
Minutes of an ordinary meeting of the Central Coast Council held via Zoom (electronic conferencing) on Monday, 21 February 2022 commencing at 6.00pm.

Councillors attendance

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

Councillors apologies

Nil

Employees attendance

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

Media attendance

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

Public attendance

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

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

29/2022 Confirmation of minutes

The Executive Services Officer reported as follows:

“The minutes of the ordinary meeting of the Council held on 24 January 2022 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 Beswick moved and Cr Carpenter seconded, “That the minutes of the ordinary meeting of the Council held on 24 January 2022 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

30/2022 Council workshops

The Executive Services Officer reported as follows:

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

- . 31.01.2022 – Stormwater Detention Policy; Waste Management – Rural Waste Management Group presentation
- . 07.02.2022 – Monthly update
- . 14.02.2022 – Ulverstone Town Centre Activities; Elected Members Professional Development Policy review, Ulverstone Showgrounds Master Plan

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

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

Carried unanimously

MAYOR'S COMMUNICATIONS

31/2022 Mayor's communications

The Mayor to report:

"I have no communications at this time."

32/2022 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
- . Australia Day Event and Citizenship Ceremony – Ulverstone
- . TasWater Owners Representatives Quarterly Briefing – Devonport
- . Red Cross Branch Meeting – Ulverstone
- . Thinks n Drinks, Switch Tasmania – Queenstown
- . Radio interview."

The Deputy Mayor reported as follows:

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

- . West Ulverstone Cricket Club Cup presentation – West Ulverstone

The Executive Services Officer reported as follows:

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

Carried unanimously

33/2022 Declarations of interest

The Mayor reported as follows:

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

The Executive Services Officer reported as follows:

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

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

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

No interests were declared at this time.

COUNCILLOR REPORTS

34/2022 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 Carpenter reported on a recent meeting of the Caves to Canyon Tourism Association, noting the meetings attendance and that it was great to see businesses reporting on a buoyant year and feeling upbeat going forward. Mark from the Challengers Hot Rod Club presented to the meeting about the upcoming Australian Street Rod Federations’ Regional Nationals being held in Ulverstone from 7–10 April 2022 and confirmed there are over 500 entries for this event. Cr Carpenter congratulated Council staff on their positive dealings with those involved with the relevant Clubs. Cr Carpenter noted that the position of rubbish bins within Central Coasts’ parks and gardens was raised, however felt the concerns would be addressed within the Council’s Waste Strategy.

APPLICATIONS FOR LEAVE OF ABSENCE

35/2022 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

36/2022 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

37/2022 Petitions

The Executive Services Officer reported as follows:

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

COUNCILLORS' QUESTIONS

38/2022 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.
 - (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.”

39/2022 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

40/2022 Public question time

The Mayor reported as follows:

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

41/2022 Public questions taken on notice

The Executive Services Officer reported as follows:

“No public questions were taken on notice from the 24 January 2022 meeting.”

DEPARTMENTAL BUSINESS

GENERAL MANAGEMENT

42/2022 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 Committee – meeting held 8 December 2021
- Forth Community Representatives Committee – meeting held 3 February 2022
- Central Coast Community Shed Management Committee – meeting held 7 February 2022

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

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

Carried unanimously

Cr Viney joined the meeting at 6:07pm.

43/2022 Common seal

The General Manager reported as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 25 January to 21 February 2022 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 Viney moved and Cr Fuller 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

44/2022 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 25 January to 21 February 2022 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 Fuller moved and Cr Beswick seconded, “That the Schedule of Contracts and Agreements (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

45/2022 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 25 January to 21 February 2022 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 Diprose moved and Cr Overton 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

COMMUNITY SERVICES

46/2022 **Development Application determinations**

The Director Community Services reported as follows:

“A Schedule of Development Application Determinations made during the month of January 2022 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 Diprose moved and Cr van Rooyen seconded, “That the Schedule of Development Application Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

47/2022 **Welcome to Country and Acknowledgement of Country Guidelines**

The Director Community Services reported as follows:

PURPOSE

The purpose of this report is to recommend adoption of the Welcome to Country and Acknowledgement of Country Guidelines (the Guidelines).

BACKGROUND

Developing guidelines relating to the use of Acknowledgement of Country and Welcome to Country at meetings and events, is part of the Council’s 2021–2022 Annual Plan. Development of the Guidelines arose from and is in alignment with the Reconciliation Action Plan (RAP). The Council committed to developing a RAP in October 2020, and it was adopted by the Council in December 2021. The RAP has since been endorsed by Reconciliation Australia.

DISCUSSION

Through the development of the RAP, the Council RAP Working Group have learnt that Aboriginal and Torres Strait Islander culture is one embedded in deep respect—respect for each other, for Lore (beliefs and accumulated knowledge) and for land.

Lore is a big part of the culture and values and can be compared to modern western law. Lore drives everything aboriginal people do; it sets boundaries and determines acceptable and unacceptable behaviour and guides many morals and values.

Traditionally, if mobs ever had to cross on to neighbouring lands, they would first seek permission. If granted, a ceremony would take place to grant the travellers safe passage while on their land. This ceremony was also when the lores of the land would be explained as well as the consequences of breaking them.

Today, this practice has evolved into what is known as a Welcome to Country. The practice of acknowledging Country has also developed as our traditions have adapted to modern times. The key difference between a Welcome and an Acknowledgement is who performs each one. The Guidelines provide important information about this distinction, as well as how and when a Welcome or an Acknowledgement should be incorporated into Council activities (a copy of the Guidelines is appended).

CONSULTATION

Development of the Guidelines has been informed by the Council's RAP Working Group, which included a Councillor and Council representative. 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. The Guidelines were discussed at a Councillor Workshop in December 2021.

RESOURCE, FINANCIAL AND RISK IMPACTS

No external costs were incurred in relation to developing the Guidelines. Implementation of the Guidelines may at times, require further resource allocation (e.g. displaying the Acknowledgement of Country wording at Council venues).

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 Welcome to Country and Acknowledgement of Country Guidelines dated February 2022 be adopted."

The Executive Services Officer reported as follows:

"A copy of the Welcome to Country and Acknowledgement of Country Guidelines dated February 2022 has been circulated to all Councillors."

■ Cr Diprose moved and Cr Hiscutt seconded, "That the Welcome to Country and Acknowledgement of Country Guidelines dated February 2022 (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

48/2022 Use of the Council's roads for Targa Tasmania – 29/30 April 2022

The Director Community Services reported as follows:

"The Manager Community Development has prepared the following report:

'PURPOSE

The purpose of this report is to consider closure and use of the Council's roads on 29 and 30 April 2022 for Targa Tasmania 2022.

BACKGROUND

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

"That the promoters of motor-vehicle rallies and trials be advised that the Council will not consider applications for road closures for rally

stages in the Central Coast municipal area unless the application is received not later than 15 weeks prior to the event and is accompanied by evidence of:

- 1 written notification having been sent to harvesting contractors and companies (including transporters of timber products), milk transport contractors and companies, and tourism authorities and operators;
- 2 written notification having been sent to all residents on that part of the road for which road closures are being requested; and
- 3 public notification of any new event having been twice advertised in a daily newspaper circulating in the municipal area;

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

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

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

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

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

The event is scheduled to cover a statewide route from Monday 26th April to Sunday 1st May 2022, with all activities relating to the Central Coast municipality concentrated on Friday 29th and Saturday 30th April.

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

LEG FOUR – FRIDAY 29th APRIL

MUNICIPALITY OF KENTISH AND CENTRAL COAST

Stage Name:	'CASTRA'
Road Closure time:	8:23 – 13:53
ROADS CLOSED:	BETWEEN FOLLOWING ROADS:
Back Road	Wilmot Road and Spellmans Road
Spellmans Road	Back Road and Castra Road

MUNICIPALITY OF CENTRAL COAST

Stage Name:	'GUNNS PLAINS'
Road Closure time:	8:40 – 14:10
ROADS CLOSED:	BETWEEN FOLLOWING ROADS:
Central Castra Road	Castra Road and Preston-Castra Road
Preston-Castra Road	Central Castra Road and Preston Road
Preston Road	Preston-Castra Road and Raymond Road
Raymond Road	Preston Road and Gunns Plains Road

MUNICIPALITY OF CENTRAL COAST AND CITY OF BURNIE

Stage Name:	'RIANA'
Road Closure time:	9:01 – 14:31
ROAD CLOSED:	BETWEEN FOLLOWING ROADS:
South Riana Road	Lowana Road and Upper Natone Road
Upper Natone Road	South Riana Road and Camena Road
Camena Road	Upper Natone Road and Stotts Road
Stotts Road	Camena Road and Wyllies Road

LEG FIVE – SATURDAY 30th APRIL

MUNICIPALITY OF CENTRAL COAST AND CITY OF BURNIE

Stage Name:	'CAMENA'
Road Closure time:	10:34 – 16:04
ROAD CLOSED:	BETWEEN FOLLOWING ROADS:
Stotts Road	Wyllies Road and Camena Road
Camena Road	Stotts Road and Upper Natone Road
Upper Natone Road	Camena Road and Ridgley Highway

In accordance with council's policy regarding road closures for rally stages I can confirm Targa Australia has provided written notification of the proposed road closures and the route of Targa Tasmania 2022 to companies and contractors including road transport, harvesting and tourism operators. As in the past this notification will be followed up by further documentation.

Targa Australia has also provided written notification to residents on the sections of roads affected by the road closures specific to the Targa stage on which those roads fall. Please find copies of these attached. Further to this Targa Australia will be issuing further letters to residents.

Specifically, the following Central Coast resident's addresses were issued with written advice regarding road closures on the 11th of January 2022.

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

Castra Targa Stage

Spellmans Rd	445
	410
	385
	310
	259
	179
	155
	99
	80
	65
	60
	6

Eastleys Rd	385
	289
	???
	???
	259
	75

Gunns Plains Targa Stage

Central Castra Rd	9
	19
	80
	109
	199
	345

	379
Preston Castra Rd	300
	299
	184
	163
	140
Preston Rd	1633
	1634
	1636
	1638
	1641
	1647
	1648
	1667
	1668
	1709
	1747
	1749
	1777
Goulds Road	3
	65
Raymond Road	130
	150
	161
	170
	220
	299
	319
	321
	468
	510
Riana Targa Stage	
Lowana Road	230
	224
	209
	180
	160
	84
South Riana Road	1730
	1655

1603
 1601
 1512
 1462
 1456
 1336
 1335
 1275
 1259
 1212
 1179
 1137
 ???
 1089
 1077
 1033
 1002
 997
 996
 918
 ???
 862
 787
 759
 744
 743
 729
 ???
 617
 608
 542
 ???
 425
 414
 387

Assume 1121

Assume 1032 (typo)

Assume 908

Assume 687

Assume 521

South Riana road, Masters road, Loyetee road, Fielding's Road, Jansens road and Barkers road done via Australia Post (South Riana Shop)

Stotts Road

754
 669
 576
 494
 450
 398
 329

Bennetts Road	95	
	90	
Hornes Road	51	
	63	
	214	
	214	<i>Assume 220 (typo)</i>

Copies of maps provided with the correspondence are appended to this report.

The Clerk of Course subsequently advised additional information by email as follows:

“Just a short email to advise you of a road closure time change.

The stage affected is on Saturday 30th April 2022.

The stage name is: Camena

The revised road closure time is 11:04am (previously advised as 10:34am)

The revised road opening time is: 4:34pm (previously advised as needs to be 4:04pm)

Council staff reviewed the list of contacted properties provided by the Clerk of Course, Targa Australia, noted some apparent typographic errors with some addresses, and sought clarification regarding the notifications provided.

The Clerk of Course subsequently advised by email as follows:

“I can confirm that all the residents listed on your list have received a residents letter.

My apologies for the error.”

DISCUSSION

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

Friday, 29 April 2022 –

from 8.23am to 1.53pm; on Stage Name “Castra”

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

from 8.40am to 2.10pm; on Stage Name “Gunns Plains”

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

from 9.01 am to 2.31 pm; on Stage Name “Riana”

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

Saturday, 30 April 2022 –

from 11.04am to 4.34pm; on Stage Name “Camena”

- . Stotts Road – from Wyllies Road to Camena Road;
- . Camena Road – from Stotts Road to Blythe River;

Road closure to the public only applies to competition stages. The proposed non-competition uses do not require approval.

A suitable ‘Targa event’ was unconfirmed when road closure was approved for the 2021 event. Subsequent discussions with organisers resulted in a lunchtime stop for competitors and the touring party within Central Coast, at the Dial Regional Sports Complex in Penguin, catered by local sports clubs.

The Clerk of Course has advised that Targa Tasmania 2022 would have at least one, and potentially two, lunchtime stops in Central Coast.

The stops would again be at Dial Regional Sports Complex in Penguin, with catering by local sports clubs. Date would be Friday 29 April and potentially Saturday 30 April 2022.

CONSULTATION

The Clerk of Course has advised that notifications required by the Council have been implemented, including to potentially affected residents.

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

The proposed Targa competition stages and road closures have been raised with and reviewed by the Council’s Infrastructure Services department.

The Road Engineer advises as follows:

“TS17 Castra –No planned roadworks or other known issues;

TS18 Gunns Plains Stage – Beware of fallen rocks and debris on Raymond Road;

TS19 Riana Stage – No known issues (based on start location on South Riana Road);

TS26 Camena Stage – Currently Stotts Road has a load limit of 5T between Pine Road and Chellis Road. It is anticipated that the road will be open before the Targa event.”

This information has been communicated to Targa officials.

RESOURCE, FINANCIAL AND RISK IMPACTS

The Manager Engineering advises as follows:

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

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

CORPORATE COMPLIANCE

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

The Shape of the Place

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

A Connected Central Coast

- . Improve community well-being

Community Capacity and Creativity

- . Cultivate a culture of creativity in the community

The Environment and Sustainable Infrastructure

- . Contribute to a safe and healthy environment
- . Contribute to the preservation of the natural environment.

CONCLUSION

It is recommended that no objection be offered to the requested road closures for Targa Tasmania 2022, for the proposed stages named TS17 Castra, TS18 Gunns Plains, TS19 Riana, and TS26 Camena and that these permissions are also subject to Targa Australia:

- 1 maintaining its standard organisational arrangements;
- 2 following this approval having been given by the Council, undertaking public notification of the event by a minimum of two advertisements in a daily newspaper circulating in the municipal area in the weeks immediately preceding the event;
- 3 meeting the cost of the Council reinstating any damage to any of the roads used for the Rally;
- 4 subject to Council approval, arranging for the repair of any road or road infrastructure damage within two weeks of the event;
- 5 arranging same-day repairs of any fences damaged during the Rally; and further,
- 6 being advised that the Council's roads are currently to a standard applicable to normal rural traffic only and are maintained accordingly.'

The Manager Community Development's report is supported."

The Executive Services Officer reported as follows:

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

■ Cr Viney moved and Cr Beswick seconded, "That no objection be offered to the requested road closures for Targa Tasmania 2022, for the proposed stages named TS17 Castra, TS18 Gunns Plains, TS19 Riana, and TS26 Camena, and that these permissions are also subject to Targa Tasmania:

- 1 maintaining its standard organisational arrangements;
- 2 following this approval having been given by the Council, undertaking public notification of the event by a minimum of two advertisements in a daily newspaper circulating in the municipal area in the weeks immediately preceding the event;
- 3 meeting the cost of the Council reinstating any damage to any of the roads used for the Rally;

- 4 subject to Council approval, arranging for the repair of any road or road infrastructure damage within two weeks of the event;
- 5 arranging same-day repairs of any fences damaged during the Rally; and further,
- 6 being advised that the Council's roads are currently to a standard applicable to normal rural traffic only and are maintained accordingly."

Carried unanimously

49/2022 Council acting as a planning authority

The Mayor reported as follows:

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

The General Manager has submitted the following report:

'If any such actions arise out of Minute Ref No's: 50/2022, 51/2022 and 52/2022 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 Hiscutt moved and Cr Fuller seconded, "That the Mayor's report be received."

Carried unanimously

50/2022 Residential – 48 multiple dwellings and consolidation of lots – Sunlight to private open space of multiple dwellings; Private open space for all dwellings; Reliance on C2.0 Parking and Sustainable Transport Code and C3.0 Road and Railway Assets Code at 12 & 27 Breheny Place, West Ulverstone – Application No. DA2021324

The Director Community Services reported as follows:

"The Manager Land Use Planning has prepared the following report:

<i>'DEVELOPMENT APPLICATION NO.:</i>	DA2021324
<i>PROPOSAL</i>	Residential – 48 multiple dwellings and consolidation of lots – Sunlight to private open space of multiple dwellings; Private open space for all dwellings; Reliance on C2.0 Parking and Sustainable Transport Code and C3.0 Road and Railway Assets Code
<i>APPLICANT:</i>	ERA Planning & Environment
<i>LOCATION:</i>	12 & 27 Breheny Place, West Ulverstone
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Tasmanian Planning Scheme – Central Coast “the Planning Scheme”</i>
<i>ADVERTISED:</i>	5 January 2022
<i>REPRESENTATIONS EXPIRY DATE:</i>	19 January 2022
<i>REPRESENTATIONS RECEIVED:</i>	Seven
<i>42-DAY EXPIRY DATE:</i>	31 January 2022
<i>EXTENSION OF TIME:</i>	Granted until 21 February 2022
<i>DECISION DUE:</i>	21 February 2022

PURPOSE

The purpose of this report is to consider an application for the development of 48 multiple dwellings with associated internal roadway, areas of private open space and communal open space with shared recreational elements and the consolidation of 8 separate parcels of land.

Accompanying the report are the following documents:

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

BACKGROUND

Development description –

Application is made to construct 48 multiple dwellings across a 2.859ha site of General Residential land that is in West Ulverstone. The total floor area of dwellings, including carports would be 5,372.96m². This represents a 19% site coverage by the dwellings across the site.

The dwellings would be developed in four 'clusters' across the site, separated by communal open space areas and accessed via an internal, private road network off Breheny Place. The internal road network would be managed and maintained by the developer.

All dwellings within the residential estate would be single-storey and setback a minimum of 4.5m from all adjoining property boundaries.

Varying floor plans would be employed across the site numbered 1, 2, 4, and 5 – with No. 3 dwelling type not included in this development. The buildings have been designed by Tasmanian architects, Cumulus Studio.

Dwelling style No. 1 –

Twenty-four (24) x 107.52m² dwellings would be constructed. Each dwelling would comprise two bedrooms, open plan kitchen/living/dining area and combined bathroom/laundry. A deck off the living area would open onto a 50m² grassed, private open space area. A covered carport, part open to the adjoining private open space area, would also accommodate waste bins and a storage cupboard. The enclosed carport would have a 'swing' farm gate, allowing the covered area to form part of the private open space area, creating an expanded undercover entertainment space. An uncovered, tandem car parking space would also be provided.

Dwelling style No. 2 –

Eight (8) x 135.52m² dwellings would be constructed. Each dwelling would comprise three bedrooms, open plan kitchen/living/dining area, combined bathroom/laundry and separate toilet (powder room). A deck off the living area would open onto a 50m² grassed, private open space area. A covered carport, part open to the adjoining private open space area, would also accommodate waste bins and a storage cupboard. The enclosed carport would have a 'swing' farm gate, allowing the covered area to form part of the private open space area, creating an expanded undercover entertainment space. An uncovered, tandem car parking space would also be provided.

Dwelling style No. 3 –

Not provided for in the development.

Dwelling style No. 4 –

Thirteen (13) x 104.52m² dwellings would be constructed. Each dwelling would comprise two bedrooms, open plan kitchen/living/dining area and combined bathroom/laundry. A deck off the living area would open onto an

83m² grassed, private open space area. A covered carport, part open to the adjoining private open space area, would also accommodate waste bins and a storage cupboard. The enclosed carport would have a 'swing' farm gate, allowing the covered area to form part of the private open space area, creating an expanded undercover entertainment space. An uncovered, tandem car parking space would also be provided.

Dwelling style No. 5 –

Three (3) x 116.52m² dwellings would be constructed. Each dwelling would comprise two bedrooms, open plan kitchen/living/dining area, a combined bathroom/laundry and a separate toilet (powder room). A deck off the living area would open onto a 59m² grassed, private open space area. A covered carport, part open to the adjoining private open space area, would also accommodate waste bins and a storage cupboard. The enclosed carport would have a 'swing' farm gate, allowing the covered area to form part of the private open space area, creating an expanded undercover entertainment space. An uncovered, tandem car parking space would also be provided.

All dwellings would be constructed using a mix of brick and light weight cladding materials.

Overall, the site would accommodate 6,525m² of communal open space and 2,813m² of private open space, equalling a combined total of 9,338m² of open space across the site, not including the roadways, two stormwater detention areas and car parking areas.

A Landscaping Plan accompanies the application, detailing the following ancillary developments on the site, for use by the occupants:

- . Four large areas of common open space are to be retained on-site and would provide for the retention of some of the established trees on the land;
- . Australian native vegetation plantings are proposed for dwelling frontages and other common roadside areas;
- . a community nature play area;
- . a community BMX pump track;
- . a community table tennis table;
- . a community long table;
- . community vegetable boxes;
- . a community garden shed;
- . community lawn;
- . two barbeque shelters;
- . a community basketball halfcourt with 5m long bleacher seating;

- . rock retaining walls; and
- . scattered items of interest such as an art play piece, insect hotel, bird house, tyre swing and outdoor library.

The land comprises a combination of 6 titles and 2 'Road' parcels that together make up the development site at 12 & 27 Breheny Place, West Ulverstone.

It is further proposed that all titles be consolidated to accommodate the development.

Site description and surrounding area –

The land is zoned General Residential and is primarily owned by The Director of Housing. A small 93m² adjoining portion of the land, deemed to be Road, is owned by Central Coast Council. A second Road parcel is registered to the Crown.

The land slopes from south to north, with the southern portion very steep and heavily vegetated. The land slopes down to a reasonably flat, grassed area over the northern portion of the site.

Several large trees occupy the site and a small portion of the land, a strip along the southern boundary, is of Low and Medium landslip characteristics.

Many trees across the site will need to be removed to enable the development. An arborist's report accompanies the application and makes recommendations on tree removal and the lopping of limbs for safety.

Land to the east, north and west is also zoned General Residential and is developed to accommodate single dwellings on separate lots.

Land to the south is zoned Landscape Conservation, due to the Low and Medium landslide characteristics of that area and accommodates a single dwelling with outbuildings on a 2.09ha parcel of land. Land to the east is also zoned Landscape Conservation.

The land is able to be serviced with sewer and water networks. On-site stormwater detention would be required for any development of the site.

History –

The Council, at its meeting held 20 December 2021 (Minute Ref: 363/2021 – 13.102.2021), determined to transfer the 93m² Road portion of land to the Crown.

DISCUSSION

The following table is an assessment of the development against the *Tasmanian Planning Scheme – Central Coast* standards:

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 development satisfies Zone Purpose 8.1.1. The proposal is for residential development, providing for a range of dwelling types in the form of 48 multiple dwellings, where full infrastructure services are available or can be provided.

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"/>	Residential - multiple dwelling use is Permitted.
8.3.1-(A2) External lighting for a use listed as Discretionary: (a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and	<input checked="" type="checkbox"/>	Residential - multiple dwelling use is Permitted.

(b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.		
<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"/>	Residential - multiple dwelling use is Permitted.
8.3.2 Visitor Accommodation	Not applicable	Assessment
<p>8.3.2 -(A1)</p> <p>Visitor Accommodation:</p> <p>(a) guests are accommodated in existing buildings; and</p> <p>(b) has a gross floor area of not more than 300m².</p>	<input checked="" type="checkbox"/>	Not Visitor Accommodation.
8.4 Development Standards for Dwellings		
8.4.1 Residential density for multiple dwellings		
<p>8.4.1 -(A1)</p> <p>Multiple dwellings must have a site area per dwelling of not less than 325m².</p>	<input type="checkbox"/>	Compliant. Forty-eight (48) dwellings over an area of 2.85ha equates to a site area of 434.37m ² per dwelling.
8.4.2 Setbacks and building envelope for all dwellings	Not applicable	Assessment
<p>8.4.2 -(A1)</p> <p>Unless within a building area on a sealed plan, a dwelling, excluding garages,</p>	<input type="checkbox"/>	(a) Compliant. Nearest dwelling would be setback 19.6m from Breheny Place frontage.

<p>carports 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 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>(b) Not applicable. No secondary frontage.</p> <p>(c) Not applicable. Satisfied by (a).</p> <p>(d) Not applicable. Development is not located above a non-residential use.</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</p>	<p><input type="checkbox"/></p>	<p>(a) Compliant. Nearest carport would be setback 30.3m from Breheny Place frontage.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Not applicable. Satisfied by (a).</p>

<p>area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>		
<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>	<p>□</p>	<p>(a)(i) Compliant. Frontage setback is 19.6m.</p> <p>(a)(ii) Compliant. Dwellings satisfy provision, projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level. No building would be greater than 8.5m in height above existing ground level.</p> <p>(b)(i) Compliant. Minimum setback from a side boundary would be 2.7m.</p> <p>(b)(ii) Compliant. Minimum setback from a side boundary would be 2.7m.</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 19%.</p> <p>(b) Non-compliant. Total private open space area for some dwellings is 50m².</p> <p>Refer to the “Issues” section of this report.</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> <p>(b) has a minimum horizontal dimension of not less than:</p> <p>(i) 4m; or</p>	<input type="checkbox"/>	<p>(a)(i) Compliant. Private open space in one location for all dwellings would be between 50.11m² and 83.10m².</p> <p>(a)(ii) Not applicable. No finished floor level that is entirely more than 1.8m above the finished ground level.</p> <p>(b)(i) Compliant. Private open space areas have a minimum 4m horizontal dimension.</p> <p>(b)(ii) Not applicable. No finished floor level that is entirely more than 1.8m above the finished ground level.</p> <p>(c) Compliant. All private open space areas are orientated</p>

<p>(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> <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>between 30 degrees west of true north and 30 degrees east of true north.</p> <p>(d) Compliant. All private open space areas will be flat.</p>
8.4.4 Sunlight to private open space of multiple dwellings	Not applicable	Assessment
<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> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p>	<p>□</p>	<p>(a)(i) Non-compliant. Some dwellings are not 3m north of adjoining private open space areas.</p> <p>(a)(ii) Compliant. All roof lines angle away at 45 degrees.</p> <p>(b) Non-compliant. There would be 27 dwellings where private open space areas receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c)(i) Not applicable as (a) and (b) cannot be satisfied.</p> <p>(c)(ii) Not applicable as (a) and (b) cannot be satisfied.</p> <p>Refer to the “Issues” section of this report.</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 type="checkbox"/>	<p>Compliant.</p> <p>Carport openings would be 5.4m in width.</p>
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 or floor level more than 1m 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> <p>(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;</p>	<input type="checkbox"/>	<p>Not applicable.</p> <p>No balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) has a finished surface or floor level more than 1m above existing ground level.</p>

<p>(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</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.</p>		
<p>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 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <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</p>	<p><input type="checkbox"/></p>	<p>Not applicable.</p> <p>No window or glazed door to a habitable room of a dwelling has a floor level more than 1m above existing ground level.</p>

<p>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, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>		
<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) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p>	<p>□</p>	<p>(a) Compliant. The extensive shared driveway would be greater than 2.5m from any window or glazed door to a habitable room of a multiple dwelling.</p> <p>(b)(i) Not applicable. Satisfied by (a).</p> <p>(b)(ii) Not applicable. Satisfied by (a).</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>		
<p>8.4.7 Frontage fences for all dwellings</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.4.7 –(A1) No Acceptable Solution. <i>An exemption applies for fences in this zone – see Table 4.6.</i></p> <p>8.4.7 –(P1) A fence (including a free-standing wall) for 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>	<p><input checked="" type="checkbox"/></p>	<p>Frontage fences proposed satisfy exemptions standards.</p>
<p>8.4.8 Waste storage for multiple dwellings</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.4.8 –(A1) 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>	<p><input type="checkbox"/></p>	<p>(a) Compliant. Waste and bin storage areas would be located in carports, would be setback from the dwelling frontages and would be for the exclusive use</p>

<p>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) a common storage area with an impervious surface that:</p> <p>(i) has a setback of not less than 4.5m from a frontage;</p> <p>(ii) is not less than 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</p>		<p>of each dwelling, excluding the area in front of the dwelling.</p> <p>(b)(i) Compliant. Satisfied by (a).</p> <p>(b)(ii) Compliant. Satisfied by (a).</p> <p>(b)(iii) Compliant. Satisfied by (a).</p>
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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</p>	<p><input checked="" type="checkbox"/></p>	<p>Application is for dwelling development.</p>

<p>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><input checked="" type="checkbox"/></p>	<p>Application is for dwelling development.</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-third of the length of the side or rear boundary (whichever is lesser).</p>		
<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>	☒	Application is for dwelling development.
<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>	☒	Application is for dwelling development.

(ii) traffic volumes on the adjoining road.		
<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>	☒	Application is for dwelling development.
<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>	☒	Application is for dwelling development.
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 1m 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) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	☒	Application is for residential development.

<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"/>	<p>Application is for residential development.</p>
<p>8.6 Development Standards for Subdivision</p>		
<p>8.6.1 Lot design</p>	<p>Not applicable</p>	<p>Assessment</p>
<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> <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>	<input type="checkbox"/>	<p>(a)(i)a. Not applicable. Satisfied by (d).</p> <p>(a)(i)b. Not applicable. Satisfied by (d).</p> <p>(a)(ii) Not applicable. Satisfied by (d).</p> <p>(b) Not applicable. Satisfied by (d).</p> <p>(c) Not applicable. Satisfied by (d).</p> <p>(d) Compliant. Application is for the consolidation of 8 parcels of land (2 are “Road” parcels) that are zoned General Residential.</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 type="checkbox"/>	<p>Compliant.</p> <p>Land would have a 21.25m wide frontage to Breheny Place.</p>
<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 type="checkbox"/>	<p>Compliant.</p> <p>Land would have access to Breheny Place.</p>
<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"/>	<p>No new road is proposed. Roads will be internal infrastructure owned and maintained by the developer.</p>
8.6.2 Roads	Not applicable	
<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>	<input checked="" type="checkbox"/>	<p>No new road is proposed. Roads will be internal infrastructure owned and maintained by the developer.</p>

<p>(a) any road network plan adopted by the council;</p> <p>(b) the existing and proposed road hierarchy;</p> <p>(c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;</p> <p>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</p> <p>(e) minimising the travel distance between key destinations such as shops and services and public transport routes;</p> <p>(f) access to public transport;</p> <p>(g) the efficient and safe movement of pedestrians, cyclists and public transport;</p> <p>(h) the need to provide bicycle infrastructure on new arterial 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</p>	<input type="checkbox"/>	<p>Compliant.</p> <p>Land can connect to a full water supply service.</p>

Utilities, must have a connection to a full water supply service.		
<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</p> <p>Utilities, must have a connection to a reticulated sewerage system.</p>	<input type="checkbox"/>	<p>Compliant.</p> <p>Land can connect to a reticulated sewerage system.</p>
<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</p> <p>Utilities, must be capable of connecting to a public stormwater system.</p>	<input type="checkbox"/>	<p>Compliant.</p> <p>Land can connect to a public stormwater system. Two on-site stormwater detention systems are required and are proposed.</p>

CODES

CODES	NOT APPLICABLE	APPLICABLE
C1.0 Signs Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
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 type="checkbox"/>	<input checked="" type="checkbox"/> Refer to table below
C4.0 Electricity Transmission Infrastructure Protection Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
C5.0 Telecommunications Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
C6.0 Local Historic Heritage Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
C7.0 Natural Assets Code	<input checked="" type="checkbox"/>	Code applies, but only for subdivision in the General Residential Zone.
C8.0 Scenic Protection Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below

C9.0 Attenuation Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
C10.0 Coastal Erosion Hazard Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
C11.0 Coastal Inundation Hazard Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
C12.0 Flood-Prone Areas Hazard Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
C13.0 Bushfire-Prone Areas Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
C14.0 Potentially Contaminated Land Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
C15.0 Landslip Hazard Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
C16.0 Safeguarding of Airports Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below

C2.0 Parking and Sustainable Transport Code

CLAUSE		COMMENT
C2.5 Use Standards		
C2.5.1 Car parking numbers	Not Applicable	Assessment
<p>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>	<input type="checkbox"/>	<p>Compliant.</p> <p>Satisfies Table C2.1. Each dwelling has an allocation of 2 dedicated car parking spaces in a tandem layout.</p> <p>A total of 16 visitor car parking spaces would be provided on-site.</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-site car parking is required; or</p> <p>(ii) 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> <p>$N = A + (C - B)$</p> <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</p>		
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<p>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>A1</p> <p>Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>	<input checked="" type="checkbox"/>	Not required for residential development.
C2.5.3 Motorcycle parking numbers	Not Applicable	Assessment
<p>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 type="checkbox"/>	<p>(a) Compliant. Four motorcycle parking spaces are required but are not shown on the plan. However, the proposal has overcompensated in the allocation of visitor car parking spaces (over allocation by 4 spaces). Motorcycle parking spaces to be satisfied by a condition on a permit.</p> <p>(b) Not applicable.</p>
C2.5.4 Loading bays	Not Applicable	Assessment
A1	<input checked="" type="checkbox"/>	Not required for residential development.

A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.		
C2.5.5 Number of car parking spaces within General Residential Zone and Inner Residential Zone	Not Applicable	Assessment
A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: <ul style="list-style-type: none"> (a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and (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. 	☒	Not an existing non-residential building.
C2.6 Development Standards for Buildings and Works		
C2.6.1 Construction of parking areas	Not Applicable	Assessment
A1 All parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation 	☒	<ul style="list-style-type: none"> (a) Compliant. Parking areas to be constructed with a durable all-weather pavement. (b) Compliant. Parking areas to drain to a stormwater system. (c) Compliant. Asphalt and concrete pavements are to be employed.

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.		
C2.6.2 Design and layout of parking areas	Not Applicable	Assessment
<p>A1.1</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <ul style="list-style-type: none"> (i) have a gradient in accordance with <i>Australian Standard AS 2890 – Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table 	□	<p>A1</p> <p>(a)(i) Compliant. Satisfied by (b).</p> <p>(a)(ii) Compliant. As detailed on the Engineering plans that accompany the application.</p> <p>(a)(iii) Compliant. Satisfied by (b).</p> <p>(a)(iv) Compliant. Satisfied by (b).</p> <p>(a)(v) Compliant. Satisfied by (b).</p> <p>(a)(vi) Compliant. Satisfied by (b).</p> <p>(a)(vii) Compliant. Satisfied by (b).</p> <p>(b) Compliant. Condition to be applied to a permit.</p> <p>A1.2</p> <p>(a) Compliant. Satisfied by (c).</p> <p>(b) Compliant. Satisfied by (c).</p> <p>(c) Compliant. Condition to be applied to a permit.</p>

<p>C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the 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>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,</i></p> <p><i>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>		
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C2.6.3 Number of accesses for vehicles	Not Applicable	Assessment
<p>A1</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<input type="checkbox"/>	<p>(a) Compliant. Single access off Breheny Place is proposed.</p> <p>(b) Compliant. Satisfied by (a).</p>
<p>A2</p> <p>Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<input checked="" type="checkbox"/>	General Residential zone.
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	Not Applicable	Assessment
<p>A1</p> <p>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 <i>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</i>.</p>	<input checked="" type="checkbox"/>	General Residential zone.

C2.6.5 Pedestrian access	Not Applicable	Assessment
<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p>	<input type="checkbox"/>	<p>A1.1</p> <p>(a)(i) Compliant. Traffic Impact Assessment states that pedestrian pathways will be provided adjacent to primary internal roadways and will connect to Breheny Place pathways.</p> <p>(a)(ii) Compliant. Traffic Impact Assessment states that pedestrian pathways will be provided adjacent to primary internal roadways and will connect to Breheny Place pathways.</p> <p>(b) Compliant. Condition to be applied to a Permit.</p> <p>A1.2</p> <p>Compliant.</p>
<p>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>		<p>Compliant.</p> <p>Condition to be applied to a permit.</p>
C2.6.6 Loading bays	Not Applicable	Assessment
<p>A1</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian</i></p>	<input checked="" type="checkbox"/>	<p>Not required for residential development.</p>

Standard AS 2890.2–2002 Parking Facilities Part 2: Parking facilities- Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.		
A2 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>	☒	Not required for residential development.
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	Not Applicable	Assessment
A1 Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must: <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> 	☒	General Residential Zone.

<p>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>(iii) 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>Not required for residential development.</p>
<p>C2.6.8 Siting of parking and turning areas</p>	<p>Not Applicable</p>	<p>Assessment</p>
<p>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>General Residential zone.</p>
<p>A2</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p>	<input checked="" type="checkbox"/>	<p>General Residential zone.</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>		
C2.7 Parking Precinct Plan		
C2.7.1 Parking precinct plan	Not Applicable	Assessment
<p>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"/>	Not within a Parking Precinct Plan area.

C3.0 Road and Railway Assets Code

CLAUSE	COMMENT	
C3.5 Use Standards		
C3.5.1 – Traffic generation at a vehicle crossing, level crossing or new junction	Not Applicable	Assessment
A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing; or A1.2	<input checked="" type="checkbox"/>	A1.1 Not a category 1 road or limited access road. A1.2 Not applicable. Not a new vehicle crossing off Breheny Place. A1.3 Not applicable. A new private level crossing is not required.

<p>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority; or</p> <p>A1.3</p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority; and</p> <p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>(a) the amounts in Table C3.1; or</p> <p>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road; and</p> <p>A1.5</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		<p>A1.4</p> <p>(a) Non-compliant. Vehicular traffic to and from the site, using an existing vehicle crossing, would exceed an additional 40 movements per day, which is the limit set by Table C3.1.</p> <p>Refer to the “issues” section of this report.</p> <p>(b) Not applicable. No licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</p> <p>A1.5</p> <p>Compliant. Traffic would enter and exit the site in a forward manner.</p>
C3.6 Development Standards for Buildings and Works		
C3.6.1. Habitable buildings for sensitive uses within a road or railway attenuation area.	Not Applicable	Assessment
<p>A1</p> <p>Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use must be:</p> <p>(a) within a row of existing habitable buildings for</p>	☒	Not within 50m of Bass Highway or Western Rail Line.

<p>sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;</p> <p>(b) an extension which extends no closer to the existing or future major road or rail network than:</p> <p>(i) the existing habitable building; or</p> <p>(ii) an adjoining habitable building for a sensitive use; or</p> <p>(c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual 2nd edition July 2008</i>.</p>		
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C3.7 Development Standards for Subdivision

C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	Not Applicable	Assessment
<p>A1</p> <p>A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.</p>	<input checked="" type="checkbox"/>	Not a subdivision.

SPECIFIC AREA PLANS	NOT APPLICABLE	APPLICABLE
CCO-S1.0 Forth Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
CCO-S2.0 Leith Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below

CCO-S3.0 Penguin Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
CCO-S4.0 Revell Lane Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
CCO-S5.0 Turners Beach Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below

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 8.4.3 – Site coverage and private open space for all dwellings –*

The development satisfies the Site Coverage standard under Clause 8.4.3–(A1)(a); being 19%.

The Planning Scheme's Acceptable Solution Clause 8.4.3–(A1)(b) states that for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling is required, 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).

All dwellings in the proposed residential estate would be single-storey. Some dwellings would have a total private open space area of 50m². Therefore, the proposed development seeks a variation to this Clause and an exercise of discretion is required.

The Planning Scheme's Performance Criteria Clause 8.4.3–(P1) states that "dwellings" must have:

- (a) site coverage consistent with that existing on established properties in the area;

Not applicable. This Performance Criteria relates to a site coverage standard under Acceptable Solution 8.4.3–(A1)(a), whereby a dwelling on land (excluding eaves up to 0.6m wide), must not be more than 50% site coverage. The proposal to construct 48 dwellings, with total floor area of 5,372.96m², over an area of 2.859ha, equates to a site coverage of approximately 20%. The proposal satisfies the Acceptable Solution and the Performance Criteria 8.4.3–(P1)(a) does not require assessment.

- (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate:

- (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and

Satisfies Performance Criteria. The proposed development satisfies Acceptable Solution 8.4.3–(A1)(a) that requires all dwellings have private open space in one location that is not less than 24m². Each dwelling would have an area of private open space that would be between 50.11m² and 83.10m². Further, a Landscaping Plan that accompanies the application, details the following ancillary developments on the site, for the use of the occupants:

- . four large areas of common open space are to be retained on-site and would provide for the retention of some of the established trees on the land;
- . Australian native vegetation plantings are proposed for dwelling frontages and other common roadside areas;
- . a community nature play area;
- . a community BMX pump track;
- . a community table tennis table;
- . a community long table;
- . community vegetable boxes;
- . a community garden shed;
- . community lawn;
- . two barbeque shelters;
- . a community basketball halfcourt with 5m long bleacher seating;
- . rock retaining walls; and
- . scattered items of interest such as an art play piece, insect hotel, bird house, tyre swing and outdoor library.

Overall, the site would accommodate 6,525m² of communal open space and 2,813m² of private open space, equalling a combined total of 9,338m² of open space across the site, not including the roadways, two stormwater detention areas and car parking areas.

- (ii) operational needs, such as clothes drying and storage; and

Satisfies Performance Criteria. All dwellings would have a separate storage area, located in the carport. A fold down clothes dryer area would be able to be located on the wall of the open space area.

- (c) reasonable space for the planting of gardens and landscaping

Satisfies Performance Criteria. As stated above, private open space areas include areas for front gardens, with a total of 2,813m² provided across the site as private open space and 6,525m² provide as communal open space.

2 *Clause 8.4.4-(P3) Sunlight to private open space of multiple dwellings –*

The Planning Scheme's Acceptable Solution Clause 8.4.4-(A3)(a) states that 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 (as discussed above) must satisfy (a) or (b), unless excluded by (c).

Note: (c) excludes those part of a dwelling consisting of an outbuilding with a building height of not more than 2.4m or protrusions that extend not more than 0.9m horizontally from the dwelling. In this case, (c) does not apply as there are no outbuildings and the overshadowing is not related to minor protrusions.

The proposal is not compliant with Clause 8.4.4-(A3)(a) in that some dwellings are not 3m north of adjoining private open space areas and as a result there would be 27 dwellings where private open space areas would receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21 June.

The Planning Scheme's Performance Criteria Clause 8.4.4-(P1) states:

"A multiple dwelling must be designed and sited not to cause unreasonable loss of amenity by overshadowing the private open space of another dwelling on the same site which is required to satisfy A2 or P2 of Clause 8.4.3 of this Planning Scheme".

Satisfies Performance Criteria. A Supporting Planning Report by ERA accompanies the development. The report examines the amount of

sunlight for each dwelling. Refer to page 18 of the Supporting Planning Report – Appendix 2. The report states that for the majority of affected dwellings, where overshadowing of private grassed areas will occur, sunlight would be over deck areas for a minimum of 3 hours a day.

The exception to this would be 9 dwellings; Nos. 4, 6, 8, 10, 15, 16, 22, 23 and 24. These dwellings are all 2 bedroom, Type No. 1 style dwellings that would receive less than 3 hours of sunlight to an open space area on 21 June. Occupants would need to rely on communal open space areas for sunlit outdoor activity.

Whilst the open space sunlight requirement cannot be satisfied for some 2 bedroom, Type No. 1 dwellings, the design and siting of all dwellings on the site comprises north facing decks and lawn areas, accessible directly from a living area. There is also a large area of communal open space proposed across the site, encompassing an area of 2,813m². The large communal area would accommodate a range of outdoor activities, some passive, some active, and would add to the overall amenity of the residential complex, compensating for the lack of sunlight to some private open space areas on 21 June.

3 *Reliance on Code C3.0 Road and Railway Assets Code –*

The Planning Scheme's Acceptable Solution under C3.0 Road and Rail Assets Code, Clause C3.5.1–(A1.4) requires that vehicle traffic to and from the site not be greater than that listed in Table C3.1. The Table states not greater than 40 movements per day.

Traffic assessment standards are that 7.2 vehicle movements are applied to each dwelling proposed on the site. This equates to a total of 345 traffic movements per day associated with the development.

The Planning Scheme's Performance Criteria Clause C3.5.1–(P1) states:

“Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) any increase in traffic caused by the use;
- (b) the nature of the traffic generated by the use;
- (c) the nature of the road;
- (d) the speed limit and traffic flow of the road;
- (e) any alternative access to a road;

- (f) the need for the use;
- (g) any traffic impact assessment; and
- (h) any advice received from the rail or road authority”.

The application includes a Traffic Impact Assessment (TIA) by Hubble Traffic. The TIA examines existing traffic conditions on the surrounding street network, the impacts of traffic generated by the development and the internal road layout and dwelling access arrangements. The TIA concludes the following:

- . Additional traffic movements generated by the development are not expected to create any adverse safety or traffic impacts.
- . The amount of traffic expected to be generated during peak hour periods is reasonably low and there is sufficient capacity within the surrounding roads to absorb the extra vehicle movements without adversely impacting other users.
- . All internal roadways will provide for two-way traffic movements and have road gradients that are not expected to cause any difficulty with users.
- . The internal road layout is designed to accommodate an 8.8m long service vehicle and is sufficient for an emergency service vehicle to access all units.
- . A waste collection vehicle can easily travel along the main internal road emptying bins along both sides of the internal roadway.
- . Pedestrians moving through the development will be provided with dedicated pathways to promote walking.

In their capacity as the Road Authority, the Director Infrastructure Services is satisfied with the assessments and conclusions of the TIA.

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 be applied to a Permit.
TasWater	TasWater's Submission to Planning Authority Notice TWDA 2021/01985-CC dated 29 November 2021.
Department of State Growth	Not applicable.
Environment Protection Authority	Not applicable.
TasRail	Not applicable.
Heritage Tasmania	Not applicable.
Crown Land Services	Minister for the Crown and Minister for Housing have consented to the lodgment of an application.
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 were sent to adjoining property owners and occupiers; and
- an advertisement was placed in the Public Notices section of The Advocate from 5 January 2022 until 19 January 2022.

Representations –

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

The representations are summarised and responded to as follows:

REPRESENTATION NO. 1	
MATTER RAISED	RESPONSE
<p>1 The land has existed as a wildlife corridor for many years, with trees and ground vegetation providing habitat for wallabies, possums, honeybees, kookaburras, parrots, masked lapwings and many more species. Removing the vegetation would impact on the wildlife and be at a cost to the environment and neighboring properties.</p> <p>Removal of the trees is also not in keeping with Council's Greening Central Coast ideals.</p>	<p>The Planning Scheme, ratified on 27 October 2021, identifies the land as forming part of a priority vegetation overlay. However, the land is zoned General Residential, and as such, the Planning Scheme's Natural Assets Code that examines development on land that is subject to a priority vegetation layer, only applies to the subdivision of land in the General Residential zone.</p> <p>This means the land can be developed for housing with no assessment of impacts on existing vegetation required under the Planning Scheme.</p> <p>Nevertheless, the application is accompanied by an arborist report. The report states that approximately 68 substantial trees, in clusters of 48 landscape units, are on the land. The report was commissioned to assist the developer make decisions regarding tree retention, lopping and removal. The report is not a requirement for planning assessment purposes.</p> <p>Council's Greening Central Coast Strategy primarily applies to public open space land.</p>
<p>2 Part of the land is in a Medium landslip area. The GeoTon report does not appear to</p>	<p>GeoTon Pty Ltd's Geotechnical Investigation report states that, based on the findings of the investigations and the landslide risk</p>

<p>account for the clearing of vegetation in this area.</p>	<p>assessment, the proposed development would not adversely impact on the site or immediate surrounds nor increase the current landslide risk, provided the site was managed within the principles of the “Guidelines for Good Hillside Construction” released by the Australian Geomechanics Society, Volume 42, Number 1, dated March 2007. See Condition 6.</p>
<p>3 The development will result in a much higher dwelling density than the surrounding neighbourhood. Five dwellings will share our property boundary.</p> <p>The dwelling density should be as much as surrounding property.</p>	<p>The Planning Scheme has standards relating to residential density for multiple dwelling development.</p> <p>Acceptable Solution Clause 8.4.1-(A1) states that multiple dwellings must have a site area per dwelling of not less than 325m².</p> <p>The proposed development is compliant with this standard, with 48 dwellings proposed over a site area of 2.859ha. This equates to a site area of 595.6m² per dwelling.</p>
<p>4 The increased dwelling density will result in 5 new dwellings near the representor’s property boundary. This will result in a significant increase in neighbourhood noise, particularly if vegetation is removed.</p>	<p>The Planning Scheme’s Acceptable Solution Clause 8.4.1-(A1) states that multiple dwellings must have a site area per dwelling of not less than 325m².</p> <p>The proposed development is compliant with this standard, with 48 dwellings proposed over a site area of 2.859ha. This equates to a site area of 595.6m² per dwelling.</p> <p>Noise matters are regulated under the <i>Environmental Management and Pollution Control Act 1994</i> and are outside matters to be considered by the Planning Authority.</p>

REPRESENTATION NO. 2	
<p>1 No objection to the dwellings. However, objection to the placement/location of the recreational area adjacent to the boundary with 48 Amy Street, to the north. The recreational area would be best placed 'within' the development area, for safety reasons and for a more communal environment. Asks that the dwelling design be reassessed to allow for the same number of dwellings on site and the recreational area located 'within' the development.</p>	<p>The dwelling at 48 Amy Street is located approximately 65m from the proposed BMX track.</p> <p>The proposed BMX track is a small, single loop track over an area of approximately 150m². The track is associated with the development of the dwellings and is not intended to be a public BMX track.</p> <p>For comparison, the Ulverstone, Fairway Park BMX pump track covers an area of approximately 3,760m² and is a public facility. The nearest dwelling is located 67m from the track. No nuisance complaints have been received by Council in relation to the Fairway Park BMX track.</p> <p>Noise matters are regulated under the <i>Environmental Management and Pollution Control Act 1994</i> and are outside matters to be considered by the Planning Authority.</p>
REPRESENTATION NO. 3	
<p>1 Objects to the proposed development. The area is known as a swamp, being the drain for/from the hills behind and is very low-lying ground. Removal of the trees for development would give way to possible landslip.</p>	<p>GeoTon Pty Ltd's Geotechnical Investigation report states that, based on the findings of the investigations and the landslide risk assessment, the proposed development would not adversely impact on the site or immediate surrounds, nor increase the current landslide risk, provided the site was managed with principles of the "Guidelines for Good Hillside Construction" released by the Australian Geomechanics Society,</p>

	Volume 42, Number 1, dated March 2007.
<p>2 Objects to the planned recreation area boarding on neighbours at 48 Amy Street. Noise would travel up the hill, day and night.</p>	<p>The dwelling at 48 Amy Street is located approximately 65m from the proposed BMX track.</p> <p>The proposed BMX track is a small, single loop track over an area of approximately 150m². The track is associated with the development of the dwellings and is not intended to be a public BMX track.</p> <p>For comparison, the Ulverstone Fairway Park BMX pump track covers an area of approximately 3,760m² and is a public facility. The nearest dwelling is located 67m from the track. No nuisance complaints have been received by Council in relation to the Fairway Park BMX track.</p> <p>Noise matters are regulated under the <i>Environmental Management and Pollution Control Act 1994</i> and are outside matters to be considered by the Planning Authority.</p>
REPRESENTATION NO. 4	
<p>1 BMX Pump Track</p> <p>There are no construction specifications in the application, or details on the management and operation of the BMX track. No assessment relative to noise, hours of operation or impact on residential use.</p> <p>There is concern the BMX track may not be safe and there is no facility for safety matters to</p>	<p>The proposed BMX track is a small, single loop track over an area of approximately 150m². For comparison, the Ulverstone Fairway Park BMX pump track covers an area of approximately 3,760m². No noise complaints have been received by Council in relation to the Fairway Park BMX track.</p> <p>The BMX pump track is one of several ancillary, communal recreational spaces proposed to be</p>

	<p>be addressed, once approval is granted.</p> <p>Once the BMX track is completed it would be available for use by anyone in the area and cannot be limited to a specific age of user. It could be used day and night.</p>	<p>developed on the site, for use by the residents.</p> <p>It will be the responsibility of the site manager, Housing Choices, to determine who can use the site. The various activity sites are not, however, for public use. Rather the recreational elements are intended for use by the occupants of the residential estate. Safety matters relating to the BMX track are not matters for the Planning Authority.</p>
2	<p>The development would create environmental pollutants such as:</p> <ul style="list-style-type: none"> - noise – the proposal fails to address noise issues; - light; - traffic; - smoke; and - emissions. 	<p>Noise, light nuisance and emissions such as dust and smoke are matters regulated under the <i>Environmental Management and Pollution Control Act 1994</i> and are outside matters to be considered by the Planning Authority.</p>
3	<p>Landscaping</p> <p>There is no proposal plan for replacement tree planting.</p>	<p>A landscaping plan is not required for residential development in the General Residential Zone. The proposal states that a majority of the trees on the site are to be removed, leaving some trees to compliment the communal open space areas across the site.</p>
4	<p>Utilities</p> <p>The proposal lacks reports on sewerage, stormwater, water supply and waste management.</p>	<p>The development was referred to TasWater who have assessed the application in relation to connections to reticulated water and sewer networks. Taswater have issued a Submission to Planning Authority Notice TWDA</p>

<p>Accessibility for emergency services.</p>	<p>2021/01985-CC dated 29 November 2021.</p> <p>The application was assessed by Council, in its capacity as the Road Authority and Stormwater Authority. On-site stormwater detention is required and the site plans show the location of proposed detention basins that would drain to Breheny Place. The detail of this infrastructure is to be approved by the Director Infrastructure Services as per Condition 19.</p>
<p>REPRESENTATION NO. 5</p>	
<p>1 The location of the proposed BMX track will create noise and disturb the tranquillity, fauna and farm animals on the neighbouring property at 48 Amy Street, West Ulverstone.</p>	<p>The dwelling at 48 Amy Street is located approximately 65m from the proposed BMX track.</p> <p>The proposed BMX track is a small, single loop track over an area of approximately 150m². The track is associated with the development of the dwellings and is not intended to be a public BMX track.</p> <p>For comparison, the Ulverstone, Fairway Park BMX pump track covers an area of approximately 3,760m² and is a public facility. The nearest dwelling is located 67m from the track. No nuisance complaints have been received by Council in relation to the Fairway Park BMX track.</p>
<p>2 Much of the greenbelt on the northern slope, that provides shelter and a corridor for many species of animals and birds, will be removed.</p>	<p>The subject land is zoned General Residential. The Planning Authority cannot require the retention of trees and other vegetation in the zone, if the retention would hinder residential development. The exception is when land in the zone is</p>

	<p>The trees act as a visual barrier between our home and current and proposed developments.</p>	<p>to be subdivided into separate estates of interest.</p>
3	<p>The report by GeoTon notes that some trees need to be removed (willows, birches and elms). However trees such as <i>Eucalyptus globulous</i> live for 50 years and currently require no work. There is no guarantee the developers will not remove trees, as a matter of convenience and cost.</p>	<p>The subject land is zoned General Residential. The proposed development satisfies the purpose of the General Residential Zone, which is to provide for residential use and development that accommodates a range of dwelling types, where full infrastructure services are available or can be provided.</p> <p>There is no statutory requirement that trees remain on the site. The Planning Authority cannot require the retention of trees and other vegetation in the zone, where the retention would hinder residential development. The exception is when land in the zone is to be subdivided into separate estates of interest.</p>
REPRESENTATION NO. 6		
1	<p>The Minister for Housing, Mr Ferguson, has stated that there is no place for high density developments in Tasmania. Does local government take guidance or policies from the State government in these matters?</p>	<p>The use and development of land is regulated by the <i>Land Use Planning and Approvals Act 1993</i> and the <i>Tasmanian Planning Scheme – Central Coast</i>. The land is zoned General Residential. The use of land for “multiple dwellings” is a “Permitted” Use Class in the zone and the proposed development satisfies the purpose of the General Residential Zone, which is to provide for residential use and development that accommodates a range of dwelling types, where full infrastructure services are available or can be provided.</p>

	<p>The Planning Scheme's Acceptable Solution Clause 8.4.1-(A1) states that multiple dwellings must have a site area per dwelling of not less than 325m².</p> <p>The proposed development is compliant with this standard, with 48 dwellings proposed over a site area of 2.859ha. This equates to a site area of 595.6m² per dwelling.</p>
<p>2 When purchasing property in Westland Drive, we were advised by the, then Housing Department, that the area in question would never be developed, as it had to remain a nature area. I was also advised the area contained a spring, meaning it could not be built on. The GeoTon report does not mention this.</p>	<p>The land is zoned General Residential. The use of land for "multiple dwellings" is a "Permitted" Use Class in the zone.</p> <p>The GeoTon Pty Ltd report details subsurface conditions based on the results of borehole tests and seepage investigations.</p> <p>GeoTon Pty Ltd Geotechnical Investigation report states that, based on the findings of the investigations and landslide risk assessment, the proposed development would not adversely impact on the site or immediate surrounds, nor increase the current landslide risk, provided the site was managed within the principles of the "Guidelines for Good Hillside Construction" released by the Australian Geomechanics Society, Volume 42, Number 1, dated March 2007.</p>
<p>3 Westland Drive area is a quiet and peaceful neighbourhood. No noise problems. Building a high density housing estate adjacent the current dwellings will downgrade the quality of</p>	<p>The land is zoned General Residential. The use of land for "multiple dwellings" is a "Permitted" Use Class in the zone.</p>

<p>living for affected landowners. We have previously lived in Tingha Way which had crime in the streets, including violence, stealing, arson and murder.</p> <p>We cannot understand why Central Coast Council would approve a plan for high density housing in this area.</p>	<p>Clause 8.4.1 of the Planning Scheme examines residential density for multiple dwelling development.</p> <p>Acceptable Solution Clause 8.4.1–(A1) states that multiple dwellings must have a site area per dwelling of not less than 325m².</p> <p>The proposed development is compliant with this standard, with 48 dwellings proposed over a site area of 2.859ha. This equates to a site area of 595.6m² per dwelling.</p>
<p>4 The area to be developed is the habitat for many birds and animals. The removal of tall trees and ground cover will decimate these populations and further lead to an environment devoid of natural creatures that we should be aiming to protect.</p>	<p>There is no statutory requirement that trees remain on the site. The subject land is zoned General Residential. The Planning Authority cannot require the retention of trees and other vegetation in the zone, where the retention would hinder residential development, other than for subdivision.</p>
<p>5 Many species of mature trees grow on the site. With some exceptions, these should not be removed. The plans show only 2 trees are to remain intact near the boundary of 35 Westland Drive. As many trees as possible should remain standing in urban areas. They are also keeping the ground stable from landslip.</p>	<p>There is no statutory requirement that trees remain on the site. The subject land is zoned General Residential. The Planning Authority cannot require the retention of trees and other vegetation in the zone, where the retention of trees would hinder residential development.</p>
<p>6 Density of proposed residences – history shows when people are forced to live in confined accommodation there is a greater chance of disagreement or altercation due to lifestyle differences.</p>	<p>The use of the land for “multiple dwellings” is a “Permitted” Use Class in the zone.</p> <p>Clause 8.4.1 of the Planning Scheme examines residential density for multiple dwelling development.</p>

<p>Less residences should be constructed and larger spacing allocated between them.</p> <p>Asks that Council give deep pursual of the proposal, taking into account the outcomes for current landholders and rate payers.</p>	<p>Acceptable Solution Clause 8.4.1–(A1) states that multiple dwellings must have a site area per dwelling of not less than 325m².</p> <p>The proposed development is compliant with this standard, with 48 dwellings proposed over a site area of 2.859ha. This equates to a site area of 595.6m² per dwelling.</p>
<p>REPRESENTATION NO. 7</p>	
<p>1 The community of West Ulverstone should have been better consulted about the use of the land.</p>	<p>The land is zoned General Residential. The use of land for “multiple dwellings” is a “Permitted” Use Class in the zone and the landowner would have an expectation that an application could be made for residential use and development of the land, without additional community consultation.</p> <p>The proposal has satisfied statutory consultation requirements for the making of an application for the use and development of land.</p> <p>Where the subject development cannot satisfy statutory standards, as set out as Acceptable Solutions in the Planning Scheme, then those specific matters are advertised and are assessed for compliance and justification against the relevant Performance Criteria.</p>
<p>2 Landslip area</p> <p>Concerned about the effect of the development on landslip areas.</p> <p>The GeoTon Pty Ltd report puts the level of risk as “tolerable”.</p>	<p>GeoTon Pty Ltd Geotechnical Investigation report states that, based on the findings of the investigations and landslide risk assessment, the proposed development would not adversely impact on the site or immediate surrounds, nor increase the current</p>

<p>What happens with the event of climate change? Has this been considered? With the removal of green cover, water will run down the hillside. Has consideration been given to the land and existing houses located near and above the slip, if subsidence occurs?</p> <p>Retaining the riparian buffer to the top of the block would help stabilise the ground and the slip risk.</p>	<p>landslide risk, provided the site was managed within the principles of the “Guidelines for Good Hillside Construction” released by the Australian Geomechanics Society, Volume 42, Number 1, dated March 2007.</p>
<p>3 Arborist report</p> <p>Trees should be retained in the area where the turning circle and BMX track are proposed. There needs to be more of a greenbelt near this development.</p>	<p>There is no statutory requirement that trees remain on the site. The subject land is zoned General Residential. The Planning Authority cannot require the retention of trees and other vegetation in the zone, where the retention would hinder residential development, other than for the subdivision of land.</p>
<p>4 Stormwater drainage will be a problem on the site, with all the hard surfaces creating large amounts of run-off. Westland Drive has flooded several times.</p>	<p>The application is accompanied by Services Plans (x2) by consulting engineers Johnstone McGee and Gandy Pty Ltd. The plans detail two on-site stormwater detention systems that have been designed to accommodate on-site stormwater catchment and flows, prior to release of stormwater into an existing drainage line in Breheny Place.</p>
<p>5 A similar proposal in Latrobe was rejected because the space had been condensed below acceptable limits, to squeeze in more dwellings.</p>	<p>Not able to comment on the Latrobe Council decision.</p> <p>The Planning Scheme examines residential density for multiple dwelling development.</p> <p>Acceptable Solution Clause 8.4.1–(A1) states that multiple dwellings must have a site area per dwelling of not less than 325m².</p>

	The proposed development is compliant with this standard, with 48 dwellings proposed over a site area of 2.859ha. This equates to a site area of 595.6m ² per dwelling.
<p>6 There will be overcrowded dwellings.</p> <p>Does the development meet regulations for the floor area required for each dwelling? Should it be 200m²?</p> <p>Three car parking spaces per dwelling is not enough.</p>	<p>The development satisfies site density standards for multiple dwellings.</p> <p>The Planning Scheme does not regulate a minimum floor area for a multiple dwelling, other than requiring a maximum 60m² floor area for a secondary residence that is ancillary to a primary dwelling.</p> <p>The Planning Scheme requires 2 car parking spaces per dwelling and 1 visitor parking space for every 4 dwellings. The development satisfies these requirements.</p>

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

CONCLUSION

The proposed development satisfies the purpose of the General Residential Zone which is to provide for residential use and development that accommodates a range of dwelling types, where full infrastructure services are available or can be provided.

The representations received do 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 – 48 multiple dwellings and consolidation of lots – Sunlight to private open space of multiple dwellings; Private open space for all dwellings; Reliance on C2.0 Parking and Sustainable Transport Code and C3.0 Road and Railway Assets Code at 12 & 27 Breheny Place, West Ulverstone – Application No. DA2021324 be approved, subject to the following conditions:

- 1 The development must be substantially in accordance with the concept plans by Cumulus Studio received 8 December, detailed drawings by Cumulus Studio, Drawing Nos. J20737-A0001, J20737-A0002, J20737-A1000, J20737-A1001, J20737-A1100 to J20737-A1104, J20737-A1200 to J20737-A1205, J20737-A1300, J20737-A2000, J20737-A2100, J20737-A2200, J20737-A2300, J20737-A2400, J20737-A3000, J20737-A3001 to J20737-A3007 and J20737-A4000, Revision No. 1 dated 4 November 2012.
- 2 The development must be substantially in accordance with the plans by Johnstone McGee and Gandy Pty Ltd, Project No. J202461CI, Drawing Nos. C01 to C05 dated 2 November 2021.
- 3 The development must be substantially in accordance with the Landscape Concept Design, Drawing No. CD01-Revision C dated 4 November 2021.
- 4 The development must be substantially in accordance with the Traffic Impact Assessment by Hubble Traffic dated November 2021.
- 5 The development must be substantially in accordance with the Discussions and Recommendations of the Geotechnical Investigations report by GeoTon Pty Ltd, Reference No. GL21166Ab dated 7 July 2021.
- 6 The site must be developed and managed within the principles of the "Guidelines for Good Hillside Construction" released by the Australian Geomechanics Society, Volume 42, Number 1, dated March 2007.
- 7 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2021/01985-CC dated 29 November 2021.

- 8 Car parking spaces, access ways, manoeuvring and circulation spaces must comply with the *Australian Standard AS2890 – Parking facilities, Parts 1–6*.
- 9 Parking spaces for use by persons with a disability must be designed and constructed in accordance with *AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities*.
- 10 A minimum of four (4) motorcycle parking spaces must be provided.
- 11 All driveways and vehicle parking and manoeuvring 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.
- 12 All driveways and parking spaces must be line marked and pedestrian crossing points line marked where pedestrians cross access ways or parking aisles.
- 13 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 of a building.
- 14 All soil and vegetation removed from the site during works must be disposed of at an approved landfill site.
- 15 Prior to issue of a Building Permit, all lots are to be transferred to the Director of Housing and all titles consolidated to form a single parcel.

Infrastructure Services Conditions:

- 1 Access to the development can be provided off Breheny Place as shown on the approved plans.
- 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 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.
- 4 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.
- 5 Prior to the commencement of works all plans, calculations and the design of an on-site stormwater detention storage system must be submitted for approval by Council's Director Infrastructure Services. The system must be designed by a suitably qualified professional to include the following:
 - (a) limits to the peak rate of piped stormwater discharge from the property to that generated for the developed site to a level of 40% impervious for a 5% AEP event;
 - (b) accommodate the maximum volume generated for the actual % impervious for the fully developed site for a 5% AEP event; and
 - (c) accommodate the maximum volume generated for the actual % 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.
- 6 A new underground stormwater connection to Council's 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 Council's stormwater system.

Please Note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of a Building Permit or engineering drawings and the physical

commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.

- 3 Prior to the commencement of work, the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required.
- 4 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 Notes:

- 1 Works undertaken must not result in a dust or noise nuisance to the adjoining properties.
- 2 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*.
- 3 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.
- 4 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.
- 5 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.
- 6 Prior to commencement of works, if required, submit an application 'Install Stormwater Connection Point' 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 developer's cost. Drainage costings as listed in the Council's Fees and Charges register apply.

- 7 Any work associated with existing stormwater infrastructure 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.
- 8 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. This would be at the developer's cost.'

The Manager Land Use Planning's report is supported."

The Executive Services Officer reported as follows:

"A copy of the Annexures referred to in the Manager Land Use Planning's report have been circulated to all Councillors."

■ Cr van Rooyen moved and Cr Carpenter seconded, "That the application for Residential – 48 multiple dwellings and consolidation of lots – Sunlight to private open space of multiple dwellings; Private open space for all dwellings; Reliance on C2.0 Parking and Sustainable Transport Code and C3.0 Road and Railway Assets Code at 12 & 27 Breheny Place, West Ulverstone – Application No. DA2021324 be approved, subject to the following conditions:

- 1 Prior to commencing works, the applicant must submit a revised landscaping plan to the satisfaction of Council's General Manager showing removal of the BMX track from the development. In this regard, retention (where safe to do so) or replacement of trees located along 34m of the southern boundary and 73m of the eastern boundary must be depicted on the landscaping plan as well as retention of other mature trees located near the southern boundary (where safe to do so).
- 2 The development must otherwise be substantially in accordance with the concept plans by Cumulus Studio received 8 December, detailed drawings by Cumulus Studio, Drawing Nos. J20737-A0001, J20737-A0002, J20737-A1000, J20737-A1001, J20737-A1100 to J20737-A1104, J20737-A1200 to J20737-A1205, J20737-A1300, J20737-A2000, J20737-A2100, J20737-A2200, J20737-A2300, J20737-A2400, J20737-A3000, J20737-A3001 to J20737-A3007 and J20737-A4000, Revision No. 1 dated November 2021.
- 3 The development must otherwise be substantially in accordance with the plans by Johnstone McGee and Gandy Pty Ltd, Project No. J202461CI, Drawing Nos. C01 to C05 dated 2 November 2021.

- 4 The development must otherwise be substantially in accordance with the Landscape Concept Design, Drawing No. CD01–Revision C dated 4 November 2021.
- 5 The development must be substantially in accordance with the Traffic Impact Assessment by Hubble Traffic dated November 2021.
- 6 The development must be substantially in accordance with the Discussions and Recommendations of the Geotechnical Investigations report by GeoTon Pty Ltd, Reference No. GL21166Ab dated 7 July 2021.
- 7 The site must be developed and managed within the principles of the “Guidelines for Good Hillside Construction” released by the Australian Geomechanics Society, Volume 42, Number 1, dated March 2007.
- 8 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2021/01985–CC dated 29 November 2021.
- 9 Car parking spaces, access ways, manoeuvring and circulation spaces must comply with the *Australian Standard AS2890 – Parking facilities, Parts 1–6*.
- 10 Parking spaces for use by persons with a disability must be designed and constructed in accordance with *AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities*.
- 11 A minimum of four (4) motorcycle parking spaces must be provided.
- 12 All driveways and vehicle parking and manoeuvring 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.
- 13 All driveways and parking spaces must be line marked and pedestrian crossing points line marked where pedestrians cross access ways or parking aisles.
- 14 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 of a building.
- 15 All soil and vegetation removed from the site during works must be disposed of at an approved landfill site.
- 16 Prior to issue of a Building Permit, all lots are to be transferred to the Director of Housing and all titles consolidated to form a single parcel.

Infrastructure Services Conditions:

- 1 Access to the development can be provided off Breheny Place as shown on the approved plans.
- 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 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.
- 4 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.
- 5 Prior to the commencement of works all plans, calculations and the design of an on-site stormwater detention storage system must be submitted for approval by Council's Director Infrastructure Services. The system must be designed by a suitably qualified professional to include the following:
 - (a) limits to the peak rate of piped stormwater discharge from the property to that generated for the developed site to a level of 40% impervious for a 5% AEP event;
 - (b) accommodate the maximum volume generated for the actual % impervious for the fully developed site for a 5% AEP event; and
 - (c) accommodate the maximum volume generated for the actual % 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.
- 6 A new underground stormwater connection to Council's 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 Council's stormwater system.

Please Note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Prior to the commencement of work, the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required.
- 4 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 Notes:

- 1 Works undertaken must not result in a dust or noise nuisance to the adjoining properties.
- 2 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*.
- 3 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.
- 4 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.
- 5 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.

- 6 Prior to commencement of works, if required, submit an application 'Install Stormwater Connection Point' 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 developer's cost. Drainage costings as listed in the Council's Fees and Charges register apply.
- 7 Any work associated with existing stormwater infrastructure 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.
- 8 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. This would be at the developer's cost."

Carried unanimously

51/2022 Visitor Accommodation – retrospective application for camping ground and ablutions building – Visitor Accommodation and reliant on CCO–S5.0 Turners Beach Specific Area Plan for Beach Access at 23 Esplanade, Turners Beach – Application No. DA2021335

The Director Community Services reported as follows:

"The Town Planner has prepared the following report:

<i>'DEVELOPMENT APPLICATION NO.:</i>	DA2021335
<i>PROPOSAL:</i>	Visitor Accommodation – retrospective application for camping ground and ablutions building – Visitor Accommodation and reliant on CCO–S5.0 Turners Beach Specific Area Plan for Beach Access
<i>APPLICANT:</i>	Clinton Van Neutegem
<i>LOCATION:</i>	23 Esplanade, Turners Beach
<i>ZONE:</i>	General Residential Zone
<i>OVERLAY:</i>	Turners Beach Specific Area Plan
<i>PLANNING INSTRUMENT:</i>	<i>Tasmanian Planning Scheme – Central Coast</i> "the Planning Scheme"
<i>ADVERTISED:</i>	5 January 2022
<i>REPRESENTATIONS EXPIRY DATE:</i>	19 January 2022
<i>REPRESENTATIONS RECEIVED:</i>	Seven
<i>42–DAY EXPIRY DATE:</i>	31 January 2022
<i>DECISION DUE:</i>	21 February 2022

PURPOSE

The purpose of this report is to consider an application for Visitor Accommodation – camping ground and ablutions building at 23 Esplanade, Turners Beach.

Accompanying the report are the following documents:

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

BACKGROUND

Development description –

Application is made, retrospectively, to establish Visitor Accommodation in the form of a camping ground with two associated buildings on the site, being an ablution building and a kitchenette facilities building on land known as 23 Esplanade, Turners Beach.

The proposal comprises a 219m² area to be utilised as a camping ground which would be setback 3m from both side boundaries, 6m from the front boundary and 3m from the rear boundary.

The applicant has stated that the main use of the site would be for personal use (one caravan at a time) with the occasional, additional one to two caravans on the site (maximum of three caravans at one time). All car parking would be on-site.

The intensity for the Visitor Accommodation use is stated (by the applicant) to be very minimal, with approximately one to two weeks over the summer holidays and for a week over the Easter holidays.

The proposal also includes, retrospectively, two buildings. An ablution building (2.4m x 3.2m) and kitchenette facilities building (2.2m x 3.2m). These buildings are located 600mm from the eastern side boundary. The buildings are joined externally (eastern elevation) by a wooden ‘privacy’ screen. In total, the length of the combined buildings is approximately 7m.

Note – it is not uncommon for General Residential zoned properties to have caravans either parked in the driveway or within the site. This is considered a continuation of an established Residential use. As the development site is vacant, a use must be established on the site.

As the site does not contain an established Residential Use, the most appropriate Use Class for this proposal would be Visitor Accommodation. If the site contained a dwelling, no application would be required for the caravans. An application is only required as the site is vacant.

Site description and surrounding area –

The 728m² vacant General Residential zoned property is located on the northern side of Esplanade, Turners Beach that faces Bass Strait. The site adjoins General Residential zoned properties, all developed with single dwellings and associated outbuildings.

The site falls within the Turners Beach Specific Area Plan.

The site is connected to all reticulated services.

History –

The Council received a complaint in November 2021 regarding buildings constructed at 23 Esplanade, Turners Beach. Investigation of the site resulted in a call to the applicant and a subsequent retrospective application was lodged 23 November 2021.

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:
 - (b) 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 to establish Visitor Accommodation use on a vacant General Residential zoned land.

The proposal is consistent with Zone Purpose 8.1.4 in that the use would provide for Visitor Accommodation that is compatible with residential character.

The proposal would be similar to other surrounding General Residential zoned land that often includes caravans parked in their driveways and/or yard areas.

Visitor Accommodation is a Permissible Use in the General Residential zone.

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"/>	

<p>8.3.1-(A2)</p> <p>External lighting for a use listed as Discretionary:</p> <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>☒</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>	<p>☒</p>	
<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>	<p>☒</p>	

(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 type="checkbox"/>	Non-compliant. Visitor Accommodation will not accommodate guests in an existing habitable building. Refer to the “Issues” section of this report.
8.4 Development Standards for Dwellings		
8.4.1 Residential density for multiple dwellings	Not applicable	Compliant.
8.4.1–(A1) Multiple dwellings must have a site area per dwelling of not less than 325m ² .	<input checked="" type="checkbox"/>	
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 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;	<input checked="" type="checkbox"/>	

<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>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) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<input checked="" type="checkbox"/>	
<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</p>	<input checked="" type="checkbox"/>	

<p>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> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>		
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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 checked="" type="checkbox"/>	
<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 style="padding-left: 40px;">(i) 24m²; or</p> <p style="padding-left: 40px;">(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> <p>(b) has a minimum horizontal dimension of not less than:</p> <p style="padding-left: 40px;">(i) 4m; or</p> <p style="padding-left: 40px;">(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is</p>	<input checked="" type="checkbox"/>	

<p>entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <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>		
8.4.4 Sunlight to private open space of multiple dwellings	Not applicable	Assessment
<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> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 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>	☒	
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 or floor level more than 1m above existing ground level must have a</p> <p>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> <p>(a) side boundary, unless the balcony, deck, roof terrace,</p>	☒	

<p>parking space, or carport has a setback of not less than 3m from the side boundary;</p> <p>(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</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.</p>		
<p>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 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <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</p>	<p style="text-align: center;">☒</p>	

<p>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, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>		
<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</p>	<p style="text-align: center;">☒</p>	

<p>room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m 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>		
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> <p>A fence (including a free-standing wall) for 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>	<input checked="" type="checkbox"/>	

(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> <p>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) a common storage area with an impervious surface that:</p> <p>(i) has a setback of not less than 4.5m from a frontage;</p> <p>(ii) is not less than 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</p>	<input checked="" type="checkbox"/>	
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>	<input type="checkbox"/>	<p>(a) Compliant. Both buildings are setback greater than 4.5m from the front boundary.</p> <p>(b) Satisfied by (a).</p> <p>(c) Satisfied by (a).</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</p>	<p><input type="checkbox"/></p>	<p>(a)(i) Compliant. As discussed above.</p> <p>(a)(ii) Compliant. Both buildings are no higher than 2.4m and setback 4m from the rear boundary.</p> <p>(b)(i) Satisfied by (b)(ii).</p> <p>(b)(ii) Compliant. Both buildings are setback closer than 1.5m to the eastern side boundary. The total wall length within 1.5m of the eastern boundary would be less than 9m (approximately 7m in total, which includes a wooden screen that connects the buildings).</p>

<p>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-third of the length of the side or rear boundary (whichever is lesser).</p>		
<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 type="checkbox"/>	<p>(a) Compliant. Total building area would be 13.44m². Site coverage would be 0.018%.</p> <p>(b) Compliant. There would be greater than 35% of site area of which is free from impervious surfaces.</p>
<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>	<input checked="" type="checkbox"/>	

<p>A fence (including a free-standing wall) for a building that is not 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. 		
<p>8.5.1–(A5)</p> <p>Outdoor storage areas, for a building that is not a dwelling, including waste storage, must not:</p> <ul style="list-style-type: none"> (a) be visible from any road or public open space adjoining the site; or (b) encroach upon parking areas, driveways or landscaped areas. 	<input type="checkbox"/>	<ul style="list-style-type: none"> (a) Compliant. Condition of Permit will be that outdoor storage areas, including waste storage must not be visible from any road or public open space adjoining the site. (b) Compliant. Condition of Permit will be that outdoor storage areas, including waste storage must not encroach upon parking areas, driveways or landscaped areas.
<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 type="checkbox"/>	<p>Compliant. Condition of Permit will be that no air extraction, pumping, refrigeration systems or compressors are allowed on the buildings.</p>

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 1m 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) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	☒	
<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>	☒	
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</p>	☒	

<p>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> <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</p>	<input checked="" type="checkbox"/>	

vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.		
<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 	<input checked="" type="checkbox"/>	

<p>shops and services and public transport routes;</p> <p>(f) access to public transport;</p> <p>(g) the efficient and safe movement of pedestrians, cyclists and public transport;</p> <p>(h) the need to provide bicycle infrastructure on new arterial 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</p>	<input checked="" type="checkbox"/>	

Utilities, must be capable of connecting to a public stormwater system.		
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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</p>	<div><input type="checkbox"/></div>	<p>Compliant. The Parking and Sustainable Transport Code requires 1 car parking space per caravan space. The applicant has stated that there would be a maximum of three caravans on the site at any one time. There is ample area on the proposed campground area to allow the caravans and provisions for 3 car parking spaces. Condition of Permit would reflect this requirement.</p> <p>(a)–(d) Not applicable.</p>

<p>on-site car parking is required; or</p> <p>(ii) 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> <p>$N = A + (C - B)$</p> <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>	<input checked="" type="checkbox"/>	

<p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>		
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 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. Condition of Permit that not less than grass must remain on the site within the campground area.</p> <p>(b) Compliant by condition.</p> <p>(c) Compliant. Condition of Permit that not less than grass must remain on the site within the campground area.</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>	<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) 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 1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</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. There is ample area on the site to ensure all car parking areas comply with the <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>.</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>
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<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> <p>(b) no more than the existing number of accesses whichever is the greater.</p>	<input type="checkbox"/>	<p>(a) Compliant. Site has one access.</p> <p>(b) Not applicable. Satisfied by (a).</p>
<p>C2.6.3–(A2)</p> <p>Within the Central Business Zone or in a pedestrian priority street no new access</p>	<input checked="" type="checkbox"/>	

is provided unless an existing access is removed.		
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	Not applicable	Assessment
<p>C2.6.4–(A1)</p> <p>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.</p>	☒	
C2.6.5 Pedestrian access	Not applicable	Assessment
<p>C2.6.5–(A1.1)</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles by:</p> <p>(iii) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p>	☒	

<p>(iv) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <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>	<input checked="" type="checkbox"/>	
<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"/>	

C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	Not applicable	Assessment
<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> <ul style="list-style-type: none"> (a) have dimensions not less than: <ul style="list-style-type: none"> (iv) 1.7m in length; (ii) 1.2m in height; and (v) 0.7m in width at the handlebars; (b) have unobstructed access with a width of not less than 	<input checked="" type="checkbox"/>	

<p>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>		
C2.6.8 Siting of parking and turning areas	Not applicable	Assessment
<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
C2.7.1-(A1) Within a parking precinct plan, on-site parking must: (a) not be provided; or (b) not be increased above existing parking numbers.	<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 type="checkbox"/>	<input checked="" type="checkbox"/> Applies. Refer to Table below.

CCO-S5.0 Turners Beach Specific Area Plan**CCO-S5.1 Plan Purpose**

The purpose of the Turners Beach Specific Area Plan is:

CCO-S5.1.1 To provide a framework to guide the future development of Turners Beach.

CCO-S5.2 Application of this Plan

CCO-S5.2.1 This Specific Area Plan applies to the area of land designated as Turners Beach Specific Area Plan on the overlay maps.

CCO-S5.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for and are in addition to the provisions of the General Residential Zone, as specified in the relevant provision.

CCO-S5.3 Local Area Objectives

Sub-clause	Area Description	Local Area Objectives
CCO-S5.3.1.1	Turners Beach Specific Area Plan shown on an overlay map as CCO-S5.3.1.1	<p>The local area objectives of the Turners Beach Specific Area Plan are to:</p> <ul style="list-style-type: none"> (a) protect and conserve existing native flora and fauna in a natural state; (b) identify areas vulnerable to coastal inundation by the sea; (c) retain access to the foreshore in a manner that is not disruptive to natural processes; (d) maintain and enhance opportunity for visual outlook to the sea and coastal landmarks; (e) retain an eclectic mix of housing styles at suburban density and with characteristic building setbacks to the street; (f) provide for new residential development in waterfront locations of a scale and appearance to nestle within the landscape; (g) provide for buildings that are typically one or two storeys high, oriented to the frontage, and separated from the frontage and internal site boundaries; (h) allow commercial buildings to the frontage; (i) employ low, transparent fencing and vegetation to define the frontage; and side and rear boundary fencing that is unobtrusive in terms of colour and material; (j) typically treat the frontage setback for garden and landscape purposes; (k) use measures such as split-level building design or broken form to minimise the scale and bulk of new buildings and additions to existing buildings;

		<ul style="list-style-type: none"> (l) use increased setback distances to minimise any potential privacy loss from buildings that are higher than neighbouring dwellings; (m) manage street trees and remnant vegetation to complement and create view corridors in residential areas; (n) retain the generally informal character of the residential area north of the Bass Highway through appropriate street planting, narrowing of streets, and use of swale drains; (o) limit commercial activity to home occupation and local convenience retail; (p) retain sand dunes at the natural beach profile; and provide access through the dunes only at specific and formalised locations; (q) manage the environmental significance of the River Forth estuary area to retain the Eucalypt forest and under-storey; and (r) restrict new development on sand dunes and the River Forth estuary to minor low impact facilities such as toilets and change rooms, and car parking of a size to minimise loss of vegetation and visual quality.
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CCO-S5.6 Use Standards

This sub-clause is not used in this specific area plan.

CCO-S5.7 Development Standards for Buildings and Works

CCO-S5.7.1 Setbacks and building envelope for all buildings

The Acceptable Solution in this clause is in substitution for General Residential Zone – clause 8.4.2 Setback and building envelope for all dwellings A3 and P3 and clause 8.5.1 Non Dwelling Development A2 and P2.

Objective:	<p>That building height:</p> <ul style="list-style-type: none"> (a) minimises over-shadowing of adjoining sites; (b) protects privacy of adjoining dwellings; and (c) protects view lines.
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Acceptable Solutions	Not applicable	Assessment
<p>A1</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 CCO-S5.1, CCO-S5.2 and CCO-S5.3) 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 5.5m 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</p>	<input checked="" type="checkbox"/>	

<p>boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>		
<p>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 CCO-S5.1, CCO-S5.2 and CCO-S5.3) 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 5.5m above existing ground level; and</p>	<p><input type="checkbox"/></p>	<p>(a)(i) Compliant. Both buildings are setback greater than 4.5m from the front boundary.</p> <p>(a)(ii) Compliant. Both buildings are no higher than 2.4m.</p> <p>(b)(i) Compliant by (b)(ii).</p> <p>(b)(ii) Compliant. Both buildings are setback closer than 1.5m to the eastern side boundary. The total wall length within 1.5m of the eastern boundary would be less than 9m (approximately 7m in total, which includes a wooden screen that connects the buildings).</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-third of the length of the side or rear boundary (whichever is lesser).</p>		
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CCO-S5.7.2 Vegetation management

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5. Development Standards for Non-dwellings.

Objective:	Vegetation is managed in a sustainable manner.	
Acceptable Solutions	Not applicable	Assessment
A1 There must be no clearing or conversion of vegetation within the littoral, riparian and road reserves.	<input type="checkbox"/>	Compliant. No clearing or conversion of vegetation within the littoral, riparian and road reserves will occur.

CCO-S5.7.3 Landscaping

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings.

Objective:	The front of the dwelling is landscaped.	
Acceptable Solutions	Not applicable	Assessment
A1 On a site, excluding an <u>internal lot</u> , not less than 50% of the <u>site</u> area between	<input checked="" type="checkbox"/>	

the <u>frontage</u> and a <u>building</u> containing a <u>dwelling</u> must be landscaped with not less than grass.		
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CCO-S5.7.4 Beach access

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5. Development Standards for Non-dwellings.

Objective:	Access to the beach or the River Forth is controlled to minimise damage to the ecosystem.	
Acceptable Solutions	Not applicable	Assessment
A1 New vehicular or pedestrian accesses to the beach or River Forth must not be created.	<input type="checkbox"/>	Non-compliant. The development site adjoins an existing beach access track as is common in this area. While the development allows an entry point onto these existing tracks, the permit will be conditioned to prevent the creation of new beach tracks.

CCO-S5.8 Development Standards for Subdivision

This sub-clause is not used in this specific area plan.

CCO-S5.9 Tables

This sub-clause is not used in this specific area plan.

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 8.3.2–(P1) Visitor Accommodation –*

The Planning Scheme's Acceptable Solution for Clause 8.3.2–(A1) states that Visitor Accommodation must:

- (a) accommodate guests in existing habitable buildings; and
- (b) have a gross floor area of not more than 200m² per lot.

The proposal is for Visitor Accommodation in the form of a camping ground that would accommodate caravans and tents. The Visitor Accommodation will not be within an existing habitable building. Therefore, the proposed development seeks a variation to this Clause and an exercise of discretion is required.

Note – gross floor area refers to the total floor area of a building. A caravan is not a building, therefore Clause 8.3.2–(A1)(b) is not applicable to this application.

The Planning Scheme's Performance Criteria for Clause 8.3.2–(P1) states that Visitor Accommodation use must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to:

- (a) the privacy of adjoining properties;

Compliant. The camping ground area would be setback 3m from both side boundaries and the rear boundary and would be setback 6m from the front boundary. The camping ground area would be setback greater from boundaries than existing setbacks within the area accommodating dwellings.

The ablutions building and kitchenette facilities building would be setback 600mm from the eastern side boundary. Even though the setback is close, the buildings satisfy the building envelopes within the General Residential Zone which allows dwellings (including outbuildings and non-dwelling buildings) to be setback along a side boundary, providing the total length is not greater than 9m and the height is not greater than 3m.

The total combined length of the two buildings would be approximately 7m, and the height of both buildings is 2.4m. The ablutions building has one low window facing the eastern elevations which appears to be blocked. The kitchenette facilities building has no windows or doors facing the eastern elevation. Where the buildings are separated, they are screened from the eastern elevation by a wooden privacy panel.

It is considered the privacy of adjoining properties would not be affected by the proposal, any greater than other adjoining residential development. In fact, the proposed Visitor Accommodation would be separated from boundaries greater than established residential uses within the vicinity.

- (b) any likely increase in noise to adjoining properties;

Compliant. It is acknowledged, that there would be greater noise from the site as the site is currently vacant. However, it is not considered that the noise would be unreasonable within the well-established and developed residential area. The site is proposed to be used infrequently and, would have a maximum of 3 caravans allowed on-site at any one time.

- (c) the scale of the use and its compatibility with the surrounding character uses within the area;

Compliant. The site is proposed to be used infrequently and would have a maximum of 3 caravans allowed on-site at any one time. Due to the proposed infrequency, the limited number of caravans proposed on the site and setbacks to all boundaries, it is considered that the Visitor Accommodation use would operate in conjunction with the surrounding residential use in a manner that is compatible and would not create an unreasonable impact.

- (d) retaining the primary residential function of an area;

Compliant. The Visitor Accommodation will not impact on the primary residential function of the area. It is not uncommon that adjoining residential properties have caravans parked either in their driveway or yard.

The proposal is not a large commercial size Visitor Accommodation use. It would allow for a maximum of 3 caravans on-site and will be used very infrequently.

Even if it was used frequently, the number of caravans proposed on-site is small compared to large commercial sized caravan parks.

It is not uncommon for caravan parks to be established within a residential area. There is one that operates on the Esplanade, Turners Beach which does not have any known adverse impacts on the surrounding residential area.

- (e) the impact on the safety and efficiency of the local road network; and

Compliant. There would be no impact on the safety and efficiency of the local road network, being Esplanade.

- (f) any impact on the owners and users rights of way.

Not applicable. The site does not have a right of way.

2 *Clause CCO-S5.7.4-(P1) Beach Access under the Turners Beach Specific Area Plan -*

The Planning Scheme's Acceptable Solution for Clause CCO-S5.7.4-(A1) states that new vehicular or pedestrian accesses to the beach or River Forth must not be created.

The development site adjoins an existing beach access track as is common in this area. The development allows an entry point onto these existing tracks. 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 CCO-S5.7.4-(P1) states vehicular or pedestrian accesses to the beach or River Forth must:

- (a) be required to rationalise and reduce the number of existing access; and

Compliant. The proposal includes a new entry (pedestrian only) point from the development site to existing beach tracks. The new entry point would allow users to utilise existing formed tracks along the beach. There would be no new beach accesses

created on the dune system. A condition of the Planning Permit would be that new, modification and/or upgrade of beach tracks is prohibited.

- (b) not adversely impact on the coastal dune or river bank ecosystem.

Compliant. As mentioned above, the proposal includes a new entry (pedestrian only) point from the development site to existing beach tracks. The new entry point would allow users to utilise existing formed tracks along the beach. There would be no new beach accesses created on the dune system. There would be no further adverse impacts on the coastal dune system or river bank ecosystem, greater than existing.

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	<p>Plumbing application PCLC2021068 was received to the Regulatory Service section on 4 November 2021 and a start work received on 12 November 2021 for the plumbing (shed with amenities, sanitary drainage and reticulated water).</p> <p>Council internal processes means that plumbing applications are not referred to the Planning Section.</p> <p>The buildings appear to be a Low Risk works under the <i>Building Act 2016</i>.</p>
Infrastructure Services	Conditions and Notes to apply to the 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 –

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

The representations are summarised and responded to as follows:

REPRESENTATION 1	
MATTER RAISED	RESPONSE
1 Already an existing beach access point approximately 10 houses away. Another access point would create irreversible environmental damage.	The development site adjoins an existing beach access track as is common in this area. While the development allows a pedestrian entry point onto these existing tracks, the permit will be

	conditioned to prevent the creation of new beach tracks.
2 Damages that would occur include loss of natural habitat for wildlife, loss of vegetation which would destabilise the dune and risk of erosion and increase with flooding.	Refer to comments made above (matter No. 1) regarding utilisation of existing beach tracks.
3 The Council has already allowed terrible destruction to the Turners Beach dunes by allowing properties on the beach side of Esplanade to have illegal beach access and illegal clearing.	Refer to comments made in matter Nos. 1 and 2 above.
4 Seen first-hand the damage that individuals can have on the environment especially in dune areas and its major erosion and environmental crisis.	Refer to comments made in matter Nos. 1 and 2 above.
5 There is already 2 options for camping grounds in Turners Beach. A third in such a populated area would be very unpleasant.	<p>There are two large commercial sized campgrounds at Turners Beach. Along the Esplanade and an 'fully self-contained' RV site associated with the Berry Patch in Blackburn Drive. Both sites have Permits for the use of the land for Visitor Accommodation.</p> <p>This proposal is not for a large-scale commercial sized campground. The proposal is to allow a maximum of 3 caravans on the site at any one time and is proposed to be used infrequently.</p> <p>It is not uncommon for caravans to be parked in the driveways and yards of General Residential zoned</p>

	<p>properties. This is evident at Turners Beach. As the site is vacant land, a use had to be applied for the proposal. Residential use can only apply for dwellings; therefore, the next viable use class was Visitor Accommodation.</p> <p>Visitor Accommodation can be on a commercial basis or otherwise available to the general public at no cost. It can present in different forms and scales, including large and small caravan parks and campgrounds. The use does not need to be on public land. It can be a private use of land, with occupants at the discretion of the landowner.</p> <p>This proposal is not considered a large commercial campground. Rather, the use is applied to the proposal to allow the site to be used without the construction of a residential dwelling.</p>
<p>6 The allowance of current building and its vicinity to the boundary line is a violation of the building code which discredits the Council authority and sets a worrying precedent.</p>	<p>It is acknowledged that the construction of the buildings on the site occurred without appropriate approvals. They were constructed with the assumption (by the owner) that they satisfied the exemptions for outbuildings in the General Residential zone under Clause 4.3.7 of the Planning Scheme.</p> <p>Once the owner was made aware this was not the case, a retrospective application was lodged to allow assessment of the proposal.</p> <p>As discussed in the assessment criteria Table above under Clause</p>

	8.5.1 –(A2), both buildings satisfy the setbacks to the side boundaries and are both within the required building envelope. This was not a discretionary component of the application.
REPRESENTATION 2	
1	<p>Would like to reinforce that no clearing or pruning of native vegetation from the coastal reserve occurs and that a condition be included that no plant species be planted on the coastal reserve area.</p> <p>Agree this is required. Refer to Condition No. 4 of the Planning Permit.</p>
2	<p>Happy to see use of existing beach tracks. However, it's imperative that there be no modification or upgrading of this track. Furthermore, no construction of seating in the dune or on the beach for use by visitors to the camping ground.</p> <p>Agree this is required. Refer to Condition Nos. 3, 4 and 5 of the Planning Permit.</p>
3	<p>It is suggested for Council to monitor and enforce the above, that photographic record be made and held on file of the dune area and that periodic checks be made.</p> <p>The Council uses a "NearMap" program that produces aerial images on the GIS mapping system. Access is also available to the "NearMap" software.</p> <p>"NearMap" takes aerial photographs in the urban areas approximately every 6 months and rural areas approximately every 3 years. This allows the Council to clearly see any current changes to land, including the clearance of vegetation or the modification of any land. "NearMap" also allows comparisons (split</p>

	<p>screen) between timeframes. The current “NearMap” aerial images commenced (in most cases) on the 8 February 2015 with the most recent being 27 November 2021.</p> <p>“NearMap” allows the Council to monitor and keep a record of how the land is used and if any modifications occur.</p>
REPRESENTATION 3	
1 Believes the illegally built structure should be removed and the property owners follow due process regarding any further development on the site.	<p>Refer to comments made above under Representation 1, Matter 6.</p> <p>Council allows retrospective applications to be lodged. These applications must follow the same assessment process, including any public notification.</p>
2 Illegal building constructed with regard for Council processes and only 600mm from the side boundary and not in accordance with the required setbacks.	<p>Refer to comments made above under Representation 1, Matter 6.</p>
3 How can Council ascertain the building complies with the necessary structural requirements and that plumbing, and gas has been installed correctly?	<p>Plumbing application PCLC2021068, was received by the Council’s Regulatory Service section on 4 November 2021 and a Start Work received on 12 November 2021 for the plumbing (shed with amenities, sanitary drainage and reticulated water).</p> <p>The Manager Regulatory Services has advised that the buildings are considered Low Risk under the <i>Building Act 2016</i>.</p>

4	Believes if approved, it sets a precedent for others to build before approvals and concerned further modification would occur to the building in the future.	Council allows retrospective applications to be lodged. These applications must follow the same assessment process, including any public notification. Any external modifications to the buildings would require planning approvals.
5	Questions an ad hoc camping ground in a 'residential strip'. Turners Beach is well catered for in this regard and there is a risk that this property would be developed into a commercial venture.	Refer to comments made above under Representation 1, Matter 5. Refer to Condition No. 2 of the Planning Permit which stipulates that only 3 caravans and their associated vehicles are allow on the site at any one time.
6	Proposal means higher volume of noise and activity than a regular household, particularly outside living associated with camping.	It is not uncommon for people to gather together in outdoor alfresco/entertainment areas in the General Residential zoned areas. It is acknowledged, that there would be greater noise from the site as the site is currently vacant. However, it is not considered that the noise would be unreasonable within the well-established and developed residential area. The site is proposed to be used infrequently and would have a maximum of 3 caravans allowed on-site at any one time.
7	Council needs to consider protection and preservation of the coastal reserve. Happy to see utilisation of existing tracks.	Refer to comments made above under Representation 1, Matters 1 and 2.

<p>Photographic evidence should be required to ensure this is the case.</p>	<p>Furthermore, refer to comments made under Representation 2, Matter 3.</p>
<p>REPRESENTATION 4</p>	
<p>1 Buildings are more substantial than a typical ablution building, and drawings submitted with the application are not a fair and accurate representation of what has been constructed.</p>	<p>The plans show two buildings on the site. It is agreed that the plans did not show the privacy screen that adjoins them along the eastern elevation. Inspection of the site revealed the privacy screen and the use of buildings.</p>
<p>2 Buildings do not appear to comply with the minimum setback requirements and possibly the height requirements.</p>	<p>Refer to comments made above under Representation 1, Matter 6.</p>
<p>3 Buildings appear to include general and gas plumbing works for which to our knowledge no permit has been sought or received.</p>	<p>Refer to comments made above under Representation 3, Matter 3.</p>
<p>4 Unfair and unreasonable that the buildings should be approved when it denies affected parties to have considered the proposed works before they were undertaken.</p>	<p>It is acknowledged that the construction of the buildings on-site occurred without appropriate approvals. They were constructed with the assumption (by the owner) that they satisfied the exemptions for outbuildings in the General Residential zone under Clause 4.3.7 of the Planning Scheme.</p> <p>Once the owner was made aware this was not the case, a retrospective application was lodged to allow assessment of the proposal.</p>

	<p>Council allows retrospective applications to be lodged. These applications must follow the same assessment process, including any public notification.</p> <p>This application required public notification and was notified accordingly, which allows for the public to view the application and make representation if they wish. The Council then must consider the application and any representations made under the applicable requirements of the Planning Scheme.</p>
5	<p>Visitor Accommodation use is not compatible with the General Residential Zone Objective.</p> <p>Refer to comments made in the 'Issues section' under Issue No. 2 regarding Clause 8.3.2-(P1).</p> <p>It is considered that the application has satisfied the mandatory requirements set out in this Clause, which includes compatibility with the General Residential area.</p>
6	<p>The Planning Scheme clearly states that Visitor Accommodation must accommodate guests in existing habitable buildings. Furthermore, the Planning Scheme states that the Recreation Zone provides for Visitor Accommodation in the form of camping and caravan park or an overnight camping area whereas there is no such mention of this in the General Residential Zone.</p> <p>The Acceptable Solution for (a) of Clause 8.3.2-(A1) of the Planning Scheme states that Visitor Accommodation must accommodate guests in existing habitable buildings.</p> <p>If a proposal cannot satisfy an Acceptable Solution of a Planning Scheme, then it must satisfy the relevant Performance Criteria. As discussed in the 'Issues section' under Issue No. 2, the application has satisfied the mandatory Performance Criteria.</p>

	<p>The site is not zoned Recreation. Visitor Accommodation is a permissible use in the General Residential Zone.</p> <p>The proposal was discretionary due to the planning provision for Clause 8.3.2-(A1) regarding guests in an existing habitable building.</p>
<p>7 Application states access to the beach would be pedestrian only. The representor states that such access appears to be prohibited under the Planning Scheme. And even if foot traffic was allowed the size of the gate which has already been erected is clearly capable of allowing much more than foot traffic.</p> <p>It is considered that the gate be replaced with a fence or at least permanently fixed so that it cannot be opened to allow vehicles onto the beach.</p>	<p>Refer to comments made above under Representation 1, Matter 1.</p> <p>Refer to Condition No. 3 of the Planning Permit regarding beach tracks.</p> <p>There is no need to change the gate installed at the site.</p>
REPRESENTATION 5	
<p>1 Access to the beach allows for more than pedestrian access which will have an impact on the dune. How will it be guaranteed that all users of the site would only use the gate for pedestrians?</p>	<p>The development site adjoins an existing beach access track as is common in this area. While the development allows a pedestrian entry point onto these existing tracks, the permit will be conditioned to prevent the creation of new beach tracks.</p> <p>This can be monitored using "NearMap" software. Furthermore, if a complaint is received the Council would investigate.</p>

<p>2 There are already two camping grounds in the Turners Beach vicinity. This development application allows use of the land as a camping ground and not as residential which is what this area is zoned for.</p> <p>Regardless, how will the Council monitor the use for only owner and friends unless a member of the public makes a formal complaint?</p>	<p>Refer to comments made above under Representation 1, Matter 5.</p> <p>Refer to Condition No. 2 of the Planning Permit which stipulates that only 3 caravans and their associated vehicles are allow on the site at any one time.</p> <p>If there are complaints that the number of caravans on the site are greater than allowed under the Permit, the Council will investigate.</p>
<p>3 The application includes the applicant's email which indicates he works in the construction industry and would be well aware that permission is required before construction.</p>	<p>It is acknowledged that the construction of the buildings on-site occurred without appropriate approvals. They were constructed with the assumption (by the owner) that they satisfied the exemptions for outbuildings in the General Residential Zone under Clause 4.3.7 of the Planning Scheme.</p> <p>Once the owner was made aware this was not the case, a retrospective application was lodged to allow assessment of the proposal.</p>
<p>4 Buildings are in breach of legislated boundary setbacks.</p> <p>Will these buildings be considered pre-existing for future construction?</p>	<p>Refer to comments made above under Representation 1, Matter 6.</p> <p>Once approved, the buildings can remain as are. Any further external modification would require planning approval.</p>

REPRESENTATION 6	
<p>1 No objection to the proposal if it is used infrequently as stated in the application.</p> <p>If used more than stipulated on the application, then any complaints received from neighbouring properties need to be investigated by the Council and appropriate action taken.</p>	<p>Refer to Condition No. 2 of the Planning Permit which stipulates that only 3 caravans and their associated vehicles are allow on the site at any one time.</p> <p>It is acknowledged that the application states the use will be used infrequently.</p> <p>The Planning Scheme does not include hours of operation consideration for Visitor Accommodation use in the General Residential zone. Therefore, there is no mechanism to allow restrictions on hours of operation/use.</p>
<p>2 Acknowledges that in the application it is intended that users of the site would use the existing beach tracks. This must not be modified, upgraded or construct a permanent structure in this area.</p>	<p>Refer to comments made above under Representation 1, Matter 2.</p>
<p>3 Photographic records should be taken of the area and dune area to ensure property owner is adhering to the above suggestions.</p>	<p>Refer to comments made under Representation 2, Matter 3.</p>
REPRESENTATION 7	
<p>1 Ablutions block seems very close to the boundary. Is this within the allowed set back rule?</p>	<p>Refer to comments made above under Representation 1, Matter 6.</p>

2	Seems inappropriate to have an ad hoc camping ground on a residential block in a very exclusive strip of real estate with architect designed houses.	The site and the surrounding area is zoned General Residential. Visitor Accommodation is a permissible use in this Zone.
3	Is there any guarantee the use won't escalate to a commercial venture? Who will monitor that the campers are in fact family and friends?	Refer to Condition No. 2 of the Planning Permit which stipulates that only 3 caravans and their associated vehicles are allow on the site at any one time.
4	The block is rocky and uneven in places. Is the land going to be levelled or lowed? Will there be adequate works completed to deal with drainage and mitigate potential flooding?	No changes are proposed in relation to the topography of the land. Refer to Infrastructure Services conditions of the Planning Permit in relation to drainage.
5	Is it Council's policy to give a 'green light' to every retrospective application?	Council allows retrospective applications to be lodged. These applications must follow the same assessment process, including any public notification. Each application, including retrospective applications are assessed under the applicable planning scheme provisions. If the application can satisfy the applicable provisions (either Acceptable Solution or Performance Criteria) then a conditional Permit may be granted.
6	Will the owner be held accountable not to clear vegetation? Imperative that coastal dunes are protected.	Yes, they will be. Refer to Condition No. 4 of the Planning Permit.

RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure.

CONCLUSION

The representations received do not warrant the refusal of the proposed Visitor Accommodation use and development of the land. They do justify the need for specific conditions on the Planning Permit, as noted in the representation Table.

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 Visitor Accommodation – camping ground and ablutions building – Visitor Accommodation and reliant on CCO–S5.0 Turners Beach Specific Area Plan for Beach Access at 23 Esplanade, Turners Beach – Application No. DA2021335 be approved, subject to the following conditions:

- 1 The development must be substantially in accordance with the Site Plan, Floor and Elevations as prepared by the applicant, received 7 December 2021 and a statement by the applicant received 20 December 2021.
- 2 A maximum of three caravans and their associated vehicles are permitted on the site at any one time.
- 3 New, modification and/or upgrade of beach tracks is prohibited.

- 4 Clearance of vegetation, other than a listed weed, outside the property boundary is prohibited.
- 5 No structures are permitted in the beach reserve area.
- 6 The camping ground area must be maintained as grass.
- 7 Outdoor storage areas must not be visible from any road or public open space adjoining the site or encroach upon parking areas, driveways or landscaped areas.
- 8 Air extraction, pumping, refrigeration systems or compressors are prohibited on the ablution building and kitchenette facilities building.

Infrastructure Services Conditions:

- 1 Access to the site can be provided off Esplanade, using a maximum 6m wide driveway.
- 2 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.
- 3 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.
- 4 Stormwater run-off from buildings and hard surfaces 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.
- 5 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.
- 6 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.

Please Note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Prior to the commencement of work, the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required.

Infrastructure Services Notes:

- 1 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*.
- 2 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.
- 3 Prior to commencement of works, if required, submit an 'Install Stormwater Connection Point' application for any works associated with existing stormwater infrastructure. Works must be undertaken by the Council, unless alternative arrangements are approved by Council's Director Infrastructure Services, at developer's cost. Drainage costings as listed in the Council's Fees and Charges register would apply.
- 4 Any damage or disturbance to roads, footpaths, kerb and channel, nature strips, street trees or 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.'

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 Fuller moved and Cr Hiscutt seconded, "In light of new information just coming to hand the Council, with the consent of the applicant, has agreed to defer a decision. An extension of time has been granted by the applicant until the next Council meeting on Monday, 21 March 2022."

Carried unanimously

**52/2022 Residential – 8 multiple dwellings and demolition of existing building –
Setbacks and building envelope for all dwellings at 21 Risby Street, Ulverstone
– Application No. DA2021348**

The Director Community Services reported as follows:

"The Manager Land Use Planning has prepared the following report:

<i>'DEVELOPMENT APPLICATION No.:</i>	DA2021348
<i>PROPOSAL</i>	Residential – 8 multiple dwellings and demolition of existing building – Setbacks and building envelope for all dwellings
<i>APPLICANT:</i>	Lachlan Walsh Design
<i>LOCATION:</i>	21 Risby Street, Ulverstone
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Tasmanian Planning Scheme – Central Coast "the Planning Scheme"</i>
<i>ADVERTISED:</i>	15 January 2022
<i>REPRESENTATIONS EXPIRY DATE:</i>	1 February 2022
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	27 February 2022
<i>DECISION DUE:</i>	21 February 2022

PURPOSE

The purpose of this report is to consider an application for the demolition of a church hall located at 21 Risby Street, Ulverstone and the development of 8 multiple dwellings on the site.

Accompanying the report are the following documents:

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

BACKGROUND

Development description –

Application is made to demolish an existing church hall at 21 Risby Street, Ulverstone and to construct eight (8) single storey dwellings on the site. The total floor area of the development would be 1,145m².

The proposal includes the following:

Dwelling Nos. 1, 2, 3 & 4 –

Dwellings would be of identical design, with two sets of dwellings conjoined. The dwellings would have floor areas of 135m² comprising of two bedrooms (one with ensuite and WIWR), shared bathroom, open plan kitchen/living/dining area and a single car garage that would also accommodate a laundry and storage cupboard.

Dwelling No. 5 –

Dwelling would have a floor area of 136m² comprising of two bedrooms (one with ensuite and WIWR), shared bathroom, open plan kitchen/living /dining area and a single car garage that would also accommodate a laundry and storage cupboard.

Dwelling No. 6 –

Dwelling would have a floor area of 149m² comprising three bedrooms (one with ensuite and WIWR), shared bathroom, separate toilet, open plan kitchen/living /dining area, laundry and a single car garage.

Dwelling Nos. 7 & 8 –

Dwellings would have a floor area of 160m² comprising three bedrooms (one with ensuite and WIWR), shared bathroom, separate toilet, open plan kitchen/living /dining area, laundry and a single car garage.

Dwelling density across the site would be 353.62m² per dwelling.

An on-site stormwater detention system is required and proposed for the development.

Two (2) power poles on the site, that also serve some adjoining dwellings, would be removed and replaced with an underground electricity supply to any affected properties.

Site description and surrounding area –

The land has an area of 2829m² and is located within the urban residential area of Ulverstone.

The land is zoned General Residential and is surrounded by land that is also zoned General Residential.

The site currently accommodates a church hall that is to be demolished.

The land is flat and is connected to reticulated services. Sewer lines transect the property north/south, in two separate locations.

An on-site stormwater detention system would be required for any development of the site.

History –

An application for 9 multiple dwellings was lodged with Council in May 2021. The application was withdrawn in September 2021, at the applicant's request. The reason for the withdrawal of the proposal was associated with TasWater's requirements and the subsequent redesign of the development on the site.

DISCUSSION

The following table is an assessment of the development against the *Tasmanian Planning Scheme – Central Coast* standards:

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:
 - (c) 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 development satisfies the General Residential Zone Purpose 8.1.1 in that the proposal would provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

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"/>	Residential - multiple dwelling development is “Permitted” Use Class in the zone
8.3.1-(A2) External lighting for a use listed as Discretionary:	<input checked="" type="checkbox"/>	Residential - multiple dwelling development is “Permitted” Use Class in the zone

<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>Residential - multiple dwelling development is "Permitted" Use Class in the zone</p>
8.3.2 Visitor Accommodation	Not applicable	Assessment
<p>8.3.2 -(A1)</p> <p>Visitor Accommodation:</p> <p>(a) guests are accommodated in existing buildings; and</p> <p>(b) has a gross floor area of not more than 300m².</p>	<input checked="" type="checkbox"/>	<p>Not visitor accommodation.</p>
8.4 Development Standards for Dwellings		
8.4.1 Residential density for multiple dwellings		
<p>8.4.1 -(A1)</p> <p>Multiple dwellings must have a site area per dwelling of not less than 325m².</p>	<input type="checkbox"/>	<p>Compliant.</p> <p>Site area per dwelling would be 353.62m².</p>

8.4.2 Setbacks and building envelope for all dwellings	Not applicable	Assessment
<p>8.4.2 –(A1)</p> <p>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:</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 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>	<input type="checkbox"/>	<p>(a) Compliant. Front setback would be 4.5m</p> <p>(b) Not applicable. No secondary frontage.</p> <p>(c) Not applicable. Not a vacant site.</p> <p>(d) Not applicable. Not located above a non-residential use.</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) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<input type="checkbox"/>	<p>(a) Compliant. Nearest garage would be setback 15m from frontage.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Not applicable. Satisfied by (a).</p>
<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</p>	<input type="checkbox"/>	<p>(a)(i) Compliant. 15m frontage and rear boundary setbacks.</p> <p>(a)(ii) Compliant. All dwellings are within the required building Envelope,</p> <p>(b)(i) Not applicable. No existing building built on or within 0.2m of the boundary of the adjoining property.</p> <p>(b)(ii) Non- Compliant.</p> <p>Garages for Dwelling Nos. 1, 2, 3 , 4 & 5 would be built to the southern boundary. Garages for Dwellings 1, 2, 3 & 4 would be 3.49m wide and the garage for No. 5 would be 3.64m wide.</p> <p>This equates to a total length of development along the southern boundary of 17.6m.</p>

<p>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> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>		
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>	☒	<p>(a) Compliant. Site cover is approx. 40%</p> <p>(b) Compliant. Private open space areas would be:</p> <p>Dwelling No 1 - 77m²</p> <p>Dwelling No. 2 - 61m²</p> <p>Dwelling No. 3 - 61m²</p> <p>Dwelling No. 4 - 81m²</p> <p>Dwelling No. 5 - 67m²</p> <p>Dwelling No. 6 - 70m²</p> <p>Dwelling No. 7 - 81m²</p> <p>Dwelling No. 8 - 109m²</p>
<p>8.4.3 –(A2)</p> <p>A dwelling must have private open space that:</p>	☐	<p>(a)(i) Compliant. Dwellings would have private open spaces areas ranging from 41m² to 76m² in one location.</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> <p>(b) has a minimum horizontal dimension of not less than:</p> <p>(i) 4m; or</p> <p>(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> <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>(a)(ii) Not applicable.</p> <p>(b)(i) Compliant. All dwellings would have private open space with a minimum horizontal dimension of 4m.</p> <p>(b)(ii) Satisfied by (b)(i).</p> <p>(c) Compliant. Private open space would be located to the side and rear of dwellings.</p> <p>(d) Compliant. Land is 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</p>	<p><input type="checkbox"/></p>	<p>(a)(i) & (ii) Compliant. No dwelling is located directly to the north of another, unless separated by a 5.8m wide internal roadway.</p>

<p>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> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 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>		<p>(b) Compliant. Location of multiple dwellings does not cause 50% of the private open space of another dwelling to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June.</p> <p>(c)(i) Not applicable. No outbuildings proposed.</p> <p>(c)(ii) Compliant. Development satisfies (a).</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</p>	<input type="checkbox"/>	<p>Compliant.</p> <p>Garage openings would be 3.32m.</p>

of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).		
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 or floor level more than 1m 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> <p>(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;</p> <p>(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</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space of</p>	<p>☒</p>	<p>No balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling) with a finished surface or floor level more than 1m above existing ground level.</p>

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 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <ul style="list-style-type: none"> (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (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 (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>(b) the window or glazed door:</p> <ul style="list-style-type: none"> (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; (ii) is to have a sill height of not less than 1.7m 	<input checked="" type="checkbox"/>	<p>No window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level.</p>

<p>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, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>		
<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) 1m 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>	<p><input type="checkbox"/></p>	<p>(a) Compliant. Dwellings separated by garden beds 2.5m wide.</p> <p>(b)(i) Satisfied by (b)(ii).</p> <p>(b)(ii) Compliant. Dwelling Nos. 7 & 8 would have a 1m wide garden bed and bedroom window with a sill height of not less than 1.7m above the shared driveway.</p>

8.4.7 Frontage fences for all dwellings	Not applicable	Assessment
8.4.7 –(A1) No Acceptable Solution. <i>An exemption applies for fences in this zone – see Table 4.6.</i>	<input type="checkbox"/>	Frontage Fence would be Exempt. 1.8m high slates.
8.4.8 Waste storage for multiple dwellings	Not applicable	Assessment
8.4.8 –(A1) A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m ² per dwelling and is within one of the following locations: (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: (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 1.2m above the finished surface level of the storage area.	<input type="checkbox"/>	(a) Compliant. Waste storage areas dedicated to each dwelling are to be provided at side or rear of the dwelling. (b)(i) Not applicable. Satisfied by (a). (b)(ii) Not applicable. Satisfied by (a). (b)(iii) Not applicable. Satisfied by (a).
8.5 Development Standards for Non-Dwellings		
8.5.1 Non-dwelling development	Not applicable	Assessment
8.5.1 –(A1)	<input checked="" type="checkbox"/>	Development is for 8 dwellings.

<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>	<input checked="" type="checkbox"/>	<p>Development is for 8 dwellings.</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-third of the length of the side or rear boundary (whichever is lesser).</p>		
<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><input checked="" type="checkbox"/></p>	<p>Development is for 8 dwellings.</p>

(b) a site area of which not less than 35% is free from impervious surfaces.		
8.5.1 –(A4) No Acceptable Solution. <i>An exemption applies for fences in this zone – see Table 4.6.</i>	<input checked="" type="checkbox"/>	Development is for 8 dwellings.
8.5.1 –(P4) A fence (including a free-standing wall) for a building that is not a dwelling within 4.5m of a frontage must: (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: (i) the topography of the site; and (ii) traffic volumes on the adjoining road.	<input checked="" type="checkbox"/>	Development is for 8 dwellings.
8.5.1 –(A5) Outdoor storage areas, for a building that is not a dwelling, including waste storage, must not: (a) be visible from any road or public open space adjoining the site; or (b) encroach upon parking areas, driveways or landscaped areas.	<input checked="" type="checkbox"/>	Development is for 8 dwellings.
8.5.1 –(A6) Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a	<input checked="" type="checkbox"/>	Development is for 8 dwellings.

setback from the boundary of a property containing a sensitive use not less than 10m. <i>An exemption applies for heat pumps and air conditioners in this zone – see Table 4.6.</i>		
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 1m 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) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<input checked="" type="checkbox"/>	Development is for 8 dwellings.
<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"/>	Development is for 8 dwellings.
8.6 Development Standards for Subdivision		
8.6.1 Lot design	Not applicable	Assessment
8.6.1 –(A1)	<input checked="" type="checkbox"/>	Not a subdivision

<p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have an area of not less than 450m² and: <ul style="list-style-type: none"> (i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (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; (b) be required for public use by the Crown, a council or a State authority; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone. 		
8.6.1 –(A2)	<input checked="" type="checkbox"/>	Not a subdivision

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.		
8.6.1 –(A3) 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.	<input checked="" type="checkbox"/>	Not a subdivision
8.6.1 –(A4) 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.	<input checked="" type="checkbox"/>	Not a subdivision
8.6.2 Roads	Not applicable	Assessment
8.6.2 –(A1) The subdivision includes no new roads.	<input checked="" type="checkbox"/>	Not a subdivision
8.6.3 Services	Not applicable	Assessment
8.6.3 –(A1) 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.	<input checked="" type="checkbox"/>	Not a subdivision
8.6.3 –(A2) 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.	<input checked="" type="checkbox"/>	Not a subdivision

8.6.3 –(A3) 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.	<input checked="" type="checkbox"/>	Not a subdivision
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CODES

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

C15.0 Landslip Hazard Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
C16.0 Safeguarding of Airports Code	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below

C2.0 Parking and Sustainable Transport Code

CLAUSE	COMMENT	
C2.5 Use Standards		
C2.5.1 Car parking numbers	Not Applicable	Assessment
A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: (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; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: (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	<div>☒</div>	(a) Compliant. Eight multiple dwellings would require a total of 18 car parking spaces on site - 2 of which would be dedicated to visitor car parking. The proposal shows 19 spaces on the site. (b) Not applicable. No parking precinct pal is this area. (c) Not applicable. Not subject to Clause C2.5.5. (d)(i) Not applicable. Satisfied by (a). (d)(ii) Not applicable. Satisfied by (a).

<p>(ii) proposed use or development, in which case no additional on-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>A1</p> <p>Bicycle parking spaces must:</p>	<input checked="" type="checkbox"/>	Does not apply to residential use.

(c) be provided on the site or within 50m of the site; and		
(d) be no less than the number specified in Table C2.1.		
C2.5.3 Motorcycle parking numbers	Not Applicable	Assessment
A1 The number of on-site motorcycle parking spaces for all uses must: <ul style="list-style-type: none"> (a) be no less than the number specified in Table C2.4; and; (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. 	☒	Applies where 20 car parking spaces or more are required.
C2.5.4 Loading bays	Not Applicable	Assessment
A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	☒	Does not apply to residential use.
C2.5.5 Number of car parking spaces within General Residential Zone and Inner Residential Zone	Not Applicable	Assessment
A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:	☒	Is for residential development.

<p>(a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and</p> <p>(b) General Retail and Hire uses up to 100m² floor area,</p> <p>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>A1</p> <p>All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to the 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. Roadway and parking areas to be asphalt or concrete.</p> <p>(b) Compliant. Car parks to be drained to stormwater system.</p> <p>(c) Compliant. Roadway and parking areas to be asphalt or concrete.</p>
C2.6.2 Design and layout of parking areas	Not Applicable	Assessment
A1.1	<input type="checkbox"/>	<p>A1</p> <p>(a)(i) Compliant. Land is flat.</p>

<p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <ul style="list-style-type: none"> (i) have a gradient in accordance with <i>Australian Standard AS 2890 – Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (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; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or 		<ul style="list-style-type: none"> (a)(ii) Compliant. Satisfied by (b). (a)(iii) Compliant. Satisfied by (b). (a)(iv) Compliant. Satisfied by (b). (a)(v) Compliant. Satisfied by (b). (a)(vi) Compliant. Satisfied by (b). (a)(vii) Compliant. Satisfied by (b). (b) Compliant. Condition to be applied to a permit. <p>A1.2</p> <ul style="list-style-type: none"> (a) Compliant. Satisfied by (c). (b) Compliant. Satisfied by (c). (c) Compliant. Condition to be applied to a permit.
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<p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>.</p> <p>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>A1</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<input type="checkbox"/>	<p>(a) Compliant. One access to Risby Street proposed.</p> <p>(b) Not applicable. Satisfied by (a).</p>
<p>A2</p> <p>Within the Central Business Zone or in a pedestrian priority street no new access</p>	<input checked="" type="checkbox"/>	General Residential zone.

is provided unless an existing access is removed.		
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	Not Applicable	Assessment
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 <i>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.</i>	<input checked="" type="checkbox"/>	General Residential zone.
C2.6.5 Pedestrian access	Not Applicable	Assessment
A1.1 Uses that require 10 or more car parking spaces must: <ul style="list-style-type: none"> (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles by: <ul style="list-style-type: none"> (v) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (vi) protective devices such as bollards, guard rails or planters between the 	<input type="checkbox"/>	A1.1 (a)(i) Compliant. Internal pedestrian footpath proposed. (a)(ii) Compliant. (b) Compliant. Pedestrian crossings proposed. A1.2 Compliant. To be in accordance with AS/NZ standard.

<p>footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p>		
<p>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>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>	<input checked="" type="checkbox"/>	General Residential zone.
<p>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"/>	General Residential zone.
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	Not Applicable	Assessment
A1	<input checked="" type="checkbox"/>	General Residential zone.

<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>. 		
<p>A2</p> <p>Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) have dimensions not less than: <ul style="list-style-type: none"> (vi) 1.7m in length; (vii) 1.2m in height; and (viii) 0.7m in width at the handlebars; (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 (c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015</i> 	<input checked="" type="checkbox"/>	<p>General Residential zone.</p>

<i>Parking facilities - Part 3: Bicycle parking.</i>		
C2.6.8 Siting of parking and turning areas	Not Applicable	Assessment
A1 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.	<input checked="" type="checkbox"/>	General Residential zone.
A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: <ul style="list-style-type: none"> (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads. 	<input checked="" type="checkbox"/>	General Residential zone.
C2.7 Parking Precinct Plan		
C2.7.1 Parking precinct plan	Not Applicable	Assessment
A1 Within a parking precinct plan, on-site parking must: <ul style="list-style-type: none"> (a) not be provided; or 	<input checked="" type="checkbox"/>	Not within a parking precinct plan.

(b) not be increased above existing parking numbers.		
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C3.0 Road and Railway Assets Code

CLAUSE	COMMENT	
C3.5 Use Standards		
C3.5.1 – Traffic generation at a vehicle crossing, level crossing or new junction	Not Applicable	Assessment
<p>A1.1</p> <p>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require</p> <p>(a) a new junction;</p> <p>(b) a new vehicle crossing; or</p> <p>(c) a new level crossing; or</p> <p>A1.2</p> <p>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issues by the road authority; or</p> <p>A1.3</p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority; and</p> <p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p>	<div>☒</div>	<p>A1.1</p> <p>Not applicable. Not a category 1 road or a limited access road.</p> <p>A1.2</p> <p>Compliant.</p> <p>Existign vehicle crossing to Risby Street.</p> <p>A1.3</p> <p>Not applicable.</p> <p>A1.4</p> <p>(a) Compliant. Existing use of the stie of for a church hall. Traffic movements would not exceed current usage. Road Authority is satisfied.</p> <p>(b) Not applicable.</p> <p>A1.5</p> <p>Compliant.</p>

<p>(a) the amounts in Table C3.1; or</p> <p>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road; and</p> <p>A1.5</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		Vehicular traffic can enter and leave the site in a forward direction
C3.6 Development Standards for Buildings and Works		
C3.6.1. Habitable buildings for sensitive uses within a road or railway attenuation area.	Not Applicable	Assessment
<p>A1</p> <p>Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use must be:</p> <p>(a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;</p> <p>(b) an extension which extends no closer to the existing or future major road or rail network than:</p> <p>(iii) the existing habitable building; or</p> <p>(iv) an adjoining habitable building for a sensitive use; or</p> <p>(c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part</p>	☒	Not within 50m of Bass Highway or a rail line.

D of the <i>Noise Measurement Procedures Manual 2nd edition July 2008.</i>		
C3.7 Development Standards for Subdivision		
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	Not Applicable	Assessment
A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.	<input checked="" type="checkbox"/>	Not a subdivision.

SPECIFIC AREA PLANS	NOT APPLICABLE	ASSESSMENT
CCO-S1.0 Forth Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
CCO-S2.0 Leith Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
CCO-S3.0 Penguin Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
CCO-S4.0 Revell Lane Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below
CCO-S5.0 Turners Beach Specific Area Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/> Refer to table below

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 Setbacks and building envelope for all dwellings

The *Tasmanian Planning Scheme – Central Coast* (the Planning Scheme) Acceptable Solution 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 proposed development, of 8 multiple dwellings on the site, would result in rear, brick garage walls for Dwelling Nos. 1, 2, 3, 4, and 5 being constructed to the southern side boundary of the site. Rear garage walls for Dwelling Nos. 1, 2, 3 and 4 would be 3.49m wide and the garage wall for No. 5 would be 3.64m wide. The combined total of brick wall development along the southern side boundary of the site would be 17.6m in length.

The proposal does not meet the Acceptable Solution development standard. An exercise of discretion is required for the development to proceed.

The Planning Scheme's Performance Criteria 8.4.2–(P3) states:

The siting and scale of a dwelling (including a shed) must:

- (a) not cause an 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";

Satisfies Performance Criteria – garage walls along the southern boundary would have a wall height of 3m. The garage rooflines would be flat, with enough slope to drain stormwater from the building. Whilst there is a dwelling to the south of the site, at 23 Risby Street (see image below), the land immediate adjoining the boundary is used as an access driveway to a dwelling and shed. There would be minimal, if any, loss of

sunlight to the habitable rooms of the adjoining property at 23 Risby Street.



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

Satisfies Performance Criteria – garage walls along the southern boundary would have a wall height of 3m. The garage roofline would be flat, with enough slope to drain stormwater from the building. Whilst there is a dwelling to the south of the site, at 23 Risby Street (see image above), the land immediate adjoining the boundary is used as an access driveway to a dwelling and shed. The private open space area of 23 Risby Street is located further south of the access driveway and shed. There would be minimal, if any, loss of sunlight to the private open space of the adjoining property, as a result to the development.

- (iii) overshadowing of an adjoining vacant property; or

Not applicable. No adjoining vacant land.

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

Satisfies Performance Criteria – The current fence between the two adjoining properties is a dilapidated timber fence, partly obscured in sections by a hedge that is approximately 1.7m high. The ‘series’ of brick garage walls on the boundary, interspersed with a new “Colourbond” fence, will provide a solid variation to the existing fence line and increase privacy between the two properties. The development would not result in any negative visual impacts caused by the bulk, scale or proportions of the garage walls, when viewed from adjoining land.

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

Satisfies Performance Criteria – Multiple dwelling development is also located 20m to the north-west of the development site (4 multiple dwellings) and on adjoining land to the east of the site (2 multiple dwellings). The separation distances between the subject development and other dwellings, and the proposed site density, together satisfy the Planning Scheme’s standards for development in the zone.

It is considered that the separation between the subject development and other dwellings is consistent with that existing on established properties within the area.

- (c) (i) not cause an unreasonable reduction of sunlight to an existing solar energy installation on adjoining property; or

Not applicable. No solar installations on adjoining land.

- (ii) another dwelling on the same site.

Not applicable. No solar installations proposed on dwellings on the same site.

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 be applied to a Permit.
TasWater	TasWater's Submission to Planning Authority Notice TWDA 2021/02091-CC dated 12 January 2022.
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 were sent to adjoining property owners and occupiers; and
- an advertisement was placed in the Public Notices section of The Advocate from 15 January 2022 until 1 February 2022.

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:

REPRESENTATION NO. 1	
MATTER RAISED	RESPONSE
1 There are three separate block walls to be built on the side boundary adjoining us, exceeding the 9m boundary length.	<p>This is a “discretionary” matter for the Planning Authority.</p> <p>The proposed development of 8 multiple dwellings on the site, would result in rear, brick garage walls, for Dwelling Nos. 1, 2, 3, 4, and 5 to be constructed to the southern side boundary of the site. Rear garage walls for Dwelling Nos. 1, 2, 3 and 4 would be 3.49m wide and the garage wall for No. 5 would be 3.64m wide. The combined total of brick wall development along the southern side boundary would be 17.6m in length.</p> <p>Refer to the “Issues” section of this report for comment in relation to the length of brick wall development along the southern boundary of the site.</p>
2 The front fence needs to be constructed to a height that will not obstruct line of sight to the north, along Risby Street. Same with the side boundary fence. We must be able to have an unrestricted view of pedestrians and other	<p>The <i>Tasmanian Planning Scheme – Central Coast</i> allows a front fence to be “Exempt” from planning if it is a 1.2m high solid fence, or, 1.8m high if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluded any posts or uprights).</p>

users of the footpath without part of the motor vehicle being on or over the footpath.	<p>These fence standards are considered to be acceptable in an urban residential area.</p> <p>A note, to reinforce this development exemption, would be placed on a permit.</p> <p>A note would also be placed on a permit, advising that side fencing must 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".</p>
3 Concrete driveway or path slabs that are cracked or broken by the contractors are to be fully replaced.	<p>This would be a matter between the developer and the adjoining property owner, to be discussed and agreed upon. The developer would need the consent of the owners of 23 Risby Street to access land at 23 Risby Street, for the construction of the garage walls of the multiple dwellings.</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 proposed development satisfies the purpose of the General Residential Zone which is to provide for residential use and development that accommodates a range of dwelling types, where full infrastructure services are available or can be provided.

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 – 8 multiple dwellings and demolition of existing building – Setbacks and building envelope for all dwellings at 21 Risby Street, Ulverstone – Application No. 20213487 be approved, subject to the following conditions:

- 1 The development must be substantially in accordance with the plans by Lachlan Walsh Design, Page Nos. 00 to 17, Revision B dated 4 November 2021.
- 2 The development must be substantially in accordance with the Stormwater Detention Report and plans by Exceed Engineering, Project No. P21002-181 Design, Drawing Nos. C101 & T001, Revision No. 4 dated 13 December 2021.
- 3 All materials and soils from demolition works must be disposed of at an approved landfill site.
- 4 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2021/02091-CC dated 12 January 2022.
- 5 A minimum of 18 car parking spaces must be provided on-site, of which 2 spaces must be dedicated to visitor car parking spaces, and enable the forward movement of vehicles entering and egressing the site.

- 6 Visitor car parking spaces must be line marked and designated as "Visitor Parking".
- 7 Driveways and vehicle parking and manoeuvring 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.
- 8 Pedestrian footpaths must be signed and line marked at points where pedestrians cross access ways or parking aisles.

Infrastructure Services Conditions:

- 9 Works undertaken must not result in a dust or noise nuisance to the adjoining properties.
- 10 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 Natural Resources and Environment.
- 11 Access to the development can be provided on Risby Street, using a new 6m wide access kerb crossover and driveway apron.
- 12 The kerb crossover is to be constructed by the Council in accordance with Tasmanian Standard Drawing TSD-R14-v3 Urban Roads – Approved Concrete Kerbs and Channels Profile Dimensions at the owner's/developer's cost.
- 13 The existing 3.6m access kerb crossover made redundant as a result of the development must be removed by the Council and reinstated to match the infrastructure on Risby Street.
- 14 The driveway apron is to be constructed in accordance with Tasmanian Standard Drawing TSD-R09-v3 Urban Roads – Driveways, in a plain concrete finish, by the owner/developer. The existing 3.6m driveway apron made redundant as a result of the proposed development is to be removed and nature strip reinstated to match the surrounding area, by the owner/developer.
- 15 The removal of an existing tree in the road reservation, for constructing the new driveway, is to be at developer's cost.

- 16 Prior to the commencement of use, a replacement tree is to be planted in lieu of the tree removed, subject to species and location as deemed appropriate by the Council's Parks and Recreation Officer.
- 17 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.
- 18 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.
- 19 Prior to commencement of use, civil works must be completed in accordance with the Stormwater Detention Report and plans by Exceed Engineering, Project No. P21002-181 Design, Drawing Nos. C101 & T001, Revision No. 4 dated 13 December 2021.
- 20 Prior to commencement of use, stormwater detention works must be completed and Council's Director Infrastructure Services provided with certification that all works have been completed in accordance with the design, including as-constructed plans, by a suitably qualified person.
- 21 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.

Please Note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.

- 3 Prior to the commencement of work, the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required.
- 4 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".
- 5 A front fence is "Exempt" from planning if it is a 1.2m high solid fence, or 1.8m high if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluded any posts or uprights).

Infrastructure Services Notes:

- 6 Prior to commencement of works, submit an application for 'Roadworks Authority'. Roadworks Authority Rates as listed in the Council's Fees and Charges register apply.
- 7 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.
- 8 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 the Council's Director Infrastructure Services. This would be at the developer's cost.
- 9 Any damage or disturbance to roads, footpaths, kerb and channel, 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.
- 10 Prior to commencement of works, if required, submit an application to 'Install Stormwater Connection Point' for any works associated with existing stormwater infrastructure. Such works must be undertaken by the Council, unless alternative arrangements are approved by Council's

Director Infrastructure Services, at developer's cost. Drainage costings as listed in the Council's Fees and Charges register apply.

- 11 Any works associated with existing stormwater infrastructure 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.
- 12 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. This would be at the developer's cost.
- 13 The provision, upgrading, re-routing, relocation or extension of Council infrastructure and services, required as a result of the development, shall be done in accordance with the relevant standards and to the satisfaction of Council's Director Infrastructure Services, at the developer's cost.'

The Manager Land Use Planning's report is supported."

The Executive Services Officer reported as follows:

"A copy of the Annexures referred to in the Manager Land use Planning's report have been circulated to all Councillors."

■ Cr Beswick moved and Cr Carpenter seconded, "That the application for Residential – 8 multiple dwellings and demolition of existing building – Setbacks and building envelope for all dwellings at 21 Risby Street, Ulverstone – Application No.2021348 be approved, subject to the following conditions:

- 1 The development must be substantially in accordance with the plans by Lachlan Walsh Design, Page Nos. 00 to 17, Revision B dated 4 November 2021.
- 2 The development must be substantially in accordance with the Stormwater Detention Report and plans by Exceed Engineering, Project No. P21002-181 Design, Drawing Nos. C101 & T001, Revision No. 4 dated 13 December 2021.
- 3 All materials and soils from demolition works must be disposed of at an approved landfill site.

- 4 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2021 /02091 –CC dated 12 January 2022.
- 5 A minimum of 18 car parking spaces must be provided on-site, of which 2 spaces must be dedicated to visitor car parking spaces, and enable the forward movement of vehicles entering and egressing the site.
- 6 Visitor car parking spaces must be line marked and designated as "Visitor Parking".
- 7 Driveways and vehicle parking and manoeuvring 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.
- 8 Pedestrian footpaths must be signed and line marked at points where pedestrians cross access ways or parking aisles.

Infrastructure Services Conditions:

- 9 Works undertaken must not result in a dust or noise nuisance to the adjoining properties.
- 10 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 Natural Resources and Environment.
- 11 Access to the development can be provided on Risby Street, using a new 6m wide access kerb crossover and driveway apron.
- 12 The kerb crossover is to be constructed by the Council in accordance with Tasmanian Standard Drawing TSD-R14-v3 Urban Roads – Approved Concrete Kerbs and Channels Profile Dimensions at the owner's/developer's cost.
- 13 The existing 3.6m access kerb crossover made redundant as a result of the development must be removed by the Council and reinstated to match the infrastructure on Risby Street.
- 14 The driveway apron is to be constructed in accordance with Tasmanian Standard Drawing TSD-R09-v3 Urban Roads – Driveways, in a plain concrete finish, by the owner/developer. The existing 3.6m driveway apron made redundant as a result of the proposed development is to be removed and nature strip reinstated to match the surrounding area, by the owner/developer.

- 15 The removal of an existing tree in the road reservation, for constructing the new driveway, is to be at developer's cost.
- 16 Prior to the commencement of use, a replacement tree is to be planted in lieu of the tree removed, subject to species and location as deemed appropriate by the Council's Parks and Recreation Officer.
- 17 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.
- 18 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.
- 19 Prior to commencement of use, civil works must be completed in accordance with the Stormwater Detention Report and plans by Exceed Engineering, Project No. P21002-181 Design, Drawing Nos. C101 & T001, Revision No. 4 dated 13 December 2021.
- 20 Prior to commencement of use, stormwater detention works must be completed and Council's Director Infrastructure Services provided with certification that all works have been completed in accordance with the design, including as-constructed plans, by a suitably qualified person.
- 21 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.

Please Note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.

- 3 Prior to the commencement of work, the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required.
- 4 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".
- 5 A front fence is "Exempt" from planning if it is a 1.2m high solid fence, or 1.8m high if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluded any posts or uprights).

Infrastructure Services Notes:

- 6 Prior to commencement of works, submit an application for 'Roadworks Authority'. Roadworks Authority Rates as listed in the Council's Fees and Charges register apply.
- 7 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.

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 the Council's Director Infrastructure Services. This would be at the developer's cost.
- 9 Any damage or disturbance to roads, footpaths, kerb and channel, 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.
- 10 Prior to commencement of works, if required, submit an application to 'Install Stormwater Connection Point' for any works associated with existing stormwater infrastructure. Such works must be undertaken by the Council, unless alternative arrangements are approved by Council's Director Infrastructure Services, at developer's cost. Drainage costings as listed in the Council's Fees and Charges register apply.

- 11 Any works associated with existing stormwater infrastructure 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.
- 12 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. This would be at the developer's cost.
- 13 The provision, upgrading, re-routing, relocation or extension of Council infrastructure and services, required as a result of the development, shall be done in accordance with the relevant standards and to the satisfaction of Council's Director Infrastructure Services, at the developer's cost."

Carried unanimously

53/2022 Public question time

The Mayor introduced public question time at 6:20pm.

Via email – Jamie Smith – Leith

Question 1 –

"The Council letter dated 14 December 2015 to the Minister for Infrastructure, states, *'Since the meeting we have experienced another serious accident at one of the intersections.'*

The meeting occurred on 24 November 2015 and the letter was written on 14 December 2015. The Department of State Growth Crash Statistics which the Council has ready access to and has been provided with, confirms only one crash at the Leith junctions between 24 November 2015 and 14 December 2015, being Crash ID: 1150559.15006067. Date: 29/11/2015. Location: Intersection of Bass Highway and Short Street, Leith, Central Coast. Severity: Minor.

Given the facts of this crash, the statement by the Council appears incorrect/false. Official Council letters and documents must contain correct information and if not, corrections must occur at the earliest opportunity.

Will the Mayor and Council now immediately write to the current Minister for Infrastructure advising the Council letter dated 14 December 2015 to the Minister for Infrastructure incorrectly or falsely stated *"Since the meeting we have experienced*

another serious accident at one of the intersections.” and Department of State Growth Crash Statistics record this crash severity as Minor?

Response –

The General Manager advise that in regard to the correspondence dated 14 December 2015, the Council did not access the Crash Survey data you referred to. An argument that we made statements that were incorrect/false is disputed. what is ‘serious’ is a matter of context at the time.

Through the Leith Intersection process over the past 8 or so years the Department of State Growth have made their decisions based on a number of information sources and not purely on correspondence from the Central Coast Council.

Question 2 –

“On 20 September 2021, during public questions, I asked “Given the Council did not survey/consult with the Leith community prior to urging an overpass at Leith, in it’s letter dated 21 September 2016 with enclosure, which person at the Council, whether Councillor or employee first proposed the Council write to the Government urging an overpass, or was an overpass proposed/suggested to the Council by a ratepayer or resident within the Central Coast Council community, or other entity within the Central Coast Council community or otherwise and on which date/dates was an overpass conceived, suggested, proposed so the Council urged an overpass on 21 September 2016?”

And the response was, “The General Manager responded that the State Government held a Cabinet meeting on Tuesday, 24 November 2015 at the Central Coast Council Offices where the safety issues in relation to the Bass Highway were discussed. As far as Council is aware this is the first time an overpass is mentioned as a possible solution.”.

Given that the Council letter dated 14 December 2015 to the Minister for Infrastructure, “.....urges the State Government to seriously consider using ‘Black Spot’ funding to rationalise the two intersections with a single overpass and related infrastructure.” and specifically states, “Since the meeting we have experienced another serious accident at one of the intersections”, was it the Council, Mayor, a Councillor, Council employee or a member of the State Government or their staff who first mentioned or suggested an overpass as a possible solution and why is it the Council never consulted with or surveyed Leith residents before writing it’s letter dated 14 December 2015, which “.....urges the Government to the State Government to seriously consider using ‘Black Spot’ funding to rationalise the two intersections with a single overpass and related infrastructure.”?”

Response –

The General Manager advise that after some seven to eight years, it is unknown who first mentioned or suggested an overpass.

This letter at a preliminary stage of the process where consultation with stakeholders would be undertaken by the Department of State Growth when options had been identified.

Via email – Leo and Faye Beuermann – Leith

Question 1 –

“The Council letter dated 11 December 2013, to Mr Norm McIlpatrick Secretary Department of Infrastructure, Energy and Resources states, *“The Council has received growing concerns from the Forth Community Representatives Committee and from members of both the Forth and Leith communities in relation to safety concerns regarding the Bass Highway intersections at Short Street and Leith Road at Leith.”* and *“Council and community representatives would be pleased to meet with you on site so that you can gain a better understanding of the issues and concerns.”*

Who was/ were the person or persons from the Leith community the Council intended would meet on site with Mr Norm McIlpatrick or his representative as representatives of the Leith community?”

Response –

The General Manager advise that with the letter written some 8 years ago, the Council does not have any available records to expand on the subject as quoted in your question. Many of the Councillors and staff from that period of time are not now working at the Council or representing the Community.

Question 2 –

“Mr and Mrs Beuermann have asked the Council questions on behalf of themselves and others. The Council letter dated 7 October 2021, to Mr and Mrs Beuermann states, *“It is a reasonable inference to draw, from the nature and contents of correspondence that you have directed to the Council, that you accuse the Council of doing things which it has not done.”* and emails dated 21 September 2021 from the Council to Mr and Mrs Beuermann make the accusation/statement as follows, *“What is occurring is repeated denigration and blaming.....”*, what are the dates and type of all correspondence the Council received from Mr and Mrs Beuermann and what are the precise words used in each correspondence which accuse the Council of doing

things which it has not done and what are the dates and type of all correspondence the Council received from Mr and Mrs Beuermann and what are the precise words used in each correspondence which are repeated denigration and blaming?”

Response –

The General Manager responded that it is a statement of opinion. Correspondence demanding answers and correspondence using the term complaints on the Council and Council staff were, by the act of being repeated and by their style and tone, capable of enabling an observer to form an opinion that the communications were repeated denigration and blaming.

By way of background to this answer, the Council was being accused of doing things which it had not done. One example implied that the Council had negligently or falsely relied upon and carried out crash statistical analysis or surveys.

Another was that the Council has had a continuing role to play in advancing or promoting an overpass. In 2016, there was a letter from the Mayor to the Minister to request which referred to an overpass. At the time of the letter there was no location proposed or no concept design plans for any alternatives for intersection improvements.

The State Government has in 2022 announced it has no plans for an overpass.

It is the Council’s position that the statement repeated denigration and blaming is an expression of opinion. The certain communications to the Council were focussed on complaint and accusation. They were hostile and negative in tone. The accusatory questioning and complaints were being made with regularity.

The words denigration and blaming were used in the context of such communications.

Excerpts are taken from letters and emails of June to September with notable highlights which are relevant:

. *14/9/21 ... Surely the Council, Mayor and General Manager comprehend this simple matter? ... unless the Council responds to our simple questions... it appears clueless*

The preceding is seen as denigratory of the Council, Mayor and General Manager

. *Our complaint ... remains active*

The statement repeats an implied appearance of dishonesty or incompetence.

- . *14/9/21 ... we are certainly not frustrated but seeking honest answers*

The statement repeats an implication of dishonesty or incompetence.

- . *Effective communication ... may involve Forthright language ... Council has a clear duty to respond to all questions posed/concerns raised... Council emails do not respond... Answers awaited...*

The statements portray an entrenched position of strong language against the Council, critical of Council process and integrity. The statement clearly says answers were not given. It repeats prior comments which as a matter of opinion can be described as denigratory and blames Council for not answering as if there has been a breach of duty by it.

- . Email 15 September – *I herewith lodge my complaint due to no acceptable response having been received to my email dated 30 August ...*

After reference to the service charter to response to correspondence within 10 days it is said *I trust this complaint is fully resolved and finalized within 10 days ... (to avoid) further complaint or complaints*

The statement portrays an entrenched position against the Council which implies negative or improper conduct, and that complaints will be pursued further if answers not acceptable to the writer are not given.

- . Again, 15 September ... *I have never received acceptable answers ... either immediately answer ... or process my complaint to a conclusion*

The statement portrays an entrenched position against the Council which implies negative or improper conduct, and that complaints will be pursued further if answers not acceptable to the writer are not given.

- . 10 July 2021, three-page letter, attached to September email. The pdf copy letter had large sections highlighted in yellow complete with red stamps inserted over the text saying, "Awaiting Answers". The nature and tone of the letter was emotive, intensely critical, and highly charged. Council's reply to it were rejected, being described as *not acceptable*.

15 September, in relation to a letter of 21 June. This email refers to 3 current "complaints".

The pdf copy letter had large sections highlighted in yellow complete with red stamps inserted over the text saying, "Awaiting Answers". The nature and tone of the letter was emotive, intensely critical and highly charged. Council reply to it were rejected, being described as *not acceptable*.

Via email – Tony Downey – Leith

Question 1 –

“The Council letter dated 11 December 2013, to Mr Norm McIlpatrick Secretary Department of Infrastructure, Energy and Resources states, *“The Council has received growing concerns from the Forth Community Representatives Committee and from members of both the Forth and Leith communities in relation to safety concerns regarding Bass Highway intersections at Short Street and Leith Road at Leith.”* How many individuals from the Leith community provided the Council with concerns in relation to safety concerns regarding the Bass Highway intersections at Short Street and Leith Road at Leith and what were the dates the Council received their concerns?”

Response –

The General Manager advised with the letter written some eight years ago, the Council does not have any available records to expand on the subject as quoted above. Many of the Councillors and staff from that period of time are not now working at the Council or representing the Community. It should be noted that this was a wider issue than Forth and Leith only but was about safety along the Bass Highway.

Question 2 –

“Tony Downey has asked the Council questions on behalf of himself and others.

The Council letter dated 7 October 2021, to Tony Downey states, “it is a reasonable inference to draw, from the nature and contents of correspondence that you have directed to the Council, that you accuse the Council of doing things which it has not done.” And emails dated 21 September 2021 from the Council to Tony Downey make the accusation/statement as follows, “what is occurring is repeated denigration and blaming.....”, what are the dates and type of all correspondence the Council received from Tony Downey and what are the precise words used in each correspondence which accuse the Council of doing things which it has not done and what are the dates and type of all correspondence the Council received from Tony Downey and what are the precise words used in each correspondence which are repeated denigration and blaming?”

Response –

The General Manager advised that the response provided to Mr and Mrs Beuremann earlier in Public Question Time addressed the issue raised and that a written copy of the response would be provided shortly.

Via email – Sally Young – Leith

Question 1 –

The Central Coast Council has previously stated (as per attached 13th Dec, 2021 PQT response document), that commencement of the formal procedures required for the formation of a Leith Community Representative Group (LCRG) was to be deferred until after the announcement of the State Government's decision on the Leith Overpass issue. Given that the State Government announcement has been released and with reference to my, to date, unacknowledged email of 13th Jan, 2022 (as attached), could the Central Coast Council please advise of the proposed timeline and processes involved in the formation of a LCRG, commencing with the review of the Leith Community Plan?

Response –

The General Manager advised that a timeline has not been determined for the commencement of the review of the Leith Community Plan.

This will be organised once COVID-19 emergency orders have been lifted and angst and emotion has reduced in relation to the Bass Highway safety issues. We can then meet and undertake a consultation project around the Leith Community Plan

We will be interested to understand at the time whether the majority of ratepayers of Leith want their own Community Representatives Group or be included in the current Forth Community Representatives Group or would rather meet informally at a Community Cuppa forum just for Leith residents where there could be a much wider group of views put forward.

Question 2 –

Will the community of Leith receive an invitation for a 'Community Cuppa Q & A', with the Central Coast Council, an engagement opportunity which has been extended to multiple other communities within the Central Coast? If yes, when? If no, why not?

Response –

The General Manager referred to the response provided for question one.

Questions and replies concluded at 7:04pm

INFRASTRUCTURE SERVICES

54/2022 Central Coast Waste Management Strategy 2021–2026

The Director Infrastructure Services reported as follows:

“PURPOSE

The purpose of this report is to recommend adoption of the Central Coast Council Waste Management Strategy 2021–2026 (the Strategy).

BACKGROUND

The Waste Management Strategy was initiated and developed from the Council’s Annual Plan 2021–2022 that identified the strategic action to develop a Central Coast Waste Management Strategy.

DISCUSSION

It was identified that there was no overarching document that provided clear direction regarding the management of waste nor projected targets and goals.

A Working Group was established and included a Councillor and Council representative. A consultant was also engaged to assist with the process and to draft the Strategy document.

The draft Strategy aligns with Regional and State Policy, setting clear targets and objectives. The five main objectives are:

- Waste diversion;
- infrastructure and service planning;
- Environmental impact and compliance;
- Education; and
- Engagement and partnerships.

Following a Councillor Workshop, a public consultation process was undertaken, where five submissions were received. Following this, the Working Group revised the Strategy to reflect comments received.

The main changes included:

- Addition of relevant policy and legislation document list;
- Objective 3 – reworded to Environmental Impact and Compliance;

- Objective 3 – Added an action to include reference to Council’s Climate Change Strategy 2019;
- Objective 4 – Reworded introduction regarding education and engagement;
- Objective 4 – Reworded Action 4.3 and 4.4; and
- Objective 4 – Added Action 4.5 Achieve community ownership of problems and solutions through community engagement.

CONSULTATION

The draft Strategy was presented at a Councillors Workshop in November 2021. A public consultation process was conducted between November 2021 and January 2022 (a copy of the Strategy, submissions and the subsequent responses are appended to this report).

RESOURCE, FINANCIAL AND RISK IMPACTS

Consultancy costs were accommodated within the allocated Budget Estimate. The outcomes and implementation of the Strategy will require further resource allocation.

CORPORATE COMPLIANCE

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

The Shape of the Place

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

Community Capacity and Creativity

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

The Environment and Sustainable Infrastructure

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

Council Sustainability and Governance

- Improve service provision
- Improve the Council’s financial capacity to sustainably meet community expectations

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

CONCLUSION

It is recommended that the Waste Management Strategy 2021 – 2026 dated January 2022 be adopted.”

The Executive Services Officer reported as follows:

“A copy of the Central Coast Waste Management Strategy 2021–2026 dated January 2022 has been circulated to all Councillors.”

■ Cr Hiscutt moved and Cr Fuller seconded, “That the Waste Management Strategy 2021–2026 dated January 2022 (a copy being appended to and forming part of the minutes) be adopted.”

Carried unanimously

55/2022 Central Coast Stormwater Detention Policy

The Director of Infrastructure Services reported as follows:

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

‘PURPOSE

The purpose of this report is to recommend the adoption of the Central Coast Stormwater Detention Policy (the Policy). A copy of the Policy is appended to this report.

BACKGROUND

The Council is responsible under the *Local Government Act 1993*, *Urban Drainage Act 2013* and *Land Use and Planning Approvals Act 1993* to ensure that new developments do not adversely impact on the performance of the local stormwater drainage system.

The Policy is also listed in the action plan of the Stormwater Systems Management Plan adopted by the Council in 2020 (Minute Ref: 192/2020 – 22 June 2020).

DISCUSSION

The main objective of the Policy is to protect people and community by ensuring that stormwater services, infrastructure and planning are provided so as to minimise the risk of urban flooding due to stormwater flows.

This will be achieved by ensuring that stormwater detention systems are incorporated into new developments to reduce the peak flow of stormwater from the site.

The Policy is framed around the following objectives:

- . Limit the peak rate of piped stormwater discharge to that generated for development to a level of 40 percent impervious for a 5% AEP event.
- . Design of storage for the maximum volume generated for actual percent impervious for fully developed site 5% AEP event.
- . Design of storage for the maximum volume generated for actual percent impervious for fully developed site for 1% AEP event, unless demonstrated overland flow path or alternative storage available.
- . Provide sufficient storage to ensure peak flow rates at any point within the downstream drainage system do not increase as a result of the development during the design storm event, unless the downstream drainage system has been designed to accommodate an increase in stormwater discharge from the site.
- . Drain within 72 hours to ensure the storage volume is available for a subsequent storm event.

CONSULTATION

Information and the Policy will be made available to the public via the Council's website after adoption by the Council.

RESOURCE, FINANCIAL AND RISK IMPACTS

There is no additional impact on Council resources to implement this Policy. Detention conditions are applied to development applications where applicable as part of the assessment process.

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.

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the Central Coast Stormwater Detention Policy dated February 2022 be adopted by the Council.'

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

The Executive Services Officer reported as follows:

"A copy of Central Coast Stormwater Detention Policy dated February 2022 has been circulated to all Councillors."

■ Cr Beswick moved and Cr Hiscutt seconded, "That the Central Coast Stormwater Detention Policy dated February 2022 be adopted."

Carried unanimously

56/2022 Tenders for Riana Community Centre Changeroom Redevelopment

The Director Infrastructure Services reported as follows:

"The Manager Engineering has prepared the following report:

'PURPOSE

The purpose of this report is to make a recommendation on tenders received for the Riana Community Centre Changeroom Redevelopment.

BACKGROUND

The Riana Community Centre, located at 1201–1221 Pine Road, Riana is the main sporting and community precinct in the Riana and surrounding area.

The Community Centre Committee hold frequent functions and events hosting well known identities which attract a high level of participation from the community. The primary sport played at Riana is cricket with high attendance for both training and game days. The Centre holds many other activities including indoor bowls and offers catering services from the Centre's commercial kitchen.

It has been identified that the toilets and changeroom facilities at the Centre are dated and do not measure up to the current National Construction Code or relevant access standards. Furthermore, there is only one changeroom available, meaning the home cricket team use the stage area for their changerooms on game day which is inadequate.

With the announcement of phase two of the Local Roads and Community Infrastructure Program, the Council nominated these toilets and changerooms to be redeveloped. Initial estimates indicated a total budget of \$558,000 would be required to deliver this project. This would be made up from the following contributions:

Central Coast Council	\$200,000
Local Roads and Community Infrastructure Program	\$343,000
Riana Community Groups contribution	\$15,000
<i>TOTAL PRELIMINARY ESTIMATED COST</i>	\$558,000

The Council engaged a consultant to undertake a detailed design for the toilets and changerooms. Based on this, a revised estimate of \$520,523 plus GST was established by a quantity surveyor for the construction phase of the project.

DISCUSSION

Tenders were called for the Riana Community Centre Changeroom Redevelopment on 29 December 2021 and closed at 2.00pm on 3 February 2022.

Submissions from four tenderers were received as follows (excluding GST and including a \$12,000 contingency):

TENDERER	PRICE \$ Exc. GST
T & V Mead Pty Ltd T/A MeadCon	540,610.82
Vos Construction & Joinery Pty Ltd	619,018.00
AJR Construct Pty Ltd	692,720.78
Stubbs Constructions Pty Ltd	695,348.00
<i>TOTAL BUDGET (EXCLUDING GST)</i>	<i>558,000.00</i>
<i>APPROXIMATE CONSTRUCTION BUDGET (EXCLUDING GST)</i>	<i>500,000.00</i>

All four businesses submitted conforming tenders and have confirmed they can achieve the deadline of applying for 'Certificate for Occupancy' on or prior to 30 June 2022.

The Council's Tender Assessment Panel used the following weighted criteria to evaluate the tenders.

Compliance with tender documentation	5%
Previous experience	10%
Personnel (management)	5%
Proposed construction period	20%
WHS policy and record	5%
Local business	5%
Price	50%

T & V Mead Pty Ltd T/A MeadCon achieved the highest rating based on this method. A copy of the confidential Tender Assessment Panel's scoresheet is appended.

CONSULTATION

This item has followed a public tendering process.

Internal and external consultation has been undertaken throughout the design phase of this project, and this will continue throughout construction.

RESOURCE, FINANCIAL AND RISK IMPACTS

As illustrated in the above tables, there is a total funding contribution of \$558,000 and the lowest tenderer (T & V Mead Pty Ltd T/A MeadCon) submitted a price of \$540,610. However, the projected amount for design and miscellaneous project related costs is approximately \$57,000. Therefore, the total construction budget is approximately \$598,000. For the project to proceed a further amount of \$40,000 must be contributed by the Council.

It is recommended that the balance of funding is obtained by reallocating funds from the Forth Hall Refurbishment and the Ulverstone Wharf Precinct Southern End Roof projects. Following a change of operations at the Forth Hall, work to this building is currently under review. Works at the Forth Hall will not commence in 2021–2022 and would need to be considered as part of a future Budget Estimates process.

The roofing contractor engaged to undertake the recladding of the Ulverstone Wharf Precinct Southern End Roof has advised that due to a shortage of materials caused by COVID restrictions and unprecedented pressure on the building industry this project is also unlikely to commence in the 2021–2022 financial year.

Reallocating \$10,000 from the Forth Hall Refurbishment and \$30,000 from the Ulverstone Wharf Precinct Southern End Roof project will allow the Riana Community Centre Changeroom to be completed this financial year. The budgets for the Forth Hall Refurbishment and Ulverstone Wharf Precinct Southern End Roof projects would need to be deferred.

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 Council:

- 1 accept and approve the conforming tender for the Riana Community Centre Changeroom Redevelopment from T & V Mead Pty Ltd T/A MeadCon for the sum of \$540,610.82 (exc. GST) [\$594,671.90 (incl. GST)];
- 2 defer the Forth Recreation Refurbishment project and the Budget Estimate of \$10,000 (Exc.GST) be reallocated to the Riana Community Centre Changeroom project; and further
- 3 defer the Ulverstone Wharf Precinct Southern End Roof project and the Budget Estimate of \$30,000 (Exc. GST) be reallocated to the Riana Community Centre Changeroom project.'

The Manager Engineering'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 Fuller moved and Cr Hiscutt seconded, "That the Council:

- 1 accept and approve the conforming tender for the Riana Community Centre Changeroom Redevelopment from T & V Mead Pty Ltd T/A MeadCon for the sum of \$540,610.82 (exc. GST) [\$594,671.90 (incl. GST)];
- 2 defer the Forth Recreation Refurbishment project and the Budget Estimate of \$10,000 (Exc.GST) be reallocated to the Riana Community Centre Changeroom project; and further
- 3 defer the Ulverstone Wharf Precinct Southern End Roof project and the Budget Estimate of \$30,000 (Exc. GST) be reallocated to the Riana Community Centre Changeroom project."

Carried unanimously

57/2022 Tenders for Ulverstone Sports and Leisure Centre – Social Space fit out

The Director Infrastructure Services reported as follows:

“The Manager Engineering has prepared the following report:

‘PURPOSE

The purpose of this report is to make a recommendation on tenders received for the Ulverstone Sports and Leisure Centre – Social Space Fit out.

BACKGROUND

The Ulverstone Sports and Leisure Centre, located at 2 Flora Street West Ulverstone, is the largest and most diverse sporting and community precinct in the Central Coast municipal area. The main sporting stadiums on the 7.8-hectare site host various teams and associations such as: North-West Thunder, Ulverstone Basketball, Central Coast Badminton, Ulverstone Squash, Slipstream Circus, Ulverstone Judo Club, and many other community activities and events.

In 2010, a redevelopment was completed which added a third multipurpose stadium and supporting facilities to the existing two stadia on the central Eastern part of the site. The development was to include two Social Space areas to be constructed on level 1 of the building (one overlooking the Leven River, and one overlooking the sporting grounds). However, due to budget constraints, the Social Space overlooking the sporting grounds did not get completed.

With the announcement of phase two of the Local Roads and Community Infrastructure Program, the Council nominated the unfinished Social Space as a preferred project to be undertaken. Initial estimates indicated a total budget of \$457,000 would be required to deliver this project. This amount was allocated for the project.

The Council engaged a consultant to undertake a detailed design for the second function space, toilet facilities, and a storage area which would complete the fit-out of the unfinished Social Space. Based on the detailed design, a revised estimate of \$481,000 plus GST was established by a quantity surveyor for the construction phase of the project.

DISCUSSION

Tenders were called for the Ulverstone Sports and Leisure Centre – Social Space Fit-out on 29 December 2021 and closed at 2.00pm on 3 February 2022.

Submissions from two tenderers were received as follows (excluding GST and including a \$15,000 contingency):

TENDERER	PRICE \$ Exc. GST
Stubbs Constructions Pty Ltd	479,579.09
Vos Construction & Joinery Pty Ltd	594,058.18
<i>BUDGET (EXCLUDING GST)</i>	<i>457,000.00</i>

Both businesses submitted conforming tenders and have confirmed they can achieve the deadline of applying for 'Certificate for Occupancy' on or prior to 30 June 2022.

The Council's Tender Assessment Panel used the following weighted criteria to evaluate the tenders.

Compliance with tender documentation	5%
Previous experience	10%
Personnel (management)	5%
Proposed construction period	20%
WHS policy and record	5%
Local business	5%
Price	50%

Stubbs Constructions Pty Ltd achieved the highest rating based on this method. A copy of the confidential Tender Assessment Panel's scoresheet is appended.

CONSULTATION

This item has followed a public tendering process.

Internal consultation has been undertaken throughout the design phase of this project, and both internal and external consultation will be undertaken prior to and during construction.

RESOURCE, FINANCIAL AND RISK IMPACTS

A sum of \$457,000 is funded by phase two of the Local Roads and Community Infrastructure Program.

The total construction budget consists of the tendered amount of \$479,579 plus the projected amount for design and miscellaneous project related costs of approximately \$60,000. Therefore, the total construction budget is approximately \$540,000.

For the project to proceed, an additional amount of approximately \$83,000 needs to be contributed by the Council.

It is recommended that the additional funding is obtained from the Ulverstone Sports and Leisure Centre electric backboard winches project, which will not be commenced this financial year. The winches are a specialised order from the mainland and due to COVID restraints the supplier has advised that they will be unable to supply the winches this financial year. Reallocating these funds will allow the Ulverstone Sports and Leisure Centre – Social Space Fit Out to be completed this financial year. The budget of \$85,000 for the Ulverstone Recreation Centre electric backboard winches would need to be deferred.

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 Council:

- 1 accept and approve the conforming tender for the Ulverstone Sports and Leisure Centre – Social Space Fit Out from Stubbs Constructions Pty Ltd for the sum of \$479,579.09 (exc. GST) [\$527,537.00 (incl. GST)]; and further

- 2 defer the electric backboard project and the Budget Estimate of \$85,000 be reallocated to the Ulverstone Sports and Leisure Centre – Social Space Fit Out.'

The Manager Engineering'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 Council:

- 1 accept and approve the conforming tender for the Ulverstone Sports and Leisure Centre – Social Space Fit Out from Stubbs Constructions Pty Ltd for the sum of \$479,579.09 (exc. GST) [\$527,537.00 (incl. GST)]; and further
- 2 defer the electric backboard project and the Budget Estimate of \$85,000 be reallocated to the Ulverstone Sports and Leisure Centre – Social Space Fit Out."

Carried unanimously

CORPORATE SERVICES

58/2022 Statutory determinations

The Director Corporate Services reported as follows:

“A Schedule of Statutory Determinations made during the month of January 2022 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 moved and Cr seconded, “That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

59/2022 Central Coast Investment Policy (290/2018 – 15.10.2018)

The Director Corporate Services reported as follows:

“The Manager Organisational Services has prepared the following report.

‘PURPOSE

The purpose of this report is to recommend the adoption of the revised Central Coast Investment Policy (the Policy). A copy of the revised Policy is appended to this report.

BACKGROUND

The purpose of this Policy is to provide a framework for the prudent investment of Council funds with the aim of maximising investment returns within the approved risk profile and legal responsibilities.

All investments are to be made and managed in accordance with the provisions of the:

- *Local Government Act 1993*, Section 75; and
- *Trustee Act 1898*, Part II Investments.

Authorised investments include:

- . Interest bearing deposits issued by a licensed bank, building society or credit union that are Authorised Deposit Taking Institutions (ADIs);
- . Securities or public funds issued by or guaranteed by the Commonwealth or any State or Territory;
- . Funds managed by fund managers having a Standard & Poor's Issue Credit Rating of AA- or better.

DISCUSSION

At the Council meeting held on 15 October 2018 (Minute No. 290/2018) the Council adopted a revised Policy as part of its commitment to ensuring sound financial practice.

This Policy required a cyclic revision to be undertaken to reflect any changes in practices, legislation etc. The following areas were identified and added/altered:

- . The definition of a long-term investment updated from 12 months to three years. This change better aligns to the investment horizon we adopt in managing the future cash requirements of the Council to ensure adequate working capital. The change is in line with classification horizons adopted by other councils and organisations, where long term investment horizons range from one to five years.
- . New emerging digital cryptocurrency investment type added to the list of prohibited investments.
- . Specific reference clarifying the treatment of investments which change investment lifecycles (short-term/long-term) added.
- . Specific reference to ratings agency utilised (Standard & Poor's, Moody's & Finch) added under Risk Management.
- . Removed specific reference to internal audit and replaced with internal review under Governance to reflect process of conducting more regular internal review of compliance to the Policy.

CONSULTATION

The Policy has been reviewed by the Senior Leadership Team and a copy will be provided to the Council's Audit Panel.

RESOURCE, FINANCIAL AND RISK IMPACTS

The adoption of this Policy allows the Council to put in place a mechanism to minimise its risk in relation to fluctuations in financial markets to safeguard investments.

CORPORATE COMPLIANCE

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

Council Sustainability and Governance

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

CONCLUSION

It is recommended that Central Coast Investment Policy dated February 2022 be adopted.'

The Manager Organisational Services report is supported."

The Executive Services Officer reported as follows:

"A copy of the Central Coast Investment Policy dated February 2022 has been circulated to all Councillors."

■ Cr Viney moved and Cr Beswick seconded, "That the Central Coast Investment Policy dated February 2022 be adopted by the Council (a copy being appended to and forming part of the minutes)."

Carried unanimously

60/2022 Central Coast Credit Card Policy (289/2018 – 15.10.2018)

The Director Corporate Services reported as follows:

"The Manager Organisational Services has prepared the following report.

PURPOSE

The purpose of this report is to recommend the adoption of the revised Central Coast Credit Card Policy (the Policy). A copy of the revised Policy is appended to this report.

BACKGROUND

In 2018 a review was conducted by the Tasmanian Audit Office (TAO) regarding the use of corporate credit cards in all Tasmanian Local Government Authorities. As part of this review, the TAO reviewed each Council's existing Policy and compared it to best practice and how it was being implemented.

There were several recommendations regarding how councils could improve governance around this issue and therefore reduce the risk of fraud. The Local Government Association of Tasmania (LGAT) considered these recommendations and following input from all Tasmanian councils, developed a model Policy.

The Council assessed the Policy in operation at the time against the LGAT model Policy and made some minor amendments in relation to card limits (expanded to be more transparent) and also included further detail concerning the result of any misuse or breach of use of a credit card.

DISCUSSION

This Policy required a cyclic revision to be undertaken to reflect any changes in practices, legislation etc. The following areas were identified and added/alterd:

- References to Councillors or Elected Members removed and updated to refer to Mayor and Staff only. Policy specifically excludes Councillors from being issued with a card.
- Maximum total limit changed from \$40,000 to \$35,000 to align to current approved limit with Commonwealth Bank.
- New card issued limit increased from \$2,000 to \$3,000.
- Card issued to Corporate Service Group Leader removed.
- Section 3 Roles and Responsibilities – updated to include more specific references on acceptable use of credit cards to reduce risk of fraud when transacting online. [Section 3(a)(xii)–(xiii), (xiv).]

- Clarified responsibility for cardholder for identifying fraudulent transactions and notifying Assistant Accountant [Section 3(a)(iii)]. Allocated responsibility for Assistant Accountant for following up with bank on fraudulent or unauthorised transactions [Section 3(b)(v)].
- Leave period specified in Section 3(a)(xv) increased from two weeks to four weeks.
- Added specific paragraph in Section 3 to reinforce the responsibilities of cardholder for transactions incurred on card.
- A Seniority principle added in Section 4.

CONSULTATION

The Policy has been reviewed by the Senior Leadership Team and a copy will be provided to the Council's Audit Panel.

RESOURCE, FINANCIAL AND RISK IMPACTS

The adoption of this Policy allows the Council to put in place a mechanism to minimise its risk in relation to fraud.

CORPORATE COMPLIANCE

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

Council Sustainability and Governance

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

CONCLUSION

It is recommended that revised Central Coast Credit Card Policy dated February 2022 be adopted.'

The Manager Organisational Services report is supported."

The Executive Services Officer reported as follows:

"A copy of the Credit Card Policy dated February 2022 has been circulated to all Councillors."

- Cr Diprose moved and Cr Carpenter seconded, “That the revised Central Coast Credit Card Policy dated February 2022 be adopted by the Council (a copy being appended to and forming part of the minutes).”

Carried unanimously

CLOSURE OF MEETING TO THE PUBLIC

61/2022 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

■ Cr Viney moved and Cr Beswick 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.”

Carried unanimously and by absolute majority

The Executive Services Officer further reported as follows:

“1 The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of any matter discussed at a closed meeting that the general manager is to record in the minutes of the open meeting, in a manner that protects confidentiality, the fact that the matter was discussed and a brief description

of the matter so discussed, and is not to record in the minutes of the open meeting the details of the outcome unless the council determines otherwise.

- 2 While in a closed meeting, the council is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.

- 3 The *Local Government Act 1993* provides that a councillor must not disclose information seen or heard at a meeting or part of a meeting that is closed to the public that is not authorised by the council to be disclosed.

Similarly, an employee of a council must not disclose information acquired as such an employee on the condition that it be kept confidential.

- 4 In the event that additional business is required to be conducted by a council after the matter(s) for which the meeting has been closed to the public have been conducted, the Regulations provide that a council may, by simple majority, re-open a closed meeting to the public.”

The meeting moved into closed session at 7:37pm.

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
62A/2022 – Confirmation of Closed Session Minutes	The Closed session minutes of the previous ordinary meeting of the Council held on 24 January 2022 had been circulated. The minutes are required to be confirmed for their accuracy.

CLOSURE

There being no further business, the Mayor declared the meeting closed at 7:46pm.

CONFIRMED THIS 21st DAY OF MARCH, 2022.

Chairperson

(lb:lc)

Appendices

- Minute No. 43/2022 – Schedule of Documents for Affixing of the Common Seal
- Minute No. 44/2022 – Schedule of Contracts and Agreements
- Minute No. 45/2022 – Schedule of Correspondence Addressed to Mayor and Councillors
- Minute No. 46/2022 – Schedule of Development Application Determinations
- Minute No. 47/2022 – Welcome to Country and Acknowledgement of Country Guidelines
- Minute No. 54/2022 – Central Coast Waste Management Strategy 2021–2026
- Minute No. 55/2022 – Central Coast Stormwater Detention Policy
- Minute No. 58/2022 – Schedule of Statutory Determinations
- Minute No. 59/2022 – Central Coast Investment Policy (290/2018 – 15.10.2018)
- Minute No. 60/2022 – Central Coast Credit Card Policy (289/2018 – 15.10.2018)

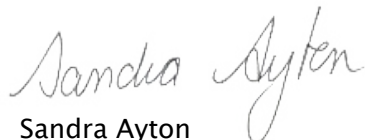
QUALIFIED PERSON'S ADVICE

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

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

Period: 25 January to 21 February 2022

Documents for affixing of the common seal under delegation

- . Final Plan of Survey and Schedule of Easements
Lots 113-125 Moonbeam Place, West Ulverstone
Application No. SUB2009.15
Folio Ref: 172491/1
- . Final Plan of Survey and Schedule of Easements
37 Lethborg Avenue, Turners Beach
Application No. DA2020379
Folio Ref: 125846/2



Sandra Ayton
GENERAL MANAGER

SCHEDULE OF CONTRACTS AND AGREEMENTS

(Other than those approved under the Common Seal)

Period: 25 January to 21 February 2022

Contracts

- . Contract 4/2021–2022
Fairbrother Pty Ltd
Main Road, Construction to repair/remediate existing and installation of new Penguin structures at Watcombe Beach in accordance with:
 - . Tender and Contract Document for Penguin Foreshore – Stage B1 (retendered for reduced scope) Remediation and Protection Project Contract No.: CDG1138–B1 dated 30 July 2021
 - . Planning Permit DA2021090 dated 18 May 2021
 - . Fairbrother Tender application dated 27 August 2021
 - . Fairbrother Penguin Foreshore Stage B Rev 2 dated 30 September 2021Total contract amount: \$3,131,337.00 (inc. GST)
- . Contract 8/2021–2022
VEC Civil Engineering Pty Ltd
Preston Road, Design and construction of Gawler River bridge, Gawler Preston Road, Gawler in accordance with tender
Total contract amount: \$1,966,782.00 (inc. GST)

Agreements

- . Grant Deed
The Crown in Right of Tasmania (represented by the Department of Police, Fire and Emergency Management) and Central Coast Council
Grant Purpose: Penguin Creek Detention System – Feasibility Study
Grant Amount: \$35,000.00 (exclusive of GST)
Commencement date: 1 March 2022
Completion Date: 28 February 2023.
- . Funding Agreement
TasNetworks/ Hydro/ HIVE
Keeping the Lights On program
Commencement date: 7 February 2022
Contribution: \$15,000

- . Lease Agreement
Central Coast Council and
The Crown in Right of Tasmania (represented by the
Department of Education)
13-15 Alexandra Road, Ulverstone – Register 142949 Folio 1
being an area of approximately 1300m² outlined in Plan
Term of lease: Two years and eleven months
Start date: 1 February 2022
Expiry date: 31 December 2024
- . Car Park Management Agreement
Baptist Union of Tasmania and Central Coast Council
60 Alexandra Road, Ulverstone
Grant of right for the Council to control, operate and manage the
Car Park as a free public car park
Commencement date: 1 February 2022
Expiry date: 31 January 2027.
- . Grazier Lease
Central Coast Council and Mathew and Catherine Grining
South Road West Ulverstone and Allens Road West Ulverstone
Part Lot 1 on Sealed Plan 138067 shown as hatched area on
plan marked "A" and Lot 1 on Sealed Plan 148966 shaded yellow
on plan marked "B"
Term of lease: Three years
Starting date: 1 July 2021
Expiry date: 30 June 2024
- . Grant Agreement
Department of Infrastructure, Transport, Regional Development
and Central Coast Council
Communications Local Roads and Community Infrastructure Program
Phase 3 – LRCI Program
Grant amount: \$1,543,172
Agreement end date: 31 December 2023
- . Memorandum of Understanding
Central Coast Council and City Mission
Addendum to Central Coast Council Resource Recovery Centre
'Tip Shop' Management Agreement
Trial period for the salvaging Building Materials
from the Resource Recovery Centre Tip Face and
Mattress Decommissioning Processes –
Trail commenced: 14 February 2022
Trail expires for review: 13 May 2022

- . Occupation Licence – Outside School Hours Care
Licence to occupy building 2 at Ulverstone Primary School
at 2 Leven Street Ulverstone
Expires: 1 January 2025
- . Lease Agreement
Central Coast Council and Ulverstone Rowing Club
Ulverstone Rowing Clubrooms
42 Kings Parade, Ulverstone
Starting date: 1 July 2021
Expiry date: 31 March 2023



Sandra Ayton
GENERAL MANAGER

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

Period: 25 January to 21 February 2022

- . An email regarding issues with garbage bins in Bicentennial Park across from Fleets Inn and the car park, as well as Dial Street Ulverstone
- . Letter advising that information received regarding the installation of footpaths in cul-de-sac at Barleen Place, West Ulverstone was incorrect and not in line with Tasmanian Legislation, and requests refund on additional costs incurred
- . A distribution email of the 'Local Government Climate Emergency Toolkit' for Council staff, Executives and Elected Members.



Sandra Ayton
GENERAL MANAGER

Central Coast Council
List of Development Applications Determined
Period from: 1 January 2022 to 31 January 2022

Application Number Display	Address	DA Type	Proposed use	Application Date	Decision Date	Day determined	Cost Of Works
DA2021307	41 Pine Road PENGUIN,TAS,7316	Discretionary	Residential - dwelling and three sheds, Adjustment of a Boundary and Access and Provision of Infrastructure Across Land in Another Zone	29/10/2021	5/01/2022	34	\$185.00
DA2021309	172 Main Street ULVERSTONE,TAS,7315	Permitted	Subdivision - 2 lots	29/10/2021	5/01/2022	1	\$0.00
DA2021329	6 Oceanside Boulevard SULPHUR CREEK,TAS,7316	Discretionary	Residential - shed and frontage fences	17/11/2021	11/01/2022	34	\$30,000.00
DA2021345	47A Queen Street WEST ULVERSTONE,TAS,7315	Discretionary	Residential - conversion of shed to a dwelling resulting in two multiple dwellings	26/11/2021	14/01/2022	29	\$150,000.00
DA2021355	110 Ironcliffe Road PENGUIN,TAS,7316	Discretionary	Residential - garage	7/12/2021	11/01/2022	32	\$25,000.00
DA2021361	46 West Ridge Road PENGUIN,TAS,7316	Discretionary	Residential - shed	9/12/2021	12/01/2022	29	\$25,000.00
DA2021368	13 Turners Avenue TURNERS BEACH,TAS,7315	Discretionary	Residential - covered barbeque area and shed	16/12/2021	14/01/2022	28	\$5,000.00

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Central Coast Council

Guidelines for Welcome to Country and Acknowledgement of Country

FEBRUARY 2022

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BACKGROUND

Through the development of the Reconciliation Action Plan (RAP), the Central Coast Council RAP Working Group have learnt that Aboriginal and Torres Strait Islander culture is one embedded in deep respect—respect for each other, for Lore (beliefs and accumulated knowledge) and for land.

Lore is a big part of the culture and values and can be compared to modern western law. Lore drives everything aboriginal people do; it sets boundaries and determines acceptable and unacceptable behaviour and guides many morals and values.

Traditionally, if mobs ever had to cross on to neighbouring lands, they would first seek permission. If granted, a ceremony would take place to grant the travellers safe passage while on their land. This ceremony was also when the lores of the land would be explained as well as the consequences of breaking them.

Today, this practice has evolved into what is known as a Welcome to Country. The practice of acknowledging Country has also developed as our traditions have adapted to modern times. The key difference between a *Welcome* and an *Acknowledgement* is who performs each one.

WHY IS IT IMPORTANT?

The Council is committed to the process of reconciliation, and recognition through an Acknowledgement is very important in this process. An Acknowledgement isn't simply words to be read and ignored, but rather it is an important custom of our Aboriginal and Torres Strait Islander peoples in this modern day and a symbol of Aboriginal and Torres Strait Islander peoples' ongoing culture, community, and contributions.

Aboriginal and Torres Strait Islanders continue to experience exclusion, discrimination, and oppression. Acknowledging Country is a positive step towards reconciliation. To take the time to learn and be informed about Aboriginal culture, is regarded as being genuine and demonstrates a willingness to understand the complex history and actively engage in the reconciliation process. Researching and reciting an Acknowledgment as a non-Indigenous Australian, provides an opportunity to learn more about the true history of the Country you are on.

WHAT IS COUNTRY?

Tasmanian Aboriginal people have a distinctive and age-old connection with their ancestral lands and waters. They are custodians with particular responsibilities. When an Aboriginal person talks of "Country", this encompasses not only the land and water but also culture, knowledge, and the environment.

WHAT IS A WELCOME TO COUNTRY?

A Welcome to Country is given by Aboriginal people, to welcome visitors to their Land.

Only Tasmanian Aboriginal people can deliver a Welcome to Country in Tasmania. It is considered highly disrespectful for anybody else to do so.

A Welcome to Country might involve:

- A speech from a Tasmanian Aboriginal Elder or Community representative
- Short history of the people and the area
- Story telling
- Singing and dancing
- Smoking ceremony or other ritual.

WHEN SHOULD A WELCOME TO COUNTRY BE GIVEN?

A Welcome to Country may be given at an event, conference, meeting, or exhibition regardless of whether there is an Aboriginal focus or if there are Aboriginal people present.

If there is a Welcome to Country, it should always be the first item of proceedings.

HOW TO ORGANISE A WELCOME TO COUNTRY OR AN ACKNOWLEDGEMENT OF COUNTRY FOR AN EVENT?

The type of Welcome to Country will depend on who is giving the Welcome to Country, and to whom it will be given, and at what type or event or activity it is. Involving a local Elder or Aboriginal custodian is a good way to build respect.

Assistance and guidance for including a Welcome to Country at an event can be provided by contacting the Office of Aboriginal Affairs.

WHAT IS AN ACKNOWLEDGMENT OF COUNTRY?

An Acknowledgement of Country is provided by somebody who is not a Tasmanian Aboriginal person, as a way of recognising Tasmanian Aboriginal peoples' connection with the land, as well as paying respect to any Tasmanian Aboriginal people present.

An Acknowledgement can be delivered by an Aboriginal or Torres Strait Islander person who comes from another area, or a non-Aboriginal person.

WHEN SHOULD AN ACKNOWLEDGMENT OF COUNTRY BE GIVEN?

An Acknowledgement of Country should be given at an event, conference, meeting, or exhibition, regardless of whether there is an Aboriginal focus or if there are Aboriginal people present.

An Acknowledgement will always follow a Welcome to Country if a Welcome is given. If there is no Welcome, then an Acknowledgement of Country is the first item of proceedings.

The Council has committed to placing an Acknowledgement card in each meeting space and community facility. The Acknowledgement cards are displayed as a reminder of our reconciliation journey and to encourage staff, Councillors and other users to deliver an Acknowledgement.

ADDITIONAL INFORMATION

- Office of Aboriginal Affairs: www.communities.tas.gov.au/csr/oa
- National Indigenous Australians Agency: www.indigenous.gov.au/contact-us/welcome_acknowledgement-country
- Central Coast Council's Reflect, Reconciliation Action Plan 2022–2023.

WORDING FOR AN ACKNOWLEDGMENT OF COUNTRY

Council has developed two options of an Acknowledgement for Council use, a long-form option and a short-form option.

Long-form option

The Central Coast Council acknowledges the palawa-pakana people as the Traditional Custodians of lutrawita (Tasmania), including the land, community, sea and waters where we live and work.

Our community respectfully acknowledges the Punnilerpanner tribe of the Northern Country of Tasmania, 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 one of the world's oldest continuing cultures, and we pay our respects to Elders past and present and to all First Nations Peoples living in and around the Central Coast Community.

When to use it:

Guidelines for Welcome to Country and Acknowledgment of Country

- Key, public-facing Council documents (e.g. Council Agendas, Strategic Plan, Annual Report)
- When displaying an Acknowledgement on, or in a Council building
- May be used by staff and Councillors for a verbal Acknowledgement of Country.

Shorter option

The Council acknowledges and pays respect to the traditional owners of lutruwita (Tasmania), the palawa/pakana people. We acknowledge the Punnilerpanner tribe of this Northern Country, and in doing so, we celebrate one of the world's oldest continuous cultures.

When to use it:

- Email signatures
- In written material such as flyers and invitations, when the longer version is impractical
- May be used by staff and Councillors for a verbal Acknowledgement of Country.

PRONUNCIATION GUIDE

Correctly pronouncing the name of the land and the traditional custodians in *palawa kani* language, is a simple but important sign of respect. The following is provided to assist:

<i>lutruwita</i>	lu tru wee tah	Tasmania
<i>palawa</i>	pal a wah	Tasmanian Aboriginal people
<i>pakana</i>	pak a nah	Tasmanian Aboriginal people

<i>Punnilerpanner</i>	puh nil er pan er	One of the clans/people of the Northern Country
<i>kukuninka</i>	koo koo nin kah	River Leven
<i>wuwinilili</i>	woo wi nee li lee	River Forth

The words palawa and pakana have the same meaning, but come from different original languages. Both are used.

REVIEW

This Policy will be reviewed every three years by the Council, unless organisational and legislative changes require more frequent modification/s.

SANDRA AYTON
GENERAL MANAGER

Date of approval: / /
Approved by:

.....

A large, thick, olive green curved shape that starts from the top left, curves around the top and right, and ends at the bottom right, framing the text.

Central Coast Council

Waste Management Strategy 2021–2026

JANUARY 2022

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INTRODUCTION

The Central Coast Council (the Council) recognises that the future of waste management, from a local, regional, State, and national perspective is changing.

The Tasmanian Government's Waste Action Plan 2019 outlines the key target areas for improving the way in which waste materials are used in a suitable manner.

The Tasmanian Government is to introduce a legislated waste levy and container refund scheme in 2022. These two major changes will affect the future landscape of the waste industry, providing an increase in opportunities, diversion techniques and infrastructure.

The Council's waste management services and infrastructure are both wide and varied. The implementation of a kerbside food organics garden organics (FOGO) service has increased a large percentage of the organics stream away from landfill. The Council operates a network of transfer stations and an inert landfill, provides public area collections and is actively involved in the regional waste group.

The purpose of the Strategy is to reduce the environmental impact of waste generation, reduce the associated financial impact for the Council and its community, and enable the Council to optimise opportunities in policy change, grants and contract alignment to improve waste diversion outcomes.

Vision

The Central Coast Council's Waste Management Strategy 2021–2025 provides a framework to guide efficient, environmentally responsible and cost-effective decisions for the delivery of Council-managed waste services.

Background

The Council currently operates a Resource Recovery Centre at Lobster Creek Road, Ulverstone, which includes an inert land fill, waste transfer station, green waste disposal, resale shop, and many recycling options. The current site commenced operation in 2005 and currently has in the order of 20 years remaining life as a landfill. Supporting this are three Country Transfer Stations at Castra, Preston and South Riana.

In the urban area a fortnightly kerbside collection service is provided for waste, recyclables and FOGO. The introduction of the FOGO service in 2019 has almost halved the volume of waste into landfill, with the organic material being converted into useful compost.

The Council is a co-owner of Dulverton Waste Management which provides environmentally sustainable landfill and organics recycling services. All putrescible waste from the Central Coast area is currently disposed of at this landfill.

Since the introduction of FOGO, the service levels provided for the kerbside collection have been questioned by the community. The service has been reviewed on two occasions. The main concerns have centered around the residual waste bin. It is recognised that the service will not be suitable for all residences, and options are available to increase capacity for those residences. Kerbside collection is an important part of reaching the waste to landfill goals outlined in this Strategy.

CIRCULAR ECONOMY

A circular economy is aimed at minimising waste and recognising that most waste is, or could be, designed to be reused or recycled rather than simply used and disposed of. Waste materials should become inputs for other processes, either as a component or as a recycled raw material. This approach contrasts the traditional linear economy which has a “take, make, dispose” model of production.

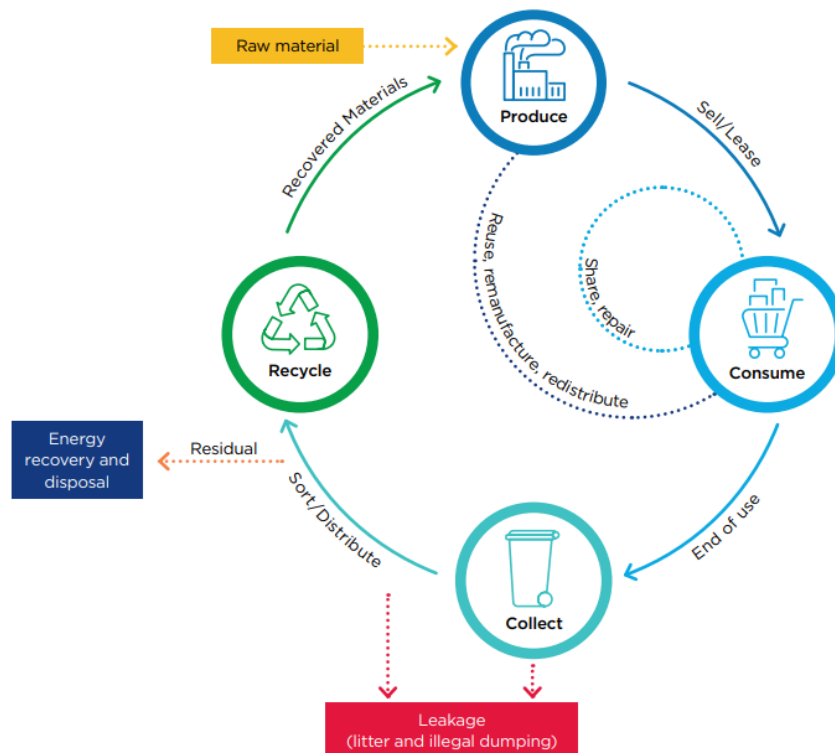


Figure 1: Circular Economy (NSW Waste and Sustainable Materials Strategy 2041).

WASTE HIERARCHY

The waste management hierarchy is a crucial tool used that underpins the decision-making process when it comes to avoiding waste and maximising economic value.

Whilst the Council is a leader and advocating for change is embedded in the Strategic Directions and Actions, much of the higher-level actions (avoid, reduce, reuse) lies in the responsibility of the individual.

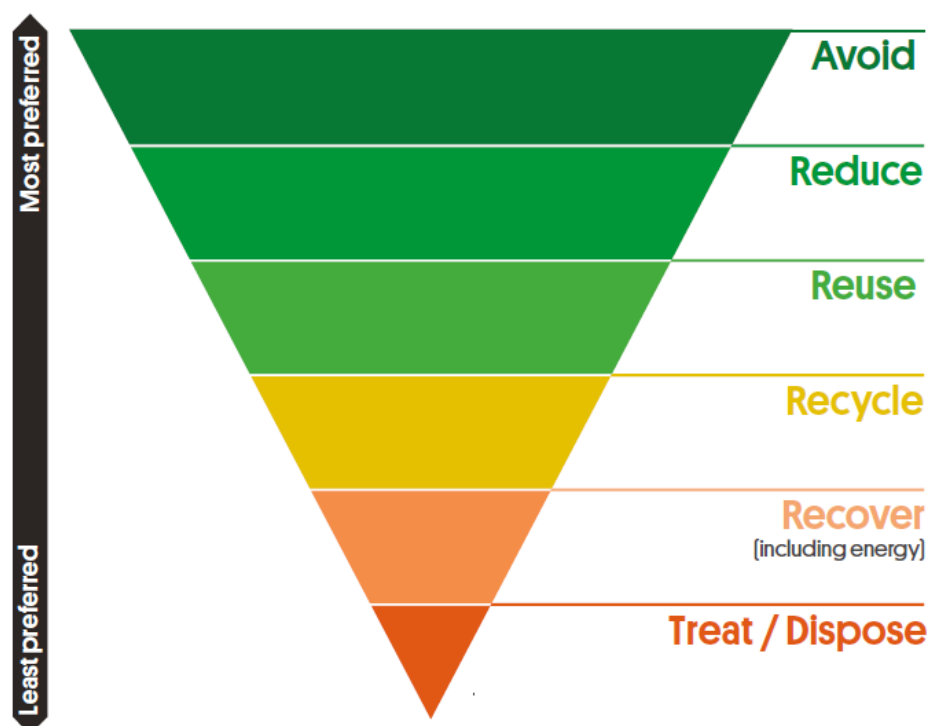


Figure 2: Waste Hierarchy (Green Industries SA, Strategic Plan 2021-2025).

RELEVANT POLICY AND LEGISLATION

Local Government Act 1993

Draft Waste and Resource Recovery Bill 2021

National Waste Policy 2018

Tasmanian Government Draft Waste Action Plan 2019

Litter Act 2007

Environmental Management and Pollution Control Act 1994

Cradle Coast Waste Management Group Strategic Plan 2017–2022

Central Coast Strategic Plan 2014–2024

Central Coast Council Climate Change Strategy and Policy June 2019

The Council's Waste Management Strategy is aimed to align practices with State and regional policy. With the current status of the Tasmanian Government's introduction of the legislated Statewide levy and the changes to the voluntary regional waste levy, the Council has aligned with the Tasmanian Government's Draft Waste Action Plan 2019.

REFERENCES

NSW Department of Planning, Industry and Environment – NSW Waste and Sustainable Materials Strategy 2041 (Figure 1 – pg.3).

Government of South Australia – Green Industries SA, Strategic Plan 2021–2025 (Figure 2 – Pg.4.)

Tasmania Department of Primary Industries, Parks, Water and Environment – Draft Waste Action Plan 2019 (Table 1 – Pg.6).

The Tasmania Department of Natural Resources and Environment (formerly Department of Primary Industries, Parks, Water and Environment) Draft Waste Action Plan 2019 sets out a broad framework for waste management and resource recovery.

The focus areas are:

- 1 Moving to a Circular Economy: Government Priorities and Key Sectors
- 2 Governance
- 3 Data, Innovation Networks and Resource Recovery Targets
- 4 Infrastructure Planning
- 5 Support Resource Recovery across Industry
- 6 Education and Community Engagement
- 7 State and National Policy and Regulatory settings.

ACTION	TARGET
1 Reduce the volume of organic waste sent to landfill	25% by 2025 50% by 2030
2 Have the lowest incidence of littering in the country	By 2023
3 Achieve an average recovery rate from all waste streams	50% by 2025 80% by 2030
4 Phase out problematic and unnecessary plastics	By 2030
5 Ensure 100% of packaging is reusable, recyclable or compostable	By 2025
6 Reduce waste generated in Tasmania (per person)	5% by 2025 10% by 2030

Table 1: Targets of the Tasmanian Draft Waste Action Plan 2019.

STATEWIDE WASTE LEVY

The Council is part of the Voluntary Regional Waste Levy and is an active member. The Regional Waste Group has contributed to regional programs as well as a Statewide educational program called Rethink Waste.

The waste levy will enable funding to be available for projects directly relating to the Draft Waste Action Plan 2019.

The Tasmanian Government is developing an Organics and Infrastructure Strategy, which will be implemented as part of the overarching Strategic Plan.

CONTAINER REFUND SCHEME

The Container Refund Scheme (CRS) will provide opportunities for the community to deposit eligible containers and redeem monetary incentives.

The CRS will be a key part of the Tasmanian Government meeting littering targets and to generate cleaner streams of recyclable materials.

The transition of eligible containers from the kerbside comingled recycling bins to the CRS drop off points will potentially see a decrease in the materials collected through the kerbside system.

TARGETS

The Council has achieved a high level of diversion, through the practices implemented at the Lobster Creek Resource Recovery Centre and the introduction of a kerbside FOGO service.

Diversion from the kerbside stream achieved 67%. Opportunities still exist for further diversion, such as the food organics in the waste stream.

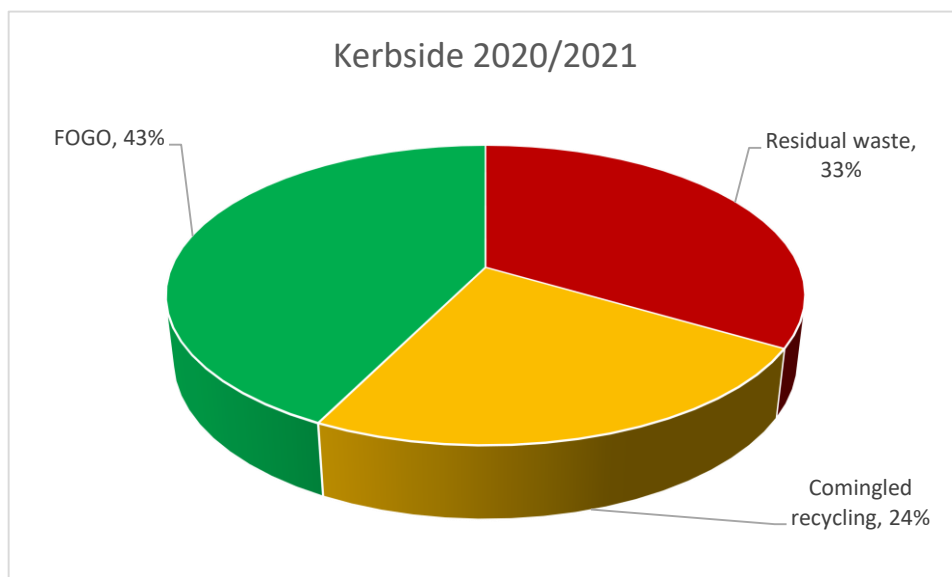


Figure 3: Kerbside 2020/2021 diversion breakdown

Overall, the Council-wide diversion is achieving 47%. This includes all waste materials managed by the Council, including kerbside, transfer stations and the inert landfill.

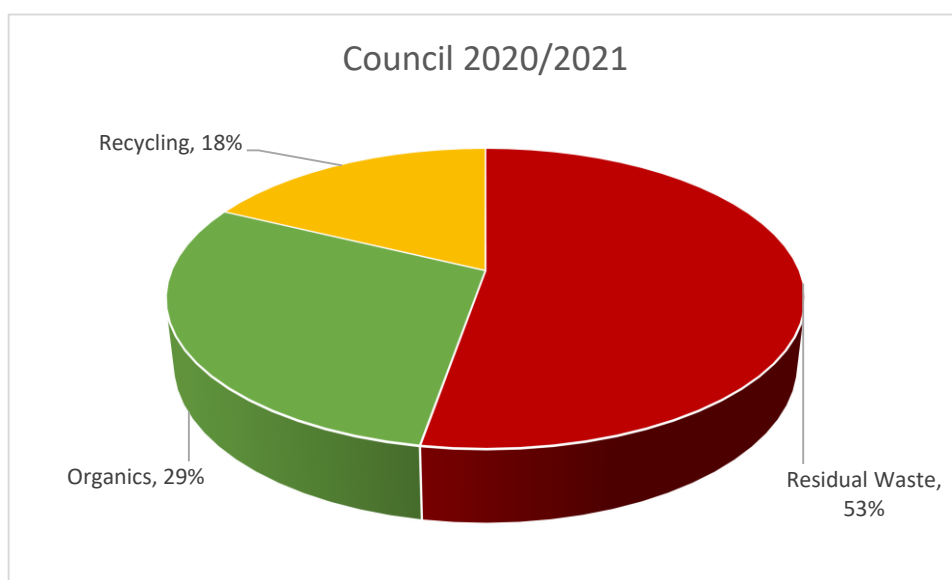


Figure 4: Council 2020/2021 diversion breakdown

The Council, through the objectives selected and the actions to be implemented have set a series of measurable targets.

ACTION	TARGET
1 Divert materials from landfill (Council-wide)	75% by 2025
2 Compliant with relevant environmental legislation and licences	100%
3 Educate, promote and engage with the community	All
4 Maintain and promote partnerships	100%

Table 2: Targets

OBJECTIVES

The Council has developed five key objectives that will drive diversion from landfill, increase resource recovery and recycling through better management and a circular economy, and to educate, engage and inform the community.

Objective 1: Waste Diversion

Diversion of waste from landfill, and to also look at the best use of these materials as a resource. This can be achieved through recycling, reuse and reprocessing.

The waste industry is changing rapidly in response to policy and regulation change from State directives. These include landfill levies and future grant opportunities.

Objective 1 Actions:

Action 1.1

- Increase Food Organics Garden Organics (FOGO) collection throughout the municipality

Action 1.2

- Continue to support the Resale Shop and other re-sale opportunities

Action 1.3

- Develop and implement a two-year plan for the upgrading of the Public Area waste systems

Action 1.4

- Implement a robust data collection and analysis program of all of the Council's waste programs

Objective 2: Infrastructure and Service Planning

Key assets within the Council include the inert landfill and transfer station network, as well as the public areas infrastructure.

Future opportunities to further enhance the inert landfill and transfer station network that provide a benefit to the Council and the community through enhanced capabilities.

Objective 2 Actions:

Action 2.1

- Develop a Master Plan for the Lobster Creek Resource Recovery Centre

Action 2.2

- Implement improved Public Area waste systems, including locations, infrastructure etc.

Action 2.3

- Review all materials accepted at the Lobster Creek Resource Recovery Centre

Action 2.4

- Review all materials accepted at the Country Transfer Stations

Objective 3: Environmental Impact and Compliance

Ensuring compliance with regulatory requirements for waste management, climate change and the environment.

Objective 3 Actions:

Action 3.1

- Ensure that all measures introduced under this Strategy further the objectives of the Central Coast Council's Climate Change Strategy and Policy

Action 3.2

- Annual reporting against the Lobster Creek Resource Recovery Centre Environment Protection Authority (EPA) environmental licence conditions

Action 3.3

- Minimise the impacts of litter and illegal dumping on the environment

Action 3.4

- Monitor and report on historic, closed landfill sites within the municipality, including Penguin, West Ulverstone, South Riana, Preston and any others

Objective 4: Education and Engagement

Improvement of the community's understanding of the waste industry and waste activities is crucial to reaching the Strategy's targets and achieving its goals. The Council must actively engage with its staff and the community to successfully deliver the objectives and actions of this Strategy.

Objective 4 Actions:

Action 4.1

- Provide adequate resources to ensure the successful delivery of the Waste Management Strategy

Action 4.2

- Promote Circular Economy through the Council's internal and external purchasing policy

Action 4.3

- Ensure best practice waste services are provided to meet the community's requirements now and in the future

Action 4.4

- Explain to the community why waste reduction is necessary and inform them of the impacts on the environment from litter and illegal dumping

Action 4.5

- Achieve community ownership of problems and solutions through community engagement

Objective 5: Partnerships

Continuing to prosper and grow partnerships within the region and also on a Statewide basis will ensure that the municipality continues to lead.

Objective 5 Actions:

Action 5.1

- Continue ownership of the Dulverton Waste Management business and be an active participant

Action 5.2

- Establish formal arrangements with the region to manage/contract selected waste streams

Action 5.3

- Work in partnership with the Tasmanian Government to implement a successful legislated Statewide Waste Levy

Action 5.4

- Work in partnership with the Tasmanian Government to implement a successful Container Refund Scheme

Action 5.5

- Monitor opportunities to be a participant in national Product Stewardship Schemes

IMPLEMENTATION TIMEFRAMES

The actions outlined under each of the objectives have been developed to align with the Tasmanian Government's key areas and targets. The timeframes have been assigned to ensure adequate resources are available for outcomes to be achieved.

Table 3: Actions for each objective with associated implementation timeframes

ACTION	2021/22	2022/23	2023/24	2024/25	2025/26
1.1 Increase Food Organics Garden Organics (FOGO) collection throughout the municipality					
1.2 Continue to support the Resale Shop and other re-sale opportunities					
1.3 Develop and implement a two-year plan for the upgrading of the Public Area waste systems					
1.4 Implement a robust data collection and analysis program of all of the Council's waste programs					
2.1 Develop a Master Plan for the Lobster Creek Resource Recovery Centre					
2.2 Implement improved Public Area waste systems, including locations, infrastructure etc.					
2.3 Review all materials accepted at the Lobster Creek Resource Recovery Centre					
2.4 Review all materials accepted at the Country Transfer Stations					

ACTION	2021/22	2022/23	2023/24	2024/25	2025/26
3.1 Ensure that all measures introduced under this Strategy further the objectives of the Central Coast Council's Climate Change Strategy and Policy					
3.2 Annual reporting against the Lobster Creek Resource Recovery Centre EPA environmental licence conditions					
3.3 Minimise the impacts of litter and illegal dumping on the environment					
3.4 Monitor and report on historic, closed landfill sites within the municipality, including Penguin, West Ulverstone, South Riana, Preston and any others					
4.1 Provide adequate resources to ensure the successful delivery of the Waste Management Strategy					
4.2 Promote Circular Economy through the Council's internal and external purchasing policy					
4.3 Ensure best practice waste services are provided to meet the community's requirements now and in the future					
4.4 Explain to the community why waste reduction is necessary and inform them of the impacts on the environment from litter and illegal dumping					
4.5 Achieve community ownership of problems and solutions through community engagement					

ACTION	2021/22	2022/23	2023/24	2024/25	2025/26
5.1 Continue ownership of the Dulverton Waste Management business and be an active participant					
5.2 Establish formal arrangements with the region to manage/ contract selected waste streams					
5.3 Work in partnership with the Tasmanian Government to implement a successful legislated Statewide Waste Levy					
5.4 Work in partnership with the Tasmanian Government to implement a successful Container Refund Scheme					
5.5 Monitor opportunities to be a participant in national Product Stewardship Schemes					

REVIEW

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

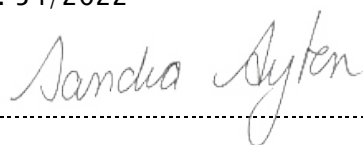
SANDRA AYTON

GENERAL MANAGER

Date of approval: 21 / 02 / 2022

Minute Ref No. 54/2022

Approved by:





Central Coast Council

Stormwater Detention Policy

FEBRUARY 2022

Document Endorsement	
Responsibility:	<p>It is the responsibility of the Director Infrastructure Services to implement this Policy and review its content with the Council.</p> <p>It is the responsibility of the Engineering Group to maintain this document in the corporate document framework.</p>
Minute Reference:	
Council Meeting Date:	
Previous Plan Replaced:	This is the first Stormwater Detention Policy, Version 1.0
Date of Commencement:	
Publication of Policy:	This Policy is publicly available on the Council's website (www.centralcoast.tas.gov.au)

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PURPOSE

This Policy details the safeguards enforced by the Council to ensure that stormwater runoff generated by new developments does not adversely impact downstream properties for all storm events up to 100-year ARI (1% AEP) event inclusively.

DEFINITIONS

Annual Exceedance Probability (AEP)	The probability that a given rainfall total accumulated over a given duration will be exceeded in any one year.
Average Recurrence Interval (ARI)	The average or expected time period between exceedances of a given rainfall total accumulated over a given duration. It is implicit in this definition that the periods between exceedances are generally random.
Catchment	The land area draining to a point of interest.
Council	Means the Central Coast Council, being a body corporate constituted as a municipal council under the <i>Local Government Act 1993</i> .
Discharge	Rate of flow of stormwater expressed in unit volume per unit time (litres per second).
Drainage system	Comprises all components of stormwater infrastructure from the legal point of stormwater discharge to the receiving water body. Includes both constructed assets (pipes, culverts, overland flow paths, roadways, kerb and gutters) and natural assets (waterways and creeks).
On-site stormwater detention (OSD)	Temporary storage and controlled discharge of stormwater runoff intended to reduce the peak flow from a site.
Overland flow	The surface flow of stormwater runoff that occurs when the volume of runoff exceeds the capacity of the piped drainage system.
Runoff	The portion of rainfall that does not infiltrate into the soil, resulting in the presence of surface water.

SCOPE

This Policy applies where:

- A development increases the impervious area of a site.
- The existing drainage system is unable to accommodate an increase in stormwater discharge from the development.
- The development is within or adjacent to urban areas. The details of the catchments can be found in Council's Stormwater System Management Plan (SSMP).

CONTEXT

Australian Rainfall and Runoff and *Australian Standard AS3500.3:2021 Plumbing and Drainage* establish that stormwater runoff in all storm events up to and including the 100-year ARI (1% AEP) storm event must be conveyed safely and not present a hazard to people or cause significant damage to property.

The Council has responsibility under the *Local Government Act 1993*, *Urban Drainage Act 2013* and *Land Use Planning and Approvals Act 1993* to ensure that new developments within the municipal area do not adversely impact on the performance of the local stormwater drainage system or cause an unreasonable flow of water on to downstream properties in all storm events up to and including the 100-year ARI (1% AEP) storm event.

This will be achieved by ensuring that stormwater detention systems are incorporated into new developments to reduce the peak flow of stormwater from the site. The detention system reduces the peak flow by temporarily storing stormwater runoff within the development site while discharging to the Council drainage system at a controlled rate.

The need for a stormwater detention system will be assessed by the Council upon receipt of a development application.

POLICY

5.1 Stormwater Detention Requirement

On-site stormwater detention is required where:

- a development increases the impervious area of a site;
- the existing drainage system is unable to accommodate an increase in stormwater discharge from the development; and
- there is no overland flow path available.

5.2 Exemptions from On-site Stormwater Detention Requirement

The Council may consider waiving a requirement for OSD where:

- The downstream drainage system has been upgraded to accommodate the increase in runoff from the site for all storm events up to and including the 100-year ARI (1% AEP) event.
- The total impervious area of a lot, including the new development, does not exceed 450m².
- The development application is for a single dwelling on a lot.
- The development application is for a multiple unit development of no more than two units

For specific situations, detention may not be required if the applicant can demonstrate to the satisfaction of the Council's Director Infrastructure Services that provision of OSD on the subject site would not reduce the adverse impacts of flooding on downstream roads, properties and watercourses. The applicant must model the total catchment containing the site at its full development potential while maintaining the existing drainage system. It is anticipated that this may apply at the lower end of the major catchments where delayed release of runoff may worsen the flood peak.

5.3 Design Objectives

The OSD system must:

- Be provided to limit the peak rate of piped stormwater discharge from the development to that generated for the lot developed to a level of 40% impervious for a 5% AEP event.
- Be designed to accommodate the maximum volume generated for the actual percentage impervious for the fully developed site for a 5% AEP event.
- Be designed to 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.
- Provide sufficient storage to ensure peak flow rates at any point within the downstream drainage system do not increase as a result of the development during the design storm event [up to and including the 100-year ARI (1% AEP) event], unless the downstream drainage system has been designed to accommodate an increase in stormwater discharge from the site.
- Drain within 72 hours to ensure the storage volume is available for a subsequent storm event.

It is desirable that OSD be integrated into the overall design of the development so that adequate storage areas are included in the initial stages of the site design/building design.

5.4 Design Requirements

OSD designs shall be prepared and submitted by a suitably qualified engineer. The design details should include but are not limited to the following:

- design parameters
- adopted storage system
- storage volumes
- flow control outlet.

The underground storage systems must be watertight.

5.5 Pump-out System

Pump-out systems for roof and surface water are not permitted as an OSD system and any plans incorporating such a system for disposal of stormwater will be rejected.

The Council will permit basement level pump-out systems for disposal of seepage water and runoff from access ramps to the basement. However, this requires comprehensive design justifying how the 100-year ARI event will be catered for.

5.6 Construction

The OSD installation must be constructed by a qualified plumber, and a certification by an engineer which includes as-constructed documents and plans to be provided prior to the issue of the Certificate of Occupancy.

5.7 Maintenance Requirements

The property owner is responsible for the operation, maintenance and replacement of the OSD system. Where the OSD system is located on common property within a multi-dwelling site, the body corporate is responsible for the operation, maintenance and replacement of the system.

The Council recommends that OSD systems are cleared of debris and sediment at least once per year to ensure correct operation.

The clearing of below ground storage facilities should be conducted in accordance with the requirements and risk control measures specified in AS2865-2009 Confined Spaces.

ADMINISTRATIVE UPDATES

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council Department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of the Council.

REVIEW

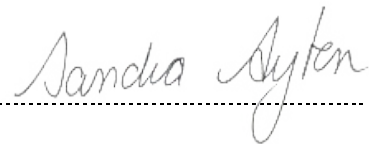
This Policy will be reviewed every three years, unless organisational and legislative changes require more frequent modification.

SANDRA AYTON
GENERAL MANAGER

Date of approval: 21 / 2 / 2022

Minute Ref No. 55/2022

Approved by:



SCHEDULE OF STATUTORY DETERMINATIONS MADE UNDER DELEGATION

Period: 01 January 2022 to 31 January 2022

Building Permits – 03

. New dwellings	00	\$0
. Outbuildings	01	\$40,000
. Additions/Alterations	02	\$2,000,085
. Other	00	\$0
. Units	00	\$0

Demolition Permit – 00

Permit of Substantial Compliance – Building – 00

Notifiable Work – Building – 09

. New dwellings	00	\$0
. Outbuildings	05	\$129,000
. Additions/Alterations	02	\$105,000
. Other	02	\$316,000
. Units	00	\$0

Building Low Risk Work – 01

Certificate of Likely Compliance – Plumbing – 08

No Permit Required – Plumbing – 00

Food Business registrations (renewals) – 01

Food Business registrations – 01

Temporary Food Business registrations – 00

SCHEDULE OF REGULATORY SERVICES DETERMINATIONS MADE UNDER DELEGATION

Period: 01 January 2022 to 31 January 2022

ABATEMENT NOTICE/S ISSUED

ADDRESS	PROPERTY ID
27 Old Kindred Road, Forth	2220111
Crown Land – Easement behind Units 2 & 3, 11 Elizabeth Street,	Not Available
9 Holliview Way, Ulverstone	2291630
126A Trevor Street, Ulverstone	6987897
Corner of Lyle Street & Glenburn Crescent, Sulphur Creek	Not Available
6 Seaside Crescent, Penguin	6760510
Dial Road, Penguin	6762809

KENNEL LICENCE/S ISSUED

ADDRESS	OWNER
8 Amber Court, Ulverstone	Martin & Jacinta Smith

PERMITS ISSUED UNDER ANIMAL CONTROL BY-LAW NO. 1 OF 2018

ADDRESS	PERMIT ISSUED FOR
Nil	

SCHEDULE OF OTHER REGULATORY SERVICES STATUTORY RESPONSIBILITIES

Period: 01 January 2022 to 31 January 2022

DOGS IMPOUNDED

Claimed	02
Burnie Dogs Home	02
Devonport Dogs Home	00
RSPCA Spreyton	00
Destroyed	00
Held over	00

INFRINGEMENT NOTICES ISSUED FOR DOG OFFENCES

Nil

INFRINGEMENTS ISSUED UNDER ANIMAL CONTROL BY-LAW NO. 1 OF 2018

Nil

TRAFFIC INFRINGEMENT NOTICES FOR PARKING

Alexandra Road	00	00%
Bannons Car Park	00	00%
Coles/Furner's Car Park	00	00%
Crescent Street, Ulverstone	00	00%
Eastland Drive	00	00%
King Edward Street, Ulverstone	00	00%
Main Road, Penguin	00	00%
North Reibey Street Car Park	00	00%
Reibey Street	00	00%
Surf Club Road, Penguin	00	00%
Victoria Street	00	00%
Wharf Car Park	00	00%
Wongi Lane	00	00%
Other	00	00%



Ian Stoneman
DIRECTOR CORPORATE SERVICES



Investment Policy

February 2022

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POLICY

The Investment Policy governs the manner in which the Council invests its funds.

PURPOSE

The purpose of this Policy is to provide a framework for the prudent investment of the Council's funds, with the aim of maximising investment returns within the approved risk profile and legal responsibilities.

STANDARDS (INCLUDING RELEVANT LEGISLATION)

All investments are to be made and managed in accordance with the provisions of the:

- . *Local Government Act 1993*, section 75; and
- . *Trustee Act 1898*, Part II – Investments.

SCOPE

The Council has, at times, funds that are in excess of its immediate operational requirements. These funds are available for investment in terms of this Policy.

This Policy does not cover equity investments in associated entities or joint ventures.

DEFINITIONS

AUTHORISED DEPOSIT TAKING INSTITUTION

Authorised Deposit Taking Institution (ADTI) means a body corporate granted the authority to carry on a banking business in terms of section 9 of the *Banking Act 1959* (as amended).

LONG-TERM INVESTMENT

Long-term investment means an investment of longer than 36 months (3 years).

SHORT-TERM INVESTMENT

Short-term investment means an investment of less than 12 months.

SECURITY

Security means:

- . debentures, stocks, shares, bonds or notes issued or proposed to be issued;

- . any right or option in respect of any such debentures, stocks, shares, bonds or notes;
- . a prescribed interest instrument such as a unit trust.

In particular, without limiting the generality of the foregoing, this includes:

- . bills of exchange;
- . promissory notes;
- . certificates of deposit issued by an ADTI; and
- . any money or securities for money paid into or deposited in Court to the credit of any cause, matter, or account.

RESPONSIBILITIES

The General Manager has the delegated responsibility for the implementation of the Policy from the Council in terms of the *Local Government Act 1993*.

The General Manager may delegate this authority to the Director Corporate Services to manage the day-to-day investments and the cash requirements of the Council.

INVESTING COUNCIL FUNDS

AUTHORISED INVESTMENTS

Interest bearing deposits issued by a licensed bank, building society or credit union that are ADTIs.

Securities or public funds issued by or guaranteed by the Commonwealth or any State or Territory.

Cash funds for funds invested for up to six months and cash-plus/cash enhanced/income/bond funds for funds available for investment over six months.

PROHIBITED INVESTMENTS

Derivative based financial instruments.

Principal only investments that have a risk of nil or negative cash flow.

Investments in, or having underlying futures, options, forward contracts or swaps.

Leveraged investments.

Cryptocurrencies.

INVESTING COUNCIL OPERATING FUNDS

The Council may invest funds with any authorised ADTI having the prescribed rating.

The Council shall endeavour at all times to invest funds at the most advantageous interest rate available to it at the time of the investment.

At least three quotations are to be obtained from ADTIs whenever a new investment is proposed.

The best quote on the day will be successful after allowing for administrative and banking costs, minimum and maximum balances as well as having regard to the limits set in this Policy.

At the time of assessing the best quote, regard must be given to the interest rate offered, the credit rating of the institution and the term of the investment.

The term of maturity of any investments can range from 'on call' to 12 months.

An assessment of the Council's cash flow requirements up until maturity of the next investment must be completed before funds are invested or reinvested.

Adequate funds must be available in the Council's operating bank account or on call accounts to meet the Council's immediate working capital requirements.

INVESTMENTS WITH FUND MANAGERS

The Council may deposit funds with the manager of a cash fund, cash enhanced fund, income or bond fund, provided the manager invests the funds so that the Council retains beneficial ownership in a security authorised by the Trustee Act.

INVESTMENT ADVISORS

Investment advisors utilised by the Council to identify and select recommended managed fund investments must be licenced by the Australian Securities and Investments Commission.

GOVERNANCE

As trustees of public monies, the investments must be managed with due care, diligence and skill that a prudent person would exercise.

The Council must establish and maintain an Investment Register in which documentary evidence of the approved financial institutions, investment transactions, quotes and details of each investment is held.

Certificates of deposit must be obtained at 30 June if required to satisfy audit requirements.

Investments are to be subject to annual internal review of procedures to ensure compliance with this Policy.

New investment accounts must be approved by the Director Corporate Services. Reinvestment into existing investments may be approved by the Manager Organisational Services.

All transfers of funds relating to investments must be authorised by account signatories and comply with the delegated authority.

Any staff member or Councillor who has a conflict of interest or a potential conflict of interest relating to any investment or potential investment of the Council must disclose this to the General Manager. In the case of the General Manager a conflict of interest must be disclosed to the Mayor.

RISK MANAGEMENT

In order to satisfy the purpose of the Policy, the Council must take into consideration the following factors when carrying out investment functions:

- (a) existence of guarantees or security;
- (b) credit rating of the institution;
- (c) interest rate;
- (d) prior service history of the institution; and
- (e) any social or community benefit.

Risk mitigation must comply with the following criteria:

- (a) Preservation of capital – the requirement for the prevention of loss in the investments total portfolio's value;
- (b) Diversification – the requirement to place investments in a broad range of products so as not to be over exposed to a particular sector of the investment market;
- (c) Market risk – risk that the fair value of the investment or the future cash flows from the investment will fluctuate due to changes in market prices;
- (d) Liquidity risk – risks that the Council will be unable redeem the fair value of the investment on demand;
- (e) Maturity risk – risks relating to the term to maturity of the investment thereby exposing the investment to market volatility.

To mitigate the risks detailed above, the amount invested in any financial institution must comply with the listed Standard & Poor's credit ratings or Moody's equivalent, and should not exceed the following percentages of average annual funds invested.

Credit Rating Standard & Poor's (or equivalent Moody's & Finch) Maximum %				
Long-Term	Short-Term	Of Total Investment	Maximum % with any one ADTI	Maximum term to maturity
AAA to AA-	A1 +	100%	50%	3 years
A+ to A-	A1	75%	50%	1 year
BBB+ to BBB-	A2	50%	50%	180 days

If any of the deposits/securities held are downgraded such that they no longer fall within the Council's Investment Policy guidelines, they will be divested within 30 days or as soon as is practicable.

Where an investment product shifts from long-term to short-term the credit rating must comply with the component relevant to the life cycle of the product.

The Council will invest its funds within the following term to maturity constraints:

Term to Maturity	Minimum	Maximum
Less than 1 year	50%	100%
Greater than 1 year	0%	50%
Greater than 3 years	0%	25%

REPORTING

On a six monthly basis a report will be prepared for the Senior Leadership Team which summarises for each investment:

- amount and performance of each investment to the respective benchmark reported on an after fees basis;
- comparison of the investment portfolio with exposure limits; and
- comparison of year-to-date investment income performance to budget.

A monthly reconciliation of the Investment Ledger to the Director Corporate Services must be produced.

Annual reports are to account for investments in accordance with the provisions of the current Accounting Standard relating to the presentation and disclosure of financial instruments.

For audit purposes, certificates may be required to be attained from all financial institutions confirming the amounts held on the Council's behalf at 30 June annually.

PERFORMANCE BENCHMARKS

Type of Fund	Benchmark
Cash	11am Cash Rate
Term Deposit	Australian Term Deposit Index (ATDI)
Fixed Interest	Australian UBS Composite Bond Index
Alternative Investments	UBS Australia Bank Bill Index

VARIATIONS TO POLICY

The General Manager and Director Corporate Services are authorised to approve variations to this Policy in exceptional circumstances, if the investment is to the Council's advantage and/or is due to revised legislation.

Any such variations to this Policy are to be listed on the next Council meeting agenda for review.

REVIEW

This Policy will be reviewed bi-annually, unless organisational and legislative changes require modifications that are more frequent.

APPENDIX 1 – STANDARD AND POOR'S RATING DEFINITIONS

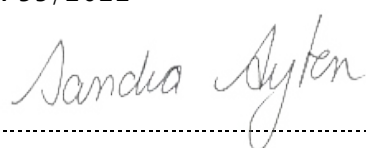
- . Issue Credit Ratings
- . Long-Term Issue Credit Ratings
- . Short-Term Issue Credit Ratings

SANDRA AYTON
GENERAL MANAGER

Date of approval: 21 / 2 / 2022

Minute Ref No. 59/2022

Approved by:



APPENDIX 1

Standard & Poor's Ratings Definitions

ISSUE CREDIT RATING DEFINITIONS

ISSUE CREDIT RATINGS

A Standard & Poor's issue credit rating is a forward-looking opinion about the creditworthiness of an obligor with respect to a specific financial obligation, a specific class of financial obligations, or a specific financial program (including ratings on medium-term note programs and commercial paper programs). It takes into consideration the creditworthiness of guarantors, insurers, or other forms of credit enhancement on the obligation and takes into account the currency in which the obligation is denominated. The opinion reflects Standard & Poor's view of the obligor's capacity and willingness to meet its financial commitments as they come due, and may assess terms, such as collateral security and subordination, which could affect ultimate payment in the event of default.

Issue credit ratings can be either long-term or short-term. Short-term ratings are generally, assigned to those obligations considered short-term in the relevant market. In the U.S., for example, that means obligations with an original maturity of no more than 365 days—including commercial paper. Short-term ratings are also used to indicate the creditworthiness of an obligor with respect to put features on long-term obligations. Medium-term notes are assigned long-term ratings.

LONG-TERM ISSUE CREDIT RATINGS

Issue credit ratings are based, in varying degrees, on Standard & Poor's analysis of the following considerations:

- . Likelihood of payment—capacity and willingness of the obligor to meet its financial commitment on an obligation in accordance with the terms of the obligation;
- . Nature of and provisions of the obligation; and the promise we impute.
- . Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganization, or other arrangement under the laws of bankruptcy and other laws affecting creditors' rights.

Issue ratings are an assessment of default risk, but may incorporate an assessment of relative seniority or ultimate recovery in the event of default. Junior obligations are typically rated lower than senior obligations, to reflect the lower priority in bankruptcy, as noted above. (Such differentiation may apply when an entity has both senior and subordinated obligations, secured and unsecured obligations, or operating company and holding company obligations.)

TABLE 1	
Long-Term Issue Credit Ratings*	
Category	Definition
AAA	An obligation rated 'AAA' has the highest rating assigned by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.
AA	An obligation rated 'AA' differs from the highest-rated obligations only to a small degree. The obligor's capacity to meet its financial commitment on the obligation is very strong.
A	An obligation rated 'A' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher-rated categories. However, the obligor's capacity to meet its financial commitment on the obligation is still strong.
BBB	An obligation rated 'BBB' exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.
BB; B; CCC; CC; and C	Obligations rated 'BB', 'B', 'CCC', 'CC', and 'C' are regarded as having significant speculative characteristics. 'BB' indicates the least degree of speculation and 'C' the highest. While such obligations will likely have some quality and protective characteristics, these may be outweighed by large uncertainties or major exposures to adverse conditions.
BB	An obligation rated 'BB' is less vulnerable to non-payment than other speculative issues. However, it faces major ongoing uncertainties or exposure to adverse business, financial, or economic conditions which could lead to the obligor's inadequate capacity to meet its financial commitment on the obligation.
B	An obligation rated 'B' is more vulnerable to non-payment than obligations rated 'BB', but the obligor currently has the capacity to meet its financial commitment on the obligation. Adverse business, financial, or economic conditions will likely impair the obligor's capacity or willingness to meet its financial commitment on the obligation.
CCC	An obligation rated 'CCC' is currently vulnerable to non-payment, and is dependent upon favourable business, financial, and economic conditions for the obligor to meet its financial commitment on the obligation. In the event of adverse business, financial, or economic conditions, the obligor is not likely to have the capacity to meet its financial commitment on the obligation.

CC	An obligation rated 'CC' is currently highly vulnerable to non-payment. The 'CC' rating is used when a default has not yet occurred, but Standard & Poor's expects default to be a virtual certainty, regardless of the anticipated time to default.
C	An obligation rated 'C' is currently highly vulnerable to non-payment, and the obligation is expected to have lower relative seniority or lower ultimate recovery compared to obligations that are rated higher.
D	An obligation rated 'D' is in default or in breach of an imputed promise. For non-hybrid capital instruments, the 'D' rating category is used when payments on an obligation are not made on the date due, unless Standard & Poor's believes that such payments will be made within five business days in the absence of a stated grace period or within the earlier of the stated grace period or 30 calendar days. The 'D' rating also will be used upon the filing of a bankruptcy petition or the taking of similar action and where default on an obligation is a virtual certainty, for example due to automatic stay provisions. An obligation's rating is lowered to 'D' if it is subject to a distressed exchange offer.
NR	This indicates that no rating has been requested, or that there is insufficient information on which to base a rating, or that Standard & Poor's does not rate a particular obligation as a matter of Policy.
*The ratings from 'AA' to 'CCC' may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.	

TABLE 2**Short-Term Issue Credit Ratings**

Category	Definition
A-1	A short-term obligation rated 'A-1' is rated in the highest category by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.
A-2	A short-term obligation rated 'A-2' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on the obligation is satisfactory.
A-3	A short-term obligation rated 'A-3' exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.
B	A short-term obligation rated 'B' is regarded as vulnerable and has significant speculative characteristics. The obligor currently has the capacity to meet its financial commitments; however, it faces major ongoing uncertainties which could lead to the obligor's inadequate capacity to meet its financial commitments.
C	A short-term obligation rated 'C' is currently vulnerable to non-payment and is dependent upon favourable business, financial, and economic conditions for the obligor to meet its financial commitment on the obligation.
D	A short-term obligation rated 'D' is in default or in breach of an imputed promise. For non-hybrid capital instruments, the 'D' rating category is used when payments on an obligation are not made on the date due, unless Standard & Poor's believes that such payments will be made within any stated grace period. However, any stated grace period longer than five business days will be treated as five business days. The 'D' rating also will be used upon the filing of a bankruptcy petition or the taking of a similar action and where default on an obligation is a virtual certainty, for example due to automatic stay provisions. An obligation's rating is lowered to 'D' if it is subject to a distressed exchange offer.



Credit Card Policy

February 2022

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POLICY

This Policy applies to all Elected Members and Staff issued with a Council Business Card.

PURPOSE

The purpose of this Policy is to provide guidance on how Council corporate credit cards are to be allocated, used and administered to ensure they assist the efficient delivery of local government services while minimising the potential for misuse and fraud.

ELEMENTS OF THE POLICY

- 1 Applicability
- 2 Education and Awareness
- 3 Roles and Responsibilities
- 4 Procedures
- 5 Disciplinary Action
- 6 Legislation and Related Documentation
- 7 Review of Policy

1 APPLICABILITY

This Policy applies to the Mayor and Staff who have been issued with a Commonwealth Bank Mastercard for Council Business Use.

2 EDUCATION AND AWARENESS

The Mayor and Staff issued with a Commonwealth Bank Mastercard will be required to read this Policy and sign the acknowledgement form (Appendix A).

3 ROLES AND RESPONSIBILITIES

- (a) The Mayor, General Manager, Directors and other cardholders are responsible for:
 - (i) Using their Business Card for appropriate Council business only.
 - (ii) Using their Business Card only when suppliers will not accept payment on account via EFT or cheque.
 - (iii) Reviewing and verifying all transactions, and notifying the Assistant Accountant of any suspicious, fraudulent or unauthorised transactions.
 - (iv) Allocating internal expense codes.
 - (v) Recording any additional information required.

- (vi) Recording the number of staff (including associates) and the number of guests when Business Cards are used for meal entertainment subject to Fringe Benefits Tax.
 - (vii) Authorising all transactions.
 - (viii) Providing a valid 'Tax Invoice' for all transactions.
 - (ix) Transactions that do not have a valid 'Tax Invoice' must be supported by other documentation such as cash dockets, receipts or invoices.
 - (x) Forwarding the monthly statement and supporting documentation to the Authorising Officer within one week of issue.
 - (xi) The card is not to be used for cash advances or fines incurred by the holder.
 - (xii) Cards should not be used for the purchase of fuel unless in an emergency situation, where fuel outlets for the Council issued fuel cards issued to the vehicle are not available.
 - (xiii) Only use cards online on websites which have appropriate security (e.g. encryption) and privacy protection in line with the Payment Card Industry Data Security Standards (PCIDSS).
 - (xiv) Not allowing websites to save card details on payment gateways.
 - (xv) During periods of leave in excess of four weeks the cardholder must return the card to the Assistant Accountant for safe storage.
- (b) The Assistant Accountant is responsible for:
- (i) Reconciling the individual cardholder statements and the 'Business Card Consolidated Report'.
 - (ii) Allocating expenditure to the applicable internal expense account.
 - (iii) Properly accounting for GST Tax Credits.
 - (iv) Using the information recorded regarding meal entertainment to complete the annual Fringe Benefits Tax return.
 - (v) Notify and follow up with the bank in relation to any transactions identified in 3(a)(iii).
 - (vi) Ensuring expenditure is authorised in accordance with this Policy.

The cardholder is responsible for all transactions that are incurred on a card. A cardholder may authorise a Council staff member to use the card for Council business, but the responsibility for meeting the requirements under section 3 remain with the

cardholder. Credit card details are not to be stored and retained on file for future use by staff members, unless specifically authorised by the General Manager in writing.

4 PROCEDURES

The issuing of all Credit Cards must be authorised by the General Manager. Cards are issued where there is a proven requirement. Cards are issued to those organisational roles where the operating benefits of efficient purchasing outweighs any increased risk.

A credit card will not be allocated to Councillors.

A credit card may be issued to the Mayor for the payment of conference or official Council related business expenses. The credit limits are set as part of the adoption of this Policy by Council.

The limits per card are:

POSITION	LIMIT
General Manager	\$10,000
Mayor	\$3,000
Director Infrastructure Services	\$5,000
Director Community Services	\$5,000
Director Corporate Services	\$5,000
Manager Childcare Services	\$1,500

Should a new card be issued then the limit of the card will be at the General Manager's discretion but no greater than \$3,000.

Should a card need to be replaced it will be replaced with the same limit.

All amounts applied are well within the financial delegation for each of the positions.

The maximum total credit limit of all cards is set at \$35,000.

Transaction limits have not been set as usage is determined by the applicability of the usage rather than amount of the transaction.

Any changes to the existing limits of the cards can only be considered as part of a review by Council.

Each cardholder will receive a monthly statement of expenditure which is to be completed, authorised and forwarded with tax invoices/receipts to the Assistant Accountant within one week of issue.

A seniority principle will apply in the event where multiple cardholders are present at an event where payment is to be made by credit card. The most senior role in attendance is required to make the payment.

The General Manager's card will be utilised where required for any Councillor expenditure.

The authorisation procedure is as follows:

- The General Manager will authorise the expenditure of the Mayor and the Directors.
- The Mayor will review and scrutinise the expenditure of the General Manager. In the absence of the Mayor, the Director Corporate Services will authorise the expenditure of the General Manager.
- The Directors will authorise the expenditure of any responsible staff issued with credit cards.

The purpose of the Statement Reconciliation and acquittal process is to ensure that:

- Cardholders justify and prove every purchasing decision to Council; and
- Council is able to justify and validate its endorsement and validation of cardholders' purchasing decisions to auditors, investigators and the public.

Payment is automatically deducted from the Council's operating bank account at the end of each month.

The Assistant Accountant will reconcile the individual cardholder statements and the 'Business Card Consolidated Report'.

The Assistant Accountant will prepare and input journal transactions to allocate Mastercard expenditure to applicable internal expense and GST Tax Credit accounts. Journals are to be processed within one week after receipt of authorised statements.

The Director Corporate Services will review the cardholder statements to ensure compliance with the Policy.

5 DISCIPLINARY ACTION

Any breaches on this Policy by any cardholder, authoriser, staff or elected member, depending on the nature and extent of the breach, may result in one or more of the following:

- counselling and retraining in the Policy and requirements;
- reimbursement of costs;
- cancellation of card;
- disciplinary action in accordance with Council's Human Resource Disciplinary Action Policy; or
- referral to police or civil proceedings.

6 LEGISLATION AND RELATED DOCUMENTATION

- A New Tax System (Goods & Services Tax) Act 1999
- Employee Code of Conduct
- Code of Conduct of Councillors
- Fraud Control Policy
- Human Resource Disciplinary Action Policy
- Resignation/Termination Checklist
- AS 8001:2021 Fraud and Corruption Control

7 REVIEW OF POLICY

This Policy will be reviewed every two years unless organisational and legislative changes require more frequent modifications.

ATTACHMENTS

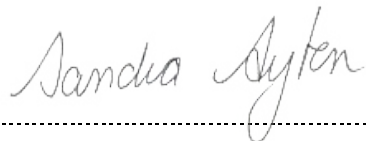
- Acknowledgement of Policy Declaration Form.

SANDRA AYTON
GENERAL MANAGER

Date of approval: 21 / 2 / 2022

Minute Ref No. 60/2022

Approved by:


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Appendix A

Credit Card Policy

ACKNOWLEDGEMENT FORM

I have read and understood the contents and agree to abide by the Credit Card Policy.

Employee Name:

Employee Signature:

Date:/...../.....

Please return this acknowledgement to the Assistant Accountant.