
Minutes of an ordinary meeting of the Central Coast Council held in the Council Chamber at the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 17 December 2018 commencing at 6.00pm.

Councillors attendance

Cr Jan Bonde (Mayor)
Cr John Beswick
Cr Casey Hiscutt
Cr Tony van Rooyen

Cr Garry Carpenter (Deputy Mayor)
Cr Cheryl Fuller
Cr Annette Overton
Cr Philip Viney

Apologies

Cr Amanda Diprose

Employees attendance

General Manager (Ms Sandra Ayton)
Director Community Services (Mr Cor Vander Vlist)
Director Infrastructure Services (Mr John Kersnovski)
Director Organisational Services (Mr Bill Hutcheson)
Executive Services Officer (Mrs Lou Brooke)
Land Use Planning Group Leader (Ms Mary-Ann Edwards)

Media attendance

The media was not represented.

Public attendance

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

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

329/2018 Confirmation of minutes

The Executive Services Officer reported as follows:

“The minutes of the previous ordinary meeting of the Council held on 19 November 2018 have already been circulated. The minutes are required to be confirmed for their accuracy.

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

- Cr Viney moved and Cr Hiscutt seconded, “That the minutes of the previous ordinary meeting of the Council held on 19 November 2018 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

330/2018 Council workshops

The Executive Services Officer reported as follows:

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

- . 26.11.2018 – Anti-Discrimination Training (Equal Opportunity Tasmania)
- . 03.12.2018 – FOGO and rural waste management
- . 10.12.2018 – Public Open Space Contributions Policy; Public Open Space Policy; Playground Policy; Statewide Planning Scheme update.

This information is provided for the purpose of record only.”

- Cr Beswick moved and Cr Overton seconded, “That the Officer’s report be received.”

Carried unanimously

MAYOR'S COMMUNICATIONS

331/2018 Mayor's communications

The Mayor reported as follows:

"I will adjourn the meeting for Mr John Gilles – President of the Ulverstone Returned Services League, to present a Certificate of Appreciation recognising Council support of the branch and in celebrating the Centenary of the signing of the WWI Armistice on 11 November 2018.

Secondly, I present the Council's award for the most blood donations of a Council in Tasmania from participating in the Australian Red Cross Blood Donation – Red 25 Blood Challenge in 2018."

The meeting adjourned at 6.03pm and resumed at 6.06pm.

332/2018 Mayor's diary

The Mayor reported as follows:

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

- . Cradle Coast Authority – Annual General Meeting and Representatives Group meeting (Burnie)
- . Ulverstone History Museum – visited WWI Centenary of Armistice exhibition: 'One of Many'
- . Council–community morning tea – Riana, South Riana, West Pine, Cuprona and Camena districts (Pioneer Park Lodge)
- . Switch Tasmania (Cradle Coast Innovation) – Strategic Planning workshop
- . Cradle Coast Authority – farewell for CEO Brett Smith (Burnie)
- . Switch Tasmania (Cradle Coast Innovation) – Board meeting
- . Dementia–Friendly Central Coast – Council Roundtable Working Group meeting
- . Radio community reports
- . Council Annual General Meeting
- . TasWater – Owners' Representatives Group – (Statewide) Annual General Meeting and General Meeting (Riverside)
- . New Mornings – Celebratory Garden Party
- . Leven Yacht Club – Mayor's Magnificence Perpetual Trophy presentation
- . Ulverstone History Museum and Ulverstone and Penguin Visitor Centres – Volunteer Pre–Christmas luncheon

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- . Cradle Coast Authority – meeting re Regional Futures Plan
 - . Local Government Association of Tasmania – Mayors’ Workshop and Mayors’ Dinner (Launceston)
 - . Local Government Association of Tasmania – General Meeting (Launceston)
 - . Penguin Christmas Parade – judging of floats
 - . Cradle Coast Mountain Bike Club – official opening of Stage 1 of the Mount Montgomery Loop
 - . Ulverstone Senior Citizens Club – Christmas dinner
 - . RAAF Association, North-West – Christmas function (Devonport)
 - . Local Government Association of Tasmania – General Management Committee meeting (Hobart)
 - . Premier’s Local Government Council – meeting (Hobart)
 - . Premier’s Local Government Council – Christmas drinks (Hobart)
 - . Local Government Association of Tasmania – General Management Committee Christmas dinner (Hobart)
 - . Cradle Coast Authority – Representatives Election Priority Discussion
 - . Mersey-Leven Emergency Management Committee – meeting
 - . North West Christian School – Presentation Night
 - . Premier’s Christmas Lunch (Devonport)
 - . Cradle Coast Authority and Cradle Coast Tourism Industry – Christmas afternoon tea and networking event (Burnie)
 - . Central Coast Community Men’s Shed – Christmas function
 - . Switch Tasmania (Cradle Coast Innovation) – Christmas breakfast
 - . Ulverstone Municipal Band – Christmas Concert.”

The Deputy Mayor reported as follows:

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

- . Ulverstone Red Cross – afternoon tea to celebrate 100th birthday of oldest member Maisie Pyke.”

Cr Overton reported as follows:

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

- . Ulverstone Ladies Probus Club – Christmas lunch.”

■ Cr Fuller moved and Cr Viney seconded, “That the Mayor’s, Deputy Mayor’s and Cr Overton’s reports be received.”

Carried unanimously

333/2018 Declarations of interest

The Mayor reported 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 reported 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.”

No interests were declared at this time.

334/2018 Public question time

The Mayor reported 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).”

COUNCILLOR REPORTS

335/2018 Councillor reports

The Executive Services Officer reported 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.”

Cr Overton reported on a recent meeting of Central Coast Chamber of Commerce and Industry.

Cr Hiscutt reported on recent meetings of the Penguin Surf Life Saving Club and Slipstream Circus.

Cr Carpenter reported on the Caves to Canyon Tourism Association.

APPLICATIONS FOR LEAVE OF ABSENCE

336/2018 Leave of absence

The Executive Services Officer reported 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.”

DEPUTATIONS

337/2018 Deputations

The Executive Services Officer reported as follows:

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

PETITIONS

338/2018 Petitions

The Executive Services Officer reported as follows:

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

COUNCILLORS' QUESTIONS

339/2018 Councillors' questions without notice

The Executive Services Officer reported as follows:

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

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

- (a) of the chairperson; or
- (b) through the chairperson, of –
 - (i) another councillor; or
 - (ii) the general manager.

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

- (a) offer an argument or opinion; or
- (b) draw any inferences or make any imputations –

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

(3) The chairperson of a meeting must not permit any debate of a question without notice or its answer.

(4) The chairperson, councillor or general manager who is asked a question without notice at a meeting may decline to answer the question.

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- (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."

The allocation of topics ensued.

340/2018 Councillors' questions on notice

The Executive Services Officer reported 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."

DEPARTMENTAL BUSINESS

GENERAL MANAGEMENT

341/2018 Minutes and notes of committees of the Council and other organisations

The General Manager reported 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 – meeting held 25 July 2018
- . Central Coast Community Safety Partnership Committee – meeting held 31 October 2018
- . Central Coast Community Shed Management Committee – meeting held 12 November 2018
- . Cradle Coast Authority Representatives – AGM held 22 November 2018
- . Cradle Coast Authority Representatives – meeting held 22 November 2018
- . Cradle Coast Waste Management Group – meeting held 28 November 2018.

Copies of the minutes and notes have been circulated to all Councillors.”

■ Cr Fuller moved and Cr Beswick seconded, “That the (non-confidential) minutes and notes of committees of the Council be received.”

Carried unanimously

342/2018 Annual General Meeting for the year ended 30 June 2018

The General Manager reported as follows:

“PURPOSE

This is a report on the conduct of the Council’s Annual General Meeting held on 28 November 2018.

BACKGROUND

The Annual General Meeting for 2018 was held on 28 November. A record of the meeting was kept by way of minutes. A copy of the minuted record is attached.

The *Local Government Act 1993* provides that any resolution passed at an annual general meeting is to be considered at the next meeting of the Council. There were no resolutions other than the one to receive the Annual Report.

DISCUSSION

Seven members of the public attended the Annual General Meeting. The Mayor spoke in support of the Annual Report and a PowerPoint presentation of the highlights for the year, was presented by the General Manager.

There is otherwise no discussion so far as this report is concerned.

CONSULTATION

Consultation is not required in respect of this report.

RESOURCE, FINANCIAL AND RISK IMPACTS

This matter does not impact on resources.

CORPORATE COMPLIANCE

The holding of an annual general meeting is a statutory requirement.

The Central Coast Strategic Plan 2014–2024 includes the following strategy and key action:

Council Sustainability and Governance
. Effective communication and engagement.

CONCLUSION

It is recommended that this report be received.”

The Executive Services Officer reported as follows:

“A copy of the minutes of the Annual General Meeting for 2018 has been circulated to all Councillors.”

■ Cr Hiscutt moved and Cr Viney seconded, “That the report on the conduct of the Council’s Annual General Meeting for 2018 (a copy of the minutes of the meeting, held on 28 November 2018, being appended to and forming part of the minutes of this ordinary meeting of the Council) be received.”

Carried unanimously

343/2018 Cradle Coast Waste Management Group – Annual Report 2017–2018

The General Manager reported as follows:

“PURPOSE

The purpose of this report is to provide the Council with a copy of the Cradle Coast Waste Management Group (CCWMG) Annual Report 2017–2018 (a copy is appended to this report).

BACKGROUND

The CCWMG strategic focus and key actions are discussed in their Strategic Plan.

The key objectives are as follows:

- . Divert 50% of all municipal solid waste from Council landfills (Port Latta, Central Coast and Dulverton).
- . Increase the proportion of recycling bins receiving a pass mark (less than 5% contamination) to 90% across the region (based on the 2015–16 rate of 81%, a reported increase to 86% in 2017–2018).
- . Reduce illegal dumping by 25% across the region (after establishing baseline data).
- . Collection and reporting of standardised waste data.

DISCUSSION

Some excerpts from the Chairman’s Report are as follows:

“The Annual Report provides an overview of the Group’s activities throughout the 2017–2018 financial year to deliver on the objectives and actions of the 5 year strategy for our region. The Group have actioned many projects this last year and I implore you to read through the rest of the Annual Report to understand the activities that have been undertaken throughout the last year. These activities are funded via a voluntary levy on waste deposited to landfill which at present is \$5 per tonne.

The report also provides information that all councils should be aware of to help us in strategically preparing for the future both within our region and at individual council level. Information on tonnes of municipal waste landfilled, green waste, kerbside recycling, cardboard and other including the trends in

these areas. These targets and trends should be at the forefront of our thinking particularly.

After much discussion on the feasibility of a Regional Food Organics Garden Organics (FOGO) tender, there was little appetite from the Councils within the region to move forward with this project which has therefore been put on hold. It is therefore up to individual councils to determine if and when they wish to move forward with a FOGO collection.

This year has seen a focus on progressing the review of governance and waste management arrangements for waste management services in the region. The review identified different models that could be looked at to deliver these services. All seven Councils in general resolved to approve in principle the establishment of a self-standing joint authority, subject to a more detailed report on the staging of the implementation, i.e. transferring of primary programs and decision making, and then secondly the transfer of assets once a joint authority is fully operational in delivering of the goals of the Cradle Coast Waste Management Strategy. A final report is expected to go to councils towards the end of 2018 for their support in going forward to a new governance model on the transfer of primary programs and decision making (regional governance). Councils will only consider the regional delivery of waste management services once a new governance model has proven successful.

On a statewide level, the three regional waste bodies have worked together with the Local Government Association of Tasmania to develop a suite of initiatives which address key statewide issues faced by local government across Tasmania and these issues are now being addressed as part of the Statewide Strategy which the Tasmanian Government is now addressing in consultation with Local Government.

The Cradle Coast Waste Management Group is a Local Government skills-based group hosted by the Cradle Coast Authority (CCA). Participation in the CCWMG is voluntary with representation from Burnie City Council, Central Coast Council, Devonport City Council, Circular Head Council, Latrobe Council, Kentish Council and Waratah-Wynyard Council.

I would like to sincerely thank them for the time and focus that they put into the Group for the benefit of the region. This is on top of their own work at their Councils. I would also like to thank both Dulverton and the Cradle Coast Authority for their expertise and dedication of skills to this Group as well."

RESOURCE, FINANCIAL AND RISK IMPACTS

The development of the Annual Report has no impacts on Council resources as the actions are funded through waste levy revenue.

CORPORATE COMPLIANCE

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

Council Sustainability and Governance

- . Improve corporate governance
- . Improve service provision
- . Strengthen local–regional connections.

The Plan also complies with the Cradle Coast Regional Waste Management Strategy 2017–2022.

CONCLUSION

It is recommended that the Council note the Cradle Coast Waste Management Group Annual Report for 2017–2018.”

The Executive Services Officer reported as follows:

“A copy of the Cradle Coast Waste Management Group Annual Report 2017–2018 has been provided to all Councillors.”

- Cr Carpenter moved and Cr Beswick seconded, “That the Council note the Cradle Coast Waste Management Group Annual Report for 2017–2018.”

Carried unanimously

COMMUNITY SERVICES

344/2018 Statutory determinations

The Director Community Services reported as follows:

“A Schedule of Statutory Determinations made during the month of November 2018 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr Hiscutt moved and Cr Fuller seconded, “That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

345/2018 Council acting as a planning authority

The Mayor reported 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 Minute No’s 346/2018, 347/2018 and 348/2018 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 reported 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.”

■ Cr Viney moved and Cr Beswick seconded, “That the Mayor’s report be received.”

Carried unanimously

346/2018 Residential (retrospective application for unauthorised landfill) – reliance on assessment against E4 Change in Ground Level Code and E10 Water and Waterways Code at 491 Forth Road, Forth – Application No. DA2018054

The application was withdrawn

347/2018 Residential (dwelling) – variation to building height at 10B Whitegum Way, Turners Beach – Application No. DA2018135

The Director Community Services reported as follows:

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

<i>‘DEVELOPMENT APPLICATION No.:’</i>	DA2018135
<i>PROPOSAL:</i>	Residential (dwelling) – variation to building height
<i>APPLICANT:</i>	Adams Building Design
<i>LOCATION:</i>	10B Whitegum Way, Turners Beach
<i>ZONE:</i>	Low Density Residential and Turners Beach Specific Area Plan
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	14 November 2018
<i>REPRESENTATIONS EXPIRY DATE:</i>	28 November 2018
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	21 December 2018
<i>DECISION DUE:</i>	17 December 2018
<i>PURPOSE</i>	

The purpose of this report is to consider an application to construct a dwelling at 10B Whitegum Way, Turners Beach.

Accompanying this report are the following documents:

- Annexure 1 – location plan;
- Annexure 2 – application documentation;
- Annexure 3 – representation;
- Annexure 4 – aerial view and photographs;
- Annexure 5 – TasWater Submission to Planning Authority Notice TWDA 2018/01847-CC dated 26 November 2018; and

- Annexure 6 – Statement of Compliance from Road Authority and Stormwater Authority.

BACKGROUND

Development description –

Application is made to construct a 372.79m² two-storey, split level dwelling on land that has dual frontage to Turners Avenue and Whitegum Way, Turners Beach. As defined in the Scheme, the primary frontage is Turners Avenue and the secondary frontage is Whitegum Way. Vehicular access is proposed via Whitegum Way.

The dwelling floor plan would comprise:

- (a) Ground Level – a two car garage and pedestrian entry via Whitegum Way, a media room and fourth bedroom with ensuite.
- (b) Upper level – three bedrooms, family room, open plan kitchen, dining, lounge area, utilities room and a pantry. A 38.11m² deck would be located on the northern side of the dwelling, accessed directly from the open plan living area. Due to the slope of the land, falling from the north to the south, the deck would be approximately 500mm above natural ground level.

The final building height would be 7.5m.

The development includes a 1.4m high retaining wall that would be setback 2m from the western side boundary, reducing in height as it extends south, to be at ground level at the Whitegum Way frontage.

Site description and surrounding area –

The subject site is a “battleaxe” allotment that has a land area of 872m².

The land is zoned Low Density Residential and falls within the Turners Beach Specific Area Plan overlay.

The land is able to be accessed via a 5.4m wide frontage to Turners Avenue and a 30.81m wide frontage to Whitegum Way.

There is a 2.8m change in level across the site, rising from the south-eastern corner of the lot, fronting Whitegum Way, to the elevated north-western area of the land.

Surrounding land in Turners Beach accommodates residential development.

History –

The land was originally designated as an area of public open space; taken as a land contribution when a subdivision of the area was approved in 2004. In 2015, the Council was served with a petition to amend Sealed Plan 142652/36 and to convert the land from an area of Public Open Space to a residential allotment. The petition was also served on all persons appearing to have an estate or interest at law affected by the proposed amendment.

The amendment of Sealed Plan 142652/36 was undertaken in accordance with section 103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*. No representations in relation to the proposal to amend the Sealed Plan were received by the Council. The land was sold to a private party in 2016.

DISCUSSION

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

12.0 Low Density Residential Zone

CLAUSE	COMMENT
12.3 Use Standards	
12.3.1 Discretionary Permit Use	
<p>12.3.1–(P1) Discretionary permit use must:</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement; and</p> <p>(c) minimise likelihood for unreasonable impact on amenity for use on adjacent land in the zone.</p>	<p>Not applicable.</p> <p>Residential use is Permitted.</p>
12.3.2 Impact of Use	
12.3.2–(A1) Permitted non-residential use must adjoin at least one residential use on the same street frontage.	<p>Not applicable.</p> <p>Use is residential.</p>
12.3.2–(A2) Permitted non-residential use must not generate more than 40 average daily vehicle movements.	<p>Not applicable.</p> <p>Use is residential.</p>

12.3.2–(A3) Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.	<p>Not applicable.</p> <p>Use is residential.</p>
12.4 Development Standards	
12.4.1 Suitability of a site or lot for use or development	
<p>12.4.1–(A1) A site or each lot on a subdivision must–</p> <p>(a) have an area of:</p> <p style="padding-left: 40px;">(i) not less than 500m² excluding any access strip; or</p> <p style="padding-left: 40px;">(ii) if in a locality shown in the Table to this clause, not less than the site area shown for that locality; and</p> <p>(b) contain a building area of not less than 10.0m x 15.0m:</p> <p style="padding-left: 40px;">(i) clear of any applicable setback from a frontage, side or rear boundary;</p> <p style="padding-left: 40px;">(ii) clear of any applicable setback from a zone boundary;</p> <p style="padding-left: 40px;">(iii) clear of any registered easement;</p>	<p>(a)(i) Compliant. Site area is 872m².</p> <p>(a)(ii) Not applicable. Satisfied by (a)(i).</p> <p>(b)(i) Compliant. Building area would be setback greater than 40m from the Turners Avenue primary frontage and 3m from the Whitegum Way secondary frontage. Development would be setback 4.1m from the eastern side boundary and 1.8–2m from the western side boundary (variation is shown between the site plan and retaining wall elevation).</p> <p>(b)(ii) Not applicable. No zone boundary.</p> <p>(b)(iii) Not applicable. No registered easement.</p> <p>(b)(iv) Not applicable. No right of way.</p> <p>(b)(v) Not applicable. No restriction imposed by a utility.</p>

<ul style="list-style-type: none"> (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. 	<ul style="list-style-type: none"> (b)(vi) Compliant. Development would be clear of access strip. (b)(vii) Compliant. Site is accessible from Turners Avenue and Whitegum Way, (b)(viii) Not applicable. Not a new lot.
<p>12.4.1–(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 	<ul style="list-style-type: none"> (a) Compliant. Site has access and frontage to Turners Avenue and Whitegum Way. (b) Not applicable. Not an internal lot. (c)(i) Not applicable. Satisfied by (a). (c)(ii) Not applicable. Satisfied by (a). (d)(i) Compliant. Frontage to Turners Avenue is 5.04m wide and frontage to Whitegum Way is 30.81m wide. (d)(ii) Not applicable. Not multiple dwelling development.

<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>(e) Compliant. Development to be in accordance with Statement of Compliance from the Council in its capacity as the Road Authority.</p>
<p>12.4.1–(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply–</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p>	<p>(a) Compliant. The site is able to connect to a reticulated water system.</p> <p>(b) Not applicable. Satisfied by (a).</p>

<p>(b) from a rechargeable drinking water system ^{R4} with a storage capacity of not less than 10,000 litres if:</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for:</p> <p>a. a single dwelling; or</p> <p>b. a use with an equivalent population of not more than 10 people per day.</p>	
<p>12.4.1–(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewerage 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 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>(a) Compliant. The site is able to connect to a reticulated sewerage system.</p> <p>(b) Not applicable. Satisfied by (a).</p>

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<ul style="list-style-type: none"> b. provides for an equivalent population of not more than 10 people per day; or c. creates a total sewage and waste water flow of not more than 1,000 litres per day; and <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2000 On-site domestic wastewater management, clear of any defined building area or access strip.</p>	
<p>12.4.1–(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater–</p> <ul style="list-style-type: none"> (a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or (b) if stormwater cannot be drained to a stormwater system: <ul style="list-style-type: none"> (i) for discharge to a natural drainage line, water body, or watercourse; or (ii) for disposal within the site if– <ul style="list-style-type: none"> a. the site has an area of not less than 5,000m²; 	<ul style="list-style-type: none"> (a) Compliant. The site is able to connect to a reticulated stormwater system. (b) Not applicable. Satisfied by (a).

<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; and <p>(iii) the development is for a single dwelling.</p>	
<p>12.4.2 Dwelling density</p>	
<p>12.4.2-(A1) The site area per dwelling must–</p> <p>(a) be not less than 500m² if the site has–</p> <ul style="list-style-type: none"> (i) connection to a reticulated water supply; (ii) connection to a reticulated sewer system; and (iii) connection to a stormwater system; or 	<p>Site has an area of 872m².</p> <ul style="list-style-type: none"> (a)(i) Compliant. Site is able to connect to a reticulated water supply. (a)(ii) Compliant. Site is able to connect to a reticulated sewer system. (a)(iii) Compliant. Site is able to connect to a reticulated stormwater system.

(b) if the site is in a locality shown in the Table to this Clause, not less than the site area for that locality.	(b) Not applicable. Site not included in Table to this Clause.
12.4.3 Location and configuration of development	
<p>12.4.3–(A1) The wall of a building must be setback from a frontage–</p> <p>(a) not less than 4.5m from a primary frontage; and</p> <p>(b) not less than 3.0m from any secondary frontage; or</p> <p>(c) not less than and not more than the setbacks for any existing building on each of the immediate adjoining sites;</p> <p>(d) not less than for any building retained on the site;</p> <p>(e) in accordance with any building area shown on a sealed plan; or</p> <p>(f) if the site abuts a road shown in the Table to this Clause, the setback specified for that road.</p>	<p>(a) Compliant. Primary frontage setback is greater than 40m.</p> <p>(b) Compliant. Setback to secondary frontage is 3m.</p> <p>(c) Compliant. Proposed dwelling is not setback less than the setbacks of adjoining dwellings on Whitegum Way.</p> <p>(d) Not applicable. No other buildings on the site.</p> <p>(e) Not applicable. No building area on a sealed plan.</p> <p>(f) Not applicable. Site does not adjoin the Bass Highway.</p>
<p>12.4.3–(A2) All buildings must be contained within a building envelope determined by–</p>	<p>(a) Compliant. Primary frontage setback (as defined in the Scheme) would be greater than 40m.</p> <p>(b) Not applicable. No Table to this Clause.</p>

<p>(a) the applicable frontage setback;</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not less than the setback distance specific from the feature specified;</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 wall height is not more than 3.0m; and:</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>(c)(i) Compliant. Dwelling would be setback 4.1m on the eastern side boundary and 7.1m from the western side boundary and 3.5m from the northern side boundary.</p> <p>Note – no rear boundary, due to configuration of the lot. The site has a boundary that is abutting the rear boundary of a lot with an adjacent frontage. Development that is greater than 1m above natural ground level must be setback 4.5m from the abutting boundary. Refer to 12.4.4–(A1).</p> <p>(c)(ii) Compliant. Satisfied by (c)(i)</p> <p>(d) Not applicable. No building envelope on a sealed plan.</p>
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<p>ii. there is no door or window in the wall of the building; and</p> <p>iii. overshadowing does not result in:</p> <p>a. less than two hours of continuous sunlight to a required minimum private open space area in an adjacent dwelling between 9.00am and 3.00pm on 21 June; or</p> <p>b. a further reduction in continuous sunlight to a required minimum private open space area in an adjacent dwelling if already less than two hours between 9.00am and 3.00pm on 21 June; or</p> <p>(d) in accordance with any building envelope shown on a sealed plan.</p>	
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<p>12.4.3–(A3) Site coverage must–</p> <p>(a) not be more than 50%; or</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not more than the site coverage for that locality; and</p> <p>(c) not include any part of a site required for the disposal of sewage and stormwater; or</p> <p>(d) be not more than any building area shown on a sealed plan.</p>	<p>(a) Compliant. Site coverage is approximately 42%.</p> <p>(b) Not applicable. No Table to this Clause.</p> <p>(c) Not applicable. No on-site disposal of sewerage or stormwater.</p> <p>(d) Not applicable. No building area shown on a sealed plan.</p>
<p>12.4.3–(A4) A garage, carport or an external car 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>Compliant.</p> <p>Garage would be setback 5m from Whitegum Way secondary frontage and behind the setback of the front porch of the dwelling.</p>
<p>12.4.3–(A5) 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>(a) Compliant. Garage opening would be 5.3m wide.</p> <p>(b) Not applicable. Satisfied by (a).</p>

12.4.4 Visual and acoustic privacy for residential development	
<p>12.4.4–(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; (iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of a lot of an adjacent frontage site; or <p>(b) if less than the setbacks in clause A1(a):</p> <ul style="list-style-type: none"> (i) be off-set by not less than 1.5m from the edge of any door or window in another dwelling; 	<p>(a)(i) Not applicable. No other dwelling on the site.</p> <p>(a)(ii) Compliant. Dwelling would be setback 4.1m from the eastern side boundary and 5.8m from western side boundary. (Note – shed would be setback 3.3m from the western side boundary).</p> <p>(a)(iii) Not applicable. No rear boundary.</p> <p>(a)(iv) Compliant. Northern deck would be setback 3.5m from the boundary abutting the rear boundary of a lot with an adjacent frontage. However, the finished floor level of the deck would be less than 1m above natural ground level.</p> <p>(b) Not applicable. Satisfied by (a).</p>

<ul style="list-style-type: none"> (ii) have a window sill height of not less than 1.8m above finished floor level; (iii) have fixed and durable 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 finished floor level; or (iv) have fixed and durable external screen other than vegetation of not less than 1.8m height above the finished floor level and with a uniform transparency of not more than 25% located for the full width of the door, window, balcony, deck, roof garden, parking space, or carport. 	
<p>12.4.4–(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>Compliant.</p> <p>Access strip land is located 1.5m from the dwelling located to east, at 24 Turners Avenue, and 2.5m from the dwelling to the west at 26 Turners Avenue.</p> <p>It is noted that vehicle access is proposed off Whitegum Way, not Turners Avenue.</p>

12.4.5 Private open space for residential use	
<p>12.4.5–(A1) Each dwelling must provide private open space –</p> <p>(a) if a dwelling with a floor level of not more than 2.5m above finished ground level, a ground level area:</p> <ul style="list-style-type: none"> (i) located adjoining the rear or side of the dwelling; (ii) accessible from the dwelling; (iii) of not less than 25m²; (iv) with a minimum dimension of 4.0m; (v) on a single level; and (vi) with a gradient of not more than 1 in 10; and <p>(b) if a dwelling with a floor level of more than 2.5m above finished ground level, as an alternative to a ground level area, a private balcony, deck, terrace or roof garden:</p> <ul style="list-style-type: none"> (i) of not less than 25m²; (ii) with a minimum dimension of 4.0m; and (iii) accessible from the dwelling. 	<p>(a)(i) Compliant. Private open space would be located to the rear and side of the dwelling.</p> <p>(a)(ii) Compliant. Private open space would be accessible from the dwelling.</p> <p>(a)(iii) Compliant. Area of private open space would be greater than 35m².</p> <p>(a)(iv) Compliant. Minimum dimension of private open space would be approximately 10m.</p> <p>(a)(v) Compliant. Private open space would be on a single level.</p> <p>(a)(vi) Compliant. Rear porch/deck area would be flat.</p> <p>(b) Not applicable. Due to the slope of the land the private open space area to the north would be less than 1m above natural ground level.</p>

<p>12.4.5–(A2) The required minimum private open space area must be capable of receiving at least three hours of sunlight between 9.00am and 3.00pm on 21 June.</p>	<p>Compliant.</p> <p>Private open space would be located on the northern side of the dwelling which would allow a minimum of three hours of sunlight to private open space areas.</p>
<p>12.4.5–(A3) Unless there is a ground level private open space area directly accessible at grade to a shared driveway or pedestrian pathway, each dwelling in a multiple dwelling development must have access to a waste storage area:</p> <ul style="list-style-type: none"> (a) located behind the applicable frontage setback; (b) of not less than 1.5m² per dwelling; (c) screened to view from the frontage and any dwelling by a wall of height not less than 1.2m above finished ground level; and (d) not less than 6.0 from a window, door, balcony, deck, roof garden or private open space area of a dwelling. 	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>
<p>12.4.6 Frontage fences</p>	
<p>12.4.6–(A1) The height of a fence, including any supporting retaining wall, on a frontage or within a frontage setback must be:</p>	<p>Not applicable.</p> <p>No front fence proposed.</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>12.4.7 Setback of development for sensitive use</p>	
<p>12.4.7–(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 on 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 setback distance from the zone boundary.</p>	<p>(a) Not applicable. No zone boundary applicable to this site.</p> <p>(b) Not applicable. No zone boundary applicable to this site.</p>
<p>12.4.7–(A2) Development for a sensitive use must be not less than 50.0m from –</p> <p>(a) A major road identified in the Table to this Clause;</p> <p>(b) a railway;</p>	<p>(a) Compliant. Development would be 314m from the Bass Highway.</p> <p>(b) Compliant. Development would be 60m from a railway.</p> <p>(c) Not applicable. No land designated for road or rail purposes.</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>(d) Not applicable. Nearest proclaimed wharf area is in Devonport, some 15km to the east.</p>
12.4.8 Subdivision	
<p>12.4.8-(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) intended for residential use;</p> <p>(b) a lot required for public use by the State Government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>
<p>12.4.8-(P2)</p> <p>(a) A lot must have a frontage to a road; or</p> <p>(b) an internal lot on a plan of subdivision must be:</p> <p>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots with a frontage imposed by:</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>

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<ul style="list-style-type: none"> a. slope, shape, orientation and topography of land; b. an established pattern of lots and development; c. connection to the road network; d. connection to available or planned utilities; e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a watercourse; or f. exposure to an unacceptable level of risk from a natural hazard; and <p>(ii) without likely impact on the amenity of adjacent land.</p>	
12.4.9 Reticulation of an electricity supply to new lots on a plan of subdivision	
<p>12.4.9–(A1) Electricity reticulation and site connections must be installed underground.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>

CODES	
E1 Bushfire-Prone Areas Code	Not applicable. Site is not a subdivision or vulnerable or hazardous use.
E2 Airport Impact Management Code	Not applicable. No Airport Impact Management Code in the Scheme.
E3 Clearing and Conversion of Vegetation Code	Not applicable. No clearing or conversion of vegetation proposed.
E4 Change in Ground Level Code	
E4.6 Development Standards	
E4.6.1 Change in existing ground level or natural ground level	
<p>E4.6.1-(A1) Cut or fill must:</p> <p>(a) not be on land within the Environmental Living zone or the Environmental Management zone;</p> <p>(b) be required to:</p> <p>(i) provide a construction site for buildings and structures;</p>	<p>(a) Compliant. Land is zoned Low Density Residential.</p> <p>(b)(i) Complaint. Is required for construction of a building.</p> <p>(b)(ii) Not applicable. Satisfied by (b)(i).</p> <p>(b)(iii) Not applicable. Satisfied by (b)(i).</p> <p>(b)(iv) Not applicable. Satisfied by (b)(i).</p> <p>(b)(v) Not applicable. Satisfied by (b)(i).</p>

<p>(ii) facilitate vehicular access;</p> <p>(iii) mitigate exposure to a natural or environmental hazard;</p> <p>(iv) facilitate provision of a utility;</p> <p>(v) assist the consolidation or intensification of development; or</p> <p>(vi) assist stormwater management;</p> <p>(c) not result in a modification of surface stormwater water flow to increase:</p> <p>(i) surface water drainage onto adjacent land;</p> <p>(ii) pooling of water on the site or on adjacent land; or</p> <p>(iii) the nature or capacity of discharge from land upstream in a natural or artificial drainage channel;</p> <p>(d) not destabilise any existing building or increase the requirements for construction of any potential building on adjacent land;</p>	<p>(b)(vi) Not applicable. Satisfied by (b)(v).</p> <p>(c)(i) Compliant. The development will not modify surface water drainage onto adjacent land.</p> <p>(c)(ii) Compliant. The development would not result in pooling of water on the site or adjacent land.</p> <p>(c)(iii) Not applicable. No natural or artificial drainage channel on the land.</p> <p>(d) Compliant. The development would not destabilise any existing adjoining buildings.</p> <p>(e) Compliant. No intersected ground water has been identified on the site.</p> <p>(f) Compliant. The level of cut across the site is minimal. Development would not result in the release of sediments to stormwater systems or erosion of the land.</p> <p>(g) Compliant. A 1.4m high retaining wall is required. The retaining wall would be 1.8m–2m inside the boundary of the allotment (variation is shown between the site plan and retaining wall elevation).</p>
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<p>(e) manage disposal of intersected ground water;</p> <p>(f) safeguard the quality of receiving waters through measures to minimise erosion and release of sediments and other contaminants during each of the site preparation, construction and rehabilitation phase in accordance with Soil and Water Management on Building and Construction Sites 2009;</p> <p>(g) not require a retaining or support structure that would result in a 'line of influence' of more than 450mm into any adjacent land unless the owner of adjacent land has provided written consent to enter into an agreement under Part 5 <i>Land Use Planning and Approvals Act 1993</i> registered on the title of adjacent land to provide for the level of constraint; and</p> <p>(h) not encroach upon or expose, disturb, or reduce cover over an underground utility to less than 1.0m unless the relevant regulatory entity has advised:</p> <p style="padding-left: 40px;">(i) it is satisfied the cut or fill will not result in harm to the utility; and</p> <p style="padding-left: 40px;">(ii) any condition or requirement it determines are appropriate to protect the utility.</p>	<p>(h) Not applicable. No utility would be impacted by the change in ground level.</p>
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E5 Local Heritage Code	Not applicable. No local heritage listings in this Scheme.
E6 Hazard Management Code	Not applicable. No hazard mapping applicable.
E7 Sign Code	Not applicable. No signage proposed.
E8 Telecommunication Code	Not applicable. No telecommunication facilities proposed.
E9 Traffic Generating Use and Parking Code	
E9.4 Use or development exempt from this Code	Not exempt. Code applies to all development.
E9.5 Use Standards	
E9.5.1 Provision for parking	
E9.5.1–(A1) Provision for parking must be: (a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code.	Compliant. Residential use class (dwelling) requires two parking spaces. The proposed dwelling would have a two car internal garage.

E9.5.2 Provision for loading and unloading of vehicles	
E9.5.2-(A1) There must be provision within a site for:	Not applicable.
(a) on-site loading area in accordance with the requirement in the Table to this Code; and	No requirement for residential use.
(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.	
E9.6 Development Standards	
E9.6.1 Design of vehicle parking and loading areas	
E9.6.1-(A1.1) All development must provide for the collection, drainage and disposal of stormwater; and	Compliant. Development would be required to connect to a reticulated stormwater system.
E9.6.1-(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 –	Not applicable. Development is for a single dwelling.

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<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/NZS2890.2 (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</p>	<p>Not applicable.</p> <p>Provisions do not apply as development is in the Low Density Residential zone.</p>

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.	
E10 Water and Waterways Code	<p>Not applicable.</p> <p>Over 30m to nearest waterway or waterbody.</p>
SPECIFIC AREA PLAN	
F4.0 Turners Beach Specific Area Plan	
F4.4 Application of this Code	<p>Applicable.</p> <p>Site falls within the Turners Beach Specific Area Plan overlay.</p>
F4.7 Development Standards	
F4.7.1 Building height	
F4.7.1 – (A1) Building height must not be more than 5.5m.	<p>Non-compliant.</p> <p>Final building height would be 7.5m.</p> <p>See “Issues” section below.</p>

F4.7.2 Vegetation management	
F4.7.2- (A1) There must be no clearing or conversion of vegetation within the littoral, riparian and road reserves.	<p>Not applicable.</p> <p>No clearing or conversion of vegetation proposed.</p>
F4.7.3 Landscaping	
F4.7.3- (A1) Other than for an internal lot, not less than 50% of the site area between the frontage and a building containing a dwelling must be landscaped with not less than grass.	<p>Compliant.</p> <p>Over 50% of the area between the frontage and the building would be sown to grass.</p>
F4.7.4 Beach access	
F4.7.4-(A1) New vehicular or pedestrian accesses to the beach or Forth River must not be created.	<p>Not applicable.</p> <p>No new vehicle or pedestrian access proposed to the beach or the Forth River.</p>

Issues –

Building Height –

The proposal satisfies the Scheme's Acceptable Solution standards for development in the Low Density Residential zone. However, the land is also subject to assessment under the Scheme's F4 Turners Beach Specific Area Plan.

Acceptable Solution F4.7.1–(A1) of the Turners Beach Specific Area Plan requires that the height of a building be 5.5m.

The proposal details a split-level dwelling that would have an average height of 6m and a maximum height of 7.5m. This means a discretion must be exercised to allow the development as proposed.

The Scheme's Performance Criteria F4.7.1–(P1) imposes a mandatory dwelling height of 7.5m, having regard to the following:

- (a) likelihood for overshadowing of a habitable room or an area of private open space in a dwelling on the site or adjacent land if the resultant period of sunlight is less than 3 hours between 9.00am and 5.00pm on 21st June;
- (b) likelihood for direct overlooking from a window in a building with a finished floor level more than 1.0m above natural ground level to a habitable room or private open space area in a dwelling on the site or on adjacent land;
- (c) relationship between appearance and design characteristics of the building and nay buildings on adjacent land;
- (d) apparent building height when viewed from a frontage road and adjacent land in another zone;
- (e) effect of the slope and orientation of the site and adjacent land on apparent building height;
- (f) effect and durability of screening to attenuate impact of the building to view form a frontage road or from adjacent land in another zone.

The relevant Performance Criteria are addressed as follows:

Overshadowing –

The subject land at 10B Whitegum Way is primarily orientated east/west. The proposal would not result in the overshadowing of adjacent land due, in part, to the average 6m height of the building and primarily due to the orientation of the lot. The land and adjoining lots would receive direct or proportional amounts of sunlight from the east, then north and west, throughout the day.

Overlooking –

The proposed dwelling would be of split-level construction, with the majority of the dwelling having a height of approximately 6m. The development would result in the maximum height permissible, that is 7.5m, in the central section of the building where a 1.4m “cut” is required to facilitate the design, resulting in a higher elevation at this point.

The western elevation of the building shows that no windows are proposed that would result on the overlook of adjoining land at 12 Whitegum Way.

The eastern elevation details upper level windows to the pantry and kitchen. However, the dwelling would be setback 5.5m from the adjoining eastern boundary of 10 Whitegum Way and 9.5m from the actual adjoining building. It is considered that this is ample setback between dwellings to mitigate privacy issues.

Appearance and design characteristics of the building –

The proposed development would not result in a building of unreasonable scale, bulk or portion. Adjoining dwellings to the west and east are both two-storey buildings. The proposed development would be of split-level construction, with consideration given to the slope of the land in the design of the building.

Building height when viewed from a frontage road –

This area of Turners Beach accommodates a mix of single-storey and two-storey residential buildings. The proposal is consistent with adjoining development and not inconsistent with the prevailing streetscape. It is considered the additional 2m of dwelling height, to 7.5m, is not inconsistent with residential development in Turners Beach and is an acceptable height.

Effect of the slope and orientation of the site –

There is approximately a 2.8m change in level across the site, rising from the south-eastern corner of the lot, fronting Whitegum Way, to the elevated north-western area of the land. The design of the proposed dwelling has given consideration to the slope of the land, with a maximum 7.5m height at the central section of the building, where there is a portion of “cut”, before levelling off to a single-storey rear living area to the north of the site.

Screening–

It is considered that screening of the dwelling is not required.

Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No comment.
Infrastructure Services	Refer to the Statement of Compliance from the Road Authority and Stormwater Authority at Annexure 6.
TasWater	Refer to TasWater’s Submission to Planning Authority Notice at Annexure 5.
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.

Representation –

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 “public walkway” and “public space” were part of the subdivision approved (in this area). How can this be changed to be residential? The walkway is used by people that live in the area and should be left clear for public use.	<p>In 2015, the Council was served with a petition to amend Sealed Plan 142652/36 to convert the land from an area of Public Open Space to a residential allotment. The petition was also served on all persons appearing to have an estate or interest at law affected by the proposed amendment. The amendment of Sealed Plan 142652/36 was undertaken in accordance with Section 103 of the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i>.</p> <p>No representations in relation to the proposal to amend the Sealed Plan were received by the Council.</p> <p>The land was sold to a private party in 2016.</p>

2 The height variation should stay as it is.	Refer to the “Issues” section of this report.
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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 does not contain sufficient merit to justify the addition of any restrictive condition to a Permit issued, or refusal of the development.

The variation to the height of the proposed dwelling would not result in a negative impact on the amenity of adjoining land or the streetscape.

It is considered the relevant Performance Criteria of the Scheme have been addressed and adequately satisfied and the issue of a Permit is justified, subject to conditions.

Recommendation –

It is recommended that the application for Residential (dwelling) – variation to building height at 10B Whitegum Way, Turners Beach be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans by Adams Building Design, Project No. 030918, Drawing Nos. 1 to 11, dated 13 September 2018, unless modified by a condition of this Permit.
- 2 The development must be in accordance with the conditions of TasWater’s Submission to Planning Authority Notice TWDA 2018/01847–CC dated 26 November 2018 (copy attached).

- 3 The development must be in accordance with the conditions of the Statement of Compliance for Vehicular Access and Drainage Access dated 22 November 2018, issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority.
- 4 Stormwater, including from vehicle parking and manoeuvring areas, must be collected, drained and disposed of to an approved stormwater system.
- 5 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.

Please note:

- 1 A Planning Permit remains valid for two years. If the use or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 The proposed development fits within the criteria of Category 4 – Building Permit Work and Category 3 – Notifiable Plumbing Work when assessed against the Director's Determinations issued under the *Building Act 2016*. Accordingly, an application for a Building Permit is to be made to the Council's Building Permit Authority, and an application for a Certificate of Likely Compliance – Plumbing Work is to be made to the Council's Plumbing Permit Authority.
- 4 Fencing to the frontage of the property to a height of 1.2m does not require a Permit. Also, fencing that is 30% transparent above 1.2m, to a maximum height of 1.8m, does not require a Permit.
- 5 Side boundary fencing is to angle down to the public road reserve boundary in accordance with AS/NZS 2890 Figure 3.3 "Minimum Sight Lines for Pedestrian Safety".

The Land Use Planning Group Leader's report is supported."

The Executive Services Officer reported as follows:

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

■ Cr Beswick moved and Cr Viney seconded, “That the application for Residential (dwelling) – variation to building height at 10B Whitegum Way, Turners Beach be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans by Adams Building Design, Project No. 030918, Drawing Nos. 1 to 11, dated 13 September 2018, unless modified by a condition of this Permit.
- 2 The development must be in accordance with the conditions of TasWater’s Submission to Planning Authority Notice TWDA 2018/01847–CC dated 26 November 2018 (copy attached) (a copy being appended to and forming part of these minutes).
- 3 The development must be in accordance with the conditions of the Statement of Compliance for Vehicular Access and Drainage Access dated 22 November 2018, issued by the Council acting in its capacity as the Road Authority and the Stormwater Authority.
- 4 Stormwater, including from vehicle parking and manoeuvring areas, must be collected, drained and disposed of to an approved stormwater system.
- 5 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.

Please note:

- 1 A Planning Permit remains valid for two years. If the use or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
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application for a Certificate of Likely Compliance – Plumbing Work is to be made to the Council's Plumbing Permit Authority.

- 4 Fencing to the frontage of the property to a height of 1.2m does not require a Permit. Also, fencing that is 30% transparent above 1.2m, to a maximum height of 1.8m, does not require a Permit.
- 5 Side boundary fencing is to angle down to the public road reserve boundary in accordance with AS/NZS 2890 Figure 3.3 'Minimum Sight Lines for Pedestrian Safety'."

Carried unanimously

348/2018 Food services – Discretionary use – Mobile food outlets at 3 Wharf Road, Ulverstone – Application No. DA2018131

The Director Community Services reported as follows:

"Korlan Consulting has prepared the following report:

<i>'DEVELOPMENT APPLICATION NO.:</i>	DA2018131
<i>PROPOSAL:</i>	Food services – Discretionary use – Mobile food outlets
<i>APPLICANT:</i>	Central Coast Council
<i>LOCATION:</i>	3 Wharf Road, Ulverstone
<i>ZONE:</i>	General Business
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	3 November 2018
<i>REPRESENTATIONS EXPIRY DATE:</i>	20 November 2018
<i>REPRESENTATIONS RECEIVED:</i>	Two
<i>42-DAY EXPIRY DATE:</i>	12 December 2018 (extension of time sought to 18 December 2018)
<i>DECISION DUE:</i>	17 December 2018
<i>PURPOSE</i>	

The purpose of this report is to consider an application to allow mobile food vans (Food services) on land that is zoned "General Business" and subject to *F2 Ulverstone Wharf Specific Area Plan* of the Scheme at 3 Wharf Road, Ulverstone.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representations;
- . Annexure 4 – photographs; and
- . Annexure 5 – letter from the Road Authority.

BACKGROUND

Development description –

Application is made for an additional “Food services” use of the site to include mobile food outlets.

The proposal would allow two to three mobile food outlets to operate to the south of the Ulverstone Wharf building.

Site description and surrounding area –

The site is located within the Ulverstone Wharf Precinct, overlooking the Leven River. The land is owned by the Central Coast Council.

The site is subject to *F2 Ulverstone Wharf Specific Area Plan* of the Scheme.

Surrounding land uses include “Pier01” Restaurant, Café and Function Centre; community use rooms and associated storage building; “Pedro’s Seafood Bar & Grill” restaurant and “Pedro’s Takeaway” fish and chip shop; the Council’s car park, and public open space areas. A public walkway/cycleway passes through the land, linking Fairway Park with Anzac Park.

History –

The Council entered into a lease agreement in 2012 with the owner/operator of Pier01 Restaurant and Café.

DISCUSSION

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

21.0 General Business Zone

CLAUSE	COMMENT
21.3.1 Discretionary Permit Use	
<p>21.3.1–(P1) Discretionary permit use must:</p> <ul style="list-style-type: none"> (a) be consistent with local area objectives; (b) be consistent with any applicable desired future character statement for the zone; and (c) be required to service requirements of the local and district resident and visitor population; (d) minimise potential to: <ul style="list-style-type: none"> (i) service a population beyond the local, district, or municipal community; (ii) have immediate, incremental or cumulative adverse effect on the regional pattern of retail and service provision; and (iii) displace retail, business, and professional use. 	<p>Not applicable.</p> <p>Use would be Permitted.</p>

21.4.1 Suitability of a site for use or development	
<p>21.4.1–(A1) Each use or development site or each lot on a plan of subdivision must:</p> <p>(a) have a site area of not less than 45m²; and</p> <p>(b) if intended for a building, contain a building area of not less than 45m²:</p> <p>(i) clear of any applicable setback from a frontage, side or rear boundary;</p> <p>(ii) clear of any applicable setback from a zone boundary;</p> <p>(iii) clear of any registered easement;</p> <p>(iv) clear of any registered right of way benefiting other land;</p> <p>(v) not including land required as part of access to the site;</p> <p>(vi) accessible from a frontage or access strip; and</p>	<p>(a) Compliant. Site area is 5,793m².</p> <p>(b) Not applicable. There are no building works proposed.</p>

<p>(vii) clear of any area required for the on-site disposal of sewage or stormwater.</p>	
<p>21.4.1–(A2) A site or each lot on a plan of subdivision 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 3.6m; and</p>	<p>(a) Compliant. Access to the site is from Wharf Road.</p> <p>(b) Not applicable. Not an internal lot.</p> <p>(c) Not applicable. Satisfied by (a).</p> <p>(d) Compliant. Frontage to Wharf Road is greater than 3.6m wide.</p> <p>(e) Compliant. The Road Authority (Council) advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage.</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>21.4.1–(A3) A site or each lot on a plan of subdivision must have a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p>	<p>Compliant. The site is connected to the reticulated water system.</p>
<p>21.4.1–(A4) A site or each lot on a plan of subdivision must drain sewage and waste water to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p>	<p>Compliant. The site is connected to the reticulated sewerage system.</p>
<p>21.4.1–(A5) A site or each lot on a plan of subdivision must drain stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>.</p>	<p>Compliant. The site is connected to the reticulated stormwater system.</p>
<p>21.4.2 Location and configuration of development</p>	
<p>21.4.2–(A1) Building height must not be more than 10.0m.</p>	<p>Not applicable.</p> <p>The application is for use only, no development is proposed.</p>

COMMUNITY SERVICES

21.4.2-(A2) An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage elevation of a building.	Not applicable. The application is for use only, no development is proposed.
21.4.2-(A3) Buildings in Reibey Street must have zero set back from the frontage.	Not applicable. Not situated in identified location.
21.4.2-(A4) Buildings in Victoria Street between Wongi Lane and Patrick Street and in King Edward Street between Grove and Patrick Streets must have zero set back from the frontage.	Not applicable. Not situated in identified location.
21.4.2-(A5) Buildings in Victoria Street between Wongi Lane and Patrick Street and in King Edward Street between Grove and Patrick Streets must have the main pedestrian entrance located onto the frontage.	Not applicable. Not situated in identified location.
21.4.2-(A6) A building constructed to the street frontage must have an awning of not less than 3.0m width cantilevered or suspended over the adjoining footway within a road or car park for the full width of the frontage of the building.	Not applicable. The application is for use only, no development is proposed.
21.4.2-(A7) A building must not have a continuous wall of more than 20.0 metres measured parallel to the boundaries.	Not applicable. The application is for use only, no development is proposed.

21.4.3 Visual and acoustic privacy for residential use	
<p>21.4.3–(A1) A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space or carport must:</p> <ul style="list-style-type: none"> (a) be not less than 3.0m from a side boundary and 4.0 m from a rear boundary to land in a zone for residential purposes; (b) be not less than 6.0m from any door, window, balcony deck or roof garden in an adjacent dwelling; (c) be off-set by not less than 1.5m from the edge of any door or window in an adjacent dwelling; (d) have a window sill height of not less than 1.8m above finished floor level; (e) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.8m above finished floor level; or (f) have fixed and durable external screen other than vegetation of not less than 1.8m height above the finished floor level with a uniform transparency of not 	<p>Not applicable.</p> <p>Proposed use is not residential.</p>

more than 25% for the full width of the door, window, balcony, deck, roof garden, parking space, or carport.	
21.4.4 Private open space for residential use	
<p>21.4.4–(A1) Each dwelling must provide:</p> <p>(a) external private open space that:</p> <ul style="list-style-type: none"> (i) is accessible from the dwelling; (ii) comprises an area of not less than 25m² for each dwelling; (iii) has a gradient of not more than 1 in 10; and (iv) has a minimum dimension of 4.0m; or <p>(b) private open space provided as a private balcony, deck or terrace:</p> <ul style="list-style-type: none"> (i) of area not less than 25m² (ii) minimum dimension of 2.0m; and (iii) accessible from the dwelling. 	<p>Not applicable.</p> <p>Proposed use is not residential.</p>

<p>21.4.4–(A2) The required minimum private open space area must be capable of receiving at least three hours of sunlight between 9.00am and 3.00pm on 21 June.</p>	<p>Not applicable.</p> <p>Proposed use is not residential.</p>
<p>21.4.5 Setback from zone boundaries</p>	
<p>21.4.5–(A1) Development of land with a boundary to a zone must:</p> <ul style="list-style-type: none"> (a) be setback from the boundary of land in an adjoining zone by not less than the distance for that zone shown in the Table to this Clause; (b) not include within the setback area required from a boundary to land in a zone shown in the Table to this Clause: <ul style="list-style-type: none"> (i) a building or work; (ii) vehicular or pedestrian access from a road if the boundary is not a frontage; (iii) vehicle loading or parking area (iv) an area for the display, handling, operation, manufacturing, processing, servicing, repair, or 	<p>(a)–(d) Not applicable.</p> <p>Land adjoins Environmental Management zone that is not in the Table to this Clause.</p>

<p>storage of any animal, equipment, goods, plant, materials, vehicle, or waste;</p> <p>(v) an area for the gathering of people, including for entertainment, community event, performance, sport or for a spectator facility;</p> <p>(vi) a sign orientated to view from land in another zone; or</p> <p>(vii) external lighting for operational or security purposes; and</p> <p>(c) a building with an elevation to a zone boundary to which this clause applies must be contained within a building envelope determined by:</p> <p>(i) the setback distance from the zone boundary as shown in the Table to this Clause; and</p> <p>(ii) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary; and</p> <p>(d) the elevation of a building to a zone boundary must not contain an external opening other than an emergency</p>	
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exit, including a door, window to a habitable room, loading bay, or vehicle entry.	
21.4.6 Subdivision	
21.4.6–(P1) Each new lot on a plan of subdivision must be:	Not applicable.
(a) a lot required for public use by the State government, a Council, a statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority; or	No subdivision proposed.
(b) for a purpose permissible in the zone.	
21.4.7 Reticulation of an electricity supply	
21.4.7–(A1) Electricity reticulation and site connections must be installed underground.	Compliant. Existing electricity supply is underground.
CODES	
E1 Bushfire-Prone Areas Code	Not applicable. Not a subdivision, hazardous or vulnerable use.
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.
E5 Local Heritage Code	Not applicable. No Local Heritage Code in the Scheme.
E6 Hazard Management Code	Not applicable. The site is shown on the coastal inundation maps as having a low risk to coastal inundation.
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	
E9.5.1–(A1) Provision for parking must be: (a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;	(a) Compliant. Table E9A requires 15 spaces per 100m ² gross floor area or one space per every three seats.

	<p>Based on the definition of “gross floor area” and the fact that no seating would be provided, no additional car parking spaces would be required.</p> <p>The Wharf Precinct car park provides approximately 100 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>(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>Not applicable.</p> <p>(a) The proposed use would not require provisions for loading and unloading.</p> <p>(b) The existing passenger vehicle pick-up and set-down facilities within the Wharf Precinct would cater for the proposed use.</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>Not applicable.</p> <p>The application is for use only, no development is proposed.</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> <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; (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>Not applicable.</p> <p>The application is for use only, no development is proposed.</p>
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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 Business.</p>
E10 Water and Waterways Code	<p>Not applicable.</p> <p>There would not be any development within 30m of a waterway, watercourse or shoreline.</p>
ULVERSTONE WHARF SPECIFIC AREA PLAN	
F2.2 Application of Code	
F2.4 Exemption	
F2.6 Development Standards	
E2.6.1 Access	
F2.6.1–(A1) Development of a site within the Ulverstone Wharf Specific Area Plan must:	<p>Not applicable.</p> <p>The application is for use only, no development is proposed.</p>

<p>(a) use an existing lawful access; and</p> <p>(b) not intensify traffic volume on the access.</p>	
F2.6.2 Signs	
<p>F2.6.2-(P1) A sign must be designed and located to minimise detrimental effect on the visual amenity and public safety of the Ulverstone Wharf.</p>	<p>Not applicable.</p> <p>No signage proposed.</p>
F2.6.3 Car Parking	
<p>F2.6.3-(P1) Provision for parking:</p> <p>(a) must be adequate to meet requirements of the use having regard to the standards contained in Code E9 of this planning scheme; or</p> <p>(b) a cash in lieu contribution must be paid to the Central Coast Council calculated on the cost of land required to provide for a parking area together with the cost of construction, including drainage, kerbing, pavement, line marking, signage, and landscape works.</p>	<p>(a) Compliant.</p> <p>Food services use requires 15 spaces per 100m² gross floor area or one space per every three seats.</p> <p>The proposed Food services use would not have a gross floor area. The proposed Food services use would not provide any seating.</p> <p>Based on the above definitions no additional car parking spaces would be required.</p> <p>The Wharf Precinct car park owned by the Council provides approximately 100 car parking spaces.</p>

F2.6.4 Subdivision	
F2.6.4–(A1) An application for a plan of subdivision must form part of an application for a permit to use and develop each lot in accordance with the requirements of the Ulverstone Wharf Specific Area Plan.	Not applicable. Not a subdivision.
F2.6.4–(A2) Each lot on a plan of subdivision must satisfy the objectives in F2.1.1.	Not applicable. Not a subdivision.
<p>F2.6.4–(A3) Each lot on a plan of subdivision must:</p> <ul style="list-style-type: none"> (a) have an adequate access for the use; (b) be serviced by a connection to a reticulated water supply of 200kPA pressure at 10.0 litres per second; (c) be connected to a reticulated sewerage system; (d) be connected to a reticulated stormwater system; (e) be connected to telecommunications and electricity supply and associated street lighting; and (f) be connected to underground telephone communications mains and connections. 	Not applicable. Not a subdivision.

Issues –

1 Ulverstone Wharf Specific Area Plan – Discretionary Use – Food services Use Class

The proposal seeks to expand on the existing Food services use of the site to accommodate mobile food outlets. The *Ulverstone Wharf Specific Area Plan* of the Scheme deems “Food services” to be a Discretionary use.

The *Ulverstone Wharf Specific Area Plan* categorises use, however does not provide specific use standard requirements.

The development application would add to an existing Food services use of the site, with no development proposed. This means the development standards specified under the *Ulverstone Wharf Specific Area Plan* are not applicable. In order to assess the proposal, the purpose statement of the *Ulverstone Wharf Specific Area Plan* have been addressed as follows:–

“F2.1 Purpose of Specific Area Plan

The purpose of the *Ulverstone Wharf Specific Area Plan* is to:

- (a) protect and promote the maritime and agricultural heritage of the Ulverstone Wharf;*

The proposed use would not impact on the maritime and agricultural heritage of the wharf.

- (b) accommodate a range of community and commercial activity to complement the Reibey Street shopping strip;*

The proposed use satisfies the *Ulverstone Wharf Specific Area Plan* purpose statement in that it would be an additional commercial activity located in the Wharf Precinct.

- (c) give priority for tourism and hospitality activity;*

The proposed use would enhance and expand on the hospitality activity available in the area.

- (d) *allow residential development if above the wharf ground level of any building;*

Not applicable. The proposed use would not include residential development.

- (e) *maintain a functional and visual connection between the Ulverstone Wharf Area and the Leven River and the Ulverstone town centre;*

The proposed mobile food outlets would be managed to ensure that the functionality of the Wharf area is maintained. The use would not impact on the visual connection between the Ulverstone Wharf Area and the Leven River and the Ulverstone town centre. The visual appearance of the mobile food outlets would be similar to the outlets forming part of the weekly Sunday market.

- (f) *create civic and community spaces that are safe, vibrant and friendly for people to visit at all times;*

The civic and community spaces would be maintained. The mobile food outlets would be restricted to the concrete area, closer to the southern end of the Wharf building, preserving the existing lawn areas for community use.

- (g) *retain continuity of the open space corridor along the Leven River;*

Restricting the mobile food outlets to the concrete area will retain the continuity of the open space and keep the corridor along the Leven River clear.

- (h) *protect the health of the Leven River by excluding opportunity for reclamation; and*

Not applicable. The proposed use would not impact on the health of the Leven River.

- (i) *control vehicular access to the wharf edge and water based commercial and recreation activities.*

The proposed use would not interfere with vehicular access to the wharf edge.

Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No comment.
Infrastructure Services	Refer to the letter from the Road Authority at Annexure 5.
TasWater	Referral not required.
Department of State Growth	Referral not required.
Environment Protection Authority	Referral not required.
TasRail	Referral not required.
Heritage Tasmania	Referral not required.
Crown Land Services	Referral not required.
Other	Referral 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 –

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

The representations are summarised and responded to as follows:

MATTER RAISED	RESPONSE
REPRESENTATION 1	
1 Lease agreement conditions.	Lease agreement conditions are not a matter for consideration under the Scheme, nor by the Planning Authority. It is a matter between the parties mentioned in the lease.
REPRESENTATION 2	
1 This sort of operation is not permitted under the Wharf Precinct overlay.	Food services use is a “Discretionary” use class under the <i>Ulverstone Wharf Specific Area Plan</i> . Refer to the “Issues” section of this report.
2 Mobile Food Business/Roadside Vending Policy exclusion area and unfair trade.	The exclusion area set out under the “Mobile Food Business/Roadside Vending Policy” is a matter for consideration by the Council, not by the Planning Authority.
3 Traffic and parking.	The Wharf Precinct provides more than 100 car parking spaces as outlined in this report. The proposed Food services use would not have a gross floor area. The proposed Food services use would not provide any seating.

	<p>Based on the above definitions no additional car parking spaces would be required.</p> <p>It is envisaged that a majority of the customers utilising the mobile food services would be pedestrians and cyclists.</p>
4 Health and safety issues.	Occupational health and safety issues are not matters for consideration under the Scheme, nor by the Planning Authority.
5 The visual appearance of the vans would not fit in with the general ambiance of the precinct.	The visual appearance of the mobile food outlets will be considered through the Expressions of Interest assessment criteria.

RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

CONCLUSION

The representations do not contain sufficient merit to justify the addition of any restrictive condition to a Permit issued, or refusal of the development.

The *Ulverstone Wharf Specific Area Plan* outlines specific standards for development, however, fails to provide requirements for use. The proposed "Food services" use (mobile food outlets) has been assessed against the purpose statements for the Ulverstone Wharf area and is considered to satisfy the purpose of the area.

It is considered appropriate the proposed “Food services” use be approved, subject to conditions.

Recommendation –

It is recommended that the application for Food services – Discretionary use – Mobile food outlets at 3 Wharf Road, Ulverstone be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans and documentation received from the applicant, dated February 2017.
- 2 The development must be in accordance with the conditions outlined in the letter from the Road Authority dated 16 November 2018 (copy attached).

Please note:

- 1 A Planning Permit remains valid for two years. If the use or development has not substantially commenced within this period, an extension 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 the use on the site.”

The Consultant’s report is supported.”

The Executive Services Officer reported as follows:

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

■ Cr Fuller moved and Cr Carpenter seconded, “That the application for Food services – Discretionary use – Mobile food outlets at 3 Wharf Road, Ulverstone be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans and documentation received from the applicant, dated February 2017.
- 2 The development must be in accordance with the conditions outlined in the letter from the Road Authority dated 16 November 2018 (copy attached) (a copy being appended to and forming part of these minutes).

Please note:

- 1 A Planning Permit remains valid for two years. If the use or development has not substantially commenced within this period, an extension 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 the use on the site."

Carried unanimously

INFRASTRUCTURE SERVICES

349/2018 Infrastructure Services determinations

The Director Infrastructure Services reported as follows:

“A Schedule of Infrastructure Services Determinations made during the month of November 2018 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr Beswick moved and Cr Hiscutt seconded, “That the Schedule of Infrastructure Services Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

350/2018 Central Coast Public Open Space Policy (327/2006 – 18.09.2006)

The Director Infrastructure Services reported 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 the Public Open Space Policy (the Policy). A copy of the Policy is appended to this report.

BACKGROUND

In 2006, the Council developed an Open Space and Recreation Policy (Minute No. 327/2006) and was adopted at its meeting in September 2006.

Following the development of the Open Space and Recreation Plan 2012–2022 it was determined that the Policy needed reviewing and to make it more relevant to the open space network of the Central Coast. This Policy required a cyclic revision to be undertaken to reflect any changes in practices, legislation etc.

DISCUSSION

The main objective of the Policy is to provide support to the Council's vision and strategic objectives in relation to the open space network.

The purpose of the Policy is to clearly outline the Central Coast Council's commitment to the provision, development and maintenance of the Central Coast open space network and recreation opportunities for recreational and leisure needs.

The Policy will apply to all land controlled by the Central Coast Council and available for public access.

CONSULTATION

Consultation in relation to this Policy has been undertaken within the Infrastructure Services Department, Senior Leadership Team and was presented at a Councillors Workshop on 10 December 2018.

RESOURCE, FINANCIAL AND RISK IMPACTS

There will be no cost associated with this Policy other than the normal Estimates process for the provision, renewal and maintenance of open space infrastructure.

Issues relating to levels of service are dealt with by way of the Open Space and Recreation Plan 2012–2022.

Risks associated with not implementing this Policy are that there may be adhoc development and provision of open space within the municipal area.

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 Public Open Space Policy dated December 2018 be adopted.'

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

The Executive Services Officer reported as follows:

"A copy of the Public Open Space Policy dated December 2018 has been circulated to all Councillors."

■ Cr van Rooyen moved and Cr Carpenter seconded, "That the Public Open Space Policy dated December 2018 (a copy being appended to and forming part of the minutes) be adopted."

Carried unanimously

351/2018 Central Coast Council Playground Policy

The Director Infrastructure Services reported 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 the Playground Policy (the Policy). A copy of the Policy is appended to this report.

BACKGROUND

As part of the revision of the Public Open Space Policy and the Public Open Space Contributions Policy it became evident that the Council required a Playground Policy.

This also became apparent during the development of the Open Space and Recreation Plan 2012–2022.

DISCUSSION

The main objective of the Policy is to set guidelines for the provision of equipment in all Council playgrounds. In particular, alignment with the Central Coast Open Space and Recreation Plan 2012 –2022 and ensuring Council's Asset and Risk Management policies and procedures are complied with.

The Policy will apply to all open space playgrounds owned and controlled by the Central Coast Council.

CONSULTATION

Consultation in relation to this Policy has been undertaken within the Infrastructure Services Department, Senior Leadership Team and was presented at a Councillors' Workshop held on 10 December 2018.

RESOURCE, FINANCIAL AND RISK IMPACTS

There will be no cost associated with this Policy other than the normal Estimates process for the provision, renewal and maintenance of playground equipment in playgrounds.

Risks associated with not implementing this Policy are that there may be adhoc development and provision of playground equipment within the Council's open spaces.

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 Playground Policy dated December 2018 be adopted.'

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

The Executive Services Officer reported as follows:

"A copy of the Playground Policy dated December 2018 has been circulated to all Councillors."

■ Cr Viney moved and Cr Hiscutt seconded, "That the Playground Policy dated December 2018 (a copy being appended to and forming part of the minutes) be adopted."

Carried unanimously

ORGANISATIONAL SERVICES

352/2018 Contracts and agreements

The Director Organisational Services reported as follows:

“A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into during the month of November 2018 has been submitted by the General Manager to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr Beswick moved and Cr Hiscutt seconded, “That the Schedule of Contracts and Agreements (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

353/2018 Correspondence addressed to the Mayor and Councillors

The Director Organisational Services reported as follows:

“A Schedule of Correspondence addressed to the Mayor and Councillors for the period 20 November 2018 to 17 December 2018 and which was addressed to the ‘Mayor and Councillors’ is appended. Reporting of this correspondence is required in accordance with Council policy.

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 reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr Overton moved and Cr Carpenter seconded, “That the Schedule of Correspondence addressed to the Mayor and Councillors (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

354/2018 Common seal

The Director Organisational Services reported as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 20 November 2018 to 17 December 2018 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 reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr Carpenter moved and Cr Viney seconded, “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.”

Carried unanimously

355/2018 Public question time

The Mayor introduced public question time at 6.29pm.

Mr Tony Miller – Ulverstone

Question 1 –

“Prior to the meeting I received the General Managers response, which does answer my questions from the 19 November 2018 meeting, however, is it possible to remind supermarket customers that trolleys must be returned to the appropriate place and that failure to do so is littering? I notice a reminder that bags should be supplied by the customer and that no-smoking is allowed in the CBD.”

Question 2 –

“Would it be possible for bike racks near the supermarket as per Director Community Services email?”

Response:

The Mayor referred the question to the General Manager who advised that littering workshop options would be explored and discussion with Woolworths management undertaken. Education for the community will be included in the e-Newsletter, issued bi-monthly.

Mr Mark Green and Ms Catherine Taylor – Sulphur Creek

Question 1 –

“In relation to the free parking at Hall Point, does the Council comply with the National Competition Policy and competitive neutrality of the site, particularly paragraphs three and four of the Local Government Association of Tasmania’s Recreational Vehicles Guidelines?”

Response:

The Mayor responded that the Council is aware of the competitive neutrality principles and the Council’s Overnight Stays Policy was reviewed by the Economic Regulator, with no issues identified. Once the State Government’s (current) review has been finalised, the Council’s Policy will be reviewed in line with the State’s outcomes.

Question 2 –

“Now that this area is a suburb, there is intrusion into private dwellings and residents see things going on you wouldn’t like to see, fires, camping in tents and motorhomes that are not self-sufficient as well as defecating in the bushes.”

Response:

The Mayor responded by advising that the Council Inspector regularly inspects and monitors areas utilised by motorhomes within the municipal area. To alleviate the issues, increased monitoring of the Hall Point area may be required. Comments and observations have been taken on board and the Director Community Services will follow the matter up.

Questions and replies concluded at 6.37pm.

CLOSURE OF MEETING TO THE PUBLIC

356/2018 Meeting closed to the public

The Executive Services Officer reported 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:

Matter	<i>Local Government (Meeting Procedures) Regulations 2015</i> reference
Confirmation of Closed Session Minutes	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
Minutes and notes of other organisations and committees of the Council Cradle Coast Authority Board – meeting held 13 November 2018.	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.
TasWater Quarterly Report to the Owners’ Representatives	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.”

■ Cr Carpenter moved and Cr Hiscutt seconded, “That the Council close the meeting to the public to consider the following matters, they being matters relating to:

Matter	<i>Local Government (Meeting Procedures) Regulations 2015</i> reference
Confirmation of Closed Session Minutes	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
Minutes and notes of other organisations and committees of the Council Cradle Coast Authority Board – meeting held 13 November 2018.	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.”
TasWater Quarterly Report to the Owners’ Representatives	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.”

Carried unanimously and by absolute majority

The Executive Services Officer further reported 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.”

357/2018 Confirmation of Closed session minutes

The Executive Services Officer reported as follows:

“The Closed session minutes of the previous ordinary meeting of the Council held on 19 November 2018 have already been circulated. The minutes are required to be confirmed for their accuracy.

...

The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of a matter discussed at a closed meeting –

‘34(1)(b) in relation to a matter discussed at the closed meeting –

(i) the fact that the matter was discussed at the closed meeting; and

(ii) a brief description of the matter so discussed –

are to be recorded in the minutes of that part of the meeting that is open to the public, but are to be recorded in a manner that does not disclose any confidential information and protects confidentiality; and

(c) in relation to a matter discussed at the closed meeting, the details of the discussion of the matter, and the outcome of the discussion, are not to be recorded in the minutes of that part of the meeting that is open to the public unless the council, or council committee, determines otherwise.’

The details of this matter are accordingly to be recorded in the minutes of the closed part of the meeting.”

GENERAL MANAGEMENT

358/2018 Minutes and notes of other organisations and committees of the Council

The General Manager reported as follows:

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

- . Cradle Coast Authority Board – meeting held 13 November 2018.

The minutes and notes have been provided to the Council on the condition they are kept confidential.

...

The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of a matter discussed at a closed meeting –

‘34(1)(b) in relation to a matter discussed at the closed meeting –

- (i) the fact that the matter was discussed at the closed meeting; and

- (ii) a brief description of the matter so discussed –

are to be recorded in the minutes of that part of the meeting that is open to the public, but are to be recorded in a manner that does not disclose any confidential information and protects confidentiality; and

- (c) in relation to a matter discussed at the closed meeting, the details of the discussion of the matter, and the outcome of the discussion, are not to be recorded in the minutes of that part of the meeting that is open to the public unless the council, or council committee, determines otherwise.’

The details of this matter are accordingly to be recorded in the minutes of the closed part of the meeting.”

359/2018 TasWater Quarterly Report to the Owners' Representatives

The General Manager reported as follows:

"PURPOSE

This report is to present the TasWater Quarterly Report to Owners' Representatives for the period ended 30 September 2018. The report is provided to all owner councils on an 'In Confidence' basis.

...

The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of a matter discussed at a closed meeting –

‘34(1)(b) in relation to a matter discussed at the closed meeting –

- (i) the fact that the matter was discussed at the closed meeting; and
- (ii) a brief description of the matter so discussed –

are to be recorded in the minutes of that part of the meeting that is open to the public, but are to be recorded in a manner that does not disclose any confidential information and protects confidentiality; and

- (c) in relation to a matter discussed at the closed meeting, the details of the discussion of the matter, and the outcome of the discussion, are not to be recorded in the minutes of that part of the meeting that is open to the public unless the council, or council committee, determines otherwise.’

The details of this matter are accordingly to be recorded in the minutes of the closed part of the meeting.”

There being no further business, the Mayor declared the meeting closed at 6.39pm.

CONFIRMED THIS 29TH DAY OF JANUARY, 2019.

Chairperson

(lb:Imm)

Appendices

- Minute No. 342/2018 – Annual General Meeting minutes – 28 November 2018
- Minute No. 344/2018 – Schedule of Statutory Determinations
- Minute No. 347/2018 – Residential (dwelling) – variation to building height at 10B Whitegum Way, Turners Beach – Application No. DA2018135 – TasWater Submission to Planning Authority Notice TWDA 2018/01847-CC dated 26 November 2018
- Minute No. 348/2018 – Food services – Discretionary use – Mobile food outlets at 3 Wharf Road, Ulverstone – Application No. DA2018131 – Letter from the Road Authority dated 16 November 2018
- Minute No. 349/2018 – Schedule of Infrastructure Services Determinations
- Minute No. 350/2018 – Public Open Space Policy dated December 2018
- Minute No. 351/2018 – Playground Policy dated December 2018
- Minute No. 352/2018 – Schedule of Contracts & Agreements
- Minute No. 353/2018 – Schedule of Correspondence addressed to the Mayor and Councillors
- Minute No. 354/2018 – Schedule of Documents for Affixing of the Common Seal

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 Council within these minutes:

(i) the advice, information or recommendation was given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and

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



Sandra Ayton
GENERAL MANAGER

Appendices

Minutes of an Annual General Meeting of the Central Coast Council held in the Gawler Room at the Civic Centre, 15 King Edward Street, Ulverstone on Wednesday, 28 November 2018 commencing at 7.00pm.

Present

Cr Jan Bonde (Mayor)
Cr John Beswick
Cr Cheryl Fuller
Cr Annette Overton

Cr Garry Carpenter (Deputy Mayor)
Cr Amanda Diprose
Cr Casey Hiscutt
Cr Philip Viney

General Manager (Ms Sandra Ayton)
Director Community Services (Mr Cor Vander Vlist)
Director Infrastructure Services (Mr John Kersnovski)
Director Organisational Services (Mr Bill Hutcheson)
Executive Services Officer (Mrs Lou Brooke)

Mr Jake Weeda
Mr Ian England
Ms Patricia Charlton
Mr Bill Koetsier
Mrs Jeanne Koetsier
Mr Nathan Kelly
Mr Howard Smith

Apologies

Mr John De Jong
Ms Yolande Vandenberg
Cr Tony van Rooyen

Media attendance

The media was not represented.

Opening of meeting

The Mayor, in opening the meeting and welcoming those in attendance:

- . advised that the Annual General Meeting had been called in accordance with the requirements of the *Local Government Act 1993*;

-
- . advised that notice of the Annual General Meeting was given in The Advocate newspaper on Saturday, 10 November 2018.
 - . referred the public in attendance to the agenda prepared for the meeting and which incorporated procedures for the conduct of the meeting.

Introduction of councillors

The Mayor introduced the attending Councillors to the meeting.

Confirmation of the Minutes

- Cr Viney moved and Cr Hiscutt seconded, "That the minutes of the annual general meeting held on 7 November 2017, as circulated be confirmed."

Carried unanimously

Annual Report

The Mayor reported that the Annual Report for the year ended 30 June 2018, including financial statements and audit opinion, had been advertised as available to the public from the Administration Centre and Service Centre and on the Council's website. Electors were invited to make written submissions relating to the Annual Report.

The Mayor spoke in support of the Annual Report.

Additional comment was provided by the General Manager with a PowerPoint display of highlights from the report.

Submissions

One written submission was received (via email) from Mr Jacob Weeda, JP and is reproduced below along with responses to his questions.

Submission opening:

Firstly, congratulations to all elected Councillors. The new Councillors have a lot of processes and knowledge to absorb but there is a solid residual team to mentor you.

We live in a pleasant and affluent area of Tasmania with much to be proud of. I have read the Annual Report which has been incredibly well produced and the staff who have brought this together is really to be congratulated. I would like to speak on behalf of all Ratepayers, Mayor Bonde, please pass that on.

I deal with eight Councils on an irregular basis and I can confirm that the Central Coast Council does business better than any across most divisions.

Below is a list of items that I wish to raise with the Mayor, Councillors and the Council staff where it fits. Mostly these are accolades, some brickbats and the majority suggestions for Council to consider over the immediate short term as you tackle the future governance of our amazing municipality.

Item 1

The Leven River silting is becoming critical. Serious approaches should be made to TasPorts to get this fixed urgently.

Response

The Leven River is in a dynamic state like most rivers with a constantly changing flow regime, resulting in differing silt and sand levels and the weather. The Council has not received complaints about siltation but will discuss the matter with the Department of Primary Industry Parks Wildlife and Environment and Marine and Safety Tasmania.

Item 2

Camp Clayton/Maskells Road junction. There have been two fatalities here over the past fifteen years. With a Federal election within six months, I'd like to suggest that the Central Coast Council ask for \$3.5m. to construct a roundabout here that picks up the Bass Highway; the extension to Industrial Drive; Maskells Road, Camp Clayton Road and even include Westella Drive. This roundabout to be similar to the one at Howth which has been extremely successful.

Response

The Council has sought the construction of a grade separated intersection previously, however, this was not considered necessary by Government and

did not proceed. A roundabout to the latest National Highway Standards (i.e. Bass Highway is a National Highway) and in order to meet this, \$3.5m. would be insufficient to construct a roundabout at the intersection. Closing of the break in the centre median would be appropriate to increase traffic safety, however this would mean that Maskells Road would become a left in – left out road.

Item 3

The Furners Hotel/Coles Carpark is excellent. The new toilets are great, but someone forgot to include a modesty screen. This would not take much effort or cost and could be similar to the one at front of the "Pier One" public toilets. Shielding but opaque.

Response

The design and installation of the toilets in the Furner's/Coles Car Park meet the National Crime Prevention Through Environmental Design (CPTED) requirements.

CPTED aims to have no blind spots in public places including screens in front of toilets where people can hide from view and create unsafe situations.

A heavy-duty metal screen is being installed in front of the toilets after a recent decision of the Council. This will not be a solid screen but rather a specific metal structure, which offers privacy to those entering or exiting the toilets, whilst allowing those in the vicinity to note anyone hiding behind the screen.

Item 4

The alley between Coles and Telstra shop right back to the new Toilets now sealed with hot mix bitumen is very neat & functional. However, the polycarbonate roof desperately requires a pressure clean as do the sides of the adjacent buildings.

Response

It was hoped that as part of the surfacing of the laneway through to the Furner's/Coles Car Park that the roof would also be cleaned. As additional works were required to complete the laneway, funding for the roof cleaning was not available however, will be accounted for in the next budget.

Item 5

The chemically damaged clay pavers in Reibey Street in front of Coles and other smaller areas were going to be replaced two years ago when the Coles Arcade was refurbished. The pavers were bought but are still not in place. Any news on this?

Response

It was intended to replace the pavers in conjunction with the replacement of the concrete pathway/pavers in the laneway. The pavers had been ordered but when issues arose with the new pavers in the laneway, the order was cancelled.

Consideration of replacing the pavers was delayed until after the 7 Day Makeover and Place Making framework of the CBD had been undertaken. Other sections of pavers in Reibey Street are also in need of replacement.

Improving the CBD streetscaping in accordance with the Place Making framework will be considered in the next budget and the replacement of the pavers will form part of the proposed projects.

Item 6

Three years ago I made application for a 7.2 metre extension to the "Subway" awning along with the request to have a glass screen 1500 high, a half metre in from the King Edward street kerb to include some small Alfresco tables. The canopy extension was approved. However, Council advised me that a policy had been written six years prior to cover hoardings, sandwich boards and Alfresco seating in Reibey & King Edward Streets. This policy has not yet been placed on the Council meeting agenda. Any chance of some action soon?

Response

The Outdoor Dining Policy is part of the Council's actions for consideration this financial year.

The application for the shop awning at Subway was approved, however, the glass screen was not due to its proximity to the trafficable area of the road, as well as the intersection.

Although the glass screen is not considered appropriate at this time in the location proposed due to traffic and footpath user safety, the matter has been held in abeyance until advice on the matter is received from the Council's insurer and the Outdoor Dining Policy has been adopted.

Item 7

Wongi Lane, again an excellent result. However, there are two ugly Container storage units sitting in the Carpark behind Harris Scarfe. These containers seriously detract from the aesthetics of the area.

Response

The placement of containers on the Ulverstone Club's land was approved after the Council received a Development Application.

Item 8

Main Street from Victoria Street to The Quadrant. Superb job. Question? Why doesn't Council plant deciduous trees instead of evergreens in the nature strips?

Response

Planting of trees on footpaths in the CBD is the subject of the Council's Street Tree Strategy. As part of the Victoria Street and Main Street projects the variety of trees approved to be planted on the footpaths were reviewed. The Strategy states that deciduous trees are to be planted (generally) unless the trees have a significance to the area, e.g. flowering gums. The trees on Hobbs Parade were replaced with flowering gums to keep the area in theme with its original intent. The type of trees planted in Main and Victoria Streets were recommended by Council's contracted arborist.

Item 9

In the Annual Report it is great to note that the walking/cycle tracks from Sulphur Creek to Devonport closer to reality.

Item 10

The half container in Reibey Street in front of Apex Park. Please donate this to someone to be parked somewhere else.

Response

The parklet was suggested as part of the community-led 7 Day Makeover in the Ulverstone CBD in June 2018. The Council has determined that its use is to be monitored over the summer period before its final location is determined.

Item 11

Beach Road from the Waterslide to the raised car park near the Skate Park. Please fit this on the next budget to have a new kerb and channel with a concrete footpath for this extent.

Response

The Council's kerb and channel and pathways construction priorities are determined in the Long-term Financial Plan each year. Currently an audit of footpaths is being undertaken within the municipal area to determine priorities for construction over the next five years. It is anticipated that the Council will decide on footpath priorities at a Council meeting early in 2019.

Item 12

Beach Road near Buttons Creek. A marvellous new Bar-B Que Pavilion. However, it's been placed back to front. The low side should face into the prevailing weather. However, it's easily fixed by undoing the 24 anchor bolts and turning it around.

Response

The location of the shelter was determined in conjunction with a community group and community members. The suggestion will be considered.

Item 13

Beach Road from the Buttons Creek bridge to the Leighland Christian School railway crossing pedestrian entrance. The road shoulders on both sides have deteriorated badly and I would like to suggest that the shoulders be bitumen sealed before the summer tourist influx. The native plantings have started to take well, and that experiment could be continued in other similar areas.

Response

The need for maintenance to the road shoulders has been noted. This type of maintenance is usually planned prior to the summer season if necessary. Sealing of the shoulders will not be undertaken this year as it has not been programmed in Council's Roads capital works program.

Item 14

Beach accesses at the Water Slide shop and also at the Leighland Christian School railway entrance. Please attend to these as a matter of urgency.

Response

Considerable damage resulted to beach infrastructure along most of the coastline within the Central Coast municipal area during the July and August 2018 severe weather events. Damage amounting to over \$100,000 occurred and is not covered by Natural Disaster Relief arrangements. Consequently, other Council projects have had to be deferred this year to allow the replacement or repair of infrastructure such as the beach access at the end of Victoria Street.

New infrastructure has either been ordered or is being manufactured by staff and will be erected prior to the summer season. All infrastructure on the coastal dunes is on Crown reserves and so approval is required to install the equipment. Where existing beach access was by walking tracks and there is now a considerable drop onto the beach, there are no plans to construct any infrastructure until the long-term sand levels of the beach are assessed and a new access is deemed necessary.

Item 15

The CC Council Planning assessment fees for the "No Planning Permit Required" determination (NPPR) are the most expensive on the Coast. At \$90 for a Counter top assessment, it is excessive. Only Devonport charges a fee of \$50. All other Councils that we deal with are Nil.

Response

The No Permit Required – Assessment and Certificate fees are calculated against the actual cost of undertaking the assessment. No profit margin is included.

Item 16

Two years ago I asked a question at the AGM regarding the wood debris on the beach along the CC Council coastline. The Mayor deferred to the GM who stated that if it were on the wet sand, the wood could be removed by anyone. Most of the flood wood debris has now gone but could the Council produce an article in the Monthly newsletter to that effect. (On a rainy day it would all disappear.)

Response

The Council has been in discussions since 2016 with Crown Land Services and Department of Primary Industry Parks Water and Environment on their policy of the removal of timber debris from beaches. The Council is awaiting a Government determination on the removal of timber debris, this has not been received to date. It would be inappropriate to comment publicly on the issue until the Government has finalised its policy.

Item 17

The derelict service station at No 1 Turners Beach Road. The question is; "why has crown lands apparently taken this over?"

I have a client who is very keen to develop this site but it's all hamstrung. Please confirm my information on this and see if something can be done, otherwise it will be a blot on the landscape for the next ten years.

Response

Crown Land Services have not taken over the site, the site was relinquished to the Crown, by the owners. The Council is currently undergoing a legal process to gain control of the site. Once the site becomes Council property, the Council will auction the property to recover unpaid rates and any costs that the Council incurred as part of this process.

The Annual Report.

Item 18

In future reports please include the names of the people in the photographs.

Item 19

Page 38. There are four levels of government in Tasmania. No, I'm not being facetious. I deal with TasWater on a daily basis and although they employ some competent staff, as an organisation they are a money grabbing lot with a serious dearth of leadership. They have more power than the State Government and have delayed several projects to the detriment of development along the NW Coast.

Item 20

Page 65; the Statewide Planning Scheme. If this document ever is gazetted, it could well be the death knell of development and the Planners will all be seriously stressed out. I have served on the HIA Planning Committee for several years but gave up as it's Hobart-centric & at over 600 pages, it will be an unworkable document.

Item 21

Page 82. Weed Control. I have raised this matter for several years but very little is being done about the Gorse around the Municipality. It is becoming chronic and must be costing our Farmers dearly. Also, Cape Weed. The Annual report is not correct is this.

Response

The Council has an ongoing weed eradication program. As mentioned on page 82 of the Annual Report, the Council has adopted a new Weed Management Strategy and funding for this will be considered in the next budget.

Item 22

An excellent result.

To all stakeholders, keep up the superb work.

Regards, Jacob Weeda, JP

Other Business

The Mayor invited questions or comments from the floor.

- . Mr Weeda noted the parklet located in Apex Park in his submission, however questioned why it still remained in place on Reibey Street as it has received numerous negative comments and felt it doesn't belong in the parking space as it reduces available car parking.

In responding to Mr Weeda, the Mayor advised that the parklet was an idea developed during the Ulverstone 7 Day Makeover, with the idea that it would increase activity in the area and assists in slowing 'people' traffic down, encouraging people to stay in the CBD longer. Various comments and compliments have been received, as it is a new concept for the community and that the Council will reassess its location after the summer months.

- . Mrs Jeanne Koetsier wanted clarification as to why the Penguin Market was the only activity marketed by the Australian Masters Games Committee, noting that the Penguin History Group and Uniting Church also had activities available for visitors to the community.

In responding, the Mayor advised that promotional material for the Australian Masters Games (AMG) was a regional approach, each community was offered the opportunity to provide documentation. The Mayor then referred to Cr Garry Carpenter who advised that the Caves to Canyon Tourism Association invested considerable time with the Committee to negotiate additional marketing information being included. The AMG Committee's marketing had to be fair across the board as it was an unbiased broad-spectrum event.

- . Mr Nathan Kelly proposed a suggestion of the Central Coast Chamber of Commerce and Industry and the Council work together in the coming year on community engagement and development of a marketing push for dissemination of community information. Mr Kelly reiterated that discussion is required to increase community reach, without focusing on the website.

In response, the Mayor noted her disappointment in not being able to reach the entire community, the Council uses various mediums to communicate, however it does not always ensure information reaches everybody. The Council is accepting of new ideas and suggestions on how it can improve in this area.

- Mr Weeda moved and Cr Carpenter seconded, "That the Annual Report be received."

Carried unanimously

Close of meeting

The Mayor closed the meeting at 8.12pm and, in doing so, thanked those in attendance for their participation.



Sandra Ayton
GENERAL MANAGER

Central Coast Council
List of Development Applications Determined
Period from: 1 November 2018 to 30 November 2018

Application Number Display	Address	DA Type	Proposed use	Application Date	Decision Date	Day determined
DA2018012	14B Beach Road ULVERSTONE,TAS,7315	Discretionary	Residential (dwelling)	5/07/2018	20/11/2018	34
DA2018024	39 Ocean Drive ULVERSTONE,TAS,7315	Discretionary	Residential (carport and extension to shed)	18/07/2018	14/11/2018	35
DA2018036	140 Hardys Road PENGUIN,TAS,7316	Discretionary	Residential (demolition of existing outbuildings and additions and alterations to existing dwelling)	27/07/2018	30/11/2018	33
DA2018037	49 Allegra Drive HEYBRIDGE,TAS,7316	Discretionary	Residential (demolition of existing outbuilding and construction of a dwelling)	31/07/2018	22/11/2018	36
DA2018045	24 Allens Road WEST ULVERSTONE,TAS,7315	Permitted	Residential (additions)	13/08/2018	30/11/2018	10
DA2018063	1 Southern Cross Drive ULVERSTONE,TAS,7315	Discretionary	Residential (multiple dwellings x two)	4/09/2018	6/11/2018	34
DA2018069	58 Susan Street TURNERS BEACH,TAS,7315	Discretionary	Visitor accommodation	7/09/2018	6/11/2018	25
DA2018070	57 & 29 Water Street ULVERSTONE,TAS,7315	Discretionary	Sports and Recreation (urban bike park)	7/09/2018	19/11/2018	59
DA2018079	8 Shorehaven Drive TURNERS BEACH,TAS,7315	Discretionary	Residential (dwelling)	17/09/2018	15/11/2018	27
DA2018083	120 Kergers Road RIANA,TAS,7316	Discretionary	Resource development (stud cattle enterprise) and Residential (required dwelling)	18/09/2018	6/11/2018	32
DA2018087	4 Blackburn Drive TURNERS BEACH,TAS,7315	Discretionary	Visitor accommodation and signage (overnight camping area for fully self- contained recreational vehicles)	21/09/2018	23/11/2018	30

Central Coast Council
List of Development Applications Determined
Period from: 1 November 2018 to 30 November 2018

DA2018088	1456 South Riana Road GUNNS PLAINS,TAS,7315	Discretionary	Visitor accommodation (for up to 19 visitors)	24/09/2018	23/11/2018	31
DA2018090	132 South Road WEST ULVERSTONE,TAS,7315	Discretionary	Subdivision (two lots)	26/09/2018	9/11/2018	32
DA2018091	7 Possum Lane TURNERS BEACH,TAS,7315	Discretionary	Residential (additions – dwelling extension, deck roof and awning)	26/09/2018	7/11/2018	29
DA2018094	1 Summer Place TURNERS BEACH,TAS,7315	Discretionary	Residential (subdivision – two lots and construction of a dwelling on each lot)	1/10/2018	19/11/2018	39
DA2018095	23 Explorer Drive TURNERS BEACH,TAS,7315	Discretionary	Residential (dwelling and outbuilding)	2/10/2018	8/11/2018	27
DA2018099	195 Upper Maud Street WEST ULVERSTONE,TAS,7315	Discretionary	Residential (dwelling and outbuilding)	3/10/2018	22/11/2018	31
DA2018105	1–17 Ironcliffe Road PENGUIN,TAS,7316	Discretionary	Sport and Recreation (demolition of existing buildings and associated infrastructure)	9/10/2018	14/11/2018	28
DA2018106	70 Main Road PENGUIN,TAS,7316	Discretionary	Food Services (bakery)	9/10/2018	14/11/2018	30
DA2018107	14D Beach Road ULVERSTONE,TAS,7315	Discretionary	Residential (dwelling)	9/10/2018	7/11/2018	29
DA2018108	50 Littles Road FORTH,TAS,7310	Permitted	Residential (dwelling additions and alterations)	9/10/2018	6/11/2018	18
DA2018113	27 Turners Avenue TURNERS BEACH,TAS,7315	Discretionary	Visitor accommodation (dwelling and outbuilding)	17/10/2018	27/11/2018	27
DA2018123 – 1	310A Preservation Drive Sulphur Creek,TAS,7316	Other Development – Permitted Use Area >250m2	Subdivision (re–orientation of Lots and boundary adjustments)	22/10/2018	2/11/2018	2
DA2018126	900 Cuprona Road CUPRONA,TAS,7316	Permitted	Residential (outbuilding – shed)	23/10/2018	20/11/2018	12

Central Coast Council
List of Development Applications Determined
Period from: 1 November 2018 to 30 November 2018

DA2018128	44 Main Road PENGUIN,TAS,7316	Discretionary	Food services (Change of use – café)	24/10/2018	20/11/2018	25
DA2018129	2 Midway Lane SULPHUR CREEK,TAS,7316	Discretionary	Residential (stairway and driveway extension with drainage infrastructure)	26/10/2018	21/11/2018	21
DA2018142	20 Sylvan Rise PENGUIN,TAS,7316	Permitted	Residential (outbuilding – shed)	2/11/2018	29/11/2018	16
DA2018149	102 Upper Maud Street WEST ULVERSTONE,TAS,7315	Permitted	Visitor Accommodation	9/11/2018	23/11/2018	9

**SCHEDULE OF STATUTORY DETERMINATIONS
MADE UNDER DELEGATION**

Period: 1 November 2018 to 30 November 2018

Building Permits – 7

• New dwellings	5	\$1,370,000
• Outbuildings	0	\$0
• Additions/Alterations	0	\$0
• Other	2	\$660,000
• Units	0	\$0

Permit of Substantial Compliance – Building – 1

Notifiable Work – Building – 5

• New dwellings	1	\$252,532
• Outbuildings	1	\$40,000
• Additions/Alterations	1	\$70,000
• Other	2	\$250,863.28

Building Low Risk Work – 0

Plumbing Permits – 3

Certificate of Likely Compliance – Plumbing – 8

Notifiable Work – Plumbing – 0

Plumbing Low Risk Work – 0

Food Business registrations (renewals) – 15

Food Business registrations – 0

Temporary Food Business registrations – 4

Temporary 12 month Statewide Food Business Registrations – 1

Public Health Risk Activity Premises Registration – 0

Public Health Risk Activity Operator Licences – 1

Temporary Place of Assembly licences – 0

Kennel Licences issued –

ADDRESS	OWNER
4 Turners Avenue Turners Beach	Sue Howard

Abatement notices issued -

ADDRESS	PROPERTY ID
Gawler Road, Gawler	100530.0000
Ashwater Crescent, Penguin	403030.0870
6 Evelyn Street, Penguin	403190.0120
26 Fairway Drive, Penguin	403195.0340
40 Hales Street, Penguin	403230.0980
16 Ironcliffe Road, Penguin	403280.0920
44-48 Ironcliffe Road, Penguin	403280.1180
22 King Edward Street, Penguin	403310.0160
20 Mission Hill Road, Penguin	403430.0980
6 Seaside Crescent, Penguin	403550.0240
20 South Road, Penguin	403570.1600
26-28 South Road, Penguin	403570.1650
115 South Road, Penguin	403570.0960
12 Sunset Lane, Penguin	403610.0240
13 Whittle Street, Penguin	403660.0160
8 Lyle Street, Sulphur Creek	403395.0180
3 Oceanside Boulevard, Sulphur Creek	403448.0040
6 Oceanside Boulevard, Sulphur Creek	403448.0140
12 Sandhaven Crescent, Sulphur Creek	403541.0360
6 Tamworth Street, Sulphur Creek	403617.0140
8 Tamworth Street, Sulphur Creek	403617.0160
78 Esplanade, Turner Beach	202050.1140
124-126 Esplanade, Turner Beach	202050.1500
112-118 Esplanade, Turner Beach	202050.1460
Gables Park, Turners Beach	202140.0020
24 Fieldings Way, Ulverstone	100450.0440
2 Froms Road, Ulverstone	100500.0060
9 Holliview Way, Ulverstone	100715.0180
36 Jermyn Street, Ulverstone	100810.1160
1 Kilowatt Court, Ulverstone	100895.0010
6 King Edward Street, Ulverstone	100910.0460
21 Main Street, Ulverstone	101080.0320
3 Maisie Place, Ulverstone	101085.0040
5 Maisie Place, Ulverstone	101085.0060
14 Southern Cross Drive, Ulverstone	101555.0380
Von Bibras Road, Ulverstone	505750.0060
58 Water Street, Ulverstone	101810.0940

ADDRESS	PROPERTY ID
12 Breheny Place, West Ulverstone	100190.0100
27 Breheny Place, West Ulverstone	100190.0120
7 Cheryl Court, West Ulverstone	100255.0140
1 Flinders Avenue, West Ulverstone	100470.0020
6 River Road, West Ulverstone	101470.0080
46 South Road, West Ulverstone	101560.1700
101 South Road, West Ulverstone	101560.0650
195 Upper Maud Street, West Ulverstone	101710.0768
9 Cann Street, Penguin	403080.0100
Dial Road, Penguin	403150.0900
40 South Road, Penguin	403570.1760
Hales Street, Penguin	403230.2200
136 South Road, Penguin	403570.2460
1 Midway Lane, Sulphur Creek	403427.0020
Clara Street, West Ulverstone	100260.1180
53A Westland Drive, West Ulverstone	101850.0510
1 Southern Cross Drive, Ulverstone	101555.0020
3 Southern Cross Drive, Ulverstone	101555.0040
12 Wrights Road, Ulverstone	101900.0140
575 Preston Road, North Motton	505350.0480
29 Beach Road, Ulverstone	100120.0100
9-11 Scurrah Street, Ulverstone	101510.0080



Cor Vander Vlist
DIRECTOR COMMUNITY SERVICES

Submission to Planning Authority Notice

Council Planning Permit No.	DA2018135	Council notice date	12/11/2018
TasWater details			
TasWater Reference No.	TWDA 2018/01847-CC	Date of response	26 Nov 2018
TasWater Contact	Greg Clausen	Phone No.	(03) 6237 8242
Response issued to			
Council name	CENTRAL COAST COUNCIL		
Contact details	planning.cmw@centralcoast.tas.gov.au		
Development details			
Address	10B WHITEGUM WAY, TURNERS BEACH	Property ID (PID)	2575561
Description of development	New Dwelling (aka 24a Turners Beach)		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Adams Building Design	Site/Drainage Plan		13.09.18
TasWater	Infrastructure Plan		26 Nov 2018
Conditions			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> The development must not be commenced unless and until a sewerage service connection has been installed. <i>Advice: There are several options whereby the property can be connected to sewerage infrastructure. Some of these options involve extending TasWater infrastructure across private property which would require a suitable easement to be transferred to TasWater. See the TasWater Infrastructure Plan. TasWater does not provide a consultancy service for this work. Feel free to contact Greg Clausen to discuss further. The purpose for Condition 1 is to ensure that this matter is fully attended to in the first instance.</i> Any removal/supply and installation of water supply or sewerage service connections must be carried out by TasWater at the developer's cost. Prior to commencing construction of the development, any water connection utilised for construction must have a water meter installed, to the satisfaction of TasWater. <p>DEVELOPMENT ASSESSMENT FEES</p> <ol style="list-style-type: none"> The applicant or landowner as the case may be, must pay a development assessment fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows: <ol style="list-style-type: none"> \$211.63 for development assessment and <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p> 			

Advice

Sewerage Service Connection

For information

General

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

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

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

A copy of the GIS is included in email with this notice and should aid in updating of the documentation. The location of this infrastructure as shown on the GIS is indicative only.

- A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater
- TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taswater.com.au/Development/Service-location for a list of companies
- TasWater will locate residential water stop taps free of charge
- Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

Metering Vacant Lot

TasWater records indicate this property does not have a water meter installed on the connection to the TasWater water supply.

Prior to obtaining Building/Plumbing Approvals from council, the owner should make application to TasWater for the supply & installation of a water meter. TasWater will proceed to install a water meter on the water connection and forward an invoice for \$266.72.

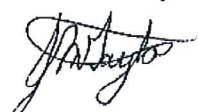
NOTE: In accordance with the WATER AND SEWERAGE INDUSTRY ACT 2008 - SECT 56ZB A regulated entity may charge a person for the reasonable cost of –

- a meter; and
- installing a meter.

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

Authorised by




Jason Taylor
Development Assessment Manager

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
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Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au
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<p align="center">CENTRAL COAST COUNCIL</p> <p>I certify that this is <u>TasWater Submission</u> <u>to Planning Authority Notice TWDA-</u> <u>2018/01847 @ 105 White gum Way</u> <u>Turners Beach DA20180135</u> referred to in Minute No. <u>347/2018</u> of a meeting of the Council held on <u>17</u> / <u>12</u> / <u>2018</u>  Executive Services Officer</p>



TasWater Infrastructure

- Water Reticulation Main
- R Stormwater Rising Main
- Stormwater Gravity Reticulation Main
- P Sewer Pressure Reticulation Main
- R - Sewer Rising Main
- Sewer Gravity Reticulation Main
- Recycled Water Distribution Main

Private Infrastructure

- Water Mains - Private
- Stormwater Gravity Main - Private
- P - Sewer Pressurised Mains - Private
- Sewer Gravity Mains - Private
- Recycled Water Mains - Private

Abandoned Infrastructure


- * Water Abandoned Line
- Sewer Abandoned Line
- Recycled Water Abandoned Line

1: 500

25.40 Meters 0 12.70 25.40

NOTE: The representation of the TasWater assets shown on this map was derived from data supplied by TasWater. TasWater makes no representation as to the accuracy or completeness of the assets shown on this map.

Annexure 5

CENTRAL COAST COUNCIL	
I certify that this is <u>the Road Authority's</u>	
<u>Vehicle Access + Short Term Parking</u>	
<u>3 Wharf Road, Ulv</u> DA2018131	
referred to in	
Minute No. <u>348/2018</u> of a meeting of the	
Council held on <u>17</u> / <u>12</u> / <u>2018</u>	
	
Executive Services Officer	

Our ref.: DA2018131, paa:kaa

Doc ID:

16 November 2018

Director Community Services
Central Coast Council
PO Box 220
ULVERSTONE TAS 7315

Dear Cor

DA2018131 – MOBILE FOOD OULETS – 3 WHARF ROAD, ULVERSTONE
VEHICULAR ACCESS AND SHORT TERM PARKING

I refer to your application for mobile food outlets at 3 Wharf Road, Ulverstone, and based on the information supplied make the following determination in respect to vehicular access and short-term parking in the Wharf area.

- R1 Mobile food outlet vehicles may park on the concrete area at the southern end of the wharf building, as defined on the attached plan, taking note of the separation requirements to the river side of the Wharf, the paved area and any building or associated structure;
- R2 Vehicles must not travel over or park on either the paved area or the grassed open space area at the southern end of the Wharf building;
- R3 Access to the designated mobile food outlet parking area shall be from the northern end of the wharf, with vehicles travelling along the front of the Wharf and exiting to Wharf Road via the Shared Pathway;
- R4 The movement of vehicles detailed above must be in a controlled manner and under the supervision of Council staff;
- R5 Any damage or disturbance to the concrete area, paved area or grass area at the southern end of the Wharf, or the Wharf building and associated structures, resulting from activity associated with the mobile food outlets must be rectified to the satisfaction of the Council's Director Infrastructure Services or his representative at your (the applicant's) cost.

A copy of this letter has been provided to the Council's Land Use Planning Group.

Yours sincerely

Philip Adams
ENVIRONMENTAL ENGINEER

Administrative Assistant – Planning
Assets Group Leader
Construction & Maintenance Group Leader
Engineering Group Leader
Director Infrastructure Services

A COPY FOR YOUR INFORMATION

SCHEDULE OF INFRASTRUCTURE SERVICES DETERMINATIONS

Period: 1 November 2018 to 30 November 2018

Approval of Roadworks and Services

Developer: S & A Harding Pty Ltd
Location: 240 Westella Drive, Turners Beach
Development: 18 Residential Lots
Engineer: Dean Panton / Chris Walker
(PDA Surveyors)



John Kersnovski
DIRECTOR INFRASTRUCTURE SERVICES

Public Open Space Policy

December 2018

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1. POLICY

The Central Coast Council wishes to establish an open space network that provides for a range of active and passive recreation opportunities, that is accessible, fit for purpose, enhances natural and cultural values, and offers an amenable environment for all forms of active and passive recreation.

The Public Open Space Policy is to support the Council's vision and strategic objectives of appropriately managing assets and to provide the community with guidelines for the provision and management of open space within Central Coast.

2. PURPOSE OF POLICY

The purpose of this Policy is to clearly outline the Council's commitment to the provision, development and maintenance of the Central Coast's open space network and recreation opportunities for the recreational and leisure needs of the community.

3. SCOPE

This Policy applies to all open space areas within the Central Coast municipal area.

4. OBJECTIVES

The following statements reflect the objectives of the Council with respect to the provision of open space and recreation:

- (a) Major open space and recreation developments initiated or supported by the Council will only proceed where they are the outcome of a 'whole-of-Council' process of planning, review and approval;
- (b) The Council will endeavour to facilitate the provision of recreation opportunities/projects for the community where there is an identified 'gap' in provision;
- (c) The Council will consider the provision of recreational opportunities and services where they are essential for the viability of a major Council recreation facility;
- (d) The Council will only provide or support new facilities, opportunities and service which reflect researched community needs, help achieve optimal use, offer a diversity of measurable beneficial outcomes and maintain or broaden the base for participation in recreation activities;
- (e) Unless a strong case to the contrary can be demonstrated, open space and built facilities will only be developed where this supports multiple uses and users;
- (f) The Council will encourage a transition to a shared or multiple occupation of existing grounds, facilities, clubrooms and social facilities;
- (g) The Council will endeavour to refurbish, redevelop and/or rationalise recreation assets or restructure their management and use to ensure current and emergent needs are satisfied and that duplication or over-provision does not occur;

- (h) The Council will endeavour to provide and maintain recreation facilities and services in a condition which is appropriate to the standard and level of use. Maintenance schedules will comply with contemporary standards for competition, safety and risk management;
- (i) The Council will strive to facilitate, support and/or develop and maintain recreation facilities and services at a hierarchy of standards to ensure a sustainable array of opportunities for participation at all appropriate skill levels;
- (j) The Council will ensure its approach to leasing, licencing and hiring of facilities is fair and equitable and aligned with a contemporary approach to community facility management;
- (k) The Council will actively support local community industry sectors that can generate sustainable, measurable open space and recreation outcomes.

To achieve this the Council will in accordance with the Central Coast Open Space and Recreation Plan 2012–2022:

- . Encourage active involvement in the allocation and maintenance of open space that will ensure that parks are located to maximise accessibility and are developed to allow appropriate utilisation by the community.
- . Develop open space facilities in accordance with the Council’s funding principles.
- . Where the residential subdivision of land occurs, co-ordinate the provision of open space in accordance with the Public Open Space Contributions Policy to maximise its environmental and recreational values and accessibility to users.
- . Negotiate with developers of industrial and commercial land for the allocation of open space for the enjoyment of workers and its integration into an urban open space network, including the creation and protection of native vegetation and wildlife corridors along roads and rail.
- . Encourage the rehabilitation and maintenance of waterways, including adjacent environs to preserve existing remnant vegetation and wildlife habitats.
- . Design open space areas to be attractive functional and safe.
- . The public open space reserve is to provide for the purchase of land in areas deficient in open space, to fulfil local, district and regional open space needs and to achieve the development of facilities on open space as per the Public Open Spaces Contributions Policy.

5. DEFINITIONS

Open space refers to all land controlled by the Council and available for public access.

6. STRATEGIC FRAMEWORK

The Council’s Public Open Space Policy complements and builds upon the Council’s Strategic Plan 2014–2024 as follows:

Strategic Direction 1.1

- Improve the value and use of open space.

Strategic Direction 1.2

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

Strategic Direction 2.1

- Provide for a diverse range of movement patterns.

Strategic Direction 4.3

- Develop and manage sustainable built infrastructure.

Strategic Direction 4.4

- Contribute to the preservation of the natural environment.

As well as:

- meeting community needs and expectations;
- management of the Council's risk;
- achievement of better resource efficiency using integrated systems; and
- compliance with State and Federal legislation.

7. STANDARD (INCLUDING RELEVANT LEGISLATION)

This Public Open Space Policy has been developed in accordance with the:

- Disability Discrimination Act
- Local Government Act 1993
- Central Coast Interim Planning Scheme 2013
- Central Coast Open Space and Recreation Plan 2012–2022
- Councils Long-term Financial Plan

8. REVIEW

This policy will be reviewed every five (5) years, unless organisational and legislative changes require more frequent modification.

9. APENDICES

The following appendices are attached to this Policy.

- Nil

10. RELATED DOCUMENTS

- Central Coast Council Strategic Plan 2014–2024
- Corporate Folder
- Risk Management Policy
- Central Coast Open Space and Recreation Plan 2012–2022
- Public Open Space Contributions Policy

Sandra Ayton
GENERAL MANAGER
November 2018

Playground Policy

December 2018

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1. POLICY

The Playground Policy is to support the Council's vision and strategic objectives of appropriately managing assets and to provide the community with guidelines for the provision, maintenance and renewal of playground equipment within Central Coast.

The Central Coast Council is committed to improving the value and use of open space that provides for a range of recreation opportunities. Such open space, where applicable, will provided a variety of playground equipment that provides for engaging, exciting and interactive and play experiences.

2. PURPOSE OF POLICY

The purpose of this Policy is to set out guidelines for the provision, maintenance and renewal of playground equipment in all Council playgrounds.

3. SCOPE

This Policy applies to all playgrounds owned by the Council. Any reference to 'playgrounds' includes, but is not restricted to all play equipment, softfall areas, grounds, shade structures, associated garden beds and perimeter fencing.

4. OBJECTIVE

The objectives of the Policy are to:

- . Assist the Council to fulfil its corporate and legislative objectives in the provision of accessible, suitable and contemporary community recreational opportunities;
- . Provide and develop playgrounds that align with the open space hierarchy, including higher level regional and district playgrounds as a key focus, with provision for local open space playgrounds within the urban areas as determined through the Planning Scheme and the Central Coast Open Space and Recreation Plan 2012–2022;
- . Ensure the appropriate allocation of resources and strategically review the locations of existing playgrounds to ensure there is provision for play is generally located within a 400m radius of 90–95% of households in urban centres;
- . Allow for the provision of a district open space playgrounds to be generally located within an 800m radius of 90–95% of households in urban centres and within 10–20 minutes' drive for most Central Coast residents;
- . Ensure Council Asset Management responsibilities are met.

5. DEFINITIONS

To asset in interpretation of this Policy the following definition applies:

"Playground" means an area established for the opportunity for children of all ages and abilities to interact, learn, be physically challenged and to have fun. The Council supports the provision of playgrounds that meet or exceed the requirements for unsupervised play.

6. PLAYGROUND EQUIPMENT

1.1 Existing Equipment

All existing playground equipment shall comply with all Australian Standards relevant at the date of installation.

1.2 Installation of New Equipment

All new playground equipment purchased and/or constructed shall comply with all current relevant Australian Standards and shall be installed in accordance with those standards and any applicable manufacturer's instructions.

7. PLAYGROUND EQUIPMENT INVENTORY AND INSPECTIONS

The Council will maintain a Playground Equipment and Softfall register. This information is to be stored in the Council's Asset Management System (Conquest) and is administered by the Parks/Recreation Officer.

The Council will undertake monthly inspections of the playground equipment and softfall to determine any defects and ascertain the safety of the equipment.

An annual inspection will be undertaken by an external auditor to check against Australian Standards.

8. ESTABLISHMENT OF NEW PLAYGROUNDS

The Council may resolve, additional to any Planning Scheme requirements, to make budgetary provision for the establishment of a new playground.

All new playgrounds shall be assessed for suitability of location based upon the hierarchy of open space and the Central Coast Open Space and Recreation Plan 2012–2022.

When residential subdivisions are undertaken the Council may require the provision of land or cash-in-lieu in accordance with the Public Open Space Contributions Policy.

If land is required, the Council will provide funds in the budget to provide playground equipment on the land once 50% has been developed.

Playgrounds will also be assessed against the Playground Renewal Program schedule that has been developed to enable scheduled replacement of equipment based upon known life in various environmental locations.

9. RENEWAL, RELOCATION AND REMOVALS OF PLAYGROUNDS

The Council will establish a renewal, relocation and removal schedule that will ensure the playgrounds remain in a safe, usable condition and provided relevant play experiences that meets the needs of the local community.

The Council will provide funding in the annual estimates for the renewal, relocation and removal of play equipment.

When required due to safety issues playgrounds may require to be closed and/or removed at short notice. The Council will be advised as soon as possible of the circumstance and outcome if this was to occur.

10. TEMPORARY CLOSURE OF PLAYGROUNDS

The Council may temporarily close a playground for the purposes of carry out works of any kind.

11. ANNUAL BUDGETARY PROVISIONS

The Council will make provision in the annual Estimates and 10-year plans for the progressive renewal and/or upgrading of playground equipment as identified in the Asset Management Plans.

The Council collects funds from developers in accordance with the Public Open Space Contributions policy. Funds from this reserve will be used in accordance with the Public Open Space contributions policy.

12. INCIDENTS

The Council will maintain records for playground related incidents that it receives from the staff and public.

13. RESALE OF PLAYGROUND EQUIPMENT

Items of playground equipment are generally removed because they do not meet the current Australian Standard or they have major defect.

The Council will not sell or donate any playground equipment that has been removed from service for re-use in any location. Items of equipment will be disposed of appropriately.

14. SHADE

The Council will provide natural shade wherever possible in preference to built shade structures. Built shade structures will only be considered where the establishment of trees is considered detrimental to other surrounding infrastructure, or trees have failed to thrive after repeated attempted planting has failed or will not provide the shade required.

15. FENCING

The Council will not be required to fence playground areas. If necessary, a risk assessment will be undertaken to determine the need for a fence.

16. SITING OF PLAYGROUNDS

The Council will locate playgrounds in accordance with the Central Coast Open Space and Recreation Plan 2012–2022 and after consideration of existing site conditions and design criteria to ensure safety and security of the community and users.

17. AUDITING OF PLAYGROUNDS

To mitigate risk the Council undertakes a monthly inspection of all playground equipment to identify any safety issues or defects. An annual audit is to be undertaken by an accredited external auditor to ensure compliance to the relevant standard/s.

18. STRATEGIC FRAMEWORK

The Council's Playground Policy complements and builds upon the Council's Strategic Plan 2014–2024 as follows:

Strategic Direction 1.1

- . Improve the value and use of open space.

Strategic Direction 4.3

- . Develop and manage sustainable built infrastructure.

As well as:

- . meeting community needs and expectations;
- . management of the Council's risk;
- . achievement of better resource efficiency using integrated systems; and
- . compliance with State and Federal legislation.

19. STANDARD (INCLUDING RELEVANT LEGISLATION)

This Playground Policy has been developed in accordance with the:

- . Disability Discrimination Act
- . Local Government Act 1993
- . Central Coast Interim Planning Scheme 2013
- . Central Coast Open Space and Recreation Plan 2012–2022
- . Councils Long-term Financial Plan

20. REVIEW

This policy will be reviewed every five (5) years, unless organisational and legislative changes require more frequent modification.

21. APPENDICES

The following appendices are attached to this Policy.

- . Nil

22. RELATED DOCUMENTS

- . Central Coast Council Strategic Plan 2014–2024
- . Corporate Folder
- . Risk Management Policy
- . Central Coast Open Space and Recreation Plan 2012–2022
- . Public Open Space Contributions Policy

Sandra Ayton
GENERAL MANAGER
November 2018



SCHEDULE OF CONTRACTS AND AGREEMENTS

(Other than those approved under the Common Seal)

Period: 1 to 30 November 2018

Contracts

- Contract No. 4/2018–2019
Webster Trucks
Supply and delivery of Isuzu FSR 120–260 MWB truck and body, plus optional automatic transmission, plus GVM re-rating from 12 to 14 tonne, plus included 5 year/300,000km extended warranty
Net Price \$136,804.10 (incl. GST)

Agreements

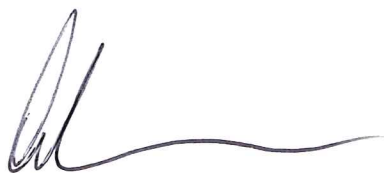
- Sponsorship Agreement
GTR Events Pty Ltd and Central Coast Council
Spirit of Tasmania Cycling Tour – Stage date 17 November 2018
Sponsorship amount – \$10,000.00 (excl. GST)
- Mechanical Services Maintenance Renewals
RCR Infrastructure Haden
Ulverstone Wharf Complex; Ulverstone Civic Centre; Central Coast Council Administration Centre
- Lease Agreement
Rotaract Club of Central Coast
Ulverstone Civic Centre Kiosk – period of five years
- Grant Agreement (2018–19 Sport and Recreation Minor Grants Program – Round 1)
Department of Communities Tasmania and Central Coast Council
Assist with the replacement of the Ulverstone soccer ground goal
Amount of Grant – \$7,332 (excl. GST)

Sandra Ayton
GENERAL MANAGER

**SCHEDULE OF CORRESPONDENCE RECEIVED ADDRESSED TO
MAYOR AND COUNCILLORS**

Period: 20 November 2018 – 17 December 2018

- . Letter congratulating all involved in the recent 7 Day Makeovers of Ulverstone and Penguin.
- . Representation in relation to DA2018131 for the Wharf Precinct, Ulverstone.
- . Letter of concern regarding the promotion of homosexuality in Ulverstone.
- . Letter suggesting the Council move the container from Reibey Street to the vacant space in the alleyway beside Coles Supermarket.
- . Letter congratulating Councillors for their recent election to Council.
- . Letter of concern relating to property fire risk in Fielding Street, Penguin.
- . Letter advising that of submission dates – Call for motions for the 2019 National General Assembly and associated discussion paper.



Bill Hutcheson
DIRECTOR ORGANISATIONAL SERVICES

**SCHEDULE OF DOCUMENTS FOR AFFIXING OF
THE COMMON SEAL**

Period: 20 November 2018 – 17 December 2018

Documents for affixing of the common seal

· Nil

Final plans of subdivision sealed under delegation

- Final Plan of Survey
744 and 862 South Riana Road, South Riana (dwelling excision and amalgamation of balance land with adjoining land)
Application No. DA217119
- Final Plan of Survey
Lots 39 and 55 Bowmen Drive/Hales Street, Penguin (Pengana Heights)
Application No. SUB 2003.20
- Final Plan of Survey
2 Scurrah Street, Ulverstone (subdivision– 2 lots)
Application No. DA217140
- Final Plan of Survey
Lots 1 and 46 Arcadia Ave, Turners Beach
Application No. SUB995A/DA211037



Sandra Ayton
GENERAL MANAGER