
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, 25 January 2021 commencing at 6.00pm.

Councillors attendance

Cr Jan Bonde (Mayor)	Cr John Beswick
Cr Garry Carpenter (Deputy Mayor)	Cr Amanda Diprose
Cr Cheryl Fuller	Cr Tony van Rooyen
Cr Philip Viney	

Councillors apologies

Cr Casey Hiscutt
Cr Annette Overton

Employees attendance

General Manager (Ms Sandra Ayton)
Director Infrastructure Services (Mr Paul Breden)
Strategic Projects and Planning Consultant (Mr Paul West)
Corporate Services Group Leader (Mr Stuart Arnot)
Land Use Planning Group Leader (Ms Mary-Ann Edwards)
Executive Services Officer (Mrs Lou Brooke)

Media attendance

Due to COVID-19 restrictions, media representatives were not able to attend the meeting.

Public attendance

Due to COVID-19 restrictions, the public were not able to attend the meeting.

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

1/2021 Confirmation of minutes

The Executive Services Officer reported as follows:

“The minutes of the previous ordinary meeting of the Council held on 14 December 2020 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 Beswick seconded, “That the minutes of the previous ordinary meeting of the Council held on 14 December 2020 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

2/2021 Council workshops

The Executive Services Officer reported as follows:

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

- . 21.12.2020 – Site visit at the Hive
- . 11.01.2021 – Quarterly update
- . 18.01.2021 – Central Coast Residential Settlement Plan

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

- Cr van Rooyen moved and Cr Viney seconded, “That the Officer’s report be received.”

Carried unanimously

MAYOR'S COMMUNICATIONS

3/2021 Mayor's communications

The Mayor reported as follows:

"I have no communications at this time."

4/2021 Mayor's diary

The Mayor reported as follows:

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

- . Central Coast Community Safety Partnership Meeting – Ulverstone
- . Forth Football Club meeting – Forth
- . West by North West meeting – Ulverstone."

- Cr Diprose moved and Cr Fuller seconded, "That the Mayor's report be received."

Carried unanimously

5/2021 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.

COUNCILLOR REPORTS

6/2021 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.”

There were no reports.

APPLICATIONS FOR LEAVE OF ABSENCE

7/2021 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

8/2021 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

9/2021 **Petitions**

The Executive Services Officer reported as follows:

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

COUNCILLORS' QUESTIONS

10/2021 **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.

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

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

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

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

The allocation of topics ensued.

11/2021 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.”

PUBLIC QUESTION TIME

12/2021 Public question time

The Mayor reported as follows:

“Due to the current COVID-19 restrictions and guidelines, this meeting will not be open to public attendance. Members of the public who would like to ask questions to the Council, that would normally have been heard during the Public Question Time section of the meeting agenda, are advised to provide their question on notice to the General Manager by 3.00pm Monday, 25 January 2021.”

No questions were received by the time that was advertised to the public.

13/2021 Public questions taken on notice

The Executive Services Officer reported as follows:

“No public questions were taken on notice from the 14 December 2020 meeting.”

DEPARTMENTAL BUSINESS

GENERAL MANAGEMENT

14/2021 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:

- . Central Coast Community Shed Management Committee - meeting held 7 December 2020
- . Central Coast Community Safety Partnership Committee - meeting held 15 December 2020

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

- Cr Viney moved and Cr van Rooyen seconded, “That the (non-confidential) minutes and notes of committees of the Council be received.”

Carried unanimously

15/2021 Quarterly Performance Report – 2020–2021 Annual Plan progress

The General Manager reported as follows:

PURPOSE

The purpose of this report is to present the Quarterly Performance Report, which outlines the progress made in meeting the strategic actions and objectives included in the Council’s 2020–2021 Annual Plan.

BACKGROUND

In accordance with the requirements of the *Local Government Act 1993*, Council’s 2020–2021 Annual Plan and Budget Estimates were adopted at the ordinary meeting on Monday, 22 June 2020.

DISCUSSION

The Quarterly Performance Report to Council provides an update on the progress of strategic actions included in the Council's 2020–2021 Annual Plan. Strategies and Actions are listed in Department order and provide information on what is planned to be achieved during the financial year. Each action's status includes progress comments and the estimated percentage completed against the targets set. Highlights of achievements during the second quarter included:

- . Official launch of the name for the Ulverstone Cultural Precinct held in December 2020 – the precinct to be known as the Hive.
- . An initial draft for a Central Coast Residential Settlement Plan has been developed and presented to the Council at a Workshop in January 2021.
- . A Project Manager has been appointed to oversee the construction of the Turners Beach to Leith Shared Pathway, with construction scheduled to commence in late January/early February 2021.
- . The Greening Central Coast Strategy project brief was completed and formation of a working group initiated. The working group to commence in February 2021.
- . Road surveys of arterial roads and footpaths have been completed, with data analysis being undertaken by external consultants, for consideration of projects to include in the Long-term Financial Plan.
- . Simulated Work Environment (SWE) training undertaken in November 2020 and progress with implementing 'LEAN' practices continues.
- . A draft Engagement Report has been developed for the Dial Range Joint Recreation and Land Management Plan's Project Reference Group.
- . Replacement of Information and Communication Technology equipment completed, assisting with improved workforce mobility and flexibility.
- . Road signage audit survey have been completed and compilation of data has commenced.
- . The Ulverstone CBD working group commenced planning for events in 2021.

A copy of the Quarterly Performance Report to Council – 31 December 2020 is appended.

CONSULTATION

Consultation is not required on this report.

RESOURCE, FINANCIAL AND RISK IMPACTS

The Strategic Actions were included as part of the 2020–2021 Budget Estimates.

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
- . Effective communication and engagement
- . Strengthen local–regional connections.

CONCLUSION

It is recommended that Council receive the Quarterly Performance Report.”

The Executive Services Officer reported as follows:

“A copy of the Quarterly Performance Report to Council – 31 December 2020 has been circulated to Councillors.”

- Cr van Rooyen moved and Cr Diprose seconded, “That Council receive the Quarterly Performance Report on progress with the 2020–2021 Annual Plan as at 31 December 2020.”

Carried unanimously

16/2021 Correspondence addressed to the Mayor and Councillors

The General Manager reported as follows:

“A Schedule of Correspondence addressed to the Mayor and Councillors for the period 15 December 2020 to 25 January 2021 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 Fuller moved and Cr Beswick 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

17/2021 Common seal

The General Manager reported as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 15 December 2020 to 25 January 2021 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 van Rooyen 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

18/2021 Contracts and agreements

The General Manager reported as follows:

“A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into for the period 15 December 2020 to 25 January 2021 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.”

GENERAL MANAGEMENT

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

Carried unanimously

COMMUNITY SERVICES

19/2021 Statutory determinations

The Corporate Services Group Leader reported as follows:

“A Schedule of Statutory Determinations made during the month of December 2020 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 van Rooyen moved and Cr Carpenter seconded, “That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

20/2021 Use of the Council’s roads for Targa Tasmania – 21 and 22 April 2021

The Strategic Projects and Planning Consultant reported as follows:

“The Community Development Group Leader has prepared the following report:

PURPOSE

The purpose of this report is to consider the request for the closure and use of Council roads by Targa Tasmania on 21 and 22 April 2021.

BACKGROUND

At its meeting on 25 October 2004 the Council resolved (Minute No. 402/2004) as follows:

“That the promoters of motor-vehicle rallies and trials be advised that the Council will not consider applications for road closures for rally stages in the Central Coast municipal area unless the application is received not later than 15 weeks prior to the event and is accompanied by evidence of:

- 1 written notification having been sent to harvesting contractors and companies (including transporters of timber products),

milk transport contractors and companies, and tourism authorities and operators;

- 2 written notification having been sent to all residents on that part of the road for which road closures are being requested; and
- 3 public notification of any new event having been twice advertised in a daily newspaper circulating in the municipal area;

advising that an application for road closures is being submitted, and that residents and road users should contact the promoter and the Council not later than 13 weeks prior to the event if they have concerns over the closures;

and further that, following any approval having been given by the Council for road closures, the promoter is to undertake public notification of the event by a minimum of two advertisements in a daily newspaper circulating in the municipal area in the weeks immediately preceding the event.”

The Council, at its meeting on 19 February 2007 (Minute No. 75/2007), included in the motion to approve the road closures for Targa, a condition that, “...future requests for road closures will be denied unless an annual, suitable ‘Targa event’, acceptable to the Council, is staged within the municipal area.”

The Council has received the following correspondence from the Clerk of Course, Targa Australia, which reads as follows:

“I wish to make application to council seeking in principal support of proposed road closures in connection with the international tarmac rally Targa Tasmania.

The event is scheduled to cover a statewide route from Monday 19th April to Saturday 24th April 2021, with all activities relating to the Central Coast municipality concentrated on Wednesday 21st and Thursday 22nd April.

In accordance with the conditions of the Tasmania Police motor sport permits policy; I request approval in principal for the use and closure of the following roads for a maximum period of four and a half hours:

LEG THREE – WEDNESDAY 21st APRIL

MUNICIPALITY OF KENTISH AND CENTRAL COAST

'CASTRA'	Road Closure: 7:53 – 12:23
ROAD CLOSED:	BETWEEN FOLLOWING ROADS:
Back Road	Wilmot Road and Spellmans Road
Spellmans Road	Back Road and Castra Road

MUNICIPALITY OF CENTRAL COAST

'ISANDULA'	Road Closure: 8:21 – 12:51
ROAD CLOSED:	BETWEEN FOLLOWING ROADS:
Isandula Road	Preston Road and Wilsonia Road
Wilsonia Road	Isandula Road and Preston Road

LEG FOUR – THURSDAY 22nd APRIL

MUNICIPALITY OF CENTRAL COAST

'GUNNS PLAINS'	Road Closure: 9:56 – 14:26
ROAD CLOSED	BETWEEN FOLLOWING ROADS
Central Castra Road	Castra Road and Preston-Castra Road
Preston-Castra Road	Central Castra Road and Preston Road
Preston Road	Preston-Castra Road and Raymond Road
Raymond Road	Preston Road and Gunns Plains Road

MUNICIPALITY OF CENTRAL COAST AND CITY OF BURNIE

'RIANA'	Road Closure: 10:16 – 14:46
ROAD CLOSED:	BETWEEN FOLLOWING ROADS:
Lowana Road	Marshalls Bridge Road and South Riana Road
South Riana Road	Lowana Road and Upper Natone Road
Upper Natone Road	South Riana Road and Camena Road
Camena Road	Upper Natone Road and Stotts Road
Stotts Road	Camena Road and Wyllies Road

In accordance with council's policy regarding road closures for rally stages I can confirm Targa Australia has provided written notification of the proposed road closures and the route of Targa Tasmania 2021 to companies and contractors including road transport, harvesting and tourism operators. As in the past this notification will be followed up by further documentation.

Targa Australia has also provided written notification to residents on the sections of roads affected by the road closures specific to the Targa stage on

which those roads fall. Please find copies of these attached. Further to this Targa Australia will be issuing further letters to residents.

Specifically, the following Central Coast resident's addresses were issued with written advice regarding road closures on the 9th and 11th of November 2020.

Thank you in anticipation, should you require further information please do not hesitate to contact me."

Copies of maps provided with the correspondence are attached at Annexure 1.

DISCUSSION

The road closures will only apply to the competition stages. Proposed non-competition uses do not require approval as the roads will remain open to the general public.

Discussions have been held with Targa officials in previous years about a suitable 'Targa event', to be staged within the municipal area. Targa officials have advised that they remain keen to explore options of an 'event' such as a drive through Reibey Street, or a lunch stop in the municipal area in future years. Targa do not plan to include any similar events or activities during the 2021 Targa, to help them ensure a COVID-19-safe event.

The requested road closures in Central Coast area are as follows:

Wednesday, 21 April -

from 7.53am to 12.23pm; on Stage Name "Castra"

- . Spellmans Road - from municipal boundary to Castra Road; and

from 8.21 am to 12.51 pm; on Stage Name "Isandula"

- . Isandula Road - from Preston Road to Wilsonia;
- . Wilsonia Road - from Isandula Road to Preston Road; and

Thursday, 22 April -

from 9.56am to 14.26pm; on Stage Name "Gunns Plains"

- . Central Castra Road - from Castra Road to Preston-Castra Road;
- . Preston-Castra Road - from Central Castra Road to Preston Road;
- . Preston Road - from Preston-Castra Road to Raymond Road;
- . Raymond Road - from Preston Road to Gunns Plains Road; and

from 10.16am to 14.46pm; on Stage Name "Riana"

- . Lowana Road – from Marshalls Bridge Road to South Riana Road;
- . South Riana Road – from Lowana Road to Blythe River;
- . Camena Road – from Blythe River to Stotts Road;
- . Stotts Road – from Camena Road to Wyllies Road.

The proposed Targa competition stages and road closures have been reviewed by the Council's Infrastructure Services Department.

The Road Engineer advises in relation to the Isandula Stage:

"The section of Isandula Road between Gawler River bridge and Wilsonia Road is scheduled to be resealed this year. The new seal would be too fresh to race upon it."

The scheduled works result in the Isandula Stage (Isandula Road [from Preston Road to Wilsonia Road] and Wilsonia Road [from Isandula Road to Preston Road]) being unsuitable as 'race stages'. This section could be utilised as a transit route, however with the high volume of traffic of Targa, a 60 km/h maximum speed limit should be imposed. This information has been communicated to Targa officials.

CONSULTATION

The Clerk of Course has advised that notifications required by the Council have been implemented, including to potentially affected residents. The notification advice was also posted on the Council's website and through Council's social media feed.

No representations regarding the event have been received by the Council following either of these processes.

As outlined within the report the Council's Engineering and Works teams were consulted in relation to the proposed Targa competition stages and road closures.

RESOURCE, FINANCIAL AND RISK IMPACTS

The Director Infrastructure Services advises as follows:

"The Council's roads are currently to a standard applicable to normal rural traffic only and are maintained accordingly."

Any damage to any of the roads used for the rally should be reinstated by the Council (or the Council's contractor) at the organiser's expense."

The Road Engineer's advice that a 60 km/hr maximum speed limit should be imposed to all Targa traffic for the section of Isandula Road between Gawler River bridge and Wilsonia Road, mitigates an increased risk of damage following the scheduled reseal work.

CORPORATE COMPLIANCE

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

The Shape of the Place

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

A Connected Central Coast

- Improve community well-being

Community Capacity and Creativity

- Cultivate a culture of creativity in the community

The Environment and Sustainable Infrastructure

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

CONCLUSION

It is recommended that the Council:

1. approves the requested road closures for Targa Tasmania 2021, for the proposed stages named Castra, Gunns Plains, and Riana, and that these permissions are subject to Targa Australia:
 - (a) maintaining its standard organisational arrangements;
 - (b) undertaking public notification of the event by a minimum of two advertisements in a daily newspaper circulating in the municipal area in the weeks immediately preceding the event;
 - (c) reimburse the Council for any costs incurred by it for the reinstatement of any damage to the roads used for the Rally or

alternatively subject to Council approval, Targa Tasmania to arrange for the repair of any road or road infrastructure damage within two weeks of the event;

- (d) arranging same-day repairs of any fences damaged during the Rally; and
 - (e) being advised that the Council's roads are currently to a standard applicable to normal rural traffic only and are maintained accordingly.
2. Refuse approval for use of the roads for the Isandula stage due to proposed resealing works in the area, noting that Targa Tasmania is to ensure a 60 km/hr maximum speed limit is applied to any Targa traffic upon Isandula Road between Gawler River bridge and Wilsonia Road.'

The Community Development Group Leader's report is supported."

The Executive Services Officer reported as follows:

"Copies of the promoter's supporting information has been circulated to all Councillors."

■ Cr Viney moved and Cr Beswick seconded, "That the Council:

- 1 Approves the requested road closures for Targa Tasmania 2021, for the proposed stages named Castra, Gunns Plains, and Riana, and that these permissions are subject to Targa Australia:
 - (a) maintaining its standard organisational arrangements;
 - (b) undertaking public notification of the event by a minimum of two advertisements in a daily newspaper circulating in the municipal area in the weeks immediately preceding the event;
 - (c) reimburse the Council for any costs incurred by it for the reinstatement of any damage to the roads used for the Rally or alternatively subject to Council approval, Targa Tasmania to arrange for the repair of any road or road infrastructure damage within two weeks of the event;
 - (d) arranging same-day repairs of any fences damaged during the Rally; and
 - (e) being advised that the Council's roads are currently to a standard applicable to normal rural traffic only and are maintained accordingly.

- 2 Refuse approval for use of the roads for the Isandula stage due to proposed resealing works in the area, noting that Targa Tasmania is to ensure a 60 km/hr maximum speed limit is applied to any Targa traffic upon Isandula Road between Gawler River bridge and Wilsonia Road.”

Carried unanimously

21/2021 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 General Manager has submitted the following report:

‘If any such actions arise out of Minute Ref No’s. Item 22/2021, 23/2021 and 24/2021 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 Beswick moved and Cr Diprose seconded, “That the Mayor’s report be received.”

Carried unanimously

22/2021 Residential – retrospective application for shed extension and shipping container – variation to the building envelope – 32 Epsom Road, Penguin – Application No. DA2020375

The Strategic Projects & Planning Consultant reported as follows:

“The Town Planner has prepared the following report:

‘ <i>DEVELOPMENT APPLICATION NO.:</i>	DA2020375
<i>PROPOSAL:</i>	Residential – retrospective application for shed extension and shipping container – variation to building envelope

<i>APPLICANT:</i>	William Gracie
<i>LOCATION:</i>	32 Epsom Road, Penguin
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Planning Scheme)
<i>ADVERTISED:</i>	5 December 2020
<i>REPRESENTATIONS EXPIRY DATE:</i>	21 December 2020
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	13 January 2021 – extension of time requested until 25 January 2021
<i>DECISION DUE:</i>	25 January 2021

PURPOSE

The purpose of this report is to consider a retrospective application for a shed extension and a shipping container on land at 32 Epsom Road, Penguin.

Accompanying the report are the following documents:

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

BACKGROUND

Development description –

A retrospectively application has been received for a shed extension (10.5m²) and a 28.8m² shipping container (considered an outbuilding) on land known as 32 Epsom Road, Penguin.

The shed extension is to the south of an existing approved shed and would be setback 1.8m from the western internal frontage boundary and approximately 14m from the southern side boundary.

The shipping container is located to the east of an existing shed on the site and would be setback 6m from the internal boundary. The shipping container satisfies all the Planning Scheme requirements and is considered to be a ‘No Permit Required’ development. The shipping container, if lodged separately, would not require a full planning assessment under the Planning Scheme and would not require public notification. It was included with this application to rectify all structures on the site and to reduce the overall planning fees.

Site description and surrounding area -

The 3,853m² site is an internal allotment that is accessed off Epsom Road. The site has a gentle 10m-15m slope that falls down and away from Epsom Road and contains a dwelling and associated outbuildings.

Land to the west is zoned General Residential, land to the north and east are zoned Rural Living, and the land to the south is zoned Utilities, which accommodates the Bass Highway and the Highway corridor.

The site is connected to reticulated services.

History -

The site has approvals for the dwelling and some associated outbuildings. The Planning Authority, on 16 November 2020, under DA2020289, approved an additional shed, to be located in the south-western corner of the site. During this application, a representation was received (from the same people who have made representation with this application) which outlined the shed extension and shipping container that was on the site with no approvals. This application is to rectify this matter.

DISCUSSION

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

General Residential

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

COMMUNITY SERVICES

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

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

<p>10.4.2–(A3) A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at the side boundaries and a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary or the adjoining lot; or</p>	<p>(a)(i) Non-compliant. The shed extension would be setback 1.8m from the internal boundary (clause states Acceptable Solution of 4.5m from the rear boundary of a lot with an adjoining frontage).</p> <p>Note: the shipping container is compliant and would be setback 6m from the internal boundary.</p> <p>Refer to the “Issues” section of this report.</p> <p>(a)(ii) Compliant. The shed extension and shipping container would fit within the required building envelope including setback greater than 4m from the rear boundary.</p> <p>(b)(i) Compliant. The shed extension and shipping container would be located 1.5m or greater from side boundaries.</p> <p>(b)(ii) Compliant. The shed extension and shipping container would be located 1.5m or greater from side boundaries.</p>
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<p>(ii) does not exceed a total length of 9.0m or one-third the length of the side boundary (whichever is the lesser).</p>	
<p>10.4.3 Site coverage and private open space for all dwellings</p>	
<p>10.4.3-(A1) Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60.0m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>	<p>(a) Compliant. The total site coverage would be approximately 16%.</p> <p>(b) Not applicable. The proposed development is not for multiple dwellings.</p> <p>(c) Compliant. The site has an area of approximately 65% free from impervious surfaces.</p>
<p>10.4.3-(A2) A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24.0m²; or</p>	<p>(a)(i) Compliant. The existing private open space has an area greater than 24m².</p> <p>(a)(ii) Not applicable. Development satisfied by (a)(i).</p>

<p>(ii) 12.0m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4.0m; or</p> <p>(ii) 2.0m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p>	<p>(b)(i) Compliant. The dwelling has existing private open space with a minimum 42m horizontal dimension.</p> <p>(c) Compliant. The existing dwelling would have a habitable room with direct access to the private open space.</p> <p>(d) Compliant. The existing private open space is located to the north-west, north-east and south of the dwelling.</p> <p>(e) Compliant. The existing private open space is not primarily located between the dwelling and the frontage. The site has numerous locations of private open space on-site.</p> <p>(f) Compliant. The existing private open space is reasonably flat.</p> <p>(g) Compliant. The area for private open space would not be used for vehicle access or parking.</p>
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<p>(g) is not used for vehicle access or parking.</p>	
<p>10.4.4 Sunlight and overshadowing for all dwellings</p>	
<p>10.4.4-(A1) A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>	<p>Compliant. The dwelling has existing windows that face north.</p>
<p>10.4.4-(A2) A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <p style="padding-left: 40px;">(i) at a distance of 3.0m from the window; and</p> <p style="padding-left: 40px;">(ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal.</p> <p>(b) The multiple dwelling does not cause the habitable room to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p>	<p>Not applicable. Not multiple dwelling development.</p>

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

<p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <p>(i) an outbuilding with a building height no more than 2.4m; or</p> <p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m from the multiple dwelling.</p>	
<p>10.4.5 Width of openings for garages and carports for all dwellings</p>	
<p>10.4.5-(A1) A garage or carport within 12.0m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6.0m or half the width of the frontage (whichever is the lesser).</p>	<p>Compliant.</p> <p>The proposed shed extension and shipping container would be setback greater than 12m to the Epsom Road frontage.</p>
<p>10.4.6 Privacy for all dwellings</p>	
<p>10.4.6-(A1) A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1.0m above natural</p>	<p>Not applicable. Proposal is not for a balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the</p>

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<p>ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3.0m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4.0m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6.0m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site. 	<p>dwelling), that has a finished surface or floor level more than 1m above natural ground level.</p>
<p>10.4.6-(A2) A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1.0m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <ul style="list-style-type: none"> (a) The window or glazed door: 	<p>Not applicable. Proposal is not for a building that would have a window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1m above the natural ground level.</p>

<ul style="list-style-type: none"> (i) is to have a setback of at least 3.0m from a side boundary; and (ii) is to have a setback of at least 4.0m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6.0m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6.0m from the private open space of another dwelling on the same site. <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or 	
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<p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	
<p>10.4.6–(A3) A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5m; or</p> <p>(b) 1.0m if:</p> <p>(i) it is separated by a screen of at least 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.</p>	<p>Not applicable.</p> <p>No shared driveway or parking spaces.</p>
<p>10.4.7 Frontage fences for all dwellings</p>	
<p>10.4.7–(A1) A fence (including a free-standing wall) within 4.5m</p>	<p>Not applicable.</p>

<p>of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>	<p>No front fence proposed.</p>
<p>10.4.8 Waste storage for multiple dwellings</p>	
<p>10.4.8-(A1) A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m² per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <p>(i) has a setback of at least 4.5m from a frontage; and</p> <p>(ii) is at least 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by</p>	<p>Not applicable.</p> <p>Not multiple dwelling development.</p>

<p>a wall to a height of at least 1.2m above the finished surface level of the storage area.</p>	
<p>10.4.9 Suitability of a site or lot for use or development</p>	
<p>10.4.9-(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) have an area of not less than 330m² excluding any access strip; and</p> <p>(b) if intended for a building, contain a building area of not less than 10.0m x 15.0m:</p> <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</p> <p>(v) clear of any restriction imposed by a Utility;</p> <p>(vi) not including an access strip;</p>	<p>(a) Compliant. The site has an area of 3,853m².</p> <p>(b)(i) Non-compliant. The shed extension would not satisfy the internal setback.</p> <p>Refer to the “Issues” section of this report for Clause 10.4.2-(P3).</p> <p>(b)(ii) Compliant. Shed extension and shipping container are not habitable structures.</p> <p>(b)(iii) Not applicable. No registered easements.</p> <p>(b)(iv) Not applicable. No registered right of way.</p> <p>(b)(v) Not applicable. No utility.</p> <p>(b)(vi) Compliant. Shed extension and shipping container are clear of the access strip.</p> <p>(b)(vii) Compliant. Land is accessible from Epsom Road.</p> <p>(b)(viii) Not applicable. Not a new residential lot.</p>

<p>(vii) accessible from a frontage or access strip; and</p> <p>(viii) if a new residential lot, with a long axis within the range 30 degrees east of north and 20 degrees west of north.</p>	
<p>10.4.9 Suitability of a site or lot for use or development</p>	
<p>10.4.9–(A2) A site or each lot on a subdivision plan must have a separate access from a road –</p> <p>(a) across a frontage over which no other land has a right of access; and</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road –</p> <p>(i) over land not required as the means of access to any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard;</p>	<p>(a) Compliant. Site is accessed off Epsom Road.</p> <p>(b) Compliant. Site has sole access off Epsom Road.</p> <p>(c)(i) Not applicable. Satisfied by (a) and (b).</p> <p>(c)(ii) Not applicable. Satisfied by (a) and (b).</p> <p>(d)(i) Compliant. Site has an approximate 8.6m wide access frontage to Epsom Road.</p> <p>(d)(ii) Not applicable. Not multiple dwelling or non-residential development.</p> <p>(e) Compliant. Existing access is adequate.</p>

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<p style="text-align: center;">and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than –</p> <p style="padding-left: 20px;">(i) 3.6m for a single dwelling development; or</p> <p style="padding-left: 20px;">(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>10.4.9-(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p>	<p>Compliant.</p> <p>The site is connected to the reticulated water system.</p>
<p>10.4.9-(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and wastewater to a sewage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p>	<p>Compliant.</p> <p>The site is connected to the reticulated sewerage system.</p>

<p>10.4.9–(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>.</p>	<p>Compliant. The site is connected to the reticulated stormwater system.</p>
<p>10.4.10 Dwelling density for single dwelling development</p>	
<p>10.4.10–(A1) (a) The site area per dwelling for a single dwelling must – (i) be not less than 325m².</p>	<p>(a)(i) Compliant. Site area is 3,853m².</p>
<p>10.4.11 Development other than a single or multiple dwelling.</p>	
<p>10.4.11.1 Location and configuration of development</p>	
<p>10.4.11.1–(A1) The wall of a building must be set back from a frontage – (a) not less than 4.5m from a primary frontage; and (b) not less than 3.0m from any secondary frontage; or (c) not less than and not more than the setbacks for any existing building on adjoining sites;</p>	<p>Not applicable. Proposed development is residential.</p>

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<ul style="list-style-type: none"> (d) not less than for any building retained on the site; (e) in accordance with any building area shown on a sealed plan; or (f) not less than 50.0m if the site abuts the Bass Highway. 	
<p>10.4.11.1-(A2) All buildings must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> (a) the applicable frontage setback; (b) a distance of not less than 4.0m from the rear boundary or if an internal lot, a distance of 4.5m from the boundary abutting the rear boundary of the adjoining frontage site; (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 – <ul style="list-style-type: none"> (i) not less than 1.5m from each side boundary; or (ii) less than 1.5m from a side boundary if – 	<p>Not applicable.</p> <p>Proposed development is residential.</p>

<p>a. built against an existing wall of an adjoining building; or</p> <p>b. the wall or walls –</p> <p style="padding-left: 40px;">i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;</p> <p style="padding-left: 40px;">ii. there is no door or window in the wall of the building; and</p> <p style="padding-left: 40px;">iii. overshadowing does not result in 50% of the private open space of an adjoining dwelling receiving less than 3 hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(d) in accordance with any building envelope shown on a sealed plan of subdivision.</p>	
<p>10.4.11.1–(A3) Site coverage must:</p> <p>(a) not be more than 50%; or</p> <p>(b) not be more than any building area shown on a sealed plan.</p>	<p>Not applicable.</p> <p>Proposed development is residential.</p>

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<p>10.4.11.1-(A4) A garage, carport or external parking area and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage of a building.</p>	<p>Not applicable. Proposed development is residential.</p>
<p>10.4.11.1-(A5) Other than for a dwelling, the total width of openings in the frontage elevation of a garage or carport (whether freestanding or part of any other building) must be the lesser of:</p> <p>(a) 6.0m; or</p> <p>(b) half the width of the frontage.</p>	<p>Not applicable. Proposed development is residential.</p>
<p>10.4.11.2 Visual and acoustic privacy for residential development</p>	
<p>10.4.11.2-(A1) A door or window to a habitable room or any part of a balcony, deck, roof garden, parking space or carport of a building must:</p> <p>(a) if the finished floor level is more than 1.0m above natural ground level:</p> <p>(i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site;</p> <p>(ii) be not less than 3.0m from a side boundary;</p>	<p>Not applicable. Proposed development is residential.</p>

<ul style="list-style-type: none"> (iii) be not less than 4.0m from a rear boundary; and (iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of an adjacent frontage site; or <p>(b) if less than the setbacks in clause A1(a):</p> <ul style="list-style-type: none"> (i) be off-set by not less than 1.5m from the edge of any door or window of another dwelling; (ii) have a window sill height of not less than 1.8m above floor level; (iii) have fixed glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above floor level; or (iv) have a fixed and durable external screen other than vegetation of not less than 1.8m height above the floor level with a uniform transparency of not more than 25% for the full width of the door, window, balcony, deck, roof garden, parking space, or carport. 	
<p>10.4.11.2-(A2) An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a</p>	<p>Not applicable.</p>

<p>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>Proposed development is residential.</p>
<p>10.4.11.3 Frontage fences</p>	
<p>10.4.11.3–(A1) The height of a fence, including any supporting retaining wall, on or within a frontage setback must be:</p> <p>(a) not more than 1.2m if the fence is solid; or</p> <p>(b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%.</p>	<p>Not applicable.</p> <p>Proposed development is residential.</p>
<p>10.4.12 Setback of development for sensitive use</p>	
<p>10.4.12–(A1) A building containing a sensitive use must be contained within a building envelope determined by:</p> <p>(a) the setback distance from the zone boundary as shown in the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45 degrees above the horizontal from a wall</p>	<p>(a) Not applicable. Shed extension and shipping container are non-habitable structures and therefore not considered sensitive use.</p> <p>(b) Non-compliant. Shed extension and shipping container are non-habitable structures and therefore not considered sensitive use.</p>

<p>height of 3.0m at the required setback distance from the zone boundary.</p>	
<p>10.4.12–(A2) Development for a sensitive use must be not less than 50.0m from:</p> <p>(a) Bass Highway;</p> <p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road or rail purposes; or</p> <p>(d) a proclaimed wharf area.</p>	<p>(a) Compliant. Development would be approximately 114m from Bass Highway.</p> <p>(b) Compliant. Development would be setback approximately 1 km from a railway line.</p> <p>(c) Not applicable. No land designated for future road or rail.</p> <p>(d) Not applicable. The nearest proclaimed wharf area is in Burnie approximately 20km to the west.</p>
<p>10.4.13 Subdivision</p>	
<p>10.4.13–(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) intended for residential use;</p> <p>(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>

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10.4.13–(A2) A lot, other than a lot to which A1(b) applies, must not be an internal lot	Not applicable. No subdivision proposed.
10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision	
10.4.14–(A1) Electricity reticulation and site connections must be installed underground.	Not applicable. No subdivision proposed.
CODES	
E1 Bushfire-Prone Areas Code	Not applicable. 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 has no applicable planning overlays.
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 two car parking spaces for a residential dwelling. The site has existing provisions for two car parking spaces. The requirement for two car parking spaces has been satisfied.
E9.5.2 Provision for loading and unloading of vehicles	
E9.5.2-(A1) There must be provision within a site for: (a) on-site loading area in accordance with the requirement in the Table to this Code; and (b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the	Not applicable for the development of a single dwelling.

rate of one space for every 50 parking spaces.	
E9.6 Development Standards	
E9.6.2 Design of vehicle parking and loading areas	
E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and	Compliant by a Condition to be placed on the Permit.
<p>E9.6.2 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the</p>	Not applicable for the development of a single dwelling.

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

Issues –

1 Variation to the building envelope –

The Planning Scheme’s Acceptable Solution 10.4.2–(A3)(a)(i) states that a dwelling, including outbuildings, must be contained within a building envelope that includes, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage.

The proposed shed extension would be located 1.8m from the internal western boundary (refer to image below for the boundary in question). The application seeks a variation to this standard and an exercise of discretion is required for the proposal to proceed.



Note: The shipping container is located east of the existing shed on the site and would be setback 6m from the internal boundary. The shipping container satisfies all the Planning Scheme requirements and is considered to be a ‘No Permit Required’ development. No assessment of the shipping container is required.

The Planning Scheme’s Performance Criteria 10.4.2–(P3) states that the siting and scale of a dwelling must:

- (a) Not cause unreasonable loss of amenity by –
 - (i) Reduction in sunlight to a habitable room of a dwelling on an adjoining lot; or

Compliant. The Bass Highway corridor adjoins the site to the south and contains no buildings. The dwelling on the adjoining eastern property is located higher and setback approximately 27.5m to the shed extension. The shed extension would not cause an unreasonable loss of amenity by a reduction in sunlight to a habitable room of the dwelling on the adjoining lot.

- (ii) Overshadowing the private open space of a dwelling on an adjoining lot;

Compliant. As discussed above, the property to the south is the Bass Highway corridor, accommodating no buildings. The property to the west contains ample areas for private open space. The shed extension would not cause an unreasonable loss of amenity by overshadowing of the private open space of the dwelling on the adjoining lot.

- (iii) Overshadowing on an adjoining vacant lot; or

Compliant. The property to the south is vacant but forms part of the Bass Highway corridor.

- (iv) Visual impacts cause by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and

Compliant. The proposed shed extension would be setback 1.8m from the western internal boundary. Due to the position of an existing tree at 26 Epsom Road, and separation of approximately 27.5m to the dwelling at 26 Epsom Road, the shed extension would not cause an unreasonable loss of amenity by visual impacts caused by the apparent scale, bulk or proportions of the shed, when viewed from an adjoining lot.

- (b) Provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Compliant. Established residential properties within the vicinity of the development site include outbuildings built either on, or close to, their respective side boundaries. This includes properties at 22 and 26 Epsom Road and 29 Pineleigh Street

which are all within a 100m radius to the shed extension. The shed extension would provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Referral advice -

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	Referral not required.
Infrastructure Services	Following condition to apply to the Permit. All stormwater generated from the development is to be diverted and collected in the water tank as indicated on the plans; overflow is allowed to be dispersed on the land within the property boundary so as not to cause nuisance to the neighbouring properties.
Building	Building note to be applied to the Permit.
TasWater	Referral not required.
Department of State Growth	No issues. Email received from Department of State Growth (9 December 2020) stating: Following a review of the proposed development, The Department has no objections.
Environment Protection Authority	Referral not required.
TasRail	Referral not required.
Heritage Tasmania	Referral not required.

Crown Land Services	Referral not required.
Tas Networks	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 –

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

The representation is summarised and responded to as follows:

MATTER RAISED	RESPONSE
1 These are retrospective applications, so the shed extension and shipping container are already there.	Agreed. The proposal is for a retrospective application as stated in the application and on the public notification documentation.
2 The shipping container was never on the original application which the representor also objected to.	Agreed. The previous application, DA2020289 did not show the shipping container. This was raised through representation that the Council received during the public notification of DA2020289. This application is to rectify this matter.
3 Application states purpose of structures is for storage.	In relation to noise etc., this is not a planning matter.

<p>However, this week there has been floodlights, car engines revving and loud voices until 11pm.</p>	<p>The shed extension and shipping container will be approved for Residential use. If the Council receives any evidence that the structures are not being used for residential purpose, the planning office will investigate at the time, if required.</p> <p>A condition of this Permit reflects that both structures are approved for residential use.</p>
<p>4 There is no stormwater collection west of the shed and any attempt to put in extra stormwater drainage will impact on the mature trees on the representor property.</p>	<p>Comments from the Council, acting as a Stormwater Authority, are as follows:</p> <p>As a part of the development approval, it is required that stormwater from any buildings and structures is managed on-site and not cause nuisance to the neighbouring properties. There is an existing water tank indicated on the plans that is shown to be connected to the shed and shall form part of the approval.</p> <p>A condition of this Permit will reflect this.</p>
<p>5 The storage container is an eye sore and impacts on views from the representors property.</p>	<p>The property at 26 Epsom Road is located higher than the development site due to the slope of the land. The location of the existing dwelling at 26 Epsom Road would mean that the shed extension and shipping container at 32 Epsom Road would not be in direct view when looking out towards Bass Strait.</p>

	<p>Due to the property at 26 Epsom Road being higher, and the location of the shed extension and shipping container in relation to the existing dwelling at 26 Epsom Road, the shed extension and shipping container would not have an unreasonable impact on the view of Bass Strait to the occupants of 26 Epsom Road.</p>
<p>6 The representor is a wildlife carer, and their rehabilitation structures are on the boundary (common to the development site) and concerned regarding noise impacts.</p>	<p>It is unclear which structures the representors are referring to. When structures are built closer to adjoining property boundaries, some conflict may arise. The shed extension and shipping container will be approved for residential purpose.</p> <p>A condition of this Permit reflects that both structures are approved for residential use.</p> <p>Noise is not a planning matter.</p>
<p>7 Concerned structures will be used for purposes other than storage. Given the number of car bodies on the development site they believe they are operating a used car/car wrecking business.</p>	<p>The property has several motor vehicles on the site (as seen on the aerial image shown on the Council's GIS mapping system and observed by the Town Planner when inspecting the site). It is not unusual for a larger General Residential zoned property to have several motor vehicles on-site. Nevertheless, the planning office will seek clarification from the applicant regarding the number of vehicles on-site and the use of the land.</p> <p>It is acknowledged that the presence of many vehicles may appear unsightly.</p>

	<p>However, the Council has no record of any formal complaint regarding a business being undertaken from the development site and has no power to remove vehicles from private property.</p>
<p>8 Concern regarding a mature eucalyptus tree which is home to 20 critically endangered swift parrots. Concern regarding the disturbance to the swift parrots.</p>	<p>It is unclear which tree the representator is referring to.</p> <p>There is a tree that is located at 26 Epsom Road which appears to encroach into 32 Epsom Road. It is unclear whether this tree would require some pruning on the development site. However, clearance of vegetation across boundary lines and potential impacts to both flora and fauna are not matters to be considered by the Planning Authority in General Residential zoned land.</p>
<p>9 Large number of car bodies, excessive noise and police call outs, back acrid smoke from burn offs, using boundary area as a dumping ground for waste items from the cars and general disregard for our rights to enjoy our property.</p>	<p>As stated above, the planning office will need to seek clarification from the applicant regarding the number of vehicles on-site and the actual use of the land.</p> <p>Matters such as noise etc., are not planning matters.</p>
<p>10 Suggestions for a possible outcome from the representors</p> <p>(a) Shipping container could be moved to another part of the property.</p> <p>(b) Assurance that no excessive noise will come from the structures.</p>	<p>(a) The shipping container satisfies the Planning Scheme's 'No Permit Required' status. Therefore, the shipping container has been placed on the site to satisfy all setback requirements.</p>

<p>(c) Compliance with residential zoning.</p> <p>(d) The structures will not impact on trees which border their property.</p>	<p>(b) This is not a Planning matter. The shed extension and shipping container will be approved for Residential use. If the Council receives any evidence that the structures are not being used for residential purpose, the planning office will investigate at the time, if required.</p> <p>(c) The application satisfies all the General Residential zone standards, apart from a variation to the western internal boundary. The shed extension is setback 1.8m rather than the required 4.5m. This has been examined in the 'Issues section' above.</p> <p>(d) This is not a planning matter.</p>
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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 shipping container satisfies the 'No Permit Required' status.

The shed extension is 'Permitted' in the General Residential zone. The application was discretionary due to the setback of the shed extension to the western internal boundary. The proposed development, as discussed in the "Issues" section of this report, is considered to have satisfied the Planning Scheme's applicable Performance Criteria.

The proposed development is considered to be reasonable development in the General Residential zone. It is considered appropriate that the proposed development be approved, subject to conditions.

Recommendation –

It is recommended that the application for Residential – retrospective application for shed extension and shipping container – variation to building envelope at 32 Epsom Road, Penguin – Application No. DA2020375 be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the aerial site plan and photo images (four pages) as submitted by the applicant, received 17 November 2020, and shed plans as submitted by the applicant, received 17 November 2020.
- 2 All stormwater generated from the development is to be diverted and collected in the water tank as indicated on the plans. Overflow is allowed to be dispersed on the land within the property boundary so as not to cause nuisance to the neighbouring properties.

Please note:

- 1 A Planning Permit remains valid for two years. If the use and/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 Prior to the commencement of work the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority, or a Building Surveyor be contacted should clarification be required.
- 4 The shed (including shed extension) and shipping container are approved as a Class 10 non-habitable structure and must be used in conjunction with the dwelling. If the structures are intended to be used for a purpose other than this, then a further Permit for a change of use would be required.'

The Town Planner's report is supported."

The Executive Services Officer reported as follows:

"A copy of the Annexures referred to in the Town Planner's report have been circulated to all Councillors."

■ Cr van Rooyen moved and Cr Fuller seconded, "That the application for Residential – retrospective application for shed extension and shipping container – variation to building envelope at 32 Epsom Road, Penguin – Application No. DA2020375 be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the aerial site plan and photo images (four pages) as submitted by the applicant, received 17 November 2020, and shed plans as submitted by the applicant, received 17 November 2020.
- 2 All stormwater generated from the development is to be diverted and collected in the water tank as indicated on the plans. Overflow is allowed to be dispersed on the land within the property boundary so as not to cause nuisance to the neighbouring properties.

Please note:

- 1 A Planning Permit remains valid for two years. If the use and/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 Prior to the commencement of work the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority, or a Building Surveyor be contacted should clarification be required.
- 4 The shed (including shed extension) and shipping container are approved as a Class 10 non-habitable structure and must be used in conjunction with the dwelling. If the structures are intended to be used for a purpose other than this, then a further Permit for a change of use would be required.”

Carried unanimously

23/2021 Residential – garage – variation to the building envelope and location of garage to the primary frontage – 3 Racecourse Crescent, Turners Beach – Application No. DA2020380

The Strategic Projects & Planning Consultant reported as follows:

“The Planning Officer has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA2020380
<i>PROPOSAL:</i>	Residential – garage- variation to the building envelope and location of garage to the primary frontage
<i>APPLICANT:</i>	Peter Langmaid
<i>LOCATION:</i>	3 Racecourse Crescent, Turners Beach
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Planning Scheme)
<i>ADVERTISED:</i>	28 November 2020
<i>REPRESENTATIONS EXPIRY DATE:</i>	16 December 2020
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	5 January 2021 – extension of time granted until 25 January 2021
<i>DECISION DUE:</i>	25 January 2021

PURPOSE

The purpose of this report is to consider an application to construct a residential garage on land at 3 Racecourse Crescent, Turners Beach.

Accompanying the report are the following documents:

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

BACKGROUND

Development description –

Application is made to construct a 72m² residential garage to the primary frontage of the lot located at 3 Racecourse Crescent, Turners Beach.

The proposed garage would have a wall height of 3.8m and total height to the ridge apex of 4.6m, with a floor area of 72m². The 9m wall length of the garage would be within 150mm of the primary frontage of the lot, Racecourse Crescent, with the garage roller door to the east, facing Rose Court. The Racecourse Crescent front fence would remain in place.

The garage would have a steel frame and would be clad in “Colorbond” material.

Site description and surrounding area –

The 1,244m² residential allotment is located within the urban area of Racecourse Crescent, Turners Beach. The allotment is located on the corner of Racecourse Crescent and Rose Court.

The existing dwelling is orientated to face Rose Court, which is the allotment’s secondary frontage. Vehicular access is also off Rose Court.

Surrounding land is also zoned General Residential and accommodates dwellings and outbuildings.

History –

No history relevant to this applicant.

DISCUSSION

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

General Residential

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

<p>10.3.2–(A3) Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.</p>	<p>Not applicable. Use is residential.</p>
<p>10.4.1 Residential density for multiple dwellings</p>	
<p>10.4.1–(A1) Multiple dwellings must have a site area per dwelling of not less than:</p> <p>(a) 325m²; or</p> <p>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.</p>	<p>Not applicable. Not an application for multiple dwellings.</p>
<p>10.4.2 Setbacks and building envelope for all dwellings</p>	
<p>10.4.2–(A1) Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the</p>	<p>(a) Non-compliant. The proposed garage would be constructed to within 150mm of the primary frontage which is Racecourse Crescent. Refer to the “Issues” section of this report.</p> <p>(b) Compliant. The proposed garage would be setback 9m from the secondary frontage to Rose Court.</p> <p>(c) Not applicable. No adjoining vacant sites.</p>

<p>primary frontage, of any existing dwelling on the site; or</p> <p>(b) if the frontage is not a primary frontage, at least 3.0m, or, if the setback from the frontage is less than 3.0m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p>	<p>(d) Not applicable. Land does not abut the Bass Highway.</p>
<p>10.4.2-(A2) A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5m, or alternatively 1.0m behind the façade of the dwelling; or</p>	<p>(a) Non-compliant. The proposed garage would be constructed to within 150mm of the primary frontage which is Racecourse Crescent.</p> <p>Refer to the “Issues” section of this report.</p> <p>(b) Not applicable. Satisfied by (a).</p>

<p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1.0m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10.0m from the frontage.</p>	<p>(c) Not applicable. Satisfied by (a).</p>
<p>10.4.2-(A3) A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at the side boundaries</p>	<p>(a)(i) Non-compliant. The proposed garage would be constructed to within 150mm of the primary frontage which is Racecourse Crescent.</p> <p>Refer to the “Issues” section of this report.</p> <p>(a)(ii) Compliant. The proposed shed would be constructed to the side western boundary for a length of 8m.</p> <p>(b)(i) Not applicable. There is no existing building built on or within 0.2m of the boundary or adjoining lot.</p> <p>(b)(ii) Compliant. The proposed garage would be constructed to the western side boundary for a length of 8m.</p>

<p>and a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary or the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9.0m or one-third the length of the side boundary (whichever is the lesser).</p>	
<p>10.4.3 Site coverage and private open space for all dwellings</p>	
<p>10.4.3-(A1) Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60.0m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the</p>	<p>(a) Compliant. Site coverage would be 26.1%. Total development on site equals 325m².</p> <p>(b) Not applicable. No multiple dwelling development proposed.</p> <p>(c) Compliant. The total area free from impervious surfaces would be approximately 60%.</p>

<p>finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>	
<p>10.4.3–(A2) A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24.0m²; or</p> <p>(ii) 12.0m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4.0m; or</p> <p>(ii) 2.0m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p>	<p>(a)(i) Compliant. The existing dwelling has approved private open space areas to the side and rear of the dwelling, in excess of 24m².</p> <p>(a)(ii) Not applicable. Not a multiple dwelling.</p> <p>(b)(i) Compliant. Proposed private open space would have a minimum 4m horizontal dimension.</p> <p>(b)(ii) Not applicable. Not a multiple dwelling.</p> <p>(c) Compliant. Private open space is accessible from the existing dwelling. No internal changes proposed to the layout of the existing dwelling.</p> <p>(d) Compliant. Private open space is to the north and north-west of the dwelling.</p> <p>(e) Compliant. Private open space is not located between the dwelling and the primary frontage.</p> <p>(f) Compliant. Private open space area is flat.</p>

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<p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	<p>(g) Compliant. Private open space area clear of vehicle access and parking areas.</p>
<p>10.4.4 Sunlight and overshadowing for all dwellings</p>	
<p>10.4.4-(A1) A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>	<p>Compliant.</p> <p>The existing dwelling would have habitable rooms that face between 30 degrees west of north and 30 degrees east of north.</p>
<p>10.4.4-(A2) A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of</p>	<p>Not applicable.</p>

<p>another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> (i) at a distance of 3.0m from the window; and (ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal. <p>(b) The multiple dwelling does not cause the habitable room to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4m; or 	<p>Not multiple dwelling development.</p>
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<p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.</p>	
<p>10.4.4-(A3) A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <p>(i) at a distance of 3.0m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal.</p> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <p>(i) an outbuilding with a building height no more than 2.4m; or</p>	<p>Not applicable.</p> <p>Not multiple dwelling development.</p>

<p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m from the multiple dwelling.</p>	
<p>10.4.5 Width of openings for garages and carports for all dwellings</p>	
<p>10.4.5-(A1) A garage or carport within 12.0m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6.0m or half the width of the frontage (whichever is the lesser).</p>	<p>Compliant.</p> <p>The proposed garage would be constructed to the primary frontage that is Racecourse Crescent. However, the opening would face the secondary frontage and be setback 11m, with an opening of 5m.</p>
<p>10.4.6 Privacy for all dwellings</p>	
<p>10.4.6-(A1) A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1.0m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3.0m from the side boundary; and</p>	<p>(a) Not applicable. There is no balcony, deck, roof terrace, parking space or carport with a finished surface level more than 1m above natural ground level.</p> <p>(b) Not applicable. The dwelling does not have a floor level more than 1m above natural ground level.</p> <p>(c)(i) Not applicable. Not a multiple dwelling.</p> <p>(c)(ii) Not applicable. Not a multiple dwelling.</p>

<p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4.0m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6.0m:</p> <p style="padding-left: 20px;">(iii) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p style="padding-left: 20px;">(iv) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>	
<p>10.4.6–(A2) A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1.0m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <p style="padding-left: 20px;">(i) is to have a setback of at least 3.0m from a side boundary; and</p> <p style="padding-left: 20px;">(ii) is to have a setback of at least 4.0m from a rear boundary; and</p>	<p>(a)(i) Not applicable. The dwelling does not have a window or glazed door to a habitable room of a dwelling with a floor level more than 1 m.</p> <p>(a)(ii) Not applicable. The dwelling does not have a window or glazed door to a habitable room of a dwelling with a floor level more than 1 m.</p> <p>(a)(iii) Not applicable. The dwelling does not have a window or glazed door to a habitable room of a dwelling with a floor level more than 1 m.</p>

<p>(iii) if the dwelling is a multiple dwelling, is to be at least 6.0m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be at least 6.0m from the private open space of another dwelling on the same site.</p> <p>(b) The window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or</p> <p>(ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	<p>(a)(iv) Not applicable. The dwelling does not have a window or glazed door to a habitable room of a dwelling with a floor level more than 1m.</p> <p>(b)(i) Not applicable. The dwelling does not have a window or glazed door to a habitable room of a dwelling with a floor level more than 1m.</p> <p>(b)(ii) Not applicable. The dwelling does not have a window or glazed door to a habitable room of a dwelling with a floor level more than 1m.</p> <p>(b)(iii) Not applicable. The dwelling does not have a window or glazed door to a habitable room of a dwelling with a floor level more than 1m.</p>
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<p>10.4.6–(A3) A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <ul style="list-style-type: none"> (a) 2.5m; or (b) 1.0m if: <ul style="list-style-type: none"> (i) it is separated by a screen of at least 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level. (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level. 	<p>Not applicable. No shared driveway or parking spaces.</p>
<p>10.4.7 Frontage fences for all dwellings</p>	
<p>10.4.7–(A1) A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural</p>	<p>Not applicable.</p>

<p>ground level of not more than:</p> <ul style="list-style-type: none"> (a) 1.2m if the fence is solid; or (b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights). 	<p>No front fence proposed.</p>
<p>10.4.8 Waste storage for multiple dwellings</p>	
<p>10.4.8-(A1) A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m² per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: <ul style="list-style-type: none"> (i) has a setback of at least 4.5m from a frontage; and (ii) is at least 5.5m from any dwelling; and (ii) is screened from the frontage and any dwelling by a wall to a height of at least 	<p>Not applicable.</p> <p>Not multiple dwelling development.</p>

1.2m above the finished surface level of the storage area.	
10.4.9 Suitability of a site or lot for use or development	
<p>10.4.9-(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) have an area of not less than 330m² excluding any access strip; and</p> <p>(b) if intended for a building, contain a building area of not less than 10.0m x 15.0m:</p> <p style="padding-left: 20px;">(i) clear of any applicable setback from a frontage, side or rear boundary;</p> <p style="padding-left: 20px;">(ii) clear of any applicable setback from a zone boundary;</p> <p style="padding-left: 20px;">(iv) clear of any registered easement;</p> <p style="padding-left: 20px;">(v) clear of any registered right of way benefiting other land;</p> <p style="padding-left: 20px;">(vi) clear of any restriction imposed by a Utility;</p>	<p>(a) Compliant. Site area is 1,244m².</p> <p>(b)(i) Non-compliant. The proposed garage would be constructed to within 150mm of the primary frontage of the lot.</p> <p style="padding-left: 40px;">Refer to the “Issues” section of this report.</p> <p>(b)(ii) Compliant. There are no applicable zone boundary setbacks.</p> <p>(b)(iii) Not applicable. No registered easements.</p> <p>(b)(iv) Not applicable. No registered right of way.</p> <p>(b)(v) Compliant. No restriction imposed by a utility.</p> <p>(b)(vi) Not applicable. No access strip.</p> <p>(b)(vii) Compliant. Land is accessible from Rose Court.</p> <p>(b)(viii) Not applicable. Not a new residential lot.</p>

<ul style="list-style-type: none"> (vii) not including an access strip; (viii) accessible from a frontage or access strip; and (ix) if a new residential lot, with a long axis within the range 30 degrees east of north and 20 degrees west of north. 	
<p>10.4.9-(A2) A site or each lot on a subdivision plan must have a separate access from a road –</p> <ul style="list-style-type: none"> (a) across a frontage over which no other land has a right of access; and (b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or (c) by a right of way connecting to a road – <ul style="list-style-type: none"> (i) over land not required as the means of access to any other land; and (ii) not required to give the lot of which it is a part the minimum properties of a lot in 	<ul style="list-style-type: none"> (a) Compliant. Access and frontage to Rose Court. (b) Not applicable. Not an internal lot. (c)(i) Not applicable. Satisfied by (a) and (b). (c)(ii) Not applicable. Satisfied by (a) and (b). (d)(i) Compliant. Site has a 23m wide frontage and access from Rose Court. (d)(ii) Not applicable. Not multiple dwelling or non-residential development. (e) Compliant. A Statement of Compliance is not required for access.

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<p>accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than –</p> <p style="padding-left: 20px;">(i) 3.6m for a single dwelling development; or</p> <p style="padding-left: 20px;">(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>10.4.9–(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p>	<p>Compliant.</p> <p>The site is capable of connecting to the reticulated water system. Refer to TasWater’s Submission to Planning Authority Notice at Annexure 5.</p>
<p>10.4.9–(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and</p>	<p>Compliant.</p>

wastewater to a sewage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i> .	The site is capable of draining to the reticulated sewerage system. Refer to TasWater's Submission to Planning Authority Notice at Annexure 5.
10.4.9-(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i> .	Compliant. The site is capable of connecting to the reticulated stormwater system.
10.4.10 Dwelling density for single dwelling development	
10.4.10-(A1) (a) The site area per dwelling for a single dwelling must – (i) be not less than 325m ² .	(a)(i) Compliant. Site area is 1,244m ² .
10.4.11 Development other than a single or multiple dwelling.	
10.4.11.1 Location and configuration of development	
10.4.11.1-(A1) The wall of a building must be set back from a frontage – (a) not less than 4.5m from a primary frontage; and	Not applicable. Proposed development is residential.

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<ul style="list-style-type: none"> (b) not less than 3.0m from any secondary frontage; or (c) not less than and not more than the setbacks for any existing building on adjoining sites; (d) not less than for any building retained on the site; (e) in accordance with any building area shown on a sealed plan; or (f) not less than 50.0m if the site abuts the Bass Highway. 	
<p>10.4.11.1-(A2) All buildings must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> (a) the applicable frontage setback; (b) a distance of not less than 4.0m from the rear boundary or if an internal lot, a distance of 4.5m from the boundary abutting the rear boundary of the adjoining frontage site; (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 	<p>Not applicable.</p> <p>Proposed development is residential.</p>

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

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

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<ul style="list-style-type: none"> (ii) have a window sill height of not less than 1.8m above floor level; (iii) have fixed glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above floor level; or (iv) have a fixed and durable external screen other than vegetation of not less than 1.8m height above the floor level with a uniform transparency of not more than 25% for the full width of the door, window, balcony, deck, roof garden, parking space, or carport. 	
<p>10.4.11.2–(A2) An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.</p>	<p>Not applicable. Proposed development is residential.</p>
<p>10.4.11.3 Frontage fences</p>	
<p>10.4.11.3–(A1) The height of a fence, including any supporting retaining wall, on or within a frontage setback must be:</p>	<p>Not applicable. Proposed development is residential.</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>10.4.12 Setback of development for sensitive use</p>	
<p>10.4.12-(A1) A building containing a sensitive use must be contained within a building envelope determined by:</p> <p>(a) the setback distance from the zone boundary as shown in the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45 degrees above the horizontal from a wall height of 3.0m at the required setback distance from the zone boundary.</p>	<p>(a) Compliant. No applicable zone boundary setback requirement.</p> <p>(b) Compliant. No applicable zone boundary setback requirement.</p>
<p>10.4.12-(A2) Development for a sensitive use must be not less than 50.0m from:</p> <p>(a) Bass Highway;</p> <p>(b) a railway;</p>	<p>(a) Compliant. Development would be greater than 500m from the Bass Highway.</p> <p>(b) Compliant. Development would be setback approximately 800m from a railway line.</p> <p>(c) Not applicable. No land designated for future road or rail.</p>

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<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. The nearest proclaimed wharf area is in Devonport approximately 15km to the east.</p>
<p>10.4.13 Subdivision</p>	
<p>10.4.13-(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) intended for residential use;</p> <p>(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>10.4.13-(A2) A lot, other than a lot to which A1(b) applies, must not be an internal lot</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>
<p>10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision</p>	
<p>10.4.14-(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. 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	
<p>E9.5.1-(A1) Provision for parking must be:</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p>	<p>(a) Compliant. Table E9A requires two car parking spaces for a residential dwelling. The existing garage attached to the dwelling accommodates two car parking spaces.</p> <p>The requirement for two car parking spaces has been satisfied.</p>
E9.5.2 Provision for loading and unloading of vehicles	
<p>E9.5.2-(A1) There must be provision within a site for:</p> <p>(a) on-site loading area in accordance with the requirement in the Table to this Code; and</p> <p>(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.</p>	<p>Not applicable for the development of a single dwelling.</p>

E9.6 Development Standards	
E9.6.2 Design of vehicle parking and loading areas	
E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and	Compliant by a Condition to be placed on the Permit.
<p>E9.6.2 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p>	Not applicable for the development of a single dwelling.

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

Issues –

1 *10.4.2-(A1) Setbacks and building envelope for all dwellings –*

The proposed garage would be outside the building envelope to the primary street frontage.

The Planning Scheme defines a dwelling as “a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuildings and works normally forming part of a dwelling”. The proposed garage forms part of the dwelling on the land.

The Planning Scheme’s Acceptable Solution 10.4.2-(A1)(a) requires that a dwelling have a setback from the primary frontage of 4.5m or alternatively, not less than any setback from the equivalent frontage of dwellings on adjoining sites, on the same street.

The proposed garage would be setback 150mm from the primary frontage.

An exercise of discretion is required to determine if a Planning Permit may be issued.

10.4.2-(A2) Setbacks and building envelope for all dwellings –

The Performance Criteria 10.4.2-(P1) requires that:

- (a) A dwelling must have a setback compatible with the existing dwellings in the street, taking into account any topographical constraints; and

Compliant. The development site is located on the corner of Racecourse Crescent and Rose Court. The Planning Scheme describes corner lots as having a primary and secondary frontage, with two side boundaries. Under the Planning Scheme, the shortest boundary to a street is defined as the primary frontage, regardless of the orientation of a dwelling or the location of vehicular or pedestrian access.

In this case, the primary frontage, in accordance with the Planning Scheme definition, would be Racecourse Crescent, with a width of frontage 23.7m, with Rose Court being the secondary frontage, with a frontage width of 25m. The corner

lot configuration, and the orientation of the existing dwelling and vehicular access, constrain the ability to accommodate an outbuilding on the site.

The proposed garage would be constructed to within 150mm of the Racecourse Crescent street frontage. There is no access to the site from Racecourse Crescent, existing or proposed, and the existing front fence would remain in place.

The development site is located on the northern side of Racecourse Crescent. The adjoining property to the west, on the same side of the street, known as 1 Racecourse Crescent, has an outbuilding setback approximately 5m, with the next property to the east, known as 37 Stubbs Road (also a corner lot), having an outbuilding constructed to the street frontage with a wall length of approximately 6m. It is noted that a number of properties towards the eastern end of Racecourse Crescent also have varying setbacks of dwellings and outbuildings.

Compliance with the streetscape, as required under the Performance Criteria, is considered to be satisfactory.



(b) Not applicable as the site does not abut a road in Table 10.4.2.

2 *10.4.2-(A2) Setbacks and building envelope for all dwellings -*

The proposed garage would be constructed to the primary frontage.

The Planning Scheme's Acceptable Solution 10.4.2-(A2) requires that a garage or carport must have a setback from a primary frontage of at least:

- (a) 5.5m, or alternatively 1m behind the façade of the dwelling; or
- (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or
- (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.

The proposed garage would be setback 150mm from the primary frontage.

An exercise of discretion is required to determine if a Planning Permit may be issued.

The Planning Scheme's Performance Criteria 10.4.2-(P2) requires that a garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.

Compliant. As discussed above, the development site is a corner allotment and Racecourse Crescent is defined as the primary frontage.

A review of the area indicates that Racecourse Crescent and streets within 100m of the development site have varying buildings setbacks, ranging from no setback to more than 5m.

The orientation of the existing dwelling and vehicular access to the site constrains development on the site, with the positioning of the proposed garage, to the south-west corner, considered a suitable location, requiring minimal site disturbance to accommodate the building. The varying setbacks of buildings in the area, whether the buildings are attached to garages or are separate buildings, does allow for a variation in setback and, given the orientation of the lot and location of buildings to the street frontage, the proposed garage would

be considered compatible with the area, particularly with the western end of Racecourse Crescent.

The proposed development is considered to have satisfied the Performance Criteria 10.4.2(a) and (b), demonstrating that the garage would be consistent with a street that has varying building setbacks.

3 *10.4.2 Setbacks and building envelope for all dwellings – Building envelope –*

The Planning Scheme's Acceptable Solution 10.4.2-(A3)(a)(ii) requires that a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must be contained within a building envelope determined by a line projecting at an angle of 45° from the horizontal at a height of 3m above natural ground level at the side boundaries and at a distance of 4m from the rear boundary.

Building height must be not more than 8.5m above natural ground level.

The proposal seeks a variation to this standard. The proposed garage would be outside the standard building envelope to the primary frontage of the site. An exercise of discretion is required to determine if a Planning Permit may be issued.

The Planning Scheme's Performance Criteria 10.4.2-(P3) requires that the siting and scale of a dwelling must not cause unreasonable loss of amenity by:

- (a)(i) reduction in sunlight to habitable room (other than a bedroom) of a dwelling on an adjoining lot; or

Compliant. The proposed garage adjoins the side boundary of 1 Racecourse Crescent. The proposed development application includes shadow diagrams that clearly show that no habitable rooms of the adjoining dwelling would receive any reduction in sunlight. A small portion of the adjoining private open space located to the south-eastern corner of the lot at 1 Racecourse Crescent would receive a minor shadow impact. However, the allotment would be clear of shadow by mid-morning.

- (a)(ii) overshadowing the private open space of a dwelling on an adjoining lot; or:

Compliant. The proposed development application includes shadow diagrams that show a small portion of the adjoining private open space located to the south-eastern corner of 1 Racecourse Crescent would receive a minor shadow impact. However, the allotment would be clear of shadow by mid-morning.

- (a)(iii) overshadowing of an adjoining vacant lot; or

Not applicable as there are no adjoining vacant lots.

- (a)(iv) visual impacts caused by the apparent scale and bulk or proportions of the dwelling when viewed from an adjoining lot; and

Compliant. As discussed above, the visual impact when viewed from the adjoining lot at 1 Racecourse Crescent has been largely mitigated by the existing vegetation and fencing that separates the two properties. The overall height of the proposed garage at 3 Racecourse Crescent would be of similar height to the existing garage located at 1 Racecourse Crescent, however the subject building would be constructed from Colorbond material, not brick. Both buildings would have a similar roof pitch.



- (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Compliant. The proposed garage would be constructed to the side boundary of 1 Racecourse Crescent. Outbuildings that are built to side and rear boundaries are not uncommon for the area and the proposed garage would generally be consistent with the prevailing pattern of development of the surrounding area, specifically for corner allotments (refer to the aerial photograph indicating Racecourse Crescent setback variation).



Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No comment.
Infrastructure Services	No Statement of Compliance required.
Building	Building Note 2.
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 –

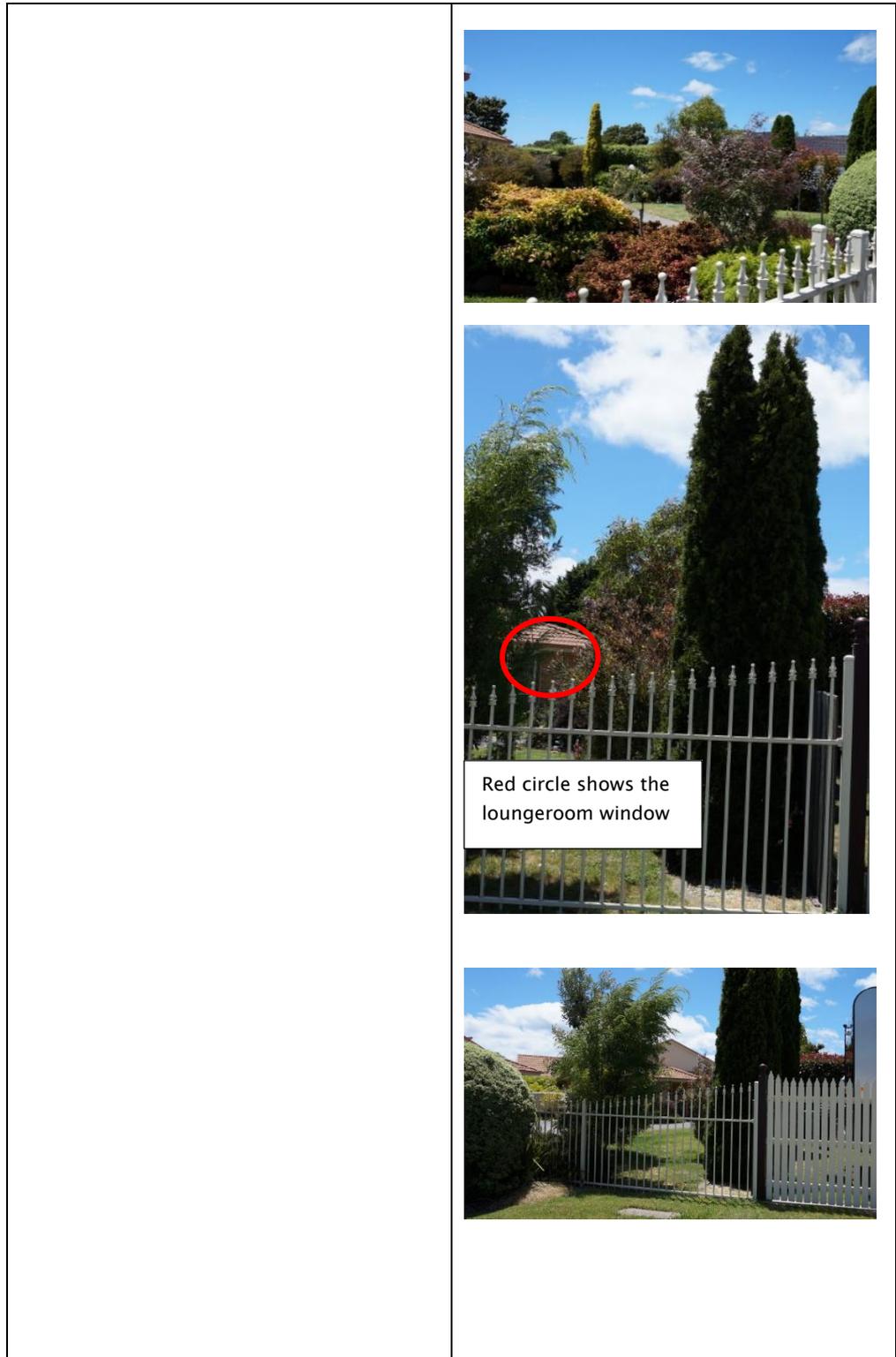
One representation was received within the prescribed time, a copy of which is provided at Annexure 3.

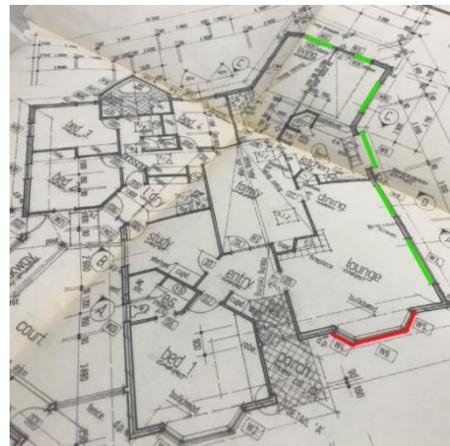
The representation is summarised and responded to as follows:

MATTER RAISED	RESPONSE
<p>1 The representation raises issues of the apparent bulk and scale of the proposed shed, noting that the building would assume a predominant position in the street by its size, and colour and positioning to the street frontage.</p> <p>The representation states that the proposed shed is incompatible with the rest of the street and intersperses the two dwellings with a large shed that has an industrial feel, amounting to an eyesore.</p>	<p>The development site is located at the western end of Racecourse Crescent, between Stubbs Road and Rose Court.</p> <p>The concern centres around the bulk and scale of the garage when viewed from adjoining property to the west, inconsistency with the streetscape, impacts to living areas and shadow cast onto the private open space of the adjoining property.</p> <p>The development site and 37 Stubbs Road are located on a corner, with both sites identifying as having two street frontages, with the remaining boundaries are identified as side boundaries.</p> <p>Visually from the street, the Racecourse Crescent frontage would appear as a side boundary or secondary frontage. The orientation of corner lots in some cases constrains future development. In the case of 3 Racecourse Crescent, the existing dwelling and vehicular access is via Rose Court. However, due to the length of the street frontage, Rose Court would be defined under the Planning Scheme as the secondary frontage.</p> <p>Two out of the three lots at the western end of Racecourse Crescent have garages/carports constructed less than the required 5.5m setback provision for outbuildings. The first being 37 Stubbs Road (corner</p>

	<p>allotment) which has a 6m carport wall constructed to the street frontage, and, secondly, 1 Racecourse Crescent, that has a garage setback of approximately 5m from the street frontage.</p> <p>When entering Racecourse Crescent from the western end, the proposed garage would be obscured, due to the existing vegetation at both 37 Stubbs Road and 1 Racecourse Crescent, as shown in the site photo below.</p> <p>Inconsistency of building setbacks to the street frontage at the western end of Racecourse Crescent already exists.</p> <p>“Colorbond” is a cladding material commonly used for outbuildings in residential areas. It is increasingly used on larger outbuildings that require a greater wall height to accommodate caravans and the like. The overall building height of 4.6m would be similar to the outbuilding located at 1 Racecourse Crescent, that has an overall height of approximately 4m. The difference being the outbuilding at 1 Racecourse Crescent is that it was constructed when the dwelling was built, using similar brick veneer materials and roof pitch.</p>
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<p>2 The representation states that the proposed shed would be in direct line of sight of the living areas of the dwelling as it would not be obscured by the pencil conifers which are fully grown.</p>	<p>The living room window of the dwelling at adjoining 1 Racecourse Crescent would be located approximately 10m from the location of the proposed garage. The view of the garage from this window would be obscured by the existing vegetation at 1 Racecourse Crescent as shown in the photo below.</p> <p>Council records (floor plan of 1 Racecourse Crescent), shows that the habitable rooms and windows of the dwelling at 1 Racecourse Crescent are orientated to the north-east, with all windows of habitable rooms overlooking the private open space area located to the north-east, other than the one lounge room window to the south of the dwelling (shown in red below).</p>





The representation suggests that the garage should be located to the north-west corner of the allotment at 3 Racecourse Crescent. Given the location of the main living areas of the dwelling at 1 Racecourse Crescent and the orientation of the existing private open space, the shed, if located in the north-western corner of 3 Racecourse Crescent, the garage would appear to have a greater impact in terms of visual amenity and may also impose a greater shadow to the north-eastern portion of the private open space area of 1 Racecourse Crescent.

If the proposed garage was to be located in the south-west corner of the lot (as per the application) this would result in a minor shadow cast to a portion of the front garden of 1 Racecourse Crescent, with the area clear of any shadow by mid-morning.

<p>3 The representation also refers to a breach of the terms of a restrictive covenant on the Title.</p>	<p>A restrictive covenant applies to the Title and limits the use and construction of certain buildings, including building materials and heights. The Council, whilst considering the terms of the covenant that are on the Title, has no authority to impose the terms where they are inconsistent with the Acceptable Solution development standards of the <i>Central Coast Interim Planning Scheme 2013</i>; and/or where the proposal satisfies any relevant Planning Scheme Performance Criteria. Matters relating to a restrictive covenant are to be upheld by those parties who are subject to the terms of the covenant.</p>
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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 refusal of the development.

The proposal is considered to satisfy the Planning Scheme’s Performance Criteria in that the development of the garage would not significantly impact on the existing streetscape nor would the development result in an unreasonable loss of amenity to the occupants of 1 Racecourse Crescent. It is considered appropriate the proposed development be approved, subject to conditions.

Recommendation –

It is recommended that the application for Residential – garage – variation to the building envelope and location of garage to the primary frontage at 3 Racecourse Crescent, Turners Beach – Application No. DA2020380 be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans by Tim Wilson Design & Drafting, Drawing Nos. 0610TP-A, 01 to 03 dated 13 November 2020, unless modified by a condition of this Permit.
- 2 The garage must be connected to the Council’s reticulated stormwater system in accordance with the requirements of the Council’s Stormwater Authority.

Please note:

- 1 A Planning Permit remains valid for two years. If the use or development has not substantially commenced within this period, an extension of time may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 “Substantial commencement” is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site or bank guarantee to undertake such works.
- 3 The proposed development fits within the criteria of Category 3 – Notifiable Building Work when assessed against the Determinations issued under the *Building Act 2016*. Accordingly, a notification by a Building Surveyor is to be forwarded to the Council's Building Permit Authority prior to the commencement of work.
Note that roofwater/stormwater is to be disposed of via connection to an existing stormwater disposal system if available. Alternatively, if no existing stormwater disposal system is available, the roofwater/stormwater is to be disposed of so as to not create a nuisance to neighbouring properties.
- 4 The outbuilding is approved as a non-habitable structure and must be used in conjunction with the dwelling. If the outbuilding is intended to be used for a purpose other than this, then a further Permit for a change of use would be required.’

The Planning Officer’s report is supported.”

The Executive Services Officer reported as follows:

“A copy of the Annexures referred to in the Planning Officer’s report have been circulated to all Councillors.”

■ Cr Fuller moved and Cr Viney seconded, “That the application for Residential – garage – variation to the building envelope and location of garage to the primary frontage at 3 Racecourse Crescent, Turners Beach – Application No. DA2020380 be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the plans by Tim Wilson Design & Drafting, Drawing Nos. 0610TP–A, 01 to 03 dated 13 November 2020, unless modified by a condition of this Permit.
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Please note:

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Note that roofwater/stormwater is to be disposed of via connection to an existing stormwater disposal system if available. Alternatively, if no existing stormwater disposal system is available, the roofwater/stormwater is to be disposed of so as to not create a nuisance to neighbouring properties.

- 4 The outbuilding is approved as a non-habitable structure and must be used in conjunction with the dwelling. If the outbuilding is intended to be used for a purpose other than this, then a further Permit for a change of use would be required.”

Carried unanimously

24/2021 **Residential – building envelope for non–required dwelling and two sheds – discretionary use and development in Rural Resource zone and reliance on access via a right of way and over Crown land at Loongana Road, Loongana CT203742/1 and CT239623/1 – Application No. DA2020382**

The Strategic Projects and Planning Consultant reported as follows:

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

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA2020382
<i>PROPOSAL:</i>	Residential – building envelope for non–required dwelling and two sheds – discretionary use and development in Rural Resource zone and reliance on access via a right of way and over Crown land
<i>APPLICANT:</i>	Wallace Bros Pastoral Co Pty Ltd
<i>LOCATION:</i>	Loongana Road, Loongana CT203742/1 and CT239623/1
<i>ZONE:</i>	Rural Resource
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013 (the Scheme)</i>
<i>ADVERTISED:</i>	28 November 2020
<i>REPRESENTATIONS EXPIRY DATE:</i>	14 December 2020
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42–DAY EXPIRY DATE:</i>	6 January 2021
<i>DECISION DUE:</i>	25 January 2021
<i>PURPOSE</i>	

The purpose of this report is to consider an application for a building envelope to construct a residential dwelling and two sheds in the Rural Resource zone at Loongana. The 88.80ha parcel of vacant rural land is ‘land locked’ in that it does not have a frontage or an established legal access to a road. Legal access would need to be off Loongana Road, Loongana over Crown land and, secondly, via the establishment of a right of way over adjoining private land.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation; and
- . Annexure 4 – aerial view.

*BACKGROUND**Development description -*

Application is made for a building envelope to construct a four-bedroom, required dwelling and two sheds on land identified as Loongana Road, Loongana (CT203742/1). Whilst inadvertently advertised as non-required, the application is for a required dwelling on the land, ancillary to the establishment of a cattle grazing enterprise.

The proposed building envelope would be positioned approximately 470m north of a strip of Crown land that is required to be constructed for access to the site from Loongana Road. A letter from the Minister for the Crown, and the Minister's signature, accompany the application. Also accompanying the application is a copy of a draft lease over the proposed access strip.

Application documentation includes a 'rough' site plan and building envelope layout plan showing the locations of the proposed dwelling and two sheds in relation to property boundaries. An on-site stormwater and wastewater disposal assessment report by Environmental Service & Design, and an agricultural consultant's report by consultant Lisa Abblitt, also accompany the application.

The proposed building envelopes satisfy boundary setback standards for the Rural Resource zone. The nearest boundary to the proposed development would be located approximately 300m from the western side boundary of the property.

Site description and surrounding area -

The land is zoned Rural Resource and has an area of 88.80ha.

The subject parcel of land is an elevated 'land locked' property that has, in the past, been used for plantation forestry and has recently been logged. The land is not registered as a private timber reserve. The agricultural consultant's report accompanying the application states that stumps and log debris remain over the land. There are no buildings on the land.

The land would require access via an unmade road that is owned by the Crown, coupled by the establishment of a right of way over adjoining private land, identified as 1369 Loongana Road, Loongana (CT239623/1).

The Crown land would be accessed via Loongana Road, Loongana.

The land slopes towards a valley that is located towards the north-eastern portion of the land, where there is also a tributary watercourse.

An elevated knoll, located on adjoining land and approximately 20m higher in elevation than the subject site, lies approximately 650m west of the proposed dwelling envelope.

Surrounding land is zoned Rural Resource and is primarily forested, with adjoining properties registered as private timber reserves. A large area of Crown land adjoins the property to the north. Refer to Timber Reserve Map in Appendix 4.

History -

Future under draft Central Coast Local Provisions Schedule -

The land and other titles in this area are proposed to be rezoned from Rural Resource to Rural under the draft Central Coast Local Provisions Schedule (the LPS).

DISCUSSION

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

26.0 Rural Resource Zone

CLAUSE	COMMENT
26.1.2 Local Area Objectives	
<p>(a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;</p> <p>(b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;</p> <p>(c) Air, land and water resources are protected against –</p> <p style="padding-left: 20px;">(i) permanent loss to a use or development that has no need or reason to locate on land containing such a resource; and</p> <p style="padding-left: 20px;">(ii) use or development that has potential to exclude or unduly conflict, constraint, or interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource;</p>	<p>“Residential” use is a “Discretionary” use of land in the Rural Resource zone.</p> <p>(a) Proposal does not satisfy the Objective. The proposed use is not a primary industry use of the site, would not be dependent upon access to a naturally occurring resource and would not augment ongoing farm operations.</p> <p>(b) Proposal does not satisfy the Objective. The proposed development is not a “Permitted” use and is not reliant on air, land or water resources for primary industry production.</p> <p>(c)(i) Proposal satisfies the Objective. The proposal is for use and development that has the need to locate on the land to access, use and maintain a proposed new rural resource activity.</p> <p>(c)(ii) Proposal does not satisfy the Objective. The proposal is for the use and development of land that has the potential to unduly conflict, constrain or interfere with the practice of</p>

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<p>(d) Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;</p> <p>(e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;</p> <p>(f) Rural land may be used and developed for economic, community, and utility activity that cannot reasonably be accommodated on land within a settlement or nature conservation area;</p> <p>(g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry;</p> <p>(h) Residential use and development on rural land is appropriate only if –</p> <p style="padding-left: 40px;">(i) required by a primary industry or a resource based activity; or</p> <p style="padding-left: 40px;">(ii) without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes.</p>	<p>primary industry. However, if a new primary industry use (grazing land) is established on the land prior to establishment of the residential use, then this Objective would be satisfied.</p> <p>(d) Proposal does not satisfy the Objective. Proposed Use Class is not primary industry.</p> <p>(e) Proposal does not satisfy the Objective. Proposed Use Class is not associated with agricultural land. However, if a new primary industry use (grazing land) is established on the land prior to establishment of the residential use, then this Objective would be satisfied.</p> <p>(f) Proposal satisfies the Objective. Proposed use would be ancillary to a form of economic activity that cannot be accommodated on land within a settlement or nature conservation area.</p> <p>(g) Proposal does not satisfy the Objective. Land would not be used for tourism for recreation dependent on a rural location.</p> <p>(h)(i) Proposal satisfies the Objective. Proposed Residential use and would be required by a primary industry based activity.</p>
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	(h)(ii) Proposal satisfies the Objective. Proposed Residential use and development would be required to support a primary industry based activity (a “required” residential use).
26.1.3 Desired Future Character Statements	
<p>Use or development on rural land –</p> <p>(a) may create a dynamic, extensively cultivated, highly modified, and relatively sparsely settled working landscape featuring –</p> <ul style="list-style-type: none"> (i) expansive areas for agriculture and forestry; (ii) mining and extraction sites; (iii) utility and transport sites and extended corridors; and (iv) service and support buildings and work areas of substantial size, utilitarian character, and visual prominence that are sited and managed with priority for operational efficiency <p>(b) may be interspersed with –</p>	<p>(a)(i) Proposal is consistent with Desired Future Character Statement. The proposed use and development would be associated with agriculture.</p> <p>(a)(ii) Proposal is not consistent with Desired Future Character Statement. The proposed use is not associated with mining and extraction.</p> <p>(a)(iii) Proposal is not consistent with Desired Future Character Statement. The proposed use is not associated with utility and transportation sites or corridors.</p> <p>(a)(iv) Proposal is consistent with Desired Future Character Statement. The proposal would result in infrastructure and support buildings for agriculture.</p> <p>(b)(i) Proposal is not consistent with Desired Future Character Statement. Use and development would not be adjoining a small-scale residential settlement node.</p>

<ul style="list-style-type: none"> (i) small-scale residential settlement nodes; (ii) places of ecological, scientific, cultural, or aesthetic value; and (iii) pockets of remnant native vegetation <p>(c) will seek to minimise disturbance to -</p> <ul style="list-style-type: none"> (i) physical terrain; (ii) natural biodiversity and ecological systems; (iii) scenic attributes; and (iv) rural residential and visitor amenity; <p>(d) may involve sites of varying size -</p> <ul style="list-style-type: none"> (i) in accordance with the type, scale and intensity of primary industry; and (ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources; 	<ul style="list-style-type: none"> (b)(ii) Proposal is not consistent with Desired Future Character Statement. The subject and surrounding land is not identified as places of cultural and aesthetic value. (b)(iii) Proposal is consistent with Desired Future Character Statement. Adjoining land supports areas of remnant native forest vegetation. <p>(c)(i) Proposal is consistent with Desired Future Character Statement. The proposal would not unduly disturb the underlying physical terrain of the site, over and above tree felling activity that has already been undertaken.</p> <p>(c)(ii) Proposal is consistent with Desired Future Character Statement. The proposal would not unduly disturb biodiversity or ecological systems on the site, over and above that already disturbed through tree felling activity.</p> <p>(c)(iii) Proposal is consistent with Desired Future Character Statements. The proposed use would not unduly disturb existing scenic attributes of the site and surrounding land.</p> <p>(c)(iv) Proposal is consistent with Desired Future Character Statement. The proposed use would not disturb rural residential or visitor amenity in this area.</p>
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<p>(e) is significantly influenced in temporal nature, character, scale, frequency, and intensity by external factors, including changes in technology, production techniques, and in economic, management, and marketing systems.</p>	<p>(d)(i) Proposal is consistent with Desired Future Character Statement. The proposed use would be associated with primary industry.</p> <p>(d)(ii) Proposal is consistent with Desired Future Character Statement. Proposal is to establish commercial livestock production based on a naturally occurring resource.</p> <p>(e) Proposal is not consistent with Desired Future Character Statement. The proposed use is not significantly influenced by changes in technology, production techniques or economic management and marketing systems.</p>
<p>26.3 Use Standards</p>	
<p>26.3.1 Requirement for discretionary non-residential use to locate on rural resource land</p>	
<p>26.3.1-(P1) Other than for residential use, discretionary permit use must:</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement;</p> <p>(c) be required to locate on rural resource land for operational efficiency:</p>	<p>Not applicable.</p> <p>Use would be Residential.</p>

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<ul style="list-style-type: none">(i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;(ii) to access infrastructure only available on the site or on adjacent land in the zone;(iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;(iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;(v) if required –<ul style="list-style-type: none">a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;b. for security;c. for public health or safety if all measures to minimise impact could create an unacceptable level of risk to human health, life or property if located on land in a zone intended for that purpose;	
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<ul style="list-style-type: none"> (vi) to provide opportunity for diversification, innovation, and value-adding to secure existing or potential primary industry use of the site or of adjacent land; (vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or (viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and <p>(d) minimise likelihood for:</p> <ul style="list-style-type: none"> (i) permanent loss of land for existing and potential primary industry use; (ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and (iii) loss of land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development. 	
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26.3.2 Required Residential Use	
<p>26.3.2-(A1) Residential use required as part of a use must:</p> <p>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</p> <p>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</p> <p>(c) not intensify an existing lawful residential use;</p> <p>(d) replace a lawful existing residential use;</p> <p>(e) not create a new residential use through conversion of an existing building; or</p> <p>(f) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</p> <p>(g) there is no change in the title description of the site on which the residential use is located.</p>	<p>(a) Non-compliant. Not an alteration or addition to an existing lawful and structurally sound residential building.</p> <p>(b) Non-compliant. Not an ancillary dwelling to an existing lawful and structurally sound single dwelling.</p> <p>(c) Not applicable. No existing lawful residential use.</p> <p>(d) Not applicable. No existing residential use.</p> <p>(e) Not applicable. No existing buildings on site.</p> <p>(f) Non-compliant. Not an outbuilding appurtenant to an existing lawful and structurally sound residential building.</p> <p>(g) Non-compliant. Not a home based business.</p> <p>Refer to the "Issues" section of this report.</p>
26.3.3 Residential use	
<p>26.3.3-(A1) Residential use that is not required as part of an other use must:</p>	<p>Not applicable.</p>

<ul style="list-style-type: none"> (a) be an alteration or addition to an existing lawful and structurally sound residential building; (b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling; (c) not intensify an existing lawful residential use; (d) not replace an existing residential use; (e) not create a new residential use through conversion of an existing building; (f) be an outbuilding with a floor area of not more than 100m² appurtenant to an existing lawful and structurally sound residential building; or (g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and (h) there is no change in the title description of the site on which the residential use is located. 	<p>Not a non-required Residential use.</p>
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26.4 Development Standards	
26.4.1 Suitability of a site or lot on a plan of subdivision for use or development	
<p>26.4.1-(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) unless for agricultural use, have an area of not less than 1.0 hectare not including any access strip; and</p> <p>(b) if intended for a building, contain a building area</p> <p style="padding-left: 20px;">(i) of not more than 2,000m² or 20% of the area of the site, whichever is the greater unless a crop protection structure for an agricultural use;</p> <p style="padding-left: 20px;">(ii) clear of any applicable setback from a frontage, side or rear boundary;</p> <p style="padding-left: 20px;">(iii) clear of any applicable setback from a zone boundary;</p> <p style="padding-left: 20px;">(iv) clear of any registered easement;</p> <p style="padding-left: 20px;">(v) clear of any registered right of way benefiting other land;</p> <p style="padding-left: 20px;">(vi) clear of any restriction imposed by a utility;</p>	<p>(a) Compliant. Land area is 80.88ha.</p> <p>(b)(i) Compliant. Proposed residential building area would be 400m².</p> <p>(b)(ii) Compliant. Development would be clear of all boundary setbacks.</p> <p>(b)(iii) Not applicable. No zone boundary.</p> <p>(b)(iv) Not applicable. No registered easements.</p> <p>(b)(v) Not applicable. No right of way.</p> <p>(b)(vi) Not applicable. No restriction imposed by a utility.</p> <p>(b)(vii) Not applicable. No access strip.</p> <p>(b)(viii) Non-compliant. The property is "land locked".</p> <p>The residential building envelope would be accessed via a strip of Crown land that is required to give access to the site from Loongana Road. A letter from the Minister for the</p>

<ul style="list-style-type: none"> (vii) not including an access strip; (viii) accessible from a frontage or access strip. 	<p>Crown, and the Minister’s signature on the application form, accompany the application. Also, a copy of a draft lease over the access strip accompanies the application.</p> <p>The development would also be reliant on the establishment of a legal right of way over adjoining private land at 1369 Loongana Road, Loongana.</p> <p>A Statement of Compliance is to be issued by the Council, acting in its capacity as the Road Authority.</p> <p>Refer to the “Issues” section of this report.</p>
<p>26.4.1–(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <ul style="list-style-type: none"> (a) across a frontage over which no other land has a right of access; and (b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or (c) by a right of way connecting to a road – <ul style="list-style-type: none"> (i) over land not required as the means of access to 	<ul style="list-style-type: none"> (a) Non-compliant. The residential building envelope would be accessed via a strip of Crown land that is required to give access to the site. A letter from the Minister for the Crown, and the Minister’s signature on the application form, accompany the application. Also, a copy of a draft lease over the access strip accompanies the application. <p>The development would also be reliant on the establishment of a right of way over adjoining private land at 1369 Loongana Road, Loongana.</p> <p>Refer to the “Issues” section of this report.</p> <ul style="list-style-type: none"> (b) Not applicable. No access strip proposed.

<p>any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than 6.0m; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>(c)(i) Non-compliant. The residential building envelope would be accessed via a strip of Crown land that is required to give access to the site. A letter from the Minister for the Crown, and the Minister’s signature on the application form, accompany the application. Also, a copy of a draft lease over the access strip accompanies the application.</p> <p>The development would also be reliant on the establishment of a right of way over adjoining private land at 1369 Loongana Road, Loongana.</p> <p>Refer to the “Issues” section of this report.</p> <p>(c)(ii) Compliant. Proposed right of way 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.</p> <p>(d) Non-compliant. The residential building envelope would be accessed via a strip of Crown land that is required to give access to the site. A letter from the Minister for the Crown, and the Minister’s signature on the application form, accompany the application. Also, a copy of a draft lease over the access strip accompanies the application.</p>
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	<p>The development would also be reliant on the establishment of a right of way over adjoining land at 1369 Loongana Road, Loongana.</p> <p>Refer to the “Issues” section of this report.</p> <p>(e) Compliant by a condition to a permit. A Statement of Compliance is to be issued by the Council, acting in its capacity as the Road Authority.</p>
<p>26.4.1–(A3) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of connecting to a water supply:</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system ^{R31} with a storage capacity of not less than 10,000 litres if:</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for:</p> <p>a. a single dwelling; or</p>	<p>(a) Not applicable. Not able to connect to a reticulated water supply.</p> <p>(b)(i) Compliant by condition to a permit for residential building envelope.</p> <p>(b)(ii)a. Compliant. Development would be single dwelling.</p> <p>(b)(ii)b. Not applicable. Satisfied by (b)(ii)a.</p>

<p>b. a use with an equivalent population of not more than 10 people per day.</p>	
<p>26.4.1–(A4) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste:</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if:</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development:</p> <p>a. is for a single dwelling; or</p> <p>b. provides for an equivalent population of not more than 10 people per day; or</p> <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS</p>	<p>(a) Not applicable. Satisfied by (b).</p> <p>(b)(i) Compliant. Satisfied by (b)(iii).</p> <p>(b)(ii)a. Compliant. Development is for a single dwelling.</p> <p>(b)(ii)b. Compliant. Satisfied by (b)(ii)a.</p> <p>(b)(iii) Compliant by condition to a permit. Development is to comply with “On-site Wastewater Disposal, Water & Stormwater Disposal” assessment by Environmental Service & Design Pty Ltd (ES&D) dated 15 April 2020 that has been provided as part of the application. The assessment states the land has the capacity to accommodate a four-bedroom dwelling with on-site wastewater management in accordance with AS/NZS 1547:2000, clear of any access or building areas.</p>

<p>1547:2000 On-site domestic-wastewater management clear of any defined building area or access strip.</p>	
<p>26.4.1-(A5) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system:</p> <p>(i) for discharge to a natural drainage line, water body or watercourse; or</p> <p>(ii) for disposal within the site if:</p> <p>a. the site has an area of not less than 5,000m²;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p>	<p>(a) Not applicable. Satisfied by (b)(i).</p> <p>(b)(i) Not applicable. Satisfied by (b)(ii).</p> <p>(b)(ii)a. Compliant. Site has an area of 80.88ha.</p> <p>(b)(ii)b. Compliant. Disposal would be clear of any defined building area.</p> <p>(b)(ii)c. Compliant. Disposal would be clear of any wastewater disposal area.</p> <p>(b)(ii)d. Not applicable. No access strip.</p> <p>(b)(ii)e. Compliant. Not more than 50% of the site would be of impervious surface.</p>

<p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface.</p>	
<p>26.4.2 Location and configuration of development</p>	
<p>26.4.2-(A1) A building or a utility structure, other than a crop protection structure for an agriculture use, must be setback:</p> <p>(a) not less than 20.0m from the frontage; or</p> <p>(b) if the development is for sensitive use on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road;</p> <p>(c) not less than 10.0m from each side boundary; and</p> <p>(d) not less than 10.0m from the rear boundary; or</p> <p>(e) in accordance with any applicable building area shown on a sealed plan.</p>	<p>(a) Compliant. Building envelope for non-required dwelling would be setback greater than 1.5km from Loongana Road and would be 440m from southern boundary (nearest boundary to Crown access road).</p> <p>(b) Not applicable. Land does not adjoin the Bass Highway.</p> <p>(c) Non-compliant. The proposed building envelope would be approximately 650m from the western side boundary and 600m from the eastern side boundary.</p> <p>(d) Compliant. Development would be setback greater than 550m from the northern rear boundary.</p> <p>(e) Not applicable. No building area on a Sealed Plan.</p>

<p>26.4.2–(A2) Building height must be not more than 8.5m.</p>	<p>Compliant by condition to a permit. A dwelling would be permitted to a height of 8.5m.</p>
<p>26.4.2 A3.1 A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must –</p> <p>(a) not project above an elevation 15m below the closest ridgeline;</p> <p>(b) be not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</p> <p>(c) be below the canopy level of any adjacent forest or woodland vegetation; and</p> <p>(d) clad and roofed with materials with a light reflectance value of less than 40%.</p> <p>A3.2 Wind power turbines and wind power pumps must not exceed 20m in height.</p>	<p>A3.1</p> <p>(a) Compliant. Proposed Residential building envelope would be located 20m below nearest ridgeline in this area.</p> <p>(b) Compliant. Residential building envelope would be 250m from nearest watercourse.</p> <p>(c) Compliant. Residential building envelope would be below the canopy of adjacent woodland.</p> <p>(d) Compliant by a condition to a permit. Building to be roofed and clad with materials with a light reflectance value of less than 40%.</p> <p>A3.2 Not applicable. No wind turbine or wind power pumps.</p>

<p>26.4.3 Location of development for sensitive uses</p>	
<p>26.4.3-(A1) New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must –</p> <p>(a) be located not less than:</p> <ul style="list-style-type: none"> (i) 200m from any agricultural land; (ii) 200m from aquaculture, or controlled environment agriculture; (iii) 500m from the operational area boundary established by a mining lease issued in accordance with the <i>Mineral Resources Development Act 1995</i> if blasting does not occur; or (iv) 1000m from the operational area boundary established by a mining lease issued in accordance with the <i>Mineral Resources Development Act 1995</i> if blasting does occur; or (v) 500m from intensive animal husbandry; 	<ul style="list-style-type: none"> (a)(i) Compliant. Proposed building envelope would be setback approximately 400m from adjoining agricultural land. Note: Under the Planning Scheme, the definition of “agricultural land” includes “controlled environment agriculture, intensive tree farming and plantation forestry”. (a)(ii) Compliant. No aquaculture, or controlled environment agriculture. (a)(iii) Compliant. No non-blasting extractive industry in surrounding area. (a)(iv) Compliant. No blasting extractive industry in surrounding area. (a)(v) Compliant. No intensive animal husbandry within 500m. (a)(vi) Compliant. Development is not within 100m of land under a reserve management plan (adjoining Crown land to the north).

<p>(vi) 100m from land under a reserve management plan;</p> <p>(vii) 100m from land designated for production forestry;</p> <p>(viii) 50.0m from a boundary of the land to the Bass Highway, or to a railway line; and</p> <p>(ix) clear of any restriction imposed by a utility; and</p> <p>(b) not be on land within a proclaimed irrigation district under Part 9 <i>Water Management Act 1999</i>, or land that may benefit from the application of broad-scale irrigation development.</p>	<p>(a)(vii) Compliant. Proposed building envelope would be setback approximately 400m from adjoining private timber reserve.</p> <p>(a)(viii) Compliant. Land is greater than 10km to the Bass Highway and the Western Rail Line.</p> <p>(a)(ix) Compliant. Land is clear of any restriction.</p> <p>(b) Compliant. Land is not located within a proclaimed irrigation district.</p>
<p>26.4.4 Subdivision</p>	
<p>26.4.4-(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use either State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>

26.4.5 Buildings for Controlled Environment Agriculture	
<p>26.4.5-(A1)</p> <p>A building for controlled environment agriculture use must be a crop protection structure and the agricultural use inside the building must satisfy one of the following:</p> <p>(a) rely on the soil as a growth medium into which plants are directly sown;</p> <p>(b) not alter, disturb or damage the existing soil profile if conducted in a manner which does not rely on the soil as a growth medium.</p>	<p>Not applicable.</p> <p>No controlled environment agriculture proposed.</p>
CODES	
E1 Bushfire-Prone Areas Code	Not applicable. Not a subdivision or vulnerable or hazardous use.
E2 Airport Impact Management Code	Not applicable. No Code in this Scheme.
E3 Clearing and Conversion of Vegetation Code	Not applicable. Application states there would be no clearing or conversion of native threatened vegetation.
E4 Change in Ground Level Code	Not applicable. No change in ground level proposed.

E5 Local Heritage Code	Not applicable. No places of local significance listed in this Scheme.
E6 Hazard Management Code	Not applicable. No landslip hazard identified.
E7 Sign Code	Not applicable. No signs proposed.
E8 Telecommunication Code	Not applicable. No telecommunications proposed.
E9 Traffic Generating Use and Parking Code	
E9.2 Application of this Code	Applicable. Applies to all use and development.
E9.4 Use or development exempt from this Code	Not exempt. No Local Area Parking Scheme.
E9.5 Use Standards	
E9.5.1 Provision for parking	
E9.5.1-(A1) Provision for parking must be: (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 by condition. The E9 Traffic and Parking Code of the Scheme requires two car parking spaces be provided for a residential dwelling. The land has ample area to accommodate this provision.

E9.5.2 Provision for loading and unloading of vehicles	
<p>E9.5.2-(A1) There must be provision within a site for:</p> <p>(a) on-site loading area in accordance with the requirement in the Table to this Code; and</p> <p>(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.</p>	<p>(a) Not applicable. Table E9A does not require on-site loading provision for residential development.</p> <p>(b) Not applicable. Provision does not apply to residential development.</p>
E9.6 Development Standards	
E9.6.2 Design of vehicle parking and loading areas	
<p>E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and</p>	<p>Compliant by condition to be placed on a permit. The site would be able to drain, collect and dispose of stormwater on-site, clear of building sites, wastewater site and access road.</p>
<p>E9.6.2 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p>	<p>(a) Compliant by Condition. The site has ample area to make provision for circulation and parking areas and vehicle manoeuvring areas in accordance with AS/NZS 2890.1 (2004).</p> <p>(b) Not applicable. Applies where 20 spaces are proposed or required.</p>

<p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	<p>(c) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(d) Not applicable. Applies where 20 spaces are proposed or required.</p> <p>(e) Compliant by condition. The site has sufficient area to accommodate this requirement.</p> <p>(f) Compliant by condition. The site has sufficient area to accommodate this requirement.</p> <p>(g) Compliant by condition. Internal roadway and car parking areas would need to be constructed with a compacted sub-base and an all-weather surface.</p>
<p>E9.6.2–(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads</p>	<p>Compliant by Condition. Design and construction of access, vehicle circulation, movement and standing areas would be in accordance with the principles and requirements of the <i>Unsealed Roads Manual – Guideline for Good Practice</i> ARRB. A Permit should require compliance with the Standard.</p>

COMMUNITY SERVICES

Manual – Guideline for Good Practice ARRB.	
E10 Water and Waterways Code	Not applicable. No waterway within 30m of the development site.
Specific Area Plans	Not applicable. No Specific Area Plan applies to the site.

Issues –

1 Residential use in Rural Resource zone –

The Planning Scheme’s Performance Criteria for Clause 26.3.3–(P1) states that “Residential use must –

- (a) be consistent with Local Area Objectives” –

The purpose of the Rural Resource zone is to provide for the sustainable use and development of air, land and water resources for agriculture, aquaculture, forestry, mining and other primary industries, including quarrying.

The Rural Resource zone’s Local Area Objectives and Desired Future Character Statements together seek to promote use and development that is for primary industry purpose.

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

Note: Under the Planning Scheme, the definition of “agricultural land” includes land used for “controlled environment agriculture, intensive tree farming and plantation forestry”.

The subject proposal states the residential use would be associated with a primary industry that is to be established on the site. The residential use is discretionary in the Rural Resource zone and may have the potential to result in the constraint, fettering or interference with resource development activity on adjoining lands to the west, south and east that are registered as private timber reserves and set aside for forestry practices.

The proposal, to establish a dwelling on the land, satisfies Local Area Objective (c)(i) which states that the use and development has reason to locate on rural land. In this case, the dwelling is

required to access, use and maintain a rural resource activity (livestock production). The accompanying Agricultural Report by Agricultural Consultant, Lisa Abblitt, states that new pastures are to be established over the land so that livestock production (a stud cattle enterprise) may be established. The dwelling is required to maintain the property and tend to livestock. The report states that the 88.80ha parcel of land accommodates fertile soils and has a high rainfall and is appropriate for the proposed use.

The proposal also satisfies Local Area Objective (f) which states rural land may be developed for an economic activity that cannot reasonably be accommodated in a settlement or in a nature reserve.

The proposal also satisfies Local Area Objective (h)(i) which states residential use and development is appropriate if required by a primary industry or resource based activity.

- (b) be consistent with any applicable Desired Future Character Statement –

The proposal satisfies several Desired Future Character Statements which allow for use and development on rural land where associated with an agricultural activity and result in agricultural infrastructure and support buildings.

- (c) “be required to located on rural resource land if” –

- (i) The type, scale, intensity, or operations characteristics of a permitted use make it necessary for a person to live on the site for the purpose of undertaking such a use; and”

Compliant. The dwelling is required to access, use and maintain a rural resource activity (livestock production). The accompanying Agricultural Report by Agricultural Consultant, Lisa Abblitt, states that new pastures and infrastructure (stock yards and sheds and a water supply) are to be established over the land so that livestock production (a stud cattle enterprise) may be established. The dwelling is required to maintain the property and tend to the livestock. The report states that the 88.80ha parcel of land accommodates fertile

soils, has a high rainfall and is appropriate for the proposed use.

- (ii) “residential use will be integral and subservient to the principal use; and”

Compliant. Refer to comments above.

- (iii) “there is no other dwelling available on the site.”

Compliant. There is no other dwelling on the land.

- (d) If the required dwelling relies on land in two or more titles that are in different ownership, the owners of each of the titles are to enter into a Part 5 Agreement to be registered on each lot providing –

- (i) the dwelling is required as part of a nominated permitted use; and

- (ii) the lots are not to be sold separately.”

- (e) Not applicable. Proposed land use would be over a single title.

3 *The development of a sensitive use on rural resource land –*

Residential development is defined as a “sensitive use” under the Planning Scheme. The Planning Scheme’s Acceptable Solution 26.4.3 requires that a sensitive use be setback a minimum of 200m from adjoining agricultural land. The subject proposal satisfies this Planning Scheme requirement. The proposed building envelope would be setback approximately 400m from adjoining agricultural land that supports plantation forestry activity.

Note: Under the Planning Scheme, the definition of “agricultural land” includes “controlled environment agriculture, intensive tree farming and plantation forestry”.

4 *Reliance on access over Crown land and private land –*

The property identified under CT203742/1 is “land locked”.

The proposed residential building envelope would be accessed via a strip of Crown land that is required to give access to the site from Loongana Road. A letter from the Minister for the Crown, and the

Minister’s signature on the application form, accompany the application. Also, a copy of a draft lease over the access strip accompanies the application.

Further, the development would be reliant on the establishment of a legal right of way over a portion of adjoining private land at 1369 Loongana Road, Loongana.

Given the two means of access are lawfully established prior to development on the land, the proposed forms of access are considered to be satisfactory.

Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	As per the designer’s report, the property would be capable of supporting an on-site wastewater system.
Infrastructure Services	There are no engineering issues for the application. There is an existing gravel access off Loongana Road to a private access road Gatehouse Road. There is no kerb or channel or drainage infrastructure on Loongana Road; considering the location of the development and the surroundings, the existing access arrangement is assessed as being satisfactory.
TasWater	Not applicable.
Department of State Growth	Not applicable.
Environment Protection Authority	Not applicable.
TasRail	Not applicable.

Heritage Tasmania	Not applicable.
Crown Land Services	Consent of the Minister to lodge the application has been given.
Other	Not applicable.

CONSULTATION

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

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

Representations –

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
<p>1 This is a traditional forestry area. Proponents must be made aware of the neighbouring activities of timber production.</p> <p>Fortico Pty Ltd would like the proponents of the application to be aware that the adjoining land to the south and west of the property are managed plantations and support eucalyptus timbers for the purpose of fibre production. The plantation is thinned and harvested on a 10–15 year</p>	<p>Conflicting, adjoining land uses can give rise to concern and conflict between landowners.</p> <p>In this case however, the proposed dwelling is stated in the application’s agricultural report to be associated with primary industry, in that it is required for the management of a cattle grazing enterprise, yet to be established on site. As such, it is not considered necessary to apply a Part 5 Agreement advising of regular activity on adjoining land to the subject title, as the subject and adjoining properties are used for resource production purposes.</p>

<p>rotation and trees are then replanted.</p> <p>Works on site include:</p> <ul style="list-style-type: none"> · felling, processing and forwarding of logs using mechanical equipment and chainsaws; · road construction; · transportation using log trucks; · burning of log slash; · site preparations using excavators; · tree planting; · fertiliser application; · pest control; · tree pruning; and · tree measuring. 	
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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 received is deemed to have merit, as any use of the subject parcel of land may result in the fettering of surrounding forestry operations. However, it is proposed that the subject property be improved to

accommodate a cattle grazing enterprise and that a dwelling would be ancillary and subservient to the resource production use of the land. The construction of a dwelling is therefore accepted to be a use compatible with the proposed primary use of the land.

To ensure that the primary land use intent is realised, a condition is to be applied to the permit, requiring that evidence be provided that the necessary land improvements have been undertaken prior to the construction of the dwelling. Land improvements would include the clearance of felled log debris and slash, a stock water supply, stock yards, fencing and improved pastures established on the land.

Recommendation –

It is recommended that Residential – building envelope for a dwelling and two sheds – discretionary use and development in Rural Resource zone and reliance on access via a right of way and over Crown land at Loongana Road, Loongana CT203742/1 and CT239623/1 – Application No. DA2020382 be approved subject to the following conditions and restrictions:

- 1 The development must be substantially in accordance with the Site Plan and Building Envelope layout plan received 19 November 2020, unless modified by a condition of this Permit.
- 2 Prior to development of the land, a lawful access to CT203742/1 must be established by way of a Licence over adjoining Crown land and an amendment to Sealed Plan CT239623/1 allowing grant of a right of carriageway over CT239623/1; benefiting CT203742/1.
- 3 Prior to the issue of a Building Permit for the dwelling, the landowner must submit evidence of substantial commencement of the necessary land improvements, to the satisfaction of the General Manager. Land improvements would include the clearance of felled log debris and slash, a stock water supply, stock yards, fencing and improved pastures established on the land.
- 4 Development on the site must have a maximum height of 8.5m above natural ground level.
- 5 Development on the site must be roofed and clad with materials with a light reflectance value of less than 40%.
- 6 Development must not result in a change in ground level greater than 1m in depth.

- 7 Stormwater, including from vehicle parking and manoeuvring areas, must be collected, drained and disposed of to an approved stormwater system.
- 8 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.
- 9 The on-site disposal of domestic wastewater must be in accordance with the On-Site Wastewater Disposal, Water and Stormwater report by Environmental Service & Design Pty Ltd dated 15 April 2020 and clear of any defined building area or access driveway.
- 10 The development must minimise erosion and release of sediments during site preparation and construction in accordance with Soil and Water Management on Building and Construction Sites 2009.

Please note:

- 1 A Planning Permit remains valid for two years. If the use and/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 Prior to the commencement of work the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority, or a Building Surveyor be contacted should clarification be required.
- 4 The outbuildings are approved as Class 10 buildings, approved for Resource production use of the land. If the outbuildings are intended to be used for any other purpose, then a further Permit for a change of use would be required.’

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 have been circulated to all Councillors.”

■ Cr Carpenter moved and Cr Beswick seconded, “That the application for Residential – building envelope for a dwelling and two sheds – discretionary use and development in Rural Resource zone and reliance on access via a right of way and over Crown land at Loongana Road, Loongana CT203742/1 and CT239623/1 – Application No. DA2020382 be approved subject to the following conditions and restrictions:

- 1 The development must be substantially in accordance with the Site Plan and Building Envelope layout plan received 19 November 2020, and the Agricultural Report prepared by Lisa Abblitt dated March 2020, unless modified by a condition of this Permit.
- 2 Prior to development of the land, a lawful access to CT203742/1 must be established by way of a Licence over adjoining Crown land and an amendment to Sealed Plan CT239623/1 allowing grant of a right of carriageway over CT239623/1; benefiting CT203742/1.
- 3 Development on the site must have a maximum height of 8.5m above natural ground level.
- 4 Development on the site must be roofed and clad with materials with a light reflectance value of less than 40%.
- 5 Development must not result in a change in ground level greater than 1m in depth.
- 6 Stormwater, including from vehicle parking and manoeuvring areas, must be collected, drained and disposed of to an approved stormwater system.
- 7 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.
- 8 The on-site disposal of domestic wastewater must be in accordance with the On-Site Wastewater Disposal, Water and Stormwater report by Environmental Service & Design Pty Ltd dated 15 April 2020 and clear of any defined building area or access driveway.

- 9 The development must minimise erosion and release of sediments during site preparation and construction in accordance with Soil and Water Management on Building and Construction Sites 2009.
- 10 Prior to the issue of a Building Permit, the owner of the land must submit and enter into a Part 5 Agreement with the Central Coast Council under section 71 of the *Land Use Planning and Approvals Act 1993*. The Part 5 Agreement is to set out the following matters to the satisfaction of the General Manager:
- (i) The Part 5 Agreement must list and acknowledge the resource development forestry operations that occur on adjoining land to the east, south and west of the subject land identified as CT203742/1. Forestry operations include, but may not be limited to:
 - a. felling, processing and forwarding of logs using mechanical equipment and chainsaws;
 - b. road construction;
 - c. transportation using log trucks;
 - d. burning of log debris;
 - e. site preparations using excavators;
 - f. tree planting;
 - g. fertiliser application;
 - h. pest control; and
 - i. tree pruning.
 - (ii) The Part 5 Agreement must make reference to matters contained in the *Primary Industry Activities Protection Act 1995*; and
 - (iii) Execution of the Part 5 Agreement, including drafting and registration of the Agreement against CT203742/1, must be at the developer's expense.

Please note:

- 1 A Planning Permit remains valid for two years. If the use and/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 Prior to the commencement of work the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority, or a Building Surveyor be contacted should clarification be required.
- 4 The outbuildings are approved as Class 10 buildings, approved for Resource production use of the land. If the outbuildings are intended to be used for any other purpose, then a further Permit for a change of use would be required.”

Carried unanimously

INFRASTRUCTURE SERVICES

INFRASTRUCTURE SERVICES

25/2021 Infrastructure Services

The Director Infrastructure Services reported as follows:

“There are no matters from the Infrastructure Services Department for decision at this meeting.”

ORGANISATIONAL SERVICES

26/2021 Financial statements

The General Manager reported as follows:

“The following principal financial statements of the Council for the period ended 31 December 2020 are submitted for consideration:

- . Statement of Comprehensive Income;
- . Statement of Financial Position;
- . Operating Budgets (inc. the operating budget commentary report);
- . Summary of Rates and Fire Service Levies; and
- . Capital Works Schedule.”

The Executive Services Officer reported as follows:

“Copies of the financial statements have been circulated to all Councillors.”

■ Cr Beswick moved and Cr Carpenter seconded, “That the financial statements (copies being appended to and forming part of the minutes) be received.”

Carried unanimously

CLOSURE OF MEETING TO THE PUBLIC

27/2021 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 29 October 2020	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
Tender for supply, installation, and commissioning of a semi-hemispheric immersive dome and associated projection, audio and control systems at the Hive, Ulverstone (392A/2020 – 14.12.2020)	15(2)(d) Contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal
Future Light Industrial land options	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential

Tenders for Upper Preston Falls Upgrade	15(2)(d) Contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.”
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■ Cr van Rooyen moved and Cr Fuller 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 reference</i>
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 29 October 2020	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
Tender for supply, installation, and commissioning of a semi-hemispheric immersive dome and associated projection, audio and control systems at the Hive, Ulverstone (392A/2020 - 14.12.2020)	15(2)(d) Contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal
Future Light Industrial land options	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
Tenders for Upper Preston Falls Upgrade	15(2)(d) Contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.”

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.”

The meeting moved in to Closed session at 6.22pm.

28/2021 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 14 December 2020 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

29/2021 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 29 October 2020.

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.”

30/2021 Tender for supply, installation, and commissioning of a semi-hemispheric immersive dome and associated projection, audio and control systems at the Hive, Ulverstone (392A/2020 – 14.12.2020)

The General Manager reported as follows:

“PURPOSE

A tender assessment report was provided to the Council regarding the awarding of the contract for the supply, installation, and commissioning of a 10.0m dia. semi-hemispheric immersive dome and associated projection, audio and control systems for the Hive.

...

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.”

COMMUNITY SERVICES

31/2021 Future Light Industrial land options report

The Strategic Projects and Planning Consultant reported as follows:

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

PURPOSE

A report was provided to the Council in relation to progressing options for future light industrial land within Central Coast.

...

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.”

INFRASTRUCTURE SERVICES

32/2021 Tenders for Upper Preston Falls Upgrades

The Director Infrastructure Services reported as follows:

“The Building Projects Coordinator has prepared the following report:

‘PURPOSE

The purpose of this report was to make recommendation on tenders received for the Upper Preston Falls Upgrade project.

...

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.”

Closure

There being no further business, the Mayor declared the meeting closed at 6.44pm.

CONFIRMED THIS 15TH DAY OF FEBRUARY, 2021.

Chairperson

(lb:lc)

Appendices

- Minute No. 16/2021 – Schedule of Correspondence addressed to Mayor and Councillors
- Minute No. 17/2021 – Schedule of Documents for Affixing of the Common Seal
- Minute No. 18/2021 – Schedule of Contracts & Agreements
- Minute No. 19/2021 – Schedule of Statutory Determinations
- Minute No. 26/2021 – Financial Statements

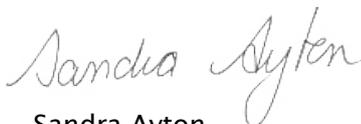
QUALIFIED PERSON'S ADVICE

The *Local Government Act 1993* (the Act), Section 65 provides as follows:

- “(1) A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- (2) A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –
- (a) the general manager certifies, in writing –
 - (i) that such advice was obtained; and
 - (ii) that the general manager took the advice into account in providing general advice to the council or council committee; and
 - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.”

In accordance with Section 65 of the Act, I certify:

- (i) that the reports within this agenda contain advice, information and recommendations given by persons who have the qualifications and experience necessary to give such advice, information or recommendation;
- (ii) where any advice is directly given by a person who did not have the required qualifications or experience that person has obtained and taken into account another person's general advice who is appropriately qualified or experienced; and
- (iii) that copies of advice received from an appropriately qualified or experienced professional have been provided to the Council.



Sandra Ayton
GENERAL MANAGER

Associated Reports And Documents



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

Period: 15 December to 25 January 2021

- . A letter advising an obstruction to Forth River at Forth Bridges.
- . A letter following up on a vehicle damage claim.

A handwritten signature in cursive script that reads "Sandra Ayton".

Sandra Ayton
GENERAL MANAGER



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

Period: 15 December 2020 to 25 January 2021

Documents for affixing of the common seal under delegation

- . Final Plan of Survey
257 Penguin Road, West Ulverstone
Folio Ref: 64880-4
Application No. DA2018294

- . Final Plan of Survey and Schedule of Easements
23-25 Fieldings Way, Ulverstone
Folio Ref: C/T 14424/8 and C/T 14424/9
Application No. DA2018311

- . Final Plan of Survey and Schedule of Easements
645 Preston Road and 50 Church Road, North Motton
Folio Ref: Vol. 252643/1 and Vol.144170/1

A handwritten signature in cursive script that reads "Sandra Ayton".

Sandra Ayton
GENERAL MANAGER



SCHEDULE OF CONTRACTS AND AGREEMENTS

(Other than those approved under the Common Seal)

Period: 15 December 2020 to 25 January 2021

Contracts

- . Electricity Supply Contract for Small Business Customers
Aurora Energy and Central Coast Council
Commencement date: 1 January 2021 until 31 December 2024

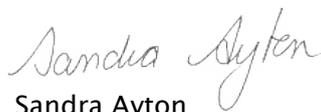
Agreements

- . Tenancy Agreement
Forth Community Hall, 680 Forth Road, Forth
Commencement date: 1 December 2020 until 30 November 2025
- . Residence Agreement
Unit 3, Alexandra Apartments, 9 Alexandra Road, Ulverstone
Commencement date: TBC
- . Grant Agreement
Tasmanian Men's Shed Association Grants Program 2020–2021
To contribute towards the purchase and erection of a structural steel support of an existing building
Grant amount: \$14,000 (Exc. GST)
- . Rental Agreement
Harcourts Ulverstone and Central Coast Council
Rental of a secure storage facility
Storage Unit 22 at 45 Fieldings Way, Ulverstone
Rental period: commencing 8 January 2021
- . Lease Agreement
Penguin Senior Citizens Club and Central Coast Council
1 Crescent Street, Penguin
Term of lease: Five (5) years
Commencement Date: 1 December 2020 – 30 November 2025

- . Amendment to Occupation Licence
Department of Education and Central Coast Council –
Ulverstone Child Care Centre (Licensee)
Crown land situated at 54 Wilmot Road, Forth
Term of Licence: Four years (commencing 1 July 2020)
Amendments: Licensed area – Part 3 of Building 3 – 289.49m²
Licence fee: \$4,364.06 per annum (plus GST)
Permitted Use: Before School care to include area 003

- . Access Agreement
Gordon and Robert Peebles and Central Coast Council
Land: Small identified section of CT248478/1
Access term: 18 December 202 – 18 December 2022
Permitted purpose: Development of, and visitor access to,
the carpark, boardwalks, and viewing platforms at Upper Preston Falls

- . Memorandum of Understanding (MOU)
Penguin Cricket Club Inc, Penguin Football Club Inc and
Central Coast Council
Defines the responsibilities of the three parties
relating to property situated at 1 Dial Park Drive, Penguin
Commencement date: 1 October 2020, continuing until any
party terminates the MOU in accordance with Clause 9.



Sandra Ayton
GENERAL MANAGER

Central Coast Council
List of Development Applications Determined
Period from: 1 December 2020 to 31 December 2020

Application Number Display	Address	DA Type	Proposed use	Application Date	Decision Date	Day determined	Cost Of Works
COM2009.3-1	Shorehaven Drive Turners Beach,TAS,7315	Minor amendment of a Permit.	Minor Amendment – Remove Condition No. 13- "Water & Sewerage Headworks Contribution"	12/11/2020	3/12/2020	21	\$1,000.00
DA2018017 – 2	6 Southwood Avenue PENGUIN,TAS,7316	Discretionary	Residential (subdivision – 36 lots)	8/10/2020	14/12/2020	26	\$400,000.00
DA2018332 – 1	203 Preston Road GAWLER,TAS,7315	Minor amendment of a Permit.	Residential (building envelope for non-required dwelling)	23/11/2020	18/12/2020	0	\$1,000.00
DA2020221 – 1	17 Shorehaven Drive TURNERS BEACH – CT175068/12,TAS,7315	Minor amendment of a Permit.	Residential – multiple dwellings x two – amend plans to be single storey development	23/11/2020	18/12/2020	22	\$0.00
DA2020287	23 Bowman Drive PENGUIN,TAS,7316	Discretionary	Residential – dwelling and shed	24/09/2020	14/12/2020	61	\$400,000.00
DA2020296	964 Preston Road and 978 Preston Road NORTH MOTTON,TAS,7315	Discretionary	Resource development – subdivision – reconfiguration of boundaries	30/09/2020	8/12/2020	22	\$30,000.00
DA2020314	17 Wilmot Road FORTH,TAS,7310	Discretionary	Residential – dwelling and garage	8/10/2020	11/12/2020	23	\$380,000.00
DA2020321	206 Preservation Drive SULPHUR CREEK,TAS,7316	Discretionary	Residential – replacement dwelling	13/10/2020	16/12/2020	23	\$400,000.00

Central Coast Council
List of Development Applications Determined
Period from: 1 December 2020 to 31 December 2020

Application Number Display	Address	DA Type	Proposed use	Application Date	Decision Date	Day determined	Cost Of Works
DA2020323	81 South Road PENGUIN,TAS,7316	Discretionary	Residential – shed and carport	14/10/2020	9/12/2020	21	\$30,000.00
DA2020326	6 Esther Place TURNERS BEACH,TAS,7315	Discretionary	Residential – dwelling and shed	15/10/2020	3/12/2020	27	\$350,000.00
DA2020332	6 Lukin Street TURNERS BEACH,TAS,7315	Discretionary	Residential – construction of dwelling to create multiple dwellings	19/10/2020	9/12/2020	33	\$350,000.00
DA2020337	29 Overall Street SULPHUR CREEK,TAS,7316	Discretionary	Residential – shed	22/10/2020	4/12/2020	31	\$20,000.00
DA2020346	577B Preston Road NORTH MOTTON,TAS,7315	Discretionary	Residential – dwelling, garage and carport	28/10/2020	14/12/2020	28	\$345,000.00
DA2020347	5 Mortimer Road PENGUIN,TAS,7316	Discretionary	Residential – subdivision – 2 lots	29/10/2020	3/12/2020	28	\$10,000.00
DA2020355	717 Forth Road FORTH,TAS,7310	Discretionary	Residential – garage and shed	9/11/2020	18/12/2020	21	\$8,000.00
DA2020357	745 Forth Road FORTH,TAS,7310	Discretionary	Residential – shed – variation to the building envelope and site coverage	10/11/2020	18/12/2020	25	\$35,000.00
DA2020360	109 Penguin Road WEST ULVERSTONE,TAS,7315	Discretionary	Residential – second floor addition – variation to the building envelope	11/11/2020	15/12/2020	22	\$150,000.00

Central Coast Council
List of Development Applications Determined
Period from: 1 December 2020 to 31 December 2020

Application Number Display	Address	DA Type	Proposed use	Application Date	Decision Date	Day determined	Cost Of Works
DA2020367	21 Ocean Drive ULVERSTONE,TAS,7315	Discretionary	Residential – garage and internal alterations to dwelling	13/11/2020	11/12/2020	21	\$30,000.00
DA2020371	260 Loyetea Road SOUTH RIANA,TAS,7316	Discretionary	Resource development – farm shed	16/11/2020	21/12/2020	24	\$100,000.00
DA2020376	110 William Street FORTH,TAS,7310	Discretionary	Residential – retrospective application – ancillary dwelling – conversion of part of shed to ancillary dwelling	11/11/2020	15/12/2020	22	\$60,000.00
DA2020379	37 Lethborg Avenue TURNERS BEACH,TAS,7315	Discretionary	Residential – subdivision to create two lots and construction of a dwelling on each lot	17/11/2020	24/12/2020	20	\$600,000.00
DA2020385	1008 Wilmot Road KINDRED,TAS,7310	Discretionary	Resource development – shed	20/11/2020	22/12/2020	22	\$11,910.00
DA2020386	Hearps Road – CT138845/1 WEST ULVERSTONE,TAS,7315	Discretionary	Residential – subdivision – additional lot to approved DA2018234	20/11/2020	24/12/2020	17	\$20,000.00
DA2020389	1 Tamworth Street SULPHUR CREEK,TAS,7316	Discretionary	Residential – shed extension	24/11/2020	18/12/2020	18	\$5,500.00
DA2020390	23 Thomas Street ULVERSTONE,TAS,7315	Discretionary	Residential – shed	24/11/2020	22/12/2020	20	\$24,300.00

Central Coast Council
List of Development Applications Determined
Period from: 1 December 2020 to 31 December 2020

Application Number Display	Address	DA Type	Proposed use	Application Date	Decision Date	Day determined	Cost Of Works
DA2020398	15 Hobbs Parade WEST ULVERSTONE, TAS, 7315	Discretionary	Food services – takeaway and signs	26/11/2020	22/12/2020	20	\$50,000.00
DA2020400	120 Creamery Road SULPHUR CREEK, TAS, 7316	Permitted	Resource development – shed	27/11/2020	15/12/2020	13	\$35,000.00
DA2020404	U 2/12 Jerling Street WEST ULVERSTONE, TAS, 7315	Permitted	Residential – entertainment area	1/12/2020	11/12/2020	7	\$3,800.00
DA2020407	U 1/58 Susan Street TURNERS BEACH, TAS, 7315	Discretionary	Residential – shed	2/12/2020	11/12/2020	7	\$15,000.00
DA2020416	298 Stubbs Road FORTH, TAS, 7310	Permitted	Residential – BBQ structure	8/12/2020	16/12/2020	6	\$500.00

SCHEDULE OF STATUTORY DETERMINATIONS MADE UNDER DELEGATION

Period: 1 December 2020 to 31 December 2020

Building Permits – 7

·	New dwellings	5	\$1,655,000
·	Outbuildings	0	\$0
·	Additions/Alterations	1	\$40,000
·	Other	1	\$300,000
·	Units	0	\$0

Demolition Permit – 0

Permit of Substantial Compliance – Building – 0

Notifiable Work – Building – 19

·	New dwellings	10	\$3,240,000
·	Outbuildings	6	\$126,000
·	Additions/Alterations	1	\$35,000
·	Other	2	\$114,000

Building Low Risk Work – 0

Certificate of Likely Compliance – Plumbing – 13

No Permit Required – Plumbing – 0

Food Business registrations (renewals) – 64

Food Business registrations (fixed premises) – 2

One-off Food Business registrations – 2

Mobile State-wide Food Business Registrations – 1

Public Health Risk Activity Premises Registration – 0

Public Health Risk Activity Operator Licences – 0

Temporary Place of Assembly licences – 0

SCHEDULE OF COMMUNITY SERVICES DETERMINATIONS MADE UNDER DELEGATION

Period: 1 December 2020 to 31 December 2020

Abatement notices issued

ADDRESS	PROPERTY ID
62 Gawler Road, Gawler	100530.0500

Kennel Licence issued

ADDRESS	OWNER
Nil	

Permits issued under Animal By-Law 1 - 2018

ADDRESS	PERMIT ISSUED FOR
Nil	

SCHEDULE OF OTHER STATUTORY RESPONSIBILITIES OF COMMUNITY SERVICES

Period: 1 December to 31 December 2020

Infringement notices issued for Dog Offenses

	1-31 Dec 2020
Claimed	1
Burnie Dogs Home	1
Destroyed	0
Heldover	0
Devonport Dogs Home	0

Infringements for dogs and impoundments etc.

1 - 31 Dec 2020	1
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Traffic Infringement Notices for Parking Offences

1 - 31 Dec 2020	61	
Bannons Car Park	7	11%
King Edward Street	23	38%
North Reibey Street Car Park	12	20%
Reibey Street	13	21%
Victoria Street	4	7%
Gollan Street	1	2%
Main Road Penguin	1	2%



Stuart Arnot
CORPORATE SERVICES GROUP LEADER

Central Coast Council
Statement of Comprehensive Income for the period ended 31 December 2020

Note	Budget Annual \$	YTD Budget \$	Actual YTD \$	Variance \$
Income				
Recurrent Income				
1	16,486,000	16,486,000	16,579,065	93,065
2	3,252,050	1,775,916	1,830,275	54,359
3	4,216,500	1,041,262	1,051,163	9,901
4	974,000	571,110	1,053,581	482,471
5	222,000	111,000	95,669	(15,331)
6	200,000	99,998	60,210	(39,788)
7	682,369	202,644	211,235	8,591
8	390,000	195,000	297,541	102,541
	26,422,919	20,482,930	21,178,739	695,809
Capital income				
9	1,221,000	234,998	505,381	270,383
10	17,965,298	2,130,940	2,336,628	205,688
11	2,631,000	1,190,497	183,504	(1,006,993)
	21,817,298	3,556,435	3,025,513	- 530,922
	48,240,217	24,039,365	24,204,252	164,887
Expenses				
12	10,571,553	5,431,942	5,646,468	214,526
13	9,516,373	4,662,445	4,040,881	(621,564)
14	6,248,467	3,149,223	3,124,236	(24,987)
15	369,963	185,114	114,610	(70,504)
16	366,500	185,002	154,714	(30,288)
	27,072,856	13,613,726	13,080,909	(532,817)
	21,167,361	10,425,639	11,123,343	(697,704)
Other comprehensive income				
Items that will not be reclassified to surplus or deficit				
	-	-	-	-
	-	-	-	-
	-	-	-	-
	-	-	-	-
	21,167,361	10,425,639	11,123,343	(697,704)

Notes

The following explanations are provided for material variances.
Variances are deemed material when the % Variation is >10% and >\$50,000.

Recurrent Income

- Contributions are above budget expectations due to higher than estimated child care subsidy receipts. Due to the nature of the child care subsidy is difficult to estimate this item. Higher than expected revenue from Dulverton at this stage of the year has shown an increase over

Capital Income

- Net gain/(loss on disposal) of assets is above budget expectations to due receipts of vehicle trade ins. Due to the nature of these transactions it is difficult to estimate these items.

Central Coast Council
Statement of Financial Position
as at 31 December 2020

Note	30 June 2020	31 December 2020	Movement
	\$	\$	\$
Assets			
Current assets			
Cash and cash equivalents	1,212,942	6,589,908	5,376,966
Investments	10,278,656	10,813,487	534,831
Trade and other receivables	630,842	2,262,272	1,631,430
Assets held for sale	203,000	203,000	-
Other assets	427,432	346,152	(81,280)
Total current assets	12,752,872	20,214,819	7,461,947
Non-current assets			
Investment in Regional Waste Management Authority	6,942,667	6,942,659	(8)
Investment in Water Corporation	66,814,189	66,814,190	-
Property, infrastructure, plant and equipment (PPE)	444,049,183	440,948,456	(3,100,727)
Capital work in Progress	4,760,332	12,849,423	8,089,091
Right-of-use of assets	194,901	194,901	-
Total non-current assets	522,761,272	527,749,629	4,988,356
Total assets	535,514,144	547,964,448	12,450,304
Liabilities			
Current liabilities			
Trade and other payables	2,215,217	198,610	2,016,607
Trust funds and deposits	331,456	352,606	(21,150)
Provisions	4,549,132	4,549,132	-
Interest bearing liabilities	281,323	141,802	139,521
Lease liabilities	39,896	27,028	12,868
Contract liabilities	1,303,435	4,778,055	(3,474,620)
Total current liabilities	8,720,459	10,047,233	(1,326,774)
Non-current liabilities			
Provisions	2,284,055	2,284,055	-
Interest bearing liabilities	10,761,323	10,761,323	-
Lease liabilities	161,482	161,482	-
Total non-current liabilities	13,206,860	13,206,860	-
Total liabilities	21,927,319	23,254,093	1,326,774
Net Assets	513,586,825	524,710,355	11,123,530
Equity			
15 Accumulated surplus	253,508,410	263,419,511	9,911,101
16 Reserves	260,078,415	261,290,844	1,212,429
Total Equity	513,586,825	524,710,355	11,123,530

Notes

**Central Coast Council
Operating Budgets as at 31 December 2020**

An explanation for material variances is provided on the following page.
Variances are deemed material when the % Variation is >10% and the aggregate total of the cost centre >\$50,000.

	Revenue			Expenditure			Surplus/Deficit (net)			Variation	% Variation	Note
	Adopted Budget	YTD Budget	YTD Actuals	Adopted Budget	YTD Budget	YTD Actuals	Adopted Budget	YTD Budget	YTD Actuals			
	2020	31 Dec 2020	31 Dec 2020	2020	31 Dec 2020	31 Dec 2020	2020	31 Dec 2020	31 Dec 2020			
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$		
GENERAL MANAGEMENT												
Office of General Manager												
Strategic Projects	- 16,996,362	- 1,965,469	- 2,205,359	383,650	160,585	79,471	- 16,612,712	- 1,804,884	- 2,125,888	- 321,004		
Property Management	- 2,425,000	- 1,087,499	- 11,345	10,500	5,250	3,622	- 2,414,500	- 1,082,249	- 7,723	1,074,526		
Elected Members	-	-	-	594,300	326,154	300,430	594,300	326,154	300,430	- 25,724		
General Managers Office	-	-	-	1,031,000	515,504	430,971	1,031,000	515,504	430,971	- 84,533		
	- 19,421,362	- 3,052,968	- 2,216,704	2,019,450	1,007,493	814,494	- 17,401,912	- 2,045,475	- 1,402,210	643,265	-31%	1
Total GENERAL MANAGEMENT	- 19,421,362	- 3,052,968	- 2,216,704	2,019,450	1,007,493	814,494	- 17,401,912	- 2,045,475	- 1,402,210	643,265		
INFRASTRUCTURE SERVICES												
Engineering Services												
Engineering	- 1,578,100	- 789,052	- 874,439	1,578,100	789,052	543,368	-	-	- 331,071	- 331,071		
Plant	-	-	-	-	-	246,781	-	-	246,781	246,781		
	- 1,578,100	- 789,052	- 874,439	1,578,100	789,052	790,149	-	-	- 84,290	- 84,290		2
Works Operations												
Works Depot and Store	- 938,670	- 469,322	- 375,732	938,670	469,344	369,552	-	22	- 6,180	- 6,202		
Private Works	- 75,000	- 37,500	- 37,613	60,000	30,000	35,675	- 15,000	- 7,500	- 1,938	5,562		
Emergency Services	- 6,500	- 3,248	-	67,500	33,750	21,281	61,000	30,502	21,281	- 9,221		
	- 1,020,170	- 510,070	- 413,345	1,066,170	533,094	426,508	46,000	23,024	13,163	- 9,861	-43%	
Roads, Bridges and Drainage												
Roads - Urban Sealed	- 423,000	- 75,998	- 380,765	1,934,025	967,025	835,914	1,511,025	891,027	455,149	- 435,878		
Roads - Rural Sealed	- 759,000	- 204,496	- 187,577	2,691,988	1,345,996	1,225,683	1,932,988	1,141,500	1,038,106	- 103,394		
Roads - Rural Unsealed	- 50,000	- 24,998	- 48,195	459,000	229,512	228,253	409,000	204,514	180,058	- 24,456		
Footpaths	-	-	- 35,835	777,000	368,494	400,670	777,000	368,494	364,835	- 3,659		
Bridges	- 558,025	- 279,015	- 4,013	508,025	254,023	224,624	- 50,000	- 24,992	220,611	245,603		
Carparks	- 23,025	- 11,513	- 4,013	104,025	52,019	47,768	81,000	40,506	43,755	3,249		
Street Lighting	-	-	-	330,380	165,188	149,328	330,380	165,188	149,328	- 15,860		
Drainage	- 87,000	- 43,500	- 44,329	796,500	398,250	332,940	709,500	354,750	288,611	- 66,139		
	- 1,900,050	- 639,520	- 704,727	7,600,943	3,780,507	3,445,180	5,700,893	3,140,987	2,740,453	- 400,534	-13%	3
Waste Management												
Household Garbage	- 428,000	- 213,998	- 274,228	3,820,550	1,910,356	1,504,075	3,392,550	1,696,358	1,229,847	- 466,511		
Non-Household Garbage	- 50,000	- 24,998	- 8,120	304,000	152,002	148,914	254,000	127,004	140,794	13,790		
	- 478,000	- 238,996	- 282,348	4,124,550	2,062,358	1,652,989	3,646,550	1,823,362	1,370,641	- 452,721	-25%	4
Parks and Amenities												
Parks	- 971,586	- 485,784	- 493,224	1,983,243	991,574	973,884	1,011,657	505,790	480,660	- 25,130		
Public Amenities	- 102,000	- 51,000	- 7,895	457,320	228,660	273,749	355,320	177,660	265,854	88,194		
Cemeteries	- 103,000	- 51,496	- 49,031	355,500	177,750	162,059	252,500	126,254	113,028	- 13,226		
	- 1,176,586	- 588,280	- 550,150	2,796,063	1,397,984	1,409,692	1,619,477	809,704	859,542	49,838	6%	
Total INFRASTRUCTURE SERVICES	- 4,498,320	- 1,938,642	- 1,992,511	10,245,213	5,102,653	4,661,837	11,012,920	5,797,077	4,899,509	- 897,568		

**Central Coast Council
Operating Budgets as at 31 December 2020**

An explanation for material variances is provided on the following page.
Variances are deemed material when the % Variation is >10% and the aggregate total of the cost centre >\$50,000.

	Revenue			Expenditure			Surplus/Deficit (net)			Variation	% Variation	Note
	Adopted Budget	YTD Budget	YTD Actuals	Adopted Budget	YTD Budget	YTD Actuals	Adopted Budget	YTD Budget	YTD Actuals			
	2020	31 Dec 2020	31 Dec 2020	2020	31 Dec 2020	31 Dec 2020	2020	31 Dec 2020	31 Dec 2020			
	\$	\$	\$	\$	\$	\$	\$	\$	\$			
ORGANISATIONAL SERVICES												
Corporate Administration												
Administration	- 3,500	- 1,748	- 1,518	535,472	332,730	220,361	531,972	330,982	218,843	- 112,139		
Administration Centre	-	-	- 2,517	193,500	96,744	112,783	193,500	96,744	110,266	13,522		
Caravan Parks	- 187,500	- 93,750	- 58,469	140,800	70,402	45,347	- 46,700	- 23,348	- 13,122	10,226		
	- 191,000	- 95,498	- 62,504	869,772	499,876	378,491	678,772	404,378	315,987	- 88,391	-22% 5	
Corporate Support Services												
ICT Services	-	-	-	739,508	548,998	587,737	739,508	548,998	587,737	38,739		
Risk & WHS	-	-	-	30,000	116,746	95,372	30,000	116,746	95,372	- 21,374		
Labour On-Costs	- 3,615,000	- 1,807,500	- 1,103,262	3,615,000	1,807,494	1,547,230	-	- 6	443,968	443,974		
Fleet On-Costs	- 256,867	- 128,437	- 6,728	256,867	128,425	97,818	-	- 12	91,090	91,102		
	- 3,871,867	- 1,935,937	- 1,109,990	4,641,375	2,601,663	2,328,157	769,508	665,726	1,218,167	552,441	83% 6	
Finance												
Finance	- 1,483,500	- 741,744	- 828,280	1,119,950	564,978	607,429	- 363,550	- 176,766	- 220,851	- 44,085		
Rates and Charges	- 16,486,000	- 16,486,000	- 16,579,065	-	-	-	- 16,486,000	- 16,486,000	- 16,579,065	- 93,065		
Government Contributions	- 4,071,000	- 1,057,000	- 1,064,289	882,000	530,998	816,538	- 3,189,000	- 526,002	- 247,751	278,251		
	- 22,040,500	- 18,284,744	- 18,471,634	2,001,950	1,095,976	1,423,967	- 20,038,550	- 17,188,768	- 17,047,667	141,101	-1%	
Total ORGANISATIONAL SERVICES	- 26,103,367	- 20,316,179	- 19,644,128	7,513,097	4,197,515	4,130,615	- 18,590,270	- 16,118,664	- 15,513,513	605,151		
COMMUNITY SERVICES												
Childrens Services												
Child Care	- 1,503,000	- 751,500	- 1,059,836	1,515,000	757,524	770,494	12,000	6,024	- 289,342	- 295,366		
	- 1,503,000	- 751,500	- 1,059,836	1,515,000	757,524	770,494	12,000	6,024	- 289,342	- 295,366	-4903% 7	
Community Services & Facilities												
Housing	- 678,000	- 338,994	- 464,073	589,500	294,750	409,345	- 88,500	- 44,244	- 54,728	- 10,484		
Cultural Amenities	- 123,250	- 62,126	- 60,548	358,798	179,404	192,313	235,548	117,278	131,765	14,487		
Public Halls and Buildings	- 422,000	- 73,506	- 82,388	295,300	147,616	149,379	- 126,700	74,110	66,991	- 7,119		
	- 422,000	- 73,506	- 82,388	295,300	147,616	149,379	20,348	147,144	144,028	- 7,119	-5%	
Recreation Facilities												
Swimming Pool and Waterslide	- 120,000	- 60,000	- 36,700	124,000	61,996	56,354	4,000	1,996	19,654	17,658		
Active Recreation	- 226,000	- 113,008	- 109,273	1,459,180	729,560	710,794	1,233,180	616,552	601,521	- 15,031		
Recreation Centres	- 155,500	- 77,752	- 68,142	596,584	298,304	310,551	441,084	220,552	242,409	21,857		
	- 501,500	- 250,760	- 214,115	2,179,764	1,089,860	1,077,699	1,678,264	839,100	863,584	24,484	3%	
Community Development												
Community Development	- 4,500	- 2,250	- 47	609,564	304,787	270,884	605,064	302,537	270,837	- 31,700		
Cultural Activities	- 40,500	- 30,242	- 29,524	197,300	109,154	70,677	156,800	78,912	41,153	- 37,759		
Community Cont. & Support	- 16,500	- 8,250	- 10,007	63,100	31,552	28,861	46,600	23,302	18,854	- 4,448		
Visitor Information Services	- 150,500	- 75,242	- 25,021	340,000	169,990	104,597	189,500	94,748	79,576	- 15,172		
	- 212,000	- 115,984	- 64,599	1,209,964	615,483	475,019	997,964	499,499	410,420	- 89,079	-18% 8	
Regulatory Services												
Building and Plumbing Control	- 199,500	- 99,750	- 246,549	490,500	245,250	270,438	291,000	145,500	23,889	- 121,611		

**Central Coast Council
Operating Budgets as at 31 December 2020**

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	Revenue			Expenditure			Surplus/Deficit (net)			Variation	% Variation	Note
	Adopted Budget	YTD Budget	YTD Actuals	Adopted Budget	YTD Budget	YTD Actuals	Adopted Budget	YTD Budget	YTD Actuals			
	2020	31 Dec 2020	31 Dec 2020	2020	31 Dec 2020	31 Dec 2020	2020	31 Dec 2020	31 Dec 2020			
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$		
Environment and Health	- 43,500	- 21,750	- 14,444	350,275	175,135	103,437	306,775	153,385	88,993	- 64,392		
Land-Use Planning	- 190,500	- 95,244	- 253,284	599,300	299,648	289,925	408,800	204,404	36,641	- 167,763		
Control of Animals	- 137,250	- 68,622	- 29,251	180,500	90,248	96,671	43,250	21,626	67,420	45,794		
Parking Control	- 40,500	- 20,250	- 16,763	94,000	47,002	1,066	53,500	26,752	- 15,697	- 42,449		
	- 611,250	- 305,616	- 560,291	1,714,575	857,283	761,537	1,103,325	551,667	201,246	- 350,421	-64% 9	
Total COMMUNITY SERVICES	- 3,249,750	- 1,497,366	- 1,981,229	6,914,603	3,467,766	3,234,128	3,811,901	2,043,434	1,329,936	- 717,501		
TOTAL OPERATING BUDGETS	- 53,272,799	- 26,805,155	- 25,834,572	26,692,363	13,775,427	12,841,074	- 21,167,361	- 10,323,628	- 10,686,278	- 366,653	4%	

Central Coast Council
Notes for Operating Budgets @ 31 December 2020

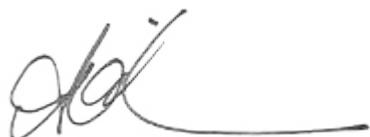
Note	Area	Comment
1	General Management	Revenue is down in Property Management as the contracts for the Dial Road subdivision are not completed yet due to the titles not being issued.
2	Engineering Services	Due to the relationship between on-costs recovery and completed works the YTD actuals for Engineering Serv. will not match budget until the completion of the reporting period 2020-2021.
3	Roads, Bridges and Drainage	Timing issues around receipt of Capital Grants is the main reason for the variance.
4	Waste Management	Have not received accounts for Kerbside and Household Garbage collection combined with an increase in fees against revenue budget for the year.
5	Corporate Administration	Timing issues around the start of some programs (i.e. Consultancy - Disability Action Plan)
6	Corporate Support Services	Labour On-costs will balance out over the year - expenses are above budget due to Public Holidays taken through the first six months and also an increase of Annual Leave taken over christmas/new year period
7	Childrens Services	Increase in grants received from the Federtal Government along with increased utilisation than what was budgeted.
8	Community Development	Costs are down due to a decrease in events in the first half of the year and and Promotions and Marketing.
9	Regulatory Services	Planning and Building fees received have increased sharply this year due to the stimulus packages that the Government has introduced to help stimulate the economy.

Central Coast Council
Notes for Operating Budgets @ 30 September 2020

Note	Area	Comment
1	Engineering Services	Due to the relationship between on-costs recovery and completed works it is anticipated that the YTD actuals for Engineering Services will not match budget until the completion of the reporting period 2020-2021.
2	Waste Management	Household Garbage has a favourable variance due to household garbage collections services being well below budget estimate.
3	Corporate Services	Corporate Services has an unfavourable variance due to the increased organisation needs for ICT upgrades and implementation of new software.
4	Childrens Services	Children's Services has a favourable budget variance due to strong utilisation rates exceeding the budget estimate.
5	Regulatory Services	Regulatory Services has a favourable variance due to the increased development within the municipal area. This has resulted in an increase in revenue for building and plumbing permits, planning applications and public open space contributions.

**A SUMMARY OF RATES & FIRE SERVICE LEVIES
FOR THE PERIOD ENDED 31 DECEMBER 2020**

	2019/2020		2020/2021			
	\$	%	\$	%		
Rates paid in Advance	-	1,202,988.01	-7.45	-	1,278,055.24	-7.88
Rates Receivable		198,235.42	1.23		186,549.33	1.15
Rates Demanded		17,102,786.24	105.97		17,236,400.75	106.23
Supplementary Rates		41,097.24	0.25		80,553.77	0.50
		16,139,130.89	100.00		16,225,448.61	100.00
Collected		13,690,715.74	84.83		14,161,822.04	87.28
Add Pensioners – Government		950,789.88	5.89		916,700.29	5.65
Pensioners – Council		36,260.00	0.22		36,785.00	0.23
		14,677,765.62	90.94		15,115,307.33	93.16
Discount Allowed		672,382.97	4.17		706,758.56	4.36
Paid in advance	-	625,144.94	-3.87	-	732,014.43	-4.52
Outstanding		1,414,127.24	8.76		1,135,397.15	7.00
		16,139,130.89	100.00		16,225,448.61	100.00



Andrea O'Rourke
ASSISTANT ACCOUNTANT

Works Program 2020-2021

(Schedule indicates site construction only)

Status	Task Name	Budget	2020-2021 Expenditure	Notes	Schedule												
					June	July	August	September	October	November	December	January	February	March	April	May	June
	Capital Works 2020-2021.xls	\$34,826,586	\$7,311,770														
	CAPITAL WORKS PROGRAM 2020-2021	\$34,826,586	\$7,311,770														
	Strategic Projects	\$24,296,000	\$4,955,398														
	Penguin/Sulphur Creek shared pathway	\$6,585,000	\$67,066	Delayed due to TasRail approval, designs progressing													
	Forth/ Leith Shared Pathway	\$1,151,000	\$3,924	Planning stages													
	Ulverstone Cultural Precinct - Science Centre, History Museum and dome	\$1,000,000	\$795	On schedule													
	Ulverstone Cultural Precinct	\$9,000,000	\$3,272,677	On schedule													
	Ulverstone Cultural Precinct - fit out	\$60,000	\$960	DA/consultation in progress													
	Penguin Foreshore - restoration	\$6,500,000	\$1,609,976	On schedule													
	Property Management	\$500,000	\$388,752														
	Dial Road Development	\$400,000	\$388,752														
	East Ulverstone Industrial Estate - Stage 2	\$100,000	\$0														
	Works Depot	\$234,000	\$25,993														
	Two-way radio upgrade	\$10,000	\$0														
	Depot - security system	\$15,000	\$20,407														
	Ulverstone Depot - washdown bay	\$10,000	\$0														
	Ulverstone Depot painting	\$5,000	\$0	Commenced earlier than expected													
	Ulverstone Depot - shed roof renewal	\$10,000	\$5,586														
	Emergency Services	\$15,000	\$0														
	SES Equipment Upgrade	\$15,000	\$0														
	Roads - Urban Sealed	\$2,140,000	\$471,363														
	Safe cycling routes	\$5,000	\$0	**As required													
	Westella Drive, Ulverstone - upgrade	\$40,000	\$0	Development pending													
	Dysons Lane, Ulverstone - upgrade	\$40,000	\$0														
	Street resealing	\$200,000	\$17,052														
	Carpark lane - improvements	\$250,000	\$0														
	Wongi Lane bus interchange	\$20,000	\$8,072														
	Coroneagh Street, Penguin renewal	\$280,000	\$0														
	Railway crossings - upgrade	\$20,000	\$0	**As required													
	Eastland Drive, Ulverstone - pavement renewal	\$80,000	\$0														
	Kerb and Channel - King Edward Street (Ulverstone)	\$100,000	\$212,008														
	Kerb ramp improvements	\$20,000	\$2,937	**As required													
	Traffic management/safety improvements	\$10,000	\$1,241	**As required													
	Seaside Crescent, Penguin renewal	\$150,000	\$0														
	Reibey Street/Kings Parade - intersection	\$60,000	\$5,598														
	CBD bollards (event safety)	\$30,000	\$0	**As required													
	South Road retaining wall	\$50,000	\$0	Design only this year													
	Kings Parade - Queen's Garden	\$200,000	\$221,340														
	Kings Parade (bridge roundabout to Jermyn St)	\$50,000	\$2,975														
	Mary Street, West Ulverstone renewal	\$100,000	\$140	Design stage													

Date: Mon 18-01-21

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Task



Original Schedule



Progress



Works Program 2020-2021

(Schedule indicates site construction only)

Status	Task Name	Budget	2020-2021 Expenditure	Notes	Schedule											
					June	July	August	September	October	November	December	January	February	March	April	May
	Roads - Rural Sealed	\$1,675,000	\$233,612													
	George Street, Forth (rural roads)	\$50,000	\$0													
	Road resealing	\$800,000	\$101,231													
	Raymond Road - landslip	\$10,000	\$0	**As required												
	Nine Mile Road upgrade	\$140,000	\$0													
	Kindred Rd/Old Kindred Rd intersection	\$150,000	\$0													
	Isandula Road - landslip	\$30,000	\$22,739	Complete at reseal time												
	Intersection improvements	\$40,000	\$0	**As required												
	Penguin Road - Lonah slip	\$50,000	\$0	**As required												
	Guidepost installation program (rural roads)	\$100,000	\$109,642													
	Footpaths	\$460,000	\$319,049													
	Turners Avenue, Turners Beach footpath	\$50,000	\$50,524													
	Mary Street, West Ulverstone renewal	\$100,000	\$901	Site planning												
	Braddon St, West Ulverstone - new footpath	\$60,000	\$96,604													
	Pine Road, Penguin - new footpath	\$250,000	\$171,020													
	Bridges	\$1,080,000	\$25,200													
	Clayton Rivulet - Douglas Road	\$200,000	\$425													
	Gawler River - Preston Road Bridge	\$700,000	\$0	Pending grant funding												
	Leven River - South Riana Road bridge	\$10,000	\$3,712													
	Leven River Bridge - delineation	\$30,000	\$0													
	Leven River Bridge - flags	\$20,000	\$0													
	Forth River - flood opening (Bridge)	\$50,000	\$0													
	Castra Road - bridge approaches	\$20,000	\$19,684													
	Clayton Rivulet - Rodmans Road bridge	\$50,000	\$1,379													
	Car Parks	\$253,000	\$472,525													
	Church of England carpark - Kings Parade	\$40,000	\$472,525													
	Haywoods Reserve carpark	\$50,000	\$0													
	Drainage	\$457,000	\$38,414													
	Preservation Drive (No 322) - upgrade	\$100,000	\$0	**Pending TasRail												
	Mortimer Road, Penguin upgrade	\$50,000	\$35,081													
	Bertha Street Outfall	\$80,000	\$0													
	Victoria Street outfall	\$15,000	\$2,648													
	Ellis Street/South Road, West Ulverstone drainage	\$100,000	\$0													
	Miscellaneous drainage	\$20,000	\$685	**As required												
	Side entry pit and manhole replacements	\$30,000	\$0	**As required												
	264 Westella Drive, Turners Beach drainage	\$25,000	\$0	**As required												
	Household Garbage	\$356,000	\$30,224													
	Penguin Refuse Disposal Site - site rehabilitation	\$60,000	\$12,727													
	Resource Recovery Centre - security system	\$10,000	\$10,501	Nearly complete, not invoiced												
	Resource Recovery Centre - wetlands	\$271,000	\$0	Waiting EPA response												

Works Program 2020-2021

(Schedule indicates site construction only)

Status	Task Name	Budget	2020-2021 Expenditure	Notes	Schedule													
					June	July	August	September	October	November	December	January	February	March	April	May	June	
	Resource Recovery Centre - signage	\$5,000	\$0															
	Resource Recovery Centre - drainage	\$10,000	\$6,996															
	Parks	\$1,561,586	\$142,854															
	Park Signage upgrade	\$2,000	\$0															
	Fishpond coastal restoration	\$5,000	\$7,593															
	Leven Canyon - resurface path/track to lookout	\$10,000	\$0															
	Perry-Ling Gardens - upgrade	\$50,000	\$2,923															
	Hiscutt Park, Penguin - bridge refurbishment	\$20,000	\$0															
	Johnson Beach, Penguin - BBQ and hut	\$30,000	\$0															
	Hall Point rehabilitation	\$2,000	\$2,470															
	Preston Falls - viewing platform/track development	\$451,586	\$40,661	DA approved														
	Leven River foreshore/Reid St Reserve wildlife corridor	\$2,000	\$209	Delayed														
	Anzac Park - steps refurbishment	\$20,000	\$0															
	Fairway Park - master plan	\$20,000	\$0															
	Penguin Foreshore - shade sail	\$15,000	\$3,975															
	Beach Road - coastline expansion	\$9,000	\$5,731															
	Ulverstone Skate Park construction	\$570,000	\$486															
	Buttons Creek caravan park - foreshore rehabilitation	\$10,000	\$2,386	Delayed														
	Turners Beach (UDG) - boardwalk	\$100,000	\$741															
	East Ulv/Turners Beach pathway - land purchase	\$15,000	\$0	Deferred - Land purchase unconvient for landholder														
	Turners Beach park shelter	\$25,000	\$14,828															
	Beach access upgrades	\$3,000	\$6,489															
	Braddons Lookout - solar light/security camera	\$15,000	\$0															
	Parks Asset renewals	\$35,000	\$29,885															
	Parks renewal - playground renewals identified	\$20,000	\$10,707															
	Turners Beach - implement vegetation plan	\$7,000	\$0															
	Industrial Estate - greenbelt	\$10,000	\$9,942															
	Hiscutt Park - wall repair	\$40,000	\$3,828															
	Dial Park, Penguin - rubber soft fall renewal	\$20,000	\$0															
	Public Amenities	\$78,000	\$20,139															
	Public convenience signage upgrade	\$3,000	\$0	**As required														
	Public amenities renewal - Apex Park - shelter refurbishment	\$20,000	\$10,690															
	Public amenities renewal - toilet refurbishments	\$20,000	\$0															
	Bus Shelter Renewals	\$10,000	\$9,449															
	Drinking Water Stations	\$12,000	\$0															
	Bus Stop Upgrade and Removals funded by State Growth	\$13,000	\$0															
	Cemeteries	\$95,000	\$65,061															
	Memorial Park - grave shoring units	\$60,000	\$49,338															
	Memorial Park - garden	\$30,000	\$15,723															
	Memorial Park - Master Plan	\$5,000	\$0															

Works Program 2020-2021

(Schedule indicates site construction only)

Status	Task Name	Budget	2020-2021 Expenditure	Notes	Schedule											
					June	July	August	September	October	November	December	January	February	March	April	May
	Administration Centre	\$28,000	\$8,228													
	Administration Centre - lighting	\$3,000	\$0													
	Administration Centre - heat pump renewals	\$5,000	\$8,228													
	Administration Centre - electrical upgrade - (RCD Protection)	\$14,000	\$0	Deferred - not enough funds												
	Cultural Activities	\$77,000	\$0													
	Ulverstone Band - purchase instruments	\$47,000	\$0													
	Reibey Street, Ulverstone - curation (fire pots etc)	\$20,000	\$0													
	Festive Decorations - new	\$10,000	\$0													
	Housing	\$173,000	\$95,895													
	Aged Persons Home Units - Internal Rehabilitation	\$60,000	\$34,051	various repairs												
	Aged Persons Home Units - HWC Renewal	\$20,000	\$1,772													
	Aged Persons Home Units - External Rehabilitation	\$63,000	\$28,743	various repairs												
	Aged Persons Home Units - Electrical Replacements	\$20,000	\$11,629	various repairs												
	Aged Persons Home Units - Fencing/Surrounds	\$10,000	\$19,700	various repairs												
	Cultural Amenities	\$30,000	\$0													
	Ulverstone Wharf precinct - reclad southern end roof	\$30,000	\$0	Contractor availability												
	Public Halls and Buildings	\$570,000	\$10,394													
	Riana Community Centre - toilet/changeroom upgrade	\$400,000	\$0	Pending grant funding												
	Ulverstone Surf Club - lift switchboard cover	\$150,000	\$0	Sourcing grant funding												
	Ulverstone Surf Life Saving Club - hot water cyclinder	\$20,000	\$10,394													
	Caravan Parks	\$15,000	\$0													
	Ulverstone Caravan Park - electrical upgrade	\$10,000	\$0													
	Ulverstone Caravan Park - painting program	\$5,000	\$0													
	Swimming Pool and Waterslide	\$35,000	\$0													
	Ulverstone Waterslide - surrounds	\$35,000	\$0	Contractor availability												
	Active Recreation	\$143,000	\$5,220													
	Penguin Athletic Track - linemarking & equip	\$10,000	\$0	Mainland contractor required												
	Heybridge Recreation Ground - ball fence	\$5,000	\$0	Not required												
	Cricket Wicket renewals	\$10,000	\$5,220													
	Turners Beach Rec Ground - changeroom upgrade	\$30,000	\$0	Pending grant funding												
	Penguin Miniature Railway - track upgrade	\$23,000	\$0													
	Recreation Centres	\$75,000	\$0													
	Ulverstone Recreation Centre - electric backboard winches	\$50,000	\$0	Contractor availability												
	Penguin Sports Centre refurbishment	\$15,000	\$0													
	Penguin Sports Centre - seating and stair compliance	\$10,000	\$0	**Study/report only - contractor availability												
	Child Care	\$35,000	\$3,449													
	Ulverstone Childcare Internal/External Painting	\$10,000	\$3,449													
	Ulverstone Child Care Centre - gutter	\$25,000	\$0													
	LEGEND	\$0	\$0													
	Not Started	\$0	\$0													

Works Program 2020-2021

(Schedule indicates site construction only)

Status	Task Name	Budget	2020-2021 Expenditure	Notes														
					June	July	August	September	October	November	December	January	February	March	April	May	June	
	Commenced (Construction or Preliminaries)	\$0	\$0															
	Complete	\$0	\$0															
	Deferred	\$0	\$0	Deferred														