

Notice of Ordinary Council Meeting and

# Agenda

16 May 2022

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To all Councillors

NOTICE OF MEETING

In accordance with the *Local Government (Meeting Procedures) Regulations 2015*, notice is given of the next ordinary meeting of the Central Coast Council which will be held in the Council Chamber at the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 16 May 2022. The meeting will commence at 6.00pm.

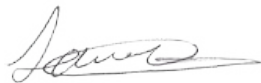
This meeting will be open to limited public attendance (five persons), in order to adhere to current COVID-19 safety measures, however a live stream of the meeting will be available via the Council's website and Facebook page. To register your attendance at the meeting, please contact the Executive Services Officer on 03 6429 8900 or [admin@centralcoast.tas.gov.au](mailto:admin@centralcoast.tas.gov.au)

An agenda and associated reports and documents are appended hereto.

A notice of meeting was published in The Advocate newspaper, a daily newspaper circulating in the municipal area, on 8 January 2022.

Dated at Ulverstone this 11<sup>th</sup> day of May 2022.

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



Lauren Clarke  
ACTING EXECUTIVE SERVICES OFFICER

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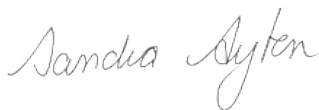
*QUALIFIED PERSON'S ADVICE*

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

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

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

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



Sandra Ayton  
GENERAL MANAGER

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## **AGENDA**

### **COUNCILLORS ATTENDANCE**

### **COUNCILLORS APOLOGIES**

### **EMPLOYEES ATTENDANCE**

### **GUEST(S) OF THE COUNCIL**

### **MEDIA ATTENDANCE**

### **PUBLIC ATTENDANCE**

### **ACKNOWLEDGEMENT OF COUNTRY**

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.



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#### **OPENING PRAYER**

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

#### **BUSINESS**

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## 1 CONFIRMATION OF MINUTES OF THE COUNCIL

### 1.1 Confirmation of minutes

The Acting Executive Services Officer reports as follows:

“The minutes of the ordinary meeting of the Council held on 20 April 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.

A suggested resolution is submitted for consideration.”

- “That the minutes of the ordinary meeting of the Council held on 20 April 2022 be confirmed.”
- .....
- .....
- .....

## 2 COUNCIL WORKSHOPS

### 2.1 Council workshops

The Acting Executive Services Officer reports as follows:

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

- 26 April 2022 – Settlement Strategy
- 2 May 2022 – North West Transmission Developments
- 9 May 2022 – Draft Annual Plan; Draft Fees & Charges as at 1 July 2022

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

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

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### 3 MAYOR'S COMMUNICATIONS

#### 3.1 Mayor's communications

The Mayor to report:

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.....

#### 3.2 Mayor's diary

The Mayor reports as follows:

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

- ANZAC Day Services, Forth, North Motton and Ulverstone
- ANZAC Day Dawn Service – Penguin
- Central Coast Community Safety Partnership Meeting – via video conference
- Questacon Invention Convention at Hive – Ulverstone
- Slipstream After Hours Cabaret Event – Ulverstone
- Switch Board Meeting – Ulverstone
- Announcement of election funding for Dial Eco Toilet facility – Penguin
- Investitures at Government House – Hobart
- Central Connect Round table meeting – Ulverstone
- Devonport Library Guest Speaker – Devonport
- Ulverstone Bowls & Community Club Annual Dinner – Ulverstone
- Shop Top Living Forum – Ulverstone
- Citizenship Ceremony – Ulverstone
- WIN Television and radio interviews."

The Deputy Mayor reports as follows:

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

- ANZAC Day Service – Penguin."

The Acting Executive Services Officer reports as follows:

"A suggested resolution is submitted for consideration."

- "That the Mayor's and Deputy Mayor's report be received."

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### 3.3 Declarations of interest

The Mayor reports as follows:

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

The Acting Executive Services Officer reports as follows:

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

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

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

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## 4 COUNCILLOR REPORTS

### 4.1 Councillor reports

The Acting Executive Services Officer reports as follows:

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

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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.”

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## **5 APPLICATIONS FOR LEAVE OF ABSENCE**

### **5.1 Leave of absence**

The Acting Executive Services Officer reports as follows:

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

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

There are no applications for consideration at this meeting.”

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.....

## **6 DEPUTATIONS**

### **6.1 Deputations**

The Acting Executive Services Officer reports as follows:

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

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## **7 PETITIONS**

### **7.1 Petitions**

The Acting Executive Services Officer reports as follows:

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

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## **8 COUNCILLORS' QUESTIONS**

### **8.1 Councillors' questions without notice**

The Acting Executive Services Officer reports as follows:

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

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

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



- 
- (2) In putting a question without notice at a meeting, a councillor must not –
    - (a) offer an argument or opinion; or
    - (b) draw any inferences or make any imputations –except so far as may be necessary to explain the question.
  - (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 –
  - 1.3 the general manager has reported the reason it was not possible to include the matter on the agenda; and
  - 1.4 the general manager has reported that the matter is urgent; and
  - 1.5 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.'

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

<i>Councillor</i>	<i>Question</i>	<i>Department</i>
.....	.....	.....
.....	.....	.....
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## **8.2 Councillors’ questions on notice**

The Acting Executive Services Officer reports as follows:

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

‘30 (1) A councillor, at least 7 days before an ordinary council meeting or a council committee meeting, may give written notice to the general manager of a question in respect of which the councillor seeks an answer at that meeting.

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

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

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

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No questions on notice have been received.”

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## **9 PUBLIC QUESTION TIME**

### **9.1 Public question time**

The Mayor reports as follows:

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

Public question time will be conducted as provided by the *Local Government (Meeting Procedures) Regulations 2015* and the supporting procedures adopted by the Council on 19 May 2014 (Minute No. 133/2014).

During Public Question Time, the Mayor will invite those public members in attendance to ask their two questions. Due to the Council’s COVID safety measures, the number of people who can physically attend Council Meetings is limited to five and requires registration, however, members of the public who are unable to attend, who would like to ask two questions to the Council, during Public Question Time, are advised to provide their questions on notice to the General Manager by 3.00pm Monday, 16 May 2022.

Any questions received will be read out by the General Manager at the meeting and a response provided following the meeting.”

### **9.2 Public questions taken on notice**

The Acting Executive Services Officer reports as follows:

“No public questions were taken on notice from the 20 April 2022 meeting.”

## 10 DEPARTMENTAL BUSINESS

### GENERAL MANAGEMENT

#### 10.1 Minutes and notes of committees of the Council and other organisations

The General Manager reports as follows:

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

- Central Coast Council Audit Panel minutes – 28 March 2022
- Development Support Special Committee (DSSC) minutes – 9 May 2022

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

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

#### 10.2 Common seal

The General Manager reports as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 21 April 2022 to 16 May 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 Acting Executive Services Officer reports as follows:

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

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

### 10.3 Contracts and agreements

The General Manager reports as follows:

“A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into for the period 21 April 2022 to 16 May 2022 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Acting Executive Services Officer reports as follows:

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

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

### 10.4 Correspondence addressed to the Mayor and Councillors

The General Manager reports as follows:

“A Schedule of Correspondence addressed to the Mayor and Councillors for the period 21 April 2022 to 16 May 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 Acting Executive Services Officer reports as follows:

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

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

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## COMMUNITY SERVICES

### 10.5 Governance model – Penguin Mountain Bike Committee

■ Cr Fuller moved “That Council work with stakeholders to determine the best governance model to support and assist the development of Mountain Bike and other recreational activities in the Dial Range; and that this work be progressed as an action of the 2022/23 Annual Plan.”

Cr Fuller, in support of her motion, submits as follows:

“Early in March 2022 Council received a presentation from the Cradle Coast Mountain Bike Club including the sharing of their Penguin Mountain Bike Park Masterplan. Following 10 years of amazing work by highly qualified volunteers, and the seeking of external funds, the Masterplan aims to:

‘facilitate the continued upgrade of the ‘Park’ through to 2026 by identifying what our mountain biking community think is needed in the Park for it to remain the premier mountain bike hub on the north-west coast.’

From the Club’s information provided most other trails around the state are council initiatives, with the investment shown below:

- Derby 125 km \$5M
- St Helens 120 km \$4.5M
- George Town (Stage 1) 16 km, (Stage 2) .....\$4.4M
- Wild Mersey (completed) 15 km Latrobe + 10 km Latrobe to Railton + 16 km Railton + 15 km. Sheffield = 56 km \$4.5M
- Queenstown (Mt Owen) 35 km \$3.5M
- Zeehan (Oonah Hill) 5 km \$2.5M, (Heemskirk Reserve) 50 km \$2.5M

The Penguin Mountain Bike Park has just over 7 km of constructed tracks, with 15kms of track in the Dial Reserve.

Approximately 4.8 km of PMBP trail is located on Club-leased land from Council. Of the remaining 2.7 km, 2.5 km is on land jointly leased by Club and NW Organic Centre from Council.

The Park development commenced with the lease on the Old Penguin Speedway site 4.5 Ha in 2012 with Council. The development is currently valued at \$1M in trail and built mountain bike infrastructure with funding received for approx. \$750,000.

The Committee meets the estimated \$20,000 in annual maintenance costs to maintain infrastructure.

The constructed track networks attract 23,000 riders PA – 12,000 PMBP, 11,000 Dial. Approx. 1,500 are tourist riders, with tourist riders are steadily increasing

A copy of the Masterplan is available for public view here: [CRADLE COAST MOUNTAIN BIKE CLUB MASTER PLAN 2021 – Cradle Coast Mountain Bike Club Inc \(ccmbc.com.au\)](https://www.ccmmbc.com.au)

The CCMBC can only proceed with their plan within its financial and lease restrictions.

Recently there has been an election commitment from a major party for an Eco Friendly ‘Rest Stop’ at the entrance to the Montgomery State Reserve, recognition of the recreational activity in the area.

There are other activities including bushwalking tracks and the maintenance thereof that also occur in and around the Reserve.

It is time for Council to formally recognise the social, health, environmental and economic benefits that these activities and associated groups contribute to our community through the development of a governance structure which supports the long term progression and sustainability of activities.

It is proposed that a group included elected members, council staff and the Cradle Coast Mountain Bike Club meet to discuss the formation of a Committee of Council or other governance structure to have oversight of future developments in the Dial as well as the development of the Penguin Mountain Bike Park.”

The General Manager reported as follows:

*DISCUSSION*

It is recommended that a review of different types of governance arrangements used especially around Tasmania take place to see what the most appropriate arrangements would be in this particular instance. The preference would be for a group of Councillors and staff to talk to the Mountain Bike Club executive committee to understand what they want from Council and the best and most constructive way of delivering it. There are concerns also with the Committee not having expertise within the Group especially when looking at Work Health and Safety and reviewing of the tracks where maintenance would be of first priority. Resourcing would also be an issue which needs to be discussed further.



*CONSULTATION*

No consultation is required in relation to this item.

*RESOURCE, FINANCIAL AND RISK IMPACTS*

No resources required at this stage. The Council currently contributions \$8,000 in cash to help the Committee with maintenance.

*CONCLUSION*

Cr Fuller's motion is supported.

The Acting Executive Services Officer reports as follows:

"The motion on notice from Cr Fuller is submitted for consideration."

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## **10.6 Development application determinations**

The Director Community Services reports as follows:

"A Schedule of Development Application Determinations made during the month of April 2022 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities."

The Acting Executive Services Officer reports as follows:

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

■ "That the Schedule of Development Application Determinations (a copy being appended to and forming part of the minutes) be received."

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## 10.7 Council acting as a planning authority

The Mayor reports as follows:

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

The General Manager has submitted the following report:

‘If any such actions arise out of Agenda Item 10.8, they are to be dealt with by the Council acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.’”

The Acting Executive Services Officer reports as follows:

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

A suggested resolution is submitted for consideration.”

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

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## 10.8 Subdivision – consolidation and creation of two lots and Residential – dwelling – Setbacks and building envelope for all dwellings and reliance on C7.0 Natural Assets Code at 2A Locket Street and 23 Heathcote Street, Ulverstone – Application No. DA2021346

The Director Community Services reports as follows:

“The Town Planner has prepared the following report:

<i>'DEVELOPMENT APPLICATION No.:</i>	DA2021346
<i>PROPOSAL:</i>	Subdivision – consolidation and creation of two lots and Residential – dwelling – Setbacks and building envelope for all dwellings and reliance on C7.0 Natural Assets Code
<i>APPLICANT:</i>	Charlie and Louise Vella
<i>LOCATION:</i>	2A Locket Street and 23 Heathcote Street, Ulverstone
<i>ZONE:</i>	General Residential Zone
<i>PLANNING INSTRUMENT:</i>	<i>Tasmanian Planning Scheme – Central Coast</i> the “Planning Scheme”)
<i>ADVERTISED:</i>	13 April 2022
<i>REPRESENTATIONS EXPIRY DATE:</i>	3 May 2022
<i>REPRESENTATIONS RECEIVED:</i>	None
<i>42-DAY EXPIRY DATE:</i>	19 May 2022
<i>DECISION DUE:</i>	16 May 2022

*PURPOSE*

The purpose of this report is to consider an application for a Subdivision – consolidation and creation of two lots and Residential – dwelling at 2A Locket Street and 23 Heathcote Street, Ulverstone.

Accompanying the report are the following documents:

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

*BACKGROUND*

*Development description –*

Application is made for development in two parts. Part 1 is for subdivision in the form of consolidation and the subsequent creation of two lots and Part 2 would be Residential Use Class, for the construction of a dwelling on proposed Lot 2.

Subdivision

The land is General Residential Zone. The site consists of two parcels of land being, CT180773/1 known as 2A Locket Street and CT158915/1 known as 23 Heathcote Street which is separated by Buttons Creek. The subdivision will consolidate part of 23 Heathcote Street, that is on the eastern side of Buttons Creek, with 2A Locket Street, creating a land area of 1,955m<sup>2</sup> (shown as Lot 2). The resulting balance portion of 23 Heathcote Street, on the western side of Buttons Creek, would be a stand-alone parcel of land with an area of 1,007m<sup>2</sup> (shown as Lot 1).

#### Dwelling

A two-storey dwelling is proposed on the southern side of proposed Lot 2. The dwelling would be setback 2.1m from the southern rear boundary and would comprise, on the ground floor, a double garage, boat shed, associated storage and the laundry. The first floor would comprise of three bedrooms (master with ensuite), shared bathroom, lounge room, dining room, kitchen, living room and a north facing covered deck that wraps the northern elevation for 12m from the western side.

Due to the slope of the site, falling from the north-east to south-west, the dwelling would be split level and would, from the northern and eastern elevations, predominately appear single-storey. The two-storey aspect of the dwelling would be clearly seen from the western and southern elevations.

Along the southern elevation, the dwelling would be 9m at the highest point. This would taper down to a 6m height along the ridgeline and to a 5m height on the eastern side. The dwelling would be 7m to 9m high for approximately 15m in length along the southern elevation, whilst setback 2.1m from the southern rear boundary.

Access to the dwelling would be off Locket Street.

#### *Site description and surrounding area –*

The site consists of two parcels of land, being CT180773/1 known as 2A Locket Street and CT158915/1 known as 23 Heathcote Street which is separated by Buttons Creek.

There is a sewer main that intersects the middle (angled) of proposed Lot 2. The dwelling would be setback 1.3m clear of this easement. Furthermore,

there is a stormwater main that runs slightly inside the northern side boundary of proposed Lot 2.

Buttons Creek adjoins the site; east of proposed Lot 1 and west of proposed Lot 2.

Proposed Lot 1 would accommodate an existing dwelling and outbuildings and would maintain its existing access off Heathcote Street. Proposed Lot 2 would accommodate the proposed dwelling and would be accessed off Locket Street.

The site adjoins General Residential zoned land, that is developed to the east and along Heathcote Street. The land to the south and north are both vacant General Residential zoned land.

Proposed Lot 2 would have a burdening right of way that enables access to 2B Locket Street, which is a vacant parcel of land to the south.

#### *History –*

When the application was lodged with the Council, concern was raised with the applicant regarding the height of the dwelling along the southern elevation and its setback of 2.1m off this boundary. Concern was raised regarding bulk and scale relating to how the proposed dwelling would be viewed from the southern property.

It was suggested that the dwelling could be redesigned to reduce the visual impacts of the southern elevation when viewed from the adjoining southern property. Furthermore, it was suggested that if the position of the dwelling was altered, so it was twisted slightly and angled to be parallel with the sewer main, it would result with the scale and bulk of the southern elevation of the proposed dwelling to face Buttons Creek, rather than the adjoining southern property.

#### *DISCUSSION*

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

## 8.0 General Residential Zone

### 8.1 Zone Purpose

The purpose of the General Residential Zone is:

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

#### Planner's comment

The proposal is for residential development in the form of subdivision and a two-storey dwelling on General Residential zoned land where full infrastructure services are available.

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"/>	Not a discretionary use.
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  (b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.	<input checked="" type="checkbox"/>	Not a discretionary use.

<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>Not a discretionary use.</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>(e) the need for the use in that location.</p>	<input checked="" type="checkbox"/>	<p>Not a discretionary use.</p>
<p><b>8.3.2 Visitor Accommodation</b></p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.3.2 -(A1)</p> <p>Visitor Accommodation:</p> <p>guests are accommodated in existing buildings; and</p> <p>has a gross floor area of not more than 300m<sup>2</sup>.</p>	<input checked="" type="checkbox"/>	<p>Not Visitor Accommodation.</p>

8.4 Development Standards for Dwellings		
<b>8.4.1 Residential density for multiple dwellings</b>	Not applicable	Assessment
8.4.1 –(A1)  Multiple dwellings must have a site area per dwelling of not less than 325m <sup>2</sup> .	<input checked="" type="checkbox"/>	Not multiple dwellings.
<b>8.4.2 Setbacks and building envelope for all dwellings</b>	Not applicable	Assessment
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;  (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;  (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	<input type="checkbox"/>	<b><i>Assessment for the dwelling on proposed Lot 2. No changes are proposed to the boundary arrangements and the existing dwelling on proposed Lot 1.</i></b>  (a) Compliant. The dwelling would be setback 29m from the frontage boundary.  (b) Not applicable. No secondary frontage.  (c) Not applicable. Refer to (a).  (d) Not applicable. Refer to (a).



<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 type="checkbox"/>	<p>(a) Compliant. Garage would be setback 29m from the frontage boundary.</p> <p>(b) Not applicable. Refer to (a).</p> <p>(c) Not applicable. Refer to (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</p>	<input type="checkbox"/>	<p>(a)(i) Compliant. As discussed above.</p> <p>(a)(ii) Non-compliant. The proposed dwelling is outside the building envelope and is also 9m high at the highest point.</p> <p>Refer to the “Issues” section of this report.</p> <p>(b)(i) Not applicable. Dwelling is setback greater than 1.5m to both side boundaries.</p> <p>(b)(ii) Not applicable. Dwelling is setback greater than 1.5m to both side boundaries.</p>

<p>above existing ground level at the side and rear boundaries to a building</p> <p>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>		
<b>8.4.3 Site coverage and private open space for all dwellings</b>	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 60m<sup>2</sup> 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>(a) Compliant. Site coverage would be 0.16%.</p> <p>(b) Not applicable. Not a multiple dwelling development.</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>	<input type="checkbox"/>	<p>(a)(i) Compliant. Dwelling would have a north facing covered deck which has an area greater than 24m<sup>2</sup>.</p>

<p>(i) 24m<sup>2</sup>; or</p> <p>(ii) 12m<sup>2</sup>, 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. Not a multiple dwelling development.</p> <p>(b)(i) Compliant. Horizontal dimension would be 10.6m.</p> <p>(b)(ii) Not applicable. Not a multiple dwelling development.</p> <p>(c) Compliant. Deck is located between the dwelling and frontage but is orientated between 30 degrees west of true north and 30 degrees east of true north.</p> <p>(d) Compliant. Deck is flat.</p>
<p><b>8.4.4 Sunlight to private open space of multiple dwellings</b></p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.4.4 –(A1)</p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 8.4):</p>	<p><input checked="" type="checkbox"/></p>	<p>Not multiple dwellings.</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</p> <p>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>		
<b>8.4.5 Width of openings for garages and carports for all dwellings</b>	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"/>	Compliant. Garage would be setback 29m from the frontage.
<b>8.4.6 Privacy for all dwellings</b>	Not applicable	Assessment
<p>8.4.6 –(A1)</p> <p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding</p>	<input type="checkbox"/>	(a) Compliant. Deck would be located 10m from the western

<p>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 the other dwelling on the same site.</p>		<p>side boundary and 18m from the eastern side boundary.</p> <p>(b) Compliant. Deck would be located 9m from the rear boundary.</p> <p>(c)(i) Not applicable. Not a multiple dwelling development.</p> <p>(c)(ii) Not applicable. Not a multiple dwelling development.</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><input type="checkbox"/></p>	<p>(a)(i) Compliant. Dwelling would be setback 10m from the western side boundary and 18m from the eastern side boundary.</p> <p>(a)(ii) Satisfied by (b)(i).</p> <p>(a)(iii) Not applicable. Not a multiple dwelling.</p> <p>(a)(iv) Not applicable. Not a multiple dwelling.</p>

<p>(ii) is to have a setback of not less than 4m from a rear boundary;</p> <p>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</p> <p>(b) the window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</p> <p>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>		<p>(b)(i) Compliant. Land to the south is vacant so can satisfy this provision.</p> <p>(b)(ii) Satisfied by (b)(i).</p> <p>(b)(iii) Satisfied by (b)(i).</p>
<p>8.4.6 –(A3)</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling)</p>	<p><input checked="" type="checkbox"/></p>	<p>Not a multiple dwelling - no shared driveway.</p>

<p>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>		
<b>8.4.7 Frontage fences for all dwellings</b>	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> <p>(ii) traffic volumes on the adjoining road.</p>	<input checked="" type="checkbox"/>	No fence proposed.

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 1.5m<sup>2</sup> 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"/>	<p>Not multiple dwellings.</p>
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</p>	<input checked="" type="checkbox"/>	<p>Residential dwelling.</p>



<p>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</p> <p>setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining properties on the same street.</p>		
<p>8.5.1 –(A2)</p> <p>A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side or rear boundaries to a building height of not more than 8.5m</p>	<p><input checked="" type="checkbox"/></p>	<p>Residential dwelling.</p>

<p>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 checked="" type="checkbox"/>	Residential dwelling.
<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>	<input checked="" type="checkbox"/>	Residential dwelling.

<p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>		
<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>	☒	Residential dwelling.
<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>	☒	Residential dwelling.
<p><b>8.5.2 Non-residential garages and carports</b></p>	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</p>	☒	Residential dwelling.

1 in 5 for a distance of 10m from the frontage.		
<p>8.5.2 –(A2)</p> <p>A garage or carport not forming part of a dwelling, within 12m of a primary frontage</p> <p>(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"/>	Residential dwelling.
<b>8.6 Development Standards for Subdivision</b>		
<b>8.6.1 Lot design</b>	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 450m<sup>2</sup> and:</p> <p style="padding-left: 40px;">(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 style="padding-left: 80px;">a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p style="padding-left: 80px;">b. easements or other title restrictions that limit or restrict development; and</p> <p style="padding-left: 40px;">(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. Compliant. Lot 1 would be 1,007m<sup>2</sup> and Lot 2 would be 1,955m<sup>2</sup>. Both lots are able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of all required setbacks.</p> <p>(a)(i)b. Compliant. Both lots would be able to accommodate building areas clear of easements.</p> <p>(a)(ii) Compliant for Lot 1.</p> <p>(b) Not applicable. Satisfied by (a).</p> <p>(c) Not applicable. Satisfied by (a).</p> <p>(d) Not applicable. Satisfied by (a).</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"/>	Compliant. Lot 1 would have a frontage of 40.23m and Lot 2 would have a frontage of 36.56m.
<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"/>	Compliant. Lot 1 would be accessed off Heathcote Street and Lot 2 would be accessed off Locket Street.
<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"/>	No new road proposed.
<b>8.6.2 Roads</b>	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>	<input checked="" type="checkbox"/>	No new road proposed.

<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>		
<b>8.6.3 Services</b>	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</p>	<input type="checkbox"/>	Referred to TasWater. Submission to Planning Authority Notice has been received.

have a connection to a full water supply service.		
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 type="checkbox"/>	Referred to TasWater. Submission to Planning Authority Notice has been received.
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 type="checkbox"/>	Referred to Stormwater Authority. Conditions to apply to a Permit.

## CODES

CODES	NOT APPLICABLE	APPLICABLE
<b>C1.0 Signs Code</b>	<input checked="" type="checkbox"/>	
<b>C2.0 Parking and Sustainable Transport Code</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Refer to Table below.
<b>C3.0 Road and Railway Assets Code</b>	<input checked="" type="checkbox"/>	
<b>C4.0 Electricity Transmission Infrastructure Protection Code</b>	<input checked="" type="checkbox"/>	
<b>C5.0 Telecommunications Code</b>	<input checked="" type="checkbox"/>	
<b>C6.0 Local Historic Heritage Code</b>	<input checked="" type="checkbox"/>	
<b>C7.0 Natural Assets Code</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Refer to Table below.
<b>C8.0 Scenic Protection Code</b>	<input checked="" type="checkbox"/>	
<b>C9.0 Attenuation Code</b>	<input checked="" type="checkbox"/>	

<b>C10.0 Coastal Erosion Hazard Code</b>	<input checked="" type="checkbox"/>	
<b>C11.0 Coastal Inundation Hazard Code</b>	<input checked="" type="checkbox"/>	
<b>C12.0 Flood-Prone Areas Hazard Code</b>	<input checked="" type="checkbox"/>	
<b>C13.0 Bushfire-Prone Areas Code</b>	<input checked="" type="checkbox"/>	
<b>C14.0 Potentially Contaminated Land Code</b>	<input checked="" type="checkbox"/>	
<b>C15.0 Landslip Hazard Code</b>	<input checked="" type="checkbox"/>	
<b>C16.0 Safeguarding of Airports Code</b>	<input checked="" 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><b>A1</b></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>	<div><input type="checkbox"/></div>	<p>Compliant. Lot 1 has an existing provision for 2 car parking spaces. Lot 2 would have the area for 2 car parking spaces with a double garage proposed.</p> <p>(a) – (d) not applicable.</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><math display="block">N = A + (C - B)</math></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>		
<b>C2.5.2 Bicycle parking numbers</b>	<b>Not Applicable</b>	<b>Assessment</b>

<b>A1</b> Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.	<input checked="" type="checkbox"/>	Not required for residential use.
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<b>C2.5.3 Motorcycle parking numbers</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b> The number of on-site motorcycle parking spaces for all uses must: (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.	<input checked="" type="checkbox"/>	Not required for residential use.
<b>C2.5.4 Loading bays</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b> A loading bay must be provided for uses with a floor area of more than 1000m <sup>2</sup> in a single occupancy.	<input checked="" type="checkbox"/>	Not required for residential use.
<b>C2.5.5 Number of car parking spaces within General Residential Zone and Inner Residential Zone</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b> Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:	<input checked="" type="checkbox"/>	Not required for residential use.

<p>(a) Food Services uses up to 100m<sup>2</sup> floor area or 30 seats, whichever is the greater; and</p> <p>(b) General Retail and Hire uses up to 100m<sup>2</sup> floor area,</p> <p>provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>		
<b>C2.6 Development Standards for Buildings and Works</b>		
<b>C2.6.1 Construction of parking areas</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></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 by condition.</p> <p>(b) Compliant by condition.</p> <p>(c) Compliant by condition.</p>
<b>C2.6.2 Design and layout of parking areas</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1.1</b></p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p>	<input type="checkbox"/>	<p>A1</p> <p>(a)(i) Not applicable. Refer to (b).</p> <p>(a)(ii) Not applicable. Refer to (b).</p> <p>(a)(iii) Not applicable. Refer to (b).</p> <p>(a)(iv) Not applicable. Refer to (b).</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 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>(a)(v) Not applicable. Refer to (b).</p> <p>(a)(vi) Not applicable. Refer to (b).</p> <p>(a)(vii) Not applicable. Refer to (b).</p> <p>(b) Compliant by condition.</p> <p>A1.2</p> <p>(a) Not required for residential use.</p> <p>(b) Not required for residential use.</p> <p>(c) Not required for residential use.</p>
<p><b>A1.2</b></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>.<sup>1</sup></p> <p><sup>1</sup> Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.</p>		
<b>C2.6.3 Number of accesses for vehicles</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></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,</p> <p>whichever is the greater.</p>	<input type="checkbox"/>	<p>(a) Compliant. Each site has one access.</p> <p>(b) Not applicable. Refer to (a).</p>
<p><b>A2</b></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"/>	Not required for residential use.
<b>C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></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</p>	<input checked="" type="checkbox"/>	Not required for residential use.

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>		
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<b>C2.6.5 Pedestrian access</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1.1</b></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>	☒	Not required for residential use.
<p><b>A1.2</b></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>	☒	Not required for residential use.
<b>C2.6.6 Loading bays</b>	<b>Not Applicable</b>	<b>Assessment</b>

<p><b>A1</b></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>Not required for residential use.</p>
<p><b>A2</b></p> <p>The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS2890. 2- 2002 Parking Facilities Part 2: Parking facilities- Off-street commercial vehicle facilities</i>.</p>	<input checked="" type="checkbox"/>	<p>Not required for residential use.</p>
<p><b>C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</b></p>	<p>Not Applicable</p>	<p>Assessment</p>
<p><b>A1</b></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"> <li>(a) be accessible from a road, cycle path, bicycle lane, shared path or access way;</li> <li>(b) be located within 50m from an entrance;</li> <li>(c) be visible from the main entrance or otherwise signed; and</li> <li>(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 -</i></li> </ul>	<input checked="" type="checkbox"/>	<p>Not required for residential use.</p>

<i>Performance and design requirements.</i>		
<p><b>A2</b></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>	☒	Not required for residential use.
<b>C2.6.8 Siting of parking and turning areas</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></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>	☒	Not required for residential use.
<p><b>A2</b></p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p>	☒	Not required for residential use.



<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>		
<b>C2.7 Parking Precinct Plan</b>		
<b>C2.7.1 Parking precinct plan</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></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 in the parking precinct plan area.

**C7.0 Natural Assets Code**

CLAUSE	COMMENT	
<b>C7.5 Use Standards</b>		
There are no use Standards in this code.		
<b>C7.6 Development Standards for Buildings and Works</b>		
<b>C7.6.1. Buildings and works within a waterway and coastal protection area or a future coastal refugia area</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b>  Buildings and works within a waterway and coastal protection area must:  (a) be within a building area on a sealed plan approved under this planning scheme;	<div><input type="checkbox"/></div>	Non-compliant. Dwelling is proposed within the watercourse protection area. No building area is shown on a sealed plan.  Refer to the “Issues” section of this report.

<p>(b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or</p> <p>(c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.</p>		
<p><b>A2</b></p> <p>Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.</p>	<input checked="" type="checkbox"/>	No future coastal refugia area.
<p><b>A3</b></p> <p>Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	<input type="checkbox"/>	<p>Non-compliant. There would be a new stormwater discharge point into Buttons Creek.</p> <p>If a permit is issued, a condition would need to be applied to a permit addressing erosion and sediment control so as to minimise water quality impacts.</p>
<p><b>A4</b></p> <p>Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.</p>	<input checked="" type="checkbox"/>	No dredging or reclamation proposed.
<p><b>A5</b></p> <p>Coastal protection works or watercourse erosion or inundation protection works must not occur within a waterway and coastal protection area or a future coastal refugia area.</p>	<input checked="" type="checkbox"/>	No coastal protection works or watercourse erosion or inundation protection works proposed.

<b>C7.6.2- Clearance within a priority vegetation area</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b> Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme.	<input checked="" type="checkbox"/>	Not a priority vegetation area.
<b>C7.7 Development Standards for Subdivision</b>		
<b>C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must: <ul style="list-style-type: none"> <li>(a) be for the creation of separate lots for existing buildings;</li> <li>(b) be required for public use by the Crown, a council, or a State authority;</li> <li>(c) be required for the provision of Utilities;</li> <li>(d) be for the consolidation of a lot; or</li> <li>(e) not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.</li> </ul>	<input type="checkbox"/>	(a) Non-compliant. Proposed Lot 2 does not contain an existing building. Refer to the "Issues" section of this report.  (b) Not applicable. Refer to (a). (c) Not applicable. Refer to (a). (d) Not applicable. Refer to (a). (e) Not applicable. Refer to (a).

<b>C7.7.2 Subdivision within a priority vegetation area</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must: <ul style="list-style-type: none"> <li>(a) be for the purposes of creating separate lots for existing buildings;</li> <li>(b) be required for public use by the Crown, a council, or a State authority;</li> <li>(c) be required for the provision of Utilities;</li> <li>(d) be for the consolidation of a lot; or</li> <li>(e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.</li> </ul>	<input checked="" type="checkbox"/>	Not a priority vegetation area.

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

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

*Issues –*

1 *Clause 8.4.2–(P3) Setbacks and building envelope for all dwellings –*

The Planning Scheme's Acceptable Solution for Clause 8.4.2–(A3)(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 fit within the required building envelope, as per Figure 8.1.

As shown on the elevation plans (refer to Annexure 2) the dwelling would be outside the required building envelope. The dwelling would also be 9m high at the highest point. Therefore, the proposed development seeks a variation to this Clause and an exercise of discretion is required.

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

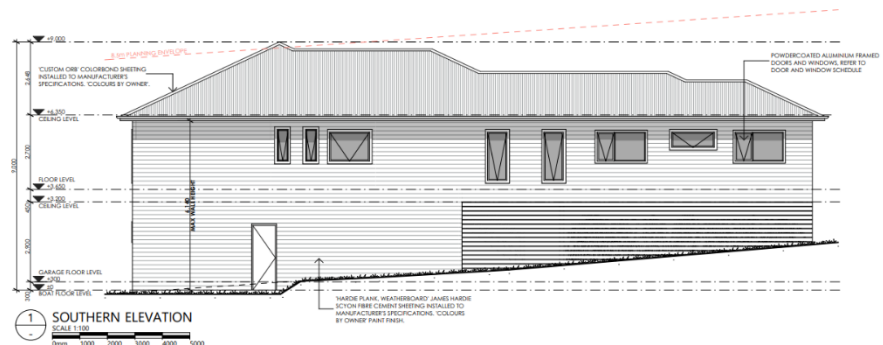
- (a) Not cause unreasonable loss of amenity to adjoining properties, having regard to:
  - (i) Reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;  
Compliant. The site to the south of the development site is vacant. As per the shadow plans, no shadow would be cast onto a habitable room of a dwelling on an adjoining property.
  - (ii) Overshadowing the private open space of a dwelling on an adjoining property;  
Compliant. The site to the south of the development site is vacant. As per the shadow plans, no shadow would be cast onto an adjoining private open space area.
  - (iii) Overshadowing of an adjoining vacant property; or  
Compliant. There would be some shadow cast from the proposed dwelling onto the southern vacant adjoining property. The shadow that may be cast is not considered unreasonable as there is ample area for the adjoining vacant land to develop private open space, clear of the potential shadow area. It is noted in the shadow plans that the orientation of the north point is

incorrect. However, the actual shadow depicted is correct.

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

Non-compliant. The proposed dwelling would be setback 2.1m from the southern boundary with a total wall length of 24m.

The applicant has stated that “bulk and scale has been reduced by the implementation of a hip style roof; the



sloped roof allows sun to penetrate further into the southern adjoining property”. The shadow cast onto the adjoining vacant southern property is not a concern and is not a matter that is considered unreasonable, as outlined above. The applicant further states that the position of the dwelling is due to the high number of easements on the site.

As outlined to the applicant, it is acknowledged that the site has a burdening sewer easement. However, if the dwelling was redesigned to provide some visual relief (some recessions and variations to the length of wall) and/or the dwelling “twisted” so it was angled parallel to the sewer main, the bulk and scale of the southern elevation would be positioned more towards Buttons Creek rather than the vacant southern property. All properties to the west of Buttons Creek are significantly higher due to the topography of the land. The bulk and scale of the proposed dwelling’s southern elevation would not be as apparent to the properties along the western side of Buttons Creek as it would from the adjoining vacant southern property which, due to the

downwards, sloping topography of land, is slightly lower than the development site. This topographic variation serves to further emphasise the apparent bulk, scale and “over looming” height of the proposed dwelling.

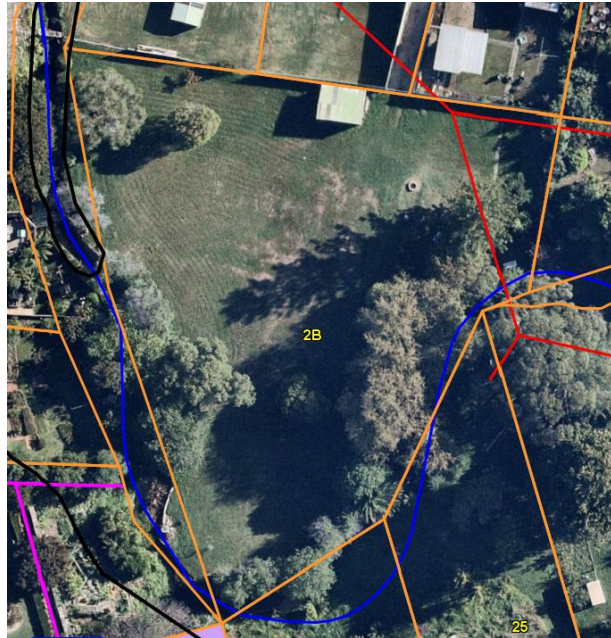
Performance Criteria 10.4.2–(P3)(a)(iv) of the Planning Scheme requires the siting and scale of the proposed dwelling to not cause an unreasonable loss of amenity by visual impacts caused by the apparent scale, bulk or proportions of the development when viewed from an adjoining property. In this case, the adjoining property most impacted by the proposed development would be 2B Locket Street (southern adjoining property).

With regards to the Performance Criteria above, apparent is defined in the Macquarie Dictionary as “capable of being clearly perceived or understood; plain or clear.”

Amenity is defined by the Planning Scheme as “in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.”

The proposed dwelling would be clearly visible from the adjoining southern property (2B Locket Street). It is acknowledged that this property is currently vacant. However, the land is zoned General Residential with the potential for future development. The future development of this site would be slightly limited due to the presence of Buttons Creek, sewer line easements and the topography of the land, which also slopes downwards, to the south. Furthermore, the adjoining property at 2B Lockett Street is irregular in shape. Therefore, the area for future development would most likely be on the northern side of the 2B Locket Street site, towards the rear boundary of proposed Lot 2. See aerial image of 2B Lockett Street below.





The proposed dwelling on Lot 2 would be positioned 2.1m from the development site's southern boundary, which is 2B Locket Street's northern boundary. This boundary is 45m in length. The proposed dwelling would occupy more than half (50%) the length of the common boundary.

This southern elevation of the proposed dwelling shows the dwelling would be, at the highest point, 9m high. This would taper down to 6m at the western side and to 5m along the eastern side. The dwelling would be 7m or higher for approximately 15m in length, within 2.1m from the southern boundary (that is: more than 50% of the length of the southern elevation).

The design of the two-storey dwelling along the southern elevation presents as a solid wall (straight up with some windows and a door), with no variation to the floor plan and no indentations or visual relief to the profile of the wall, for a 24m length.

Therefore, due to the proposed scale, bulk and proportions of the proposed development when viewed from 2B Locket Street, the development is considered to have not satisfied the mandatory Performance Criteria 8.4.2-(P3)(a)(iv).

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

Non-compliant. The pattern of separation between residential buildings in the vicinity is based on both single and two-storey buildings.

Most dwellings within the vicinity are setback greater than 2.1m from the rear boundary and are within the required building envelope. There are some outbuildings associated with dwellings that are constructed closer to their respective boundaries. However, the length and height of these buildings are not comparative to the proposed dwelling.

As stated above, it is acknowledged that the site has a burdening sewer easement. However, if the dwelling was “turned” so it was angled parallel to the sewer main, it would create greater separation to the southern boundary. Furthermore, the proposed dwelling is relatively large. It is considered the size of the proposed dwelling has not taken into account the area allowable for development on the site and the existing separation distances of the surrounding established development.

It is considered that the proposed dwelling would dominate the rear of the development site and would have an unreasonable impact to the adjoining southern property, being 2B Locket Street.

Therefore, due to the proposed dwelling not being consistent with the established pattern of separation of existing development within the area, the development is considered to have not satisfied the mandatory Performance Criteria 8.4.2–(P3)(b).

- (c) Not cause an unreasonable reduction in sunlight on an existing solar energy installation on:
  - (i) An adjoining property; or  
Not applicable. No adjoining property has dwellings with solar energy installations.
  - (ii) Another dwelling on the same site.

Not applicable. No other dwelling is proposed on the same site.

2 *Reliance on C7.0 Natural Assets Code –*

The Planning Scheme's Acceptable Solution for Clause C7.6.1(a) states that buildings and works within a waterway area must be within a building area on a sealed plan approved under this planning scheme.

There is no building area on the sealed plan. The proposed dwelling would be within the waterway protection area. The application is discretionary in this regard and relies on assessment against the relative Performance Criteria.

The Planning Scheme's Performance Criteria for Clause C7.6.1–(P1.1) states that building and works within a waterway protection area must avoid or minimise adverse impacts on natural assets, having regard to:

- (a) impacts caused by erosion, siltation, sedimentation and runoff;  
Compliant. A Natural Values Assessment was conducted by Environmental Consulting Options Tasmania. This report states that impacts caused by erosion, siltation, sedimentation and runoff will be mitigated by best practice guidelines as outlined in the *Wetlands and Waterways Works Manual* specifically, Module 2. *Environmental Best Practice Guidelines 2. Construction Practices in Waterways and Wetlands* will be implemented.
- (b) impacts on riparian or littoral vegetation;  
Compliant. No clearance of riparian vegetation would occur as part of the proposal.
- (c) maintaining natural streambank and streambed condition, where it exists;  
Compliant. No changes to the natural streambank and streambed would occur as part of the proposal.
- (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rock and trailing vegetation;  
Compliant. As stated in the Natural Values Assessment, the proposal would not impact on the in-stream habitat of the watercourse.

- (e) the need to avoid significantly impeding natural flow and drainage;

Compliant. As stated in the Natural Values Assessment the natural flow and drainage of Buttons Creek would not be altered either within or adjacent to the waterway by the proposal.

- (f) the need to maintain fish passage, where known to exist;

Compliant. As stated in the Natural Values Assessment, fish passage will not be altered as no works are proposed within Buttons Creek.

- (g) the need to avoid land filling of wetlands;

Compliant. As stated in the Natural Values Assessment, cut and fill will be minimal as the proposed dwelling has been designed for the existing slope of the land.

- (h) the need to group new facilities with existing facilities, where reasonably practical;

Not applicable. No grouping of facilities required.

- (i) minimising cut and fill;

Compliant. As stated in the Natural Values Assessment, cut and fill will be minimal as the proposed dwelling is designed for the existing slope of the land.

- (j) building design that responds to the particular size, shape, contours or slope of land;

Compliant. As stated in the Natural Values Assessment, cut and fill will be minimal as the proposed dwelling is designed for the existing slope of the land.

- (k) minimising impacts on coastal processes, including sand movement and wave action;

Not applicable to this site.

- (l) minimising the need for future works for the protection of natural assets, infrastructure and property;

Compliant. As stated in the Natural Values Assessment it is assumed that at the completion of works that there would not be the need for any significant works and that only maintenance upkeep will be required for the boundary to the watercourse, dwelling and associated access.

- (m) the environmental best practice guidelines in the *Wetlands and Waterways Works Manual*; and

Compliant. As stated in the Natural Values Assessment refer to (a) in response to this provision.

- (n) the guidelines in the *Tasmanian Coastal Works Manual*.

Not applicable to this site.

The Planning Scheme's Acceptable Solution for Clause C7.7.1(a) states that each lot, or a lot proposed in a plan of subdivision, within a waterway protection area must be for the creation of separate lots for existing buildings.

There are no buildings on proposed Lot 2. The application is discretionary and relies on the assessment against the Performance Criteria.

The Planning Scheme's Performance Criteria for Clause C7.7.1-(P1) states that each lot, or a lot proposed in a plan of subdivision, within a waterway protection area must minimise adverse impacts on natural assets, having regard to:

- (a) the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area; and

Compliant. As stated in the Natural Values Assessment, it is not possible to locate building areas and any associated bushfire hazard management areas to be outside a waterway protection area as the entire site is within the spatial extent of the waterway area. Furthermore, the Natural Values Assessment reports states that the subdivision and dwelling would not have an adverse impact on the natural asset, in this case, Buttons Creek, over and above that existing in this urban area of Ulverstone.

- (b) future development likely to be facilitated by the subdivision.

Compliant. As stated in the Natural Values Assessment, the proposal shows the development of a dwelling on an existing lawned area accessed by an existing driveway. The dwelling would not have an adverse impact on the natural asset, in this case Buttons Creek, over and above that existing in this urban area of Ulverstone.

*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 provided.
TasWater	Submission to Planning Authority Notice received 21 April 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 to adjoining owners were sent; and
- an advertisement was placed in the Public Notices section of The Advocate.

#### *Representations –*

No representations were received during the public notification period.

#### *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 two-storey dwelling does not satisfy the Planning Scheme's applicable Performance Criteria, in that the dwelling would cause an unreasonable loss of amenity regarding visual impacts caused by the apparent scale, bulk and proportions of the dwelling when viewed from the adjoining southern vacant property and would not provide adequate separation between the dwelling and adjoining lots that is compatible with that prevailing in the surrounding area.

The development relies upon a Planning Scheme's mandatory Performance Criteria. If compliance cannot be achieved or justified, then the development must be refused.

It is considered the proposal has not satisfied the Performance Criteria and it is appropriate the proposed development be refused.

It is noted that there are no concerns regarding the Subdivision aspect of the application. However, the Council cannot approve one aspect of an application if the other aspect, in this case the dwelling, cannot be approved. The application must be refused as a whole.

*Recommendation –*

It is recommended that the application for Subdivision – consolidation and creation of two lots and Residential – dwelling – Setbacks and building envelope for all dwellings and reliance on C7.0 Natural Assets Code at 2A Locket Street and 23 Heathcote Street, Ulverstone be refused for the following reasons:

- 1 The proposal does not satisfy Clauses 8.4.2–(P3)(a)(iv) and 8.4.2–(P3)(b) in that the development would cause an unreasonable loss of amenity in regard to –
  - (a) the apparent scale, bulk or proportions of the dwelling when viewed from the adjoining vacant southern property at 2B Lockett Street; and
  - (b) would not provide adequate separation between the dwelling and adjoining lots that is compatible with that prevailing in the surrounding area.’

The report is supported.”

The Director Community Services reports as follows:

“A copy of the Annexures referred to in the Town Planners’ report having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

■ “That the application for Subdivision – consolidation and creation of two lots and Residential – dwelling – Setbacks and building envelope for all dwellings and reliance on C7.0 Natural Assets Code at 2A Locket Street and 23 Heathcote Street, Ulverstone be refused for the following reasons:

- 1 The proposal does not satisfy Clauses 8.4.2–(P3)(a)(iv) and 8.4.2–(P3)(b) in that the development would cause an unreasonable loss of amenity in regard to –
  - (a) the apparent scale, bulk or proportions of the dwelling when viewed from the adjoining vacant southern property at 2B Lockett Street; and
  - (b) would not provide adequate separation between the dwelling and adjoining lots that is compatible with that prevailing in the surrounding area.”

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INFRASTRUCTURE SERVICES

**10.9 Infrastructure Services determinations**

The Director Infrastructure Services reports as follows:

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

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CORPORATE SERVICES

**10.10 Statutory determinations**

The Director Corporate Services reports as follows:

“A Schedule of Statutory Determinations made during the month of April 2022 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Acting Executive Services Officer reports as follows:

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

- “That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received.”

**10.11 Amendment to Animal Control By-law No. 1 of 2018 (288/2018 – 15.10.2018)**

The Director Corporate Services reports as follows:

“The Manager Regulatory Services has prepared the following report:

*‘PURPOSE*

The purpose of this report is to consider amendments to the Animal Control By-law No. 1 of 2018 (the By-law) and to commence the community consultation process.

*BACKGROUND*

The By-law was adopted by Council in 2018, in response to complaints about excessive numbers of poultry and farm animals in residential areas. The By-law was found to be necessary due to inadequate legislation that specifically deals with such nuisances. It has proved useful when complaints

are received about animal keeping and has helped resolve several long-term complaints.

#### *DISCUSSION*

While the By-law has proven useful in resolving complaints, some anomalies have been identified by those who implement it. The By-law includes licencing provisions for poultry and farm animals. An exemption is provided for small numbers of hens, six large or 10 bantam hens. However, the definition of poultry includes all birds meaning that permits are required for even a single small aviary bird such as a budgie or canary. This is not desirable as it is an avenue for vexatious complaints.

The amendments address that by changing the definition of “poultry”, introducing a new definition “caged bird” and providing a licencing exemption for up to 20 caged birds.

The By-law currently applies to land zoned “Residential”, although the Planning Scheme does not contain that specific zone. The amended By-law would apply to the General Residential and Low Density Residential zones.

A community organisation made a submission to the Joint Standing Committee Subordinate Legislation (the Committee) regarding the Council’s By-law. The setback requirements from boundaries were thought unworkable on small lots and the option of night boxes for roosters was requested.

As a result of that, the Committee requested the following changes to the By-law:

- removal of setback distances from boundaries to provide greater flexibility;
- simplified terminology;
- exemption for small numbers of aviary birds;
- simplified clause relating to bee-keeping;
- permit conditions may include a condition that roosters are kept in night boxes during night hours to reduce noise issues

The amended By-law address all these requirements. A copy of the draft amended By-law is appended to this report.

Council’s solicitor has reviewed the amended By-Law and made some edits. He has advised that an additional Regulatory Impact Statement is not required.

#### *CONSULTATION*

The *Local Government Act 1993* requires a council intending to make or amend a By-law to pass a resolution by absolute majority to that effect, prior to

undertaking consultation. The council must then consider any submissions and decide whether to amend the draft based on community input.

*RESOURCE, FINANCIAL AND RISK IMPACTS*

No impacts.

*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.

The Environment and Sustainable Infrastructure

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

Council Sustainability and Governance

- Improve service provision

*CONCLUSION*

It is recommended that the Council place the draft amended Animal Control By-law on public exhibition for 21 days, advising of the Council's intent to make amendments to the By-law.'

The Manager Regulatory Services report is supported."

The Acting Executive Services Officer reports as follows:

"A copy of the draft amended Animal Control By-law having been circulated to all Councillors, a suggested resolution is submitted for consideration."

- "That the Council place the draft amended Animal Control By-law on public exhibition for 21 days, advising of the Council's intent to make amendments to the By-law."
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## 11 CLOSURE OF MEETING TO THE PUBLIC

### 11.1 Meeting closed to the public

The Acting Executive Services Officer reports as follows:

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

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

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

Matter	<i>Local Government (Meeting Procedures) Regulations 2015</i> reference
Confirmation of Closed Session Minutes	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
Minutes and notes of other organisations and committees of the Council	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.
1. Dulverton Waste Management Board – meeting held 27 April 2022	

A suggested resolution is submitted for consideration.”

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

Matter	<i>Local Government (Meeting Procedures) Regulations 2015</i> reference
Confirmation of Closed Session Minutes	15(2)(g) Information of a personal and confidential nature or information provided to

	the council on the condition it is kept confidential
Minutes and notes of other organisations and committees of the Council	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.”
1. Dulverton Waste Management Board – meeting held 27 April 2022	

The Acting Executive Services Officer further reports as follows:

- “1 The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of any matter discussed at a closed meeting that the general manager is to record in the minutes of the open meeting, in a manner that protects confidentiality, the fact that the matter was discussed and a brief description of the matter so discussed, and is not to record in the minutes of the open meeting the details of the outcome unless the council determines otherwise.
  - 2 While in a closed meeting, the council is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.
  - 3 The *Local Government Act 1993* provides that a councillor must not disclose information seen or heard at a meeting or part of a meeting that is closed to the public that is not authorised by the council to be disclosed.
- Similarly, an employee of a council must not disclose information acquired as such an employee on the condition that it be kept confidential.
- 4 In the event that additional business is required to be conducted by a council after the matter(s) for which the meeting has been closed to the public have been conducted, the Regulations provide that a council may, by simple majority, re-open a closed meeting to the public.”

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# Associated Reports And Documents

**CENTRAL COAST COUNCIL  
AUDIT PANEL  
UNCONFIRMED MINUTES OF MEETING**

Minutes of meeting held on Monday 28 March 2022 at the paranaple Centre, Devonport City Council commencing at 11.00am.

**1 Present**

Members – Robert Atkinson (Chairperson), Steve Allen and Cr Philip Viney.

Officers – Sandra Ayton (General Manager), Ian Stoneman (Director Corporate Services), Adrian Smith (Manager Organisational Services), and Rosanne Brown (Minute Secretary).

**2 Apologies**

Cr Garry Carpenter and Cr John Beswick (proxy).

**3 Confirmation of Minutes**

Resolved unanimously that the minutes of the meeting held on 29 November 2021 be confirmed as true and correct.

**4 Declarations of Interest**

Nil.

**5 Business Arising**

**5.1 Audit Panel Assessment (Minute Item 8.8 – 29.11.2021)**

Mr Atkinson advised he had not completed the Assessment Report but should have it done in next few days. He acknowledged that Mr Allen had done a lot of work collating the information. General discussion on the report about future survey methods. List for November meeting to discuss options for future feedback.

**5.2 Financial Policies (Minute item 7.3 – 07.06.2021, 5.3 – 12.08.2021 & 5.2 – 29.11.2021) – Investment report**

Investment Policy – refer Item 6.7.

**5.3 Compliance Review (Minute item 8.2 – 12.08.2021)**

Mr Allen and Cr Carpenter to collate further information to list for future Audit Panel meeting. Noted at Item 8.2 for future reference.



#### **5.4 Annual Audit & Reporting (Minute item 8.1 – 29.11.2021)**

The General Manager advised that Deloitte's are not being contracted by TAO for our next audit so no need to express our concerns. It was noted that both the Council and TAO had concerns with Deloitte's.

Mr Atkinson noted that in the Audit Report to Parliament, TAO seem to be emphasising the identification and assessment of business risks in future audits.

#### **5.5 Operational Risk Register (Minute item 7.1 – 29.11.2021)**

Mr Atkinson to review the risk matrix to clarify what his questions were.

General Manager noted that there have been several changes to staff and associated costs of changeovers therefore increased.

### **6 Financial**

#### **6.1 Financial Report for quarter ended December 2021**

The Financial Report presented to the Council meeting on 24 January 2022 for quarter ended 31 December 2021, including Capital Works Schedule 2021–22, had been circulated to members with agenda.

Points discussed and noted:

- delivery of programs and funding received currently as expected;
- final submission for HIVE funding has been completed;
- doing well with projects considering impact of COVID-19;
- shortfall of funding with Gawler River bridge;
- FAGs higher than expected;
- staff vacancies have assisted in budget savings;
- final loan repayment for Dial Sports Centre due in April – Centre will be debt-free;
- Audit Report to Parliament shows that Council struggled to achieve its capital works program. Contractors and material availability major problem, HIVE was months behind schedule. Renewal/upgrade projects being completed but impact of larger projects reflected in Report. Noted that Central Coast was lowest of urban councils in 2019–20 and 2020–21 (draft report). General Manager to query 28% as stated in draft Report;
- lack of capitalisation of capital works projects – do progressively;

- likelihood of underlying surplus at year end;
- query re some capital jobs – should they be operational?

## **6.2 Financial Audit Plan & Strategy**

As per Annual Work Plan 2021–22 the Audit Panel is to review the financial audit plan and strategy.

Currently waiting on discussions with TAO to finalise – TAO have advised will be arranging in next couple of weeks.

## **6.3 Budget Process**

A copy of the budget process timetable was provided with agenda. Noted that the Council has met to prepare the strategic actions.

## **6.4 Asset Valuation Policy**

As per Annual Work Plan 2021–22 the Audit Panel is to review the Asset Valuation Policy. This will be considered at the November meeting.

## **6.5 Audit Issues**

As per Annual Work Plan 2021–22 the Audit Panel is to review any audit issues raised in the management representation letter.

Noted there are no outstanding matters.

## **6.6 Audit Report to Parliament**

The link to the Audit Report to Parliament was provided with the agenda. Item relating to capital projects was discussed under item 6.1 above.

Report noted.

## **6.7 Investment Policy**

A copy of the Investment Policy endorsed at Council meeting held on 21 February 2022 was provided for information.

Discussion on lack of criteria included in Policy, consistency of criteria across investment categories, do our investments follow Policy (diversification requirements). Feedback to be provided for next meeting.

# **7. Risk Management & Insurance**

## **7.1 Insurance/Risk**

Noted that the renewal process is currently underway, JLT will commence negotiations with insurers early April. Renewal reports should be back to Council by mid-June. At

this stage there hasn't been any indication of what the likely increase percentage will be. Insurance claims included in the GM's Certification.

## **7.2 Risk Management Framework**

The Council's Risk Officer advised there have not been any changes in this area.

Noted.

## **7.3 Review Strategic Risk Register**

A report prepared by the Council's Risk Officer was included with the agenda for consideration. Noted that the five strategic risks initially identified have been reviewed and SLT to consider 10 strategic risks as recommended by the Risk Officer. Noted that strategic and operational risks should link, welcomed ongoing discussion and review of risks within the Council.

## **7.4 Operational Risk Register**

A report from the Council's Risk Officer including the Risk Action Report and CAMMS Risk Report was included with the agenda for consideration.

Panel pleased with the development and provision of the reports and impressed that focus around risk has increased and hope responsible officers are able to act on highlighted risks.

## **7.5 Extreme Risk Register**

A report from the Council's Risk Officer on Extreme Risks was included with the agenda for consideration.

Noted that two risks identified as extreme. General Manager advised a lot of work is being undertaken to improve, information available but not identified in one document.

## **7.6 Business Continuity Plan**

As per Annual Work Plan 2021–22 the Audit Panel is to review the Business Continuity Plan. A report prepared by the Council's Risk Officer was provided including a copy of the draft Business Continuity Plan.

General Manager advised that the draft Business Continuity Plan is to be reviewed by SLT and should go to the April SLT meeting.

## **7.7 WHS Incident Reports**

As per Annual Work Plan 2021–22 the Audit Panel is to review the WHS incident reports.

A report provided by the Council's Risk Officer was noted.

## **8. Legislative & Compliance**

### **8.1 Management/Performance Report**

A copy of the Council's Interplan Actions & Tasks Progress Report as at 31 December 2021 was provided with agenda. Report noted.

Queries re the ability to achieve actions listed in Report given staff turnover, COVID-19 delays. General Manager believes still achievable. Suggested consideration be given to an internal review to identify fraud management practices within the Council. Noted that workshop for all staff to be undertaken as part of the Fraud Policy review.

### **8.2 Compliance Review**

Mr Allen to provide information regarding delegations for members consideration prior to next meeting.

### **8.3 Annual Work Plan**

A copy of the 2022 Work Plan was provided for information. Noted same as previous Plan with addition of item for local government review to be reported each meeting. Suggested a register of all policies be provided showing who is responsible for development, review, approval, implications of policy, etc. General Manager agreed to provide report each quarter of any reviewed policies, changes made etc.

### **8.4 Audit Panel Assessment**

Mr Atkinson to finalise report and circulate to Panel.

## **9. Items to Note**

### **9.1 General Manager's Certification**

Copy of the Certification for period ended 28 February 2022 provided as an attachment to the agenda.

Document noted.

### **9.2 Risk Management Committee**

Minutes from meeting held on 17 March 2022 provided as an attachment to the agenda.

Minutes noted.

### **9.3 Audit Panel Status Report**

Copy of report provided as an attachment to the agenda.

Report noted.

**9.4 Financial Policies – Investment Report**

Copy of report provided as an attachment to the agenda.

Report noted.

**10. General Business**

**10.1 Major Projects**

General Manager provided update on the following projects:

- Shared Pathway – currently working through Sulphur Creek/Preservation Bay;
- Turners Beach/Leith Shared Pathway – work commenced;
- Penguin Foreshore – will be completed by end of June 2022;
- Gawler River bridge – renewal started.

**10.2 Other matters**

Mr Allen questioned how local government review going from our perspective. Update provided by General Manager advising that currently looking at areas of planning and waste management.

**11 Meeting Closed:** 12.50pm

**Next meeting:** 9.00am on 6 June 2022 at Central Coast Council offices.

**Minutes of an ordinary meeting of the Development Support Special Committee  
held in the Council Chamber of the Administration Centre, 19 King Edward Street,  
Ulverstone on Monday, 9 May 2022 commencing at 6.00pm**

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**Members attendance**

Cr Jan Bonde (Mayor)  
Cr Cheryl Fuller  
Ms Sandra Ayton

Cr John Beswick (Proxy)  
Cr Garry Carpenter  
Cr Tony van Rooyen

**Members apologies**

Cr Philip Viney

**Employees attendance**

Director Community Services and Acting Executive Services Officer (Mr Daryl Connelly)

**Public attendance**

No members of the public attended during the course of the meeting.

**Acknowledgement of Country**

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.

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## CONFIRMATION OF MINUTES OF THE COMMITTEE

### 1/2022 Confirmation of minutes

The Acting Executive Services Officer reported as follows:

“The minutes of the previous meeting of the Development Support Special Committee held on 29 March 2021 have already been circulated. The minutes are required to be confirmed for their accuracy.

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

■ Cr Fuller moved and Cr van Rooyen seconded, “That the minutes of the previous meeting of the Development Support Special Committee held on 29 March 2021 be confirmed.”

Carried unanimously

## MAYOR’S COMMUNICATIONS

### 2/2022 Mayor’s communications

The Mayor reported as follows:

“Under the terms of appointment of the Development Support Special Committee, it acts in agreed circumstances as if it were the Council and, accordingly, as a planning authority under the *Land Use Planning and Approvals Act 1993*.

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

In the event that items listed for consideration are referred, under the terms of the Committee’s appointment, to the Council (e.g. any matter the Committee cannot determine unanimously), or if the Committee is unable to make a determination within the relevant statutory time limit, such items will be referred to a meeting of the Council for a decision.”

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

Carried unanimously

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## DECLARATIONS OF INTEREST

### 3/2022      Declarations of interest

The Mayor reported as follows:

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

The Acting Executive Services Officer reported as follows:

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

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

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

## ADJOURNMENT OF MEETING

### 4/2022      Adjournment of meeting

The Mayor reports as follows:

“In order to effectively consider the reports before this meeting of the Committee it is appropriate that I adjourn the meeting to enable the related documents to be workshopped prior to resumption of the meeting and formal resolution of the agenda items.”

- Minute No. 6/2022 6:02pm – 6:23pm

## DEPUTATIONS

### 5/2022      Deputations



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The Acting Executive Services Officer reported as follows:

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

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## OPEN REPORTS

**6/2022      Subdivision – 9 residential lots (staged) – Lot design and Roads – 20 Mission Hill Road, Penguin – Application No. DA2021313**

The Director Community Services reported as follows:

“The Planning Officer has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA2021313
<i>PROPOSAL</i>	Subdivision – 9 residential lots (staged) – Lot design and Roads
<i>APPLICANT:</i>	PDA Surveyors
<i>LOCATION:</i>	20 Mission Hill Road, Penguin
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Tasmanian Planning Scheme – Central Coast</i> “the Planning Scheme”
<i>ADVERTISED:</i>	30 March 2022
<i>REPRESENTATIONS EXPIRY DATE:</i>	13 April 2022
<i>REPRESENTATIONS RECEIVED:</i>	Two
<i>42-DAY EXPIRY DATE:</i>	5 May 2022
<i>EXTENSION OF TIME:</i>	Granted until 16 May 2022
<i>DECISION DUE:</i>	9 May 2022

### *PURPOSE*

The purpose of this report is to consider an application for the development of a staged, 9 lot residential subdivision on land at 20 Mission Hill Road, Penguin.

Stage 1 would consist of:

- .      Lot 1 with an area of 551m<sup>2</sup> accessed from Mission Hill Road.

Stage 2 would consist of 8 lots:

- .      Lot 2 with an area of 552m<sup>2</sup>;
- .      Lot 3 with an area of 734m<sup>2</sup>;
- .      Lot 4 with an area of 748m<sup>2</sup>;
- .      Lot 5 with an area of 1,608m<sup>2</sup>;
- .      Lot 6 with an area of 1,478m<sup>2</sup>;
- .      Lot 7 with an area of 972m<sup>2</sup>;
- .      Lot 8 with an area of 992m<sup>2</sup> would be an internal lot with a 28m long, 6.1m wide access strip; and

- 
- . Lot 9 with an area of 749m<sup>2</sup>.

All lots would have frontage to a newly constructed road that would be an extension of Walton Street; shown on the subdivision plan as Lot 100.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representations;
- . Annexure 4 – aerial view and photographs; and
- . Annexure 5– TasWater Submission to Planning Authority Notice.

#### *BACKGROUND*

##### *Development description –*

Application has been made to subdivide land that is zoned General Residential to form 9 residential lots. The Planning Scheme's Acceptable Solution in relation to lot size for the General Residential Zone is 450m<sup>2</sup>.

Stage 1 would consist of:

- . Lot 1 of 551m<sup>2</sup> accessed from Mission Hill Road.

Stage 2 would consist of 8 lots:

- . Lot 2 of 552m<sup>2</sup> accessed via the newly constructed portion of Walton Street.
- . Lot 3 of 734m<sup>2</sup> accessed via the newly constructed portion of Walton Street.
- . Lot 4 of 748m<sup>2</sup> accessed via the newly constructed portion of Walton Street.
- . Lot 5 of 1,608m<sup>2</sup> accessed via the newly constructed portion of Walton Street.
- . Lot 6 of 1,478m<sup>2</sup> accessed via the newly constructed portion of Walton Street.
- . Lot 7 of 972m<sup>2</sup> accessed via the newly constructed portion of Walton Street.
- . Lot 8 of 992m<sup>2</sup> would be an internal lot with a 28m long, 6.1m wide access strip fronting the newly constructed portion of Walton Street.
- . Lot 9 of 749m<sup>2</sup> accessed via the newly constructed portion of Walton Street.

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The application is accompanied by the following documents:

- . draft subdivision layout plans showing points of access off Mission Hill Road and Walton Street; and
- . a report by Traffic & Civil Services, addressing the standards of the Planning Scheme's C3.0 Road and Railway Assets Code.

*Site description and surrounding area –*

The land has an area of 9.25ha and is located within the General Residential Zone.

The land is able to be fully serviced and has frontages to Mission Hill Road and Walton Street, Penguin.

Surrounding land is also zoned General Residential.

*History –*

The large lot has been vacant for many years. The land was previously used as a gravel quarry.

*DISCUSSION*

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

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## 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 application satisfies the General Residential Zone's "Zone Purpose" in that the proposal would provide for residential use and development for 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"/>	Subdivision for residential use is not a discretionary use of the land.
8.3.1-(A2)  External lighting for a use listed as Discretionary:	<input checked="" type="checkbox"/>	Subdivision for residential use is not a discretionary use of the land.

<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>Subdivision for residential use is not a discretionary use of the land.</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>(e) the need for the use in that location.</p>	<input checked="" type="checkbox"/>	<p>Subdivision for residential use is not a discretionary use of the land.</p>

<b>8.3.2 Visitor Accommodation</b>	Not applicable	Compliant
<p>8.3.2 –(A1)</p> <p>Visitor Accommodation:</p> <p>guests are accommodated in existing buildings; and</p> <p>has a gross floor area of not more than 300m<sup>2</sup>.</p>	☒	Not Visitor Accommodation.
<b>8.4 Development Standards for Dwellings</b>		
<b>8.4.1 Residential density for multiple dwellings</b>		
<p>8.4.1 –(A1)</p> <p>Multiple dwellings must have a site area per dwelling of not less than 325m<sup>2</sup>.</p>	☒	Dwelling development not part of this application.
<b>8.4.2 Setbacks and building envelope for all dwellings</b>	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</p>	☒	Dwelling development not part of this application.

<p>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>Garage or carport development not part of this application.</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>	<input checked="" type="checkbox"/>	<p>Dwelling development not part of this application.</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>		
<b>8.4.3 Site coverage and private open space for all dwellings</b>	Not applicable	Assessment
<p>8.4.3 –(A1)</p> <p>Dwellings must have:</p>	<input checked="" type="checkbox"/>	Dwelling development not part of this application.

<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 60m<sup>2</sup> 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>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) 24m<sup>2</sup>; or</p> <p>(ii) 12m<sup>2</sup>, 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><input checked="" type="checkbox"/></p>	<p>Dwelling development not part of this application.</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>		
<b>8.4.4 Sunlight to private open space of multiple dwellings</b>	Not applicable	
<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 style="margin-left: 40px;">(i) at a distance of 3m from the northern edge of the private open space; and</p> <p style="margin-left: 40px;">(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>	☒	Multiple dwellings are not part of this application.

<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>		
<b>8.4.5 Width of openings for garages and carports for all dwellings</b>	Not applicable	
<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>	☒	Dwelling development not part of this application.
<b>8.4.6 Privacy for all dwellings</b>	Not applicable	
<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>	☒	Dwelling development not part of this application.

<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 open space of another dwelling on the same site.</p>	<p>☒</p>	<p>Dwelling development not part of this application.</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>Multiple dwelling development not part of this application.</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><b>8.4.7 Frontage fences for all dwellings</b></p>	<p>Not applicable</p>	
<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> <p>(ii) traffic volumes on the adjoining road.</p>	<p><input checked="" type="checkbox"/></p>	<p>No frontage fencing proposed.</p>
<p><b>8.4.8 Waste storage for multiple dwellings</b></p>	<p>Not applicable</p>	
<p>8.4.8 –(A1)</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is not less</p>	<p><input checked="" type="checkbox"/></p>	<p>Multiple dwellings not part of this application.</p>

<p>than 1.5m<sup>2</sup> 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>		
<b>8.5 Development Standards for Non-Dwellings</b>		
<b>8.5.1 Non-dwelling development</b>	Not applicable	
<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</p>	<input checked="" type="checkbox"/>	<p>Development of a building not part of this application.</p>



<p>less than 3.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining properties on the same street.</p>		
<p>8.5.1 –(A2)</p> <p>A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side or rear boundaries to a building height of not more than 8.5m above existing ground level; and</p>	<input checked="" type="checkbox"/>	<p>Development of a building not part of this application.</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 checked="" type="checkbox"/>	<p>Development of a building not part of this application.</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> <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>	<input checked="" type="checkbox"/>	<p>Development of a building not part of this application.</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>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>	☒	Development of a building not part of this application.
<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>	☒	Development of a building not part of this application.
<b>8.5.2 Non-residential garages and carports</b>	Not applicable	<b>Assessment</b>
<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>	☒	Development of a building not part of this application.

<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>	<input checked="" type="checkbox"/>	Development of a building not part of this application.
<b>8.6 Development Standards for Subdivision</b>		
<b>8.6.1 Lot design</b>	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 450m<sup>2</sup> 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>	<input type="checkbox"/>	<p>(a)(i)a. Compliant. All lots would have an area greater than 450m<sup>2</sup> and would comply with setback requirements.</p> <p>(a)(i)b. Compliant. Easements would not restrict the location of building envelopes.</p> <p>(a)(ii) Not applicable. No existing buildings.</p> <p>(b) Not applicable. Not required for use by the Crown, a council or a State authority.</p> <p>(c) Not applicable. Not required for the provision of Utilities.</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>(d) Not applicable. Not for consolidation of lots.</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>Non-compliant. Not all lots have a frontage of 12m.</p> <p>Refer to the “Issues” section of this report.</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. All lots have access to a road, either to Mission Hill Road or the proposed new extension of Walton Street.</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 type="checkbox"/>	<p>Non-compliant. Four of the lots do not have the long axis of the lot between 30 degrees west or east of true north.</p> <p>Refer to the “Issues” section of this report.</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> <ul style="list-style-type: none"> <li>(a) any road network plan adopted by the council;</li> <li>(b) the existing and proposed road hierarchy;</li> <li>(c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;</li> <li>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</li> <li>(e) minimising the travel distance between key destinations such as shops and services and public transport routes;</li> <li>(f) access to public transport;</li> <li>(g) the efficient and safe movement of pedestrians, cyclists and public transport;</li> <li>(h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with</li> </ul>	<input type="checkbox"/>	<p>Non-compliant. A new road would be constructed; an extension of Walton Street.</p> <p>Refer to the Traffic Impact Assessment (TIA) report prepared by Traffic &amp; Civil Services dated March 2022.</p> <p>Refer to the “Issues” section of this report.</p>

<p>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>		
<b>8.6.3 Services</b>	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 type="checkbox"/>	<p>Compliant.</p> <p>All lots would have a water connection to the Taswater reticulated water supply.</p>
<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 type="checkbox"/>	<p>Compliant.</p> <p>All lots would have a water connection to the Taswater reticulated sewer 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 Utilities, must be capable of connecting to a public stormwater system.</p>	<input type="checkbox"/>	<p>Compliant. All lots are capable of connection to the Council's stormwater system. A condition of permit will require the developer to undertake assessments and produce an engineering design, to the satisfaction of the Director Infrastructure Services, that may require a stormwater detention system to be incorporated into the Council's system.</p>

## CODES

CODES	NOT APPLICABLE	APPLICABLE
<b>C1.0 Signs Code</b>	<input checked="" type="checkbox"/>	
<b>C2.0 Parking and Sustainable Transport</b>	<input checked="" type="checkbox"/>	

Code		
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<b>C3.0 Road and Railway Assets Code</b>	<input type="checkbox"/>	Refer to table below.  Applies as more than 40 vehicle movements a day will be generated by the subdivision.
<b>C4.0 Electricity Transmission Infrastructure Protection Code</b>	<input checked="" type="checkbox"/>	
<b>C5.0 Telecommunications Code</b>	<input checked="" type="checkbox"/>	
<b>C6.0 Local Historic Heritage Code</b>	<input checked="" type="checkbox"/>	
<b>C7.0 Natural Assets Code</b>	<input checked="" type="checkbox"/>	
<b>C8.0 Scenic Protection Code</b>	<input checked="" type="checkbox"/>	
<b>C9.0 Attenuation Code</b>	<input checked="" type="checkbox"/>	
<b>C10.0 Coastal Erosion Hazard Code</b>	<input checked="" type="checkbox"/>	
<b>C11.0 Coastal Inundation Hazard Code</b>	<input checked="" type="checkbox"/>	
<b>C12.0 Flood-Prone Areas Hazard Code</b>	<input checked="" type="checkbox"/>	
<b>C13.0 Bushfire-Prone Areas Code</b>	<input type="checkbox"/>	Refer to table below.
<b>C14.0 Potentially Contaminated Land Code</b>	<input checked="" type="checkbox"/>	
<b>C15.0 Landslip Hazard Code</b>	<input checked="" type="checkbox"/>	
<b>C16.0 Safeguarding of Airports Code</b>	<input checked="" type="checkbox"/>	

### C3.0 Road and Railway Assets Code

CLAUSE	COMMENT
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<b>C3.5 Use Standards</b>		
<b>C3.5.1 – Traffic generation at a vehicle crossing, level crossing or new junction</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1.1</b></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><b>A1.2</b></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 issued by the road authority; or</p> <p><b>A1.3</b></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><b>A1.4</b></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><b>A1.5</b></p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	☒	<p><b>A1.1</b></p> <p>Not applicable. Not a category 1 road or limited access road.</p> <p><b>A1.2</b></p> <p>Compliant. Road Authority is satisfied with the proposed subdivision.</p> <p><b>A1.3</b></p> <p>Not applicable. No new rail crossing required.</p> <p><b>A1.4</b></p> <p>(a) Non-compliant. The TIA included with the application indicates vehicle crossings to serve the subdivision will increase by an additional 72 vehicle movements per day.</p> <p>Refer to the “Issues” section of this report.</p> <p>(b) Not applicable.</p> <p><b>A1.5</b></p> <p>Compliant.</p> <p>Vehicles would be able to enter and leave the land in a forward motion.</p>
<b>C3.6 Development Standards for Buildings and Works</b>		

<b>C3.6.1. Habitable buildings for sensitive uses within a road or railway attenuation area.</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></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>(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 2<sup>nd</sup> edition July 2008</i>.</p>	<input checked="" type="checkbox"/>	No development of habitable buildings proposed in this application. Satisfied by Clause C3.7.1-(A1).
<b>C3.7 Development Standards for Subdivision</b>		
<b>C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></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 type="checkbox"/>	<p>Compliant.</p> <p>Bass Highway would be 220m to the south and the Western Rail Line would be 950m to the east.</p>

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

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

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<b>CCO-Applied, Adopted or Incorporated Documents</b>	This table is not used in this Local Provisions Schedule.
<b>CCO-Site-Specific Qualifications</b>	This table is used in this Local Provisions Schedule.

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*Issues –*

*1 Clause 8.6.1 Lot design –*

The Planning Scheme's Acceptable Solution Clause 8.6.1–(A3) requires that 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.

Lots 5, 6, 7 and 8 would have a frontage to the newly constructed section of Walton Street that would be less than 12m in width. Frontage dimensions for each lot would be:

- . Lot 5 – 7.03m;
- . Lot 6 – 7.8m;
- . Lot 7 – 6.3m; and
- . Lot 8 – 6.1m.

Based on the frontage dimensions, an exercise of discretion is required.

The Planning Scheme's Performance Criteria Clause 8.6.1–(P3) states:

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 provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:

- (a) the width of frontage proposed, if any;
- (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;
- (c) the topography of the site;
- (d) the functionality and useability of the frontage;
- (e) the ability to manoeuvre vehicles on the site; and
- (f) the pattern of development existing on established properties in the area,

and is not less than 3.6m wide.

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Due to the shape and orientation of the original parcel of land and the subdivision layout, four of the proposed allotments, Lots 5, 6, 7 and 8, would have a frontage to a road less than 12m wide. No lot would have a frontage less than 3.6m wide.

The subdivision layout has considered the topography of the land, that is relatively flat. However, the land is steeper towards the south-western corner, where Lots 5, 6, 7 and 8 are proposed to be larger in size, with a narrow road frontage and fanning out to form a triangular shape, to accommodate the required 10m x 15m building envelope.

The triangular shaped lots proposed to the south would allow for a building envelope that is clear of the steeper areas of the land, whilst maintaining a road frontage that would be suitable in width for future residential development.

The subdivision layout has considered the useability of the whole of the land for potential development, whilst allowing for on-site maneuverability, with frontages that maintain a frontage similar to lots in the surrounding area.

It should be noted, all lots would maintain a frontage greater than 6m.

## 2 *Clause 10.6.2 Roads –*

The Planning Scheme's Acceptable Solution Clause 8.6.2–(A1) requires that the subdivision includes no new roads.

The proposed subdivision would require an extension to Walton Street, presenting as a new cul-de-sac, to allow access to Lots 2 to 9. The proposed new road is shown on the subdivision plan as Lot 100.

Based on the proposed new road, an exercise of discretion is required.

The Planning Scheme's Performance Criteria Clause 8.6.2–(P2) states:

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:

- (a) any road network plan adopted by the council;
- (b) the existing and proposed road hierarchy;

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- (c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;
  - (d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;
  - (e) minimising the travel distance between key destinations such as shops and services and public transport routes; and
  - (f) access to public transport.

The subdivision application includes a Traffic Impact Assessment (TIA) report prepared by Traffic & Civil Services. The TIA assesses the existing road network, pedestrian and cycling connectivity with surrounding roads and proximity of public transport networks.

The TIA concludes that the proposed 9 lot subdivision will have negligible impact on the operation of the junctions at Mission Hill Road and Long Street, and that the overall proposal will allow for continued safe and efficient traffic operations.

### 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 a site not be greater than that listed in Table C3.1. The Table states not greater than 40 movements per day.

The TIA included with the application indicates that vehicle movements per day would increase by an additional 72 vehicle movements.

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;

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- (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 TIA report prepared by Traffic & Civil Services. The report examines the development against the standards of C3.0 Road and Railway Assets Code. As mentioned above, the TIA concludes the proposed 9 lot subdivision would have negligible impacts on the operations of the junctions at Mission Hill Road and Long Street, and the overall proposal would allow for continued safe and efficient traffic operations.

The Council, in its capacity as the Road Authority, is satisfied with the assessments and conclusions of the TIA report by Traffic & Civil Services.

4 *Local Government (Building and Miscellaneous Provisions) Act 1993 –*

The *Local Government (Building and Miscellaneous Provisions) Act 1993 (LGBMP)* provides that the Council may refuse to approve a plan of subdivision if it is of the opinion that the road and likely pedestrian network is unsuitable, the lot cannot be satisfactorily serviced by water, sewer or stormwater or that the lots by reason of their shape, size or contours are unsuitable for the accommodation of a building envelope.

The proposed subdivision has demonstrated that it is able to satisfy the land characteristic matters required under LGBMP.

5 *Public Open Space Contributions Policy 2019 –*

Central Coast Council, in January 2019, ratified the *Public Open Space Contributions Policy 2019*.

The Policy was developed with consideration to the contemporary legislative requirements to do with the approval of subdivisions under LGBMP and for the approval of permits for subdivision, under the Planning Scheme.



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There is a clear statutory basis for a Council to require open space to be created in the course of approving a subdivision, where a Council has formed a view that open space would be desirable. Similarly, a Council can, where it has formed the view that the mandatory provision of open space is not warranted in a set location, instead require the developer to make a mandatory cash contribution to the Council, in lieu of the provision of open space land.

LGBMP Section 117 provides that instead of requiring the provision of public open space, a Council can require this payment of a cash sum. It is provided that this amount is to be held by the Council "for the acquisition or improvement of land for public open space for the benefit of the inhabitants of the Municipal area." The cash-in-lieu contribution does not need to be locality specific. This is because an increased density of lots for residential dwellings would create a greater demand for new and improved public areas, including both District and Regional areas and thus, these areas can be part funded by a cash-in-lieu contribution.

No requirement for the dedication of open space land has been identified by the Council in the assessment of the division of land at 20 Mission Hill Road.

Council's *Public Open Space Contributions Policy 2019* states that a 5% cash-in-lieu of public open space be applied to the unimproved value of new lots, where the land that is within a General Residential Zone. The unimproved value of each new lot is to be determined by a registered land valuer.

*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.

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TasWater	TasWater's Submission to Planning Authority Notice TWDA 2021/020871-CC dated 4 March 2022.
Department of State Growth	Not applicable.
Environment Protection Authority (EPA)	Not applicable.
TasRail	Not applicable.
Heritage Tasmania	Not applicable.
Crown Land Services	Not applicable.
TasNetworks	<p>Email dated 9 December 2021.</p> <p>TasNetworks note –</p> <p>“Based on the information provided, the development is not likely to adversely affect TasNetworks’ operations.</p> <p>As with any subdivision, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, it is recommended you advise the proponent to contact TasNetworks Early Engagement team at <a href="mailto:early.engagement@tasnetworks.com.au">early.engagement@tasnetworks.com.au</a> at their earliest convenience.”</p>

#### 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

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- an advertisement was placed in the Public Notices section of The Advocate from 2 March 2022 until 17 March 2022.

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

The representations are summarised and responded to as follows:

REPRESENTATION NO. 1	
MATTER RAISED	RESPONSE
1 Increased residential traffic.	The increase in traffic was assessed in the TIA report by Traffic & Civil Services. Refer to the “Issues” section of this report.
2 Impacts on wildlife in the area.	The land is zoned “General Residential”. A natural assets report may be required for subdivision within the zone, where land forms part of a priority vegetation layer.  The subject land is not included in the LPS priority vegetation overlay. This means the Code does not apply.
3 Conditions around noise and dust to minimise inconvenience to local residents.	Not a planning matter. Noise and dust during construction should be controlled under the <i>Environmental Management and Pollution Control Act 1994</i> (EMPCA).
REPRESENTATION NO. 2	
1 Would like to see continued public access through the development site to Mission Hill Road.	The lot at 20 Mission Hill has been vacant for several years and is privately owned.  Public access to Mission Hill Road is not a requirement of the Planning Scheme and the provision of public open space, in the form of land, is

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	not required by the Council. The documentation included with the application, as discussed above, has adequately addressed pedestrian access from the new subdivision to areas that provide access to public transport and to existing public pathways/cycleways for pedestrian and bicycle traffic.
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#### *RESOURCE, FINANCIAL AND RISK IMPACTS*

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

#### *CORPORATE COMPLIANCE*

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

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure.

#### *CONCLUSION*

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

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 Subdivision – 9 residential lots (staged) – Lot design and Roads at 20 Mission Hill Road, Penguin be approved, subject to the following conditions:

- 1 The development must be substantially in accordance with the plans by PDA Surveyors, Drawing No. 47888 dated 23 August 2021.

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- 2 The development must be substantially in accordance with the Traffic Impact Assessment report by Traffic & Civil Services dated March 2022.
  - 3 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2021/02087-CC dated 4 March 2022.
  - 4 All soil and vegetation removed from the site during works must be disposed of at an approved landfill site.
  - 5 A cash-in-lieu of public open space contribution of 5% of the unimproved value of all lots, excluding Lot 9, must be paid prior to the sealing of the Final Plan of Survey. The value of the subject lots must be determined by a registered valuer.

Infrastructure Services:

- 6 Access to the proposed Lot 1 is to be provided on Mission Hill Road and access to the proposed Lots 2-9 on Walton Street (location as mentioned on the Plan of Subdivision, Job No: 47888, Sheet-01 dated 03/03/2022), using a standard minimum 3.6m wide access kerb crossover and driveway apron.
- 7 Road and associated infrastructure to connect with the existing Walton Street must be provided in accordance with the Tasmanian Standard Drawings and be submitted for approval by Council's Director Infrastructure Services. In particular, but not limited to:
  - (a) Minimum width of road and road reservation as per Tasmanian Standard Drawing TSD-R06-v3 Urban Roads Typical Section and Pavement Width.
  - (b) A 1.5m wide concrete footpath on at least one side of the proposed road and generally in accordance with Tasmanian Standard Drawing TSD-R11-v3 Urban Roads Footpaths.
  - (c) Cul-de-sac in accordance with Tasmanian Standard Drawing TSD- R08-v3 Typical Cul-de-sac Details - Urban and Rural.
  - (d) Reinforced concrete vehicular accesses/kerb crossover to each lot in accordance with Tasmanian Standard Drawing TSD-R14-v3, Urban Roads - Approved Concrete Kerbs and Channels Profile Dimensions.

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- (e) The driveway aprons for each lot must be in accordance with the Tasmanian Standard Drawing TSD-R09-v3 Urban Roads – Driveways, in a plain concrete finish.
- 8 Prior to commencement of works, submit an application for ‘Roadworks Authority’ (or a ‘Private Works Authority’, if applicable). Roadworks Authority rates, as listed in the Council’s Fees and Charges register, apply. All works or activity listed above shall be at the developer’s/property owner’s cost.
- 9 Sight triangle areas adjacent to the driveway access must be kept clear of obstructions to visibility, in accordance with the Tasmanian Standard Drawing TSD-RF-01-v3 Guide to Intersection and Domestic Access Sight Distance Requirements.
- 10 Stormwater drainage and associated infrastructure must be provided in accordance with the Tasmanian Standard Drawings, unless otherwise required or approved by Council’s Director Infrastructure Services.
- 11 New underground stormwater connections, to the Council stormwater infrastructure, must be provided to service the development of proposed lots, 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.
- 12 Prior to commencement of works, the detailed design of a stormwater management system for the purposed lots, designed by a suitably qualified professional, must be submitted for approval by Council’s Director Infrastructure Services. This includes:
- (a) The design of a stormwater detention system as per Council’s *Stormwater Detention Policy* February 2022 for purposed lots.
- (b) A downstream analysis to be undertaken on any stormwater system into which stormwater discharges from the subdivision considering the extreme rainfall events, as mentioned in council’s *Stormwater Detention Policy* February 2022.
- (c) Any stormwater system in which the downstream analysis has indicated that there is a lack of capacity to adequately cope with the additional stormwater discharge from the subdivision must be upgraded, relative to the scenarios detailed above.

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- (d) The proposal, based on the above analysis, either to go for stormwater detention system or upgrade of downstream stormwater system or the combination of both if required.
- 13 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.
- 14 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.
- 15 All works or activity listed above shall be completed to the satisfaction of the Council's Director Infrastructure Services or their representative.
- 16 All work or activity listed above shall be at the developer's/property owner's cost.
- 17 During site/building works 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, Waters and Environment.
- 18 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*.
- 19 Any work associated with roads, stormwater infrastructures, 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, at the developer's cost.
- 20 The provision, upgrading, re-routing, relocation or extension of Council infrastructure and services, required as a result of the subdivision, shall be done in accordance with the relevant standards

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and to the satisfaction of the Council's Director Infrastructure Services or their representative.

- 21 The provision, upgrading, re-routing, relocation or extension of Council infrastructure and services, required as a result of the subdivision, shall be at the property owner's/developer's cost.
- 22 Any damage or disturbance to roads, stormwater infrastructures, footpaths, kerb and channel, nature strips, or street trees resulting from activity associated with the development must be rectified to the satisfaction of the Council's Director Infrastructure Services, at the developer's cost.
- 23 Prior to sealing of Final Plan of Survey, complete all infrastructure services works and provide the Council with evidence of completed works including as-constructed drawings.

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.'

The report is supported."

The Acting Executive Services Officer further reported as follows:



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

■ Cr Carpenter moved and Cr Fuller seconded, “That the application for Subdivision – 9 residential lots (staged) – Lot design and Roads at 20 Mission Hill Road, Penguin be approved, subject to the following conditions:

- 1 The development must be substantially in accordance with the plans by PDA Surveyors, Drawing No. 47888 dated 23 August 2021.
- 2 The development must be substantially in accordance with the Traffic Impact Assessment report by Traffic & Civil Services dated March 2022.
- 3 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2021/02087-CC dated 4 March 2022.
- 4 All soil and vegetation removed from the site during works must be disposed of at an approved landfill site.
- 5 A cash-in-lieu of public open space contribution of 5% of the unimproved value of all lots, excluding Lot 9, must be paid prior to the sealing of the Final Plan of Survey. The value of the subject lots must be determined by a registered valuer.

Infrastructure Services:

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  - (a) Minimum width of road and road reservation as per Tasmanian Standard Drawing TSD-R06-v3 Urban Roads Typical Section and Pavement Width.
  - (b) A 1.5m wide concrete footpath on at least one side of the proposed road and generally in accordance with Tasmanian Standard Drawing TSD-R11-v3 Urban Roads Footpaths.

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- (c) Cul-de-sac in accordance with Tasmanian Standard Drawing TSD- R08-v3 Typical Cul-de-sac Details – Urban and Rural.
  - (d) Reinforced concrete vehicular accesses/kerb crossover to each lot in accordance with Tasmanian Standard Drawing TSD-R14-v3, Urban Roads – Approved Concrete Kerbs and Channels Profile Dimensions.
  - (e) The driveway aprons for each lot must be in accordance with the Tasmanian Standard Drawing TSD-R09-v3 Urban Roads – Driveways, in a plain concrete finish.
- 8 Prior to commencement of works, submit an application for ‘Roadworks Authority’ (or a ‘Private Works Authority’, if applicable). Roadworks Authority rates, as listed in the Council’s Fees and Charges register, apply. All works or activity listed above shall be at the developer’s/property owner’s cost.
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- (a) The design of a stormwater detention system as per Council’s *Stormwater Detention Policy* February 2022 for purposed lots.
  - (b) A downstream analysis to be undertaken on any stormwater system into which stormwater discharges from the subdivision considering the extreme rainfall events, as mentioned in council’s *Stormwater Detention Policy* February 2022.
  - (c) Any stormwater system in which the downstream analysis has indicated that there is a lack of capacity to adequately cope with the additional stormwater discharge from the subdivision must be upgraded, relative to the scenarios detailed above.

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- (d) The proposal, based on the above analysis, either to go for stormwater detention system or upgrade of downstream stormwater system or the combination of both if required.
- 13 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.
- 14 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.
- 15 All works or activity listed above shall be completed to the satisfaction of the Council's Director Infrastructure Services or their representative.
- 16 All work or activity listed above shall be at the developer's/property owner's cost.
- 17 During site/building works 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, Waters and Environment.
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- 19 Any work associated with roads, stormwater infrastructures, 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, at the developer's cost.
- 20 The provision, upgrading, re-routing, relocation or extension of Council infrastructure and services, required as a result of the subdivision, shall be done in accordance with the relevant standards and to the satisfaction of the Council's Director Infrastructure Services or their representative.

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- 21 The provision, upgrading, re-routing, relocation or extension of Council infrastructure and services, required as a result of the subdivision, shall be at the property owner's/developer's cost.
  - 22 Any damage or disturbance to roads, stormwater infrastructures, footpaths, kerb and channel, nature strips, or street trees resulting from activity associated with the development must be rectified to the satisfaction of the Council's Director Infrastructure Services, at the developer's cost.
  - 23 Prior to sealing of Final Plan of Survey, complete all infrastructure services works and provide the Council with evidence of completed works including as-constructed drawings.

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 While vegetation/trees will be demolished through the development of the subdivision, re-greening where possible will be encouraged with the subdivider."

Carried unanimously

---

### **Closure**

There being no further business, the Mayor declared the meeting closed at 6.24pm.

CONFIRMED THIS                      DAY OF                      , 2022.

### **Chairperson**

(dc:lc)

### **Appendices**

Nil.

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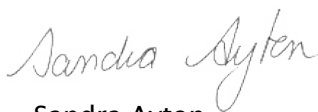
### *QUALIFIED PERSON'S ADVICE*

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 these Development Support Special Committee 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
- (ii) that copies of advice received from an appropriately qualified or experienced professional have been provided to the Development Support Special Committee members.



Sandra Ayton  
GENERAL MANAGER

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

Period: 21 April to 16 May 2022

*Documents for affixing of the common seal under delegation*

- . Roving Curator assistance deed  
The Crown in Right of Tasmania (represented by Arts Tasmania – Department of State Growth) and Central Coast Council  
Deed purpose: Roving Curator 2021 Program which entitles Council to 18 days of Roving Curator time for the Ulverstone History Collection Policy Review and Forward Plan
- . Final Plan of Survey and Schedule of Easements  
Subdivision, 340 Preservation Drive, Sulphur Creek  
Application no. DA2018226  
Folio ref: C.T.138715/1

  
Sandra Ayton  
GENERAL MANAGER

## SCHEDULE OF CONTRACTS AND AGREEMENTS

(Other than those approved under the Common Seal)

Period: 21 April to 16 May 2022

### *Contracts*

- . Contract 13/2021–2022  
FRM Materials Handling Pty Ltd  
Supply and delivery of one Hine FG1628 truck with tipper body as per Tender F403 – 2021  
Total contract amount: \$110,219.58 Inc GST
- . Contract for Sale of Real Estate in Tasmania  
Jake Aaron Deacon, Karen Gaye Deacon, Dayle Gregory Deacon and Central Coast Council  
Lot 1, Recreation Drive, Penguin (adjoining 2A Dial Road, Penguin)  
Property Identifier Number: 9139071  
Title Reference: 180631/1  
Sale price: \$49,235.00 plus GST  
Date of contract: 29 April 2022

### *Agreements*

- . Lease Agreement  
Central Coast Council and The Crown Right of Tasmania  
The premises located at 13–15 Alexandra Road, Ulverstone  
Term of lease: Two years and eleven months  
Start date: 1 February 2022  
Expiry date: 31 December 2024
- . Lease Agreement  
Central Coast Council and Robert George and Wendy Marjorie Wilton  
Rear 15 Top Gawler Road, Gawler  
Term of lease: 1 year  
Start date: 1 April 2022  
Expiry date: 31 March 2023
- . Lease Agreement  
Central Coast Council and Penguin Men's Shed  
Part 145 Ironcliffe Road, Penguin Chopping Complex, Dial Regional Sports Complex, Penguin  
Term of lease: 5 years  
Start date: 1 December 2021  
Expiry date: 30 November 2026



- . Lease Agreement  
Central Coast Council and Cradle Coast Mountain Bike Club  
Clubhouse and shed, Ironcliffe Road, Penguin  
Term of lease: 5 years  
Start date: 1 May 2022  
Expiry date: 30 April 2027

  
Sandra Ayton  
GENERAL MANAGER

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

Period: 21 April to 16 May 2022

- . An email requesting a 15 minute parking allocation for customers out the front of an Ulverstone business.
- . An email raising issues around access to Watcombe Beach from Main Road, Penguin and a request for Council to organise a water truck to wash off the weed killer.



Sandra Ayton  
GENERAL MANAGER

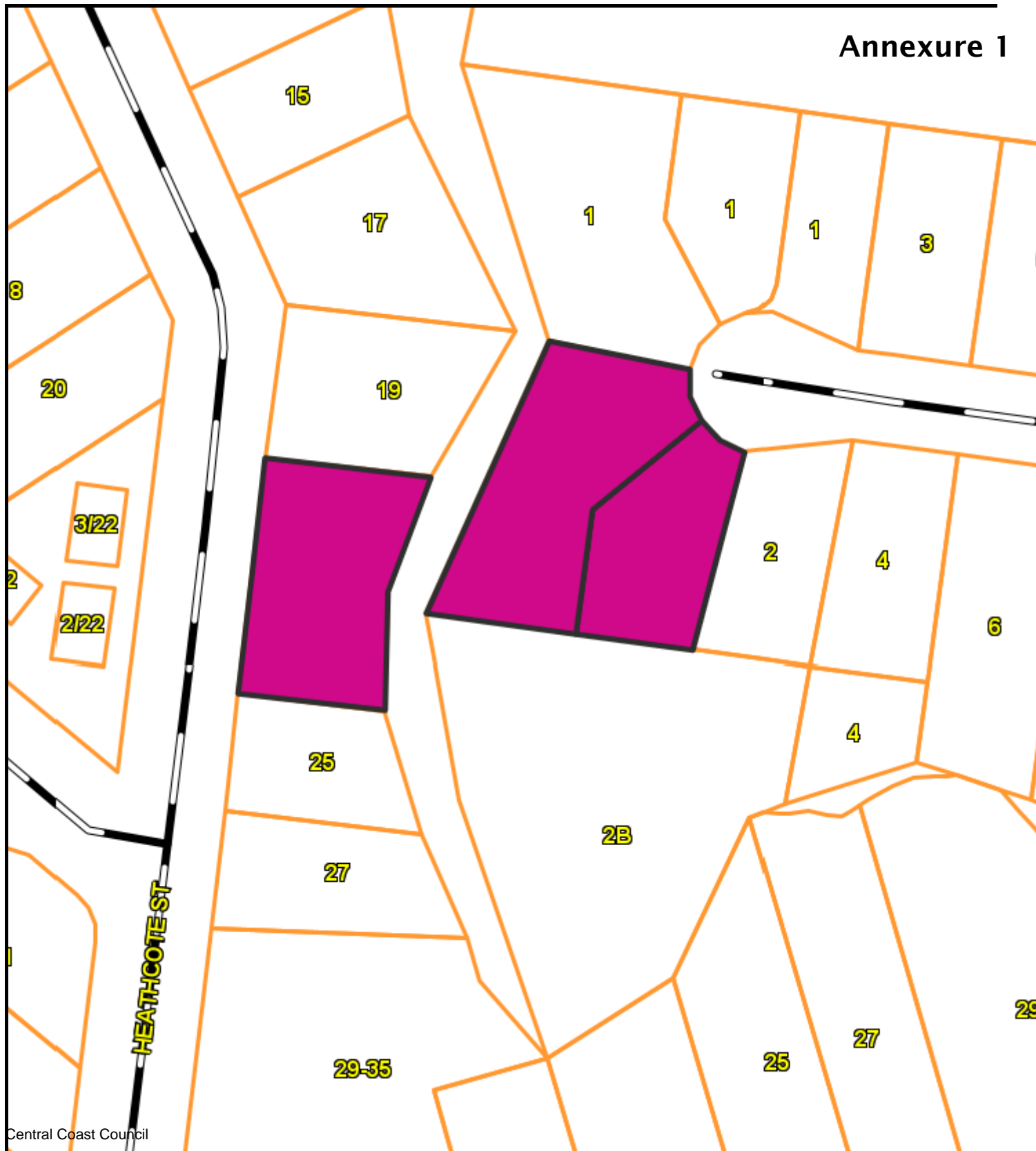
**Central Coast Council**  
**List of Development Applications Determined**  
**Period from: 1 April 2022 to 30 April 2022**

Application Number Display	Address	DA Type	Proposed use	Application Date	Decision Date	Day determined	Cost Of Works
DA2021296	780 South Road PENGUIN,TAS,7316	Discretionary	Service Industry – vehicle repair workshop and Storage – three storage sheds to comprise a total of 40 self-storage units and an associated toilet facility	19/10/2021	1/04/2022	30	\$477,000.00
DA2021303	144 South Road PENGUIN,TAS,7316	Discretionary	Residential – demolition of existing buildings and construction of 29 multiple dwellings	27/10/2021	20/04/2022	42	\$500,000.00
DA2021324 – 1	12 & 27 Breheny Place WEST ULVERSTONE,TAS,7315	Minor amendment of a Permit.	Residential – 48 multiple dwellings and consolidation of lots	8/04/2022	14/04/2022	3	\$1,000.00
DA2021331	26–28 South Road PENGUIN,TAS,7316	Discretionary	Subdivision – 3 residential lots	18/11/2021	14/04/2022	21	\$0.00
DA2022007	15 Shorehaven Drive TURNERS BEACH,TAS,7315	Discretionary	Residential – dwelling, secondary residence and garage	17/01/2022	20/04/2022	43	\$730,000.00
DA2022021	110 Ironcliffe Road & Lester Road – CT102762/2 PENGUIN,TAS,7316	Discretionary	Subdivision – 9 lots	2/02/2022	6/04/2022	26	\$50,000.00
DA2022026	15 Loongana Road NIETTA,TAS,7315	Discretionary	Resource Development – Storage sheds	7/02/2022	6/04/2022	28	\$65,000.00
DA2022034	14A Beach Road ULVERSTONE,TAS,7315	Discretionary	Residential – dwelling and outbuilding	10/02/2022	5/04/2022	33	\$800,000.00
DA2022045	314 Ironcliffe Road PENGUIN,TAS,7316	Discretionary	Residential – dwelling and shed, including demolition of existing dwelling and shed	18/02/2022	27/04/2022	28	\$460,000.00
DA2022048	18 Tower Place WEST ULVERSTONE,TAS,7315	Discretionary	Residential – dwelling	22/02/2022	1/04/2022	28	\$450,000.00

**Central Coast Council**  
**List of Development Applications Determined**  
**Period from: 1 April 2022 to 30 April 2022**

DA2022053	36 Main Street ULVERSTONE,TAS,7315	Discretionary	Business and Professional Services – change of use – Speech Pathology Practice	2/03/2022	20/04/2022	44	\$15,000.00
DA2022061	3 Braddons Lookout Road LEITH,TAS,7315	Discretionary	Residential – dwelling and shed	9/03/2022	29/04/2022	36	\$652,970.00
DA2022068	15 Tower Place WEST ULVERSTONE,TAS,7315	Discretionary	Residential – two multiple dwellings	16/03/2022	14/04/2022	21	\$550,000.00
DA2022070	57 Water Street ULVERSTONE,TAS,7315	Permitted	Visitor accommodation – demolition of existing caravan and annex and replacement cabin with amenities	17/03/2022	27/04/2022	5	\$80,000.00
DA2022076	32 Trevor Street ULVERSTONE,TAS,7315	Discretionary	Storage – catering and functions equipment and materials	28/03/2022	27/04/2022	28	\$0.00
DA2022080	385 South Road WEST ULVERSTONE,TAS,7315	Permitted	Resource development – farm shed	29/03/2022	12/04/2022	6	\$100,000.00
DA2022082	72 Forth Road & 8 Grants Court TURNERS BEACH,TAS,7315	Permitted	Subdivision – Adjustment of a Boundary	29/03/2022	26/04/2022	19	\$0.00
DA2022083	86 Main Road PENGUIN,TAS,7316	Permitted	Food Services and General Retail and Hire (fruit and vegetable shop) and Hanging Sign	30/03/2022	8/04/2022	4	\$5,500.00
DA2022097	18 South Road PENGUIN,TAS,7316	Permitted	Demolition – removal of secondary dwelling	11/04/2022	20/04/2022	8	\$0.00
DA2022109	58 Queen Street WEST ULVERSTONE,TAS,7315	Permitted	Demolition of outbuilding	20/04/2022	27/04/2022	1	\$10,000.00
DA2022111	450 Stotts Road RIANA,TAS,7316	Permitted	Resource Development & Residential – retrospective application – extension to existing dwelling and farm shed	21/04/2022	27/04/2022	1	\$150,000.00

# Annexure 1



Central Coast Council



CENTRAL COAST COUNCIL  
19 King Edward St  
Ulverstone  
TAS 7315  
Telephone: 03 6429 8900  
Facsimilie: 03 6425 1224  
admin@centralcoast.tas.gov.au



11-Apr-2022

**2A LOCKET STREET &  
23 HEATHCOTE STREET,  
ULVERSTONE  
DA2021346**

## IMPORTANT

This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geographic Datum of 1984 (AGD66/84). Heights are referenced to the Australia Height Datum (AHD). For most practical purposes GDA94 coordinates, and satellite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WGS84), are the same.

## Disclaimer

This map is not a precise survey document

All care is taken in the preparation of this plan; however, Central Coast Council accepts no responsibility for any misprints, errors, omissions or inaccuracies. The information contained within this plan is for pictorial representation only. Do not scale. Accurate measurement should be undertaken by survey.

© The List 2021.

© Central Coast Council 2021.

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Scale =  
1:888.300



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## Application for Planning

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### *S.57 Land Use Planning and Approvals Act 1993*

The following application has been received:

Application No.: **DA2021346**

Location: **2A Locket Street & 23 Heathcote Street,  
Ulverstone**

Proposal: **Subdivision - consolidation and creation  
of two lots and Residential - dwelling**

Performance Criteria: **Setbacks and building envelope for all  
dwellings and reliance on C7.0 Natural  
Assets Code**

The application may be inspected at the Administration Centre, 19 King Edward Street, Ulverstone during Office hours and on the council's website: [www.centralcoast.tas.gov.au](http://www.centralcoast.tas.gov.au). Any person may make representation in relation to the applications (in accordance with S.57(5) of the Act) by writing to the General Manager, PO Box 220, Ulverstone 7315 or by email to [admin@centralcoast.tas.gov.au](mailto:admin@centralcoast.tas.gov.au) and quoting the Application No. *Any representations received by the Council are classed as public documents and will be made available to the public where applicable under the Local Government (Meeting Procedures) Regulations 2015.*

The representation must be made on or before **3 May 2022**

Date of Notification: **13 April 2022**



**CENTRAL COAST COUNCIL**

PO Box 220

29 King Edward Street

ULVERSTONE TASMANIA 7315

Ph: (03) 6429 8900

Email: [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au)www: [centralcoast.tas.gov.au](http://centralcoast.tas.gov.au)**CENTRAL COAST COUNCIL****Land use Planning and Approvals Act 1993****Central Coast Interim Planning Scheme 2013****PLANNING PERMIT APPLICATION**

Office use only:

Zone:

Permit Pathway – NPR/Permitted/Discretionary

Use or Development Site:

Site Address

2A LOCKET STREET AND 23 HEATHCOTE STREET  
ULVERSTONE  
TASMANIA 7315Certificate of  
Title Reference

180773/1 158915/1

Land Area

Heritage Listed Property

NO ☒YES ☐

Applicant(s)

First Name(s)

CHARLIE  
LOUISE

Surname(s)

VELLA

Company name  
(if applicable)

Contact No:

0417 307 781

Postal Address:

~~48 AMY STREET~~ 23 Heathcote street  
ULVERSTONE 7315

Email address:

vella5607@gmail.com

Please tick box to receive correspondence and any relevant information regarding your application via email ☐

Owner(s) (note – if more than one owner, all names must be indicated)

First Name(s)

Charlie  
Louise

Middle Name(s)

-  
Andrew

Surname(s)

VELLA

Company name (if applicable)

Postal Address:

48 Amy St  
Ulverstone  
Tasmania 7315



## PERMIT APPLICATION INFORMATION

(if insufficient space for proposed use and development, please attach separate documents)

"USE" is the purpose or manner for which land is utilised.

Proposed Use

RESIDENTIAL

Use Class

Office use only

RESIDENCE

"Development" is the works required to facilitate the proposed use of the land, including the construction or alteration or demolition of buildings and structures, signs, any change in ground level and the clearing of vegetation.

**Proposed Development** (please submit all documentation in PDF format to [planning@centralcoast.tas.gov.au](mailto:planning@centralcoast.tas.gov.au) separating A4 documents & forms from A3 documents).

NEW RESIDENCE

**Value of the development** – (to include all works on site such as outbuildings, sealed driveways and fencing)

\$ 600,000.00 ..... Estimate / Actual

Total floor area of the development 328 ..... m<sup>2</sup>

### Notification of Landowner

#### If land is NOT in the applicant's ownership

I, \_\_\_\_\_, declare that the owner/each of the owners of the land has been notified of the intention to make this permit application.

Signature of Applicant

Date

#### If the application involves land within a Strata Corporation

I, \_\_\_\_\_, declare that the owner/each of the owners of the body corporation has been notified of the intention to make this permit application.

Signature of Applicant

Date



**If the application involves land owned or administered by the CENTRAL COAST COUNCIL**

Central Coast Council consents to the making of this permit application.

General Managers Signature \_\_\_\_\_ Date \_\_\_\_\_

**If the permit application involves land owned or administered by the CROWN**

\_\_\_\_\_ the Minister

responsible for the land, consent to the making of this permit application.

Minister (Signature) \_\_\_\_\_ Date \_\_\_\_\_

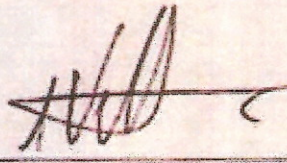
NB: If the site includes land owned or administered by the Central Coast Council or by a State government agency, the consent in writing (a letter) from the Council or the Minister responsible for Crown land must be provided at the time of making the application - and this application form must be signed by the Council or the Minister responsible.

**Applicants Declaration**

I/we CHARLIE AND LOUISE VELLA

declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

Signature of Applicant/s

 Wella

Date 16/11/21

Office Use Only	
Planning Permit Fee	\$ .....
Public Notice Fee	\$ .....
Permit Amendment / Extension Fee	\$ .....
No Permit Required Assessment Fee	\$ .....
<b>TOTAL</b>	<b>\$ .....</b>
Validity Date	



## SEARCH OF TORRENS TITLE

VOLUME 158915	FOLIO 1
EDITION 3	DATE OF ISSUE 16-Mar-2020

SEARCH DATE : 13-Oct-2021

SEARCH TIME : 11.54 AM

DESCRIPTION OF LAND

Town of ULVERSTONE

Lot 1 on Sealed Plan 158915

Derivation : Part of Lot 5317 15 Acres Granted to George Ellis  
and Arthur Rivers Ellis and Part of Lot 3920 Granted to Thomas  
Lloyd Button

Prior CTs 55914/16 and 152547/1

SCHEDULE 1M806140 TRANSFER to CHARLIE VELLA and LOUISE ANDREA VELLA  
Registered 16-Mar-2020 at noonSCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP158915 EASEMENTS in Schedule of Easements

SP152547 FENCING COVENANT in Schedule of Easements

131744 FENCING CONDITION in Transfer

E214621 MORTGAGE to Westpac Banking Corporation Registered  
16-Mar-2020 at 12.01 PMUNREGISTERED DEALINGS AND NOTATIONSE278722 Discharge of Adhesion Order Lodged by GLYNN WILLIAMS  
LEGAL on 17-Sep-2021 BP: E278722

OWNER W.A.THOMPSON  FOLIO REFERENCE F.R.152547/1 F.R.55914/16  GRANTEE PART OF LOT 5317 (15-0-0) GRANTED TO GEORGE ELLIS AND ARTHUR RIVERS ELLIS. PART OF LOT 3920 GRANTED TO THOMAS LLOYD BUTTON		<b>PLAN OF SURVEY</b>  BY SURVEYOR G.A.DEEGAN  LOCATION <b>TOWN OF ULVERSTONE</b>  SCALE 1: 500      LENGTHS IN METRES		REGISTERED NUMBER <b>SP158915</b>  APPROVED EFFECTIVE FROM 13 APR 2010 <i>Alice Kawa</i> Recorder of Titles	
MAPSHEET MUNICIPAL CODE No 104-(4244-43)		LAST UPI No 630 4377 <del>630 4399</del>		LAST PLAN No <del>P228665</del> <b>P59914</b> <del>P59973</del>	
ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN					

LOT 1 IS COMPILED FROM F.R.152547/1  
& F.R.55914/16

**COMPILED PLAN**

*Sandra Lyke*  
 COUNCIL DELEGATE

25/01/2010  
 DATE



# CERTIFICATE OF TITLE

LAND TITLES ACT 1980



TASMANIA

## TORRENS TITLE

VOLUME		FOLIO
180773		1
EDITION	DATE OF ISSUE	
1	11-May-2021	
Page 1		of 1

I certify that the person described in Schedule 1 is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries specified in Schedule 2 and to any additional entries in the Folio of the Register.

Recorder of Titles



### DESCRIPTION OF LAND

Town of ULVERSTONE  
Lot 1 on Plan 180773  
Derivation : Part of Lot 3290, 34A-2R-0P Gtd to Thomas Lloyd Button.  
Prior CT 55914/15

### SCHEDULE 1

M864765 TRANSFER to CHARLIE VELLA and LOUISE ANDREA VELLA  
Registered 11-May-2021 at noon

### SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
BENEFITING EASEMENT: a drainage easement over the land marked  
Drainage Easement 1.52 wide 'AB' on Plan 180773  
BURDENING EASEMENT: rights of drainage for the owner or owners  
for the time being of Lots 13 to 4 on Plan No. 55914  
over the land marked Drainage Easement 1.52 wide 'BC'  
on Plan 180773  
M862456 BURDENING EASEMENT: a right of carriageway  
(appurtenant to Lot 2 on Plan 180773) over the land  
marked Right of Way 3.50 wide on Plan 180773  
Registered 11-May-2021 at 12.01 PM  
A20653 FENCING CONDITION in Transfer



1131  
F.N. 861

(283/90)

(181/57 D)

**COUNTY OF DEVON**  
**PARISH OF ABBOTSHAM**

Scale: 60 feet to an inch  
Part of Lot 3290 of the Lloyd Button  
34<sup>th</sup> A.C.

R. W.D. Wing, Owner

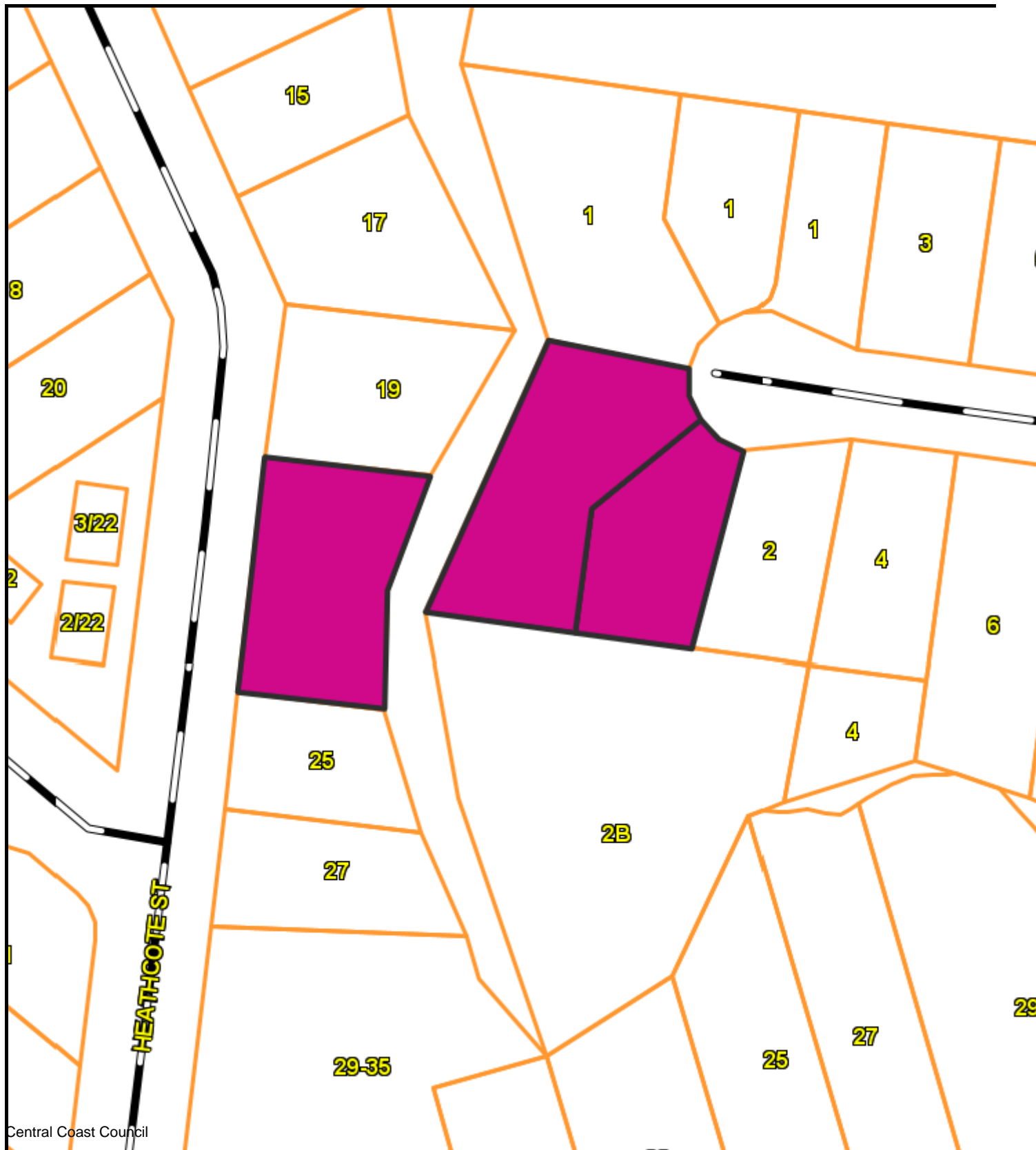


For balance Tracing  
& Fenced area along creek  
See inside F.N.S.  
2/11/64

(551/11)

I, Charles Kingston Goddard of Ulverstone,  
Registered Surveyor, of Tasmania, do hereby certify  
that this plan has been made from surveys executed by  
me or under my own personal supervision, inspection,  
and field check, and that both plan and survey  
are correct, and have been made in accordance  
with the Land Surveyors By-Law No. 2 dated 3<sup>rd</sup> July, 1946.  
Dated this 29<sup>th</sup> day of Nov 1949 — Charles Kingston Goddard





Central Coast Council



CENTRAL COAST COUNCIL  
19 King Edward St  
Ulverstone  
TAS 7315  
Telephone: 03 6429 8900  
Facsimile: 03 6425 1224  
admin@centralcoast.tas.gov.au



11-Apr-2022

**2A LOCKET STREET &  
23 HEATHCOTE STREET,  
ULVERSTONE  
DA2021346**

#### IMPORTANT

This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geographic Datum of 1984 (AGD66/84). Heights are referenced to the Australia Height Datum (AHD). For most practical purposes GDA94 coordinates, and satellite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WGS84), are the same.

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**20 m**

Scale =  
**1:888.300**



## **DEVELOPMENT COVER LETTER**

### **Project**

Proposed new dwelling and consolidation of titles

### **The site**

The site, a Torrens Title volume 158915, Folio 1 and volume 180773, Folio 1, Located within the general residential zone of the Tasmanian planning scheme, the scheme.

### **The Development**

The development is for a new, 2 story residential building.

### **The development relies on the below performance criteria.**

*8.4.2 Setbacks and building envelope for all dwellings*

A3 (a)

*A dwelling must be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: (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.*

The development does not comply with the above acceptable solution. Refer to building envelope on drawings A12 and A13.

The proposed dwelling is located outside the planning envelope in one small section where the building is at its highest. The building was located close to the rear boundary due to the high number of easements onsite, refer to site plan A01. The bulk visual impact has been reduced by the implement of a hip style roof; the sloped roof allows sun to penetrate further into the southern adjoining property.

I believe this development does not cause an unreasonable loss of amenity to the adjoining properties, shadow diagrams have been included to reflect this, refer to drawings A02 – A04.

### **Attachments**

*Drawings by Plans to Build, Land Title & Schedule of Easements*

Yours Faithfully

07.04.22



**NATURAL VALUES ASSESSMENT OF 2A LOCKET STREET &  
23 HEATHCOTE STREET, ULVERSTONE, TASMANIA**



**Environmental Consulting Options Tasmania (ECOtas) for  
Charlie & Louise Vella**

**28 February 2022**

**Mark Wapstra**  
28 Suncrest Avenue  
Lenah Valley, TAS 7008

**ABN 83 464 107 291**  
email: [mark@ecotas.com.au](mailto:mark@ecotas.com.au)  
web: [www.ecotas.com.au](http://www.ecotas.com.au)

business ph.: (03) 62 283 220  
mobile ph.: 0407 008 685

**NATURAL VALUES ASSESSMENT OF 2A LOCKET STREET & 23 HEATHCOTE STREET,  
ULVERSTONE, TASMANIA**

*Prepared by Mark Wapstra and Brian French for Charlie & Louise Vella, 28 Feb. 2022*

**INTRODUCTION**

***Preamble***

Charlie & Louise Vella (owners) engaged Environmental Consulting Options Tasmania (ECOtas) to provide advice in relation proposed consolidation of titles at 2A Locket Street (PID 6946120; C.T. 55914/15; LPI 6304398) and 23 Heathcote Street (PID 2799573; C.T. 158915/1; LPI 6304399) (Figures 1 & 2). Buttons Creek is a separate title (CT 735225; water/onshore water body) that dissects 23 Heathcote Street.

Initial proposal plans have been formally submitted to Central Coast Council, now referred to as DA2021346. The present statement addresses Item 2 of correspondence from Central Coast Council dated 3 Dec. 2021, specifically with reference to C7 of the Natural Assets Code of the *Tasmanian Planning Scheme – Central Coast*, which is stated as:

- 2 Provide a report, prepared by a suitably qualified person, to address the Natural Assets Code of the Planning Scheme in relation to the proximity to Buttons Creek. The report will need to address and provide justification against C7.6.1–(P1) and C7.7.1–(P1) of the Planning Scheme and any other relevant provisions of the Code.

The above information will need to be of a standard sufficient to enable the Council to make an adequately informed decision.

Note that this statement is our interpretation of the provisions of the *Tasmanian Planning Scheme – Central Coast* and may not necessarily represent the views of Central Coast Council. The following does not constitute legal advice. It is recommended that formal advice be sought from the relevant agency prior to acting on any aspect of this statement.

***Proposal***

It is proposed to subdivide a single title on 23 Heathcote Street, which is entirely divided by Buttons Creek and consolidate 2A Locket Street with the portion of 23 Heathcote Street that occurs on the eastern side of Buttons Creek (Figure 3). Also, a single dwelling is proposed for the southern portion of the consolidated title including access from Locket Street (Figure 3).

The following provides an overall analysis of C7 of the Natural Assets Code of the *Tasmanian Planning Scheme – Central Coast* in relation to the proposal outlined above.

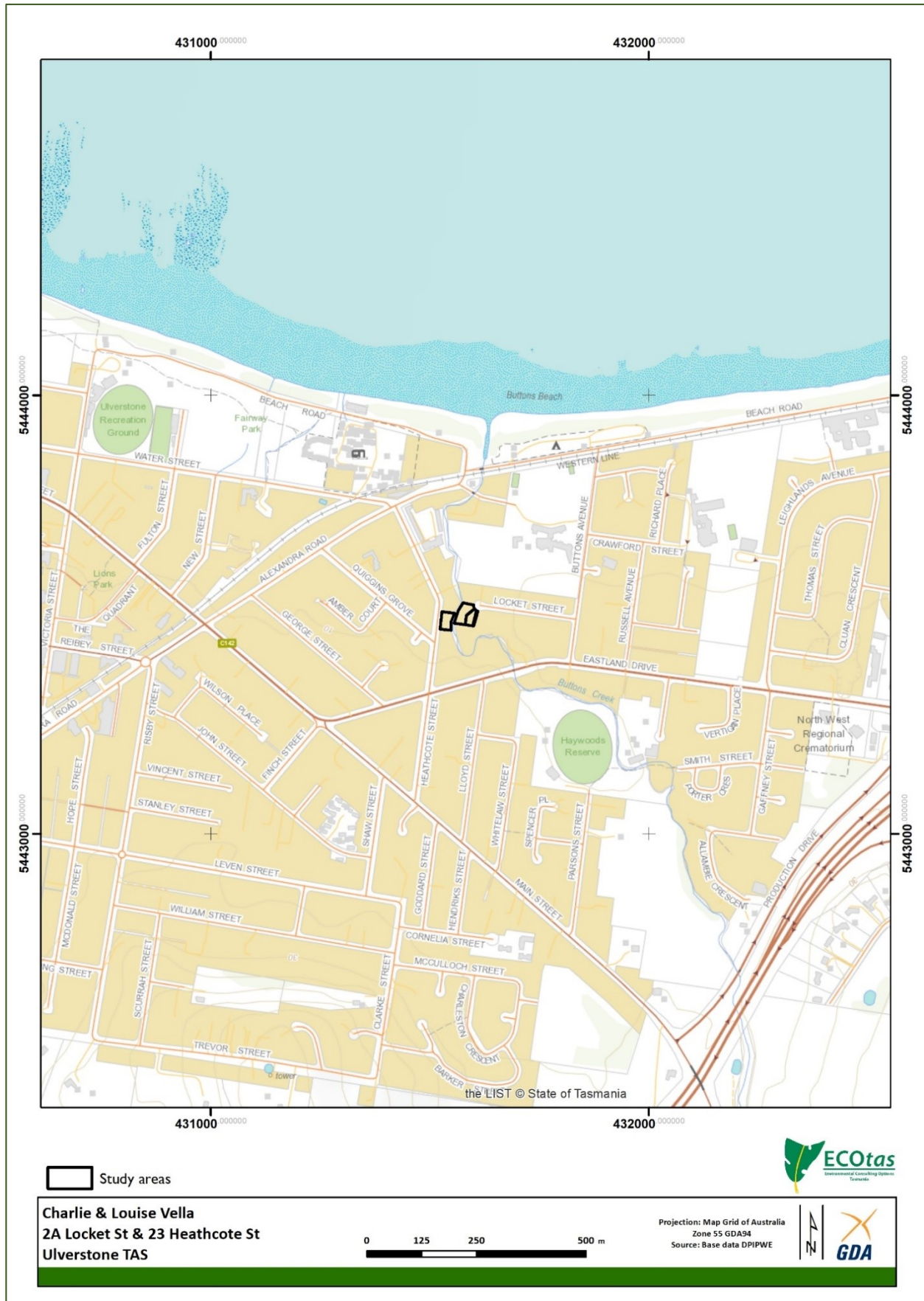
***Zoning and overlays***

Under the *Tasmanian Planning Scheme – Central Coast*, the titles are zoned as General Residential (Figure 4) and are effectively entirely subject to the Waterway and Coastal Protection overlay of the *Tasmanian Planning Scheme – Central Coast* (Figure 5). Buttons Creek is a separate title (CT 735225; water/onshore water body) and is zoned Environmental Management.

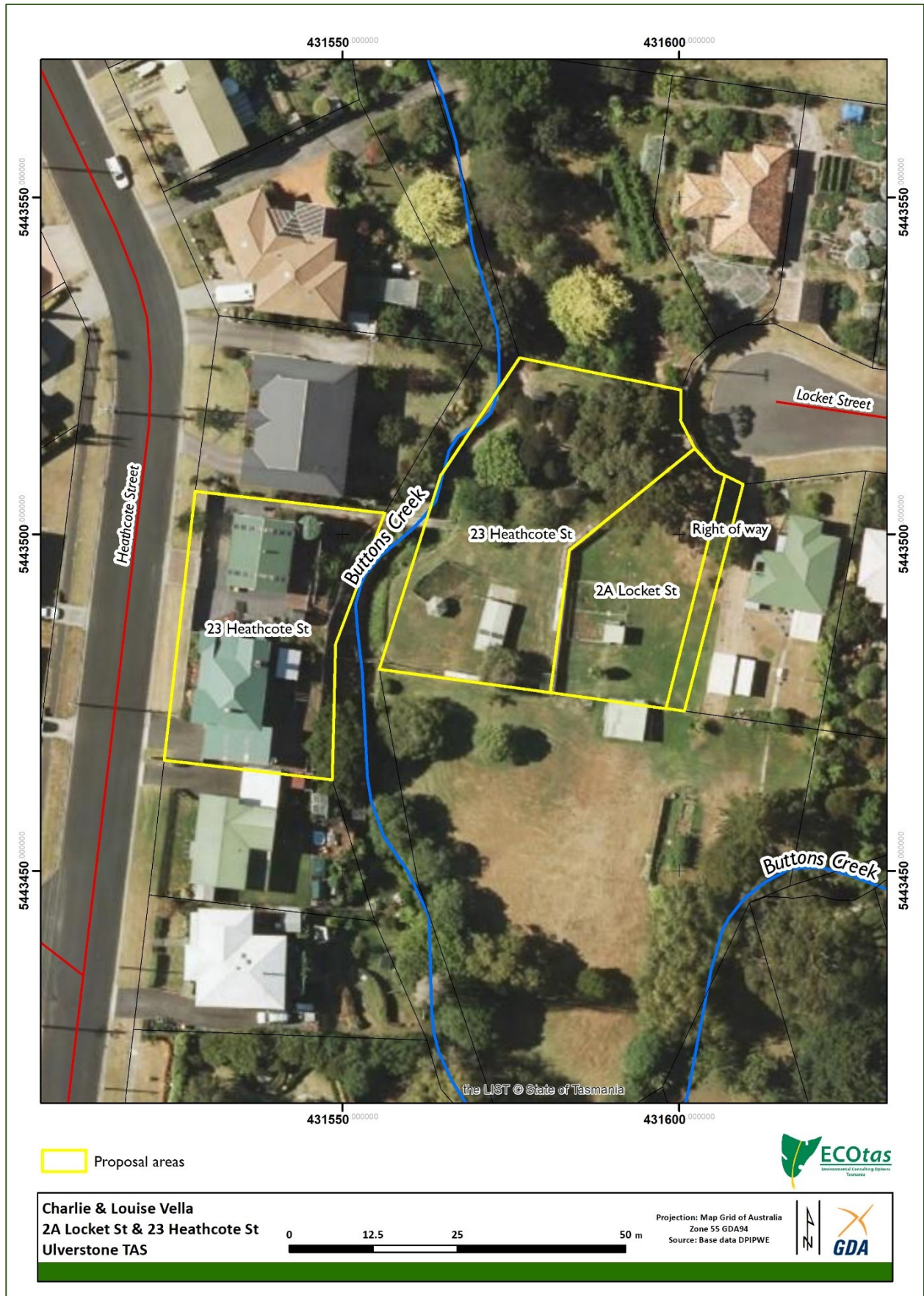




## 2A Locket Street & 23 Heathcote Street, Ulverstone: Natural Assets Code



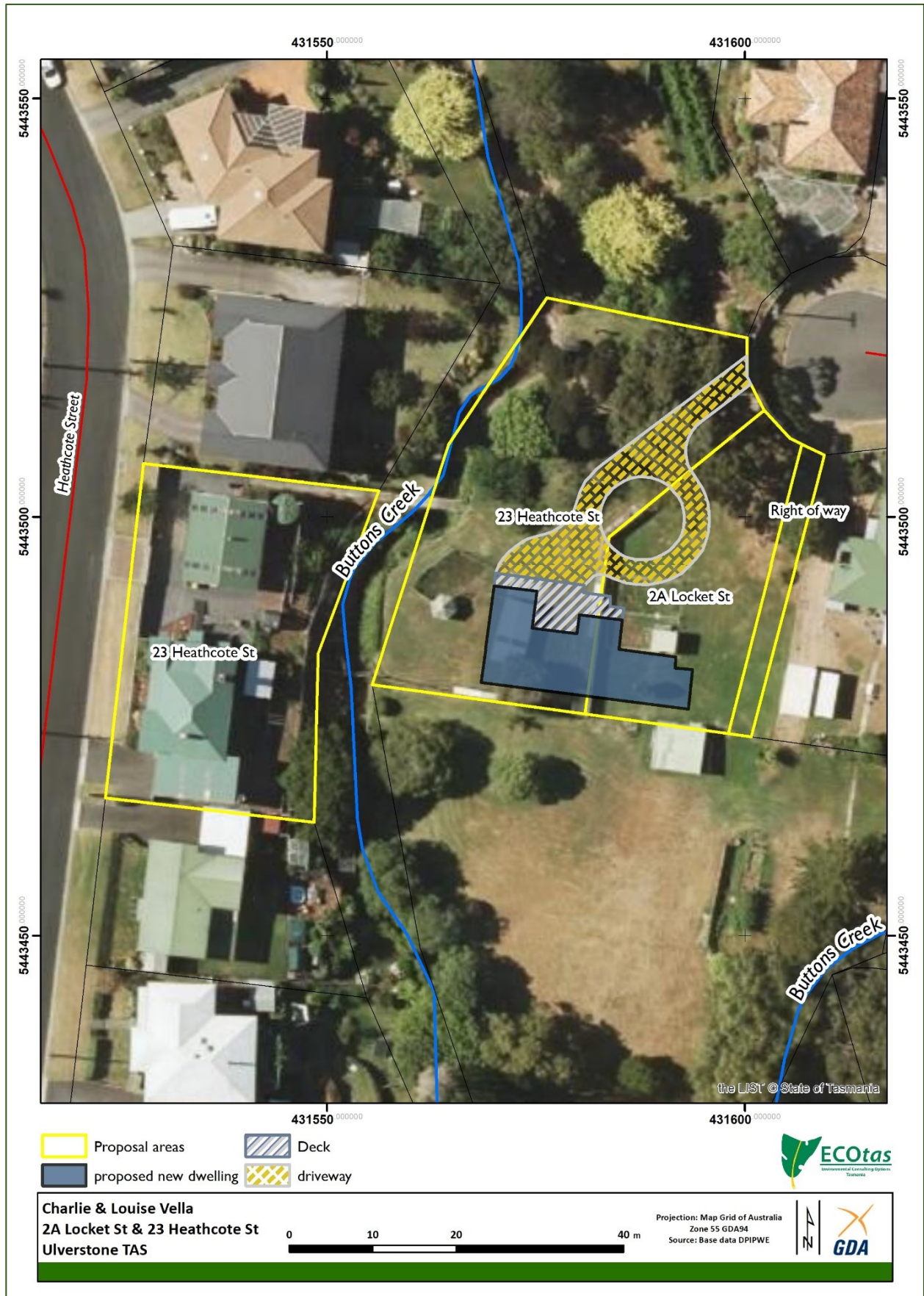
**Figure 1.** General location of proposal area



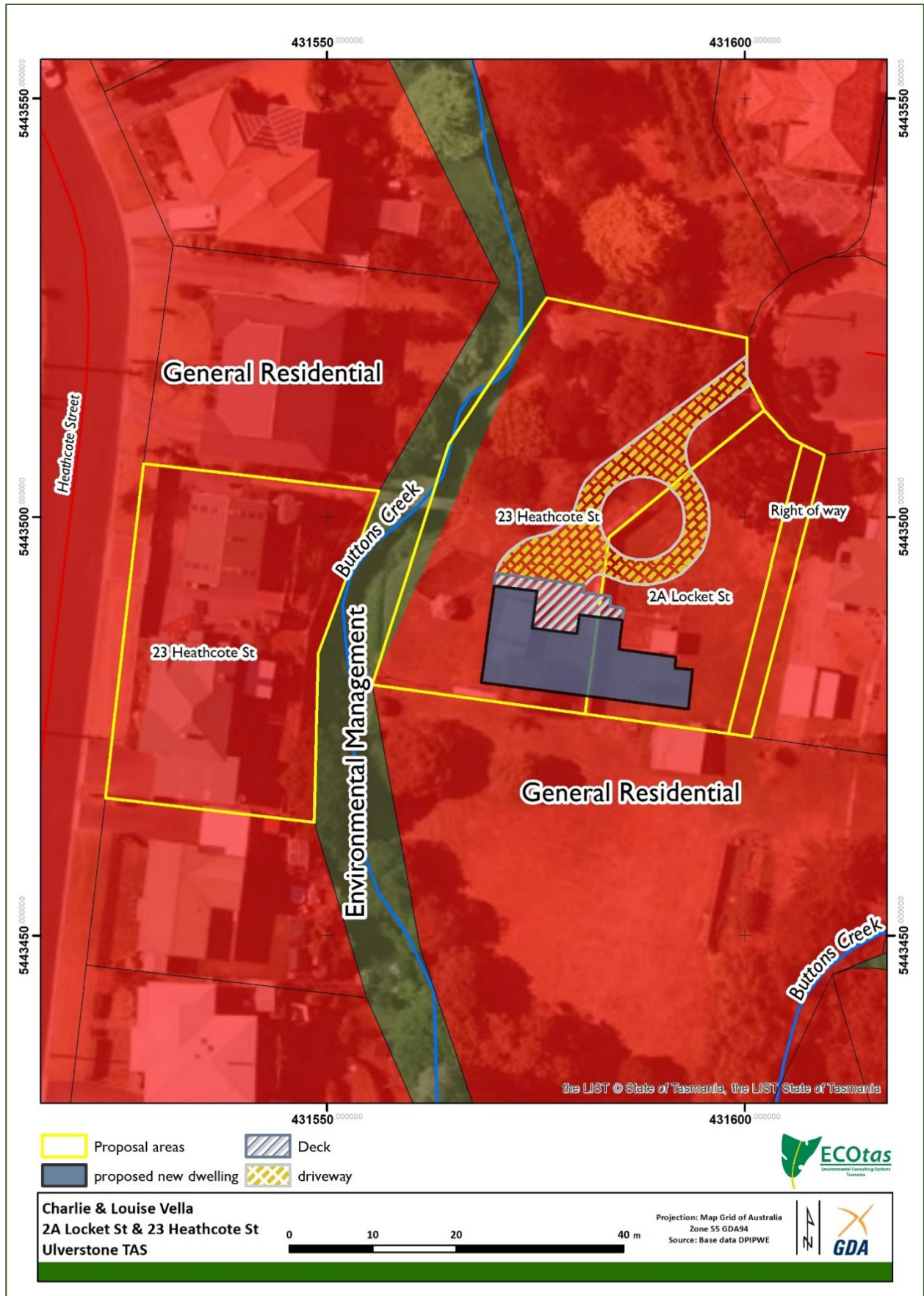
**Figure 2.** Detail of proposal area showing LISTmap's orthoimagery and Buttons Creek location



## 2A Locket Street & 23 Heathcote Street, Ulverstone: Natural Assets Code



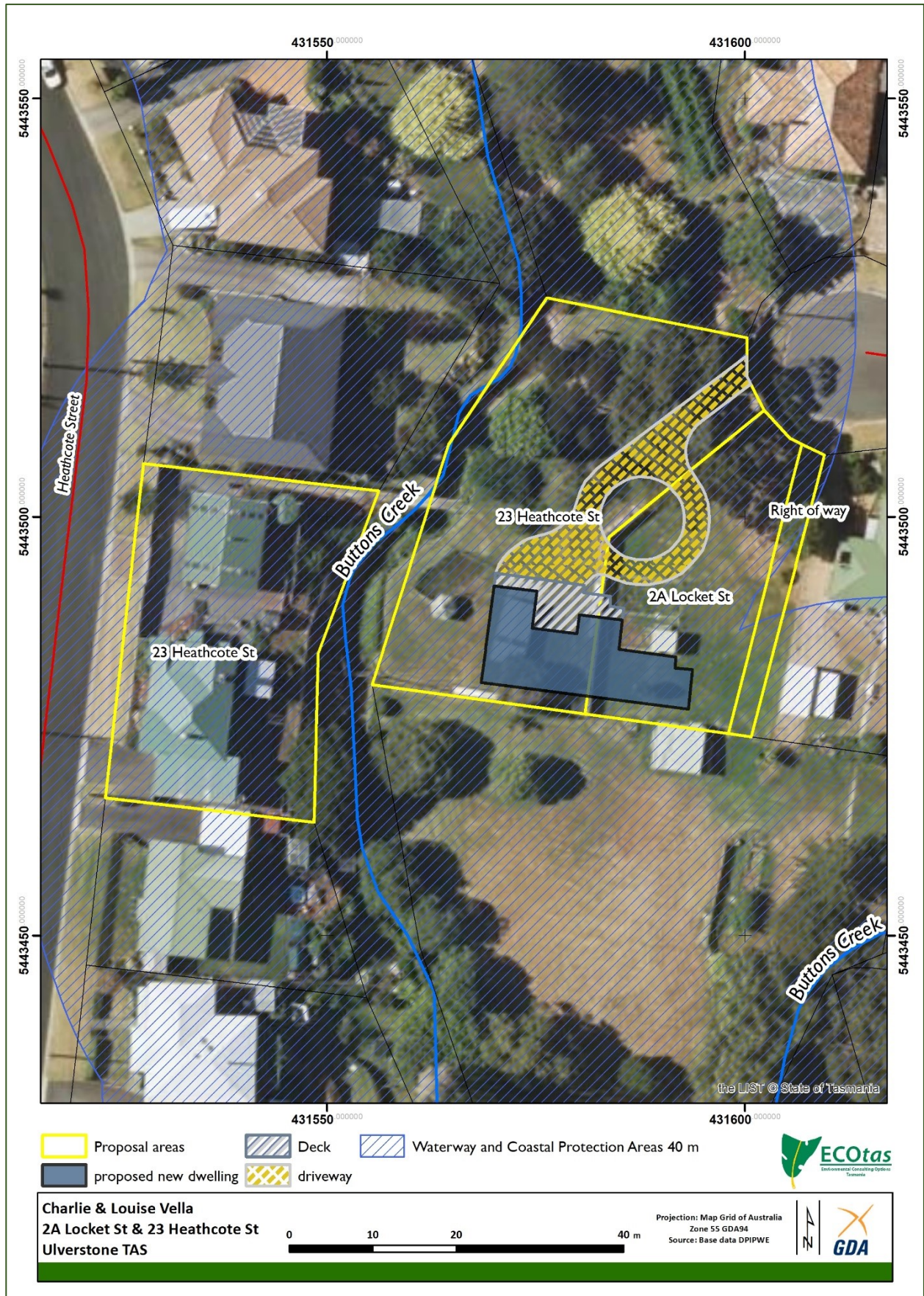
**Figure 3.** Detail of the proposal including the dwelling and associated access footprint



**Figure 4.** Proposal detail with *Tasmanian Planning Scheme – Central Coast* zoning



## 2A Locket Street & 23 Heathcote Street, Ulverstone: Natural Assets Code

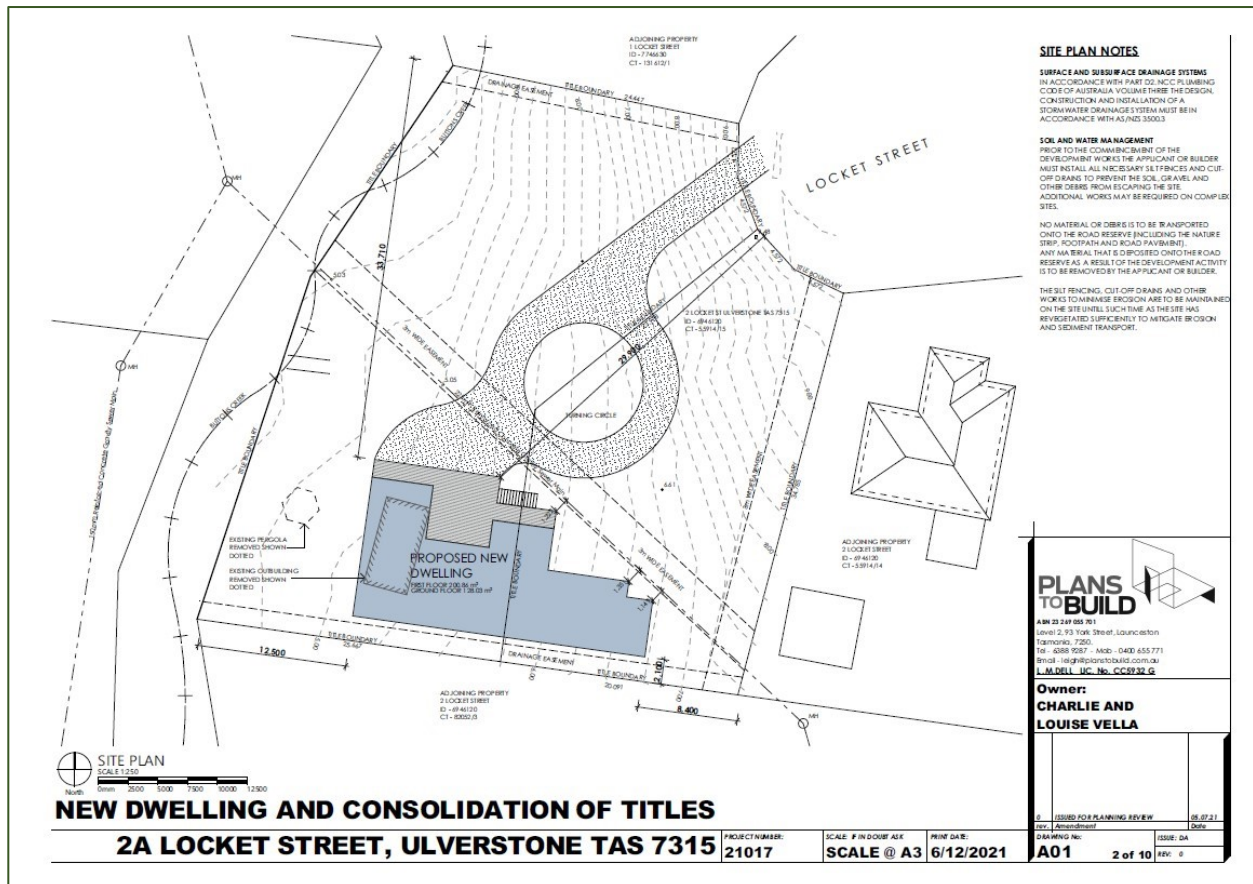


**Figure 5.** Proposal detail with 40 m Waterway and Coastal Protection Area buffer indicated



### Assessment

The study area was assessed by Brian French on 15 Feb. 2022. The whole title was assessed by reference to design drawings (Figure 6) and the proposal location as uploaded on to the iGIS application.



**Figure 6.** Land use proposal [courtesy: Plans to Build], included herein for indicative purposes only to provide context to the findings

### Findings

#### General observations

The study area is dominated topographically by the north-flowing Buttons Creek that dissects the generally flat coastal plain. There is an existing dwelling on 23 Heathcote Street: this title initially slopes gently from the street margin before abruptly dropping into Buttons Creek. There is a bridge over Buttons Creek linking the currently dissected 23 Heathcote Street titles.

The titles on the eastern side of Buttons Creek range from gently sloping and flat in the south and moderately steep in the north, associated again with Buttons Creek. The eastern areas are entirely landscaped with lawn dominating the southern portion with an existing shed present. Remnant native vegetation consisting of *Acacia melanoxylon* (blackwood), *Melaleuca ericifolia* (swamp paperbark) and *Dicksonia antarctica* (soft treefern) is present in the north. All understory vegetation is entirely modified with introduced horticultural shrubs within landscaped areas.





## **2A Locket Street & 23 Heathcote Street, Ulverstone: Natural Assets Code**

Buttons Creek is entirely modified through the title areas with stone and concrete walls lining the entire streambanks. No riparian or aquatic vegetation is present. A large retaining wall is present associated with the existing residence at 23 Heathcote Street above Buttons Creek.

Altitude ranges from ca. 5-10 m a.s.l.

See also Plates 1 & 2.

### Vegetation type

TASVEG 4.0 & Live both correctly map the entire study area and surrounds as urban areas (TASVEG code: FUR) i.e. modified land (Figure 7).



**Figure 7.** Existing (correct) TASVEG Live vegetation mapping for study area and surrounds

### Threatened flora

Database information indicates that the study area and surrounds do not support known populations of flora listed as threatened on the Tasmanian *Threatened Species Protection Act 1995* and/or the Commonwealth *Environment Protection and Biodiversity Protection Act 1999*. Site assessment did not detect any such species.

### Threatened fauna

Database information indicates that the study area and surrounds do not support known populations of fauna listed as threatened on the Tasmanian *Threatened Species Protection Act 1995* and/or the Commonwealth *Environment Protection and Biodiversity Protection Act 1999*. Site assessment did not detect any such species.



## **2A Locket Street & 23 Heathcote Street, Ulverstone: Natural Assets Code**

*Astacopsis gouldi* (giant freshwater crayfish) is known from the Buttons Creek catchment with a single record in the Abbotsham area. Very marginal habitat is present for *Astacopsis gouldi* (giant freshwater crayfish) in Buttons Creek with potential habitat as described by FPA (2016) "as "freshwater streams of all sizes. Characteristics of potential habitat include a combination of well-shaded flowing and still waters, deep pools, decaying logs and undercut banks. Riparian vegetation needs to be native and predominantly intact to provide shade, nutrient, energy and structural inputs into streams. Smaller juveniles inhabit shallow fast-flowing streams favouring habitats with rocks or logs that are large enough to be stable but not embedded in finer substrates, but overlie coarser substrates and/or have a distinct cavity underneath". Virtually all of the above habitat elements are absent as decaying logs, deep pools, undercut banks and riparian vegetation are absent. However, it is assumed that this species could potentially utilise Buttons Creek as a corridor to access habitat either upstream or downstream of the titles. This species is discussed in context with the proposal below.

### Chytrid fungus and other freshwater pathogens

Native freshwater species and habitat are under threat from freshwater pests and pathogens including *Batrachochytrium dendrobatidis* (chytrid frog disease), *Mucor amphibiorum* (platypus mucor disease) and the freshwater algal pest *Didymosphenia geminata* (didymo) (Allan & Gartenstein 2010). Freshwater pests and pathogens are spread to new areas when contaminated water, mud, gravel, soil and plant material or infected animals are moved between sites. Contaminated materials and animals are commonly transported on boots, equipment, vehicles tyres and during road construction and maintenance activities. Once a pest pathogen is present in a water system it is usually impossible to eradicate.

Buttons Creek supports potential habitat for amphibians. The manual *Keeping it Clean - A Tasmanian Field Hygiene Manual to Prevent the Spread of Freshwater Pests and Pathogens* (Allan & Gartenstein 2010) provides information on how to prevent the spread of freshwater pests and pathogens in Tasmanian waterways wetlands, swamps and boggy areas. This manual can be referred to develop site-specific prescriptions for any proposed works in the project area.

### Tasmanian Land Use Planning and Approvals Act 1993

Below we address the various relevant provisions of the *Tasmanian Planning Scheme – Central Coast* that relate to the management of natural values, with the emphasis on specifically addressing C7 of the Natural Assets Code to provide justification against C7.6.1-(P1) and C7.7.1-(P1), as requested in correspondence from Central Coast Council, dated 3 Dec. 2021 for DA2021346.

## **Natural Assets Code**

The Purpose of the Natural Assets Code is stated as:

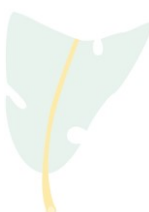
C7.0 Natural Assets Code

C7.1 Code Purpose

The purpose of the Natural Assets Code is:

C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.

C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.



## **2A Locket Street & 23 Heathcote Street, Ulverstone: Natural Assets Code**

- C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.
- C7.1.4 To minimise impacts on identified priority vegetation.
- C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.

Of these purpose statements, C7.1.1 has possible application.

The Code has the following application:

C7.2 Application of this Code

C7.2.1 This code applies to development on land within the following areas:

- (a) a waterway and coastal protection area;
- (b) a future coastal refugia area; and
- (c) a priority vegetation area only if within the following zones:
  - (i) Rural Living Zone;
  - (ii) Rural Zone;
  - (iii) Landscape Conservation Zone;
  - (iv) Environmental Management Zone;
  - (v) Major Tourism Zone;
  - (vi) Utilities Zone;
  - (vii) Community Purpose Zone;
  - (viii) Recreation Zone;
  - (ix) Open Space Zone;
  - (x) Future Urban Zone;
  - (xi) Particular Purpose Zone; or
  - (xii) General Residential Zone or Low Density Residential Zone, only if an application for subdivision.

C7.2.2 This code does not apply to use.

That is, C7.2.1(a) and C7.2.1(c)(iv) are relevant to Buttons Creek.

It is also relevant to refer to potential exemptions from the Code, as follows:

C7.4 Development Exempt from this Code

C7.4.1 The following use or development is exempt from this code:

- (a) works by or on behalf of the Crown, State authority, or council to remedy an unacceptable risk to public or private safety or to mitigate or prevent environmental harm;
- (b) development assessed as a Level 2 Activity;
- (c) clearance of native vegetation within a priority vegetation area,
  - (i) on existing pasture or crop production land; or
  - (ii) if the vegetation is within a private garden, public garden or park, national park, or within State-reserved land or a council reserve,provided the native vegetation is not protected by legislation, a permit condition, an agreement made under section 71 of the Act, or a covenant;



## 2A Locket Street & 23 Heathcote Street, Ulverstone: Natural Assets Code

- (d) forest practices or forest operations in accordance with a forest practices plan certified under the Forest Practices Act 1985, unless for the construction of a building or the carrying out of any associated development;
- (e) works by or on behalf of the Crown, State authority, or council for the protection of a water supply, watercourse, lake, wetland, or tidal waters or coastal assets as part of an endorsed or approved management plan;
- (f) coastal protection works by or on behalf of the Crown, State authority, or council that have been designed by a suitably qualified person; and
- (g) consolidation of lots.

It is understood that the project requires the consolidation of lots, such that it appears that at least this part of the project may be exempt. That said, a future residential dwelling on the consolidated lot would not be exempt.

The objective of C7.6.1 is stated as:

C7.6 Development Standards for Buildings and Works

C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area

Objective:

That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.

Buttons Creek is a separate title (CT 735225; water/onshore water body) and is excluded from subdivision works as the title of 23 Heathcote Street is dissected by this feature. If machinery and vehicle hygiene measures and soil and water management measures are implemented to mitigate sedimentation within Buttons Creek, the intent of the objective statement should be satisfied (see further below).

The relevant Acceptable Solutions of C7.6.1 are stated as:

A1

Buildings and works within a waterway and coastal protection area must:

- (a) be within a building area on a sealed plan approved under this planning scheme;
- (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or
- (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.

A3

Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.

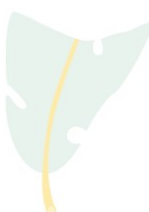
Depending on the final design of the subdivision/consolidation, it appears that A1(a) may be satisfied. However, at this juncture it is assumed that the Performance Criteria will need to be addressed.

It is understood that there will be no new stormwater point discharge into Buttons Creek such that A3 is satisfied. If this is not the case, the Performance Criteria P3 will need to be addressed.

The relevant Performance Criteria of C7.6.1 are stated as:

P1.1

Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:



## 2A Locket Street & 23 Heathcote Street, Ulverstone: Natural Assets Code

- (a) impacts caused by erosion, siltation, sedimentation and runoff;
- (b) impacts on riparian or littoral vegetation;
- (c) maintaining natural streambank and streambed condition, where it exists;
- (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;
- (e) the need to avoid significantly impeding natural flow and drainage;
- (f) the need to maintain fish passage, where known to exist;
- (g) the need to avoid land filling of wetlands;
- (h) the need to group new facilities with existing facilities, where reasonably practical;
- (i) minimising cut and fill;
- (j) building design that responds to the particular size, shape, contours or slope of the land;
- (k) minimising impacts on coastal processes, including sand movement and wave action;
- (l) minimising the need for future works for the protection of natural assets, infrastructure and property;
- (m) the environmental best practice guidelines in the *Wetlands and Waterways Works Manual*; and
- (n) the guidelines in the *Tasmanian Coastal Works Manual*.

The application of P1.1 in relation to the findings means that the relevant provisions considered are to be P1.1(a), (e), (f), (i), (j), (l) & (m). The buildings and works will satisfy P1.1 as:

- (a) impacts caused by erosion, siltation, sedimentation and runoff will be mitigated by best practice guidelines as outlined in the *Wetlands and Waterways Works Manual* specifically, Module 2. *Environmental Best Practice Guidelines 2. Construction Practices in Waterways and Wetlands* will be implemented;
- (e) natural flow and drainage will not be altered either within or adjacent to Buttons Creek by the proposal;
- (f) fish passage will not be altered as no works are proposed within or adjacent to Buttons Creek;
- (i) cut and fill will be minimal as the proposed dwelling is designed for the existing slope of the title;
- (j) see (i) above;
- (l) it is assumed that at the completion of works that there will not be the need for any significant works and that only maintenance upkeep will be required for the dwelling and associated access; and
- (m) see (a) above.

It is recommended that a soil and water management plan be prepared for the proposed works that take account of the existing simple status of the site (essentially a lawned area adjacent to a highly modified watercourse). Logically this will include statements on how fill and runoff will be managed to avoid movement into the adjacent Buttons Creek during works. The simplest solution to this is usually sediment traps/fences placed at an appropriate distance from the works and the creek and a drainage plan for the works.

The Development Standards for Subdivision (C7.7) have two sub-clauses, one relevant to Buttons Creek being C7.7.1 Buildings and works within a waterway and coastal protection area.

C7.7 Development Standards for Subdivision

C7.6.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area

Objective:

That:





## 2A Locket Street & 23 Heathcote Street, Ulverstone: Natural Assets Code

- (a) works associated with subdivision within a waterway and coastal protection area or a future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets; and
- (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.

Buttons Creek is entirely excluded from subdivision works as the creek and associated titles are already fenced with access from Locket Street pre-existing. The intent of the objective statement should be satisfied.

The Acceptable Solution of C7.7.1 is stated as:

### A1

Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must:

- (a) be for the creation of separate lots for existing buildings;
- (b) be required for public use by the Crown, a council, or a State authority;
- (c) be required for the provision of Utilities;
- (d) be for the consolidation of a lot; or
- (e) not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.

It appears that A1(d) will be satisfied as 2A Locket Street will be consolidated with the eastern portion of 23 Heathcote Street (which is dissected by a separate title associated with Buttons Creek). On this basis, the Performance Criteria should not need to be addressed but below they are considered anyway in the event that our interpretation of C7.7.1 A1 is not accepted by the planning authority.

The Performance Criteria of C7.7.1 are stated as:

### P1

Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must minimise adverse impacts on natural assets, having regard to:

- (a) the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area; and
- (b) future development likely to be facilitated by the subdivision.

It has been demonstrated that the consolidation of lots and proposed residential dwelling will not have an adverse impact on natural assets (see also suggested recommendations). With specific regard to P1(a), it is not possible to "locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area" because the overlay already covers the entire titles (and obviously several nearby already developed titles). With specific regard to P1(b), the "future development likely to be facilitated by the subdivision" is a residential dwelling placed on and existing lawned area accessed by an existing drive.

## SUMMARY

Development will require a planning permit pursuant to the provisions of the *Tasmanian Planning Scheme – Central Coast*. The proposal (and associated requirements) should meet the intent of the Natural Assets Code.



**The following is recommended:**

- that erosion, siltation, sedimentation and runoff impacts to be mitigated by best practice guidelines as outlined in the *Wetlands and Waterways Works Manual* specifically, Module 2. *Environmental Best Practice Guidelines 2. Construction Practices in Waterways and Wetlands*;
- that all contractors be aware of the potential effects of soil, sediment and chemicals on the aquatic environment within and adjacent to Buttons Creek;
- that erosion fences or hay bales (or similar) be installed prior to works and maintained during the construction phase to mitigate impacts on Buttons Creek;
- that chemical spill kits be on site during the construction phase to minimise impacts on Buttons Creek;
- to avoid, where practical, the storage of any materials such as sand, gravel, chemicals adjacent to Buttons Creek that potentially could enter the watercourse via runoff; and
- that the manual *Keeping it Clean - A Tasmanian Field Hygiene Manual to Prevent the Spread of Freshwater Pests and Pathogens* (Allan & Gartenstein 2010) be referred to develop site-specific prescriptions for any proposed works in the project area (the manual provides information on how to prevent the spread of freshwater pests and pathogens in Tasmanian waterways wetlands, swamps and boggy areas).

**REFERENCES**

- Allan, K. & Gartenstein, S. (2010). *Keeping It Clean: A Tasmanian Field Hygiene Manual to Prevent the Spread of Freshwater Pests and Pathogens*. NRM South, Hobart
- DPIPWE (Department of Primary Industries, Parks, Water & Environment) (2003). *Waterways and Wetlands Works Manual 2003; Module No.2 Environmental Best Practice Guidelines: Construction Practices in Waterways and Wetlands*. Department of Primary Industries, Parks, Water & Environment, Hobart.
- FPA (Forest Practices Authority) (2016). *Habitat Descriptions of Threatened Flora in Tasmania*. Forest Practices Authority, Hobart.








**Plate 1.** View southwest across the southern part of the title from Locket Street showing a grassed area, right to Buttons Creek (23 Heathcote Street is seen as the white dwelling on the right background)



**Plate 2.** View west through remnant trees; a stormwater pipe is visible in middle left, with the creek visible through the remnant trees across the mown lawn






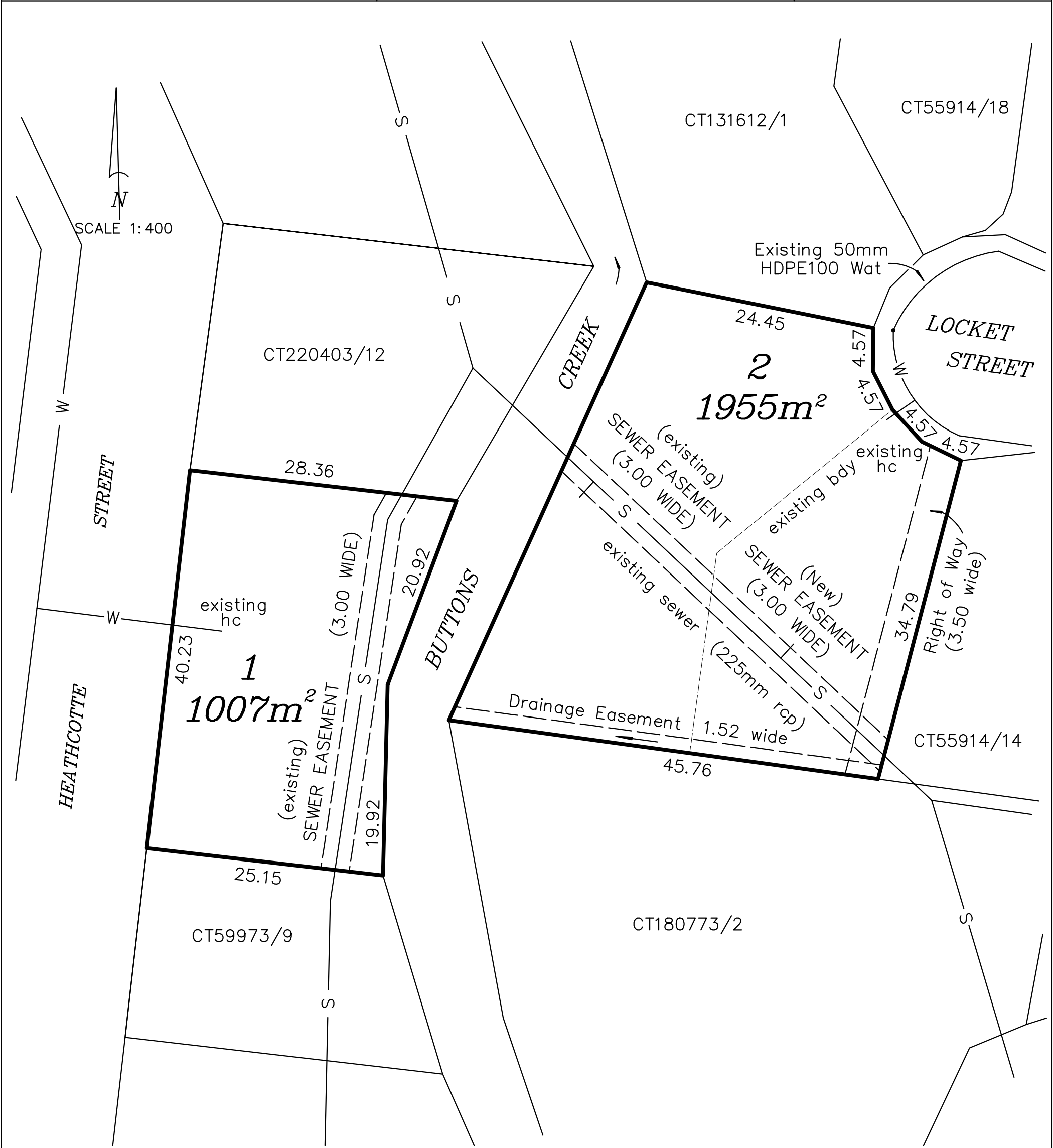
OWNERS: Charlie Vella Louise Andrea Vella  FOLIO REFERENCE: FR158915/1 & FR180773/1  Location: 23 Heathcote Street & 2A Locket Street, Ulverstone	<div>PLAN OF SUBDIVISION</div> <div>Local Authority: <i>Central Coast Council</i></div> <div>Planning Instrument: <i>Tasmanian Planning Scheme</i></div>	21530_A DRAWING REFERENCE:
		 REGISTERED LAND SURVEYOR
		DATE: 18/10/2021



**Important Note:**

This plan was prepared for the specific purpose to accompany a Development Application for a two lot subdivision of FR158915/1 & FR180773/1 and must not be used for any other purpose without the Surveyors consent. The location of services shown on this plan have been derived from data imported from relevant layers on Listmap and are approximate only. All measurements are subject to final survey and any conditions imposed by Council as part of the permit. This note is an intergral part of this Plan.

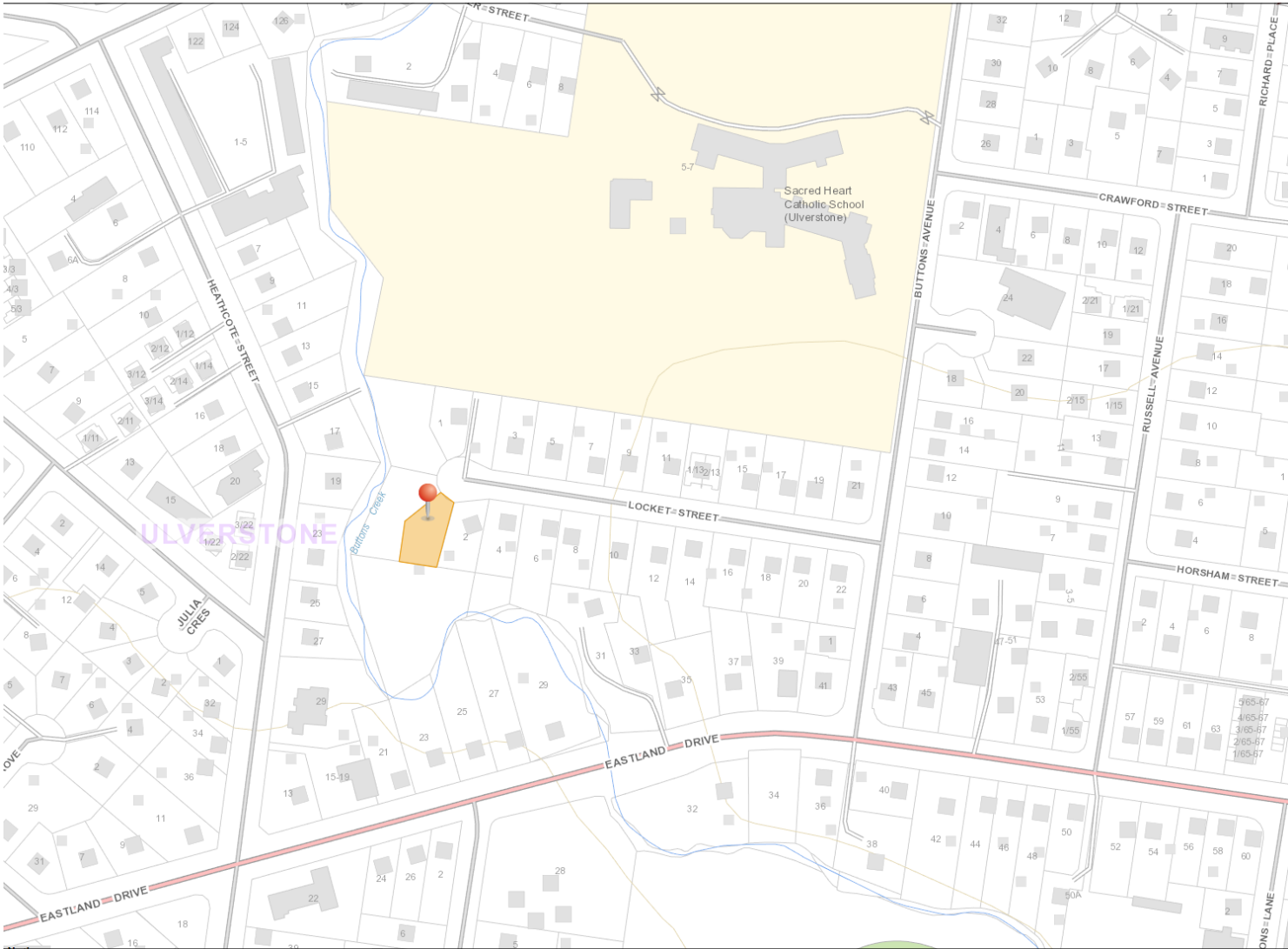
OWNERS: Charlie Vella Louise Andrea Vella  FOLIO REFERENCE: FR158915/1 & FR180773/1  Location: 23 Heathcote Street & 2A Locket Street, Ulverstone	PLAN OF SUBDIVISION  Local Authority: <i>Central Coast Council</i>  Planning Instrument: <i>Tasmanian Planning Scheme</i>	21530_B DRAWING REFERENCE:
		 REGISTERED LAND SURVEYOR
		DATE: 18/10/2021



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NEW DWELLING AND CONSOLIDATION OF TITLES  
at 2A LOCKET STREET, ULVERSTONE TAS 7315  
for CHARLIE AND LOUISE VELLA



LOCATION PLAN

DRAWING SCHEDULE

- A00 COVER PAGE
- A01 SITE PLAN
- A02 SHADOW DIAGRAMS
- A03 SHADOW DIAGRAMS
- A04 SHADOW DIAGRAMS
- A05 GROUND FLOOR PLAN
- A06 FIRST FLOOR PLAN
- A07 GROUND FLOOR DRAINAGE PLAN
- A08 FIRST FLOOR DRAINAGE PLAN
- A09 ROOF PLAN
- A10 SECTION AA
- A11 SECTION BB
- A12 ELEVATIONS
- A13 ELEVATIONS

PLANS  
TOBUILD

ABN 23 269 055 701  
Level 2, 93 York Street, Launceston  
Tasmania, 7250.  
Tel - 6388 9287 - Mob - 0400 655 771  
Email - leigh@planstobuild.com.au  
**L.M.DELL LIC. No. CC5932 G**

**GENERAL NOTES:**

IN ACCORDANCE WITH THE N.C.C.S BUILDING CODE OF AUSTRALIA VOLUME TWO, ALL BUILDING WORK SHALL BE IN STRICT COMPLIANCE WITH COUNCIL LAWS, REFERENCED AUSTRALIAN STANDARDS, BUILDING ACTS & REGULATIONS REFER ALSO TO THE GENERAL REQUIREMENTS PAGE.

THE BUILDER SHALL SECURE AND MAKE SAFE THE WORKSITE IN ACCORDANCE WITH WORK SAFE TASMANIA & WHS GUIDELINES & REGULATIONS.

THE BUILDER SHALL CARRY OUT DIAL BEFORE YOU DIG REFERRAL FOR LOCATIONS OF ALL UNDERGROUND SERVICES PRIOR TO COMMENCING ANY EARTHWORKS.

THE BUILDER SHALL INSTALL SILT TRAPS & SCREENS AT THE PROPERTY BOUNDARY TO PREVENT SILT RUNOFF INTO THE COUNCIL MAIN SYSTEM FOR THE DURATION OF SITE WORKS.

THE BUILDER SHALL BE RESPONSIBLE FOR THE CORRECT SETOUT OF ALL WORKS. A LAND SURVEYOR IS RECOMMENDED BY THE DESIGNER FOR ALL SETOUT. USE FIGURED DIMENSIONS IN PREFERENCE TO SCALED DIMENSIONS.

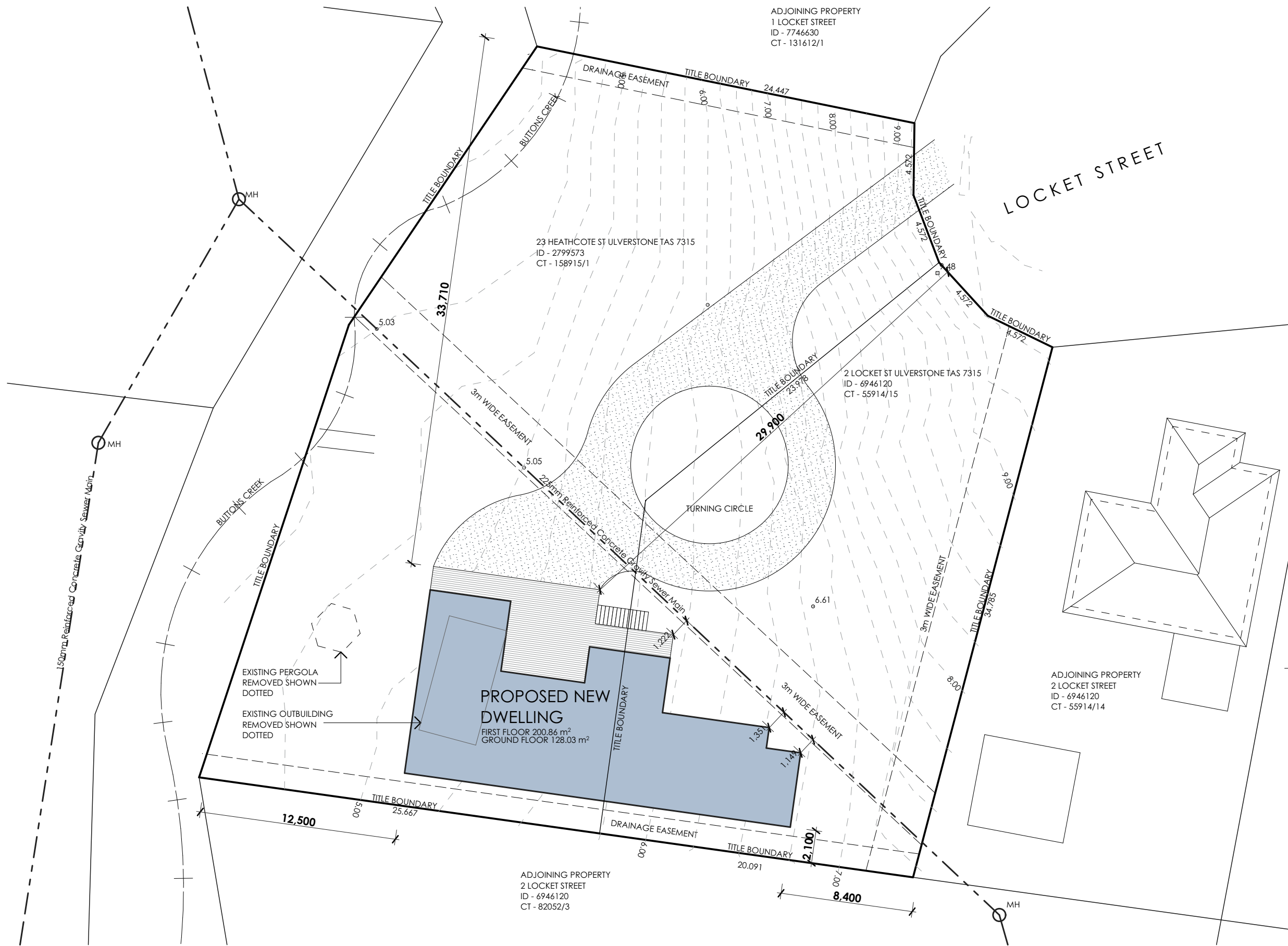
ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH THE ENGINEERING DRAWINGS AND SPECIFICATIONS. THE DESIGNER SHALL BE NOTIFIED OF ANY DISCREPANCIES WITH THE DRAWINGS.

ALL FITTINGS & FIXTURES INSTALLED SHALL BE PURCHASED AS NEW CONDITION & QUALITY & CARRY THE RELEVANT AUSTRALIAN STANDARD COMPLIANCES.

PROJECT INFORMATION:

FLOOR AREAS:		SITE AREA:	WIND SPEED	LAND TITLE, VOLUME & FOLIO
				<b>CT-55914/15</b>
SITE OVERLAYS:	SITE CLASSIFICATION :	CLIMATE ZONE:	ALPINE AREA:	BUSHFIRE ATTACK LEVEL:
Water Logging Hazard - High		<b>7</b>	<b>N/A</b>	<b>EXEMPT</b>
COUNCIL:	WIND REGION:	CORROSION ENVIRONMENT	TERRAIN CLASSIFICATION:	
Central Coast		<b>SEVERE</b>		
SCHEME / ZONE:	SCALE: IF IN DOUBT ASK	PRINT DATE:	PROJECT NUMBER:	
General Residential	<b>SCALE @ A3</b>	<b>7/04/2022</b>	<b>21017</b>	

0	ISSUED FOR TENDER	04.03.22
rev.	Amendment	Date
DRAWING No:	ISSUE: TENDER	
<b>A00</b>	<b>1 of 14</b>	REV: 0



### SITE PLAN NOTES

**SURFACE AND SUBSURFACE DRAINAGE SYSTEMS**  
IN ACCORDANCE WITH PART D2. NCC PLUMBING CODE OF AUSTRALIA VOLUME THREE THE DESIGN, CONSTRUCTION AND INSTALLATION OF A STORMWATER DRAINAGE SYSTEM MUST BE IN ACCORDANCE WITH AS/NZS 3500.3

**SOIL AND WATER MANAGEMENT**  
PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT WORKS THE APPLICANT OR BUILDER MUST INSTALL ALL NECESSARY SILT FENCES AND CUT-OFF DRAINS TO PREVENT THE SOIL, GRAVEL AND OTHER DEBRIS FROM ESCAPING THE SITE. ADDITIONAL WORKS MAY BE REQUIRED ON COMPLEX SITES.

NO MATERIAL OR DEBRIS IS TO BE TRANSPORTED ONTO THE ROAD RESERVE (INCLUDING THE NATURE STRIP, FOOTPATH AND ROAD PAVEMENT). ANY MATERIAL THAT IS DEPOSITED ONTO THE ROAD RESERVE AS A RESULT OF THE DEVELOPMENT ACTIVITY IS TO BE REMOVED BY THE APPLICANT OR BUILDER.

THE SILT FENCING, CUT-OFF DRAINS AND OTHER WORKS TO MINIMISE EROSION ARE TO BE MAINTAINED ON THE SITE UNTILL SUCH TIME AS THE SITE HAS REVEGETATED SUFFICIENTLY TO MITIGATE EROSION AND SEDIMENT TRANSPORT.

## PLANS TO BUILD

ABN 23 269 055 701  
Level 2, 93 York Street, Launceston  
Tasmania, 7250.  
Tel - 6388 9287 - Mob - 0400 655 771  
Email - leigh@planstobuild.com.au  
**L.M.DELL LIC. No. CC5932 G**

**Owner:**  
**CHARLIE AND LOUISE VELLA**

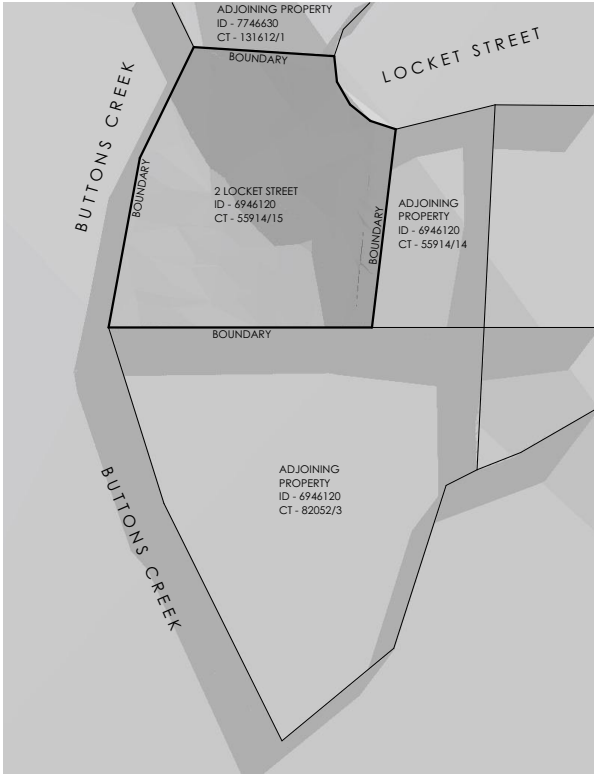
0	ISSUED FOR TENDER	04.03.22
rev.	Amendment	Date
DRAWING No:	ISSUE: TENDER	
<b>A01</b>	2 of 14	REV: 0

**SITE PLAN**  
SCALE 1:250  
0mm 2500 5000 7500 10000 12500  
North

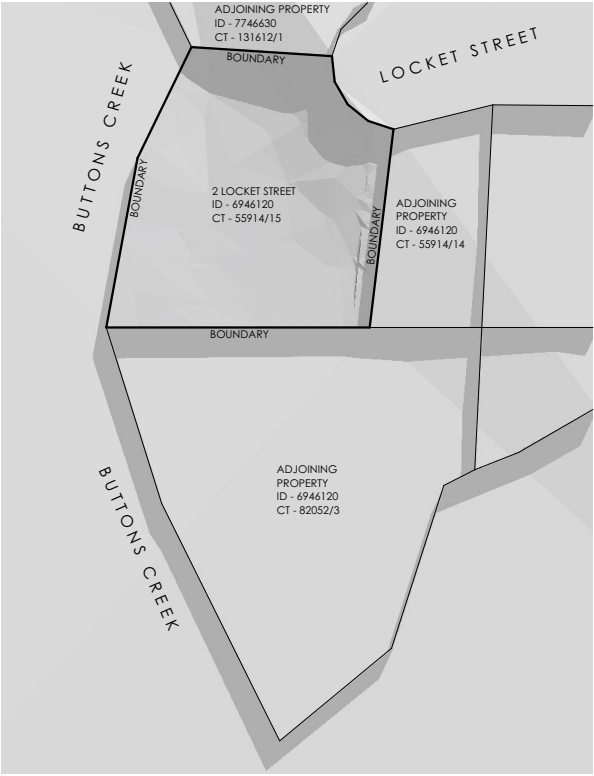
# NEW DWELLING AND CONSOLIDATION OF TITLES

## 2A LOCKET STREET, ULVERSTONE TAS 7315

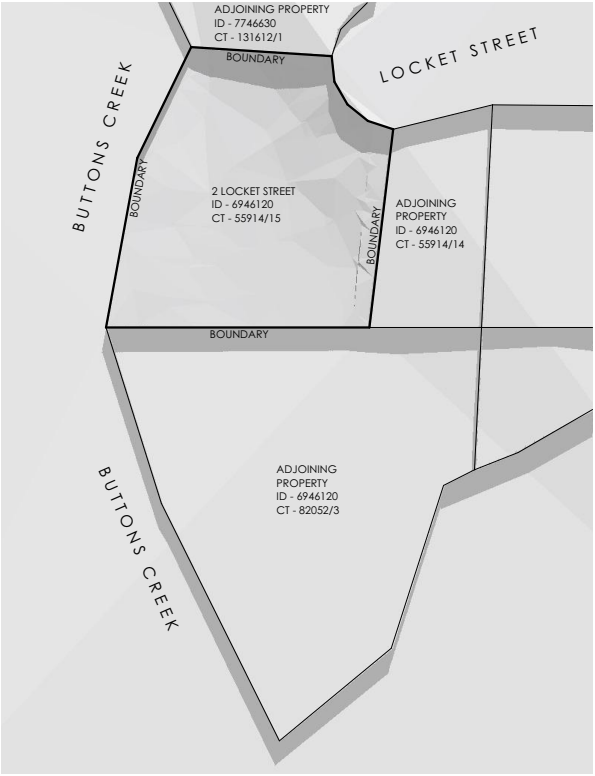
PROJECT NUMBER:	SCALE: IF IN DOUBT ASK	PRINT DATE:
<b>21017</b>	<b>SCALE @ A3</b>	<b>7/04/2022</b>



EXISTING SHADOW DIAGRAM  
21st JUNE 9am  
SCALE 1:357.14  
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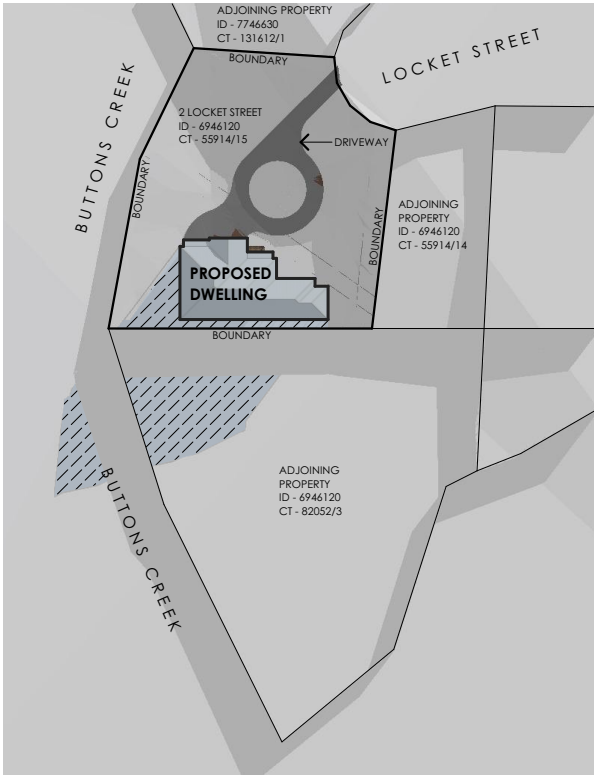


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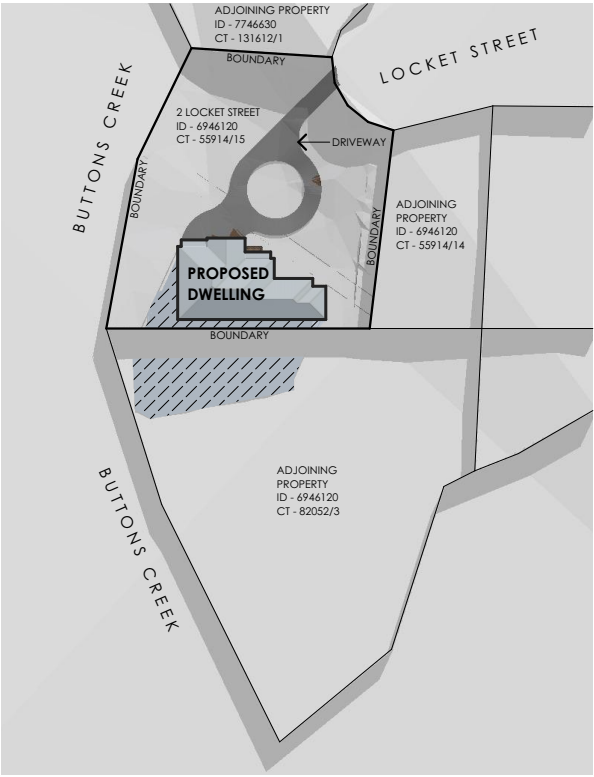


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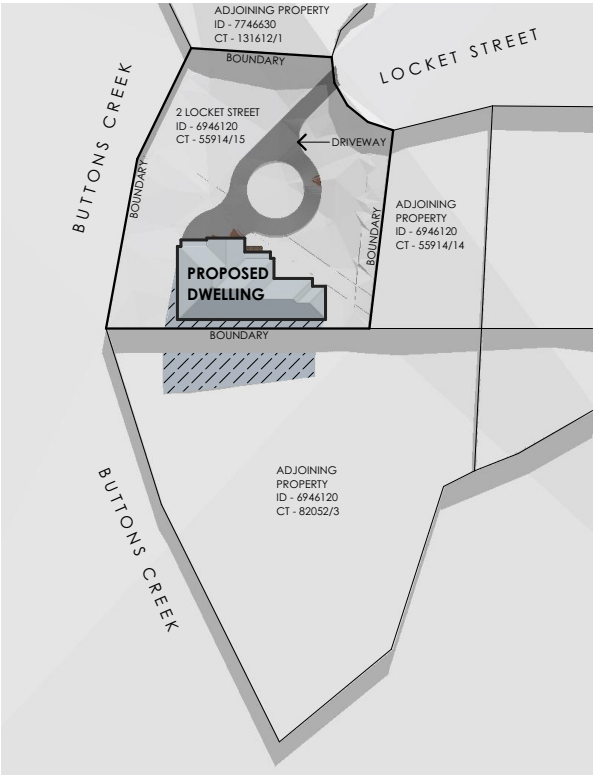
SHADOW CAST BY PROPOSAL



PROPOSED SHADOW DIAGRAM  
21st JUNE 9am  
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0mm 3571.4 7142.8 10714.2 14285.6 17857



PROPOSED SHADOW DIAGRAM  
21st JUNE 10am  
SCALE 1:357.14  
0mm 3571.4 7142.8 10714.2 14285.6 17857



PROPOSED SHADOW DIAGRAM  
21st JUNE 11am  
SCALE 1:357.14  
0mm 3571.4 7142.8 10714.2 14285.6 17857

# NEW DWELLING AND CONSOLIDATION OF TITLES

## 2A LOCKET STREET, ULVERSTONE TAS 7315

PROJECT NUMBER:  
**21017**

SCALE: IF IN DOUBT ASK  
**SCALE @ A3**

PRINT DATE:  
**7/04/2022**

DRAWING No:  
**A02**

3 of 14

ISSUE: TENDER  
REV: 0

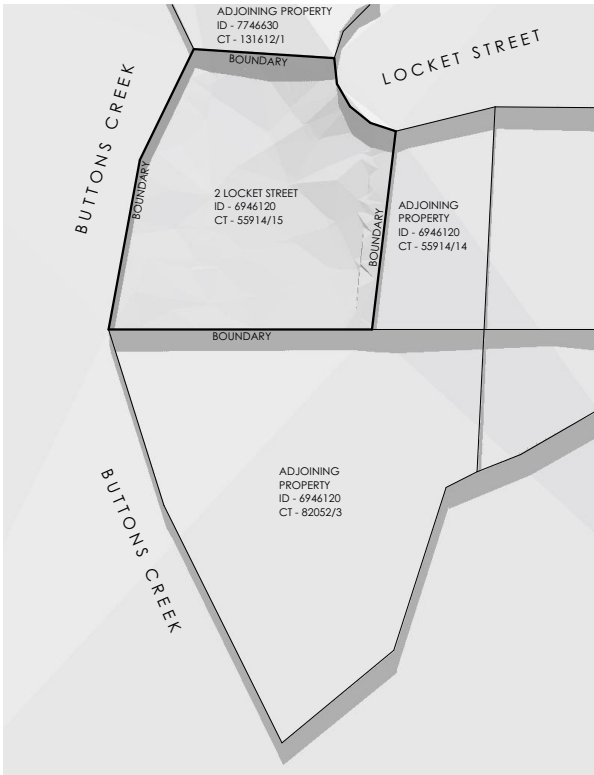
**PLANS  
TO BUILD**

ABN 23 269 055 701  
Level 2, 93 York Street, Launceston  
Tasmania, 7250.  
Tel - 6388 9287 - Mob - 0400 655 771  
Email - leigh@planstobuild.com.au  
**L.M.DELL LIC. No. CC5932 G**

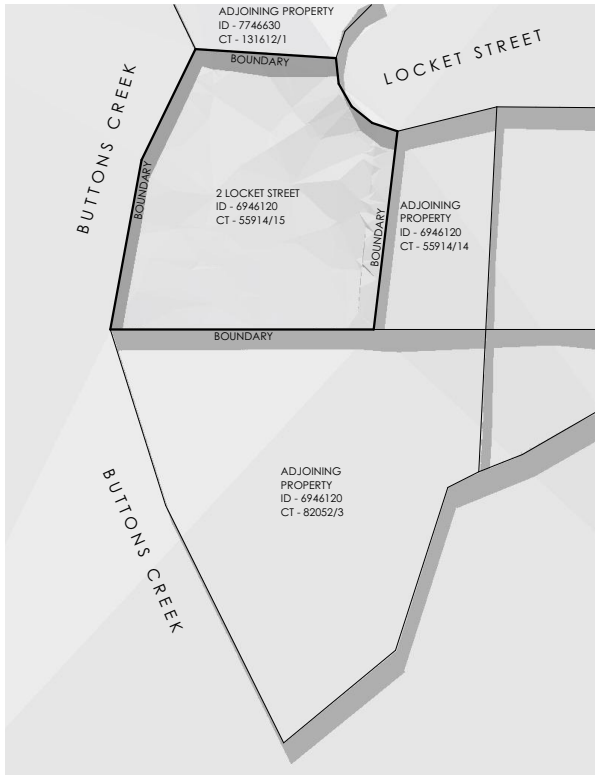
**Owner:**  
**CHARLIE AND  
LOUISE VELLA**

0	ISSUED FOR TENDER	04.03.22
rev.	Amendment	Date
DRAWING No: A02		ISSUE: TENDER
3 of 14		REV: 0





EXISTING SHADOW DIAGRAM  
21st JUNE 12pm  
SCALE 1:357.14  
0mm 3571.4 7142.8 10714.2 14285.6 17857

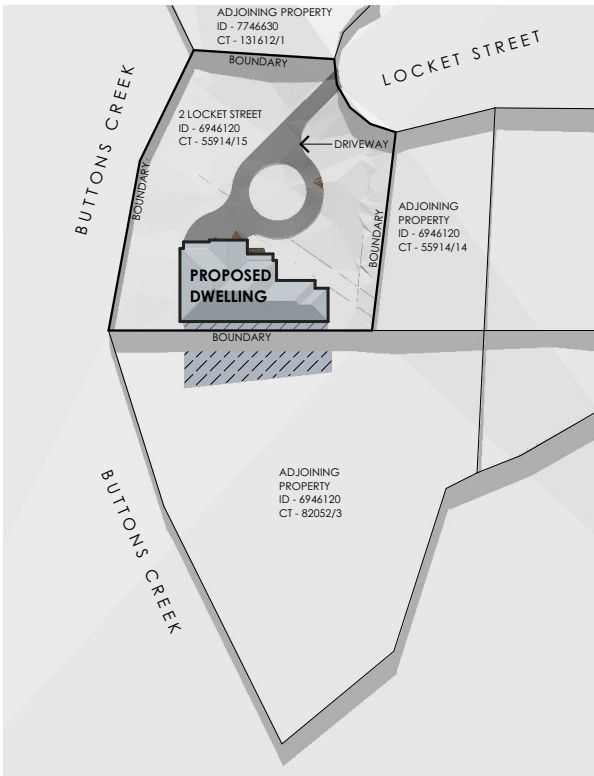


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21st JUNE 1pm  
SCALE 1:357.14  
0mm 3571.4 7142.8 10714.2 14285.6 17857

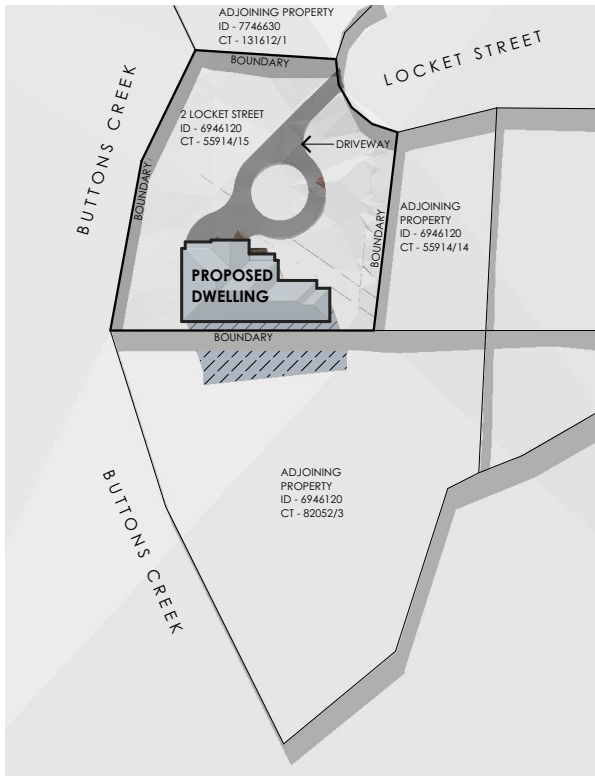


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21st JUNE 2pm  
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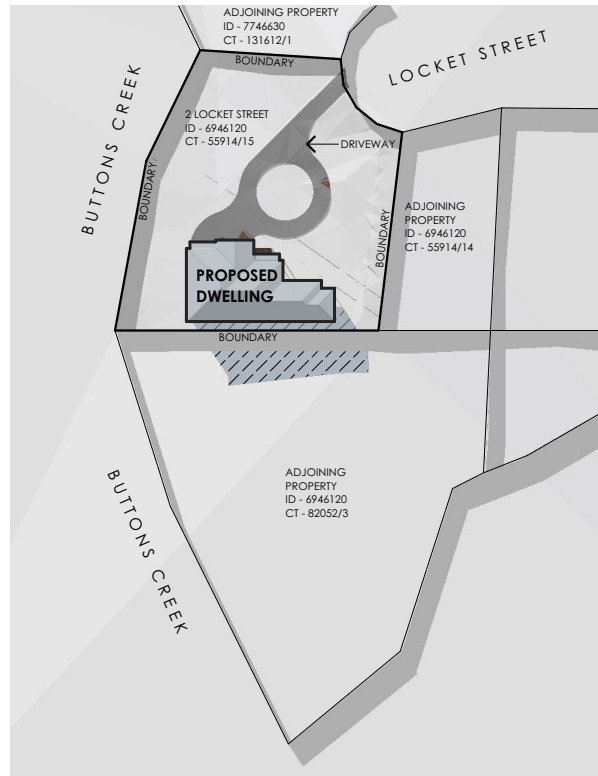
SHADOW CAST BY PROPOSAL



PROPOSED SHADOW DIAGRAM  
21st JUNE 12pm  
SCALE 1:357.14  
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PROPOSED SHADOW DIAGRAM  
21st JUNE 1pm  
SCALE 1:357.14  
0mm 3571.4 7142.8 10714.2 14285.6 17857



PROPOSED SHADOW DIAGRAM  
21st JUNE 2pm  
SCALE 1:357.14  
0mm 3571.4 7142.8 10714.2 14285.6 17857

# NEW DWELLING AND CONSOLIDATION OF TITLES

## 2A LOCKET STREET, ULVERSTONE TAS 7315

PROJECT NUMBER:  
21017

SCALE: IF IN DOUBT ASK  
SCALE @ A3

PRINT DATE:  
7/04/2022

PLANS  
TO BUILD

ABN 23 269 055 701  
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Tasmania, 7250.  
Tel - 6388 9287 - Mob - 0400 655 771  
Email - leigh@planstobuild.com.au  
**L.M.DELL LIC. No. CC5932 G**

Owner:  
**CHARLIE AND  
LOUISE VELLA**

0  
rev.

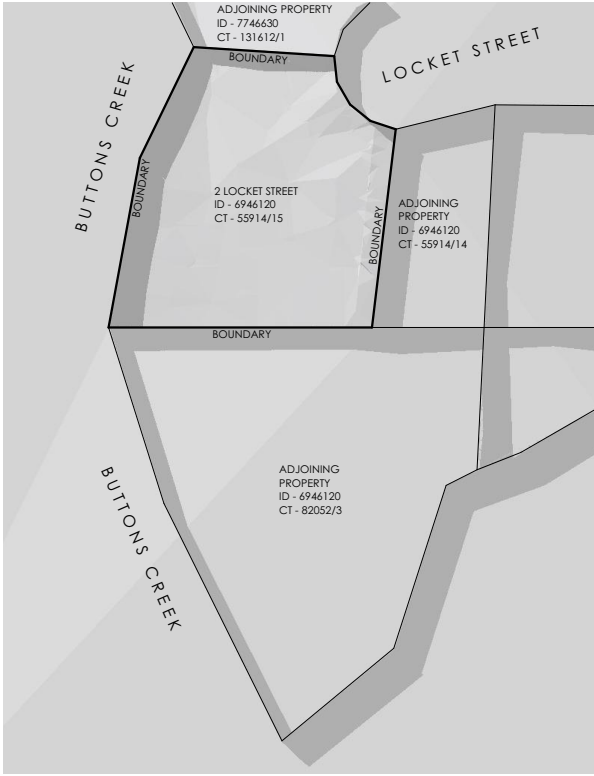
ISSUED FOR TENDER  
Amendment

04.03.22  
Date

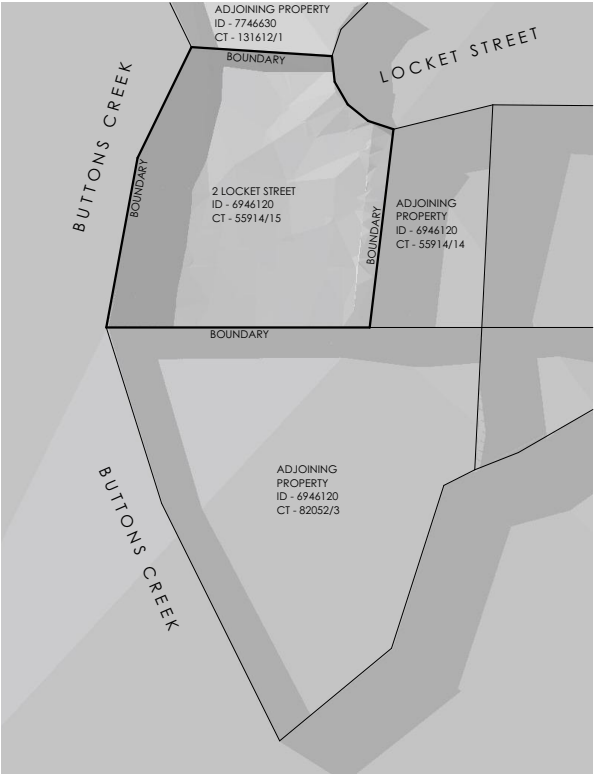
DRAWING No:  
**A03**

4 of 14

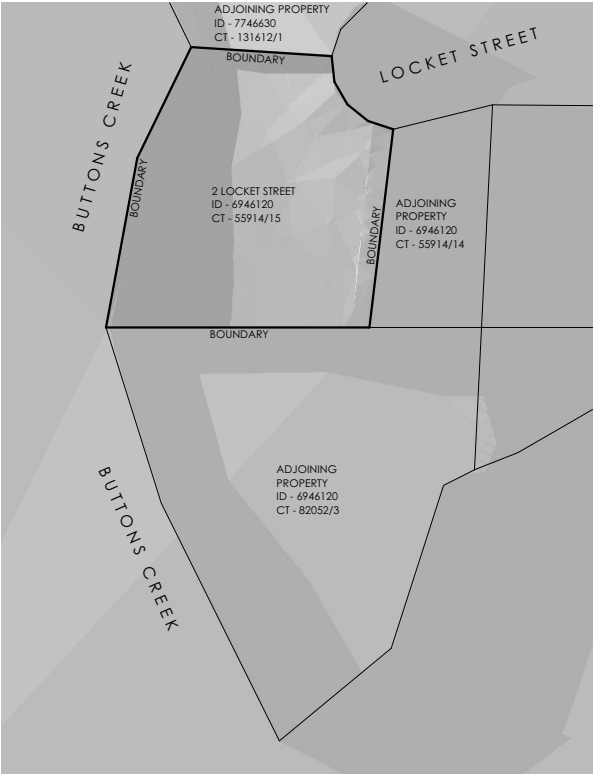
ISSUE: TENDER  
REV: 0



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21st JUNE 3pm  
SCALE 1:357.14  
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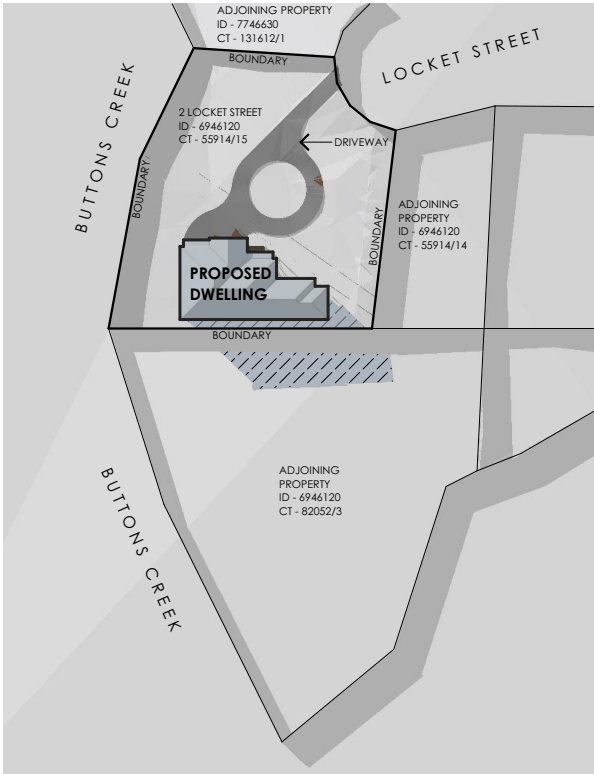


EXISTING SHADOW DIAGRAM  
21st JUNE 4pm  
SCALE 1:357.14  
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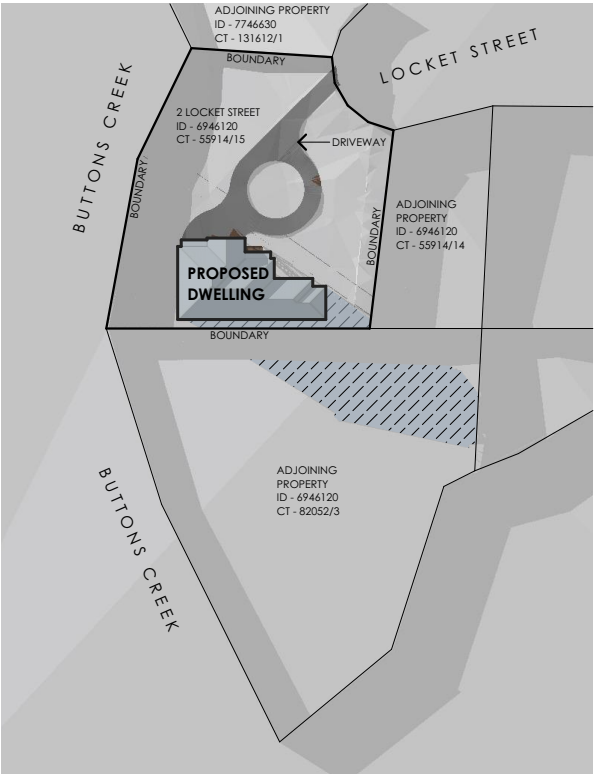


EXISTING SHADOW DIAGRAM  
21st JUNE 5pm  
SCALE 1:357.14  
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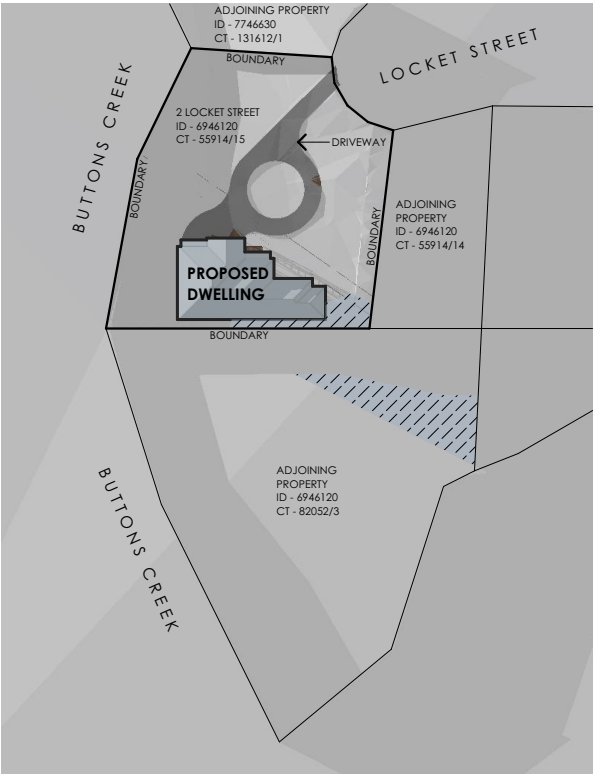
SHADOW CAST BY PROPOSAL



PROPOSED SHADOW DIAGRAM  
21st JUNE 3pm  
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PROPOSED SHADOW DIAGRAM  
21st JUNE 4pm  
SCALE 1:357.14  
0mm 3571.4 7142.8 10714.2 14285.6 17857



PROPOSED SHADOW DIAGRAM  
21st JUNE 5pm  
SCALE 1:357.14  
0mm 3571.4 7142.8 10714.2 14285.6 17857

# NEW DWELLING AND CONSOLIDATION OF TITLES

## 2A LOCKET STREET, ULVERSTONE TAS 7315

PROJECT NUMBER:  
**21017**

SCALE: IF IN DOUBT ASK  
**SCALE @ A3**

PRINT DATE:  
**7/04/2022**

0	ISSUED FOR TENDER	04.03.22
rev.	Amendment	Date
DRAWING No:	ISSUE: TENDER	
<b>A04</b>	5 of 14	REV: 0

FLOOR PLAN LEGEND

INSULATED 90x35mm MGP.10 OR .12  
TIMBER STUD FRAMED WALLS, Pb LINING  
INTERNALLY, PAINT FINISH.  
PROVIDE VAPOUR PERMEABLE BUILDING  
WRAP. LAP AND TAPE ALL JOINTS.  
REFER TO ELEVATIONS FOR EXTERNAL  
CLADDING SELECTION.  
REFER TO INSULATION SCHEDULE FOR  
THERMAL REQUIREMENTS (R-VALUES)

INTERNAL 90x35mm MGP.10 OR .12 TIMBER  
STUD WALL Pb LINING , PAINT FINISH

PAINT GRADE HOLLOW CORE INTERIOR  
SWING DOOR WITH ARCHITRAVES,  
JAMBS AND STOPS. PAINT FINISH

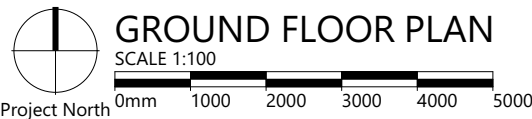
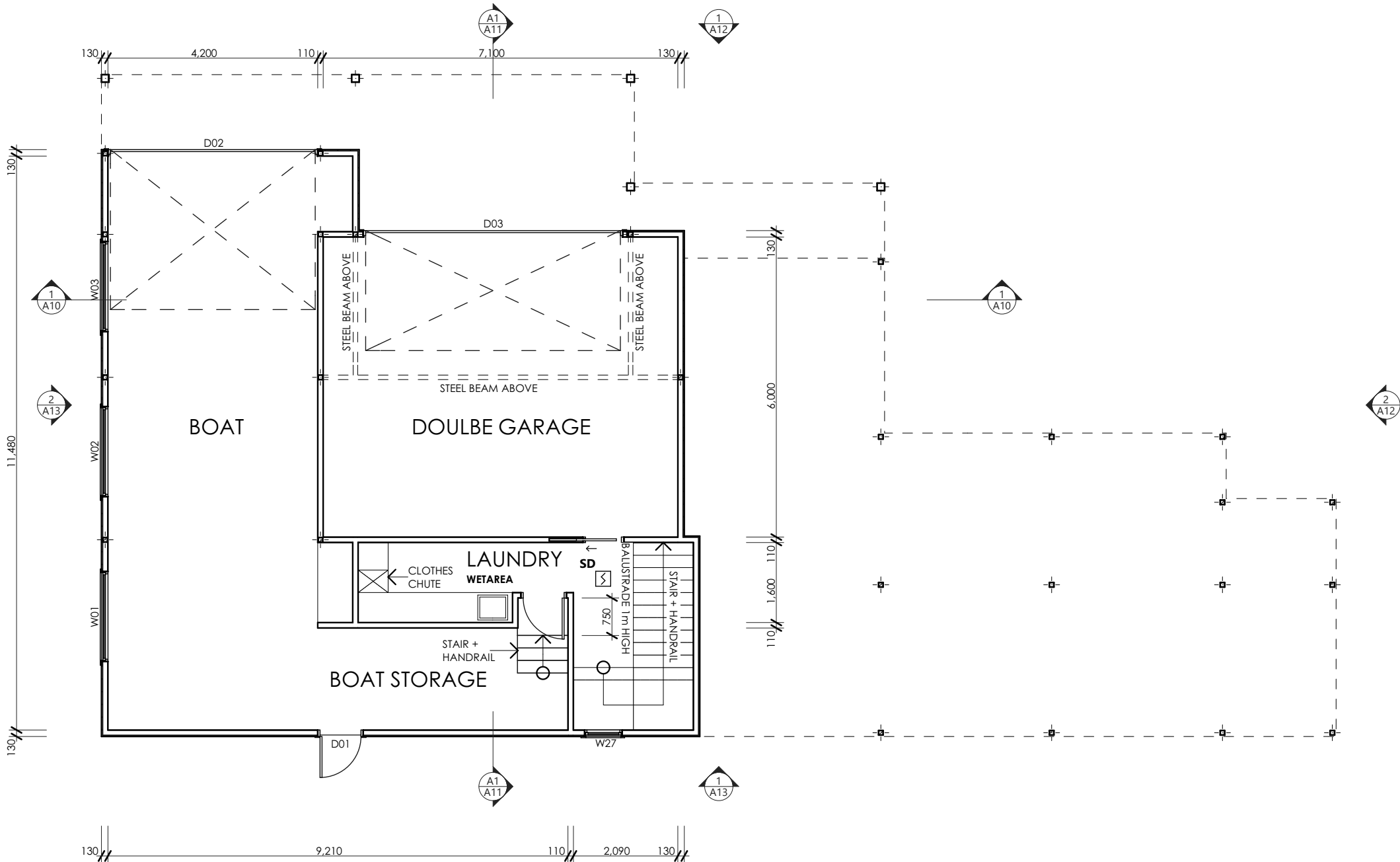
PAINT GRADE HOLLOW CORE (SOLID  
IN WETAREAS) INTERIOR CAVITY  
SLIDING DOOR WITH ARCHITRAVES  
AND JAMBS. PAINT FINISH

W## POWDERCOATED ALUMINIUM  
FRAMED GLAZED WINDOWS REFER  
TO DOOR AND WINDOW SCHEDULE

REFER TO HEALTH AND AMENITY  
INGENERAL REQUIREMENTS ON  
DRAWING A%% & WATERPROOFING  
TABLE ON DRAWING A%%

SD HARDWIRED SMOKE DETECTOR.  
REFER TO DRAWING A%% GENERAL  
REQUIREMENTS

DATO DADO PANELING TO OWNERS  
SPECIFICATIONS. 1.2m HIGH.



NEW DWELLING AND CONSOLIDATION OF TITLES  
2A LOCKET STREET, ULVERSTONE TAS 7315

PROJECT NUMBER:  
21017

SCALE: IF IN DOUBT ASK  
SCALE @ A3

PRINT DATE:  
7/04/2022

0	ISSUED FOR TENDER	04.03.22
rev.	Amendment	Date
DRAWING No:	ISSUE: TENDER	
A05	6 of 14	REV: 0



FLOOR PLAN LEGEND

INSULATED 90x35mm MGP.10 OR .12  
TIMBER STUD FRAMED WALLS, Pb LINING  
INTERNALLY, PAINT FINISH.  
PROVIDE VAPOUR PERMEABLE BUILDING  
WRAP. LAP AND TAPE ALL JOINTS.  
REFER TO ELEVATIONS FOR EXTERNAL  
CLADDING SELECTION.  
REFER TO INSULATION SCHEDULE FOR  
THERMAL REQUIREMENTS (R-VALUES)

INTERNAL 90x35mm MGP.10 OR .12 TIMBER  
STUD WALL Pb LINING , PAINT FINISH

PAINT GRADE HOLLOW CORE INTERIOR  
SWING DOOR WITH ARCHITRAVES,  
JAMBS AND STOPS. PAINT FINISH

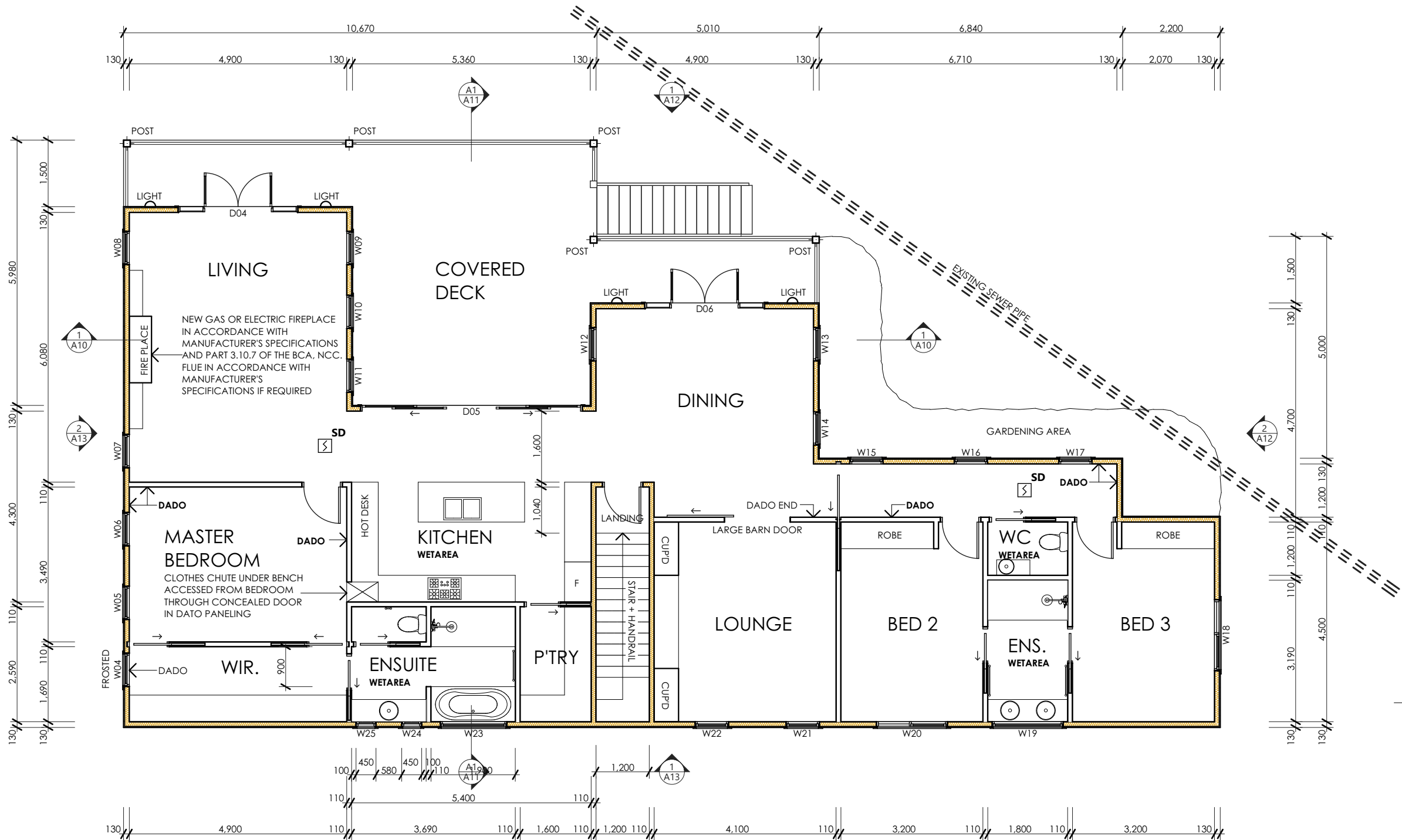
PAINT GRADE HOLLOW CORE (SOLID  
IN WETAREAS) INTERIOR CAVITY  
SLIDING DOOR WITH ARCHITRAVES  
AND JAMBS. PAINT FINISH

W## POWDERCOATED ALUMINIUM  
FRAMED GLAZED WINDOWS REFER  
TO DOOR AND WINDOW SCHEDULE

REFER TO HEALTH AND AMENITY  
INGENERAL REQUIREMENTS ON  
DRAWING A%% & WATERPROOFING  
TABLE ON DRAWING A%%

SD HARDWIRED SMOKE DETECTOR.  
REFER TO DRAWING A%% GENERAL  
REQUIREMENTS

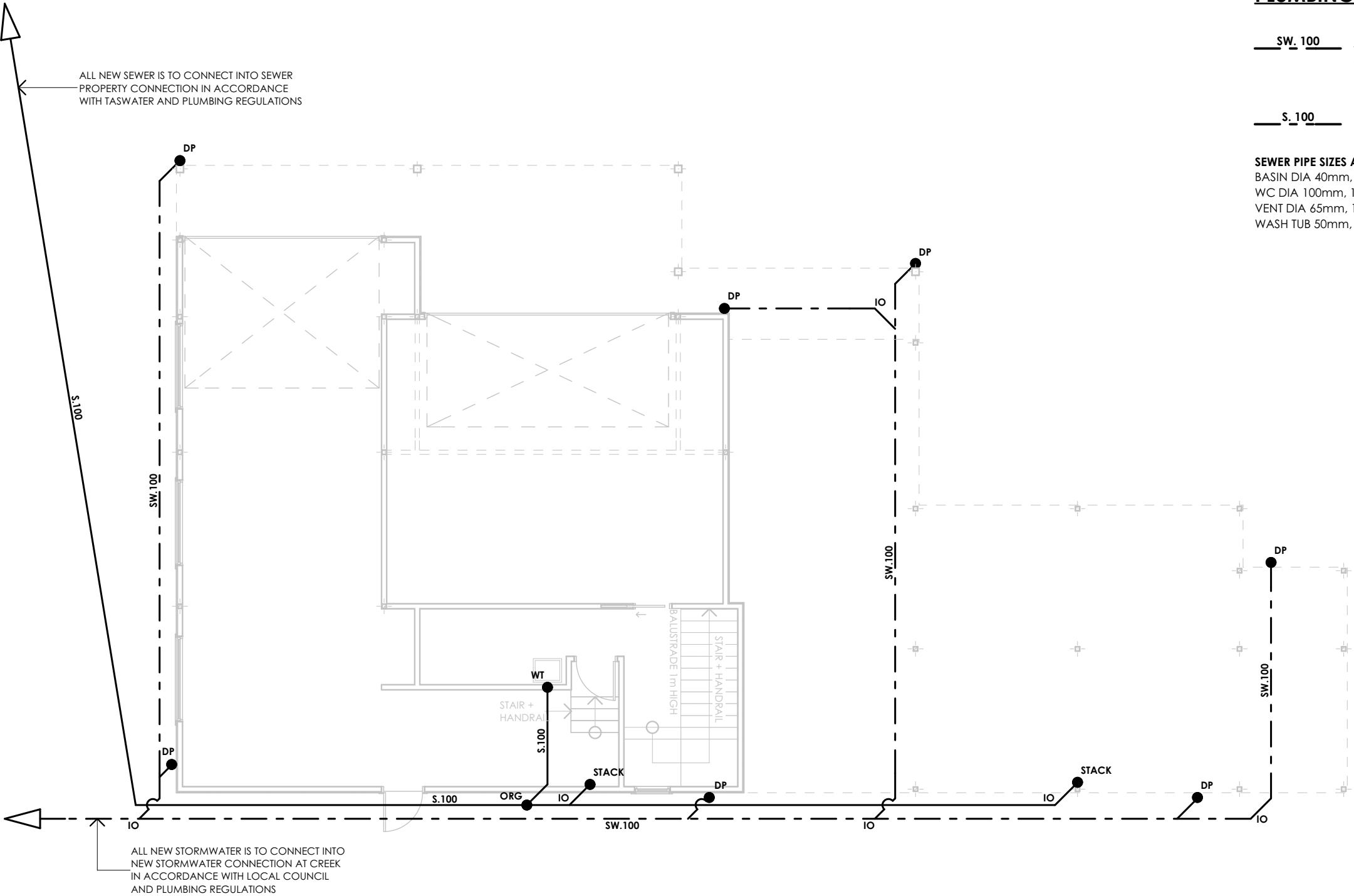
DATO DADO PANELING TO OWNERS  
SPECIFICATIONS. 1.2m HIGH.



FIRST FLOOR PLAN  
SCALE 1:100  
0mm 1000 2000 3000 4000 5000  
Project North

NEW DWELLING AND CONSOLIDATION OF TITLES  
2A LOCKET STREET, ULVERSTONE TAS 7315

PROJECT NUMBER: 21017	SCALE: IF IN DOUBT ASK SCALE @ A3	PRINT DATE: 7/04/2022	0 ISSUED FOR TENDER rev. Amendment	04.03.22 Date
DRAWING No: A06			ISSUE: TENDER REV: 0	



PLUMBING LEGEND

- SW\_100** NEW 100mm DWV PVC SN6 STORMWATER PIPE WITH 1: 100 MINIMUM GRADE UNLESS NOTED OTHERWISE BELOW
- S\_100** NEW 100mm DWV PVC SN6 SEWER PIPE WITH 1: 60 MINIMUM GRADE UNLESS NOTED OTHERWISE BELOW

- SEWER PIPE SIZES AND GRADES**
- BASIN DIA 40mm, 1: 40 SINK 50mm, 1: 40  
WC DIA 100mm, 1: 40 BATH DIA 50mm, 1: 40  
VENT DIA 65mm, 1: 40 SHOWER DIA 50mm, 1: 40  
WASH TUB 50mm, 1: 40 FLOOR WASTE DIA 65mm, 1: 40

PLUMBING NOTES

**COLD WATER SERVICES** IN ACCORDANCE WITH PART B1. NCC PLUMBING CODE OF AUSTRALIA VOLUME THREE THE DESIGN, CONSTRUCTION AND INSTALLATION OF COLD WATER SERVICES MUST BE IN ACCORDANCE WITH AS/NZS 3500.1 OR SECTION 2 OF AS/NZS 3500.5 AS APPROPRIATE AND THE REQUIREMENTS OF THIS PART. BACKFLOW SHALL BE INSTALLED TO ALL COLD WATER SUPPLY IN ACCORDANCE WITH AS/NZS 2845. WATER SUPPLY PRESSURE SHALL BE SET TO MAXIMUM 500kpa

**HEATED WATER SERVICES** IN ACCORDANCE WITH PART B2. NCC PLUMBING CODE OF AUSTRALIA VOLUME THREE THE DESIGN, CONSTRUCTION AND INSTALLATION OF A HEATED WATER SERVICE MUST BE IN ACCORDANCE WITH AS/NZS 3500.4 OR SECTION 3 OF AS/NZS 3500.5 AS APPROPRIATE AND THE REQUIREMENTS OF THIS PART. HEATED WATER MUST BE STORED AT A MINIMUM OF 60o. HEATED WATER SHALL BE TEMPERED TO 50o TO ALL SANITARY FIXTURES FOR PERSONAL HYGIENE PURPOSES. HEATED WATER SHALL BE DELIVERED AT 60o FOR KITCHEN AND LAUNDRY FIXTURES.

**NON-DRINKING WATER SERVICES** IN ACCORDANCE WITH PART B3. NCC PLUMBING CODE OF AUSTRALIA VOLUME THREE THE DESIGN, CONSTRUCTION AND INSTALLATION OF A NON-DRINKING WATER SERVICE MUST BE IN ACCORDANCE WITH AS/NZS 3500.1 OR SECTION 2 OF AS/NZS 3500.5 AS APPROPRIATE AND THE REQUIREMENTS OF THIS PART

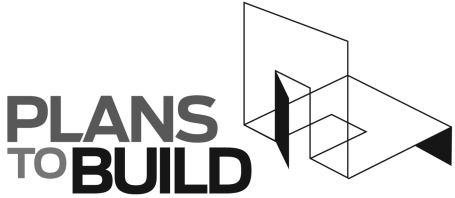
**SANITARY PLUMBING SYSTEMS** IN ACCORDANCE WITH PART C1. NCC PLUMBING CODE OF AUSTRALIA VOLUME THREE THE DESIGN, CONSTRUCTION AND INSTALLATION OF A SANITARY PLUMBING SYSTEM MUST BE IN ACCORDANCE WITH AS/NZS 3500.2 OR SECTION 4 OF AS/NZS 3500.5 AS APPROPRIATE AND THE REQUIREMENTS OF THIS PART

**ROOF DRAINAGE SYSTEMS** IN ACCORDANCE WITH PART D1. NCC PLUMBING CODE OF AUSTRALIA VOLUME THREE THE DESIGN, CONSTRUCTION AND INSTALLATION OF A ROOF DRAINAGE SYSTEM MUST BE IN ACCORDANCE WITH AS/NZS 3500.3 OR FOR CLASS 1 AND CLASS 10 BUILDINGS, COMPLY WITH THE DEEMED-TO-SATISFY PROVISIONS OF PARTS 3.1.2 AND 3.5.2 OF VOLUME TWO OF THE BUILDING CODE OF AUSTRALIA

GROUND FLOOR DRAINAGE PLAN  
SCALE 1:100  
0mm 1000 2000 3000 4000 5000  
Project North

NEW DWELLING AND CONSOLIDATION OF TITLES  
2A LOCKET STREET, ULVERSTONE TAS 7315

PROJECT NUMBER: 21017	SCALE: IF IN DOUBT ASK SCALE @ A3	PRINT DATE: 7/04/2022	DRAWING No: A07		ISSUE: TENDER	
			8 of 14		REV: 0	



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Tasmania, 7250.  
Tel - 6388 9287 - Mob - 0400 655 771  
Email - leigh@planstobuild.com.au  
**L.M.DELL LIC. No. CC5932 G**

**Owner:**  
**CHARLIE AND**  
**LOUISE VELLA**

0	ISSUED FOR TENDER	04.03.22
rev.	Amendment	Date

PLUMBING LEGEND

- SW\_100

NEW 100mm DWV PVC SN6  
STORMWATER PIPE WITH 1: 100  
MINIMUM GRADE  
UNLESS NOTED OTHERWISE BELOW
- S\_100

NEW 100mm DWV PVC SN6 SEWER  
PIPE WITH 1: 60 MINIMUM GRADE  
UNLESS NOTED OTHERWISE BELOW

- SEWER PIPE SIZES AND GRADES

BASIN DIA 40mm, 1: 40    SINK 50mm, 1: 40  
WC DIA 100mm, 1: 40    BATH DIA 50mm, 1: 40  
VENT DIA 65mm, 1: 40    SHOWER DIA 50mm, 1: 40  
WASH TUB 50mm, 1: 40    FLOOR WASTE DIA 65mm, 1: 40

PLUMBING NOTES

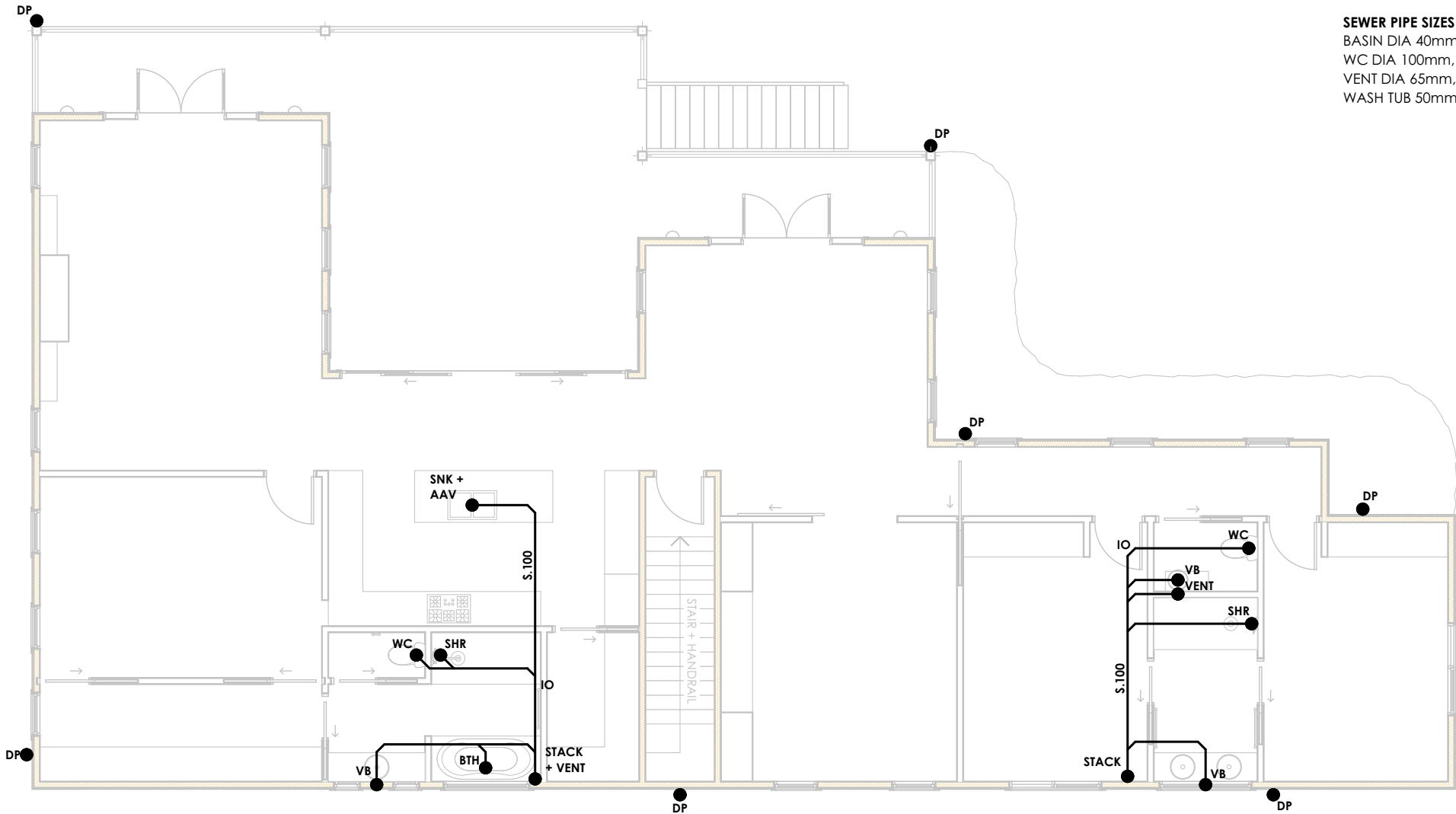
**COLD WATER SERVICES** IN ACCORDANCE WITH PART B1. NCC PLUMBING CODE OF AUSTRALIA VOLUME THREE THE DESIGN, CONSTRUCTION AND INSTALLATION OF COLD WATER SERVICES MUST BE IN ACCORDANCE WITH AS/NZS 3500.1 OR SECTION 2 OF AS/NZS 3500.5 AS APPROPRIATE AND THE REQUIREMENTS OF THIS PART. BACKFLOW SHALL BE INSTALLED TO ALL COLD WATER SUPPLY IN ACCORDANCE WITH AS/NZS 2845. WATER SUPPLY PRESSURE SHALL BE SET TO MAXIMUM 500kpa

**HEATED WATER SERVICES** IN ACCORDANCE WITH PART B2. NCC PLUMBING CODE OF AUSTRALIA VOLUME THREE THE DESIGN, CONSTRUCTION AND INSTALLATION OF A HEATED WATER SERVICE MUST BE IN ACCORDANCE WITH AS/NZS 3500.4 OR SECTION 3 OF AS/NZS 3500.5 AS APPROPRIATE AND THE REQUIREMENTS OF THIS PART. HEATED WATER MUST BE STORED AT A MINIMUM OF 60o. HEATED WATER SHALL BE TEMPERED TO 50o TO ALL SANITARY FIXTURES FOR PERSONAL HYGIENE PURPOSES. HEATED WATER SHALL BE DELIVERED AT 60o FOR KITCHEN AND LAUNDRY FIXTURES.

**NON-DRINKING WATER SERVICES** IN ACCORDANCE WITH PART B3. NCC PLUMBING CODE OF AUSTRALIA VOLUME THREE THE DESIGN, CONSTRUCTION AND INSTALLATION OF A NON-DRINKING WATER SERVICE MUST BE IN ACCORDANCE WITH AS/NZS 3500.1 OR SECTION 2 OF AS/NZS 3500.5 AS APPROPRIATE AND THE REQUIREMENTS OF THIS PART

**SANITARY PLUMBING SYSTEMS** IN ACCORDANCE WITH PART C1. NCC PLUMBING CODE OF AUSTRALIA VOLUME THREE THE DESIGN, CONSTRUCTION AND INSTALLATION OF A SANITARY PLUMBING SYSTEM MUST BE IN ACCORDANCE WITH AS/NZS 3500.2 OR SECTION 4 OF AS/NZS 3500.5 AS APPROPRIATE AND THE REQUIREMENTS OF THIS PART

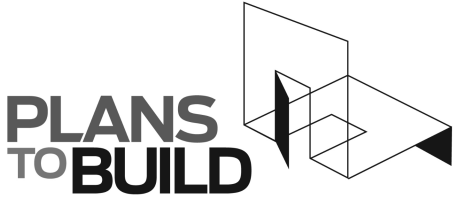
**ROOF DRAINAGE SYSTEMS** IN ACCORDANCE WITH PART D1. NCC PLUMBING CODE OF AUSTRALIA VOLUME THREE THE DESIGN, CONSTRUCTION AND INSTALLATION OF A ROOF DRAINAGE SYSTEM MUST BE IN ACCORDANCE WITH AS/NZS 3500.3 OR FOR CLASS 1 AND CLASS 10 BUILDINGS, COMPLY WITH THE DEEMED-TO-SATISFY PROVISIONS OF PARTS 3.1.2 AND 3.5.2 OF VOLUME TWO OF THE BUILDING CODE OF AUSTRALIA



FIRST FLOOR DRINAGE PLAN  
SCALE 1:100  
0mm 1000 2000 3000 4000 5000  
Project North

NEW DWELLING AND CONSOLIDATION OF TITLES  
2A LOCKET STREET, ULVERSTONE TAS 7315

PROJECT NUMBER:	SCALE: IF IN DOUBT ASK	PRINT DATE:		
21017	SCALE @ A3	7/04/2022		



ABN 23 269 055 701  
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Email - leigh@planstobuild.com.au  
**L.M.DELL LIC. No. CC5932 G**

**Owner:**  
**CHARLIE AND**  
**LOUISE VELLA**

0	ISSUED FOR TENDER	04.03.22
rev.	Amendment	Date
DRAWING No:	ISSUE: TENDER	
<b>A08</b>		
9 of 14	REV: 0	

ROOF PLAN NOTES

METAL SHEET ROOFING SHALL BE IN ACCORDANCE WITH PART 3.5.1. OF THE BCA. WHEREVER POSSIBLE HAVE THE SHEETS LAID SO THAT THE SIDE LAPS ARE FACING AWAY FROM THE PREVAILING WEATHER.

GUTTERS AND DOWNPIPES SHALL BE IN ACCORDANCE WITH PART 3.5.2 OF THE BCA. ALL DWV PVC DOWNPIPES TO BE JOINTED WITH APPROVED SOLVENT AND PRIMER. PAINT FINISH.

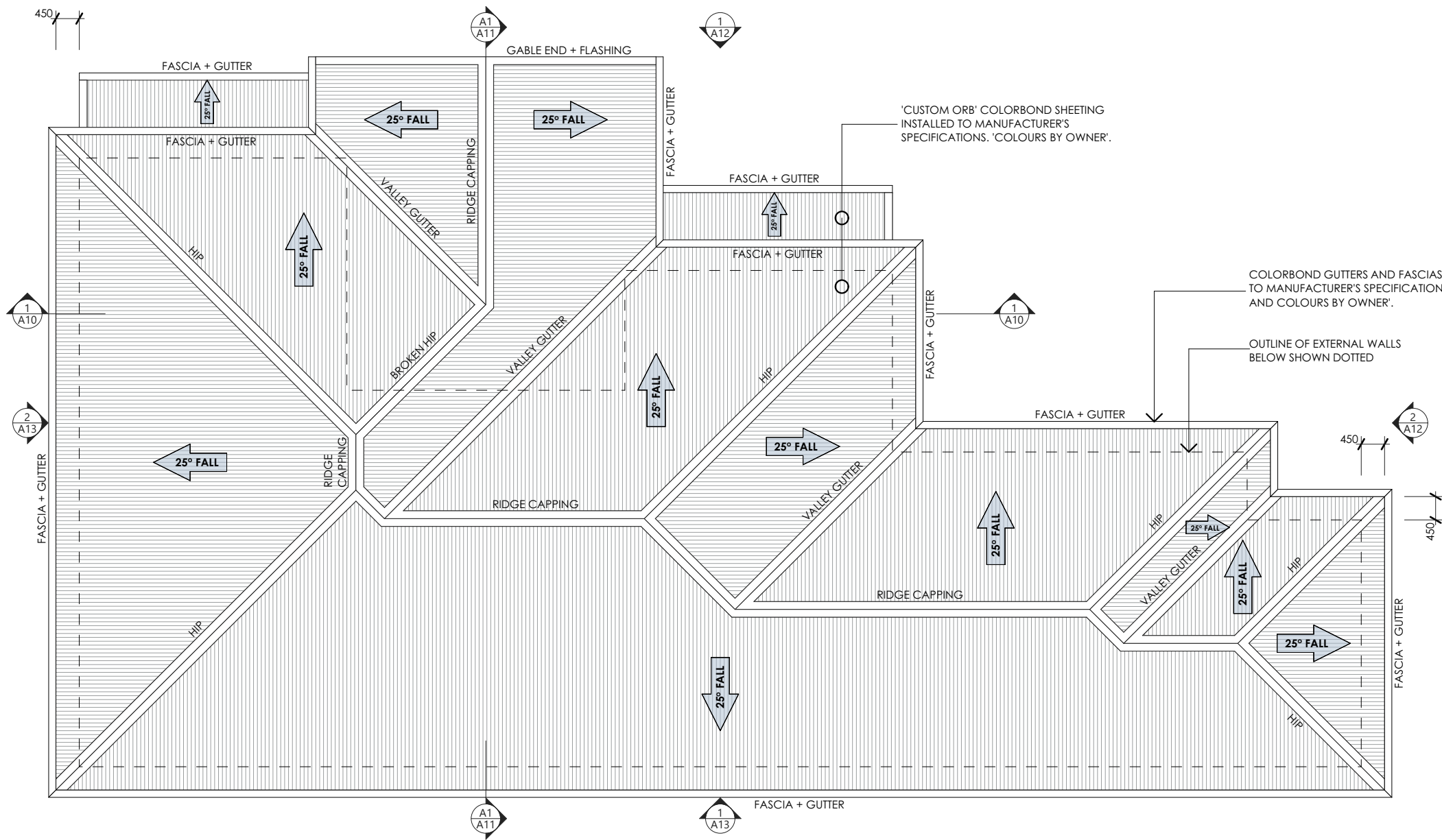
AN AUSTRALIAN STANDARD ROOF SAFETY MESH OR AN APPROVED ROOF SAFETY HARNESS OR RESTRAINT SYSTEM SHALL BE USED DURING INSTALLATION.

ROOF SHEETS MUST BE LAID WHEREVER POSSIBLE USING COMPLETE LENGTHS FROM RIDGES TO EAVES. SHEET METAL ROOF, CAPPINGS, FLASHINGS AND PENETRATIONS ARE TO COMPLY WITH PARTS 3.5.1.2 & 3.5.1.3 AND OF THE BCA.

REFER TO ENGINEERS DETAILS FOR ROOF FRAMING. ENSURE THE ROOF SPACE IS VENTILATED AT THE RIDGE CAPPING AND VIA VENTS LOCATED AT THE EAVES.

ROOF BATTENS MUST BE FIXED IN ACCORDANCE WITH AS 1684.4 SECTION 9 TABLES 9.2 TO 9.7.

REFER TO INSULATION SCHEDULE FOR INSULATION REQUIREMENTS.



Project North

0mm10002000300040005000

ROOF PLAN  
SCALE 1:100

NEW DWELLING AND CONSOLIDATION OF TITLES

2A LOCKET STREET, ULVERSTONE TAS 7315

PROJECT NUMBER:

21017

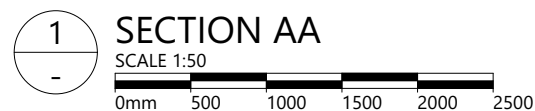
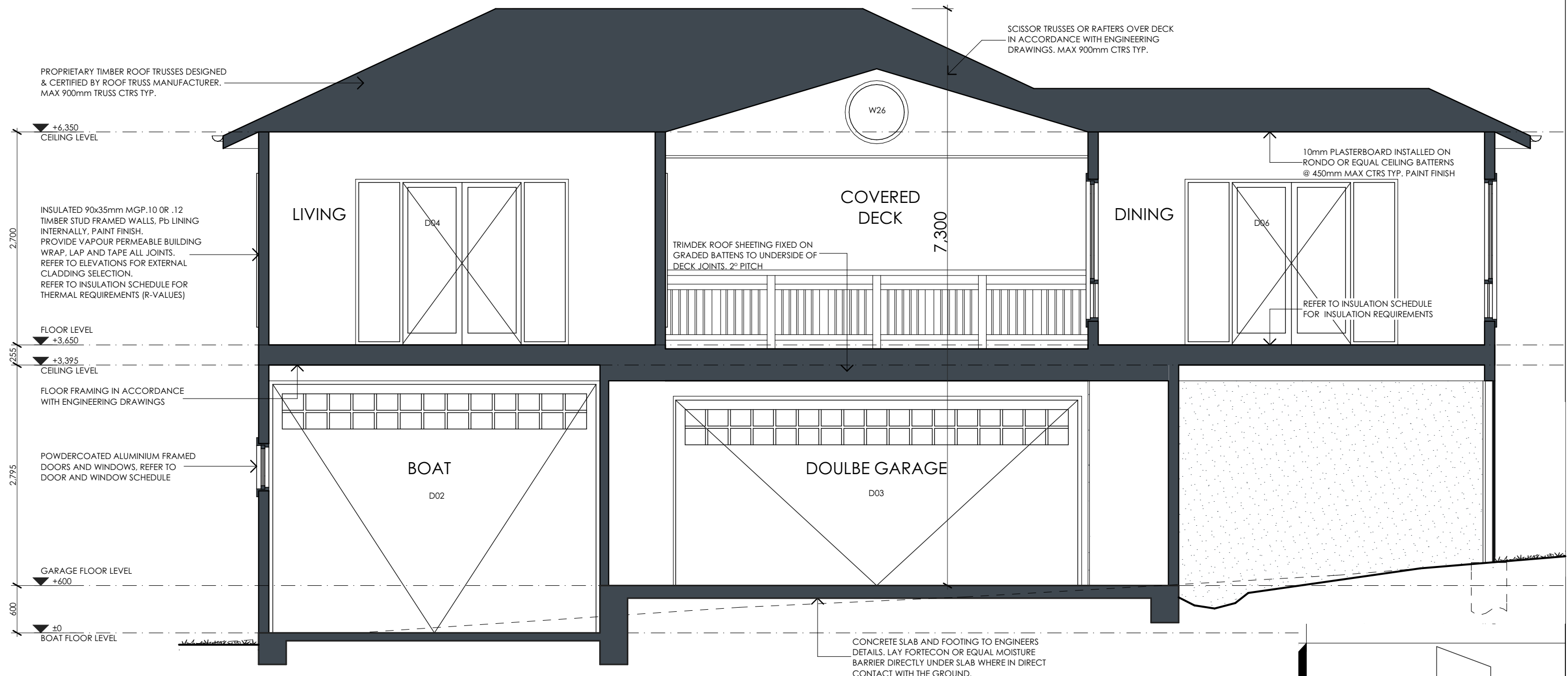
SCALE: IF IN DOUBT ASK

SCALE @ A3

PRINT DATE:

7/04/2022

0	ISSUED FOR TENDER	04.03.22
rev.	Amendment	Date
DRAWING No:	ISSUE: TENDER	
A09	10 of 14	REV: 0



PLANS  
TOBUILD

ABN 23 269 055 701  
Level 2, 93 York Street, Launceston  
Tasmania, 7250.  
Tel - 6388 9287 - Mob - 0400 655 771  
Email - leigh@planstobuild.com.au  
**L.M.DELL LIC. No. CC5932 G**

**Owner:**  
**CHARLIE AND**  
**LOUISE VELLA**

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rev.	Amendment	Date
DRAWING No:	ISSUE: TENDER	
<b>A10</b>	11 of 14	REV: 0

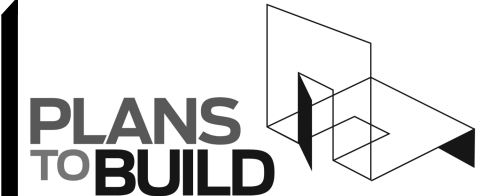
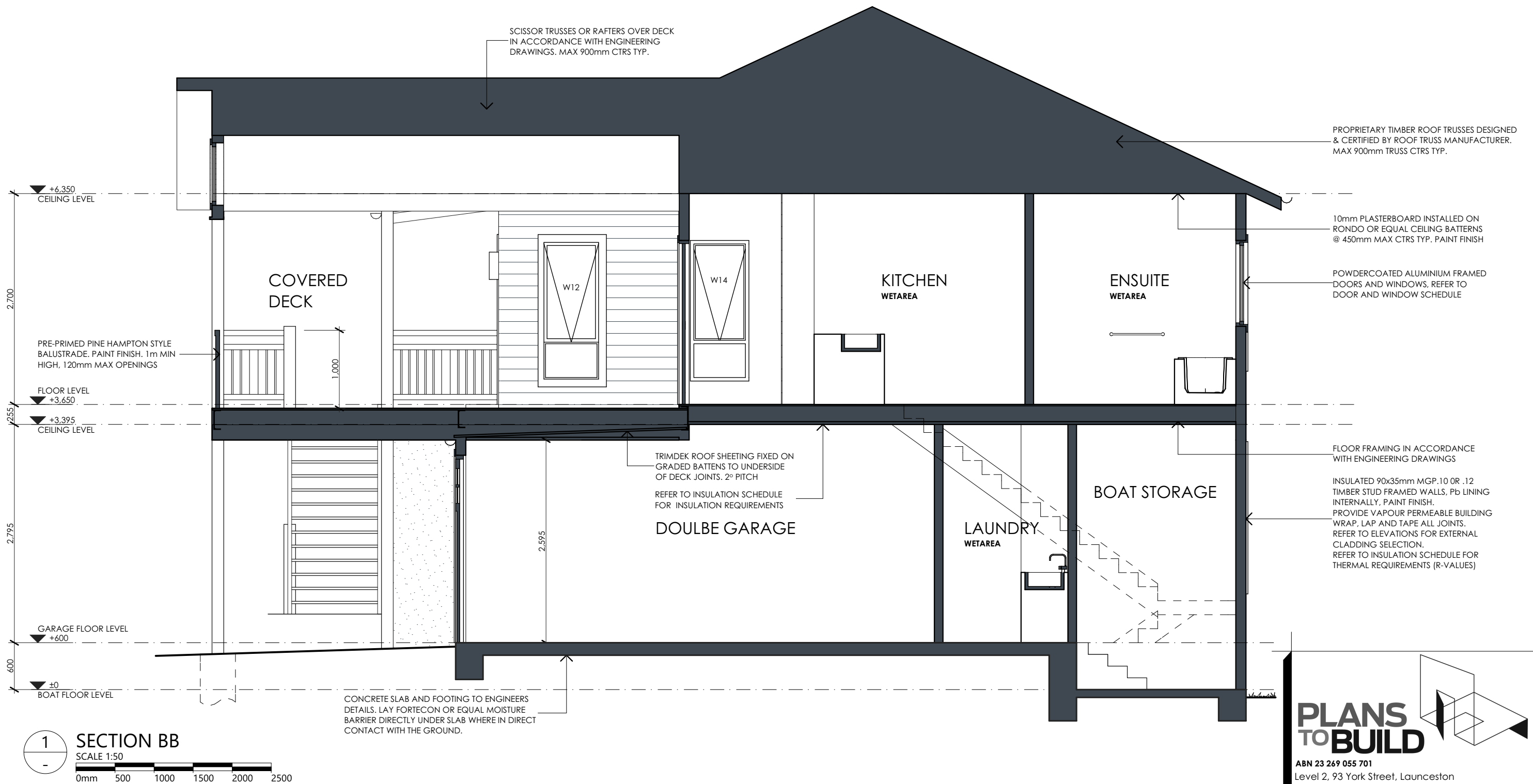
# NEW DWELLING AND CONSOLIDATION OF TITLES

## 2A LOCKET STREET, ULVERSTONE TAS 7315

PROJECT NUMBER:  
**21017**

SCALE: IF IN DOUBT ASK  
**SCALE @ A3**

PRINT DATE:  
**7/04/2022**



ABN 23 269 055 701  
Level 2, 93 York Street, Launceston  
Tasmania, 7250.  
Tel - 6388 9287 - Mob - 0400 655 771  
Email - leigh@planstobuild.com.au  
**L.M.DELL LIC. No. CC5932 G**

**Owner:**  
**CHARLIE AND**  
**LOUISE VELLA**

0	ISSUED FOR TENDER	04.03.22
rev.	Amendment	Date
DRAWING No:	ISSUE: TENDER	
<b>A11</b>	12 of 14	REV: 0

# NEW DWELLING AND CONSOLIDATION OF TITLES

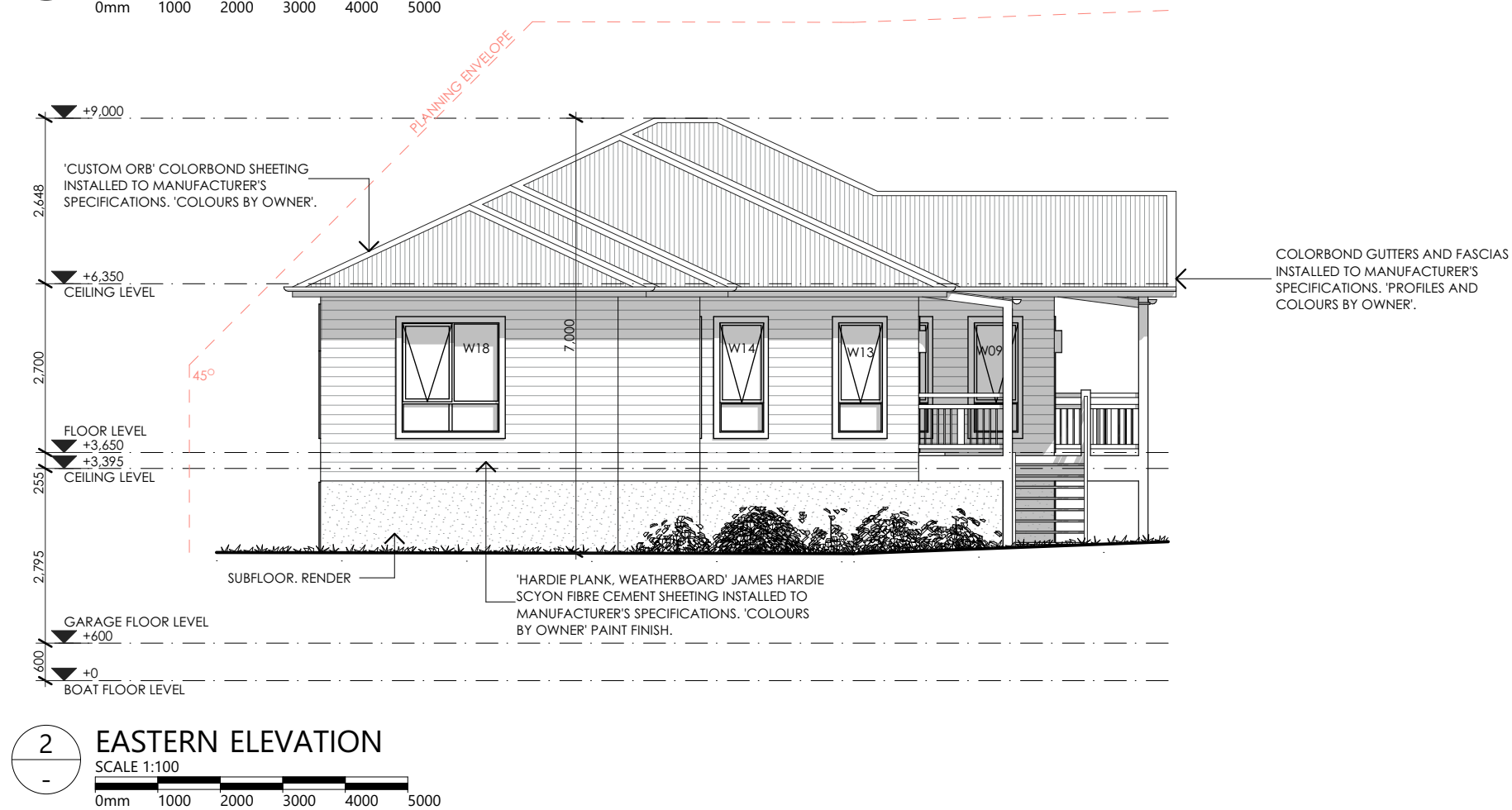
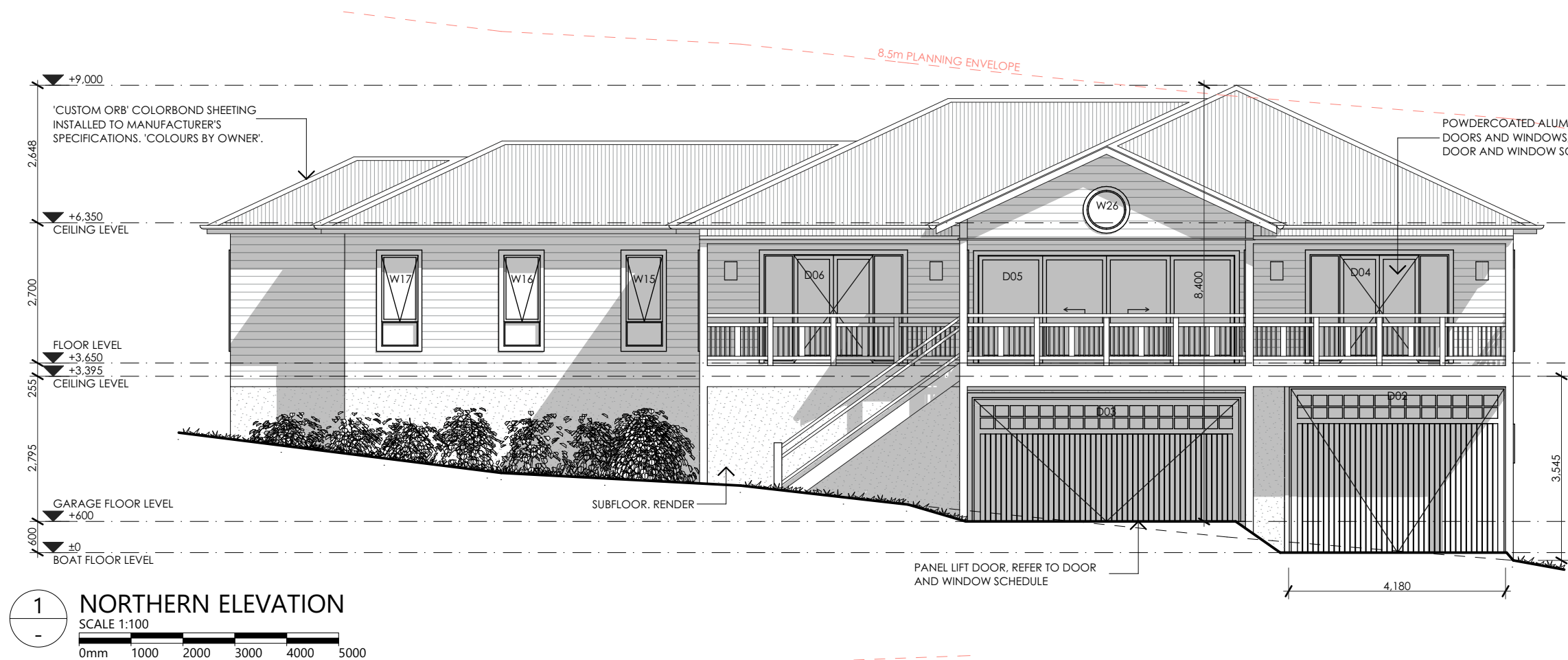
## 2A LOCKET STREET, ULVERSTONE TAS 7315

PROJECT NUMBER:  
**21017**

SCALE: IF IN DOUBT ASK  
**SCALE @ A3**

PRINT DATE:  
**7/04/2022**





## ELEVATION NOTES

WALL CLADDING SYSTEMS MUST BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURES DETAILS, INSTRUCTIONS & SPECIFICATIONS.

INSTALL THE WALL CLADDING SYSTEM COMPLETE WITH JOINTS, TRIMS, FLASHINGS, SEALS, FIXINGS & FINISHES IN STRICT ACCORDANCE WITH MANUFACTURES DETAILS TO ENSURE A WEATHER-PROOF AND WATERTIGHT INSTALLATION.

REFER TO GLAZING CALCULATOR FOR WINDOW & GLAZING DETAILS TYP.

# NEW DWELLING AND CONSOLIDATION OF TITLES

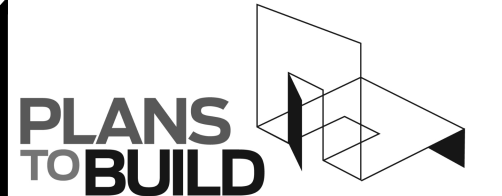
## 2A LOCKET STREET, ULVERSTONE TAS 7315

PROJECT NUMBER:  
**21017**

SCALE: IF IN DOUBT ASK  
**SCALE @ A3**

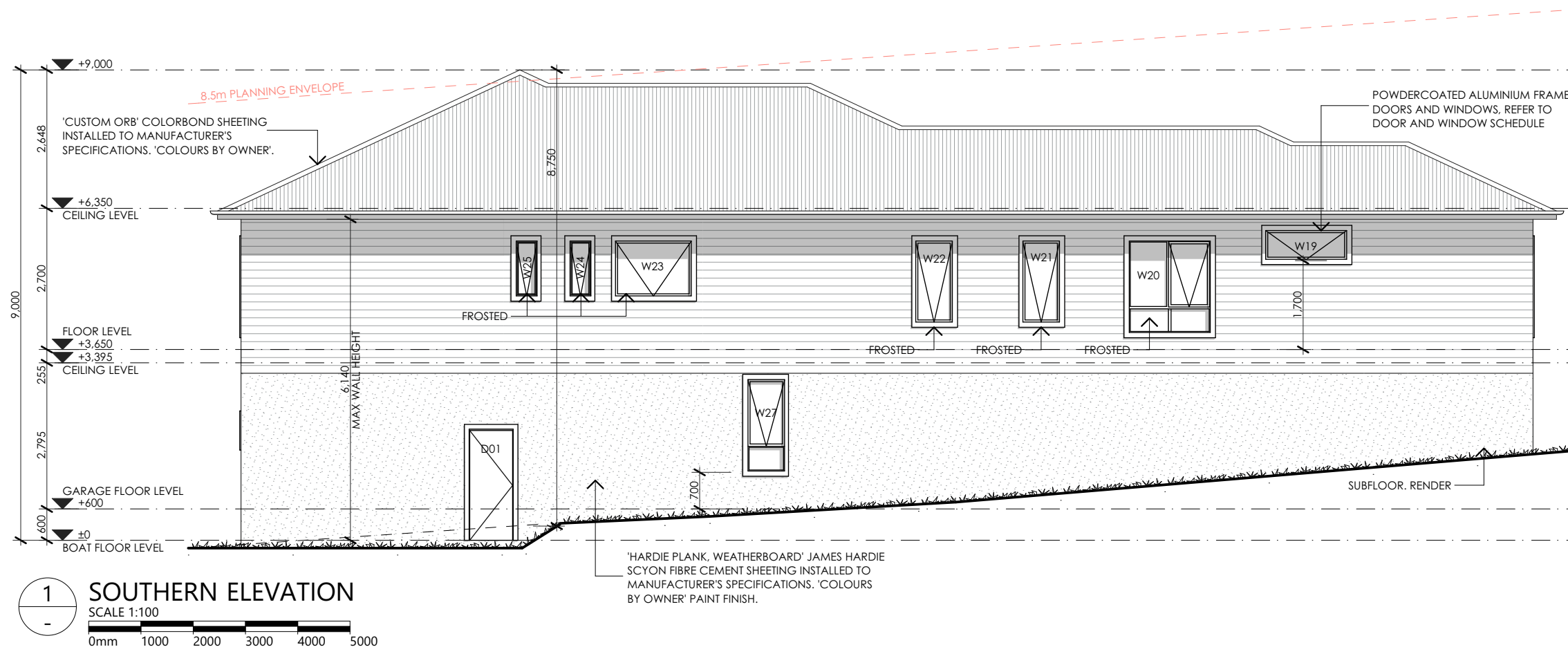
PRINT DATE:  
**7/04/2022**

0	ISSUED FOR TENDER	04.03.22
rev.	Amendment	Date
DRAWING No:	ISSUE: TENDER	
<b>A12</b>	13 of 14	REV: 0



ABN 23 269 055 701  
Level 2, 93 York Street, Launceston  
Tasmania, 7250.  
Tel - 6388 9287 - Mob - 0400 655 771  
Email - leigh@planstobuild.com.au  
**L.M.DELL LIC. No. CC5932 G**

**Owner:**  
**CHARLIE AND**  
**LOUISE VELLA**



## ELEVATION NOTES

WALL CLADDING SYSTEMS MUST BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURES DETAILS, INSTRUCTIONS & SPECIFICATIONS.

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REFER TO GLAZING CALCULATOR FOR WINDOW & GLAZING DETAILS TYP.



# NEW DWELLING AND CONSOLIDATION OF TITLES

## 2A LOCKET STREET, ULVERSTONE TAS 7315

PROJECT NUMBER:  
**21017**

SCALE: IF IN DOUBT ASK  
**SCALE @ A3**

PRINT DATE:  
**7/04/2022**

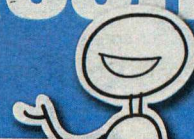
0	ISSUED FOR TENDER	04.03.22
rev.	Amendment	Date
DRAWING No:	ISSUE: TENDER	
<b>A13</b>	14 of 14	REV: 0



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Phone: 1300 363 789  
Email: classifieds@theadvocate.com.au



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The Advocate

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Save time, submit online 24/7  
adirect.com.au

Print and online packages available  
throughout Australia  
Advertising self service enquiries:  
adsonline@austcommunitymedia.com.au



Self Service

## Death Notices

### DICK

Beverley  
Dearly loved mother  
of Wayne.

At peace now,  
Forever loved.



### FENTON Anthony Robert

Dearly loved and  
loving husband of  
Jenny for 29 years.  
Devoted father of  
Miranda.  
Tony passed away  
peacefully Sunday  
April 10, after a short  
but brave battle with  
pancreatic cancer.  
Now free of pain and  
at peace. Forever  
young at 61.  
He will remain in  
our hearts forever.

Funeral notice later.



## Death Notices

### FLOWERS (Nee Strickland) Anne Elizabeth

Beloved daughter of Nellie May (Dec). Dearly  
loved sister and sister-in-law of Bill (Dec) &  
Robyn, Tony & Sue, Wayne & Monette,  
Lorraine & Carl (Dec). Much loved Auntie of all  
her Nieces & Nephews.



## Death Notices

### LUKE

Daryl William

22.5.1929 - 11.4.2022  
Passed away  
peacefully at  
Umina Park.

Dearly loved husband  
of Ellen (dec). Dearly  
loved father and  
father-in-law of Jenny  
and Leo Newall,  
Gaylene and  
Lawrence Bloom,  
Nadeane and Glenn  
Clarke and John  
Ashwood (dec). Loved  
Pop and Poppa of his  
grandchildren and  
great-grandchildren.

Dearly loved Dad of  
Jenny and Leo. Pop of  
David, Amanda,  
Dakota, Jayden,  
Richard, Allison, Liam,  
Deanna, Danny, Kobe,  
Logan, McKayla,  
Matthew, Elijah,  
Isabella and Lincoln.  
One last train  
ride Dad,  
Mum is waiting  
at the station.

Loved and loving  
father of Gaylene and  
Lawrence. Loved Pop  
of Kristy (dec), Ben  
and Rachel, Erin (dec),  
Adam, Troy and Bron.  
Much loved Poppa of  
Mackenna, Rylee,  
Ashton, Harper and  
Violet.

Just how you  
wanted Dad,  
to be back in  
Mum's arms xxx

Our dearly loved Dad,  
Pop and Poppa.  
We will miss you  
terribly.

How lucky we were to  
have you in our lives  
for so long.

Loved father of  
Nadeane and  
father-in-law of Glenn  
Clarke. Pop of Kade  
and Erin Ashwood,  
Emmy and Adam  
Crook, Cody and  
Nicole Ashwood. The  
sweetest Poppa of  
Rory and Sophie  
Ashwood, Liam and  
Freya Crook, Bailey,  
Taleah, Rylan and  
Darcy Ashwood.

### PADMAN Sheryl Joan

09.07.1956-10.04.2022  
Loved wife of  
Christopher Padman.  
Loving mother to  
Jocelyn, Anne-Maree,  
Melissa and  
mother-in-law to Joe  
and Johnny. Devoted  
grandmother to  
Ashton, Chelsea,  
Marshall, Hayley and  
Max.  
Missed but never  
forgotten...

## Funeral Notices

### LUKE

Daryl William

The family and friends  
of the late Mr Daryl  
Luke are respectfully  
invited to attend his  
funeral service, which  
is to be held in the  
Chapel of Parkside  
Funerals, 254 East  
Cam Rd, Burnie, on  
THURSDAY, April 21,  
2022, commencing at  
2pm.

Private cremation at  
Parkside Garden  
Crematorium.



TELEPHONE 6433 4010

### PADMAN Sheryl Joan

The family and friends  
of the late Mrs Sheryl  
Padman are  
respectfully invited to  
attend her graveside  
funeral service which  
is to be held at the  
Montagu Catholic  
Cemetery, Old Port  
Road, Montagu, on  
WEDNESDAY, April  
20, 2022, commencing  
at 1pm.



TELEPHONE 6433 4010

### QUILLIAM Lona Lillian

Family and friends of  
Mrs Lona Quilliam are  
warmly invited to  
attend her funeral  
which is appointed to  
arrive at the  
Mersey Vale  
Memorial Park,  
Stony Rise Road,  
Devonport on  
WEDNESDAY 20th  
April, 2022 at 2:00pm  
for the graveside  
service and interment.



6423 4000

## Beauty Health and Fitness

A MASSAGE relax and  
unwind, Devonport.  
Michelle 0407 901 125.

## Livestock

## Ulverstone Pet Food

Stock wanted, suitable  
for pet food.  
Ph. 6425 5822 or  
0408 141 972 (AH).

## Church Notices

### DEVONPORT COMMUNITY CHURCH

33 Formby Road  
Good Friday Service:  
8am

Easter Sunday:  
10:30am & 7pm  
You are welcome

Ph. 6424 5731

## Local Government



19 King Edward Street  
Ulverstone Tasmania 7315  
Tel. 03 8429 8900  
admin@centralcoast.tas.gov.au  
www.centralcoast.tas.gov.au

### APPLICATIONS FOR PLANNING PERMITS

5.57 Land Use Planning and Approvals Act 1993.

The following applications have been received:

Application No.: DA2021346  
Location: 2A Locket Street & 23 Heathcote  
Street, Ulverstone  
Proposal: Subdivision - consolidation and  
creation of two lots and Residential -  
dwelling  
Performance: Setbacks and building envelope  
Criteria: for all dwellings and reliance on  
C7.0 Natural Assets Code

Application No.: DA2022066  
Location: 9A Seaside Crescent, Penguin  
Proposal: Residential - dwelling and shed  
Performance: Setbacks and building envelope  
Criteria: for all dwellings

Application No.: DA2022075  
Location: 29-31 Alexandra Road, Ulverstone  
Proposal: Subdivision - reconfiguration of  
boundaries  
Performance: Setbacks and building envelope  
Criteria: for all dwellings and Lot design

The applications may be viewed at the Administration  
Centre during office hours and on the Council's  
website. Any person may make representation in  
relation to an application (in accordance with s.57(5)  
of the Act) by writing to the General Manager at  
PO Box 220, Ulverstone 7315 or by email to  
admin@centralcoast.tas.gov.au by no later than  
3 May 2022.

Date of notification: 13 April 2022.

SANDRA AYTON  
General Manager

## BURNIE CITY COUNCIL

### NOTICE OF APPLICATION FOR LAND USE PERMIT (Section 57(3) Land Use Planning and Approvals Act 1993)

Applications for use and development of land have been  
received:-

Application No.: DA 2022/32  
Site: 26 Abbott Street UPPER BURNIE  
CT 65764/1 & CT 65764/2  
Proposal: Demolition of existing building,  
develop Multiple Dwellings (x6),  
associated onsite parking and works

Discretionary Matter: Reliant on performance criteria for  
grant of permit - Clause 8.4.2 (P3)

Application No.: DA 2022/35  
Site: 15 Frederick Street OCEAN VISTA -  
CT 158414/1

Proposal: Farm Shed on prime agricultural land  
Discretionary Matter: Reliant on performance criteria for  
grant of permit - Clause 21.3.1 (P2 & P3)

Application No.: DA 2022/37  
Site: 81 Laird Road EAST CAM  
CT 147477/1, CT 15958/1,  
CT 168113/1 & CT 168112/1

Proposal: Single Dwelling and Subdivision  
through Consolidation of 4 lots to 2 Lots  
Discretionary Matter: Reliant on performance criteria  
for grant of permit - Clause 20.3.1 (P2 & P3) - Clause  
20.4.3 (P1) - Clause C7.6.2 (P1.1 & P1.2) and Clause C8.6.1  
(P1.1 & P1.2)

The applications may be viewed on the Burnie City Council's  
website at - <https://www.burnie.net/permits>

A hard copy of the full application documents may be  
requested by telephoning 6430 5839; and on payment of  
a fee representing the cost of reproduction, provided to the  
person who requested the copy either by -

(a) collection from a place nominated by an officer of the  
council; or

(b) ordinary post to the address nominated

Any person may make representation relating to  
an application in writing addressed to the General  
Manager, Burnie City Council, PO Box 973, Burnie  
7320 or [burnie@burnie.net](mailto:burnie@burnie.net) by no later than 5.00pm on  
3 May 2022

Dated: 13 April 2022

Simon Overland  
GENERAL MANAGER

[www.burnie.net](http://www.burnie.net)



## Public Notices

### NOTICE OF APPLICATION TO RESEAL PROBATE

Notice is hereby given that, after the expiration  
of 14 days from the publication hereof,  
HERMANUS MARIA VELDT of 136 Dexas  
Road Humpty Doo in Northern Territory the  
executor of the will of the estate of PETER  
CORNELIS GEEL, late of 2/85 Progress Drive,  
Nightcliff in Northern Territory, deceased, to  
whom probate of the said will was granted by  
the Court of Supreme Court of the Northern  
Territory of Australia on 24/02/2022, will apply  
to the Supreme Court of Tasmania in its  
Ecclesiastical Jurisdiction that the seal of the  
Said Supreme Court of Tasmania may be  
affixed to the said probate pursuant to Part VI  
of the Administration and Probate Act 1935.  
Dated 13/04/2022

Jonathan Smith Lawyers  
Australian Legal Practitioner for the Applicant

### NOTICE FOR CLAIMS

ALLAN TREVOR BINGLEY late of 20 Kindred  
Road, Forth in Tasmania, who died on 06/10  
/2021. Creditors, next of kin and others having  
claims in respect of the property of the  
abovenamed deceased are required by the  
Executor, Bronwyn Dawn Sushames, C/- Friend  
& Edwards Lawyers, 28a King Edward Street,  
Ulverstone in Tasmania, to send particulars of  
their claim in writing to the Registrar of the  
Supreme Court of Tasmania, Salamanca Place,  
Hobart in Tasmania on or before 20/05/2022  
after which date the Executor may distribute the  
assets having regard only to the claims of which  
the Executor then has notice.  
Dated this 13/04/2022.

FRIEND & EDWARDS Lawyers  
Solicitors to the Estate

### NOTICE FOR CLAIMS

UDO RICHARD WALLINGER late of Respect  
Aged Care Mount St Vincent Nursing Home and  
formerly of 30 Richard Place, Ulverstone in  
Tasmania, who died on 25/01/2022. Creditors,  
next of kin and others having claims in respect  
of the property of the abovenamed deceased  
are required by the Executors, Marianne  
Petronella Clarke (also known as Maria  
Petronella Clarke) and Noel Elvin Clarke, C/-  
Friend & Edwards Lawyers, 28a King Edward  
Street, Ulverstone in Tasmania, to send  
particulars of their claim in writing to the  
Registrar of the Supreme Court of Tasmania,  
GPO Box 167, Hobart in Tasmania on or before  
13/06/2022 after which date the Executors may  
distribute the assets having regard only to the  
claims of which the Executors then have notice.  
Dated this 13/04/2022

FRIEND & EDWARDS Lawyers  
Solicitors to the Estate

## ADMINISTRATION AND PROBATE ACT 1935

### Notice to Creditors

Alex Ronald Elphinstone, late of Yaraandoo  
Home, Somerset in Tasmania, Widowed  
Deceased; Creditors, next of kin and others  
having claims in respect of the estate of the  
deceased, who died on 28 July 2021, are  
required by the Personal Representatives,  
Andrew Craigie Elphinstone, Alwyn Peter Wade  
and Russell Phillip Barry Elphinstone, to send  
particulars of such claim to the Personal  
Representatives C/- Rod Glover Legal, Lawyers  
& Conveyancers, PO Box 42, Wynyard in  
Tasmania by 13 May 2022, after which date the  
Personal Representatives may distribute the  
assets having regard only to the claims of which  
the Personal Representatives then have notice.

Dated this 13th day of April 2022

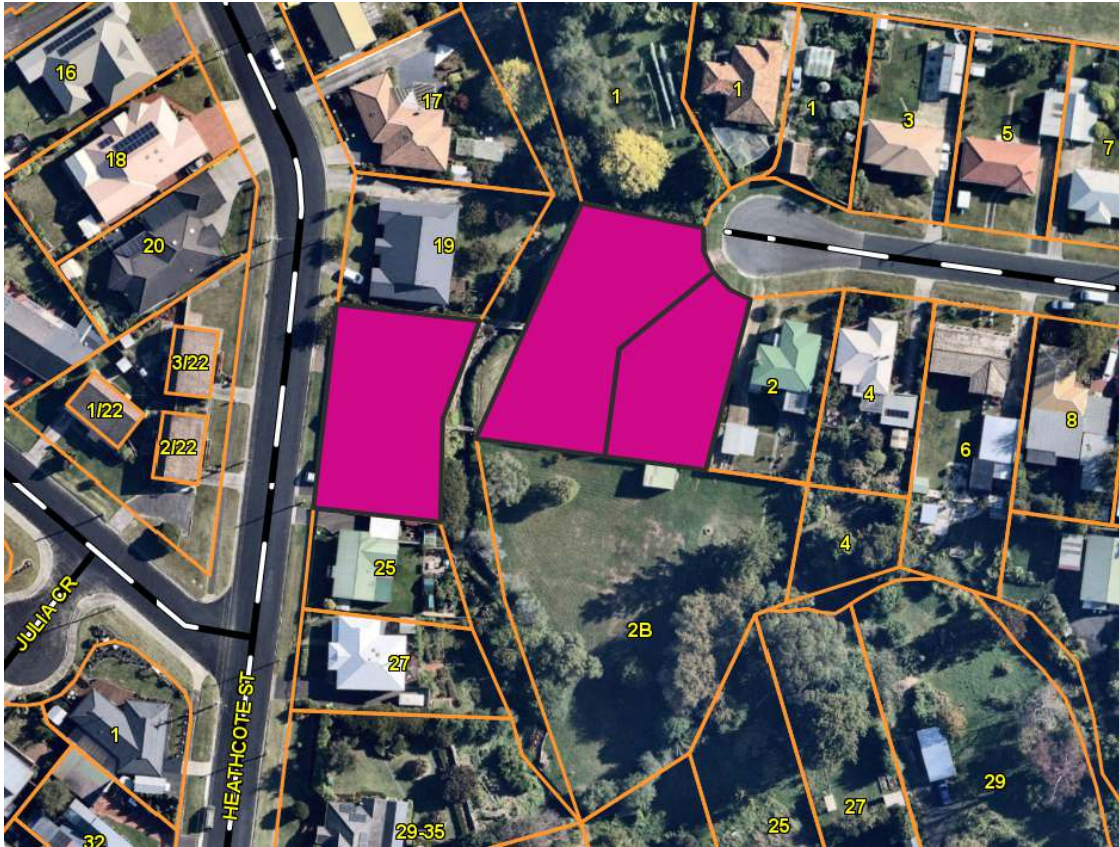
ROD GLOVER LEGAL  
Practitioners for the Personal Representatives

Newspaper  
ads drive  
online  
traffic





## Annexure 3



2A Locket Street and 23 Heathcote Street, Ulverstone – Aerial image.



2A Locket Street and 23 Heathcote Street, Ulverstone – Aerial image.





2A Locket Street and 23 Heathcote Street, Ulverstone – Aerial image.

Red line = sewer main.

Pink line = stormwater line.

Blue line = Buttons Creek.



Proposed Lot 2 – photo taken from Locket Street looking south-west towards southern adjoining property.





Proposed Lot 2 – photo taken from Locket Street looking west towards Heathcote Street.



Proposed Lot 2 – photo taken from Locket Street looking south-west.

## Submission to Planning Authority Notice

<b>Council Planning Permit No.</b>	DA2021346	<b>Council notice date</b>	08/04/2022
<b>TasWater details</b>			
<b>TasWater Reference No.</b>	TWDA 2022/00507-CC	<b>Date of response</b>	21/04/2022
<b>TasWater Contact</b>	Jake Walley	<b>Phone No.</b>	0467 625 805
<b>Response issued to</b>			
<b>Council name</b>	CENTRAL COAST COUNCIL		
<b>Contact details</b>	planning@centralcoast.tas.gov.au		
<b>Development details</b>			
<b>Address</b>	23 HEATHCOTE ST, ULVERSTONE	<b>Property ID (PID)</b>	2799573
<b>Description of development</b>	New Dwelling and consolidation of titles		
<b>Schedule of drawings/documents</b>			
<b>Prepared by</b>	<b>Drawing/document No.</b>	<b>Revision No.</b>	<b>Date of Issue</b>
Alan Dodds	Plan of Subdivision 21530 A&B	--	18/10/2021
Plans To Build	Site Plan A01	0	04/03/2022
<b>Conditions</b>			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connection and sewerage system and connection to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.</li> <li>2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.</li> <li>3. Prior to commencing construction of the subdivision/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.</li> </ol> <p><b>FINAL PLANS, EASEMENTS &amp; ENDORSEMENTS</b></p> <ol style="list-style-type: none"> <li>4. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made. <i>Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.</i></li> <li>5. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.</li> <li>6. Prior to the issue of a TasWater Consent to Register a Legal Document, the applicant must submit a .dwg file, prepared by a suitably qualified person to TasWater's satisfaction, showing: <ol style="list-style-type: none"> <li>a. the exact location of the existing sewerage infrastructure,</li> </ol> </li> </ol>			

- b. the easement protecting that infrastructure.

The developer must locate the existing TasWater infrastructure and clearly show it on the .dwg file. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost.

#### **56W CONSENT**

7. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.

#### **DEVELOPMENT ASSESSMENT FEES**

8. The applicant or landowner as the case may be, must pay a development assessment fee of \$219.04 and a Consent to Register a Legal Document fee of \$154.42 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.

### **Advice**

#### **General**

For information on TasWater development standards, please visit <https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit <https://www.taswater.com.au/building-and-development/development-application-form>

#### **56W Consent**

The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) will need to show footings of proposed buildings located over or within 2.0m from TasWater pipes and will need to be designed by a suitably qualified person to adequately protect the integrity of TasWater's infrastructure, and to TasWater's satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater's pipes. These plans will need to also include a cross sectional view through the footings which clearly shows;

- (a) Existing pipe depth and proposed finished surface levels over the pipe;
- (b) The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;
- (c) A note on the plan indicating how the pipe location and depth were ascertained.
- (d) The location of the property service connection and sewer inspection opening (IO).

**Declaration**

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

**Authorised by****Jason Taylor**

Development Assessment Manager

**TasWater Contact Details**

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

## SCHEDULE OF STATUTORY DETERMINATIONS MADE UNDER DELEGATION

Period: 1 April 2022 to 30 April 2022

### Building Permits – 1

. New dwellings	0	\$0
. Outbuildings	1	\$30,000
. Additions/Alterations	0	\$0
. Other	0	\$0
. Units	0	\$0

### Demolition Permit – 0

### Permit of Substantial Compliance – Building – 0

### Notifiable Work – Building – 15

. New dwellings	3	\$1,847,000
. Outbuildings	7	\$558,666
. Additions/Alterations	1	\$110,000
. Other	4	\$8,693
. Units	0	\$0

Building Low Risk Work – 1

Certificate of Likely Compliance – Plumbing – 11

No Permit Required – Plumbing – 0

Food Business registrations (renewals) – 15

Food Business registrations – 3

Temporary Food Business registrations – 1



**SCHEDULE OF REGULATORY SERVICES DETERMINATIONS MADE UNDER DELEGATION**

Period: 1 April 2022 to 30 April 2022

**FIRE ABATEMENT INSPECTIONS COMPLETED – 2****FIRE ABATEMENT CHECKS ON NOTICES ISSUED – 1****ABATEMENT NOTICE/S ISSUED**

ADDRESS PROPERTY ID

Nil

**KENNEL LICENCE/S ISSUED**

ADDRESS OWNER

Nil

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

ADDRESS PERMIT ISSUED FOR

102 William Street, Forth 2 Goats

**WANDERING LIVESTOCK COMPLAINTS – 1****DOG ATTACKS ON LIVESTOCK – 1**

**SCHEDULE OF OTHER REGULATORY SERVICES STATUTORY RESPONSIBILITIES**

Period: 1 April 2022 to 30 April 2022

**DOGS IMPOUNDED**

Claimed	10
Burnie Dogs Home	0
Devonport Dogs Home	0
RSPCA Spreyton	0
Destroyed	0
Held over	0

**DOG OFFENCES**

Dog Attacks on Other Dogs	4
Dog Attacks on Persons	1
Barking Dog Complaints	6
Unregistered Dogs Found by Compliance	12

**INFRINGEMENT NOTICES ISSUED FOR DOG OFFENCES** 5**INFRINGEMENT NOTICES ISSUED FOR DOGS OFF-LEAD IN ON-LEAD AREA**

Penguin Beaches	0
Turners Beach	0
Buttons Beach	0
Midway Beach	0

**PATROLS UNDER CAMPING BY-LAW NO. 1 OF 2020****PATROLS OF FREE CAMPING AREAS – 22**

Halls Point	15
Penguin Surf Life Saving Club	15
Forth Oval	10
Nicholson Point	12

**Cautions Issued to Campers in Free Camping Areas** 6**TRAFFIC INFRINGEMENT NOTICES FOR PARKING OFFENCES – 21**

Alexandra Road	0	0%
Bannons Car Park	2	10%
Coles/Furner's Car Park	0	0%
Crescent Street, Ulverstone	13	62%
Eastland Drive	0	0%

King Edward Street, Ulverstone	2	10%
Main Road, Penguin	0	0%
North Reibey Street Car Park	0	0%
Reibey Street	4	19%
Surf Club Road, Penguin	0	0%
Victoria Street	0	0%
Wharf Car Park	0	0%
Wongi Lane	0	0%
Other	0	0%
<b>ABANDONED CARS</b>	2	
<b>PARKING PERMITS ISSUED</b>	1	



Ian Stoneman  
DIRECTOR CORPORATE SERVICES

CENTRAL COAST COUNCIL  
**ANIMAL CONTROL BY-LAW**  
BY-LAW 1 of 2018  
BY-LAW MADE UNDER SECTION 145  
OF THE *LOCAL GOVERNMENT ACT 1993*  
FOR THE PURPOSE OF  
REGULATING AND CONTROLLING ANIMALS WITHIN RESIDENTIAL AREAS

**PART 1 - PRELIMINARY**

**Short Title**

- 1 This by-law may be cited as the Animal Control By-law.

**Interpretation**

- 2 In this by-law:

**"the Act"** means the *Local Government Act 1993*;

**"animal"** means an animal referred to in section 3 of the *Animal Welfare Act 1993*;

**"approved"** means things which are the subject of conditions (if any) under a permit granted by the Council;

**"authorised officer"** means a Compliance Officer, an Environmental Health Officer or an employee of the Council as authorised for all purposes by the General Manager under this by-law;

**"caged bird"** means a domesticated bird adapted to being housed or kept in a cage or aviary, not including poultry;

**"Council"** means the Central Coast Council;

**"General Manager"** means the General Manager of the Council appointed pursuant to section 61 of the Act;

**"owner"** includes the occupier or other person having the control and management of any land or premises;

**"penalty unit"** means a penalty unit under the *Penalty Units and other Penalties Act 1987*;

**"person"** means an individual, corporation, business or any other legal entity;

**"poultry"** includes birds including ducks, geese, guinea fowl, peacocks, pheasants, hens and roosters;

**"prescribed district"** means the area defined in clause 3;

**"rooster box"** means a darkened enclosure used to house a rooster during night hours.

### **Application – Prescribed District**

- 3 This by-law applies to the areas in the municipal area of Central Coast Council which are zoned General Residential and Low Density Residential under the Tasmanian Planning Scheme - Central Coast.
- 4 This by-law will apply from [insert date].

## **PART 2 - CONTROL OF ANIMALS**

### *Division 1 - Keeping Animals*

#### **Prohibition on keeping certain animals in the prescribed areas**

- 5 A person must not have or keep, on a temporary or permanent basis, any of the following in the prescribed district without a permit:
  - (a) farm animals including horses, cattle, other farm animals or livestock, such as but not limited to:
    - (i) sheep,
    - (ii) goats,
    - (iii) pigs,
    - (iv) donkeys,
    - (iv) roosters;
  - (b) bees, subject to clause 16;
  - (c) poultry, subject to clauses 11 and 12;
  - (d) caged birds, subject to clause 13.

#### **Penalty:** 1 penalty unit

- 6 The General Manager may issue a permit to keep animals including pigs, horses or other livestock, roosters, bees, caged birds and poultry upon such terms and conditions as the General Manager may determine and which licence will be personal to the licence holder for as long as that person remains the owner or occupier of the land for which the permit applies to.
- 7 An application for a permit is to be accompanied by the appropriate fee as determined by the Council.
- 8 The permit fee will be paid once at the application time.

- 9 A permit fee is personal to the licence holder, will be as set as part of Council's annual Fees and Charges.
- 10 A person must comply with the terms and conditions of any permit issued and failure to do so and may be a basis for revocation of the permit at the absolute discretion of the General Manager.

**Penalty:** 1 penalty unit

### **Keeping of caged birds and poultry**

- 11 Up to 6 adult standard hens, 10 adult bantam hens, or 8 adult mixed size hens can be kept by any person without the requirement of holding a permit.
- 12 The keeping of chickens under the age of 6 months is exempt from the need to apply for a permit.
- 13 Up to 20 caged birds can be kept without the requirement of a permit.
- 14 A permit is required for the keeping of additional hens and caged birds above the number in clauses 11 and 13.
- 15 A permit is required for the keeping of any rooster above the age of 6 months within the prescribed district at any time. A permit may include a condition that roosters be kept in rooster boxes.

### **Keeping of beehives**

- 16 A person may keep a maximum of 2 beehives without a permit.

**Penalty:** 1 penalty unit

- 17 The keeping of bees whether under a permit or not must be in accordance with the Code of Practice for Urban Beekeeping in Tasmania.
- 18 A person must not keep bees within 25 metres of a street or road and 25 metres of any dwelling.

**Penalty:** 1 penalty unit

- 19 A person must not keep bees within 4 metres of a property boundary.

**Penalty:** 1 penalty unit

### **Maintenance of premises used by animals**

- 20 The occupier of any premises where an animal as described in clause 5, is kept must:
- (a) keep any structures, buildings, enclosures or areas which the animal has access to clean and sanitary; and
  - (b) dispose of bedding or floor covering, or waste food or store until disposed in a

waterproof and tightly covered container; and

- (c) keep manure in a waterproof and/or tightly covered container when requested to do so by an authorised officer; and
- (d) not permit any build-up of manure such that there is any nuisance or run-off into rivers, drains or stormwater; and
- (e) empty any container used for keeping used bedding or floor covering, waste food, or manure regularly and keep the container hygienic; and
- (f) not allow the animal to cause any nuisance through smell, noise, rodents, flies or drainage; and
- (g) take all necessary steps to abate any nuisance that may arise as a result of keeping of the animal; and
- (h) maintain fencing or other structures, buildings or enclosures housing the animal to an adequate standard, as may be determined by an authorised officer, so as to prevent the escape of the animal onto a highway or another person's property.

**Penalty:** 1 penalty unit

#### **Proper location of animals**

21 The owner or person in charge of an animal must ensure that it does not:

- (a) enter or remain on any property, without the consent of the owner or occupier of the property; or
- (b) enter any public land unless there is a sign displayed on that land authorising the entry of that kind of animal.

**Penalty:** 1 penalty unit

22 The owner or person in charge of a farm animal must ensure that the farm animal is confined to:

- (a) the owner's property; or
- (b) a property on which the owner or occupier has consented that the farm animal maybe kept.

**Penalty:** 1 penalty unit

23 Clause 22 does not apply when the farm animal is on a road and is under the effective control of the owner or another competent person.

24 Any animal found straying or at large on any highway or on any land under the control of the Council shall be dealt with in accordance with Part 12, Division 5 of the *Local Government Act 1993*.



## **Animal nuisance**

- 25 The owner or person in charge of an animal must ensure it does not foul another person's property without that other person's consent.

**Penalty:** 1 penalty unit

- 26 The owner or person in charge of an animal that fouls any public land or road must immediately clean up and dispose of the deposit in a lawful manner.

**Penalty:** 1 penalty unit

- 27 The owner or person in charge of an animal must ensure it does not attack any person, or any other animal.

**Penalty:** 2 penalty units

- 28 An owner or occupier of premises must ensure that a nuisance is not created by an animal on those premises, or by the manner in which it is kept.

**Penalty:** 1 penalty unit

- 29 The General Manager, if satisfied that a nuisance is caused, or contributed to, by the number or type of animals kept on any premises, may serve a notice under this by-law, instructing the reduction in specified animal numbers and/or type of animals being kept.

- 30 The owner or occupier of premises must ensure that the carcass of any animal on those premises is suitably disposed of within a reasonable time after which the carcass has been discovered.

**Penalty:** 1 penalty unit

- 31 For clause 30 suitable disposal means:

- (a) disposal at an authorised local government waste management site; or
- (b) subject to any other relevant legislation complete cremation of the entire carcass;  
or
- (c) burial of the entire carcass in accordance with the following conditions:
  - (i) the top of the carcass must not be within 600mm of the surface of the ground; and
  - (ii) the carcass must be covered with lime to a depth no less than 50mm; and
  - (iii) burial must not be within 100 metres of any watercourse or building, or subject to any overflow from any watercourse; and
  - (iv) the grave must be protected from scavenging animals.

**Penalty:** 1 penalty unit

## **Refusal of application to keep animals**

- 32 The General Manager may refuse an application for a permit to keep an animal where the General Manager is of the opinion that:
- (a) the premises to which the application relates are not fit for the purpose proposed in the application; or
  - (b) it is in the public interest to refuse the application.

## ***Division 2 - Seizure, Detention and Impounding of Animals***

### **Seizure, detention and impounding animals**

- 33 An authorised officer may:
- (a) in accordance with section 194 of the *Local Government Act 1993*, seize, detain and impound any animal found straying or at large; and
  - (b) seize, detain and impound an animal where the authorised officer believes an offence has been committed under Part 2 of this by-law.

### **Notice of impounding**

- 34 If an animal has not been claimed by its owner or a person on behalf of the owner within 48 hours of it being impounded, the General Manager is to give notice to the owner of the animal in accordance with section 195 of the *Local Government Act 1993*.
- 35 If the owner of an impounded animal cannot be ascertained or found, the General Manager is to publish notice of the impounding of the animal in accordance with section 195 of the *Local Government Act 1993*.

### **Fees, costs and charges**

- 36 The owner of an impounded animal must pay any fees, costs and charges in respect of the impounding, maintenance and treatment of the animal, as notified by the General Manager.
- 37 The General Manager may detain an impounded animal until any fees, costs and charges specified in a notice are paid.

### **Sale or destruction of animals**

- 38 The General Manager may:
- (a) sell, give away free of charge or destroy any impounded animal, in accordance with section 197 of the *Local Government Act 1993*, if:
    - (i) no one has claimed the animal within 14 days of impounding; or
    - (ii) any fees, costs and charges specified by notice have not been paid within the time specified in that notice; and

- (b) arrange for an impounded animal to be destroyed, in accordance with section 198 of the *Local Government Act 1993*, if, in the opinion of a qualified veterinary surgeon, the animal is:
  - (i) seriously diseased; or
  - (ii) so injured or disabled as to be apparently in continual pain.

### **Interference with animals in pounds**

39 A person must not:

- (a) remove or interfere with any animal seized under this Division; or
- (b) destroy or damage any structure, enclosure or pound in which animals seized under this Division are detained.

**Penalty:** 5 penalty units

40 An authorised officer may:

- (a) seize an animal that is illegally removed from a pound or other place; and
- (b) further hold and detain the animal until the fees and costs arising from its detention and retrieval are paid.

### ***Division 3 - Powers of Entry***

#### **Entering private premises**

41 An authorised officer may enter and remain in or on any private premises to determine:

- (a) the number of animals on those premises; and
- (b) whether or not any animal on those premises is authorised under a permit, licence or other authority; and
- (c) any other matter relating to any permit, licence or authority, or any application for a permit, licence or written authority.

42 An authorised officer may require the occupier of the premises to produce for inspection by the authorised officer on the premises:

- (a) all animals of which the occupier is the owner; and
- (b) any other animals kept on those premises; and
- (c) evidence of authorisation to keep those animals on those premises.

## **Entering land**

- 43 An authorised officer who has reason to believe that the owner or person in charge of an animal has committed an offence under this by-law may:
- (a) enter onto land owned or occupied by that person; or
  - (b) search for and seize any animal on that land.

## **PART 3 - PERMITS AND LICENCES**

- 44 Any application for a licence or permit pursuant to this by-law is to be in accordance with the relevant form in the Schedule 1.
- 45 Permits issued under this by-law are in the form as appearing in the Schedule 2 to this by-law.
- 46 The holder of a licence issued pursuant to this Division must comply with the terms and conditions thereof.
- 47 The licence will be issued pursuant to this by-law subject to such conditions as the General Manager may consider necessary.

## **PART 4 - INFRINGEMENT NOTICES AND EXPENSES**

### **Infringement notices**

- 48 In this clause - "specified offence" means an offence against the clause specified in Column 1 of Schedule 3.
- 49 An infringement notice may be issued in respect of a specified offence and the monetary penalty set out adjacent to the offence in Column 3 of Schedule 3 is the penalty payable under the infringement notice for that offence.
- 50 An authorised officer may:
- (a) issue an infringement notice to a person who the authorised officer has reason to believe is guilty of a specified offence; and
  - (b) issue one infringement notice in respect of more than one specified offence.
- 51 The *Monetary Penalties Enforcement Act 2005* applies to an infringement notice issued under this by-law.

### **Recovery of costs**

- 52 Any expense incurred by the Council as a result of a person's contravention or failure to comply with a provision of this by-law is recoverable by the Council as a debt due to it from the person failing to comply or contravening the by-law.

## **SCHEDULE**

### **1. APPLICATIONS**

APPLICATION FOR PERMIT TO KEEP HORSE, PIG, LIVESTOCK, BEES OR POULTRY

Full name of Applicant .....

Full residential address of Applicant:

.....

.....

Animal/animals to be kept .....

.....

Full details and address of where animal/animals is to be kept (e.g. sty, stable, open paddock)

.....

.....

.....

Dated this ..... day of ..... 20

I have read the Council By-law relevant to this application and agree to abide by the conditions therein.

.....

Applicant Signature

Note: The application fee is a one-off fee and not an annual payment.

## 2. PERMITS

### PERMIT TO KEEP A HORSE, PIG, LIVESTOCK, BEES OR POULTRY

Full name of permit holder .....

.....

Full residential address of permit holder

.....

.....

This is to certify that the permit holder is permitted to keep the following animal/animals

.....

.....

At

.....

.....

Dated this ..... day of ..... 20

.....

GENERAL MANAGER

This permit is valid only for the number of animals named above.

Should a nuisance be reported in relation to the keeping of the said animals then this permit may be revoked at the discretion of the General Manager or permit conditions may be varied.

### 3 INFRINGEMENT NOTICE OFFENCES

Column 1 CLAUSE	Column 2 GENERAL DESCRIPTION OF OFFENCE	Column 3 PENALTY (Penalty units)
5	Prohibition on keeping certain animals in the prescribed areas	1
10	Non-compliance with permit	1
16	Keeping of more than 2 hives	1
18	Keeping bees too close to roads or buildings	1
19	Keeping bees too close to property boundary	1
20	Lack of maintenance of premises used by animals	1
21	Animals wandering from premises	1
22	Farm animals wandering from premises	1
25	Animal fouling another person's property	1
26	Failure to clean up after animal fouls on public land or road	1
27	Animal attacking person or other animal	2
28	Animal creating a nuisance	1
30	Removal of carcass of deceased animal	1
39	Interference with impounded animals	5

Certified that the provisions of the By-law are in accordance with the law by

.....

Glynn Williams

Barrister and Solicitor

Dated this ..... day of ..... 2022

At

Certified that the By-law is made in accordance with the *Local Government Act 1993* by

.....

Sandra Ayton

General Manager

Dated this ..... day of ..... 2022

At Ulverstone

The Common Seal of the CENTRAL COAST  
COUNCIL, Tasmania has been hereunto affixed  
pursuant to delegated power for and on behalf of the  
CENTRAL COAST COUNCIL in the presence of:

Signature .....

Sandra Ayton

General Manager

Witness Signature .....

Witness Full Name .....

Witness Full Address .....

.....