
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, 13 December 2021 commencing at 6.00pm.

Councillors attendance

Cr Jan Bonde (Mayor)	Cr John Beswick
Cr Garry Carpenter (Deputy Mayor)	Cr Cheryl Fuller
Cr Casey Hiscutt	Cr Annette Overton
Cr Tony van Rooyen	Cr Philip Viney

Councillors apologies

Cr Amanda Diprose

Employees attendance

General Manager (Ms Sandra Ayton)
Director Infrastructure Services (Mr Paul Breaden)
Director Organisational Services (Mr Ian Stoneman)
Director Community Services (Mr Daryl Connelly)
Executive Services Officer (Mrs Lou Brooke)

Media attendance

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

Public attendance

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

Acknowledgement of Country

The Council acknowledges and pays respect to the Tasmanian Aboriginal community as the traditional owners and custodians of this land on which we live.

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

331/2021 Confirmation of minutes

The Executive Services Officer reported as follows:

“The minutes of the ordinary meeting of the Council held on 15 November 2021 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 Hiscutt moved and Cr Viney seconded, “That the minutes of the ordinary meeting of the Council held on 15 November 2021 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

332/2021 Council workshops

The Executive Services Officer reported as follows:

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

- . 22.11.2021 – Public Toilets Policy; Green Waste Dumping Signage Policy; Vegetation Damage Policy
- . 29.11.2021 – Animal Control By-law; Camping By-law

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

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

Carried unanimously

MAYOR'S COMMUNICATIONS

333/2021 Mayor's communications

The Mayor to report:

"I have no communications at this time."

334/2021 Mayor's diary

The Mayor reported as follows:

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

- . Switch Tasmania Board Meeting – Ulverstone
- . Councillors Q&A Session with Central Coast Youth Leaders Council – Ulverstone
- . International Men's Day Breakfast – Turners Beach
- . Pride in the Park event – Ulverstone
- . West by North West Board Meeting guest – Ulverstone
- . *'Between the world and me'* Exhibition opening – Ulverstone
- . Local Government Association of Tasmania General Meeting – Hobart
- . Cradle Coast Authority Representatives Meeting and Annual General Meeting – Burnie
- . Central Coast Community Safety Partnership Meeting – Ulverstone
- . Turning of the Sod, Sulphur Creek to Penguin section of the Coastal Pathway – Sulphur Creek
- . Central Coast Council Annual General Meeting – Ulverstone
- . Ulverstone Senior Citizens Club annual Christmas Dinner – Ulverstone
- . Radio interview."

The Deputy Mayor reported as follows:

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

- . 2021 Sustainable Communities Awards Presentation, Tidy Towns – Penguin
- . Navy Day & Rededication of Corvettes Corner/Teddy Sheehan Memorial – Wreath laying – Ulverstone."

The Executive Services Officer reported as follows:

■ Cr Viney moved and Cr Beswick seconded, "That the Mayor and Deputy Mayor's reports be received."

Carried unanimously

335/2021 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.”

Cr Hiscutt reported as follows:

“I will be declaring an interest in respect of the matter relating to minute 352/2021 – Sports and recreation – rodeo and gymkhana activities – Discretionary use and reliance on E9 Traffic Generating Use and Parking Code at 822 South Road, Penguin – Application No. DA2021057 (re-advertised)”

COUNCILLOR REPORTS

336/2021 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.”

Cr Fuller reported a recent meeting of the Disability and Inclusion Working Group, that includes the Director Community Services and community members, who together are working on how the Council can improve their practices and processes so that it can be more inclusive, and that interactions with disabled people are improved. As part of this work, the group has devised a survey for the broader community and Council staff and will capture how the Council is currently performing and how it can improve. Cr Fuller further reported the Riana Community Centre Committee meeting which included the Director Infrastructure Services and Council staff in relation to the long-awaited toilet and change room upgrade, noting it was pleasing to see the project underway.

APPLICATIONS FOR LEAVE OF ABSENCE

337/2021 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

338/2021 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

339/2021 Petitions

The Executive Services Officer reported as follows:

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

COUNCILLORS' QUESTIONS

340/2021 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.
- (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.

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- (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.

341/2021 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

342/2021 Public question time

The Mayor reported as follows:

“The Council received three (3) submissions for Public Question Time. Public Question Time will commence at 6.40pm or as soon as practicable thereafter.”

343/2021 Public questions taken on notice

The Executive Services Officer reported as follows:

“No public questions were taken on notice from the 15 November 2021 meeting.”

DEPARTMENTAL BUSINESS

GENERAL MANAGEMENT

344/2021 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 Safety Partnership – meeting held 27 October 2021
- . Central Coast Youth Leaders Council – meeting held 28 October 2021
- . Forth Community Representatives Committee – meeting held 4 November 2021
- . Central Coast Community Shed Management Committee – meeting held 8 November 2021
- . East Ulverstone Swim Centre Committee – meeting held 9 November 2021
- . Central Coast Youth Leaders Council – meeting held 18 November 2021

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

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

Carried unanimously

345/2021 Annual General Meeting for the year ended 30 June 2021

The General Manager reported as follows:

“PURPOSE

This is a report on the conduct of the Council’s Annual General Meeting held on 8 December 2021.

BACKGROUND

In accordance with the *Local Government Act 1993*, the Council is required to prepare an Annual Report and conduct an Annual General Meeting (AGM).

The Council placed an advertisement in The Advocate on Wednesday 17 November and Saturday 20 November 2021, notifying of the AGM held on

Wednesday 8 December 2021, and invited submissions from the community in relation to the Annual Report. A record of the meeting was kept by way of minutes (a copy of the AGM minutes [unconfirmed] were provided publicly on Friday, 10 December 2021). The *Local Government Act 1993* provides that any resolution passed at an annual general meeting is to be considered at the next meeting of the Council. There were no resolutions other than the one to receive the Annual Report.

DISCUSSION

One (1) member of the public registered to attend the AGM. The Mayor spoke in support of the Annual Report and a PowerPoint presentation of the highlights for the year was presented by the General Manager.

CONSULTATION

Consultation is not required in respect of this report.

RESOURCE, FINANCIAL AND RISK IMPACTS

This matter does not impact on resources.

CORPORATE COMPLIANCE

The holding of the AGM is a statutory requirement.

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

Council Sustainability and Governance
• Effective communication and engagement.

CONCLUSION

It is recommended that this report be received.”

The Executive Services Officer reported as follows:

“A copy of the minutes of the Annual General Meeting for 2021 have been circulated to all Councillors.”

■ Cr Beswick moved and Cr Overton seconded, “That the report on the conduct of the Council’s Annual General Meeting for 2021 (a copy of the minutes of the meeting, held on 8 December 2021, being appended to and forming part of the minutes of this ordinary meeting of the Council) be received.”

Carried unanimously

346/2021 Council and Development Support Special Committee meeting schedule 2022

The General Manager reported as follows:

“The Executive Services Officer has prepared the following report:

‘PURPOSE

The purpose of this report is to propose and to list the Ordinary Council meeting and Development Support Special Committee (DSSC) meeting schedules for 2022.

BACKGROUND

The Council has a Policy in respect of holding Ordinary Council meetings on the third Monday of each month, with the exception of January and December. DSSC meetings are held (if required) on the second and last Monday of each month.

DISCUSSION

The Council’s policy on the holding of Ordinary Council meetings ensures that certainty and regularity are provided to the community in the decision-making processes of the Council, as provided for in the *Local Government (Meeting Procedures) Regulations 2015* (the Regulations), Part 2 Division 1, Section 4.

The Council’s policy on the holding of its ordinary meetings states that meetings commence at 6.00pm and by adopting the proposed schedule, the Council satisfies Section 6(2) of the Regulations.

The policy for DSSC meetings (Minute Ref No. 397/2011 – 12.12.2011) provides for meetings to be held on the second and last Monday of the month unless otherwise determined by the Council. If a DSSC meeting is required, the meeting commences at 6.00pm. The provisions of the *Local Government Act 1993* give the Council the flexibility to appoint and authorise a committee that is able to make planning and development determinations in a more timely and efficient manner other than under the constraints of the timeframe and meeting procedures of ordinary meetings of the Council.

During the 2022 year there is one Council and three DSSC meetings that will not be held on a Monday however, are still in accordance with policy. These meetings are the Council meeting to be held Wednesday, 20 April 2022 and the DSSC meetings to be held Tuesday, 15 March, 26 April and 14 June 2022.

The meetings will be held on the next business day following the Easter and Anzac Day and other statutory public holidays.

As a result of the COVID-19 pandemic and in accordance the Tasmanian Government's gatherings, density, and physical distancing measures, Council and DSSC meetings have been impacted through the inability to allow public attendance at meetings. As a result, Public Question Time has been modified to enable facilitation of the process where community members can ask questions relating to the activities of the Council. Members of the public who would normally be provided an opportunity to participate in the Public Question Time can now submit their question/s to the General Manager by 3.00pm on the day of the meeting.

As required by Part 2 Division 1, Section 7(2) of the Regulations, the General Manager must publish in a daily newspaper, at least once in each year, the times and places of the ordinary Council meetings for the next 12 months, including Council Committees. The General Manager must also ensure that the notice referred to in sub-regulation (2) is made available to the public on the Council's website.

CONSULTATION

Consultation is not required as the proposed meeting schedules for 2022 are in line with current Council policies.

RESOURCE, FINANCIAL AND RISK IMPACTS

This will have no impact on resources as all Council and Committee meetings are required to be advertised.

CORPORATE COMPLIANCE

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

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the meeting schedules for Ordinary Council and DSSC meetings for 2022 be adopted (a copy of the schedules are appended to this report).'

The report is supported.”

The Executive Services Officer reported as follows:

“A copy of the meeting schedules for Ordinary Council and DSSC meetings for 2022 have been circulated to all Councillors.”

■ Cr van Rooyen moved and Cr Viney seconded, “That the meeting schedules for Ordinary Council and Development Support Special Committee meetings for 2022 be adopted (copies being appended to and forming part of the minutes).”

Carried unanimously

347/2021 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 16 November 2021 to 13 December 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 Hiscutt 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

348/2021 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 16 November to 13 December 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.”

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

Carried unanimously

349/2021 Common seal

The General Manager reported as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 16 November to 13 December 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 Hiscutt moved and Cr Beswick 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

COMMUNITY SERVICES

350/2021 Reconciliation Action Plan

The Director Community Services reported as follows:

"PURPOSE"

The purpose of this report is to recommend adoption of the Reconciliation Action Plan (the Plan).

BACKGROUND

The Council committed to developing a Reconciliation Action Plan in October 2020, and commencing the implementation of such a plan, was included in Council's 2020–2021 Annual Plan. The adopted Plan will be submitted to Reconciliation Australia for its formal endorsement. Reconciliation Australia and Reconciliation Tasmania have both played a key role in helping shape the Plan.

DISCUSSION

Since 2006, Reconciliation Action Plans (RAPs) have enabled organisations to sustainably and strategically take meaningful action to advance reconciliation.

Based around the core pillars of relationships, respect and opportunities, RAPs provide tangible and substantive benefits for Aboriginal and Torres Strait Islander peoples, increasing economic equity and supporting First Nations self-determination.

Reconciliation Australia's RAP Framework includes four types of RAPs – Reflect, Innovate, Stretch and Elevate – providing organisations with a structured approach to advance reconciliation.

Each type of RAP is designed to suit an organisation at different stages of their reconciliation journey and organisations can repeat the same type of RAP if appropriate. The RAP being presented for adoption is a Reflect RAP. Reconciliation Australia suggests that Reflect RAPs are for 12 months and are right if your organisation is new to reconciliation. They set out steps to prepare your organisation for reconciliation initiatives in future RAPs.

Committing to a Reflect RAP requires organisations to scope and develop relationships with Aboriginal and Torres Strait Islander stakeholders, decide on a vision for reconciliation and explore their sphere of influence.

CONSULTATION

Development of the Plan has been informed by a Working Group consisting of Cr Amanda Diprose and Council staff. First Nations Peoples from No. 34 Aboriginal Health Service and Aboriginal and Torres Strait Islander student representatives from Ulverstone Secondary College have contributed to Working Group discussions. Drafts of the Plan were workshopped with Council in April 2021 and July 2021.

Utilisation of an internal Working Group for our internally focussed, *Reflect* RAP, was recommended by Reconciliation Tasmania. It is likely that future versions of the Plan will be informed by a Working Group that also includes representatives from the wider community.

Reconciliation Australia and Reconciliation Tasmania have both played a key role in helping shape the Plan. The adopted Plan will be submitted to Reconciliation Australia for its formal endorsement.

RESOURCE, FINANCIAL AND RISK IMPACTS

The consultancy costs were accommodated within the allocated budget estimate. The outcomes and implementation of the Plan will require further resource allocation.

CORPORATE COMPLIANCE

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

A Connected Central Coast

- Improve community well-being.

Community Capacity and Creativity

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

Council Sustainability and Governance

- Effective communication and engagement

CONCLUSION

It is recommended that the Reconciliation Action Plan dated December 2021 be adopted.”

The Executive Services Officer reported as follows:

“A copy of the Reconciliation Action Plan dated December 2021 has been circulated to all Councillors.”

- Cr Fuller moved and Cr Hiscutt seconded, “That the Reconciliation Action Plan dated December 2021 (a copy being appended to and forming part of the minutes) be adopted.”

Voting for the motion

(8)

Cr Bonde

Cr Beswick

Cr Carpenter

Cr Diprose

Cr Fuller

Cr Hiscutt

Cr Overton

Cr Viney

Voting against the motion

(1)

Cr van Rooyen

Motion

Carried

351/2021 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. 352/2021 and 353/2021, 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 Hiscutt seconded, “That the Mayor’s report be received.”

Carried unanimously

352/2021 Sports and recreation – rodeo and gymkhana activities – Discretionary use and reliance on E9 Traffic Generating Use and Parking Code at 822 South Road, Penguin – Application No. DA2021057 (re-advertised)

Cr Hiscutt, having declared an interest, left the meeting at 6.24pm for consideration and voting on the matter of ‘822 South Road, Penguin – Application No. DA2021057’.

The Director Community Services reported as follows:

“The Town Planner has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:’</i>	DA2021057 (re-advertised)
<i>PROPOSAL:</i>	Sports and recreation – rodeo and gymkhana activities – Discretionary use and reliance on E9 Traffic Generating Use and Parking Code
<i>APPLICANT:</i>	Mr Gary King
<i>LOCATION:</i>	822 South Road, Penguin
<i>ZONE:</i>	Rural Resource
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Planning Scheme)
<i>ADVERTISED:</i>	4 September 2021 and 13 November 2021 (re-advertised)
<i>REPRESENTATIONS EXPIRY DATE:</i>	20 September 2021 and 29 November 2021 (re-advertised)
<i>REPRESENTATIONS RECEIVED:</i>	One (in the form of seven separate emails)
<i>42-DAY EXPIRY DATE:</i>	14 October 2021 – extension of time until 13 December 2021
<i>DECISION DUE:</i>	13 December 2021
<i>PURPOSE</i>	

The purpose of this report is to consider an application for Sports and recreation – rodeo and gymkhana activities on land known as 822 South Road, Penguin. 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 –

The applicant seeks approval to incorporate a Sports and recreation use (rodeo and gymkhana activities), in addition to the established Residential use and development at 822 South Road, Penguin.

The Sports and recreation use, known as the ‘Summer Run Jackpot Series’, would utilise some existing buildings on the site for the activities proposed, as well as the use of the existing arena and a grassed area (western side of the site) for parking.

Proposal would consist of the following:

- . Arena which was constructed in 2005. Approximate dimensions are 88m long and 35m wide. The arena would be used for rodeo activity.
- . Round yard (portable structure) would be 15m in diameter and used for breaking and training young horses.
- . Toilet facilities. Only portable toilets are proposed and would be emptied by Kelly’s Waste Management.
- . Canteen and bar facilities. It is proposed to utilise an existing shed which is located south of the arena and is the most western shed on the site.
- . Parking is proposed to the western side of the dwelling and arena and would be accessed from an existing gate, separate to the existing access to the dwelling and other buildings on the site.

The ‘Summer Run Jackpot Series’ would have a maximum of eight events per year, with the majority of events and event related activity usually occurring on a Saturday, but with the possibility of events or event related activity sometimes occurring on a Friday or Sunday. Competitors and spectators generally arrive from 8.00am and depart at various times throughout the day, up until approximately 10.00pm. The competition commences at 10.00am and concludes approximately 3.00pm.

Activities included with this event have been outlined in the supporting documentation prepared by the applicant.

Application documentation includes a site plan and parking plan prepared by the applicant, statement prepared by Mr Ben Hiscutt regarding some of the Rural Resource zone provisions, supporting documentation prepared by the applicant and a Traffic Impact Assessment prepared by CSE Tasmania Pty Ltd. The Traffic Impact Assessment examines the driveway access for the parking area and the proposed use of the site, in conjunction with the expected traffic generation.

Site description and surrounding area –

The land has an area of 10.65ha and contains an existing dwelling, several outbuildings and a large earthen arena, all constructed to the far south-eastern side of the site, close to South Road.

Myrtle Creek runs through the centre of the site (well clear of all buildings on the site and proposed use and parking areas) and adjoins General Residential land on the western boundary (approximately 176m from the proposed Sports and recreation use and 60m from the proposed parking area), Rural Resource zoned land to the north and south (including on the southern side of South Road) and Light Industrial zoned land to the east. The closest dwelling to the site is at 816 South Road, which is also zoned Rural Resource.

The site adjoins Bass Highway along its northern boundary and is relatively clear of vegetation.

History –

This application is subject to the *Central Coast Interim Planning Scheme 2013*, due to the validity date of the application being 6 August 2021.

On 12 August 2021, Council was directed by the Tasmanian Planning Commission to modify areas of Council's Draft Local Provision Schedule (LPS). As a result, under s.35K(2)(d) of the *Land Use Planning and Approvals Act 1993* (the Act), development applications lodged with Council after 12 August 2021 must be assessed under the *Tasmanian Planning Scheme – Central Coast* and the applicable new zones and provisions.

Under the *Tasmanian Planning Scheme – Central Coast*, the site is to have a split zone, being Light Industrial Zone on the southern portion (including where the dwelling, associated outbuildings and arena are located), with Rural Living 'A' Zone to apply to the northern portion of the site. The Light Industrial zone is the same as the adjoining eastern properties, as well as 816 South Road, Penguin.

Sports and Recreation use in the Light Industrial Zone, under the *Tasmanian Planning Scheme – Central Coast* would still be considered a discretionary use, as it is in the Rural Resource Zone under the *Central Coast Interim Planning Scheme 2013*.

The Council received a complaint in early January 2021 regarding use of the land for ‘Summer Run Jackpot Series’. A letter was sent to the applicant seeking clarification regarding these events.

A subsequent application was lodged 2 March 2021 and considered valid, with adequate information further received to enable the proposed use to be placed on public notification on 2 September 2021.

Once public notification concluded, it became apparent that what had been applied for within the application documentation, was not the applicant’s intention of how the ‘Summer Run Jackpot Series’ was to be conducted on the site. An extension of time was granted until 13 December 2021, to allow revised documentation to be submitted by the applicants that outlines how they wish to operate the Sports and Recreation use, being the ‘Summer Run Jackpot Series’. The extension of time also allowed the application to be re-advertised with the revised documentation.

Ongoing complaints have been received regarding noise associated with the events. Noise has been dealt with by the Manager of Regulatory Services and would, in part, be addressed in the notes of the recommended conditional Planning Permit.

DISCUSSION

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

26.0 Rural Resource Zone

CLAUSE	COMMENT
26.3 Use Standards	
26.3.1 Requirement for discretionary non-residential use to locate on rural resource land	
There is no Acceptable Solution.	<p>Non-compliant.</p> <p>Sport and recreation use is discretionary in the Rural Resource zone.</p> <p>Refer to the “Issues” section of this report.</p>
26.3.2 Required Residential Use	
<p>26.3.2-(A1) Residential use required as part of a use must:</p> <p>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</p> <p>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</p> <p>(c) not intensify an existing lawful residential use;</p>	<p>Not applicable.</p> <p>Not a required Residential use.</p>

<ul style="list-style-type: none"> (d) replace a lawful existing residential use; (e) not create a new residential use through conversion of an existing building; or (f) be home based business in association with occupation of an existing lawful and structurally sound residential building; and (g) there is no change in the title description of the site on which the residential use is located. 	
26.3.3 Residential use	
<p>26.3.3–(A1) Residential use that is not required as part of an other use must:</p> <ul style="list-style-type: none"> (a) be an alteration or addition to an existing lawful and structurally sound residential building; (b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling; (c) not intensify an existing lawful residential use; (d) not replace an existing residential use; 	<p>Not applicable.</p> <p>Not a Residential use.</p>

<p>(e) not create a new residential use through conversion of an existing building;</p> <p>(f) be an outbuilding with a floor area of not more than 100m² appurtenant to an existing lawful and structurally sound residential building; or</p> <p>(g) be home based business in association with occupation of an existing lawful and structurally sound residential building; and</p> <p>(h) there is no change in the title description of the site on which the residential use is located.</p>	
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>(a) Compliant. Land area is 10.65ha.</p> <p>(b) Not applicable. No building is proposed.</p>

<p>(b) if intended for a building, contain a building area</p> <ul style="list-style-type: none"> (i) of not more than 2,000m² or 20% of the area of the site, whichever is the greater unless a crop protection structure for an agricultural use; (ii) clear of any applicable setback from a frontage, side or rear boundary; (iii) clear of any applicable setback from a zone boundary; (iv) clear of any registered easement; (v) clear of any registered right of way benefiting other land; (vi) clear of any restriction imposed by a utility; (vii) not including an access strip; (viii) accessible from a frontage or access strip. 	
<p>26.4.1 –(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <p>(a) across a frontage over which no other land has a right of access; and</p>	<p>(a) Compliant. The property has frontage to South Road.</p> <p>(b) Not applicable. Not an internal lot.</p>

<p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road –</p> <p style="padding-left: 40px;">(i) over land not required as the means of access to any other land; and</p> <p style="padding-left: 40px;">(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than 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) Not applicable. No legal access to a right of way connecting to a road.</p> <p>(d) Compliant. The land has approximately 180m of frontage to South Road.</p> <p>(e) Compliant. Council, in its capacity as the Road Authority, has stated conditions should apply to the Planning Permit to reflect the Traffic Impact Assessment provided by the applicant as prepared by CSE Tasmania Pty Ltd.</p>
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<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>b. a use with an equivalent population of not more than 10 people per day.</p>	<p>(a) Not applicable. Satisfied by (b).</p> <p>(b) Compliant. No changes to the existing adequate situation. No development is proposed.</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) Not applicable. Satisfied by (b).</p> <p>(b) No changes to the existing adequate situation. No development is proposed.</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> <ul style="list-style-type: none"> (i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and (ii) the development: <ul style="list-style-type: none"> a. is for a single dwelling; or b. provides for an equivalent population of not more than 10 people per day; or (iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS 1547:2000 On-site domestic-wastewater management clear of any defined building area or access strip. 	
<p>26.4.1–(A5) Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater:</p>	<p>(a) Not applicable. Satisfied by (b).</p> <p>(b) No changes to the existing adequate situation. No development is proposed.</p>

<p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system:</p> <p>(i) for discharge to a natural drainage line, water body or watercourse; or</p> <p>(ii) for disposal within the site if:</p> <p>a. the site has an area of not less than 5,000m²;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface.</p>	
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26.4.2 Location and configuration of development	
<p>26.4.2-(A1) A building or a utility structure, other than a crop protection structure for an agriculture use, must be setback:</p> <ul style="list-style-type: none"> (a) not less than 20.0m from the frontage; or (b) if the development is for sensitive use on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road; (c) not less than 10.0m from each side boundary; and (d) not less than 10.0m from the rear boundary; or (e) in accordance with any applicable building area shown on a sealed plan. 	<p>Not applicable.</p> <p>No building proposed.</p>
26.4.2-(A2) Building height must be not more than 8.5m.	<p>Not applicable.</p> <p>No building proposed.</p>
<p>26.4.2 A3.1</p> <p>A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must –</p>	<p>Not applicable.</p> <p>No building proposed.</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</p> <p>Wind power turbines and wind power pumps must not exceed 20m in height.</p>	
<p>26.4.3 Location of development for sensitive uses</p>	
<p>26.4.3–(A1) New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must –</p> <p>(a) be located not less than:</p> <p>(i) 200m from any agricultural land;</p>	<p>Not applicable.</p> <p>No development for sensitive use is proposed.</p>

<ul style="list-style-type: none"> (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; (vi) 100m from land under a reserve management plan; (vii) 100m from land designated for production forestry; (viii) 50.0m from a boundary of the land to the Bass Highway, or to a railway line; and (ix) clear of any restriction imposed by a utility; and 	
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<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>26.4.4 Subdivision</p>	
<p>26.4.4–(A1) Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use either State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>
<p>26.4.5 Buildings for Controlled Environment Agriculture</p>	
<p>26.4.5–(A1) A building for controlled environment agriculture use must be a crop protection structure and the agricultural use inside the building must satisfy one of the following:</p> <p>(a) rely on the soil as a growth medium into which plants are directly sown;</p> <p>(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. No clearing or conversion of native threatened vegetation.
E4 Change in Ground Level Code	Not applicable. No change in ground level.
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	
<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>Non-compliant.</p> <p>Residential use requires two car parking spaces. The site has ample area to satisfy the requirement for the existing Residential use.</p> <p>Sports and recreation use does not specify car parking space provisions for the types of activities proposed on this site. The most similar description would be the requirement of eight car parking spaces per 100m² gross site area for an outdoor sports ground. The existing arena is approximately 3,000m². This would equate to the requirement of 240 car parking spaces if this use description was applied as the basis for car parking provisions.</p> <p>A Traffic Impact Assessment, prepared by a suitably qualified traffic engineer, has calculated the number of car parking spaces required for the traffic generation. It is considered the number of car parking spaces, being 10 to 15 horse floats, with an additional 10 to 15 (up to 30) car parking spaces, calculated with this assessment is fair and reasonable.</p> <p>Refer to the "Issues" section of this report.</p>

E9.5.2 Provision for loading and unloading of vehicles	
<p>E9.5.2-(A1) There must be provision within a site for:</p> <p>(a) on-site loading area in accordance with the requirement in the Table to this Code; and</p> <p>(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.</p>	<p>(a) Non-compliant.</p> <p>Table E9A does not require on-site loading provision for residential development but does require one small rigid truck space for Sports and recreation. As per documentation provided, including the Traffic Impact Assessment, no specific space will be allocated for a small rigid truck.</p> <p>Refer to the “Issues” section of this report.</p> <p>(b) Not applicable. Provision does not apply to Residential and Sports and recreation.</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>Non-compliant.</p> <p>Parking area will be unsealed and will remain as a grassed area. However, due to the frequency of the use of the parking area, this is not considered unreasonable.</p> <p>Refer to the “Issues” section of this report.</p>

<p>E9.6.2 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <ul style="list-style-type: none"> (a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking; (b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles; (c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities; (d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities; (e) Each parking space must be separately accessed from the internal circulation aisle within the site; (f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and (g) Be formed and constructed with compacted sub-base and an all-weather surface. 	<ul style="list-style-type: none"> (a) Compliant. The Traffic Impact Assessment states that the car parking spaces are based on 2.5m x 5m rectangles and the horse floats are 3m x 11m rectangles. As the parking is in a paddock, it is clear that the triangular area in the corner of the paddock has adequate room for the suggested number (refer to image on Page 6 of the Traffic Impact Assessment for car parking layout). (b) Compliant as discussed in (a). (c) Compliant as discussed in (a). (d) Compliant as discussed in (a). (e) Compliant as discussed in (a). (f) Compliant as discussed in (a). (g) Non-compliant. Parking area will be unsealed and will remain as grassed area. However, due to the frequency of the use of the parking area, this is not considered unreasonable. Refer to the “Issues” section of this report.
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E9.6.2–(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.	Compliant. The Traffic Impact Assessment states that the car parking spaces are based on 2.5m x 5m rectangles and the horse floats are 3m x 11m rectangles. As the parking is in a paddock, it is clear that the triangular area in the corner of the paddock has plenty of room for the suggested number of spaces (refer to image on Page 6 of the Traffic Impact Assessment for car parking layout proposal).
E10 Water and Waterways Code	Not applicable. No development (parking areas) is proposed within 30m to Myrtle Creek.
Specific Area Plans	Not applicable. No Specific Area Plan applies to the site.

Issues –

1 Discretionary use in Rural Resource zone – Sports and recreation –

The Planning Scheme's Performance Criteria for Clause 26.3.1–(P1) states that other than Residential use, discretionary permit use must –

- (a)&(b) be consistent with Local Area Objectives and Desired Future Character Statements –

The purpose of the Rural Resource zone is to provide for the sustainable use and development of 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 a primary industry purpose. The objectives and statements also allow for development that would not be located on agricultural land or in a proclaimed irrigation district, would be reliant on naturally occurring resources or scenic attributes, where economic and community activity would be promoted, and where there would not be any resulting constraint, fettering or conflict with current or future primary industry activity on the subject or adjoining land.

Compliant. The subject proposal is not a use that is predominantly associated with primary industry activity. The proposal is for Sports and recreation with some of the activities proposed associated with primary industry (for example the arena and the keeping of horses and cattle). The use of the land, for Sports and recreation (rodeo and gymkhana activities), would not result in the fettering of primary industry activity on adjacent land.

- (c) be required to locate on rural resource land for operational efficiency –

- (i) to access a specific naturally occurring resources on the site or on adjacent land in the zone;

Compliant. The site is a large Rural Resource zoned property that has existing infrastructure and buildings that would be utilised for the proposal.

- (ii) to access infrastructure only available on the site or on adjacent land in the zone;

Compliant. The site has an existing large arena that would be used for the majority of the activities proposed. It is proposed to use a large paddock for the car parking area.

- (iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;

Compliant. As mentioned, the site is a large Rural Resource zoned property that has an existing large arena that would be used for the majority of the activities proposed. It is proposed to use a large paddock for the car parking area.

- (iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;

Compliant. Proposal includes the utilisation of horses and cattle which require large areas for the proposed activities associated with the Sports and recreation use.

- (v) if required –

- a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;

Compliant. The site is a large Rural Resource zoned property that has an existing arena and buildings that will be used for the proposal.

- b. for security;

Compliant. The site and areas for the proposed use would be secured.

- 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;

Compliant. The proposed use would operate in a safe manner. The submitted Traffic Impact Assessment outlines that the access is safe for the proposed use and the number of car parking spaces will suffice for the use. Furthermore, the application outlines regulations and compliance in relation to the 'Summer Run Jackpot Series' which includes a vet who would be in attendance at all times as per the *Animal Welfare Act 1993*.

- (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;

Compliant. The Sports and recreation use would allow for diversification, innovation and value-adding to the site which is a large Rural Resource zoned land with existing infrastructure and buildings that can be utilised.

- (vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or

Compliant. The proposed Sports and recreation use on the site would be used by the community within the municipality and regional community. As stated in the application, the proposal would be primarily beneficial to the younger generation.

- (viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and

Compliant. As discussed above, the proposed Sports and recreation use on the site would be used by the community within the municipality and regional community. As stated in the application, the proposal would be primarily beneficial to the younger generation.

(d) minimise likelihood for:

- (i) permanent loss of land for existing and potential primary industry use;

Compliant. Proposal would not result in the permanent loss of land for primary industry.

- (ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and

Compliant. The proposal would not constrain, fetter or otherwise interfere with existing and potential primary industry use on adjacent land.

- (iii) loss of land within a proclaimed irrigation district under Part 9 *Water Management Act 1999* or land that may benefit from the application of broad-scale irrigation development.

Compliant. The site is not located within a Proclaimed Irrigation District.

2 *Reliance on E9 Traffic Generating Use and Parking Code –*

The application relies on the Performance Criteria for Clause E9.5.1 – (P1); Clause E9.5.2 – (P1); and Clause E9.6.2 – (P1).

The Planning Scheme's Performance Criteria for Clause E9.5.1 – (P1) states that:

- (a) it must be unnecessary or unreasonable to require arrangements for the provision of vehicle parking; or

Compliant. Sports and recreation use does not specifically specify car parking provisions for the types of activities proposed on this site. The most similar description would be the requirement of eight car parking spaces per 100m² gross site area for an outdoor sports ground. The existing arena is approximately 3,000m². This would equate to the requirement of 240 car parking spaces if you were to use this description as the basis for car parking provisions.

A Traffic Impact Assessment, prepared by a suitably qualified traffic engineer, has calculated the number of car parking spaces required for the traffic generation. It is considered the number of car parking spaces calculated is fair and reasonable.

(b) adequate and appropriate provision must be made for vehicle parking to meet –

(i) anticipated requirement for the type, scale and intensity of the use;

Compliant. As outlined in the Traffic Impact Assessment, the number of car parking spaces is considered adequate for the anticipated traffic generation.

(ii) likely needs and requirements of the site users; and

Compliant. The number of parking spaces has been calculated solely on the anticipated traffic generation to the site. This Traffic Impact Assessment will form a condition of this Permit.

(ii) likely type, number, frequency, and duration of vehicle parking demand.

Compliant. The number of parking spaces has been calculated solely on the anticipated traffic generation to the site. This Traffic Impact Assessment will form a condition of this Permit.

The Planning Scheme's Performance Criteria for Clause E9.5.2–(P1) states that:

(a) it must be unnecessary or unreasonable to require arrangements for loading and unloading of vehicles; or

Compliant. Even though there would be ample area for arrangements for loading and unloading of vehicles, it is not necessary for this application. The site would have provisions for cars with horse floats and additional single car parking spaces, which is adequate to serve the requirements of the proposed use and its associated activities.

- (b) adequate and appropriate provision must be made for the loading and unloading of vehicles to meet –

- (i) likely volume, type and frequency of vehicles associated with the delivery and collection of goods and passengers; and

Not applicable. Satisfied by (a).

- (ii) likely frequency and duration of requirements for delivery and collection of goods or people.

Not applicable. Satisfied by (a).

The Planning Scheme's Performance Criteria for Clause E9.6.2–(P1) states that the layout and construction of a vehicle parking area, loading area, circulation aisle, and manoeuvring area must be adequate and appropriate for –

- (a) the nature and intensity of the use;

Compliant. The number of car parking spaces and the layout has been assessed within the Traffic Impact Assessment. It is based on the anticipated traffic generation for the proposed use and based on anticipated use numbers. This Traffic Impact Assessment will form a condition of this Permit.

- (b) effect and size, slope and other physical characteristics and conditions of the site;

Compliant. The area for car parking is a large, grassed paddock and is reasonably flat. There is an existing gate that will allow safe access to this area, off South Road.

- (c) likely volume, type, frequency of vehicles accessing the site;

Compliant. The number of car parking spaces has been assessed within the Traffic Impact Assessment. It is based on the anticipated traffic generation for the proposed use. This Traffic Impact Assessment will form a condition of this Permit.

- (d) likely demand and turnover for parking;

Compliant. The number of car parking spaces has been assessed within the Traffic Impact Assessment. It is based on the anticipated traffic generation for the proposed use. This Traffic Impact Assessment will form a condition of the Planning Permit.

- (e) delivery and collection vehicles;

Not applicable. Vehicles entering the site would be for patrons for the proposed use.

- (f) familiarity of users with the vehicle loading and vehicle parking area;

Compliant. The proposed use would operate a maximum of four times a year and would generally consist of the same patrons.

- (g) convenience and safety of access to the site from a road;

Compliant. The area for the car parking is a flat, grassed paddock area, that has an existing gate access off South Road.

- (h) safety and convenience of internal vehicle and pedestrian movement;

Compliant. The safety of the proposal, including access and car parking layout, has been assessed within the Traffic Impact Assessment.

- (i) safety and security of site users; and

Compliant. The safety of the proposal, including access and car parking layout has been assessed within the Traffic Impact Assessment.

- (j) the collection, drainage, and disposal of stormwater.

Not applicable. The car parking area will not be sealed.

Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	Planning Permit to include notes from Environmental Health.
Infrastructure Services	Several Infrastructure Services Conditions/Notes are to be included with the Planning Permit.
TasWater	Not applicable.
Department of State Growth	Not applicable.
Environment Protection Authority	Not applicable.
TasRail	Not applicable.
Heritage Tasmania	Not applicable.
Crown Land Services	Not applicable.
Other	Not applicable.

CONSULTATION

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

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

Representations –

One representation (in the form of eight separate emails) 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
EMAIL 1	
<p>1 Excessive noise from quad bikes within 60m of representor's home. Outlines they are breaking the law as explained to the representor by a previous employee of the Council.</p>	<p>This is not a matter examined under the Planning Scheme.</p> <p>There are some requirements regarding motor vehicle (bikes – with a combustion engine) and proximity to residential property for the purpose of Sport and recreation, under the <i>Environmental Management Pollution Control Act 1994</i>. This has been stipulated in the Environmental Health Note No. 2(i) of the Planning Permit.</p> <p>Any non-compliance with this requirement would need to be directed to the Council's Environmental Health section as it is not a requirement that can be regulated under the Planning Scheme.</p>
<p>2 The Council have a rodeo ground down the road.</p>	<p>Sports and recreation (rodeo and gymkhana activities) is a discretionary use in the Rural Resource zone. The applicant may make an application. The application has addressed all the applicable Performance Criteria and it is recommended that a Planning Permit be granted with specific conditions imposed.</p> <p>It is not uncommon to have more than one use and/or development for the same activity within the same municipality.</p>

3	Concern regarding rowdy noise and abusive language going late into the night which has resulted with the police coming to investigate.	<p>This is not a matter examined under the Planning Scheme.</p> <p>This would be a police matter.</p>
4	Representor's legal right to quiet enjoyment of property.	<p>The representor's property is known as 816 South Road, Penguin. This property is a small Rural Resource zoned site that accommodates a single dwelling. The site adjoins other Rural Resource zoned land (including the development site) and Light Industrial zone, so would be susceptible to activities not primarily associated with residential use.</p> <p>Unfortunately, in areas of mixed zoning and development, there can be some conflict of uses. There are several notes on the Planning Permit regarding noise regulations.</p>
5	Common boundary fence has been cut three times by owners on the development site.	<p>This is not a Council matter. The matter regarding fences is a civil matter between both parties and regulated under the <i>Boundary Fences Act 1908</i>.</p>
6	Calves are left locked up in pens which get no water or food. Noise from the calves is disruptive.	<p>This is not a matter examined under the Planning Scheme.</p> <p>As stated in the application, a veterinarian would be in attendance at all times as per the <i>Animal Welfare Act 1993</i>.</p>
7	Several sheds have been erected without approvals on the site and the events started without Council approvals.	<p>It is unclear which sheds the representor is referring to. If further information is provided to the Land Use Planning office, then this matter could be investigated.</p> <p>The Council were made aware that events had commenced on the site without planning approval.</p>

	Ongoing correspondence has occurred between the Council and the owners, with this application being lodged to rectify this matter.
9 Representor will take legal action if needs be, as the representor has a legal right to enjoy the property without excessive noise and activities occurring next door.	<p>The representor's property is known as 816 South Road, Penguin. This property is a small Rural Resource zoned site that accommodates a single dwelling. The site adjoins other Rural Resource zoned land (including the development site) and Light Industrial zone, so would be susceptible to activities not primarily associated with residential use.</p> <p>Unfortunately, in areas of mixed zoning and development, there can be some conflict of uses. There are several notes on the Planning Permit regarding noise regulations.</p>
EMAIL 2	
1 Use of quad bikes that cannot be used for Sports and Recreation use due to Council by-laws.	<p>This is not a matter examined under the Planning Scheme.</p> <p>It is understood the by-law referred to is the regulations under the <i>Environmental Management Pollution Control Act 1994</i>.</p> <p>Refer to comments made above under Email 1, matter 1.</p>
2 Representor will take the matter to the Tribunal if approved by the Council.	Any person who makes representation or the applicant can appeal a decision made by the Council to the Resource Management Planning and Appeals Tribunal. The Tribunal will request grounds of appeal and will need to determine if the grounds of appeal are in relation to the Planning Scheme.

3	Rights to enjoy my own home.	Refer to comments made above under Email 1, matter 9.
EMAIL 3		
1	Do not want quad bikes 60m from bedroom. Also State by Law says no quad bikes within 500 meters of a dwelling	This is not a matter examined under the Planning Scheme. Refer to comments made above under Email 1, matter 1.
2	People next door can use the free rodeo site up the road.	Refer to comments made above under Email 1, matter 2.
3	If approved the representor will take both the Council and owners to Court.	Refer to comments made above under Email 2, matter 2.
EMAIL 4		
1	Never received letter from the Council sent to the owners of 822 South Road, in relation to a complaint made against the owners by the representor.	This is not a matter examined under the Planning Scheme. The Council's Manager Regulatory Services has confirmed he has advised the representor that the Council do not provide copies of letters sent to another party in relation to a complaint made.
2	Representor has checked with legal counsel and the Environmental Protection Agency and has been advised the representor has the right as a home owner regarding noise and dust caused by the quad bikes for use of Sports and Recreation.	This is not a matter examined under the Planning Scheme. Refer to comments made above under Email 1, matter 1.
EMAIL 5		
1	The Council have a rodeo ground down the road. People can use this site to drink and	Refer to comments made above under Email 1, matter 2.

<p>make noise as much as they like.</p>	<p>In relation to noise, dust and PA systems; these are not matters examined under the Planning Scheme.</p> <p>These are matters that fall under the <i>Environmental Management and Pollution Control Act 1994</i> and <i>Environmental Management and Pollution Control (Noise) Regulations 2016</i>. Please refer to Environmental Note No. 2 in relation to this.</p>
<p>EMAIL 6</p>	
<p>1 If the representor retracts the representation, will the Council put strict conditions on times, noise and unsavoury behaviour?</p>	<p>The Town Planner emailed the representor explaining that those matters are not matters that can be examined under the Planning Scheme. It was outlined that all the matters fall under the <i>Environmental Management and Pollution Control Act 1994</i> and <i>Environmental Management and Pollution Control (Noise) Regulations 2016</i> and will be placed as a note or notes on a Planning Permit, if one eventuates.</p>
<p>EMAIL 7</p>	
<p>1 No one from the Environmental Services Team has provided a copy of a letter from the Council sent to the owners of 822 South Road, in relation to a complaint made against the owners by the representor.</p>	<p>This is not a matter examined under the Planning Scheme.</p> <p>Refer to comments made above under Email 3, matter 1.</p>
<p>2 Wants to know why other clubs such as Pony Clubs and Speedway are dry events but not the 'Summer Run Jackpot Series'.</p>	<p>This is not a matter examined under the Planning Scheme.</p> <p>It is noted in the application that there is a Liquor License, as per <i>Licensing Act 1990</i>, from 12 noon</p>

	until 10.00pm. Bar staff are said to have current Responsible Service of Alcohol qualifications.
EMAIL 8	
1 Wonder why if there is a perfectly good rodeo site up the road why use this one?	Refer to comments made above under Email 1, matter 2.
2 If the rodeo sand area is moved across the creek and further away from the representor's property, then the representor would not object.	It is up to the applicant to outline the proposal and location of use, development or in this case activities. The Council must assess the application as submitted. An application for Sports and recreation (rodeo and gymkhana activities) can be made on land that is zoned Rural Resource. The use is discretionary. The proposal has demonstrated compliance with the Planning Scheme's relevant Performance Criteria.
3 Use of quad bikes are not allowed within 500m of a residence for Sports and recreation use.	This is not a matter examined under the Planning Scheme. Refer to comments made above under Email 1, matter 1.

RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

CONCLUSION

The representation received does not have merit to warrant the refusal of the use proposed.

An application for Sports and recreation (rodeo and gymkhana activities) can be made on land that is zoned Rural Resource. The use is discretionary. The proposal has demonstrated compliance with the Planning Scheme's relevant Performance Criteria.

The grant of a Permit, subject to conditions, is considered to be justified.

Recommendation –

It is recommended that the application for Sports and recreation – rodeo and gymkhana activities – Discretionary use and reliance on E9 Traffic Generating Use and Parking Code at 822 South Road, Penguin – Application No. DA2021057 (re-advertised) be approved subject to the following conditions:

General:

- 1 The development must be substantially in accordance with the site plan and parking plans, including all supporting documentation, as submitted by the Applicant received 6 August 2021 and 8 November 2021.
- 2 The use of the land for Sports and recreation, must be in accordance with the 'Summer Run Jackpot Series' program.
- 3 The development must be in accordance with the findings outlined in the Traffic Impact Assessment, prepared by CSE Tasmania Pty Ltd dated 1 November 2021.

In this regard, a maximum of 15 horse float spaces, and 30 car parking spaces must be made available on the site for the Sports and recreation use as shown on the car parking layout plan contained in the Traffic Impact Assessment, prepared by CSE Tasmania Pty Ltd dated 1 November 2021.

Infrastructure Services:

- 4 Access to the site must be provided off South Road, at the location as indicated in the approved plans submitted by the applicants.

- 5 The access and driveway must be constructed in accordance with the Tasmanian Standard Drawings TSD-R03-v3 Rural Roads Typical Property Access and TSD-R04-v3 Rural Roads – Typical Driveway Profile, by the owner/developer.
- 6 Sight triangle areas adjacent to the driveway access must be kept clear of obstructions to visibility, in accordance with the *Tasmanian Standard Drawing TSD-RF-01-v3 Guide to Intersection and Domestic Access Sight Distance Requirements*.

Notes:

General:

- 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 It is recommended that the Council's Building Permit Authority or a Building Surveyor be contacted to clarify if any approvals are required under the *Building Act 2016*.

Infrastructure Services:

- 4 If required, a “Works in Road reservation (Permit) must be in accordance with Council’s *Work in Road Reservation Policy*.
- 5 Any works associated with roads, nature strips, or street trees must be undertaken by the Council, unless alternative arrangements are approved by the Council’s Director Infrastructure Services. This would be at the developer’s cost.
- 6 Any damage or disturbance to roads, nature strips, or street trees resulting from activity associated with the use on the site, must be rectified to the satisfaction of the Council’s Director Infrastructures Services. This would be at the developer’s cost.

Environmental Health:

- 7 The canteen must be constructed in accordance with the Food Standards Australia and New Zealand 3.2.3 and the Design, construction and fit-out of food premises AS 4674-2004. The food business must also comply with the *Food Act 2003*.
- 8 The owners must make themselves familiar with the requirements set out under the *Environmental Management Pollution Control Act 1994* and the *Environmental Management and Pollution Control (Noise) Regulations 2016* in relation to:
 - (a) motor vehicle (bikes – with a combustion engine) and proximity to residential premises for purpose of sport and recreation; and
 - (b) music and amplified noise restrictions.
- 9 To reduce dust nuisance, ground cover must be provided at all times within the parking location areas and all other areas where vehicles may be accessing.
- 10 Appropriate dust mitigation measures must be used, as required, to limit the dust emission from the site.
- 11 Contact should be made with the Council's Environmental Health Officer or Manager Regulatory Services to discuss these matters.'

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 Carpenter moved and Cr Viney seconded, "That the application for Sports and recreation – rodeo and gymkhana activities – Discretionary use and reliance on E9 Traffic Generating Use and Parking Code at 822 South Road, Penguin – Application No. DA2021057 (re-advertised) be approved subject to the following conditions:

General:

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- 6 Sight triangle areas adjacent to the driveway access must be kept clear of obstructions to visibility, in accordance with the *Tasmanian Standard Drawing TSD-RF-01-v3 Guide to Intersection and Domestic Access Sight Distance Requirements*.

Notes:

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- 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 It is recommended that the Council's Building Permit Authority or a Building Surveyor be contacted to clarify if any approvals are required under the *Building Act 2016*.

Infrastructure Services:

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- 6 Any damage or disturbance to roads, nature strips, or street trees resulting from activity associated with the use on the site, must be rectified to the satisfaction of the Council's Director Infrastructures Services. This would be at the developer's cost.

Environmental Health:

- 7 The canteen must be constructed in accordance with the Food Standards Australia and New Zealand 3.2.3 and the Design, construction and fit-out of food premises AS 4674-2004. The food business must also comply with the *Food Act 2003*.
- 8 The owners must make themselves familiar with the requirements set out under the *Environmental Management Pollution Control Act 1994* and the *Environmental Management and Pollution Control (Noise) Regulations 2016* in relation to:
 - (a) motor vehicle (bikes – with a combustion engine) and proximity to residential premises for purpose of sport and recreation; and
 - (b) music and amplified noise restrictions.
- 9 To reduce dust nuisance, ground cover must be provided at all times within the parking location areas and all other areas where vehicles may be accessing.
- 10 Appropriate dust mitigation measures must be used, as required, to limit the dust emission from the site.
- 11 Contact should be made with the Council's Environmental Health Officer or Manager Regulatory Services to discuss these matters."

Carried unanimously

Cr Hiscutt returned to the meeting at this time (6.30pm).

353/2021 Residential – demolition of all buildings and construction of three multiple dwellings – Residential density for multiple dwellings; Setbacks and building envelope for all dwellings; and Privacy for all dwellings 16 Eastland Drive, Ulverstone – Application No. DA2021235

The Director Community Services reported as follows:

"The Town Planner has prepared the following report:

<i>'DEVELOPMENT APPLICATION No.:</i>	DA2021235
<i>PROPOSAL:</i>	Residential – demolition of all buildings and construction of three multiple dwellings – Residential density for multiple dwellings; Setbacks and building envelope for all dwellings; and Privacy for all dwellings.
<i>APPLICANT:</i>	Nicholas Brandsema n + b design
<i>LOCATION:</i>	16 Eastland Drive, Ulverstone
<i>ZONE:</i>	General Residential Zone
<i>PLANNING INSTRUMENT:</i>	<i>Tasmanian Planning Scheme – Central Coast</i> “the Planning Scheme”
<i>ADVERTISED:</i>	13 November 2021
<i>REPRESENTATIONS EXPIRY DATE:</i>	29 November 2021
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	20 December 2021
<i>DECISION DUE:</i>	13 December 2021

PURPOSE

The purpose of this report is to consider an application for Residential – demolition of all buildings and construction of three multiple dwellings at 16 Eastland Drive, Ulverstone.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation;
- . Annexure 4 – photographs; and
- . Annexure 5 – TasWater’s Submission to Planning Authority Notice.

BACKGROUND

Development description –

Application is made to demolish all buildings on the site to allow the construction of three multiple dwellings on land known as 16 Eastland Drive, Ulverstone.

There would be two units (Units 1 and 2) located on the south-western side of the site and one unit (Unit 3) located on the north-eastern side of the site.

All dwellings would comprise of two bedrooms (master with ensuite), open plan kitchen/dining/lounge room, shared bathroom, laundry and a single garage. Units 1 and 2 would be setback 1.5m from the south-western side boundary and 2.7m from the northern frontage boundary. Unit 3 would be setback 1m from the north-eastern side boundary.

The dwellings would all have brick walls with Colorbond roofs. The proposal includes a shared driveway, with each dwelling having an allocated second car parking space, and a single visitor car parking space would be located to the front of the site.

Site description and surrounding area –

The 920m² General Residential zoned property contains an existing dwelling and associated outbuilding. All existing buildings will be demolished. The site adjoins General Residential zoned properties, all developed with a mixture of single and multiple dwellings and associated outbuildings.

The site is burdened by both stormwater and sewer mains that intersect the rear of the site, approximately 4.3m and 2.16m respectively, off the rear boundary.

The site is connected to all reticulated services.

History –

There is no history relevant to this application.

DISCUSSION

The following table is the Town Planner's assessment against the Tasmanian Planning Scheme provisions:

8.0 General Residential Zone

8.1 Zone Purpose

The purpose of the General Residential Zone is:

- 8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.
- 8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.
- 8.1.3 To provide for non-residential use that:
 - (a) primarily serves the local community; and
 - (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
- 8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

Planner's comment

The proposal is for residential development, in the form of three multiple dwellings on General Residential zoned land.

CLAUSE	COMMENT	
8.3 Use Standards		
8.3.1 Discretionary uses	Not applicable	Assessment
8.3.1–(A1) Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of 8.00am to 6.00pm.	<input checked="" type="checkbox"/>	
8.3.1–(A2) External lighting for a use listed as Discretionary:	<input checked="" type="checkbox"/>	

<p>(a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and</p> <p>(b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.</p>		
<p>8.3.1–(A3)</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of:</p> <p>(a) 7:00am to 7:00pm Monday to Friday;</p> <p>(b) 9:00am to 12 noon Saturday; and</p> <p>(c) nil on Sunday and public holidays.</p>	<input checked="" type="checkbox"/>	
<p>8.3.1–(A4)</p> <p>No acceptable solution.</p> <p>8.3.1–(P4)</p> <p>A use listed as Discretionary must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the intensity and scale of the use;</p> <p>(b) the emissions generated by the use;</p> <p>(c) the type and intensity of traffic generated by the use;</p> <p>(d) the impact on the character of the area; and</p>	<input checked="" type="checkbox"/>	

(e) the need for the use in that location.		
8.3.2 Visitor Accommodation	Not applicable	Assessment
8.3.2-(A1) Visitor Accommodation: (a) guests are accommodated in existing buildings; and (b) has a gross floor area of not more than 300m ² .	<input checked="" type="checkbox"/>	
8.4 Development Standards for Dwellings		
8.4.1 Residential density for multiple dwellings		
8.4.1-(A1) Multiple dwellings must have a site area per dwelling of not less than 325m ² .	<input type="checkbox"/>	Non-compliant. The site has an area of 920m ² . Proposal is for three multiple dwellings which would require a site area of 975m ² . The site area is deficient by 55m ² . Refer to the "Issues" section of this report.
8.4.2 Setbacks and building envelope for all dwellings	Not applicable	Compliant.
8.4.2-(A1) Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than	<input type="checkbox"/>	(a) Non-compliant. Unit 1 would be setback 2.7m from the primary frontage. Refer to the "Issues" section of this report. (b) Not applicable. No secondary frontage. (c) Not applicable. Satisfied by (a).

<p>4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties 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 located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>		<p>(d) Not applicable. Satisfied by (a).</p>
<p>8.4.2-(A2)</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1 m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5</p>	<p><input type="checkbox"/></p>	<p>(a) Compliant. The closest garage to the frontage boundary would be attached to Unit 1. This garage would be setback greater than 5.5m.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Not applicable. Satisfied by (a).</p>

for a distance of 10m from the frontage.		
<p>8.4.2-(A3)</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) 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 property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p>	<input type="checkbox"/>	<p>(a)(i) Non-compliant as discussed above. Refer to Clause 8.4.2-(A1) in relation to frontage setback.</p> <p>(a)(ii) Compliant. All dwellings can satisfy this provision.</p> <p>(b)(i) Not applicable. Refer to (ii).</p> <p>(b)(ii) Non-compliant. Unit 3 would be setback 1m from the north-eastern side boundary with a wall length of 15m.</p> <p>Refer to the "Issues" section of this report.</p>

(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).		
8.4.3 Site coverage and private open space for all dwellings	Not applicable	Assessment
<p>8.4.3-(A1)</p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m² 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).</p>	<input type="checkbox"/>	<p>(a) Compliant. Site coverage would be 38.9%.</p> <p>(b) Compliant. Each dwelling would have a total area of private open space of not less than 60m².</p>
<p>8.4.3-(A2)</p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p>(i) 24m²; or</p> <p>(ii) 12m², 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);</p>	<input type="checkbox"/>	<p>(a)(i) Compliant. Each dwelling would have an area of 24m² of private open space in one location.</p> <p>(a)(ii) Not applicable. Satisfied by (a)(i).</p> <p>(b)(i) Compliant. Each dwelling would have a horizontal dimension greater than 4m.</p> <p>(b)(ii) Not applicable. Satisfied by (b)(i).</p> <p>(c) Compliant. Unit 1 private open space area is</p>

<p>(b) has a minimum horizontal dimension of not less than:</p> <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, 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); <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>		<p>located between the dwelling and frontage but is orientated between 30 degrees west of true north and 30 degrees east of true north.</p> <p>(d) Compliant. All private open space areas would be flat.</p>
<p>8.4.4 Sunlight to private open space of multiple dwellings</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.4.4-(A1)</p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 8.4):</p> <ul style="list-style-type: none"> (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then 	<p><input type="checkbox"/></p>	<p>(a)(i) Compliant. Unit 3 is located to the north of Unit 2 private open space and is separated by a distance of 6m.</p> <p>(a)(ii) Compliant. Satisfied by (i).</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c)(i) Not applicable. Satisfied by (a).</p> <p>(c)(ii) Not applicable. Satisfied by (a).</p>

<p>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 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <p>(i) an outbuilding with a building height not more than 2.4m; or</p> <p>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p>		
8.4.5 Width of openings for garages and carports for all dwellings	Not applicable	Assessment
<p>8.4.5-(A1)</p> <p>A garage or carport for a dwelling within 12m 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 6m or half the width of the frontage (whichever is the lesser).</p>	<input checked="" type="checkbox"/>	
8.4.6 Privacy for all dwellings	Not applicable	Assessment
<p>8.4.6-(A1)</p> <p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface</p>	<input checked="" type="checkbox"/>	

<p>or floor level more than 1 m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not 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 not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <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>8.4.6–(A2)</p> <p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1 m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <ul style="list-style-type: none"> (a) the window or glazed door: 	<input checked="" type="checkbox"/>	

<p>(i) is to have a setback of not less than 3m from a side boundary;</p> <p>(ii) is to have a setback of not less than 4m from a rear boundary;</p> <p>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m 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 not less than 6m 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, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</p> <p>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m 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,</p>		
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to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.		
<p>8.4.6-(A3)</p> <p>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 not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<input type="checkbox"/>	<p>Non-compliant.</p> <p>(a) The shared driveway would be separated from a window, or glazed door, to a habitable room of 1 m at the smallest distance.</p> <p>(b) None of the windows, or glazed doors, to a habitable room would have a sill height of not less than 1.7m above the shared driveway</p> <p>Refer to the "Issues" section of this report.</p>
8.4.7 Frontage fences for all dwellings	Not applicable	Assessment
<p>8.4.7-(A1)</p> <p>No Acceptable Solution.</p> <p><i>An exemption applies for fences in this zone – see Table 4.6.</i></p> <p>8.4.7-(P1)</p>	<input checked="" type="checkbox"/>	

<p>A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> (a) provide for security and privacy while allowing for passive surveillance of the road; and (b) be compatible with the height and transparency of fences in the street, having regard to: <ul style="list-style-type: none"> (i) the topography of the site; and (ii) traffic volumes on the adjoining road. 		
8.4.8 Waste storage for multiple dwellings	Not applicable	Assessment
<p>8.4.8-(A1)</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: <ul style="list-style-type: none"> (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 	<input type="checkbox"/>	<ul style="list-style-type: none"> (a) Non-compliant. Unit 3 storage area would be located in front of the dwelling. (b)(i) Not applicable. Addressed in (a). (b)(ii) Not applicable. Addressed in (a). (b)(iii) Not applicable. Addressed in (a). <p>Refer to the "Issues" section of this report.</p>

1.2m above the finished surface level of the storage area.		
8.5 Development Standards for Non-Dwellings		
8.5.1 Non-dwelling development	Not applicable	Assessment
<p>8.5.1-(A1)</p> <p>A building that is not a dwelling, excluding for Food Services, local shop, garage or carport, and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, not less than 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;</p> <p>(b) if the frontage is not a primary frontage, not less than 3.0m, or if the setback from the primary frontage is less than 3.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties 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 properties on the same street.</p>	☒	

<p>8.5.1–(A2)</p> <p>A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) 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 property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side or rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback less than 1.5m from a side or rear boundary if the building:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one–</p>	<input checked="" type="checkbox"/>	
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third of the length of the side or rear boundary (whichever is lesser).		
<p>8.5.1–(A3)</p> <p>A building that is not a dwelling, must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) a site area of which not less than 35% is free from impervious surfaces.</p>	<input checked="" type="checkbox"/>	
<p>8.5.1–(A4)</p> <p>No Acceptable Solution.</p> <p><i>An exemption applies for fences in this zone – see Table 4.6.</i></p> <p>8.5.1 –(P4)</p> <p>A fence (including a free-standing wall) for a building that is not a dwelling within 4.5m of a frontage must:</p> <p>(a) provide for security and privacy while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the height and transparency of fences in the street, having regard to:</p> <p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>	<input checked="" type="checkbox"/>	

<p>8.5.1–(A5)</p> <p>Outdoor storage areas, for a building that is not a dwelling, including waste storage, must not:</p> <p>(a) be visible from any road or public open space adjoining the site; or</p> <p>(b) encroach upon parking areas, driveways or landscaped areas.</p>	<input checked="" type="checkbox"/>	
<p>8.5.1–(A6)</p> <p>Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a setback from the boundary of a property containing a sensitive use not less than 10m.</p> <p><i>An exemption applies for heat pumps and air conditioners in this zone – see Table 4.6.</i></p>	<input checked="" type="checkbox"/>	
8.5.2 Non-residential garages and carports	Not applicable	Assessment
<p>8.5.2–(A1)</p> <p>A garage or carport not forming part of a dwelling, must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1 m behind the building line;</p> <p>(b) the same as the building line, if a portion of the building gross floor area is located above the garage or carport; or</p> <p>(c) 1 m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5</p>	<input checked="" type="checkbox"/>	

for a distance of 10m from the frontage.		
<p>8.5.2-(A2)</p> <p>A garage or carport not forming part of a dwelling, within 12m of a primary frontage (whether the garage or carport is free-standing) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<input checked="" type="checkbox"/>	
8.6 Development Standards for Subdivision		
8.6.1 Lot design	Not applicable	Assessment
<p>8.6.1-(A1)</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 450m² and:</p> <p>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p>	<input checked="" type="checkbox"/>	

<p>(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>		
<p>8.6.1–(A2)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.</p>	<input checked="" type="checkbox"/>	
<p>8.6.1–(A3)</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<input checked="" type="checkbox"/>	
<p>8.6.1–(A4)</p> <p>Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</p>	<input checked="" type="checkbox"/>	

8.6.2 Roads	Not applicable	Assessment
<p>8.6.2-(A1)</p> <p>The subdivision includes no new roads.</p> <p>8.6.2-(P1)</p> <p>The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to:</p> <ul style="list-style-type: none"> (a) any road network plan adopted by the council; (b) the existing and proposed road hierarchy; (c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential; (d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks; (e) minimising the travel distance between key destinations such as shops and services and public transport routes; (f) access to public transport; (g) the efficient and safe movement of pedestrians, cyclists and public transport; (h) the need to provide bicycle infrastructure on new arterial 	<input checked="" type="checkbox"/>	

<p>and collector roads in accordance with the <i>Guide to Road Design Part 6A: Paths for Walking and Cycling 2016</i>;</p> <p>(i) the topography of the site; and</p> <p>(j) the future subdivision potential of any balance lots on adjoining or adjacent land.</p>		
8.6.3 Services	Not applicable	Assessment
<p>8.6.3-(A1)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.</p>	<input checked="" type="checkbox"/>	
<p>8.6.3-(A2)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>	<input checked="" type="checkbox"/>	
<p>8.6.3-(A3)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<input checked="" type="checkbox"/>	

CODES

CODES	Not applicable	Assessment
C1.0 Signs Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C2.0 Parking and Sustainable Transport Code	<input type="checkbox"/>	<input checked="" type="checkbox"/> Refer to table below.
C3.0 Road and Railway Assets Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C4.0 Electricity Transmission Infrastructure Protection Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C5.0 Telecommunications Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C6.0 Local Historic Heritage Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C7.0 Natural Assets Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C8.0 Scenic Protection Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C9.0 Attenuation Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C10.0 Coastal Erosion Hazard Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C11.0 Coastal Inundation Hazard Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C12.0 Flood-Prone Areas Hazard Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C13.0 Bushfire-Prone Areas Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C14.0 Potentially Contaminated Land Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C15.0 Landslip Hazard Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C16.0 Safeguarding of Airports Code	<input checked="" type="checkbox"/>	<input type="checkbox"/>

C2.0 Parking and Sustainable Transport Code

CLAUSE	COMMENT	
C2.5 Use Standards		
C2.5.1 Car parking numbers	Not applicable	Assessment
<p>C2.5.1-(A1)</p> <p>The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <p>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-</p>	<div><input type="checkbox"/></div>	<p>Compliant. The Parking and Sustainable Transport Code requires two car parking spaces for each multiple dwelling and one visitor car park for each three. The proposal would require a total of seven car parking spaces. The application includes this requirement. Condition of Permit to reflect this.</p> <p>(a)-(d) Not applicable.</p>

<p>(ii) site car parking is required; or</p> <p>the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.</p>		
C2.5.2 Bicycle parking numbers	Not applicable	Assessment
<p>C2.5.2-(A1)</p> <p>Bicycle parking spaces must:</p>	☒	

(a) be provided on the site or within 50m of the site; and		
(b) be no less than the number specified in Table C2.1.		
C2.5.3 Motorcycle parking numbers	Not applicable	Assessment
<p>C2.5.3-(A1)</p> <p>The number of on-site motorcycle parking spaces for all uses must:</p> <p>(a) be no less than the number specified in Table C2.4; and;</p> <p>(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification provided the existing number of motorcycle parking spaces is maintained.</p>	<input checked="" type="checkbox"/>	
C2.5.4 – Loading bays	Not applicable	Assessment
<p>C2.5.4-(A1)</p> <p>A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	<input checked="" type="checkbox"/>	
C2.5.5 – Number of car parking spaces within General Residential Zone and Inner Residential Zone		
<p>C2.5.5-(A1)</p> <p>Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:</p>	<input checked="" type="checkbox"/>	

<p>(a) Food Services uses up to 100m² floor area or 30</p> <p>(b) seats, whichever is the greater; and</p> <p>(b) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>		
C2.6 Development Standards for Buildings and Works		
C2.6.1 Construction of parking areas	Not applicable	Assessment
<p>C2.6.1-(A1)</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to a public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<input type="checkbox"/>	<p>(a) Compliant by condition.</p> <p>(b) Compliant by condition.</p> <p>(c) Compliant by condition.</p>

C2.6.2 Design and layout of parking areas	Not applicable	Assessment
<p>C2.6.2-(A1)</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <p>(i) have a gradient in accordance with <i>Australian Standard AS 2890 – Parking facilities, Parts 1–6</i>;</p> <p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p> <p>(iii) have an access width not less than the requirements in Table C2.2;</p> <p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 1 m above the</p>	<input type="checkbox"/>	<p>(a)(i) Compliant by (b).</p> <p>(a)(ii) Compliant by (b).</p> <p>(a)(iii) Compliant by (b).</p> <p>(a)(iv) Compliant by (b).</p> <p>(a)(v) Compliant by (b).</p> <p>(a)(vi) Compliant by (b).</p> <p>(a)(vii) Compliant by (b).</p> <p>(b) Compliant by condition. Confirmation received through a Form 55 which is a Certificate of Qualified Person – Assessable Item.</p> <p>A1.2</p> <p>(a) Not applicable for this application.</p> <p>(b) Not applicable for this application.</p> <p>(c) Not applicable for this application.</p>

<p>parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with <i>Australian Standard AS 2890– Parking facilities, Parts 1–6.</i></p> <p>C2.6.2–(A1.2)</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i>¹</p> <p>¹ Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016</p>		
C2.6.3 Number of accesses for vehicles	Not applicable	Assessment
<p>C2.6.3–(A1)</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p>	<input type="checkbox"/>	<p>(a) Compliant. Site has one access.</p> <p>(b) Not applicable. Satisfied by (a).</p>

(b) no more than the existing number of accesses whichever is the greater.		
C2.6.3-(A2) Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.	<input checked="" type="checkbox"/>	
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	Not applicable	Assessment
C2.6.4-(A1) In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and Clause 3.6 "Car parks" in Australian Standards/ New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements.	<input checked="" type="checkbox"/>	
C2.6.5 Pedestrian access	Not applicable	Assessment
C2.6.5-(A1.1) Uses that require 10 or more car parking spaces must: (a) have a 1m wide footpath that is separated from the access ways or parking aisles,	<input checked="" type="checkbox"/>	

<p>excluding where crossing access ways or parking aisles by:</p> <ul style="list-style-type: none"> (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and</p> <p>C2.6.5–(A1.2)</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building</p>		
C2.6.6 Loading bays	Not applicable	Assessment
<p>C2.6.6–(A1)</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2-2002 Parking Facilities Part 2: Parking facilities– Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>	☒	

<p>C2.6.6–(A2)</p> <p>The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS2890. 2– 2002 Parking Facilities Part 2: Parking facilities– Off-street commercial vehicle facilities.</i></p>	<input checked="" type="checkbox"/>	
<p>C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>C2.6.7–(A1)</p> <p>Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must:</p> <ul style="list-style-type: none"> (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from an entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of <i>Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements.</i> 	<input checked="" type="checkbox"/>	

<p>C2.6.7–(A2)</p> <p>Bicycle parking spaces must:</p> <p>(a) have dimensions not less than:</p> <p>(i) 1.7m in length;</p> <p>(ii) 1.2m in height; and</p> <p>(ii) 0.7m in width at the handlebars;</p> <p>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</p> <p>(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3–2015 Parking facilities – Part 3: Bicycle parking</i>.</p>	<input checked="" type="checkbox"/>	
<p>C2.6.8 Siting of parking and turning areas</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>C2.6.8–(A1)</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>	<input checked="" type="checkbox"/>	

<p>C2.6.8–(A2)</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <p>(a) have no new vehicle accesses, unless an existing access is removed;</p> <p>(b) retain an active street frontage; and</p> <p>(c) not result in parked cars being visible from public places in the adjacent roads.</p>	<input checked="" type="checkbox"/>	
C2.7 Parking Precinct Plan		
C2.7.1 Parking precinct plan	Not applicable	Assessment
<p>C2.7.1–(A1)</p> <p>Within a parking precinct plan, on-site parking must:</p> <p>(a) not be provided; or</p> <p>(b) not be increased above existing parking numbers.</p>	<input checked="" type="checkbox"/>	
SPECIFIC AREA PLANS	Not applicable	Assessment
CCO–S1.0 Forth Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CCO–S2.0 Leith Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CCO–S3.0 Penguin Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CCO–S4.0 Revell Lane Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CCO–S5.0 Turners Beach Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CCO CODE LISTS	
CCO-Table C3.1 Other Major Roads	This table is not used in this Local Provisions Schedule.
CCO-Table C6.1 Local Heritage Places	This table is not used in this Local Provisions Schedule.
CCO-Table C6.2 Local Heritage Precincts	This table is not used in this Local Provisions Schedule.
CCO-Table C6.3 Local Historic Landscape Precincts	This table is not used in this Local Provisions Schedule.
CCO-Table C6.4 Places or Precincts of Archaeological Potential	This table is not used in this Local Provisions Schedule.
CCO-Table C6.5 Significant Trees	This table is not used in this Local Provisions Schedule.
CCO-Table C8.1 Scenic Protection Areas	Not applicable to this application.
CCO-Table 8.2 Scenic Road Corridors	This table is not used in this Local Provisions Schedule.
CCO-Table C11.1 Coastal Inundation Hazard Bands AHD levels	Not applicable to this application.
CCO-Applied, Adopted or Incorporated Documents	This table is not used in this Local Provisions Schedule.
CCO-Site-Specific Qualifications	This table is used in this Local Provisions Schedule.

Issues –

1 *Clause 8.4.1–(P1) Residential density for multiple dwellings –*

The Planning Scheme's Acceptable Solution for Clause 8.4.1–(A1) states that multiple dwellings must have a site area per dwelling of not less than 325m².

The proposal is for three multiple dwellings on a 920m² parcel of land. The land area required to satisfy the Acceptable Solution would be 975m². The land area is deficient by 55m². Therefore, the proposed development seeks a variation to this Clause and an exercise of discretion is required.

The Planning Scheme's Performance Criteria for Clause 8.4.1–(P1) states that multiple dwellings must only have a site area per dwelling that is less than 325m², if the development will not exceed the capacity of infrastructure services and:

- (a) Is compatible with the density of existing development on established properties in the area; or

Compliant. There are several multiple dwelling developments within the area. The proposed development is compatible with the density of existing development on established properties in the area.

- (b) Provides for a significant social or community benefit and is:

- (i) wholly or partly within 400m walking distance of a public transport stop; or

Compliant. There is a public transport stop (bus stop) within approximately 10m of the property.

- (ii) wholly or partly within 400m walking distance of Inner Residential Zone, Village Zone, Urban Mixed Zone, Local Business Zone, general Business Zone, Central Business Zone or Commercial Zone.

Not applicable. Satisfied by (b)(i).

2 *Clause 8.4.2–(P1) Setbacks and building envelope for all dwellings –*

The Planning Scheme's Acceptable Solution for Clause 8.4.2–(A1)(a) states that unless within a building area on a sealed plan, a dwelling,

excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is, if the frontage is a primary frontage, not less than 4.5m.

Unit 1 would be setback 2.7m from the primary frontage. Therefore, the proposed development seeks a variation to this Clause and an exercise of discretion is required.

The Planning Scheme's Performance Criteria for Clause 8.4.2-(P1) states that a dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.

Compliant. There are several other dwellings located closer than the required 4.5m setback to their respective frontages.

The existing dwelling to be demolished is setback approximately 3m from the frontage. The proposal would result with another variation to the existing setback, being an additional 300mm closer to the frontage than the existing dwelling.

It is considered that the proposed setback to the frontage is compatible with the existing streetscape within the area.

3 *Clause 8.4.2-(P3) Setbacks and building envelope for all dwellings -*

The Planning Scheme's Acceptable Solution for Clause 8.4.2-(A3)(b)(ii) states that a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must only have a setback of less than 1.5m from a side or rear boundary if the dwelling does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).

The proposal includes Unit 3 that would be setback 1m from the north-eastern side boundary for a total wall length of 15m. Therefore, the proposed development seeks a variation to this Clause and an exercise of discretion is required.

The Planning Scheme's Performance Criteria for Clause 8.4.2-(P3) states that the siting and scale of a dwelling must:

- (a) Not cause unreasonable loss of amenity to adjoining properties, having regard to:

- (i) Reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;

Compliant. Due to the orientation of the development site and adjoining sites, there will be a small portion of shadow (at 3.00pm) from Unit 3 onto the adjoining south-eastern lot's private open space area (40 Heathcote Street, Ulverstone). All other shadow from Unit 3 would fall onto the development. The shadow from the development is not considered unreasonable.

Units 1 and 2 would cast some shadow onto the adjoining south-western property at 9.00am. This shadow would move throughout the day and would be clear of the adjoining dwelling by 1.00pm.

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

Compliant. Due to the orientation of the development site and adjoining sites, there will be a small portion of shadow (at 3.00pm) from Unit 3 onto the adjoining south-eastern lot's private open space area (40 Heathcote Street, Ulverstone). All other shadow from Unit 3 would fall onto the development. The shadow from the development is not considered unreasonable.

Units 1 and 2 would cast some shadow onto the adjoining south-western property private open space area from 9.00am until 3.00pm, however this shadow is not considered unreasonable as there is ample areas for private open space on the adjoining south-western property. Furthermore, there would be some shadow from Units 1 and 2 onto the adjoining eastern property private open space area at 3.00pm. Again, this is not considered unreasonable.

- (iii) Overshadowing of an adjoining vacant property; or
Not applicable. No adjoining vacant property.
- (iv) Visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;

Compliant. This assessment is considered in relation to Unit 3 when viewed from 18 Eastland Drive, which is the adjoining north-eastern property.

Unit 3 is a single storey 'standard' two bedroom brick veneer dwelling. The elevation facing 18 Eastland Drive (east elevation) would consist of windows and doors. The roof pitch is staggered with a maximum roof height of 4.2m.

It is understood that the view to the development site would alter, which currently entails private open space area and an internal driveway, before viewing the existing dwelling on site. However, Unit 3 is of a standard height and size. There is also an approximate separation of 6m from the dwelling at 18 Heathcote Street and the proposed Unit 3. This includes an internal driveway for 18 Heathcote Street.

It is not considered that this elevation differs from other dwellings within the General Residential Zone's built up area and is not considered unreasonable in terms of apparent scale, bulk or proportions.

- (b) Provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and

Compliant. There are several other buildings, including dwellings and outbuildings that are positioned closer to their respective boundaries. The proposed location of Unit 3 is not considered to differ from the established developed pattern within the area.

The position of the dwellings is to allow the construction of the shared driveway and to ensure all car parking and turning

manoeuvrability can comply with Australian Standard 2890 as well as ensuring ample areas for private open space requirements.

It is considered that the separation between the development and the property boundaries is consistent with that existing on established properties in the area.

(c) Not cause an unreasonable reduction in sunlight on an existing solar energy installation on:

(i) An adjoining property; or

Not applicable. No adjoining property has dwellings that have solar energy installations.

(ii) Another dwelling on the same site.

Compliant. No shadow from the development would be unreasonable to another dwelling on the site.

4 *Clause 8.4.6-(P3) Privacy for all dwellings -*

The Planning Scheme's Acceptable Solution for Clause 8.4.6-(A3) states that a shared driveway or parking space must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than 2.5m or 1m if it is separated by a screen of not less than 1.7m in height or has a sill height of not less than 1.7m above the shared driveway or has a fixed obscure glazing extending to a height of not less than 1.7m above the floor level.

All dwellings do not comply with this requirement regarding the shared driveway. Therefore, the proposed development seeks a variation to this Clause and an exercise of discretion is required.

The Planning Scheme's Performance Criteria for Clause 8.4.6-(P3) states that a shared driveway must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.

Compliant by condition. The applicant has stated that *"all windows facing the shared driveway are located perpendicular to the driveway, limiting potential light protrusion into the habitable rooms. Further to this all the windows will be fitted with roller block out blinds to further*

reduce any light intrusion. The windows will be double glazed to reduce the impact of vehicle noise”.

To ensure privacy for the occupants of the units, any window that faces the shared driveway within 1.5m must have a fixed obscure glazing extending to a height of not less than 1.7m above the floor level. This will be a condition of the Permit. This is because roller block out blinds are not a permanent fixture.

5 *Clause 8.4.8-(P1) Waste storage for multiple dwellings –*

- (a) The Planning Scheme’s Acceptable Solution for Clause 8.4.8–(A1) states a multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within an area for the exclusive use of each dwelling, excluding the area in front of the dwelling.

Unit 3 would have its storage area, for waste and recycling bins, in front of the dwelling. Therefore, the proposed development seeks a variation to this Clause and an exercise of discretion is required.

The Planning Scheme’s Performance Criteria for Clause 8.4.8–(P1) states that a multiple dwelling must have storage for waste and recycling bins that is:

- (a) capable of storing the number of bins required for the site;

Compliant. Unit 3 would have the same area for storage of bins as shown for Units 1 and 2.

- (b) screened from the frontage and dwellings; and

Compliant. Proposal shows screening of the storage area for Unit 3.

- (c) if the storage area is a common storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.

Not applicable. Not within a common storage area.

Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	Not applicable.
Building	Not applicable.
Infrastructure Services	Conditions and Notes to apply to the Permit.
TasWater	TasWater's Submission to Planning Authority Notice. Condition of Permit required.
Department of State Growth	Not applicable.
Environment Protection Authority	Not applicable.
TasRail	Not applicable.
Heritage Tasmania	Not applicable.
Crown Land Services	Not applicable.
Other	Not applicable.

CONSULTATION

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

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

Representations –

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

The representation is summarised and responded to as follows:

MATTER RAISED	RESPONSE
1 The development would result with a reduced setback of 1m off the representor's boundary. Believe this is well outside the scope of the Tasmanian Planning Scheme.	<p>It is acknowledged that Unit 3 would be setback 1m to the north-eastern side boundary rather than the Acceptable Solution setback of 1.5m. This is a deficiency of 500mm.</p> <p>The application has adequately satisfied the mandatory Performance Criteria in relation to this matter. Refer to Issue No. 3 as discussed above.</p> <p>It is considered that the proposed setback is compatible to the existing established development within the area.</p>

RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

CONCLUSION

The representation received does not warrant the refusal of the proposed residential use and development of the land.

The proposal has demonstrated satisfactory compliance with the Planning Scheme's relevant Performance Criteria.

The grant of a Permit, subject to conditions, is considered to be justified.

Recommendation –

It is recommended that the application for Residential – demolition of all buildings and construction of three multiple dwellings – Setbacks and building envelope for all dwellings; and Privacy for all dwellings at 16 Eastland Drive, Ulverstone – Application No. DA2021235 be approved, subject to the following conditions:

General:

- 1 The development must be substantially in accordance with the plans by n + b design, Sheet Nos. A100, A101, A102, A104, A105, A106, A107, A108, A109, A110, A111, U100, U102, U103, U300, U301 and U303, Revision A dated 7 July 2021 and Certificate of Qualified Person – Assessable Item, Form 55, Certificate No. P.20.2110.049 dated 8 November 2021.
- 2 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2021/01950-CC dated 15 November 2021.
- 3 To ensure privacy for the occupants of the units, any window that faces the shared driveway within 1.5m must have a fixed obscure glazing extending to a height of not less than 1.7m above the floor level.
- 4 A minimum of seven car parking spaces must be provided on-site and enable the forward movement of vehicles entering and egressing the site.
In this regard, the car parking spaces, access ways, manoeuvring and circulation spaces must comply with the *Australian Standard AS2890 – Parking facilities, Parts 1-6*.
- 5 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.
- 6 All car parking areas must be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.
- 7 Contruction and demolition waste and soils must be managed, recycled, reused and/or disposed of to an approved landfill site;

Infrastructure Services:

- 1 Access to the site can be provided off Eastland Drive, using a maximum 6m wide access kerb crossover and driveway.
- 2 The kerb crossover must be constructed by the Council in accordance with the Tasmanian Standard Drawing TSD-R14-v3 Urban Roads – Approved Concrete Kerbs and Channels Profile Dimensions. This would be at the developer's cost.
- 3 The driveway must be constructed in accordance with the Tasmanian Standard Drawing TSD-R09-v3 Urban Roads – Driveways, in a plain concrete finish, by the owner/developer.
- 4 Site triangle areas adjacent to the driveway access must be kept clear of obstructions to visibility, in accordance with the Tasmanian Standard Drawing TSD-RF-01-v3 Guide to Intersection and Domestic Access Sight Distance Requirements.
- 5 Stormwater run-off from buildings and hard surfaces, including from vehicle parking and manoeuvring areas, must be collected and discharged to Council's stormwater infrastructure in accordance with the *National Construction Code 2019* and must not cause a nuisance to neighbouring properties.
- 6 Stormwater and associated infrastructure must be provided in accordance with the Tasmanian Standard Drawings, unless otherwise required or approved by Council's Director Infrastructure Services.
- 7 Prior to the commencement of works the following must be provided:
 - (a) Submit plans, calculations and design for an on-site detention storage system for approval by Council's Director Infrastructure Services. The system must be designed by a suitably qualified professional to include the following:
 - (i) Limit the peak rate of piped stormwater discharge from the property to that generated for the site developed to a level of 40% impervious for a 5% AEP event.
 - (ii) Accommodate the maximum volume generated for the actual percentage impervious for the fully developed site for a 5% AEP event.

- (iii) Accommodate the maximum volume generated for the actual percentage impervious for the fully developed site up to the 1% AEP event, unless it can be demonstrated that either a suitably designed overland flow path or an alternative on-site storage mechanism is available.
 - (b) If required, submit an 'Install Stormwater Connection Point' application for any work associated with existing stormwater infrastructure. Such work must be undertaken by the Council, unless alternative arrangements are approved by Council's Director Infrastructure Services, at the developer's cost. Drainage costings as listed in the Council's Fees and Charges register apply.
- 8 A new underground stormwater connection, to the Council stormwater infrastructure, must be provided to service the development, unless it can be demonstrated to the satisfaction of Council's Director Infrastructure Services that the property is already suitably connected to the Council's stormwater system.
- 9 Prior to the commencement of use, the developer must complete the stormwater detention works and provide Director Infrastructure Services with a certification including as-constructed plans by a suitably qualified professional that all works have been completed in accordance with the approved plans.
In this regard:
 - (i) Any work associated with existing stormwater infrastructure must be undertaken by the Council at the developer's cost, unless alternative arrangements are approved by the Council's Director Infrastructure Services.
 - (ii) Any damage or disturbance to existing stormwater infrastructure resulting from activity associated with the development must be rectified to the satisfaction of Council's Director Infrastructure Services, at the developer's cost.

Please Note:

General:

- 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 Solid fencing within 4.5m of a front boundary, to a height of 1.2m, or fencing that is 30% transparent above 1.2m, to a maximum height of 1.8m, is 'Exempt' and does not require planning approval. A fence other than this, within 4.5m of a front boundary, is 'Discretionary' development and requires the lodgement of a development application.
- 5 Side boundary fencing is to angle down to the public road reserve boundary in accordance with AS/NZS 2890.1:2004 Parking Facilities – Part 1: Off-street car parking, Figure 3.3 "Minimum Sight Lines for Pedestrian Safety".

Infrastructure Services:

- 1 Works undertaken must not result in a dust or noise nuisance to the adjoining properties.
- 2 Whilst site and/or building works are occurring and until all exposed soil areas are permanently stabilised against erosion, the developer must minimise on-site erosion and the release of sediment or sediment laden stormwater from the site and work areas in accordance with the '*Soil and Water Management on Standard Building and Construction Sites – Fact Sheet 2*' published by the Department of Primary Industries, Parks, Water and Environment.

- 3 Prior to commencement of works in the road reservation, obtain a 'Works in Road Reservation (Permit)' in accordance with the Council's *Work in Road Reservation Policy*.
- 4 Prior to commencement of works submit an 'Roadworks Authority' application (or a 'Private Works Authority', if applicable). Roadworks Authority rates as listed in the Council's Fees and Charges register apply.
- 5 Any works associated with roads, footpaths, kerb and channel, nature strips, or street trees must be undertaken by the Council, unless alternative arrangements are approved by Council's Director Infrastructure Services, at the developer's cost.
- 6 Any damage or disturbance to roads, footpaths, kerb and channel, nature strips, or street trees resulting from activity associated with the development must be rectified to the satisfaction of Council's Director Infrastructure Services, at the developer's cost.'

The Town Planner's report is supported."

The Executive Services Officer reported as follows:

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

■ Cr Carpenter moved and Cr Fuller seconded, "That the application for Residential – demolition of all buildings and construction of three multiple dwellings – Setbacks and building envelope for all dwellings; and Privacy for all dwellings at 16 Eastland Drive, Ulverstone – Application no DA2021235 be approved, subject to the following conditions:

General:

- 1 The development must be substantially in accordance with the plans by n + b design, Sheet Nos. A100, A101, A102, A104, A105, A106, A107, A108, A109, A110, A111, U100, U102, U103, U300, U301 and U303, Revision A dated 7 July 2021 and Certificate of Qualified Person – Assessable Item, Form 55, Certificate No. P.20.2110.049 dated 8 November 2021.
- 2 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2021/01950-CC dated 15 November 2021.

- 3 To ensure privacy for the occupants of the units, any window that faces the shared driveway within 1.5m must have a fixed obscure glazing extending to a height of not less than 1.7m above the floor level.
- 4 A minimum of seven car parking spaces must be provided on-site and enable the forward movement of vehicles entering and egressing the site.
In this regard, the car parking spaces, access ways, manoeuvring and circulation spaces must comply with the *Australian Standard AS2890 – Parking facilities, Parts 1-6*.
- 5 Driveways and vehicle parking and manoeuvring areas must be formed and constructed with a compacted sub-base and an all-weather surface.
- 6 All car parking areas must be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.
- 7 Construction and demolition waste and soils must be managed, recycled, reused and/or disposed of to an approved landfill site;

Infrastructure Services:

- 1 Access to the site can be provided off Eastland Drive, using a maximum 6m wide access kerb crossover and driveway.
- 2 The kerb crossover must be constructed by the Council in accordance with the Tasmanian Standard Drawing TSD-R14-v3 Urban Roads – Approved Concrete Kerbs and Channels Profile Dimensions. This would be at the developer's cost.
- 3 The driveway must be constructed in accordance with the Tasmanian Standard Drawing TSD-R09-v3 Urban Roads – Driveways, in a plain concrete finish, by the owner/developer.
- 4 Site triangle areas adjacent to the driveway access must be kept clear of obstructions to visibility, in accordance with the Tasmanian Standard Drawing TSD-RF-01-v3 Guide to Intersection and Domestic Access Sight Distance Requirements.
- 5 Stormwater run-off from buildings and hard surfaces, including from vehicle parking and manoeuvring areas, must be collected and discharged to Council's stormwater infrastructure in accordance with the *National Construction Code 2019* and must not cause a nuisance to neighbouring properties.

- 6 Stormwater and associated infrastructure must be provided in accordance with the Tasmanian Standard Drawings, unless otherwise required or approved by Council's Director Infrastructure Services.
- 7 Prior to the commencement of works the following must be provided:
 - (a) Submit plans, calculations and design for an on-site detention storage system for approval by Council's Director Infrastructure Services. The system must be designed by a suitably qualified professional to include the following:
 - (i) Limit the peak rate of piped stormwater discharge from the property to that generated for the site developed to a level of 40% impervious for a 5% AEP event.
 - (ii) Accommodate the maximum volume generated for the actual percentage impervious for the fully developed site for a 5% AEP event.
 - (iii) Accommodate the maximum volume generated for the actual percentage impervious for the fully developed site up to the 1% AEP event, unless it can be demonstrated that either a suitably designed overland flow path or an alternative on-site storage mechanism is available.
 - (b) If required, submit an 'Install Stormwater Connection Point' application for any work associated with existing stormwater infrastructure. Such work must be undertaken by the Council, unless alternative arrangements are approved by Council's Director Infrastructure Services, at the developer's cost. Drainage costings as listed in the Council's Fees and Charges register apply.
- 8 A new underground stormwater connection, to the Council stormwater infrastructure, must be provided to service the development, unless it can be demonstrated to the satisfaction of Council's Director Infrastructure Services that the property is already suitably connected to the Council's stormwater system.
- 9 Prior to the commencement of use, the developer must complete the stormwater detention works and provide Director Infrastructure Services with a certification including as-constructed plans by a suitably qualified professional that all works have been completed in accordance with the approved plans.

In this regard:

 - (i) Any work associated with existing stormwater infrastructure must be undertaken by the Council at the developer's cost, unless alternative arrangements are approved by the Council's Director Infrastructure Services.

- (ii) Any damage or disturbance to existing stormwater infrastructure resulting from activity associated with the development must be rectified to the satisfaction of Council's Director Infrastructure Services, at the developer's cost.

Please Note:

General:

- 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 Solid fencing within 4.5m of a front boundary, to a height of 1.2m, or fencing that is 30% transparent above 1.2m, to a maximum height of 1.8m, is 'Exempt' and does not require planning approval. A fence other than this, within 4.5m of a front boundary, is 'Discretionary' development and requires the lodgement of a development application.
- 5 Side boundary fencing is to angle down to the public road reserve boundary in accordance with AS/NZS 2890.1:2004 Parking Facilities – Part 1: Off-street car parking, Figure 3.3 "Minimum Sight Lines for Pedestrian Safety".

Infrastructure Services:

- 1 Works undertaken must not result in a dust or noise nuisance to the adjoining properties.

- 2 Whilst site and/or building works are occurring and until all exposed soil areas are permanently stabilised against erosion, the developer must minimise on-site erosion and the release of sediment or sediment laden stormwater from the site and work areas in accordance with the '*Soil and Water Management on Standard Building and Construction Sites – Fact Sheet 2*' published by the Department of Primary Industries, Parks, Water and Environment.
- 3 Prior to commencement of works in the road reservation, obtain a 'Works in Road Reservation (Permit)' in accordance with the Council's *Work in Road Reservation Policy*.
- 4 Prior to commencement of works submit an 'Roadworks Authority' application (or a 'Private Works Authority', if applicable). Roadworks Authority rates as listed in the Council's Fees and Charges register apply.
- 5 Any works associated with roads, footpaths, kerb and channel, nature strips, or street trees must be undertaken by the Council, unless alternative arrangements are approved by Council's Director Infrastructure Services, at the developer's cost.
- 6 Any damage or disturbance to roads, footpaths, kerb and channel, nature strips, or street trees resulting from activity associated with the development must be rectified to the satisfaction of Council's Director Infrastructure Services, at the developer's cost."

Carried unanimously

INFRASTRUCTURE SERVICES

354/2021 Infrastructure Services determinations

The Director Infrastructure Services reported as follows:

“A Schedule of Infrastructure Services Determinations made during the month of November 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.”

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

Carried unanimously

355/2021 Tenders for Gawler River Bridge Renewal

The Director Infrastructure Services reported as follows:

“The Stormwater & Bridges Engineer has prepared the following report:

‘PURPOSE

The purpose of this report is to assist the Council in considering the tenders received for the replacement of the Gawler River bridge on Preston Road, Gawler.

BACKGROUND

The Gawler River Bridge is located on Preston Road, a major link connecting significant agricultural areas and the regional communities of Preston and North Motton with Ulverstone. Preston Road is an arterial road running south-west from the Gawler Road–Top Gawler Road intersection.

The bridge is currently owned by the Tasmanian Government’s Department of State Growth. In 2017, it was agreed to transfer the bridge asset to the Council, subject to a successful submission to the Australian Government’s

Bridges Renewal Program. The Department of State Growth agreed to contribute 25% of the construction cost up to an amount of \$700,000.

The Council applied for funding in Round 5 of the Bridges Renewal Program (BRP5) in 2018 and was successful in gaining funding of up to \$1,400,000, in addition to co-funding of \$700,000 from both the Department of State Growth and Council, a total of \$2,800,000.

The existing bridge is a two-lane structure simply supported with three spans and has an overall length of 25m and a width of 6.5m between kerbs. The original design drawings were approved in April 1939, it is assumed the construction was also in 1939. A number of issues have been identified with the bridge including poor alignment. This has contributed to various impacts on bridge barriers resulting in continuous failures.

It is intended to replace the existing bridge with a two-lane structure approximately 30m long and 8.2m wide, based on traffic volumes and the road classification. The proposed new structure will be constructed on the southern side of the existing bridge to allow for improvements to the alignment of the road.

DISCUSSION

Tenders were called for the replacement of the bridge on 19 October 2021 and closed at 2.00pm on 16 November 2021.

A conforming standard was outlined in the design brief for the structure.

Submissions from three tenderers were received as follows (excluding GST and including \$100,000 contingency):

TENDERER	PRICE \$ EXC. GST
VEC Civil Engineering P/L	1,787,983.64
TasSpan Civil Contracting P/L	2,212,076.07
BridgePro Engineering P/L	2,587,609.09
<i>BUDGET (EXCLUDING GST)</i>	<i>2,794,000.00</i>

The budget allocation is inclusive of the bridge replacement and additional works and services of which are estimated at \$600,000.

Each of the tenderers submitted a conforming tender.

One tenderer offers a construction program in compliance with the specified completion date of 20 June 2022 and two tenderers are over the schedule.

All three tenderers have previously carried out work successfully for the Council and are recognised as being competent to perform the works with their structures conforming to relevant standards.

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

Designs from each tenderer provide for permanent concrete options. These designs are similar in that they propose a structural concrete deck sitting on concrete abutments over piled footings with a 100-year design life.

The Council uses a weighted tender assessment method based on:

Compliance with tender documentation	5%
Previous experience	10%
Personnel (management and field)	5%
Construction period	15%
Design	20%
WHS policy and record	10%
Local business	5%
Tender price	30%

VEC Civil Engineering P/L achieved the highest rating based on this method (a copy of the confidential tender assessment is attached).

CONSULTATION

This item has followed a public tendering process.

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

RESOURCE, FINANCIAL AND RISK IMPACTS

This project is jointly funded by the Council and the Federal and State Governments as:

CONTRIBUTOR	FUNDING Exc. GST
Federal Government:	\$1,400,000.00
State Government:	\$ 636,363.64
Central Coast Council:	\$ 700,000.00

CORPORATE COMPLIANCE

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

A Connected Central Coast

- Provide for a diverse range of movement patterns.
- Connect the people with services
- Improve community well-being.

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.
- Contribute to a safe and healthy environment

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the conforming tender from VEC Civil Engineering P/L for the sum of \$1,787,983.64 (exc. GST) [\$1,966,782.00 (incl. GST)] for the replacement of the Gawler River bridge on Preston Road, Gawler be accepted and approved by the Council.'

The Stormwater & Bridges Engineer's report is supported."

The Executive Services Officer reported as follows:

"A copy of the confidential tender assessment has been circulated to all Councillors."

- Cr Viney moved and Cr Carpenter seconded, "That the conforming tender from VEC Civil Engineering P/L in the amount of \$1,966,782.00 (incl. GST) for the replacement of the Gawler River bridge on Preston Road, Gawler be accepted and approved."

Carried unanimously

356/2021 Tenders for tractor replacement – F703

The Director Infrastructure Services reported as follows:

"The Technical Officer – Fleet and Infrastructure has prepared the following report:

‘PURPOSE

The purpose of this report is to provide information and recommendations for the replacement of the CAT Challenger 100hp Tractor F703.

BACKGROUND

Tenders were called using the Local Government Association of Tasmania approved VendorPanel procurement system. VendorPanel is the LGAT's procurement service, established in 2001 to aggregate the buying power of local government authorities, shorten procurement timeframes and streamline interactions between business and local government without the time consuming and administrative burden of following the Local Government Act 1993 requirements for seeking tenders or quotes.

The tender documents were lodged on 9 September 2021 and closed on 14 October 2021.

Tenders were received as follows:

TENDERER	MAKE	GROSS PRICE \$ (Exc. GST)	TRADE-IN PRICE \$ (Exc. GST)	NETT PRICE \$ (Exc. GST)
TR & KR Shipton	Kioti RX7030	77,412	44,245	33,167
TR & KR Shipton	Kioti RX8030	85,467	48,436	37,031
Tasmac Pty Ltd	Kubota L5740	79,500	40,000	39,500
Gaffney Machinery	New Holland T4.75s	78,843	36,000	42,843
Tasmac Pty Ltd	Iseki TG5570	84,000	40,000	44,000
Gaffney Machinery	New Holland T4.90	125,343	36,000	89,343
Midland Tractors	John Deere 5075M	120,320	30,700	89,620
<i>ESTIMATE</i>		<i>120,000</i>	<i>20,000</i>	<i>100,000</i>

DISCUSSION

The Council fleet operates three 700 series tractors, the unit being replaced is nine years old.

For this tender it was determined that a physically smaller tractor than the current unit was required for use on recreational ovals. It also needed to be powerful enough for current slashing duties.

A total of seven tractors from four suppliers were offered for consideration. Along with the base pricing, there were several options offered by the different suppliers that may enhance the operation of the unit. Five units tendered were physically inspected, the two units not inspected were considered least preferred from the options.

The Council uses a weighted tender assessment method based on:

Documentation and compliance	15%
Operational assessment	25%
HSR assessment	15%
Service costs and warranty	15%
Financial offer	15%
Previous experience	10%
Supplier Locality	5%

The tender assessment panel consisted of the Technical Officer – Fleet and Infrastructure, Small Plant/Maintenance Officer, Team Leader, and the current unit operator.

After the inspections of the five units and subsequent tender scoring, the submission from Gaffney Machinery New Holland T4.90 achieved the highest rating based on this method.

It was agreed that the New Holland T4.90 unit offered the options and specifications required and was considered to be the most suitable and best value for the intended parks, ovals, slashing, and road maintenance duties. While most tendered units offered comparable features, and they all had good standard safety features, the New Holland T4.90 scored higher in regard to operational assessments with its power, standard features and cabin ergonomics.

Due to the varying operational requirements of this unit many of the smaller (and lower priced) tractors were deemed not suitable.

CONSULTATION

This item has followed a tendering process and consultation has been undertaken with the tenderers and operators in respect to options and safety aspects.

RESOURCE, FINANCIAL AND RISK IMPACTS

The budget estimate for the unit is \$120,000 including an estimated \$20,000 trade-in (\$100,000 nett changeover).

The preferred option, the New Holland T4.90, with a nett changeover of \$89,343 (excluding GST) is within budget and can be accommodated within the plant replacement budget.

A 5-year, 5000 hour extended warranty option in the amount of \$8,650 (excluding GST [\$9,515 including GST]) has been offered and is also within the budget.

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- . Contribute to a safe and healthy environment
- . Develop and manage sustainable built infrastructure.

Council Sustainability and Governance

- . Improve corporate governance.

CONCLUSION

It is recommended that the Council:

- 1 accept and approve the tender from Gaffney Machinery for the supply of a New Holland T4.90 model in the amount of \$125,343 (excluding GST [\$137,877 including GST]);
- 2 accept and approve the trade-in offer from Gaffney Machinery for fleet item F703, being a CAT Challenger MT455B, in the amount of \$36,000 (excluding GST [\$39,600 including GST]); and

- 3 accept and approve the 5-year, 5000 hour extended warranty option in the amount of \$8,650 (excluding GST [\$9,515 including GST]).'

The Technical Officer – Fleet and Infrastructure's report is supported."

The Executive Services Officer reported as follows:

"A copy of the confidential tender assessment has been circulated to all Councillors."

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

- 1 accept and approve the tender from Gaffney Machinery for the supply of a New Holland T4.90 model in the amount of \$137,877 (including GST);
- 2 accept and approve the trade-in offer from Gaffney Machinery for fleet item F703, being a CAT Challenger MT455B, in the amount of \$39,600 (including GST); and
- 3 accept and approve the 5-year, 5000 hour extended warranty option in the amount of \$9,515 (including GST)."

Carried unanimously

357/2021 Tenders for tractor replacement – F700

The Director Infrastructure Services reported as follows:

"The Technical Officer – Fleet and Infrastructure has prepared the following report:

PURPOSE

The purpose of this report is to provide information and recommendations for the replacement of the CAT Challenger 100hp Tractor F700.

BACKGROUND

Tenders were called using the Local Government Association of Tasmania approved VendorPanel procurement system. VendorPanel is the LGAT's procurement service, established in 2001 to aggregate the buying power of local government authorities, shorten procurement timeframes and streamline interactions between business and local government without the time consuming and administrative burden of following the Local Government Act 1993 requirements for seeking tenders or quotes.

The tender documents were lodged on 9 September 2021 and closed on 14 October 2021.

Tenders were received as follows:

INFRASTRUCTURE SERVICES

TENDERER	MAKE	GROSS PRICE \$ (Exc. GST)	TRADE-IN PRICE \$ (Exc. GST)	NETT PRICE \$ (Exc. GST)
TR & KR Shipton	Case IH Maxxum 125	210,513	102,691	107,821
TR & KR Shipton	Case IH Maxxum 115	218,950	105,476	113,474
Gaffney Machinery	New Holland T6020	145,000	30,000	115,000
Tasmac Pty Ltd	Kubota M126GX	149,000	32,000	117,000
Midland Tractors	John Deere 6110M	162,439	31,500	130,939
Gaffney Machinery	New Holland T6050	169,500	30,000	139,500
Tasmac Pty Ltd	Massey Ferguson 5711S	185,000	32,000	153,000
Midland Tractors	John Deere 6120R	190,074	29,500	158,574
<i>ESTIMATE</i>		<i>230,000</i>	<i>30,000</i>	<i>200,000</i>

DISCUSSION

The Council fleet operates three 700 series tractors, the unit being replaced is 11 years old.

A total of eight tractors from four suppliers were offered for consideration. Along with the base pricing, there were several options offered by the different suppliers that may enhance the operation of the unit. Six units tendered were physically inspected, the John Deere 6120R and New Holland T6050 were not inspected due exceeding the desired size and capacity, as did the inspected Case IH Maxxum 125.

The Council uses a weighted tender assessment method based on:

Documentation and compliance	15%
Operational assessment	25%
HSR assessment	15%
Service costs and warranty	15%
Financial offer	15%
Previous experience	10%
Supplier Locality	5%

The tender assessment panel consisted of the Technical Officer – Fleet and Infrastructure, Small Plant/Maintenance Officer and the current unit operator.

After the inspections of the six units and subsequent tender scoring, the submission from TR & KR Shipton for the Case IH Maxxum 115 achieved the highest rating based on this method.

It was agreed that the Case IH Maxxum 115 unit offered the options and specifications required and was considered to be the most suitable for the intended construction and maintenance duties. While most tendered units offered comparable features, and they all had good standard safety features, the Maxxum 115 scored higher in regard to operational assessments with its standard features and cabin ergonomics.

It is believed that the numerous refinements and standard specifications on the Case IH Maxxum 115 render it as the most suitable and best value unit for the Council.

CONSULTATION

This item has followed a tendering process and consultation has been undertaken with the tenderers and operators in respect to options and safety aspects.

RESOURCE, FINANCIAL AND RISK IMPACTS

The budget estimate for the unit is \$230,000 including an estimated \$30,000 trade-in (\$200,000 nett changeover).

It should be noted that the gross price and trade-in price of the TR & KR Shipton Case tractors did not include dealership discounts, however the nett price remains comparable with the other tenders.

The Case IH Maxxum 115 net changeover of \$113,474 (excluding GST) is within budget, the preferred option can be accommodated within the plant replacement budget.

A 5-year, 5000 hour extended warranty option in the amount of \$7,936.09 (excluding GST [\$8,729.70 including GST]) has been offered and is also within the budget.

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- . Contribute to a safe and healthy environment
- . Develop and manage sustainable built infrastructure.

Council Sustainability and Governance

- . Improve corporate governance.

CONCLUSION

It is recommended that the Council:

- 1 accept and approve the tender from TR & KR Shipton for supply of a CasE IH Maxxum 115 model in the amount of \$218,950 (excluding GST [\$240,845 including GST]); and

- 2 accept and approve the trade-in offer from TR & KR Shipton for fleet item F700, being a CAT Challenger MT455B, in the amount of \$105,476 (excluding GST [\$116,024 including GST]).' and
- 3 accept and approve the 5-year, 5000 hour extended warranty option in the amount of \$7,936.09 (excluding GST [\$8,729.70 including GST]).'

The Technical Officer – Fleet and Infrastructure's report is supported."

The Executive Services Officer reported as follows:

"A copy of the confidential tender assessment has been circulated to all Councillors."

■ Cr Carpenter moved and Cr Fuller seconded, "That the Council:

- 1 accept and approve the tender from TR & KR Shipton for the supply of a Case IH Maxxum 115 model in the amount of \$240,845 (including GST); and
- 2 accept and approve the trade-in offer from TR & KR Shipton for fleet item F700, being a CAT Challenger MT455B, in the amount of \$116,024 (including GST).' and
- 3 accept and approve the 5-year, 5000 hour extended warranty option in the amount of \$8,729.70 (including GST).'

Carried unanimously

358/2021 Public Question Time

The Mayor introduced public question time at 6:37pm.

Via email – Jamie Smith – Leith

Question 1 –

"Since 14 August 2021 has the Central Coast Council communicated with the State Government, Minister Michael Ferguson, the Department of State Growth or GHD with regard to/about the overpass proposed to be constructed at Leith, or any other options the State Government may implement at Leith and if so, what is the date or dates of the communication or communications, what is the content of the communication or communications and will the communication or communications be made available to ratepayers or residents?"

Response -

The General Manager responded that an email was sent to Minister Ferguson's office on 27 October 2021, enquiring as to when the safety improvement outcomes for the Bass Highway at Leith will be announced.

Question 2 -

"Since 14 August 2021 has the Central Coast Council received any responses to any communications with the State Government, Minister Michael Ferguson, the Department of State Growth or GHD with regard to/about the overpass proposed to be constructed at Leith, or any other options the State Government may implement at Leith and if so, what is the date or dates of the response or responses, what is the content of the response or responses and will the response or responses be made available to ratepayers or residents?"

Response -

The General Manager responded that the Secretary of the Department of State Growth phoned the General Manager on 29 October 2021, to advise that the Department was in the process of briefing the Minister and an announcement would be made in due course.

Via email – Leo and Faye Beuermann – Leith

Question 1 -

"On 2 September 2021, the Mayor sought to meet at a later date only with Leo Beuermann, Faye Beuermann and Tony Downey at Leith. On 3 September 2021, Leo Beuermann advised the Mayor, "As we both act for other Leith residents who also require the Council to provide full written answers to our communications, we consider it unwise for the Council to try and restrict meeting with Leith residents to a mere two/three residents." Leo Beuermann proposed a meeting with a wider group of Leith residents and advised, "We are happy to provide a suitable location for this meeting asap from 7 September 2021."

On 6 September 2021, the Mayor declined to meet with Leith residents on the basis a private meeting not a council meeting was sought and the Deputy Mayor would accompany the Mayor, what was the full purpose, intent and reasons for the Mayor and Deputy Mayor wanting/intending to meet with Leo Beuermann, Faye Beuermann and Tony Downey at Leith and why did the Mayor and Deputy Mayor exclude other Leith residents from the meeting?"

Response –

The General Manager responded that the Mayor phoned Mr Leo Beuermann to request a personal meeting with he and Mrs Beuermann at their home, to better understand the potential impacts the proposed Leith overpass may have on both their property and their personal health and wellbeing. Mr Beuermann said he would like to include Tony Downey and one or two other people in the meeting to which the Mayor agreed and offered to also invite the Deputy Mayor. In further conversation it became evident that what Mr Beuermann was intending was a public meeting to discuss the Leith overpass. This would be a matter for the Department of State Growth.

Question 2 –

“A letter dated 13 September 2021 from Leo and Faye Beuermann to the Central Coast Council for the attention of the Mayor and General Manager, stated, “*Conjecture exists whether the Mayor and/or Council are acting to stifle, or prevent legitimate questions and correspondence from Ratepayers. We await prompt advice/responses from the Council and Mayor with regard to these concerns.*”, given that no questions are impacted by any decision by the Government of Tasmania whether to construct an overpass at Leith or implement other options to control traffic on the Bass Highway at Leith, what is the advice/responses from the Council and Mayor with regard to these concerns?”

Response –

The General Manager responded that as stated in part of (my) previous response to your email of 13 September 2021, the Council has answered questions from yourself and Leith residents over a number of months. The Council has been open and transparent, and we have provided all the information and facts that we have. We have done this in an obliging manner. Unless you have any new questions, the Council cannot provide any further information than what it already has.

Via email – Sally Young – Leith

Question 1 –

“Does the Council still support the establishment of a Leith Community Representatives Group?”

Response –

The General Manager responded that Mrs Young informed the Council that there was interest for having a Leith Representatives Community Group.

From this request, the Council (through the General Manager) asked whether they (the requesters) wanted their own group or whether they could link into the Turners Beach or the Forth Community Representatives Groups. Ms Young came back and advised that (they) wanted their own group. Before commencing any formal process for the establishment of a Representatives Group, the General Manager advised that the Council would need to review the Leith Community Plan with the Community

The General Manager further advised that it would be best to wait until a decision has been made by the State Government in relation to the safety improvements on the Bass Highway. This would allow for all to look objectively at the current Leith Community Plan in the new year.

The Leith Community Representatives Group would have a similar Charter to both the Forth and Turners Beach Community Representatives Groups and would be an advisory group to the Council.

Question 2 -

“If ‘yes’, could the Council confirm the commencement date of community engagement re: formal processes to form the Representative Group?”

Response -

The General Manager responded that a commencement date for a review of the Leith Community Plan has not been established at this time but will be scheduled in the first half of 2022.

Question 3 -

“If the Council no longer supports the formation of a Representatives Group for Leith, why not?”

Response -

The General Manager responded that This question is not applicable.

Questions and replies concluded at 6:46pm

359/2021 Green Waste Dumping Signage Policy (143/2014 – 19.05.2014)

The Director Infrastructure Services reported as follows:

“The Manager Asset Services has prepared the following report:

‘PURPOSE

The purpose of this report is to recommend adoption of the revised Green Waste Dumping Signage Policy (the Policy).

BACKGROUND

At the Council meeting held on 19 May 2014 (Minute No. 143/2014) the Council adopted the Policy.

This Policy requires a cyclic revision to be undertaken to reflect any changes in practices, legislation etc.

DISCUSSION

The main purpose of the Policy is to provide support to the Council's vision and strategic objectives to protect and enhance Council-managed natural areas and parklands. A copy of the Policy is provided as an annexure to this report.

The Policy provides the Council with clear, accurate and consistent advice through correspondence and possible community education and awareness regarding illegal dumping of green waste.

The Policy allows for the erection of signage containing messages regarding the consequences to the environment of green waste dumping as well as disposal options such as composting, FOGO and the Resource Recovery Centre. Furthermore, the signage encourages anyone with information to contact the Council.

The Policy applies to Council-managed Crown land and Council-owned parks and reserves with particular focus on coastal and riparian reserves.

Where clear breaches are identified the green waste is removed from the site and signage erected in its place or as near as practicable.

Signage will remain for a maximum period of two years but may be removed sooner if there are no further occurrences.

This review identified five notable changes:

Policy	Includes statement that “Unlawful dumping has become less widespread since the introduction of FOGO”.
Process	Possible community education and awareness regarding illegal green waste dumping on Council-managed land. Sign details will be entered onto the Signage Register with monitoring timeframes.
Procedure	Notify Council Compliance Officer. Signage will remain in place up to a maximum period of two years.

CONSULTATION

Consultation in relation to this revised Policy has been undertaken within the Infrastructure Services Department and presented at a Councillors’ Workshop held on 22 November 2021.

RESOURCE, FINANCIAL AND RISK IMPACTS

There are costs associated with the fabrication and erection of the signage, however, these would be accommodated within the existing budgets.

The risks associated with not applying this Policy is the continued spread of weeds and deterioration to the health and value of our local ecosystems and fauna habitat. Such activity is costly to both the Council and community in terms of the processes necessary to combat the introduction and spread of weeds.

CORPORATE COMPLIANCE

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

The Shape of the Place

- Improve the value and use of open space

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

CONCLUSION

It is recommended that the Green Waste Dumping Signage Policy dated December 2021 be adopted.'

The Manager Asset Services report is supported."

The Executive Services Officer reported as follows:

"A copy of the Green Waste Dumping Signage Policy dated December 2021 has been circulated to all Councillors."

■ Cr Fuller moved and Cr Hiscutt seconded, "That the Green Waste Dumping Signage Policy dated December 2021 (a copy being appended to and forming part of the minutes) be adopted."

Carried unanimously

360/2021 Vegetation Damage Signage Policy (144/2014 – 19.05.2014)

The Director Infrastructure Services reported as follows:

"The Manager Asset Services has prepared the following report:

'PURPOSE

The purpose of this report is to recommend adoption of the revised Vegetation Damage Signage Policy (the Policy).

BACKGROUND

At the Council meeting held on 19 May 2014 (Minute No. 144/2014) the Council adopted the Policy. This Policy requires a cyclic revision to be undertaken to reflect any changes in practices, legislation etc.

DISCUSSION

The main purpose of the Policy is to reduce and deter the occurrence of vandalism of Council owned/managed green assets. A copy of the Policy is provided as an annexure to this report.

The Policy states that the Council will provide clear, accurate and consistent advice (through correspondence and community education) regarding the

requirement for formal pre- approval for the removal and/or trimming of trees or vegetation.

The Policy allows for the erection of signage to relay messages regarding suspicion around the tree/vegetation damage and the consequences of removal of vegetation from public land. Furthermore, the sign encourages anyone with information to contact the Council.

The Policy applies to Council-managed Crown land and Council-owned parks and reserves with a focus on coastal and riparian reserves.

Educational signage will be erected when clear breaches of the *Crown Lands Act 1976- Part VI - Unlawful Acts relating to Crown Land* have been identified and/or if the Council is confident that an act of vandalism has occurred. In conjunction with the installation of signage outlining a breach, replacement vegetation will be planted.

Signage will remain for a maximum period of five years but may be removed sooner based on regrowth and recovery of the vegetation.

This review identified seven notable changes:

Policy	Makes reference to supporting the delivery of the Greening Central Coast Strategy vision to increase the Precinct's canopy cover to 30% by 2030.
Process	Council Staff must have sufficient evidence of vandalism before signage is installed. Council staff may consult with affected landholders prior to sign installation. Possible community education and awareness regarding tree/vegetation damage on Council-managed land. Sign details will be entered into the Signage Register with monitoring timeframes.
Procedure	Two different sign types with consistent branding of information. One with a focus on vegetation protection and one with a focus on tree/s protection.
Related Documents	Include the Greening Central Coast Strategy 2021.

CONSULTATION

Consultation in relation to this revised Policy has been undertaken within the Infrastructure Services Department and was presented at a Councillors' Workshop held on 22 November 2021.

RESOURCE, FINANCIAL AND RISK IMPACTS

There are costs associated with the fabrication and erection of the signage, however, this is accommodated within the existing Parks budget.

Risks associated with this Policy are identified as ongoing and include: unauthorised clearance or damage to vegetation on Council-managed land causing deterioration, habitat modification and fragmentation of the coastal and riparian environments. Such activity is costly to both the Council and community in terms of the processes necessary to combat the degradation of these areas and is a threat to the local biodiversity.

CORPORATE COMPLIANCE

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

The Shape of the Place

- . Improve the value and use of open space

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure.

CONCLUSION

It is recommended that the Vegetation Damage Signage Policy dated December 2021 be adopted.'

The Manager Asset Services report is supported."

The Executive Services Officer reported as follows:

"A copy of the Vegetation Damage Signage Policy dated December 2021 has been circulated to all Councillors."

■ Cr Carpenter moved and Cr Viney seconded, "That the Vegetation Damage Signage Policy dated December 2021 (a copy being appended to and forming part of the minutes) be adopted."

Carried unanimously

361/2021 Public Toilet Policy (327/2013 – 21.10.2013)

The Director Infrastructure Services reported as follows:

“The Manager Asset Services has prepared the following report:

‘PURPOSE

The purpose of this report is to recommend adoption of the revised Public Toilet Policy (the Policy).

BACKGROUND

At the Council meeting held on 21 October 2013 (Minute No. 327/2013) the Council adopted the Policy. This Policy requires a cyclic revision to be undertaken to reflect any changes in practices, legislation etc.

DISCUSSION

The purpose of the Policy is to state the Council's aims and methodology to the community and to provide an administrative framework for Council officers to implement in relation to public toilets. This Policy will:

- . Provide quality, accessible and appropriately located public toilet facilities to meet community needs.
- . Provide a framework to manage public toilet assets throughout the Central Coast.
- . Provide a framework to assess the need for new toilets, whether they be renewed or refurbished or be removed and not replaced.
- . Promote the siting and design of public toilets in accordance with Crime Prevention Through Environmental Design (CPTED) principles (a copy of the Policy is provided as an annexure to this report).

This review identified four notable changes:

Extended Use	Extended Use toilets (open 24 hours) linked to Central Coast Council Surveillance Policy 2021 and may have surveillance equipment installed.
Public toilet location	Name change from “all major recreation grounds” to “all regional recreation grounds” to be consistent with

	naming in the Open Space and Recreation Plan 2012–2022.
Site suitability	Site suitability to “meet the Crime Prevention Through Environmental Design (CPTED) principles”.
Related Documents	Include the Central Coast Council Surveillance Policy 2021.

CONSULTATION

Consultation in relation to this Policy has been undertaken within the Council’s Facilities Asset Management Team (FAMT) which includes staff from Infrastructure Services and Community Services Departments. This revised Policy was presented at a Councillors’ Workshop held on 22 November 2021.

RESOURCE, FINANCIAL AND RISK IMPACTS

A continuous review of the Council public toilet assets is undertaken, and any capital works required are proposed in the Estimates for that particular year.

Risks associated with not having such a Policy results in an ad-hoc approach to the design and provision of public toilets service delivery within the Central Coast.

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

It is recommended that the Public Toilet Policy dated December 2021 be adopted.

The Manager Asset Services report is supported.”

The Executive Services Officer reported as follows:

“A copy of the Public Toilet Policy dated December 2021 has been circulated to all Councillors.”

- Cr Beswick moved and Cr Fuller seconded, “That the Public Toilet Policy dated December 2021 (a copy being appended to and forming part of the minutes) be adopted.”

Carried unanimously

CORPORATE SERVICES

362/2021 Statutory determinations

The Director Corporate Services reported as follows:

“A Schedule of Statutory Determinations made during the month of November 2021 for the Regulatory Services and Land Use Planning groups 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 Carpenter moved and Cr Hiscutt seconded, “That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

363/2021 Disposal (transfer) of Council land adjacent 12 Breheny Place, West Ulverstone

The Director Corporate Services reported as follows:

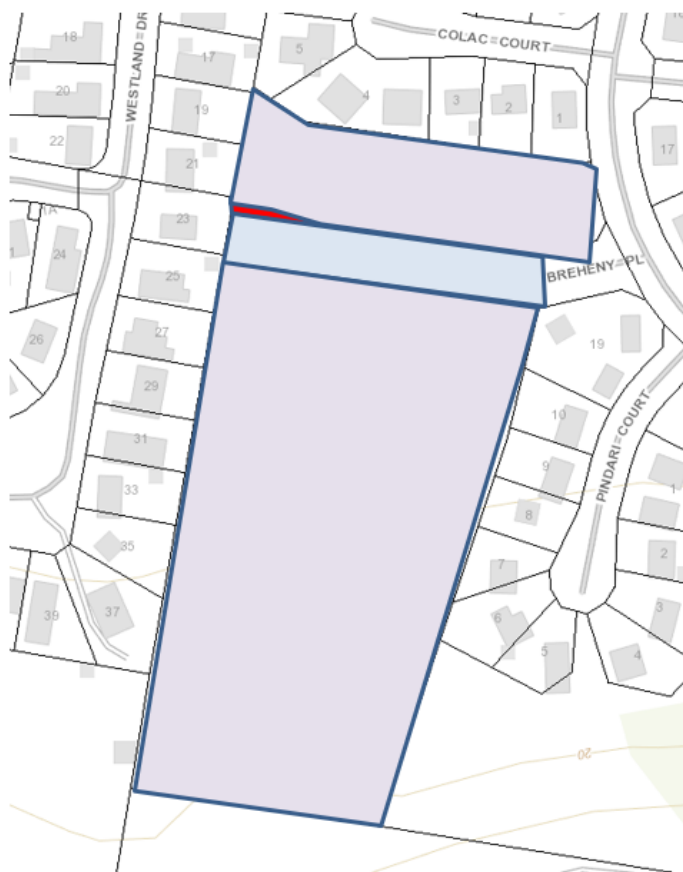
“PURPOSE

The purpose of this report is to consider the disposal (transfer) of a small 93m² portion of land that is owned by the Central Coast Council (the Council), adjacent 12 Breheny Place, West Ulverstone. The land is notated as ‘road’.




BACKGROUND

The Council owns a small parcel of land in Breheny Place, West Ulverstone that is designated as ‘road’ on CT 24214/245. A copy of the Title is provided as an annexure to this report for reference purposes. The 93m² portion was transferred to the Council from the Director of Housing in 1983, as part of a subdivision.

The land adjoins 12 Breheny Place to the north and a larger parcel of land to the south, that is an unmade extension of Breheny Place. The unmade extension of Breheny Place has no Title and, as such, is Crown land. Refer to Land Ownership Map below.



LAND OWNERSHIP MAP – 12 & 27 BREHENY PLACE, WEST ULVERSTONE

-  Unmade road – Crown land
-  Land owned by Housing Tasmania
-  Land owned by Central Coast Council (93m²)

DISCUSSION

The Director of Housing is proposing to develop land at 12 and 27 Breheny Place, West Ulverstone for residential purposes, incorporating the unmade road portion of Crown land and the 93m² parcel of Council owned land.

The whole of the lots involved in the proposal are currently zoned General Residential and are primarily owned by the Director of Housing and the Crown.

The transfer of the Council's land would be required to enable the development to proceed. The 93m² road parcel that is owned by the Council is not required by the Council.

Any future development of the combined parcels would require public notification under the *Land Use Planning and Approvals Act 1993*.

CONSULTATION

In the interests of openness and transparency, the Council will treat the 93m² portion of land as being Public Land under the *Local Government Act 1993* (the Act), and there are very specific requirements for community consultation under the s.178 of the Act.

Section 178 of the Act reads as follows:

'178 Sale, exchange and disposal of public land

- (1) A council may sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with this section.
- (2) Public land that is leased for any period by a council remains public land during that period.
- (3) A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.
- (4) If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to –
 - (a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and
 - (ab) display a copy of the notice on any boundary of the public land that abuts a highway; and
 - (b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.

- (5) If the general manager does not receive any objection under subsection (4) and an appeal is not made under section 178A, the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its intention as published under subsection (4).
- (6) The council must –
 - (a) consider any objection lodged; and
 - (b) by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of –
 - (i) that decision; and
 - (ii) the right to appeal against that decision under section 178A.
- (7) The council must not decide to take any action under this section if –
 - (a) any objection lodged under this section is being considered; or
 - (b) an appeal made under section 178A has not yet been determined; or
 - (c) the Appeal Tribunal has made a determination under section 178B(b) or (c).
- (8) ... ’

To commence the process, the Council will advertise its intention to proceed in accordance with s.178(4) of the Act.

RESOURCE, FINANCIAL AND RISK IMPACTS

The disposal (transfer) of land would have no likely impact on Council resources, outside those usually required for reporting and the transfer of land.

CORPORATE COMPLIANCE

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

The Shape of the Place

- Encourage a creative approach to new development.

A Connected Central Coast

- Connect the people with services
- Improve community well-being.

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the Council initiate the process required for the disposal (transfer) of land adjacent 12 Breheny Place, West Ulverstone (Certificate of Title 24214/245 [93m² portion of land designated as road]) to the Crown, and further that the transfer costs are to be met by either the Crown or Housing Tasmania."

The Executive Services Officer reported as follows:

■ Cr Viney moved and Cr Beswick seconded, "That the Council initiate the process required for the disposal (transfer) of land adjacent 12 Breheny Place, West Ulverstone (Certificate of Title 24214/245 [93m² portion of land designated as road]) to the Crown, and further that the transfer costs are to be met by either the Crown or Housing Tasmania; and further

- (a) should there be no objections received, the land be disposed of (transferred) to the Crown, with transfer costs being met by either the Crown or Housing Tasmania; or
- (b) should any objections be received, a further report be presented to the Council outlining those objections in accordance with the requirements of s.178(6) of the *Local Government Act 1993*."

Carried unanimously and by absolute majority

364/2021 Sale of Council land at Lot 1 Westella Drive, Turners Beach

The Director Corporate Services reported as follows:

"PURPOSE

The purpose of this report is to consider the sale of a 3,625m² parcel of public land owned by the Council at Lot 1 Westella Drive, Turners Beach, described in Certificate of Title 146012 Folio 1.

BACKGROUND

The Council has owned the 3,625m² parcel of land at Westella Drive, Turners Beach since 1991 following the Bass Highway upgrade. The land is zoned Rural under the Tasmanian Planning Scheme – Central Coast and was previously leased for grazing until 2018.

The adjoining landowner approached the Council in January 2020 to indicate that the fence between the properties required replacement, and during discussions offered to purchase the land at a rate reflective of its value.

The land is deemed to be 'public land', the sale of which is governed by Section 178 of the *Local Government Act 1993* (the Act), which reads as follows:

'178 Sale, exchange and disposal of public land

- (1) A council may sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with this section.
- (2) Public land that is leased for any period by a council remains public land during that period.
- (3) A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.
- (4) If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to –
 - (a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and
 - (ab) display a copy of the notice on any boundary of the public land that abuts a highway; and

- (b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.
- (5) If the general manager does not receive any objection under subsection (4) and an appeal is not made under section 178A, the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its intention as published under subsection (4).
- (6) The council must –
 - (a) consider any objection lodged; and
 - (b) by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of –
 - (i) that decision; and
 - (ii) the right to appeal against that decision under section 178A.
- (7) The council must not decide to take any action under this section if –
 - (a) any objection lodged under this section is being considered; or
 - (b) an appeal made under section 178A has not yet been determined; or
 - (c) the Appeal Tribunal has made a determination under section 178B(b) or (c).
- (8) ...'

DISCUSSION

Matters relating to the fencing and potential sale of this parcel of land have been ongoing since March 2020. At a Councillor Workshop in September 2021, Councillors were provided information relating to this matter and to advise of the approaches that

had been made by the adjoining landowner to purchase. The intent of the Workshop was also to gauge if the Council would have an appetite to sell this parcel of land.

As part of the process to inform a Council report regarding a potential sale, a valuation was carried out by Independent Valuation Services (dated 23 October 2021) for the lot based on the land being zoned Rural. A confidential copy of the valuation report is provided as an annexure to this report.

The layout of the land in this area is shown on the location plan and the Plan of Survey, copies of which are provided as an annexure to this report for reference purposes.

To commence a sale of public land process, the Council would need to advertise its intention to proceed in accordance with s.178(4) of the Act.

CONSULTATION

Community consultation will occur via the formal process outlined in the *Local Government Act 1993*.

RESOURCE, FINANCIAL AND RISK IMPACTS

The sale of this property will see no further need for maintenance of the lot, freeing Council resources to be used on other Council assets.

All costs will be covered via the sale of the lot. The balance of any funds generated will be transferred to General Reserves until such time as a specific project is identified.

CORPORATE COMPLIANCE

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

The Shape of the Place

- Encourage a creative approach to new development.

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the Council:

- 1 receives and notes the confidential valuation carried out by Independent Valuation Services;

- 2 initiate the process required for the sale of land at Lot 1 Westella Drive, Turners Beach (Certificate of Title 146012 Folio 1);
 - (a) should there be no objections that the land be disposed of at a price not less than valuation, subject to any necessary terms and conditions being finally negotiated by the General Manager; or
 - (b) if any objections are received, that a further report be presented to the Council outlining any objections received.”

The Executive Services Officer reported as follows:

■ Cr Carpenter moved and Cr Fuller seconded, “That the Council:

- 1 receives and notes the confidential valuation carried out by Independent Valuation Services (a copy being appended to and forming part of the minutes);
- 2 initiate the process required for the sale of land at Lot 1 Westella Drive, Turners Beach (Certificate of Title 146012 Folio 1);
 - (a) should there be no objections that the land be disposed of at a price not less than valuation, subject to any necessary terms and conditions being finally negotiated by the General Manager; or
 - (b) if any objections are received, that a further report be presented to the Council outlining any objections received.”

Carried unanimously and by absolute majority

CLOSURE OF MEETING TO THE PUBLIC

365/2021 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 committees of the Council and other organisations <ul style="list-style-type: none">· TasWater Owners Representatives Group General Meeting – meeting held 10 November 2021· Dulverton Waste Management Annual General Meeting – meeting held 25 November 2021· Dulverton Waste Management Representatives – meeting held 25 November 2021.	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

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

Matter	<i>Local Government (Meeting Procedures) Regulations 2015</i> reference
Confirmation of Closed Session Minutes	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
Minutes and notes of committees of the Council and other organisations <ul style="list-style-type: none"> · TasWater Owners Representatives Group General Meeting – meeting held 10 November 2021 · Dulverton Waste Management Annual General Meeting – meeting held 25 November 2021 · Dulverton Waste Management Representatives – meeting held 25 November 2021. 	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.”

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.”

Carried unanimously and by absolute majority

The meeting moved into closed session at 7:08pm.

CLOSED SESSION SUMMARY

The Executive Services Officer reported as follows:

“In accordance with Regulation 34(1)(b) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council is to provide an overview of matters considered during Closed Session for the public.”

Matter	Description of matter discussed
366A/2021 Confirmation of Closed Session Minutes	The Closed session minutes of the previous ordinary meeting of the Council held on 15 November 2021 had been circulated. The minutes are required to be confirmed for their accuracy.
367A/2021 Minutes and notes of committees of the Council and other organisations <ul style="list-style-type: none">· TasWater Owners Representatives Group General Meeting – meeting held 10 November 2021· Dulverton Waste Management Annual General Meeting – meeting held 25 November 2021· Dulverton Waste Management Representatives – meeting held 25 November 2021.	The minutes and notes have been provided to the Council on the condition they are kept confidential.

CLOSURE

There being no further business, the Mayor declared the meeting closed at 7:14pm.

CONFIRMED THIS 24th DAY OF JANUARY, 2022.

Chairperson

(lb:lc)

Appendices

- Minute No. 345/2021 – Annual General Meeting minutes – meeting held 8 December 2021
- Minute No. 346/2021 – Meeting Schedules – Ordinary and DSSC Meetings
- Minute No. 347/2021 – Schedule of Correspondence addressed to the Mayor and Councillors
- Minute No. 348/2021 – Schedule of Contracts & Agreements
- Minute No. 349/2021 – Schedule of Documents for Affixing of the Common Seal
- Minute No. 350/2021 – Reconciliation Action Plan dated December 2021
- Minute No. 354/2021 – Infrastructure Services Determinations
- Minute No. 359/2021 – Green Waste Dumping Signage Policy dated December 2021
- Minute No. 360/2021 – Vegetation Damage Signage Policy dated December 2021
- Minute No. 361/2021 – Public Toilet Policy dated December 2021
- Minute No. 362/2021 – Schedule of Statutory Determinations
- Minute No. 364/2021 – Confidential – Independent Valuation Services – valuation report – Lot 1 Westella Drive, Turners Beach

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 the Council minutes 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

Minutes of the Annual General Meeting of Central Coast Council held in the Gnomon Room, Wharf Precinct, Ulverstone on Wednesday, 8 December 2021 commencing at 7.00pm.

Present

Cr Jan Bonde (Mayor)
Cr John Beswick
Cr Cheryl Fuller
Cr Philip Viney

Cr Garry Carpenter (Deputy Mayor)
Cr Amanda Diprose
Cr Annette Overton

General Manager (Ms Sandra Ayton)
Director Infrastructure Services (Mr Paul Breaden)
Director Community Services (Mr Daryl Connelly)
Director Corporate Services (Mr Ian Stoneman)
Executive Services Officer (Mrs Lou Brooke)
GM and Mayor's Personal Assistant (Miss Lauren Clarke)

Mr Warren Barker
Mrs Lyn Norton-Smith

Apologies

Cr Casey Hiscutt
Cr Tony van Rooyen

Media attendance

The media was not represented.

Opening of meeting

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

- . advised that the Annual General Meeting had been called in accordance with the requirements of the *Local Government Act 1993*;
- . advised that notice of the Annual General Meeting was given in The Advocate newspaper on Wednesday, 17 November and Saturday, 20 November 2021;

-
- . referred the public in attendance to the agenda prepared for the meeting and which incorporated procedures for the conduct of the meeting.

Confirmation of the Minutes

- Cr Beswick moved and Cr Diprose seconded, "That the minutes of the Annual General Meeting held on 30 November 2020, as circulated be confirmed."

Carried unanimously

Introduction of councillors

The Mayor introduced the attending Councillors and Council staff to the meeting.

Annual Report

The Mayor reported that the Annual Report for the year ended 30 June 2021, including financial statements and audit opinion, had been advertised as available to the public from the Administration Centre and Service Centre and on the Council's website. Electors were invited to make written submissions relating to the Annual Report.

The Mayor spoke in support of the Annual Report.

Additional comments were provided by the General Manager with a PowerPoint display of highlights from the Annual Report.

The Mayor called for questions from the floor in regard to the presentation. No questions relating to the Annual Report were received.

Submissions

At 3.00pm on Monday 29 November, no written submissions had been received for inclusion within the agenda.

A late submission from Mr Jake Weeda was received on 8 December 2021. Due to the timing of the submission, insufficient time was available to provide response to the questions raised by Mr Weeda. The Mayor advised

the meeting that Mr Weeda would be provided a written response regarding his submission.

Any other business

The Mayor invited questions or comments from the floor.

- . Mr Warren Barker, Penguin – Congratulated the Council on the works that have been undertaken in and around Penguin. Having taken keen interest in the works, Mr Barker advised he had been gathering photographic progress and has provided this to the Penguin History Group. Further, Mr Barker commented that he is looking forward to the discussion around the Master Plan for the former Penguin Recreation Ground, having provided his thoughts to Complete Streets during the Set-up Shop process. Mr Barker noted that currently parking is difficult in Penguin, however travelling through the community recently felt that all is looking good and acknowledged Councillors and Council staff efforts.

In closing, Mr Barker questioned whether the Council had any provision for providing electric car chargers?

In response, the Director Infrastructure Services advised that this matter is on the Council's radar and will be an issue that needs to be considered moving forward. The Council is yet to determine as to what its involvement will be, however is supportive and has provided a budget allocation to support such projects.

- . Mrs Lyn Norton Smith, Turners Beach – Thanked the Council for the work that has been completed within the Turners Beach community, noting that the community is very pleased with the outcomes.
- . Cr Garry Carpenter – Congratulated Council management and staff on delivering the Annual Report, noting the Council's debt to equity ratio, completion of Capital Works and overall financial result, which is position comparable to others throughout the country.

■ Cr Viney moved and Cr Overton seconded, "That the Annual Report 2020–2021 be received."

Carried unanimously

Projects happening in 2021–2022

The Mayor in closing, advised of projects from 2021–2022 Annual Plan:

Penguin Town Centre Master Plan and Strategies – the Council have received the report prepared by Complete Streets. Detailed works and a plan forward are yet to be finalised, however through grant funding will be able to undertake some works along the Penguin foreshore. Preliminary planning regarding the former Penguin Recreation Ground will assist in developing a plan moving forward;

Stage B of Peng Foreshore Remediation;

The Coastal Pathway Sulphur Creek to Penguin section is now underway, having attended the Turning of the Sod event on 8 December 2021. The section from Queen Street to Rockliffs Road, West Ulverstone will also commence;

The Leith Shared Pathway on the Turners Beach side has commenced works and it is envisaged that this will be completed within 2022;

Progression of the integrated Turners Beach Pathway, Streetscaping and Traffic Management Plan, which is being developed collaboratively by Council staff, Councillors and Turners beach community members;

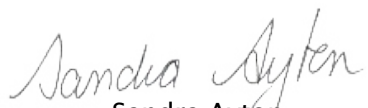
Adoption and implementation of the Greening Central Coast Strategy;

Development of the Cultural Heritage Plan; and

Finalisation of the Central Coast Waste Strategy.

Close of meeting

The Mayor closed the meeting at 8.08pm and, in doing so, thanked those in attendance for their participation.


Sandra Ayton
GENERAL MANAGER

COUNCIL

MEETING DATES 2022

Ordinary meetings of the Council are held on the third Monday monthly, except for January, April and December as shown below.

Meetings are held in the Council Chamber, Administration Centre, 19 King Edward Street, Ulverstone commencing at 6.00pm. In accordance with current COVID-19 restrictions and guidelines meetings are live streamed via the Council's website and Facebook page. Members of the public wanting to ask questions of the Council, that would normally have been heard during the Public Question Time section of the agenda, are advised to provide their question on notice to the General Manager by 3.00pm on the day of the meeting.

Agendas and minutes are available from either the Administration Centre, Ulverstone or the Service Centre, Penguin, or can be accessed on the Council's website at www.centralcoast.tas.gov.au

Meeting dates for 2022 are scheduled as follows:

Monday 24 January
Monday 21 February
Monday 21 March
*Wednesday 20 April
Monday 16 May
Monday 20 June
Monday 18 July
Monday 15 August
Monday 19 September
Monday 17 October
Monday 21 November
Monday 12 December


SANDRA AYTON
General Manager

DEVELOPMENT SUPPORT SPECIAL COMMITTEE

MEETING DATES 2022

Meetings of the Development Support Special Committee are held in the Council Chamber, Administration Centre, 19 King Edward Street, Ulverstone commencing at 6.00pm. In accordance with current COVID-19 restrictions and guidelines meetings are live streamed via the Council's website and Facebook page. This Committee deals with matters of a land-use planning nature, particularly determination of applications. Although scheduled, meetings are only held if required. Persons interested in attending should contact the Land Use Planning Group (tel. 6428 8952) to find out if the meeting will be required on the scheduled date.

Agendas and minutes are available from either the Administration Centre or the Service Centre, Penguin, or can be accessed on the Council's website at www.centralcoast.tas.gov.au

Meeting dates for 2022 are scheduled as follows:

Monday 10 January	Monday 27 June
Monday 31 January	Monday 11 July
Monday 14 February	Monday 25 July
Monday 28 February	Monday 8 August
*Tuesday 15 March	Monday 29 August
Monday 28 March	Monday 12 September
Monday 11 April	Monday 26 September
*Tuesday 26 April	Monday 10 October
Monday 9 May	Monday 31 October
Monday 30 May	Monday 14 November
*Tuesday 14 June	Monday 28 November


SANDRA AYTON
General Manager

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

Period: 16 November to 13 December 2021

- . An email requesting consideration to motion the Cradle Coast Authority for vocal support for the proposed 2022 Tasmanian Masters Games to be held in North West Tasmania
- . A letter of response to the Council's correspondence dated 7 October 2021 regarding a letter of complaint



Sandra Ayton
GENERAL MANAGER

SCHEDULE OF CONTRACTS AND AGREEMENTS

(Other than those approved under the Common Seal)

Period: 16 November to 13 December 2021

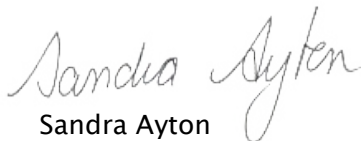
Agreements

- . Lease Agreement
Buttons Brewing Company Pty Ltd and Central Coast Council
Location: River Room area at Ulverstone Wharf Precinct (approx. 84m²)
Date of commencement: 1 October 2021
Term of agreement: 17 Months (28 February 2023)
- . Management Agreement NRM388
Northern Tasmanian Natural Resource Management Association Inc
and Central Coast Council
Tasmanian Governments Weeds Action Fund program – North West
Tasmania Strategic Multi-Stakeholder Spanish Heath Eradication
and Asset Protection Program
Date of commencement: 1 July 2021
Completion date: 15 June 2024
- . Lease agreement
Forth Valley Tennis Club and Central Coast Council
Tennis courts and associated buildings – Mell Street, Forth
Date of commencement: 1 October 2021
Term of agreement: Three years (Expiry – 30 September 2024)
- . Management agreement
Riana Pioneer Park Tourist Management Association Inc. and
Central Coast Council
Riana Pioneer Park, 1399 Pine Road, Riana
(area of land [approximately 3.15ha])
Date of commencement: November 2021
Term of agreement: 12 months – 1 November 2022
- . Licence agreement
The Honourable Michael Darrel Joseph Ferguson MP (being and in his capacity
as the Minister for Infrastructure and Transport and, for the purposes of the
Crown Lands Act 1976 (Tas), the portfolio minister in relation to the Licensed
Area and Central Coast Council
Area of Crown land adjacent to the Bass Highway in Leith, Tasmania outlined
within Licence Plan – Licence No. 22493–21
Commencement date: 1 December 2021 (period of 10 years)

- . Grant agreement
Australia Day Community Grants Program
National Australia Day Council Limited and Central Coast Council
Grant to deliver an Australia Day event in a COVID safe environment whilst supporting local businesses and communities – Breakfast by the Leven
Grant amount: \$21,362 (incl. GST)

Contracts

- . Contract number 5/2021–2022
Hardings Hotmix Pty Ltd
Supply of sprayed bituminous surfacing for urban and rural roads for the 2021–2022 financial year all in accordance with the General Conditions of Tendering, Specification and Schedule dated September 2021 and submitted as tender dated 22 September 2021
Contract amount; \$605,203.99 (exc. GST)
- . Contract for Sale of Real Estate in Tasmania
Rosemary Adelle Fraser and Central Coast Council
Land marked A on the annexed plan being part of the land at 153 Preston Road, Gawler
Property Identifier Number: 9040539
Title Reference(s): Part of Volume 114267/1
Date of contract 30 November 2021
- . Contract for Sale of Real Estate in Tasmania
Albert Francis and Christine Anne Nailer and Central Coast Council
Land marked A on the annexed plan being part of the land at 203 Preston Road, Gawler
Property Identifier Number: 904053
Title Reference(s): Part of Volume 114267/1
Date of contract 30 November 2021



Sandra Ayton
GENERAL MANAGER

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

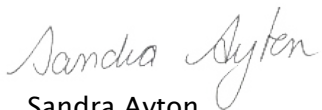
Period: 16 November to 13 December 2021

Documents for affixing of the common seal under delegation

- . Endorsed Strata Plans and Strata Certificate
 14 Poynton Close, Turners Beach
 Application No. DA2020223
 Folio Reference: CT 178899/4

- . Adhesion Order
 69 Shadbolts Road, North Motton
 Application No. 2021227
 Folio Reference: 113637/1 and 213146/1

- . Plan of Survey and Schedule of Easements
 48 White Hills Road, Penguin
 Application No. DA2018143
 Folio Reference: 34557/1



Sandra Ayton
GENERAL MANAGER



reflect

Reconciliation Action Plan

Dec 2021 – June 2023



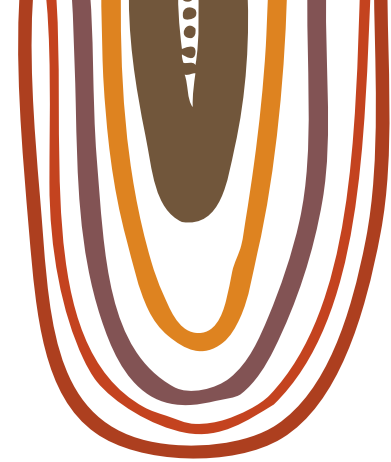
Acknowledgement of Country

The Central Coast Council acknowledges the Traditional Custodians of the land, community, sea and waters where we live and work.

In recognition of the deep history and culture of our community, the Central Coast community, we acknowledge the First Nations Peoples as the original custodians of this land.

Our community acknowledges respectfully the Punniler-Panner tribe of the Northern Country of Tasmania and their continuing relationship to this land and their ongoing living culture.

We recognise that we have much to learn from the First Nations Peoples who represent the world's oldest continuing culture, as we pay our genuine respects to Elders past and present and to all First Nations Peoples living in and around the Central Coast Community.



Past, Present & Future

ARTIST'S STATEMENT - ANNIE HAY

Reconciliation to me is about the past, present and future. Recognising what has happened in the past, what processes and procedures have been put in place in the present, and working towards reconciliation in the future.

This design depicts the past and present journeying toward the future. The beautiful coastline of the Central Coast is depicted showing waves, sand and shells. Gum tree covered mountains feature along the North West Coast and therefore are represented also. There are many community groups featured in the background.

Cover detail and full artwork:

Annie HAY, **Past, Present & Future**, digital art, 2021

BIOGRAPHY

My name is Annie Hay. I was born and raised on the North West Coast and have lived on the Central Coast for more than half my life. I am a proud aboriginal woman, which stems from my matriarchal side, my great grandmother, who unfortunately was part of the stolen generation. My mother and grandmother were born in lutruwita (Tasmania) but my great grandmother was born in Melbourne, Victoria and taken to NSW to work as a servant. My family and I continue to this day to try and find our mob.

Art has always been in my blood. I grew up loving art and creating. I studied art, photography and graphic design in college where all of my works took on an abstract form. My mother is an aboriginal potter, creating beautiful works of art featuring aboriginal designs and has exhibited at the Canberra Museum. My uncle is an Elder out of country, an accomplished aboriginal artist and musician, playing the saxophone and didgeridoo. It was inevitable that I would follow in their footsteps.

When I create my artworks, I feel a strong connection to my aboriginal heritage, to country and the aboriginal culture. I am inspired by the land on which I live and work, tommeginne country, as well as the waterways and mountainous regions of lutruwita (Tasmania). I am an artist member of the Aboriginal Art Association of Australia.

I am also a jewellery maker, creating beautiful and unique hand-painted pieces of wearable art. Having only recently pursued a career in the arts sector (previously it was for fun) I am beyond thankful to have been asked to create artworks for this RAP.



The Central Coast Council

Living our potential - We are a vibrant, thriving community that continues to draw inspiration and opportunities from its natural beauty, land and people and connected by a powerful sense of belonging.

The Central Coast Council region of Tasmania comprises Ulverstone, Penguin, Turners Beach, Forth, and other towns and localities that each have a distinctive character. The character of these places is largely influenced by the relationship between the coastline, the rivers and ranges and fertile agricultural land to the south. The major towns are distinguished by the dominant landforms within which they sit.

The Central Coast Council employs 180 staff, maintains services and programs, community facilities and assets, operates and governs an annual budget of over \$14m.

The exact number of staff identifying as Aboriginal and or Torres Strait Islander is not known, however, In the 2016 Census, the population for the municipal area was 21,938, made up of 48.6% male and 51.4% female. Aboriginal and/or Torres Strait Islander people made up 6.9% of the population, slightly higher than the states population percentage of 4.6%.

THE CENTRAL COAST COUNCIL'S ORGANISATIONAL VALUES

Integrity

we behave ethically.

Respectful

we value diversity and appreciate others.

Accountability

we take responsibility for our actions and behaviours.

Initiative

we seek out better ways of doing what we do.

Professional

we provide reliable, quality service in the best interests of the community.

Customer Focus

we consider the needs of the community.



HEYBRIDGE

HOWTH

PRESERVATION BAY

PENGUIN

CUPRONA

WEST PINE

ULVERSTONE

LEITH

TURNERS
BEACH

GAWLER

FORTH

RIANA

NORTH
MOTTON

ABBOTSHAM

KINDRED

SOUTH
RIANA

SPALFORD

SPRENT

GUNS
PLAINS

PRESTON

LOYETEA

CASTRA

SOUTH
PRESTON

UPPER
CASTRA

LOONGANA

NIETTA

What the People of the Central Coast Value

OUR NATURAL ASSETS

| Coastline, beaches and river foreshore parks | Diversity of flora, fauna and natural features |
| Picturesque and productive rural landscape | Temperate year-round climate and significant assets in terms of hours of sunshine, water and soils |

OUR BUILT ASSETS

| CBD precincts | Parks, reserves, and playgrounds | Road network, shared pathways/ cycleways |
| Sporting, health and community related facilities | Place and location – proximity to regional education, ports, airports and health facilities |

OUR SOCIAL AND CULTURAL ASSETS

Relaxed lifestyle	Richness/variety of opportunities	Strong sense of community	Proud history	
Community networks/connections and relationships	Friendly and inclusive	A sense of safety and belonging	High levels of community engagement	Service, sport and community clubs
Community service and volunteering	Schools and education	Arts and theatre culture		
Community and cultural events	Stable local government			

OUR HUMAN ASSETS

Aboriginal custodianship of this country for over 40,000 years	Traditional skills (farming and trades)		
Experienced older generations	Our young people	Leadership and collaboration/ partnerships	
Creative and insightful	Innovative and entrepreneurial spirit	Can do attitude	Resilience



Message from the Mayor on the Reflect RAP Journey for the Council

I would like to acknowledge and thank those involved in the development phase and the consultative process of our Reflect Reconciliation Action Plan, the process for everyone that has participated has been of learning, enlightenment, and improved understanding of our rich cultural history.

In the Council's journey of reconciliation, we recognise this is an incredible opportunity to demonstrate these values through intentional engagement with our community, commit to this 'Reflect' RAP as a part of our broader efforts to recognise the past, understand the present and walk together towards a transformed and healed future.

The Council understands that reconciliation is an ongoing process that acknowledges First Nations Peoples and reframes our current relationships. It is the Council's intention to respect, value and acknowledge the unique cultures, spiritualities, histories and languages of the oldest surviving culture in the world, and to engage in a unified and positive relationship with First Nations Peoples and their communities.

The development and implementation of the Reflect Reconciliation Action Plan (RAP) provides a substantial and genuine way for us to demonstrate our commitment to and the need for the reconciliation process, working to achieve Reconciliation Australia's goals and objectives, alongside and with support from Reconciliation Tasmania.

In presenting this Reflect RAP to the Central Coast community I look forward to walking with all our community members, in implementing all the actions.

Cr Jan Bonde

Mayor, Central Coast Council

December 2021



Our Reconciliation Action Plan (RAP)

The Reflect RAP sets out the Council's commitment and approach to working as an organisation with First Nations Peoples in the Central Coast. The RAP prescribes specific actions, some mandatory, which are to be delivered over the life of the plan. The RAP will be advised, guided, and ultimately endorsed by Reconciliation Australia.

Committing to a Reflect RAP has enabled the Council to explore opportunities to build respectful relationships both within Council and across the broader community with First Nations stakeholders. In this, and future Plans Council aims to establish a positive vision for reconciliation which is meaningful, mutually beneficial, and sustainable.

“Reflect Reconciliation Action Plan (RAP) provides a substantial and genuine way for us to demonstrate our commitment to and the need for the reconciliation process” - Mayor Cr Jan Bonde

Our commitments to First Nations Peoples is documented through the Central Coast RAP and includes:

We will walk alongside First Nations Peoples as equal partners – *‘where respect is shown, it will be returned’* – Auntie Erica Maynard-Short.

Recognise and value the strong, spiritual connection First Nations Peoples have to the land.

Improve the understanding in our community of the rich and deep history of First Nations Peoples.

Learn from the original and continuing custodians of this land, enable respectful sharing opportunities and learnings of diverse stories and views.

Support or initiate projects and programs that educate us all.

Include and make visible the truth of our shared history with our broader non-Indigenous community, including our newly arrived community members.

Commit to leadership in reconciliation in partnership with First Nations Peoples.

Ensure transparent accountability on the progress and achievement of this plan.

Empower a respectful and culturally safe organisation.

Embrace and showcase artistic and cultural expression as valuable communication methods, especially with our young people and in our cultural spaces.

Celebrate and recognise the importance of young people’s voices, to enable our community to learn from our First Nations community.

Relationships, Respect, and Opportunities

Following an expression of interest to Reconciliation Tasmania in 2020, the Central Coast Council committed to the development of a RAP. A Reconciliation Action Plan Working Group (RAPWG) has been formed.

Important partnerships and relationships have been forged between Council's staff and the staff from No. 34 Aboriginal Health Service (Rural Health Tasmania), the Ulverstone Secondary College – Aboriginal Studies teacher and students and our local Aboriginal Elder, Auntie Erica Maynard-Short. Auntie Erica shared essential and invaluable insights drawn from her personal stories and teachings as a local First Nations Elder.

Members of the Working group include – Cr. Amanda Diprose, NRM Officer, Construction Group Leader, Customer Services Officer Works, WHS officer, Community Services Group Leader, and the Community Wellbeing Officer/RAP Project Officer. First Nations Peoples from No. 34 Aboriginal Health Service (Rural Health Tasmania) have actively worked along the Council in the

development of this RAP. Aboriginal and Torres Strait Islanders student representatives from Ulverstone Secondary School students have also contributed to the Working Group discussions and continue to be involved in this process.

The RAP journey commenced with a participatory session that 'set the scene' with open and honest communication that granted opportunities to yarn and explore the meanings and worth behind the reconciliation process. The Reconciliation Action Plan Working Group (RAPWG) are here to embrace the views of staff and Councillors whilst working in accordance with the requirements, templates, guidelines, and support from Reconciliation Tasmania.

The Mayor of the Central Coast Council, Cr Jan Bonde, will take the lead in the Council's reconciliation journey and will be an ambassador and advocate for reconciliation both internally and publicly to ensure this remains high on the agenda across senior leadership and raise the awareness in our broader community.

The Working Group will continue to guide the development and implementation of the RAP and ensure the ongoing progress of the RAP deliverables with a commitment to help 'turn good intentions into measurable actions' that will be impactful at a local level.

Community leadership shall provide avenues to influence the broader community and result in greater awareness, respect and participation in active reconciliation in our region. Using the three RAP pillars of reconciliation - Relationships, Respect, and Opportunities, this Reflect RAP has been developed to identify and implement actions towards a real commitment to reconciliation.

'Where respect is shown, it will be returned'

– Auntie Erica Maynard-Short.



**Through the Working Group's
yarning and exploration, an
understanding of this land's
rich and deep history has
been realised.**

The Future

Through the Working Group's yarning and exploration, an understanding of this land's rich and deep history has been realised. Young Aboriginal people have been important collaborators, helping to form part of the next phase in reconciliation, their input acknowledged for on-going inclusion. Their voice is in strong support for the 'Cultural Precinct' and other public buildings and spaces to become platforms that highlight and reference the First Nations Peoples of this country and provide opportunities for the exploration, promotion and learning of traditional First Nations Peoples art and cultures.

This powerful reflection process delivered some key themes and initiatives that will be a focus of the next stage in the reconciliation process for the Council.

These opportunities have been noted here, to demonstrate collaboration and commitment that is to be continued as the Council moves through the RAP process.

Recognition of First Nations Peoples through art or sculpture at the entrance of the new Cultural Precinct, will provide an appropriate welcome to this new community resource. Edible native plant gardens will add relevant cultural character to the space, along with sculptures that depict local traditions such as fish traps will explain technologies developed by First Nations Peoples.

Other concepts for consideration in our future RAP include:

- ▶ That consideration be for the new Cultural Centre to include a workable space – supporting Aboriginal artistry (stone tools, basket weaving, shell work, etc.).
- ▶ Suggested that naming of the Cultural Centre as The Hive also be translated into the Palawa Kani language to become a joint brand name.
- ▶ Acknowledgement of Country at sporting activities, encouraging the development of Aboriginal specific sporting teams, cultural exchange with other states (ie. Football), signage at sports grounds and facilities. (Ulverstone, Dial, Athletics, Stadiums)
- ▶ Our Civic spaces (Civic Centre) – display relevant First Nations Peoples art – include a section for First Nations Peoples art in the annual art exhibition each year.
- ▶ Art and interpretation projects to reflect First Nations Peoples history and cultures.
- ▶ Invite local students in activities that are relevant and respectful, to participate in Welcome to Country.
 - Ulverstone Secondary College students from the Aboriginal Studies class have created a poster style “Acknowledgement of Country” that is suitable to be prominently displayed at the entry point of community spaces, like recreation facilities, civic centre, meeting spaces and parkland gathering spaces.
- ▶ Embrace the visions of young people, maintain relationships to ensure their voices are included.
- ▶ Engage with First Nations Peoples on projects of significance in our community.
- ▶ Provide cultural awareness training to staff.
- ▶ Fund a Council staff member to support First Nations Peoples Community Development.
- ▶ Improved Story Telling (increase awareness across the generations in our communities, align relevance, local stories) :
 - Story telling through dance.
 - AFL – story telling, about its origin.
 - Display to include ideas of an interactive cave setting, consider the target audience, younger open minds.
 - Utilise varying mediums to showcase and share stories – ie. virtual tours of some of the amazing local places like fish traps use film to tell stories.
- ▶ Include of an Acknowledgement of Country or invite a Welcome to Country at all major events in our community.
- ▶ Encourage and support First Nations Peoples to make application for grants programs that enhance cultural activity.

RAP Commitments

Central Coast Council - List of Actions

ACTION	DELIVERABLE	TIMELINE (COMPLETION)	RESPONSIBILITY
1. Relationships			
1.1 Establish and strengthen mutually beneficial relationships with First Nations Peoples stakeholders and organisations.	1.1.1 Identify First Nation Peoples stakeholders and organisations in the Central Coast area. (Annually)	Feb 2022	Community Wellbeing Officer
	1.1.2 Research best practice and principles that support partnerships with First Nation Peoples stakeholders and organisations.	March 2022	Community Wellbeing Officer
1.2 Build relationships through celebrating National Reconciliation Week (NRW).	1.2.1 Circulate Reconciliation Australia's National Reconciliation Week resources and reconciliation materials to staff.	April 2022	Community Wellbeing Officer
	1.2.2 RAP Working Group members to participate in an external National Reconciliation Week event.	June 2022	General Manager
	1.2.3 Encourage and support staff and senior leaders to participate in at least one external event to recognise and celebrate National Reconciliation Week.	June 2022	Community Wellbeing Officer
1.3 Promote reconciliation through our sphere of influence.	1.3.1 Communicate Council's commitment to reconciliation to staff.	Feb 2022	Community Wellbeing Officer
	1.3.2 Identify external stakeholders that our organisation can engage with on our reconciliation journey.	March 2022	Community Wellbeing Officer
	1.3.3 Identify RAP and other like-minded organisations that we could approach to collaborate with on our reconciliation journey – including in the arts, sports, veteran, aged, and education sectors.	Aug 2022 & April 2023	Community Wellbeing Officer
	1.3.4 Promote opportunities for genuine consultation and collaboration on relevant programs and projects to include the views and feedback from First Nations Peoples.	March 2022 & Sept 2022	Community Services Manager
1.4 Promote positive race relations through anti-discrimination strategies.	1.4.1 Research best practices and policies in areas of race relations and anti-discrimination.	June 2022	General Manager
	1.4.2 Conduct a review of HR policies and procedures to identify existing anti-discrimination provisions and future needs.	Nov 2022	General Manager

ACTION	DELIVERABLE	TIMELINE (COMPLETION)	RESPONSIBILITY
2. Respect			
2.1 Increase understanding, value and recognition of First Nation cultures, histories, knowledge and rights through cultural learning.	2.1.1 Develop a business case for increasing understanding, value and recognition of First Nation cultures, histories, knowledge, and rights.	Nov 2022	Community Services Manager
	2.1.2 Conduct a review of the cultural learning needs of staff.	April 2022	HR Officer
	2.1.3 Create opportunities for staff to participate in cultural education workshops such as 'Come Walk With Us'. (Annually)	Oct 2022	HR Officer
2.2 Demonstrate respect to First Nations Peoples by observing cultural protocols.	2.2.1 Develop an understanding of First Nations Peoples of the lands and waters in the Central Coast area.	April 2022	Community Wellbeing Officer
	2.2.2 Increase staff's understanding of the purpose and significance behind cultural protocols, including 'Acknowledgement of Country' and 'Welcome to Country' protocols.	April 2022	Community Wellbeing Officer
	2.2.3 Develop guidelines regarding relevant cultural protocols in collaboration with First Nations Peoples.	April 2022	Community Wellbeing Officer
	2.2.4 Design and display an acknowledgement of Country 'poster/card' for meeting spaces and Council venues.	July 2022	Community Wellbeing Officer
2.3 Build respect for First Nation cultures and histories by celebrating NAIDOC Week.	2.3.1 Raise awareness and share information amongst all staff and Councillors about the meaning of NAIDOC Week.	July 2022	Community Wellbeing Officer
	2.3.2 Introduce staff and Councillors to participate in NAIDOC Week by promoting external events in our local area.	July 2022	Community Wellbeing Officer
	2.3.3 Provide an opportunity for RAPWG to participate and encourage staff and Councillors to be involved in an external NAIDOC Week event.	July 2023	Community Wellbeing Officer
	2.3.4 Partner with No.34 Aboriginal Health Service to deliver a joint NAIDOC Week event.	July 2022	Community Wellbeing Officer

ACTION	DELIVERABLE	TIMELINE (COMPLETION)	RESPONSIBILITY
2.4 Acknowledge the Aboriginal flag as a key symbol of reconciliation.	2.4.1 Fly the Aboriginal flag permanently at Council Chambers.	May 2022	Community Services Director
	2.4.2 Enable the appropriate display of the Aboriginal flag by staff at their workstation	Feb 2022	Community Wellbeing Officer
2.5 Consult and explore how to support First Nations Peoples' voices about Australia Day.	2.5.1 Work with the Australia Day Council on opportunities that support the 'Reflect, Respect, Celebrate' initiative.	Jan 2022	The Mayor
	2.5.2 Commit to acknowledging the loss and impacts to First Nations Peoples on Australia Day.	Jan 2022	The Mayor
2.6 Support opportunities for truth telling to improve our understanding of the history and cultures from all perspectives.	2.6.1 Support opportunities to provide experiences for the public regarding First Nations Peoples history and culture across the Central Coast community. Eg. HIVE – new cultural precinct.	Aug 2022	Community Development Manager
	2.6.2 Seek external funding to develop local resources about First Nation Peoples languages, stories, and history relevant to specific sites and the (Northern Country) region. Eg. HIVE – new Cultural Precinct.	June 2023	Community Development Manager

3. Opportunities

3.1 Improve employment outcomes by increasing First Nations recruitment, retention, and professional development.	3.1.1 Develop a business case for increasing understanding, value and recognition of First Nations Peoples cultures, histories, knowledge and rights within our organisation.	June 2022	General Manager
	3.1.2 Build understanding of current First Nations Peoples staffing to inform future employment and professional development opportunities.	June 2022	General Manager
3.2 Increase First Nation supplier diversity to support improved economic and social outcomes.	3.2.1 Develop a business case for procurement from First Nations Peoples owned businesses.	Feb 2023	Senior Leadership Team
	3.2.2 Investigate Supply Nation membership.	Feb 2023	Director Organisational Services

ACTION	DELIVERABLE	TIMELINE (COMPLETION)	RESPONSIBILITY
4. Governance			
4.1 Establish and maintain an effective RAP Working Group (RWG) to drive governance of the RAP.	4.1.1 RWG to meet regularly to govern RAP implementation.	Nov 2022	Community Wellbeing Officer
	4.1.2 Review the Terms of Reference for the RWG.	Nov 2022 & July 2023	Community Wellbeing Officer
	4.1.3 Maintain First Nations Peoples representation on the RWG.	Feb 2022 & Feb 2023	Community Wellbeing Officer
4.2 Provide appropriate support for effective implementation of RAP commitments	4.2.1 Define resource needs for RAP implementation.	April 2022	Community Wellbeing Officer
	4.2.2 Engage senior leaders in the delivery of RAP commitments.	Jan 2022	Community Wellbeing Officer
	4.2.3 Define appropriate systems and capability to track, measure and report on RAP commitments.	Jan 2022	Community Service Manager
	4.2.4 Review the Central Coast Strategic Plan to incorporate the emerging priorities that will impact future strategic direction.	March 2023	General Manager
4.3 Build accountability and transparency through reporting RAP achievements, challenges and learning both internally and externally.	4.3.1 Complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia.	September annually	Community Wellbeing Officer
4.4 Continue our reconciliation journey by developing our next RAP.	4.4.1 Register via Reconciliation Australia's website to begin developing our next RAP.	May 2023	General Manager



19 King Edward Street, (PO Box 220)
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RAP Contact Melissa Budgeon

Position Community Wellbeing Officer

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SCHEDULE OF INFRASTRUCTURE SERVICES DETERMINATIONS

Period: 1 November 2021 to 30 November 2021

Approval of Roadworks and Services

Developer: Lamprey and Van Der Neut
Location: 37 Stubbs Road, Turners Beach
No. of Lots: 3 Residential Lots
Engineer: PDA Surveyors



Paul Breaden
DIRECTOR INFRASTRUCTURE SERVICES

Green Waste Dumping Signage Policy

December 2021

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POLICY

The Green Waste Dumping Policy is to support the Council's vision and strategic objectives to protect and enhance Council-managed natural areas and parklands. Unlawful dumping has become less widespread since the introduction of FOGO but remains a threat to coastal and bushland areas. Where repeated, dump sites continue to spread weeds and cause further deterioration to the health and value of our local ecosystems and fauna habitat. Such activity has a high cost to both the Council and the community in terms of the processes necessary to combat the introduction and spread of weeds.

PURPOSE

The purpose of this Policy is to reduce and deter the occurrence of illegal green waste dumping or other disturbance to vegetation on public land. The Council will pursue all outstanding debts promptly by letter, telephone or email contact as appropriate.

PROCESS

The Council will provide clear, accurate and consistent advice through correspondence and possible community education and awareness regarding illegal green waste dumping on Council-managed land.

In the case of unauthorised illegal green waste dumping, the Council may erect signage on public land to educate the public about the long-term costs and damage caused by such behaviour.

These signs will contain a message regarding the consequences to the environment of green waste dumping and may be installed for a period of six months to two years depending on the frequency of occurrence. The sign will refer the community to the Council's website for information about options for managing green waste, including methods for composting grass clippings and using the kerbside Food Organics Garden Organics (FOGO) collection service or Resource Recovery Centre.

Where the offender is caught in the act of unauthorised illegal green waste dumping, witnesses, either staff or community members are encouraged to report the activity. An official report may be submitted to the Environment Protection Authority (EPA) providing the following information: date, time, location, vehicle registration or residential address of the offender (in cases of localised dumping).

Sign details will be entered into the Signage Register with monitoring timeframes.

The EPA will assess each case and issue fines where appropriate. Reporters must identify themselves but will remain anonymous to the offenders.

SCOPE

This Policy applies to Council-managed Crown land and Council-owned parks and reserves with particular focus on coastal and riparian zones.

PROCEDURE

Educational signage will be erected when clear breaches of the following regulations have been identified on Council-managed Crown land reserves or Council-owned land:

- . *Crown Lands Act 1976 Part VI – Unlawful Acts relating to Crown Land;*
- . *Litter Act 2007;*
- . *Environmental Management and Pollution Control Act 1994; or*
- . Environmental Management and Pollution Control (Waste Management) Regulations 2020.

Following identification of a breach:

- . Notify the Council's Compliance Officer with the following details: location, amount, type and estimated cost for removal. This data will be officially recorded and entered onto the Illegal Dumping Database.
- . The green waste will be removed from the site and signage installed by the Building & Facilities Maintenance Team in close proximity of the removal.
- . Signage will remain in place up to a maximum period of two years. During this period illegal green waste dumping occurrences will be monitored, and the signage removed following a period of six months without incident.
- . Signage will be erected regardless of whether the identity of those responsible for the damage has been identified.

SIGNAGE:

Signage will be 300mm x 400mm on a low post at 500mm–800mm off the ground and contain the words:

“Our natural areas are worth protecting

Garden waste spreads seeds, increases the nutrient levels in the soil and promotes weed growth.

Green Waste can be disposed of by composting, in your FOGO bin or at the Resource Recovery Centre at Lobster Creek Road, Ulverstone.

We encourage anyone with information to contact the Council 6429 8900”

Refer to Appendix for example of the sign layout.

REVIEW

This Policy will be reviewed every three years, unless organisational and legislative changes require more frequent modification.

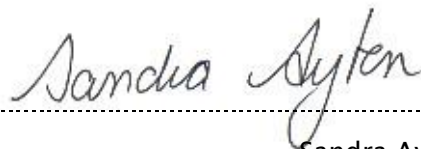
RELATED DOCUMENTS

Unlawful Acts relating to Crown Land;

- . *Litter Act 2007*;
- . *Environmental Management and Pollution Control Act 1994*;
- . Environmental Management and Pollution Control (Waste Management) Regulations 2020;
- . Central Coast Strategic Plan 2014–2024.

Date of approval: 13/12/2021/
Minute Ref No. 359/2021

Approved by:



Sandra Ayton
GENERAL MANAGER

Appendix

Example for Green Waste Dumping signs:



CENTRAL COAST
COUNCIL

Our natural areas are worth protecting



NO DUMPING

Garden waste spreads seeds, increases the nutrient
levels in the soil and promotes weed growth.

Green Waste can be disposed of by composting, in your FOGO bin or at
the Resource Recovery Centre at Lobster Creek Road, Ulverstone.

We encourage anyone with information to contact the Council

6429 8900

Vegetation Damage Signage

Policy

December 2021

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POLICY

The Vegetation Damage Signage Policy is to support the Council's Greening Central Coast Strategy vision to *Increase Central Coast's Green Infrastructure to enhance its unique identity, landscape and lifestyle*. Increasing canopy cover is the simplest form of Green Infrastructure and includes a single tree (street trees/park trees) to larger natural areas (bushland and coastal reserves). Without stricter controls the ongoing, unauthorised clearance or damage to vegetation on Council-managed land will continue to cause deterioration, habitat modification and fragmentation of canopy cover. This also increases the risk of the Council's ability to deliver the Greening Central Coast Strategy which aims to increase the Precinct's canopy cover to 30% by 2030.

PURPOSE

The purpose of this Policy is to reduce and deter the occurrence of vandalism of Council owned/managed green assets.

SCOPE

This Policy applies to Council managed Crown land and Council-owned parks and reserves.

PROCESS

The Council will provide clear, accurate and consistent advice through correspondence and possible community education and awareness regarding the requirement for formal prior approval regarding the removal and/or trimming of trees or vegetation.

When unauthorised clearing or vandalism has occurred, the Council may erect signage on Council owned or managed land to educate the community about illegal clearing/damage. The presence of these signs will help the Council to further spread the message that we value our green infrastructure and that these actions are not acceptable and that consequences may apply.

Before signage is installed Council staff must have sufficient evidence to believe intentional vandalism has occurred. This can usually be determined through a visual inspection.

Council staff may consult with relevant stakeholders/property owners who may be impacted by the sign prior to installation. Signage type A will be in place for up to five years or until the damaged vegetation has regrown or been restored back to its original state, whichever is the shorter period. Signage type B will be in place until the vandalised trees recover or they are removed by the Council.

Sign details will be entered into the Signage Register with monitoring timeframes.

In conjunction with installation of the signage, the Council should also consider re-establishment of replacement vegetation, whether it be the planting of single trees or revegetation efforts.

Additionally, other action available to the Council under the *Crown Lands Act 1976* in response to unauthorised clearing may include rehabilitation of the site. In cases where the offender is caught in the act of unauthorised clearing, legal action may be initiated.

PROCEDURE

Educational signage will be erected when clear breaches of the *Crown Lands Act 1976 Part VI – Unlawful Acts relating to Crown Land* have been identified and/or if the Council is confident that an act of vandalism has occurred. The need for signage will be determined by the relevant Council officer based on the significance of the offence/damage using the following signage type:

Signage Type A –

Signage may be used where natural reserves, coastal foreshore vegetation has been damaged (not including declared weeds), including new plantings. Two sign sizes are available depending on the original vegetation height.

Vegetation height up to 1.5m

- Sign size: 900mm x 600mm or 600mm x 900mm on posts up to 3m high.

Vegetation height greater than 1.5m

- Sign size: 1200mm x 900mm or 900mm x 1,200mm on posts up to 5m high.

Signage Type B –

Signage will be used where nature strip trees, park trees and strands of single trees have been vandalised. There is no minimum tree size, the signs can be used for newly planted/young trees or well-established mature trees.

Sign size: 650mm x 500mm

If the vegetation is dead preference is for the sign to be placed on the tree/trees themselves at a height that is visible but not easily removed. If there is a chance that the vegetation may recover preference is that the sign be placed on a single pole close to the tree at a height of 1.2–1.8m.

Refer to Appendix for examples of sign wording and layout.

The following steps will be implemented if vegetation damage has occurred:

- Signage Type A or B will be chosen applicable to the specific situation. Signage will be erected regardless of whether the identity of those responsible for the damage has been identified.
- Replacement vegetation will be planted at the site of the damage to aid recovery where suitable.

- . Signage will remain in place up to a maximum period of five years. During this period, the signage can be removed following a review based on the rate of regrowth and or reestablishment of vegetation.
- . The size of the sign panels/installation height of the signs may change depending on the application and extent of the damage. In some cases more than one sign may be installed particularly if multiple trees have been vandalised or a large area has been cleared.

Not all acts of vandalism will be signed.

REVIEW

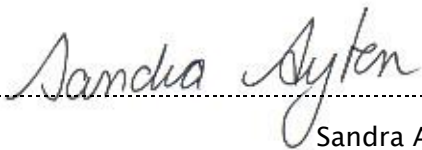
This Policy will be reviewed every three years, unless organisational and legislative changes require more frequent modification.

RELATED DOCUMENTS

- . *Crown Lands Act 1976 Part VI – Unlawful Acts relating to Crown land*
- . Central Coast Strategic Plan 2014–2024
- . Greening Central Coast Strategy 2021

Date of approval:13/12../2021
Minute Ref No. 360/2021

Approved by:

.....
Sandra Ayton
GENERAL MANAGER

APPENDIX

Example for sign wording

Signage Type A



CENTRAL COAST
COUNCIL

**Our native vegetation is
worth protecting**



**We suspect native
vegetation has been
vandalised**

Native vegetation provides valuable habitat for native
animals and prevents erosion.

We encourage anyone with information to contact the Council

6429 8900

Damaging vegetation without a permit is illegal under the
Crown Lands Act 1976 Part VI.

Signage Type B



CENTRAL COAST
COUNCIL

Our trees are worth protecting



We suspect this tree has been vandalised

We encourage anyone with information
to contact the Council

6429 8900

Damaging vegetation without a permit is illegal
under the *Crown Lands Act 1976 Part VI*.

Central Coast Council

Public Toilet Policy

December 2021

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POLICY

The Public Toilet Policy is to support the Council's vision and strategic objectives of appropriately managing assets and to provide the community with guidelines for the provision and management of public toilets within the Central Coast municipal area.

PURPOSE OF POLICY

This document is the Council's Policy in relation to provision of public toilet facilities within the Central Coast. The purpose is to state the Council's aims and methodology to the community and to provide an administrative framework for Council officers to implement.

SCOPE

This Policy applies to all public toilets within the Central Coast municipal area managed by the Council. It excludes toilets that are within non-Council controlled buildings or areas where there is public access to toilet facilities.

COMMUNITY NEED

- 1 Public toilets are provided to support business, health, recreation and leisure activities at nominated areas throughout the Central Coast.
- 2 The need for public toilets is determined by using principles, roles and standards outlined in the Central Coast Public Toilet Plan 2013–2023.
- 3 The Council will notify or consult with the community about the removal of public toilets.

COUNCIL POLICY

This Policy will:

- . Provide quality, accessible and appropriately located public toilet facilities to meet community needs.
- . Provide a framework to manage public toilet assets throughout the Central Coast.
- . Provide a framework to assess the need for new toilets, whether they be renewed or refurbished or be removed and not replaced.
- . Promote the siting and design of public toilets in accordance with Crime Prevention Through Environmental Design (CPTED) principles.

DEFINITIONS

Public toilet – means a toilet, change room, restroom, or family room provided for use by members of the general public.

Destination playgrounds – means playgrounds associated with regional and district open spaces, e.g. Anzac Park, Robins Roost and Hiscutt Park.

MANAGEMENT

Public toilets are classified and managed as follows:

EXTENDED USE

This applies to those toilets that are open 24 hours per day. These toilets will be provided with adequate internal and external lighting to provide a safe environment. Surveillance equipment may be installed at these toilets in accordance with the Central Coast Council Surveillance Policy 2021.

DAY ACCESS ONLY

This applies to those toilets that are located to cater for general community day use. These open in the morning and are closed at dusk.

CLUB MANAGED

This applies to public toilets that are located on reserves primarily used for sporting events at specific times and are only opened for use at those times.

GENERAL

Public toilets located on reserves such as the Ulverstone Showground and recreation grounds and used for seasonal events will be locked. They will be opened on weekends at specific times required for events or via request through the Council.

Provision of a new public toilet will be limited to any public open space classified as Regional, District or Specific Purpose in accordance with the asset provision standards of the Central Coast Open Space and Recreation Plan 2012–2022.

Provision of other new public toilets will be in accordance with the requirements of the Central Coast Public Toilet Plan 2013–2023.

LOCATIONS

The Council will aim to provide public toilets at the following locations:

- . all Regional recreation grounds;
- . at ‘destination playgrounds’;
- . close to other public amenities, e.g. beach, shopping areas, CBD;
- . where defined in asset management plans;
- . where defined in Master Plans;
- . in areas consistent with the Central Coast Open Space and Recreation Plan 2012–2022.

Notwithstanding the above list, the Council may also approve public toilets at any other location based on the following criteria.

CRITERIA FOR TOILET DEVELOPMENT

All toilet development (new or upgrade) will generally be assessed against the following criteria:

- . Distance between existing public toilets.
- . Likely extent of use – the Council will provide public toilet facilities in areas of high use rather than assuming they are required in all public areas.
- . Site suitability – toilet should be sited in prominent, visible locations to reduce the potential crime risks which meet the CPTED principles.

A more detailed assessment is set out in the Central Coast Public Toilet Plan 2013–2023.

DESIGN AND TECHNICAL CRITERIA

Designs should be site specific; there is not a one size fits all approach.

Some facilities may include toilets, change rooms, inside or outside showers and higher specification to suit the location, whereas a small two-bay facility may be sufficient in another location.

The following standard design criteria will be considered when designing new or upgrading old facilities.

- . Ongoing operational cost should be minimised, where possible, by incorporating cost saving techniques or other sustainable design features, e.g. water saving devices or using natural light.
- . Work to the principles of CPTED.
- . Compliance with the Building Code of Australia and any other relevant legislation.
- . Sited close to existing services where possible to reduce costs.
- . Lifecycle costs should be considered.
- . Consideration be given to distinctive design options.
- . Appropriate directional signage shall be included for new sites.
- . Regard to the principles of the *Disability Discrimination Act 1992*.

STRATEGIC FRAMEWORK

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

Strategic Direction 1.1

- Improve the value and use of open space.

Strategic Direction 4.3

- Develop and manage sustainable built infrastructure.

As well as:

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

STANDARD (INCLUDING RELEVANT LEGISLATION)

This Public Toilet Policy has been developed in accordance with the:

- *Disability Discrimination Act 1992*
- *Local Government Act 1993*

REVIEW

This Policy will be reviewed every three years, unless organisational and legislative changes require more frequent modification.

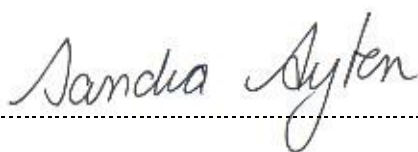
RELATED DOCUMENTS

- Central Coast Council Strategic Plan 2014–2024
- Corporate Folder
- Risk Management Policy
- Central Coast Public Toilet Plan 2013–2023
- Central Coast Open Space and Recreation Plan 2012–2022
- Central Coast Council Long-Term Financial Plan
- Central Coast Council Surveillance Policy 2021

Date of approval: 13/12/2021

Minute Ref No. 361/2021

Approved by:



Sandra Ayton
GENERAL MANAGER

Central Coast Council
List of Development Applications Determined
Period from: 1 November 2021 to 30 November 2021

Application Number Display	Address	DA Type	Proposed use	Application Date	Decision Date	Day determined	Cost Of Works
DA2021004	Brookvale Road ULVERSTONE,TAS,7315	Discretionary	Residential – dwelling, retaining walls and retrospective application for substantial change in ground level	4/01/2021	15/11/2021	55	\$424,005.00
DA2021099 – 1	Clayton Road East – CT115441/3 TURNERS BEACH,TAS,7315	Minor amendment of a Permit.	Resource development – vineyard and glasshouse; Residential – required dwelling; and retrospective approval for Natural and cultural values management	8/10/2021	16/11/2021	28	\$1,000.00
DA2021138	18 Lillian Court TURNERS BEACH,TAS,7315	Discretionary	Residential – dwelling, secondary dwelling, shed and retaining walls	19/05/2021	2/11/2021	28	\$0.00
DA2021209	82 Main Road PENGUIN,TAS,7316	Discretionary	Residential – retrospective application – General Retail and Hire – dual use	22/07/2021	8/11/2021	27	\$15,000.00
DA2021212	2 Patrick Street and 1 Crescent Street ULVERSTONE,TAS,7315	Discretionary	Hotel industry – car park, function room and storage area	23/07/2021	25/11/2021	35	\$350,000.00
DA2021251 – 1	154A Trevor Street ULVERSTONE,TAS,7315	Minor amendment of a Permit.	Residential – shed	11/11/2021	18/11/2021	6	\$0.00
DA2021283	1109 Wilmot Road KINDRED,TAS,7310	Discretionary	Residential – dwelling extension	5/10/2021	10/11/2021	26	\$49,500.00
DA2021287	384 Preservation Drive SULPHUR CREEK,TAS,7316	Discretionary	Residential – shed and carport	8/10/2021	5/11/2021	21	\$19,719.00
DA2021292	83 Beach Road LEITH,TAS,7315	Discretionary	Residential – demolition of existing building and construction of single dwelling and shed	13/10/2021	25/11/2021	31	\$400,000.00
DA2021294	99 Castra Road ULVERSTONE,TAS,7315	Discretionary	Residential – dwelling extension	14/10/2021	12/11/2021	25	\$30,000.00

Central Coast Council
List of Development Applications Determined
Period from: 1 November 2021 to 30 November 2021

Application Number Display	Address	DA Type	Proposed use	Application Date	Decision Date	Day determined	Cost Of Works
DA2021302	17 Henslowes Road ULVERSTONE,TAS,7315	Permitted	Residential – elevated deck	26/10/2021	3/11/2021	5	\$20,000.00
DA2021302 – 1	17 Henslowes Road ULVERSTONE,TAS,7315	Permitted	Residential – elevated deck – screening materials	18/11/2021	23/11/2021	4	\$0.00
DA2021305	2 Susan Street & 3 Albert Street TURNERS BEACH,TAS,7315	Permitted	Boundary adjustment	28/10/2021	5/11/2021	3	\$2,000.00
DA2021306	34 Crawford Road PENGUIN,TAS,7316	Discretionary	Residential – garage	29/10/2021	24/11/2021	21	\$40,000.00
DA2021317	1150 Pine Road RIANA,TAS,7316	Permitted	Residential – demolition of existing shed and new shed	5/11/2021	9/11/2021	1	\$50,000.00
DA2021341	23 Quinn Street PENGUIN,TAS,7316	Permitted	Visitor Accommodation – dwelling	24/11/2021	25/11/2021	0	\$20,000.00
DA2020183	2–3 Crisling Street PENGUIN, TAS,7316	Permitted	Residential – subdivision – two lots	9/07/2020	24/11/2021	0	\$10,000.00

SCHEDULE OF STATUTORY DETERMINATIONS MADE UNDER DELEGATION

Period: 1 November 2021 to 30 November 2021

Building Permits – 2

·	New dwellings	2	\$1,040,000.00
·	Outbuildings	0	\$0
·	Additions/Alterations	0	\$0
·	Other	0	\$0
·	Units	0	\$0

Demolition Permit – 1

Permit of Substantial Compliance – Building – 0

Notifiable Work – Building – 17

·	New dwellings	2	\$870,000.00
·	Outbuildings	9	\$440,831.00
·	Additions/Alterations	3	\$370,000.00
·	Other	3	\$281,500.00
·	Units	0	\$0

Building Low Risk Work – 2

Certificate of Likely Compliance – Plumbing – 13

No Permit Required – Plumbing – 0

Food Business registrations (renewals) – 3

Food Business registrations – 1

Temporary Food Business registrations – 2

SCHEDULE OF COMMUNITY SERVICES DETERMINATIONS MADE UNDER DELEGATION

Period: 1 November 2021 to 30 November 2021

Abatement notices issued

ADDRESS	PROPERTY ID
104 South Road, West Ulverstone	6973487
42 River Road, West Ulverstone	6972513
47 Turners Beach Road, Turners Beach	7828935
5 Cheryl Court, West Ulverstone	1593792
18 Josephine Street, West Ulverstone	6964126
169 Upper Maud Street, West Ulverstone	2269652
70 Ironcliffe Road, Penguin	6757071
3 Sunnyridge Avenue, Penguin	7643391
7 Cheryl Court, West Ulverstone	1593813

Kennel Licence issued

ADDRESS	OWNER
28 Penguin Road, Ulverstone	Mr Ross & Mrs Lana Field

Permits issued under Animal By-Law 1 – 2018

ADDRESS	PERMIT ISSUED FOR
NIL	

SCHEDULE OF OTHER STATUTORY RESPONSIBILITIES OF COMMUNITY SERVICES

Period: 1 November 2021 to 30 November 2021

Infringement notices issued for Dog Offenses

	1-30 Nov 2021
Claimed	2
Burnie Dogs Home	3
Destroyed	0
Heldover	0
Devonport Dogs Home	0
RSPCA Spreyton	0

Infringements for dogs and impoundments etc.

1 - 30 November 2021	4
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Infringements under Animal By-Law

1 - 30 November 2021	0
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Traffic Infringement Notices for Parking Offences

1 - 30 November 2021	4	
Bannons Car Park	0	0%
King Edward Street	0	0%
Coles/Furners Carpark	0	0%
Main Road, Penguin	1	25%
North Reibey Street Carpark	0	0%
Reibey Street	0	0%
Surf Road, Penguin	3	75%
Victoria Street	0	0%
Alexandra Road	0	0%
Crescent Street	0	0%
Eastlands Drive	0	0%
Wongi Lane	0	0%



Ian Stoneman
DIRECTOR CORPORATE SERVICES