
Minutes of an ordinary meeting of the Central Coast Council held in the Council Chamber at the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 11 December 2023 commencing at 6.00pm.

Councillor attendance

Cr Cheryl Fuller (Mayor)
Cr Garry Carpenter
Cr Sophie Lehmann
Cr Philip Viney

Cr John Beswick (Deputy Mayor)
Cr Casey Hiscutt
Cr Michael Smith
Cr Kate Wylie

Councillor apologies

Cr Amanda Diprose

Employee attendance

General Manager (Mr Barry Omundson)
Director Community Services (Mr Daryl Connelly)
Director Corporate Services (Mrs Samantha Searle)
Director Infrastructure Services (Mr Paul Breaden)
Executive Services Officer (Mr Ian Brunt)

Media attendance

The media was not represented.

Public attendance

Three members of the public attended during the course of the meeting.

Digital recording of Council meetings

At the commencement of the meeting, the Mayor notified those present that the meeting will be digitally recorded and made publicly available through the Council's website.

Digital recordings will be conducted in accordance with Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015* and the Council's Digital Recording Policy (109/2022 – 20.04.2022).

Acknowledgement of Country

Cr Viney stated as follows:

“The Central Coast Council acknowledges and pays respect to the traditional owners of lutrawita (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 continuing cultures.”

Statement of Values

Cr Viney stated as follows:

“Guided by the diverse beliefs, experiences and backgrounds of the people we represent, we strive to make inspired and respectful decisions today that will build a better tomorrow.”

CLOSURE OF MEETING TO THE PUBLIC

350/2023 Meeting closed to the public

The Executive Services Officer reported as follows:

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

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

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

Matter	<i>Local Government (Meeting Procedures) Regulations 2015</i> reference
Confirmation of closed session minutes	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
Minutes and notes of other organisations and committees of the Council <ul style="list-style-type: none">Dulverton Regional Waste Management Authority Owner Representatives Meeting – held 23 November 2023 (unconfirmed)Dulverton Regional Waste Management Authority Annual General Meeting – held 23 November 2023 (unconfirmed)	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

Roadmap to Organisational Excellence	15(2)(a) Personnel matters, including complaints against an employee of the council and industrial relations matters
General Manager's end of probation report	15(2)(a) Personnel matters, including complaints against an employee of the council and industrial relations matters

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

Matter	<i>Local Government (Meeting Procedures) Regulations 2015</i> reference
Confirmation of closed session minutes	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential"
Minutes and notes of other organisations and committees of the Council <ul style="list-style-type: none"> Dulverton Regional Waste Management Authority Owner Representatives Meeting – held 23 November 2023 (unconfirmed) Dulverton Regional Waste Management Authority Annual General Meeting – held 23 November 2023 (unconfirmed) 	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.
Roadmap to Organisational Excellence	15(2)(a) Personnel matters, including complaints against an employee of the council and industrial relations matters
General Manager's end of probation report	15(2)(a) Personnel matters, including complaints against an employee of the council and industrial relations matters."

Carried unanimously and by absolute majority

The Executive Services Officer further reported as follows:

- “1 The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of any matter discussed at a closed meeting that the general manager is to record in the minutes of the open meeting, in a manner that protects confidentiality, the fact that the matter was discussed and a brief description of the matter so discussed, and is not to record in the minutes of the open meeting the details of the outcome unless the council determines otherwise.
- 2 While in a closed meeting, the council is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.
- 3 The *Local Government Act 1993* provides that a councillor must not disclose information seen or heard at a meeting or part of a meeting that is closed to the public that is not authorised by the council to be disclosed.

Similarly, an employee of a council must not disclose information acquired as such an employee on the condition that it be kept confidential.
- 4 In the event that additional business is required to be conducted by a council after the matter(s) for which the meeting has been closed to the public have been conducted, the Regulations provide that a council may, by simple majority, re-open a closed meeting to the public.”

The meeting moved into closed session at 6.01 pm.

PAGES 6 TO 13 ARE CLOSED SESSION ITEMS – OPEN SESSION RESUMES AT PAGE 14

CLOSED SESSION SUMMARY

The Executive Services Officer reported as follows:

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

Matter	Description of matter discussed
351A/2023 Confirmation of closed session minutes	The closed session minutes of the previous ordinary meeting of the Council held on 20 November 2023 were confirmed.
352A/2023 Minutes and notes of other organisations and committees of the Council <ul style="list-style-type: none">Dulverton Regional Waste Management Authority Owner Representatives Meeting – held 23 November 2023 (unconfirmed)Dulverton Regional Waste Management Authority Annual General Meeting – held 23 November 2023 (unconfirmed)	The minutes and notes provided to the Council on the condition they are kept confidential were received.
353A/2023 Roadmap to Organisational Excellence	The Council adopted the Roadmap to Organisational Excellence.
354A/2023 General Manager’s end of probation report	The Council considered the General Manager’s end of probation report.
355A/2023 Resumption of meeting open to the public	The Council resolved to re-open the meeting to the public.

CONFIRMATION OF MINUTES OF THE COUNCIL

356/2023 Confirmation of minutes

The Executive Services Officer reported as follows:

“The minutes of the ordinary meeting of the Council held on 20 November 2023 have already been circulated. The minutes are required to be confirmed for their accuracy.

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

■ Cr Viney moved and Cr Wylie seconded, “That the minutes of the ordinary meeting of the Council held on 20 November 2023 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

357/2023 Council workshops

The Executive Services Officer reported as follows:

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

- 27 November 2023 – Open Space and Recreation Plan 2023–2023; Tobruk Park Sensory Garden; Fairway Park Masterplan; Fire and Emergency Services Bill; and Childcare review progress.
- 4 December 2023 – review of Council loans to sporting clubs; property review – land; Roadmap to Organisational Excellence; Managing Interests Framework; Development Assessment Panel submission.

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

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

Carried unanimously

MAYOR'S COMMUNICATIONS

358/2023 Mayor's communications

The Mayor reported that the Penguin Playground opening held 11 December 2023 was a great success and was very well received by the local parents and young children in attendance.

359/2023 Mayor's diary

The Mayor reported as follows:

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

- . St Stephens Church, Penguin Christmas Luncheon;
- . Central Coast thank you show;
- . Order of Australia Reception;
- . Friends of the Reid Street Reserve;
- . Sulphur Creek and Preservation Bay Community Conversation;
- . Walk Against Violence;
- . Hive Summer Buzz;
- . Warrawee Women's Shelter tour;
- . North Motton barbeque opening;
- . Ganesway Christmas barbeque;
- . TasWater Annual General Meeting;
- . Dulverton Regional Waste Management Authority Annual General Meeting;
- . Breakfast with The Honourable Jeremy Rockliff MP, Premier of Tasmania; and
- . Football Clubs Roundtable."

Cr Beswick reported as follows:

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

- . Pedro's Rod and Annie White celebration;
- . Leighlands Christian Schools celebration service;
- . Navy Day wreath laying service; and
- . Central Coast Community Shed Christmas dinner."

Cr Wylie reported as follows:

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

- . Central Coast Chamber of Commerce and Industry Special General Meeting."

Cr Lehmann reported as follows:

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

. Ulverstone Senior Citizens Lunch.”

■ Cr Smith moved and Cr Wylie seconded, “That the Mayor’s, Deputy Mayor’s and Councillors’ reports be received.”

Carried unanimously

360/2023 Declarations of interest

The Mayor reported as follows:

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

The Executive Services Officer reported as follows:

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

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

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

No interests were declared at this time.

COUNCILLOR REPORTS

361/2023 Councillor reports

The Executive Services Officer reported as follows:

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

Any matters for decision by the Council which might arise out of these reports should be placed on a subsequent agenda and made the subject of a considered resolution.”

No reports were made at this time.

APPLICATIONS FOR LEAVE OF ABSENCE

362/2023 Leave of absence

The Executive Services Officer reported as follows:

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

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

There are no applications for consideration at this meeting.”

DEPUTATIONS

363/2023 Deputations

The Executive Services Officer reported as follows:

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

PETITIONS

364/2023 Petitions

The Executive Services Officer reported as follows:

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

COUNCILLORS' QUESTIONS

365/2023 Councillors' questions without notice

The Executive Services Officer reported as follows:

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

- '29 (1) A councillor at a meeting may ask a question without notice –
- (a) of the chairperson; or
 - (b) through the chairperson, of –
 - (i) another councillor; or
 - (ii) the general manager.
- (2) In putting a question without notice at a meeting, a councillor must not –
- (a) offer an argument or opinion; or
 - (b) draw any inferences or make any imputations –
- except so far as may be necessary to explain the question.
- (3) The chairperson of a meeting must not permit any debate of a question without notice or its answer.
- (4) The chairperson, councillor or general manager who is asked a question without notice at a meeting may decline to answer the question.
- (5) The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.
- (6) Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.
- (7) The chairperson may require a councillor to put a question without notice in writing.'

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

‘8 (5) Subject to subregulation (6), a matter may only be discussed at a meeting if it is specifically listed on the agenda of that meeting.

(6) A council by absolute majority at an ordinary council meeting, ..., may decide to deal with a matter that is not on the agenda if –

- (a) the general manager has reported the reason it was not possible to include the matter on the agenda; and
- (b) the general manager has reported that the matter is urgent; and
- (c) in a case where the matter requires the advice of a qualified person, the general manager has certified under section 65 of the Act that the advice has been obtained and taken into account in providing general advice to the council.’

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

No questions were raised at this time.

366/2023 Councillors’ questions on notice

The Executive Services Officer reported as follows:

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

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

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

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

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

No questions on notice have been received.”

PUBLIC QUESTION TIME

367/2023 Public question time

The Mayor reported 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 in accordance with the *Local Government (Meeting Procedures) Regulations 2015* and the supporting procedures adopted by the Council in its Meeting Procedures – Public question time (Minute No. 133/2014). Some of these procedures include:

- No more than two questions may be asked by a member of the public.
- The meeting procedures do not allow for statements or debate, only questions.
- A questioner is to identify themselves before asking a question and direct their question/s to the Chairperson, who may invite another Councillor or Council employee to respond.
- To assist with the accurate recording of the minutes, a form has been provided for the questioner to record their question/s, name and contact details.
- If an item on the agenda has not been dealt with prior to public question time, questions about that item will not be taken for the reason that a response could compromise the Council’s subsequent consideration of that item.
- If it is not possible for an answer to be provided to a question at the meeting, then a written answer will be provided subsequent to the meeting.
- The Chairperson may refuse to accept a question. If the Chairperson refuses to accept a question, the Chairperson is to give reason for doing so.
- Protection of parliamentary privilege does not apply to local government and any statements in the Council Chambers, or any document produced, are subject to the laws of defamation.
- Public questions and their responses at the meeting will be recorded in the minutes, and via digital recording, which will be publicly available.”

368/2023 Public questions taken on notice

The Executive Services Officer reported as follows:

“No public questions were taken on notice from the 20 November 2023 meeting.”

DEPARTMENTAL BUSINESS

GENERAL MANAGEMENT

369/2023 Minutes and notes of committees of the Council and other organisations

The General Manager reported as follows:

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

- . Ulverstone Municipal Band – meeting held 16 August 2023;
- . Forth Community Representatives Committee – meeting held 2 November 2023;
- . Central Coast Community Shed Management Committee – meeting held 13 November 2023; and
- . Ulverstone Community Swimming Centre Management Committee – meeting held 14 November 2023.

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

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

Carried unanimously

370/2023 Confirmation of ordinary Council meeting dates – 2024 (366/2022 – 12.12.2022)

The General Manager reported as follows:

“The Executive Services Officer has prepared the following report:

‘PURPOSE

The purpose of this report is to confirm the 2024 dates for ordinary Council meetings.

BACKGROUND

The Council has a policy of holding ordinary Council meetings on the third Monday of each month, with the exception of January and December (Minute No. 380/2005).

Subregulation 7(2) of the *Local Government Act (Meeting Procedures) Regulations 2015* (the Regulations) requires that the General Manager publish, at least once each year, the times and places of ordinary Council meetings for the next 12 months. Subregulation 7(3) requires that notice of Council meeting times and places is made available on the Council's website.

A copy of the 2024 Council Meeting Schedule is appended to this report.

DISCUSSION

In previous years the times and places of the Planning Sub-Committee (PSC) (formerly the Development Support Special Committee) for the next 12 months were published in conjunction with the Council meeting dates.

As PSC meetings are only held if required, it is clearer, both in terms of Council administration and public notification, to only advertise those PSC meetings that are to be held, when that time is confirmed. Once confirmed, a PSC meeting will be advertised in accordance with the Regulations.

In accordance with the Council's decision to hold one Council meeting per year in Penguin (Minute Ref 240/2022), the March 2024 Council meeting will be held in the Dial Park Function Centre, 11 Sports Complex Avenue, Penguin.

CONSULTATION

Consultation is not required as the proposed meeting schedules for 2024 are in accordance with current Council policy.

RESOURCE, FINANCIAL AND RISK IMPACTS

This will have no impact on resources. All Council meetings are required to be advertised.

CORPORATE COMPLIANCE

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

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the Council approve the times and places for the 2024 ordinary meetings of the Council, as shown in the 2024 Council Meeting Schedule.'

The report is supported."

The Executive Services Officer reported as follows:

"A copy of the 2024 Council Meeting Schedule has been circulated to all Councillors."

■ Cr Lehmann moved and Cr Hiscutt seconded, "That the Council approve the times and places for the 2024 ordinary meetings of the Council as shown in the 2024 Council Meeting Schedule (a copy being appended to and forming part of the minutes)."

Carried unanimously

371/2023 Amendment to the Council's delegation for the use of its common seal in relation to land use planning documents (83/2019 – 18.03.2019)

The General Manager reported as follows:

"The Executive Services Officer has prepared the following report:

'PURPOSE

The purpose of this report is to allow the Council to update its delegation for authorising the use of its common seal in relation to land use planning documents.

BACKGROUND

In accordance with section 22 of the *Local Government Act 1993* (the Act) the Council may delegate its functions and powers to the General Manager, in order to ensure that operational requirements and strategic objectives are met.

At its 18 March 2019 ordinary meeting, the Council amended its delegation for the use of its common seal (Minute No. 83/2019) to the following:

“That the Council authorises the General Manager to sign documents that require the affixing of the Common Seal and furthermore, that all use of the Seal must be reported to the Council at its next Ordinary Meeting.”

These documents were to include (but were not limited to):

- . lease and licence documents;
- . grant deeds;
- . to affix the common seal following the sale of land;
- . Planning (e.g. Final Plan of Survey, agreements, Adhesion Order); and
- . contracts and agreements.

DISCUSSION

Whilst the affixing of the Council’s common seal to documents and the reporting of its use at the next ordinary meeting in line with the current authorisation has functioned in practice, an improved efficiency has been identified that warrants consideration of the recommended change to the Council’s current authorisation.

The most regular use of the common seal is for affixing to land use planning related documents, such as Final Plans of Survey, Adhesion Orders and Part V Agreements. The current process for affixing the common seal to such documents (which are in hard copy) involves the Director Community, Growth and Development reviewing these documents, then if approved, forwarding them to the General Manager and then providing a recommendation to the General Manager to affix the common seal. Once the General Manager has sealed the document, it is then returned to the Director and Planning department to finalise.

To improve efficiency, it is proposed that the Council authorise the General Manager to sub-delegate the use of the common seal, for land use planning and development documents only, to the Director Community, Growth and Development. This will reduce duplication of work and delays in the administrative process for such land use planning matters, which can be time sensitive.

Although typically under section 64 of the Act, the General Manager may sub-delegate their functions and powers to positions held by appropriately qualified and experienced staff (such as the Director Community, Growth and Development), as this particular delegation has been made specifically and with conditions (Minute No. 83/201), it is recommended that the Council approve its amendment.

CONSULTATION

This is a governance matter for which consultation is not required.

RESOURCE, FINANCIAL AND RISK IMPACTS

The intent of the recommended amendment is to reduce administrative impacts and legislative risks involved with meeting deadlines.

It is considered that the current Director Community, Growth and Development has the judgement, skills and experience required to manage the sub-delegation appropriately, and that this change is consistent with the delegations and responsibilities already entrusted to him. Evidence offered in support of this includes his 2.5 years' experience in the current role, his previous work experience and the following qualifications:

- Graduate Certificate in Urban Planning and Design, University of Technology Sydney, 2023.
- In Depth Legislation and Governance, Planning Institute of Australia, 2022.
- Master of Business, University of Tasmania, 2012.

CORPORATE COMPLIANCE

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

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the Council amend its current delegation to the following:

That in respect of section 19 of the *Local Government Act 1993*, the Council, by absolute majority, authorises the General Manager:

- 1 to affix the Council's common seal to documents as required;

- 2 to sub-delegate the authorisation to affix the common seal to land use planning and development related documents to the current Director Community, Growth and Development, Daryl Connelly;
- 3 and furthermore, that all use of the common seal must be reported to the Council at its next ordinary meeting.'

The Executive Services Officer's report is supported."

■ Cr Lehmann moved and Cr Wylie seconded, "That in respect of section 19 of the *Local Government Act 1993*, the Council, by absolute majority, authorises the General Manager:

- 1 to affix the Council's common seal to documents as required;
- 2 to sub-delegate the authorisation to affix the common seal to land use planning and development related documents to the current Director Community, Growth and Development, Daryl Connelly;
- 3 and furthermore, that all use of the common seal must be reported to the Council at its next ordinary meeting."

Carried unanimously and by absolute majority

372/2023 Schedule of Appointments to Statutory Bodies, Groups and Organisations, Council and Special Committees, Community Advisory Groups and Working Groups – Emergency Management (272/2022 – 26.09.2022)

The General Manager reported as follows:

"The Executive Services Officer has prepared the following report:

'PURPOSE

The purpose of this report is to seek endorsement by the Council for the nomination to the Minister for Police, Fire and Emergency Management for the appointment of the Council's Municipal Emergency Management Coordinator and Deputy Coordinator positions.

BACKGROUND

The current statutory appointment for the Municipal Emergency Management Coordinator will expire on 28 March 2024.

The current Deputy Municipal Emergency Management Coordinator has recently tendered his resignation from Central Coast Council effective 12 December 2023. A replacement to the position is required.

DISCUSSION

The current statutory appointments are as follows:

- . Mr Paul Breaden, Director Infrastructure Services – the Municipal Emergency Management Coordinator (Municipal Coordinator); and
- . Mr Glenn Berry, Manager Works Operations – the Deputy Municipal Emergency Management Coordinator.

The *Emergency Management Act 2006* – Section 23(8) states:

‘A council may only nominate a person for the position of Municipal Emergency Management Coordinator or Deputy Municipal Emergency Management Coordinator if the person, once appointed to the position, would have the authority and ability to make decisions relating to the coordination of emergency management in the municipal area during an emergency without first seeking the approval of the council.’

The role of Municipal Coordinator is undertaken by the Director Infrastructure Services as the role holds legislative requirements through delegation by the General Manager. The Director is also responsible for Council’s Infrastructure Services workforce who undertake emergency management response duties.

In the interest of consistency, it is recommended that the Director Infrastructure Services is renominated as Municipal Emergency Management Coordinator for a period of three years.

It is recommended that the Public Safety Officer, Graeme Sumcad be nominated for the role of Deputy Municipal Emergency Management Coordinator for a period of three years.

As Public Safety Officer Graeme is responsible for facilitating and ensuring public safety through compliance with Council policies and procedures. He works closely with the Central Coast community regarding public safety concerns and has prior service experience with emergency services – having been a New South Wales Police officer for twelve years prior to commencing with Council. Graeme is also appointed as Central Coast Council’s representative to the Central North Fire Management Area Committee (FMAC).

CONSULTATION

Consultation has been undertaken with the nominee.

RESOURCE, FINANCIAL AND RISK IMPACTS

There is minimal impact on resources.

CORPORATE COMPLIANCE

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

A Connected Central Coast

- Connect the people with services.

The Environment and Sustainable Infrastructure

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

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the Council:

- 1 nominate Paul Breaden, Director Infrastructure Services for appointment by the Minister, as the Central Coast Council's Municipal Emergency Management Coordinator (Municipal Coordinator) for a further period of three years; and
- 2 nominate Graeme Sumcad, Public Safety Officer for appointment by the Minister for Police, Fire and Emergency Management, as the Deputy Municipal Emergency Management Coordinator (Deputy Municipal Coordinator) for a period of three years.'

The report is supported."

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

- 1 nominate Paul Breaden, Director Infrastructure Services for appointment by the Minister, as the Central Coast Council’s Municipal Emergency Management Coordinator (Municipal Coordinator) for a further period of three years; and
- 2 nominate Graeme Sumcad, Public Safety Officer for appointment by the Minister for Police, Fire and Emergency Management, as the Deputy Municipal Emergency Management Coordinator (Deputy Municipal Coordinator) for a period of three years.”

Carried unanimously

373/2023 Culture Development Plan

The General Manager reported as follows:

“PURPOSE

The purpose of this report is to allow the Council to consider the Culture Development Plan (CDP) for adoption.

A copy of the Culture Development Plan is appended to this report.

BACKGROUND

It has now been well documented that *there is a strong relationship between culture and performance*. High profile successes and failures – GE, Enron and most recently PwC, are examples and have been attributed to culture.

It is my experience and view that ‘*things get done through people*’, and that culture defines an organisation’s overall success and performance. Culture can simply be defined ‘*as the way we do things around here*’. Coming into an organisation with ‘new eyes’ one is able to rapidly assess ‘*how things are being done*’. While I have seen many examples of good work, there has been a number of limiting factors within our culture that were obviously detracting from our efforts.

To understand our culture and where it can be improved to provide more efficient and effective services to our customers your General Manager utilised the Barrett Model. The Barrett Model is the breakthrough work of Richard Barrett. Inspired by Abraham Maslow’s Hierarchy of Needs and tested over more than two decades of real-world experience with thousands of organisations, the model identifies the seven areas that comprise human motivations. These range from basic survival at one end, to service and concern for future generations at the other. It provides a proven and

extraordinarily useful map for understanding the values of employees, leaders, and stakeholders. Even better, it offers a means for creating more supportive and productive relationships between them, and a deeper alignment of purpose across Council.

This process also allows an actual measure of culture. This is defined as a measure of entropy – or simply '*wasted effort*'. Having successfully undertaken this process numerous times as CEO/GM across three States, the Central Coast Council entropy score of 38% is one of the higher scores I have encountered. It means that we are an effective organisation only 62% of the time – the rest of the time is wasted effort. A Culture Development Plan is needed as we have much work to do.

DISCUSSION

The CDP provides a systemic approach to defining and achieving the required strategically aligned target culture. To define the required strategically aligned target culture, it was first necessary to understand the current culture and engage Councillors, leaders, and employees in defining the future cultural environment. To do this a Culture Values Assessment (CVA) was undertaken in September 2023, through which Councillors, leaders and employees were invited to contribute their views about the current and future culture.

The culture assessment identified that Councillors and employees bring to work and value: honesty, respect, accountability, family, and work life balance, along with caring, empathy, humour/fun, and a positive attitude.

In the current environment, they experience customer focus and teamwork (particularly in their immediate teams). However, they reported a number of *limiting values present*, including blame, confusion, conflict avoidance, silo mentality, change aversion, control and information hoarding, that are inhibiting their ability to deliver at their best. Employees are *seeking* accountability, open communication, leading by example, continuous improvement, teamwork, balance, employee engagement along with respect, and an increased focus on health and safety to shift barriers to delivering on the required goals and objectives.

Through engagement with the workforce and leaders of Council from the very outset, we continue to build internal capability for culture leadership, highlighting and strengthening the links between culture and the broader strategy of the organisation.

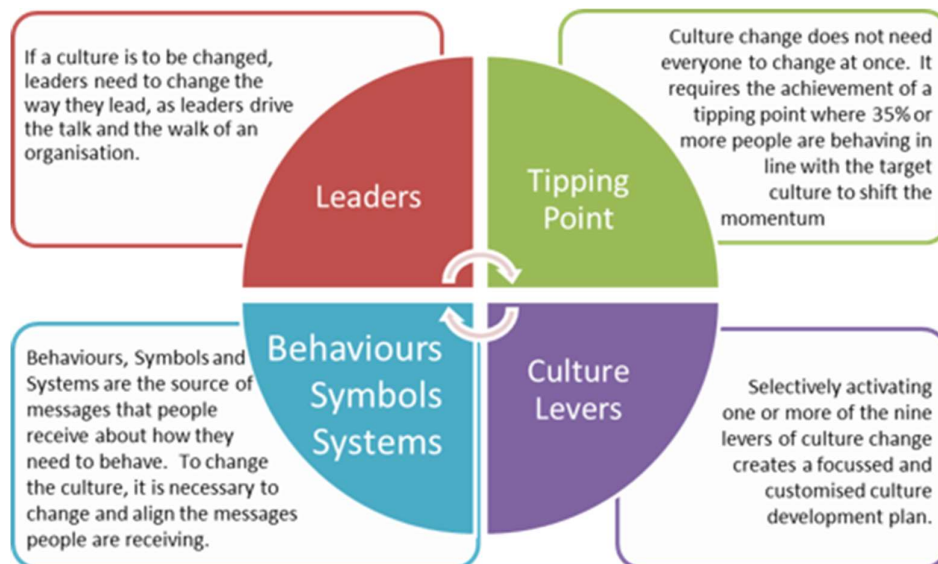
The following activities were undertaken:

- **Culture Values Assessment survey** – To understand the current culture, in particular its enabling and potentially limiting aspects; to gain a view of the

desired culture; and to engage the Councillors, leaders and employees in the culture assessment process.

- **Focus/listening groups** – Five focus/listening groups were conducted in October 2023. One with the Councillors to debrief and discuss the CVA results, their perspectives and experience of the culture. One leadership focus group with approximately 18 attendees and three employee focus/listening groups with approximately 55 depot and office-based employees to gain deeper insight and context in relation to the CVA feedback.
- **Development of the target culture** – In consideration of the strategic direction of the Council and *hearing the feedback* from the workforce, the General Manager and Senior Leadership Team acted to define the target culture.
- **Development of the Cultural Development Plan** – The plan identifies the focus for change from a cultural point of view, and more specifically, develops the Stage One program for Council to begin to bridge the gap between their current and target culture.

The Culture Development Program has been developed based on the following principles about how to transform a culture.



The program provides a systemic approach to achieving the target culture.

Section One of the document defines the target culture outlining the values, behaviours, beliefs, and feelings that will underpin the achievement of the target culture.

Section Two outlines the program and is divided into four areas centred on the culture levers designed to achieve a significant shift towards the target culture:

1. Priority focus area – Culture Behavioural Program
2. Quick Wins
3. Priority Opportunities – Integration with Planned Organisational Initiatives
4. Other Opportunities – Culture Integration

Defining the Target Culture –

The target culture articulates the workplace environment that Council is aspiring to achieve through the culture development process.

The target culture has been developed by analysing and integrating the information gathered from the following:

- . **Five foundational pillars** outlined in the Council's 2023–2026 Term Plan, *Our Place– Our Future: First Steps*.
- . **Current Culture** from the CVA and focus/listening groups.
- . **Desired Culture** from the CVA and focus/listening groups.

Describing the Council's Target Culture –

Bringing all of the diagnostic data and outcomes together, Tasmania's Central Coast Council's Target Culture can be described as follows:

"A People First focus working as one team creating an achievement culture.

We deliver on our mission and vision in a well led and positive workplace where delivering on our accountabilities is the way we do things around here.

We work seamlessly across our organisation, sharing information and knowledge to deliver to our colleagues and our community. We all contribute to a safe work environment where our thoughts, ideas and contributions are valued.

We bring a positive attitude and openness to continual improvement. We feel valued and value others, respecting self, each other, and our community regardless of position."

Based upon the feedback from the workforce and consideration of Our Place, Our Future: First Steps, the General Manager and Senior Leadership Team articulated the core values (to guide decisions and behaviours) which when applied by Councillors, leaders and employees will be instrumental in underpinning the target culture and the organisation's ability to successfully deliver on its strategic imperatives.

Through exploration and understanding of the *key themes arising from the CVA and focus/listening groups*, the General Manager and Senior Leadership Team then defined the core behaviours for each of these values that, when consistently demonstrated and experienced by people in the organisation will achieve significant shifts towards the target culture.

The five core values that nearly 70% of staff and all Councillors told us were most important to them, and to be set as their desired values, are as follows:

- . Customer Focus
- . Open Communication
- . Accountability
- . Safety
- . Together – One Team

These five values will be set into any future performance management system and all position descriptions.

Values and aligned behaviours

Customer Focus	Open Communication	Accountability	Safety	Together – One Team
We consider the customer impact in every decision.	We openly share information and knowledge across the organisation.	We take personal responsibility for our actions, deliver on our promises, and do what we say we will do.	We actively contribute to a psychologically safe work environment, stick our necks out, constructively speak minds, ask questions, and listen to what others have to contribute.	We trust and are trusted, and have each other's back.
We value, listen with empathy, and support our customers (internal and external).	We challenge ourselves and others, constructively giving and receiving feedback with good intent.	We seek out business improvement opportunities and are open to change.	Safety is part of what we do every day in our thinking, decisions, and actions.	We work together, learn from, and share successes and failures.
	Leaders coach, mentor, support and listen to their people.	We clarify our goals and expectations and are trusted to deliver on our role.	We do not tolerate disrespectful behaviours (bullying, lack of accountability, taking credit for others work, favouritism).	We contribute positively to relationships and our work environment.

In order to intrinsically engage and motivate people to 'live' these values and behaviours, it is essential to connect to their belief and emotional inner-operating-systems. As such the below table outlines potential beliefs that people will need to hold in order to live the values; and also the feelings that may motivate people to consciously live the values and behaviours. Support, tools and techniques to facilitate mindset and belief shifts of leaders and employees are woven into the content of the Culture Behavioural Program and the leadership development initiatives which are major components of the CDP.

Beliefs and feelings

	Values	Beliefs (I believe...)	Feeling
C	Customer Focus	<ul style="list-style-type: none"> That every role in Council contributes to delivering value to our customers. I am here for the community. 	<ul style="list-style-type: none"> Empowered Valued
O	Open Communication	<ul style="list-style-type: none"> That it is important to share information with colleagues to achieve the best outcomes for our customers. That I will continue to grow and develop through receiving constructive feedback. 	<ul style="list-style-type: none"> Informed Safe Positive
A	Accountability	<ul style="list-style-type: none"> In taking personal accountability for my decisions and actions. That it is a safe and supportive environment to have necessary conversations. In being open to and sharing new ideas and new ways of doing things. 	<ul style="list-style-type: none"> Trusted Supported Engaged
S	Safety	<ul style="list-style-type: none"> In taking responsibility for my safety and the safety of those around me. My and my colleagues' contributions, ideas and opinions are valued. 	
T	Together – One Team	<ul style="list-style-type: none"> That better outcomes are created when we work together and support each other. That people are honest and trustworthy. In bringing a positive attitude to everything I do. 	

CONSULTATION

Consultation with Councillors, leaders and employees has been addressed in the Discussion section of this report.

RESOURCE, FINANCIAL AND RISK IMPACTS

The development of the CDP had minor financial impacts arising from the cost of engaging consultants to facilitate this work and the time of Councillors and Council employees.

While the adoption of CDP will have resource, financial and risk implications to the Council into the future, any such implications are deemed to be positive and will only improve the Council's performance across these factors.

CORPORATE COMPLIANCE

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

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the Council adopt the Culture Development Plan."

The Executive Services Officer reported as follows:

"A copy of the Culture Development Plan has been circulated to all Councillors."

- Cr Hiscutt moved and Cr Lehmann seconded, "That the Council adopt the Culture Development Plan (a copy being appended to and forming part of the minutes)."

Carried unanimously

374/2023 Approval of amendments to the Dulverton Regional Waste Management Authority Rules Dulverton Rules (272/2023 – 18.09.2023)

The General Manager reported as follows:

“The Executive Services Officer has adapted the following report provided by the Dulverton Regional Waste Management Authority (DRWMA):

‘PURPOSE

The purpose of this report is to allow the Council to consider the request from DRWMA to formally approve the amended Dulverton Regional Waste Management Authority Rules (the Rules).

A copy of the amended Rules is appended to this report.

BACKGROUND

At its 18 September 2023 ordinary Council meeting, the Council approved the proposed amendments to the Rules. As a result of the agreement by all participating Councils, the process required to change the Rules was undertaken. This included advertising that amendments were proposed and seeking public submissions. As noted in the attached letter from DRWMA, there were no submissions received from the public following the newspaper advertisement and 21-day display of the amended Rules at each participating Council Office.

DISCUSSION

As all required processes have now been attended to, in accordance with the *Local Government Act 1993*, the Rules amendment process can now be finalised. A copy of the certified Rules is appended to this report, following a copy of the amended (marked up) Rules being previously circulated to participating Councils.

CONSULTATION

Notification regarding proposed changes to the Rules was publicly advertised and no submissions received by any participating Councils or DRWMA.

RESOURCE, FINANCIAL AND RISK IMPACTS

Changing the rules of a Joint Authority is a time consuming process which involves considerable legal consultation. The cost of this review and amendment process will be met by DRWMA.

Now that all participating Councils have agreed to the proposed amendments, it is believed there are no risks associated with this report.

CORPORATE COMPLIANCE

DRWMA is a Joint Authority established under the *Local Government Act 1993* and is governed by its Rules. Its owners are the Central Coast, Devonport, Kentish and Latrobe Councils. The process for amending Joint Authority Rules must comply with the *Local Government Act 1993*.

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

Council Sustainability and Governance

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

CONCLUSION

Reviewing the Rules represents good governance and ensures that DRWMA is operating effectively and in accordance with its Rules. As no submissions were received and all participating Councils are in agreeance with the amendments, it is recommended that the Council now formally approve the amended Rules.'

The General Manager supports the report and recommends that the Council accept the advice of DRWMA and approve the amended Rules."

The Executive Services Officer reported as follows:

"A copy of the amended Dulverton Regional Waste Management Authority Rules has been circulated to all Councillors."

■ Cr Carpenter moved and Cr Beswick seconded, "That the Council approve the amended Dulverton Regional Waste Management Authority Rules (a copy being appended to and forming part of the minutes)."

Carried unanimously

375/2023 Common seal

The General Manager reported as follows:

“A Schedule of Documents for Affixing of the Common Seal for the period 21 November 2023 to 11 December 2023 is submitted for the authority of the Council to be given. Use of the common seal must first be authorised by a resolution of the Council.

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

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

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

Carried unanimously

376/2023 Contracts and agreements

The General Manager reported as follows:

“A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into for the period 21 November 2023 to 11 December 2023 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

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

Carried unanimously

377/2023 Correspondence addressed to the Mayor and Councillors

The General Manager reported as follows:

“A Schedule of Correspondence addressed to the Mayor and Councillors for the period 21 November 2023 to 11 December 2023 and which was addressed to the ‘Mayor and Councillors’ is appended. Reporting of this correspondence is required in accordance with Council policy.

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

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr Smith moved and Cr Beswick seconded, “That the Schedule of Correspondence addressed to the Mayor and Councillors (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

COMMUNITY, GROWTH AND DEVELOPMENT

378/2023 Development application determinations

The Director Community, Growth and Development reported as follows:

“A Schedule of Development Application Determinations made during the month of November 2023 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

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

Carried unanimously

379/2023 Council acting as a planning authority

The Mayor reported as follows:

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

The General Manager has submitted the following report:

‘If any such actions arise out of Agenda Items 380/2023, 381/2023, 382/2023 and 383/2023 they are to be dealt with by the Council acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.’”

The Executive Services Officer reported as follows:

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

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

Carried unanimously

380/2023 **Residential – consolidation of titles, demolition of church and construction of multiple dwellings x 6 (including existing dwelling) – Residential density for multiple dwellings; Setback and building envelope for all dwellings; Site coverage and private open space for all dwellings; Sunlight to private open space of multiple dwellings; Privacy for all dwellings; and reliance on *C2.0 Parking and Sustainable Transport Code* at 19 & 21 Queen Street, West Ulverstone and roadway comprised in CT251871/9 – Application No. DA2022235**

The Director Community, Growth and Development reported as follows:

“The Manger Land Use Planning (Acting) has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:’</i>	DA2022235
<i>PROPOSAL:</i>	Residential – consolidation of titles, demolition of church and construction of multiple dwellings x 6 (including existing dwelling) – Residential density for multiple dwellings; Setback and building envelope for all dwellings; Site coverage and private open space for all dwellings; Sunlight to private open space of multiple dwellings; Privacy for all dwellings; and reliance on <i>C2.0 Parking and Sustainable Transport Code</i>
<i>APPLICANT:</i>	RCC Design Pty Ltd
<i>LOCATION:</i>	19 & 21 Queen Street, West Ulverstone
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Tasmanian Planning Scheme – Central Coast</i> (the planning scheme)
<i>ADVERTISED:</i>	1 November 2023
<i>REPRESENTATIONS EXPIRY DATE:</i>	16 November 2023
<i>REPRESENTATIONS RECEIVED:</i>	Three
<i>42-DAY EXPIRY DATE:</i>	8 December 2023 (extension of time granted until 11 December 2023)
<i>DECISION DUE:</i>	11 December 2023
<i>PURPOSE</i>	

The purpose of this report is to consider an application for Residential – consolidation of titles, demolition of a church and construction of multiple

dwelling x 6 (including existing dwelling) at 19 & 21 Queen Street, West Ulverstone.

Accompanying the report are the following documents:

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

BACKGROUND

Development description –

The application is in three parts:

- 1 Demolition of the disused church that is located across two titles at 19 Queen Street.
- 2 Consolidation of the abovementioned two titles; being Certificate of Title 167783/1 and Certificate of Title 249756/1.
- 3 Construction of five multiple dwellings across both 19 & 21 Queen Street which would result in a total of six multiple dwellings (including existing dwelling located on 21 Queen Street).

The existing dwelling on the site has a floor area of 189m². The proposed dwellings would comprise of:

- . Unit 1: floor area of 118.3m² with 3 bedrooms, internal single car garage and open plan kitchen/living/dining area.
- . Unit 2: floor area of 102.4m² with 2 bedrooms, north facing deck, internal single car garage and open plan kitchen/living/dining area.
- . Unit 3: floor area of 106.7m² with 2 bedrooms, north facing deck, internal single car garage and open plan kitchen/living/dining area.
- . Units 4 & 5: would be conjoined each with 3 bedrooms, with a floor area of 277.5m² comprising north facing deck, internal single car garage and open plan kitchen/living/dining area.

Units 1, 2, 3 and the existing dwelling would be on 21 Queen Street whereas Units 4 & 5 would be on 19 Queen Street.

The private roadway forms part of 4 South Road, West Ulverstone (CT250871/9). The private roadway would be used for access as part of the development. The existing dwelling will still be accessed off Queen Street.

The applicant wishes to keep 19 (once consolidated) and 21 Queen Street as separate titles in the interim, to allow the owner to sell an individual title if needs be. An alternative option could be to consolidate all titles together through a Strata Scheme and undertake a Staged Strata Development which would allow the owner to sell unit entitlements.

The assessment below has been undertaken as if there will be two separate parcels.

Site description and surrounding area -

The land (across three titles) is located on a prominent corner at West Ulverstone, being Queen Street and South Road. The land is zoned General Residential and contains the disused church and a single dwelling.

The site is surrounded by General Residential zoned properties accommodating both single and multiple dwellings and is connected to all reticulated services.

The private roadway is utilised by 21 Queen Street, 4 South Road and 41B Amherst Street as primary access to their properties. It also serves as a right of way to:

- . 19 & 21 Queen Street, West Ulverstone;
- . 2, 2A, 6 & 8 South Road, West Ulverstone; and
- . 41, 41B & 39 Amherst Street, West Ulverstone.

History -

There is no history relevant to this application.

DISCUSSION

The following table is the Manager Land Use Planning's (Acting) 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 is for the construction of five dwellings, creating a multiple dwelling (6 in total) development for residential use. The proposal satisfies the Zone Purpose in that it provides for residential use and development accommodating various dwelling types where full infrastructure services are available.

CLAUSE	COMMENT	
8.3 Use Standards		
8.3.1 Discretionary uses	Not applicable	Assessment
8.3.1-(A1) Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of 8.00am to 6.00pm.	<input checked="" type="checkbox"/>	Not a discretionary use.
8.3.1-(A2) External lighting for a use listed as Discretionary: (a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and (b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.	<input checked="" type="checkbox"/>	Not a discretionary use.

<p>8.3.1-(A3)</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of:</p> <p>(a) 7:00am to 7:00pm Monday to Friday;</p> <p>(b) 9:00am to 12 noon Saturday; and</p> <p>(c) nil on Sunday and public holidays.</p>	<input checked="" type="checkbox"/>	<p>Not a discretionary use.</p>
<p>8.3.1-(A4)</p> <p>No acceptable solution.</p> <p>8.3.1 -(P4)</p> <p>A use listed as Discretionary must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the intensity and scale of the use;</p> <p>(b) the emissions generated by the use;</p> <p>(c) the type and intensity of traffic generated by the use;</p> <p>(d) the impact on the character of the area; and</p> <p>(e) the need for the use in that location.</p>	<input checked="" type="checkbox"/>	<p>Not a discretionary use.</p>
<p>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 Visitor Accommodation.</p>

8.4 Development Standards for Dwellings

8.4.1 Residential density for multiple dwellings	Not applicable	Assessment
<p>8.4.1 –(A1)</p> <p>Multiple dwellings must have a site area per dwelling of not less than 325m².</p>	<input type="checkbox"/>	<p>Non-compliant.</p> <p>The property known as 21 Queen Street has a land area of 1,292m². Proposal is for four dwellings (includes the existing single dwelling). This would equate to 323m² per dwelling.</p> <p>The property known as 19 Queen Street, once consolidated, would have a land area of 746m². Proposal is for two dwellings. This would equate to 373m² per dwelling.</p> <p>Refer to the “Issues” section of this report.</p>
8.4.2 Setbacks and building envelope for all dwellings	Not applicable	Assessment
<p>8.4.2 –(A1)</p> <p>Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</p>	<input type="checkbox"/>	<p>(a) Compliant. The primary frontage for 19 Queen Street would be the frontage that faces South Road. The dwellings would be setback approximately 7m from this frontage. The setback to the primary frontage for 21 Queen Street would not alter with the existing dwelling being the closest to this boundary.</p> <p>(b) Non-compliant for 19 Queen Street. Unit 5 would be setback 956mm from the secondary frontage being Queen Street.</p> <p>Refer to the “Issues” section of this report.</p> <p>(c) Not applicable. Not a vacant lot.</p> <p>(d) Not applicable. Proposal is for a residential use.</p>
<p>(c) if for a vacant site and there are existing dwellings on adjoining</p>		

<p>properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>		
<p>8.4.2 –(A2)</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<input type="checkbox"/>	<p>(a) Compliant. The garages for Units 4 & 5 would be setback greater than 5.5m from the primary frontage (South Road). No changes to the primary frontage for the existing single dwelling (Unit 4).</p> <p>(b) Refer to (a).</p> <p>(c) Refer to (a).</p>
<p>8.4.2 –(A3)</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of</p>	<input type="checkbox"/>	<p>(a)(i) Non-compliant as discussed above.</p> <p>Refer to the “Issues” section of this report.</p> <p>(a)(ii) Compliant. The plans demonstrate that all proposed multiple dwellings can satisfy the building envelope.</p> <p>(b)(i) Refer to (b)(ii).</p> <p>(b)(ii) Compliant. Units 1, 2 & 3 would have a portion of the dwelling within 1.5m of a side boundary.</p> <p>No length of this portion would be greater than 9m.</p>

<p>4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>		
<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 type="checkbox"/></p>	<p>(a) Compliant. Site coverage would be 35.9%.</p> <p>(b) Non-compliant for Units 2 & 3. Unit 2 would have a total area of private open space of 43.5m² and Unit 3 would have a total area of private open space of 46.2m². All other units would have more than 60m² total area of private open space.</p> <p>Refer to the “Issues” section of this report.</p>

<p>8.4.3 –(A2)</p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p>(i) 24m²; or</p> <p>(ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(b) has a minimum horizontal dimension of not less than:</p> <p>(i) 4m; or</p> <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. Each dwelling would have an area of private open space, located in one area that would be greater than 24m².</p> <p>(a)(ii) Satisfied by (a)(i).</p> <p>(b)(i) Compliant. Each dwelling would have private open space that has a horizontal dimension greater than 4m.</p> <p>(b)(ii) Satisfied by (b)(i).</p> <p>(c) Compliant. No private open space applicable to this Clause area would be between the dwelling and frontage.</p> <p>(d) Compliant. The areas for private open space are reasonably 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</p>	<p><input type="checkbox"/></p>	<p>(a) Satisfied by (b).</p> <p>(b) Compliant. Shadow plans show that each area of private open space that would be south of</p>

<p>8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 8.4):</p> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <p>(i) an outbuilding with a building height not more than 2.4m; or</p> <p>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p>		<p>another dwelling would not lose more than 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June.</p> <p>(c) Satisfied by (b).</p>
<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 type="checkbox"/></p>	<p>Compliant. The proposed garages that are located within 12m of a primary frontage would not have an opening facing the primary frontage greater than 6m.</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>	<input checked="" type="checkbox"/>	<p>None of the dwellings would have 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.</p>
<p>8.4.6 –(A2)</p> <p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p>	<input checked="" type="checkbox"/>	<p>None of the dwellings would have a window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level.</p>

<p>(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>	<input type="checkbox"/>	<p>(a) Non-compliant for bedroom windows of Units 1 & 2 facing the shared driveway.</p> <p>Refer to the “Issues” section of this report.</p> <p>(b) Refer to (a).</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>	<input checked="" type="checkbox"/>	<p>No fence is proposed. Will include fence notes for both front and side fences.</p>
<p>8.4.8 Waste storage for multiple dwellings</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>8.4.8–(A1)</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is not less 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>	<input type="checkbox"/>	<p>(a) Non-compliant for Units 4 & 5.</p> <p>Refer to the “Issues” section of this report.</p> <p>(b) Refer to (a).</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>		
8.5 Development Standards for Non-Dwellings		
8.5.1 Non-dwelling development	Not applicable	Assessment
<p>8.5.1–(A1)</p> <p>A building that is not a dwelling, excluding for Food Services, local shop, garage or carport, and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, not less than 4.5m, or if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3.0m, or if the setback from the primary frontage is less than 3.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent</p>	<input checked="" type="checkbox"/>	<p>Development is for multiple dwellings.</p>

frontage of the dwellings on the adjoining properties on the same street.		
<p>8.5.1 –(A2)</p> <p>A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side or rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback less than 1.5m from a side or rear boundary if the building:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one-third of the length of the side or rear boundary (whichever is lesser).</p>	<input checked="" type="checkbox"/>	Development is for multiple dwellings.

<p>8.5.1 –(A3)</p> <p>A building that is not a dwelling, must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) a site area of which not less than 35% is free from impervious surfaces.</p>	<input checked="" type="checkbox"/>	<p>Development is for multiple dwellings.</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>	<input checked="" type="checkbox"/>	<p>Development is for multiple dwellings.</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>	<input checked="" type="checkbox"/>	<p>Development is for multiple dwellings.</p>
<p>8.5.1 –(A6)</p> <p>Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a setback from the boundary of a property containing a sensitive use not less than 10m.</p> <p><i>An exemption applies for heat pumps and air conditioners in this zone – see Table 4.6.</i></p>	<input checked="" type="checkbox"/>	<p>Development is for multiple dwellings.</p>
<p>8.5.2 Non-residential garages and carports</p>	<p>Not applicable</p>	<p>Assessment</p>
<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>	<input checked="" type="checkbox"/>	<p>Development is for multiple dwellings.</p>

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

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

8.6.3 –(A1) Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.	<input checked="" type="checkbox"/>	Not a subdivision.
8.6.3 –(A2) Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	<input checked="" type="checkbox"/>	Not a subdivision.
8.6.3 –(A3) Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.	<input checked="" type="checkbox"/>	Not a subdivision.

CODES

CODES	NOT APPLICABLE	APPLICABLE
C1.0 Signs Code	<input checked="" type="checkbox"/>	
C2.0 Parking and Sustainable Transport Code	<input 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"/>	
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> <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>	<div><input type="checkbox"/></div>	<p>Compliant. Planning scheme requires 2 per dwelling and 1 visitor car parking space per 3 units or part thereof.</p> <p>There would be six units in total.</p> <p>Therefore, the proposal would require 14 car parking spaces. Plans show 14 car parking spaces (including 2 for the existing dwelling).</p> <p>This Code has been assessed as if the development would be all consolidated to form one parcel. This is because this arrangement would evoke the most requirements regarding parking and construction.</p>

<p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p>$N = A + (C - B)$</p> <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for</p>		
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the proposed use or development specified in Table C2.		
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>	<input checked="" type="checkbox"/>	Does not apply to multiple 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>	<input checked="" type="checkbox"/>	Does not apply to multiple dwelling development.
C2.5.4 - Loading bays	Not applicable	Assessment
<p>C2.5.4-(A1)</p> <p>A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	<input checked="" type="checkbox"/>	Does not apply to multiple 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>(a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and</p> <p>(b) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>	<input checked="" type="checkbox"/>	<p>Not an existing non-residential building.</p>
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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
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<p>C2.6.2–(A1)</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <ul style="list-style-type: none"> (i) have a gradient in accordance with <i>Australian Standard AS 2890 – Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>.</p>	<p style="text-align: center;"><input type="checkbox"/></p>	<ul style="list-style-type: none"> (a)(i) Compliant by (b). (a)(ii) Compliant by (b). (a)(iii) Compliant by (b). (a)(iv) Compliant by (b). (a)(v) Compliant by (b). (a)(vi) Compliant by (b). (a)(vii) Compliant by (b). (b) Compliant by condition. <p>A1.2</p> <ul style="list-style-type: none"> (a) Not applicable for this application. (b) Not applicable for this application. (c) Not applicable for this application.
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<p>C2.6.2–(A1.2)</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <ul style="list-style-type: none"> (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (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>¹ Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016</p>		
C2.6.3 Number of accesses for vehicles	Not applicable	Assessment
<p>C2.6.3–(A1)</p> <p>The number of accesses provided for each frontage must:</p> <ul style="list-style-type: none"> (a) be no more than 1; or (b) no more than the existing number of accesses whichever is the greater. 	<input type="checkbox"/>	<ul style="list-style-type: none"> (a) Compliant. Site would have one access per frontage. (b) Not applicable. Satisfied by (a).
<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"/>	Site is General Residential 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 3.1: Pedestrian area (Category P) lighting – Performance and design requirements.</p>	<p><input checked="" type="checkbox"/></p>	<p>Site is General Residential Zone.</p>
<p>C2.6.5 Pedestrian access</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>C2.6.5–(A1.1)</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles by:</p> <p>(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><input type="checkbox"/></p>	<p>Non-compliant. Use requires 12 car parking spaces. No footpath will be provided on the site.</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		
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: Parking facilities- Off-street commercial vehicle facilities</i>.</p>	☒	Loading bays are not required.
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> <p>(a) be accessible from a road, cycle path, bicycle lane, shared path or access way;</p> <p>(b) be located within 50m from an entrance;</p>	☒	Site is General Residential Zone.

<p>(c) be visible from the main entrance or otherwise signed; and</p> <p>(d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of <i>Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.</i></p>		
<p>C2.6.7-(A2)</p> <p>Bicycle parking spaces must:</p> <p>(a) have dimensions not less than:</p> <p>(i) 1.7m in length;</p> <p>(ii) 1.2m in height; and</p> <p>(ii) 0.7m in width at the handlebars;</p> <p>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</p> <p>(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.</i></p>	<input checked="" type="checkbox"/>	<p>Site is General Residential Zone.</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</p>	<input checked="" type="checkbox"/>	<p>Site is General Residential Zone.</p>

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>C2.6.8-(A2)</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <p>(a) have no new vehicle accesses, unless an existing access is removed;</p> <p>(b) retain an active street frontage; and</p> <p>(c) not result in parked cars being visible from public places in the adjacent roads.</p>	<input checked="" type="checkbox"/>	Site is General Residential Zone.
C2.7 Parking Precinct Plan		
C2.7.1 Parking precinct plan	Not applicable	Assessment
<p>C2.7.1-(A1)</p> <p>Within a parking precinct plan, on-site parking must:</p> <p>(a) not be provided; or</p> <p>(b) not be increased above existing parking numbers.</p>	<input checked="" type="checkbox"/>	Parking precinct plan does not apply.

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

CCO-S5.0 Turners Beach Specific Area Plan	<input checked="" type="checkbox"/>	
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CCO CODE LISTS	
CCO-Table C3.1 Other Major Roads	This table is not used in this Local Provisions Schedule.
CCO-Table C6.1 Local Heritage Places	This table is not used in this Local Provisions Schedule.
CCO-Table C6.2 Local Heritage Precincts	This table is not used in this Local Provisions Schedule.
CCO-Table C6.3 Local Historic Landscape Precincts	This table is not used in this Local Provisions Schedule.
CCO-Table C6.4 Places or Precincts of Archaeological Potential	This table is not used in this Local Provisions Schedule.
CCO-Table C6.5 Significant Trees	This table is not used in this Local Provisions Schedule.
CCO-Table C8.1 Scenic Protection Areas	Not applicable to this application.
CCO-Table 8.2 Scenic Road Corridors	This table is not used in this Local Provisions Schedule.
CCO-Table C11.1 Coastal Inundation Hazard Bands AHD levels	Not applicable to this application.
CCO-Applied, Adopted or Incorporated Documents	This table is not used in this Local Provisions Schedule.
CCO-Site-Specific Qualifications	This table is used in this Local Provisions Schedule.

Issues –

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

The Objective for Clause 8.4.1 states that the density of multiple dwellings:

- (a) makes efficient use of land for housing; and
- (b) optimises the use of infrastructure and community services.

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

Proposal is for four dwellings (includes the existing single dwelling) on 12 Queen Street which has a land area of 1,292m². This would equate to 323m² per dwelling. This is a very small deficiency of 2m² per dwelling. Therefore, the proposed development is discretionary and relies on an assessment against the applicable mandatory Performance Criteria.

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

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

Planner's comments: There are several multiple dwelling developments within the area. The proposed development is compatible with the density of existing development on established properties in the area.

- (b) provides for a significant social or community benefit and is:
 - (i) wholly or partly within 400m walking distance of a public transport stop; or

Planner's comments: There are public transport bus routes located along both South Road and Queen Street within walking distance of the development site (well within 400m).

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

Planner's comments: Refer to (b)(i) above.

Conclusion: It is considered that the application has demonstrated compliance with the mandatory Performance Criteria in relation to dwelling density in the area and being within 400m walking distance of a public transport stop. Regarding the Objective for this Clause, it is considered the proposed development can satisfy both parts (a) and (b), in that it would allow for additional housing at a higher density in the General Residential Zone. Furthermore, the site is connected to all reticulated services and is capable of supporting the proposed development.

2 *Clause 8.4.2 (P1) and (P3) – Setbacks and building envelope for all dwellings –*

The objective for Clause 8.4.2 states that the siting and scale of dwellings:

- (a) provides reasonably consistent separation between dwellings and their frontage within a street;
- (b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;
- (c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and provide open space; and
- (d) provides reasonable access to sunlight for existing solar energy installations.

The planning scheme's Clause 8.4.2–(A1)(b) states that unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage, must have a setback from a secondary frontage that is not less than 3m.

Unit 5 on 19 Queen Street would be setback 956mm from the secondary frontage being Queen Street. Therefore, the proposed

development is discretionary and relies on an assessment against the applicable mandatory Performance Criteria.

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

Planner's comments: There are several dwellings/buildings that front South Road (and Queen Street) that are setback closer than 3m within the vicinity of the development site. For example, 4 South Road and 24 Queen Street.

The planning scheme's Acceptable Solution for Clause 8.4.2-(A3)(a)(i) states that a dwelling, must be contained within a building envelope which includes (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.

Unit 5 on 19 Queen Street would be setback 956mm from the secondary frontage being Queen Street. Therefore, the proposed development is discretionary and relies on an assessment against the applicable mandatory Performance Criteria.

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

- (a) Not cause unreasonable loss of amenity to adjoining properties, having regard to:
 - (i) Reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;
Planner's comments: Shadow plans were provided as part of the application. Due to the shape, orientation and positioning of proposed development, most of shadow would fall back onto the development site and/or abutting roads. Some adjoining properties would have some level of shadow throughout the day on 21 June. However, this shadow would move throughout the day, meaning no adjoining property would be in shadow all day from the proposed development.
 - (ii) Overshadowing the private open space of a dwelling on an adjoining property;
Planner's comments: Refer to comments made above.

- (iii) Overshadowing of an adjoining vacant property; or
Planning comments: No adjoining site is vacant.
 - (iv) Visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;
Planner's comments: The most visible difference resulting from the development, would be proposed Units 1 and 2 which would be constructed on land that is currently vacant. The development would be within a built up residential area. The units would be setback from boundaries either similar to adjoining development or at a greater setback. The visual impacts are not considered inconsistent with a built-up residential area.
- (b) Provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and
Planner's comments: The development site is within an established built-up residential area with many dwellings/buildings built on or close to boundaries. The unit on the development site is considered consistent with existing separation between buildings in the area.
- (c) Not cause an unreasonable reduction in sunlight on an existing solar energy installation on:
 - (i) An adjoining property; or
Planner's comments: No adjoining property has a dwelling with existing solar energy installations.
 - (ii) Another dwelling on the same site.

Planner's comments: Shadow plans were provided which demonstrate shadow from the development to other dwellings proposed. The shadow plans show that as the sun moves throughout the day, so will the shadow.

Conclusion: It is considered that the application has demonstrated compliance with the mandatory Performance Criteria in relation to setbacks of dwellings/buildings to frontages. The proposed development would be consistent with the surrounding apparent scale, bulk, massing and proportion in relation to setbacks to frontages;

would be consistent with the existing separation between dwellings/buildings on adjoining properties and will allow for access to sunlight due to the orientation/positioning of the unit.

3 *Clause 8.4.3 (P1) – Site coverage and private open space for all dwellings –*

The Objective for Clause 8.4.3 states that dwellings are compatible with the amenity and character of the area and provide:

- (a) for outdoor recreation and the operational needs of the residents;
- (b) opportunities for the planting of gardens and landscaping; and
- (c) private open space that is conveniently located and has access to sunlight.

The planning scheme's Acceptable Solution for Clause 8.4.6–(P3)(b) states that dwellings must for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling.

Unit 2 would have a total area of private open space of 43.5m² and Unit 3 would have a total area of private open space of 46.2m². Therefore, the proposed development is discretionary and relies on an assessment against the applicable mandatory Performance Criteria.

The planning scheme's Performance Criteria for Clause 8.4.3–(P1) states that dwellings must have:

- (a) site coverage consistent with that existing on established properties in the area;
Planner's comments: There is a variation of site coverage within the area. Due to this established pattern, some properties have more private open space areas than others. The proposed private open space area, in relation to the site coverage for Units 2 & 3 would be consistent with the established mixed site coverage within the surrounding area.
- (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate:
 - (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple

dwelling, take into account any common open space provided for this purpose within the development; and
Planner's comments: Both Units 2 & 3 would have an area to the north of the dwelling for private open space. The areas available would be accessible from the dwellings living area and have the dimensions to allow areas for privacy.

- (ii) operational needs, such as clothes drying and storage; and
Planner's comments: The private open space areas for Units 2 & 3 both accommodate areas for clothes drying and storage.

- (c) reasonable space for planting of gardens and landscaping.
Planner's comments: The private open space areas for Units 2 & 3 would have the dimensions to allow for planting of gardens and landscaping.

Conclusion: It is considered that the application has demonstrated compliance with the mandatory Performance Criteria in relation to private open space areas for Units 2 & 3. Both areas would be sufficient for private use of this area and have dimensions to allow clothes drying, storage, gardens and landscaping. Both areas are located to the north of the dwelling to allow optimal sunlight access.

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

The Objective for Clause 8.4.6 states the development provides a reasonable opportunity for privacy for dwellings.

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

The bedroom windows of Units 1 & 2 facing the shared driveway would be setback less than 1m and do not have any screening. Therefore, the proposed development is discretionary and relies on an assessment against the applicable mandatory Performance Criteria.

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

Planner's comments: The proposal does not include any mechanism to screen the windows to the shared driveway. A condition on the Permit would be for the windows to have fixed obscured glazing to provide some privacy.

Conclusion: It is considered that the application, subject to a condition, can demonstrate compliance with the mandatory Performance Criteria in relation to the bedroom windows of Units 1 & 2 facing the shared driveway.

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

The Objective for Clause 8.4.8 states multiple dwellings to provide for the storage of waste and recycling bins for multiple dwellings.

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

The waste storage area for both Units 4 & 5 would be in front of the dwelling. Therefore, the proposed development is discretionary and relies on an assessment against the applicable mandatory Performance Criteria.

The planning scheme's Performance Criteria for Clause 8.4.8-(P1) states that a multiple dwelling must have storage for waste and recycling bins that is:

- (a) capable of storing the number of bins required for the site;
Planner's comments: Units 4 & 5 would have an area sufficient to store bins.
- (b) screened from the frontage and any dwellings; and
Planner's comments: Both storage areas would be screened.
- (c) If the storage area is a common storage area, separated from any dwellings to minimise impacts caused by odours and noise.

Planner's comments: Not applicable to this proposal.

Conclusion: It is considered that the application has demonstrated compliance with the mandatory Performance Criteria in relation to waste storage areas for Units 4 & 5. Both would have storage areas sufficient for bins and both would be screened.

6 *Reliance on C2.0 Parking and Sustainable Transport Code –*

The Objective for Clause C2.6.5 states that pedestrian access within parking areas is provided in a safe and convenient manner.

The planning scheme's Acceptable Solution states that a use that requires 10 or more car parking spaces must have a pedestrian pathway.

No pedestrian pathway would be provided for the development. Therefore, the proposed development is discretionary and relies on an assessment against the applicable mandatory Performance Criteria.

The planning scheme's Performance Criteria for Clause C2.6.5–(P1) states that safe and convenient pedestrian access must be provided within parking areas, have regard to:

- (a) the characteristics of the site;
Planner's comments: A Traffic Impact Assessment was provided with the application, prepared by a suitably qualified person. This assessment addressed the Performance Criteria. It states that only 7 of the 12 car parking spaces (not including 2 for the existing single dwelling) requires pedestrians to walk within the circulation road or parking aisle. The site is constrained due to the width of the existing private access road and the location of the units; provision of a separated footpath was not considered viable.
- (b) the nature of the use;
Planner's comments: As stated in the Traffic Impact Assessment, given the residential use of the proposed development, all users of the development will be familiar with the site.
- (c) the number of parking spaces;
Planner's comments: As stated in the Traffic Impact Assessment, all parking demand for residents and visitors of the proposed development is accommodated within the site.

- (d) the frequency of vehicle movements;

Planner's comments: As stated in the Traffic Impact Assessment, vehicle movements for the proposed development are expected to be minimal.

- (e) the needs of person with disability;

Planner's comments: As stated in the Traffic Impact Assessment, the *Building Code of Australia* does not specify any requirements for persons with a disability for residential development.

- (f) the location and number of footpath crossings;

Planner's comments: As stated in the Traffic Impact Assessment, this is not applicable to this proposal.

- (g) vehicle and pedestrian traffic safety;

Planner's comments: As stated in the Traffic Impact Assessment, vehicle and pedestrian safety is expected to be maintained due to the low speed environment of the development. Furthermore, space for pedestrians is provided to the east of the parallel spaces, although is constrained at two points due to the geometry of Unit 4.

- (h) the location of any access ways of parking aisles; and

Planner's comments: As stated in the Traffic Impact Assessment, the location of access ways and parking aisles are such that good sight distance is maintained surrounding parking, other than at the corner of the private access road where it is limited due to the provision of an existing fence. However, as space for pedestrians to walk is provided to the east of car parking space 3, the limited sight distance at this location is not anticipated to be a problem.

- (i) any protective devices proposed for pedestrian safety.

Planner's comments: As stated in the Traffic Impact Assessment, no pedestrian devices are proposed for pedestrian safety. Line marking is recommended to delineate the pedestrian path.

Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	Not applicable.
Building	Not applicable.
Infrastructure Services	Conditions and Notes to be included in a Permit.
TasWater	Refer to TasWater Submission to Planning Authority Notice, Reference No. TWDA 2023/00222-CC dated 12 September 2023.
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 –

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

The representations are summarised and responded to as follows:

REPRESENTATION NO. 1	
MATTER RAISED	RESPONSE
<p>1 Standard of the laneway to be used is poor and not suitable for increased traffic.</p>	<p>The application was accompanied by a Traffic Impact Assessment prepared by a suitably qualified person.</p> <p>This assessment concluded that the roadway is suitable for the proposed development.</p> <p>Conformance with the Traffic Impact Assessment and its recommendations will be a condition on the Permit.</p> <p>Any recommendations that may alter the roadway, for example making it one way, would need to be undertaken in consultation with any party to the roadway, as it is a right of way.</p>
<p>2 Laneway is not maintained and needs to be upgraded to Council standards, otherwise the surrounding properties will be impacted by an even poorer quality roadway.</p> <p>Currently no one is taking responsibility for the maintenance of the laneway.</p>	<p>Condition 5 of the proposed Planning Permit states that:</p> <p><i>“All parking, access ways, manoeuvring and circulation spaces must:</i></p> <p><i>(a) be constructed with a durable all-weather pavement;</i></p>

	<p>(b) <i>be drained to the public stormwater system; and</i></p> <p>(c) <i>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."</i></p> <p>As the roadway is an access way, the above condition would apply. It means that the roadway may require some upgrades to ensure it can comply with the condition on the Permit.</p> <p>In relation to the ongoing maintenance of the roadway, this would be a matter that is outside the scope of the planning scheme.</p> <p>Any person who has a benefit and/or burden to a right of way, is responsible for the maintenance.</p> <p>This is not a Council matter but a civil matter between the parties.</p>
<p>3 Issue regarding ownership of the laneway. While the developers claim to have approval from the owners of the laneway, which would require a right of carriageway to be created, the actual ownership of the roadway is still in question.</p>	<p>The roadway forms part of 4 South Road as per Certificate of Title 250871/9. This title was included as part of this application. The applicant has signed the declaration on the application form, advising that they have notified all owners of the land subject to this application.</p>

<p>Council should have taken over and maintained the roadway but have not formally done so.</p>	<p>The following are comments from Infrastructure Services in relation to roadway ownership:</p> <p>In accordance with the <i>Local Government (Building and Miscellaneous Provision) Act 1993</i>, s.95 Dedication of Land</p> <p>(1) any land which is shown on a sealed plan as a road, street, alley, lane, court, terrace, footpath or other kind of way is taken to be dedicated to, and accepted by, the public unless called "private" on the plan.</p> <p>Therefore, the laneway is able to be used by the public as it is denoted "Roadway" on the Certificate of Title. This does not infer any obligation on the Council to maintain the laneway.</p> <p>Furthermore, in accordance with the <i>Local Government (Highway) Act 1982</i>, s.21 General responsibility of corporations:</p>
	<p>Subject to this Act, the corporation of a municipality is charged with the duty of maintaining the local highways in the municipality that are maintainable by the corporation as shown on its municipal map, and, in any particular case, it shall discharge that duty in such manner as, having regard to all the circumstances of the case, it considers practicable and appropriate.</p>

	The lane is not shown on a municipal map as being maintained by Council.
<p>4 Impossible to have owners' consent if owner is not clear.</p> <p>How did Council approve a unit, previously with access only from this laneway and not question the ownership at the time.</p>	<p>Please refer to comments made above in Item No. 3 regarding ownership.</p> <p>Any application would have required the applicant to sign a declaration that they have notified any owners subject to the development (if the applicant was not the owner).</p>
<p>5 When a neighbour raised the issue of fencing along the laneway and sought shared cost with the owner of 4 South Road, they clearly stated that they did not own the laneway.</p>	This is not a matter within the scope of the planning scheme.
<p>6 Did Council accept responsibility when they approved properties to access the laneway, which is possibly private and did not ensure a right of carriageway was in place?</p>	<p>Please refer to comments made above regarding ownership of the roadway. Council do not have any responsibility for the roadway.</p> <p>The roadway forms as a right of way that burdens 4 South Road to benefit several properties.</p>

REPRESENTATION NO. 2	
<p>1 The private road has been maintained by the owners of properties 2, 2A, 4, South Road, 41 & 41B Amherst Street and 19 & 21 Queen Street as identified on page 13 of the application.</p>	<p>In relation to the ongoing maintenance of the roadway, this would be a matter that is outside the scope of the planning scheme.</p> <p>Any person who has a benefit and/or burden to a right of way, is responsible for the maintenance.</p>

	This is not a Council matter but a civil matter between the parties.
2 Properties 6 & 8 South Road do not have access to the private road by their properties adjoin.	As per the Land Information System Tasmania (the LIST), both 6 & 8 South Road have a benefiting right of carriageway over the roadway.
3 Last refurbishment of the private road took place in the 1990s with no contribution from the Council. Similar paving/refurbishment of this road today would cost between \$50,000 and \$100,000.	<p>Condition 5 of the proposed Planning Permit states that:</p> <p><i>“All parking, access ways, manoeuvring and circulation spaces must:</i></p> <ul style="list-style-type: none"> <i>(a) be constructed with a durable all-weather pavement;</i> <i>(b) be drained to the public stormwater system; and</i> <i>(c) 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.”</i> <p>As the roadway is an access way, the above condition would apply. It means that the roadway may require some upgrades to ensure it can comply with the condition on the Permit.</p> <p>In relation to the ongoing maintenance of the roadway, this would be a matter that is outside the scope of the planning scheme.</p>

	Any person who has a benefit and/or burden to a right of way, is responsible for the maintenance. This is not a Council matter but a civil matter between the parties.
4 Development application is deficient as the traffic assessment makes no mention of traffic on the private road during the construction phase.	<p>This is not a matter within the scope of the planning scheme.</p> <p>Any damage that may occur to the roadway during construction would be a matter between any party to the right of way.</p>
5 Lack of consultation. Developer has failed to consult owner of 41 and 41A Amherst Street regarding use of access.	<p>This is not a matter within the scope of the planning scheme.</p> <p>Section 52 of the <i>Land Use Planning and Approvals Act 1993</i> requires that an applicant notifies an owner of any land subject to a development application if they are not the owner.</p> <p>The application form has been signed and dated regarding this legislative requirement.</p> <p>The planning scheme does not require any party to a right of way to be notified.</p>
6 What is the Policy of right of ways? Assuming Council has no Policy of right of ways which seems to be common approach from Councils across Australia. States that where there is new development, Councils do not support sole access to site unless there is a minimum of 50% support from existing	<p>Central Coast Council do not have a Policy regarding right of ways.</p> <p>Right of ways are a civil matter and a matter between any party to the right of way. This would be the reason other Councils also don't have any right of way policies.</p> <p>It is not clear what process the representor is referring to regarding</p>

<p>property owners who have access to the right of way.</p>	<p>50% support for an application regarding access.</p>
<p>7 It seems the developer is happy for people with access to the right of way to pay the cost for upgrade. Good option would be for the developer to consult with all parties affected with right of way to discuss costs. Simple option would be for access to come from Queen Street next to the existing house and existing South Road or turning circle in the area of the 3 planned houses at 21 Queen Street.</p>	<p>Condition 5 of the proposed Planning Permit states that:</p> <p><i>“All parking, access ways, manoeuvring and circulation spaces must:</i></p> <ul style="list-style-type: none"> <i>(a) be constructed with a durable all-weather pavement;</i> <i>(b) be drained to the public stormwater system; and</i> <i>(c) 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.”</i> <p>As the roadway is an access way, the above condition would apply. It means that the roadway may require</p>
	<p>some upgrades to ensure it can comply with the condition on the Permit.</p> <p>In relation to the ongoing maintenance of the roadway, this would be a matter that is outside the scope of the planning scheme.</p> <p>Any person who has a benefit and/or burden to a right of way, is responsible for the maintenance. This is not a Council matter but a civil matter between the parties.</p>

REPRESENTATION NO. 3	
This representation was the exact same as representation No. 2. Therefore, all matters raised in Representation No. 3 have been addressed above. There was one matter that was slightly different, being:	
1 While the developer has sought my advice as the owner of the access, they have failed to consult with the other 4 property owners who may also be responsible for the maintenance of the road and any other costs.	<p>Representor No. 3 formed part of the application due to being the owner of the roadway.</p> <p>A person who has a benefit to a right of way is not considered an owner.</p> <p>Section 52 of the <i>Land Use Planning and Approvals Act 1993</i> requires that an applicant notifies an owner of any land subject to a development application if they are not the owner.</p> <p>The application form has been signed and dated regarding this legislative requirement.</p> <p>The planning scheme does not require any party to a right of way to be notified.</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 the refusal of the proposed Residential – consolidation of titles, demolition of church and construction of multiple dwellings x 6 (including existing dwelling). 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 DA2022235 for Residential – consolidation of titles, demolition of church and construction of multiple dwellings x 6 (including existing dwelling) – Residential density for multiple dwellings; Setback and building envelope for all dwellings; Site coverage and private open space for all dwellings; Sunlight to private open space of multiple dwellings; Privacy for all dwellings; and reliance on *C2.0 Parking and Sustainable Transport Code* at 19 & 21 Queen Street, West Ulverstone be approved, subject to the following conditions:

- 1 The development must be substantially in accordance with the plans by Rosene Cox, Project No. 2122-14, Page Nos. A01, A02, A03, A04, A05, A06, A07, A08, A09, A10, A11, A12 and A13 dated 10 December 2021.
- 2 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2023/00222-CC dated 12 September 2023.
- 3 The development must be in accordance with the letter by Pitt & Sherry for Stormwater Detention System Assessment dated 19 October 2023. In this regard, prior to commencement of work, a detailed stormwater management drawing, including the existing house must be submitted for approval by the Council's Director Infrastructure Services.
- 4 The development must be in accordance with the recommendations contained in the Traffic Impact Assessment by Pitt & Sherry, Revision No. 1 dated 3 May 2023.
In this regard, any recommendations that relate to the roadway (right of way) must be undertaken in consultation with any party to the right of way.
- 5 All parking, access ways, manoeuvring and circulation spaces must:

- (a) be constructed with a durable all-weather pavement;
 - (b) be drained to the public stormwater system; and
 - (c) 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.
- 6 Fourteen (14) car parking spaces must be provided for the development and must comply with *Australian Standard AS 2890 – Parking facilities, Parts 1–6*.
- 7 Bedroom windows of Units 1 & 2 facing the shared driveway must have fixed obscured glazing to provide some privacy.
- 8 Demolition materials and soils must be disposed of to an approved landfill site.

Infrastructure Services:

- 9 Existing crossovers and driveway aprons from South Road, Queen Street and Amherst Street must be used as road access to the development.
- 10 The existing access off South Road must be widened to a maximum of 6.0m.
- 11 The existing kerb crossovers and the driveway aprons at Amherst Street and South Road must be upgraded by the Council in accordance with the Tasmanian Standard Drawing TSD-R14-v3 Urban Roads – Approved Concrete Kerbs and Channels Profile Dimensions and drawings and Tasmanian Standard Drawing TSD-R09-v3 Urban Roads – Driveways in a plain concrete finish and drawings must be submitted for approval by the Council's Director Infrastructure Services and be at the developer's cost.
- 12 Any property access made redundant must be removed and reinstated to match the adjoining areas at the developer's cost.
- 13 The development must comply with the Council's *Stormwater Detention Policy* dated February 2022.
- 14 Stormwater run-off from buildings and hard surfaces, including from vehicle parking and manoeuvring areas, must be collected and discharged to Council's stormwater infrastructure in accordance with

the *National Construction Code 2019* and must not cause a nuisance to neighbouring properties.

- 15 Stormwater drainage and associated infrastructure must be installed in accordance with the Tasmanian Standard Drawings, unless otherwise required or approved by Council's Director Infrastructure Services.
- 16 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 and at the developer's cost.
- 17 During works and until all exposed soil areas are permanently stabilised against erosion, the developer must minimise on-site erosion and the release of sediment or sediment laden stormwater from the site and work areas in accordance with the 'Soil and Water Management on Standard Building and Construction Sites – Fact Sheet 2' published by the Environment Protection Authority.
- 18 All works or activity listed above must be 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 engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Prior to the commencement of work, the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required.

- 4 Solid fencing within 4.5m of a road frontage to a height of 1.2m above existing ground level, or fencing that has openings above the height of 1.2m which provides a uniform transparency of at least 30%, to a maximum height of 1.8m, is "Exempt" and does not require planning approval. Fencing outside these requirements within 4.5m of a road frontage would be 'Discretionary' and require the lodgement of a planning application.
- 5 Side boundary fencing is to angle down to the public road reserve boundary in accordance with AS/NZS 2890.1:2004 Parking Facilities – Part 1: Off-street car parking, Figure 3.3 "Minimum Sight Lines for Pedestrian Safety".

Infrastructure Services:

- 6 Prior to commencement of works in the road reservation, the developer must obtain a "Works in Road Reservation (Permit)".
- 7 Prior to commencement of works, the developer must submit an application for 'Roadworks Authority' (or a 'Private Works Authority'). Roadworks Authority rates as listed in the Council's Fees and Charges register apply.
- 8 Works 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.'

The report is supported."

The Executive Services Officer reported as follows:

"A copy of the Annexures referred to in the Manger Land Use Planning's (Acting) report has been circulated to all Councillors."

■ Cr Beswick moved and Cr Viney seconded, "That the application for DA2022235 Residential – consolidation of titles, demolition of church and construction of multiple dwellings x 6 (including existing dwelling) – Residential density for multiple dwellings; Setbacks and building envelope for all dwellings; Site coverage and private open space of multiple dwellings; Privacy for all dwellings; and reliance on *C2.0 Parking and Sustainable Transport Code* at 19 & 21 Queen Street, West Ulverstone be approved, subject to the following conditions:

- 1 The development must be substantially in accordance with the plans by Rosene Cox, Project No. 2122-14, Page Nos. A01, A02, A03, A04, A05, A06, A07, A08, A09, A10, A11, A12 and A13 dated 10 December 2021.
- 2 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2023/00222-CC dated 12 September 2023.
- 3 The development must be in accordance with the letter by Pitt & Sherry for Stormwater Detention System Assessment dated 19 October 2023.
In this regard, prior to commencement of work, a detailed stormwater management drawing, including the existing house must be submitted for approval by the Council's Director Infrastructure Services.
- 4 The development must be in accordance with the recommendations contained in the Traffic Impact Assessment by Pitt & Sherry, Revision No. 1 dated 3 May 2023.
In this regard, any recommendations that relate to the roadway (right of way) must be undertaken in consultation with any party to the right of way.
- 5 All parking, access ways, manoeuvring and circulation spaces must:
 - (a) be constructed with a durable all-weather pavement;
 - (b) be drained to the public stormwater system; and
 - (c) 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.
- 6 Fourteen (14) car parking spaces must be provided for the development and must comply with *Australian Standard AS 2890 – Parking facilities, Parts 1–6*.
- 7 Bedroom windows of Units 1 & 2 facing the shared driveway must have fixed obscured glazing to provide some privacy.
- 8 Demolition materials and soils must be disposed of to an approved landfill site.

Infrastructure Services:

- 9 Existing crossovers and driveway aprons from South Road, Queen Street and Amherst Street must be used as road access to the development.
- 10 The existing access off South Road must be widened to a maximum of 6.0m.
- 11 The existing kerb crossovers and the driveway aprons at Amherst Street and South Road must be upgraded by the Council in accordance with the Tasmanian Standard Drawing TSD-R14-v3 Urban Roads – Approved Concrete Kerbs and Channels Profile Dimensions and drawings and Tasmanian Standard Drawing TSD-R09-v3

Urban Roads – Driveways in a plain concrete finish and drawings must be submitted for approval by the Council's Director Infrastructure Services and be at the developer's cost.

- 12 Any property access made redundant must be removed and reinstated to match the adjoining areas at the developer's cost.
- 13 The development must comply with the Council's *Stormwater Detention Policy* dated February 2022.
- 14 Stormwater run-off from buildings and hard surfaces, including from vehicle parking and manoeuvring areas, must be collected and discharged to Council's stormwater infrastructure in accordance with the *National Construction Code 2019* and must not cause a nuisance to neighbouring properties.
- 15 Stormwater drainage and associated infrastructure must be installed in accordance with the Tasmanian Standard Drawings, unless otherwise required or approved by Council's Director Infrastructure Services.
- 16 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 and at the developer's cost.
- 17 During works and until all exposed soil areas are permanently stabilised against erosion, the developer must minimise on-site erosion and the release of sediment or sediment laden stormwater from the site and work areas in accordance with the 'Soil and Water Management on Standard Building and Construction Sites – Fact Sheet 2' published by the Environment Protection Authority.
- 18 All works or activity listed above must be 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 engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.

- 3 Prior to the commencement of work, the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required.
- 4 Solid fencing within 4.5m of a road frontage to a height of 1.2m above existing ground level, or fencing that has openings above the height of 1.2m which provides a uniform transparency of at least 30%, to a maximum height of 1.8m, is "Exempt" and does not require planning approval. Fencing outside these requirements within 4.5m of a road frontage would be 'Discretionary' and require the lodgement of a planning application.
- 5 Side boundary fencing is to angle down to the public road reserve boundary in accordance with AS/NZS 2890.1:2004 Parking Facilities – Part 1: Off-street car parking, Figure 3.3 "Minimum Sight Lines for Pedestrian Safety".

Infrastructure Services:

- 6 Prior to commencement of works in the road reservation, the developer must obtain a "Works in Road Reservation (Permit)".
- 7 Prior to commencement of works, the developer must submit an application for 'Roadworks Authority' (or a 'Private Works Authority'). Roadworks Authority rates as listed in the Council's Fees and Charges register apply.
- 8 Works 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."

Carried unanimously

381/2023 Residential – retrospective application for front fence – Frontage fences for all dwellings at 1 Lillian Court, Turners Beach – Application No. DA2023283

The Director Community, Growth and Development reported as follows:

“The Manager Land Use Planning (Acting) has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA2023283
<i>PROPOSAL:</i>	Residential – retrospective application for front fence – Frontage fences for all dwellings
<i>APPLICANT:</i>	Peter Sharman
<i>LOCATION:</i>	1 Lillian Court, Turners Beach
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Tasmanian Planning Scheme – Central Coast</i> (the planning scheme)
<i>ADVERTISED:</i>	1 November 2023
<i>REPRESENTATIONS EXPIRY DATE:</i>	16 November 2023
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	8 December 2023 (extension of time granted until 11 December 2023)
<i>DECISION DUE:</i>	11 December 2023
<i>PURPOSE</i>	

The purpose of this report is to consider an application for a front fence at 1 Lillian Court, Turners Beach.

Accompanying the report are the following documents:

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

BACKGROUND

Development description –

Application is made, retrospectively, for a front fence along the western frontage of 1 Lillian Court, Turners Beach.

The planning scheme does provide planning approval exemptions regarding front fences within the General Residential Zone, however to satisfy the

exemption requirements (Clause 4.6.3 of the planning scheme), the front fence (if within 4.5m of a front boundary), must be no more than the height of:

- (i) 1.2m above existing ground level if the fence is solid; or
- (ii) 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights).

The front fence that has been constructed at 1 Lillian Court is 1.7m above existing ground level and is solid. The fence runs along the western front boundary which abuts Explorer Drive.

Site description and surrounding area -

The 936m² site is zoned General Residential and is within the expanding residential area south of Bass Highway in Turners Beach. The site is a corner lot that abuts both Explorer Drive and Lillian Court.

A single dwelling has been approved and constructed centrally on the site, though slightly more towards the eastern side. Access is off Lillian Court.

The development site is connected to all reticulated services and adjoins General Residential lots, some of which accommodate existing single dwellings and associated outbuildings and some that are vacant.

History -

The owner obtained a No Permit Required Certificate (DA2022135) on 10 June 2022 for the single dwelling. The plans that were assessed as part of this Certificate showed a front fence that would have satisfied the exemption outlined above. When the fence was constructed however, a decision was made to make the fence 1.7m solid for reasons such as privacy and safety for the occupants of 1 Lillian Court.

DISCUSSION

The following Table is the Manager Land Use Planning's (Acting) 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:
 - (b) primarily serves the local community; and
 - (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
- 8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

Planner's comment

The proposal satisfies the Zone Purpose in that it the fence would facilitate residential use and development on the site.


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	<input checked="" type="checkbox"/>	Not a Discretionary use.


(b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.		
<p>8.3.1-(A3)</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of:</p> <p>(a) 7:00am to 7:00pm Monday to Friday;</p> <p>(b) 9:00am to 12 noon Saturday; and</p> <p>(c) nil on Sunday and public holidays.</p>	<input checked="" type="checkbox"/>	Not a Discretionary use.
<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"/>	Not a Discretionary use.
8.3.2 Visitor Accommodation	Not applicable	Assessment
<p>8.3.2-(A1)</p> <p>Visitor Accommodation:</p> <p>(a) guests are accommodated in existing buildings; and</p> <p>(b) has a gross floor area of not more than 300m².</p>	<input checked="" type="checkbox"/>	Not Visitor Accommodation.



8.4 Development Standards for Dwellings		
8.4.1 Residential density for multiple dwellings		
<p>8.4.1–(A1)</p> <p>Multiple dwellings must have a site area per dwelling of not less than 325m².</p>		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>		Refer to Clause 8.4.7–(A1) below regarding front fences.

<p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>		
<p>8.4.2–(A2)</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<input checked="" type="checkbox"/>	<p>Refer to Clause 8.4.7–(A1) below regarding front fences.</p>
<p>8.4.2–(A3)</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the</p>	<input checked="" type="checkbox"/>	<p>Refer to Clause 8.4.7–(A1) below regarding front fences.</p>



<p>horizontal at a height of 3m above existing ground</p> <p>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>		
8.4.3 Site coverage and private open space for all dwellings	Not applicable	Assessment
<p>8.4.3–(A1)</p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</p>	<input checked="" type="checkbox"/>	Refer to Clause 8.4.7–(A1) below regarding front fences.
<p>8.4.3–(A2)</p> <p>A dwelling must have private open space that:</p>	<input checked="" type="checkbox"/>	Refer to Clause 8.4.7–(A1) below regarding front fences.



<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>		
8.4.4 Sunlight to private open space of multiple dwellings	Not applicable	Assessment
<p>8.4.4–(A1)</p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p>		Not multiple dwelling development.


<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></p>	<p>No garage or carport proposed.</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>Refer to Clause 8.4.7–(A1) below regarding front fences.</p>
<p>8.4.6–(A2)</p> <p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p>		<p>Refer to Clause 8.4.7–(A1) below regarding front fences.</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>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>Non-compliant. The fence that has been constructed does not satisfy the exemption.</p> <p>Refer to the “Issues” section below.</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>		Not multiple dwelling development.
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>		Front fence associated with a single 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>Front fence associated with a single dwelling.</p>

<p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side or rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback less than 1.5m from a side or rear boundary if the building:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one-third of the length of the side or rear boundary (whichever is lesser).</p>		
<p>8.5.1–(A3)</p> <p>A building that is not a dwelling, must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) a site area of which not less than 35% is free from impervious surfaces.</p>		<p>Front fence associated with a single 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>Front fence associated with a single dwelling.</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> <ul style="list-style-type: none"> (a) provide for security and privacy while allowing for passive surveillance of the road; and (b) be compatible with the height and transparency of fences in the street, having regard to: <ul style="list-style-type: none"> (i) the topography of the site; and (ii) traffic volumes on the adjoining road. 		
<p>8.5.1–(A5)</p> <p>Outdoor storage areas, for a building that is not a dwelling, including waste storage, must not:</p> <ul style="list-style-type: none"> (a) be visible from any road or public open space adjoining the site; or (b) encroach upon parking areas, driveways or landscaped areas. 		<p>Front fence associated with a single dwelling.</p>
<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>		<p>Front fence associated with a single dwelling.</p>
<p>8.5.2 Non-residential garages and carports</p>	<p>Not applicable</p>	<p>Assessment</p>
<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>Front fence associated with a single dwelling.</p>

<p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the building gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>		
<p>8.5.2–(A2)</p> <p>A garage or carport not forming part of a dwelling, within 12m of a primary frontage (whether the garage or carport is free-standing) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>		<p>Front fence associated with a single 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>Front fence associated with a single dwelling.</p>

<p>b. easements or other title restrictions that</p> <p>limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>		
<p>8.6.1–(A2)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.</p>		Front fence associated with a single dwelling.
<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>		Front fence associated with a single dwelling.
<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>		Front fence associated with a single dwelling.
8.6.2 Roads	Not applicable	Assessment

8.6.2-(A1) The subdivision includes no new roads.	<input checked="" type="checkbox"/>	Front fence associated with a single dwelling.
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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"/>	Front fence associated with a single dwelling.
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"/>	Front fence associated with a single dwelling.
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"/>	Front fence associated with a single dwelling.

CODES

CODES	NOT APPLICABLE	APPLICABLE
C1.0 Signs Code	<input checked="" type="checkbox"/>	
C2.0 Parking and Sustainable Transport Code	<input type="checkbox"/>	Compliant. The site provided and satisfied this Code through the No Permit Required Certificate. The front fence does not necessitate more car parking spaces and/or associated construction requirements.

COMMUNITY, GROWTH AND DEVELOPMENT

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"/>	
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"/>	

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

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

Issues –

1 Clause 8.4.7 – Frontage fences for all dwellings –

As stated in the planning scheme's Clause 5.6.4, the planning authority may consider the relevant Objective in an applicable standard to determine whether a use or development satisfies the Performance Criterion for that standard.

The objective for the planning scheme's Clause 8.4.7 regarding frontage fences for all dwellings, states that the height and transparency of frontage fences:

- (a) provides adequate privacy and security for residents;
- (b) allows the potential for mutual passive surveillance between the road and the dwelling; and
- (c) is reasonably consistent with that on adjoining properties.

The planning scheme does not have an Acceptable Solution regarding front fences under Clause 8.4.7. The Acceptable Solution outlines the exemption that applies for fences in the General Residential Zone.

The front fence that has been constructed does not satisfy the exemption. Therefore, the application is discretionary and relies on the assessment against the Performance Criteria.

The planning scheme's Performance Criteria for Clause 8.4.7 states that a fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:

- (a) provide for security and privacy while allowing for passive surveillance of the road; and

Planner's comments: The site is located on a corner, which can reduce some privacy for occupants. The design and location of the single dwelling results with most of the usable private open space located along the frontage of Explorer Drive. The design and location of the single dwelling was to ensure it could comply with all the development requirements under the planning scheme, and go through a No Permit Required Certificate pathway. In other words, the design of the single dwelling took into account required setbacks, privacy and location of adjoining properties. It has by default, then reduced

useable areas for private open space. Therefore, it is reasonable that a higher fence is constructed along Explorer Drive to provide some privacy and security to the occupants of 1 Lillian Court, particularly when using the private open space areas.

As stated, a corner lot can create design implications as the lot is burdened by two road frontages. Additionally, this corner lot is oriented south of adjoining lots. Therefore, to ensure optimal sunlight and energy efficiency into the rooms of the single dwelling, it had to be positioned away from adjoining northern properties.

The height and location of the fence satisfies *Figure 3.3 Minimum Sight Lines for Pedestrian Safety* stipulated within the *Australian/New Zealand 2890.1:2004*. This standard stipulates minimum sight lines for pedestrians and includes setback distances necessary to ensure these sight lines would not be impeded. The front fence would not obstruct passive surveillance.

(b) be compatible with the height and transparency of fences in the street, having regard to:

(i) the topography of the site; and

Planner's comments: The site at 1 Lillian Court is reasonably flat. However, it is burdened by having two road frontages. This can limit development on a corner site due to setback requirements from a frontage boundary being greater than side boundaries.

(ii) traffic volumes on the adjoining road.

Planner's comments: Council, acting as a Road Authority, have no concerns regarding the fence in relation to the traffic volumes of both Explorer Drive and Lillian Court which are low traffic volume roads.

Conclusion: The front fence at 1 Lillian Court is to facilitate privacy and security for the occupants, and to create a more usable area of private open space. As outlined above, passive surveillance will not be impeded by the front fence and there is still sufficient visibility to both the road and footpath for occupants leaving 13 Explorer Drive. The

surrounding area includes multiple side boundary and front fences, constructed with a mixture of materials and having varying heights.

There are also, several solid front fences that are higher than 1.2m within the area, particularly on corner lots. For example, both 7 and 9 Explorer Drive have front fences that are approximately 1.8m high. Both of these properties are corner lots. Refer to photos below.



7 Explorer Drive front fence



9 Explorer Drive front fence

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 Note on Permit.
Engineering	No engineering issues. Fence satisfies Figure 3.3 Minimum Sight Lines for pedestrian safety stipulated within the <i>Australian / New Zealand 2890.1:2004</i> .
TasWater	Not applicable.
Department of State Growth	Not applicable.
Environment Protection Authority	Not applicable.
TasRail	Not applicable.
Heritage Tasmania	Not applicable.
Crown Land Services	Not applicable.
Other	Not applicable.

CONSULTATION

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

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

Representations –

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

The representation is summarised and responded to as follows:

MATTER RAISED	COMMENTS
<p>1 Height of the proposed fence is concerning due to safety of not only the representors, but also pedestrians and vehicles travelling on Explorer Drive.</p>	<p>The height and location of the fence satisfies <i>Figure 3.3 Minimum Sight Lines for Pedestrian Safety</i> stipulated within the <i>Australian/New Zealand 2890.1:2004</i>. This standard stipulates minimum sight lines for pedestrians and includes setback distances necessary to ensure these sight lines would not be impeded. The front fence would not obstruct passive surveillance.</p>
<p>2 Representor made a conscious effort to ensure the last panel of side fence (common fence with 1 Lillian Court), was on a lower 25° angle so not to reduce visibility when existing their driveway (photos provided – refer to Annexure No. 3).</p>	<p>The side fence (common boundary) between the development site and 13 Explorer Drive does angle down towards the frontage. This is in accordance with the planning scheme's exemptions for side fences.</p> <p>Within a built up residential area, it is not uncommon to have, not only a mixture of fence construction materials, but also varying heights.</p> <p>Each application (if one is required) must be assessed on the merits of the applicable provision within the planning scheme.</p> <p>The height and location of the fence satisfies <i>Figure 3.3 Minimum Sight Lines for Pedestrian Safety</i> stipulated within the <i>Australian/New Zealand 2890.1:2004</i>. This standard stipulates minimum sight lines for pedestrians and includes setback distances necessary to ensure these sight</p>

	lines would not be impeded. The front fence would not obstruct passive surveillance.
3 Footpath is very busy with children on bikes and general pedestrian activity.	Please refer to comments made in matters raised for Item No. 2 above.
4 If fence remains at 1.7m solid, the representor's vehicles will need to be on the footpath before they would have full visibility of oncoming pedestrians and vehicles.	The height and location of the fence satisfies <i>Figure 3.3 Minimum Sight Lines for Pedestrian Safety</i> stipulated within the <i>Australian/New Zealand 2890.1:2004</i> . This standard stipulates minimum sight lines for pedestrians and includes setback distances necessary to ensure these sight lines would not be impeded. The front fence would not obstruct passive surveillance.
5 Representor's fence has been tapered down to 1.4m high, whereas the fence at 1 Lillian Court is 1.7m high. There is a big difference and looks ridiculous.	<p>Please refer to comments made in matters raised for Item No. 2 above regarding the tapering down of the side fence between 13 Explorer Drive and 1 Lillian Court.</p> <p>It is understood there will be a height difference of 300mm. Even though this is not ideal, it is not uncommon to have varying fence heights within a built-up residential area.</p>
6 Representors have lived at Explorer Drive for nearly 4 years, and it is a very quiet place. No need for a front fence in relation to noise reduction.	<p>The area is a growing residential area to the south of Bass Highway in Turners Beach.</p> <p>The front fence at 1 Lillian Court is to facilitate privacy and security to the occupants, particularly due to the site being a corner lot and thus burdened by two road frontages.</p> <p>Please refer to the "Issues" section above when comments are made regarding design constraints for a corner lot.</p>

RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- . Develop and manage sustainable built infrastructure.

CONCLUSION

The representation received does not warrant refusal or modification of the proposed development for the retrospective front fence. 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 DA2023282 for Residential – retrospective application for front fence – Frontage fences for all dwellings at 1 Lillian Court, Turners Beach be approved, subject to the following conditions:

- 1 The development must be substantially in accordance with the plans by Tim Wilson Design & Drafting, Reference No. 0655WD-D, Sheet Nos. 01, 02 and 05 date stamped 23 October 2023 and images (3 pages) as submitted by the applicant date stamped 27 October 2023.

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

The report is supported."

The Executive Services Officer reported as follows:

"A copy of the Annexures referred to in the Manager Land Use Planning (Acting) report has been circulated to all Councillors."

■ Cr Wylie moved and Cr Smith seconded, "That the application DA2023282 for Residential – retrospective application for front fence – Frontage fences for all dwellings at 1 Lillian Court, Turners Beach be approved, subject to the following conditions:

- 1 The development must be substantially in accordance with the plans by Tim Wilson Design & Drafting, Reference No. 0655WD–D, Sheet Nos. 01, 02 and 05 date stamped 23 October 2023 and images (3 pages) as submitted by the applicant date stamped 27 October 2023.

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the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required."

Carried unanimously

382/2023 Subdivision – 2 residential lots into 3 (staged), including construction of a single dwelling and outbuilding – Lot design; reliance on *C13.0 Bushfire-Prone Areas Code* and *C15.0 Landslip Hazard Code* at 170 Main Road & 9A Seaside Crescent, Penguin – Application No. DA2023273

The Director Community, Growth and Development reported as follows:

"The Planning Consultant has prepared the following report:

<i>DEVELOPMENT APPLICATION NO.:</i>	DA2023273
<i>PROPOSAL:</i>	Subdivision – 2 residential lots into 3 (staged), including construction of a single dwelling and outbuilding – Lot design; reliance on <i>C13.0 Bushfire-Prone Areas Code</i> and <i>C15.0 Landslip Hazard Code</i>
<i>APPLICANT:</i>	PLA Designs
<i>LOCATION:</i>	170 Main Road & 9A Seaside Crescent, Penguin
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Tasmanian Planning Scheme – Central Coast</i> (the planning scheme)
<i>ADVERTISED:</i>	28 October 2023
<i>REPRESENTATIONS EXPIRY DATE:</i>	14 November 2023
<i>REPRESENTATIONS RECEIVED:</i>	One (another one was subsequently withdrawn)
<i>42-DAY EXPIRY DATE:</i>	30 November 2023 (extension of time granted until 11 December 2023)
<i>DECISION DUE:</i>	11 December 2023
<i>PURPOSE</i>	

The purpose of this report is to consider an application for a subdivision to create 3 residential lots and a new dwelling and outbuilding at 170 Main Road & 9A Seaside Crescent, Penguin.

Accompanying the report are the following documents:

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

BACKGROUND

Development description –

Application is made to subdivide two parcels of land, known as 170 Main Road & 9A Seaside Crescent respectively, into 3 residential lots which would be staged. Application includes the construction of a new single dwelling and outbuilding on the proposed Lot 2.

Stage 1 of the proposal would result in:

- . Lot 1 being reduced down to 2.311ha, retaining existing access from Main Road and secondary frontage to Seaside Crescent;
- . Lot 2 being created as a new lot of 4,941m², accessed via a 7.2m wide right of way off Seaside Crescent, over Lot 1; and
- . A new single dwelling and outbuilding on proposed Lot 2.

Stage 2 of the proposal would result in:

- . The newly created Lot 2 being reduced to 4,042m²; and
- . Lot 3 (currently known as 9A Seaside Crescent, CT143949/1) being extended by 899m² from 1,103m² to 2,002m². Lot 3 currently contains a single dwelling and would retain access from Seaside Crescent, via the 7.2m wide right-of-way.

Site description and surrounding area –

Certificate of Title 143949/1 (9A Seaside Crescent) has a land area of 1,103m² and Certificate of Title 184804/1 (170 Main Road) has a land area of 2.805ha. Both parcels of land are zoned General Residential.

The development involves removing a portion of land from 170 Main Road to create a new lot and the development of a dwelling and outbuilding in Stage 1, followed by removing a portion of the newly created lot and adhering it to the existing 9A Seaside Crescent in Stage 2. Both sites are subject to the

Bushfire-Prone Areas Overlay and contain areas within the medium landslip hazard band under the Landslip Hazard Code.

Land to the north and west of the site is also zoned General Residential and is characterised primarily by single dwellings with associated outbuildings. Land to the east is zoned Agriculture and is characterised by a single dwelling surrounded by agricultural activities, and in the most part steep grazing land. Land to the south is zoned as Landscape Conservation, currently vacant with the exception of steep grassland and some pockets of established vegetation.

The development sites are connected to all reticulated services.

History –

Property known as 170 Main Road has been the subject of multiple previous applications for subdivisions to create additional residential lots in the area, all of which have been finalised. The most relevant of these was DA2021137, which was a four lot subdivision to create:

- . two (2) lots to the rear of the now 9A Seaside Crescent;
- . one (1) lot off Bowman Drive; and
- . the lot now known as 170 Main Road).

Property known as 9A Seaside Crescent has been the subject of an application for a dwelling and shed, granted in May 2022 (DA2022066) and construction is close to completion.

DISCUSSION

The following Table is the Planning Consultant'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:
 - (c) primarily serves the local community; and
 - (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
- 8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

Planner's comment

The proposal satisfies the Zone Purpose in that it would provide 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	<input checked="" type="checkbox"/>	Not a Discretionary use.

(b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.		
<p>8.3.1-(A3)</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of:</p> <p>(a) 7:00am to 7:00pm Monday to Friday;</p> <p>(b) 9:00am to 12 noon Saturday; and</p> <p>(c) nil on Sunday and public holidays.</p>	<input checked="" type="checkbox"/>	Not a Discretionary use.
<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"/>	Not a Discretionary use.
8.3.2 Visitor Accommodation	Not applicable	Assessment
<p>8.3.2-(A1)</p> <p>Visitor Accommodation:</p> <p>(a) guests are accommodated in existing buildings; and</p> <p>(b) has a gross floor area of not more than 300m².</p>	<input checked="" type="checkbox"/>	Not Visitor Accommodation.

8.4 Development Standards for Dwellings		
8.4.1 Residential density for multiple dwellings		
<p>8.4.1–(A1)</p> <p>Multiple dwellings must have a site area per dwelling of not less than 325m².</p>	<input checked="" type="checkbox"/>	<p>Multiple dwellings are not proposed.</p>
<p>8.4.2 Setbacks and building envelope for all dwellings</p>	<p>Not applicable</p>	<p>Assessment</p> <p><i>Assessment required for existing dwellings on proposed Lot 1 & 3 and the construction of the proposed dwelling on Lot 2.</i></p>
<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>	<input type="checkbox"/>	<p>(a) Compliant. No changes are proposed to the existing front boundaries for Lots 1 & 3.</p> <p>The proposed dwelling for Lot 2 would be setback 4.5m from the proposed frontage for Lot 2.</p> <p>(b) Not applicable. No secondary frontage.</p> <p>(c) Not applicable. Site is not vacant.</p> <p>(d) Not applicable. Use is residential.</p>

<p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>		
<p>8.4.2–(A2)</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<input type="checkbox"/>	<p>Compliant. The proposed garage and outbuilding for Lot 2 would be setback behind the proposed dwelling.</p>
<p>8.4.2–(A3)</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from</p>	<input type="checkbox"/>	<p>(a)(i) Compliant. Refer to comments above regarding front setback.</p> <p>(a)(ii) Compliant. Existing dwellings on Lots 1 & 3 would remain within the required building envelope at each stage of development.</p> <p>The proposed dwelling and outbuilding on Lot 2 would be within the required building envelope at each stage of development.</p> <p>(b)(i) Compliant. The subdivision would not result in the existing dwellings being closer than 1.5m to new side boundaries at any stage of the development.</p>

the horizontal at a height of 3m above existing ground		The proposed dwelling on Lot 2 would be setback more than 1.5m from side boundaries and more than 4m from the rear boundary at each stage of development.
<p>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>(b)(ii) Compliant. The subdivision would not result in the existing dwellings on Lots 1 & 3 being closer than 1.5m to new side boundaries at any stage of development.</p> <p>The proposed dwelling on Lot 2 would be setback a minimum of 3m from all boundaries at all stages of development.</p>
8.4.3 Site coverage and private open space for all dwellings	Not applicable	Assessment
<p>8.4.3–(A1)</p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</p>	<input type="checkbox"/>	<p>(a) Compliant. Site coverage for the existing dwellings on Lots 1 & 3 would not be greater than 50% (at any stage of the development).</p> <p>Site coverage for the new dwelling on Lot 2 would be approximately 14% upon completion.</p> <p>(b) Not applicable. Not multiple dwelling development.</p>

<p>8.4.3–(A2)</p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <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>	<input type="checkbox"/>	<p>(a)(i) Compliant. Private open space for both Lots 1 & 3 would not be less than 24m².</p> <p>The private open space for the proposed dwelling on Lot 2 would be located to the north, west and south of the proposed dwelling and will exceed the requirements of (a) at all stages of development.</p> <p>(a)(ii) Not applicable. Not multiple dwelling development.</p> <p>(b)(i) Compliant for all lots.</p> <p>(b)(ii) Not applicable. Not multiple dwelling development.</p> <p>(c) Compliant. All lots have ample areas for private open space throughout all stages of development.</p> <p>(d) Compliant. The proposed Lot 2 has the ability to provide private open space to the rear and western side of the proposed dwelling that would satisfy the 1 in 10 gradient.</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>	<input checked="" type="checkbox"/>	<p>Not multiple dwelling development.</p>

<p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 8.4):</p> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <p>(i) an outbuilding with a building height not more than 2.4m; or</p> <p>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p>		
<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.</p>	<p><input checked="" type="checkbox"/></p>	<p>No garage or carport proposed that would be within 12m of the frontage.</p>

<p>must have a total width of openings facing the primary frontage of not more than</p> <p>6m or half the width of the frontage (whichever is the lesser).</p>		
8.4.6 Privacy for all dwellings	Not applicable	Assessment
<p>8.4.6-(A1)</p> <p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a 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>	<input type="checkbox"/>	<p>(a) Compliant. The existing dwellings on Lots 1 & 3 do not have 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 within 3m of a side boundary that would change as a result of the subdivision.</p> <p>Compliant. The proposed dwelling for Lot 2 would have a balcony located with a floor level more than 1m above existing ground level and setback 3m from the eastern side boundary and 14m from the western side boundary.</p> <p>(b) Compliant. The existing dwellings on Lots 1 & 3 do not have 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 within 4m of a rear boundary.</p> <p>Compliant. The proposed dwelling for Lot 2 does not have a balcony located with a floor level more than 1m above existing ground level within 4m of a rear boundary.</p>

<p>8.4.6–(A2)</p> <p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <p>(i) is to have a setback of not less than 3m from a side boundary;</p> <p>(ii) is to have a setback of not less than 4m from a rear boundary;</p> <p>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</p> <p>(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><input type="checkbox"/></p>	<p>(a)(i) Compliant. The existing dwellings on Lots 1 & 3 do not have a window or a glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level within 3m of a side boundary that would change as a result of the subdivision.</p> <p>Compliant. The proposed dwelling for Lot 2 does have windows with a floor level more than 1m above existing ground level however are setback 3m from all side boundaries.</p> <p>(a)(ii) Compliant. The existing dwellings on Lots 1 & 3 do not have a window or door to a habitable room, that has a finished surface or floor level more than 1m above existing ground level within 4m from a rear boundary that would change as a result of the subdivision.</p> <p>Compliant. The proposed dwelling for Lot 2 does have windows with a floor level more than 1m above existing ground level, however, are setback 4m or more from the rear boundary.</p> <p>(a)(iii) No multiple dwellings proposed.</p> <p>(a)(iv) No multiple dwellings proposed.</p> <p>(b) Not applicable. The development has satisfied (a).</p>
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<p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>		
<p>8.4.6–(A3)</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p><input type="checkbox"/></p>	<p>(a) Compliant. The access to Lots 2 & 3 is to be shared. The separation to the windows and glazed doors (existing and proposed) will be greater than 2.5m.</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><input checked="" type="checkbox"/></p>	<p>No frontage fence proposed.</p>

<p>A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:</p> <p>(a) provide for security and privacy while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the height and transparency of fences in the street, having regard to:</p> <p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>		
8.4.8 Waste storage for multiple dwellings	Not applicable	Assessment
<p>8.4.8-(A1)</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations:</p> <p>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) a common storage area with an impervious surface that:</p> <p>(i) has a setback of not less than 4.5m from a frontage;</p> <p>(ii) is not less than 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</p>	<input checked="" type="checkbox"/>	Not multiple dwelling development.

8.5 Development Standards for Non-Dwellings		
8.5.1 Non-dwelling development	Not applicable	Assessment
<p>8.5.1–(A1)</p> <p>A building that is not a dwelling, excluding for Food Services, local shop, garage or carport, and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, not less than 4.5m, or if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3.0m, or if the setback from the primary frontage is less than 3.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining properties on the same street.</p>	<input checked="" type="checkbox"/>	Residential subdivision and development.
<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>	<input checked="" type="checkbox"/>	Residential subdivision and development.

<p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side or rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback less than 1.5m from a side or rear boundary if the building:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one-third of the length of the side or rear boundary (whichever is lesser).</p>		
<p>8.5.1–(A3)</p> <p>A building that is not a dwelling, must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) a site area of which not less than 35% is free from impervious surfaces.</p>	<input checked="" type="checkbox"/>	<p>Residential subdivision and development.</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> <ul style="list-style-type: none"> (a) provide for security and privacy while allowing for passive surveillance of the road; and (b) be compatible with the height and transparency of fences in the street, having regard to: <ul style="list-style-type: none"> (i) the topography of the site; and (ii) traffic volumes on the adjoining road. 	<input checked="" type="checkbox"/>	<p>Residential subdivision and development.</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> <ul style="list-style-type: none"> (a) be visible from any road or public open space adjoining the site; or (b) encroach upon parking areas, driveways or landscaped areas. 	<input checked="" type="checkbox"/>	<p>Residential subdivision and development.</p>
<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>	<input checked="" type="checkbox"/>	<p>Residential subdivision and development.</p>

<i>An exemption applies for heat pumps and air conditioners in this zone – see Table 4.6.</i>		
8.5.2 Non-residential garages and carports	Not applicable	Assessment
<p>8.5.2–(A1)</p> <p>A garage or carport not forming part of a dwelling, must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the building gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<input checked="" type="checkbox"/>	Residential subdivision and development.
<p>8.5.2–(A2)</p> <p>A garage or carport not forming part of a dwelling, within 12m of a primary frontage (whether the garage or carport is free-standing) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<input checked="" type="checkbox"/>	Residential subdivision and development.
8.6 Development Standards for Subdivision		
8.6.1 Lot design	Not applicable	Assessment
<p>8.6.1–(A1)</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 450m² and:</p>	<input type="checkbox"/>	<p>Compliant.</p> <p>Lot 1 = 23,110m²</p> <p>Lot 2 = 4,042m²</p> <p>Lot 3 = 2,002m²</p>

<p>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</p> <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>(a)(i) Compliant. Each lot is able to provide sufficient building envelope clear of the required setbacks at each stage of the development.</p> <p>(a)(ii) Compliant. Existing dwellings on Lots 1 & 3 are consistent with all required setbacks at all stages of the development.</p> <p>(b) Refer to (a).</p> <p>(c) Refer to (a).</p> <p>(d) Refer to (a).</p>
<p>8.6.1–(A2)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.</p>	<input type="checkbox"/>	<p>Non-compliant for Lots 2 & 3 which are proposed to be accessed via right of way rather than direct road frontage.</p> <p>Refer to the “Issues” section of this report.</p>
<p>8.6.1–(A3)</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road</p>	<input type="checkbox"/>	<p>Compliant. Each lot would have a vehicular access. Lot 1 will retain the existing access from Main Road. Lots 2 & 3 would obtain access via a right of way from Seaside Crescent.</p>

in accordance with the requirements of the road authority.		
<p>8.6.1–(A4)</p> <p>Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</p>	<input checked="" type="checkbox"/>	No new road.
8.6.2 Roads	Not applicable	Assessment
<p>8.6.2–(A1)</p> <p>The subdivision includes no new roads.</p>	<input checked="" type="checkbox"/>	No new road.
8.6.3 Services	Not applicable	Assessment
<p>8.6.3–(A1)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.</p>	<input type="checkbox"/>	Compliant. Application was referred to TasWater. Refer to TasWater's Submission to Planning Authority Notice in Annexure 4.
<p>8.6.3–(A2)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>	<input type="checkbox"/>	Compliant. Application was referred to TasWater. Refer to TasWater's Submission to Planning Authority Notice in Annexure 4.
<p>8.6.3–(A3)</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<input type="checkbox"/>	Compliant. Application was referred to Council, acting in its capacity as the Stormwater Authority. Conditions and Notes to apply to Permit.

CODES

CODES	NOT APPLICABLE	APPLICABLE
C1.0 Signs Code	<input checked="" type="checkbox"/>	
C2.0 Parking and Sustainable Transport Code	<input 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"/>	
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 type="checkbox"/>	Refer to Table below.
C14.0 Potentially Contaminated Land Code	<input checked="" type="checkbox"/>	
C15.0 Landslip Hazard Code	<input type="checkbox"/>	Refer to Table below.
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
C2.5.1–(A1) The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or	<div><input type="checkbox"/></div>	Compliant. All 3 lots would have ample areas to allow the provisions for 2 car parking spaces. (a)–(d) Not applicable.

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

C2.5.3 Motorcycle parking numbers	Not applicable	Assessment
<p>C2.5.3-(A1)</p> <p>The number of on-site motorcycle parking spaces for all uses must:</p> <p>(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>	☒	Does not apply to residential subdivision.
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 residential subdivision.
C2.5.5 - Number of car parking spaces within General Residential Zone and Inner Residential Zone	Not applicable	Assessment
<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>(b) Food Services uses up to 100m² floor area or 30</p> <p>(c) 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</p>	☒	Does not apply to residential subdivision.

operation specified in the relevant 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>Compliant. The dwelling part of the development has been conditioned accordingly.</p> <p>Does not apply to residential subdivision.</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 style="padding-left: 40px;">(i) have a gradient in accordance with <i>Australian Standard AS 2890 – Parking facilities, Parts 1-6</i>;</p> <p style="padding-left: 40px;">(ii) provide for vehicles to enter and exit the site in</p>	<input type="checkbox"/>	<p>Compliant. The parking, access ways for the dwelling have been conditioned accordingly for the residential dwelling.</p> <p>This does not apply to residential subdivision. No construction of parking, access ways, manoeuvring and circulation spaces required.</p>

<p>a forward direction where 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>(d) be located as close as practicable to the main entry point to the building;</p>	<p><input checked="" type="checkbox"/></p>	<p>Does not apply to residential subdivision.</p>

<p>(e) be incorporated into the overall car park design; and</p> <p>(f) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities</i>.¹</p> <p>¹ Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016</p>		
C2.6.3 Number of accesses for vehicles	Not applicable	Assessment
<p>C2.6.3–(A1)</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses whichever is the greater.</p>	<input type="checkbox"/>	<p>(a) Compliant. The land known as 170 Main Road currently has two accesses. This is not proposed to change. The remaining lots will obtain access via a single right of way for each lot.</p> <p>(b) Refer to (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</p>	<input checked="" type="checkbox"/>	Sites are General Residential Zone.

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.		
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</p>	☒	Ten (10) or more car parking spaces are not required.

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.		
C2.6.6 Loading bays	Not applicable	Assessment
<p>C2.6.6-(A1)</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2-2002 Parking Facilities Part 2: Parking facilities- Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>	<input checked="" type="checkbox"/>	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: Parking facilities- Off-street commercial vehicle facilities</i>.</p>	<input checked="" type="checkbox"/>	Loading bays are not required.
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> <p>(e) be accessible from a road, cycle path, bicycle lane, shared path or access way;</p> <p>(f) be located within 50m from an entrance;</p> <p>(g) be visible from the main entrance or otherwise signed; and</p>	<input checked="" type="checkbox"/>	Sites are General Residential Zone.

<p>(d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of <i>Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements</i>.</p>		
<p>C2.6.7-(A2)</p> <p>Bicycle parking spaces must:</p> <p>(d) have dimensions not less than:</p> <p>(iii) 1.7m in length;</p> <p>(iv) 1.2m in height; and</p> <p>(v) 0.7m in width at the handlebars;</p> <p>(e) 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>(f) 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>Sites are General Residential 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,</p>	<input checked="" type="checkbox"/>	<p>Sites are General Residential Zone.</p>

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>C2.6.8-(A2)</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <p>(d) have no new vehicle accesses, unless an existing access is removed;</p> <p>(e) retain an active street frontage; and</p> <p>(f) not result in parked cars being visible from public places in the adjacent roads.</p>	☒	Sites are General Residential Zone.
C2.7 Parking Precinct Plan		
C2.7.1 Parking precinct plan	Not applicable	Assessment
<p>C2.7.1-(A1)</p> <p>Within a parking precinct plan, on-site parking must:</p> <p>(c) not be provided; or</p> <p>(d) not be increased above existing parking numbers.</p>	☒	Parking precinct plan does not apply to the sites.

C13.0 Bushfire-Prone Areas Code

CLAUSE	COMMENT	
C13.5 Use Standards		
C13.5.1. Vulnerable uses	Not Applicable	Assessment
A1	<input checked="" type="checkbox"/>	Not a vulnerable use.

No Acceptable Solution.		
A2 An emergency management strategy (vulnerable use) is endorsed by the TFS or accredited person.	<input checked="" type="checkbox"/>	Not a vulnerable use.
A3 A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.	<input checked="" type="checkbox"/>	Not a vulnerable use.
C13.5.2. Hazardous uses	Not Applicable	Assessment
A1 No Acceptable Solution.	<input checked="" type="checkbox"/>	Not a hazardous use.
A2 An emergency management strategy (hazardous use) is endorsed by the TFS or accredited person.	<input checked="" type="checkbox"/>	Not a hazardous use.
A3 A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.	<input checked="" type="checkbox"/>	Not a hazardous use.
C13.6 Development Standards for Subdivision		
C13.6.1 Provision of hazard management areas	Not Applicable	Assessment
A1 (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or	<input type="checkbox"/>	(a) Compliant. In accordance with the Bushfire Hazard Report prepared by Planning4Bushfire, dated 24 October 2023. (b) Compliant. The Bushfire Hazard Report prepared by

<p>(b) The proposed plan of subdivision:</p> <p>(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;</p> <p>(ii) shows the building area for each lot;</p> <p>(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of <i>Australian Standard AS3959-2009 Construction of buildings in bushfire-prone areas</i>; and</p> <p>(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than the separation distances required for BAL 19 in Table 2.4.4 of <i>Australian Standard AS3959-2009 Construction of buildings</i></p>		<p>Planning4Bushfire, dated 24 October 2023, including a Part 5 Agreement to allow for bushfire maintenance.</p> <p>(c) Refer to (b).</p>
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<p><i>in bushfire-prone Areas;</i> and</p> <p>(c) if hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>		
<p>C13.6.2 Public and fire fighting access</p>	<p>Not Applicable</p>	<p>Assessment</p>
<p>A1</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas, is included in a bushfire hazard management plan that:</p> <p>(i) demonstrates proposed roads will comply with Table C13.1, proposed property proposed fire trails will comply with Table C13.3 and</p> <p>(ii) is certified by the TFS or an accredited person.</p>	<p><input type="checkbox"/></p>	<p>(a) Refer to (b).</p> <p>(b) Compliant. Bushfire Hazard Report prepared by Planning4Bushfire dated 24 October 2023 advises that the access complies with the relevant table.</p>

C13.6.3 Provision of water supply for fire fighting purposes	Not Applicable	Assessment
<p>A1</p> <p>In areas serviced with reticulated water by the water corporation:</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;</p> <p>(b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table C13.4; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	<p><input type="checkbox"/></p>	<p>(a) Refer to (b).</p> <p>(b) Compliant. The Bushfire Hazard Report prepared by Planning4Bushfire dated 24 October 2023 states that the water supply complies with the relevant table.</p> <p>(c) Refer to (b).</p>
<p>A2</p> <p>In areas that are not serviced by reticulated water by the water corporation:</p> <p>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes;</p> <p>(b) The TFS or an accredited person certifies that a proposed plan of</p>	<p><input checked="" type="checkbox"/></p>	<p>The development is serviced by TasWater reticulated water supply.</p>

<p>subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table C13.5; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>		
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C15.0 Landslip Hazard Code

C15.5 Use Standards		
C15.5.1 Use within a landslip hazard area	Not Applicable	Assessment
A1 No Acceptable Solution.	<input checked="" type="checkbox"/>	
A2 No Acceptable Solution.	<input checked="" type="checkbox"/>	
A3 No Acceptable Solution.	<input checked="" type="checkbox"/>	
A4 No Acceptable Solution.	<input checked="" type="checkbox"/>	
C15.6 Development Standards for Buildings and Works		
C15.6.1 Building and works within a landslip hazard area	Not Applicable	Assessment

A1 No Acceptable Solution.	<input type="checkbox"/>	Works would occur within a landslip hazard band. Refer to the "Issues" section of this report.
C15.7 Development Standards for Subdivision		
C15.7.1 Subdivision within a landslip hazard area	Not Applicable	Assessment
A1 Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area, must: <ul style="list-style-type: none"> (a) be able to contain a building area, vehicle access, and services, that are wholly located outside a landslip hazard area; (b) be for the creation of separate lots for existing buildings; (c) be required for public use by the Crown, a council or a State authority; or (d) be required for the provision of Utilities. 	<input type="checkbox"/>	<ul style="list-style-type: none"> (a) Non-compliant. The proposed building area for Lot 2, including the excavation for the outbuilding, will be within the 'Medium' landslip hazard band. Refer to the "Issues" section of this report. (b) Not applicable. (c) Not applicable. (d) Not applicable.

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

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

Issues –

2 Clause 8.6.1–(A2) – Lot design –

The planning scheme's Acceptable Solution for Clause 8.6.1–(A2) states that "each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m".

Frontage is defined as a "boundary of a lot which abuts a road". Neither Lots 2 nor 3 will have a frontage of 12m. Therefore, the proposed development is discretionary and relies on an assessment against the applicable mandatory Performance Criteria.

As stated in the planning scheme's Clause 5.6.4, the planning authority may consider the relevant Objective in an applicable standard to determine whether a use or development satisfies the Performance Criterion for that standard.

The planning scheme's Clause 8.6.1 – Lot Design Objective states that each lot:

- (d) has an area and dimensions appropriate for use and development in the zone;

Planner's comments: Each lot would include sufficient space for a compliant building envelope as per the Acceptable Solutions.

- (e) is provided with appropriate access to a road;

Planner's comments: Lot 1 would retain the existing access. Lots 2 & 3 would be accessed via a private right of way.

- (f) contains areas which are suitable for development appropriate in the zone purpose, located to avoid natural hazards; and

Planner's comments: The application includes reports demonstrating compliance with applicable natural hazards, being bushfire and landslip.

- (g) is orientated to provide solar access for future dwellings.

Planner's comments: Each lot would have sufficient room for dwellings to be orientated north.

The planning scheme's Performance Criteria for Clause 8.6.1-(P2) states that each lot in a plan of subdivision must be provided with a frontage or legal connection to a road by a right of way arrangement, that is sufficient for the intended use, having regard to:

- (a) the width of frontage proposed, if any;

Planner's comments: Lot 1 would retain existing frontage to Main Road and Seaside Crescent, greater than 12m. The remaining two lots would have no road frontage and would be accessed via a right of way over other lots.

- (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;

Planner's comments: Two lots would have access via the right of way as their sole means of access.

- (c) the topography of the site;

Planner's comments: The development sites are moderately sloped, as are the proposed new access points (rights of way).

- (d) the functionality and useability of the frontage;

Planner's comments: Council, acting as the Road Authority, are satisfied with the access arrangements. Conditions and Notes to be included with the Permit.

- (e) the ability to manoeuvre vehicles on the site; and

Planner's comments: Council, acting as the Road Authority, are satisfied with the access and manoeuvrability arrangements. The subdivision layout plan shows adequate turning capability for each access strip.

- (f) the pattern of development existing on established properties in the area.

Planner's comments: The majority of lots in the area are accessed via standard frontages and driveways. There are a

number of lots that were created under a previous planning scheme that have, effectively, a precursor to this proposed arrangement, along Seaside Crescent.

The pattern of development on established properties in the area consist of single dwellings and associated outbuildings.

Conclusion: It is considered that the application has demonstrated compliance with the mandatory Performance Criterion in relation to lot design. Regarding the Objective for this Clause, it is considered that the proposed subdivision can satisfy each part of the Objective. Each lot would have an area and dimensions suitable for residential use and development in the Zone; each lot would have a lawful access to Main Road or Seaside Crescent; each lot would have an area for building or, in relation to Lots 1 & 3, contain existing development; and each lot would be oriented to provide solar access for future dwellings.

3 *Reliance on C15.0 Landslip Hazard Code –*

The planning scheme's Acceptable Solution for Clause C15.6.1-(A1) provides no Acceptable Solution. Therefore, the proposed development is discretionary and relies on an assessment against the applicable, mandatory Performance Criteria.

The planning scheme's Performance Criteria for Clause C15.6.1-(P1.1) states that buildings and works within a landslip hazard area must minimise the likelihood of triggering a landslip event and achieve and maintain a tolerable risk from landslip, having regard to:

- (a) The type, form, scale and intended duration of the development;

Planner's comment: The proposal is for subdivision and a single dwelling and outbuilding.

- (b) Whether any increase in the level of risk from a landslip requires any specific hazard reduction or protection measures;

Planner's comment: The application included a Geotechnical Investigation and Landslide Risk Assessment prepared by Tasman Geotechnics, dated 8 September 2023, which states *"The proposed subdivision works will not result in any increase in risk from a landslip for adjacent land, assuming the recommendations in the report are followed."*

- (c) Any advice from a State authority, regulated entity or a council;
and

Planner's comment: All recommendations and advice from TasWater and the Council have been incorporated into the conditions and notes for any permit to be issued.

- (d) The advice contained in a landslip hazard report.

Planner's comment: The application included a Geotechnical Investigation and Landslide Risk Assessment prepared by Tasman Geotechnics, dated 8 September 2023, which states *"The proposed subdivision works will not result in any increase in risk from a landslip for adjacent land, assuming the recommendations in the report are followed... a tolerable level of risk can be achieved for the proposed works, provided the works of the site are in accordance with the recommendations in Sections 7.2 to 7.5"*.

The planning scheme's Performance Criteria for Clause C15.6.1-(P1.2) states that a landslip hazard report also demonstrates that the buildings and works do not cause or contribute to landslip on the site, on adjacent land or public infrastructure.

Planner's comment: The application included a Geotechnical Investigation and Landslide Risk Assessment prepared by GeoTon Pty Ltd, dated 8 September 2023, which states *"It is considered that the works would not adversely impact on the site and immediate surrounds, including land or public infrastructure, provided that the development adheres to the principles of good hillside practice and the recommendations provided in Sections 7.2 to 7.5."*

The planning scheme's Performance Criteria for Clause C15.6.1-(P1.3) states that if landslip reduction or protection measures are required beyond the boundary of the site, the consent in writing of the owner of that land must be provided for that land to be managed in accordance with the specific hazard reduction or protection measures.

Planner's comment: The application included a Geotechnical Investigation and Landslide Risk Assessment prepared by GeoTon Pty Ltd, dated 8 September 2023, which states such measures *"will not be required as part of the development"*.

The planning scheme's Performance Criteria for Clause C15.7.1–(P1) Subdivision within a landslip hazard area, states each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area must not create an opportunity for use or development that cannot achieve a tolerable risk from landslip, having regard to:

- (a) Any increase in risk from landslip for adjacent land;

Planner's comment: The application included a Geotechnical Investigation and Landslide Risk Assessment prepared by GeoTon Pty Ltd, dated 8 September 2023, which states that *"the works would not adversely impact on the site and immediate surrounds... provided that the development adheres to the principles of good hillside practice and the recommendations provided in Sections 7.2 to 7.5"*.

- (b) The level of risk to use or development arising from an increased reliance on public infrastructure;

Planner's comment: The Geotechnical Investigation and Landslide Risk Assessment prepared by GeoTon Pty Ltd, dated 8 September 2023, which states that *"the works would not adversely impact on... public infrastructure..."*.

- (c) The need to minimise future remediation works;

Planner's comment: The Geotechnical Investigation and Landslide Risk Assessment prepared GeoTon Pty Ltd, dated 8 September 2023 states certain conditions under which development is to occur in order to achieve *"a tolerable level of risk"*.

- (d) Any loss or substantial compromise, by a landslip, of access to the lot on or off site;

Planner's comment: The Geotechnical Investigation and Landslide Risk Assessment prepared by GeoTon Pty Ltd, dated 8 September 2023 which states that *"a tolerable level of risk can be achieved for the proposed works, provided that the development adheres to the principles of good hillside practice and the recommendations provided in Sections 7.2 to 7.5"*.

- (e) The need to locate building areas outside the landslip hazard area;

Planner's comment: The proposal includes application for a single dwelling. There is no need to locate building areas outside the landslip hazard area as the proposal is accompanied by a geotechnical assessment.

- (f) Any advice from a State authority, regulated entity or a council; and

Planner's comments: The Council, acting as a Road Authority, have no issues with this proposal. Conditions and notes have been included in the Permit under Infrastructure Services. TasWater have provided conditions and notes to include on any permit issued under TasWater's Submission to a Planning Authority Notice TWDA2023/0441-CC.

- (g) The advice contained in a landslip hazard report.

Planner's comment: The application included a Geotechnical Investigation and Landslide Risk Assessment prepared by GeoTon Pty Ltd, dated 8 September 2023 which states that *"a tolerable level of risk can be achieved for the proposed works, provided that the development adheres to the principles of good hillside practice and the recommendations provided in Sections 7.2 to 7.5"*.

Conclusion: It is considered that the application has demonstrated compliance with the mandatory Performance Criterion in relation to the Planning Scheme's *C15.0 Landslip Hazard Code*, through the findings and recommendations made in the Geotechnical Investigation and Landslide Risk Assessment, prepared by Geoton Pty Ltd.

Regarding the Objective for this Clause, it is considered that the Geotechnical Investigation and Landslide Risk Assessment also demonstrates that the proposed subdivision can achieve a tolerable risk in accordance with the recommendations outlined 7.2 to 7.5 of the report.

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

Section 84 of The *Local Government (Building and Miscellaneous Provisions) Act 1993 (LGBMP)* provides that a Council does not approve a subdivision where lots do not have the qualities of a minimum lot, any lots smaller than required in a Planning Scheme, or works involving

drainage to a drain or culvert belonging to a State road, without State authority.

In this case, the proposal has demonstrated that all lots can satisfy the planning scheme's lot size requirement.

Section 85 of the LGBMP provides the Council with power to refuse a subdivision where roads would not be satisfactory, drainage would not be satisfactory, land is not suitable for effluent disposal, site or layout would make servicing unduly expensive, the layout should be altered to include or omit various matters including blind roads, access to the rear of lots, littoral and riparian reserves, preservation of trees and shrubs, and whether adjoining land should be included in the subdivision.

All lots proposed would connect to reticulated services and have access to the road network.

It is considered that the requirements of the LGBMP have been satisfied.

5 *Public Open Space Contribution –*

Section 116 of the LGBMP allows the Council to secure public open space in a subdivision. The circumstances of when and where, and the form of public open space is to be required, are provided for in the Council's *Public Open Space Contributions Policy 2019*.

The Council's *Public Open Space Contributions Policy 2019* requires a contribution for any residential subdivision where new lots are created. This is either by way of land, where there is a deficiency of public open space, or by a cash-in-lieu payment. In this instance, there is no land required to be taken for public open space.

In accordance with the *Public Open Space Contributions Policy 2019*, a 5% cash-in-lieu contribution is to be paid, based on the unimproved value of one lot, as only one additional lot is being created. The public open space contribution is required to provide for the provision or improvement of public open space of local, district or regional value. Lot 2 has been the selected lot for the public open space contribution based on the fact that both Lots 1 & 3 are existing and include reconfiguration of boundaries. This will require a condition on the Permit. Public open space contribution for the new lot would be \$2,772.86.

Referral advice –

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	Not applicable.
Building	Not applicable.
Engineering	Conditions and Notes to be included with the Permit.
TasWater	Submission to Planning Authority Notice to be included with Permit.
Department of State Growth	Not applicable.
Environment Protection Authority	Not applicable.
TasRail	Not applicable.
Heritage Tasmania	Not applicable.
Crown Land Services	Not applicable.
Other	Not applicable.

CONSULTATION

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

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

Representations –

One valid representation was received, a copy of which is provided at Annexure 3. It is noted that another representation was received and subsequently

withdrawn.

The representation is summarised and responded to as follows:

REPRESENTATION NO. 1	
MATTER RAISED	COMMENTS
1 Extension of stormwater drains in proposed Lot 2 is not allowed/is not approved by Council engineers.	<p>The application includes works proposed within the drainage easements on the site. Standard conditions on any permit issued include the requirement that engineering drawings are to be submitted to Council's Infrastructure Services for approval prior to works being undertaken.</p> <p>If any additional works are proposed, the developer is responsible for ensuring that TasWater infrastructure is protected and the relevant requirements under the applicable legislation are complied with.</p>
2 Proposed drainage works would be in close proximity to sewer lines.	<p>The <i>Water and Sewerage Industry Act 2008</i> dictates how construction and works within close proximity to TasWater infrastructure is to occur. The application was referred to TasWater who have provided a response in the form of conditions and notes on TWDA 2023/01441-CC.</p> <p>If any additional works are proposed, the developer is responsible for ensuring that TasWater infrastructure is protected and the relevant requirements under the applicable legislation are complied with.</p>
3 Risk of erosion to 11, 13-15 and 17 Seaside Crescent as a result of proposed works.	<p>No works are shown that would be in proximity to 11, 13-15 or 17 Seaside Crescent. If additional works are proposed, the developer is responsible for ensuring that the relevant</p>

	requirements under the applicable legislation are complied with.
4 Risk to infrastructure on 11, 13-15 and 17 Seaside Crescent if engineering checks and protocols are not adhered to.	No works are shown that would be in proximity to 11, 13-15 or 17 Seaside Crescent. If additional works are proposed, the developer is responsible for ensuring the relevant requirements under applicable legislation are complied with.
5 Listed properties have no recourse for damage to their properties from unapproved works.	Noted. The <i>Land Use Planning and Approvals Act 1993</i> specifies no provision to consider this in assessments of applications for development.
6 Request for condition to the effect that works must be signed off by Council representatives.	Standard condition(s) to this effect are included on all planning permits issued (where applicable).

RESOURCE, FINANCIAL AND RISK IMPACTS

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

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

CONCLUSION

The representation received does not warrant refusal of the proposed development for Subdivision - 2 residential lots into 3 (staged) including construction of a single dwelling and outbuilding. 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 application DA2023273 for Subdivision – 2 residential lots into 3 (staged), including construction of a single dwelling and outbuilding – Lot design; reliance on *C13.0 Bushfire-Prone Areas Code* and *C15.0 Landslip Hazard Code* at 170 Main Road & 9A Seaside Crescent, Penguin be approved, subject to the following conditions:

Subdivision:

- 1 The development must be substantially in accordance with the plans by PLA Designs, Drawing No. 23113:
 - (a) Sheet 01, Revision G, dated 24 October 2023;
 - (b) Sheet 02, Revision B, dated 10 October 2023;
 - (c) Sheets 03 & 04, Revision H, dated 24 October 2023;
 - (d) Sheet 05, Revision C, dated 18 October 2023; and
 - (e) Sheet 06, Revision D, dated 24 October 2023.
- 2 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2023/01441-CC dated 23 October 2023.
- 3 The development must be in accordance with the recommendations of the Geotechnical Investigation and Landslide Risk Assessment by GeoTon Pty Ltd, Document Reference GL23546Ab, dated 8 September 2023.
- 4 The development must be in accordance with the Bushfire Hazard Report by Planning4Bushfire, Report Reference 23113-B, dated 24 October 2023.
- 5 Public Open Space contribution of \$2,772.86 must be paid prior to the sealing of the Final Plan of Survey. This cash-in-lieu of public open space contribution equates to 5% of the unimproved value of Lot 2.
- 6 Prior to the endorsement of the Final Plan of Survey, the owner of the land must submit and enter into a Part 5 Agreement with the Central Coast Council under section 71 of the *Land Use Planning and Approvals*

Act 1993. The Part 5 Agreement is to set out the following matters to the satisfaction of the General Manager:

- (a) Works must be undertaken in accordance with the Bushfire Hazard Management Plan prepared by Planning4Bushfire within the Bushfire Hazard Report.
 - (b) Agreement is to be between the owners of proposed Lots 1, 2 & 3.
 - (c) Council has no liability for the ongoing maintenance of the Bushfire Hazard Management Plan and no liability action would be taken on Council if the Bushfire Hazard Management Plan has not been adhered to by the property owners.
 - (d) Yearly statutory declarations must be provided to the Council outlining that all requirements within the Bushfire Hazard Management Plan have been adhered to.
- 7 Execution of the Part 5 Agreement, including drafting and registration of the Agreement against the respective Title, must be at the developer's expense.

Infrastructure Services:

- 8 Crossover and driveway aprons from the registered and proposed right of way must be used as road access to the development as shown on the Proposed Subdivision Plan – Stage 1 by PLA Designs, Drawing No. 23113-03 Rev. H dated 24 October 2023.
- 9 Damage or disturbance to roads, stormwater infrastructure, 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 and at the developer's cost.
- 10 During works and until all exposed soil areas are permanently stabilised against erosion, the developer must minimise on-site erosion and the release of sediment or sediment laden stormwater from the site and work areas in accordance with the 'Soil and Water Management on Standard Building and Construction Sites – Fact Sheet 2' published by the Environment Protection Authority.

- 11 A new underground stormwater connection to the Council's underground stormwater infrastructure must be provided to service each lot, unless it can be demonstrated to the satisfaction of the Council's Director Infrastructure that a lot is already suitably connected to the Council's stormwater system.
- 12 Stormwater drainage and associated infrastructure must be provided in accordance with the Tasmanian Standard Drawings, unless otherwise required or approved by the Council's Director Infrastructure Services.
- 13 Prior to commencement of works, the detailed design of stormwater management system for the proposed lots, designed by a suitably qualified person, must be submitted for approval by the Council's Director Infrastructure Services. This must include:
 - (a) The design of stormwater detention system as per Council's *Stormwater Detention Policy 2022* for proposed lots;
 - (b) A downstream analysis to be undertaken on any stormwater system into which stormwater discharges from the subdivision considering the extreme rainfall events, as mentioned in Council's *Stormwater Detention Policy 2022*;
 - (c) Any stormwater system in which the downstream analysis has indicated that there is a lack of capacity to adequately cope with the additional stormwater discharge from the subdivision must be upgraded, relative to the scenarios detailed above; and
 - (d) The proposal, based on the above analysis, must be for stormwater detention system or upgrade of downstream stormwater system or the combination of both.
- 14 Prior to commencement of works, the developer must submit an application for 'Install Stormwater Point' for any work associated with existing stormwater infrastructure. Works must be undertaken by the Council, unless alternative arrangements are approved by the Council's Director Infrastructure Services at the developer's cost. Drainage costs as listed in the Council's Fees and Charges register apply.
- 15 Prior to sealing of the Final Plan of Survey, the developer must complete all infrastructure services works and provide the Council with evidence of completed works, including as-constructed drawings.

- 16 During works and until all exposed soil areas are permanently stabilized 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 Environment Protection Authority.
- 17 All works or activity listed above must be at the developer's cost.

Single dwelling and outbuilding:

- 18 The development of the dwelling must be substantially in accordance with the plans by PLA Designs Pty Ltd, Drawing No. 23113:
- (a) Sheet 07, Revision C, dated 24 October 2023;
 - (b) Sheet 08, Revision A, dated 29 September 2023; and
 - (c) Sheet 09, Revision B, dated 24 October 2023.
- 19 Development of the outbuilding must be substantially in accordance with the plans by NowBuildings (3 sheets), Project Oates000035465, date stamped 12 October 2023.
- 20 All parking, access ways, manoeuvring and circulation spaces must:
- (a) be constructed with a durable all-weather pavement;
 - (b) be drained to the public stormwater system; and
 - (c) be surfaced by a spray seal, asphalt, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.

Infrastructure Services:

- 21 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.

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 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 If any additional site works are proposed, particularly in relation or close proximity to the drainage or sewer line that runs to the rear of the property, the developer is responsible for ensuring that TasWater and Council infrastructure is protected and the relevant requirements under the applicable legislation are complied with. This includes, but is not limited to, the *Land Use Planning and Approvals Act 1993*, *Urban Drainage Act 2013* and *Local Government (Building and Miscellaneous Provisions) Act 1993*.

Infrastructure Services:

- 5 Prior to commencement of works in the road reservation, the developer must obtain a "Works in Road Reservation (Permit)".
- 6 Prior to commencement of works, the developer must submit an application for 'Roadworks Authority' (or a 'Private Works Authority'). Roadworks Authority rates as listed in the Council's Fees and Charges register apply.
- 7 Works 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.'

The report is supported."

The Executive Services Officer reported as follows:

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

- Cr Carpenter moved and Cr Viney seconded, “That application DA2023273 for Subdivision – 2 residential lots into 3 (staged) including construction of a single dwelling and outbuilding – Lot design; reliance on *C13.0 Bushfire-Prone Areas Code* and *C15.0 Landslip Hazard Code* at 170 Main Road & 9A Seaside Crescent, Penguin be approved, subject to the following conditions:

Subdivision:

- 1 The development must be substantially in accordance with the plans by PLA Designs, Drawing No. 23113:
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 - (c) Sheets 03 & 04, Revision H, dated 24 October 2023;
 - (d) Sheet 05, Revision C, dated 18 October 2023; and
 - (e) Sheet 06, Revision D, dated 24 October 2023.
- 2 The development must be in accordance with the conditions of TasWater's Submission to Planning Authority Notice, Reference No. TWDA 2023/01441-CC dated 23 October 2023.
- 3 The development must be in accordance with the recommendations of the Geotechnical Investigation and Landslide Risk Assessment by GeoTon Pty Ltd, Document Reference GL23546Ab, dated 8 September 2023.
- 4 The development must be in accordance with the Bushfire Hazard Report by Planning4Bushfire, Report Reference 23113-B, dated 24 October 2023.
- 5 Public Open Space contribution of \$2,772.86 must be paid prior to the sealing of the Final Plan of Survey. This cash-in-lieu of public open space contribution equates to 5% of the unimproved value of Lot 2.
- 6 Prior to the endorsement of the Final Plan of Survey, the owner of the land must submit and enter into a Part 5 Agreement with the Central Coast Council under section 71 of the *Land Use Planning and Approvals Act 1993*. The Part 5 Agreement is to set out the following matters to the satisfaction of the General Manager:

- (a) Works must be undertaken in accordance with the Bushfire Hazard Management Plan prepared by Planning4Bushfire within the Bushfire Hazard Report.
 - (b) Agreement is to be between the owners of proposed Lots 1, 2 & 3.
 - (c) Council has no liability for the ongoing maintenance of the Bushfire Hazard Management Plan and no liability action would be taken on Council if the Bushfire Hazard Management Plan has not been adhered to by the property owners.
 - (d) Yearly statutory declarations must be provided to the Council outlining that all requirements within the Bushfire Hazard Management Plan have been adhered to.
- 7 Execution of the Part 5 Agreement, including drafting and registration of the Agreement against the respective Title, must be at the developer's expense.

Infrastructure Services:

- 8 Crossover and driveway aprons from the registered and proposed right of way must be used as road access to the development as shown on the Proposed Subdivision Plan – Stage 1 by PLA Designs, Drawing No. 23113-03 Rev. H dated 24 October 2023.
- 9 Damage or disturbance to roads, stormwater infrastructure, 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 and at the developer's cost.
- 10 During works and until all exposed soil areas are permanently stabilised against erosion, the developer must minimise on-site erosion and the release of sediment or sediment laden stormwater from the site and work areas in accordance with the 'Soil and Water Management on Standard Building and Construction Sites – Fact Sheet 2' published by the Environment Protection Authority.
- 11 A new underground stormwater connection to the Council's underground stormwater infrastructure must be provided to service each lot, unless it can be demonstrated to the satisfaction of the Council's Director Infrastructure that a lot is already suitably connected to the Council's stormwater system.
- 12 Stormwater drainage and associated infrastructure must be provided in accordance with the Tasmanian Standard Drawings, unless otherwise required or approved by the Council's Director Infrastructure Services.

- 13 Prior to commencement of works, the detailed design of stormwater management system for the proposed lots, designed by a suitably qualified person, must be submitted for approval by the Council's Director Infrastructure Services. This must include:
- (a) The design of stormwater detention system as per Council's *Stormwater Detention Policy 2022* for proposed lots;
 - (b) A downstream analysis to be undertaken on any stormwater system into which stormwater discharges from the subdivision considering the extreme rainfall events, as mentioned in Council's *Stormwater Detention Policy 2022*;
 - (c) Any stormwater system in which the downstream analysis has indicated that there is a lack of capacity to adequately cope with the additional stormwater discharge from the subdivision must be upgraded, relative to the scenarios detailed above; and
 - (d) The proposal, based on the above analysis, must be for stormwater detention system or upgrade of downstream stormwater system or the combination of both.
- 14 Prior to commencement of works, the developer must submit an application for 'Install Stormwater Point' for any work associated with existing stormwater infrastructure. Works must be undertaken by the Council, unless alternative arrangements are approved by the Council's Director Infrastructure Services at the developer's cost. Drainage costs as listed in the Council's Fees and Charges register apply.
- 15 Prior to sealing of the Final Plan of Survey, the developer must complete all infrastructure services works and provide the Council with evidence of completed works, including as-constructed drawings.
- 16 During works and until all exposed soil areas are permanently stabilized 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 Environment Protection Authority.
- 17 All works or activity listed above must be at the developer's cost.

Single dwelling and outbuilding:

- 18 The development of the dwelling must be substantially in accordance with the plans by PLA Designs Pty Ltd, Drawing No. 23113:

- (a) Sheet 07, Revision C, dated 24 October 2023;
 - (b) Sheet 08, Revision A, dated 29 September 2023; and
 - (c) Sheet 09, Revision B, dated 24 October 2023.
- 19 Development of the outbuilding must be substantially in accordance with the plans by NowBuildings (3 sheets), Project Oates000035465, date stamped 12 October 2023.
- 20 All parking, access ways, manoeuvring and circulation spaces must:
- (a) be constructed with a durable all-weather pavement;
 - (b) be drained to the public stormwater system; and
 - (c) be surfaced by a spray seal, asphalt, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.

Infrastructure Services:

- 21 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.

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 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 If any additional site works are proposed, particularly in relation or close proximity to the drainage or sewer line that runs to the rear of the property, the developer is responsible for ensuring that TasWater and Council infrastructure is protected and the relevant requirements under the applicable legislation are complied with. This includes, but is not limited to, the *Land Use Planning and Approvals Act 1993*, *Urban Drainage Act 2013* and *Local Government (Building and Miscellaneous Provisions) Act 1993*.

Infrastructure Services:

- 5 Prior to commencement of works in the road reservation, the developer must obtain a "Works in Road Reservation (Permit)".
- 6 Prior to commencement of works, the developer must submit an application for 'Roadworks Authority' (or a 'Private Works Authority'). Roadworks Authority rates as listed in the Council's Fees and Charges register apply.
- 7 Works 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."

Carried unanimously

383/2023 Application No. DA2023049 lodged as Food services and General retail and hire, properly assessed as Community meeting and entertainment at 886 Ironcliffe Road, Penguin

The Mayor reported that this matter no longer requires consideration at the meeting. The Director Community, Growth and Development's report on this matter is available in the 11 December 2023 Council meeting agenda (Agenda Item 12.15).

INFRASTRUCTURE SERVICES

384/2023 Infrastructure Services determinations

The Director Infrastructure Services reported as follows:

“A Schedule of Infrastructure Services Determinations made during the month of November 2023 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

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

Carried unanimously

**385/2023 Extension of tenders for the provision of maintenance services for 2020–2023
(352/2019 – 18.11.2019)**

The Director Infrastructure Services reported as follows:

“The Manager Asset Services has prepared the following report:

PURPOSE

The purpose of this report is to consider the extension of tenders received for the provision of Cleaning Services, Gardening Services, Electrical Maintenance, Essential Safety Maintenance, Plumbing and Security for 2020–2023.

BACKGROUND

The Council requires the services listed to be undertaken by contractors to support its day labour workforce in the asset maintenance and operations of the Council’s buildings and facilities.

The tender process for the above services is based on a three-year cycle with the Council having the option to extend for a period of one plus one years’ period if any price rise can be negotiated and the service provided has been to the Council’s satisfaction.

All tenders for the listed services are set to expire on 31 December 2023.

DISCUSSION

The Code of Tenders and Contracts (the Code) is to provide a policy framework on best practice tendering and procurement methods in line with the legislative requirements of the *Local Government Act 1993* and the *Local Government (General) Regulations 2015*.

The current contracts for the above services allows for the extension for a period of one plus one years.

In accordance with the Code the contracts can be extended:

- . By an absolute majority of the Council.
- . Following a full evaluation of the performance of the current contractor.
- . Where the principles of open and effective competition are protected.

Council has undertaken the evaluation of the performance for each of the tenderers using the assessment criteria:

- . Capability, skills and experience
- . Quality of work
- . Time performance
- . Achieving deadlines
- . Flexibility

Through this evaluation each of the current tenderers have satisfactorily met all requirements and are recommended to be offered a one year extension of their respective service contract.

A copy of the confidential Contract Evaluations is appended to this report.

These tenderers and associated contacts are:

- . Plumbing – Contract no 8/2019–2020, Brett Gleeson Plumbing
- . Essential Safety Maintenance – Contract no 10/2019–2020, ETCS Electrical & Fire
- . Security – Contract no 11/2019–2020, Southern Cross Protection
- . Cleaning Services – Contract no 12/2019–2020, S & K Design Building
- . Gardening Services – Contract no 13/2019–2020, S & K Design Building
- . Electrical Maintenance – Contract no 19/2019–2020, Cradle Coast Electrical

CONSULTATION

Consultation has been undertaken within the Infrastructure Services Department and Council's Facilities Asset Management Team. Contact has been made with each of the contractors to discuss the possibility of contract extensions. All contractors have indicated a willingness to extend.

RESOURCE, FINANCIAL AND RISK IMPACTS

The provision of these services can be accommodated within the maintenance/operations budgets in the various cost centres.

Risks associated with these services are that maintenance and operational programs may not be completed in an appropriate time and manner.

The original tender amount, the current tender amount and proposed contract extension amounts are listed below.

Plumbing – Contract no 8/2019–2020, Brett Gleeson Plumbing

TENDERER PLUMBING SERVICES	ORIGINAL PER HOUR PRICE \$ (EX. GST)	CURRENT PER HOUR PRICE \$ (EX. GST)	PROPOSE PER HOUR PRICE \$ (EX. GST)
Brett Gleeson Plumbing	\$70.00	\$70.00	\$70.00

For the 2022–2023 financial year, \$235,316.19 (ex. GST) of services were delivered to Council by Brett Gleeson Plumbing. This includes plant, labour and materials.

Essential Safety Maintenance – Contract no 10/2019–2020, ETCS Electrical & Fire

TENDERER ESSENTIAL SAFETY MAINTENANCE	ORIGINAL PER HOUR PRICE \$ (EX. GST)	CURRENT PER ANNUM PRICE \$ (EX. GST)	PROPOSE PER ANNUM PRICE \$ (EX. GST)
ETCS Electrical & Fire			
Electrical Inspection	\$55.00	\$55.00	\$55.00
Fire Inspection	\$5.50	\$5.50	\$5.50

For the 2022–2023 financial year, \$60,161.37 (ex. GST) of services were delivered to Council by ETCS Electrical & Fire. This includes plant, labour and materials.

Security – Contract no 11/2019–2020, Southern Cross Protection

TENDERER SECURITY	ORIGINAL PER ANNUM PRICE \$ (EX. GST)	CURRENT PER ANNUM PRICE \$ (EX. GST)	PROPOSE PER ANNUM PRICE \$ (EX. GST)
Southern Cross Protection	\$69,002.04	\$71,602.02	\$71,602.02

Cleaning Services – Contract no 12/2019–2020, S & K Design Building

TENDERER CLEANING SERVICES	ORIGINAL PER ANNUM PRICE \$ (EX. GST)	CURRENT PER ANNUM PRICE \$ (EX. GST)	PROPOSE PER ANNUM PRICE \$ (EX. GST)
S & K Design Building	\$58,821.84	\$58,821.84	\$58,821.84

Gardening Services – Contract no 13/2019–2020, S & K Design Building

TENDERER GARDENING SERVICES	ORIGINAL PER ANNUM PRICE \$ (EX. GST)	CURRENT PER ANNUM PRICE \$ (EX. GST)	PROPOSE PER ANNUM PRICE \$ (EX. GST)
S & K Design Building	\$44,880.00	\$44,880.00	\$44,880.00

Electrical Maintenance – Contract no 19/2019–2020, Cradle Coast Electrical

TENDERER ELECTRICAL SERVICES	ORIGINAL PER HOUR PRICE \$ (EX. GST)	CURRENT PER HOUR PRICE \$ (EX. GST)	PROPOSE PER HOUR PRICE \$ (EX. GST)
Cradle Coast Electrical	\$60.00	\$60.00	\$60.00

For the 2022–2023 financial year, \$256,200.28 (ex. GST) of services were delivered to Council by Cradle Coast Electrical. This includes plant, labour and materials.

CORPORATE COMPLIANCE

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

The Environment and Sustainable Infrastructure

. Develop and manage sustainable built infrastructure

Council Sustainability and Governance

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

CONCLUSION

It is recommended that the Council approve the following contract extensions for one year, to 31 December 2024:

- 1 S & K Design Building for the provision of Cleaning Services 2020–2023, contract no 12/2019–2020;
- 2 S & K Design Building for the provision of Gardening Services 2020–2023, contract no 13/2019–2020;
- 3 Cradle Coast Electrical for the provision of General Electrical Maintenance Services 2020–2023, contract no 19/2019–2020;
- 4 ETCS Electrical & Fire for the provision of Maintenance of Essential Safety and Health Services 2020–2023, contract no 10/2019–2020;
- 5 Brett Gleeson Plumbing for the provision of General Plumbing Maintenance Services 2020–2023, contract no 8/2019–2020; and
- 6 Southern Cross Security Pty Ltd for the provision of Security Services 2020–2023, contract no 11/2019–2020.'

The Manager Asset Services' report is supported."

The Executive Services Officer reported as follows:

"A copy of the confidential Contract Evaluations has been circulated to all Councillors."

■ Cr Viney moved and Cr Carpenter seconded, "That the Council approve the following contract extensions for one year, to 31 December 2024:

- 1 S & K Design Building for the provision of Cleaning Services 2020–2023, contract no 12/2019–2020;
- 2 S & K Design Building for the provision of Gardening Services 2020–2023, contract no 13/2019–2020;
- 3 Cradle Coast Electrical for the provision of General Electrical Maintenance Services 2020–2023, contract no 19/2019–2020;

- 4 ETCS Electrical & Fire for the provision of Maintenance of Essential Safety and Health Services 2020–2023, contract no 10/2019–2020;
- 5 Brett Gleeson Plumbing for the provision of General Plumbing Maintenance Services 2020–2023, contract no 8/2019–2020; and
- 6 Southern Cross Security Pty Ltd for the provision of Security Services 2020–2023, contract no 11/2019–2020.”

Carried unanimously

CORPORATE SERVICES

386/2023 Statutory determinations

The Director Corporate Services reported as follows:

“A Schedule of Statutory Determinations made during the month of November 2023 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr Hiscutt moved and Cr Lehmann seconded, “That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

387/2023 Public question time

The Mayor introduced public question time at 6.40pm. A summary of questions and answers is provided below.

In person – Warren Barker – Penguin

Question 1 –

I would like the Council to provide more patrols on the beaches around Penguin and Sulphur Creek, especially at low tide, as there are dogs barking constantly, sometimes for two and a half hours. The walk along the foreshore is being spoilt by a few dog owners not obeying the rules.

Response –

The Director Corporate Services responded that the Council values this feedback and considers feedback when scheduling patrols. The Council are currently patrolling Penguin beaches at least once a day.

Question 2 –

My question concerns an item that is exhibited in the Hive related to Barker's piggery. The plaque attached to the exhibit incorrectly states that the piggery was started in 1932 and that sometimes the effluent would spread onto the highway. None of the research is true and my father would have been insulted to see these mistakes.

The Penguin History Group would be happy to provide more accurate information.

Response –

The Director Community, Growth and Development responded that the Council will review the exhibit information and that staff and volunteers at the Hive would be mortified to know that one of our most eminent local historians was offended by any inaccuracies. The Director stated that any inaccurate information will be corrected.

The Mayor apologised on behalf of the Council if the Barker family has been misrepresented and assured Mr Barker that this will be rectified as soon as possible.

In person – Michael Haney – Ulverstone

Question 1 –

My question is in relation to the Fairway Park carpark and access to other users. When cars are parked in designated parking spaces, they are blocking access to more direct

footpaths for mobility scooters and prams. The placement of disabled parking or access signs in these areas would help rectify the situation.

I would also like to thank the Councillors for all the good work you have done, including the community conversations.

Response –

The Director Infrastructure Services responded that the question will be taken on notice and noted that similar access issues may occur in other local carparks. The Director noted that the suggestion has merit and will be investigated.

The Mayor responded that this issue could also be considered by the Council's Disability Access and Inclusion Working Group. The Mayor noted that the Director Community, Growth and Development will relate this issue to the working group.

Via email – John Richardson – Leith

Question 1 –

“Given comments made by some councillors at the Council meeting on 20 November 2022 and Petition Report 340/2023 appear to indicate the Council and councillors accept 626 Central Coast ratepayers/residents signed a Petition received by the Council on 14 November 2023 asking the Council to develop a footpath connecting Forth Village to Turners Beach, what is the total number of signatories recorded on the Petition pages lodged with the Council, how many signatories are not members of the Central Coast Council community and how many signatories signed the petition more than once?”

Response –

The General Manager responded that the central proposition of your enquiry appears to be that the Council did not adequately review the signatories of the petition and in particular, their addresses.

The petition to develop a footpath connecting Forth Village and Turners Beach had a total number of signatories of 630. Four of the signatories clearly did not contain a signature, five others were unclear.

The Council does not have its own policy on petitions, but rather relies on sections 57 to 60 of the *Local Government Act 1993* (the Act) for guidance on the compliance and management of petitions.

Under the Act, there is no requirement for signatories to be electors in the municipal area in which the petition is lodged.

Given the nature of paper petitions (differences in handwriting and expression), some judgement is required in assessing the compliance of a petition overall and particularly the validity of individual signatories.

In the same spirit that I have accepted and responded to more than two questions asked by you in this instance, accepting the number of signatories as stated by the petition organiser, did not alter the compliance of the petition or outcome of its consideration by the Council. Wherever possible, I prefer to engage with our ratepayers in good faith and choose not to impose legislative barriers or excessive layers of bureaucracy.

However please note that as a result of your questions, I intend for my department to undertake a review of our current approach to petitions in early 2024, with the possibility of developing a Council policy that would enable more control over the receipt of petitions and requirements relating to signatories.

Question 2 –

“For Petitions to the Central Coast Council, does the Council require petitions to be signed only by ratepayers or residents, or does the Council allow petitions to be signed by individuals/entities from other municipalities in Tasmania or municipalities in other States of Australia and if so, how do Central Coast Council Petition Reports record the number of petition signatories being ratepayers/ residents of the Central Coast Council community and any petition signatories not being members of the Central Coast Council community?”

Response –

I can advise you that the Council does not have its own policy on petitions, but rather relies on sections 57 to 60 of the *Local Government Act 1993* (the Act) for guidance on the compliance and management of petitions.

Under the Act, there is no requirement for signatories to be electors in the municipal area in which the petition is lodged. As such, the Council does not record the number of signatories who are electors in the Central Coast municipal area.

As a result of your questions, I intend for my department to undertake a review of our current approach to petitions in early 2024, with the possibility of developing a

Council policy that would enable more control over the receipt of petitions and requirements relating to signatories.

Questions and responses concluded at 6.55pm.

CLOSURE

There being no further business, the Mayor declared the meeting closed at 6.55pm.

CONFIRMED THIS 22nd DAY OF JANUARY 2024.

Chairperson

(ib:me)

Appendices

- Minute No. 369/2023 – Minutes and notes of committees of the Council and other organisations
- Minute No. 370/2023 – 2024 Council Meeting Schedule
- Minute No. 373/2023 – Culture Development Plan
- Minute No. 375/2023 – Schedule of documents for affixing of the Common Seal
- Minute No. 376/2023 – Schedule of Contracts and Agreements
- Minute No. 377/2023 – Schedule of Correspondence addressed to Mayor and Councillors
- Minute No. 374/2023 – Amended Dulverton Regional Waste Management Authority Rules
- Minute No. 378/2023 – Schedule of Development Application Determinations
- Minute No. 384/2023 – Schedule of Infrastructure Services determinations
- Minute No. 386/2023 – Schedule of Statutory Determinations

QUALIFIED PERSON'S ADVICE

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

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

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

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



Barry Omundson
GENERAL MANAGER

Associated Reports And Documents

ULVERSTONE MUNICIPAL BAND GENERAL MEETING

16th August 2023

Present: M Willoughby, R Wilson, D Quaile, A Wyllie, T Lamb, A Allen, A Overton

Apology:

A Allen chaired the meeting, opened meeting at 7.41pm, past minutes read and correct, Moved D Quaile, seconded A Overton. Carried

Business Arising: J Smallbon has new trombone and played it last night.

Roof maybe started soon, someone seen at bandrooms doing some measuring

Correspondence:

IN: K Waterworth

Out: Insurance

D Brand

K Waterworth

A/Dinner replies

Licensing

Skunkworks – Vic Youth Band

Barratts Music

Barratts Music

A/Dinner invitations

J Rockliff

East Ulverstone Football Club

East Ulverstone Football Club

J Rockliff

M Brodzinski

Mayor Fuller

Mayor Fuller

M Windham

M Windhram

TBL Secretary

TBL Secretary

Glenorchy City Brass Band

Glenorchy City Brass Band

Acceptance of inwards and outwards Moved A Wyllie, seconded A Overton

Treasurer Report: Moved R Wilson, seconded A Overton. Carried.

General Business:

R Wilson: mentioned upcoming catering

M Willoughby: feedback from some after Glenorchy concert was that Civic Centre would have been better to play out. Was a great afternoon and concert.

A Wyllie: requested to purchase mute holders for stand approx. 6 at about \$35 each

Vic Youth Band Tour: OEC Cost query who pays for it, maybe put submission to TBL



**Central Coast Community Shed Management Committee
General Meeting
Minutes of Meeting held at the Community Shed**

Monday, 13 November 2023, commencing at 1.00pm

1 PRESENT/APOLOGIES

Members Present: Kerry Hays, Dave Dunn, Cr John Beswick, Ian Hardstaff, Rob McKenzie.

Apologies: Barry Purton, Norm Frampton Colin Perry, Steve O'Grady, Anthony Kirkpatrick.

Minute Taker: Melissa Budgeon

Chairperson: Ian Hardstaff

2 CONFIRMATION OF MINUTES

■ Dave Dunn moved, and Rob McKenzie seconded, "That the minutes of the general meeting held on Monday, 2nd October be confirmed as true and correct.

Carried

3 BUSINESS ARISING FROM MINUTES

Equipment update – Bandsaw is in and working. Womens Shed group made a significant contribution to be able to purchase this new equipment.

Mural (ongoing item) – designs have been received and the aim is to have a recommendation for the preferred design for consideration to the Public Art Policy committee.

Toilet upgrade – painting has been undertaken and the second coat is to be done in the coming days.

4 FINANCIAL REPORT (as attached)

Attendance

Mens	452	avg	32
Women	109	avg	22
Jack and Jill	17	avg	6

Melissa presented, and David Dunn seconded, "That the financial report tabled be confirmed as true and correct.

5 GENERAL BUSINESS

Housekeeping – walkway area, reminders about safety ie. Nail in wood was in the walkway. Sawdust whirling and not being cleaned up. Wheelbarrow left over the doorways etc. David agreed to speak at morning tea with reminders about safety issues and those details that need attention.

School groups – going well, making a boot puller and toilet roll holder, pencil box and a chopping board and then a clock. Two schools West and East Primary Schools. Community members have been speaking highly of the

Forth Trough – It is progressing.

Senior Citizen Club – request for a quote for a seat to placed outside the centre doors in Ulverstone – specifications have been provided by the Council.

Events (BBQ) Shed Volunteers – COTA for navigating 45+ at the Gnomon Room, and then the Skate of Mind event at the Ulverstone Skate Park on December 2nd.

Thankyou Day – Members will be at the Shed but not expecting many will visit – as the event is held on the eastern side of the ground, suggestion has been made that the day be spread over the ground.

West Ulv. Rotary Club – hosting the club at the Shed for a BBQ in December.

Shed Christmas Function – 8th December at the Bowling club.

Women's Shed final day is 12th December 2023.

Men's Shed final day is the 22nd of December, with a BBQ at the Shed.

5 CLOSURE/NEXT MEETING

As there was no further business to discuss the meeting closed at 2.10pm.

Next meeting will be Monday 4th December at 1 pm.



Central Coast Community Shed - Financial Statement 2022 -23

November 2023

Revenue	<u>Estimates</u>	Actual
11413.03		
Membership Fees	3,000.00	\$3,392.54
Groups	2,000.00	
Material Donations		
Project Donations	2,000.00	\$454.55
GST allocation		
Estimate	\$7,000.00	<u>\$3,847.09</u>

Expenditure	<u>Estimates</u>	Actual
11481		
Aurora	0.00	
Telstra/Internet	600.00	\$187.61
Office/cleaning	200.00	\$172.00
Testing and tagging	1,150.00	
Petty Cash	500.00	
Training - 1st Aid	1,000.00	
Membership - AMSA, TMSA	100.00	\$50.00
Insurance	500.00	\$523.47
Repairs and Maintenance	1,200.00	\$188.35
Safety Equipment	1,000.00	\$185.37
Project Materials	1,500.00	
Water/Sewage	50.00	\$3.30
Cleaning materials	200.00	
Estimate	\$8,000.00	<u>\$1,310.10</u>

Forth Community Representatives Committee

Minutes of the 92nd meeting held at the Forth Community Hall

Thursday, 2 November – commencing at 4.00 pm

PRESENT

Forth Community Representatives: Jessica Bennett, Wendy Bennell.

Central Coast Council: Paul Breaden (Director Infrastructure Services)
Daryl Connolly (Director Community Services)

Chaired by: Paul Breaden

Minutes taken by: Tracey Clark

1 ACKNOWLEDGMENT 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 APOLOGIES

Neil Armstrong, John French, Dianna Robb, Barry Omundson

3 MINUTES OF PREVIOUS MEETING

As there were not enough committee members present to approve the previous minutes, the minutes of the previous meeting held on Thursday, 4 May 2023 were not accepted as a true and correct record.

4 MATTERS ARISING FROM PREVIOUS MINUTES

- a Coastal Shared Pathway – Turners Beach to Leith**
Paul advised the pathway is now complete with the exception of the rail crossing at Short Street and the interpretation panels at the seating area.
- b Forth Pathway Connection**
Remaining on agenda – no new update.
- c Eastern Fence along River Reserve**
Paul advised the fence has been extended to the rock wall, and other parts will be considered in the future plans.
- d Missing rung on bridge**
Paul advised this has been repaired.

e Grass on the edge of Walker Street

Paul advised this has been passed on to the works team for follow-up.

5 MATTERS FOR CONSIDERATION

5.1 Council Update

Paul advised that works are scheduled for underneath the bridge to repair broken concrete and expansion joints. This will take place over the next few weeks.

Daryl reported that the heritage study is being reviewed by the consultant and is expected to be finished in December. The final report will be reviewed by Council, with the intention of sharing the study publicly, however there are some concerns regarding privacy of impacted properties to be considered. He said that the Forth Valley History Group shouldn't hesitate to contact him if they are seeking information about a specific property that may be included in the report, and he would work to make it available to them.

Daryl advised that Council is still receiving some complaints about noise from the Forth Pub, however the owners are progressing their improvements and monitoring noise levels according to the terms of their planning permit.

Daryl advised that some of the people relocated from Midway Point earlier this year have been staying at the Forth Recreation Ground. Council have relaxed the 48-hour stay rule with some restrictions, to accommodate these people who have nowhere else to go. Jessica and Wendy said that they had no concerns regarding the people who are temporarily living at the Recreation Ground.

5.2 Community update

No update was provided at this meeting.

6 FUTURE OF THE COMMITTEE

Jessica and Wendy both stated there was limited benefit to continuing with the committee when membership is so low, however Wendy was concerned that the community would lose contact with the Council without the committee. Both agreed that the Community Conversations are a good alternative, and Daryl reiterated Council's commitment to ensuring that Directors and staff are available and able to meet locals on-site where appropriate.

Paul suggested that the Directors speak with the General Manager and Mayor about the future of the committee.

9 MEETING CLOSED

As there was no other business to discuss the meeting closed at 4.23pm.

Ulverstone Community Swimming Centre Management Committee

Meeting Minutes: Tuesday, 14 November 2023 at 3.15pm

Doc. ID: 460809

1 PRESENT/APOLOGIES

Present:

DECYP Representatives:

Alan Graham – NW Regional Coordinator
Simon Dent – USC Principal, Liz Eustace – Pool
SWSP, Michael Wilson – Pool Attendant

Council Representatives:

Chris Clark Community Development Manager,
Melissa Budgeon – Community Wellbeing Officer

Community Representatives:

Steve Crocker – Community Representative (Chair)

Apologies:

Beth Osborne Assistant Director, Curriculum Programs
Supervisor, Cr. Amanda Diprose, Cr Sophie Lehmann

Prior to the meeting: Central Coast Council General Manager, Barry Ombundson, attended the pool and made a certificate presentation for 30 years' service to Elizabeth Eustace. Joining Barry, the Committee offered sincere appreciation to Liz for her ongoing contributions to the pool operations in particular, as well as recognised her 20+ years of service to the Ulverstone Waterslide, for both facilities as a coordinating supervisor. Her enthusiastic pride and dedication to make these two facilities in our community, for over 30 years, a wonderful experience through keeping so many patrons safe whilst enjoying these valued amenities.

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

■ Liz Eustace moved and Alan Graham seconded, "The minutes of the previous meeting dated Tuesday, 4 July 2023 be accepted as a true and accurate record."

Carried

3 BUSINESS ARISING FROM THE PREVIOUS MINUTES

- Council website has been updated and brochures for the pool to be printed and made available to hand out to people that visit the Pool.
- Air heat pump is working well now. Water heat pump continues to be a priority for refurbishment. A new Facilities Maintenance Officer has recently started in the role and will visit the site next week.

4 DEPARTMENT FOR EDUCATION CHILDREN & YOUNG PEOPLE REPORT

Pool Closure – Last day will be on Friday the 17th December for Council Bookings. Pool shut down commences on 19th December. Reopening in the week of the 5th February 2024.

Education Department, Swimming and Water Safety Program Review– a report has been made to the Executive of the DoE, and the recommendation has been made that no changes be made to the current program. This valued part of the curriculum will continue in its current format.

Maintenance items are on track.

CORRESPONDENCE

Inward	Nil
Outward	Nil

5 GENERAL BUSINESS

6 NEXT MEETING

The next ordinary meeting of the Committee will be held at the Swimming Centre, Thursday 29th February at 3:30pm, 2024.

7 MEETING CLOSE

As there was no more business to discuss the meeting closed at 3.50pm.

2024 COUNCIL MEETING SCHEDULE

Ordinary meetings of the Council are held on the third Monday of each month (except for January and December as shown below) and commence at 6.00pm.

Meetings are held in the Council Chamber, Administration Centre, 19 King Edward Street, Ulverstone, with the exception of the 18 March 2024 Council meeting, held in the Dial Park Function Centre, 11 Sports Complex Avenue, Penguin.

Council meetings are open to the public and livestreamed on the Central Coast Council – TAS YouTube page, or via a link on the Council's website and Facebook page.

Council meeting agendas and minutes are available on the Council's website or from the Administration Centre, Ulverstone, or the Service Centre, Penguin.

2024 ordinary Council meeting dates are:

Monday 22 January
Monday 19 February
Monday 18 March
Monday 15 April
Monday 20 May
Monday 17 June
Monday 15 July
Monday 19 August
Monday 16 September
Monday 21 October
Monday 18 November
Monday 9 December

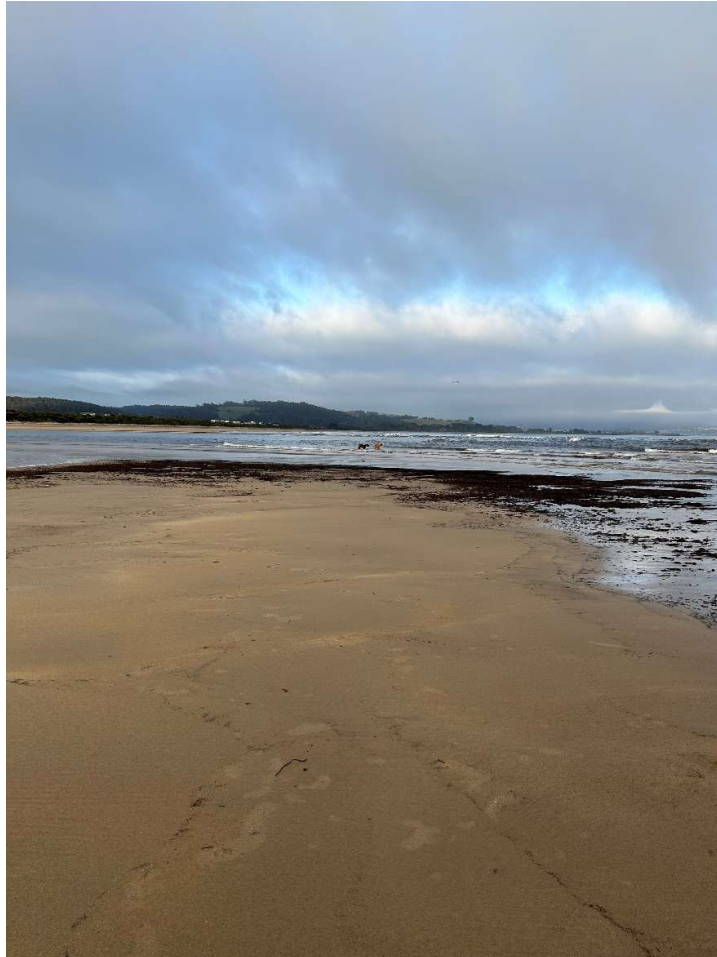


Barry Omundson
GENERAL MANAGER



Tasmania's Central Coast Council

Culture Development Plan



Credit: Leith Beach, Barry
Omundson

November 2023

Prepared by:



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Executive Summary

The Tasmanian Central Coast community elected a new Council and Mayor in October 2022. The newly elected Central Coast Council (CCC) has courageously embarked on a review of the Council ways of operating to understand the Councils' strengths and opportunities for improvements with a view to develop and execute a strategic plan which enables Tasmania's Central Coast region to thrive. The Council has engaged a new General Manager presenting a timely reset for the ways of working with and within the Council. The new leadership of the Council have developed a strategic Term Plan for 2023–2026 entitled *Our Place– Or Future: First Steps*. This plan outlines the approach to reconnect with the Central Coast community, developing collective aspirations for the future of the region. The plan sets out five foundational pillars which underpin and set out the priorities for the Council over the current local government term. Of these five pillars, the first focuses on '**Our Organisation**' with priorities placed on *Organisational Culture, Accountability, Identity and Delivery*. This pillar and its placement within the strategic plan, acknowledges the importance of evolving the organisational culture creating an environment in which people can come to work to deliver to the community through clarity of accountability and a positive work environment which values the contribution of its people.

As with all organisations, CCC's workplace culture has evolved through the **behaviours** that have been **encouraged, discouraged, and tolerated** by leaders, people, and the systems within the environment of CCC. Elements of this culture enable the attainment of the organisations goals whilst some elements will be limiting overall organisational effectiveness.



The Culture Development Plan provides a systemic approach to defining and achieving the required strategically aligned target culture. To define the required strategically aligned target culture, it was first necessary to understand the current culture and engage Councillors, Leaders, and Employees in defining the future cultural environment. To do this a Culture Values Assessment (CVA) was undertaken in September 2023, through which Councillors, Leaders and Employees were invited to contribute their views about the current and future culture.

The culture assessment identified that employees bring to work and value, honesty, respect, accountability, family, and work life balance, along with caring, empathy, humour/ fun, and a positive attitude. In the current environment, they experience customer focus and teamwork (particularly in their immediate teams). However, they reported a number of **limiting values present**, including blame, confusion, conflict avoidance, silo mentality, change version, control and information hoarding, that are inhibiting their ability to deliver at their best. Employees are **seeking** accountability, open communication, leading by example, continuous improvement, teamwork, balance, employee engagement along with respect, and an increased focus on health and safety to shift barriers to delivering on the required goals and objectives.

The Culture Values Assessment indicated an overall Entropy score of **38%**. The demographic data demonstrated some variance in the cultural entropy scores between departments and positional levels. It is noted that the

Cultural Entropy is a measure of the amount of wasted energy in the organisation that is consumed in unproductive work

current culture has been positively influenced in the past 6 months as a direct result of the cultural leadership of the new General Manager. In discussions with leaders and employees, conversations highlighted a sense of hope and optimism about the future work environment and the positive impact on the culture that the GM has had, largely through the clarity of direction, consistency of communication, focus on employee wellbeing, recognition, and spending time out 'in the field'. As a result, people are feeling genuinely heard and valued.

There is an energy for positive change and whilst there is still much work to do, people are open and engaged in doing their part to create the target culture. There is however a genuine need by the workforce to observe and experience a distinct and consistent positive shift in leadership behaviours and effectiveness.

In October 2023, the Senior Leadership Team (SLT) came together to define the target culture acting upon the feedback from the workforce, taking into consideration:

- the CVA and focus/listening group feedback,
- the strategic imperatives of the organisation.
- the current espoused values (and the level of engagement with these).

The target culture definition process highlighted a high degree of alignment between the culture that is strategically needed and the desired culture from an employee perspective. This is a very powerful position to leverage and to effectively engage the employee base in actively contributing to the creation of the target culture. **The Central Coast Council Target Culture** can be described as

A People First focus working as One Team creating an **Achievement** culture.

We deliver on our mission and vision in a well led and positive workplace, where delivering on our accountabilities is the way we do things around here.

We work seamlessly across our organisation, sharing information and knowledge to deliver to our colleagues and our community. We all contribute to a safe work environment where our thoughts, ideas and contributions are valued.

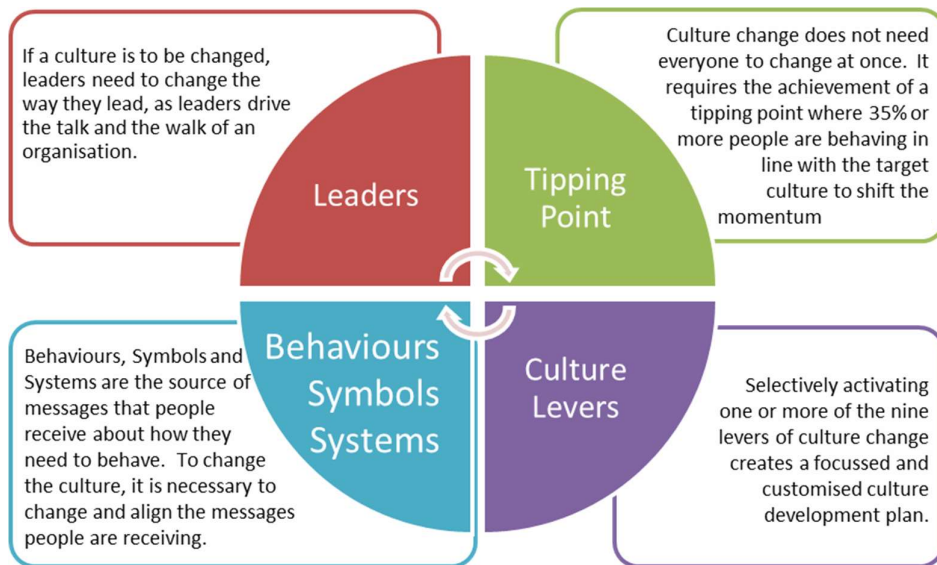
We bring a positive attitude and openness to continual improvement. We feel valued and value others, respecting self, each other, and our community regardless of position.

Having explored the CVA and focus/listening groups outcomes, the SLT discussed a number of desired values and behaviours based on the feedback from staff and councillors which supported the creation of the target culture required to deliver on the strategic direction of CCC. This consideration resulted in the decision to revise the current espoused values to the following:



The CCC Culture Development Program

The Culture Development Program (CDP) has been developed based on the following principles about how to transform a culture.



The Culture Development Program provides a systemic approach to achieving the target culture.

Section One of the document defines the target culture outlining the values, behaviours, beliefs, and feelings that will underpin the achievement of the target culture.

Section Two outlines the Culture Development Program and is divided into 4 areas centred on the culture levers designed to achieve a significant shift towards the target culture:

1. Priority focus area – Culture Behavioural Program
2. Quick Wins
3. Priority Opportunities – Integration with Planned Organisational Initiatives
4. Other Opportunities – Culture Integration

The Culture Development Program activates the following **Cultural Levers**:

- the Behaviour levers of **Top Team** (Councillors/GM/SLT/OLT) and **People Development**.
- the System levers of **Business Management Processes**, **Performance Management**, **Workplace Design**, **External Stakeholders** and Communication, and
- the Symbol lever of **Quick Wins**.

Communication is a key lever enabling cultural transformation, and as such a comprehensive Culture Communication Strategy and Plan will be developed to sit beside CCC's Corporate Communications Plan and leverage existing internal communication mechanisms within CCC. The Culture Communication Plan will be designed to support the organisation to continue to build understanding, engagement, and ongoing commitment to the target culture.

The following provides the background, rationale, and detail of CCC's Culture Development Plan.

SECTION ONE

Defining

Tasmania's Central Coast Council's

Target Culture



2 About the Culture Development Plan

2.1 Purpose of the Document

This document sets out the background to the development of the target culture, presents the agreed target culture for CCC and recommends a Culture Development Plan to deliver the agreed target culture.

The focus of this document is on the delivery of Stage One of the plan, which runs from December 2023 through to September 2025, when it is recommended a retest of the cultural assessment be undertaken. Following the retake of the CVA, a revised Culture Development Plan would be presented to determine key areas of focus for the subsequent years.

2.2 Objectives

The objectives of the CCC Culture Development Plan are to:

- Describe the current culture.
- Present the agreed target culture.
- Outline the Behaviours, Beliefs, Values and Feelings that will underpin the achievement of the target culture.
- Outline a development program to continue to build leadership capability and understanding about culture, culture management and the link between culture and the achievement of the broader strategy of the organisation.
- Provide the cultural activities roadmap to achieve the strategic objectives of CCC.

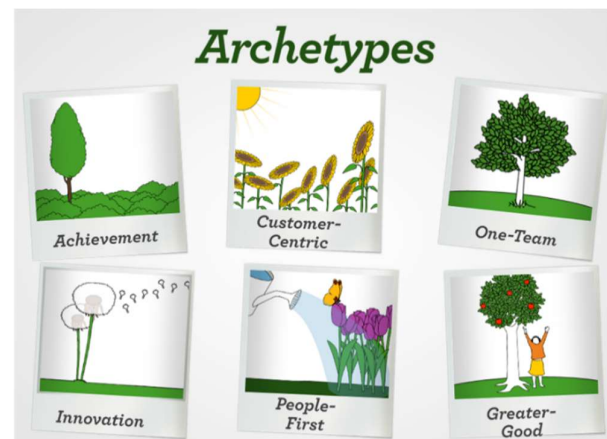
2.3 Methodology

The Culture Development Plan (CDP) has incorporated elements of the Walking the Talk methodology.

Within this methodology, Culture is defined as “the patterns of behaviour that are encouraged or discouraged, by people and systems, over time” (Ned Morse). These patterns of behaviour, and their underlying values, can be grouped together to form six cultural archetypes, and most target and current cultures can be described through one or a combination of these.

The six archetypes:

- **Achievement** – A culture in which individuals, teams and the organisation are expected to deliver what they agree to deliver and keep their word.
- **Customer Centric** – This organisation is designed from the outside in. Everyone understands the customer, and cares about their impact on the customer’s world.
- **One Team** – A culture where the good of the whole is placed above the individual.



- **Innovation** – A culture which strives to do what has never been done before, to improve, be unique and to operate at the highest standards.
- **People First** – A culture where people are valued, encouraged, and supported. People are the centre of the operation – a sense of fair exchange occurs.
- **Greater Good** – A culture in which there is a responsibility for the organisation's impact and contribution to society beyond the immediate stakeholders.

In any organisation you will have elements of each archetype present, however there are usually one to three archetypes that dominate and require more focus to deliver on the strategy. It is not necessary to be strong in everything to be effective. In fact, focus tends to lead to a more successful outcome.

The target culture has been built upon the Walking the Talk framework of:

- **Have** (the description of the Cultural Attributes).
- **Do** (the Behaviours, Symbols and Systems creating the cultural messages) and;
- **BE** (Beliefs, Values and Feelings that are at the core of driving individual's behaviours).

Have: *Cultural Attributes*

In our lives and in business we have a certain set of outcomes e.g., business outcomes, financial results, safety results, customer, and employee satisfaction scores etc. and in addition to that, you have certain sorts of culture attributes which support the achievement of these business or financial outcomes. The 'Have' level describes the cultural outcomes the business is working towards i.e., how our people and others will describe our business when the target culture is the norm.

DO: *Behaviour, Symbols & Systems*

Culture is the patterns of behaviour that are encouraged or discouraged by Behaviours, Symbols and Systems over time. People receive messages about how they need to behave to fit in and adapt accordingly. Therefore, a key part of the framework is an analysis of the messages carried by the Behaviours, Symbols and Systems that have created the CCC culture. When the Organisation observes certain cultural patterns are present it can analyse the Behaviours, Symbols and Systems to understand what may be driving this.

BE: *Beliefs, Values and Feelings*

The last part of the framework is an analysis of the Beliefs, Values and Feelings that enable the culture. When an organisation observes certain patterns of behaviour are present, it can look to Beliefs, Values and Feelings to understand what may be enabling this.

- **Beliefs.** Organisations build shared beliefs about the market, management philosophy, their place in the world, what works and what doesn't, which becomes influential in the way decisions are made and therefore influences the culture. What motivates people to perform better, for example, will influence the way a reward system is designed. Beliefs are sometimes spoken about and sometimes unconscious.
- **Values.** Values describe the organisation's moral position, the right way to do things, what is important or a principle by which the organisation tries to live. Values usually play out in some sort of hierarchy, which is visible when it is not possible to fulfil all values in one decision. In every organisation, certain values become the determining factor in the majority of decision than others.

- **Feelings.** Although values and beliefs are the key BE-level determinants of culture, feelings can influence culture too, especially if they are embedded and persistent. For example, if mistrust has built up over a long period of time, it will produce patterns of behaviour including control, lack of transparency, etc.

2.4 Overview of the Process

Through engagement with the workforce and leaders of CCC from the very outset, we continue to build internal capability for culture leadership, highlighting and strengthening the links between culture and the broader strategy of the organisation.

The following activities were undertaken:

- **Culture Values Assessment (CVA) Survey** – to understand the current culture, in particular its enabling and potentially limiting aspects; to gain a view of the desired culture; and to engage the Councillors, Leaders and employees in the culture assessment process.
- **Focus/Listening Groups** – Five focus/listening groups were conducted in October 2023. One with the Councillors to debrief and discuss the CVA results, their perspectives and experience of the culture. One Leadership focus group with approximately 18 attendees and three employee focus/listening groups with approximately 55 depot and office-based employees to gain deeper insight and context in relation to the CVA feedback.
- **Development of the target culture** – In consideration of the strategic direction of the Council and **hearing the feedback** from the workforce, the GM and SLT acted to define the target culture.
- **Development of the Cultural Development Plan (CDP)** – which identifies the focus for change from a cultural point of view, and more specifically, develops the Stage One program for CCC to begin to bridge the gap between their current and target culture.

The following section outlines CCC's target culture, culture development plan and program of key initiatives designed to facilitate the achievement of the target culture.

3 The CCC Target Culture

3.1 Defining the Target Culture

The target culture articulates the workplace environment that CCC is aspiring to achieve through the culture development process.

The target culture has been developed by analysing and integrating the information gathered from the following:

- **Five foundational pillars** outlined in the CCC Term Plan 2023–2026, entitled *Our Place–Our Future –First Steps*
- **Current Culture** from the CVA and Focus/Listening Groups
- **Desired Culture** from the CVA and Focus/Listening Groups

Research on organisational success differentiators has consistently identified an organisation's culture is a key enabler for the delivery of their strategic goals. As such, CCC's Term Plan 2023–2026 was utilised as the core strategic anchor when determining and describing CCC's target culture.

As described in the Term Plan, the five pillars lay the foundation for regional sustainability and sees Central Coast area as the place to visit, live, learn, earn, and have fun. The pillars are supported by the focus areas and associated priorities outlined below that will see the achievement of the Councils plan through an enabled and well led organisation that is capable of flexibility, resilience, and responsiveness. The plan provides a good 'line of sight' for Councillors, Leaders, and Employees to connect with the direction, focus areas and priorities of the organisation and how, what they do contributes to that direction.

Central Coast Council Term Plan 2023-2026

Our Organisation	Quality of Life	Growth	Transport & Connectivity	Our Environment
<ul style="list-style-type: none">• Organisational Culture• Accountability• Identity• Delivery	<ul style="list-style-type: none">• Facilities & sport• Education & diversity• Parks, Cultural Activities & the Arts• Health	<ul style="list-style-type: none">• Economic Growth• Tourism• Strategic & Sustainable Development• Regional Collaboration	<ul style="list-style-type: none">• Roads• Parking• Connectivity & Access	<ul style="list-style-type: none">• Waste Management• An Energy Efficient Region• Our Physical Environment• Our Natural Environment

To achieve the 5 foundational pillars within the term plan, it will be essential for CCC Leaders and Employees to have clarity of their responsibilities, have the autonomy to be accountable for their responsibilities, and operate as a united and collaborative workforce.

A focus on Accountability, People and a One Team mindset is required. There is a need to build a workforce that feels valued, respected, trusted, enabled and proud of the services they provide to their community.

3.2 Describing the CCC Target Culture

Bringing all of the diagnostic data and outcomes together, the **CCC Target Culture** can be described as follows:

A People First focus working as one team creating **an achievement culture**.

We deliver on our mission and vision in a well led and positive workplace where delivering on our accountabilities is the way we do things around here.

We work seamlessly across our organisation, sharing information and knowledge to deliver to our colleagues and our community. We all contribute to a safe work environment where our thoughts, ideas and contributions are valued.

We bring a positive attitude and openness to continual improvement. We feel valued and value others, respecting self, each other, and our community regardless of position.

The From – To

The following describes the shift from the current culture to the future culture, the **From – To** perspective that will assist people in understanding what the main focus of the target culture is and also what the target culture will look, sound and feel like.

Table 1: CCC Culture – From–To

From	To
Inconsistent individual accountability, control and blame behaviours.	Achievement focused, everyone being equally held to account, Leaders having timely conversations about performance, people able to speak up without fear of being diminished. People are accountable for own and colleague's safety.
Lack of knowledge and information sharing. Some people not feeling valued, heard or fairly recognised.	Leaders and People engage with each other, genuinely listen to, and consider ideas of others. Knowledge and experiences widely shared and valued. People are recognised and valued and contribute with a focus on continuous improvement.
People experience some teamwork 'within immediate teams' however are limited by silo mentality, poor co-operation, and communication across departments.	People work collaboratively within and across teams to ensure seamless service provision both externally and internally. Information is shared openly to support delivery to customers.
Customer focus present. 'Customer is not my role can reduce customer experience.	Customer Focus and delivery is front of mind. Customer standards and expectations are clear and widely known.

Behaviours (Values, Behaviours, Beliefs and Feelings)

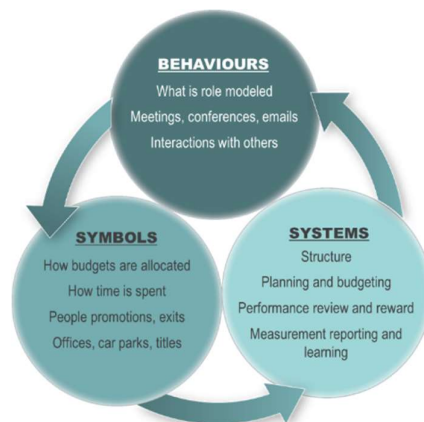
Culture is created by the messages that are both spoken and unspoken, thus indicating 'what is truly valued around here'. People receive messages about how they need to behave to fit in and adapt their behaviours accordingly.

To create a work environment (culture) which delivers on CCC's term plan, it is necessary to effectively bring the culture to life for every employee.

To do this, it is essential to connect their '*Head with their Heart*' – and this is achieved by articulating the culture through the messages people receive through the Behaviours (Values, Behaviours, Beliefs and Feelings), Symbols and Systems present in the organisation.

To create the desired culture, it is imperative that there is alignment of and consistency in messages being sent through each of these three key areas.

One of the first areas to create and send the desired messages is through the core values and behaviours that people are expected to operate by day to day.



Based upon the feedback from the workforce and consideration of the Term Plan 2023–2026, the GM and SLT articulated the core values (to guide decisions and behaviours) which when applied by Councillors, Leaders, and Employees, will be instrumental in underpinning the target culture and the organisation’s ability to successfully deliver on its strategic imperatives.

Through exploration and understanding of the **key themes arising from the CVA and focus/listening groups**, the GM and SLT then defined the core behaviours for each of these values that, when consistently demonstrated and experienced by people in the organisation will achieve significant shifts towards the target culture.

Table 2: CCC Values and aligned Behaviours

Customer Focus	Open Communication	Accountability	Safety	Together – One Team
We consider the customer impact in every decision	We openly share Information and knowledge across the organisation	We take personal responsibility for our actions, deliver on our promises, and do what we say we will do	We actively contribute to a psychologically safe work environment, stick our necks out, constructively speak minds, ask questions, and listen to what others have to contribute.	We trust and are trusted, and have each other’s back
We value, listen with empathy, and support our customers (internal and external)	We challenge ourselves and others, constructively giving and receiving feedback with good intent	We seek out business improvement opportunities and are open to change	Safety is part of what we do every day in our thinking, decisions, and actions	We work together, learn from, and share successes and failures
	Leader’s coach, mentor, support and listen to their people	We clarify our goals and expectations and are trusted to deliver on our role	We do not tolerate disrespectful behaviours (bullying, lack of accountability, taking credit for others work, favouritism)	We contribute positively to relationships and our work environment

In order to intrinsically engage and motivate people to 'live' these values and behaviours, it is essential to connect to their belief and emotional inner operating systems (the BE level). As such the below table outlines potential beliefs that people will need to hold in order to live the values. Also, the feelings that may motivate people to consciously live the values and behaviours. Support, tools, and techniques to facilitate mindset and belief shifts of leaders and employees are woven into the content of the Culture Behavioural Program and the Leadership Development initiatives which are major components of the Culture Development Plan.

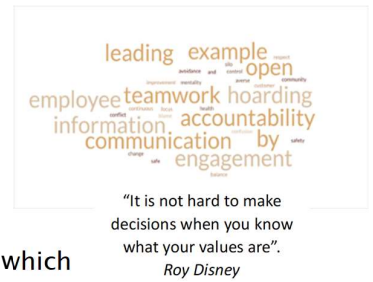


Table 3: Beliefs and Feelings

	Values	Beliefs (I believe...)	Feeling
C	Customer Focus	<ul style="list-style-type: none"> That every role in Council contributes to delivering value to our customers. I am here for the community 	<ul style="list-style-type: none"> Empowered Valued Informed Safe Positive Trusted Supported Engaged
O	Open Communication	<ul style="list-style-type: none"> That it is important to share information with colleagues to achieve the best outcomes for our customers. That I will continue to grow and develop through receiving constructive feedback 	
A	Accountability	<ul style="list-style-type: none"> In taking personal accountability for my decisions and actions. That it is a safe and supportive environment to have necessary conversations. In being open to and sharing new ideas and new ways of doing things. 	
S	Safety	<ul style="list-style-type: none"> In taking responsibility for my safety and the safety of those around me. My and my colleagues' contributions, ideas and opinions are valued. 	
T	Together – One Team	<ul style="list-style-type: none"> That better outcomes are created when we work together and support each other. That people are honest and trustworthy. In bringing a positive attitude to everything I do. 	

Symbols and Systems:

Using a systemic approach to create the target culture, it is also necessary to consider the key Symbols and Systems required to augment the behaviours that send messages about what is valued. In order to position the organisation to make significant shifts towards the target culture, the following tables outline the most important Symbols and Systems to focus energy and effort upon.

Table 4. Target Culture Symbols

Archetype	Symbol
Achievement	<p>Time is spent planning with input from relevant people</p> <p>Vision, strategy, and priorities stay consistent long enough to determine their success</p>
People First	<p>Leaders are visible and regularly interact with people throughout the organisation</p> <p>Coaching and mentoring is common</p> <p>People are given the responsibility and chance to prove themselves</p>
One Team	<p>Combined social events are common – celebration</p> <p>Knowledge management systems are extensive and facilitate sharing of information and knowledge</p>
Customer Centric	<p>Stories of exceeding customer experience are widespread</p>
Greater Good	<p>Long term focus to contribute to the good of the community</p>
Innovation	<p>Resources are assigned to continuous improvement</p>

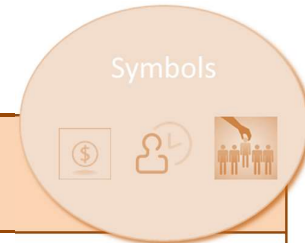


Table 5. Target Culture Systems

Archetype	System
Achievement	Structure designed to encourage delegated authority and empowerment
	Data management systems are well established and utilised throughout the organisation
	Goals and expectations are clear
People First	Performance management is treated seriously and based on the importance of learning and development
	Training is targeted at the developmental needs of individuals
	Work life balance policies are consistently applied
	Diversity and fairness are built into all HR policies and are practiced and recognised
	Robust succession planning framework is in place
One Team	Communication systems give open access to information across the organisation including good feedback loops
	Collaboration on goal setting is common with reward systems encouraging one team behaviours
	Communication systems give access to information across the organisation
Customer Centric	Customer satisfaction is a key measure with focus on process improvement.
	Customer satisfaction is driven through process improvement



3.3 CCC Target Culture Piano

In order for the culture to be in tune, it is necessary to bring all of the systemic elements together, to align the strategic goals (the HAVE –what is to be delivered) with the messages sent through the behaviours, symbols, systems (the DO) and the internal operating systems of the values, beliefs and feelings(the BE). The following table brings these elements together for CCC's target culture.

Table 6: Target Culture Piano

HAVE	Financial / Business Results	<i>We are committed to nurturing a safe, happy, healthy community through creating opportunities that enhance the livability of our region. Our Council will continuously improve delivery of projects and services with accountability and pride</i>
	Cultural Attributes	<i>A People first focus on working as one team creating an achievement culture.</i> <i>We deliver on our mission and vision in a well led and positive workplace where delivering on our accountabilities is the way we do things around here. We work seamlessly across our organisation, sharing information and knowledge to deliver to our colleagues and our community. We all contribute to a safe work environment where our thoughts, ideas and contributions are valued. We bring a positive attitude and openness to continual improvement. We feel valued and value others, respecting self, each other, and our community regardless of position.</i>
DO	Behaviour	<u>Customer Focus</u> – We consider the customer impact in every decision , We value, listen with empathy, and support our customers (internal and external). <u>Open Communication</u> : We openly share Information and knowledge across the organisation , We challenge ourselves and others, constructively giving and receiving feedback with good intent, Leaders coach, mentor, support and listen to their people <u>Accountability</u> - We take personal responsibility for our actions, deliver on our promises, and do what we say we will do , We seek out business improvement opportunities and are open to change, We clarify our goals and expectations and are trusted to deliver on our role. <u>Safety</u> - We actively contribute to a psychologically safe work environment, stick our necks out, constructively speak minds, ask questions, and listen to what others have to contribute , Safety is part of what we do every day in our thinking, decisions and actions, We do not tolerate disrespectful behaviours (bullying, lack of accountability, taking credit for others work, favouritism). <u>Together – One Team</u> - We trust and are trusted, and have each other's back , We work together, learn from, and share successes and failures, We contribute positively to relationships and our work environment.
	Symbols	Time is spent planning with input from relevant people , Vision, strategy, and priorities stay consistent long enough to determine their success, Leaders are visible and regularly interact with people throughout the organisation , Coaching and mentoring is common, People are given the responsibility and chance to prove themselves , Combined social events are common – celebration, Knowledge management systems are extensive and facilitate sharing of information and knowledge , Stories of exceeding customer experience are widespread, Long term focus to contribute to the good of the community , Resources are assigned to continuous improvement
	Systems	Structure designed to encourage delegated authority and empowerment , Data management systems are well established and utilised throughout the organisation, Goals and expectations are clear , Performance management is treated seriously and based on the importance of learning and development, Training is targeted at the developmental needs of individuals , Work life balance policies are consistently applied, Diversity and fairness are built into all HR policies and are practiced and recognised , Robust succession planning framework is in place, Communication systems give open access to information across the organisation including good feedback loops , Collaboration on goal setting is common with reward systems encouraging one team behaviours, Communication systems give access to information across the organisation , Customer satisfaction is a key measure with focus on process improvement, Customer satisfaction is driven through process improvement
BE	Beliefs	<u>I believe</u> - That every role in Council is contributes to delivering value to our customers , I am here for the community, That it is important to share information with colleagues to achieve the best outcomes for our customers , In taking personal accountability for my decisions and actions, That it is a safe and supportive environment to have necessary conversations , In being open to and sharing new ideas and new ways of doing things, That I will continue to grow and develop through receiving honest feedback, provided with good intent , In taking responsibility for my safety and the safety of those around me. My and my colleague's contributions, ideas and opinions are valued , That better outcomes are created when we work together and support each other. That people are honest and trustworthy, and In bringing a positive attitude to everything I do.
	Values	<u>Values</u> – Customer Focus, Open Communication, Accountability; Safety; Together – One Team
	Feelings	<u>Feelings</u> – Empowered, Valued, Informed, Safe, Positive, Trusted, Supported, Engaged
	Consciousness	<u>Consciousness</u> – We have a high level of cultural consciousness contributing to and are part of a safe and positive work environment in which we are accountable and in which we thrive.

SECTION TWO

Tasmania's Central Coast Council

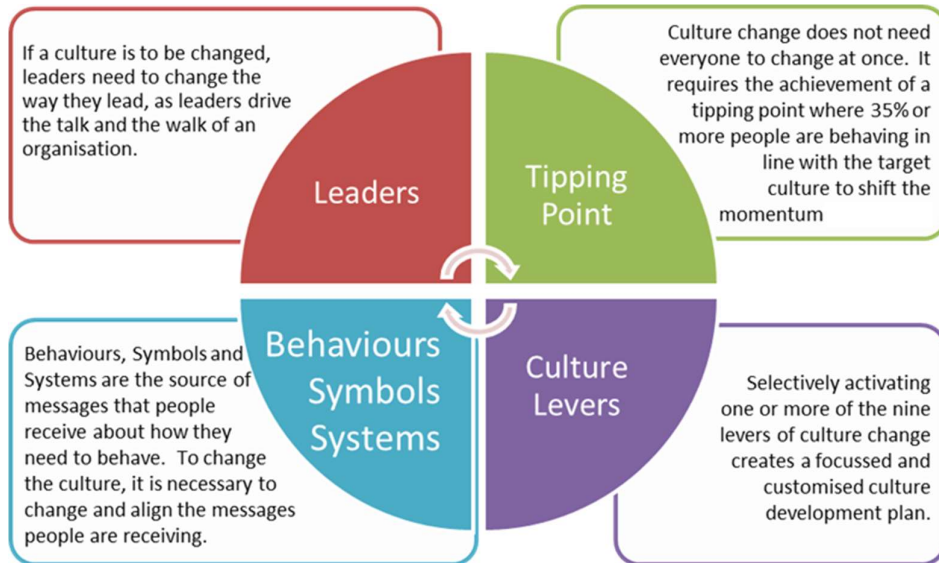
CULTURE DEVELOPMENT PROGRAM



4 The Culture Development Program

4.1 Introduction to the Culture Development Program

The Culture Development Program has been based on a number of Culture Transformation Principles.






Culture Levers

There are nine cultural change levers within the Behaviours, Symbols and Systems model which can be activated, to varying degrees, in order to create a focussed and customised culture development program and achieve the biggest shifts towards the target culture.



Table 7. Levers of Cultural Change

Cultural Lever	Behaviour, Symbol, or System	Lever Description
Top Team		This lever incorporates initiatives that support the most senior leaders of the group to lead culture. Initiatives are designed to build leadership capability, to role model required behaviours and values, to encourage or discourage patterns of behaviours in their people.
People Development		This lever's initiatives are designed to provide specific support for the next layer of management (Combined Management Team, Coordinators and Team Leaders & Supervisors), culture champions and key influencers, in leading and influencing the shift towards the target culture. The initiatives build self-awareness, as well as awareness of how this group impact the culture and assist in building the required behaviours, skills, and beliefs that they need to role model.
People Placement		People in key roles send strong messages about the culture and its values through their behaviour. Therefore, People Placement can be a very symbolic lever. This lever should demonstrate the considerations and values alignment through initiatives built into the selection, promotion, succession planning and the exiting of people.
Workplace Design		This lever incorporates initiatives that deal with the physical and virtual environment in which people work. The workplace design can incorporate initiatives that enable people to behave in line with the target culture and in particularly engender openness, collaboration, communication, and trust.
Quick Wins		This lever incorporates various initiatives which change the culture and often do not involve a lot of additional time or money. The initiatives can have significant impact and demonstrate shifts quickly. Many of these initiatives involve choices about where time is spent, visible signage and language used.
Business Management Processes		The processes to which people work must enable them to behave in line with the target culture. The initiatives within this lever are centred on a range of processes that are used to manage the resources in the business e.g., people and financial. The processes centre on strategic and operational planning, budgeting, reporting and measurement and authority levels (delegation levels).
Performance Management		The performance management system is the formal mechanism to communicate what is important and what is rewarded. Initiatives within this lever are designed to align the performance management process with the target culture to ensure all are working towards common goals, receive constructive feedback on performance and are rewarded for the 'values aligned' attainment of goals.

Cultural Lever	Behaviour, Symbol, or System	Lever Description
External Relationships		This lever incorporates initiatives that focus on the relationships with external groups with which the organisation interacts. Initiatives centre on how the voice of these groups e.g., customers, suppliers, unions, are heard by the organisation and ultimately, how the organisation responds to them.
Communication		Communication is an essential lever to include in the planning process, as the initiatives incorporate how employees communicate with each other, the information they share and their engagement in the cultural change process.

4.2 Culture Development Program

The Cultural Development Plan provides a systemic approach to achieving the target culture. The plan incorporates priority focus areas, outlining priority areas centred on the culture levers designed to achieve a significant shift towards the target culture.

It is noted that the CCC Term Plan 2023–2026, other organisational system reviews initiated by the GM contain many relevant cultural lever initiatives that support the achievement of the target culture. Where possible and known, the CDP integrates these initiatives into the plan and identifies additional initiatives recommended to attained significant shift towards the target culture.

The Culture Development Plan has been divided into 4 areas:

- **Priority Focus Areas** which will create the momentum for change and drive the most significant shifts in the culture. These priority areas will be where the leadership invest the majority of their time. The major component being a **Cultural Behavioural Program** to facilitate the understanding, engagement of, and commitment to the culture across all levels of the organisation. A program that supports the leaders to create and lead the culture through a Cultural Leadership Program (*Priority Area 1.a*), alongside an Employee Culture Engagement Program (*Priority Area 1.c*) that facilitates bringing the culture to life for each and every employee relative to their roles.
- **Quick Win areas** which will signal change with minimal time and financial investment.
- **Priority Opportunities – Integration with Planned Organisational Initiatives**

The CCC Term Plan 2023–2026 and associated strategic and operational plans outline a considered program, with many initiatives being relevant key cultural levers required to affect significant shifts towards the target culture. The recent Noleen Jessup Review initiated by the GM outlines a number of recommendations associated with addressing a number of gaps in the HR systems and this plan aligns with the recommendations relating to performance management and other initiatives such as workforce planning (including succession planning), onboarding and recruitment practices.

- **Other Opportunities – Culture Integration**

In addition to the priority areas, other opportunities which will contribute to the culture program over time.

Priority Focus Areas include:

1. Culture Behavioural Program (Collective and Individual)

- a. Cultural Leadership Program
 - i. Leading Culture Workshops
 1. SLT and OLT
 2. Coordinators, Team leaders & Supervisors
 - ii. Strengthening Culture Leadership Development Topics
 - iii. Councillor Culture Leadership and updates
- b. Continued Individual Leadership Coaching
- c. Employee & Councillors Culture Engagement Program
 - i. Values Refresh

- ii. Culture champions
- iii. Employee Culture Cascade – employees
- iv. Pulse Surveys
- d. Culture Integration – Culture Activities – Keeping Culture Conscious
- e. Internal Culture Communication Strategy and Plan (integrated with the corporate communications plan)

2. Quick Wins

- a) Staff Engagement – SLT/OLT Visibility.
- b) Council Building Access for all employees and councillors.
- c) Together – One Team – Accountability – Clarity of Roles and Responsibilities
- d) Employee Valued and Recognition – Timely recognition aligned and misaligned behaviours.
- e) Information flow and coordination – Informed workforce.

3. Priority Opportunities – Integration with Planned Organisational Initiatives

- a) Performance Management system
- b) HR People initiatives
- c) Conscious Continuous improvement
- d) Knowledge Management

4. Other Opportunities – – Culture Integration

- a) Data management system
- b) Work Team Location changes
- c) Building Customer Awareness and Education




The Culture Development Program activates the following **Cultural Levers**:




- the Behaviour levers of **Top Team** (Councillors/GM/SLT/OLT) and **People Development**;
- the System levers of **Business Management Processes, Performance Management Workplace Design, External Stakeholders** and Communication; and
- the Symbol lever of **Quick Wins**.



4.3 Cultural Development Program Overview

Priority Focus Areas: Culture Behavioural Program (Collective and Individual)

A major component is the **Cultural Behavioural Program** to facilitate the understanding, engagement of, and commitment to the culture across all levels of CCC. A program that supports the leaders to create and lead the culture through a Cultural Leadership Program, alongside an Employee Culture Engagement Program that facilitates bringing the culture to life for each and every employee relative to their roles.

Initiative	Culture Lever	Audience	Delivery Responsibility	Action	Expected Benefit	Proposed Timing
a) Cultural Leadership Program	Top Team 	GM, SLT/OLT	External Provider	Leading Culture The Leading Culture Workshop is designed to support leaders' to consciously lead the creation of the target culture. The leaders understand how they practically apply tools, techniques, and neuroscience of leadership material to create psychologically safe work environments bringing the culture to life through the values and behaviour commitments. Individual leader action plans are developed by leaders and include monitoring of progress, measurement, and peer support mechanisms.	Builds the capability of leaders to shape and manage culture. Gives leaders the tools that they need to enable success in the new culture. Leaders develop individualised action plans to create and lead culture in their area of responsibility. Department Leadership Teams build cohesion and implement department-specific actions.	Feb 2024
	Top Team 	Councillors	External Provider	Councillor Culture Leadership Three workshops (2 hours) conducted with the Councillors to provide updates on progress against the Culture Development Program and support understanding of how they create the target culture. These workshops will continue to build the common language and provide techniques to enable them to have the required conversations in relation to aligning behaviours to the target culture.	Supports the Councillors understanding of the target culture and contribution to attaining CCC's goals. Continues to support their understanding of their roles and their contribution to the attainment of the target culture. Leverages other initiatives which are designed to support Board Members to engage with the organisation.	Feb 2024– Feb 2025
	People Development 	Coordinator s/ Team Leaders / Supervisors	External Provider	Leading Culture The Leading Culture Workshop is designed to support Supervisors / Team Leaders' understanding of how they create and lead the target culture, understand the Why, How and What in relation to the Target Culture and build common language and culture leadership expectations. The leaders understand how they practically apply tools, techniques, and neuroscience of leadership material to create psychologically safe work environments bringing the culture to life through the values and behaviour commitments. Individual leader action plans are developed by leaders to apply and implement learnings and to commence effectively leading culture. This brings the Supervisors and Team Leaders 'up to speed' with the SLT and OLT, creating an understanding of the target culture and a common language to support collective leadership of the culture through the organisation	Builds understanding, engagement and commitment to CCC's target culture and what it means for these leaders. Builds the capability of leaders to shape and manage culture. Gives leaders the tools that they need to enable success in the new culture. Leaders develop individualised action plans to create and lead culture in their area of responsibility. Department Leadership Teams build cohesion and outwork department-aligned actions.	Feb 2024
	People Development	SLT/OLT/ Supervisors	External Provider	Strengthening Culture Leadership– Culture Leadership Development Topics The Culture Leadership development topics are designed to build leadership capability and deepen and strengthen the networks and	Builds leadership effectiveness in the key leadership competencies required to create the target culture environment and achieve strategic direction. Promotes cross-group collaboration, trust and one team mindset	April – Dec 2024





Initiative	Culture Lever	Audience	Delivery Responsibility	Action	Expected Benefit	Proposed Timing
				<p>collaborative relationships across CCC. Each round focuses on a specific topic intrinsically linked to creating and leading the target culture.</p> <p>In each session, leaders will deep dive into the topic and be equipped with practical tools to support them to build skill. Leaders then apply learnings ‘on the job’ and regularly meet with their ‘coaching group’ to further embed learnings and build collaboration and relationships across departments. The sessions are scheduled 2–3 months apart to facilitate on the job application, reflection and embedding of learning.</p> <p>Leaders are allocated into small groups (approx. 15–20) for the sessions, establishing a conducive environment for deeper conversations, sharing of experience, and building relationships across departments.</p> <p>Session recommended topics:</p> <ul style="list-style-type: none"> • Leading Accountability • Neuroscience of Leading self and others through Change and Transitions • Interdependency and Collaboration • Building Trust and Communication 	<p>Example of scheduling of topics: Apr, June, August/Sept, Nov/ Dec</p>	
b) Continued Individual Leadership development	People Development 	SLT	External Providers	<p>Continue Individual SLT Leadership Development</p> <p>Enhance leadership effectiveness through leadership coaching. It is recommended; that leaders undertake 360-degree feedback development to further build leadership effectiveness and capability of the senior leaders of CCC. A series of individual coaching engagements are undertaken to support the continual and conscious leadership development of the SLT</p>	<p>Builds individual leader awareness around their behavioural patterns and underlying beliefs, so that they can consciously align, and role model their leadership behaviours.</p> <p>Initiatives already underway</p>	Commenced
c) Employee Culture Engagement	People Development 	Employees	External provider, Leaders, and Internal staff	<p>Employee Engagement – Awareness, understanding and commitment.</p> <p><u>Values Refresh: All Employees</u></p> <p>Launch the refreshed Values and associated behaviours, bringing these to life with tangible and practical activities designed for the specific organisational groups.</p> <p><u>Culture Champions</u></p> <p>Provision of development and internal capability build for individuals who are chosen as role models or early adopters of the Target culture and enthusiastic members so the CCC community in regard to advocating and communicating the target culture. Culture champions ensure values-aligned behaviours are being kept conscious and provide a voice for change at all levels of the organisation.</p> <p>The advocates are individuals who are role models or early adopters of the target culture and enthusiastic advocates in communicating the target culture.</p>	<p>Employees understand, the revised values with strong linkage to their feedback and organisational purpose.</p> <p>Culture continues to remain in focus and is actively integrated into CCC as the Culture Champions ensure values and behaviours are being kept conscious and provide a voice for change at all levels of the organisation.</p>	<p>Dec 2023</p> <p>Jan/Feb 2024 ongoing</p>


Initiative	Culture Lever	Audience	Delivery Responsibility	Action	Expected Benefit	Proposed Timing
				<p>Employee Culture Cascade Workshops A foundation workshop (3 hours in duration) that is attended by every employee (either in intact teams or cross-functional groups) which builds a shared language about culture and a shared understanding of the target culture, the values and behaviour commitments that underpin it and the day-to-day behaviours that they are expected to demonstrate day to day.</p> <p>Pulse Surveys Held at six (6) monthly intervals, the survey engages all employees to provide input into the progress towards the target culture.</p>	<p>Employees understand, engage with, and connect to the culture, values, and behaviours specific to their roles.</p> <p>Builds understanding, a common language and practical application amongst all employees around the target culture and what it means for them day to day.</p> <p>At the end of the Culture Cascade Workshops employees will:</p> <ul style="list-style-type: none"> • Be aware of how culture is created and how it supports their individual and collective success. • Understand more about our Target Culture and the Values and Behaviour Commitments. • Be familiar with some frames of thinking and common language to build their skill and ability to live the values. • Learn and practice ways to constructively provide feedback on behaviour. • Provide an individual commitment as to how they will contribute to the creation of the target culture. <p>Employees continued to be engaged in culture progress feedback, connecting changes in observed behaviours by self and their leaders.</p>	<p>Feb 2024</p> <p>August 2024 & Feb 2025</p>
d) Culture Integration	Business Management Process 	All Employees	Leaders, Culture Champions, Employees	<p>Monthly Culture Activities – Integrated into existing team meetings/gatherings. Development of a structured program of ‘on the job’ culture activities designed to embed culture into day-to-day thinking and make it tangible in each part of CCC.</p> <p>Activities focus on key topics e.g., cross-group teamwork and where appropriate are customised to fit within operational parameters.</p> <p>Activities are leader-led and undertaken each month at appropriate or existing team gatherings e.g., toolbox talks, and monthly team meetings.</p>	<p>The structured program keeps culture and practical application conscious in the day-to-day way of operating.</p> <p>Leader-led and customised for groups enable input and ownership by leaders and all employees.</p>	March 2024–ongoing
Culture communication strategy and plan	Communication 	All Employees	External Provider and Internal Communication Lead	<p>Culture Communication Strategy and Plan Development of a comprehensive Culture Communication Strategy and Plan that will sit beside CCC’s Internal Communication and Engagement Strategy and leverage the many existing internal communication mechanisms within CCC.</p>	<p>Raise stories of positive culture alignment and connections with the bigger picture. Supports making culture tangible and builds an understanding of how people contribute towards culture.</p>	Dec 2023 – Ongoing

Initiative	Culture Lever	Audience	Delivery Responsibility	Action	Expected Benefit	Proposed Timing
				The Culture Communication Strategy and Plan will support the external communication plan, the internal corporate communication plan and individual leader connection and alignment with Culture Development Program activities and support the organisation to continue to build understanding, engagement, and ongoing commitment to the target culture.	Keeps culture and how it supports the attainment of a positive work environment and CCC outcomes conscious.	


Quick Wins


The following outlines a number of Quick Win initiatives which facilitate momentum toward target culture. Quick Wins are usually initiatives that are minimal in cost and provide a strong symbolic connection to the commitment to creating target culture.

Initiative	Culture Lever	Audience	Delivery Responsibility	Action	Expected Benefit	Timing
Staff Engagement – SLT /OLT Visibility	Quick Win 	All Employees	SLT/OLT	Leadership Visibility The SLT/OLT develop a program of regular information sessions with the purpose of communicating e.g., key decisions made at CCC and SLT meetings and gathering feedback and input to solutions for ongoing issues. Leaders including SLT/OLT schedule into their calendars and undertake regular ‘walk arounds’ / visits talking with staff and acknowledging their efforts with a ‘hello’, ‘thank you’, and/ or “well done”.	Employees are kept informed and engaged in decisions, events, and successes. The SLT/OLT is seen engaging together while developing and leading across the whole of CCC. Leaders are visible and demonstrate an authentic interest in employees, respect, and value, leading to deeper commitment and motivation through recognition and genuinely seeking their feedback and input.	Dec 2023 – Ongoing
Council Building Access	Quick Win 	All Employees	CCC Corporate Services	Council Building Access Revision of policy and process for signing into council buildings by CCC employees. Where a CCC employee from another building/ location, visits another council building, the employee undertakes a building site induction (workplace health and safety elements) and then does not need to sign in (or be inducted) for future visits.	Builds a sense of ‘Together’ and One team as employees feel and are treated like a valued employee regardless of where they are predominately based	Dec 2023– Feb 2024
Together – One Team and Accountable	Quick Win 	All Employees	Leaders	Clarity of Roles and Responsibilities Structured activities to share team profiles which build understanding of roles and responsibilities. Undertake actions that support team members to get to know each other better, put names to faces, and who is responsible for what and who to go to for what etc. For example, <ul style="list-style-type: none">Encourage regular visits/meetings between interdependent teams or between departments. Team members from a different departmental team visit another interdependent team meeting or morning tea to share knowledge and information on their respective roles, responsibilities, where and how the teams integrate. Share what is working between the teams and what is not.	Build understanding of team, goals, and challenges areas to leverage coordination and collaboration. Creates unified organisation with Improved openness, knowledge and Information sharing collaboration across groups, inclusion, and teamwork.	April 2024– ongoing
Employee Value and Recognition	Quick Win 	All Employees	SLT/ OLT/ Coordinators /Supervisors	Timely recognition of aligned and misaligned behaviours Leaders consciously look for opportunities to provide timely, positive, and authentic recognition for good work; providing ideas for improvement; making it okay to make mistakes, taking responsibility and sharing the learning.	Builds a sense of pride, engagement, respect, and connection by employees to the organisation. Breaks down silos and builds relationships and trust between employees and leaders. Increased recognition throughout the employee base.	Ongoing

Initiative	Culture Lever	Audience	Delivery Responsibility	Action	Expected Benefit	Timing
				Leaders proactively and effectively take action on issues required to be addressed in a timely manner.		
Information flow and coordination	Quick Win 	All Employees	All	<p>Informed workforce</p> <p>Enhance communication and timeliness of information vertically into the organisation to support understanding of decisions and direction.</p> <p>Enhance communication flow between departments to support coordination, understanding of what other areas are doing and support effective internal and external customer interactions.</p> <p>It is safe to ask constructively seek understanding or clarification where unsure or believe there is an absence of communication with all taking personal accountability to seek communication</p>	<p>People are receiving relevant messaging in a timely manner that facilitates them being engaged and informed.</p> <p>Leaders through to Supervisors are taking personal responsibility to cascade relevant information to their people in a way that works for their specific areas.</p> <p>Increases cross-cooperation and a 1 team mindset.</p> <p>Builds a sense of pride and connection by employees to CCC.</p> <p>Builds community confidence and enhanced reputation of CCC and its employees.</p>	Ongoing

Priority Focus Area: Priority Opportunities: Integration with Planned Organisational Initiatives. The CCC Term Plan 2023–2026 and Strategic Business Plan outlines a considered program with many of the initiatives directly relating to key culture levers initiatives that are required to attain significant shifts towards the target culture. Whilst the program of work may require pacing to facilitate a high degree of success in the adoption of changes and sustainable benefit realisation, with conscious integration of and connection to the target culture, will significantly contribute to shifts in culture. The following tables recommends the most important initiatives to focus on as a priority and which will delivery significant cultural shift.




Initiative	Culture Lever	Audience	Delivery Responsibility	Action	Expected Benefit	Timing
Performance Management	Performance Management 	All Staff	CCC People and Culture	<p>Performance Management Process Review</p> <p>Leaders with the skills and capabilities to effectively manage performance, including the ability to have effective performance conversations, are able to role model accountability by supporting employees to deliver on their goals and reach their potential.</p> <p>The performance agreement is a mechanism through which individual effort is focused on Council priorities. In order to reinforce the importance of performance, values and the target culture, it is therefore critical that values are effectively integrated into this process at a behavioural level for leaders.</p> <p>The enhancement of the current Performance Management process involves focusing on the skill of managers to have effective performance conversations when they need to be had. The performance management process in place, is not considered by employees to be credible due to the perception</p>	<p>People have a clear understanding of accountabilities and behavioural expectations and have regular discussions with leaders on their progress and development opportunities.</p> <p>Leaders are skilled at having constructive and proactive performance conversations recognising achievements and supporting focus on growth and development areas.</p>	Mar 2024 – June 2024

				that managers do not execute this process well and consider it to be purely a tick-and-flick exercise. To further reinforce the importance of values-aligned behaviour in achieving organisational goals, a modification to the Performance Agreements is recommended to include a score (weighted in relation to the overall annual performance) for how people behave in relation to the target culture.		
HR People Initiatives	People Development, People placement 	All Staff	CCC People and Culture	Integration of Cultural Elements into the Organisation Development Initiatives Conscious integration and inclusion of culture elements to support alignment with the target culture. <ul style="list-style-type: none"> Onboarding process including recruitment, induction and selection and existing processes. Development of Workforce plan including Succession Planning Strategy (with a focus on emerging leaders). Reward and Recognition program – a holistic program with a mix of informal and formal reward and recognition of the demonstration of the values and behaviour commitments. 	People in key roles send strong messages about the culture and its values through their behaviour. Deliberate considerations and values alignment through initiatives built into the selection, promotion, succession planning and exiting of people. The target culture and behavioural expectations are clearly articulated as employees enter the Council. Potential leaders are assessed not only on what they do but how they do it. Inclusion of how people demonstrate values-aligned behaviour as a criterion for involvement in the talent pool sends a strong message to others as to how to behave and what is rewarded.	Feb 2024– June 2024
Conscious Continuous Improvement	Business Management Processes 	All Leaders and Employees	Corporate Services	Continuous Improvement Leaders actively and proactively engage with their teams to listen to and discuss the key challenges and opportunities in their day to day. Leaders empower employees to identify and action continuous improvement opportunities in their control and identify and action improvement and learning opportunities. Where the challenge or opportunity requires escalation, the leader takes carriage of the issues. This is integrated into a continuous improvement framework. Learnings and feedback are shared within and across departments with successful and unsuccessful ideas recognised.	Employees feel empowered and acknowledged for raising improvement ideas and aware of the outcomes (benefits and learning) from their suggestions. Leaders are able to role model Continuous Improvement behaviours in how they engage with their people in this process.	April 2024– ongoing
Knowledge Management	Business Systems 	Employees	Corporate Services & People & Culture	Development of Knowledge Management Develop a knowledge management system that supports the capture, sharing and application of the experience of people within the organisation. The program supports sharing by experienced long-term employees with newer employees	Builds a sense of 1 team where employees are actively respecting and sharing their knowledge supporting the delivery of goals. Knowledge sharing is seen as a powerful approach to being valued and respected.	May 2024– June 2025

				and incorporates a mutual sharing of information, expertise, and ideas. Incorporate a mentoring program between experienced personnel, and leaders to support employee growth and development and cross-collaboration		
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Other Opportunities – Culture Integration

In addition to the priority areas, the following table other opportunities which will contribute to the culture program over time.

Initiative	Culture Lever	Audience	Delivery Responsibility	Action	Expected Benefit	Timing
Data Management System	Business Management System 	All Employees	Corporate Services	Data Management System Introduction of a data management system supporting information capture, which facilitates information flow, transparency, and information sharing. Link data management back to target culture values and behaviours.	Data management will significantly align with key culture messages such as one team, respect, and accountability.	As per the Strategic Planning timeline
Work Team Location Changes	Workplace Design 	Leaders	CCC Facilities	Integration of culture into work team location changes Where opportunity arises, actively integrate core culture elements into changes in workplaces, for example when moving teams, ensure teams that have interdependencies are co-located to support communication and cross-collaboration. This could be incorporated into the Facilities Master Planning.	Supports opportunities to enhance collaboration within the organisation by co-locating teams who work closely together.	Ongoing
Building Customer Awareness and Education	External Stakeholders 	Customers and all employees	Community Services	Increasing Customer Awareness and Education Continue to build external customer awareness of the service standards that CCC can deliver and process to seek services and issue resolution. Continue to build education through an external communications strategy which enhances CCC's reputation, pride of employees and respect of employees within the Central Coast community for the services that are provided.	Employees feel valued and proud to work with CCC. Customers respect CCC workers and increased acknowledgement for work well done. Reduce customer complaints.	Ongoing

DULVERTON REGIONAL WASTE MANAGEMENT AUTHORITY

*(A Joint Authority under s30-39 Local Government Act of the Central Coast, Devonport City,
Kentish and Latrobe Councils for the management and disposal of waste)*

RULES

As adopted on 23rd November 2023

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AUTHORITY RULES

PART 1 - PRELIMINARY

1. Title

These Rules may be cited as the Dulverton Regional Waste Management Authority Rules.

2. Name

The name of the *Authority* is the Dulverton Regional Waste Management Authority.

3. Interpretation

(1) In these Rules, unless the contrary intention appears:

- '*Act*' means the *Local Government Act 1993 (Tas)*;
- '*aftercare fund*' means a fund for long term aftercare management of a Site;
- '*aftercare funding plan*' means a financial plan accounting for all known assets and liabilities relating to the landfill at the current date and at the estimated landfill closure date articulating the proposed financial path and addressing any gap between assets and liabilities;
- '*aftercare management*' is the management of a *Site* that has been used for landfill to avoid environmental harm after that *Site* has been closed as an active landfill and until such time as that *Site* is deemed to pose no further potential environmental harm;
- '*AGM*' means an annual general meeting of the *Representatives* held in accordance with Rule 12;
- '*Authority*' means the Dulverton Regional Waste Management Authority;
- '*Board*' means the *Board of directors* appointed by the *representatives*;
- '*chair*' means the chair of the *Board*;
- '*chief representative*' means the chair of the *representatives* and where the context permits, refers to the person chairing the relevant *Representatives' meeting*;

- **‘CEO’** means the chief executive officer of the *Authority*;
- **‘closure date’** is the date when any *Site* is closed such that waste is no longer deposited at that Site;
- **‘Corporations Law’** means the Corporations Law of Tasmania and the Commonwealth;
- **‘Council’** means a council established under section 18 of the *Local Government Act, 1993*;
- **‘councillor’** means an elected member of a *participating council*;
- **‘deputy chief representative’** means the deputy chair of the *representatives*;
- **‘director’** means a member of the *Board* and includes the *chair*;
- **‘DWM Policies and Procedures’** means the Dulverton Waste Management policies and procedures that are adopted from time to time;
- **‘environmental harm’** has the same meaning it does in section 5 of the *EMPCA*
- **‘EMPCA’** means the *Environmental Management and Pollution Control Act 1994 (Tas)* as amended from time to time;
- **‘financial ratio’** means the following equity ratio:

Owner Council	Equity Share
Devonport City Council	43.45%
Central Coast Council	36.82%
Latrobe Council	11.25%
Kentish Council	8.48%

- **‘general manager’** means a general manager of the *participating council*;
- **‘Mersey-Leven Region’** means the municipal areas of the *participating councils*;

- **‘participating council’** means a council which is a member of the *Authority*;
- **‘rehabilitation’** is the capping and vegetation of landfill *waste* cells as they are filled;
- **‘rehabilitation fund’** means a fund for *rehabilitation*;
- **‘representative’** means a person appointed by a *participating council* to represent it on the *Authority* and includes a substitute appointed under Rule 9(4);
- **‘representatives’** means the *representatives* acting together at a *Representatives’ meeting*;
- **‘Representatives’ meeting’** means a meeting of *representatives*;
- **‘Rules’** means these rules as amended from time to time;
- **‘Treasurer’** means the Treasurer for the State of Tasmania;
- **‘special resolution’** means a resolution of the *representatives* complying with Rule 22;
- **‘Site’** is any land owned by the *Authority* for the purpose of landfilling, composting, leasing to other entities or any other like use;
- **‘Statute’** means an Act, Regulation or By-law whether made by the State of Tasmania or the Commonwealth of Australia or by any *participating council*;
- **‘waste’ includes any –**
 - a) discarded, rejected, unwanted, surplus or abandoned matter, whether of any value or not; or
 - b) discarded, rejected, unwanted, surplus or abandoned matter, whether of any value or not, intended –
 - i. for recycling, reprocessing, recovery, reuse or purification by a separate operation from that which produced the matter; or
 - ii. for sale.

- (2) These Rules are to be interpreted in accordance with the Acts Interpretation Act unless the contrary intention appears.

PART 2 - FUNCTIONS AND POWERS

4. Function

- (1) The principal function of the *Authority* is to manage *waste*.
- (2) The principal function includes:
 - (a) collecting, purchasing and otherwise acquiring *waste* (whether or not the *waste* is generated within the *Mersey-Leven Region*; and
 - (b) storing (whether temporarily or permanently), treating and disposing of *waste*; and
 - (c) reconstituting, refurbishing, recycling, cleansing, composting and otherwise treating *waste* and any product or by-product of *waste* or of any of those processes; and
 - (d) trading or dealing in any product or by-product of any of the activities referred to in any of the preceding subclauses; and
 - (e) anything which any *participating council* may do under any *Statute* with respect to any function expressly set out in these Rules; and
 - (f) anything which the *Authority* may in its own right do under any *Statute* with respect to any function expressly set out in these Rules; and
 - (g) formulating, implementing, researching and monitoring policies and programs for reducing, managing or recycling *waste*, whether for itself, its *participating councils* or any other council;
 - (h) undertaking any function, power, duty or requirement (however expressed) of any *waste* management policy or guideline (however named) issued in any way by any State or Federal body with respect to *waste* reduction, management or recycling; and
 - (i) managing and/or owning waste transfer station(s) or undertaking other waste services.
- (3) The *Authority* may formulate, implement and monitor policies and programs for the development and use of land owned by it for purposes compatible with a licensed waste disposal land-fill, including for industrial uses of a heavy industrial or regional nature (whether or not the region so considered is limited to the *Mersey-Leven Region*).

- (4) The *Authority* may do anything reasonably incidental to the performance of its functions including, as incidental activities, undertaking projects or activities for the purpose of raising revenue even if they are not directly authorised by its other functions but remains limited by Rule 38(1).
- (5) Whether or not the *Authority* exercises a function a *participating council* may exercise that function itself or obtain the benefit of that from any other source.
- (6) If, for any reason, the functions described in any part of this Rule 4 exceed the functions that the *Authority* can legally perform, those functions are to be read down so as to be those that the *Authority* can legally perform, but no further.

5. Powers of the Authority

- (1) In performing its functions, the *Authority* may do anything:
 - (a) which the *Act* authorises a joint authority to do; and
 - (b) which the *Act* authorises a council to do with respect to the functions of a council, (including the making of by-laws in accordance with Part 11 of the *Act*) excepting those things which the *Act* stipulates are not provided for in the rules of a joint authority; and
 - (c) which a *participating council* is empowered to do under any *Statute* with respect to the functions in Rule 4 which a *participating council* could otherwise perform; and
 - (d) which the *Authority* is otherwise empowered to do either specifically or generally under any *Statute*.
- (2) Without the prior approval of a majority of the *participating councils* the *Authority* must not acquire any land which it did not own as at the 1st January 2005.

6. Core Activities

- (1) The provisions of Rules 4 and 5 are enabling provisions. Nothing in those Rules requires the *Authority* to undertake or perform any of those functions or powers.
- (2) The core activities of the *Authority* are the management of *waste*.

- (3) Until determined to the contrary under Rule 6(4) the *Board* may only perform the functions and exercise the powers of the *Authority* with respect to the core activities of the *Authority*.
- (4) The *Board* may perform such functions and exercise such powers of the *Authority* that are not core activities if:
 - (a) the *representatives* authorise that specifically or generally by special resolution; or
 - (b) the strategic plan or annual plan clearly includes it.
- (5) Any act, transaction, agreement or resolution of the *Board* or any other thing which is within the *Authority's* functions or powers under Rules 4 and 5 is not rendered invalid because it is outside the functions or powers of the *Board* specified by or in accordance with Rule 6(2) to 6(4).

PART 3 – MEMBERSHIP AND FINANCIAL CONTRIBUTIONS**7. Members and Contributions**

- (1) The members of the *Authority* are the *participating councils*.
- (2) *Participating councils* are:
 - (a) those councils listed in Schedule 1; and
 - (b) any council which becomes a member under subrule (3);which have not withdrawn from membership.
- (3) Another council may become a member and a *participating council* if:
 - (a) it resolves to do so and to be bound by these Rules; and
 - (b) a majority of the *participating councils* approve its membership; and
 - (c) that council and a majority of *participating councils* agree the terms and conditions on which it will become a member, including:
 - (i) the number of *representatives* it may appoint under Rule 9; and
 - (ii) the *financial ratio* for that council and each of the *participating councils*.
- (4) The *participating councils* are only required to make financial contributions to the *Authority*:
 - (a) when agreed by the majority of *participating councils* and in the proportions so agreed; or
 - (b) as required under Rules 38, 54 or 55.

8. Withdrawal

- (1) Subject to any requirements of the *Act*, a *participating council* may only withdraw from membership of the *Authority* if it gives notice to the *CEO* of its intention to withdraw at least 3 months prior to the commencement of the financial year at the end of which it wishes to withdraw.
- (2) If a *participating council* has given notice under subrule (1), it may cancel that notice by further notice to the *CEO* at any time before its withdrawal becomes effective.

- (3) A withdrawal from membership becomes effective on the expiration of a notice given under subrule (1).
- (4) A council which has withdrawn from the *Authority*:
 - (a) remains liable to pay all amounts due by it to the *Authority*; and
 - (b) remains bound by Rules 54(5) and (6) and 55(5).
 - (c) is not entitled to any payment with respect to any interest it may have in the *Authority's* assets.
- (5) All property and assets owned or controlled by the *Authority* including those located within the municipal area of a council which has withdrawn from the *Authority* remain the property of or under control of the *Authority* unless they are purchased from or otherwise transferred by the *Authority* to that council.

9. **Representatives**

- (1) Each *participating council* is to appoint 2 persons to represent and vote on its behalf as a *participating council*.
- (2) A *representative* may resign from that office by notice given to the *general manager* of the relevant *participating council*.
- (3) A *participating council* may terminate an appointment and appoint a replacement *representative*.
- (4) The *general manager* may appoint a substitute *representative* to act in place of the *representative* whenever that *representative* is unable to act as a *representative*.
- (5) An appointment, resignation, substitution or replacement of a *representative* is not effective until the *CEO* is notified in writing.
- (6) Only a *representative* appointed under this Rule is authorised to represent a *participating council* and vote at a *Representatives' meeting*.
- (7) The commissioner under section 230 or 231 of the *Act* of a *participating council* may:
 - (a) personally fulfil the role and exercise the powers and functions of the *representatives* of that council and for that purpose is to be counted as 2 *representatives* in the quorum and voting; or

- (b) appoint 2 persons as *representatives*, one of whom may be the administrator.

PART 4 - MEETINGS AND POWERS OF REPRESENTATIVES

10. Convening of Representatives' Meetings

- (1) The *Authority* may hold such *Representatives' meetings* as are desirable to carry out its functions.
- (2) The *CEO* is to convene a *Representatives' meeting* at the request of the *chief representative*, the *Board* or 2 or more *representatives*.

11. Notice of Representatives' Meeting

- (1) The *CEO* is to give to the:
 - (a) *representatives*;
 - (b) *general managers*; and
 - (c) *directors*;at least:
 - (d) 14 days' notice in writing of the *AGM* or of a *Representatives' meeting* which includes a matter which requires a *special resolution*; and
 - (e) at least 4 days' notice in writing of any other *Representatives' meeting*.
- (2) The notice is to specify the place, the day, and the hour of the meeting and the general nature of the business to be transacted at the meeting.
- (3) Even if no notice is given under subrule (1)(b) and (c) the *representatives* may by resolution passed or signed by all of them waive the requirement for notice of a *Representatives' meeting* other than an *AGM*.

12. AGM

- (1) An *AGM* must be held in every year before the end of November.
- (2) The *AGM* is to:
 - (a) receive and consider the accounts and reports of the *Board*; and

- (b) Bi-annually elect the *chief representative* and deputy *chief representative* which representatives shall hold such position as determined in accordance with Rules 18(4) and 18(5).
- (3) The *AGM* may transact any other business specified in the notice of the meeting.
- (4) *Councillors* and the employees of a *participating council* and *directors* and employees of the *Authority* may attend any *AGM* but are not entitled to vote.
- (5) The *chief representative* is to provide a “question time” during which persons entitled to be present may ask questions of the *representatives*, the *Board* or the *CEO*.

13. **Representatives’ Powers and Duties**

The *representatives* have powers and duties:

- (a) with respect to the matters which require a *special resolution*; and
- (b) to review the performance of the *Board* and the individual *directors* at least once in each 2 years and not less than 3 months prior to commencing any *director* recruitment process; and
- (c) in accordance with Part 6 of these Rules with respect to:
 - (i) the appointment of *directors*; and
 - (ii) the setting of terms of office of *directors*; and
 - (iii) the setting of remuneration of *directors*; and
 - (iv) the suspension and dismissal of *directors*; and
- (d) to approve the *Authority’s* strategic plan, annual plan and budget under Schedule 2; and
- (e) to appoint the auditor in accordance with Rule 43 and with respect to all matters reasonably incidental to that appointment; and
- (f) to set their requirements for reporting to them by the *Board*; and
- (g) The *representatives* may consider the admission of other Councils as members of the *Authority* and hold discussions with such other Councils concerning

such membership and make a recommendation to the *participating councils* as to another Council or Councils becoming a member of the *Authority*.

14. Policies and Guidelines

- (1) The *representatives* may by special resolution establish any policy for any process or other matter with respect to their exercise of any of their powers and duties listed in Rule 13.
- (2) In establishing any policy the *representatives* must obtain the advice of the *CEO* and, where the *CEO* certifies that it is required, the advice of an appropriately qualified person who is not an employee of the *Authority*.
- (3) The *representatives* may revoke or amend any policy in the same manner and required by subrules (1) and (2).
- (4) The *representatives* may establish, revoke or amend any guidelines for any process or other matter to be considered by them.
- (5) In establishing any guideline the *representatives* may obtain the advice of the *CEO* or any other appropriately qualified person.
- (6) The *representatives* are to comply with any policy or guideline but their failure to do so will not invalidate any decision.

PART 5 - PROCEEDINGS OF REPRESENTATIVES' MEETINGS

15. Attendance at Representatives' Meetings

- (1) The *representatives* may require any of the *directors* and the *chief executive officer* to attend any *Representatives' meeting* and provide information.
- (2) A *Representatives' meeting* is not open to the public.
- (3) The *chief representative* may invite any other person to attend a *Representatives' meeting*.
- (4) Any person who attends a *Representatives' meeting* who is not:
 - (a) a *representative*; or
 - (b) a *director* or the *CEO* required to attend under subrule (1);may not speak unless authorised by the *chief representative* to do so.
- (5) The *chief representative* may direct any person attending a *Representatives' meeting* who is not a *representative* to leave the meeting or any part of the meeting.
- (6) A *representative* may participate in a *Representatives' meeting* by telephone, television or video conference or any other means of communication approved by the *representatives*.
- (7) A *representative* who participates in a way referred to in subrule (6) is taken to be present at the meeting for all purposes, including the quorum.

16. Quorum of Representatives

- (1) The quorum at a *Representatives' meeting* is:
 - (a) a majority of the *representatives* who may be appointed under Rule 9(1); and
 - (b) a majority of *participating councils* represented by at least one *representative* on their behalf.
- (2) A *Representatives' meeting* may only transact business if a quorum is present while that business is being considered.

17. Quorum Not Present

- (1) If a *Representatives' meeting* lacks a quorum, either at the beginning or during a meeting, the *chief representative* must adjourn the meeting.
- (2) The *chief representative* may:
 - (a) resume the meeting that day when a quorum is present; or
 - (b) adjourn the meeting until a date, time and place acceptable to a majority of the *representatives* present.
- (3) Only business left unfinished at the adjourned meeting may be transacted at the rescheduled meeting.
- (4) If at the rescheduled meeting, a quorum is not present within 30 minutes after the time specified for holding the meeting, the meeting is to be abandoned.

18. Chair of Representatives' Meeting

- (1) The *chief representative* is entitled to chair every *Representatives' meeting*.
- (2) The deputy *chief representative* may chair any *Representatives' meeting* or part of it if:
 - (a) the *chief representative* is not present at the specified time for holding the meeting; or
 - (b) the *chief representative* is present but is unwilling to chair the meeting or part of the meeting.
- (3) If both the *chief representative* and deputy *chief representative* are absent or unwilling to chair a *Representatives' meeting* or part of a meeting, the *representatives* are to choose a *representative* to chair the *Representatives' meeting* or that part of it.
- (4) The *chief representative* and deputy *chief representative* hold office until the end of the second annual *AGM* after their appointment unless the *representatives* by *special resolution* terminate either or both appointments.
- (5) Despite Rule 18(4), the *representatives* may by *special resolution* dismiss a *chief representative* or deputy *chief representative* from office if the *representatives* consider it in the best interests of the *Authority* or the *participating councils* to do so.

19. Voting at Representatives' Meetings

- (1) Each *representative* is entitled to one vote at a *Representatives' meeting*.
- (2) The *chief representative* has a deliberative vote only.
- (3) Unless otherwise specified in these Rules, a question arising at a *Representatives' meeting* is determined by a majority of the *representatives* present whether or not they vote.
- (4) If a vote is tied, the resolution is lost.
- (5) A vote is to be taken in the manner the *chief representative* directs.

20. Declaration of Vote at Representatives' Meetings

Unless a division is demanded the *chief representative* may declare that a resolution of *representatives* has been passed or lost.

21. Resolution in Writing

- (1) A resolution in writing signed by all *representatives* is as valid as if it had been passed at a *Representatives' meeting* duly called and constituted.
- (2) The resolution may consist of several documents in the same form, each signed by one or more *representatives* or bearing a copy of those signatures transmitted in accordance with Rule 51(2).

22. Special Resolution of Representatives

- (1) A *special resolution* is passed if:
 - (a) notice of the matter has been given in accordance with Rule 11; and
 - (b) it is passed by a majority of the *representatives* (whether or not they are all present and vote) which majority of *representatives* between them represent a majority of the *participating councils* and at least one representative from each Council represented at the *Representatives' meeting* (whether or not all the *participating councils* are represented at that *Representatives' meeting* by a *representative* who is present).
- (2) A *special resolution* is required for the:
 - (a) appointment of the *chair* and other *directors* (Rule 24(2)); or

- (b) termination, suspension or other changes to the terms of appointment of a *director* prior to the end of their term of appointment (Rules 26 & 27); or
- (c) approval of the *Authority's* strategic plan, annual plan or budget when there is a dispute with the *Board* (Schedule 2 Clause 2.4); or
- (d) appointment of a person to wind up the *Authority* (Rule 54); or
- (e) termination of office of *chief representative* or deputy *chief representative* (Rule 18(4)); or
- (f) deletion or variation of the requirements of the annual report (Rule 44(3)); or
- (g) any other Rule which requires a *special resolution*.

23. Validity of Proceedings of Representatives' Meetings

An act or proceeding of the *representatives* or of any person acting under their direction is:

- (a) not invalid only by reason that at the time when the act or proceeding was done, taken or commenced, there was a vacancy in a position as a *representative*; and
- (b) valid, even if the appointment of a *representative* was defective.

PART 6 - THE BOARD

24. Appointment of Directors

- (1) The *Board* consists of at least 3 and no more than 7 *directors*, one of whom is the *chair*.
- (2) The *representatives* are by *special resolution* to appoint the *chair* and other *directors* of the *Board*.
- (3) When appointing the *chair* and other *directors*, the *representatives* are to:
 - (a) take into account the functions and powers of the *Board* and appoint persons who collectively have the skills and experience to carry out those functions and powers; and
 - (b) specify in the terms of each appointment a term of office no longer than five years, which term may be different for any *director*; and
 - (c) consider the desirability of establishing arrangements for the retirement of no more than half the *Board* at a time so as to preserve continuity of corporate knowledge and skills at *Board* level; and
 - (d) specify the continuing eligibility (if any) on which the *directors*' term of office is a condition so that the *directors*' term of office will automatically cease if the director ceases to comply with that continuing eligibility; and
 - (e) determine the size of the *Board* within the limits required by subrule (1); and
 - (f) take into account the likely conflict or perceived conflict of interests arising from employment or association with other organisations; and
 - (g) consult with the *Board chair* and *CEO* regarding skills/diversity required in the recruitment process and refer to relevant Authority policies, including the Equal Opportunity and Discrimination Policy and the, Harassment and Bullying Policy.
- (4) A *director* whose term has just expired is eligible for appointment for another term.

25. Eligibility for Appointment as Director

- (1) A person must not be both a *representative* and a *director*. If a *representative* is appointed as a *director* that *representative* must resign their appointment as a *representative* before accepting appointment as a *director*.
- (2) The *representatives* are not to appoint to the *Board* a person who:
 - (a) is a *councillor* or employee of a *participating council*; or
 - (b) under the *Corporations Law* of any State is not entitled to manage a corporation or has been disqualified by Court order from managing a corporation; or
 - (c) is suspending payment generally to creditors or compounding with or assigning his or her estate for the benefit of the creditors; or
 - (d) is of unsound mind or is a patient under a law relating to mental health or whose estate is administered under laws relating to mental health; or
 - (e) has been dismissed from office under Rule 27.

26. Suspension of Directors

- (1) Subject to Rule 27A, the *representatives* may by *special resolution* suspend a *director* from office for a period of no more than 3 months.
- (2) If the *representatives* suspend the *chair*, they may suspend him or her from that office only, or as a *director* as well.

27. Dismissal of Directors

- (1)
 - (a) Subject to Rule 27A, the *representatives* may by *special resolution* dismiss a *director* from office if the *representatives* consider it in the best interests of the *Authority* or the *participating councils* to do so.
 - (b) If the *representatives* dismiss the *chair*, they may dismiss him or her from that office only, or as a *director* as well.
 - (c) The *representatives* may dismiss a *director* from office at any time without prior notice if the *director* is guilty of grave misconduct or wilful neglect in the discharge of his or her duties, becomes bankrupt,

loses legal capacity or makes any arrangement or composition with his or her creditors.

- (d) In circumstances other than those set out in clause 27(1)(c) any *director* that is dismissed shall be given 6 months' notice but the *representatives* may decide to pay the *director* the equivalent of the notice period and not require that he or she serve the notice period.

27A. Process for Discipline of Director

- (1) The *representatives* may not make a resolution under Rule 26(1) or 27(1) unless they have first complied with Rules 27A(2) and 27A(3).
- (2) Where the *representatives* consider that there is prima facie evidence of conduct by a director that requires the action considered in Rule 26(1) or Rule 27(1), the *representatives* shall, as soon as practicable, cause a notice to be given to the *director*:
- (a) setting out the substance of that evidence and breach constituted by it;
 - (b) stating that the *director* may address the representatives with reference to the notice and its contents at a meeting;
 - (c) stating the date, place and time of that meeting being not earlier than two (2) days and not later than seven (7) days after the giving of the notice; and
 - (d) informing the *director* that the director may do either of the following:
 - (i) attend and speak at that meeting;
 - (ii) submit to the representatives at or prior to the date of the meeting written representations relating to the resolution.
- (5) Where the *representatives* make a resolution under Rule 26(1) or Rule 27(1) the *representatives* shall, within seven (7) days thereof, by written notice, inform that *director* of that resolution and of the *director's* right of appeal under Rule 27A(7).
- (6) A resolution by the *representatives* under Rule 26(1) or Rule 27(1) does not take effect:

- (i) until the expiration of the period in which the *director* is entitled to appeal against the resolution where the *director* does not exercise the right of appeal within that period; or
 - (ii) where within that period the *director* exercises the right of appeal, unless and until the *representatives* confirms the resolution in accordance with Rule 27A(11).
- (7) A director may appeal to the representatives against a resolution under Rule 26(1) or Rule 27(1) within seven (7) days after the notice of the resolution is given to the director by lodging with the chief representative a notice to that effect.
- (8) The available grounds of appeal are:
 - (i) where a decision is wrong having regard to the application of the relevant rule, regulation, policy or laws or where new evidence becomes available; or
 - (ii) where natural justice has been denied.
- (9) On receipt of the notice under rule 27A(7) the chief representative shall convene a representatives' meeting to be held within 21 days after the date on which the chief representative received the notice or as soon as possible after that date.
- (10) At the representatives meeting held in accordance with rule 27A(9):
 - (i) no business other than the question of the appeal shall be transacted;
 - (ii) the representatives and the director shall have the opportunity to make representations in relation to the appeal orally or in writing, or both; and
 - (iii) after receiving the representations made under Rule 27A(10)(ii), the representatives shall vote on the question that the resolution made under Rule 26(1) or Rule 27(1) be confirmed.
- (11) The resolution made under Rule 26(1) or Rule 27(1) is revoked unless confirmed by Rule 27A(10)(iii).
- (12) Where there is any inconsistency or conflict between this Rule 27A and the *Act*, the *Act* prevails to the extent of the inconsistency or conflict.

28. Vacation of Office of Director

The office of a *director* becomes vacant:

- (a) if the *director* has been absent from 3 consecutive *Board* meetings without leave of absence granted by the *Board* and the *representatives* by ordinary resolution declare that *director's* office vacant; or
- (b) if the *director* is no longer eligible under Rule 25 to be appointed to the *Board* or ceases to be eligible under Rule 24(3)(d); or
- (c) on the written resignation of the *director* being received by the *CEO*; or
- (d) if the *director* is dismissed under Rule 27; or
- (e) on the *director's* death.

29. Remuneration of Directors

- (1) The *directors* are to be paid the remuneration the *representatives* determine in accordance with the voting procedure at Rule 19.
- (2) That remuneration may be different for different *directors* and may include incentives based on performance.

30. Travel and Other Expenses of Directors

A *director* is to be paid all reasonable travel, accommodation and other expenses incurred by the *director* while engaged on the business of the *Authority* in accordance with its normal procedures and policies.

31. Functions and Powers of the Board

Subject to Rule 6(1) the *Board* may perform all the functions and exercise all of the powers of the *Authority* except those functions and powers which these Rules expressly require to be performed by the *representatives* or the *participating councils* only.

32. The Duties of the Board and Directors

- (1) The *Board* is to direct the affairs of the *Authority* in a manner consistent with:
 - (a) the *Authority's* strategic plan, annual plan and budget; and

- (b) the requirements of the corporatisation model for government business enterprises referred to in the Competition Principles Agreement made between the Commonwealth, the States and the Territories as amended from time to time.
- (2) Except as otherwise provided in these Rules or the *Act*, in the exercise of their functions and powers:
 - (a) each *director* has the same duties and is to exercise the same degree of care, diligence and good faith as a director of a corporation subject to the *Corporations Law*; and
 - (b) the *director* must not do anything which the *Corporations Law* provides that a director of a corporation subject to that law must not do.
- (3) *Directors* may rely on information and advice in the same manner as a director of a corporation subject to the *Corporations Law*.

33. Notifying Representatives of Adverse Developments

The *Board* is to promptly notify the *representatives* of anything which may:

- (a) prevent or significantly adversely affect the achievement of any objective (however called) set out in the strategic plan or annual plan; or
- (b) significantly adversely affect the financial viability or operating ability of the *Authority* and which is not referred to or allowed for in the strategic plan , annual plan or budget.

34. Board Proceedings

Schedule 3 applies to meetings of the *Board*.

35. Board Committees

- (1) The *Board* may establish committees as it considers appropriate and delegate to those committees the functions and powers the *Board* considers appropriate.
- (2) A committee may be comprised entirely of persons who are not *directors*.

- (3) If the *Board* does not direct the manner in which a committee conducts its business, the committee may determine that method.
- (4) The *Board* may discontinue any established committee as it considers appropriate.

PART 7 - CEO AND EMPLOYEES

36. CEO

- (1) The *Board* is to appoint a *CEO* to be responsible for the administration and operation of the *Authority*.
- (2) The *Board* may delegate any of the *Board's* functions and powers to the *CEO*.
- (3) The *Board* may require the *CEO* to:
 - (a) attend meetings of the *Board*; or
 - (b) leave any part of a *Board* meeting.

37. Delegations of Power by the CEO

Subject to any direction to the contrary by the *Board*, the *CEO* may delegate any of the *CEO's* functions and powers to any person appointed by the *CEO* to assist the *Board* in performing its functions and exercising its powers in accordance with its normal procedures and policies.

PART 8 – FINANCE, ACCOUNTS AND AUDIT

38. Financing of Authority's Activities

- (1) The expenses incurred by the *Authority* are to be met or defrayed out of the *Authority's* funds raised as follows:
 - (a) fees charged by the *Authority* for any service or facility provided by the *Authority*, including those fees charged to the *participating councils*; and
 - (b) revenue of any other nature received by the *Authority*; and
 - (c) loans made by the *participating councils* to the *Authority* with the prior written consent of all the *participating councils* which loans must be contributed by the *participating councils* in proportion to the *financial ratios*; and
 - (d) the financial contributions as the *participating councils* from time to time unanimously agree to contribute in proportion to the *financial ratios*;
 - (e) loans taken by the *Authority* from any financial institution with the authorisation of the *representatives*; and
 - (f) any other method of raising funds that is permitted to councils under section 73(b) to (i) of the *Act*.
- (2) The *Authority* shall not require any *participating council* to return to the *Authority*:
 - (a) any dividend paid by the *Authority* to the *participating council*; and
 - (b) the net amount of any income tax equivalent or guarantee fee paid to the *participating council* by the *Treasurer* or comptroller in accordance with section 39C of the *Act*.
- (3) The Board is to make full provision for *aftercare management*. To do so:
 - (a) Each year the *Board* must determine an amount that it reasonably believes is necessary in accordance with the *aftercare funding plan*;
 - (b) The amount determined in Rule 38(3)(a) is to be paid into the *aftercare fund*;

- (c) The *Board* is to determine the closure date at least ten (10) years prior to the landfill *Site* ceasing to be an active landfill and upon doing so, develop a closure plan to the satisfaction of the *representatives* for the discharge of funds from the *aftercare fund*;
- (d) The *Authority* may borrow against the *aftercare fund* at the then Tascorp borrowing rate for capital projects provided that:
 - (i) The *Authority* is solvent;
 - (ii) The total funds being loaned from the accumulated *aftercare fund* are approved by the *representatives*; and
 - (iii) All borrowings, including all accumulated interest, are repaid not later than two (2) years before the planned *closure date*.
- (e) The *Authority* may lend to any *participating council* funds from the *aftercare fund* provided that:
 - A. The *participating council* is solvent;
 - B. The total funds being loaned from the accumulated *aftercare fund* are approved by the *representatives*; and
 - C. All loaned funds, including interest, are to be repaid not later than two (2) years before the planned closure date.
- (4) If the *Board* determines that the *Authority's* budget will not otherwise be sufficient to ensure proper and sufficient reserves as required by subclause (3), it is to give written notice to all *participating councils* requiring them to pay to the *Authority* the amount so required in proportion to their *financial ratio*.
- (5) The *participating councils* must promptly pay to the *Authority* any amount required under subclause (4).
- (6) The *Authority* is to place all amounts it receives for the *aftercare fund* into the *aftercare fund* in accordance with the *aftercare management plan*.
- (7) The *Board* is to make full provision for *rehabilitation*. To do so:
 - (a) Each year the *Board* must determine an amount that it reasonably believes is necessary for *rehabilitation*;

- (b) The amount determined in Rule 38(7)(a) is to be paid into the *rehabilitation fund*.

39. Investments

The *Authority* may only invest money in a manner in which a trustee is authorised by law to invest trust funds.

40. Borrowing

- (1) The *Board*, for the purpose of raising a loan or obtaining any form of financial accommodation, may decide to provide any of the following forms of security:
 - (a) debentures;
 - (b) bills of sale, mortgages or other charges;
 - (c) inscribed stock;
 - (d) guarantees;
 - (e) any other document evidencing indebtedness other than bearer instruments.
- (2) The *Authority* may not raise a loan in any financial year exceeding any amount the *Treasurer* determines for that financial year.
- (3) In this Rule, 'loan' includes any financing arrangement as determined by the *Treasurer*.

41. Accounting Records

The *Authority* is to keep accounting records that correctly record and explain its transactions and financial position and keep those records in a manner that:

- (a) allows true and fair accounts of the *Authority* to be prepared from time to time; and
- (b) allows the accounts of the *Authority* to be conveniently and properly audited or reviewed; and
- (c) complies with generally accepted Australian accounting practices.

42. Financial Statements

Within the time prescribed by the Tasmanian Audit Office, the *Board* is to prepare the financial statements of the *Authority* relating to that financial year including:

- (a) a statement of financial performance for the financial year; and
- (b) a statement of financial position as at the end of the financial year; and
- (c) a statement of cash flows for the financial year; and
- (d) statements, reports and notes attached to or intended to be read with the financial statements.

43. Audit

- (1) The accounts and financial reports of the *Authority* are subject to the Financial Management and Audit Act 1990.
- (2) The accounts and financial reports of the *Authority* may be audited by private auditors with the approval of, and subject to any terms and conditions determined by, the Auditor-General.
- (3) The *representatives* are to appoint and review the appointment of the *auditor*.
- (4) The auditor is to report to the *representatives* and the *Board*.

44. Annual Report

- (1) Before the end of November in each year the *Board* is to prepare an annual report for the last financial year.
- (2) The annual report is to include the following information and documents:
 - (a) the current statement of the contents of the strategic plan referred to in Schedule 2 clause 2.1(4) and the achieved outcomes; and
 - (b) the financial statements of the *Authority* for the financial year to which the annual report relates; and
 - (c) a copy of the opinion of the auditor in respect of the financial statements; and
 - (d) reports of the *chief representative* and the *chair*; and
 - (e) performance targets achieved; and

- (f) any other matter required by the *Act*; and
 - (g) any other matter as directed by the *representatives*.
- (3) The *representatives* may by *special resolution* delete all or any part of the requirements of subrule (2)(a) and (e), unless that is contrary to the *Act*.
- (4) The Annual Report must be submitted to the participating councils in accordance with Section 36A of the Local Government Act. The Participating Councils may determine that the Annual Report be considered in a closed section of a council meeting in accordance with Regulation 15(2) of the Local Government (Meeting Procedures) Regulations 2015 (Tas) as amended from time to time.

45. Quarterly Report

- (1) The *Authority* must submit to the *participating councils* a report as soon as practicable after the end of March, June, September and December in each year.
- (2) The quarterly report of the *Authority* is to include:
 - (a) a statement of its general performance; and
 - (b) a statement of its financial performance.

PART 9 - DIVIDENDS AND OTHER PAYMENTS

46. Comptroller

If the *Authority* is required to pay guarantee fees under section 39D of the *Act*, then under section 39E of the *Act* the *participating councils* must appoint a comptroller for the purposes of that section.

47. Dividends

- (1) The *Board* may declare a dividend in each financial year with respect to the results of the financial transactions of the *Authority* during the prior financial year.
- (2) Dividends may only be paid out of the profits after providing for the reserves required by Rule 38(3), depreciation and after payment of financial guarantees and tax equivalents.
- (3) The *participating councils* are to share in the distribution of declared dividends in proportion to their *financial ratios*.

48. Distribution of Other Payments

To the extent that these Rules can so provide, the *Treasurer* and a comptroller are to distribute payments made to the Treasury and comptroller under Part 3A of the *Act* in proportion to the *financial ratio* of each *participating council*.

PART 10 - MISCELLANEOUS

49. Participating Councils' Domestic Waste Collection

Each of the *participating councils* is to use its reasonable endeavours to conduct, or cause to be conducted, the collection of domestic waste from its municipal area in a manner that renders the operation of the *Authority's* licensed *waste* disposal landfill as cost effective as practicable.

50. Indemnity for Representatives, Directors and Employees

- (1) The *Authority* must indemnify a person who is, or has been, a *representative, director* or an employee against any liability incurred to a person other than the *Authority* by that person in his or her capacity as a *representative, director* or an employee.
- (2) Subrule (1) does not apply if the liability arises out of conduct on the part of the *representative, director* or employee which involves a lack of good faith or wilful breach of duty in relation to the *Authority*.
- (3) The *Authority* must pay a premium on a contract insuring a person to whom subrule (1) applies against any liability to which subrule (1) applies.

51. Minutes and Confidentiality

- (1) The *Board* and the *representatives* are to ensure that minutes of their respective meetings and of any committees are duly recorded in any manner they respectively think fit.
- (2) The minutes are to include the names of the:
 - (a) *representatives* present at *Representatives' meetings*; and
 - (b) *directors* present at each *Board* meeting; and
 - (c) persons present at any committee meeting.
- (3) The minutes are to include a record of the resolutions and proceedings of:
 - (a) *Representatives' meetings*; and
 - (b) meetings of the *Board*; and
 - (c) meetings of any committee.

- (4) The minutes of any meeting, if purported to be signed (in writing or by email or otherwise allows by law) by the *chair* of the meeting or by the *chair* of the next succeeding meeting of the *representatives*, the *Board* or the committee (as the case may be), are evidence of the matters stated in the minutes.
- (5) The *CEO* is to ensure that within 14 days of each meeting copies of the minutes of the meeting (even if they are not yet confirmed) are forwarded as follows:
 - (a) of *Board* meetings to each:
 - (i) *director*; and
 - (ii) *representative*.
 - (b) of *Representatives' meetings* to each:
 - (i) *representative*; and
 - (ii) *director*; and
 - (iii) *general manager*.
 - (c) of committee meetings, to each:
 - (i) *director*; and
 - (ii) member of that committee.
- (6) *Representatives, directors, CEO, general managers and councillors* are to ensure that the minutes (whether confirmed or unconfirmed) of all *Board* and committee meetings are kept confidential unless the *chair* gives written approval to the contrary.
- (7)
 - (a) Minutes of *Representatives' meetings* are confidential unless the *representatives* determine to the contrary, either generally or specifically with respect to all or any part of those minutes.
 - (b) If any part of the minutes of a *Representatives' meeting* are specified to be confidential, the *general managers* may only publish those confidential sections of the minutes in the confidential papers of the council.

- (c) Except as provided in subrule (b), all persons who receive confidential minutes of any part of a *Representatives' meeting* are to keep those minutes confidential.
- (d) *Representatives* are to keep confidential all information given, and discussions made during, that part of a *Representatives' meeting* for which the minutes are specified to be confidential.

52. Notices

- (1) A notice required to be given to a *participating council* is to be given to both its *general manager* and its *representatives*.
- (2) A document is effectively given to an individual under these Rules if it is:
 - (a) given to the person; or
 - (b) left at, or sent by post to, the person's postal or residential address or place of business or employment last known to the giver of the document; or
 - (c) sent by way of electronic mail or facsimile transmission to the person's electronic mail address or facsimile number last known to the giver of the document.
- (3) A document is effectively given to a *participating council* under these Rules if it is marked to the attention of its *general manager* and:
 - (a) left at, or sent by post to, its principal office; or
 - (b) sent by way of electronic mail or facsimile transmission to its electronic mail address or facsimile number of its principal office.

53. Common Seal and Execution of Documents

- (1) The common seal of the *Authority* is to be kept and used as authorised by the *Board*.
- (2) The common seal must be affixed to documents requiring execution under seal.
- (3) The seal must not be affixed to a document except to give effect to a resolution of the Board.
- (4) The common seal to any document is to be attested by:

- (a) the *chair* and the *CEO*; or
 - (b) any two *directors*.
- (5) The *Board* may determine the method of the signing or execution of any document on behalf of the *Authority* which does not require the affixing of the common seal.

54. Amendment of Rules

These Rules may only be amended in accordance with the *Act*.

55. Insolvency

- (1) If the *Board* considers it is likely that the *Authority* will be unable to meet its financial obligations as and when they fall due, it may levy the *participating councils* for contributions to meet those obligations.
- (2) The contributions payable are to be calculated according to the *financial ratios*.
- (3) The *participating councils* must pay the amount so levied within 60 days of receiving written notice from the *Board* of that levy, whether or not they have given notice of withdrawal under Rule 8(1) before or after the *Board* makes the levy.
- (4) Any such levies are to be repaid to the *participating councils* from subsequent surpluses prior to any dividends being declared.
- (5) If:
 - (a) the *Board* resolves to make a levy under subrule (1); and
 - (b) a council has withdrawn from the *Authority* under Rule 8(1) within 2 years prior to the *Board* making that resolution; and
 - (c) in the *representatives'* opinion at least a major cause of the *Authority's* inability to meet its financial obligations occurred while that council was a member of the *Authority*;then the *Board* may levy that council as if it were a *participating council* and subrule (3) binds that council.
- (6) If the *Board* makes a levy under subrule (5), the proportions under subrule (2) are to be calculated as if the council that has withdrawn is a *participating*

council and in accordance with the *financial ratios* that applied immediately before it withdrew from the *Authority*.

56. Winding Up

- (1) The *Authority* may only be wound up under section 37 of the *Act*.
- (2) On the winding up of the *Authority* its net assets are to be distributed between the *participating councils* in proportion to their *financial ratio*.
- (3) The *participating councils* may unanimously approve a different formula for distribution for the purposes of subrule (2).
- (4) If on its winding up the *Authority* is insolvent then the *participating councils* are responsible for the net liabilities of the *Authority* in proportion to their *financial ratios*.
- (5) If subrule (4) applies and any former *participating council* withdrew within 2 years before the decision was made to wind up or at any time after the decision to wind up, then the *participating councils* including that former *participating council* are responsible for the net liabilities of the *Authority* in proportion to the *financial ratios* that applied immediately before the withdrawal of that former *participating council*.

57. Dispute Resolution

- (1) The provisions of Schedule 4 apply to any dispute as to any issue the subject of these Rules or arising from their interpretation between:
 - (a) any or all of the *participating councils*; and
 - (b) any or all of the *participating councils* and the *representatives* or the *Board*; and
 - (c) the *representatives* and the *Board* (other than one to which Schedule 2 clause 2.4 applies; and
 - (d) any council that has withdrawn and the *Authority*, the *Board* or the *representatives*.
- (2) Schedule 4 does not apply to any dispute with a *participating council* where that dispute relates to that council as a customer of the *Authority*.

SCHEDULE 1

PARTICIPATING COUNCILS

Central Coast Council

Devonport City Council

Kentish Council

Latrobe Council

SCHEDULE 2

STRATEGIC & ANNUAL PLANS & BUDGETS

2.1 The Strategic Plan

- (1) The *Board* is to ensure that the *Authority* has a strategic plan for 3 to 5 years the contents of which and the approval of which complies with the provisions of this Schedule.
- (2) The strategic plan is to contain such information as the *Act* requires for the strategic plans of councils as is relevant to the *Authority's* functions.
- (3) Subject to subrule (2) the content of the strategic plan is to be consistent with the requirements of the corporatisation model for government business enterprises referred to in the Competition Principles Agreement made between the Commonwealth, the States and the Territories as amended from time to time.
- (4) The strategic plan is to specify the broad policy expectations of the *participating councils* for the *Authority* and the means by which the performance of the business activities of the *Authority* are to be measured.
- (5) The strategic plan is to cover such matters as the representatives determine.
- (6) Until the *representatives* determine by *special resolution* to the contrary the strategic plan is to cover the following:
 - a) the objectives of the *Authority's* activities; and
 - b) the identification of and objectives of any community service activities of the *Authority*; and
 - c) broad policy statements such as:
 - (i) compliance with environmentally sound and sustainable principles; and
 - (i) regard to the obligations of the *Authority* and the *participating councils* in relation to the Competition Principles Agreement as amended from time to time and their impact on future policies, procedures and practices concerning the *waste* management industry; and

- d) key strategic business documents including the 20 Year Financial Plan and the Aftercare/Rehabilitation Plans.
- (7) Either the *representatives* or the *Board* may propose to the other an amendment or replacement of the strategic plan for adoption in accordance with clause 2.3 of this Schedule.
- (8) At least once in each year the *representatives* and the *Board* are to review the strategic plan.

2.2 The Annual Plan and Budget

- (1) In each financial year the *Board* is to prepare and submit to the *representatives* a draft annual plan for the *Authority* for the next financial year and the following four years.
- (2) The annual plan is to:
 - (a) be consistent with the strategic plan; and
 - (b) cover such matters as s72(2) of the *Act* requires for the operational plans of councils as are relevant to the *Authority's* functions; and
 - (c) include such other matters as the *Board* or the *representatives* determine;
 - e) cover key financial parameters and performance indicators; and
 - f) cover financial and service performance targets
 - g) cover the *participating councils* dividend expectations.
- (3) The *Board* and the *representatives* are to use their best endeavours to approve the annual plan for a financial year in sufficient time to enable the *CEO* to prepare the annual budget with respect to that annual plan by the time required by clause 2.3(6).
- (4) In each financial year the the *CEO* is to prepare a budget for the *Authority's* revenue and expenditure for each financial year.
- (5) The *annual* budget is to include:
 - (a) matters similar to those required of councils by section 82(2) of the *Act*;
 - and

- (b) any other matters required by the *Board* or the *representatives*.
- (6) The budget is to be consistent with the annual plan for that financial year.
- (7) The *Authority* is not bound by any of the other provisions of section 82 of the *Act*.
- (8) Once the *Board* has approved the annual budget for a financial year it must submit that budget to the *representatives* for adoption.
- (9) Unless the *representatives* determine by *special resolution* to the contrary, the timetable for adoption of the annual budget is:
 - (a) approval by the *Board* of the draft budget prepared by the *CEO* by the end of April preceding the financial year of the budget; and
 - (b) adoption by the *representatives* of the budget approved by the *Board* by the end of June preceding the financial year of the budget.

2.3 Adoption of Strategic Plan, Annual Plan and Budget

- (1) The *Authority's* strategic plan or any amendment to it or replacement of it is adopted:
 - (a) when the *representatives* resolve to adopt a draft submitted to them by the *Board*; or
 - (b) when the *Board* resolves to adopt a draft submitted to it by the *representatives*; or
 - (c) in accordance with subclauses (8) or (10).
- (2) The *Authority's* annual plan and budget for a particular period is adopted:
 - (a) when the *representatives* resolve to adopt the draft of the relevant document submitted to them by the *Board*; or
 - (b) in accordance with subclauses (8) or (10).
- (3) If the *representatives* and the *Board* have not been able to agree on the Annual Plan and Budget within 60 days of:
 - (a) either of the *representatives* or the *Board* submitting the draft strategic plan to the other of them for approval; or

- (b) the *Board* submitting a draft annual plan or budget to the *representatives* for approval;

then the *chief representative* is to call a joint meeting of the *representatives* and the *Board* to resolve the issue.

- (4) The *chief representative* may call a joint meeting earlier than the time period referred to in subclause (3) if the *chief representative* and the *chair* agree to do so.
- (5) The *chief representative* is to:
 - (a) call the joint meeting in the same manner as a *representatives' meeting*; and
 - (b) chair the joint meeting as if it were a *representatives' meeting*; and
 - (c) during that meeting give the *directors* the same rights to speak and vote as the *representatives* have.
- (6) If it appears to the *chief representative* that the *representatives* and the *Board* have reached agreement during the joint meeting, the *chief representative* may adjourn the joint meeting to enable separate meetings of the *representatives* and the *Board*.
- (7) The separate meetings of the *representatives* and the *Board* require no notice if they are held at the same place as the joint meeting and promptly after its adjournment.
- (8) When considering the provisions of the document in which they are not in agreement:
 - (a) the *Board* is to take into account that the *representatives* represent the owners of the *Authority*; and
 - (b) the *representatives* are to take into account that the *Board* is charged with the conduct of the affairs of the *Authority*.
- (9) If within 30 days after the joint meeting the *Board* and the *representatives* are still unable to agree on the document, the *representatives* may by *special resolution* adopt the document.

- (10) A *special resolution* under subclause (9) may only be moved at a *representatives' meeting* the notice for which was issued after the period of 30 days.
- (11) The *representatives* and the *Board* may agree any other process for resolving a dispute between them as to the approval of a strategic plan, annual plan or budget.
- (12) The provisions of this clause 2.4 apply to any amendment of the strategic plan, annual plan or budget proposed by either the *representatives* or the *Board*.

2.4 Exclusion of Processes of the Act

The *Authority* is not required to follow any process provided in the *Act* that may otherwise be relevant to the preparation or adoption of any document referred to in this Schedule unless the *Act* specifically requires that process for that document for joint authorities generally or specifically for the *Authority*.

2.5 Legal Effect of Strategic Plan, Annual Plan and Budget

The validity of any act, transaction, agreement, resolution or other thing is not affected by:

- (a) the failure of the *representatives* or the *Board* to adopt any document that is required by this Schedule or to do anything in the process of that adoption; or
- (b) any inconsistency between any of those documents; or
- (c) any non compliance of any of those documents with any provision of this Schedule; or
- (d) any non compliance of that act, transaction, agreement, resolution or other thing with any of those documents; or
- (e) any other non compliance in those documents or the process of their adoption.

2.6 Availability of Copies

- (1) *Councillors* and *general managers* are entitled to copies of current strategic plans, annual plans and budgets of the *Authority*.

- (2) If the *Board* considers that public disclosure of any part of any of those documents is likely to disadvantage the *Authority*, it may determine that such part is to be kept confidential.
- (3) *Representatives, directors, councillors and general managers* are to keep confidential those parts of any document that the Board has determined are to be kept confidential.

SCHEDULE 3

PROCEEDINGS OF THE BOARD

3.1 Convening of Board Meetings

- (1) The *Board* may hold such meetings as are desirable to carry out its functions.
- (2) The *CEO* is to convene a *Board* meeting at the request of the *chairman* or any two *directors*.

3.2 Notice of Board Meetings

The *Board* may determine generally or specifically the requirements for notice of its meetings.

3.3 Chairing of Board Meetings

- (1) The *chair* is entitled to chair every *Board* meeting.
- (2) If the *chair* is absent, unwilling or unable to chair a meeting or part of a meeting, the *directors* are to choose a *director* to chair the meeting or that part of the meeting.

3.4 Quorum at Board Meetings

- (1) A quorum of the *Board* is a majority of the total number of *directors*.
- (2) The quorum is to be counted at the commencement of the meeting.
- (3) If a *director* is excluded from being present at a *Board* meeting in relation to a matter, a quorum for the purposes of considering and making a decision in relation to that matter is constituted by the number of *directors* specified as constituting a quorum less the number of *directors* so excluded.
- (4) A quorum under subclause (3) is to be at least 2 of the *directors*.

3.5 Voting at Board Meetings

- (1) The *chair* has a deliberative vote only.
- (2) A question is decided:
 - (a) by a majority of votes of the *directors* present and voting; and

- (b) in the negative if there is an equality of votes of the *directors* present and voting.

3.6 Conduct of Meetings

- (1) The *Board* may regulate the calling of, and the conduct of business at, its meetings as it considers appropriate.
- (2) A *director* may participate in a meeting by telephone, television or video conference or any other means of communication approved by the *Board*.
- (3) A *director* who participates in a way referred to in sub-clause (2) is taken to be present at the meeting for all purposes, including the quorum.
- (4) The *Board* may allow or invite a person to attend a meeting for the purpose of advising or informing it on any matter.

3.7 Resolutions Without Meetings

The *Board* may make resolutions in a similar manner to that set out in Rule 21.

3.8 Validity of Proceedings

An act or proceeding of the *Board* or of any person acting under any direction of the *Board* is:

- (a) not invalid by reason only that at the time when the act or proceeding was done, taken or commenced, there was a vacancy in the membership of the *Board*;
- (b) is valid, even if:
 - (i) the appointment of a *director* was defective; or
 - (ii) any person appointed as a *director* was disqualified from acting as, or incapable of being, a *director*.

3.9 Confidentiality

All persons who attend a *Board* meeting are to keep confidential all information given and discussion made during that meeting except to the extent that the *chair* gives approval to the contrary or these Rules provide to the contrary.

SCHEDULE 4

DISPUTE RESOLUTION

4.1 Outline of Resolution Process

The parties to which any dispute to which Rule 56 applies must use the following dispute resolution process:

- (a) negotiation in good faith;
- (b) if negotiation do not resolve the dispute, then mediation;
- (c) if mediation does not resolve the dispute, then arbitration if clause 4.6(2) applies.

4.2 Other Parties May Join

Even though a dispute may be primarily between two of the parties referred to in Rule 57, any other party may require that it be included in the dispute resolution process as a party to the dispute.

4.3 Notice of Dispute

If a dispute as defined in Rule 57 arises, then any party to that dispute may give written notice to the other or others of that dispute. That notice is to specify the general nature of the dispute in such a way as to facilitate resolution of all issues relevant to the dispute.

4.4 Notice of Mediation

If with 30 days of the giving of a notice of dispute under clause 4.3, any party to the dispute considers that it is unlikely that the dispute or any part of it will be resolved by negotiation, it may give written notice to the other or others requiring mediation.

4.5 Mediation Rules

If within 14 days of the receipt of the notice requiring mediation, the parties to the dispute do not agree on:

- (a) the selection and compensation of an appropriate mediator; or
- (b) another dispute resolution technique and procedures; or
- (c) an actual resolution of the dispute;

then the parties to the dispute must mediate it in accordance with the mediation rules of the Law Society of Tasmania. The mediator is to be a person nominated by the President of the Local Government Association of Tasmania who may also determine the mediator's remuneration.

4.6 Arbitration

- (1) If the mediator appointed under clause 4.5 certifies that the mediation has been unable, and is unlikely, to resolve the dispute, or any part of it, then the dispute, or that part which is unresolved, is to be referred to arbitration under the Commercial Arbitration Act 1986. If the parties cannot agree on an arbitrator, the arbitrator is to be a person nominated by the President of the Local Government Association of Tasmania.
- (2) Subclause (1) only applies if the unresolved dispute is one in respect of which a party has a right enforceable in a Court of law and that party wishes to enforce that right.

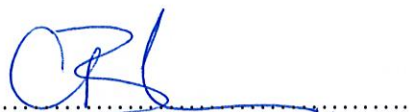
4.7 Other Processes

The parties to a dispute may agree on any other process for resolving a dispute or any part of it.

Certification of Rules

I certify in accordance with Section 32(2) Local Government Act that these Rules are in accordance with the law.

Dated 17 / 11 / 2023



Cassandra Amie Blair

Qualified legal practitioner, ~~Launceston~~ Devonport

Cassandra Blair
Barrister & Solicitor
13 Fenton Street, Devonport, 7310

I certify in accordance with Section 32(2) Local Government Act that these Rules have been made in accordance with the Local Government Act.

Dated 23 / 11 / 2023

LATROBE COUNCIL

General Manager  Council

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

Period: 21 November to 11 December 2023

- . Part 5 Agreement
105 & 107 Main Road, Penguin
DA2021230 – Part 5 Agreement
- . Final Plan of Survey
209 Kindred Road & 32 Perrys Road, Forth
DA2021269-1 – 2 lots
- . Final Plan of Survey
63 Ironcliffe Road, Penguin
DA2022100 – 2 lots
- . Final Plan of Survey
20 Mission Hill Road, Penguin
DA2021313 – Staged 9 Lot subdivision – Lot 1
- . Final Plan of Survey
Part 5 Agreement
43 Medici Drive, Gawler
DA2019149 – 5 lot subdivision



Barry Omundson
GENERAL MANAGER

SCHEDULE OF CONTRACTS AND AGREEMENTS

(Other than those approved under the common seal)

Period: 21 November to 11 December 2023

Nil



Barry Omundson
GENERAL MANAGER

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

Period: 21 November to 11 December 2023

- . An email from a ratepayer regarding the risks posed by dogs not under the effective control of their owners.
- . An email from a ratepayer regarding the design of the Ulverstone boat pontoon.
- . An email from a ratepayer regarding Council support for a feasibility study for a pathway connecting Forth to Turners Beach.
- . A letter from the Rotary Club of Ulverstone thanking the Council for their support for the recent charity event, Wheels for Jannie.
- . An email from the Department of Natural Resources and Environment Tasmania regarding their Threatened Species Strategy Discussion Paper.
- . An email from a ratepayer regarding the Council's budget and Works Operations services.



Barry Omundson
GENERAL MANAGER

Central Coast Council

Minute No. 378/2023

List of Development Applications Determined
Period from: 1 November 2023 to 30 November 2023

Application Number Display	Address	DA Type	Proposed use	Application Date	Decision Date	Day determined	Cost Of Works
DA2021303 - 2	144 South Road PENGUIN,TAS,7316	Discretionary	Residential - demolition of existing buildings and construction of 29 multiple dwellings	3/10/2023	27/11/2023	34	\$0.00
DA2023144	13 Ellis Street WEST ULVERSTONE,TAS,7315	Discretionary	Subdivision - 2 residential lots	1/06/2023	27/11/2023	39	\$0.00
DA2023148	17 Griffin Place SULPHUR CREEK,TAS,7316	Discretionary	Residential - multiple dwellings x 2	5/06/2023	20/11/2023	35	\$750,000.00
DA2023155	7 Russell Avenue ULVERSTONE,TAS,7315	Discretionary	Residential - demolition of outbuildings and multiple dwellings x 3	13/06/2023	17/11/2023	38	\$650,000.00
DA2023199	25B Bowman Drive (formally part of 170 Main Road) PENGUIN,TAS,7316	Discretionary	Visitor Accommodation - one bedroom building (retrospective application) with deck and installation of septic tank	20/07/2023	20/11/2023	41	\$110,000.00
DA2023221	145 Ironcliffe Road PENGUIN,TAS,7316	Permitted	Recreation - storage sheds x 2	21/08/2023	21/11/2023	4	\$100,000.00
DA2023222	176 Trevor Street ULVERSTONE,TAS,7315	Discretionary	Residential - multiple dwellings x 2 and retaining walls	21/08/2023	2/11/2023	37	\$660,000.00
DA2023248	405 Preston Road NORTH MOTTON,TAS,7315	Discretionary	Recycling and Waste Disposal - brewery wastewater discharge	12/09/2023	27/11/2023	35	\$0.00
DA2023249	13 Alice Street WEST ULVERSTONE,TAS,7315	Discretionary	Residential - construction of new single dwelling and associated retaining walls, including demolition of existing single dwelling	14/09/2023	1/11/2023	36	\$1,330,000.00
DA2023250	22A South Road & 13 Alice Street WEST ULVERSTONE,TAS,7315	Discretionary	Boundary adjustment and Residential - single dwelling extensions including partial demolition of existing	14/09/2023	7/11/2023	41	\$1,270,000.00
DA2023251	1A Racecourse Crescent TURNERS BEACH,TAS,7315	Discretionary	Residential - single dwelling and kit shed	15/09/2023	9/11/2023	39	\$550,000.00
DA2023258	212 Ironcliffe Road PENGUIN,TAS,7316	Discretionary	Residential - demolition of existing dwelling and construction of new dwelling and shed	22/09/2023	14/11/2023	33	\$600,000.00
DA2023259	253 Castra Road ULVERSTONE,TAS,7315	Discretionary	Residential - storage shed	25/09/2023	14/11/2023	38	\$30,000.00
DA2023261	174 Trevor Street ULVERSTONE,TAS,7315	Discretionary	Residential - multiple dwellings x 2	27/09/2023	22/11/2023	28	\$975,000.00
DA2023264	50 Main Street ULVERSTONE,TAS,7315	Permitted	Sign	2/10/2023	14/11/2023	21	\$3,000.00
DA2023271	13 Revell Lane PENGUIN,TAS,7316	Permitted	Residential - mower and utility storage shed	11/10/2023	14/11/2023	18	\$7,200.00
DA2023274	28B South Road PENGUIN,TAS,7316	Discretionary	Residential - single dwelling, including cut and batter	13/10/2023	22/11/2023	34	\$350,000.00
DA2023275	539 Wilmot Road FORTH,TAS,7310	Discretionary	Residential - single dwelling	16/10/2023	27/11/2023	39	\$400,000.00
DA2023276	45 Dial Road PENGUIN,TAS,7316	Discretionary	Residential - shed including demolition of existing shed	16/10/2023	22/11/2023	34	\$40,000.00
DA2023277	12 Golf Club Road WEST ULVERSTONE,TAS,7315	Discretionary	Sports and Recreation - installation of new reticulation irrigation system	16/10/2023	27/11/2023	34	\$850,000.00

DA2023278	23 Arcadia Avenue TURNERS BEACH,TAS,7315	Discretionary	Visitor Accommodation - short term accommodation	19/10/2023	27/11/2023	31	\$0.00
DA2023282	9 Ploverton Court GAWLER,TAS,7315	Discretionary	Residential - shed	23/10/2023	27/11/2023	32	\$64,500.00
DA2023292	47 Deviation Road PENGUIN,TAS,7316	Permitted	Residential - conversion of existing outbuilding to a dwelling creating x 2 multiple dwellings - retrospective application	31/10/2023	27/11/2023	20	\$0.00

SCHEDULE OF INFRASTRUCTURE SERVICES DETERMINATIONS

Period: 1 November 2023 to 28 November 2023

Approval of Roadworks and Services

Developer: RFS Enterprises Tas Pty Ltd
Location: 1 Rawson Street, Ulverstone
No. of Lots: Forty Seven (Stages 1, 2 & 3)
Engineer: Chris Martin (CSE Tasmania Pty Ltd)



Paul Breaden
DIRECTOR INFRASTRUCTURE SERVICES

BUILDING & PLUMBING – SCHEDULE OF STATUTORY DETERMINATIONS MADE UNDER DELEGATION

Period: 1 November 2023 to 30 November 2023

Building Permits and Certificates

Building Permits – Category 4	Number Issued	Cost of Works
Additions / Alterations	0	\$0
Demolition Permits	0	\$0
New Dwellings	1	\$2,500,000
Outbuildings	0	\$0
Units	0	\$0
Other	2	\$1,713,000
Permit of Substantial Compliance	–	–
Notifiable Works – Category 3	Number Issued	Combined \$ Amount
Additions / Alterations	2	\$195,000
Demolition Permits	0	\$0
New Dwellings	7	\$6,970,000
Outbuildings	4	\$234,000
Units	3	\$800,000
Other	7	\$1,046,960

Plumbing Permits and Certificates

Plumbing Permits – Category 4	Number Issued	–
Plumbing Permit	7	
Notifiable Works – Category 3		
Certificate of Likely Compliance	12	

Fire Abatement Notices

Fire Abatement Notices Issued	Property Cleared by Contractor
0	0

COMPLIANCE – SCHEDULE OF REGULATORY SERVICES STATUTORY RESPONSIBILITIES

Period: 1 November 2023 to 30 November 2023

Dogs Impounded by Central Coast Council

Number of Dogs Impounded	Dogs Claimed	Dogs Surrendered
5	5	0

Animal Licences, Offences, Permits

Licence, Offence, Permits	Number Issued
Barking dog complaints	5
Declaration of dangerous dogs	0
Dog attacks on other dogs/cats	2
Dog attacks on persons	2
Dog attacks on livestock/wildlife	0
Kennel licences issued	0
Kennel Licence Renewals	0
Permits under <i>Animal Control By-law No.1 of 2018</i>	1
Unregistered dogs located by Compliance	16
Wandering livestock	2

Dog Infringement Notices Issued

Off-lead in On-Lead Locations	Patrols	Cautions	Infringements
Buttons Beach	6	0	0
Midway Beach	6	0	0
Penguin Beach	16	0	0
Turners Beach	16	0	0

Patrols of Free Camping Areas

Camping Area	Patrols Conducted	Cautions Issued
Bannons Park	4	0
Battons Park	0	0
Forth Recreation Ground	20	0
Halls Point [Closed Area]	16	0
Nicholson Point	18	0
Penguin Surf Life Saving Precinct	16	0
Midway Point	7	0

Traffic Infringement Notices for Parking Offences

Traffic Infringement Location	Number Issued	Percentage
Alexandra Road	3	8.1%
Bannons Carpark	4	10.8%
Coles/Furner's Carpark	8	21.6%
Crescent Street, Ulverstone	0	–
King Edward Street, Ulverstone	4	10.8%
Main Road, Penguin	0	–
North Reibey Street Carpark	13	35.1%
Reibey Street	2	5.5%
Victoria Street	3	8.1%
Wongi Lane	0	–

Food Business Registrations

Type	New Registrations	Renewed Registrations	Food Business Closed
Fixed	1		1 relocating
Mobile	1	1	–
Not Notifiable	–	–	–
Temporary / One-off Events	2	1	–

Food Business Inspections Conducted

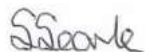
Type	Fixed	Mobile	One-Off Events
Pre-registration inspection	–	–	1
Scheduled	2	–	–
Complaint			
Re-Inspection			

Food Business Closures

Type	Fixed	Mobile
Failed to register		
Moving to new premises	1	
Closed Business		
No longer operating		

Water

Type	Number of Samples	Compliant Results?
Beach		
Pool – Ulverstone Indoor Pool	1	Y
Pool – Ulverstone Water Slide	2	Y



Samantha Searle
DIRECTOR CORPORATE SERVICES