

Notice of Ordinary Council Meeting and

Agenda

21 NOVEMBER 2022

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 21 November 2022. The meeting will commence at 6.00pm.

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.

A live stream of the meeting will be available on the Central Coast Council – TAS YouTube page, or via a link on Council's website and Facebook page.

Dated at Ulverstone this 16th day of November 2022.

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



Ian Brunt
EXECUTIVE SERVICES OFFICER

PO Box 220
19 King Edward Street
Ulverstone Tasmania 7315
Tel 03 6429 8900

admin@centralcoast.tas.gov.au
www.centralcoast.tas.gov.au

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

AGENDA

CONVENING OF ORDINARY COUNCIL MEETING

In accordance with section 4(2) of the *Local Government (Meeting Procedures) Regulations 2015* the General Manager is to convene the first Ordinary Meeting of the Council following an ordinary election.

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.

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 Executive Services Officer reports as follows:

“The minutes of the ordinary meeting of the Council held on 17 October 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 17 October 2022 be confirmed.”

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2 COUNCIL WORKSHOPS

2.1 Council workshops

The Executive Services Officer reports as follows:

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

- 8 November 2022 – Councillor induction and Declaration of Office
- 14 November 2022 – Planning induction; Dog Management Policy; Smoke-free areas designation.

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

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

3 MAYOR'S COMMUNICATIONS

3.1 Mayor's communications

The Mayor to report:

3.2 Mayor's diary

The Mayor reports as follows:

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

- . Radio interview
- . Penguin Senior Citizens 57th Birthday
- . Penguin District School Education Session
- . Meeting with CEO of Marinus Link.”

The former Mayor (Jan Bonde) reported attending as follows:

- . Meeting with Gunns Plains residents after recent weather events
- . Penguin Foreshore Stage B Remediation and Upgrade Official Opening
- . Central Connect Meeting
- . Dial Park Forum
- . Men's Shed morning tea
- . Ambulance Tasmania Awards Ceremony
- . Switch Board Meeting
- . Radio interviews
- . Community Safety Partnership Meeting
- . HIVE Exhibition Opening
- . Live Well Live Long Program Launch.

The Deputy Mayor reports as follows:

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

- . Remembrance Day Service – Ulverstone.”

The Executive Services Officer reports as follows:

“A suggested resolution is submitted for consideration.”

- “That the Mayor’s, former Mayor’s and Deputy Mayor’s reports be received.”

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 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.”

4 COUNCILLOR REPORTS

4.1 Councillor reports

The 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.

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 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 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 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 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 –
 - (a) the general manager has reported the reason it was not possible to include the matter on the agenda; and

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- (b) the general manager has reported that the matter is urgent; and
 - (c) in a case where the matter requires the advice of a qualified person, the general manager has certified under section 65 of the Act that the advice has been obtained and taken into account in providing general advice to the council.'

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

<i>Councillor</i>	<i>Question</i>	<i>Department</i>
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8.2 Councillors' questions on notice

The 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.

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)."

9.2 Public questions taken on notice

The Executive Services Officer reports as follows:

"At the 17 October 2022 Ordinary Council Meeting, Ms Tana McMullen asked the following question without notice, which was responded to by the Mayor who advised that matter would be investigated, and a response provided.

Question 1 –

'I would like to query the placement of the stairs on the Watcombe Beach section of the walkway. Specifically, the eastern stairs, close to the ramp going up to Main Road, near Seaside Crescent.

These stairs lead down to a very rocky, often seaweed-covered section of the beach – difficult to walk over, even if you are a reasonably fit person.

Stairs (or preferably a ramp) further west, at the eastern end of the sandy part of the beach, would be far more sensible and useful. As it is now, if you don't want to stumble across the rocky section (or wade through knee-deep seaweed, which often happens), you have to walk quite a way along the path before you can access the last section of the beach proper.

I mention a ramp, as that would make it possible to take a kayak, paddleboard, surf-ski – even a dog – down to the beach when coming from the east.

What was the reasoning behind the placement of these stairs?'

Response –

The location of the eastern stairs was based on providing an access to beach level at the most eastern point of the Watcombe Beach area.

At the time of design, the sand extended to this location, but with seasonal sand movement the extent of sand changes.

An additional set of stairs is to be considered approximately mid-way between the two existing beach accesses as part of the Council's beach access review.

At the 17 October 2022 Ordinary Council Meeting, Mr Neil Maggs asked the following questions without notice, which were partially responded to by the Director Infrastructure Services, who also advised that the matters would be further investigated, and a response provided.

Question 1 –

'Was the floodgate at Hiscutt Park raised during the floods? I can actually tell you it wasn't. It had been built up with a lot of timber and weeds and everything.

Had the floodgate gone up, it would have saved the water going up above the pathway on the far side of Hiscutt Lake.

I don't know what the cost of the gate was, but it's never been used. No one seems to have a key, or be available in town to operate it. Surely you have a flood plan and would check on some things. Who is responsible?'

Response –

At the October Council meeting, the Director Infrastructure Services advised that he understood the floodgate was open on Thursday morning, 13 October, but would check. It was noted that due to the large area of flooding, the gate had limited impact.

Upon checking, it was confirmed that the gate was open on 13 October.

Question 2 –

'The second question is to do with Lions Park. From the ramp that goes down to Watcombe Beach, we now have a path that goes across the park to the other ramp to Main Beach. I have been informed that Council vehicles were to use this gate and footpath to access Watcombe Beach.

The path got changed, so now Council vehicles drive across the new lawn instead of accessing across the path. Can anyone please give me the reason why it was changed? The original intent of the green space has been changed.'

Response –

The path was changed to align the section through Lions Park with the new pathway along the foreshore to the west and with the ramp, and to provide a larger grassed area between the shelter and the path.

At the 17 October 2022 Ordinary Council Meeting, Ms Micheline Andrews asked the following questions without notice, which were partially responded to by the Director Infrastructure Services. The General Manager advised Ms Andrews that the matters would be further investigated, and a response provided.

Question 1 –

'On Sunday 9 October the Sea Shepherd Marine Debris Tasmania conducted a one-hour clean-up in Penguin, together with over 50 volunteers.

We collected 2,240 pieces of rubbish and that was over 50 kilograms on what looked like a clean beach. The top items were: 600 plastic food packages; 400 soft plastic remnants; 300 hard plastic pieces; and 320 cigarette butts.

Including Council items, I am again returning – plastic tree guards.

So the first question was, can an eco-type or cardboard be used, similar to other councils, as a tree guard so that it breaks down and plastic doesn't end up in the sea?

Response –

At the October Council meeting, the Director Infrastructure Services advised that the Council did investigate, and these types of tree guards are available. The Director was unsure if the Council had commenced trials on this, or whether new types of guard were in use, but would check.

Upon checking, the Council can advise its supply of corflute guards has recently been exhausted. Environmentally friendly and biodegradable guards are currently on order and will be used into the future.

Question 2 –

'Can the big penguin be painted? We tried to clean it and it's looking very tired and needs a repaint. I was told it would be done in a few weeks – nothing's been done, no one's attempted to clean it, it needs a proper professional clean. Last time I raised these issues, I received no feedback.'

Response –

This will be done as part of the work being undertaken to revamp the Penguin Foreshore, as part of the works identified by Complete Streets in relation to the Penguin Masterplan. There is funding already allocated to undertake work in relation to the Big Penguin.

It is hoped that the Penguin Foreshore and Perry-Ling Garden Masterplans will be presented to the December 2022 or January 2023 Council meeting for endorsement. Works will then be undertaken as part of the upgrades."

The Executive Services Officer further reports as follows:

"A suggested resolution is submitted for consideration."

- "That the questions from Ms McMullen, Mr Maggs and Ms Andrews and the associated responses be received and noted."

10 DEPARTMENTAL BUSINESS

GENERAL MANAGEMENT

10.1 Declaration of poll following the holding of the 2022 local government elections

The General Manager reports as follows:

"PURPOSE

This report is to record the advice of the declaration of the poll of the 2022 local government elections.

BACKGROUND

The Council has nine Councillors (elected members). Except where a Councillor is elected to fill a casual vacancy, each Councillor serves a 4-year term. The term of a Councillor elected to a casual vacancy by means of a re-count ends at the next ordinary election.

The Council has a Mayor and Deputy Mayor, each appointed for a term of 4 years.

Amendments to the *Local Government Act 1993* in June 2022 mean that voting in local government elections is compulsory for all electors on the House of Assembly State Electoral Roll. A poll in respect to the election of Mayor, Deputy Mayor and Councillors is conducted simultaneously by a system of postal voting. The election is conducted by the Electoral Commissioner, Tasmanian Electoral Commission.

On 1 November 2022, Michael Leyden, Returning Officer for the Central Coast Council election, declared the following candidates elected (in order of election) as Councillors:

- . Cr Cheryl Fuller
- . Cr Garry Carpenter
- . Cr Casey Hiscutt
- . Cr John Beswick
- . Cr Philip Viney
- . Cr Amanda Diprose
- . Cr Michael Smith
- . Cr Sophie Lehmann
- . Cr Kate Wylie.

On 1 November 2022, Michael Leyden, Returning Officer for the Central Coast Council election, declared the following candidates elected for the offices of Mayor and Deputy Mayor:

- . Cr Cheryl Fuller as Mayor
- . Cr John Beswick as Deputy Mayor.

The Returning Officer has provided a copy of the Certificate of Election. A copy is appended to this report.

For the purposes of record, it is noted that:

- . 27 candidates nominated for election to the office of Councillor;
- . 2 candidates nominated for election to the office of Mayor;
- . 6 candidates nominated for election to the office of Deputy Mayor;
- . 6 sitting Councillors whose terms had expired sought re-election;
- . 3 new Councillors were elected;
- . Cr Cheryl Fuller was elected as Mayor;
- . Cr John Beswick was elected as Deputy Mayor;
- . the number of electors enrolled for the election was 17,800; and
- . the formal vote received for the election of Councillors was 87.63%.

DISCUSSION

Discussion is not relevant to this report.

CONSULTATION

The Council funded the holding of a Candidate Forum which was held (prior to the opening of polling) on 28 September 2022.

RESOURCE, FINANCIAL AND RISK IMPACTS

The Estimates provide a budgeted sum for the conduct of elections.

CORPORATE COMPLIANCE

The *Local Government Act 1993* provides the statutory process for the conduct of elections.

CONCLUSION

It is recommended that the General Manager's report be received."

The Executive Services Officer reports as follows:

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

- “That the General Manager’s report (a copy of the Certificate of Election being appended to and forming part of the minutes) be received.”
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10.2 Declaration of office as Mayor, Deputy Mayor or Councillor following the election of candidates in the 2022 local government elections

The General Manager reports as follows:

“PURPOSE

This report is to record the declarations of office as Mayor, Deputy Mayor and Councillor of the newly elected candidates to the Central Coast Council following the 2022 local government elections.

BACKGROUND

The *Local Government Act 1993* (s. 321) provides as follows:

- ‘(1) Any person elected as councillor must make a prescribed declaration in a prescribed manner.
- (2) A person elected as a councillor who has not made a declaration must not –
 - (a) act in the office of councillor, mayor or deputy mayor; or
 - (b) take part in the proceedings of any meeting of the council or a committee.
- (3) A council is to acknowledge the making of a declaration at its meeting and the general manager is to record that fact in the minutes of that meeting.’

The following declarations were made on 8 November 2022 and the appropriate forms completed (listed in order of election):

- . Cr Cheryl Fuller as Mayor and Councillor
- . Cr Garry Carpenter as Councillor
- . Cr Casey Hiscutt as Councillor
- . Cr John Beswick as Deputy Mayor and Councillor
- . Cr Philip Viney as Councillor
- . Cr Amanda Diprose as Councillor
- . Cr Michael Smith as Councillor
- . Cr Sophie Lehmann as Councillor
- . Cr Kate Wylie as Councillor.

DISCUSSION

Discussion is not relevant to this report.

CONSULTATION

Consultation is not relevant to this report.

RESOURCE, FINANCIAL AND RISK IMPACTS

This report has no impact on resources.

CORPORATE COMPLIANCE

The *Local Government Act 1993* provides for the making of declarations by the Mayor, Deputy Mayor and Councillors upon their election and prior to taking office.

CONCLUSION

It is recommended that the General Manager's report be received."

The Executive Services Officer reports as follows:

"A suggested resolution is submitted for consideration."

- "That the General Manager's report be received."

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10.3 Adjournment of meeting

The General Manager reports as follows:

“In order to effectively consider the Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working Groups at Agenda Item No. 10.4, it is appropriate that the meeting be adjourned to enable the Schedule to be workshopped prior to resumption of the meeting and formal resolution of the agenda item.”

10.4 Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working Groups (316/2018 – 19.11.2018)

The General Manager reports as follows:

“The Executive Services Officer has prepared the following report.

‘PURPOSE

The purpose of this report is to review the Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working Groups (not including staff working groups and teams).

BACKGROUND

Immediately following a local government election, the Council undertakes a review of its Schedule of Appointments. The Schedule, as intermittently amended since its last full review on 19 November 2018 (Minute No. 316/2018), currently provides appointment details as follows:

STATUTORY APPOINTMENTS	APPOINTMENT
Cradle Coast Authority – Representatives Group	Mayor (Standing Appointment [Standing App.]) General Manager (Standing App.) Proxy: GM to appoint

Dulverton Regional Waste Management Authority – Representatives Group	Cr General Manager (Standing App.) Proxy: Cr
Local Government Association of Tasmania – Annual General Meeting, General Meetings and Special General Meetings	Mayor (Standing App.) Deputy Mayor (Standing App.) General Manager (Standing App.)
Local Government Association of Tasmania – General Management Committee	Vacant – subject to LGAT election process Proxy: TBA
Tasmanian Water and Sewerage Corporation Pty Ltd – Owners’ Representatives Group	Mayor (Standing App.) Proxy: Cr
Central Coast Shared Audit Panel	Cr Cr Proxy: Cr General Manager (Standing App.)

GROUPS AND ORGANISATIONS	APPOINTMENT
Central Coast Chamber of Commerce and Industry	Cr Proxy: Cr
Mersey–Leven Emergency Management Planning Committee	Mayor (Standing App.)
Penguin Surf Life Saving Club	Cr Proxy: Cr
Ulverstone Band	Cr Proxy: Cr
Ulverstone Surf Life Saving Club	Cr Proxy: Cr
Caves to Canyon Tourism Association	Cr

	Proxy: Cr
Slipstream Circus Board Inc.	Cr
	Proxy: Cr
Sprent Primary School Association	Cr
	Proxy: Cr

COUNCIL AND SPECIAL COMMITTEES	APPOINTMENT
Development Support Committee	Mayor (Standing App.)
	Cr
	Cr
	Cr
	Cr
	General Manager (Standing App.)
	Proxy: Cr
Ulverstone Community Swimming Centre Management Committee	Cr
	Proxy: Cr
Riana Community Centre Advisory Committee	Cr
	Proxy: Cr
Central Coast Community Shed Management Committee	Cr
	Proxy: Cr

COMMUNITY ADVISORY GROUPS	APPOINTMENT
Central Coast Community Safety Partnership Committee	Mayor (Standing App.)
	Cr
	General Manager (Standing App.)
	Rep. Community Services Department
	Proxy: Cr

Central Coast Youth Leaders Council	Cr
	Proxy: Cr

WORKING GROUPS	APPOINTMENT
Australia Day Awards Committee	Cr
	Cr
	Proxy: Cr
General Manager Performance Review Panel	Mayor (Standing App.)
	Deputy Mayor (Standing App.)
	Cr
	Proxy: Cr
Small Grants Panel	Cr
	Cr
	Cr
	Two representatives of the Community Services Department
	Proxy: Cr

A copy of the Schedule, which includes notes on the committees and groups and meeting details, is appended to this report.

BACKGROUND

A governance structure based on a combination of Council meetings and delegations has proven to be more effective than a committee-based system. Committees require substantial and ongoing human resource commitments and are inefficient in terms of operational decision-making. Committees should only be created when alternative considerations have been exhausted, or where there is a specific need to do so.

Review of existing committees and appointments is ongoing and should changes be warranted prior to the next local government elections, they can be made.

CONSULTATION

Consultation is only required in terms of confirming current membership of Special Committees and Advisory Groups.

RESOURCE, FINANCIAL AND RISK IMPACTS

This is a governance matter. The Estimates provide for the governance operations of the Council.

CORPORATE COMPLIANCE

The *Local Government Act 1993* provides for the establishment of council and special committees under sections 23 and 24.

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

Council Sustainability and Governance

- Improve corporate governance
- Improve service provision
- Improve the Council's financial capacity to sustainably meet community expectations
- Effective communication and engagement
- Strengthen local–regional connections.

CONCLUSION

The Schedule is submitted for review. Amendments made at this meeting will be recorded in the Schedule, to be appended to the minutes as part of the decision.'

The report is supported."

The Executive Services Officer reports as follows:

"A copy of the Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working Groups having been circulated to all Councillors, a suggested resolution is submitted for consideration."

- "That the Council adopt the Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working

Groups (a copy being appended to and forming part of the minutes), and note that the Schedule may be amended, as required, by the Council's decision."

10.5 Annual Report for the year ended 30 June 2022

The General Manager reports as follows:

"PURPOSE

The purpose of this report is to approve the Annual Report for the year ended 30 June 2022.

BACKGROUND

The *Local Government Act 1993* (the Act) provides that a council must prepare an Annual Report.

An Annual Report for the year ended 30 June 2022 has been prepared as required and a draft is appended to this report. The Annual Report is the major reporting mechanism to the community.

The Act provides the requirements for the preparation of the Annual Report and directs that a council must invite the community to make submissions on its report for discussion at its Annual General Meeting.

DISCUSSION

Discussion has been provided for within the Annual Report.

CONSULTATION

A draft Annual Report has been forwarded to the Tasmanian Audit Office for review in accordance with Auditing Standard ASA 720 *Other Information in Documents Containing Audited Financial Reports*.

Community reporting will take place as part of the Annual General Meeting which is scheduled to be held at the Gawler Room, Ulverstone Civic Centre at 7.00pm on Tuesday, 6 December 2022.

RESOURCE, FINANCIAL AND RISK IMPACTS

The cost of preparation of the Annual Report has been provided for within the Estimates.

CORPORATE COMPLIANCE

Preparation of the Annual Report is a statutory requirement.

CONCLUSION

The Annual Report is recommended for approval.”

The Executive Services Officer reported as follows:

“A copy of the Annual Report for the year ended 30 June 2022 has been circulated to all Councillors.”

- “That the Annual Report for the year ended 30 June 2022 be approved.”
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10.6 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:

- . Ulverstone Community Swimming Centre Management Committee – meeting held 27 September 2022
- . Central Coast Community Safety Partnership Committee – meeting held 26 October 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.”
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-

10.7 Common seal

The General Manager reports as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 18 October 2022 to 21 November 2022 is submitted for the authority of the Council to be given. Use of the common seal must first be authorised by a resolution of the Council.

The Schedule also includes for information advice of final plans of subdivision sealed in accordance with approved delegation and responsibilities.”

The Executive Services Officer 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.”

10.8 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 18 October 2022 to 21 November 2022 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The 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.”
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10.9 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 18 October 2022 to 21 November 2022 and which was addressed to the ‘Mayor and Councillors’ is appended. Reporting of this correspondence is required in accordance with Council policy.

Where a matter requires a Council decision based on a professionally developed report the matter will be referred to the Council. Matters other than those requiring a report will be administered on the same basis as other correspondence received by the Council and managed as part of the day-to-day operations.”

The Executive Services Officer 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

10.10 Development application determinations

The Director Community Services reports as follows:

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

The 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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10.11 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 Items 10.12 and 10.13, they are to be dealt with by the Council acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.’”

The Executive Services Officer 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.”

10.12 Residential – shed and fire wall – Setbacks and building envelope for all dwellings at 1 Main Street, Ulverstone – Application No. DA2022219

The Director Community Services reports as follows:

“The Planning Officer has prepared the following report:

‘DEVELOPMENT APPLICATION NO.:	DA2022219
PROPOSAL:	Residential – shed and fire wall – Setbacks and building envelope for all dwellings
APPLICANT:	David Cousins & Andrea O’Neill
LOCATION:	1 Main Street, Ulverstone
ZONE:	General Residential Zone
PLANNING INSTRUMENT:	Tasmanian Planning Scheme – Central Coast (the Planning Scheme)
ADVERTISED:	1 October 2022
REPRESENTATIONS EXPIRY DATE:	17 October 2022
REPRESENTATIONS RECEIVED:	Two
42-DAY EXPIRY DATE:	6 November 2022 (extension of time granted until 21 November 2022)
DECISION DUE:	21 November 2022
PURPOSE	

The purpose of this report is to consider an application for Residential – shed and fire wall at 1 Main Street, Ulverstone.

Accompanying the report are the following documents:

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

BACKGROUND

Development description –

Application is made to erect a 10m x 8m shed with a total apex height of 4.6m and a 3m high boundary fire wall on land at 1 Main Street, Ulverstone.

The proposed shed would be constructed in the north-eastern corner of the lot, 1m off the northern side boundary. The 3m high fire wall would be constructed along the eastern side boundary for a length of 10m.

Site description and surrounding area –

The 1,262m² property at 1 Main Street, Ulverstone is zoned General Residential and is located on a corner, with two street frontages. The primary street frontage is to Main Street. Dial Street is the secondary frontage. The land has two existing crossovers off Dial Street. The land accommodates a single dwelling, a secondary dwelling and two small outbuildings that are located to the Dial Street frontage. The two small outbuildings would be removed as part of this development.

The surrounding area is also General Residential Zone and is characterised by single dwellings with associated outbuildings and multiple dwellings (units).

The land in this area slopes down towards the Leven River to the west, with the dwelling at 1 Main Street slightly elevated above the street. The proposed shed would be located on a relatively flat area of the land, with no cut or fill required for the development. Refer to photographs in Annexure 4.

History –

No history relevant to this application.

DISCUSSION

The following Table is the Planning Officer's assessment against the 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 satisfies the Zone Purpose in that it provides for residential use and development where full infrastructure services are available or can be provided.

CLAUSE	PLANNERS COMMENTS	
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>8.3.2 Visitor Accommodation</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 300m².</p>	<input checked="" type="checkbox"/>	<p>Not an application for Visitor Accommodation.</p>

8.4 Development Standards for Dwellings		
8.4.1 Residential density for multiple dwellings		
<p>8.4.1–(A1)</p> <p>Multiple dwellings must have a site area per dwelling of not less than 325m².</p>	☒	Multiple dwellings are not proposed.
8.4.2 Setbacks and building envelope for all dwellings	Not applicable	Assessment
<p>8.4.2–(A1)</p> <p>Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p>	☒	<p>(a) Compliant. The shed and fire wall would be setback more than 4.5m from the Main Street frontage.</p> <p>(b) Compliant. The shed and fire wall would be setback more than 3m from the Dial Street frontage.</p> <p>(c) Not applicable.</p> <p>(d) Not applicable.</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>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. The shed would be setback more than 5.5m from the frontage.</p> <p>(b) Not applicable.</p> <p>(c) Not applicable.</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>	<input type="checkbox"/>	<p>(a)(i) Refer to 8.4.1-(A1).</p> <p>(a)(ii) Non-compliant. The proposed shed would have an apex height of 4.61m, constructed 1m from the northern side boundary.</p> <p>Refer to the “Issues” section of this report.</p> <p>(b)(i) Compliant. The proposed shed would not extend beyond the existing building (garage) on the adjoining lot at 2 Dial Street.</p> <p>(b)(ii) Non-compliant. The fire wall would extend 10m along the eastern side boundary to a height of 3m.</p> <p>Refer to the “Issues” section of this report.</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>		
<p>8.4.3 Site coverage and private open space for all dwellings</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.4.3–(A1)</p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</p>	<p><input checked="" type="checkbox"/></p>	<p>(a) Compliant. Site coverage would not be greater than 50%.</p> <p>(b) Not applicable.</p>

<p>8.4.3–(A2)</p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p>(i) 24m²; or</p> <p>(ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(b) has a minimum horizontal dimension of not less than:</p> <p>(i) 4m; or</p> <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><input type="checkbox"/></p>	<p>(a)(i) Compliant. The existing private open space area would be sufficient.</p> <p>(a)(ii) Not applicable.</p> <p>(b)(i) Compliant. The existing private open space area would have a minimum horizontal dimension of 4m.</p> <p>(b)(ii) Not applicable.</p> <p>(c) Compliant. The existing private open space area is not located between the dwelling and the frontage.</p> <p>(d) Compliant. Private open space area is relatively flat.</p>
<p>8.4.4 Sunlight to private open space of multiple dwellings</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.4.4–(A1)</p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p>	<p><input checked="" type="checkbox"/></p>	<p>Multiple dwellings are not proposed.</p>

<p>(a) the multiple dwelling is contained within a line projecting (see Figure 8.4):</p> <ul style="list-style-type: none"> (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; <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> <ul style="list-style-type: none"> (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling. 		
<p>8.4.5 Width of openings for garages and carports for all dwellings</p>	<p>Not applicable</p>	<p>Assessment</p>
<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>	<p><input checked="" type="checkbox"/></p>	<p>Compliant. The opening of the proposed shed would be 8m wide, setback more than 12m from the frontage to Main Street and more than 20m from Dial Street frontage.</p>

8.4.6 Privacy for all dwellings	Not applicable	Assessment
<p>8.4.6–(A1)</p> <p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</p> <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 style="text-align: center;">☒</p>	<p>Not applicable. No balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling) with a floor level more than 1m above existing ground level.</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 style="text-align: center;">☒</p>	<p>No window or glazed door to a habitable room of a dwelling with a floor level more than 1m above existing ground level.</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>(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>		
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<p>8.4.6–(A3)</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p>☒</p>	<p>No shared driveway proposed.</p>
<p>8.4.7 Frontage fences for all dwellings</p>	<p>Not applicable</p>	<p>Assessment</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>☒</p>	<p>No frontage fences proposed.</p>

<p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>		
8.4.8 Waste storage for multiple dwellings	Not applicable	Assessment
<p>8.4.8–(A1)</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations:</p> <p>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) a common storage area with an impervious surface that:</p> <p>(i) has a setback of not less than 4.5m from a frontage;</p> <p>(ii) is not less than 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</p>	☒	Multiple dwellings are not proposed.
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>	☒	The proposed shed would be ancillary to the existing dwelling.

<p>(a) if the frontage is a primary frontage, not less than 4.5m, or if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3.0m, or if the setback from the primary frontage is less than 3.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining properties on the same street.</p>		
<p>8.5.1–(A2)</p> <p>A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from</p>	<p><input checked="" type="checkbox"/></p>	<p>The proposed shed would be ancillary to the existing dwelling.</p>

<p>the horizontal at a height of 3m above existing ground level at the side or rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback less than 1.5m from a side or rear boundary if the building:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one-third of the length of the side or rear boundary (whichever is lesser).</p>		
<p>8.5.1–(A3)</p> <p>A building that is not a dwelling, must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) a site area of which not less than 35% is free from impervious surfaces.</p>	<p>☒</p>	<p>The proposed shed would be ancillary to the existing dwelling.</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>☒</p>	<p>The proposed shed would be ancillary to the existing dwelling.</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>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>	☒	The proposed shed would be ancillary to the existing 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>	☒	The proposed shed would be ancillary to the existing dwelling.
<p>8.5.2 Non-residential garages and carports</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>	☒	The proposed shed would be ancillary to the existing dwelling.

<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>	<p><input checked="" type="checkbox"/></p>	<p>The proposed shed would be ancillary to the existing dwelling.</p>
<p>8.6 Development Standards for Subdivision</p>		
<p>8.6.1 Lot design</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.6.1–(A1)</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 450m² and:</p> <p>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p>	<p><input checked="" type="checkbox"/></p>	<p>No subdivision proposed.</p>

<p>(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>		
<p>8.6.1–(A2)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.</p>	<input checked="" type="checkbox"/>	No subdivision proposed.
<p>8.6.1–(A3)</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<input checked="" type="checkbox"/>	No subdivision proposed.
<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 subdivision proposed.
8.6.2 Roads	Not applicable	Assessment
<p>8.6.2–(A1)</p> <p>The subdivision includes no new roads.</p> <p>8.6.2–(P1)</p> <p>The arrangement and construction of roads within a subdivision must provide an</p>	<input checked="" type="checkbox"/>	No subdivision proposed.

<p>appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to:</p> <ul style="list-style-type: none"> (a) any road network plan adopted by the council; (b) the existing and proposed road hierarchy; (c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential; (d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks; (e) minimising the travel distance between key destinations such as shops and services and public transport routes; (f) access to public transport; (g) the efficient and safe movement of pedestrians, cyclists and public transport; (h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the <i>Guide to Road Design Part 6A: Paths for Walking and Cycling 2016</i>; (i) the topography of the site; and (j) the future subdivision potential of any balance lots on adjoining or adjacent land. 		
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8.6.3 Services	Not applicable	Assessment
8.6.3–(A1) Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.	<input checked="" type="checkbox"/>	No subdivision proposed.
8.6.3–(A2) Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	<input checked="" type="checkbox"/>	No subdivision proposed.
8.6.3–(A3) Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.	<input checked="" type="checkbox"/>	No subdivision proposed.

CODES

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

C7.0 Natural Assets Code	<input checked="" type="checkbox"/>	The proposed shed would be outside the Leven River water protection buffer area.
C8.0 Scenic Protection Code	<input checked="" type="checkbox"/>	
C9.0 Attenuation Code	<input checked="" type="checkbox"/>	
C10.0 Coastal Erosion Hazard Code	<input checked="" type="checkbox"/>	
C11.0 Coastal Inundation Hazard Code	<input checked="" type="checkbox"/>	
C12.0 Flood-Prone Areas Hazard Code	<input checked="" type="checkbox"/>	
C13.0 Bushfire-Prone Areas Code	<input checked="" type="checkbox"/>	
C14.0 Potentially Contaminated Land Code	<input checked="" type="checkbox"/>	
C15.0 Landslip Hazard Code	<input checked="" type="checkbox"/>	
C16.0 Safeguarding of Airports Code	<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>C2.5.1–(A1)</p> <p>The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <p>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p>	<div><input type="checkbox"/></div>	<p>Compliant. The proposal is to construct a shed that would accommodate two on-site car parking spaces.</p> <p>(a)–(d) Not applicable.</p>

<p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p>$N = A + (C - B)$</p> <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p>		
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<p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.</p>		
C2.5.2 Bicycle parking numbers	Not applicable	Assessment
<p>C2.5.2-(A1)</p> <p>Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>	☒	Does not apply to dwelling development.
C2.5.3 Motorcycle parking numbers	Not applicable	Assessment
<p>C2.5.3-(A1)</p> <p>The number of on-site motorcycle parking spaces for all uses must:</p> <p>(a) be no less than the number specified in Table C2.4; and;</p> <p>(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification provided the existing number of motorcycle parking spaces is maintained.</p>	☒	Does not apply to dwelling development.

C2.5.4 - Loading bays	Not applicable	Assessment
C2.5.4–(A1) A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	<input checked="" type="checkbox"/>	Does not apply to dwelling development.
C2.5.5 - Number of car parking spaces within General Residential Zone and Inner Residential Zone		
C2.5.5–(A1) Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: <ul style="list-style-type: none"> (a) Food Services uses up to 100m² floor area or 30 (b) seats, whichever is the greater; and (c) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone. 	<input checked="" type="checkbox"/>	Not an existing non-residential building.
C2.6 Development Standards for Buildings and Works		
C2.6.1 Construction of parking areas	Not applicable	Assessment
C2.6.1–(A1) (a) be constructed with a durable all weather pavement; (b) be drained to a public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management	<input type="checkbox"/>	(a) Compliant by condition to a permit. (b) Compliant by condition to a permit. (c) Compliant by condition to a permit.

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

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

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

<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; and</p> <p>C2.6.5-(A1.2)</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>		
C2.6.6 Loading bays	Not applicable	Assessment
<p>C2.6.6-(A1)</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2-2002 Parking Facilities Part 2: Parking facilities- Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>	☒	Loading bays are not required.
<p>C2.6.6-(A2)</p> <p>The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS2890. 2- 2002 Parking Facilities Part 2:</i></p>	☒	Loading bays are not required.

<i>Parking facilities- Off-street commercial vehicle facilities.</i>		
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	Not applicable	Assessment
<p>C2.6.7-(A1)</p> <p>Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must:</p> <ul style="list-style-type: none"> (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from an entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of <i>Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.</i> 	☒	Site is General Residential Zone.
<p>C2.6.7-(A2)</p> <p>Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) have dimensions not less than: <ul style="list-style-type: none"> (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of not less than 2m and 	☒	Site is General Residential Zone.

<p>a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</p> <p>(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i>.</p>		
C2.6.8 Siting of parking and turning areas	Not applicable	Assessment
<p>C2.6.8-(A1)</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>	☒	Site is General Residential Zone.
<p>C2.6.8-(A2)</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <p>(a) have no new vehicle accesses, unless an existing access is removed;</p> <p>(b) retain an active street frontage; and</p> <p>(c) not result in parked cars being visible from public places in the adjacent roads.</p>	☒	Site is General Residential Zone.

C2.7 Parking Precinct Plan		
C2.7.1 Parking precinct plan	Not applicable	Assessment
C2.7.1-(A1) Within a parking precinct plan, on-site parking must: <ul style="list-style-type: none"> (a) not be provided; or (b) not be increased above existing parking numbers. 	☒	Parking precinct plan does not apply to the site.

SPECIFIC AREA PLANS	NOT APPLICABLE	APPLICABLE
CCO-S1.0 Forth Specific Area Plan	☒	
CCO-S2.0 Leith Specific Area Plan	☒	
CCO-S3.0 Penguin Specific Area Plan	☒	
CCO-S4.0 Revell Lane Specific Area Plan	☒	
CCO-S5.0 Turners Beach Specific Area Plan	☒	

CCO CODE LISTS	
CCO-Table C3.1 Other Major Roads	This table is not used in this Local Provisions Schedule.
CCO-Table C6.1 Local Heritage Places	This table is not used in this Local Provisions Schedule.
CCO-Table C6.2 Local Heritage Precincts	This table is not used in this Local Provisions Schedule.
CCO-Table C6.3 Local Historic Landscape Precincts	This table is not used in this Local Provisions Schedule.

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

Issues –

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

The Planning Scheme’s Acceptable Solution for Clause 8.4.2–(A3) states that a dwelling (including outbuildings) must be contained within a building envelope 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 only have a setback of less than 1.5m from a side or rear boundary if the dwelling (including outbuildings) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).

The proposed development would result in a residential outbuilding (shed) located 1m off the northern side boundary. The shed would have a 4.6m apex height at the northern side boundary and a 3m wall height to the eastern rear boundary. The proposal includes a 3m high fire wall constructed to the eastern side boundary for a length of 10m.

The development, as proposed, would be outside the required building envelope. The development seeks a variation to Clause 8.4.2–(A3) 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 an unreasonable loss of amenity, having regard to:
 - (i) *Reduction in sunlight to a habitable room, excluding a bedroom, of a dwelling on an adjoining property;*

Planner’s comment: The development site adjoins the northern side boundary of 2 Dial Street, Ulverstone and would be setback 1m from an existing 4.1m high fire wall that is located on the boundary separating the two properties. Due to the north/south orientation of the lots, the development would not result in a reduction in sunlight to a habitable room of a building located at 2 Dial Street.

The development site also adjoins a portion of the western side boundary of 3 Main Street, Ulverstone that accommodates a multiple dwelling complex containing

four conjoined units. Units 1, 2 and 3 are located at ground level, with Unit 4 located on the upper level. Based on the location and orientation of the units at 3 Main Street, the proposed development may impact on Unit 1.

Due to the north/south orientation of the adjoining land, shadow would be cast by the units towards 1 Main Street in the morning, with shadow moving to be over the subject site by 12.00 noon and the proposed development would cast a shadow over Unit 1 in the late afternoon, from approximately 3.00pm on 21 June (shortest daylight hours of the year).

The original floor plan of Unit 1 shows the main habitable rooms to be located on the eastern side of the building, other than a small kitchen window that is located on the western side of the unit. As a result of the orientation of the lot and the location of the habitable rooms, other than a bedroom, it would be unlikely that the proposed development would result in an unreasonable loss of amenity or reduction of sunlight to a habitable room of Unit 1.

It should be noted that the existing two-storey unit complex building at 3 Main Street, given its height and orientation, casts an existing shadow over Unit 1 for a majority of the morning and afternoon.

Units 2, 3 and 4 are to the north-east of the proposed shed. There is little likelihood the proposed shed would cast a shadow over the portion of the building where Units 2, 3, and 4 are located.

As discussed above, the proposed shed would only cast a shadow over Unit 1 later in the day.

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

Planner's comment: As stated above, the development site adjoins the northern side boundary of 2 Dial Street and the side western boundary of 3 Main Street.

The development would not result in any overshadowing to the private open space of 2 Dial Street.

The unit complex has very little area of private open space dedicated to each unit. The north-south orientation of the adjoining lots may result in the development casting a shadow over 3 Main Street at approximately 3.00pm, impacting Unit 1 for a limited time in the afternoon.

This is not considered unreasonable, considering it is not more than the acceptable, 3 hour period throughout the day. The other areas of private open space to the north, accommodating Units 2 and 3, would not be impacted by the proposed development.

(iii) *Overshadowing of an adjoining vacant property; or*

Planner's comment: Not applicable. Shadow cast from the proposed development would not be over vacant land.

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

Planner's comment: The proposed development would be seen from the adjoining strata properties to the east, at 3 Main Street. The Planning Scheme allows for a 3m development height, with the roof line to then angle away from the boundary at 45 degrees. In this case, the roof line angles away from the boundary to 3 Main Street.

The Planning Scheme also allows for a wall length of 9m of development on the boundary, or one third of the length of the side boundary (whichever is the lesser).

The proposed fire wall would have a standard 3m wall height on the eastern boundary. The fire wall would result in a total length of development on the eastern side boundary of 10m, 1m greater than the Planning Scheme's Acceptable Solution. The eastern side boundary of the lot has a length of 28m. The length of

the fire wall and shed would be just over a third of the length of the boundary.

The bulk and scale of the proposed shed and wall when viewed from Unit 1 at 3 Main Street would be somewhat similar to the view from Units 2 and 3 when looking west, over 2 Dial Street.

Unit 1 at 3 Main Street has a view of the Leven River from the kitchen window, looking across the private backyard of 1 Main Street. The view is currently maintained because there are no buildings located in the rear yard of 1 Main Street that would block the view (refer to the photograph below).

The Planning Scheme does not assess or protect views that are available across other private land.

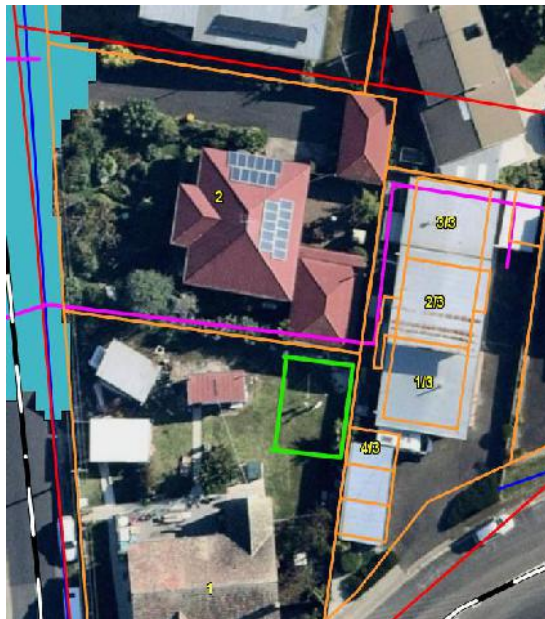


It should be noted the Planning Scheme permits a wall to a height of 3m and a length of 9m, constructed on a boundary, that could result in a “No Permit Required” Certificate being issued.

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

Planner's comment: Development within the area includes single dwellings with outbuildings or multiple dwelling type development. Adjoining to the north, at 2 Dial Street, a shed has been constructed to the rear boundary of the lot, with an apex height of approximately 4.5m. The placement of the proposed shed at 1 Main Street would be similar to sheds on surrounding lots. Refer to image below.

The green square indicates the proposed location of the shed and wall.



- (c) *not cause an unreasonable reduction in sunlight to an existing solar energy installation on:*

- (i) *an adjoining property; or*
- (ii) *another dwelling on the same site.*

Planner's comment: Not applicable. There are no solar energy installations on adjoining land that would be impacted by the proposed development.

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	Standard condition.
Engineering	Refer to Conditions of permit.
TasWater	Not applicable.
Department of State Growth	Not applicable.
Environment Protection Authority	Not applicable.
TasRail	Not applicable.
Heritage Tasmania	Not applicable.
Crown Land Services	Not applicable.
Other	Not applicable.

CONSULTATION


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

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

Representations –

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

The representations are summarised and responded to as follows:

MATTER RAISED	COMMENTS
REPRESENTATION NO. 1	
<p>1 The development would affect the view and sunlight to Unit 4. Access to Unit 4 via the outside staircase would be affected and would cause a safety issue for the tenant.</p>	<p>Unit 4 is located on the first floor which is higher than the proposed shed.</p> <p>As discussed above, the orientation of the lots and the siting of Units 2, 3 and 4 at 3 Main Street, north-east of the proposed development, indicates that the shadow cast would be behind (south) Unit 4. This would also include the outside staircase.</p> <p>The safety issue raised by the representator is more likely to be a result of the existing multiple dwelling building design and the existing shed located at 2 Dial Street.</p>  <p>The above image represents the location of the proposed shed which is clearly shown south of Unit 4 and associated outside staircase entry.</p> <p>Refer to comments made in the "Issues".</p>

- 2 The block at 1 Main Street is very steep. The shed could be sunken to a height on the boundary so not to be as high – or be flat shed roof.

Unit 4 currently looks over the private backyard of 1 Main Street.

The representor makes comment that the land at 1 Main Street is steep. The land slopes down towards Dial Street and the Leven River beyond. However, the land is relatively flat where the proposed shed would be located. No cut or fill would be required for the development. Substantial works would be required to evacuate the area to lower the height of the shed, as suggested.

The representor has suggested a flat roof. A flat roof may enable the occupiers of Unit 4 to maintain their view across private land. However, the roof line would not be in keeping with the roof line of the existing 1930's dwelling at 1 Main Street.

The roof pitch of the proposed shed would be in keeping with the roof pitch of the existing 1930's dwelling.



	Refer to comments made in the “Issues” section of this report.
REPRESENTATION NO. 2	
The development would result in safety concerns for residents in Units 1, 2 and 4. Reduction in sunlight that would affect clothes lines and access stairs to Unit 4.	Refer to the discussion on shadow impact in the “Issues” section of this report.
Property values – there would be a reduction in river views for Units 4 and 1 and this would decrease the values.	<p>The value of property is not something that is for consideration or assessment under the Planning Scheme.</p> <p>Existing views are also not something the Planning Scheme can address, unless land is identified as a scenic protection area. If the current view is across another’s private back yard, there is no protection of such view.</p>

RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

CONCLUSION

The representations received do not warrant refusal of the proposed development for Residential – shed and fire wall. The proposal has demonstrated satisfactory compliance with the Planning Scheme’s relevant Performance Criteria.

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

Recommendation –

It is recommended that the application for Residential – shed and fire wall – Setbacks and building envelope for all dwellings at 1 Main Street, Ulverstone – Application No. DA2022219 – be approved, subject to the following conditions:

- 1 The development must be in accordance with the Site Plan, Floor Plan and Elevations provided by the applicant received 1 September 2022 and engineering plans drawn by Civilvision Consulting dated 26 September 2022.
- 2 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.
- 3 Prior to commencement of works, if required, the applicant must 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 the developer's cost. Drainage costings as listed in the Council's Fees and Charges register apply.
- 4 During site/building 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 Natural Resources and Environment Tasmania.
- 5 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.
- 6 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.

Please Note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Prior to the commencement of work, the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required.
- 4 The outbuilding is approved as a Class 10 non-habitable structure and must be used in conjunction with the dwelling. If the outbuilding is intended to be used for a purpose other than this, then a further Permit for a change of use would be required.
- 5 Prior to commencement of works in the road reservation, if required obtain a 'Works in Road Reservation (Permit)' in accordance with the Council's Work in Road Reservation Policy.'

The report is supported."

The Executive Services Officer reports as follows:

"A copy of the Annexures referred to in the Planning Officer's report having been circulated to all Councillors, a suggested resolution is submitted for consideration."

■ "That the application for Residential –shed – Setbacks and building envelope for all dwellings at 1 Main Street, Ulverstone – Application No. DA2022219 – be approved, subject to the following conditions:

- 1 The development must be in accordance with the Site Plan, Floor Plan and Elevations provided by the applicant received 1 September 2022 and engineering plans drawn by Civilvision Consulting dated 26 September 2022.
- 2 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.
- 3 Prior to commencement of works, if required, the applicant must 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 the developer's cost. Drainage costings as listed in the Council's Fees and Charges register apply.
- 4 During site/building 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 Natural Resources and Environment Tasmania.
- 5 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.
- 6 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.

Please Note:

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

- 3 Prior to the commencement of work, the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required.
- 4 The outbuilding is approved as a Class 10 non-habitable structure and must be used in conjunction with the dwelling. If the outbuilding is intended to be used for a purpose other than this, then a further Permit for a change of use would be required.
- 5 Prior to commencement of works in the road reservation, if required obtain a 'Works in Road Reservation (Permit)' in accordance with the Council's Work in Road Reservation Policy."

10.13 Residential – building envelope for single dwelling – Discretionary use at 380 Wilmot Road, Forth – Application No. DA2022281

The Director Community Services reports as follows:

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

<i>'DEVELOPMENT APPLICATION No.:</i>	DA2022281
<i>PROPOSAL:</i>	Residential – building envelope for single dwelling
<i>APPLICANT:</i>	Jana Rockliff of Veris Australia Pty Ltd
<i>LOCATION:</i>	380 Wilmot Road, Forth
<i>ZONE:</i>	Agriculture Zone
<i>PLANNING INSTRUMENT:</i>	<i>Tasmanian Planning Scheme – Central Coast</i> (the Planning Scheme)
<i>ADVERTISED:</i>	19 October 2022
<i>REPRESENTATIONS EXPIRY DATE:</i>	2 November 2022
<i>REPRESENTATIONS RECEIVED:</i>	Nil
<i>42-DAY EXPIRY DATE:</i>	25 November 2022
<i>DECISION DUE:</i>	21 November 2022

PURPOSE

The purpose of this report is to consider an application for a building envelope to construct a future single dwelling in the Agriculture Zone at 380 Wilmot Road, Forth.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation; and
- . Annexure 3 – Zone map and aerial view.

BACKGROUND

Development description –

Application is made for a Residential Use Class building envelope on land that is located in the Agriculture Zone.

The building envelope is proposed to enable the construction of a single dwelling on the land, at a future time. The application does not include floor plans or elevations of a dwelling, with the proposal seeking approval for the development of a standard building “envelope”, whereby a single dwelling of standard height and site coverage, with associated wastewater and stormwater systems, could be constructed.

Site description and surrounding area –

The land is located on the western side of Wilmot Road, approximately 3.8km south of the village of Forth.

The land is Agriculture Zone. Land to the north and south is also Agriculture Zone. Adjoining land to the west is Rural Zone and is identified as a Private Timber Reserve. Wilmot Road adjoins the land to the east, with land on the other side of Wilmot Road also Agriculture Zone. Refer to Zone Map at Annexure 3.

The land has a clear flat area adjacent to Wilmot Road. A rural shed is located in this area.

The remainder of the land slopes steeply upwards, towards the west, and supports dense stands of native vegetation.

A portion of the land to the west has been the subject of timber harvesting, possibly in conjunction with the harvesting of the adjoining Private Timber Reserve.

History –

A permit for a rural shed was issued in 2010.

DISCUSSION

The following table is the Manager Land Use Planning's assessment against the Planning Scheme provisions:

21.0 Agriculture Zone

21.1 Zone Purpose

The purpose of the Agriculture Zone is:

21.1.1 To provide for the use or development of land for agricultural use.

21.1.2 To protect land for the use or development of agricultural use by minimising:

- (a) conflict with or interference from non-agricultural uses;
- (b) non-agricultural use or development that precludes the return of the land to agricultural use; and
- (c) use of land for non-agricultural use in irrigation districts.

21.1.3 To provide for use or development that supports the use of the land for agricultural use.

Planners comment: Residential use of land in the Agriculture Zone does not satisfy the Zone Purpose, unless a dwelling is required to support the use of the land for agricultural use.		
CLAUSE	COMMENT	
21.3 Use Standards		
21.3.1 Discretionary uses	Not applicable	Assessment
21.3.1 –(A1) No acceptable solution. 21.3.1 –(P1) A use listed as Discretionary, excluding Residential or Resource Development, must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to: (a) access to a specific naturally occurring resource on the site or on land in the vicinity of the site; (b) access to infrastructure only available on the site or on land in the vicinity of the site;	<div>☒</div>	Use is Residential.

<p>(c) access to a product or material related to an agricultural use;</p> <p>(d) service or support for an agricultural use on the site or on land in the vicinity of the site;</p> <p>(e) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and</p> <p>(f) provision of essential Emergency Services or Utilities.</p>		
<p>21.3.1 –(A2)</p> <p>No acceptable solution.</p> <p>21.3.1 –(P2)</p> <p>A use listed as Discretionary, excluding Residential, must minimise the conversion of agricultural land to non-agricultural use, having regard to:</p> <p>(a) the area of land being converted to non- agricultural use;</p> <p>(b) whether the use precludes the land from being returned to an agricultural use;</p> <p>(c) whether the use confines or restrains existing or potential agricultural use on the site or adjoining sites.</p>	<input checked="" type="checkbox"/>	<p>Use is Residential.</p>
<p>21.3.1 –(A3)</p> <p>No acceptable solution.</p> <p>21.3.1 –(P3)</p> <p>A use listed as Discretionary, excluding Residential, located on prime agricultural land must:</p>	<input checked="" type="checkbox"/>	<p>Use is Residential.</p>

<p>(a) be for Extractive Industry, Resource Development or Utilities, provided that:</p> <ul style="list-style-type: none"> (i) the area of land converted to the use is minimised; (ii) adverse impacts on the surrounding agricultural use are minimised; and (iii) the site is reasonably required for operational efficiency; or <p>(b) be for a use that demonstrates a significant benefit to the region, having regard to the social, environmental and economic costs and benefits of the proposed use.</p>		
<p>21.3.1 –(A4) No acceptable solution.</p> <p>21.3.1 –(P4) A Residential use listed as Discretionary must:</p> <p>(a) be required as part of an agricultural use, having regard to:</p> <ul style="list-style-type: none"> (i) the scale of the agricultural use; (ii) the complexity of the agricultural use; (iii) the operational requirements of the agricultural use; (iv) the requirement for the occupier of the dwelling to attend to the agricultural use; and (v) proximity of the dwelling to the agricultural use; or 	<p><input type="checkbox"/></p>	<p>No Acceptable Solution standards for Residential Use Class.</p> <p>Refer to the “Issues” section of this report for assessment against the relevant Performance Criteria.</p>

<p>(b) be located on a site that:</p> <p>(i) is not capable of supporting an agricultural use;</p> <p>(ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use; and</p> <p>(iii) does not confine or restrain agricultural use on adjoining properties.</p>		
21.4 Development Standards for Buildings and Works		
21.4.1 Building height	Not applicable	Assessment
<p>21.4.1 –(A1)</p> <p>Building height must be not more than 12m.</p>	<input type="checkbox"/>	Compliant by condition.
21.4.2 Setbacks	Not applicable	Assessment
<p>21.4.2 –(A1)</p> <p>Buildings must have a setback from all boundaries of:</p> <p>(a) not less than 5m; or</p> <p>(b) if the setback of an existing building is within 5m, not less than the existing building.</p>	<input type="checkbox"/>	Compliant by condition.
<p>21.4.2 –(A2)</p> <p>Buildings for a sensitive use must have a setback from all boundaries of:</p> <p>(a) not less than 200m; or</p> <p>(b) if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</p>	<input type="checkbox"/>	<p>(a) Non-compliant. Building envelope for sensitive use would not be setback 200m from side or front boundaries.</p> <p>Refer to the “Issues” section of this report for assessment against the relevant Performance Criteria.</p>

21.4.3 Access for new dwellings	Not applicable	Assessment
21.4.3 –(A1) New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.	<input type="checkbox"/>	Compliant. Land has frontage to Wilmot Road.
21.5 Development Standards for Subdivision		
21.5.1 Lot design	Not applicable	Assessment
21.5.1 –(A1) Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities or irrigation infrastructure; or (c) be for the consolidation of a lot with another lot provided both lots are within the same zone. 	<input checked="" type="checkbox"/>	Not a subdivision.
21.5.1 –(A2) Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	<input checked="" type="checkbox"/>	Not a subdivision.

CODES

CODICES	NOT APPLICABLE	APPLICABLE
C1.0 Signs Code	<input checked="" type="checkbox"/>	
C2.0 Parking and Sustainable Transport Code	<input type="checkbox"/>	Land is able to accommodate 2 car parking spaces.
C3.0 Road and Railway Assets Code	<input checked="" type="checkbox"/>	
C4.0 Electricity Transmission Infrastructure Protection Code	<input checked="" type="checkbox"/>	
C5.0 Telecommunications Code	<input checked="" type="checkbox"/>	
C6.0 Local Historic Heritage Code	<input checked="" type="checkbox"/>	
C7.0 Natural Assets Code	<input checked="" type="checkbox"/>	Priority vegetation layer does not apply to the Agriculture Zone. No watercourse protection area identified on the land.
C8.0 Scenic Protection Code	<input checked="" type="checkbox"/>	
C9.0 Attenuation Code	<input checked="" type="checkbox"/>	
C10.0 Coastal Erosion Hazard Code	<input checked="" type="checkbox"/>	
C11.0 Coastal Inundation Hazard Code	<input checked="" type="checkbox"/>	
C12.0 Flood-Prone Areas Hazard Code	<input checked="" type="checkbox"/>	Not within the Forth River Flood overlay.
C13.0 Bushfire-Prone Areas Code	<input checked="" type="checkbox"/>	Land is in a bushfire-prone area, however the Code only applies to subdivision, hazardous use and vulnerable use.
C14.0 Potentially Contaminated Land Code	<input checked="" type="checkbox"/>	
C15.0 Landslip Hazard Code	<input checked="" type="checkbox"/>	
C16.0 Safeguarding of Airports Code	<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>C2.5.1–(A1)</p> <p>The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <p>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-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</p>	<div><input type="checkbox"/></div>	<p>Compliant. The site is able to make provision for 2 car parking spaces.</p> <p>(a) Not applicable.</p> <p>(b) Not applicable.</p> <p>(c) Not applicable.</p> <p>(d)(i) Not applicable.</p> <p>(d)(ii) Not applicable.</p>

<p>Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.</p>		
C2.5.2 Bicycle parking numbers	Not applicable	Assessment
<p>C2.5.2-(A1)</p> <p>Bicycle parking spaces must:</p> <p>(c) be provided on the site or within 50m of the site; and</p> <p>(d) be no less than the number specified in Table C2.1.</p>	<input checked="" type="checkbox"/>	Does not apply to dwelling development.

C2.5.3 Motorcycle parking numbers	Not applicable	Assessment
<p>C2.5.3-(A1)</p> <p>The number of on-site motorcycle parking spaces for all uses must:</p> <p>(c) be no less than the number specified in Table C2.4; and;</p> <p>(d) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification provided the existing number of motorcycle parking spaces is maintained.</p>	☒	Not required.
C2.5.4 - Loading bays	Not applicable	Assessment
<p>C2.5.4-(A1)</p> <p>A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	☒	Does not apply to dwelling development.
C2.5.5 - Number of car parking spaces within General Residential Zone and Inner Residential Zone		
<p>C2.5.5-(A1)</p> <p>Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:</p> <p>(c) Food Services uses up to 100m² floor area or 30</p> <p>(d) seats, whichever is the greater; and</p> <p>(c) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant</p>	☒	Not an existing non-residential building.

Acceptable Solution for the relevant zone.		
C2.6 Development Standards for Buildings and Works		
C2.6.1 Construction of parking areas	Not applicable	Assessment
<p>C2.6.1–(A1)</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to a public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<input type="checkbox"/>	<p>(a) Compliant by condition.</p> <p>(b) Compliant by condition.</p> <p>(c) Compliant by condition.</p>
C2.6.2 Design and layout of parking areas	Not applicable	Assessment
<p>C2.6.2–(A1)</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <p>(i) have a gradient in accordance with <i>Australian Standard AS 2890 – Parking facilities, Parts 1-6</i>;</p> <p>(ii) provide for vehicles to enter and exit the site in a forward direction where</p>	<input type="checkbox"/>	<p>(a)(i) Compliant by (b).</p> <p>(a)(ii) Compliant by (b).</p> <p>(a)(iii) Compliant by (b).</p> <p>(a)(iv) Compliant by (b).</p> <p>(a)(v) Compliant by (b).</p> <p>(a)(vi) Compliant by (b).</p> <p>(a)(vii) Compliant by (b).</p> <p>(b) Compliant by condition.</p> <p>A1.2</p> <p>(a) Not applicable for this application.</p>

<p>providing for more than 4 parking spaces;</p> <p>(iii) have and access width not less than the requirements in Table C2.2;</p> <p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>.</p> <p>C2.6.2–(A1.2)</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS</i></p>		<p>(b) Not applicable for this application.</p> <p>(c) Not applicable for this application.</p>
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2890.6:2009 <i>Parking facilities, Off-street parking for people with disabilities.</i> ¹		
¹ Requirements for the number of accessible car parking spaces are specified in part D3 of the <i>National Construction Code 2016</i>		
C2.6.3 Number of accesses for vehicles	Not applicable	Assessment
<p>C2.6.3–(A1)</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses whichever is the greater.</p>	<input type="checkbox"/>	<p>(a) Compliant. One existing access.</p> <p>(b) Not applicable. Satisfied by (a).</p>
<p>C2.6.3–(A2)</p> <p>Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<input checked="" type="checkbox"/>	Not Central Business Zone.
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	Not applicable	Assessment
<p>C2.6.4–(A1)</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and Clause 3.6 “Car parks” in Australian Standards/ New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part</p>	<input checked="" type="checkbox"/>	Site is Agriculture Zone.

3.1: Pedestrian area (Category P) lighting – Performance and design requirements.		
C2.6.5 Pedestrian access	Not applicable	Assessment
<p>C2.6.5-(A1.1)</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(c) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles by:</p> <p>(iii) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(iv) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(d) be signed and line marked at points where pedestrians cross access ways or parking aisles; and</p> <p>C2.6.5-(A1.2)</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>	☒	Not required for single dwelling residential.
C2.6.6 Loading bays	Not applicable	Assessment
<p>C2.6.6-(A1)</p> <p>The area and dimensions of loading bays and access way areas must be designed in</p>	☒	Loading bays are not required.

<p>accordance with <i>Australian Standard AS 2890.2-2002 Parking Facilities Part 2: Parking facilities- Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>		
<p>C2.6.6-(A2)</p> <p>The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS2890. 2- 2002 Parking Facilities Part 2: Parking facilities- Off-street commercial vehicle facilities</i>.</p>	<input checked="" type="checkbox"/>	<p>Loading bays are not required.</p>
<p>C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>C2.6.7-(A1)</p> <p>Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must:</p> <ul style="list-style-type: none"> (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from an entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of <i>Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements</i>. 	<input checked="" type="checkbox"/>	<p>Not required for residential use.</p>

<p>C2.6.7-(A2)</p> <p>Bicycle parking spaces must:</p> <p>(a) have dimensions not less than:</p> <p style="padding-left: 40px;">(i) 1.7m in length;</p> <p style="padding-left: 80px;">(a) 1.2m in height;</p> <p style="padding-left: 40px;">and</p> <p style="padding-left: 40px;">(ii) 0.7m in width at the handlebars;</p> <p>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</p> <p>(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i>.</p>	<input checked="" type="checkbox"/>	<p>Site is Agriculture Zone.</p>
<p>C2.6.8 Siting of parking and turning areas</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>C2.6.8-(A1)</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>	<input checked="" type="checkbox"/>	<p>Site is Agriculture Zone.</p>
<p>C2.6.8-(A2)</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p>	<input checked="" type="checkbox"/>	<p>Site is Agriculture Zone.</p>

(a) have no new vehicle accesses, unless an existing access is removed;		
(b) retain an active street frontage; and		
(c) not result in parked cars being visible from public places in the adjacent roads.		
C2.7 Parking Precinct Plan		
C2.7.1 Parking precinct plan	Not applicable	Assessment
C2.7.1-(A1) Within a parking precinct plan, on-site parking must: <ul style="list-style-type: none"> (a) not be provided; or (b) not be increased above existing parking numbers. 	☒	Parking precinct plan does not apply to the land.

SPECIFIC AREA PLANS	NOT APPLICABLE	APPLICABLE
CCO-S1.0 Forth Specific Area Plan	☒	
CCO-S2.0 Leith Specific Area Plan	☒	
CCO-S3.0 Penguin Specific Area Plan	☒	
CCO-S4.0 Revell Lane Specific Area Plan	☒	
CCO-S5.0 Turners Beach Specific Area Plan	☒	
CCO CODE LISTS		
CCO-Table C3.1 Other Major Roads	This Table is not used in this Local Provisions Schedule.	
CCO-Table C6.1 Local Heritage Places	This Table is not used in this Local Provisions Schedule.	

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

Issues –

1 Clause 21.3.1–(A4) – Discretionary Use in Agriculture Zone –

The Planning Scheme’s Objective for Clause 21.3.2 “Discretionary Use in Agriculture Zone” is:

“That uses listed as Discretionary:

- (a) support agricultural use; and
- (b) protect land for agricultural use by minimising the conversion of land to non-agricultural use”.

The Planning Scheme’s definition of ‘agricultural use’ means use of the land for propagating, cultivating, or harvesting plants or for keeping and breeding of animals, excluding domestic animals and pets. It includes the handling and packing or storing of plant and animal produce for dispatch to processors.

The definition includes controlled environment agriculture and plantation forestry.

Residential Use Class is defined in the Planning Scheme as “use of land for self-contained or shared accommodation. Examples include a boarding house, communal residence, home based business, home based childcare, respite centre, assisted housing, retirement village, a single dwelling and multiple dwellings”.

The Planning Scheme does not have Acceptable Solution criteria for Clause 21.3.2–(A4). The proposal to establish a Residential Use in the Agricultural Zone, is a Discretionary matter. This means the Planning Authority has a discretion to refuse or permit a use or development.

The development proposal must be assessed against the Planning Scheme’s relevant Performance Criteria Clause 21.3.1 –(P4) that has two options that are to be considered:

Clause 21.3.1 –(P4) states “a Residential use listed as Discretionary must:

- (a) be required as part of an agricultural use, having regard to:
 - (i) the scale of the agricultural use;

- (ii) the complexity of the agricultural use;
- (iii) the operational requirements of the agricultural use;
- (iv) the requirement for the occupier of the dwelling to attend to the agricultural use; and
- (v) proximity of the dwelling to the agricultural use; or”

Planner’s comment: The word “must” is a mandatory directive under a Planning Scheme. Further, where the word “and” is used, then all Clauses are inclusive of the other and all must be satisfied. This means that all matters under 21.3.1–(P4)(a)(i) to (a)(iv) must be satisfied by the development or alternatively, must satisfy 21.3.1 (P4)(b)(i) to (iii), as outlined below.

The proposed residential building envelope is not required as part of an agricultural use of the land. There is no operation of scale, complexity or operational requirements that can demonstrate a dwelling is required. The applicant has also stated this is the case. The proposal cannot satisfy the tests under (a)(i) to (a)(iv).

The proposal is then examined against (b).

- (b) “be located on a site that :
 - (i) is not capable of supporting an agricultural use;
 - (ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use; and
 - (iii) does not confine or restrain agricultural use on adjoining land”.

Criteria (b)(i), (b)(ii) and (b)(iii) are inclusive of the other and all must be satisfied.

(b)(i) Planner’s comment: A report by Agronomist, Mr Simon Nowell, accompanies the application and informs us that the land is not capable of supporting an agricultural use. However, the report is written from an agronomist’s viewpoint, assessing the land for cropping or grazing. The report does not discuss the capability of the land for “agricultural use” as defined by the Planning Scheme, such as for forestry or controlled environment agriculture.

(b)(ii) Planner's comment: The land is capable of being included with other land (regardless of ownership) for agricultural use. An aerial image shows that a portion of the land, to the west, has been harvested in conjunction with the adjoining Private Timber Reserve. There is no impediment to the land being consolidated with other land or used in conjunction with other land.




(b)(iii) Planner's comment: This matter is difficult to determine. If timber harvesting was to be undertaken on adjoining land, as has occurred on adjoining land to the west, (see Aerial Image below) then a single dwelling would be a constraint to that activity.



Conclusion: The proposed single dwelling "envelope" is not required to support an agricultural use on the land of scale and complexity. The use would be for residential living, well beyond a zone designated for residential living. The applicant has been clear about this aspect of the application.

Whilst the land may appear to be worthy of residential use, the land in fact forms part of a large area of Agriculture Zone in this area. In order to support the proposal, the Central Coast LPS would need to be amended to allow the area, in general, to become a Rural Living Zone, with the inclusion of all other lots in the area of similar characteristics. See Zone Map below.



- Agriculture Zone 
- Rural Zone 
- Subject Land 

2 *Clause 21.4.2-(A2) - Setback of sensitive use from Agriculture Zone -*

The Planning Scheme's Acceptable Solution 21.4.2-(A2) states that "buildings for a sensitive use must have a setback from all boundaries of:

- (a) not less than 200m; or
- (b) if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building."

Under the proposal, the building envelope for a single dwelling would be setback less than 200m from side and front boundaries.

The Acceptable Solution is not satisfied. An assessment against the relevant Performance Criteria and an exercise of discretion is required for the proposal to be approved.

The Planning Scheme's Performance Criteria 21.4.2-(P2) states – "Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use, having regard to:

- (a) the size, shape and topography of the site:

Planner's comment: The land has a 185m long frontage to Wilmot Road, with a 1.4ha area of cleared, flat land adjacent to the roadway. A rural shed is located in this area and an unidentified drainage swale flows through this area, emptying into a dam on the neighbouring property to the north. The remainder of the land slopes steeply upwards, towards the west, supporting dense stands of native vegetation.

- (b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties:

Planner's comment: Dwellings that are evident on some adjoining properties were approved 30 years ago or earlier, before the implementation of the current Planning Scheme and several other Planning Schemes that have existed before the current Ordinance. A single dwelling, constructed in 1978 with similar setbacks, is located on adjoining land to the north. Land to the west is a private timber reserve and does not accommodate a dwelling. Land to the south accommodates a single dwelling with a shed, approved in 1993. On the opposite side of Wilmot Road, a 9,705m² lot accommodates a single dwelling with sheds. This dwelling was constructed in 1920.

- (c) the location of existing buildings on the site;

Planner's comment: A rural shed on the land is located 38m from the Wilmot Road frontage and 27.5m from the southern side boundary.

- (d) the existing and potential use of adjoining properties;

Planner's comment: Adjoining land to the west is a Private Timber Reserve. Other adjoining lots are heavily timbered properties accommodating single dwellings. All dwellings were

approved prior to the introduction of the *Land Use Planning and Approvals Act 1993* and subsequent Planning Schemes.

- (e) any proposed attenuation measures; and
Planner's comment: No attenuation measures are proposed.
- (f) any buffers created by natural or other features".

Planner's comment: Dense, native vegetation and steep landform in this location separates one parcel of land from another.

Conclusion: A building envelope for a single dwelling is a 'sensitive use' of land. The Tasmanian Planning Scheme seeks to protect the Agriculture Zone from 'sensitive use' development, unless required for the operation of an agricultural use of scale and complexity. Whilst adjoining land accommodates dwellings, all were approved prior to the introduction of the *Land Use Planning and Approvals Act 1993* (the Act) that governs land use and development in Tasmania, and the subsequent introduction of Planning Schemes under the Act.

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	No issues.
Infrastructure Services	No issues.
TasWater	Not applicable.
Department of State Growth	Not applicable.
Environment Protection Authority	Not applicable.
TasRail	Not applicable.
Heritage Tasmania	Not applicable.

Crown Land Services	Not applicable.
Other	Not applicable.

CONSULTATION

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

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

Representations –

No representations were received within the prescribed time.

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 (reviewed 2019) includes the following strategies and key actions:

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure.

CONCLUSION

The proposal, to establish a Residential Use Class building envelope for a single dwelling on a vacant parcel of land in the Agriculture Zone does not demonstrate compliance with the Planning Scheme's Agriculture Zone Purpose or Performance Criteria.

The Residential use of land in the Agriculture Zone must be required for operational reasons and to support the use of the land for an agricultural use of demonstrated complexity and scale.

Recommendation –

It is recommended that the application for Residential – building envelope for a single dwelling – Discretionary use and Setbacks at 380 Wilmot Road, Forth – Application No. DA2022281 – be refused as the proposal does not satisfy the following:

- (a) Clause 21.1, the Zone Purpose (Clause 21.1);
- (b) the Objective of Clause 21.3.2 in that the proposed single dwelling building envelope would not support agricultural use of scale and complexity and would result in the conversion of land in the Agriculture Zone to Residential Use Class; and
- (c) Clause 21.3.1–(P4) in that:
 - (i) the single dwelling building envelope would not be required as part of an agricultural use [Clause 21.3.1–(P4)(a)]; and
 - (ii) the land is capable of being included with other agricultural land (regardless of ownership) for agricultural use [Clause 21.3.1–(P4)(b)(ii)].

The report is supported.”

The Executive Services Officer reports as follows:

“A copy of the Annexures referred to in the Manager Land Use Planning’s report having been circulated to all Councillors, a suggested resolution is submitted for consideration.”

■ “That the application for Residential – building envelope for a single dwelling – Discretionary use and Setbacks at 380 Wilmot Road, Forth – Application No. DA2022281 – be refused as the proposal does not satisfy the following:

- (a) Clause 21.1, the Zone Purpose (Clause 21.1);
- (b) the Objective of Clause 21.3.2 in that the proposed single dwelling building envelope would not support agricultural use of scale and complexity and would result in the conversion of land in the Agriculture Zone to Residential Use Class; and
- (c) Clause 21.3.1–(P4) in that:

- (i) the single dwelling building envelope would not be required as part of an agricultural use [Clause 21.3.1–(P4)(a)]; and
 - (ii) the land is capable of being included with other agricultural land (regardless of ownership) for agricultural use [Clause 21.3.1–(P4)(b)(ii)].”
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INFRASTRUCTURE SERVICES

10.14 Tenders for backhoe replacement – F900

The Director Infrastructure Services reports as follows:

“The Fleet Officer has prepared the following report:

‘PURPOSE

The purpose of this report is to provide information and recommendations for the replacement of the JCB 4wd Backhoe F900.

BACKGROUND

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

The tender documents were lodged on 7 September 2022 and closed 5 October 2022.

Tenders were received as follows:

INFRASTRUCTURE SERVICES

TENDERER	MAKE	GROSS PRICE \$ (Exc. GST)	TRADE-IN PRICE \$ (Exc. GST)	NETT PRICE \$ (Exc. GST)
Onetrak	Hidromek HMK102B	188,445	52,500	135,945
JF Machinery	JCB 3CX Plus T5	189,050	49,000	140,050
JF Machinery	JCB 3CX Pro T5	203,350	49,000	154,350
TTMI	Case SV580	200,000	47,000	153,000
RDO Equipment	John Deere 315SL	201,250	41,000	160,250
William Adams	Caterpillar 432	218,000	40,000	178,000
<i>ESTIMATE</i>		<i>\$180,000</i>	<i>\$40,000</i>	<i>\$140,000</i>

DISCUSSION

The Council fleet operates four 900 series backhoes, the unit being replaced is ten years old.

A total of six backhoes from five suppliers were offered for consideration. Along with the base pricing, there were several options offered by the different suppliers that may enhance the operation of the unit. Due to lack of local availability and pricing only two units tendered were inspected.

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

Documentation and Compliance	15%
Operational Assessment	25%
HSR Assessment	15%
Service Costs & Warranty	15%
Financial Offer	15%
Previous Experience	10%
Locality	5%

The Tender Assessment Panel consisted of the Fleet Officer, Workshop Mechanic, Waste Services Team Leader and the current unit operators.

The two units inspected were the JCB CX3 Plus T5, and the Hidromek HMK102B.

After the inspections of the two units and subsequent tender scoring, the submission from Onetrak for the Hidromek HMK102B achieved the highest rating based on this method.

It was agreed that the Hidromek HMK102B unit offered the options and specifications required and was considered to be the most suitable for the Waste Management operational duties. While all of the other tendered units had comparable options and standard safety features, they all scored lower in both the financial offers and in regard to the total assessment scoring.

It is believed that the heavily built robustness and standard specifications on the Hidromek HMK102B render it as the most suitable and best value unit for the Council in its harsh environment with waste services duties.

A copy of the confidential Tender Assessment Panel's scoresheet is appended.

CONSULTATION

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

RESOURCE, FINANCIAL AND RISK IMPACTS

The budget estimate for the unit is \$180,000 including an estimated \$40,000 trade-in. (\$140,000 Net Changeover)

The Hidromek HMK102B Net Changeover of \$135,945 (excluding GST) is within budget (and less than all other tendered units), the preferred option can be accommodated within the plant replacement budget.

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

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

Council Sustainability and Governance

- . Improve corporate governance.

CONCLUSION

It is recommended that the Council:

- 1 accept the tender from Onetrak for the supply of a Hidromek HMK102B model in the amount of \$188,445 (excluding GST [\$207,290 including GST]);
- 2 accept the trade-in offer from Onetrak for fleet item F900, being a JCB 3CX, in the amount of \$52,500 (excluding GST [\$57,750 including GST]).'

The Fleet Officer's report is supported."

The Executive Services Officer reports as follows:

"A copy of the confidential tender assessment having been circulated to all Councillors; a suggested resolution is submitted for consideration."

■ “That the Council:

- 1 accept the tender from Onetrak for the supply of a Hidromek HMK102B model in the amount of \$188,445 (excluding GST [\$207,290 including GST]);
- 2 accept the trade-in offer from Onetrak for fleet item F900, being a JCB 3CX, in the amount of \$52,500 (excluding GST [\$57,750 including GST]).

10.15 Tenders for resealing of urban and rural roads 2022–2023

The Director Infrastructure Services reports as follows:

“The Road Engineer has prepared the following report:

‘PURPOSE

The purpose of this report is to make recommendation on tenders received for the 2022–2023 urban and rural roads resealing program. Works will include the resealing of 2.14km of urban roads, 18.58km of rural roads, and 5.93km of road sections affected by resealing will be re-linemarked.

BACKGROUND

For sealing of Council roads there is an established practice of calling for expressions of interest from suppliers to be listed on a Multiple Use Register for a three-year term.

Expressions of interest for sprayed bituminous surfacing were invited on 30 June 2021 as part of the Council’s Standing Tenders for 2021–2024. Submissions were received from Hardings Hotmix, Roadways Pty Ltd, Fulton Hogan Industries Pty Ltd and Downer EDI Pty Ltd.

All four companies were placed on the Multiple Use Register after being assessed for compliance.

The registered companies were invited to provide tenders for the resealing of urban and rural roads during 2022–2023 on 29 September 2022, via the

Council's on-line e-tendering portal, Tenderlink. Tenders closed at 2.00pm on Tuesday, 25 October 2022.

At approximately 11.00am on 25 October, the Council was contacted by phone by the Contracts Administrator of Fulton Hogan Industries Pty Ltd and informed that due to a technical issue they were not able to upload the tender submission to the TenderLink tender box. They were advised to email the tender submission before the closing time. The Contracts Administrator of Fulton Hogan Industries Pty Ltd emailed the pdf version of the tender submission document to the Council's Road Engineer at 11.59am.

Hardings Hotmix Pty Ltd submitted their tender submission through Tenderlink.

DISCUSSION

Fulton Hogan Industries Pty Ltd and Hardings Hotmix Pty Ltd submitted tenders as follows (including GST):

Initial verification of price extensions revealed no mathematical errors.

TENDERER	PRICE
Hardings Hotmix Pty Ltd	\$580,556.68
Fulton Hogan Industries Pty Ltd	\$729,027.78

The following weighted tender assessment criteria was used to evaluate the tenders:

Compliance with tender documents	5%
WH&S Policy and Record	5%
Proposed Construction Period	20%
Previous work for Council	30%
Tender Price	30%
Locality of Business	10%

Based on the evaluation, Hardings Hotmix Pty Ltd was assessed as the preferred tender.

A copy of the confidential Tender Assessment Panel's scoresheet is appended.

CONSULTATION

This item has utilised the Council's Multiple Use Register for sprayed bituminous sealing in an invited tendering process.

RESOURCE, FINANCIAL AND RISK IMPACT

The total budget for urban and rural resealing for 2022–2023 is \$1,000,000. The tender from Hardings Hotmix Pty Ltd can be accommodated within the budget.

The balance is utilised for reseal preparation works carried out by the Council's Construction and Maintenance Group and overheads.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2014–2024 includes the following objectives:

A Connected Central Coast

- . Provide for a diverse range of movement patterns
- . Connect the people with services

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure

Council Sustainability and Governance

- . Improve service provision.

CONCLUSION

It is recommended that the tender from Hardings Hotmix Pty Ltd in the amount of \$527,778.80 (excluding GST) [\$580,556.68 (including GST)] for urban and rural road resealing 2022–2023, be accepted and approved by the Council.'

The Road Engineer's report is supported."

The Executive Services Officer reports as follows:

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

■ "That the tender from Hardings Hotmix Pty Ltd in the amount of \$527,778.80 (excluding GST) [\$580,556.68 (including GST)] for urban and rural road resealing 2022–2023, be accepted and approved by the Council."

10.16 Perry-Ling Gardens Landscape Masterplan 2022

The Director Infrastructure Services reports as follows:

“The Manager Asset Services has prepared the following report:

‘PURPOSE

The purpose of this report is to recommend adoption of the Perry-Ling Gardens Landscape Masterplan 2022 (the Plan).

BACKGROUND

The Plan was initiated through the Council’s Annual Plan 2021–2022 that identified the strategic action ‘Complete the Perry-Ling Gardens Masterplan, incorporating a management and implementation plan’.

This originates from Strategic Direction 4 – The Environment and Sustainable Infrastructure – improve recreational amenities and play equipment in the Council’s key foreshore parks.

The strategic action was carried forward into the Council’s Annual Plan 2022–2023 as ‘Complete the implementation plan for the Perry-Ling Gardens’.

DISCUSSION

The Council undertook community consultation via a Perry-Ling Gardens Community Survey in 2020 which received 197 responses. Some key results included 78% of respondents wanted interpretation stories of the Garden’s history, 69% of respondents have requested upgrading of seating assets, 63% of respondents wanted improved defined pathways and information about where to walk.

Complete Streets and John Mongard Landscape Architects were engaged in the development of the Penguin Town Centre Masterplan in 2021. As part of further consultation after the development of the Penguin Town Centre

Masterplan in 2022, further feedback was received about Perry-Ling and Max Perry Reserve Gardens.

The designs of Stage B of the Penguin Foreshore Remediation and Upgrade Project were incorporated into the Plan. Construction of this project was completed in October 2022.

This project included the extension of the Shared Pathway above the rock revetment wall which now protects Watcombe Beach and the historic Perry-Ling Gardens to the east and the adjoining Max Perry Reserve to the west and Surf Club Point (Zvoni Gornik Lions Park). This project has created the foundations from which the Perry-Ling Gardens Landscape Masterplan can continue to complement the existing gardens' character but also to enhance the future flowering elements of the Perry-Ling Gardens and Max Perry Reserve.

The community survey results in 2020, the Penguin Town Centre Masterplan project and the designs of Stage B of the Penguin Foreshore Remediation and Upgrade Project all provided information for the drafting of the Plan.

The outcome of the Plan identifies three key garden landscapes; the verge gardens located between Main Road, Penguin and the rail corridor, the park gardens located from Surf Club Point (Zvoni Gornik Lions Park) to Max Perry Reserve and the native coastal vegetation area which encompasses the heritage listed Perry-Ling Gardens.

All three garden landscapes are guided by a planting palette to feature a mix of exotic and native plants within the heritage gardens and the beach front parklands and ongoing flowering gardens in the road verge.

Each of the garden landscapes share additional park assets such as interpretive and way finding signage, picnic tables and seats.

Stage one of the Penguin Foreshore Masterplan is still being finalised and is to be considered by Council in January 2023.

CONSULTATION

The Perry-Ling Gardens Landscape Masterplan was developed through three key projects with engagement from the community and Councillors:

The Perry-Ling Gardens Community Survey was undertaken in 2020, before workshopping with Councillors on 23 November 2020.

- . The Penguin Town Centre Masterplan was developed in 2021 with feedback supporting the Perry-Ling Gardens Community Survey results. Extensive community consultation was undertaken including various Council workshops and staff sessions throughout the development of the Penguin Town Centre Masterplan.
- . Stage B of the Penguin Foreshore Remediation and Upgrade Project occurred in 2020 including alignment with the Perry-Ling Gardens Community Survey results. The project was workshopped with Councillors on 14 September 2020 and the associated Development Application was approved at the 17 May 2021 Council meeting.

The Plan was advertised for a two-week public comment period from 29 August 2022 to 10 September 2022. No further comment was received.

RESOURCE, FINANCIAL AND RISK IMPACTS

A number of the actions proposed in the Plan are, and will continue to be, undertaken utilising existing resources. The Council has adopted a budget of \$130,000 from Local Roads and Community Infrastructure (LRCI) Program Phase 3 to implement the Plan actions. Any additional costs and resource implications of these actions will be managed through the Council's estimates process.

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure

CONCLUSION

It is recommended that the Perry-Ling Gardens Landscape Masterplan 2022 be adopted.'

The Manager Asset Services' report is supported."

The Executive Services Officer reports as follows:

"A copy of the Perry-Ling Gardens Landscape Masterplan 2022 having been circulated to all Councillors, a suggested resolution is submitted for consideration."

- “That the Perry-Ling Gardens Landscape Masterplan 2022 (a copy being appended to and forming part of the minutes) be adopted.”
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10.17 Infrastructure Services determinations

The Director Infrastructure Services reports as follows:

“A Schedule of Infrastructure Services Determinations made during the months of September and October 2022 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The 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 Infrastructure Services Determinations (a copy being appended to and forming part of the minutes) be received.”
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CORPORATE SERVICES

**10.18 Amendments to Dog Management Policy 2020 – Penguin and Preservation Bay
(222/2020 – 20.07.2020 and 284/2020 – 21.09.2020)**

The General Manager reports as follows:

“The Manager Regulatory Services has prepared the following report:

‘PURPOSE

The purpose of this report is to consider the inclusion of Johnsons Beach, Penguin and Preservation Bay Beach, Preservation Bay in the Dog Management Policy 2020 (the Policy). This report details the outcomes of the public submissions received by the Council in relation to the proposed amendments to the revised restrictions at Penguin and Preservation Bay.

BACKGROUND

The Council at its meeting on 20 July 2020 (Minute No. 222/2020) adopted its new Policy to take effect from 1 October 2020, replacing the 2015 version. There was considerable public interest in the new Policy and numerous submissions made, particularly relating to new restrictions requiring that on a number of beaches dogs are to be on-lead. The Council subsequently amended the Policy on 21 September 2020 (Minute No. 284/2020). The Policy amendments related to Buttons Beach, Ulverstone and Turners Beach.

Two beaches were omitted from the Policy, these being Johnsons Beach, Penguin and Preservation Bay Beach, Preservation Bay. These two beaches were also excluded from previous dog management policies. The result of this exclusion is that the default position in the *Dog Control Act 2000* applies, this being that dogs are to be under “effective control”. This does not mean that dogs are to be on-lead.

Given lobbying regarding dog restrictions on Penguin beaches due to the construction of a sea wall at Watcombe Beach, Penguin Main Beach was included in the public consultation. The review is restricted to beaches at Penguin and Preservation Bay. Restrictions on other beaches will be reviewed when the full review of the Policy is undertaken.

DISCUSSION

Feedback relating to the review of the Policy was sought during the period 3 September to 28 September 2022, with the community able to lodge written submissions or complete an online survey. During the consultation phase for the proposed changes to the Policy, the Council received three written submissions.

Submission one states that, unlike Ulverstone and other towns, Penguin does not have a beach that people who are not comfortable with dogs can use. It is submitted that at least one beach should prohibit dogs to provide balance for all beach users. Johnsons Beach is suggested as the most appropriate due to its sheltered location, access and amenities. The submission questions the validity of the online survey as it allows anonymous responses and therefore potentially multiple entries by individuals or groups.

Submission two also doubts the validity of the online survey, stating that there was no control over how many times a group or individual can complete the survey. This submission questions any decision made solely on the survey.

Submission three includes comments attributed to a number of people and supports allowing dogs off-lead on Johnsons Beach and part of Penguin Main Beach, stating that beaches at Penguin have little use other than by dog owners. It commends the health benefits provided to dog owners.

Comments were also sought from Dr Perviz Marker, Penguin Ecologist at UTAS. Dr Marker makes a strong recommendation that Preservation Bay Beach is declared as prohibited to dogs due to the presence of quite a number of little penguins. Dr Marker states that there are no visible signs of little penguins at Johnsons Beach.

The online survey had 313 respondents, the majority being dog owners who reside or work in the municipal area.

QUESTION	YES	NO
Do you own a dog?	269	44
Live or work in Central Coast?	306	7
Should Penguin Main Beach be dog free?	41	272
Should Johnsons Beach be dog free?	32	281

Should Preservation Bay Beach be dog free?	24	289
Should Johnsons Beach be off-lead?	253	60
Should Penguin Main Beach remain on-lead?	221	92
Should Watcombe Beach remain off-lead?	296	17

The online survey provided respondents the opportunity to make additional comments, with 152 doing so. Four believed that the current restrictions are appropriate, and 29 made general comments. These were diverse including comments on dog faeces and bins, dog owner control, enforcement and dog training.

The remainder made specific comments about particular or all beaches. A number supported seasonal or time-based restrictions similar to those in place prior to 2020. Some supported sections or the entirety of some beaches allowing dogs off-lead. Broader consultation should be undertaken when the entire Policy is reviewed before making such changes.

Although Midway Beach was not part of the survey as it is included in the Policy, a number of residents made additional comments about restrictions on that beach, which is currently Restricted – dogs on-lead. Restrictions for Midway Beach should be re-examined when the Policy is due for a full review, after broader consultation.

BEACH	DOG FREE	OFF-LEAD	ON-LEAD	TIMES
All	1	17	11	9
Penguin Main		4	5	14
Johnsons	4	17	10	
Preservation Bay	2	9		1
Midway		12	2	1

The survey showed strong support for dogs being permitted on all beaches. However, those who participated were predominantly dog owners. A balance needs to be achieved in deciding the level of dog access to beaches,

considering the needs of the broader community and the presence of sensitive habitat.

Responses regarding Penguin Main Beach were strongly in favour of the current restriction remaining in place, and no changes are proposed.

A valid argument for declaring Johnsons Beach as prohibited was made in one submission, as there are currently no beaches in Penguin that are free of dogs. However, given that the beach does not currently have restrictions and the lack of community support for a prohibition, it is considered that Johnsons Beach should be declared as an exercise area (off-lead).

Preservation Bay Beach is not currently included in the Policy and therefore the default position in the Act applies, dogs to be under effective control. The presence of a little penguin colony justifies the introduction of restrictions. Given its current status, a prohibition on dogs would be difficult to justify and enforce. It is therefore considered that this beach should be declared as restricted with dogs to be on-leads at all times.

CONSULTATION

During the community consultation period there were alternating posts on the Council's Facebook page, a page on the Council's website, and an advertisement was placed in The Advocate newspaper. These directed residents to an online survey and invited written submissions.

RESOURCE, FINANCIAL AND RISK IMPACTS

Costs associated with changing restrictions will be limited to changes in signage.

CORPORATE COMPLIANCE

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

The Shape of the Place

- . Improve the value and use of open space
- . Conserve the physical environment in a way that ensures we have a healthy and attractive community.

A Connected Central Coast

- . Provide for a diverse range of movement patterns
- . Improve community well-being.

The Environment and Sustainable Infrastructure

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

CONCLUSION

It is recommended that Council receives the submissions made in relation to the amendments made to the Dog Management Policy 2020.'

The report is supported."

The Executive Services Officer reports as follows:

"Copies of the amended maps having been circulated to all Councillors, a suggested resolution is submitted for consideration."

■ "That the Council make amendments to the Dog Management Policy 2020, effective from 1 December 2022, by declaring that:

- 1 under the provisions of Section 20 of the *Dog Control Act 2000*, Johnsons Beach, Penguin, as outlined on the attached map in green (a copy being appended to and forming part of the minutes), is declared an exercise area; and
- 2 under the provisions of Section 23(1)(b) of the *Dog Control Act 2000*, Preservation Bay Beach, Preservation Bay, as outlined on the attached map in orange (a copy being appended to and forming part of the minutes), is declared a restricted area – dogs on leads at all times."

10.19 Amendments to the declared smoke-free area (261/2018 – 17.09.2018 and 381/2020 – 14.12.2020)

The General Manager reports as follows:

"The Manager Regulatory Services has prepared the following report:

‘PURPOSE

The purpose of this report is to make additions to the declared smoke-free area within Ulverstone and to declare a new smoke-free area in Main Road, Penguin.

BACKGROUND

The *Public Health Act 1997* (the Act) stipulates areas that are designated smoke-free areas. These areas include sporting venues and outdoor eating areas. The Act also enables occupiers of land to declare smoke-free areas.

The Council declared Reibey Street, sections of King Edward Street and Alexandra Road in Ulverstone as smoke-free areas during 2018 (Minute No. 261/2018). Apex Park in Reibey Street was subsequently added to the smoke-free area in 2020 (Minute No. 381/2020 – 14.12.2020).

DISCUSSION

The Act states that the following are smoke-free areas:

*“S.67B. Smoke-free areas**(1) A smoke-free area is any of the following:*

- (a) an enclosed public place;*
- (b) an enclosed workplace;*
- (c) any area, including, but not limited to including, a public street, that is not within private premises and is designated by the occupier of the area as a smoke-free area;*
- (d) at an outdoor sporting venue during an organised sporting event being held at that venue, anywhere within 20 metres of –*
 - (i) any permanently or temporarily erected public seating; or*
 - (ii) any seating, marshall area, warm-up area, podium or other part of the venue reserved for the use of competitors or officials; or*

- (iii) any part of the venue used to conduct the actual organised sporting event;*
- (e) anywhere within 3 metres of an entrance to or exit from any non-domestic building or multiple-use building;*
- (f) anywhere within 10 metres of any air intake for ventilation equipment on or in a multiple-use building or a non-domestic building;*
- (g) anywhere within 10 metres of any play equipment erected at a children's playground in a public place;*
- (h) on a beach at which a surf-lifesaving organisation has temporarily erected a pair of red and yellow flags for the safety of beach users, the area "between the flags" (being the rectangular area bordered by the flags, the water's edge and the landward fringe of the beach);*
- (i) anywhere at a public swimming pool, including the curtilage of the public swimming pool;*
- (j) anywhere that the Director, by public notice, designates as a smoke-free area in connection with a public event or class of public events specified in that public notice;*
- (k) anywhere in an outdoor dining area;*
- (l) anywhere within 3 metres of an outdoor dining area that is not surrounded by a screen, or other barrier, that is at least 2.1 metres high and impervious to smoke;*
- (m) a public street that the regulations declare to be a pedestrian mall;*
- (n) a public street that the regulations declare to be a bus mall;*
- (o) anywhere within 3 metres of a bus shelter on a public street."*

Section 67B.(1)(c) of the Act confers on Council the ability to declare areas smoke-free. The areas declared by the Council during 2018 and 2020 were restricted to the Ulverstone CBD. A small area of Apex Park, at the rear of

36 King Edward Street was omitted from the declarations. Feedback has also been received relating to smoking in a laneway that gives access to 12–20 Reibey Street (Coles).

The current Ulverstone smoking restrictions have been in place for four years and are generally accepted. It is therefore considered appropriate to examine smoke-free areas in Penguin. The area looked at was Main Road, Penguin.

Following public consultation, a section of Main Road, Penguin is recommended for declaration as a smoke-free area. The proposed section encompasses a significant area of the shopping precinct.

Maps showing the proposed additions to the declared smoke-free areas are appended to this report.

CONSULTATION

Consultation included social media and website posts, Council's eNewsletter and a door-knock of businesses in Main Road, Penguin. Feedback was predominantly in support of smoking restrictions.

RESOURCE, FINANCIAL AND RISK IMPACTS

No further resources will be required outside of signage and compliance.

CORPORATE COMPLIANCE

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

A Connected Central Coast

- Improve community wellbeing.

CONCLUSION

This report recommends that the Council, under the provisions of Section 67B.(1)(c) of the *Public Health Act 1997*, declare the smoke-free areas which comprise the laneway between 12–20 and 26 Reibey Street, Ulverstone a portion of 36 King Edward Street, Ulverstone (Apex Park), from 81 to 107 Main Road, Penguin and from 52 to 100 Main Road, Penguin as outlined on the attached maps in yellow.'

The report is supported."

The Executive Services Officer reports as follows:

“A copy of the maps outlining the proposed amended smoke-free area having been provided to all Councillors, a suggested resolution is submitted for consideration.”

- “That the Council, under the provisions of Section 67B.(1)(c) of the *Public Health Act 1997*, declare the smoke-free areas which comprise the laneway between 12-20 and 26 Reibey Street, Ulverstone; a portion of 36 King Edward Street, Ulverstone (Apex Park); footpath from 81 to 107 Main Road, Penguin; and footpath from 52 to 100 Main Road, Penguin as outlined on the attached maps in yellow (a copy of the smoke-free area maps being appended to and forming part of the minutes), effective from 1 December 2022.”
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-

10.20 Statutory determinations

The General Manager reports as follows:

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

The 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.”
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11 CLOSURE OF MEETING TO THE PUBLIC

11.1 Meeting closed to the public

The 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: <ul style="list-style-type: none">. Dulverton Waste Management Board Meeting – held 10 August 2022. Dulverton Waste Management Audit & Risk Committee Meeting – held 10 August 2022. Dulverton Waste Management Audit & Risk Committee Meeting – held 15 August 2022. Mersey-Leven Municipal Emergency Planning Committee – Management Meeting – held 14 September 2022	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

<ul style="list-style-type: none"> Dulverton Waste Management Audit & Risk Committee Meeting – held 11 October 2022 (Unconfirmed) Dulverton Waste Management Board Meeting – held 11 October 2022 (Unconfirmed) Dulverton Waste Management Special Representatives Meeting – held 14 October 2022 	
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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 reference</i>
Confirmation of Closed Session Minutes	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
Minutes and notes of other organisations and committees of the Council <ul style="list-style-type: none"> Dulverton Waste Management Board Meeting – held 10 August 2022 Dulverton Waste Management Audit & Risk Committee Meeting – held 10 August 2022 Dulverton Waste Management Audit & Risk Committee Meeting – held 15 August 2022 Mersey-Leven Municipal Emergency Planning Committee – Management Meeting – held 14 September 2022 	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.”

<ul style="list-style-type: none"> Dulverton Waste Management Audit & Risk Committee Meeting – held 11 October 2022 (Unconfirmed) Dulverton Waste Management Board Meeting – held 11 October 2022 (Unconfirmed) Dulverton Waste Management Special Representatives Meeting – held 14 October 2022 	
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The 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.”

Associated Reports And Documents



2022 LOCAL GOVERNMENT ELECTIONS

Certificate of Election

Central Coast Council

In accordance with the Local Government Act 1993 I have declared the following candidates elected to the positions shown below.

9 Councillors

Elected for a period of 4 years

Cheryl FULLER

Garry CARPENTER

Casey HISCUTT

John BESWICK

Philip VINEY

Amanda DIPROSE

Michael SMITH

Sophie LEHMANN

Kate WYLIE

Mayor

Elected for a period of 4 years

Cheryl FULLER

Deputy Mayor

Elected for a period of 4 years

John BESWICK

Michael Leyden RETURNING OFFICER

1 November 2022

**Schedule of Appointments to Statutory Bodies,
Groups and Organisations, Council and Special Committees,
Community Advisory Groups and Working Groups**

November 2022

APPOINTMENTS TO STATUTORY BODIES

Cradle Coast Authority – Representatives Group (22/2006)

- Mayor
- General Manager

Note: the General Manager has the authority to appoint a substitute representative whenever a representative is unable to attend.

The CCA Representatives Group meets quarterly, on a weekday generally from 10.00am to 1.00pm. The location of meeting is CCA's Function Room, Burnie.

Dulverton Regional Waste Management Authority – Representatives Group

- Cr ...
- General Manager

- Cr ... is the proxy appointment.

Note: the General Manager has the authority to appoint a substitute representative whenever a representative is unable to attend.

The Dulverton Regional Waste Management Authority – Representatives Group meets quarterly, on a weekday. Meeting time and duration is generally from 10.00am to 12.00pm. Location of meeting rotates between the four partners – Latrobe, Kentish, Devonport and Central Coast Councils.

Local Government Association of Tasmania – Annual General Meeting, General Meetings and Special General Meetings

- Mayor, Deputy Mayor and General Manager as delegates, with the Mayor as the voting delegate, and in her absence, the Deputy Mayor.

Local Government Association of Tasmania – General Management Committee

- Representative is Mayor of Devonport City Council *or* Mayor of Central Coast Council – *currently vacant*.

Note: proxy to be advised, following appointment of representative.

Tasmanian Water and Sewerage Corporation Pty Ltd – Owners’ Representatives Group (224/2012 – 20.08.2012)

- Mayor
- Cr ... is the proxy appointment.

Tasmanian Water and Sewerage Corporation Pty Ltd – Owners’ Representatives Group have two briefings held in February and August each year and two General Meetings held in May and November (AGM). Meetings are held on weekdays, in various locations, during the day.

Central Coast Shared Audit Panel (28A/2015)

- Robert Atkinson (external member and Chairperson)
- John Howard (external member)
- Cr ...
- Cr ...
- General Manager
- Cr ... is the proxy appointment.

The Central Coast and Shared Audit Panel meets four times annually, with meetings scheduled for March, June Aug and November. Meetings are held on a Monday, with times varying and duration up to three hours. Meetings are alternated between Devonport City and Central Coast Council venues.

**Schedule of Appointments to Statutory Bodies,
Groups and Organisations, Council and Special Committees,
Community Advisory Groups and Working Groups**

APPOINTMENTS TO GROUPS AND ORGANISATIONS

Central Coast Chamber of Commerce and Industry

- Cr ...
- Cr ... is the proxy appointment.

The Central Coast Chamber of Commerce and Industry (CCCCI) meets monthly on the first Wednesday of each month, from 7.30pm at Switch, Ulverstone.

Mersey–Leven Emergency Management Planning Committee (472/2003)

- Mayor
- Central Coast Municipal Emergency Management Coordinator
- Central Coast Deputy Municipal Emergency Management Coordinator
- Central Coast Municipal Community Recovery Coordinator
- Central Coast Deputy Municipal Community Recovery Coordinator

The Committee meets quarterly, generally on a Wednesday, at various council venues in the region.

Penguin Surf Life Saving Club

- Cr ... is the Council's liaison person.
- Cr ... is the proxy appointment.

The Penguin Surf Life Saving Club meet monthly on the third Wednesday from 7.30pm.

Ulverstone Band

- Cr ... is the Council's liaison person.
- Cr ... is the proxy appointment.

The Ulverstone Band do not have a regular meeting schedule. One to two meetings are held annually, notification is provided to committee members. Meetings are generally held weekdays, in the evenings.

Ulverstone Surf Life Saving Club

- Cr ... is the Council's liaison person.
- Cr ... is the proxy appointment.

The Ulverstone Surf Life Saving Club meet monthly on the third Wednesday from 7.30pm.

Caves to Canyon Tourism Association

- Cr ... is the Council's liaison person.
- Cr ... is the proxy appointment.

The Caves to Canyon Tourism Association meet on the third Tuesday of each month. Meetings are held from 7.00pm at Studio 1, Hive.

Slipstream Circus Board Inc. (111/2013)

- Cr ... is the Council's liaison person.
- Cr ... is the proxy appointment.

The Slipstream Circus Board meet monthly on Monday evening at 6.00pm.

Sprent Primary School Association (242/2013)

- Cr ... is the Council's liaison person.
- Cr ... is the proxy appointment.

The Sprent School Association has quarterly meetings on a Wednesday from 7.00pm, for a duration of approximately two hours.

**Schedule of Appointments to Statutory Bodies,
Groups and Organisations, Council and Special Committees,
Community Advisory Groups and Working Groups**

APPOINTMENTS TO COUNCIL AND SPECIAL COMMITTEES

Development Support Special Committee (210/2005)

- Mayor
- Cr ...
- Cr ...
- Cr ...
- Cr ...
- General Manager

- Cr ... is the proxy appointment.

The Development Support Special Committee meeting schedule is approved annually by the Council. Meetings are allocated to the second and last Monday of each month. Meetings commence at 6.00pm and are held prior to Councillor Workshops.

Ulverstone Community Swimming Centre Management Committee (709/1994)

- Education Department representatives – Simon Dent, Alan Graham and Michael Wilson
- Community representative – Steve Crocker
- Cr ...

- Cr ... is the proxy appointment.

The East Ulverstone Swimming Pool Management Committee meets quarterly on a Wednesday between 3.30 – 4.30pm at the pool complex.

Riana Community Centre Advisory Committee (85/1993)

- Mrs Verlie Duff
- Mrs Beth Tobin
- Mr Robert Langham
- Mrs Irene Aitken
- Mrs Annette Langham (President)
- Mrs Leonie Millhouse
- Cr ... is the Council's liaison person.

- Cr ... is the proxy appointment.

The Riana Community Centre Advisory Committee usually meet quarterly on a Tuesday at the Riana Community Centre from 7.30pm, for approximately one hour.

Central Coast Community Shed Management Committee (267/2011)

- Chairperson
- Community Shed Liaison/Coordinator
- Safety Officer
- Two Supervisor representatives
- Program/user representatives
- Women's Group representative
- Community/Services Organisation representative
- School representative
- Cr ...

- Cr ... is the proxy appointment.

The Central Coast Community Shed Management Committee meet monthly on the first Monday of the month, normally from 9.00am to 10.00am. Committee meetings are held at the Community Shed.

**Schedule of Appointments to Statutory Bodies,
Groups and Organisations, Council and Special Committees,
Community Advisory Groups and Working Groups**

APPOINTMENTS TO COMMUNITY ADVISORY GROUPS

Central Coast Community Safety Partnership Committee (326/2003)

- Mayor
- Cr ...
- General Manager
- Representative of the Community Services Department

- Cr ... is the proxy appointment.

The Central Coast Community Safety Partnership Committee meets bi-monthly on the last Wednesday from 10.00am to 12.00pm, in the Council Chamber.

Central Coast Youth Leaders Council

- Cr ... is the Council's liaison person.

- Cr ... is the proxy appointment.

Note: to be reviewed prior to February 2023.

The Central Coast Youth Leaders Council meets monthly, during the school terms. Meetings are at various locations, including school and Council venues, normally from 9.00am for approximately one hour.

**Schedule of Appointments to Statutory Bodies,
Groups and Organisations, Council and Special Committees,
Community Advisory Groups and Working Groups**

APPOINTMENTS TO WORKING GROUPS

Australia Day Awards Committee

- Cr ...
- Cr ...
- Glenn Lutwyche (expires 2022)

The Australia Day Awards Committee meet in December annually.

General Manager Performance Review Panel (197/2003)

- Mayor
- Deputy Mayor
- Cr ...

- Cr ... is the proxy appointment

Small Grants Panel (257/2002)

- Cr ...
- Cr ...
- Cr ...
- Two representatives of the Community Services Department

- Cr ... is the proxy appointment

The Small Grants Panel meet annually, around April, to allocate grants and consider applications.

Notation: In appointing members or representatives to any organisation, committee or working party it is essential that the rules or minute establishing those groups be consulted prior to making an appointment in order to ensure that the rules and minute are complied with.



Ulverstone Community Swimming Centre Management Committee

Meeting Minutes: Tuesday, 27 September 2022 at 3.30pm

Doc. ID:

1 PRESENT/APOLOGIES

Present:

Education Department Representatives:	Simon Dent, Alan Graham, Michael Wilson
Council Representatives:	Cr Amanda Diprose, Liz Eustace, Simon Angilley
Community Representatives:	Steve Crocker – Community Representative

Apologies: Melissa Budgeon (Council)

Acknowledgement of Country:

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

2 CONFIRMATION OF MINUTES

■ Alan Graham moved and Simon Dent seconded, “The minutes of the previous meeting dated Tuesday, 5 July 2022 be accepted as a true and accurate record.”

Carried

3 BUSINESS ARISING FROM THE PREVIOUS MINUTES

Subdivision There has been no update since the last meeting.

Promotion A new sign for exterior of the Pool building supported in-principle. Final design, logos and permissions still required.

Action: Council staff to follow-up with DOE.

4 DEPARTMENT OF EDUCATION REPORT

Presented by Alan Graham (NW Co-ordinator SWSP), obo Beth Osborne (Assistant Director, Curriculum Programs) and Michael Wilson (East Ulverstone Pool Attendant).

Ulverstone Community Swimming Pool – Management Committee

27 September 2022

Department of Education Report

I am pleased to say that we have been able to survive another winter, maintaining pool water and air temperature to a very pleasing standard. This should be the last winter with the old air conditioning heat pumps, as the new units are currently being installed. The water heat pump should be replaced in the near future.

A substantial leak was discovered under the floor in the boys change room. After some exploration, it was discovered that there was a significant amount of water under the concrete slab. The leaking pipe was capped and the wash basin/urinal plumbing rerouted.

Last week we had issues with our chlorinator and pool water quality deteriorated briefly. The issue has now been resolved however it has been suggested that the chlorinator receives regular services to ensure it operates correctly.

Maintenance/Asset Management Projects – Completed

Boys changeroom leak

Leak repaired and plumbing rerouted to service the urinal and wash basins (approx. cost \$ 10 500)

Chlorinator

Chlorinator issues resolved, however regular services recommended.

Maintenance/Asset Management Projects – Incomplete

Heat pumps

The replacement of the air conditioning heat pumps is finally underway. New wiring has been fitted and main units will be installed over the school holiday break at the beginning of October. During this time the pool will be closed for business.

Return air dampener motor

This motor automatically controls the return air to the air conditioning system. This will be repaired/replaced when the new air conditioning heat pumps are replaced.

Entrance/foyer flooring

It has been identified that the flooring at the entrance/foyer area requires attention. Currently we are exploring options on what surface would best suit the needs of the pool. Funding from the SWSP budget has been allocated to undertake this project.

Pool deck carpet

Is very near to the end of its 'service life' and will need replacing in the near future. It has been placed on the SWSP's 'recurrent maintenance schedule' for next financial year.

Hot water circulating pumps

Have not operated for some time. This allows hot water to be available to showers and sinks instantaneously. Job logged to facilities for review.

Pool covers

Are nearing the end of their 'service life' and will need replacing in the next year or two.

Lighting

Following our roof replacement, a number of our LED light tubes have failed in various parts of the facility. An electrician has suggested the light fittings are nearing the end of their 'service life' (particularly above the pool – very harsh conditions) and will need replacing within two years. Servicing/repairing the current light fittings will be problematic as parts are difficult to source.

Subdivision Development

No further news.

5 CORRESPONDENCE

Inward	Letter from Apex Club of Ulverstone (Enquiry regarding Use of Showers)
Outward	Nil

Arising:	Apex Club enquired about showers, and when they might be available to use. Alan referred query within DoE for clarification, and advised that: Because showers at the UCSC are a 'stem' pillar style, a 'high touch' surface, and hinder a swift changeover between user groups, the DoE direction remains "no showers" for the facility, based on COVID-19 protocols. Alan also noted that to achieve the 25 people per changeroom capacity with social distancing limits requires use of shower 'stalls' area as a change area. Alan to continue to monitor requirements of the DoE COVID team. Committee noted appreciation for the detail advice/update. Alan to confirm to Apex Club.
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6 GENERAL BUSINESS

Capacity of Pool and Safe Operations

Following the advice regarding the capacity of changerooms and showers, some general discussion among the committee regarding capacity of the pool and pool hall, including for COVID management as well as for general and water safety.

Noted that the pool hall allows approximately 160 people (based on 2m² rule) with effective spacing between each, which exceeds practical limit of use.

Alan and Liz also noted that their ongoing management includes to review against the current Guidelines for Safe Pool Operations published by Royal Life Saving Australia (online subscriptions held by Council and by DOE).

Council Representative

Councilor Diprose noted that this may be her last meeting attending/upon the committee.

The next meeting will be after local government elections, with a new Council in place, and the representative to the committee will be chosen by that new Council.

Committee thanked Councilor Diprose for her time, commitment and input to the committee over the preceding years, and indicated strong wish she attend following meeting for a more considered show of appreciation from the committee members.

7 NEXT MEETING

The next ordinary meeting of the Committee will be held at the Swimming Centre, commencing at 3:30pm on Tuesday 22 November 2022.

8 MEETING CLOSE

As there was no more business to discuss the meeting closed at 4.45pm.

Central Coast Community Safety Partnership Committee

Minutes of a meeting held in the Chambers

Wednesday, 26 October 2022 – Commencing at 10.00am

1 PRESENT

Cr Jan Bonde (Mayor – CCC); **Cr Cheryl Fuller** (Councillor – CCC); **Sandra Ayton** (General Manager – CCC); **Paul Breden** (Director Infrastructure Services – CCC); **Allison Kable** (Community Development Officer – CCC); **Lynn Norton-Smith** (Community Representative); **Robert Tucker** (Central Coast Chamber of Commerce & Industry); **Garth Johnston** (Community Representative); **Sergeant Russell Judges** (Tasmania Police); **Simon Dent** (Ulverstone Secondary College); **Sam van der Mullen** (Housing Choices Tasmania); **Janelle Wells** (Tasmanian Health Service).

2 WELCOME

The Mayor, Cr Jan Bonde, welcomed everyone to the meeting and read the Acknowledgement of Country.

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

3 APOLOGIES

Kat Rose (Ulverstone Neighbourhood House); **Kathryn Robinson** (Housing Choices Tasmania).

MINUTES OF PREVIOUS MEETING

■ Garth Johnston moved, and Janelle Wells seconded, "That the minutes from the meeting held on Wednesday, 31 August 2022 be confirmed as a true and correct record".

Carried

4 MATTERS ARISING FROM PREVIOUS MEETING

4.1 CSP Champion Award

Allison Kable confirmed all required documentation for the nomination for a CSP Champion Award has been received and the award will be presented to the recipient at the next committee meeting. The award recipient is to be invited to the next meeting and an item prepared for the Council's newsletter.

ACTION: Allison to liaise with Simon Dent to arrange presentation at next meeting.

5 COMMUNITY SAFETY ACTION PLAN 2017–2022

Allison Kable advised progress is continuing for the accreditation process. This currently involves reviewing where our safety priorities lie and preparing a timeline and scope for the project.

ACTION: Allison to prepare a project plan and present to the committee at the next meeting, including an update on the current progress.

7 REPRESENTATIVE REPORTS

7.1 Crime Report.....Russell Judges

Sergeant Judges provided an overview of the recent crime numbers. Public place assaults and family violence remain a problem. There has been a recent occurrence of shop windows being broken and other damage in the Ulverstone CBD that is currently being investigated by police and forensics.

Speeding and parking issues are occurring near East Ulverstone Primary school, as well as on Leith Road and Wilmot Road. Police are currently working with Council staff to investigate potential solutions in these areas.

7.2 Central Coast Chamber of Commerce Report.....Robert Tucker

No current issues to report. An update on the Business expo will be provided in future meetings.

7.3 Primary Health Report.....Jenelle Wells

Covid numbers continue to fall, and the two new variants are not leading to increased hospitalisations. The Health Service will continue to wear masks for the foreseeable future.

The Live Well Live Long program commences on Friday, 28 October, with 16 participants currently registered. The face-to-face program is targeted at community members over 50 and is an opportunity to connect with others in the community and with service providers such as Arthritis Tasmania and Hearing Australia. The program has been promoted in the media and on Facebook, as well as through organisations like Meals and Wheels.

ACTION: Tracey to arrange promotion of the program on Council's Facebook page.

7.4 Education (all schools) Report.....**Simon Dent**

School leaders at Ulverstone Secondary College have called on the services of Tasmania Police recently and were pleased with the help provided.

Currently working to promote the idea of belonging to the school and encouraging better student attendance and behaviour.

There have been some ongoing issues with violence and students looking for trouble, and the school welcomes feedback from Council and Committee members on how to engage staff with safety discussions. Mayor Bonde suggested potential for a safety forum to be held. Simon reported that a parent group had recently been convened by eight local schools to discuss what supports can be provided and feedback from that session was very positive.

7.5 Ulverstone Neighbourhood House Report.....**Kat Rose**

Nil

7.6 Housing Choices Tasmania Report.....**Sam van der Meulen**

Housing Choices continues to work state-wide with residents to understand what is expected of them as good neighbours and encourage engagement with community. The goal is to create communities people are proud of and have a sense of belonging.

Those most vulnerable in the community often find it hardest to navigate the community housing application process, and Housing Choices staff are happy to provide advise to anyone who needs help in this area.

7.7 Community Reports.....**Garth Johnston/Lynn Norton-Smith**

Turners Beach Community Report:

Works completed recently at the Turners Beach Hall are very good. Debris on the beach from the recent storm has been discussed by community members. Paul advised this is a Parks and Wildlife matter, however in the past it has not been cleared and members of the public are reminded that they are not permitted to use chainsaws or other tools to remove debris without permission from Parks and Wildlife Services.

Penguin Community Report:

Garth Johnson reported that the community is feeling positive. Happy to see the Shared pathway is being used by people of all abilities including those with mobility issues. One recent issue with youths during the school holidays that was responded to by Tasmania Police.

7.8 Council Report.....**Mayor, Cr Jan Bonde and Paul Breaden**

The recent flood response has been a major priority for Council staff.

Results of Council elections should be known in the first week of November.

8 OTHER REPORTS

8.1 Update on Flood Emergency.....**Paul Breaden**

An emergency response was put into place on Thursday 20 October due to severe weather conditions. Flooding occurred in Penguin Creek, and along the Leven River, and Forth River was on alert.

Numerous roads were closed across the area over the Thursday, Friday and Saturday due to water and fallen trees over the road, which lead to the isolation of much of the community. For residents on Loongana Road, this was made worse by the washout of Loongana Bridge, however Council was able to arrange for residents to access private Forico roads while the bridge is replaced. Most communities had a way in and out by Sunday, 23 October.

A contractor has been engaged to repair the Loongana Bridge. A landslide near Leven Canyon has made it difficult for the contractor to get into the area however the situation will be continually monitored. situation will be continually monitored.

The evacuation message for Isandula Dam went out to a wide area of the community, including those not directly affected and this caused some community concern. However, overall feedback on the communication process was very positive.

Mayor Bonde noted that the coordination of the emergency was very well executed.

9 GENERAL BUSINESS

9.1 Sandra Ayton thanked Mayor Jan Bonde for her leadership and contributions to the Committee. Safety is important to the community and Jan has been a passionate support of ensuring safety in our community during her time as Mayor.

10 NEXT MEETING

The next meeting is to be held on Wednesday, 7 December at 10.00am, in the Council Chamber, 19 King Edward Street, Ulverstone.

As there was no further business the meeting closed at 11.20am.



SCHEDULE OF DOCUMENTS FOR AFFIXING OF THE COMMON SEAL

Period: 18 October to 21 November 2022

- Easement Deed
Tasmanian Networks Pty Ltd and Central Coast Council
12 Breheny Place, West Ulverstone
Title Volume 24214 Folio 245
- Deed of Agreement
Leighland Christian Parent-controlled School Association Incorporated and
Central Coast Council
Volume 6920 Folio 162, DA22021279
Date of execution of Deed: 3 November 2022
- Final Plan of Survey and Schedule of Easements
16 Davis Street & 54 Braddons Lookout Road, Leith
DA2022193
- Final Plan of Survey and Schedule of Easements
10 Lots at Hearps Road, West Ulverstone
DA2021061
- Final Plan of Survey and Schedule of Easements
84 Clara Street, West Ulverstone
DA2020049
- Final Plan of Survey and Schedule of Easements
2 Kilowatt Court, Ulverstone
SUB2003.44
- Final Plan of Survey and Schedule of Easements
39 Walker Street, Ulverstone
DA2021197

- Deed of Agreement
Ross Martin Jacobson and Peta Audrey Jacobson
225 Penguin Road, West Ulverstone
Title Volume 65465 Folio 3
- Final Plan of Survey and Schedule of Easements
21 Braddon Street, West Ulverstone
DA2021091

A handwritten signature in cursive script, reading "Sandra Ayton". The ink is dark and the signature is fluid.

Sandra Ayton
GENERAL MANAGER



SCHEDULE OF CONTRACTS AND AGREEMENTS

(Other than those approved under the common seal)

Period: 18 October to 21 November 2022

Agreements

- Assignment of Leases Agreement
Buttons Brewing Company Pty Ltd and Island State Brewing Pty Ltd and Central Coast Council
Part of 3 Wharf Road, Ulverstone – Restaurant and Kitchen and Part of 3 Wharf Road, Ulverstone – River Room
Date of assignment of the Leases: 24 October 2022
Current terms of the Leases ending: 28 February 2023

A handwritten signature in black ink that reads 'Sandra Ayton'.

Sandra Ayton
GENERAL MANAGER



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

Period: 18 October to 21 November 2022

- . An email from the Ulverstone RSL Sub-Branch inviting the Mayor and Councillors to a plaque unveiling service.
- . An email from the Local Government Association of Tasmania advising Councillors of a number of learning opportunities and resources for elected representatives.
- . An email from the Lions Club of Penguin thanking the Council for the recent refurbishment of Lions Park, Penguin.

A handwritten signature in black ink that reads 'Sandra Ayton'.

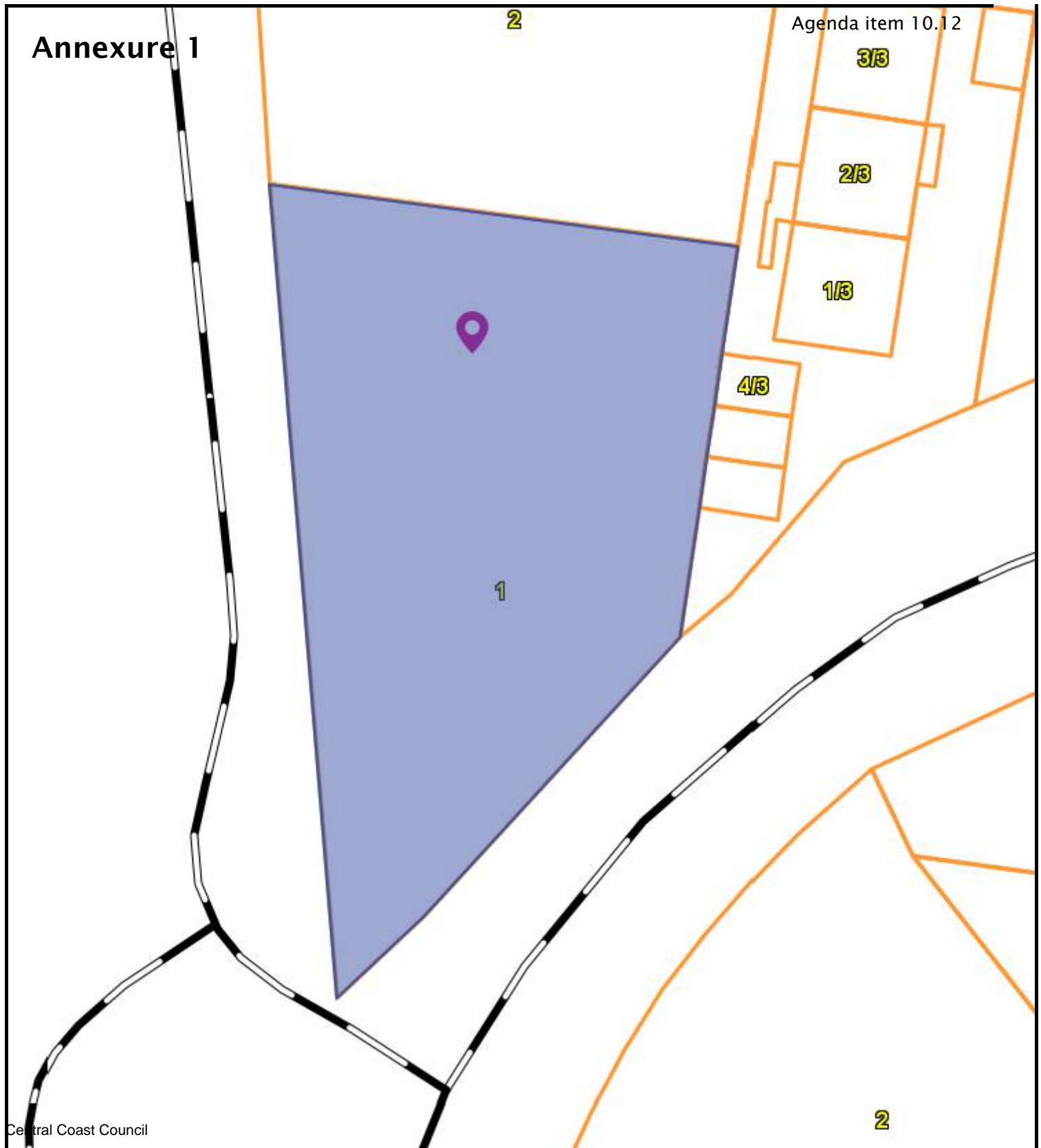
Sandra Ayton
GENERAL MANAGER

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

Application Number Display	Address	DA Type	Proposed use	Application Date	Decision Date	Day determined	Cost Of Works
DA2021240	20 Short Street LEITH,TAS,7315	Discretionary	Subdivision - two residential lots	20/08/2021	14/10/2022	-322	\$50,000.00
DA2021244 - 1	22 Sylvan Rise PENGUIN,TAS,7316	Minor amendment of a Permit.	Residential (outbuilding)	3/10/2022	14/10/2022	1	\$0.00
DA2022187	12A Alice Street WEST ULVERSTONE,TAS,7315	Discretionary	Residential - single dwelling	4/07/2022	26/10/2022	29	\$240,000.00
DA2022197	34 White Hills Road PENGUIN,TAS,7316	Discretionary	Residential - Retrospective application for sheds and one with an attached deck	15/07/2022	18/10/2022	21	\$70,000.00
DA2022222	23 Arcadia Avenue TURNERS BEACH,TAS,7315	Discretionary	Residential - single dwelling	8/08/2022	17/10/2022	25	\$460,000.00
DA2022223	59 Preston Road GAWLER,TAS,7315	Discretionary	Residential - single dwelling and shed	10/08/2022	7/10/2022	-3	\$340,000.00
DA2022239	22 Shorehaven Drive TURNERS BEACH,TAS,7315	Discretionary	Residential - single dwelling - Reliance on CCO-S5.0 Turners Beach Specific Area Plan - Setbacks and building envelope for all buildings	26/08/2022	19/10/2022	28	\$1,250,000.00
DA2022241	322 Ironcliffe Road PENGUIN,TAS,7316	Discretionary	Natural and Cultural Values Management - retrospective application - revegetation of the site	29/08/2022	11/10/2022	36	\$10,000.00
DA2022242	232 Ironcliffe Road PENGUIN,TAS,7316	Discretionary	Residential - single dwelling and shed	30/08/2022	20/10/2022	23	\$600,000.00
DA2022245	6 Lily Lane PENGUIN,TAS,7316	Discretionary	Residential - single dwelling and shed	31/08/2022	4/10/2022	21	\$500,000.00
DA2022246	52 White Hills Road PENGUIN,TAS,7316	Discretionary	Residential - single dwelling and garage	1/09/2022	20/10/2022	23	\$400,000.00
DA2022248	26 Hales Street PENGUIN,TAS,7316	Discretionary	Residential - retaining wall and shed with awning	5/09/2022	17/10/2022	40	\$20,000.00
DA2022250	CT105570/2 & 360 Masters Road SOUTH RIANA,TAS,7316	Discretionary	Resource Development - robotic dairy shed and associated silos, trenches and effluent storage ponds	2/09/2022	17/10/2022	38	\$500,000.00
DA2022256	7 Kywong Crescent WEST ULVERSTONE,TAS,7315	Discretionary	Residential - carports x 2 and second access	15/09/2022	20/10/2022	23	\$35,197.00
DA2022259	72 Deviation Road PENGUIN,TAS,7316	Discretionary	Residential - single dwelling and conversion of existing dwelling to a shed	20/09/2022	25/10/2022	21	\$500,000.00
DA2022270	1401 Pine Road RIANA,TAS,7316	Permitted	Residential - shed	30/09/2022	17/10/2022	12	\$25,000.00
DA2022272	10 Lethborg Avenue TURNERS BEACH,TAS,7315	Permitted	Residential - shed	30/09/2022	28/10/2022	9	\$10,000.00
DA2022279	249 Thompsons Road FORTH,TAS,7310	Permitted	Residential - shed	7/10/2022	14/10/2022	3	\$53,000.00

Annexure 1

Agenda item 10.12



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



28-Sep-2022

**1 MAIN STREET,
ULVERSTONE
DA2022219**

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.

10 m

Scale =
1:366.660

Annexure 2



PO Box 220
19 King Edward Street
Ulverstone Tasmania 7315
Tel (03) 6429 8900

admin@centralcoast.tas.gov.au
www.centralcoast.tas.gov.au

Kellie Keating

Application for Planning

S.57 Land Use Planning and Approvals Act 1993

The following application has been received:

Application No.: **DA2022219**

Location: **1 Main Street, Ulverstone**

Proposal: **Residential - shed**

Performance Criteria: **Setbacks and building envelope for all dwellings**

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. 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 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 **17 October 2022**

Date of Notification: **1 October 2022**

Sandra Ayton
GENERAL MANAGER

CENTRAL COAST COUNCIL

PO Box 220

19 King Edward Street

ULVERSTONE TASMANIA 7315

Ph: (03) 6429 8900

Email: planning@centralcoast.tas.gov.au[www: centralcoast.tas.gov.au](http://www.centralcoast.tas.gov.au)

CENTRAL COAST COUNCIL

CENTRAL COAST COUNCIL

DEVELOPMENT & REGULATORY SERVICES

Received: 01 SEP 2022

Application No:

Doc. Id

Land Use Planning and Approvals Act 1993**Tasmanian Planning Scheme – Central Coast****PLANNING PERMIT APPLICATION**

DA2022219

Office use only:

Zone:

Permit Pathway – NPR/Permitted/Discretionary

Use or Development Site:

Site Address

1 MAIN STREET ULVERSTONE

Certificate of
Title Reference

71094-1

Land Area

1262 M²

Heritage Listed Property

NO



YES

**Applicant(s)**

First Name(s)

DAVID COUSINS

Surname(s)

COUSINS

Company name
(if applicable)

Contact No:

0407-479898

Postal Address:

AS ABOVE

Email address:

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)

DAVID
ANDREA

Middle Names(s)

ANTHONY
GAYLE

Surname(s)

COUSINS
O'NEILL

Company name (if applicable)

Postal Address:

1 MAIN ST. ULVERSTONE

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

SHED / GARAGE

Use Class

Office use only

"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 separating A4 documents & forms from A3 documents).

COUNCIL HAVE SHED PLANS

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

\$...30000..... Estimate/ ~~Actual~~

Total floor area of the development ...80.....m²

Declaration of Notice to 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 under section 52(1) of the *Land Use Planning and Approvals Act 1993*.

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

I, _____ 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 David Anthony Cousins & Andrew Gayle O'Neill
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

David Cousins & Andrew O'Neill

Date

1/9/22

Office Use Only

Planning Permit Fee

\$

Public Notice Fee

\$

Permit Amendment / Extension Fee

\$

No Permit Required Assessment Fee

\$

TOTAL

\$

Validity Date

SEARCH OF TORRENS TITLE

VOLUME 71094	FOLIO 1
EDITION 3	DATE OF ISSUE 08-Oct-2015

SEARCH DATE : 05-Aug-2022

SEARCH TIME : 02.38 PM

DESCRIPTION OF LAND

Town of ULVERSTONE

Lot 1 on Diagram 71094 (formerly being 109-37NS)

Derivation : Parts of Lots 4 and 5 Section B. Gtd. to W.Bayles
and C,.Kent

Prior CT 2933/33

SCHEDULE 1M530222 TRANSFER to DAVID ANTHONY COUSINS and ANDREA GAYLE
O'NEILL Registered 08-Oct-2015 at 12.01 PMSCHEDULE 2

Reservations and conditions in the Crown Grant if any

E23935 MORTGAGE to Commonwealth Bank of Australia
Registered 08-Oct-2015 at 12.02 PMUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

J.M. Ellis
Application
in C-
4172

N.S. 109/37
28/11/36

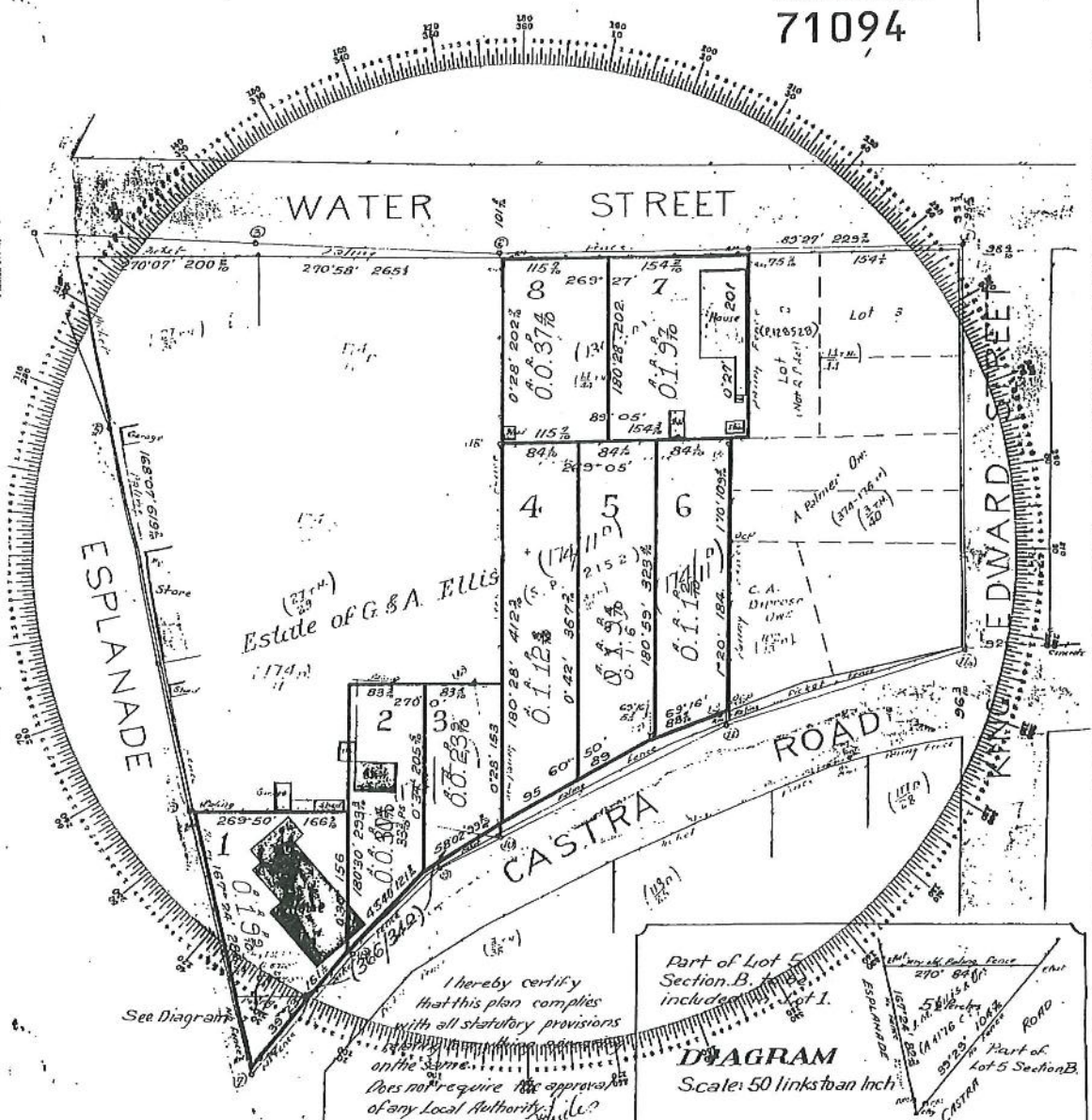
DIAGRAM FROM ACTUAL SURVEY

TOWN OF ULVERSTONE

Scale 100 Links to an inch.

REFERENCE TO CORNERS

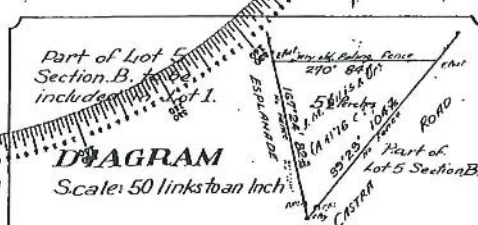
COR.	BEARING	DISTANCE IN LINKS	FROM
REGISTERED NUMBER 71094			



To be filled in
by Surveyor.

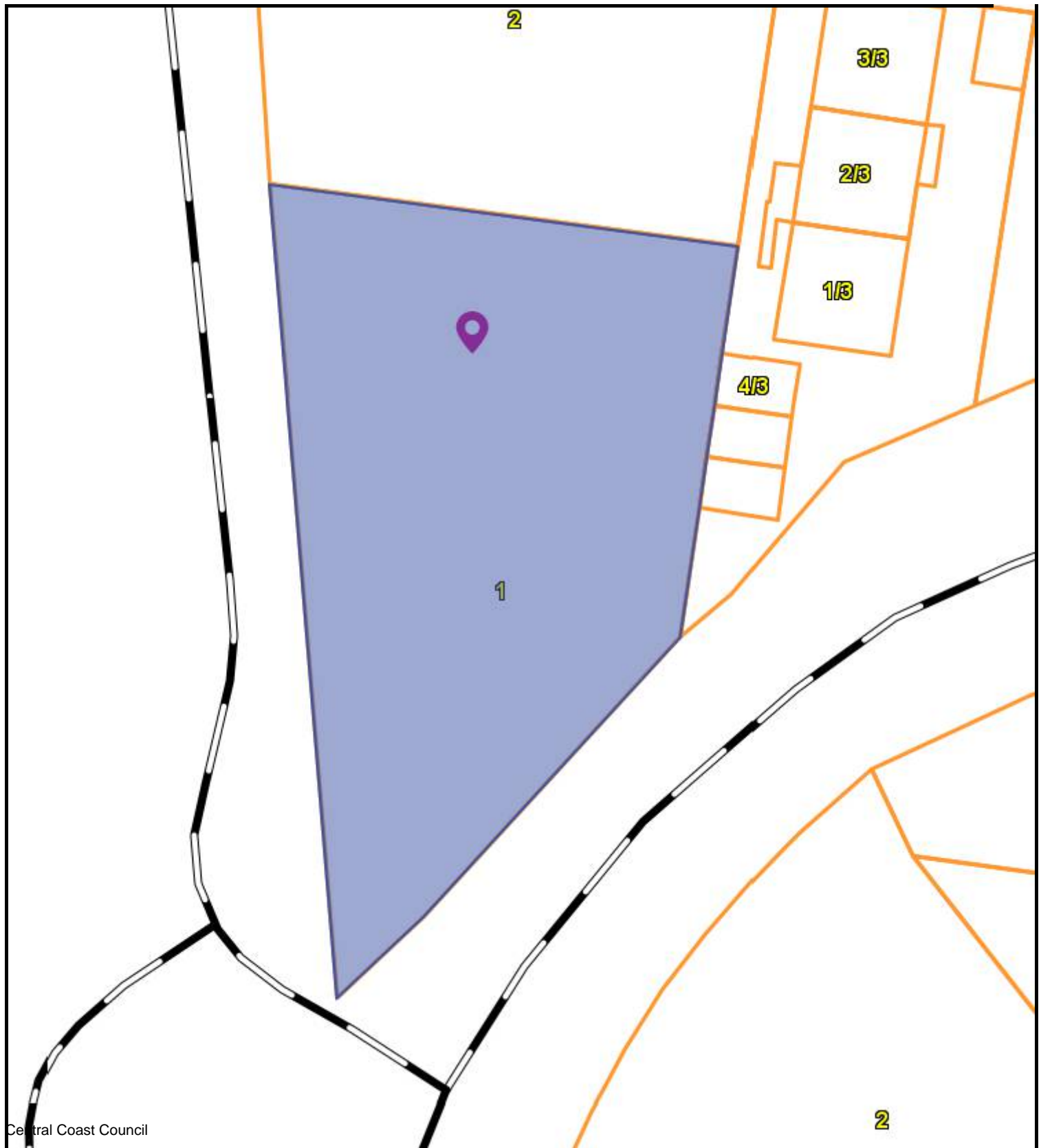
Date of Instructions
Survey commenced 9-11-1936
Survey finished 14-11-1936
Error of close 1 in ---
Plotted by *ML*
Examined as to boundaries *ML*
Mathematically checked *ML*
Entered on Card by *ML*
Dated this 28th day of November, 1936

I hereby certify
that this plan complies
with all statutory provisions
on the subject.
Does not require the approval
of any Local Authority.



I, **Frank Miles** of **Burnie**
Authorised 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 by-laws of the Surveyors' Board, dated 1st May, 1913.

F. Miles
Authorised Surveyor.



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



28-Sep-2022

**1 MAIN STREET,
ULVERSTONE
DA2022219**

IMPORTANT

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© The List 2021.

© Central Coast Council 2021.

10 m

Scale =
1:366.660

NOTES:

1. GENERAL

- 1.1 ALL DIMENSIONS SHALL BE CHECKED ON SITE PRIOR TO COMMENCING CONSTRUCTION.
1.2 CHECK ARCHITECTURAL, MECHANICAL, ELECTRICAL AND DRAWINGS FOR OTHER SERVICES FOR PENETRATIONS AND CAST-IN ITEMS.

2. SITE

- 2.1 FLOOR SLAB AREAS TO BE STRIPPED OF ALL VEGETATION, TOP SOIL AND SOFT MATERIAL.
2.2 FILL TO BE APPROVED GRAVEL PROPERLY COMPACTED IN HORIZONTAL LAYERS NO EXCEEDING 150mm LOOSE THICKNESS.
2.3 ALL FOOTINGS TO BE FOUNDED IN FIRM NATURAL GROUND. MINIMUM FOUNDING DEPTH TO BE 300mm BELOW NATURAL SURFACE UNLESS OTHERWISE NOTED.
2.4 FINISHED GROUND LEVELS AROUND BUILDING TO BE MINIMUM 100mm BELOW GROUND FLOOR SLAB AND GRADE AWAY FROM BUILDING FOR A MINIMUM DISTANCE OF 1500mm.

3. CONCRETE

- 3.1 CONCRETE CONSTRUCTION TO BE IN ACCORDANCE WITH AS3600
3.2 UNLESS NOTED OTHERWISE CONCRETE TO BE GRADE N25 (28 DAY COMPRESSIVE STRENGTH OF 25MPa) 80mm SLUMP AND 20mm MAXIMUM AGGREGATE SIZE. CONCRETE TO BE PRE-MIXED IN ACCORDANCE WITH AS1379.
3.3 CHLORINE BASED ADMIXTURES ARE NOT TO BE USED.
3.4 MECHANICALLY VIBRATE CONCRETE IN THE FORM TO GIVE MAXIMUM COMPACTION, WITHOUT SEGREGATION OF THE CONCRETE.
3.5 MOIST CURE CONCRETE FOR A MINIMUM OF 7 DAYS.

4. REINFORCEMENT

- 4.1 SYMBOLS ON DRAWINGS FOR GRADE AND TYPE OF REINFORCEMENT:
N - BHP TEMPCORE GRADE 500N DEFORMED BAR TO AS4671
R - GRADE 250R HOT-ROLLED PLAIN ROUND BAR TO AS4671
L - HARD DRAWN WIRE REINFORCING FABRIC GRADE 500 TO AS4671
TM - TRENCH MESH - AS FOR 'L'
4.2 REINFORCEMENT IS REPRESENTED DIAGRAMMATICALLY AND NOT NECESSARILY IN TRUE PROJECTION.
4.3 REINFORCEMENT TO BE FABRICATED TO WITHIN TOLERANCES SPECIFIED BY AS3600
4.4 UNLESS NOTED OTHERWISE CONCRETE COVER TO REINFORCEMENT TO BE:
FOOTINGS: 40mm
SLAB ON GROUND 25mm
INTERIOR COLUMNS, BEAMS AND SUSPENDED SLABS 20mm
PATIOS AND EXTERIOR MEMBERS 40mm
4.5 BARS ARE TO BE SUPPORTED AT 2m MAX. CENTRES AND FABRIC SUPPORTED AT 800mm MAX. CENTRES EACH WAY.

5. STEELWORK

- 7.1 ALL STEEL FRAME WORK SHALL BE POWER BRUSH CLEANED AND PAINTED WITH 2 COAT OF ZINC PHOSPHATE, UNLESS NOTED OTHERWISE
7.2 ALL STEEL SHALL BE GRADE C350
7.3 ALL BOLTS SHALL BE M16 8.8/S UNLESS NOTED OTHERWISE
7.4 ALL PLATES SHALL BE 8mm PL. UNLESS NOTED OTHERWISE
7.5 ALL WELDS SHALL BE 6 C.F.W. UNLESS NOTED OTHERWISE
7.6 ALL WORK SHALL COMPLY WITH THE RELEVANT AUSTRALIAN STANDARDS.



DESIGN INFORMATION:

BUILDING DESIGNER: DBS SHEDS
REFERENCE DRAWINGS: DEPT 19986
SOIL CLASSIFICATION: H1
DESIGN WIND CATEGORY: N2
BUSHFIRE PRONE AREA
BUSHFIRE ATTACK LEVEL: N/A
ALPINE AREA
DESIGNATION: N/A
LAND TITLE REFERENCE: 71094/1

DRAWING SERIES:

00 COVER
S01 SLAB & FOOTING PLAN
S02 SECTION DETAILS

CENTRAL COAST COUNCIL

DEVELOPMENT & REGULATORY SERVICES

Received: 27 SEP 2022

Application No: DA2022 219

Doc. Id:

Mr. Jonathon Mulcahy

BE (CIVIL) MIEAust @PEng NER

Signature

Accredited Building Practitioner
Licence No. 430733550

REV:	DESCRIPTION:	BY:	DATE:
STATUS:	FOR CONSTRUCTION		

CIVILVISION CONSULTING
CREATIVE ENGINEERING
20b Loone Lane
Spreyton TAS 7310
Mob: 0412 439 184
ABN: 66 644 575 468
info@civilvisionengineering.com

PROJECT:
PROPOSED SHED
1 MAIN ST, ULVERSTONE

CLIENT:
DAVID COUSINS

DRAWING TITLE:
COVER

SCALE AT AS:	DATE:	DRAWN:	CHECKED:
N.T.S	26/09/22	JM	JM
PROJECT NO:	DRAWING NO:	REVISION:	
22225	00	0	



EXISTING SHED (TO BE DEMOLISHED)

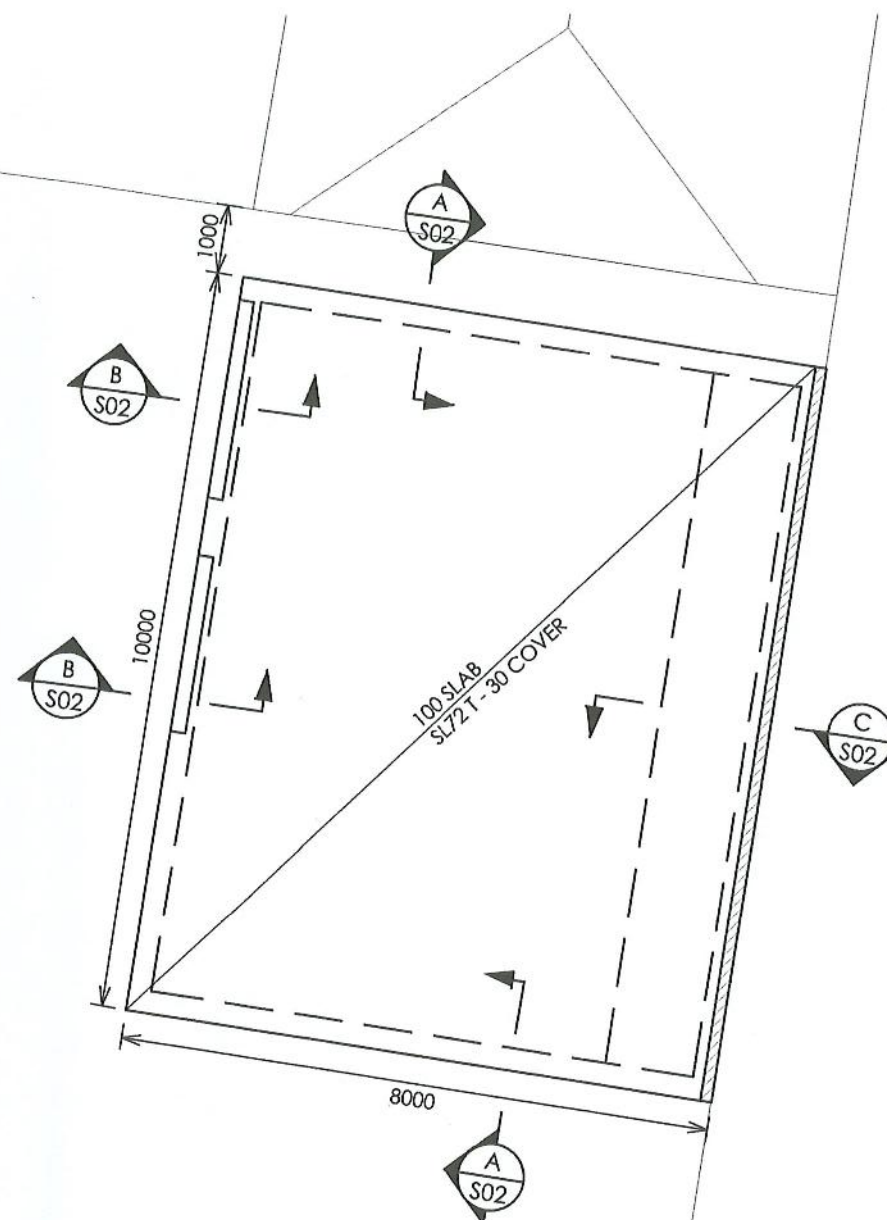
EXISTING SHED

EXISTING SHED

SITE PREPARATION

1. STRIP TOP 100 THICK OF SOIL.
2. ENSURE SURFACE FALLS FOR 1m MIN. AWAY FROM BUILDING AT 5% MIN.

EXISTING RESIDENCE



SLAB & FOOTING PLAN
SCALE 1:100

CENTRAL COAST COUNCIL

DEVELOPMENT & REGULATORY SERVICES

Received: 27 SEP 2022

Application No: 02222209

Doc. Id:

Mr. Jonathon Mulcahy

BE (CIVIL) MIEAust CP Eng / BR

Signature

Accredited Building Practitioner
Licence No. 430733550

REV:	DESCRIPTION:	BY:	DATE:
STATUS: FOR CONSTRUCTION			

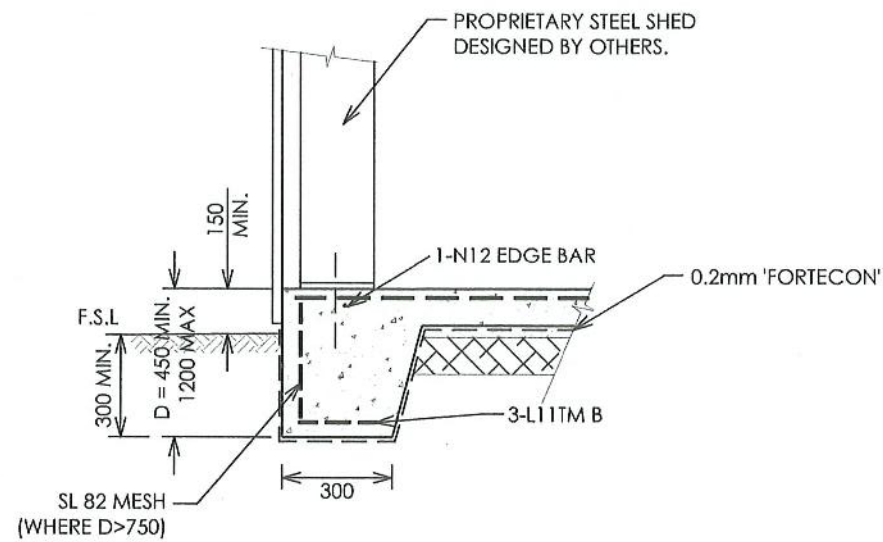
 20b Loone Lane
Spreyton TAS 7310
Mob: 0412 439 184
ABN: 66 644 575 468
info@civilvisionengineering.com

PROJECT:
PROPOSED SHED
1 MAIN ST, ULVERSTONE

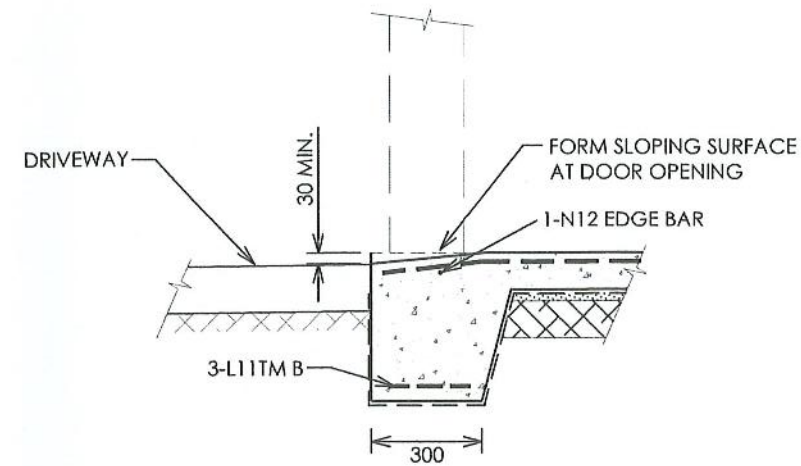
CLIENT:
DAVID COUSINS

DRAWING TITLE:
SLAB & FOOTING PLAN

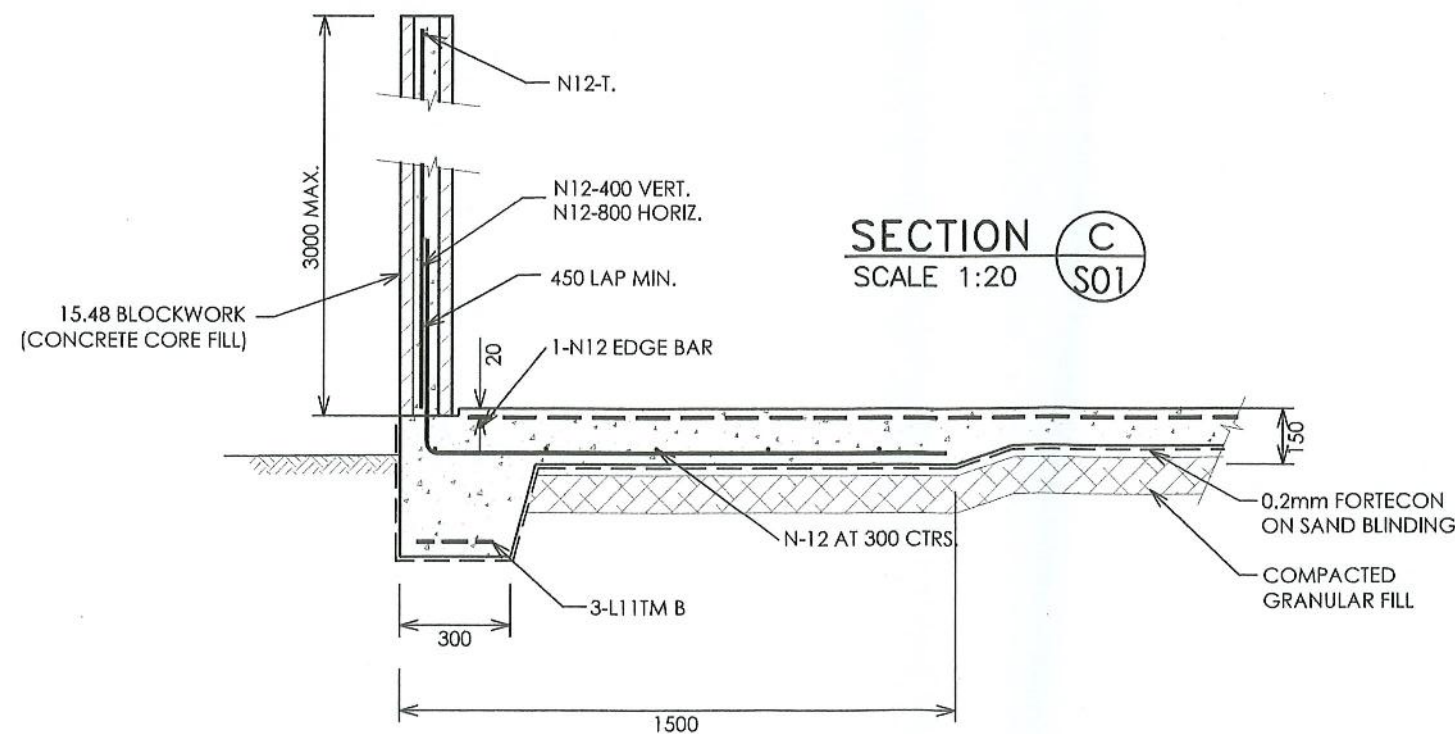
SCALE AT A3: 1:100	DATE: 26/09/22	DRAWN: JM	CHECKED: JM
PROJECT NO: 22225	DRAWING NO: S01	REVISION: 0	



SECTION A
SCALE 1:20 S01



SECTION B
SCALE 1:20 S01



SECTION C
SCALE 1:20 S01

SECTION DETAILS

CENTRAL COAST COUNCIL

DEVELOPMENT & DESIGN SERVICES

Received: 27 SEP 2022

Application No: 002022219

Doc. Id:

Mr. Jonathon Mulcahy

BE (CIVIL) MIEAust CP Eng NER

Signature

Accredited Building Practitioner
Licence No. 430733550

REV.	DESCRIPTION	BY	DATE

FOR CONSTRUCTION

20b Loone Lane
Spreyton TAS 7310
Mob: 0412 439 184
ABN: 66 644 575 468
info@civilvisionengineering.com

PROJECT:
PROPOSED SHED
1 MAIN ST, ULVERSTONE

CLIENT:
DAVID COUSINS

DRAWING TITLE:
SECTION DETAILS

SCALE AT AS:	DATE:	DRAWN:	CHECKED:
1:20	26/09/22	JM	JM
PROJECT NO:	DRAWING NO:	REVISION:	
22225	S02	0	

CERTIFICATE OF THE RESPONSIBLE DESIGNER

Section 94
Section 106
Section 129
Section 155

Form **35**

To: Owner name
 Address
 Suburb/postcode

Designer details:

Name: Category:
 Business name: Phone No:
 Business address:
 Fax No:
 Licence No: Email address:

Details of the proposed work:

Owner/Applicant Designer's project reference No.
 Address: Lot No:

Type of work: Building work ☒ Plumbing work ☐ (X all applicable)

Description of work:

New Shed (Slab only)

(new building / alteration /
addition / repair / removal /
re-erection
water / sewerage /
stormwater /
on-site wastewater
management system /
backflow prevention / other)

Description of the Design Work (Scope, limitations or exclusions): (X all applicable certificates)

Certificate Type:	Certificate	Responsible Practitioner
	<input type="checkbox"/> Building design	Architect or Building Designer
	<input checked="" type="checkbox"/> Structural design	Engineer or Civil Designer
	<input type="checkbox"/> Fire Safety design	Fire Engineer
	<input type="checkbox"/> Civil design	Civil Engineer or Civil Designer
	<input type="checkbox"/> Hydraulic design	Building Services Designer
	<input type="checkbox"/> Fire service design	Building Services Designer
	<input type="checkbox"/> Electrical design	Building Services Designer
	<input type="checkbox"/> Mechanical design	Building Service Designer
	<input type="checkbox"/> Plumbing design	Plumber-Certifier; Architect, Building Designer or Engineer
	<input type="checkbox"/> Other (specify)	

Deemed-to-Satisfy: ☒ Performance Solution: ☐ (X the appropriate box)

Other details:

Design documents provided:

CENTRAL COAST COUNCIL

DEVELOPMENT REGULATORY SERVICES

Received: 27 SEP 2022

Application No: DA2022219

Doc. Id

The following documents are provided with this Certificate –

Document description:

Drawing numbers: 22225 – 00, S01 to S02	Prepared by: J Mulcahy	Date: 26/09/2022
Schedules:	Prepared by:	Date:
Specifications:	Prepared by:	Date:
Computations:	Prepared by:	Date:
Performance solution proposals:	Prepared by:	Date:
Test reports:	Prepared by:	Date:

Standards, codes or guidelines relied on in design process:	
AS 2870 -2011 - Residential slabs and footings AS 4773.1 – 2015 - Masonry in Small Buildings – Part 1: Design	

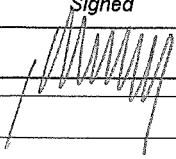
Any other relevant documentation:	

Attribution as designer:	
---------------------------------	--

I Jonathon Mulcahy am responsible for the design of that part of the work as described in this certificate;

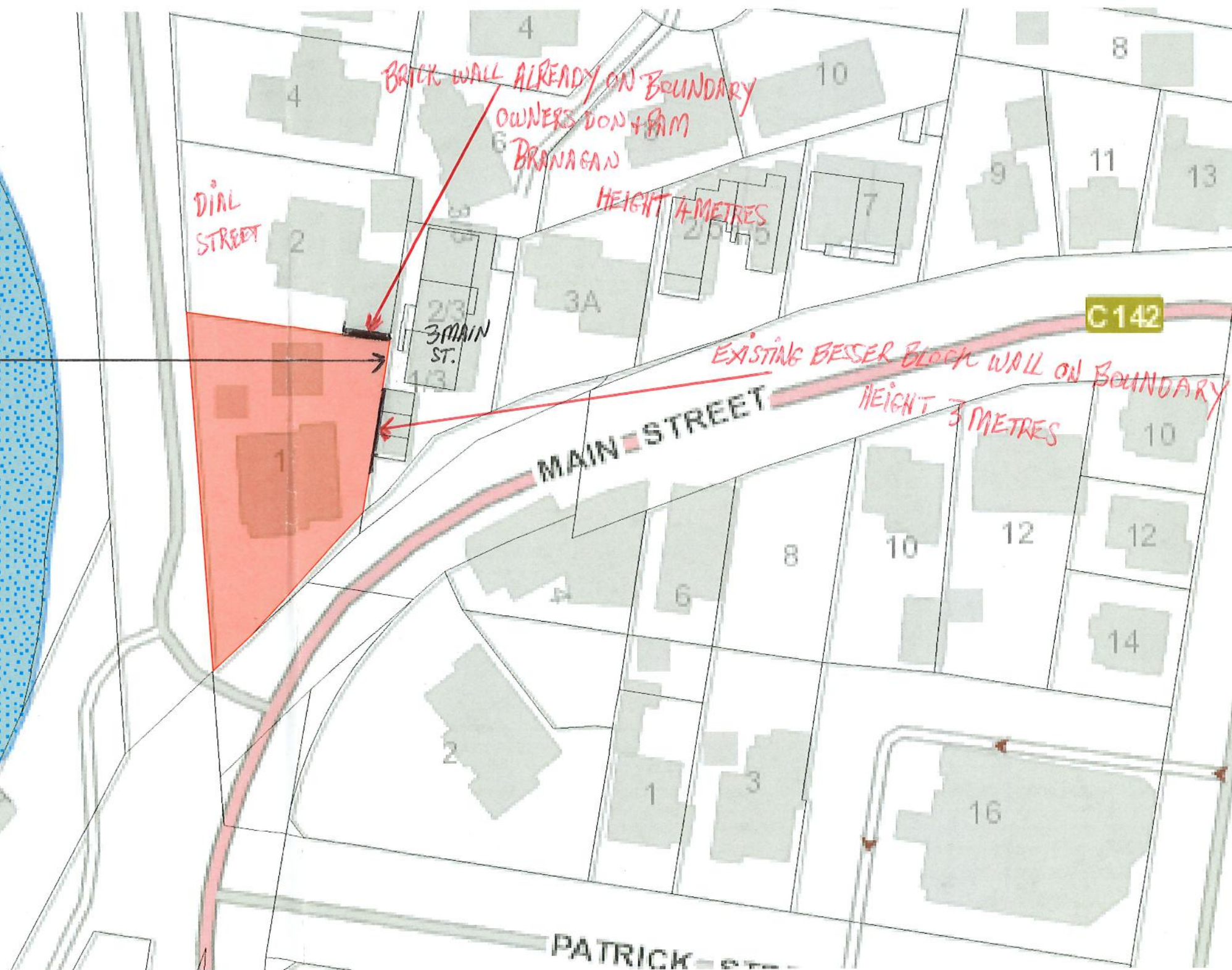
The documentation relating to the design includes sufficient information for the assessment of the work in accordance with the *Building Act 2016* and sufficient detail for the builder or plumber to carry out the work in accordance with the documents and the Act;

This certificate confirms compliance and is evidence of suitability of this design with the requirements of the National Construction Code.

	Name: (print)	Signed	Date
Designer:	Jonathon Mulcahy		26/09/2022
Licence No:	430733550		

PAGE 1

PROPOSAL TO BUILD 3 METRE
HIGH FIREWALL ON BOUNDARY AS PER PLANNING REQUIREMENTS
BESSER BLOCKS CONSTRUCTION
AND TO BUILD SHED WITHIN ALL
PARTY/FIREWALLS.



www.thelist.tas.gov.au

ULVERSTONE COUNCIL

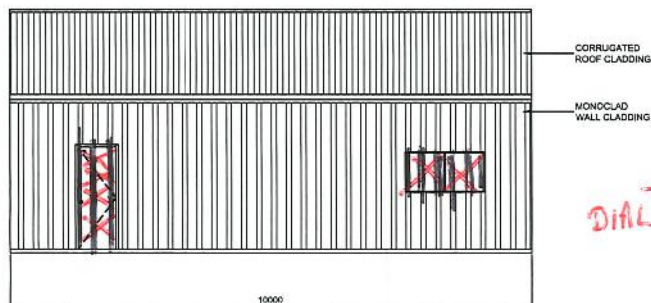
STORY SERVICES

01 SEP 2022

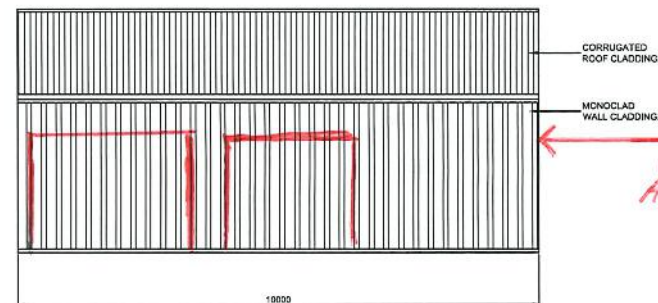
Application no.

Doc id.

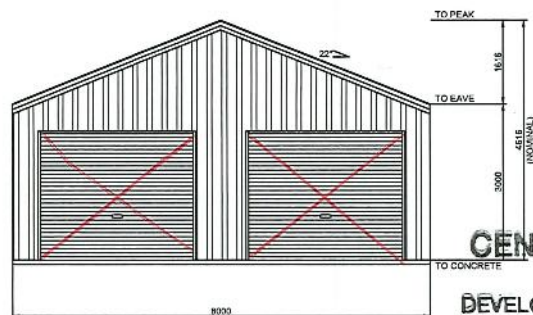
The design and detail shown on these drawings are applicable to this project only and may not be reproduced in whole or any part or be used for any other purpose without the written permission of FBHS (Aust) Pty Limited with whom copyright resides. The local distributor you are dealing with is an authorised independent distributor of Fair Dinkum Sheds' products and enters into agreements with its customers on its own behalf and not as an agent of Fair Dinkum Sheds.



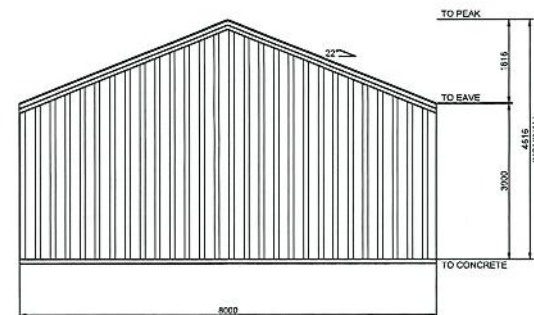
1
7 SIDEWALL EXTERIOR ELEVATION
SCALE: 1 = 100



2
7 SIDEWALL EXTERIOR ELEVATION
SCALE: 1 = 100



4
7 ENDWALL EXTERIOR ELEVATION
SCALE: 1 = 100



3
7 ENDWALL EXTERIOR ELEVATION
SCALE: 1 = 100

CENTRAL COAST COUNCIL
DEVELOPMENT & REGULATORY SERVICES

Received: 01 SEP 2022

Application No:

Doc. Id:

BUILDING COLOURS	
WALL	SURFMIST
ROOF	SURFMIST
ROLLER DOOR	WOODLAND GREY
P.A. DOOR	WOODLAND GREY
WINDOW	WOODLAND GREY
DOWNSPIPE	SURFMIST
GUTTER	SURFMIST
CORNER FLASHING	SURFMIST
BARGE FLASHING	SURFMIST
OPENING FLASHING	WOODLAND GREY

7	8
DATE	1/6/2022
CHECKED	TM
DRAWN	FDS
FOR	AT
STEEL BUILDING BY	
JOB NO.	NCC
DEPT	19986
SHEET	2019

(CONTACT)
DBS SHEDS PTY LTD
03 6424 6664
DAVID COUSINS
1 MAIN STREET
ULVERSTONE



NORTHERN CONSULTING
engineers
Civil & Structural Engineers
50 Punari Street
Curralong, Qld 4812
Fax: 07 4725 5950
Email: design@nceng.com.au
ABN 341 008 173 56
Regn. No. 2558980
Regn. No. 9965
Regn. No. 116373ES
Regn. No. PF0002216
Regn. No. CC5646M

Mr Timothy Roy Messer BE MIEAust RPEQ
Signature *T. Messer*
Date 1/6/2022
Registered on the NPER in the areas of practice
of Civil & Structural National Professional
Engineers Register



Return Thanks

HARVEY
George Kevin

Elaine, Leanne, Ricky, Sherri and families sincerely thank their many relatives and friends for their love and kindness shown in the way of flowers, cards, visits, phone calls and food following the sad loss of a dearly loved Husband, Dad and Pop.

Special thanks and appreciation to Simon Smith of Parkside Funerals for his professionalism and compassion. Also our thanks and gratitude to Damien Heres and Ray Young for a very fitting service.

Please accept this as a personal expression of thanks and gratitude.

Forever loved, forever missed.

In Memoriam


BADCOCK

Bevan Grenville
01.10.2016
(Mr Tasgro)
Six years have passed.

Memories are forever.
Your loving family,

Val, Diana, Robin,
Julie, Ewan, Lorraine
and grandchildren
Caitlyn, Jessica and
Nicholas. ♥

Ponsonby
Anne

Passed away 23/9/2022
Taken too early leaving
behind a vacuum of
senses.

Always remembered
and loved
Neil, Ylva, Lawrence,
and Emily



In Memoriam


SMART

Russell Edward

30/4/1935 - 1/10/2021

You may be gone from my sight,
but you will never be gone from
my heart.

Loved and remembered every day.

Until we meet again my love
Beryl xx


WELSH

Jane Gwendoline
1-10-1981

Our Dearest Mum
Missing and loving
you always.

If we could have just
one wish, it would be
to have us all
together again.

♥ From your loving
family. Your loving
daughter Cindy,
son-in-law Andrew,
grandsons Marty and
Thomas. xx



For Sale

FOR SALE
40FT KRUEGER SKEL
1997 40FT Kruger Skel
with 40FT Container
Pins only. Tare weight
4.48T. Air Bag. Ideal for
V-BIN for Potato
Cartage. \$20,000 + GST
Phone 0477 641 959

Puppies

Lowchen x shitzu
Maltese
1 female \$2,500 2
Male's \$2,300
burnie 0408143669
ready in two weeks.
Microchipped and
vaccinated

VHS to DIGITAL

VHS tapes to DVD.
Excellent rates, pricing.
Ph: 0491 172 170

Garage Sales
☐ VISIT ☐ VISITED

7AM ~ 2pm
13 Manly St,
Turners Beach
household items,
furniture, bric-a-brac

☐ VISIT ☐ VISITED

8 Birkdale Court
Not before 9am
Saturday Only.

☐ VISIT ☐ VISITED

BURNIE
Ridgley Hwy, 3ks
past the showground
towards Ridgley.
Signs out at 8am.

☐ VISIT ☐ VISITED

CAMENA

Bennetts Rd. 8am -
2pm. Farm Clearance,
old & new tools, H/hold,
furn, whitegoods.

☐ VISIT ☐ VISITED

DEVONPORT

1 Payton Place
Saturday only
Gate open at 8am

Garage Sales

☐ VISIT ☐ VISITED

DEVONPORT

Deceased Estate.
137 STONY RISE
ROAD. Bric-a-brac etc.
NO ONE BEFORE 7AM.

☐ VISIT ☐ VISITED

EAST DEVONPORT

3 Marvan Pl. Sunday
2nd Oct. Strictly 9am -
2pm. Cash only. Crock-
ery & glassware, kitchen
items, woodwork & gar-
den tools, furniture &
electrical.

☐ VISIT ☐ VISITED

SHEARWATER

10 Alexander Street,
8am-2pm. General
household items.
Something for every-
one.

☐ VISIT ☐ VISITED

SHEARWATER

SAT 1st - SUN 9th Oct
131 Alexander St.
Not before 7.30am
PAPER/CRAFT
12 x 12 Scrapbook
paper racks, s/book,
cardmaking tools, paper
stamps, ribbon, stickers
& misc. craft.
H/hold items, plants
books, birdcages &
much more.

☐ VISIT ☐ VISITED

TARLETON

Garage Sale Saturday 1st Oct
7am-1pm
Bucks Road Tarleton
Range of bric a
brac, baby, furniture,
electrical
and household items.

Beauty Health and Fitness

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

**Caravans and Motor
Homes**
16FT 1999 GAZAL

Caravan, 16ft, 1999, 2
berths, 2 lockers, 2
fridge, 2 stove, 2
new deep cycle batt.,
240V & 12V, m/wave,
elec. brakes, \$15,500
neg.

To Let & Wanted

OFFICE, upstairs 15
sq. metres for lease.
No outgoings. 19 Best
Street, Devonport.
0400 671 237.

Livestock
**GRAIN FOR
SALE**

20kg bags. Wheat, bar-
ley \$13 per bag. Oats
\$15 per bag. Grey peas
\$20 per bag. Rolled
lupins \$20, rolled maize
\$18. Moriarty
0408 546 966

Poultry & Birds

ACONA PULLETS and
cross breeds too. Lay-
ing, \$30 each ea.
0400 758 438.

Looking for property?
realestate
view

Church Notices


2nd October, 2022
Penguin

10 am Sanctuary Hill
Christian Fellowship
Sanctuary Hill, Penguin
Rev. Ron van Leerdam

Ulverstone

9.30 am Christian
Reformed Church of
Ulverstone
36 John Street
Mr John de Jong

Devonport

9.30 am Pathway to Life
20 - 22 Nicholls
Street, Devonport
Mr Jeremiah Soutan

**PUT THE
FEELS IN
WITH
EMOJI
NOW
AVAILABLE**


Local Government

CIRCULAR HEAD COUNCIL
**ANNUAL GENERAL MEETING AND
ANNUAL REPORT**

Council's Annual Report for the year ending 30 June 2022 will be available from the Council Offices, or on Council's website from Friday 6 October 2022. The report is available at no charge.

The report will be presented to the community at the Annual General Meeting to be held on Thursday 20 October 2022 commencing at 6pm, at the Circular Head Council Chambers.

Interested persons wishing to make a public submission on the Report or other matters to be raised at the Annual General Meeting, should forward same to the undersigned by 5pm Thursday 13 October 2022.

Vanessa Adams
GENERAL MANAGER
PO Box 348 Smithton 7330
Phone: 03 6452 4800
E-mail: council@circularchead.tas.gov.au
Web: www.circularchead.tas.gov.au

19 King Edward Street
Ulverstone Tasmania 7315
Tel. 03 6429 8900
admin@centralcoast.tas.gov.au
www.centralcoast.tas.gov.au

APPLICATIONS FOR PLANNING PERMITS

s.57 Land Use Planning and Approvals Act 1993.

The following applications have been received:

Application No.:	DA2022091
Location:	20 Ellis Street, West Ulverstone
Proposal:	Subdivision - 2 residential lots
Performance:	Lot design and Services
Criteria:	
Application No.:	DA2022197
Location:	34 White Hills Road, Penguin
Proposal:	Residential - Retrospective application for sheds and one with an attached deck
Performance:	Site coverage and Building height, setback and siting
Criteria:	
Application No.:	DA2022219
Location:	1 Main Street, Ulverstone
Proposal:	Residential - shed
Performance:	Setbacks and building envelope for all dwellings
Criteria:	
Application No.:	DA2022242
Location:	232 Ironcliff Road, Penguin
Proposal:	Residential - single dwelling and shed
Performance:	Site coverage
Criteria:	
Application No.:	DA2022246
Location:	52 White Hills Road, Penguin
Proposal:	Residential - single dwelling and garage
Performance:	Building height, setback and siting and Reliance on C2.0 Parking and Sustainable Transport Code
Criteria:	
Application No.:	DA2022256
Location:	7 Kywong Crescent, West Ulverstone
Proposal:	Residential - carports x 2 and second access to a frontage
Performance:	Setbacks and building envelope for all dwellings and number of accesses for vehicles
Criteria:	

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 17 October 2022.

Date of notification: 1 October 2022.

SANDRA AYTON
General Manager

SAVE TIME, SUBMIT ONLINE

Place your classified ad anytime 24/7

addirect.com.au


SHERWOOD AUCTIONS

STOP!... IT'S HAMMER TIME

STATEWIDE

UPCOMING AUCTIONS:
Spreyton, Saturday 8th October 2022

Items include: garage and petrol/oil memorabilia incl. signs, homewares, boom truck and slide-on camper (for resto), large animal trailer, Caterpillar Type G industrial V800 petrol forklift, Hilux cab, car and automotive components, new and used motorhome components and parts, large quantity of new and used Harley Davidson early shovel head parts.

Erriaba, Saturday 15th October 2022

Items include: signed sporting and musical memorabilia, musical instruments & equipment incl. guitars & drum kit, 40-foot shipping container, life-sized Pegasus statue, garden art, tools, antique furniture, water fountain, Jetmaster fireplaces & more.

Latrobe, Saturday 29th October 2022

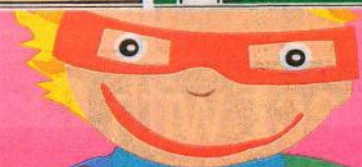
Items include: antique furniture, antique china and servingware, taxidermy animals, antique collectables, homewares, artworks and more.

Visit our website: www.sherwoodauctions.com.au or
call Klay: 0456 537 290 26 Belton st, Acton, Tas.

TAS160370

Every 36 hours an Australian
child is diagnosed with an
incurable blood cancer.

Help us find a cure quicker. Donate at captaincourageous.com.au



CAPTAIN
COURAGEOUS

Annexure 3

From: Jamie Auton <jamiefelicity@gmail.com>
Sent: Wednesday, 5 October 2022 6:42 PM
To: Admin
Subject: 1 Main Street

Hi General Manager

Just wanted to check on shed application at 1 Main Street

We have top unit on 3 Main Street that would be effected.

The shed proposal hight at peak is 4.6 hight that would effect view and sun.

The access to our unit is via external stairs just over the fence and this would effect the safety of the Tennent with reduction in light and Sun on the steel stairs that could contribute to slip hazard.

There is a shed next door to them that is at a reasonable hight that does not effect as much.

The block is very steep so could in be sunken to hight on bouncy I'd not as high?

Or a flat shed roof?

Sorry but I will arrange a visit with our tenant to further investigate effects but I object to current application due to safety concerns and decrease in value of property with effect on current views.

Please don't hesitate to call to discuss further.

Kind Regards
Jamie Auton
Ph:0438 120 673

Sent from my iPad

Central Coast Planning Team

The Body Corporate of 3 Main Street Ulverstone we wish to object to the current proposed building application at 1 Main Street Ulverstone.

Reasons being

1. **Safety concerns** for residents in units 1-2 and 4
 - a. Reduction in natural light for windows and walkway to access doors to these units
 - b. Clothes lines of also effected
 - c. Accessing stairs to unit 4 that would also be affected with reduction in sun that assists in reduction of moisture / frost during winter
2. **Property Values**
 - a. We believe this will cause a decrease in property value due to the lack of natural light and safety risks
 - b. Reduction in river views for unit 4 would cause significant value decrease in value

+
unit 1

We also believe that 1 main street is very steep and could be split leveled to not only make it better access for owner but would not affect adjoining neighbors also a flat roof garage would be better option that would assist in reducing the height on boundaries.

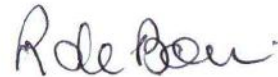
Michael Maddox:

Signature:



~~John~~ DeBoer:

Signature:



Felicity Auton:

Signature:



CENTRAL COAST COUNCIL

DEVELOPMENT & REGULATORY SERVICES

Received: 11 OCT 2022

Application No:

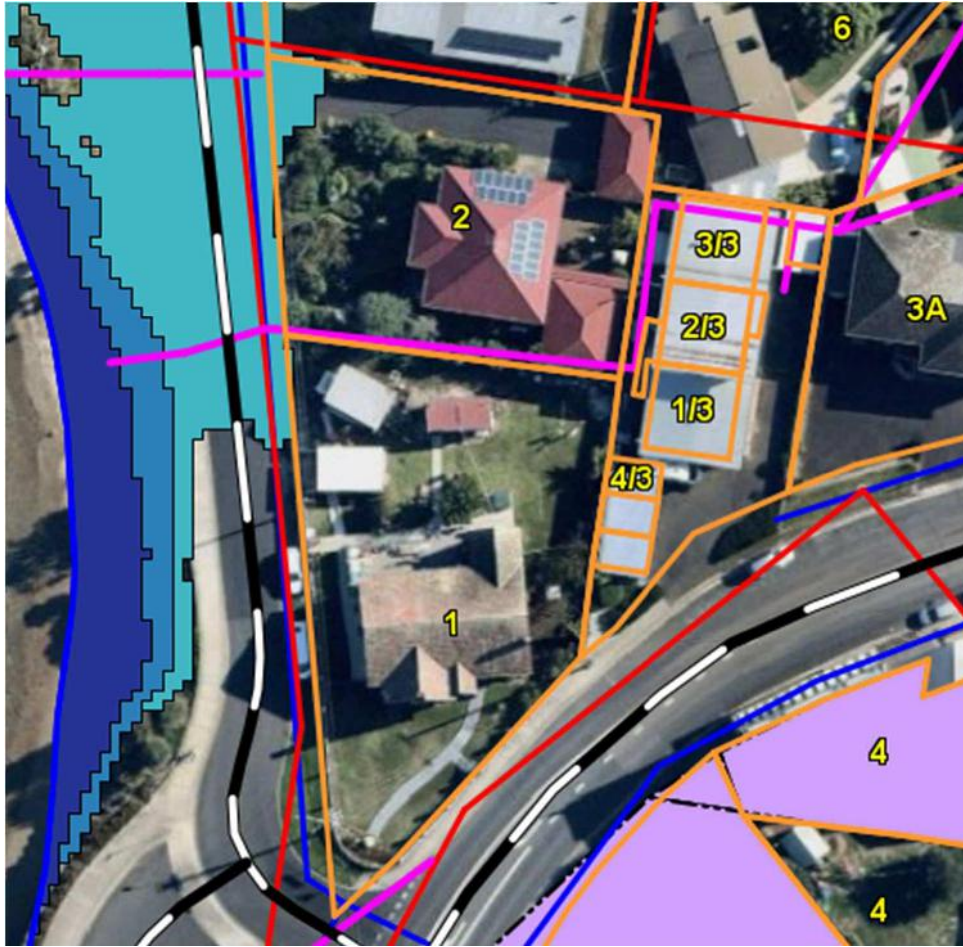
Doc. Id

jamiefelicity@gmail.com

jamie Auton 0438120673

Date 11 / 10 / 2022

Annexure 4



1 Main Street, Ulverstone



View looking East towards Unit 1, 3 Main Street, Ulverstone



View looking North towards 2 Dial Street, Ulverstone



View looking North towards 2 Dial Street, Ulverstone



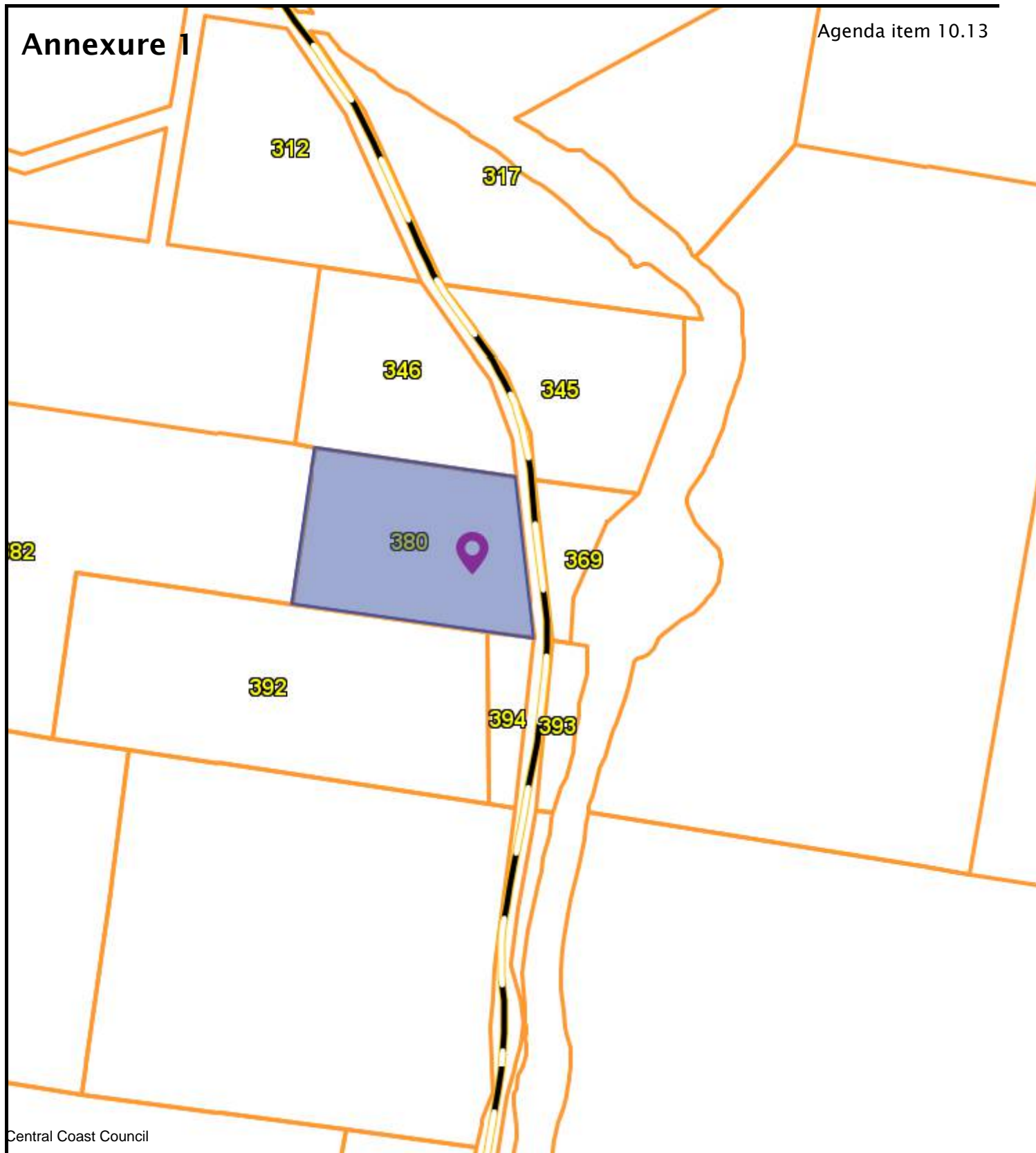
View looking South



View looking East showing both Units 1 & 4



View from Dial Street, Ulverstone looking East



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



17-Oct-2022

**380 WILMOT ROAD,
FORTH
DA2022281**

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.

100 m

Scale =
1:5885.460



Application for Planning

S.57 Land Use Planning and Approvals Act 1993

The following application has been received:

Application No.: **DA2022281**

Location: **380 Wilmot Road, Forth**

Proposal: **Residential - building envelope for
single dwelling**

Performance Criteria: **Discretionary use; Setbacks**

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. 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 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 **2 November 2022**

Date of Notification: **19 October 2022**

CENTRAL COAST COUNCIL

PO Box 220

19 King Edward Street

ULVERSTONE TASMANIA 7315

Ph: (03) 6429 8900

Email: planning@centralcoast.tas.gov.auwww: centralcoast.tas.gov.au

Land Use Planning and Approvals Act 1993
Tasmanian Planning Scheme – Central Coast
PLANNING PERMIT APPLICATION

**CENTRAL COAST COUNCIL
LAND USE PLANNING**

Received: 10/10/2022

Application No: DA2022281

Doc ID: 435047

Office use only:

Zone:

Permit Pathway – NPR/Permitted/Discretionary

Use or Development Site:

Site Address

380 Wilmot Road, Forth TAS 7310

Certificate of
Title Reference

FR119989/2

Land Area

4.47ha

Heritage Listed Property

NO



YES

**Applicant(s)**

First Name(s)

Jana

Surname(s)

Rockliff

Company name
(if applicable)

Veris Australia Pty Ltd

Contact No:

03 6421 3509

Postal Address:

100 Best Street, Devonport TAS 7310

Email address:

j.rockliff@veris.com.au

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)

Keith

Middle Names(s)

Michael

Surname(s)

Holland

Company name (if applicable)

Postal Address:

PO Box 99 Devonport TAS 7310

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 (without building works)

Use Class

Office use only

"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 separating A4 documents & forms from A3 documents).

Please refer to submission report for further information

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

\$..... Estimate/ Actual

Total floor area of the developmentm²

Declaration of Notice to Landowner**If land is NOT in the applicant's ownership**

I Jana Rockliff of Veris , declare that the owner/each of the owners of the land has been notified of the intention to make this permit application under section 52(1) of the *Land Use Planning and Approvals Act 1993*.

Signature of Applicant



Date 10/10/2022

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

I, _____ 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 Jana Rockliff of Veris Australia Pty Ltd

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 _____ Date 10/10/2022

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



SEARCH OF TORRENS TITLE


VOLUME 119989	FOLIO 2
EDITION 7	DATE OF ISSUE 02-Sep-2022

SEARCH DATE : 23-Sep-2022

SEARCH TIME : 10.13 AM

DESCRIPTION OF LAND

Parish of ABBOTSHAM, Land District of DEVON
Lot 2 on Plan 119989
Derivation : Part of Lot 7554 Gtd to J Shore
Prior CT 241478/1

	CENTRAL COAST COUNCIL LAND USE PLANNING
Received:	10/10/2022
Application No:	DA2022281
Doc ID:	435047

SCHEDULE 1

M917807 TRANSFER to KEITH MICHAEL HOLLAND Registered
02-Sep-2022 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
B904381 BURDENING EASEMENT: a right of carriageway
(appurtenant to Lot 1 on Plan No. 119989) over the
"RIGHT OF WAY 8.00 WIDE" on Plan No. 119989
E314065 MORTGAGE to Perpetual Corporate Trust Limited
Registered 02-Sep-2022 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

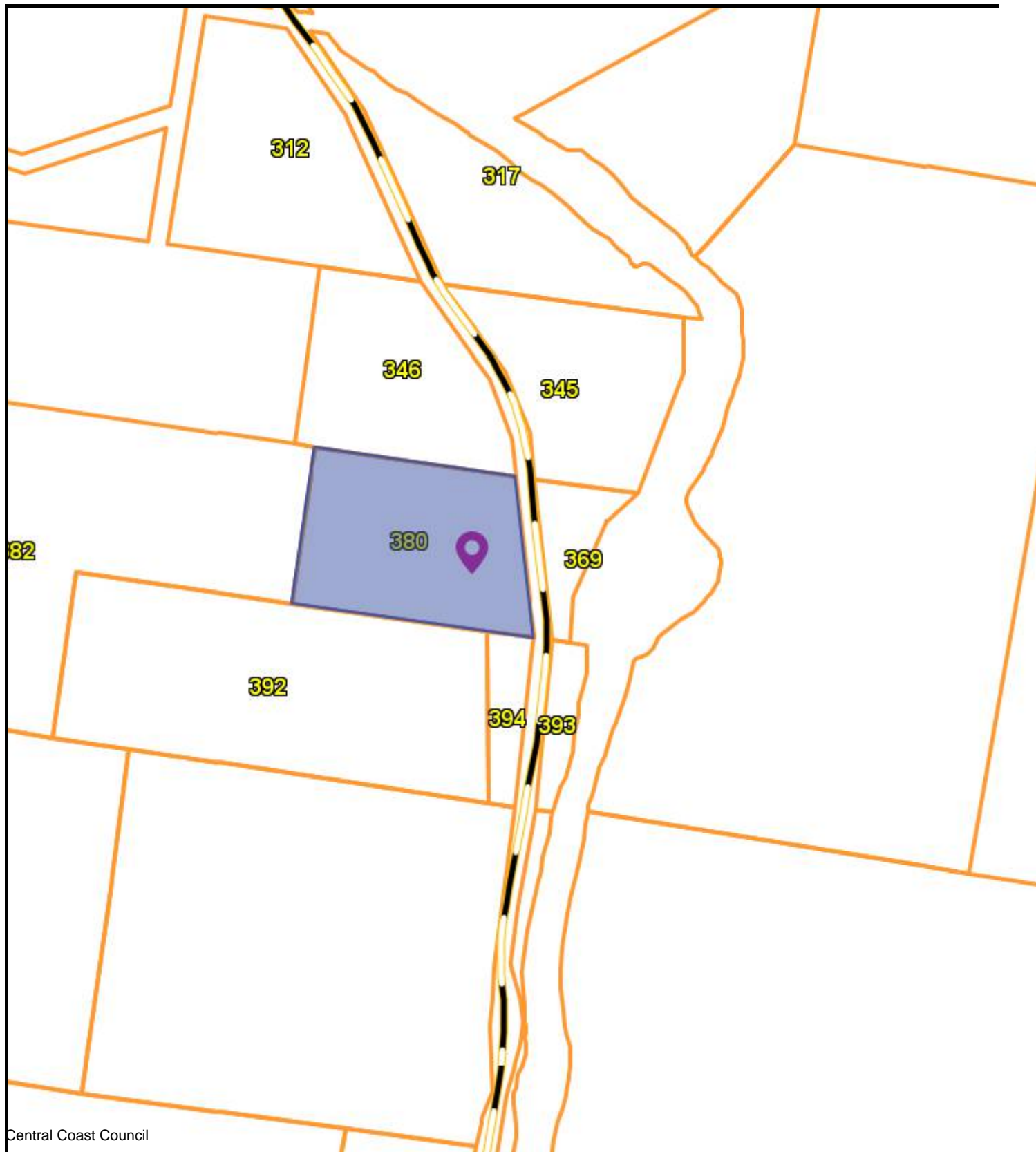
No unregistered dealings or other notations



<p>OWNER</p> <p>FOLIO REFERENCE F/R 119989-1 2 F/R 119989-2</p> <p>GRANTEE</p>		<p>PLAN OF TITLE</p> <p>LOCATION DEVON ABBOTSHAM</p> <p>FIRST SURVEY PLAN No. 26-3 L.O., 23-1 L.O.</p> <p>COMPILED BY LTO</p> <p>SCALE 1: 4000 LENGTHS IN METRES</p>		<p>REGISTERED NUMBER</p> <p>P 119989</p> <p>APPROVED 08 AUG 1995</p> <p><i>Michael J. ...</i> Recorder of Titles</p>	
MAPSHEET MUNICIPAL CODE No. 104	LAST UPI No. 6301300 6301299	LAST PLAN No. SP16479	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		

BALANCE PLAN

A-143



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



17-Oct-2022

**380 WILMOT ROAD,
FORTH
DA2022281**

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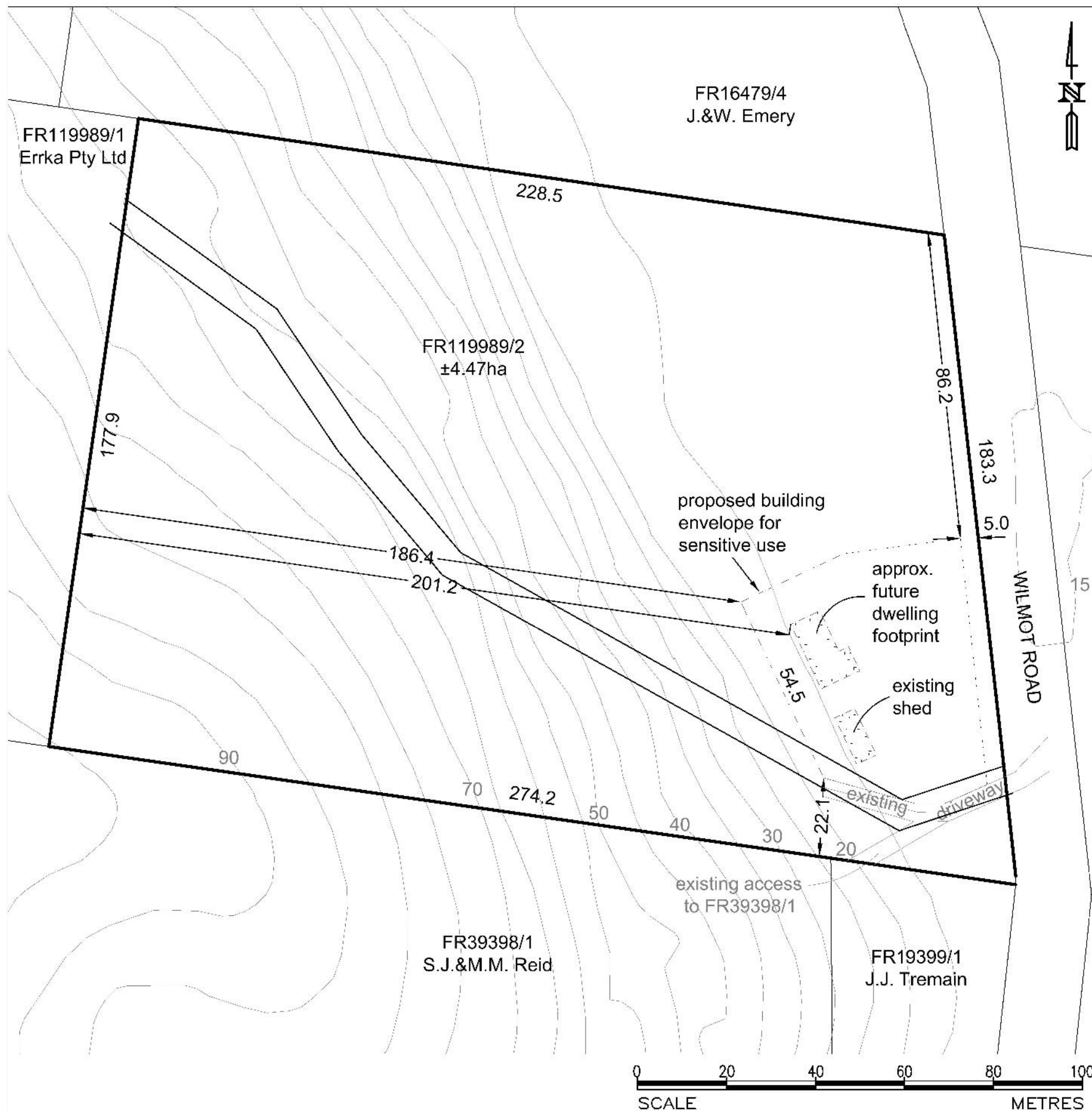
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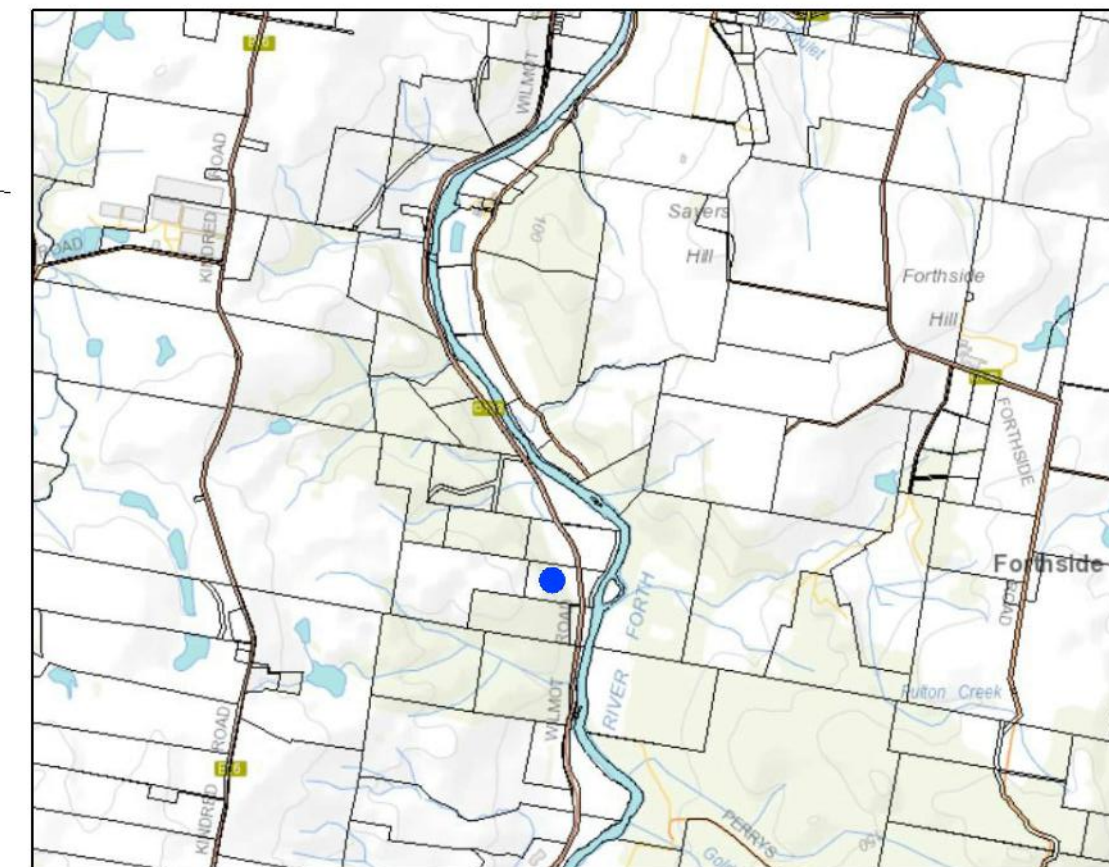
100 m

Scale =
1:5885.460



TOWNSHIP OF FORTH

LOCALITY PLAN NOT TO SCALE



● SITE LOCATION

Proposed building envelope to accommodate all associated residential developments

CENTRAL COAST COUNCIL LAND USE PLANNING	
Received:	14/10/2022
Application No:	DA2022281
Doc ID:	435640

NOTES

- (1) All measurements are subject to survey.
- (2) Underground services and house connection points require verification prior to site works.
- (3) This plan has been prepared for development application purpose only and may be subject to alteration due to permit conditions or final plan of survey. Written authorisation from Veris Australia is required if this plan is to be used for any other purpose.

veris

100 Best Street
Devonport TAS 7310
03 6421 3500
devonport@veris.com.au
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ABN 25 098 991 210

NO	DATE	DRN	CHKD	DESCRIPTION
0	21/09/22	JR	ML	FIRST ISSUE

This plan is not intended for attachment to sale contract documents

OUR REF: 304873_P01_Rev0
CONTOUR INTERVAL: 10m
DATUM: -
SCALE: 1:1250 ORIGINAL SHEET SIZE: A3
DATE OF SURVEY: -
DRAWING No: 304873_P01 REV 00 SHEET No: 1 OF 1

**HOLLAND, KEITH
PROPOSAL PLAN**

**380 WILMOT ROAD, FORTH
FR119989/2**

304873 Submission report

Residential use

380 Wilmot Road, Forth

K. Holland

October 2022

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1. SUMMARY

This report is in support of a Development Application in accordance with Section 57 of the Land Use Planning and Approvals Act 1993 for the establishment of a future residential development on 380 Wilmot Road, Forth. The property is owned by Keith Michael Holland. This application is made on behalf of the owner and with his consent.

The proposal is for the establishment of a residential use to allow future construction of a residential dwelling.

Central Coast Council is the approving authority for the application.

An assessment of the proposed development against the provisions of the *Tasmanian Planning Scheme – Central Coast* has been undertaken. Those provisions relevant to the development are discussed in this report.

The proposal is consistent with the above-mentioned requirements and is considered appropriate for approval.

2. PROPOSAL DESCRIPTION

The proposal is illustrated in enclosed proposal plan 304873_P01_Rev1.

The proposed residential use is illustrated as building envelope on the subject site. The site is zoned Agriculture which is designed to protect agricultural land for unnecessary conversion to non-agricultural land.

The proposal is for the establishment of the residential use only to minimise expenses for the documentation required to apply for the building of a residential dwelling. Any future residential development will be required to obtain separate Council approvals if the application for residential use is approved.

The building envelope has been placed to ensure sufficient area to accommodate all required infrastructure (stormwater, water, wastewater) within it. An approx. location of the intended future residential dwelling has been indicated on the plan. Access to the proposed future development site is existing as it already comprises an existing shed. The access is furthermore used to access the existing residential development on FR39398/1.

3. SITE DESCRIPTION

The subject site is described in the following table:

Location	FR119989/2 – 380 Wilmot Road, Forth TAS
Ownership	Keith Michael Holland
Site Area (ha) and Road Frontages	4.47ha with about 180m frontage to Wilmot Road
Encumbrances	Right of way easement
Existing Use	Site comprises a shed development for general access and maintenance of the site but there is no use present on the site.
Local Government Authority	Central Coast Council
Surrounding Land	Surrounded by Agriculture zone land to all sides except the Rural zone to the west. Agriculture zoned land on adjoining properties comprise residential developments with no agricultural use.
Flora and Fauna	Highly modified and cleared land on the flat part of the site (along Wilmot Road) with residual native cover on the remaining of the land.
Topography	Flat area along Wilmot Road with steep slopes running from the western boundary to the eastern boundary
Planning Scheme Designations	Agriculture Zone Overlay: Bushfire Prone Areas Overlay
Referral requirements	-

3.1. Land Capability

The Department of Primary Industries, Parks, Water and Environment Land Capability Classification maps have identified the subject land as class 4 and class 6 land



Figure 1: Land Capability assessment

The “*Land Capability Handbook – Guidelines for the Classification of Land in Tasmania*” (Gross, 1999) identifies Class 4 and 6 land as:

CLASS 4

“Land primarily suitable for grazing but which may be used for occasional cropping. Severe limitations restrict the length of cropping phase and/or severely restrict the range of crops that could be grown. Major conservation treatments and/or careful management is required to minimise degradation.

Cropping rotations should be restricted to one to two years out of ten in a rotation with pasture or equivalent, during ‘normal’ years to avoid damage to the soil resource. In some areas longer cropping phases may be possible but the versatility of the land is very limited. (NB some parts of Tasmania are currently able to crop more frequently on Class 4 land than suggested above. This is due to the climate being drier than ‘normal’. However, there is a high risk of crop or soil damage if ‘normal’ conditions return.)”

CLASS 6

“Land marginally suitable for grazing because of severe limitations. This land has low productivity, high risk of erosion, low natural fertility or other limitations that severely restrict agricultural use. This land should be retained under its natural vegetation cover.”

Based on the land classification, the smaller portion towards Wilnot Road is suitable for grazing. However, an agricultural report identified this land as Class 5-6 land, unsuitable for agricultural purposes. Please refer to enclosed agricultural report for further details.

Based on these findings the proposed residential use is appropriate for the site in line with state policies.

4. DEVELOPMENT ASSESSMENT

4.1. Tasmanian Planning Scheme – Central Coast

The site is subject to assessment under the *Tasmanian Planning Scheme – Central Coast*

The proposal has been assessed against the provisions of the following Sections:

- 21.0 Agriculture Zone
- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code
- C13.0 Bushfire-Prone Areas Code

4.1.1. 21.0 Agriculture Zone

Those Clauses relevant to the proposal are addressed below:

Clause 21.2 Use Table

PROPOSAL RESPONSE

The proposal is for the establishment of a residential use within a building envelope for future residential development. The use class is identified as Residential. A new residential use is discretionary in this zone.

Clause 21.3.1 Discretionary uses

PROPOSAL RESPONSE

The proposed residential use is not required as part of an agricultural use and therefore the performance criterion P4(b) needs to be addressed:

A Residential use listed as Discretionary must:

(b) be located on a site that:

(i) *is not capable of supporting an agricultural use*

The subject site is identified as class 5-6 and class 6 land. The majority of the site comprises native vegetation on steeper slopes. The site is severely limited for agricultural purposes due to the size, soil and topography. The area subject to the proposed building envelope is located adjacent to Wilmot Road on the flat part of the land. This land has been previously cleared and is highly modified. The enclosed agricultural report states that the conversion of this land to non-agricultural use will not result in the loss of land significant for primary industry. The land is unsuitable for cropping and has low levels of pasture production and natural fertility. The subject site has been excluded from the analysis to identify land potentially suitable for Agriculture Zone as shown below.

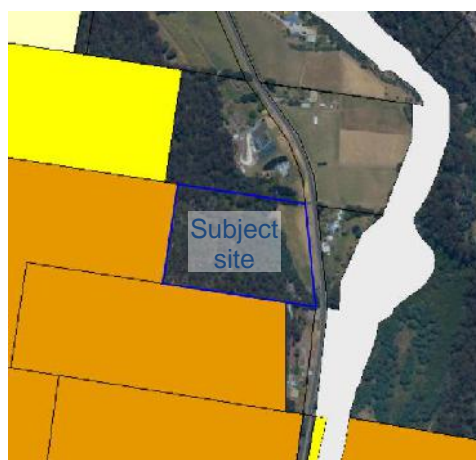


Figure 2: Land Potentially Suitable for Agriculture Zone (source: LIST)

- (i) *is not capable of being included with other agricultural land (regardless of ownership) for agricultural use; and*

The subject site is surrounded by residential developments with most of the subject site being within 200m of an existing residential development. The Land Use 2019 layer on the LIST already identified part of the subject site as rural residential without agriculture. The remaining land is identified as residual native cover. The closest agricultural use is the land to the west containing hardwood plantation forestry. It is noted that this land is zoned Rural.

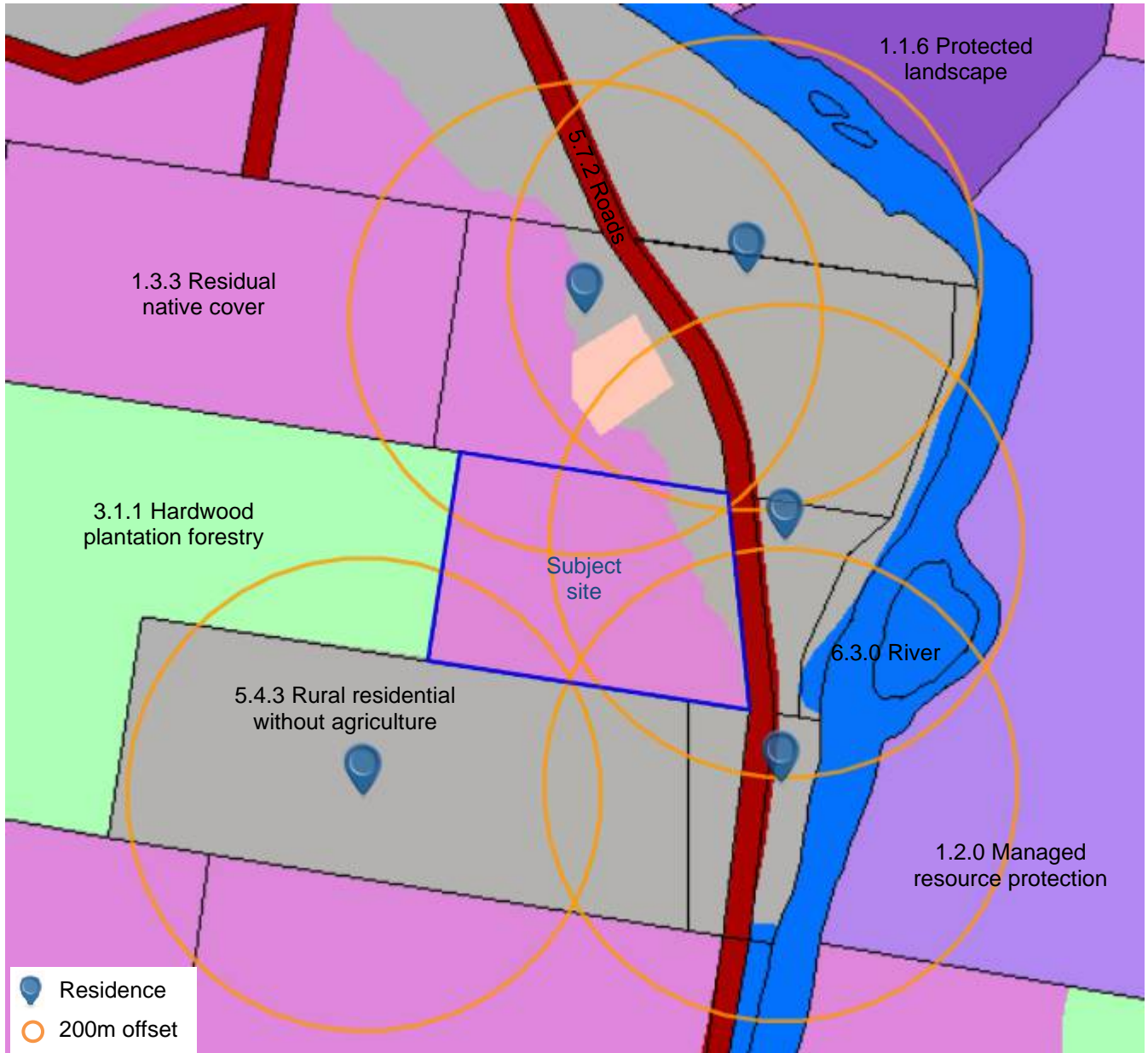


Figure 3: Land Use 2019 (source: LIST)

Therefore, the only land capable of incorporating the subject land for agricultural purposes is the property to the west. The impact of an additional residential use on the subject site would be minimal as the site is already impacted by existing surrounding residential developments. Combined with the severe constraints of the land to be utilised for agriculture purposes and no agriculture use are currently present on any of the adjoining properties, the subject site is considered to not be capable of being incorporated into agricultural land regardless of ownership.

(ii) *does not confine or restrain agricultural use on adjoining properties.*

As demonstrated above, there is no agricultural use present on any of the adjoining properties. Most adjoining properties already comprise residential developments. The property adjoining to the west is zoned Rural and comprises native vegetation, which could potentially be utilised for timber harvesting; however, the agriculture potential for this site is limited due to soil, size and topography of the site. The proposed building envelope is more than 200m away from any developed land for agricultural purposes.

The proposal is considered to comply with the performance criterion P4(b) of this clause. Please refer to enclosed agricultural report for further information.

Clause 21.4 Development Standards for Buildings and Works

PROPOSAL RESPONSE

The proposal is for the establishment of the residential use only however, the intention is for the future construction of a residential dwelling if a permit for the use can be obtained. Therefore, the development standards have been briefly addressed to ensure that future dwelling can indeed be established within the proposed building envelope.

Any future residential dwelling development will be below 12m in height compliant with 21.4.1 A1. The required setbacks of 5m to all boundaries are incorporated into the building envelope compliant with 21.4.2 A1 of this clause. The proposed building envelope does not comply with a 200m setback to all boundaries and therefore the performance criteria P2 will be addressed.

The proposed building envelope (approx. building site) will be in line with the already existing shed on the site. The subject site as well as surrounding properties are severely restricted for agricultural use due to size, steep slopes, very poor soil profiles and complex topography. There are currently no agricultural uses present on any adjoining land. As illustrated above, most surrounding properties already comprise existing residential developments within 200m of the subject site. The residual native cover would additionally serve as buffer between the proposed building envelope and any potential future agricultural use as the land immediately to the west of the building envelope could not be development due to existing vegetation, soil and topography. Please refer to agricultural assessment for more detail.

It is therefore considered that a future residential development within the proposed building envelope can achieve compliance with the development standards of the Agriculture Zone.

4.1.2. C2.0 Parking and Sustainable Transport Code

This Code applies to all use and development. A residential use requires the establishment of two car parking spaces per three bedrooms. There is sufficient area within the proposed building envelope to accommodate for the construction of required parking spaces.

4.1.3. C3.0 Road and Railway Assets Code

The proposed residential use will increase the amount of vehicle traffic using an existing vehicle crossing; however, the additional traffic will be less than 40 additional annual average vehicle movements per day compliant with A1.4 of the Code.

4.1.4. C13.0 Bushfire-Prone Areas Code

The entire area is located within the bushfire-prone-areas overlay; however, the proposed development is for the establishment of a residential use only. Residential use is not defined as vulnerable or hazardous use and therefore the Code does not apply.

5. CONCLUSION

The application is made pursuant to Section 57 of the Land Use Planning and Approvals Act 1993.

Tasmanian Planning Scheme – Central Coast, in particular the provisions relating to residential use not required as part of an agricultural use in the Agriculture Zone.

The proposal will allow for the establishment of a residential use on the property. No works are proposed at this point in time.

It is therefore requested that the application will be recommended for approval.

—
Devonport
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DEVELOP
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Agricultural Site Specific Report (Revised)

Site Address

380 Wilmot Road .
Forth. 7315.
Tasmania.

Site Details

4.804Ha
Register Number 119989

This report is in accordance with the Tasmanian Planning Scheme - Central Coast.

As this proposed dwelling is on agricultural land and is not required for primary industry purposes I will address the requirements for:

Clause 21.3.1 Residential Use,
Performance Criteria P4
Sections (b) (i)(ii)(iii)

The report was made by the under signed, who possesses an Advanced Diploma of Horticulture from the University of Sydney and has over 30 years experience in the agricultural industry in Tasmania. I am experienced in land capability studies and been engaged by property owners, independent planners, surveyors and Councils to undertake assessments within the Devonport, Central Coast and Kentish Municipalities. I also have an Advanced Diploma in Engineering (Civil).

The Rural Resource Zone Site Specific Report is produced through a combination of field work, aerial photo interpretation and use of topographical and soil maps.

Soils have been examined using 25 mm hand held soil auger or by examination of soil exposures in ditches or road cuttings to determine depth of soil horizons and other important soil properties.

The Property

The property is approximately 10% (FAG) Agricultural land highly modified (based on significant active modification or replacement of the initial vegetation) mature permanent rye grass pasture sub divided into small parcels used for pasture and forage production. Approximately 70% of the title is native cover, ((NAD) *Acacia dealbata* forest) mainly unused (no prime use) and consists of *Acacia melanoxylon*, *Eucalyptus obliqua* mixed eucalypt forests dominated by *E. obliqua* trees, typically of medium height (20–30 m). The shrubby understorey is diverse and the ground layer sparse. The remaining 20% comprises of (FRG) Regenerating cleared land. See attached map for boundaries.

The ‘residual native cover’ class is appropriate because there is no applicable prime use and the owners plan to keep the area in non-production environmental purposes to conserve native vegetation and wildlife.

There are no named tributaries on the title and it is in the Forth-Wilmot catchment.

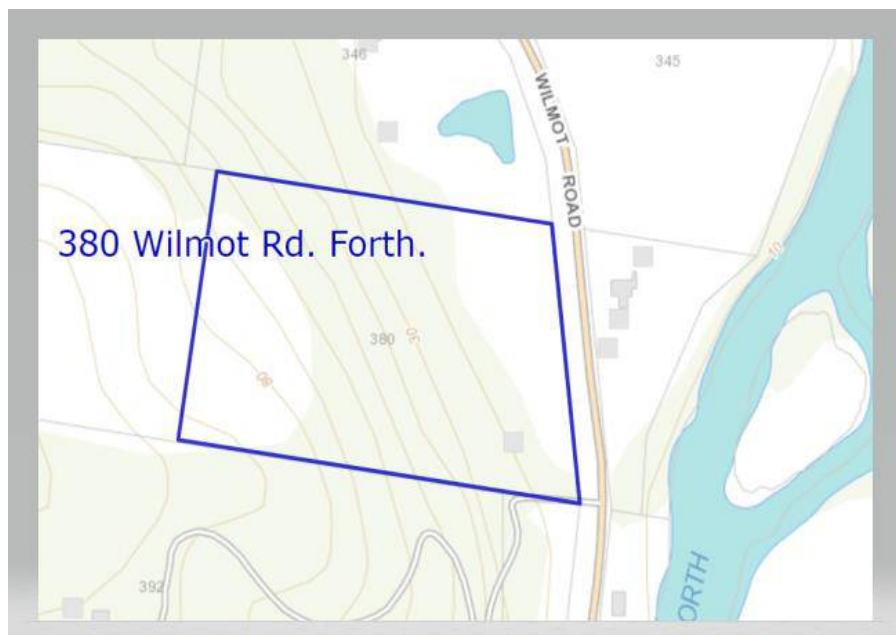
Elevation ranges between 20m to 90m above sea level.



Photo. 1. Showing (FAG) Agricultural land in the foreground and native cover (NAD) *Acacia dealbata* forest in the back ground.

Clause 21.3.1 Residential Use,
Performance Criteria P4
Sections (b) (i)(ii)(iii)

- (i) The residential development planned for this rural land is appropriate as there will be no loss of land significant for primary industry. The residential development site is situated on alluvium derived sediments and there is very poor drainage making regular cultivation impractical due to compaction and cloddiness. The pasture on the proposed building site is of no economic use and could not be improved without excessive economic inputs because of the very shallow soil depth and imperfect subsurface drainage. My assessment of the land capability on the property varies with the DPIWE's assessment shown on the ListMap Land Capability Map attached. I would classify the land shown as Class 4 as Class 5-6 subclass(w(f)(d)).
- The land at the proposed development site is only marginally suitable for grazing because of severe limitations. Subclass (w) refers to wetness.
- f (flooding). Limitations created through the surface accumulation of water because the area lies in a topographic depression.
 - d (drainage). Limitations resulting from the occurrence of a ground water table, and restricted or impeded permeability within the soil profile, leading to the development of anaerobic conditions.



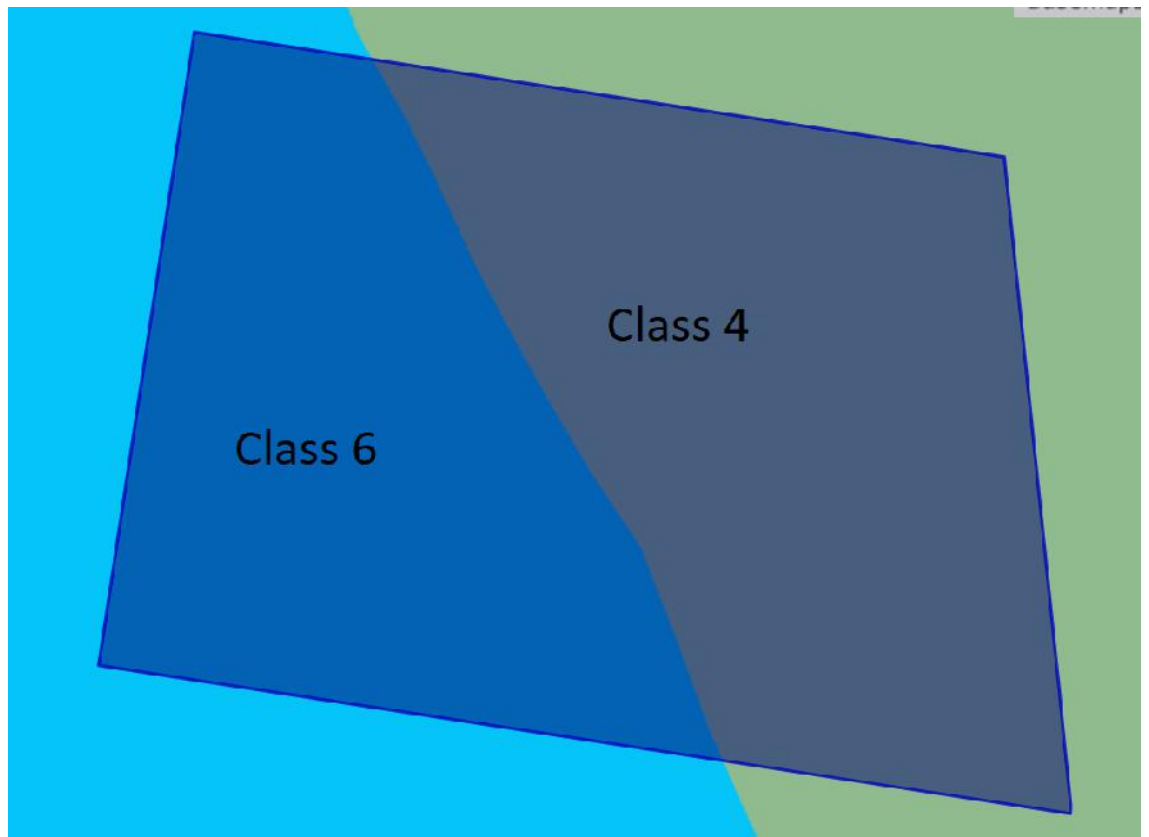
(ii) As the topographical map above shows the surrounding blocks have very similar limitations and have little or no agricultural potential due to the very steep slopes, poor land classification and limited drainage.

(iii) The proposed building will not constraint or interfere with existing and potential primary industry on the site or on adjacent land. The remaining portion of the block not to be used for the building is only suitable for limited agricultural use because of serve limitations. The land is unsuitable for cropping and has low levels of pasture production and low levels of natural fertility which severely restrict agricultural use.

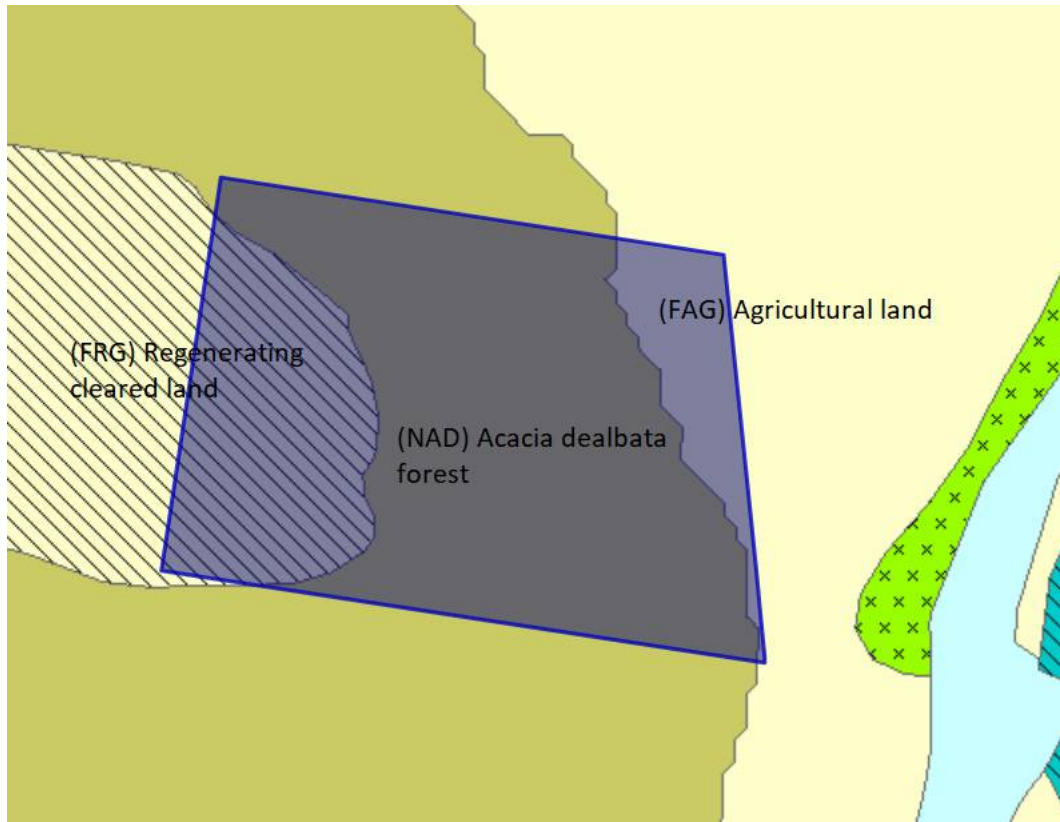
The native cover portion of the title can not be cleared or used for any agricultural purposes because of the slope and soil types would make this area very prone to degeneration.

All of the surrounding blocks have very similar limitations and have little or agricultural potential. The boundary to this block is greater than 200meters from any developed land and would not interfere with any farm practices required. The adjacent blocks to the north and south are both small holdings on land of no agricultural use due to their size, steep slopes, very poor soil profiles and complex topography. The western boundary bounds onto an area of with mixed eucalypt forests that could not be developed and is planned to be left as residual native cover.

Simon Nowell
Senior Agronomist.
Elders Limited.
Tel. 0439 369 006
simon.nowell@elders.com.au



Land Classification Map.



TASVEG 4.0 Map

References.

Land Capability Survey. Forth Report.
C J GROSE

Department of Primary Industries, Water and Environment
Guidelines for the Classification of Agricultural Land in Tasmania
Second Edition. C J GROSE
Department of Primary Industries, Water and Environment.

Cradle Coast – Kentish Interim Planning Scheme

Chilvers, W.J. 1996, Managing Tasmania's Cropping Soils - a practical guide
for Farmers. DPIF, Tasmania

Grose, C.J. and Cotching, W. 1995 Soil Survey and Land Capability
Classification of the Pet and Guide Catchments, District of Burnie. DPIF.

maps.thelist.tas.gov.au

Local Government

KENTISH COUNCIL

APPLICATION FOR PLANNING PERMIT

The following application has been received under Section 57 of the *Land Use Planning & Approvals Act 1993*:

Application No.: K-DA097/2022

Site: 59 Kimberley Road, Railton

Proposal: Residential - proposed Dwelling & Outbuilding

The application and associated materials will be available for inspection at the Council office during normal office hours or at www.kentish.tas.gov.au for a period of 14 days from the date of publication of this notice. In accordance with Section 57(5) of the *Land Use Planning & Approvals Act 1993* any person may make representation in relation to the proposal by letter addressed to the General Manager or email addressed to council@kentish.tas.gov.au by close of business 2 November 2022.

Dated at Sheffield this 19 October 2022.

Gerald Monson
GENERAL MANAGER

Local Government



19 King Edward Street
Ulverstone Tasmania 7315
Tel: 03 6425 8900
admin@centralcoast.tas.gov.au
www.centralcoast.tas.gov.au

APPLICATION FOR PLANNING PERMIT

S.57 Land Use Planning and Approvals Act 1993.

The following application has been received:

Application No.: DA2022281

Location: 380 Wilmot Road, Forth

Proposal: Residential - building envelope for single dwelling

Performance Discretionary use; Setbacks

Criteria:

The application 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 2 November 2022.

Date of notification: 19 October 2022.

SANDRA AYTON
General Manager

Public Notices



Notice For Claims

All persons having claims against the undermentioned deceased estates are requested to lodge the same with the Public Trustee, Hobart on or before the 19th day of November next. Particulars of assets held by any person are also requested.

John Leo Walmsley
late of Queenstown
in Tasmania

Chief Executive Officer
Public Trustee
116 Murray Street, Hobart
and 18 Rooke Street,
Devonport
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Public Notices

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WEST COAST COUNCIL DIGITISATION ROADMAP REQUEST FOR QUOTATION

West Coast Council currently has a limited and fragmented digital environment to support its operations and seeks a consultant to support developing a road map for digital transformation. The aim of the project is to understand Council's current and medium term (5 year) digital environment requirements and to design a software/digital environment to support those requirements.

The successful company or consultant will be required to support Council to procure and develop an implementation plan for a new digital environment that facilitates operational workflows and improves the ability to deliver services with the efficiency and level of community service it strives for.

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LATROBE COUNCIL

APPLICATION FOR PLANNING PERMIT

The following applications have been received under Section 57 of the *Land Use Planning & Approvals Act 1993*:

Application No.: L-DA216/2022

Site: 376 Moriarty Road, Latrobe

Proposal: Residential - proposed Subdivision & Consolidation

Application No.: L-DA83/2021

Site: 346 Mersey Main Road, Spreyton

Proposal: Storage (existing use) & Transport Depot and Distribution - proposed Subdivision (1 Lot)

The applications and associated materials will be available for inspection at the Council office during normal office hours or at www.latrobe.tas.gov.au for a period of 14 days from the date of publication of this notice. In accordance with Section 57(5) of the *Land Use Planning & Approvals Act 1993* any person may make representation in relation to the proposals by letter addressed to the General Manager or email addressed to council@latrobe.tas.gov.au by close of business 2 November 2022.

Dated at Latrobe this 19 October 2022.

Gerald Monson
GENERAL MANAGER

WARATAH WYNARD COUNCIL

APPLICATIONS FOR PLANNING PERMITS

Notice is given that applications have been made for the following discretionary permits:-

No: DA 243/2022
Location: 9 Martin Street, Wynyard
Applicant: Wilson Homes
Zoning: General Residential
Use Class: Residential
Proposal: Fire Separation Wall
Discretionary Matter: Setbacks and building envelope for all dwellings 10.4.2 (P1, P3)

No: DA 247/2022
Location: 1a Percy Street, Wynyard
Applicant: Abel Drafting Services P/L
Zoning: General Residential
Use Class: Residential
Proposal: Dwelling
Discretionary Matter: Setbacks and building envelope for all dwellings 10.4.2 (P1, P2, P3)

The applications and associated plans and documents will be available for inspection during normal office hours for the exhibition period at the Council Office, Saunders Street, Wynyard or viewed on Council website www.warwyn.tas.gov.au. Any person who wishes to make representations in accordance with the *Land Use Planning and Approvals Act 1993*, must do so during the exhibition period. Representations in writing will be received by the undersigned by Wednesday 2 November 2022.

Dated at Wynyard this day, 19 October 2022.
Shane Crawford, General Manager
PO Box 168, WYNARD 7325
Email: council@warwyn.tas.gov.au

www.warwyn.tas.gov.au WARATAH WYNARD

DEVONPORT CITY COUNCIL
137 Rooke Street, Devonport TAS 7310
Phone: 03 6424 0511
www.devonport.tas.gov.au

TEMPORARY CLOSURE OF PUBLIC STREETS
WILLIAM STREET - 24/10/2022 TO 25/11/2022

The following closure will apply for the conduct of pavement, kerb and driveway reconstruction from 07:00 am, 24 October 2022 to 05:00 pm, 25 November 2022:

- WILLIAM STREET (VALLEY ROAD and MIDDLE ROAD)

It would be appreciated if this closure could be noted.

Matthew Atkins
GENERAL MANAGER

TAS190578

TASCAT

In the General Division - Resource & Planning Stream

A preliminary conference has been listed for the following matters:

No & Details	Date of Hearing
P2022/154 & P2022/155 Subdivision (78 lots, 2 road lots and public open space) 2-28 Mount Hicks Road, Wynyard	Wed 26 Oct 2022 10.00am

Any person, who complies with the statutory requirements, may apply to be made a party to the proceedings forthwith, in writing to GPO Box 1311, Hobart 7001 or email resourceplanning@tascat.tas.gov.au.

Please read information on the Tribunal's website at www.tascat.tas.gov.au regarding attending Tribunal hearings and COVID-19 safety requirements.

Tribunal offices: 38 Barrack Street, Hobart
Postal Address: GPO Box 1311, Hobart
Email: resourceplanning@tascat.tas.gov.au

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- Illawarra Mercury (Wollongong, NSW)
- The Courier (Ballarat, VIC)
- The Standard (Warrnambool, VIC)
- The Northern Daily Leader (Tamworth, NSW)

- Bendigo Advertiser (Bendigo, VIC)
- The Daily Advertiser (Wagga Wagga, NSW).

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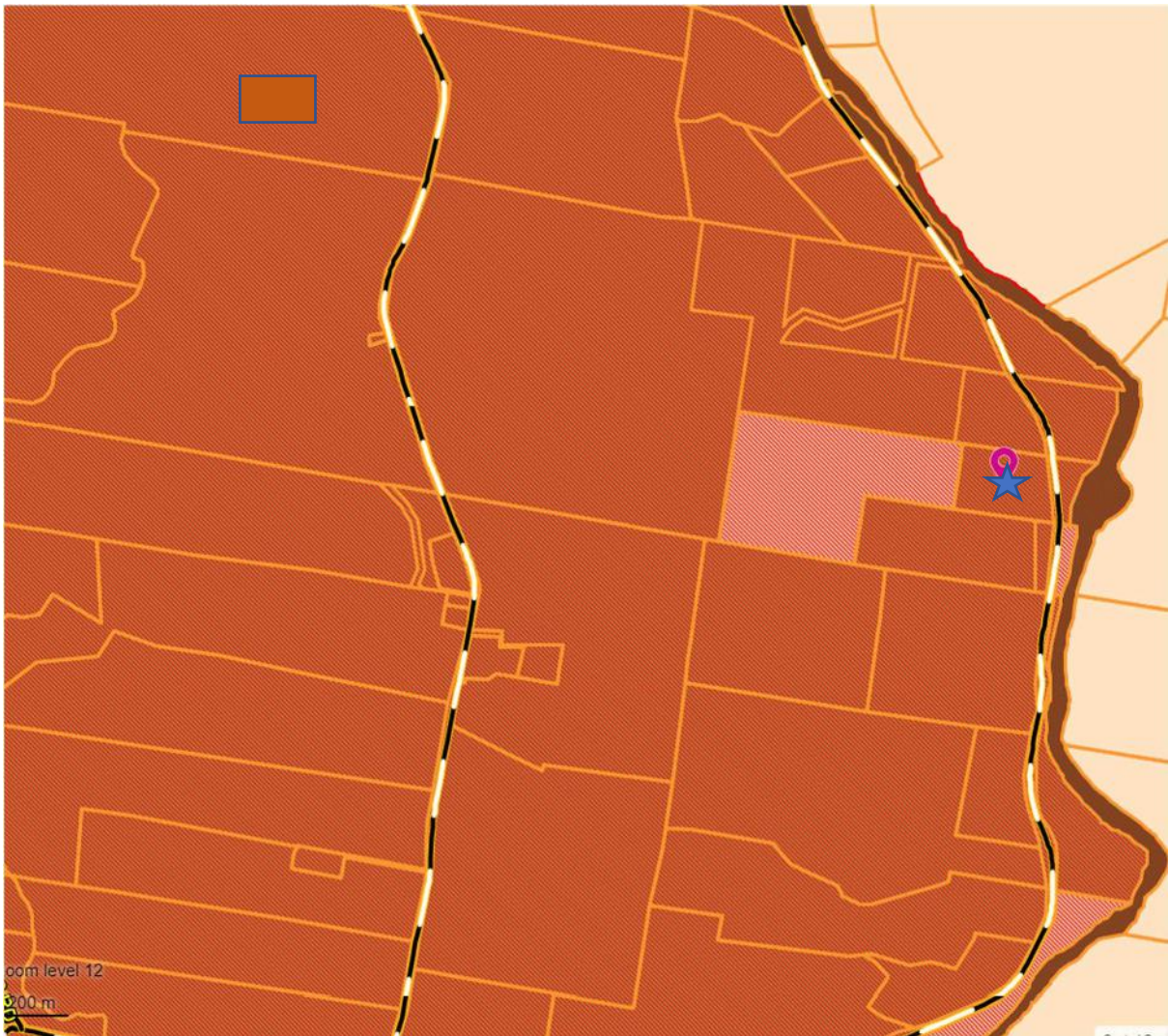


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Annexure 3



Zone Map

- Agriculture Zone 
- Rural Zone 
- 380 Wilmot Road 



Aerial View – 380 Wilmot Road, Forth



SCHEDULE OF INFRASTRUCTURE SERVICES DETERMINATIONS

Period: 1 September to 31 October 2022

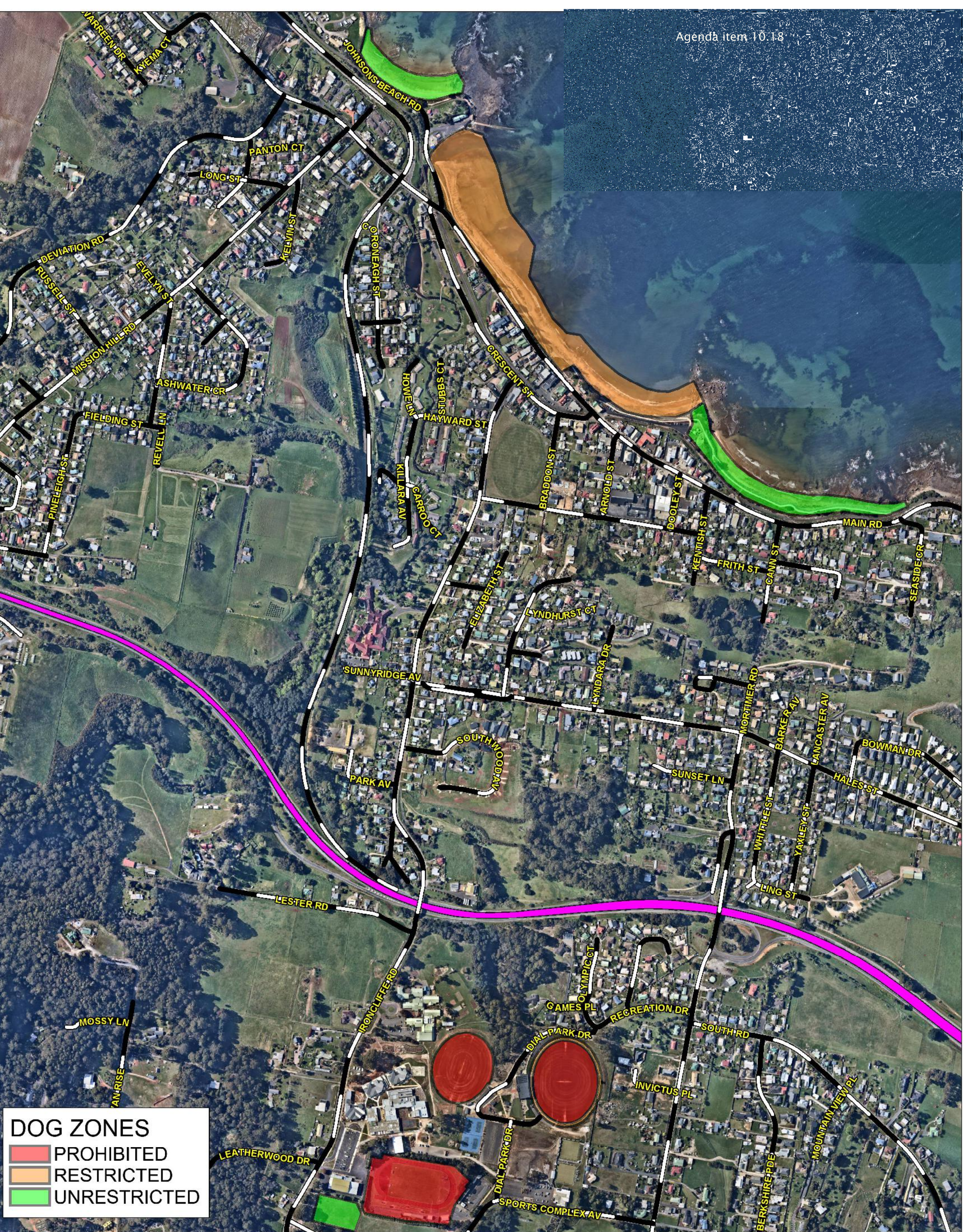
Approval of Roadworks and Services

Developer: Future Developments Group Pty Ltd
Location: Hearps Road (CT113873/1), West Ulverstone
No. of Lots: Stage 02B, 03, 04 (41 lots)
Engineer: Chris Martin (CSE Tasmania Pty Ltd)

Developer: Steven Jarman
Location: 110 Ironcliffe Road, Penguin
No. of Lots: 9 Residential Lots
Engineer: Mark Santalucia

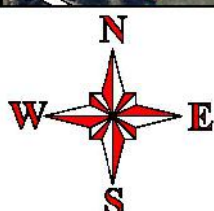
A handwritten signature in black ink, appearing to read 'P. Breaden', is positioned above the printed name and title.

Paul Breaden
DIRECTOR INFRASTRUCTURE SERVICES



DOG ZONES

- PROHIBITED
- RESTRICTED
- UNRESTRICTED



Important
This map was produced in the GIS/Mapping Unit of the Central Coast Council, which has undertaken the mapping. The map is not a survey document and should not be used for legal purposes. The map is for informational purposes only. The map is not a survey document and should not be used for legal purposes. The map is for informational purposes only.

Contour Interval:
Projection: GDA94
Date: 04/11/2022
Drawn By: GIS

PENGUIN DOG ZONES

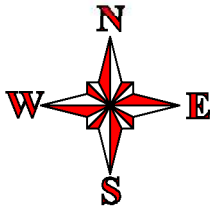
Scale 1: 7,000
0 200 m

DOG ZONES

PROHIBITED

RESTRICTED

UNRESTRICTED



PRESERVATION BEACH
DOG ZONES





CAR PARK LN

REIBEY ST

KING EDWARD ST



SCHEDULE OF STATUTORY DETERMINATIONS MADE UNDER DELEGATION

Period: 1 October 2022 to 31 October 2022

Building Permits – 0

. New dwellings	0	\$0
. Outbuildings	0	\$0
. Additions/Alterations	0	\$0
. Other	0	\$0
. Units	0	\$0

Demolition Permit – 0

Permit of Substantial Compliance – Building – 0

Notifiable Work – Building – 6

. New dwellings	2	\$838,378
. Outbuildings	3	\$1,130,000
. Additions/Alterations	0	\$400,000
. Other	1	\$1,000,000
. Units	0	\$0

Building Low Risk Work – 0

Certificate of Likely Compliance – Plumbing – 9

No Permit Required – Plumbing – 1

Food Business registrations (renewals) – 9

Food Business registrations – 2

Temporary Food Business registrations – 0

Public Health Risk Activity registrations – 1

SCHEDULE OF REGULATORY SERVICES DETERMINATIONS MADE UNDER DELEGATION

Period: 1 October 2022 to 31 October 2022

FIRE ABATEMENT INSPECTIONS COMPLETED – 0**FIRE ABATEMENT CHECKS ON NOTICES ISSUED – 0****ABATEMENT NOTICE/S ISSUED 0**

Address Property ID

Nil

KENNEL LICENCE/S ISSUED 0

Address Owner

Nil

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

Address Permit issued for

7 Tongs Court, Ulverstone 1 Rooster

WANDERING LIVESTOCK COMPLAINTS – 0

SCHEDULE OF OTHER REGULATORY SERVICES STATUTORY RESPONSIBILITIES

Period: 1 October 2022 to 31 October 2022

DOGS IMPOUNDED

Claimed	2
Burnie Dogs Home	0
Devonport Dogs Home	0
RSPCA Spreyton	0
Destroyed	0
Held over	0

DOG OFFENCES

Dog Attacks on Other Dogs	1
Dog Attacks on Persons	1
Dog Attacks on Livestock	0
Barking Dog Complaints	5
Unregistered Dogs Found by Compliance	6

INFRINGEMENT NOTICES ISSUED FOR DOG OFFENCES 0

Declaration of Dangerous Dogs 0

INFRINGEMENT NOTICES ISSUED FOR DOGS OFF-LEAD IN ON-LEAD AREA

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

CAUTIONS FOR DOGS OFF-LEAD IN ON-LEAD AREAS 4

PATROLS OF FREE CAMPING AREAS –

Halls Point	2
Penguin Surf Life Saving Club	2
Forth Oval	6
Nicholson Point	4

Cautions Issued to Campers in Free Camping Areas 4

TRAFFIC INFRINGEMENT NOTICES FOR PARKING OFFENCES – 30

Alexandra Road	0	0%
Bannons Car Park	0	0%
Coles/Furner's Car Park	0	0%
Crescent Street, Ulverstone	0	0%
Eastland Drive	0	0%
King Edward Street, Ulverstone	2	7%
Main Road, Penguin	0	0%
North Reibey Street Car Park	0	0%
Reibey Street	1	3%
Surf Club Road, Penguin	0	0%
Victoria Street	0	0%
Wharf Car Park	0	0%
Wongi Lane	0	0%
Woolworths Car Park	27	90%
Other	0	0%

PARKING COMPLAINTS 0

ABANDONED CARS 2

PARKING PERMITS ISSUED 4

LITTER ENQUIRIES 0



Sandra Ayton
GENERAL MANAGER