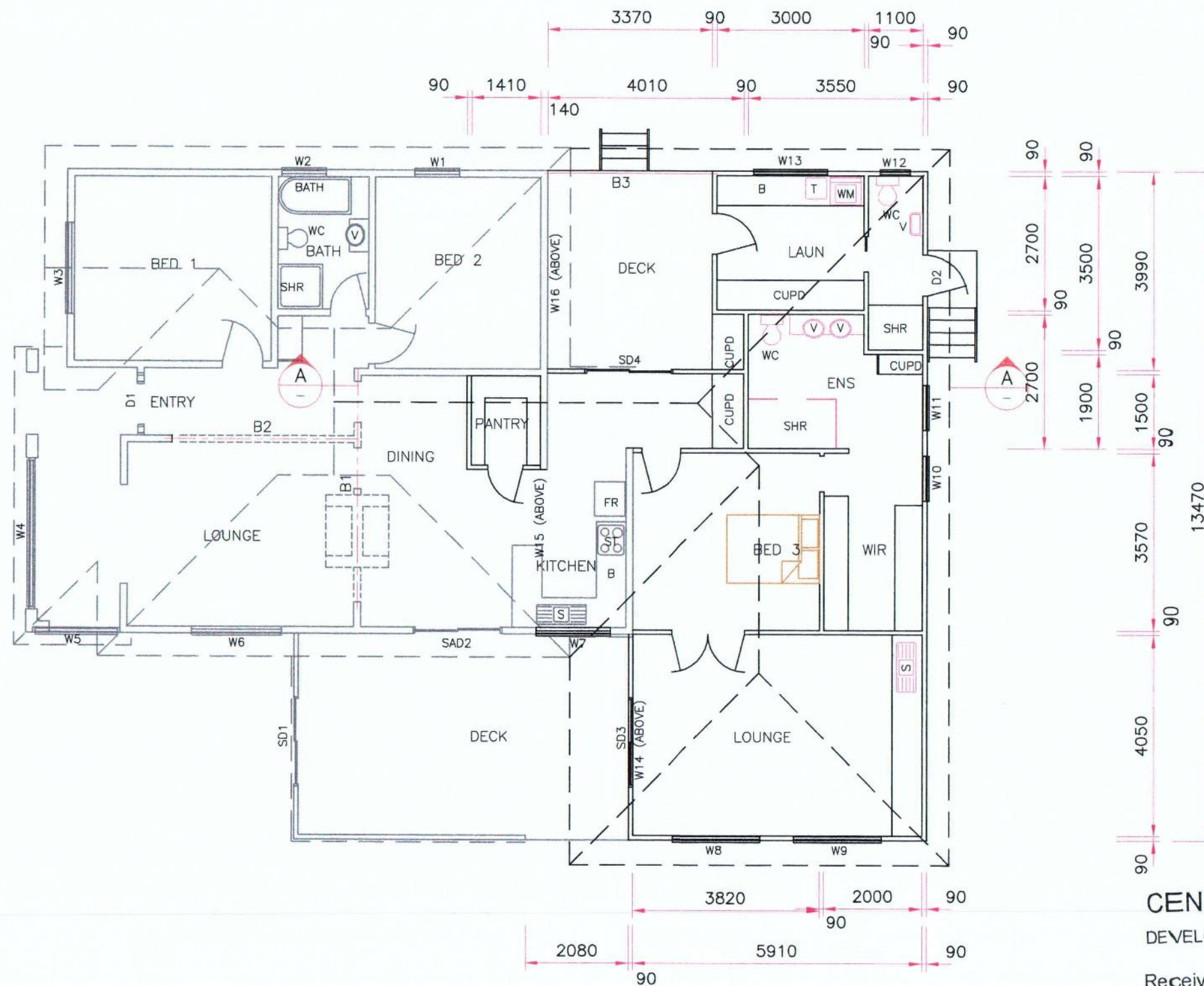
ARCHER GUY JACKSON AND DOCKRAY

Per: *Archer Guy Jackson and Dockray*
Solicitor for the Owner.

28 Grove Street, Ulverstone



DA216228



CENTRAL COAST COUNCIL
DEVELOPMENT & REGULATORY SERVICES

Received: 9 MAY 2017

Application No:

Doc. ID:

TITLE DRAWING

MODIFIED PLAN

Ph: (03) 64372701
Fax: (03) 64370789
YXLEY
DESIGN & DRAFTING
109A South Road Penguin TAS 7316
ABN: 17 060 943 437
TCC Accreditation No. CC706L
Email: brian@yxleydrafting.com.au

MAR 17

B.J.Y

—

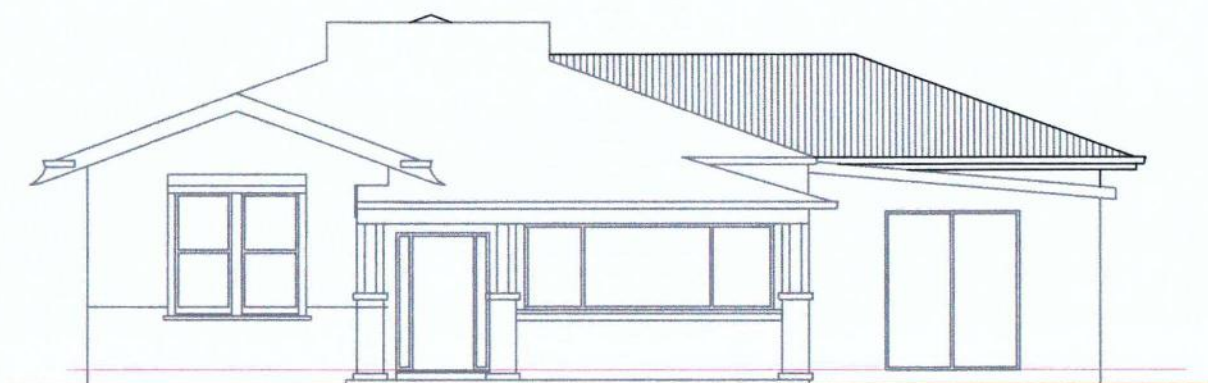
A3

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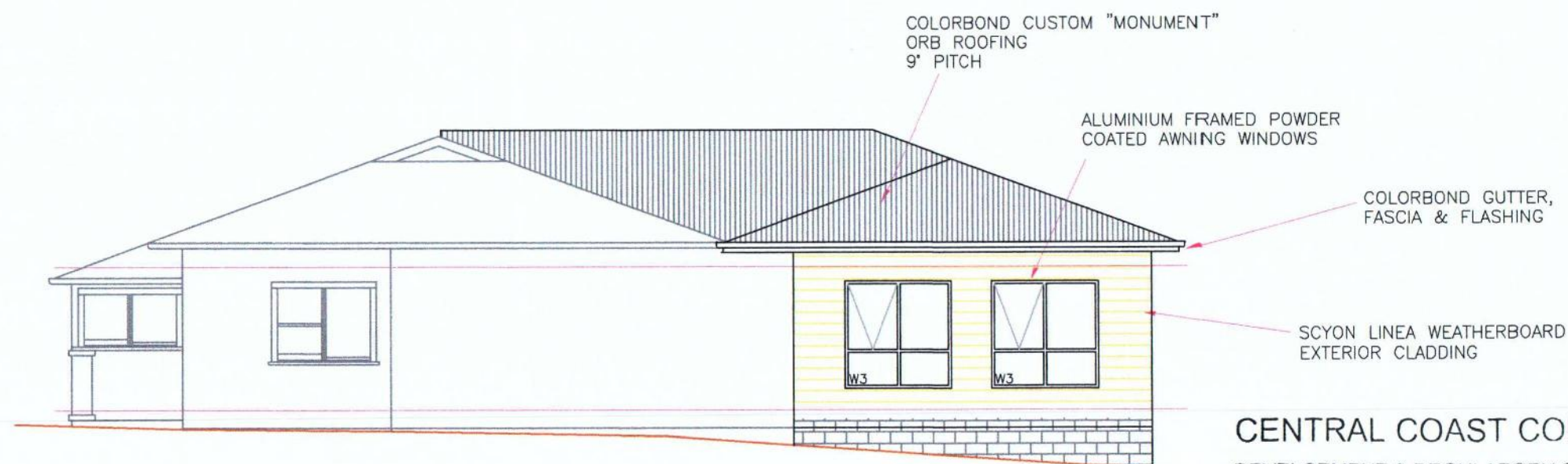
PROPOSED EXTENSION TO RESIDENCE
28 GROVE ST. ULVERSTONE
FOR
TERRY & EILEEN FRANKS

DRAWING No.
217049-1 of 18

REV. 0 DATE MAR 17



NORTHERN ELEVATION



WESTERN ELEVATION

CENTRAL COAST COUNCIL
DEVELOPMENT & REGULATORY SERVICES

Received: **9 MAY 2017**

Application No:

Doc. ID:

REV.	DESCRIPTION	DATE

TITLE DRAWING

ELEVATIONS

YXLEY
DESIGN & DRAFTING
108A South Road Penguin TAS 7216
ABN : 17 080 943 437
TCC Accreditation No. CC708L
Email : brian@yxleydrafting.com.au

MAR 17
DRAWN BY
B.J.Y
CHECKED BY
—
SHEET SIZE
A3
SCALE
1 : 100

PROPOSED EXTENSION TO RESIDENCE
28 GROVE ST. ULVERSTONE
FOR
TERRY & EILEEN FRANKS

217049-1 of 18
REV. 0 DATE MAR 17



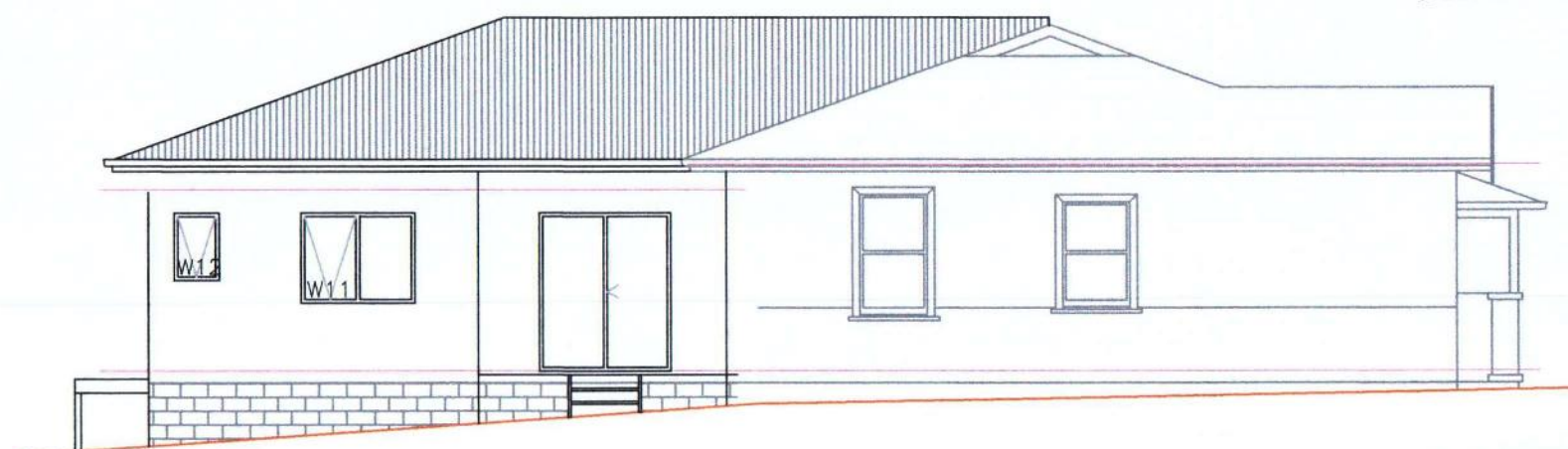
SOUTHERN ELEVATION

CENTRAL COAST COUNCIL
DEVELOPMENT & REGULATORY SERVICES

Received: **9 MAY 2017**

Application No:

Doc. ID:



EASTERN ELEVATION

REV.	AMENDMENT	DATE

TITLE DRAWING

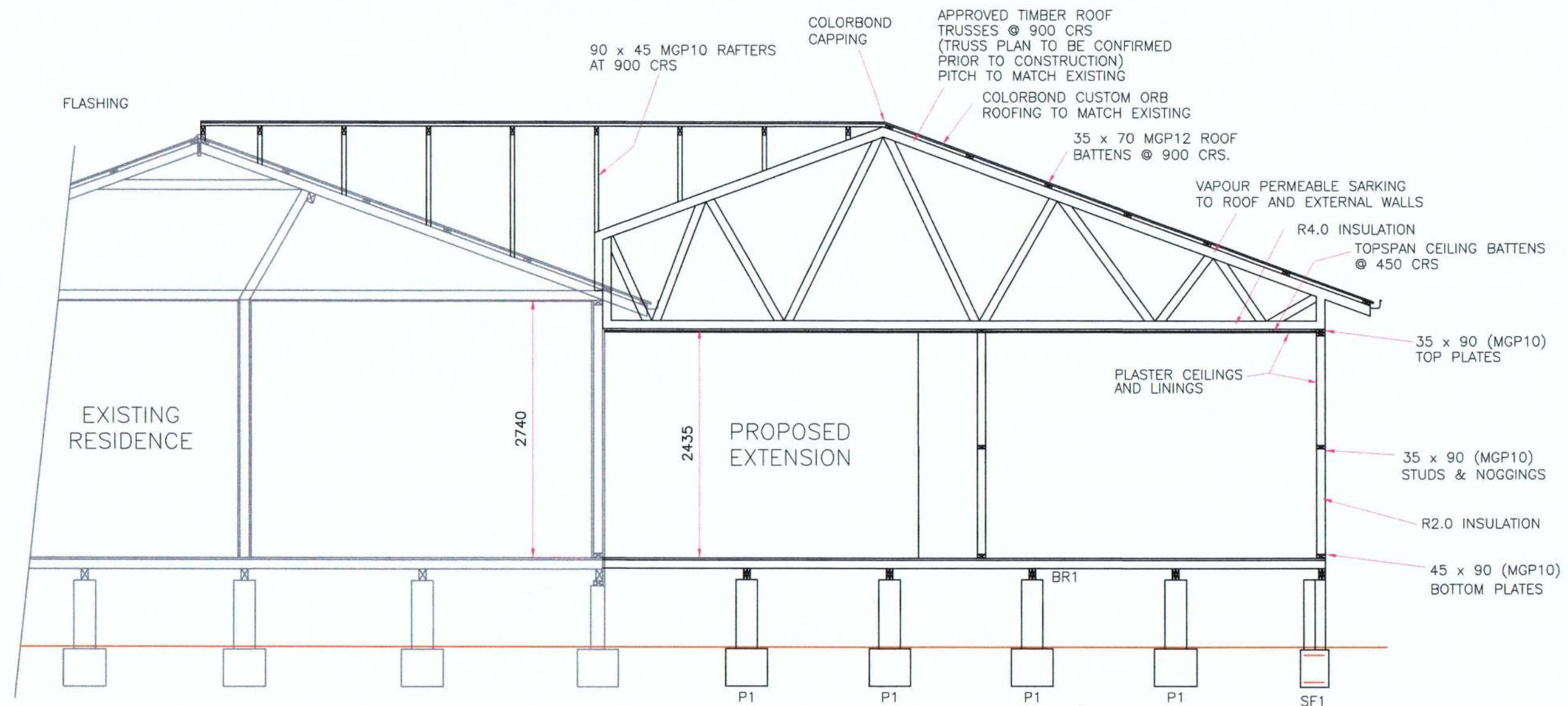
ELEVATIONS

Y&XLEY
DESIGN & DRAFTING
108A South Road Penguin TAS 7316
ABN : 17 080 943 437
TCC Accreditation No. CC708L
Email : brian@yaxleydrafting.com.au

DATE: **MAR 17**
DRAWN: **B.J.Y**
CHECKED: **-**
SHEET SIZE: **A3**
SCALE: **1 : 100**

PROPOSED EXTENSION TO RESIDENCE
28 GROVE ST. ULVERSTONE
FOR
TERRY & EILEEN FRANKS

DRAWING No: **217049-1** of 18
REV: **0** DATE: **MAR 17**



CENTRAL COAST COUNCIL
DEVELOPMENT & REGULATORY SERVICES

Received: **9 MAY 2017**

Application No:

Doc. ID:

TITLE DRAWING

SECTION

Ph : (03) 64372701
Fax : (03) 64370789
YAXLEY
DESIGN & DRAFTING
108A South Road Penguin TAS 7316
ABN : 17 060 943 437
TCC Accreditation No. CC7006
Email : brian@yaxleydrafting.com.au

DATE: MAR 17
DRAWN: B.J.Y
CHECKED: -
SHEET SIZE: A3
SCALE: 1 : 50

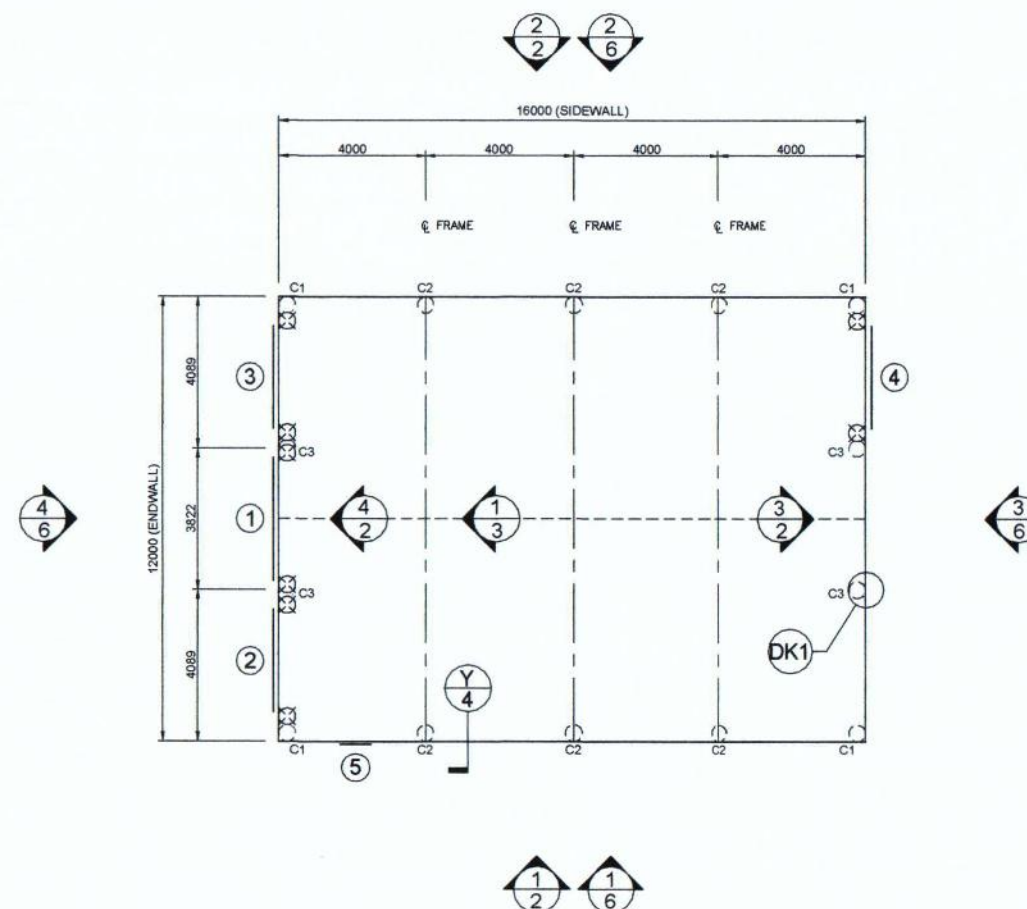
PROPOSED EXTENSION TO RESIDENCE
28 GROVE ST. ULVERSTONE
FOR
TERRY & EILEEN FRANKS

DRAWING No: **217049-1** of 18

REV: 0 DATE: MAR 17

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IF IN DOUBT, ASK.



1 FOUNDATION PLAN AND MEMBER LAYOUT
1 SCALE: 1 = 200

CENTRAL COAST COUNCIL
DEVELOPMENT & REGULATORY SERVICES

Received: 9 MAY 2017

Application No:

Doc. ID:

MEMBER LEGEND

C1	C20015
C2	C20019
C3	C15015

⊗ - INDICATES ROLLER DOOR COLUMNS

1 OF 6

STEEL BUILDING BY (CONTACT)
DEVONPORT BUILDING SUPPLIES PTY LTD
FOR 03 64246664
TERRY & EILEEN FRANKS
AT 28 GROVE STREET
ULVERSTONE

DRAWN FDS
CHECKED TM
DATE 16/3/2017
JOB NO. DEVN13763

SHED SAFE

fairdinkum
SHEDS

NORTHERN CONSULTING
engineers
Civil & Structural Engineers
50 Punari Street
Currajong, Qld 4812
Fax: 07 4725 5850
Email: design@nceng.com.au
ABN 341 008 173 56

Registered Chartered Professional Engineer
Registered Professional Engineer (Civil & Structural) QLD
Registered Certifying Engineer (Structural) N.T.
Registered Engineer - (Civil) VIC
Registered Engineer - (Civil) TAS

Regn. No. 2558680
Regn. No. 9985
Regn. No. 116373ES
Regn. No. EC36892
Regn. No. CC5648M

Mr Timothy Roy Messer BE MIEAust RPEQ
Registered Professional Engineer 2558980

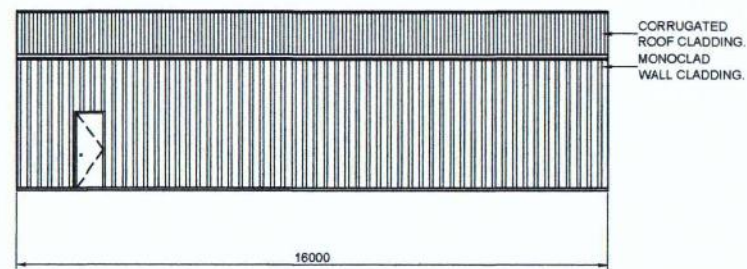
Signature *T. Messer*

Date 16/3/2017

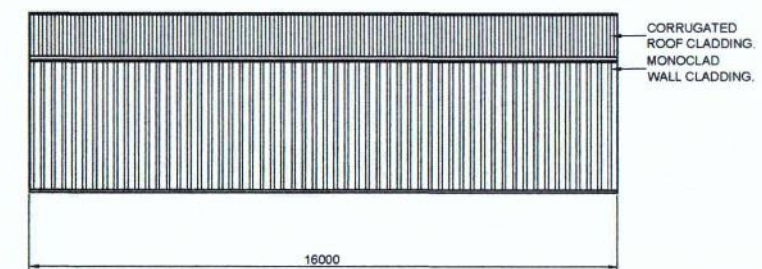
Registered on the NPER in the areas of practice
of Civil & Structural National Professional
Engineers Register

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1 SIDEWALL EXTERIOR ELEVATION
6 SCALE: 1 = 200



2 SIDEWALL EXTERIOR ELEVATION
6 SCALE: 1 = 200



4 ENDWALL EXTERIOR ELEVATION
6 SCALE: 1 = 200



3 ENDWALL EXTERIOR ELEVATION
6 SCALE: 1 = 200

CENTRAL COAST COUNCIL
DEVELOPMENT & REGULATORY SERVICES

Received: 9 MAY 2017

Application No:

Doc. ID:

BUILDING COLOURS

WALL	WINDSPRAY
ROOF	MONUMENT
ROLLER DOOR	MONUMENT
P.A. DOOR	MONUMENT
DOWNSPIPE	WINDSPRAY
GUTTER	MONUMENT
CORNER FLASHING	WINDSPRAY
BARGE FLASHING	MONUMENT
OPENING FLASHING	MONUMENT

6 OF 6
SHEET
JOB NO. DEVN13763
DATE 16/3/2017
CHECKED TM
DRAWN FDS
STEEL BUILDING BY (CONTACT)
DEVONPORT BUILDING SUPPLIES PTY LTD
FOR 03 64246664
TERRY & EILEEN FRANKS
AT 28 GROVE STREET
ULVERSTONE



NORTHERN CONSULTING
engineers
Civil & Structural Engineers
50 Punari Street
Currajong, Qld 4812
Fax: 07 4725 5850
Email: design@nceng.com.au
ABN 341 008 173 56
Regn. No. 2558980
Registered Professional Engineer (Civil & Structural) QLD
Regn. No. 9985
Registered Certifying Engineer (Structural) N.T.
Regn. No. 116373ES
Registered Engineer - (Civil) VIC
Regn. No. EC36692
Registered Engineer - (Civil) TAS
Regn. No. CC5648M

Mr Timothy Roy Messer BE MIEAust RPEQ
Registered Professional Engineer 2558980
Signature *T. Messer*
Date 16/3/2017
Registered on the NPER in the areas of practice
of Civil & Structural National Professional
Engineers Register



Caravans and Motor Homes

Mazda T4000

Camper. Solar, shower toilet \$12,000. Ph. 0427 681 446.

TOYOTA COASTER

LWB Camper, diesel, 5 spd., shwr/toilet, lge fridge/freezer, gas stove/oven, solar panels, new batts., over-hauled and fully serviced, ready to travel, owners no longer to travel, \$33,000 o.n.o. D'port 0408 507 450.

WANTED a cheap caravan. Consider anything. Please phone 0409 432 257.

Real Estate

1 Shore Haven Drive Turners Beach OPEN HOME
Sunday
11.30 am - 2.30 pm
Exclusive Subdivision
Prime blocks available.
MANAGER
ONSITE
Ph. 0437 460 105.

BUSH BLOCK, 20 acres plus, tall timbers, good investment, Roger River West, near South Arthur, sale by owner. \$140,000 ono. Ph. 0428 691 137.

To Let & Wanted

Bayview Over 50's Village

1 & 2 bedroom cottages, \$235 pw. Long term. Call Craig 6427 0499.

BURNIE

2 bedroom unit, fridge and washing machine, quiet location, no pets \$160 p.w. Ph. 6431 1639.

BURNIE modern house, 3 brm, 2 bath, large flat yard, modern house, \$300 pw. Ph. 0400 570 265.

DEVONPORT, 2 bed unit with lock up garage \$230 pw. Bluff area. \$ 0428 841 120.

DEVONPORT, 3 brm house, \$260 per week. Phone 0458 298 791. No SMS.

MATURE widow requires long term rental in Penguin, starting July. 2 + 3 b.r. cottage/unit, close to shops, keen gardener, exo. refs. up to \$230pw. 0408 889 258.

MODERN 2brm unit, internal garage, quiet court, neat, heat pump, courtyard, suit elderly, \$250 pw. Call John Ph. 0438 148 836.

Livestock

LAPQINYA ABATTOIRS (Cattle Transport Organized)

Private services for Beef, Lamb & Pork.
Cut, packed and labelled to your requirements
Beef 12-14 Day Hanging Time
Enquiries: 6445 4384 Mobile: 0429 037 770
Abattoir Accreditation No: S38

THUMBS UP!

Whatever you're after, just thumb through the classifieds and you'll be good to go!
That's all there is to it!

The Advocate Classifieds
1300 363 789.

To Let & Wanted

SOMERSET, 2 b.r. house, \$190 p.w. \$760 bond. Refs. required, no pets. 0448 510 353.

SUNNY 2 b.r. unit, with a/c and carpet, near beach, suit senior or single non smoker, no pets, \$170 p.w. Ulverstone. Ph. 0409 977 805.

TULLAH 20th June, furn. 2 dbl b.r. robes, heat pump/wood, garage, c/port, pet ok. \$180p.w. 0414 441 889.

WANTED TO HIRE a shed to store furniture and partly restored car. Rocky Cape. Ph. 0438 619 306.

WANTED to rent Shearwater area, 2-3 bedroom unit, must be sunny and clean. Ph. 0413 339 633.

Businesses For Sale & Wanted

HAIRDRESSING SALON

Busy Salon in Devonport. Ideal location, passing trade, excellent clientele. Currently employs 4. Genuine reason for sale. Ph. 0422 829 188.

UTICOLOR

Vinyl, plastic and leather repairs, headlight restoration, carpet, steering wheels. Full training provided. Contact Rod or Cheryl 0498 233 006 or 0498 233 005.

Livestock

AGISTMENT WANTED for 10 old quiet beef cows, and 10 yearling steers. Ulverstone/Penguin area, old pasture with electric fencing, approx. 2 months. Phone 0428 838 820.

CHAFF, oaten, this seasons, approx 45 kg bag, \$25 per bag. Ph. 0422 676 744.

LUCERNE, small bales for sale. Wesley Vale, 0447 384 083.

MURRAY Grey bull, 3 year old, very quiet, well bred \$1400. Ph. 0409 798 723 or 6491 1348.

PULLETS, new Hampshire point of lay \$8 each. Phone: 0414 188 052.

Ulverstone Pet Food

Stock wanted, suitable for pet food. Ph. 6 4 2 8 5 8 2 2 or 0408 141 972 (AHL).

Livestock Auctions

Roberts QUOIBA LIVESTOCK MARKETING COMPLEX

Monday 29 May
Pigs at 11:30am • Lambs/Sheep at 12 Noon • Calves at 12:30pm

Wednesday 31 May at 11:30am • Quoiba Prime Cattle Sale

Friday 9 June at 11:30am • Quoiba Store Cattle Sale

For enquiries please contact your local
Roberts Livestock Representative
Livestock Enquiries (03) 6391 6539 livestock@robertsld.com.au
Quoiba Livestock Marketing Complex (03) 6424 5101 (Sale Days)

Clearing Sales

Roberts CLEARING SALES

MEANDER
Thursday 1 June at 11:00am
Account: DS & SM Walton
21 Barbers Road, Meander
Farm machinery, Equipment & Household Items.

SWANSEA
Thursday 8 June at 11:00am
Account: KJ & VJ Kemp
Victoria Street, Swansea
Account: KJ & VJ Kemp

Vehicles, Workshop, Game Fishing Equipment & Household Items
2005 Iveco Stralis 435 prime mover (auto, full air, 830,000kms), 2003 Volvo FH46 (dual control, tandem drive truck), 1988 Mitsubishi FK415 tipper truck, 2004 Ford XLT 250 Xtra cab ute (2WD, 5.4 V8, auto, 300,000kms), tandem trailer with stock crate, 2009 East Wind DFM254S tractor with Hanny LD200TK FEL including 4 in 1 bucket (registered, 450 hours), implements to be sold separately include 4' slashers, 4' rotary hoe, 4' mower, post hole borer, smudge, carryall, ripper, 2001 Air Ride 2676 drop deck container trailer (2 x twist locks, full air), 2005 Haulmark float (3.8m ramps, 13.4m bed, Kohler power pack, hydraulic winch, twist locks), Toyota 2T forklift (1838 hours, petrol/gas), 2013 Palomino Puma 5th wheeler caravan (done approx. 10,000kms, all electric, slide out, with turntable), 2005 Jayco Heritage 30th Anniversary Edition 21' 6" caravan (done approx. 13,000kms, full ensuite), 2006 BMW 1200 motorbike (9,400kms), 2005 Honda NES125 scooter (7927kms), Sea Guard 5.85m aluminium boat (Yamaha 90 & 15 hp engines 148 hours, hydraulic pot hauler, GPS), Invacare mobility scooter (new battery), 15' steel quick release truck tray, 2 x loader buckets, 2 x mine rated ute tool boxes, 7"x5" works trailer, 4 x 17.5 65 20 loader tyres, electric boat winch, 8' x 6'6" ute slide on canopy with cover & annex, NEW 9m x 7m 3m colour bond shed (2 x roller doors, plans), 3T car host, 18" tyre changer, wheel balancer, tyre spreader, MIG welders, Ingersoll Rand compressor, Honda engine compressor, Honda 5.5 KVA generator, truck rear mudguards, JCB grille (NEW), 3 x oxy sets, grease pump, qty filters, wiper blades, rad caps, manuals, parts, pallet truck, twitches, chains, straps, lifting chain, work benches, welders, tyres, rubber tube matting, 2 x engine stands, 2 x gearbox lifts, engine lift, solar panel & regulator, Penn 6000 reel, Shimano rod as new, 6 x Okuma 6000 game rods & reels comb as new, Shimano reels & rods comb, Penn fly rods & reels, Black Ridge fly rods & reels, 2 x full braces deep sea lures, full set deep sea outriggers suit 5m boat, qty tackle boxes, Sea Sava life raft, pots & nets, 8 seat leather /timber dining room suite, Fujitsu reverse cycle air con, fridge, freezers, oven, washing machine, meat mincer, UHF radios, bed/sofa's, New BBQ's, office desk, 2 x lawn mowers, chainsaws, 14' alum dinghy (Evinrude 35hp, trailer), 4 x Temperzone OPA 100 RKT air conditioners complete with ducting & fittings, day/night settee, MIG welders, hot water pressure washer, Honda walk behind rotary slashers, B & S water cooled quick cut concrete saw, 2 x Makita drop saws, packs timber including Blackwood, Macrocarpa, Myrtle, & Sassafras, near new Poly floor vinyl floor coverings

5 Southdown rams, 11-12 months old
NO BUYERS PREMIUM - GST MAY APPLY
Clearing Sale Terms
Strictly payment on day of sale unless prior arrangements have been made with Credit Department on 6391 6564.
All intended bidders must register with PHOTO ID prior to purchasing.
For details go to www.robertsld.com.au Livestock,
Upcoming Clearing Sales

Enquiries:
Kevin Matkovich 0417 325 936
kmatkovich@robertsld.com.au

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COLOURWASH
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BOLD TEXT
BORDERS

Call our friendly staff today on 1300 363 789 to find out how!

Machinery & Plant

ASSORTED grey Fergyparts, petrol and diesel inc. fuel tank, cyl heads etc. Also fully restored 3 p/l JIB-crane. Ph. 6442 3875 Wynyard.

Church Notices

A COMBINED Service for the 14 Baptist Churches on the NW Coast, 5.30 pm Sunday at Ulverstone Baptist. Light tea to follow. All welcome. Phone 6427 0006.

ALL welcome to a traditional HC Services each Sunday, 9.30 am. 150 Waverley Rd, Don.

ANGELICAN CHURCH DEVONPORT

Sunday May 28th
8.45am St John's HC
10.30am St Paul's HC
Wednesday May 31st
10am St John's HC
PH: 6424 6420

LATROBE BAPTIST
10am, Rev. R. Terry
Phone 6426 1220.

PRESBYTERIAN
Edward St,
DEVONPORT
Sunday 10am Service
Rev. Andrew Satchell
Enquiries 6424 7115.

SASSAFRAS BAPTIST
9.30am Sunday School
Café Conversation
10.30am Worship Service
Rev. Dan rough

ST DAVID'S
7 Hamilton St, Latrobe
Sunday Worship 5pm
Speaker: John Lamont
Friday Youth Clubs:
Juniors 4pm Seniors 7pm
Bible Study: Monday 7pm
Phone 0417 524 609
Independent Presbyterian



UNEARH A REAL DEAL IN THE CLASSIFIEDS
The Advocate
1300 363 789

Local Government

CENTRAL COAST COUNCIL
19 King Edward Street
Ulverstone Tasmania 7315
Tel: 03 6429 8900
Fax: 03 6425 1224
www.centralcoast.tas.gov.au

APPLICATIONS FOR PLANNING PERMITS

S.57 Land Use Planning and Approvals Act 1993.

The following applications have been received:

- Location: 28 Grove Street, Ulverstone
Proposal: Residential (dwelling extension) and outbuilding (shed) - variation to rear boundary setback and setback of a sensitive use from Utilities zone and a railway
Application No.: DA216228
- Location: 6 Moonbeam Place, Ulverstone
Proposal: Residential (dwelling) and outbuilding (shed) - variation to lot size and location of attached garage
Application No.: DA216231

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 10 June 2017.

Dated at Ulverstone this 25th day of May, 2017.

SANDRA AYTON
General Manager

NOTICE OF AMENDMENTS TO THE WARATAH - WYNARD INTERIM PLANNING SCHEME 2013

DRAFT AMENDMENT NUMBERS: PSA 1/2017, PSA 2/2017, and PSA 3/2017

At its meeting on 15 May 2017, Waratah-Wynard Council initiated and certified a draft amendment to the Waratah-Wynard Interim Planning Scheme 2013 to rezone land from Rural Resource to Rural Living. The properties subject to the draft amendments are listed below.

Application No	Project Location	Titles
PSA 1/2017	Aldersons Road, Wynyard	1/246643
PSA 2/2017	Calder Road, Wynyard	1/29646, 3/41849, 1/42478, 1/41849, 1/62142, 1/241323, 1/22046, 1/12344, 1/141958, 1/14806, 1/27715, 1/140036, 2/27715, 3/27715, 4/27715, 2/15782, 1/15782, 1/166951
PSA 3/2017	Pages Road, Moorleah	1/121601, 1/205144, 1/230183, 2/142285, 1/121602, 1/9066, 1/126633, 4/121602, 1/31442, 1/33632, 3/31516, 1/33279, 4/31516, 2/138401

Interested persons may view a copy of the planning scheme amendments, together with any documents or plans accompanying it, at the offices of the Waratah-Wynard Council, 21 Saunders Street, Wynyard, or on Council's website www.warwytas.gov.au. Any person may make a representation concerning the draft amendment in accordance with section 39(1) of the Land Use Planning and Approvals Act 1993.

Any representation must:

- Be received by Monday 26 June 2017;
- Be in writing or emailed to council@warwytas.gov.au;
- Include the reasons for your representation;
- Include the amendment number; and
- Be addressed to the undersigned.

Dated at Wynyard this 27th day of May 2017

Michael Stretton
General Manager
PO Box 168
Wynyard 7325



CLASSIFIEDS WORK

TR Ref: 2017 – TR/CCC – 0265

Council Reference: DA216228

Level 2, 24 Murray Street
Hobart TAS 7001
PO Box 335
Kings Meadows TAS 7249
T 03 6227 5212
F 03 6227 5220
E landmangement@tasrail.com.au

General Manager
Central Coast Council
PO Box 220
Ulverstone TAS 7315

Sent via email: admin@centralcoast.tas.gov.au

Dear Council,

RE: APPLICATION FOR PLANNING PERMIT FOR LAND ADJOINING RAILWAY ASSET

Thank you for Councils notification received by mail on 30 May 2017 regarding an application residential dwelling and shed involving a variation to setback rear boundary and sensitive use from Utilities zone (Railway) at 28 Grove Street Ulverstone.

TasRail request the proposed variation to setback boundary is increased to 2 metres to buffer from the rail corridor for vegetation management and fire protection purposes.

[Condition 1]

The rail infrastructure in the state is a critical part of the state's transport infrastructure and capacity. It must be assumed in the consideration of any development that rail services will be maintained and even increased. The railway at the location of the proposed development is currently part of Tasmania's operational rail network and it should therefore be noted that property in proximity to the rail corridor can be adversely affected by a number of factors, these include:

Night time noise

- Train operations are undertaken at any time of the day or night. This is not expected to change.
- Any development must take this into consideration

Vibration and noise

Train operations create vibration and noise. Any new development must take this into consideration as it may impact on quality of life. Building structure design should consider these issues. We recommend that buildings are located as far as possible from the rail corridor;

Please read the attached *Environment Protection Authority (noise) Policy 2009. Part 4;* transport infrastructure, public roads, railways, ports & airports.

Drainage

- Water creates major problems for rail formations and must be controlled within the rail corridor. As a result, a licence is required from TasRail for any proposed drainage onto the rail corridor from an adjoining property;
- In certain circumstances drainage from the rail corridor onto adjoining property is permitted and may impact the adjoining property.

Line of sight

- From a safety perspective line of sight is important when operating a railway. New developments that are going to impact on the line of sight must be assessed by the rail operator. This can include proposed planting/growth of vegetation and building structures.

Level crossing

- Line of sight is critical for level crossings and must be maintained.

Safety issues are addressed

- Access to the rail corridor is limited to people with permission;
- A 3m safety exclusion zone exists along the railway line.

Traffic

- We would recommend that the council consider any changes to traffic volumes in regards to current crossing capacity and design within the locality of any development proposal.

Access to corridor

- Residents need to be aware that access to the rail corridor needs to be approved and that any use of the rail corridor needs to be licensed. This includes such issues as drainage, water pipes, electrical infrastructure, crossings or the like. It must also be stressed that there is, under all circumstances, a 3m safety exclusion zone exists from the edge of the nearest rail out each side;
- Access to the rail corridor requires relevant safety methods in place and subsequent approval by TasRail must be sought.

Access to property across the rail corridor

- All crossings must be licensed; conditions appropriate to the location will apply. It is illegal to build and access a private rail crossing without a licence.

Providing **Condition 1** is met and the applicant is made aware of the issues detailed above, TasRail can see no reason why this development should not proceed.

If Council or the applicant would like to discuss this matter further please contact me on (03) 6227 5212 or by email landmanagement@tasrail.com.au

Yours sincerely,

A handwritten signature in black ink, appearing to read "Michael Ince".

Michael Ince
MANAGER
PROPERTY SERVICES

13 June 2017

PART 4 – TRANSPORT INFRASTRUCTURE

Public roads, railways, ports & airports

11. (1) it is recognised that although the operation or use of public roads, railways, ports or airports may prejudice protection of the environmental values, the function the transport network serves is necessary for the community's economic, environmental and social wellbeing.

(2) Notwithstanding sub-clause (1), it is intended that -

- (a)** Transport planning initiatives for freight and passenger movement and new transport infrastructure be developed in a systematic way to achieve an optimal balance of economic, environmental and social benefits and costs with major criterion of minimising the number of people exposed to noise levels that would prejudice protection of the environmental values; and
 - (b)** Where environmental values are acutely prejudiced, existing transport infrastructure noise should be reduced to the greatest extent that is reasonably practical, consistent with achieving an optimal balance of economic, environmental and social benefits and costs.
- (3)** The allocation of any public resources to minimise noise impacts resulting from public roads, railways, ports or airports shall aim to achieve the most benefit for the greatest number of people exposed to those impacts.
- (4)** A transport noise strategy will be developed to improve transport noise outcomes, further the objectives of the Act and assist in implementation of subclauses (2) and (3)

Annexure 4



Aerial View – 28 Grove Street, Ulverstone



28 Grove Street, Ulverstone



28 Grove Street, Ulverstone – rear yard



28 Grove Street, Ulverstone – rear yard – shed would be located to the left of the car



28 Grove Street, Ulverstone – dwelling extension would be located where existing timber sunroom is located. Shed would be visible at rear of land.



Utility zone and Western Rail line



Rear boundary line of 28 Grove Street, Ulverstone – trees are partially on private land and partially in Utility zone



Rear boundary line of 28 Grove Street, Ulverstone

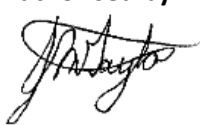


Commercial building built to the Utility zone boundary line



28 Grove Street, Ulverstone – rear boundary

Submission to Planning Authority Notice

Council Planning Permit No.	DA216228	Council notice date	24/05/2017
TasWater details			
TasWater Reference No.	TWDA 2017/00765-CC	Date of response	29/05/2017
TasWater Contact	Anthony Cengia	Phone No.	(03) 6237 8243
Response issued to			
Council name	CENTRAL COAST COUNCIL		
Contact details	planning.cmw@centralcoast.tas.gov.au		
Development details			
Address	28 GROVE ST, ULVERSTONE	Property ID (PID)	2270071
Description of development	Residential (dwelling extension) and outbuilding (shed)		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Yaxley Design & Drafting	217049-2	0	MAR 17
Conditions			
<p>SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL</p> <p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater does not object to the proposed development and no conditions are imposed.</p>			
Advice			
<p>For information on TasWater development standards, please visit http://www.taswater.com.au/Development/Development-Standards</p> <p>For application forms please visit http://www.taswater.com.au/Development/Forms</p> <p>The developer is responsible for arranging to locate existing TasWater infrastructure and clearly showing it on any drawings. Existing TasWater infrastructure may be located by TasWater (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor may be engaged at the developers cost to locate the infrastructure.</p>			
Declaration			
The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.			
Authorised by			
			
<p>Jason Taylor Development Assessment Manager</p>			
TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

Annexure 6

30 May 2017

Our ref.: DA216228, paa:kaa

Doc ID:

E M & T V Franks
PO Box 165
ULVERSTONE TAS 7315

Dear Mr & Mrs Franks

LOCAL GOVERNMENT (HIGHWAYS) ACT 1982 AND URBAN DRAINAGE ACT 2013
STATEMENT OF COMPLIANCE FOR VEHICULAR ACCESS AND DRAINAGE ACCESS
DWELLING EXTENSION AND OUTBUILDING – 28 GROVE STREET, ULVERSTONE

I refer to your application DA216228 for a dwelling extension and outbuilding (shed) at 28 Grove Street, Ulverstone, and based on the information supplied with the application make the following determination in respect to vehicular access and the disposal of stormwater.

Access can be provided to the road network for 28 Grove Street, Ulverstone, subject to the following:

- R1 Contact the Council's Public Safety Coordinator on 0419 103 887 should you be considering undertaking any work on the existing Grove Street access;
- R2 A separate conditioned approval from the Council acting in its capacity as the Road Authority will be required for any works or activity in the road reservation, and must be arranged prior to any work associated with the development being undertaken;
- R3 Any work associated with roads, footpaths, kerb and channel, nature strips, or street trees will be undertaken by the Council, unless alternative arrangements are approved by the Council's Director Infrastructure Services or his representative;
- R4 Any damage or disturbance to roads, footpaths, kerb and channel, nature strips, or street trees resulting from activity associated with the development must be rectified;
- R5 All works or activity listed above shall be completed to the satisfaction of the Council's Director Infrastructure Services or his representative;
- R6 All works or activity listed above shall be at the property owner's cost.

Limited access can be provided to the Council's stormwater network for 28 Grove Street, Ulverstone subject to the following:

- S1 A new stormwater kerb connection can be provided on the western side of Grove Street frontage, noting that this cannot service the whole of the lot under a gravity flow situation;
- S2 An Install Stormwater Connection Point authorisation form must be signed by the developer/property owner for the Council to undertake the work relating to the installation of any new stormwater kerb connection, prior to the issuing of the Plumbing Certificate of Likely Compliance;
- S3 Any work associated with existing stormwater infrastructure will be undertaken by the Council, unless alternative arrangements are approved by the Council's Director Infrastructure Services or his representative;
- S4 Any damage or disturbance to existing stormwater infrastructure resulting from activity associated with the development must be rectified;
- S5 All works or activity listed above shall be completed to the satisfaction of the Council's Director Infrastructure Services or his representative;
- S6 All works or activity listed above shall be at the property owner's cost.

This 'Statement of Compliance' is not an approval to work on any access, work in the road reservation or undertake stormwater drainage works, nor is it a planning permit for the development. This 'Statement of Compliance' is valid for a period of 2 years from the date of this letter.

A copy of this 'Statement of Compliance' has been provided to the Council's Land Use Planning Group for consideration with planning permit application DA216228.

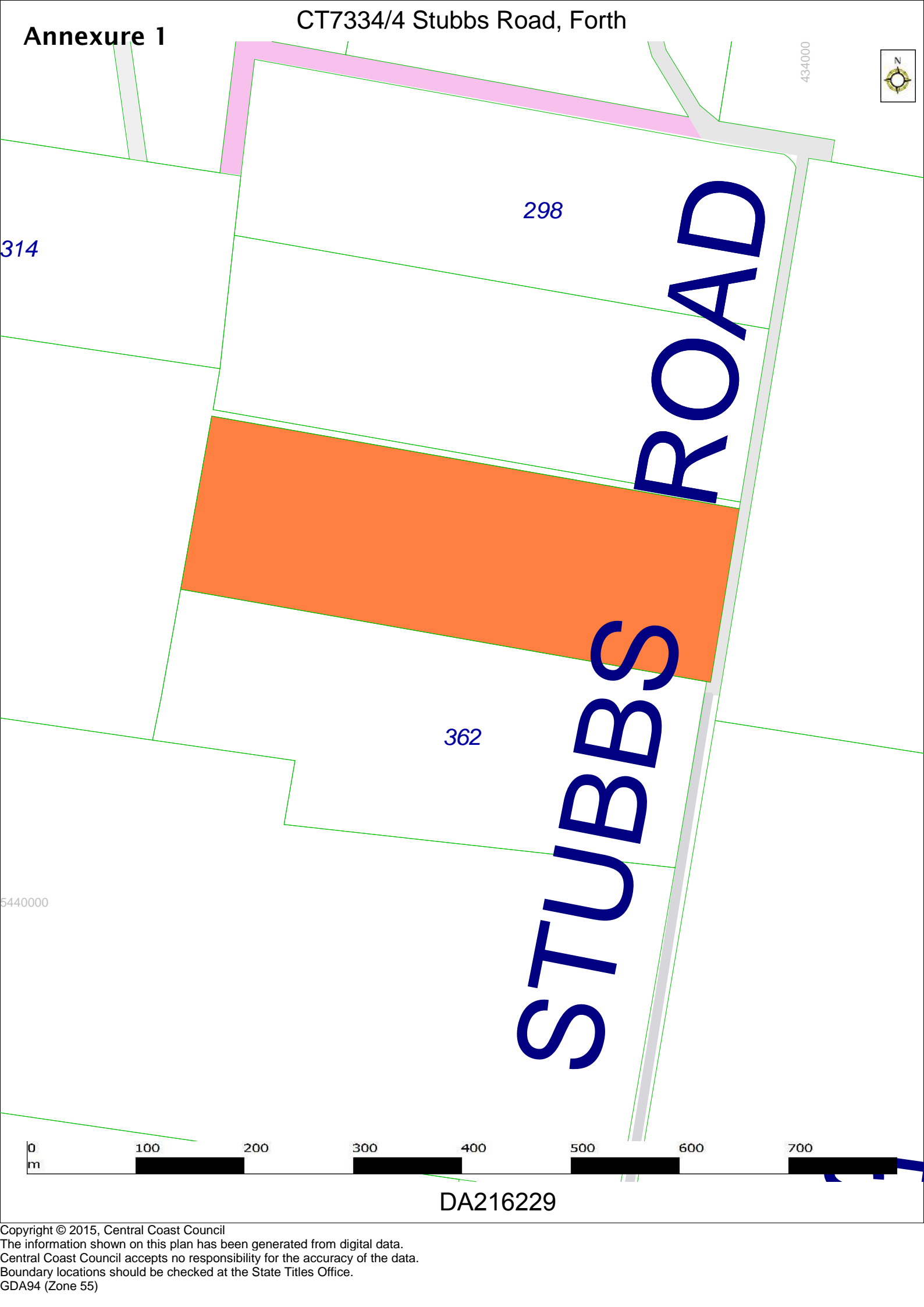
Please contact me on tel. 6429 8977 should you have any further enquires.

Yours sincerely

Philip Adams
ENVIRONMENTAL ENGINEER

Administrative Assistant – Planning
Regulatory Services Administration Officer
Public Safety Coordinator

A COPY FOR YOUR INFORMATION



DA216229

CENTRAL COAST COUNCIL

PO Box 220

19 King Edward Street

ULVERSTONE TASMANIA 7315

Ph : (03) 6429 8900

Email : planning@centralcoast.tas.gov.auwww.centralcoast.tas.gov.au

CENTRAL COAST COUNCIL

Land Use Planning and Approvals Act 1993**Central Coast Interim Planning Scheme 2013****PERMIT APPLICATION****Office use only**Application No DA216229Date Received 5 MAY 2017Permit Pathway - Permitted/Discretionary**Use or Development Site:**

Street Address

Stubbs Road, Forth

Certificate of
Title Reference

7334/4

Applicant/s

First Name

Surname or
Company nameIan Reynolds
c/- JMG Engineers and PlannersSecond
Name

Postal Address:

117 Harrington Street

Phone No:

6231 2555

HOBART

7000

Mobile:

Email address:

fbeasley@jmg.net.au

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

Caroline & Maxwell

Surname

Gillam

Postal Address:

74 Acton Road

Second
Name

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, outbuilding and new driveway access.

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

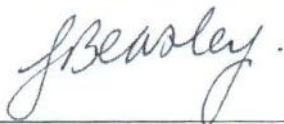
\$350,000.....

Estimate/ Actual

Total floor area of the development289.5 m²**Notification of Landowner****If land is NOT in the applicant's ownership**

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

Signature of Applicant:



Date: 5 May 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, Frances Beasley of JMG Engineers and 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

f. Beasley

Date *5 May 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 : 15-Jun-2017

SEARCH TIME : 02.34 PM

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 3516/4SCHEDULE 1C190945 TRANSFER to MAXWELL ERIC GILLAM and CAROLINE LESLEY
GILLAM Registered 11-Oct-1999 at noonSCHEDULE 2

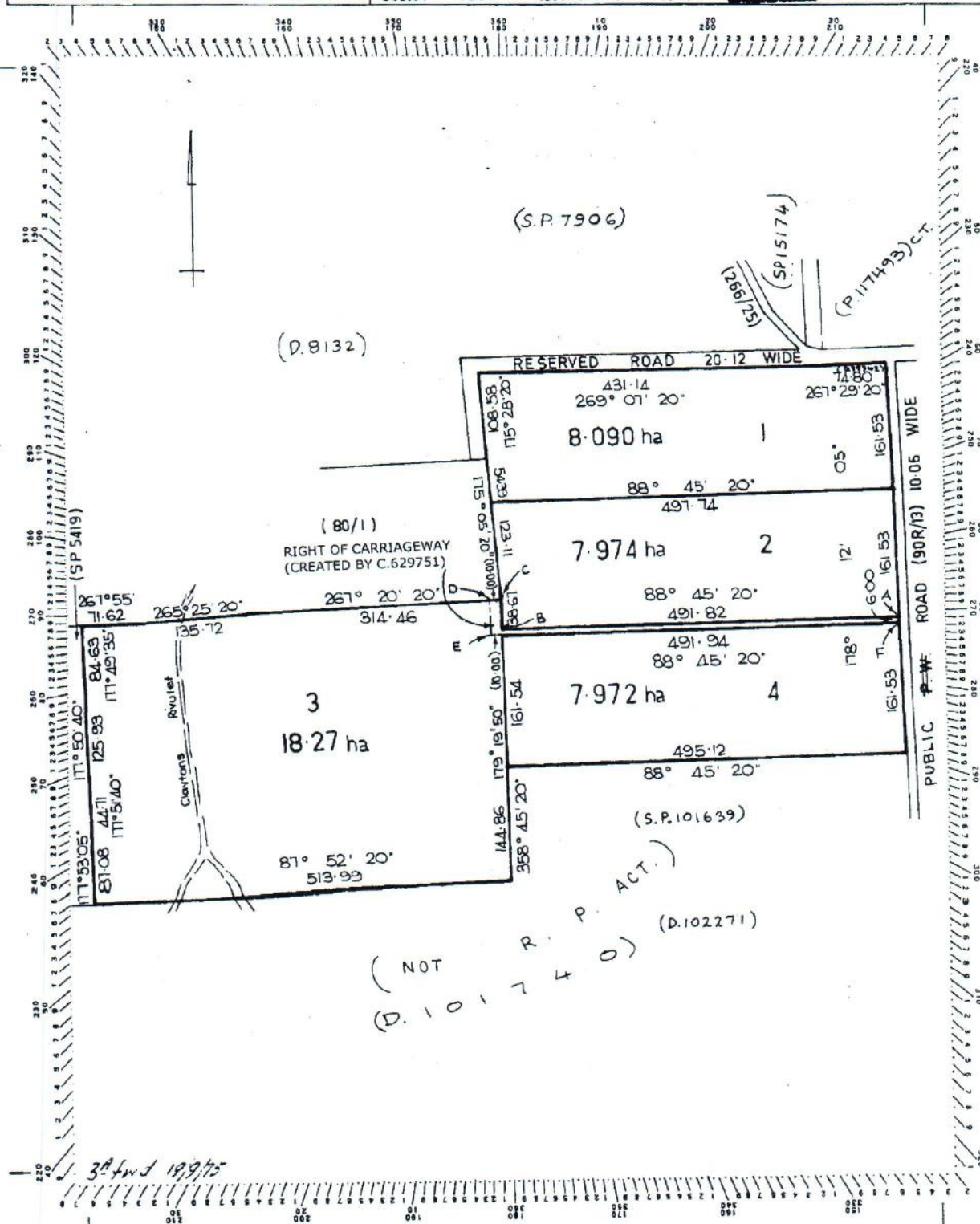
Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

7334 18 SEP 1975 C.T. 3514-79

Owner: A. J. Gillam	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	Effective from: 25 FEB 1976
Grantee: Part of Lot 491, 259 Ac., Thomas Drew Pur.	Scale - 1:5000 Measurements in metres	P/I <i>[Signature]</i> Recorder of titles



SCHEDULE OF EASEMENTS

PLAN NO.

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

S.P7334

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

EASEMENTS

No Easements, profits a prendre, or covenants are created to benefit or burden any lots on the plan.

SIGNED by ALBERT JAMES GILLAM

Registered Proprietor or the
land in conveyance No. **32/5718**

Before me,

Johnston-Pinner
Secretary
Station

A. J. Gillam

7334

CORRECT FOR THE PURPOSES OF THE
REAL PROPERTY ACT, 1962, AS AMENDED

J. Minton-Connell
J. MINTON-CONNELL
SOLICITOR
LATROBE

This is the schedule of easements attached to the plan of Lots 1, 2, 3 and 4

Albert James Gillman comprising part of the land in

Conveyance Registered No. 32/5718
(Insert Title Reference)

Sealed by The Municipality of Ulverstone on *11th Sept.* 1975.

O. Lane
Council Clerk/Town Clerk

47818



314

298

STUBBS ROAD

362

5440000

0
m

100

200

300

400

500

600

700

DA216229

JMG Ref: J173001PH

5 May 2017

General Manager
Central Coast Council
Via Email: planning@centralcoast.tas.gov.au

Attention: Ian Sansom

Dear Sir,

338 STUBBS ROAD - DEVELOPMENT APPLICATION

On behalf of Ian Reynolds, please see the following documents included in support of the application for development of land at 338 Stubbs Road, Forth (CT7334/4):

- Planning Report including:
 - Copies of the current certificates of title;
 - Proposal Plans;
 - Agricultural Report; and
 - Wastewater Design Report.

A previous application (DA216158) was lodged with Council and subsequently refused on 26 April 2017. The current proposal involves the construction of a new single storey dwelling, outbuilding and new driveway access from Stubbs Road.

Changes from the proposal submitted under the previous application (DA216158) include the following:

- Removal of the ancillary dwelling aspect of the proposal;
- Reconfiguration of the driveway access (previously access was proposed off an existing private driveway to the north of the subject site).
- Further detail is provided regarding the proposed outbuilding (refer to proposal plans attached under Appendix B).

If Council requires any further information or clarification with respect to this application, please contact me on 6231 2555 or at fbeasley@jmg.net.au.

Yours faithfully

JOHNSTONE MCGEE & GANDY PTY LTD



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as trustee for Johnstone
McGee & Gandy
Unit Trust

PLANNING REPORT

FOR IAN REYNOLDS

338 Stubbs Road Single Dwelling

May 2017



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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JMG Project No. J173001PH

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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, separate outbuilding and new private vehicular access from Stubbs Road.

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 outbuilding is 70 m² and includes a workshop, store room and wash basin facilities.

A driveway is proposed to the new dwelling with access via a new private driveway crossing 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.

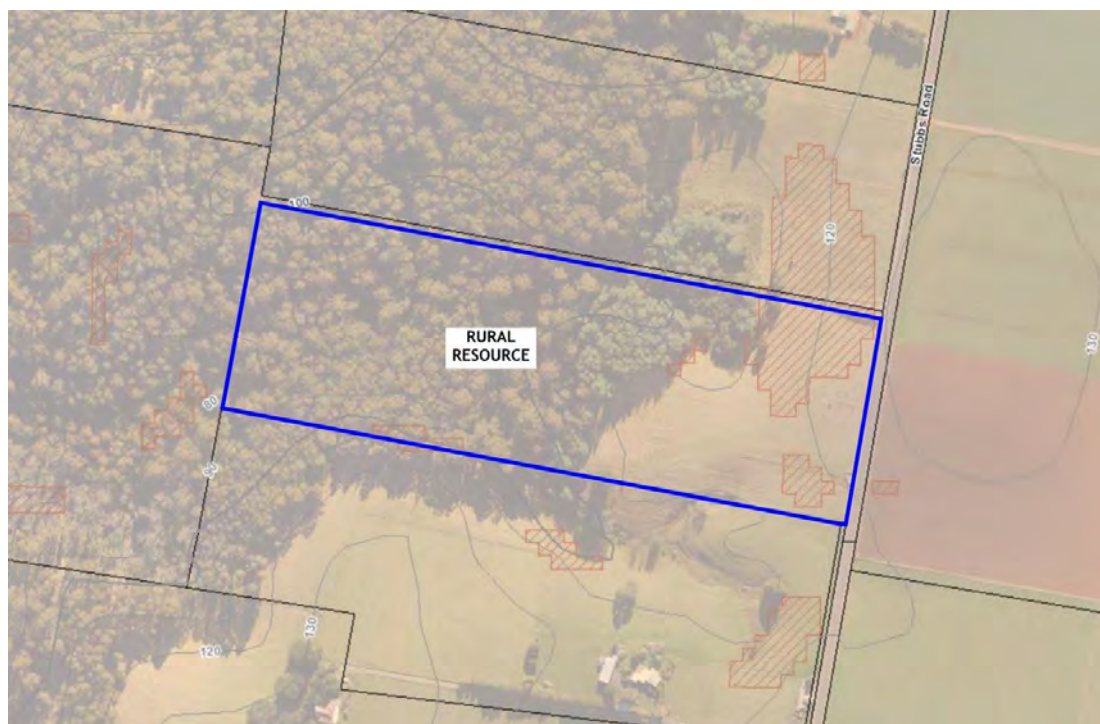


Figure 2 - Zoning and Overlay (Landslip Hazard = Brown Hatching)

4.1 Rural Resource Zone

The proposed development is location in the Rural Resource zone and has been assessed against the applicable standards.

The proposed new dwelling and separate outbuilding are both defined within the Residential use class.

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> <p><i>(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</i></p> <p><i>(h) Residential use and development on rural land is appropriate only if -</i></p> <p><i>(i) required by a primary industry or a resource based activity; or</i></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

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> <p>(a) not less than 20.0m from the frontage; or</p> <p>(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;</p> <p>(c) not less than 10.0m from each side boundary; and</p> <p>(d) not less than 10.0m from the rear boundary; or</p> <p>(e) in accordance with any applicable building area shown on a sealed plan</p>	<p>P1</p> <p>...</p>
---	----------------------

The proposed dwelling and outbuilding are to be setback a minimum of 100 m from the frontage (a), 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 adjoin Bass Highway (b).

The folio plan for the site does not include a building area (e).

Therefore, the proposal complies with A1.

<p>A2</p> <p><i>Building height must not be more than 8.5m</i></p>	<p>P2</p> <p>***</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 outbuilding is 3.2 m above NGL. Therefore, the proposal complies with A2.

<p>A3.1</p> <p><i>A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must -</i></p> <p><i>(a) not project above an elevation 15m below the closest ridgeline;</i></p> <p><i>(b) be not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</i></p> <p><i>(c) be below the canopy level of any adjacent forest or woodland vegetation; and</i></p> <p><i>(d) clad and roofed with materials with a light reflectance value of less than 40%.</i></p>	<p>P3.1</p> <p>***</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 outbuilding. 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</p> <p><i>New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must -</i></p> <p><i>(a) be located not less than -</i></p> <p><i>(i) 200m from any agricultural land;</i></p> <p><i>(ii) 200m from aquaculture or controlled environment agriculture;</i></p> <p><i>(iii) 500m from the operational area boundary established by a mining lease issued in accordance with the Mineral Resources Development Act 1995 if blasting does not occur; or</i></p> <p><i>(iv) 1000m from the operational area boundary established by a mining lease issued in accordance with the Mineral Resources Development Act 1995 if blasting does occur; or</i></p> <p><i>(v) 500m from intensive animal husbandry;</i></p> <p><i>(vi) 100m from land under a reserve management plan;</i></p> <p><i>(vii) 100m from land designated for production forestry;</i></p> <p><i>(viii) 50m from a boundary of the land to a road identified in Clause 26.4.2 or to a railway line; and</i></p> <p><i>(ix) clear of any restriction imposed by a utility; and</i></p>	<p>P1</p> <p><i>New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must minimise -</i></p> <p><i>(a) permanent loss of land for existing and potential primary industry use;</i></p> <p><i>(b) likely constraint or interference to existing and potential primary industry use on the site and on adjacent land;</i></p> <p><i>(c) permanent loss of 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; and</i></p> <p><i>(d) adverse effect on the operability and safety of a major</i></p>
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<i>(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</i>	<i>road, a railway or a utility</i>
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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 dwelling 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. No parking spaces area required for the proposed outbuilding.

No formal parking spaces are proposed for the development; therefore, the performance criteria must be considered.

The development includes an extensive driveway which will provide sufficient hardstand area for the parking of a minimum of 2 vehicles. Further, the site has sufficient area around the buildings to accommodate up to six 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><i>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities - Off Street Parking for People with Disabilities;</i></p> <p><i>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</i></p> <p><i>(f) Provide for the forward movement and passing of all vehicles within the site other</i></p>	<p>P1</p> <p>***</p>

E9.6.1 Design of vehicle parking and loading areas	
than if entering or leaving a loading or parking space; and (g) Be formed and constructed with compacted sub-base and an all-weather surface.	

Stormwater from the proposed driveway will be drained and disposed subject to detailed design. Therefore, the proposal complies with A1.1.

The proposed driveway is in accordance with the Unsealed Roads Manual. All vehicles will be able to maneuver to leave the site in a forward direction.

The driveway is in accordance with all applicable Australian Standards and will be compacted gravel over compacted sub-base.

Therefore, the proposal complies with A1.2.

A2 <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>	P2 ***
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The driveway is in accordance with the Unsealed Roads Manual compliant with A2.

5 Impact Assessment

5.1 Visual

The proposed development involves the construction of two buildings (a new dwelling and outbuilding) 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 new dwelling proposed will have a similar setback, however the outbuilding has a slightly shorter (110 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, outbuilding, driveway and hazard management area.

The development is in the Rural Resource zone.

The proposed development generates the following discretions under the Planning Scheme:

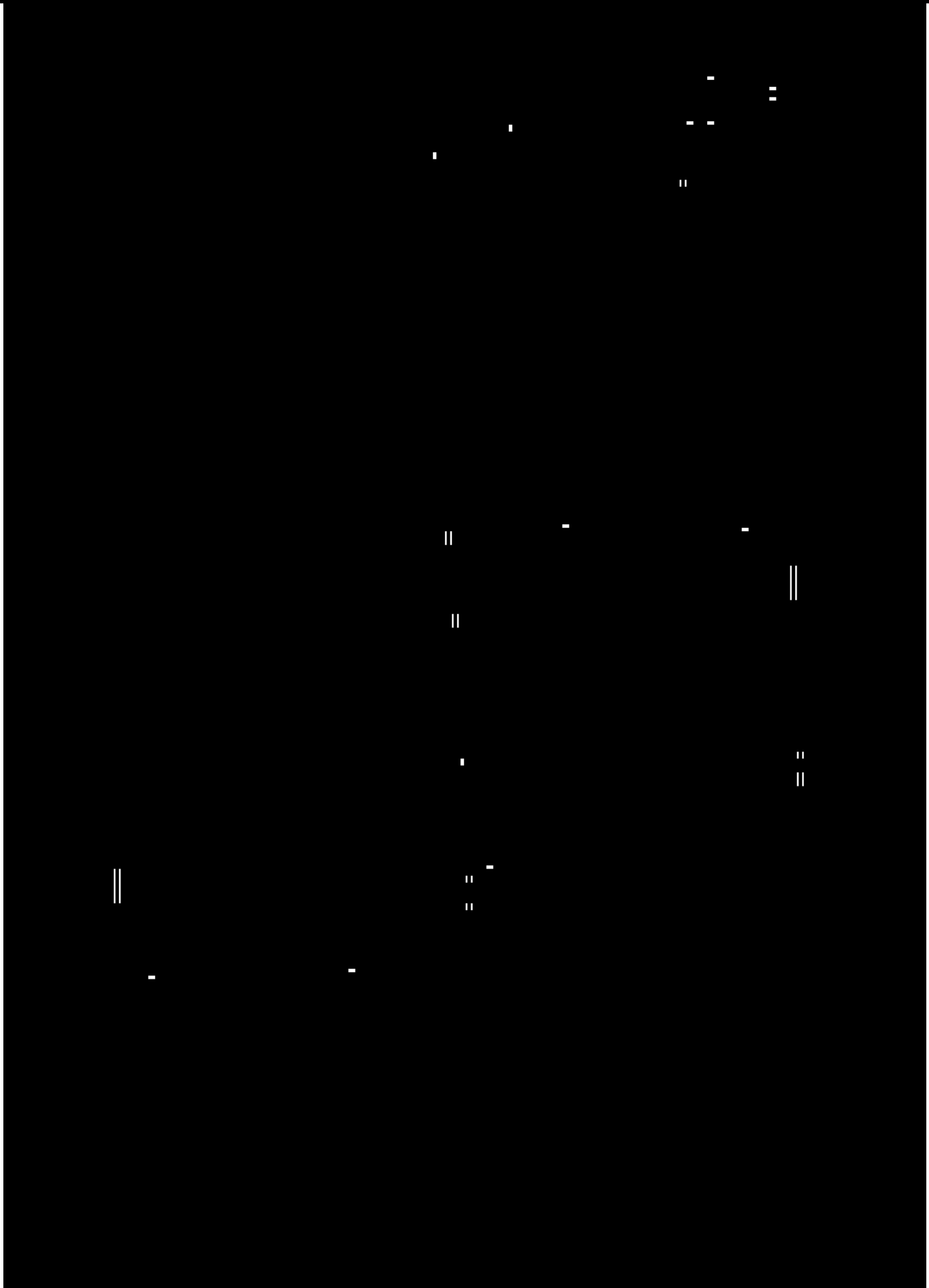
- 26.3.3 (P1) - Residential use;
- 26.4.3 (P1) - Location of development for sensitive use;
- E9.5.1 (P1) - Provision for parking.

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

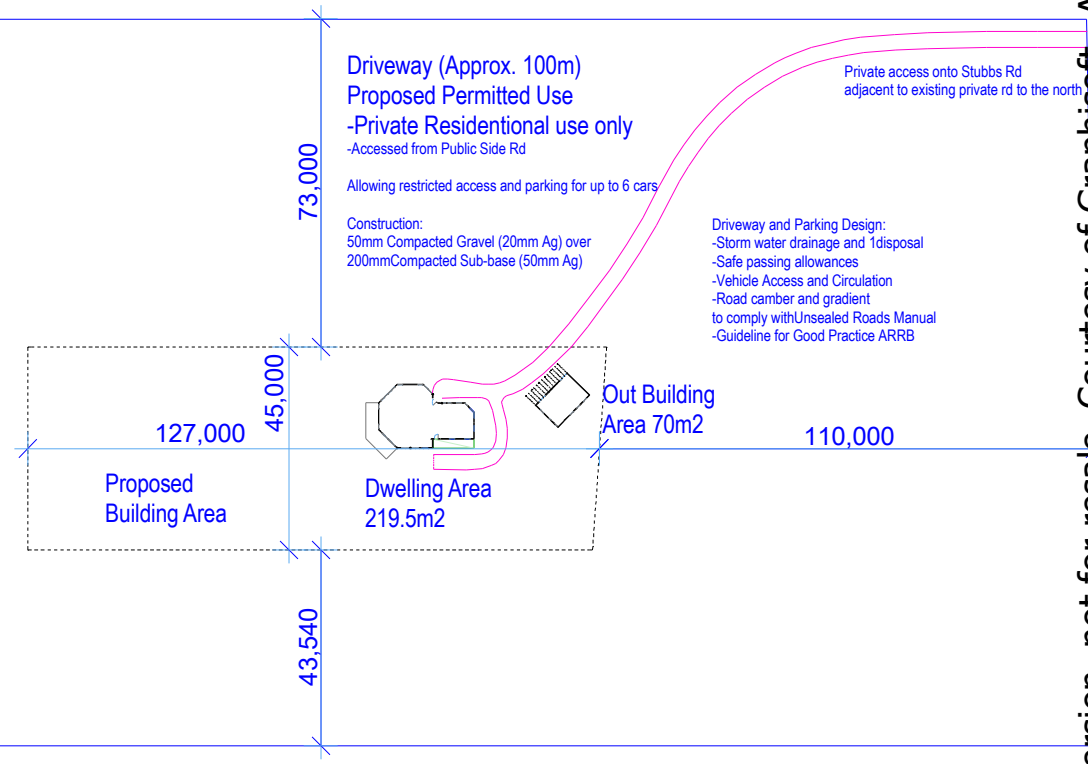
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

APPENDIX B

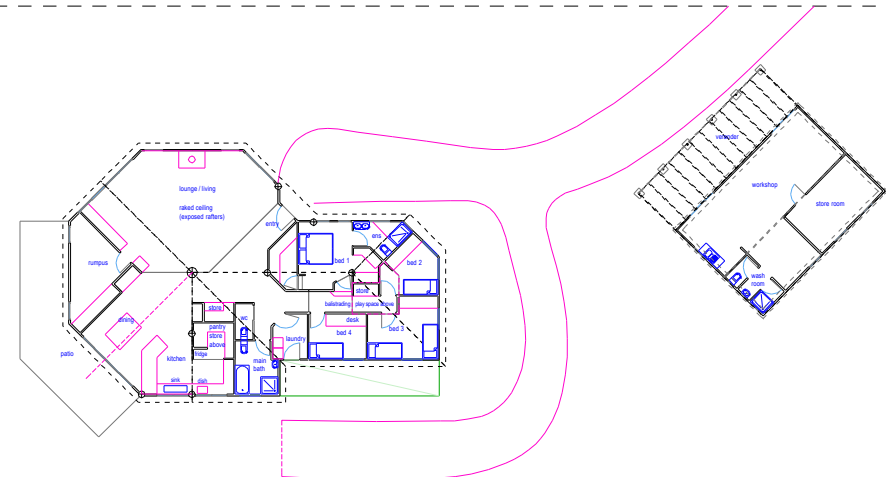
Proposal Plans

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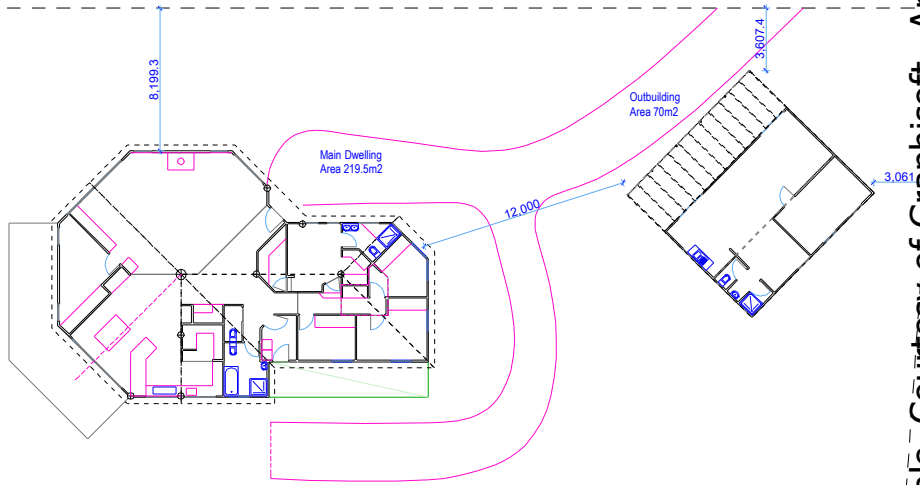
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Proposed Building Area



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



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Bedroom FFL +875

4,218.7

Timber Cladding
LRV Approx. 30

Bed 1 FFL +1225

Zincalume ® Roof cladding
LRV Nom. 40

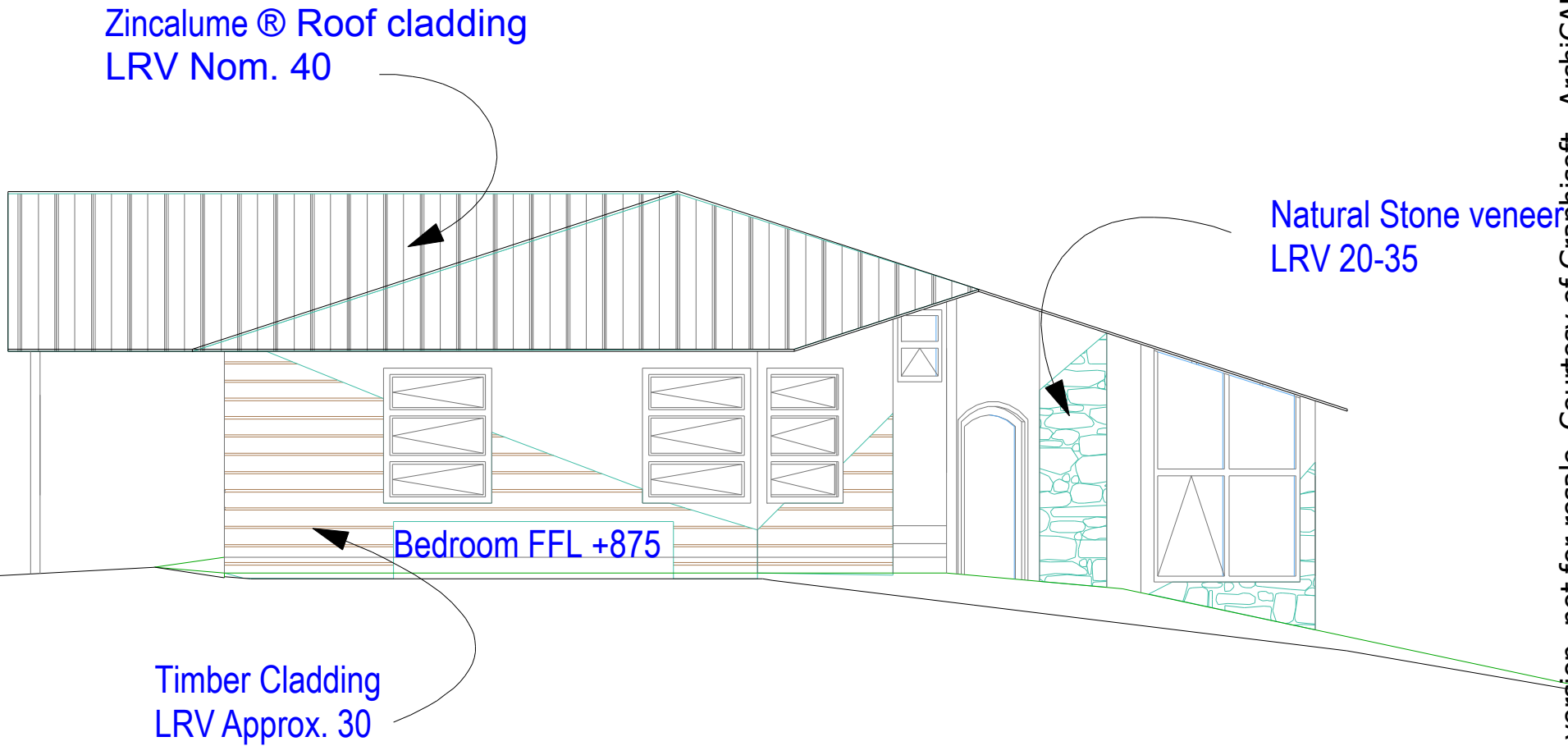
Natural Stone veneer
LRV 20-35

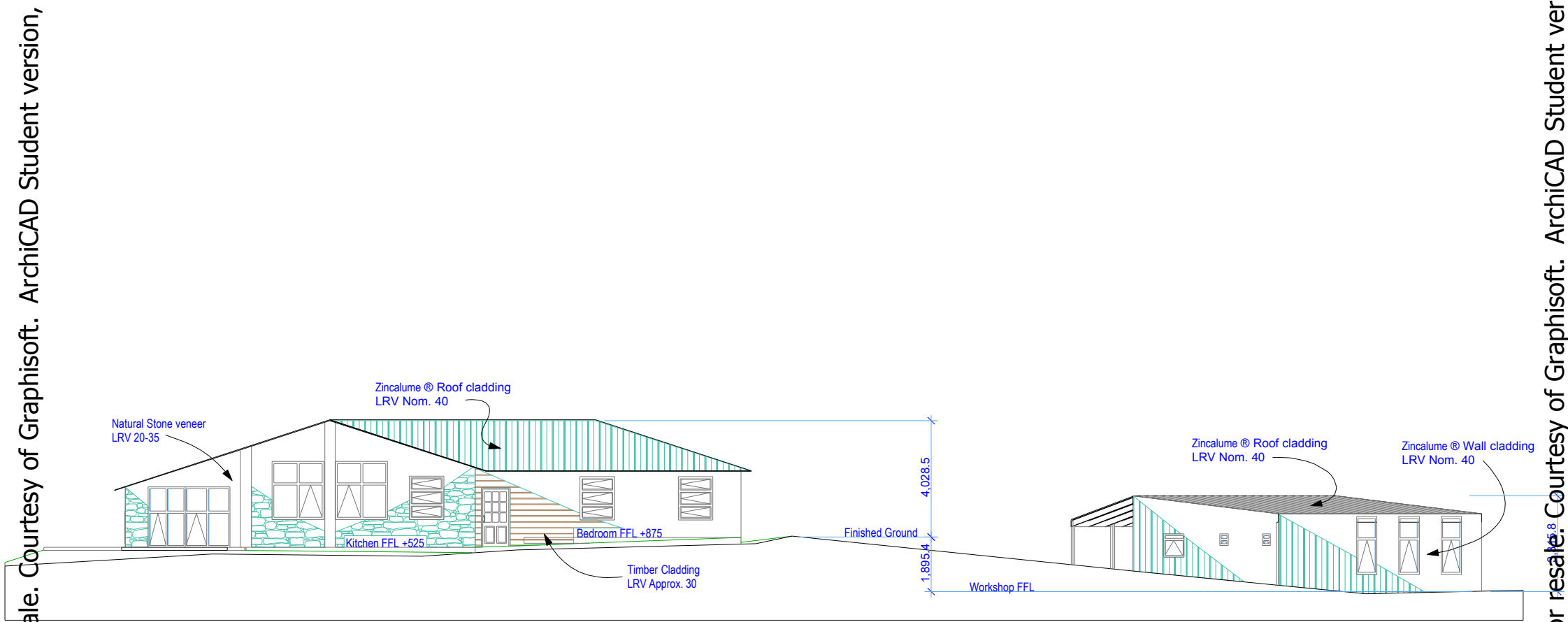
Lounge FFL 0

5,118.7

Finished Ground



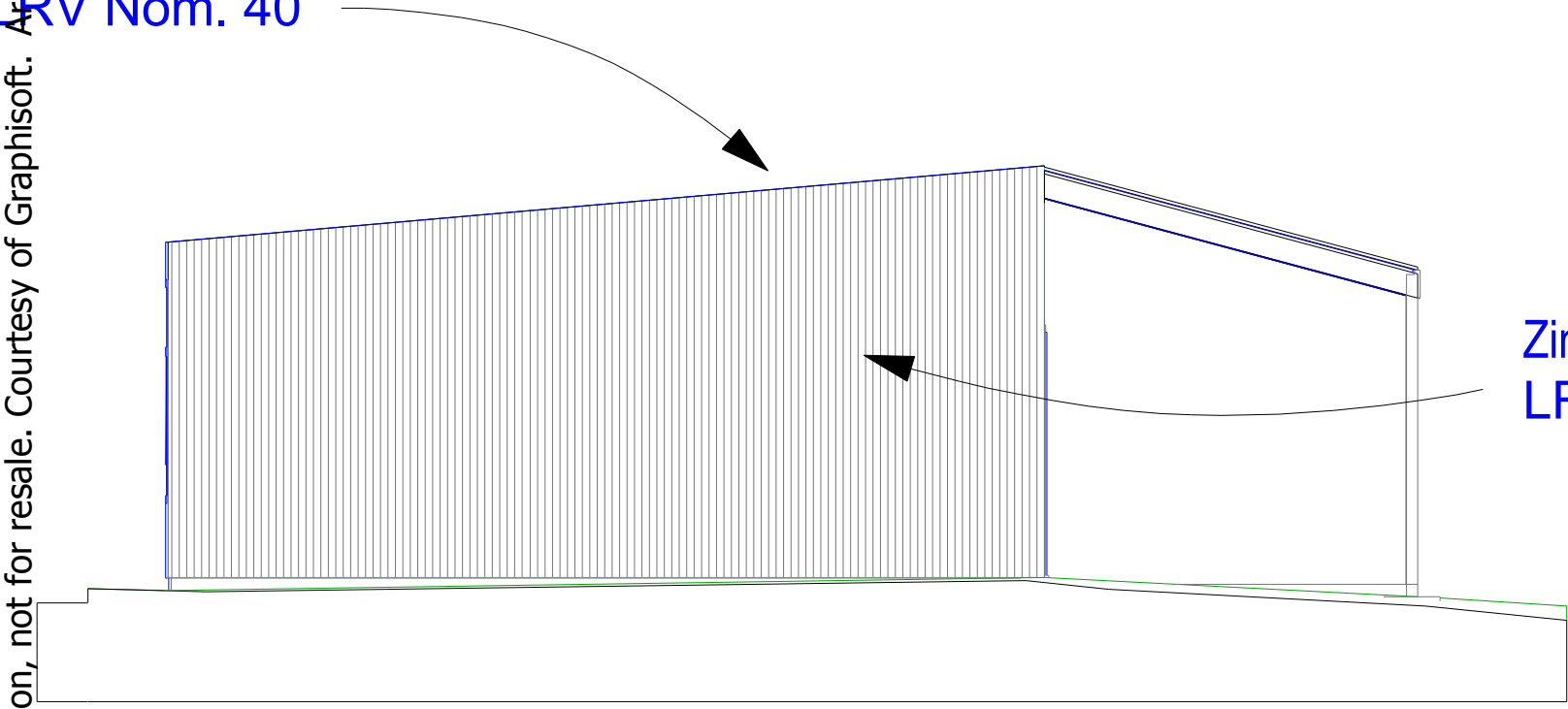






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Zincalume ® Roof cladding
LRV Nom. 40



Zincalume ® Wall cladding
LRV Nom. 40

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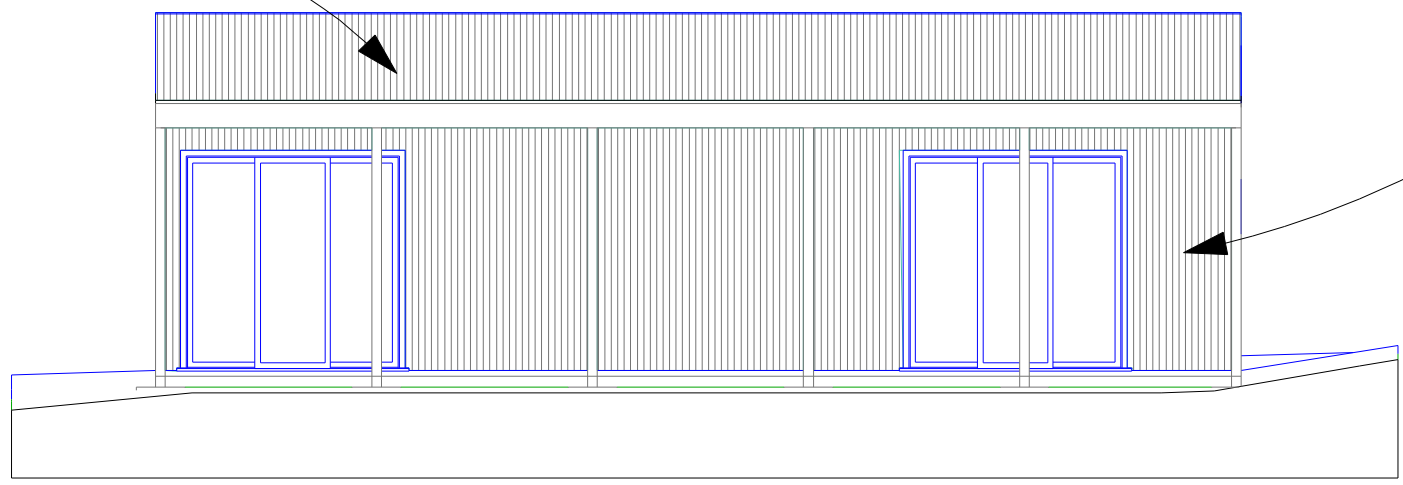


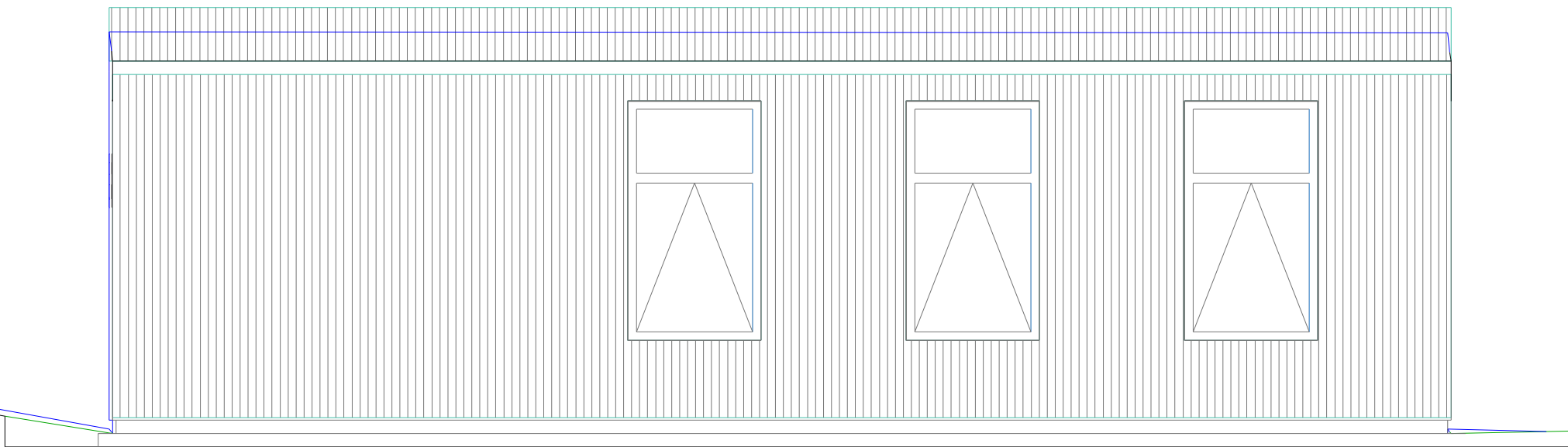
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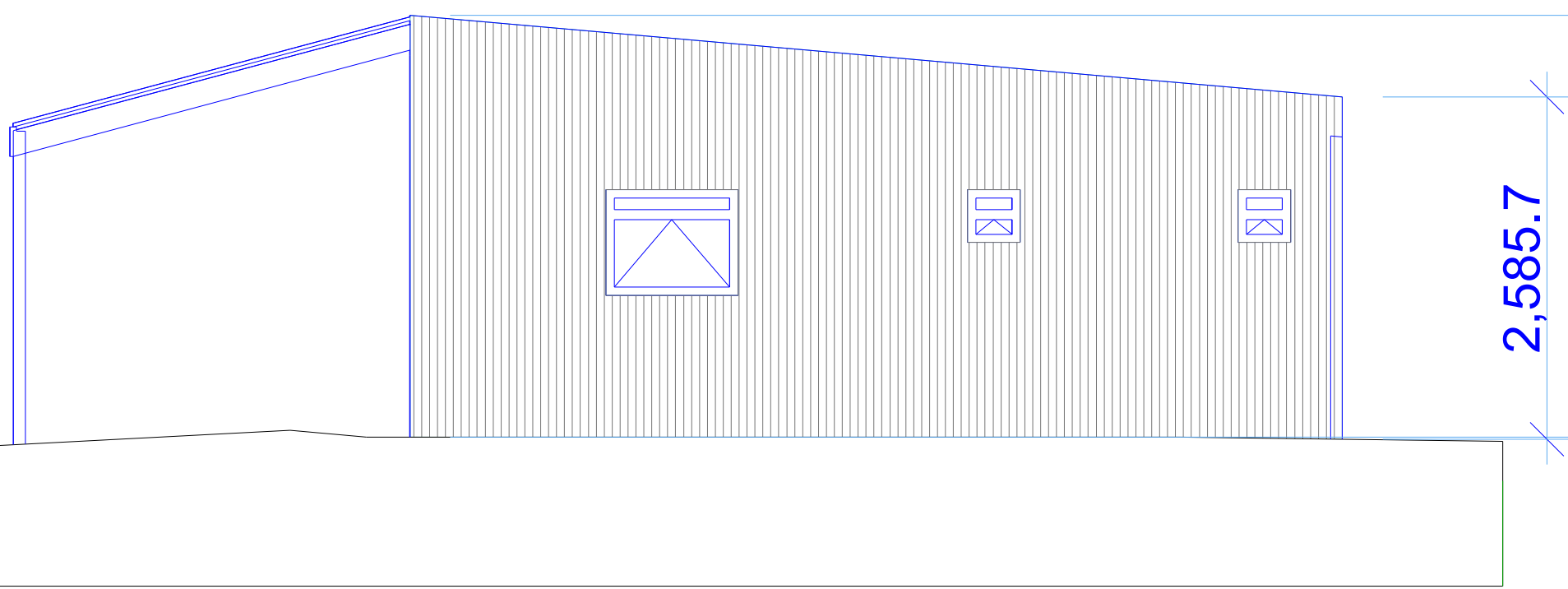
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Zincalume® Roof cladding
LRV Nom. 40

Zincalume® Wall cladding
LRV Nom. 40







3,185.3



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, (<i>Central Coast Interim Planning Scheme 2013</i>).
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. 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.
Assessment comments:	
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. TASMAP Department of Primary Industries, Parks, Water and Environment.
- DPIPWE. (2007, November). Land Capability of Tasmania Dataset. Department of Primary Industries, Parks, Water and Environment.
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- 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

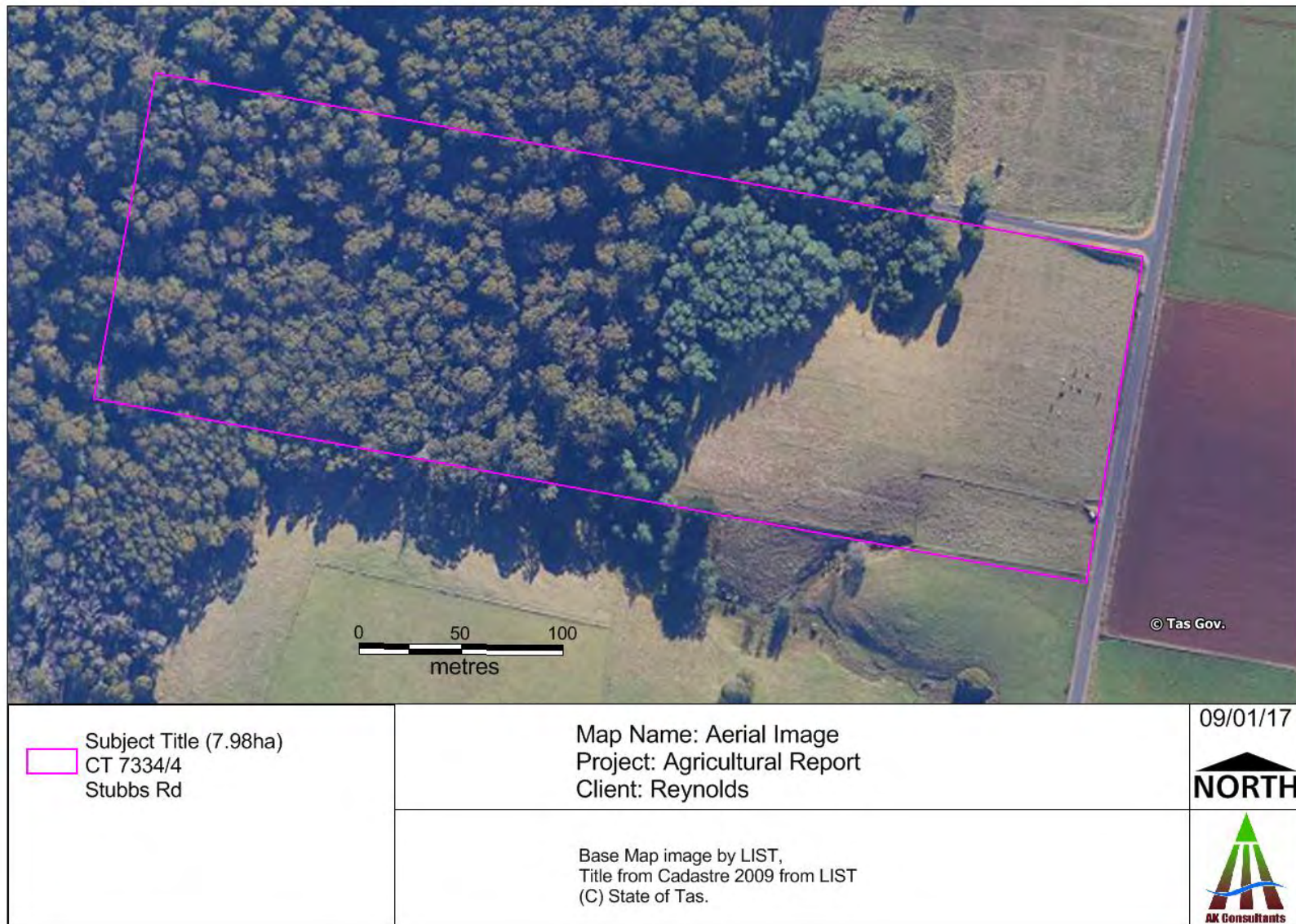


Figure 2. Aerial Image.

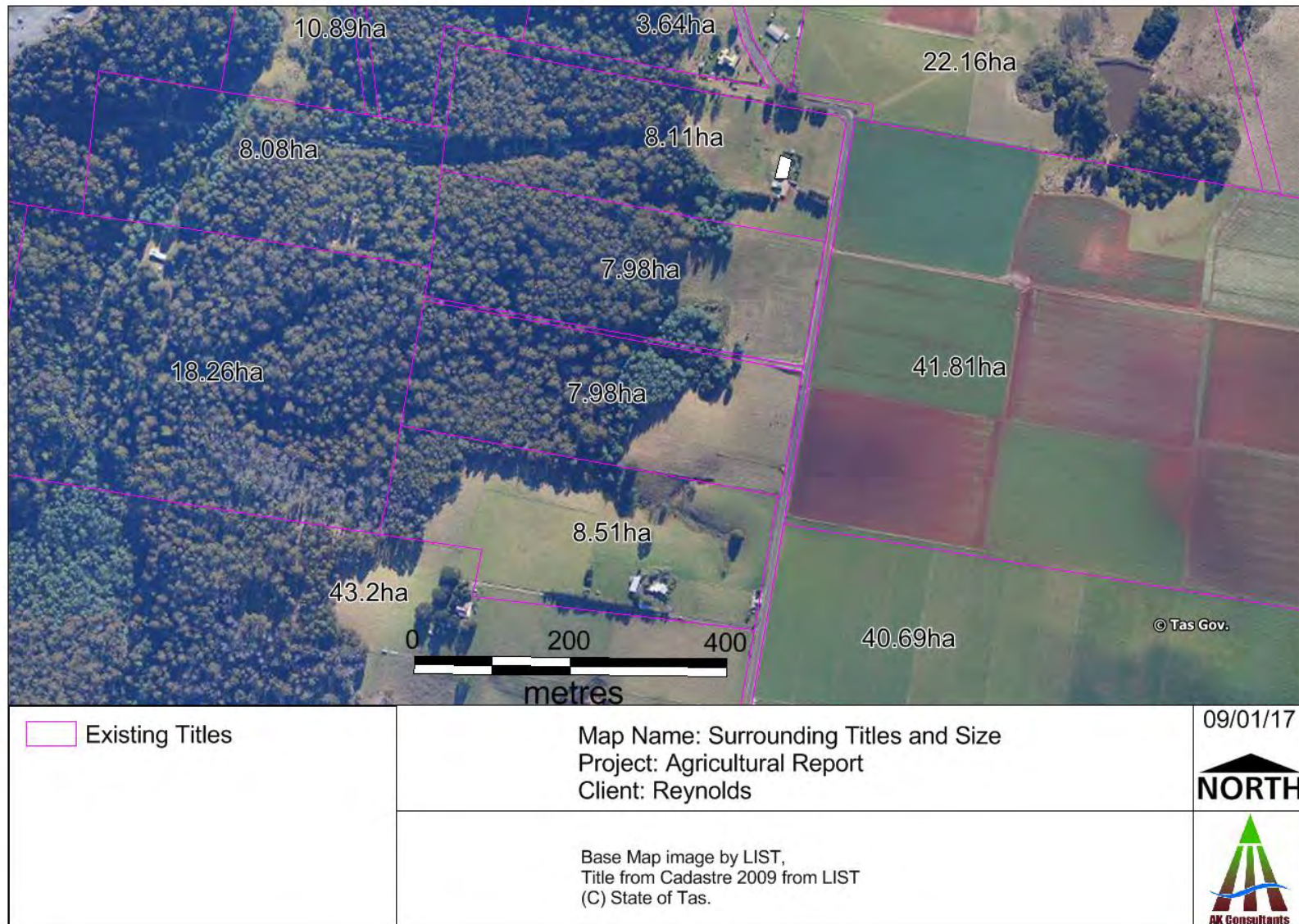


Figure 3. Surrounding Titles.

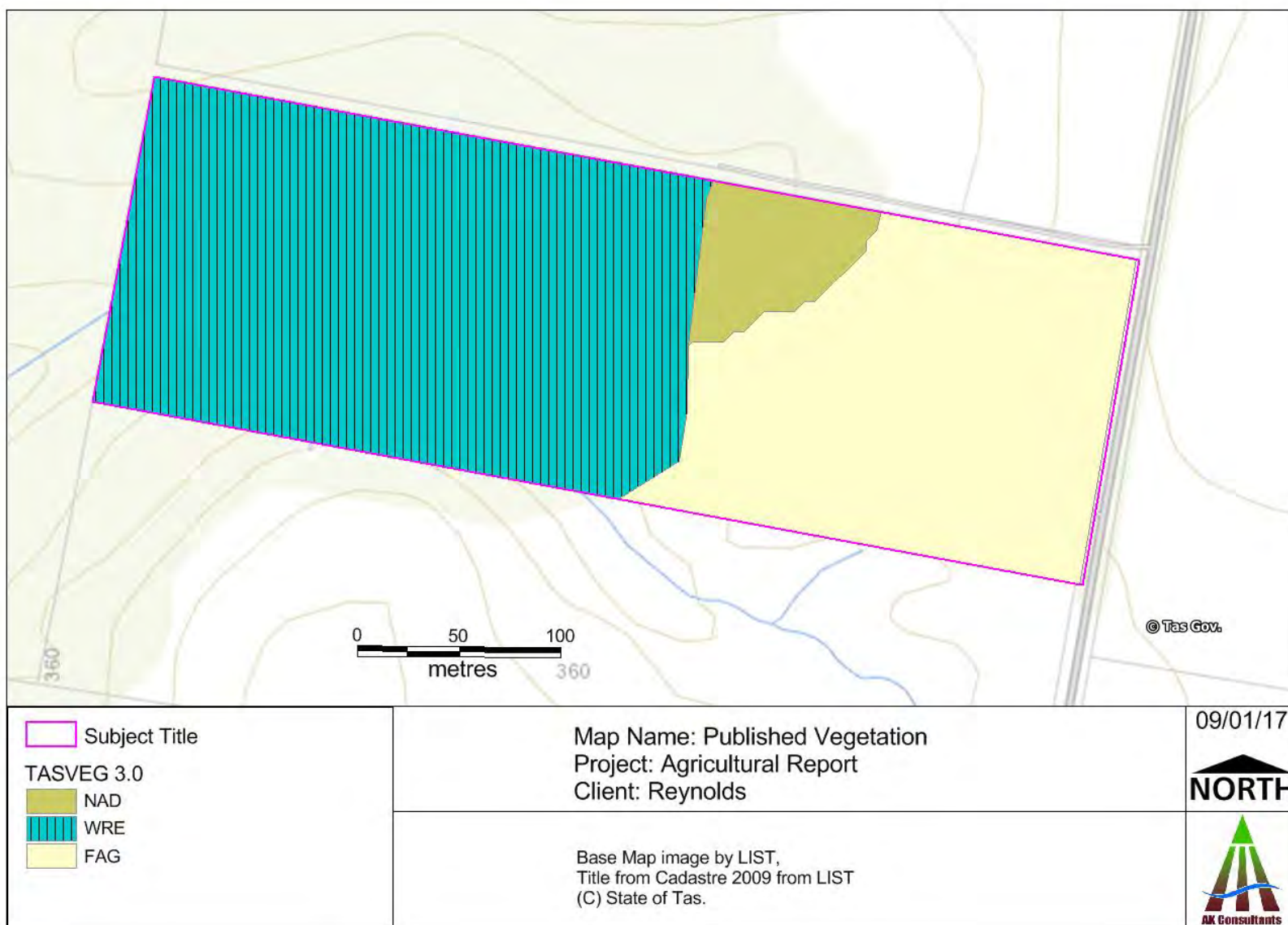


Figure 4. Published Vegetation, TASVEG 3.0

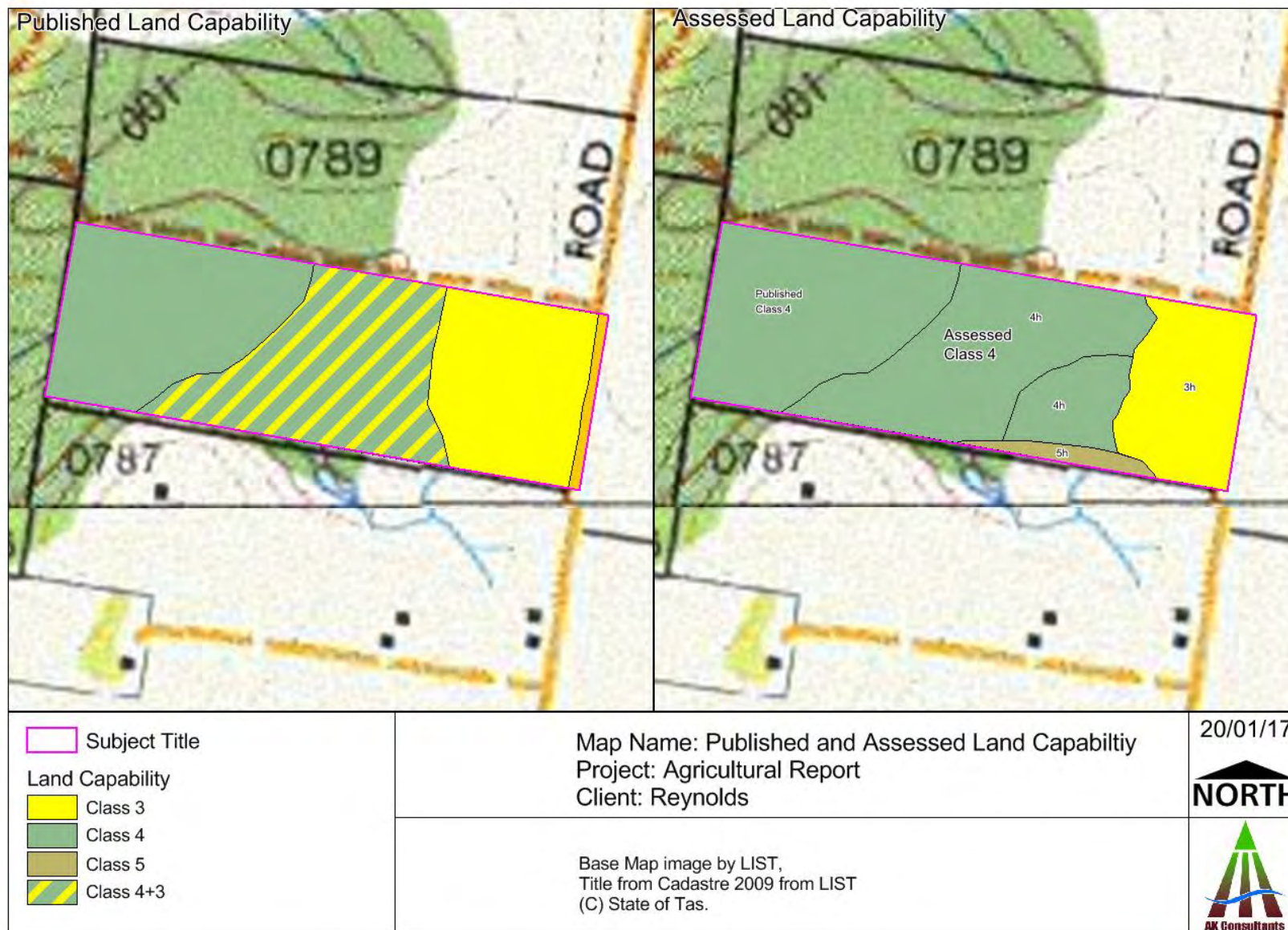


Figure 5. Mapped Land Capability compared to assessed Land Capability.
Agricultural Report

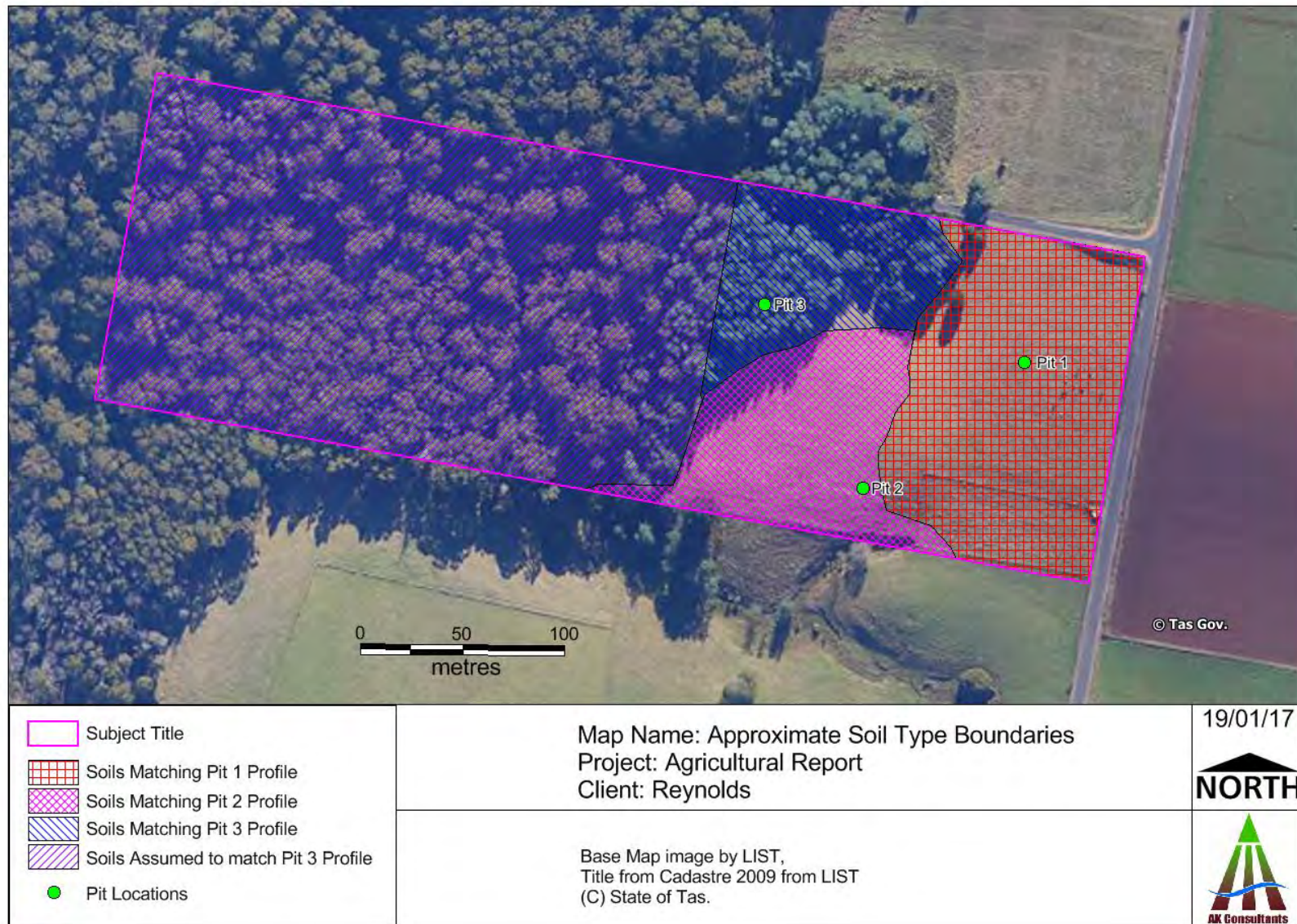


Figure 6. Approximate soil type boundaries and Land Capability described pit locations.



Figure 7. Building Area and proposed access road location.

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 flows. Stock access to waterways. Riparian zone management.
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.
<i>Based on: Smith, RJ (2003) Rural Land Use Conflict: Review of Management Techniques – Final Report to Lismore Living Centres (PlanningNSW).</i>	

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

Johnstone McGee and Gandy Pty Ltd

incorporating Dale P Luck & Associates
(trading as JMG Engineers and Planners)

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

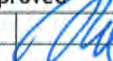
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JMG Project No. J173001PH

Document Issue Status

Ver.	Issue Date	Description	Originator		Checked		Approved	
1	07-02-2017	Onsite Wastewater	CP		CP		RB	

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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 / cobble	Water in hole? Y/N
0-100	2	Sandy Loam	Dark Brown	<5%	No	Weak	<5%	N
100-300	2	Sandy Loam	Dark Brown	<5%	No	Weak	<5%	N
300-500	4	Crumbly Clay with mica (mineral with shiny silky appearance)	Light brown/ yellow mica	20-30%	20- 30mm	Moderate to weak	5-10%	N
500-1000	4	Light crumbly clay with mica	Light brown / yellow	10-20%	10mm Breaks easily	Moderate to weak	5-10%	N
1000-1500	4	Light crumbly clay with mica. Greater Mica content than 500- 1000.	Light brown / yellow	10-20%	No	Moderate to weak	5-10%	N

4. Additional Desktop Information

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

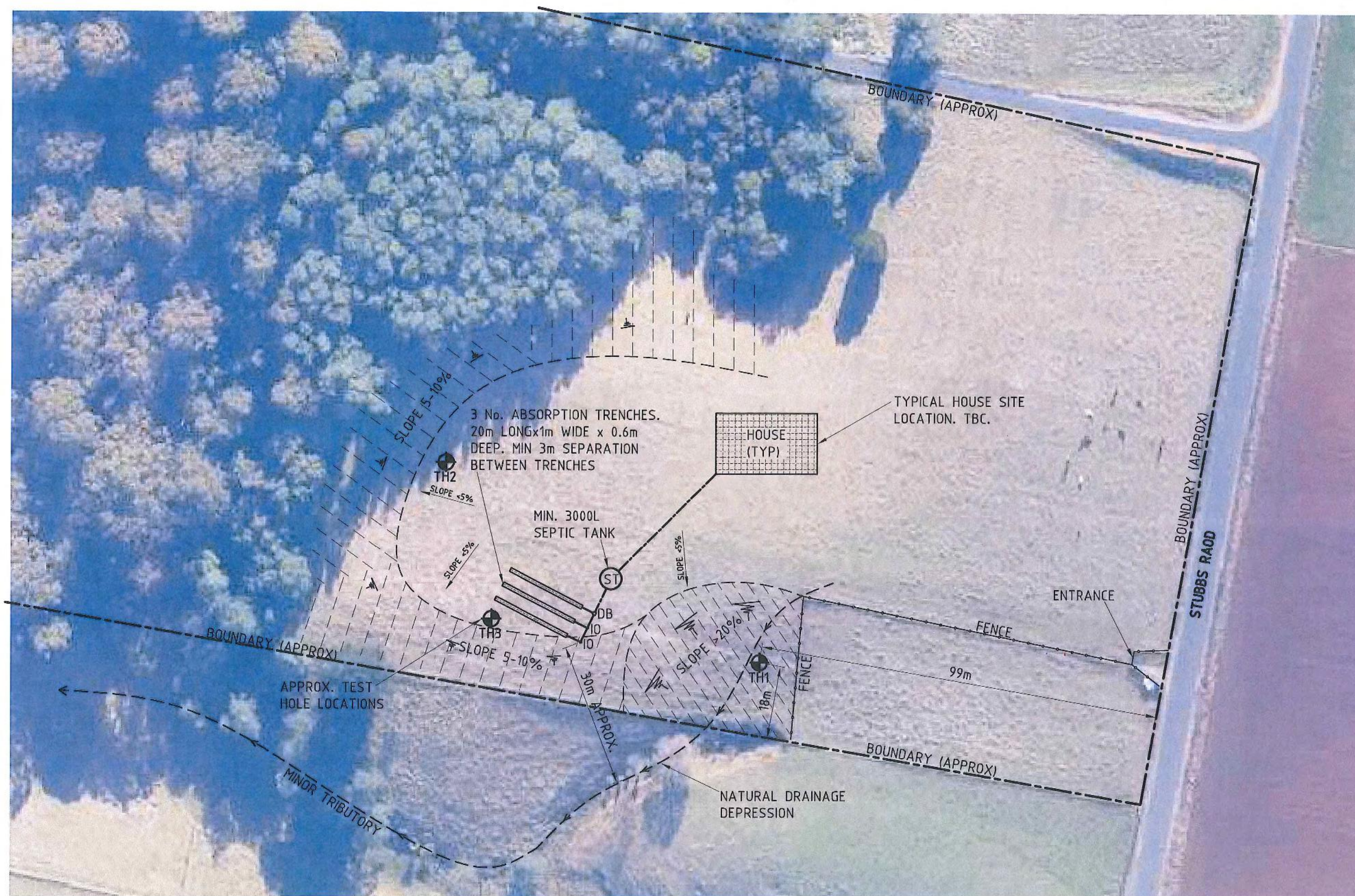
Signed
JOHNSTONE MCGEE AND GANDY



Carmel Parker BSc App
SENIOR ENVIRONMENTAL SCIENTIST

APPENDIX A

Wastewater Design: E01



SITE PLAN
SCALE 1:1000 APPROX

LEGEND

ST SEPTIC TANK
DB DISTRIBUTION BOX
IO INSPECTION OPENING

DRAWING SCHEDULE
FOR THIS PROJECT

DRAWING NO: E01- E02

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The following risks which are unique to this design have been identified:	NIL
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PROJECT
338 STUBBS ROAD, FORTH
PROPOSED WASTE WATER
SYSTEM
TITLE
SITE PLUMBING PLAN

Accepted (Discipline Head)	Date
Accepted CP (Team Leader)	Date 07-02-17
Approved RB (Group Manager)	Date 07-02-17

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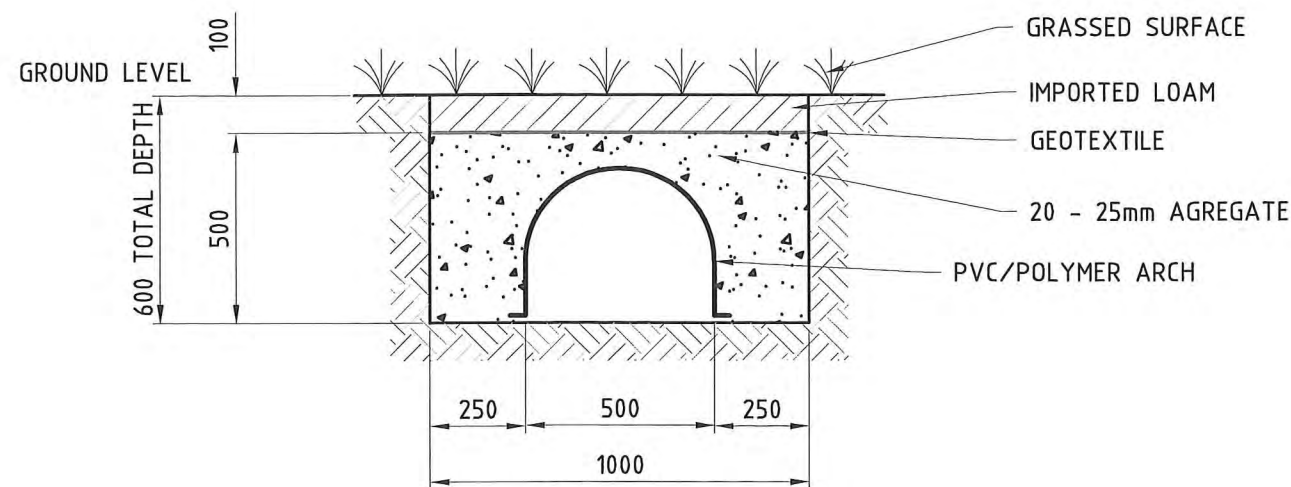
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APPENDIX B

E02 Typical Trench Design



TRENCH DESIGN
SCALE 1:20

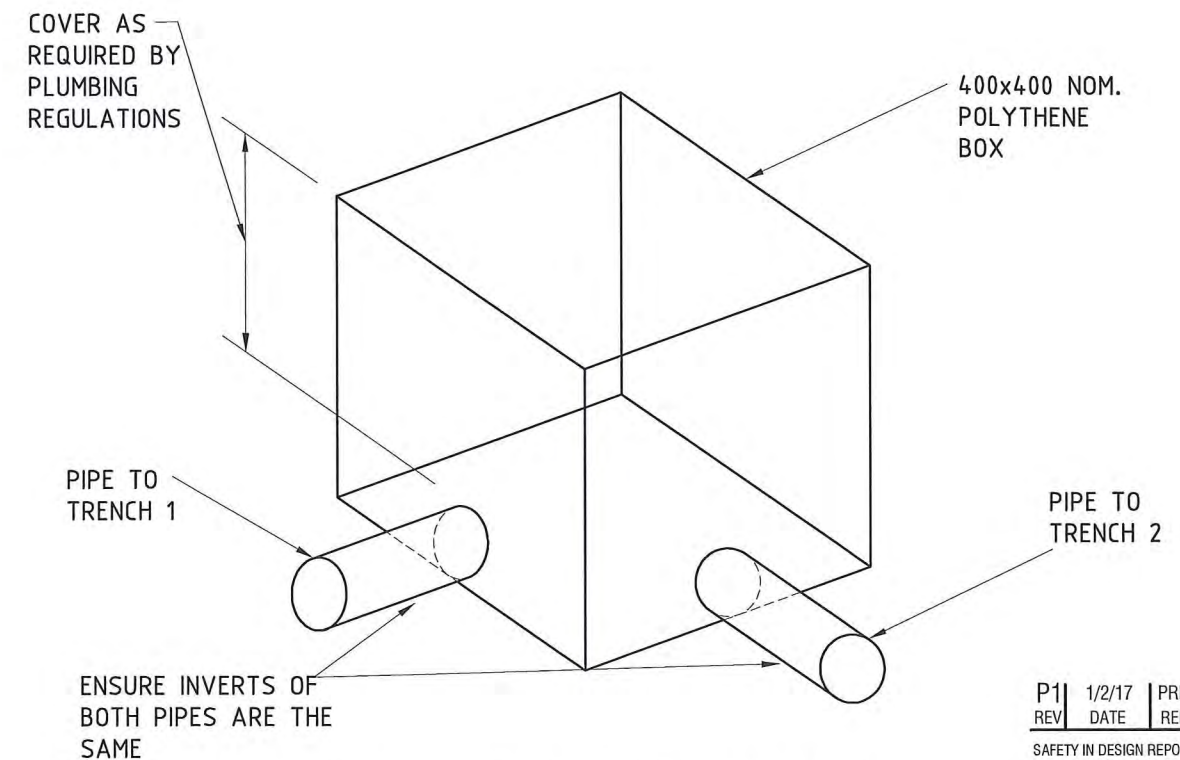
NOTE

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

H-SE XSEC ARCH SINGLE 1.0M WIDE

HYDRAULIC NOTES

1. INSTALL PLUMBING SERVICES IN ACCORDANCE WITH TASMANIAN PLUMBING REGULATIONS 2004, TASMANIAN PLUMBING CODE, AS 3500, AS1547:2000 AND TO LOCAL AUTHORITY APPROVAL.
2. PIPEWORK LAYOUTS ARE DIAGRAMMATIC ONLY.
3. PLACE I.O.'S TO COMPLY WITH STANDARDS, AUTHORITY REQUIREMENTS AND TO FACILITATE INSPECTIONS.
4. PLUMBER IS TO PROVIDE A DISTRIBUTION BOX TO ENSURE THE EFFLUENT EVENLY DOSES THROUGHOUT EACH TRENCH.
5. DISTRIBUTION BOXES MUST BE AUTOMATIC, NOT MANUAL.
6. THE LOCATION OF EXISTING SERVICES WHERE SHOWN ARE APPROXIMATE ONLY AND SHALL BE CONFIRMED ON SITE. WHERE POSSIBLE, DETERMINE LOCATION OF EXISTING TAS NETWORKS, TELSTRA, WATER AND DRAINAGE SERVICES PRIOR TO COMMENCING NEW WORK.
7. SEWER PIPE TO BE uPVC, CLASS SN8.
8. THE PLUMBER SHALL ARRANGE FOR ALL INSPECTIONS AND TESTING OF SERVICES REQUIRED BY THE LOCAL AUTHORITY, PRIOR TO CONCEALMENT.
9. PLUMBER TO PROVIDE AS CONSTRUCTED DRAWINGS AND INFORMATION TO COUNCIL UPON COMPLETION OF WORKS.
10. INSPECTION BY JMG WILL BE COMPLETED UPON REQUEST FROM COUNCIL OR THE OWNER. ANY PRE-COMMISSIONING INSPECTIONS WILL REQUIRE PRIOR APPROVAL FROM THE OWNER.



TYPICAL DISTRIBUTION BOX DETAIL
SCALE 1:10

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PROJECT
338 STUBBS ROAD, FORTH
PROPOSED WASTE WATER
SYSTEM

TITLE
PLUMBING DETAILS AND
NOTES

Accepted (Discipline Head)	Date
Accepted CP (Team Leader)	Date 07-02-17
Approved RB (Group Manager)	Date 07-02-17

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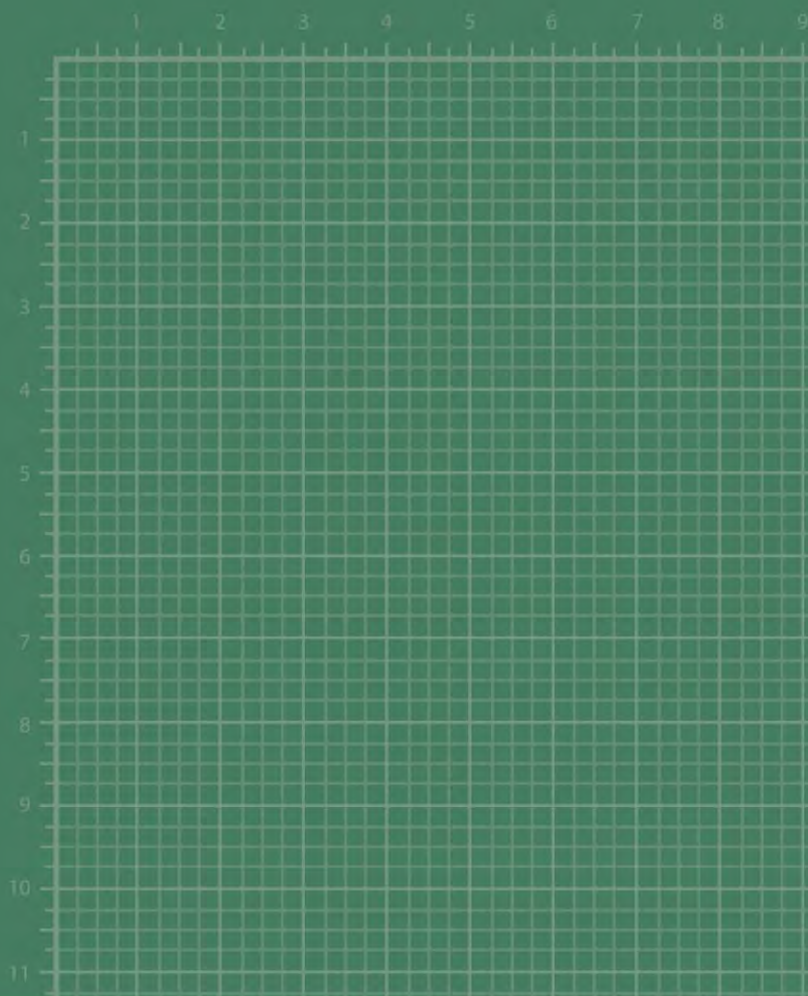
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PRELIMINARY PRINT



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(trading as JMG Engineers and Planners)

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Sight Distance Assessment – 334/4 Stubbs Road Turners Beach

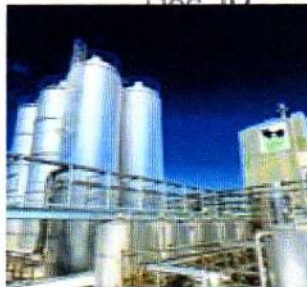
CENTRAL COAST COUNCIL
DEVELOPMENT & REGULATORY SERVICES

Received: 5 JUN 2017

Application No:

transport | community | mining | industrial | food & beverage | carbon & energy

Doc ID:



Prepared for:

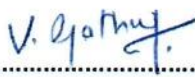
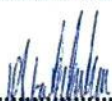

Ian Reynolds

Date:

31 May 2017
Rev00

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Prepared by:	 Goutham Velmurugan	Date: 29 May 2017
Reviewed by:	 Andrew Van Tatenhove	Date: 31 May 2017
Authorised by:	 Andrew Van Tatenhove	Date: 31 May 2017

Revision History					
Rev No.	Description	Prepared by	Reviewed by	Authorised by	Date

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1. Introduction

The site of the proposed residential development at 334/4 Stubbs Rd is located in a rural residential area of Turners Beach. As part of proposed residential development on the site, it is necessary to formalise the existing access to the property. A Traffic Impact Assessment (TIA) is required to determine the suitability of this access. This report addresses that request.

The subject property is outlined in the location plan in Figure 1 below, whilst a general aerial view of Stubbs Road is shown in Figure 2.

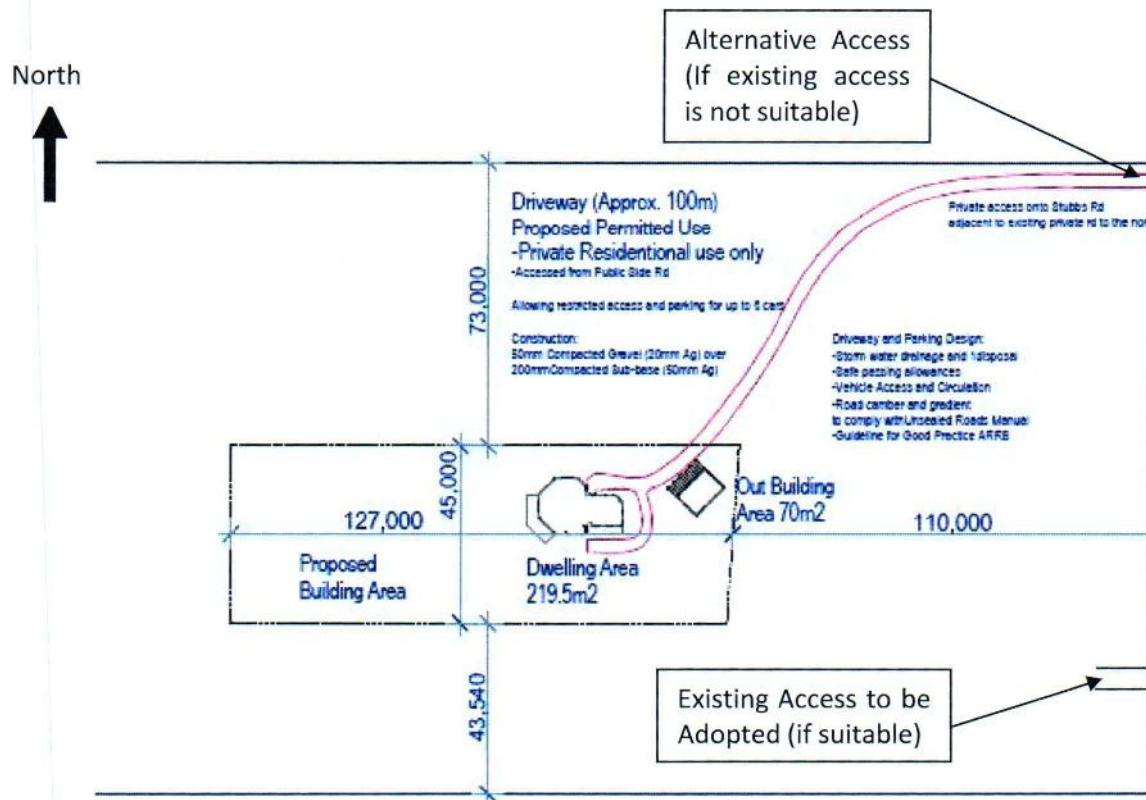


Figure 1 – Proposed development and site access location.



Figure 2 – Aerial view of Property

2. The Development

It has been proposed to develop a residency on the property of 334/4 Stubbs Rd, Turners Beach. As part of a development application for the site, prepared by JMG Engineers and Planners, it has been requested that a TIA be submitted to determine the suitability of the proposed access point for the site.

The proposed access location is shown in Figures 1 & 2 above, and is located towards the southern end of the property, with access from Stubbs Rd. Depending upon the suitability of the proposed access, an alternative location to the northern end of the property, adjacent to an existing right of way will also be investigated.



Figure 3 – Existing property access location.

3. Surrounding Road Details

Stubbs Road is a two lane rural local road, which connects Westella Dr to the north with Kindred Rd to the east and is approximately 5.6 km long. The un-posted speed limit in the vicinity of the property is 100 km/hr.

In the vicinity of the property, Stubbs Rd has a straight horizontal alignment, although there is a large vertical crest located on Stubbs Road at the northern end of the property. Along this crest, the road has a single unbroken road centreline in place.

4. Sight Distance Assessment

Andrew Van Tatenhove and Goutham Velmurugan of **pitt&sherry** undertook a site visit to determine the available sight distances for the proposed access. This investigation was undertaken utilising both the IPWEA/LGAT standard drawing for intersections and domestic property access (TSD-RF01-v1), as well as Australian Standard AS2890.1:2004 Parking Facilities – Off-Street Car Parking, which has provisions for domestic property access. An excerpt from the above mentioned standard drawing detailing the methodology for assessing sight distance is included in Figure 3 below.

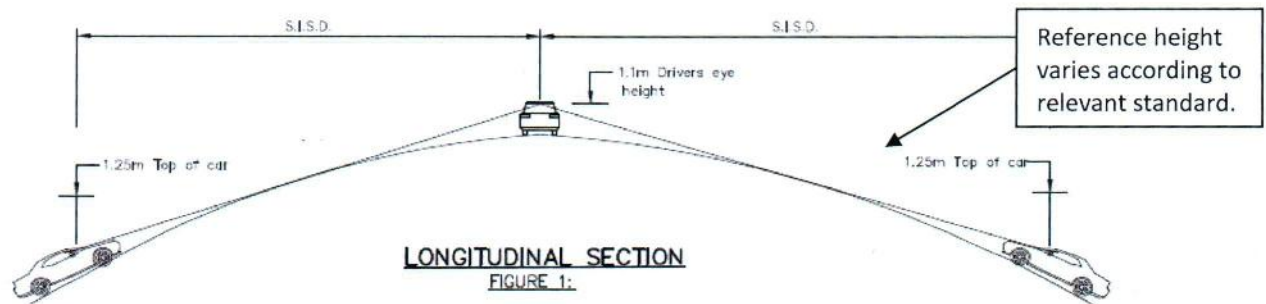
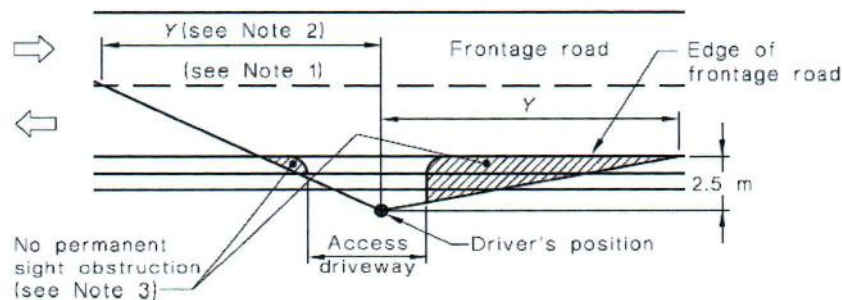


Figure 3 – Excerpts from IPWEA/LGAT Drawing TSD-RF01-v1

It is considered that the sight distance requirements provided in the IPWEA/LGAT standard drawing are more suited to road intersections. However; AS2890.1 Parking Facilities Part 1: Off-Street Car Parking includes provisions for assessing domestic property accesses, and has therefore been adopted as the relevant standard for this application. Figure 3.2 of AS2890.1 is included below, with the assessment of the proposed driveway carried out in accordance with the requirements of this standard.



Frontage Road Speed (Note 1) km/h	Distance (Y) along frontage road m		
	Access driveways other than domestic (Note 3)		Domestic property access (Note 2)
	Desirable 5 s gap	Minimum SSD	
40	55	35	30

50	69	45	40
60	83	65	55
70	97	85	70
80	111	105	95
90	125	130	Use values from 2 nd and 3 rd columns
100	139	160	
110	153	190	

Figure 4 – Sight Distance Requirements at Access Driveways. Source: AS2890.1:2004

NOTES:

1. This is the posted or general speed limit unless the 85th percentile speed is more than 5km/hr above the limit in which case the tabulated speed nearest the 85th percentile shall be adopted.
2. The values in the table apply only to left turn and right turn manoeuvres into two-way roads up to four lanes wide and on-way streets regardless of width, either for a 5 s gap, desirable at lower frontage road speeds, or minimum stopping sight distance based on 2 s reaction time.
3. These distances are based on stopping sight distances with reaction time of 1.5 s for traffic approaching along the frontage road and are applicable to a frontage road speed of up to 80 km/hr only. Wherever practicable sight distance provided at domestic property accesses should meet the values given in the second or third columns of the Table.

Figure 4 outlines the minimum and desirable sight distances depending on the criteria used. For the purposes of the report, the assessment has been carried out for a Domestic Property Access, with the worst case sight distance requirement has been used as a minimum desirable standard.

The sight distances were assessed using a setback of 5m from the centre of the north bound lane, assuming a sight line (driver to object vehicle) between points 1.15m above the road and access surface at the respective vehicle positions. This reference height is in accordance with AS2890.1 which is considered to be the relevant standard but is otherwise similar to figure 3 above.

The un-posted speed limit for Stubbs Rd in the vicinity of the new access is 100km/h, however given the existing road geometry and following several drive-throughs past the proposed access point, it is considered that an appropriate approach speed from the north is 80km/h, whilst an approach speed of 100km/h from the south is appropriate. Both speeds would reflect the upper limit of vehicles passing this access, and have been adopted for this assessment.

Given the nature of the proposed development and existing use of the surrounding properties, it is considered appropriate to assess this access as a domestic property access. For design speeds of 80 & 100km/h, the required sight distance is 95 & 160 metres respectively, in accordance with the reference table in Figure 4 above.

4.1 Assessment and Recommendations

The site inspection determined that the available sight distance to the north was approximately 92m. As shown in Figure 6 below, the available sight distance to the north was limited by the vertical crest of the road. Approach speeds from this direction on an average was recorded to be 80 km/hr, While the maximum approach speed can be as high as 90 km/hr. The sight distance to the north can be increased by shifting the access towards South.

The sight distance to the south was found to be well excess of 200m with an approach speed of 100 km/hr. (refer figure 7).

The unposted speed limit along Stubbs Rd on which the Subject Property borders is 100km/hr. Several drive-throughs past the access were undertaken to determine the 85th percentile vehicle speed on each approach as well as observing several vehicles utilise the road. The approach speed from the north of the property was taken to be 80 km/hr, restricted from a sharp corner on the approach to the site. The southern approach is unimpeded, and as such the unposted speed limit has been adopted.

An alternate proposed access was also considered at the northern end of the property, adjacent to an existing right of way. The sight distance towards the south was limited to 70m due to a vertical crest in the road, whilst the sight distance towards the north was obstructed by a power pole (as shown in figure 9), the alternative access was deemed to be ineffective.

Table 2 outlines the available and required sight distances for a domestic property access based upon the requirements of the Austroads Guide and the Australian Standard AS2890.1:2004, for the nominated approach speeds and site constraints.

Approach Direction	Vehicle Approach Speed	Required Sight Distance (Domestic Property Access)	Available Sight Distance	Equivalent Vehicle Approach Speed
Existing Property Access				
North	80 km/hr	95m	92m	≈ 80 km/hr
South	100 km/hr	160m	> 200m	100 km/hr
North (If moving access 20m towards southern boundary)	80 km/hr	95m	112m	
Alternative Access (at North of Property)				
North	80 km/hr	95m	124m	90 km/hr
South	100 km/hr	160m	70m	70 km/hr

Table 2: Assessment Results

As can be seen in Table 2, the available sight distance at the existing property access was found to be adequate taking into account the posted speed limit of the assessed road and the road geometry. There is sufficient sight distance available to the south, with no obstructions noted, and in the existing access location, the sight distance to the north was found to be marginally OK for the 80km /hr approach speeds, where the sight distance is limited by the vertical crest in the road.

It should be noted that shifting the existing access any distance towards the south did increase the available sight distance by the same amount. For example, shifting the access 20m to the south increases the sight distance by 20m, to a total of 112m. This ensures the access is not only meets the requirements for a Domestic Property Access, but also the requirements for other driveways as well.

The alternative access was found to have inadequate sight distance to the south, as well as having the obstruction of the power pole to the north of the access location which cause some obstruction to the sight distance in that direction, and also create issues with constructing the access in that location. As such, this location is not considered suitable for the property access.



Figure 4 – Northern approach sight distance, viewed from the existing access.



Figure 5 – Southern approach sight distance, viewed from the existing access.

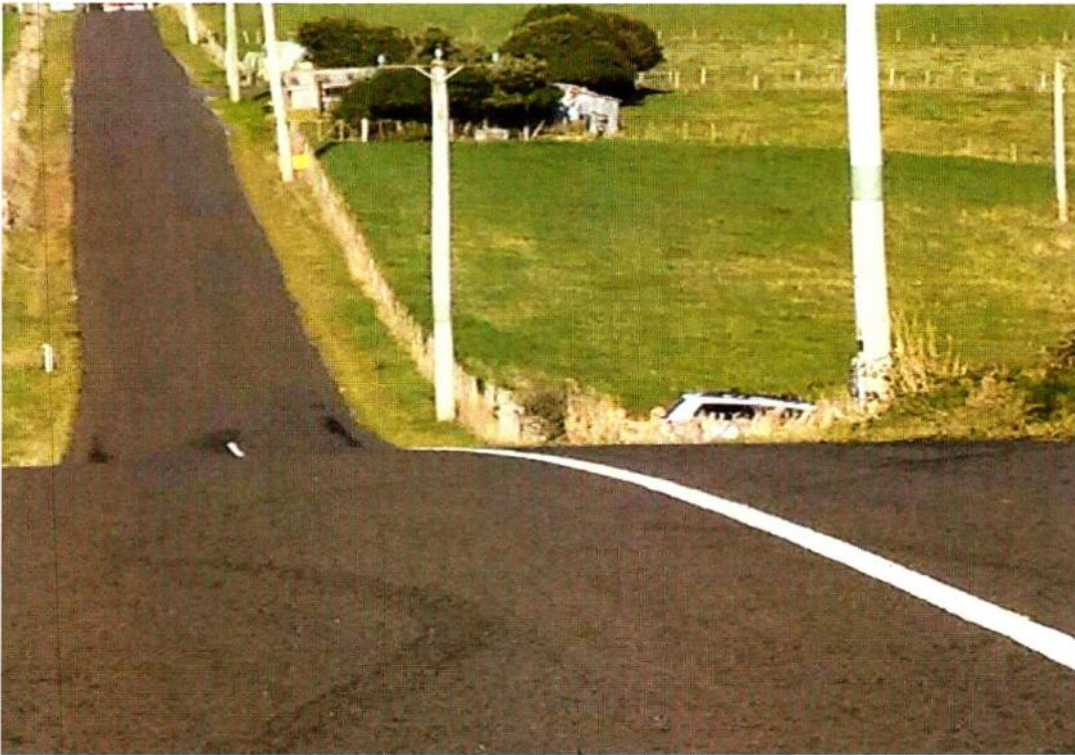


Figure 6 – View approaching from North towards the existing access.



Figure 9– View from alternate approach towards North.

5. Access Considerations

The proposed access location has been assessed in accordance with the requirements of the municipal standard drawings TSD-R03 and TSD-R04, outlining the requirements of driveways and accesses. The road verge and property fall away from the road. Based upon contour information provided by TheLIST.tas.gov.au, it is expected that the grades of this site are expected to comply with the intent of these drawings, however minor earthworks may be required to build up the proposed access location to ensure a smooth transition from the road.

Although drawing TSD-R03 includes a culvert arrangement beneath the driveway access, it is not considered necessary to install a culvert crossing beneath the proposed access, as there are no adjacent roadside drains collecting local stormwater runoff. Any works to install drainage on the western side of the road is likely to involve significant earth works to form up a swale drain, with it likely that the collected runoff is likely to only be directed onto private property further south of the proposed development.

6. Conclusion

The suitability of the existing access at the southern end of the property was assessed against the relevant sight distance requirements. This access was found to have adequate sight distance in both directions, although it should be noted that the sight distance to the north of 92m is marginal for the 80km/hr approach speed limit.

If this is not considered acceptable, the option exists to shift the access closer towards the southern property boundary by up to 25m. Any move of the access has a corresponding increase in the available sight distance. For example, shifting the access 20m to the south results in an increase in available sight distance of 20m, to achieve 112m sight distance. The benefits of this move need to be balanced against the additional costs associated with building up the proposed access from Stubbs Rd.

In any case, it is considered that a suitable property access, in accordance with supplied IPWEA standard drawing details can be established at the southern end of the property.

Installing a new access at the northern end of the property is not suitable, due to the inadequate sight distance over the crest towards the south. In addition, there would be a significant quantity of earthworks that would be required, as well as an existing power pole which might impact on the access arrangement at that location.

Contact

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6424 1641

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transport | community | mining | industrial | food & beverage | carbon & energy



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Church Notices

ALL welcome to a traditional HC Services each Sunday, 9.30 am, 150 Waverley Rd, Don.

ANGLICAN CHURCH DEVONPORT
Sunday June 18th
8.45am St John's HC
10.30am St Paul's HC
Tuesday June 20th
11am St Olave's, Don HC
Wednesday June 21st
10am St John's
PH: 6424 6420



June 18, 2017
Devonport
9.30am Pathway to Life
22 Nicholls Street
Rev. Etienne de Wilzen
www.pathwaytolife.org.au
Penguin
9 am Sanctuary Hill
Christian Fellowship
Main Road, Penguin
Rev. Julian Dykman
Ulverstone
10.30 am Christian
Reformed Church of
Ulverstone
36 John Street
Rev. Julian Dykman

LATROBE BAPTIST
10am, Rev. R. Terry
Phone 6426 1220.

PRESBYTERIAN
Edward St, DEVONPORT
10am Service
Waverley Rd, DON
2pm Service
Rev Andrew Satchell
Enquiries Ph. 6424 7115

PRESBYTERIAN
Main St, ULVERSTONE
10am Bible Centred
Worship followed by
morning tea.
All welcome

Local Government

Church Notices

SASSAFRAS BAPTIST
9.30am Sunday School
10.30am - Gideon's
Service

SHEFFIELD BAPTIST
10.30am
Noel McDonough
5.30 Fellowship Tea
All Welcome

ST DAVID'S
7 Hamilton St, Latrobe
Sunday Worship 5pm
with Philip Lamont
Friday Youth Clubs
Juniors 4pm Seniors 7pm
Bible Study: Monday 7pm
Phone 0417 524 609
Independent Presbyterian

ST JAMES CHURCH
Northdown
9 am Holy Communion
All welcome

Tips on writing a Classified Ad that sells:

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- Make the description clear and factual, include all relevant information.
- State the price. This helps the buyer and saves time with unnecessary calls.
- Include your phone number for a speedy response.
- Use eye catching icons.

The Advocate CLASSIFIEDS
1300 363 789

Local Government



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Ulverstone Tasmania 7315
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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 (non-required dwelling) and outbuilding (shed) - discretionary use and development in Rural Resource zone with variations to setback from agricultural land, development in a proclaimed irrigation district, proximity to a blasting extractive industry and the use of materials with a light reflectance value of less than 40%

Application No.: DA216229

- Location: 17 Henslowes Road, Ulverstone
Proposal: Residential (multiple dwellings x two) - variation to the building envelope, site coverage and private open space, sunlight and overshadowing and privacy standards for all dwellings

Application No.: DA216241

- Location: 64 Queen Street, West Ulverstone
Proposal: Residential (outbuilding carport) - proximity to a Utility

Application No.: DA216250

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 1 July 2017.

Dated at Ulverstone this 15th day of June, 2017.

SANDRA AYTON
General Manager

Local Government

APPLICATION FOR A PLANNING PERMIT

Notice is given that an application has been made for the following discretionary permit:-

- No: 50 2032
- Location: 511 Back Cam Road Somerset
- Applicant: PDA Surveyors obo MR & NM Shaw
- Zoning: Rural Living
- Use Class: Residential
- Proposal: Subdivision (1 into 3 lots)
- Discretionary Matter: Suitability of a site or lot for use or development (13.4.1 P2), Subdivision (13.4.7 P1, P2), Retention of an electricity supply to new lots on a plan of subdivision (13.4.8 P1) & Development in proximity to a water body, watercourse or wetland (E10.6.1 P1)

The application and associated plans and documents will be available for inspection during normal office hours for the exhibition period at the Council Office, Saunders Street, Wynyard or viewed on Council's website: www.warngn.tas.gov.au. Any person who wishes to make representations in accordance with the Land Use Planning and Approvals Act 1993, must do so during the exhibition period. Representations in writing will be received by the General Manager, P.O. Box 168, Wynyard, 7325, email: council@warngn.tas.gov.au by Monday 3 July 2017.

Dated at Wynyard this 17th day of June 2017

Michael Stretton
General Manager
PO Box 168
Wynyard 7325



LATROBE COUNCIL

APPLICATION FOR PLANNING PERMIT

The following application has been received under Section 57 of the Land Use Planning & Approvals Act 1993:

- Application No.: DA 83/2017
- Site: 105 Blacks Road, Wesley Vale
- Proposal: Proposed additional dwelling with reliance on Performance Criteria under the Rural Resource zone provisions (residential use)

The application and associated materials will be available for inspection at the Council office during normal office hours or at www.latrobe.tas.gov.au for a period of 14 days from the date of publication of this notice. During this time any person may make representation in relation to the proposals by letter addressed to the General Manager or email addressed to council@latrobe.tas.gov.au

Dated at Latrobe this 17th day of June 2017.

Gerald Monson
General Manager



Local Government



WEST COAST AQUATIC FACILITIES STRATEGY

West Coast Council have appointed consultants to prepare an aquatic facilities strategy for the region. The Aquatic Strategy will:

- Assess the condition of the existing pools, and review usage, pricing and performance
- Engage with users and the community about future options for aquatic facilities
- Analyse the likely demand for aquatic facilities and services in West Coast
- Present options and a long-term plan for how swimming pools will operate in the future
- Prepare a 1 year and a 3 business plan for the operation of the swimming pools.

Ways to be involved:
Council is seeking input from the broader community and users to determine the future of the existing pools and the future plan for aquatic facilities. In addition to a survey, residents are encouraged to:

- Take a "behind the scenes" look at the pools:
- Rosebery - Thursday 22 June, 4-4.30pm
- Queenstown - Friday 23 June, 10-10.30am
- Zeelan - Friday 23 June, 10-10.30am

Come along to a community meeting:

- Rosebery-Toorak Hawks Clubrooms - Thursday 22 June, 6-8pm
- Queenstown Council Chambers - Friday 23 June 6-8pm
- Zeelan Town Hall - Saturday 24 June 9-11am

Information, including a link to the survey, is available on the project webpage: <http://www.aquaticstrategy.com.au/currentprojects/west-coast>. Participate in the conversation and stay up to date by following the project Facebook page: <https://www.facebook.com/aquaticstrategywestcoast/>. Queries regarding the project can be directed to Council's Executive Assistant on telephone (03) 6471 4721 or email ea@westcoast.tas.gov.au

Dirk Dowling
General Manager
11 Slicht Street (PO Box 63)
QUEENSTOWN TAS 7457

Council working in partnership with its community



Local Government

LATROBE COUNCIL

NOTICE OF PUBLIC MEETING

Notice is hereby given that Latrobe Council will hold a public meeting at the Banksia Centre meeting room, Pitcairn Street, Port Sorell on Wednesday July 19th, 2017 commencing at 7.00pm. The purpose of the meeting is to discuss a petition received seeking a reversal of Council's decision to take over the management of the Port Sorell Caravan Park from the Port Sorell Lions Club. A summary of the petition is available on Council's website: www.latrobe.tas.gov.au

Members of the community are invited to make a written submission in relation to the petition. Submissions are to be lodged with the General Manager, PO Box 63, Latrobe or council@latrobe.tas.gov.au by close of business on Monday 10th July, 2017.

Dated at Latrobe this 17th day of June, 2017.

Gerald Monson
General Manager

TAS203151

KENTISH COUNCIL

APPLICATION FOR PLANNING PERMIT

5.57 Land Use Planning and Approvals Act 1993

Application for the following has been received:

APPLICATION NO: DA 2017/036

PROPOSAL: Shed with reliance on Performance Criteria under the Rural Resource zone provisions (reduced setback)

SITE: 425 Old Paradise Road, Paradise

The application and associated materials will be available for inspection at the Council Office during normal office hours or at www.kentish.tas.gov.au for a period of fourteen (14) days from the date of publication of this notice. During this time, any person may make representation in relation to the proposal by letter, addressed to the General Manager, PO Box 63, Sheffield 7306 or by e-mail to council@kentish.tas.gov.au.

Dated at Sheffield this 17th day of June 2017.

Gerald Monson
GENERAL MANAGER

TAS203152



Public Notices

DARLING RIVER BRIDGE CLOSURE

Council wishes to advise that the Darling River Bridge on Circular Road, Ridgely will be closed to all traffic from Monday, 19 June 2017 until Friday, 23 June 2017 from 7:30am until 4:30pm while the bridgeworks are in progress.

Enquiries can be directed to Wayne Docker, Team Leader - Building and Maintenance on 0438 567 775.

Dated 17 June 2017

Andrew Wardlaw
GENERAL MANAGER

TAS203155

www.burnie.net



DEVONPORT CITY COUNCIL
17 Fenton Way, Devonport TAS 7310
Phone: 03 6424 0511
www.devonport.tas.gov.au

TEMPORARY CLOSURE OF PUBLIC STREETS FENTON WAY, DEVONPORT

The following closures will apply for the conduct of road works, between the hours of 4am and 8:30am on Thursday, 29 June 2017:

- Fenton Way, Devonport - between Best Street and Oldaker Street
- Access to the Fenton Way Car Park will be provided via Oldaker Street during the works period.

Paul West
GENERAL MANAGER

Public Notices

RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL

A final Hearing has been listed for the following matter:

No. & Details	Date of Hearing
117/165 Subdivision to form six (6) lots Grant of permit reliant on assessment against performance criteria - Clause 13.4.1 - Suitability of a site or lot for use or development (P1) & (P5). Clause 13.4.2 - Dwelling Density (P1). Clause 13.4.3 - Location and configuration of development (P2). Clause 13.4.6 - Setback of development for sensitive use (P1) and Clause 13.4.7 - Subdivision (P1) & (P2). 149 West Mooreville Road East Cam	Tue 27 Jun 2017 10.00am Hobart

All hearings listed for Hobart will be heard on Level 6, 144 Macquarie Street, Hobart. Postal Address: GPO Box 2036, Hobart, 7001 e-mail mpat@justice.tas.gov.au

DON'T DRINK AND DRIVE



INVITATION FOR EXPRESSIONS OF INTEREST

HEALTH & ACTIVE LIFESTYLE ADVISORY COMMITTEE

West Coast Council is seeking Expressions of Interest from suitably qualified and experienced individuals with West Coast interests for appointment to Council's Health and Active Lifestyle Advisory Committee.

The primary objective of this advisory committee is to drive forward and enhance health and active lifestyle initiatives for the region, and to make recommendations to Council on critical issues and health and active lifestyle opportunities generally. The committee will meet approximately six times per year, reporting to Council formally each quarter.

Members will be expected to focus on (and represent) the broad interests of the West Coast community, rather than those of any particular individual or organisation(s).

Members will be formally appointed by Council and membership is entirely voluntary.

Expressions of interest must address the Selection Criteria and provide details of the applicant's experience, skills, knowledge and qualifications and how they would apply these to assist in the Committee's functions as outlined in the Health and Active Lifestyle Advisory Committee Charter.

The charter, as well as further information, can be obtained by contacting the committee Secretariat, Simon Lee on 0419 390 912 or via email ecodev@westcoast.tas.gov.au

Expressions of interest should be forwarded to: Health and Active Lifestyle Advisory Committee Selection Panel, PO Box 63 Queenstown Tas 7467.

Expressions of interest close 5pm Monday 10 July 2017.

TAS203158



DEVONPORT CITY COUNCIL
17 Fenton Way, Devonport TAS 7310
Phone: 03 6424 0511
www.devonport.tas.gov.au

APPLICATION FOR PLANNING PERMIT

A planning application has been made for the following proposals:

- Application No: PA2017.0056
- Proposal: Residential (multiple dwellings x 2) - assessment against performance criteria for setbacks and building envelope and Traffic Generating Use and Parking Code

Address: 3 Jabez Drive, Devonport

- Application No: PA2017.0057
- Proposal: Residential (multiple dwellings x 2) - assessment against performance criteria for setbacks and building envelope, privacy and Traffic Generating Use and Parking Code

Address: 4 Jabez Drive, Devonport

- Application No: PA2017.0079
- Proposal: Residential (garage) - assessment against performance criteria for setback and building envelope

Address: 18 Devonport Road, Quoiba

- Application No: PA2017.0081
- Proposal: Residential (shed) - assessment against performance criteria for setbacks and building envelope

Address: 31 Swilkin Drive, Spreyton

The applications can be viewed at the Council offices or on Council's website. Section 57(5) of the Land Use Planning and Approvals Act 1993 provides that representations can be made in writing to the undersigned at PO Box 604, Devonport or council@devonport.tas.gov.au by close of business on 03 July 2017.

Paul West
GENERAL MANAGER

Annexure 3



Aerial View - CT7334/4 Stubbs Road, Forth



CT7334/4 Stubbs Road, Forth



CT7334/4 Stubbs Road, Forth



Neighbouring Class 2 land to CT7334/4 Stubbs Road, Forth



Neighbouring Class 2 land to CT7334/4 Stubbs Road, Forth



Land adjoining CT7334/4 Stubbs Road, Forth

Annexure 4

21 June 2017

Our ref.: DA216229, paa:kaa

Doc ID:

Ms Frances Beasley
JMG Engineers and Planners
117 Harrington Street
HOBART TAS 7000

Dear Ms Beasley

LOCAL GOVERNMENT (HIGHWAYS) ACT 1982 AND URBAN DRAINAGE ACT 2013
STATEMENT OF COMPLIANCE FOR VEHICULAR ACCESS AND DRAINAGE ACCESS
DWELLING AND OUTBUILDING (SHED) – STUBBS ROAD, FORTH (CT7334/4)

I refer to your application DA216229 for a dwelling and outbuilding (shed) at Stubbs Road, Forth, and based on the information supplied with the application make the following determination in respect to vehicular access and disposal of stormwater.

Access can be provided to the road network for the property at Stubbs Road, Forth (CT7334/4) subject to the following:

- R1 A new access to the property may be located on the Stubbs Road frontage in the position recommended in the Pitt & Sherry (Operations) Pty Ltd report "Sight Distance Assessment – 334/4 Stubbs Road Turners Beach" of 31 May 2017, being some 20 – 25m south of the existing gravel access;
- R2 The position of the new access to the property on the Stubbs Road frontage must be set out on-site by Pitt & Sherry (Operations) Pty Ltd;
- R3 A Pitt & Sherry (Operations) Pty Ltd representative or a suitably qualified person must certify that the new access to the property has been constructed in accordance with the Pitt & Sherry Pty Ltd report "Sight Distance Assessment – 334/4 Stubbs Road Turners Beach" of 31 May 2017, and Standard Drawings TSD-R03-v1 Rural Roads – Typical Property Access and TSD-R04-v1 Rural Roads – Typical Driveway Profile (copies enclosed);
- R4 The existing gravel access must be removed;
- R5 A separate conditioned approval from the Council acting in its capacity as the Road Authority will be required for any works or activity in the road reservation, and must be arranged prior to any work associated with the development being undertaken. Please contact the Council's Public Safety Coordinator on 0419 103 887;

- R6 Any damage or disturbance to roads, verges or roadside drains resulting from activity associated with the development must be rectified;
- R7 All works or activity listed above shall be completed to the satisfaction of the Council's Director Infrastructure Services or his representative;
- R8 All works or activity listed above shall be at the developer's/property owner's cost.

Access cannot be provided to the Council's stormwater network for the property at Stubbs Road, Forth. The disposal of concentrated stormwater drainage from buildings and hard surfaces should be contained on-site and be dealt with by in-ground absorption, unless otherwise required and/or approved by the Council's Regulatory Services Group Leader or his representative.

This 'Statement of Compliance' is not an approval to work on any access or work in the road reservation, nor is it a planning permit for the dwelling and shed. This 'Statement of Compliance' is valid for a period of 2 years from the date of this letter.

A copy of this 'Statement of Compliance' has been provided to the Council's Land Use Planning Group for consideration with planning permit application DA216229.

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

Yours sincerely

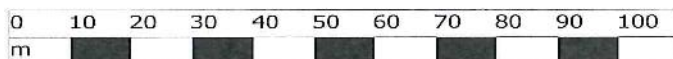
Philip Adams
ENVIRONMENTAL ENGINEER
Encl.

Administrative Assistant – Planning
Regulatory Services Administration Officer
Public Safety Coordinator

Ian Reynolds
isgi_reynolds@internode.on.net

A COPY FOR YOUR INFORMATION

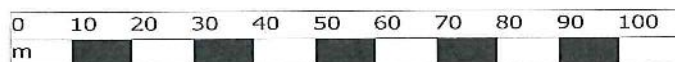
Tidalbank Avenue



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Page: 26

Sue Napier Drive



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Asset Management Policy

April 2017

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PURPOSE

The Asset Management Policy supports Council's vision and strategic objectives, set guidelines for implementing consistent asset management processes throughout the Central Coast Council to manage assets so they provide the appropriate level of service to meet the community's needs and expectations in a financially sustainable manner.

To achieve this the Council recognises that assets must be planned, provided, maintained and refurbished so that they continue to meet the service delivery needs of the community, within the context of providing best value to the community.

OBJECTIVE

To provide and promote a constructive environment for undertaking asset management in such a way as to:

- . Ensure that the Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to residents, visitors and the environment.
- . Safeguard the Council's assets including physical assets and employees by implementing appropriate asset management strategies and appropriate financial resources for those assets.
- . Create an environment where all Council employees take an integral part in overall management of the Council's assets by creating and sustaining asset management awareness throughout the organisation by training and development.
- . Ensure compliance with legislative requirements for asset management.
- . Ensure resources and operational capabilities are identified and responsibility for asset management is allocated.
- . Demonstrate transparent and responsible asset management processes that align with demonstrated best practice.
- . Continuous improvement and to seek innovative ways of meeting service delivery requirements.
- . Ensure risk management is considered.

Another purpose of the policy is to define the principles upon which the Council will consider asset issues within its decision making process and to clarify the roles and responsibilities within the organisation for asset management.

SCOPE

This policy applies to all Council activities.

POLICY

- . The Council is committed to implementing a systematic asset management methodology in order to apply appropriate asset management best practice across all areas of the organisation. This includes ensuring that assets are planned, created, operated, maintained, renewed and disposed of in accordance with the Council's priorities for service delivery.
- . The Council owns and uses approximately \$481million (2012/2013) of non-current assets to support its core business of delivery of service to the community.
- . Asset management practices impact directly on the core business of the organisation and appropriate asset management is required to achieve our strategic service delivery objectives.
- . The Council will ensure that the Long-term Financial Plan reflects the Asset Management Plans.
- . The Council will plan for climate change adaptation and mitigation in the preparation of Asset Management Plans.

DEFINITIONS

Asset – a fixed asset that is controlled by the Council for the purpose of satisfying a service potential or enabling the Council to meet its corporate objectives.

Asset Management – combined, financial, economic, engineering and social planning management as applied to fixed assets.

Risk – probability and consequence of an event that could impact on the Council's ability to meet its corporate objectives.

Maintenance – all actions necessary for retaining an asset as near as practical to its original condition.

Rehabilitation – works to rebuild or replace parts or components of an asset to restore it to a required functional condition and extend its life.

Renewal – works to upgrade, refurbish or replace existing assets of equivalent capacity or performance capability.

Whole of Life – total cost of an asset throughout its life including planning, design, construction acquisition, operation, maintenance, renewal/ rehabilitation and disposal.

PRINCIPLES

Asset Management – objective is to meet the required level of service, in the most effective and efficient manner now and into the future.

Level of Service – meeting community expectations in relation to the quality and quantity of services delivered by the Council. In the context of asset management, this applies to the following asset classes: roads, bridges, sewerage, water supply, parks and recreation, waste management, buildings and facilities, stormwater, footpaths.

Whole of Life – when considering new assets whole of life funding needs to be allocated for the complete lifecycle of the asset.

Renew before New – emphasise integrating services while maintaining/upgrading/replacing existing assets rather than adding new asset to the Council's inventory, unless otherwise justified.

Financial Management – provide financial information in a responsible manner and in accordance with Australian accounting Standards and the Auditor Generals requirements.

Risk Management – the allocation of resources for and the setting of priorities for asset management practices will include a risk assessment.

CORPORATE FRAMEWORK

The Council's Asset Management Policy complements and builds upon the Council's Strategic Plan with its continued implementation and more formalised approach to asset management, principles and methodology, the Council will achieve significant benefits including:

- . A whole-of organisation approach to asset management;
- . Clear direction and responsibility for Asset Management;
- . A guide to better and more informed decision-making by Council, staff and community;
- . Integration of resources and knowledge and ability to plan for the present and future generations;
- . A framework to implement continuous improvement in Asset Management;
- . Meeting of community needs and expectations;
- . Management of the Council's risk;
- . Achievement of better resource efficiency through the use of integrated systems; and
- . Compliance with State and Federal legislation.

In developing this policy the Council recognises the importance of Infrastructure assets to its community as:

- . They are vital to the performance and growth of the local, state and national economy;
- . The quality of assets effects every member of the community and is critical to the community's living standards;
- . Decisions today impact on future generations;
- . Infrastructure assets represent a large community investment; and
- . The Council has limited financial resources therefore it is imperative that these limited funds are spent wisely.

RESPONSIBILITY

The Council:

- . This policy is enacted through the Council, as custodians of the community assets, to demonstrate the organisation's commitment to the Council's vision and strategic objectives through an integrated and resourced asset management framework, set of processes and practices.

The Asset Management Team:

- . The function of the team is to overview the implementation of this policy and to provide the strategic direction for Asset Management. The Core function of the team is to ensure the needs and obligations of the Council are being fulfilled on behalf of the community.

The Asset Management Team consists of the following:

- . General Manager
- . Director Community Services
- . Director Infrastructure Services
- . Director Organisational Services
- . Asset and Facilities Group Leader
- . Finance Group Leader

STANDARD (INCLUDING RELEVANT LEGISLATION)

This Asset Management Policy has been developed in accordance with the International Infrastructure Management Manual 2015 and associated documents, and the National Asset Management Strategy (NAMS).

Local Government (Content of Plans and Strategies) Order 2014

REVIEW

This policy will be reviewed every three years, unless organisational and legislative changes require more frequent modification.

RELATED DOCUMENTS

- . Central Coast Council Strategic Plan 2014–2024
- . Corporate Folder
- . Risk Management Policy

Sandra Ayton
GENERAL MANAGER
13 June 2017



SCHEDULE OF CONTRACTS AND AGREEMENTS
(Other than those approved under the Common Seal)
Period: 1 to 30 June 2017

Contracts

- . Contract for sale of real estate
Adrian Smith and Central Coast Council
Property at 12 King Edward Street, Penguin

Agreements

- . Tenancy Agreement
Unit 1 Cooida Court
35-37 Main Street, Ulverstone
- . Lease Agreement
Grazing land
Property at South Road, West Ulverstone

Cor Vander Vlist
ACTING GENERAL MANAGER



CENTRAL COAST COUNCIL

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

Period: 20 June 2017 to 17 July 2017

Documents for affixing of the common seal

Nil

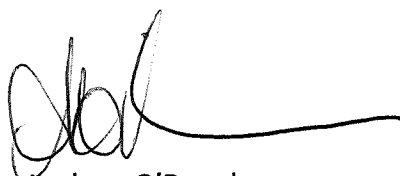
Final plans of subdivision sealed under delegation

Final Plan of Survey
50 Reibey Street & 3 Wongi Lane, Ulverstone
(Ulverstone Club – subdivision – amalgamation of Titles)
Application No. DA216162

Cor Vander Vlist
ACTING GENERAL MANAGER

**A SUMMARY OF RATES & FIRE SERVICE LEVIES
FOR THE PERIOD ENDED 30 JUNE 2017**

	2015/2016		2016/2017	
	\$	%	\$	%
Rates paid in Advance	- 837,326.01	-5.95	- 892,195.10	-6.17
Rates Receivable	295,911.64	2.10	228,216.09	1.58
Rates Demanded	14,561,987.40	103.39	15,038,148.67	103.97
Supplementary Rates	63,406.43	0.46	89,226.51	0.62
	14,083,979.46	100.00	14,463,396.17	100.00
Collected	13,233,626.32	93.96	13,679,705.21	94.58
Add Pensioners – Government	874,602.23	6.21	888,784.68	6.15
Pensioners – Council	34,300.00	0.24	35,105.00	0.24
	14,142,528.55	100.41	14,603,594.89	100.97
Remitted	56,536.20	0.40	934.40	0.01
Discount Allowed	548,893.72	3.90	585,367.13	4.05
Paid in advance	- 892,195.10	-6.33	- 989,341.98	-6.84
Outstanding	228,216.09	1.62	262,841.73	1.81
	14,083,979.46	100.00	14,463,396.17	100.00



Andrea O'Rourke
ASSISTANT ACCOUNTANT

3-Jul-2017

Works Program 2016-2017

(Schedule indicates site construction only)

[illegible]

Works Program 2016-2017

(Schedule indicates site construction only)

[illegible]

Works Program 2016-2017

(Schedule indicates site construction only)

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