

George Town Council
COUNCIL MEETING – 27TH APRIL 2021
AGENDA

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**George Town Council
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Meeting Commencing at 1.00 pm

Acknowledgement of Country

The George Town Council pays its respect to the traditional and original owners of the land in which we meet, their elders past, present and emerging and we pay respect to those that have passed before us and acknowledge today's Tasmanian Aboriginal people who are the custodians of this land.

AUDIO RECORDING OF COUNCIL MEETINGS

The public is advised that it is **Council Policy** to record the proceedings of meetings of Council on digital media to assist in the preparation of minutes, and to clarify any queries relating to the Minutes that is raised during a subsequent meeting under the section "Confirmation of Minutes".

The recording does not replace the written minutes and a transcript of the recording will not be prepared.

All meetings of the Council shall be digitally recorded as provided for by Regulation 33 of the Local Government (Meeting Procedures) Regulations 2015 except for the proceedings of meetings or parts of meetings closed to the public in accordance with Regulation 15(2).

In accordance with the requirements of Council's Audio Recording of Council Meetings Policy No. 40, members of the public are not permitted to make audio recordings of Council meetings.

In accordance with the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020, Part 4, Section 18, and as given notice by the Premier of Tasmania, Peter Gutwein, under the same act and published in the Tasmanian Government Gazette No. 21 963, 3 April 2020, this meeting is being held face to face with limitation on public attendance to maintain social distancing.

Council will be allowing a maximum of 10 persons into the Ordinary Council meeting. You must pre-register to attend this meeting of Council.

All documents presented, and recordings (audio) of this meeting are made available to the public in accordance with the above act and notice, and the standard applicable provisions of the Local Government Act 1993, and Local Government (Meeting Procedures) Regulations 2015.

1. PRESENT

1.1 APOLOGIES & LEAVE OF ABSENCE

Formal notification of Leave of Absence has been received from the Mayor Greg Kieser for the period 7th April 2020 – 1st May 2020.

1.2 IN ATTENDANCE

2. CONFIRMATION OF MINUTES

2.1 ORDINARY COUNCIL MEETING HELD 23RD MARCH 2021

DECISION

Moved:
Seconded:

That the Minutes of Council's Ordinary meeting held on the 23rd March 2021 numbered 025/21 to 041/21 and 043/21 as provided to Councillors be received and confirmed as a true record of proceedings (attached).

VOTING

For:

Against:

3. LATE ITEMS

Nil.

4. PUBLIC QUESTION TIME

4.1 PUBLIC QUESTION TIME PROCEDURE

[Refer to Minute No. 243/16. The period set aside for public question time will be at least 15 minutes. Questions given on notice will be addressed first. Once questions on notice have been addressed, persons who have registered their interest to ask a question will be called to do so in the order in which they have registered. Persons attending Council meetings will have the opportunity to register their interest to ask a question without notice prior to the commencement of the meeting. Council staff will be on hand to assist with this process.

Participants cannot ask more than 2 questions in a row with a maximum of 2 minutes per question. If a person has more than (2) questions, they will be placed at the 'end of the queue' and may, if time permits, ask their further questions once all other persons have had an opportunity to ask questions. Persons who have not registered their interest to ask a question will be given an opportunity to do so following all those who have registered. All questions must be directed to the Chairperson.

For further information on Council's Public Question Time Rules and Procedure, please refer to George Town Council Public Question Time Policy No. 18.]

Questions asked and answers provided may be summarised in the minutes of the meeting.

Due to restrictions in place during the COVID19 pandemic as enabled through the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020, public question time will be conducted in the following manner.

George Town Council will be allowing members of the public that have submitted an objection to a planning matter (priority attendance) and questions from the public to a maximum of 10 persons (to maintain social distancing) into the Ordinary meeting of Council.

Council will accept all other written questions which will be asked and responded to at the meeting. These questions will be recorded in Council's minutes and will be available on the audio recording.

You must pre-register to attend this meeting of Council.

4.2 PUBLIC QUESTIONS ON NOTICE

4.3 PUBLIC QUESTION TIME

Commenced at:

Concluded at:

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4.4 RESPONSE TO QUESTIONS FROM PREVIOUS PUBLIC QUESTION TIME

(Refer to Minute No. 425/00, which states in part, “that a copy of all written replies to questions from the Public Gallery be included in the following Council Agenda.”)

Mrs D. Rainbow



12th April, 2021

Mrs D. Rainbow

Dear Mrs Rainbow,

RE: PUBLIC QUESTION TIME – 23RD MARCH 2021

Thank you for your attendance at the 23rd March 2021 Ordinary Council meeting where you asked the following question:

Q. There has been talk about negotiations with Council re the bike track and the ownership of that land that is between Macquarie Street and the old RSL. Could someone please identify the owner of the land and for what purpose intended usage?

In response to your question, the land between Macquarie Street and the old RSL is owned by George Town Council which incorporates the Max Harris Reserve. The land was transferred from Crown Land to Council ownership under the Crown Land Assessment and Classification (CLAC) Project in 2012.

The Max Harris Reserve will continue to commemorate the community's returned and fallen service men and women with Council working together with the George Town RSL Sub-Branch Inc.

It was resolved at Council's 15th December 2020 Ordinary Council meeting that the proposed George Town Shared-Use Linking Trail be put forth as a project in 2020/2021. The Share-Use Linking Trail would provide approx. 14.7 km of continuous recreational trail for walkers, runners and cyclists from Low Head to the Mount George Lookout with the potential of becoming a tourism drawcard to the business sector in George Town.

Further information on the trail can be found on council's website www.georgetown.tas.gov.au under the section Meetings, Minutes & Agendas or a copy of the agenda report can be provided to you on request.

If you have any queries in regards to the shared use trail please contact Council's Mr P. Rickards who will be able to provide you with the information on (03) 6382 8800.

Again, thank you for your question at the March 2021 Ordinary Council meeting.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Shane Power', enclosed in a rectangular box.

Shane Power
General Manager

George Town Council
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4.4 RESPONSE TO QUESTIONS FROM PREVIOUS PUBLIC QUESTION TIME (CONT.)

Mrs D. Rainbow, George Town



12th April, 2021

Mrs D. Rainbow

Dear Mrs Rainbow,

RE: ORDINARY COUNCIL MEETING 23RD MARCH, 2020 – PUBLIC QUESTION TIME

Thank you for your attendance at the 23rd March 2020 Ordinary Council meeting where you questioned the accuracy of the George Town Safety Committee meeting minutes and the safety of the pedestrian crossing on Macquarie Street.

Your full preamble with questions recorded at this meeting is as follows:

Q. The minutes of the Safety Committee contained in this document are incorrectly recorded. I requested that clear and prominent signage be given and placed in or on the outside of the buildings containing an AED not an international symbol as not everyone recognizes it. Also at this meeting I once again raised by concern at the risk faced by pedestrians at the pedestrian crossing in Macquarie Street. The reply given to me by the Deputy Chair and later endorsed by Council employee Mr Richardson what do you think we can do about idiot drivers. In a Committee that discusses issues such as road safety, speed limits etc. I found this condescending and disingenuous to my enquiry. The road rules also state 81(a) A driver of a vehicle must be travelling slow enough to stop (b) Must give way to pedestrians. This is not happening so I would like my concern addressed through this Council. Does Council endorse the views expressed at this meeting?

In response, I provide the following:

1. The minutes of the George Town Safety Group Committee meeting have been accepted as a true and accurate record and ratified at the Ordinary Council meeting.
2. The defibrillator has been removed from the inside of the Memorial Hall and placed on the outside wall for public access. The defibrillator has been registered and the site location is publicly available. The inclusion of signage will be investigated through Council's Facilities Officer.
3. As previously advised the Macquarie Street pedestrian crossing will form part of the Macquarie Street Concept plan. In the meantime, Council had committed to including a white buffer line prior to and after the crossing.

Again, thank you for your attendance and your queries at the Ordinary Council meeting.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Shane Power'.

Shane Power
General Manager

5. DECLARATIONS OF INTEREST

6. GENERAL MANAGER'S DECLARATION

I certify that with respect to all advice, information or recommendations provided to Council with this Agenda:

- the advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- where any advice is given directly to Council by a person who does not have the required qualifications of experience, that person has obtained and taken into account in that person's general advice, the advice from an appropriately qualified or experienced person.



Shane Power
GENERAL MANAGER

LOCAL GOVERNMENT ACT 1993 – SECTION 65

65. Qualified persons

- (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.

7. PLANNING AUTHORITY

7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH

REPORT AUTHOR: Statutory Town Planner – Mr J. Simons
Manager – Development and Environment – Mr R. Cassidy

REPORT DATE: 15th April, 2021

FILE NO: DA 2020/77

ATTACHMENT: (A) Title documents
(B) Development plans
(C) Representations (x2)
(D) Updated plans

APPLICATION INFORMATION

Applicant: D Moir

Site Address: 4 Davies Street, WEYMOUTH

Titles details: CT 196786/1

Property ID: 6469432

Zone: Village

Use: Residential

Proposed Development: Extension to single dwelling

Application Received: 27 October 2020

1. SUMMARY

Application is made to extend an existing dwelling at 4 Davies Street, Weymouth. The extension is located to the rear of the existing dwelling and will result in a substantial increase in the footprint of the building. The primary living areas will be located on the ground floor with a master suite on the first floor.

Three existing small sheds on the site will also be removed as part of the development.

Indicative floor plans and elevations are shown in the figures below, a full copy of the application is included in the attachments.

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7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)

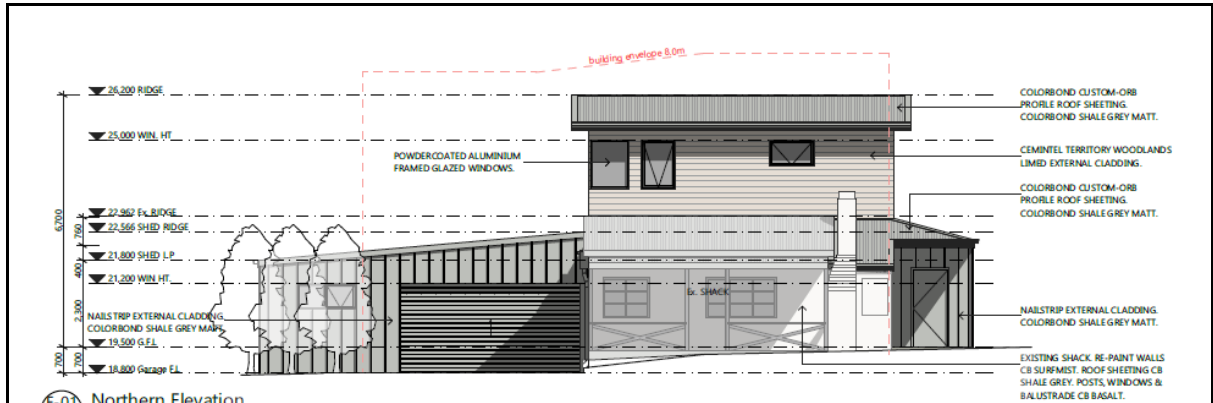


Figure 1: Proposed Extension, viewed from Davies Street (Cataract Designs, 2021).

Two representations were received during the advertising period and are discussed in the assessment below. In this instance the applicant has chosen to make minor alterations to the plans in an attempt to alleviate some of the concerns raised in the representations, including a reduction in the site coverage and further consideration of privacy.

While the representations raise valid planning considerations, the development is largely consistent with the intent of the applicable standards and the Village Zone and impacts can be managed by appropriate conditions.

2. STRATEGIC PLAN 2020-2030

This action relates to the following components of the Community Strategic Plan 2020-2030.

Future Direction (1) Community Pride

2. All communities take pride in their place
 - i. Developing well-designed public spaces which are attractive, safe and support the area's identity and reputation.

Future Direction (3) Progressive well-resourced communities

8. Public infrastructure relevant to needs
 - i. Making sure the place works well through good design, safety standards, asset management and ongoing maintenance.
 - ii. Improve access through the design, maintenance and extension of footpaths, tracks and trails.

Future Direction (4) Leadership and Accountable Governance

2. Planning and regulatory responsibilities are undertaken fairly and openly
 - i. Building knowledge and understanding of planning and regulatory responsibilities and processes.

3. CONSULTATION

In accordance with section 57(5) of *The Land Use Planning and Approvals Act 1993*, the application was advertised for public comment for the period of 14 days.

**7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET,
WEYMOUTH (CONT.)**

4. RISK IMPLICATIONS

Risk is managed through the decision and conditioning of any permit issued.

5. FINANCIAL IMPLICATIONS

In the case of an appeal there are costs associated with the defence of Council's decision.

6. SITE AND LOCATION

The site comprises an existing residential lot with an area of 1007m² within the Weymouth township. The land has been developed with a two bedroom dwelling close to the frontage, with a number of existing outbuildings and a domestic garden to the rear.

The land is not serviced by sewerage, water or stormwater and these elements are required to be managed onsite.

There is a drainage easement to the rear of the property, however the proposed development is well clear of the easement.

7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)

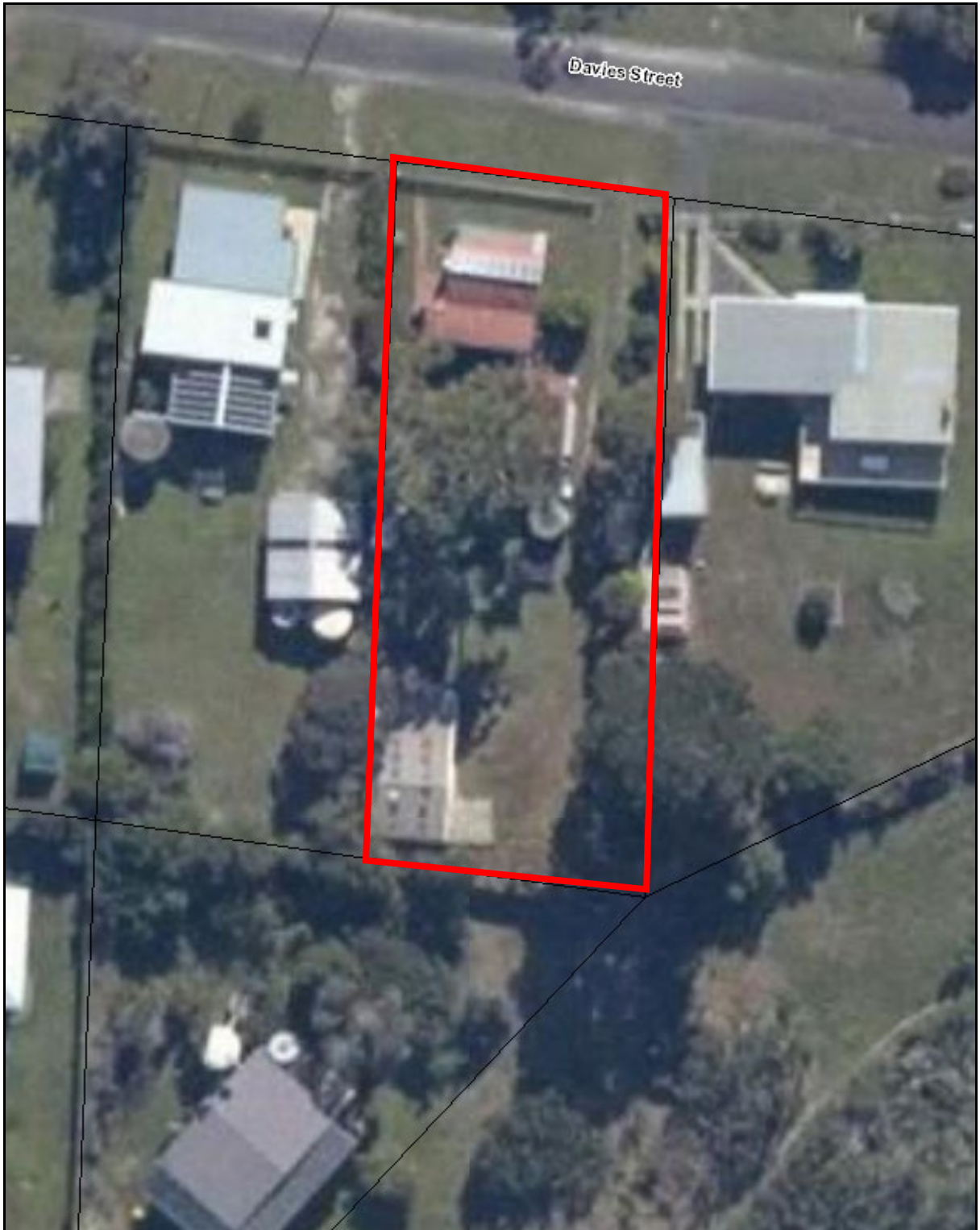


Figure 1 - Aerial view of subject site, outlined in red, and adjoining lots

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7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)



Figure 2 - Aerial view of Weymouth showing location of subject site outlined in red.

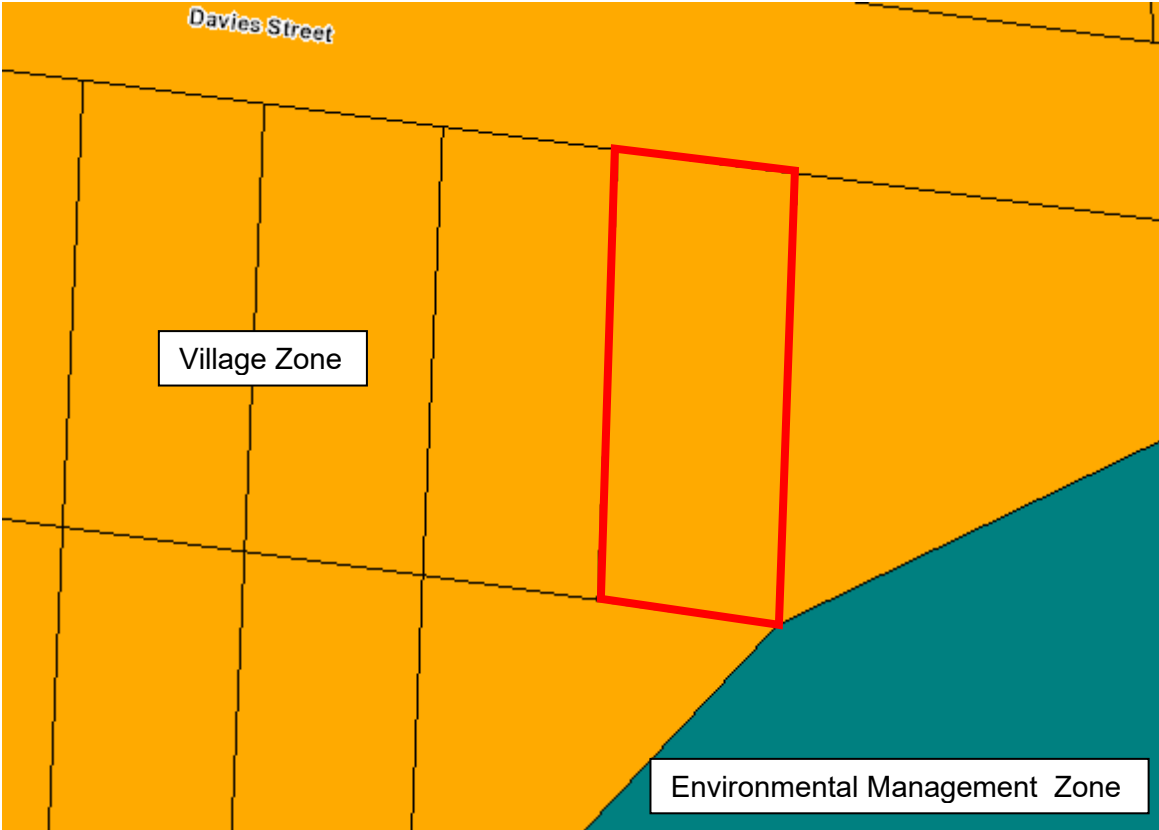


Figure 3 - Zoning of subject site (outlined in red) and surrounds.

7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)

The site has been developed with an existing dwelling, which includes 2 bedrooms, open plan kitchen/living, a sunroom and bathroom.



Figure 4 – View of the existing dwelling at 4 Davies Street, looking south-west.

7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)



Figure 5 – View of the existing dwelling at 4 Davies Street, looking south-east.

It is noted that a Eucalypt of significant size has been removed from the rear of the dwelling in the above photos. This tree previously attained a height greater than that of the proposed development.

7. DEVELOPMENT AND USE DESCRIPTION

The application seeks approval for an extension to an existing dwelling.

The proposed dwelling includes an extended living area, woodstore, a significant garage, deck and laundry. A new master suite upstairs brings the total number of bedrooms to three. A large part of the development will be located behind the existing dwelling, which will largely retain its current form.

The application has proposed a colour scheme complimentary to the coastal character in whites and greys and includes the planting of vegetation to soften the visual appearance from the street. The dwelling will rely on onsite management of stormwater and wastewater, both of which will require new systems to be installed and approved as part of the building assessment.

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7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)

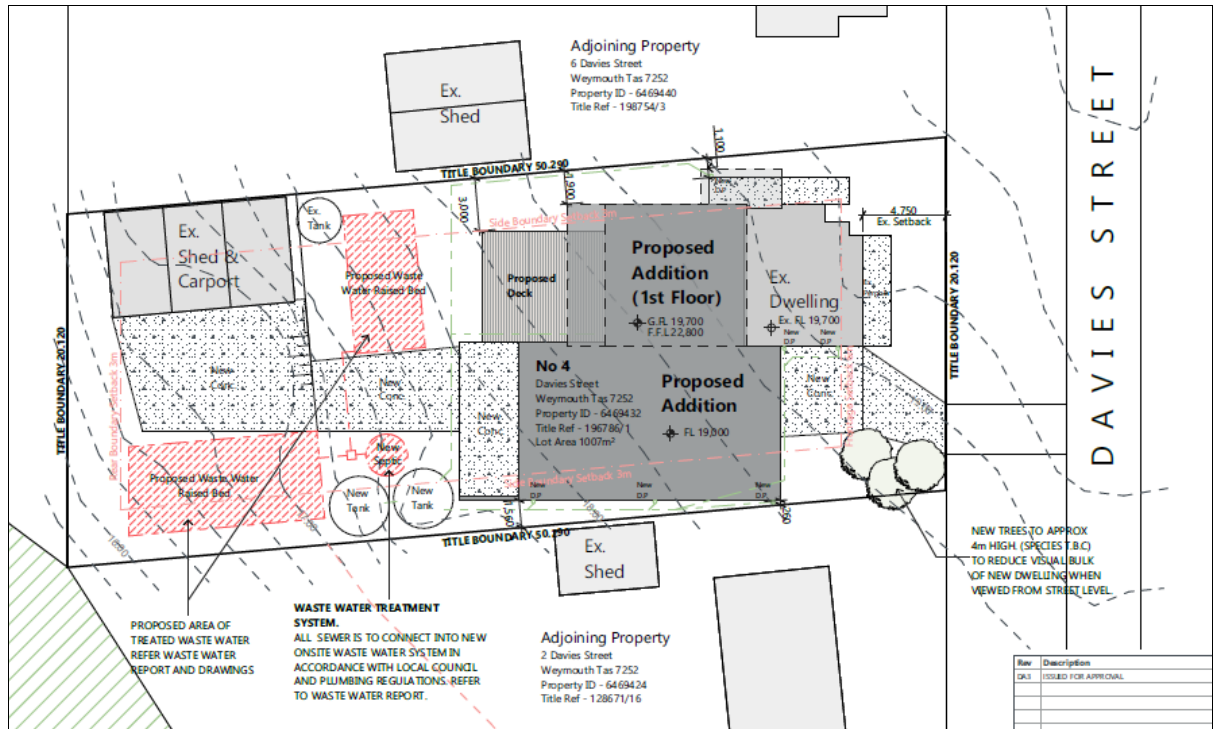


Figure 6: Proposed Site Plan (Cataract Designs, 2021)

8. REPRESENTATION

The application was advertised for community consultation from the 30/1/2021 – 12/2/2021. Two (2) representations were received and are summarised below.

A full copy of the representation has also been included as an attachment to this report.

Issues raised in representations	Council response
<p><i>Overly large footprint. The size of the property is inconsistent with surrounding property developments on Davies Street. An acceptable solution would be to reduce the total built area on the site to 33%.</i></p>	<p>In response to the representation the applicant has opted to reduce the total site coverage to 33% to make it consistent with the Acceptable Solution. No further action is considered warranted.</p>
<p><i>Close proximity to the boundary. Proximity and building height so close to the boundary will interfere with the amenity of the adjoining lots through reduced visual and acoustic privacy, separation and sunlight. Proximity limits future development options of the adjoining land. Acceptable solution would be to contain the development within the 3m setback.</i></p>	<p>The amenity of the adjoining dwellings has been considered in the scheme assessment below and is acceptable. The impacts on acoustic privacy are not considered to be any different to that of the existing dwelling and are consistent with the character of a residential environment. It is also noted that the driveway of 6 Davies Street is immediately adjacent the entry and there remains good separation between the habitable rooms and private open space areas of this dwelling.</p> <p>Overshadowing is discussed below.</p>

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	<p>While the separation between the subject dwellings will be reduced, it is not inconsistent with the pattern of residential development in the surrounding area.</p> <p>It is not possible to comment on the impact of the proposal on future hypothetical development of the land at 6 Davies Street. However, it is noted that this land has substantial area available and significant potential to design and construct to avoid conflicts. No further action is considered warranted.</p>
<p><i>Location of the entry door close to the boundary will reduce the visual and acoustic privacy of the adjoining dwelling.</i></p>	<p>The applicant has proposed to amend the plans to alter the entry door, removing the enclosed entry and wood storage room and adding privacy screening to the porch. This is considered adequate to ensure the reasonable visual privacy of the adjoining dwelling. Acoustic privacy has been considered above. No further action is considered warranted.</p>
<p><i>Reduction in sunlight to outdoor living areas. Shadow diagrams appear to show overshadowing which is greater than 3 hours during the shortest day of the year. Setting the dwelling back a minimum of 3m would be an acceptable solution.</i></p>	<p>Overshadowing has been discussed in the assessment of the scheme standards and is acceptable. Overshadowing of the adjoining property at 6 Davies Street will occur from 9:00am. By 10:30 am the impacts will be only marginally greater than the existing boundary fence.</p> <p>At approximately 1:30 the proposal will result in overshadowing of the property at 2 Davies Street marginally greater than that of the boundary fence. Overshadowing will increase into the afternoon.</p> <p>In both cases overshadowing will occur for less than 3 hours and at no time will it impact the habitable rooms of the dwellings.</p> <p>It is noted that the majority of the overshadowing is created by that part of the development that is fully compliant with the scheme standards. Enforcing a 3m setback for the building would have negligible impact on the extent of overshadowing and is not considered necessary. No further action is considered warranted.</p>
<p><i>Lack of safe external entry and exit in the event of a bushfire.</i></p>	<p>Bushfire safety for individual developments, that are not associated with a subdivision, a vulnerable use or a hazardous use, is managed under the Building Act 2016. A</p>

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	bushfire hazard management plan will need to be included with any application for building approval and certified by qualified bushfire assessor and a Building Surveyor. No further action is considered warranted.
<i>No problem with the proposed development, but would like consideration given to ensuring the finish of the blockwork is tidy. If the paling fence needs to be replaced, can the palings be on the 2 Davies Street side of the fence.</i>	The perceived finish of the brickwork is a qualitative assessment and satisfaction will vary from individual to individual. The applicant has acknowledged the concern and has verbally committed to ensuring as high quality finish as possible. A condition on the permit is not considered warranted.

9. STATUTORY REQUIREMENTS

The assessment of the development is dealt with under the following sections of the George Town Interim Planning Scheme 2013:

- 16.0 Village Zone
- E6.0 Car Parking and Sustainable Transport Code

This is an application which is to be determined under section 57 of the *Land Use Planning and Approval Act 1993* (the Act) as discretionary.

9.1 Use Class

The application is classified as a Residential. The definition of the Residential use as outlined in the *George Town Interim Planning Scheme 2013* is:

“use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.”

The Residential Use Class is classified as a **No Permit Required** use within the Village Zone. However, in this instance, the proposal relies on Performance Criteria and is subject to the discretionary application process.

9.2 Planning Scheme Assessment

16 Village Zone

16.1 Zone Purpose

16.1.1	Zone Purpose Statements
16.1.1.1	To provide for small rural centres with a mix of residential, community services and commercial activities.
16.1.1.2	To provide for low impact, non residential uses that support the function of the settlement.

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16.1.1.3 To provide for the amenity of the residents in a manner appropriate to the mixed use characteristics and needs of a particular settlement.

Planners Response:

The proposal will not undermine the function of Weymouth as a small rural centre. The proposal is for a residential use and will not impact the residential amenity of the surrounding properties.

16.1.2 Local Area Objectives

1. Recognise the historic development of the coastal settlements whilst supporting some infill and limited development subject to the availability of services and in a manner that does not create ribbon development.

2. Ensure the new use development in unserviced areas;

- a) is self-sufficient in infrastructure provision,
- b) does not cause material environmental harm; and
- c) does not create significant additional demands on community resources.

3. Protects the amenity of existing and future occupants of residences on adjoining lots in terms of;

- a) visual and acoustic privacy
- b) overlooking habitable rooms and outdoor recreation areas; and
- c) loss of sunlight to habitable rooms and outdoor recreation areas.

4. Ensure the design and layout of residential subdivision takes account of coastal protection requirements, solar access, waste disposal protection, protection of native vegetation, maintenance of the environmental and hydrological functions of streams and waterways and the visual amenity of surrounding areas.

Planners Response:

The proposal respects the historic development of the coastal settlements. It is for the extension of an existing dwelling on a residential title within the current town boundaries. It does not encourage ribbon development or expansion of the settlement.

The proposal will rely on the onsite management of waste water and stormwater. These aspects of the proposal will be further investigated at the building approval stage.

The proposed use will not have an unreasonable impact on residential amenity. Emissions from the single dwelling will be consistent with those of the residences on adjoining properties. The specific impacts of the design are assessed in relation to the Performance Criteria below.

The application does not propose residential subdivision.

16.1.3 Desired Future Character Statements

In the small coastal settlements of:

Bellingham, Bell Buoy Beach, Beechford, Lulworth, Tam O'Shanter and Weymouth limited residential and commercial development will be allowed depending on the services available. The lot density will provide for on-site open space and on-site parking for cars

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and boats.

The urban form and density of development will be influenced by the availability of infrastructure;

- the need to protect against adverse impact on natural or cultural values and
- the need to minimise exposure to natural and environmental hazards that create risk for the health and safety of people, property and the environment.

Most larger sites will be self-sufficient in respect to water supply, disposal of waste water and community and commercial facilities with smaller sites being required to be provided with connection to an offsite reticulated waste water treatment and re use system.

Planners Response:

The proposal is on an existing title with an existing dwelling and will not alter the density and the lot has not been identified as being subject to any particular natural hazards, or natural/environmental values.

16.3 Use Standards

16.3.1 Amenity

Objective	
To ensure that all non-residential uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 Discretionary uses must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.
Planners Response:	
Complies with the Acceptable Solution. The application is associated with a residential use, which is a no permit required use in the Village Zone.	
A2 Commercial vehicles must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	P2 Commercial vehicle operations must demonstrate that the amenity of residential uses within the surrounding area will not be unduly impacted upon by noise from operations or deliveries from the site.
Planners Response:	
Not applicable. The proposal does not include commercial vehicles.	
A3 Commercial vehicles are parked	P3 Parking of commercial vehicles,

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within the boundary of the property.	including delivery vehicles, are not to create a traffic hazard or compromise the mixed use functions of the road.
Planners Response: Not applicable. The proposal does not include commercial vehicles.	

16.3.2 Village Character

Objective To ensure that non-residential uses are of an appropriate scale and type to support the objectives for the settlement.	
Acceptable Solutions	Performance Criteria
A1 Non-residential use must not exceed a combined gross floor area of 250m ² over the site.	P1.1 The use is not within the classes of Business and Professional services, Education and Occasional care, General retail and hire, Hotel, Hospital services, Bulky Goods sales, Manufacturing and processing; and P1.2 The size and appearance of the use does not dominate the character of the area; and P1.3 The proposal is consistent with the local area objectives for visual character, if any.
Planners Response: Not applicable. The application is for a residential use.	
A2 Goods or materials must not be stored outside in locations visible from adjacent properties, the road or public land.	P2 Storage of goods or materials is consistent with the local area objectives for visual character, if any.
Planners Response: Not applicable. The application does not propose storage of goods or materials.	

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<p>A3 Waste materials must be stored in:</p> <p>a) a manner and location that is not visible from the road to which the lot has frontage; and</p> <p>b) fully self-contained receptacles designed to ensure waste does not escape to the environment.</p>	<p>P3 Waste materials are stored in a manner that is consistent with the local area objectives for visual character, if any.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. No changes to existing waste management for the dwellings is proposed.</p>	

16.4 Development Standards

16.4.1 Building Design and Siting

<p>Objective</p> <p>a) To protect the residential amenity of adjoining lots by ensuring that the height, setbacks, siting and design of buildings provides adequate privacy, separation, open space and sunlight for residents; and</p> <p>b) To ensure that the siting and design of development furthers the local area objectives and desired future character statements for the area, if any.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Site coverage must not exceed 33%.</p>	<p>P1 The proportion of the site covered by buildings must have regard to the:</p> <p>a) existing site coverage and any constraints imposed by existing development or the features of the site; and</p> <p>b) site coverage of adjacent properties; and</p> <p>c) effect of the visual bulk of the building and whether it respects the village character; and</p> <p>d) capacity of the site to absorb runoff; and</p> <p>e) landscape character of the area.</p>

7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)

Planners Response:

The proposed development relies on Performance Criteria. Prior to changes in response to the representations, the development had a site coverage of 38.09%. This includes the dwelling with a roofed area of 313.89m² and an existing outbuilding with an area of 69.68m². It is noted that site coverage is defined as the area of the site covered by roofed buildings and is not taken to include the unroofed portion of the deck, driveways or paths.

The land has a total area of 1007m² and, as such, 33% of the site equates to 332.3m². The development exceeds the Acceptable Solution by 5.8% or 51.3m².

While it is noted that the site coverage is greater than most of the properties in the immediate area, it is only marginally greater than that which is accommodated by the Acceptable Solutions and can be undertaken without needing an assessment or a planning permit. It is also noted that there are a number of large dwellings scattered throughout Weymouth. This is likely to be an ongoing trend as communities such as Weymouth are becoming more attractive as permanent residences for retirees.

Figures 7, 8 and 9 below show examples of existing large dwellings in the settlement. Dwellings of a similar size and scale can in many instances be developed without requiring a planning permit.



Figure 7

7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)



Figure 8



Figure 9

While the dwelling also has a visual bulk greater than the immediately adjoining neighbours when viewed from the street, this is generally as a result of the height of the proposal (compliant), rather than as a result of the site coverage.

In response to the representations, the applicant has chosen to decrease the area of development under roof to meet a maximum site coverage of 33% in line with the Acceptable Solutions. This is considered to meet the Objective of the standard.

It is recommended that the plans endorsed with the permit include the reduced site coverage. No further action is considered warranted.

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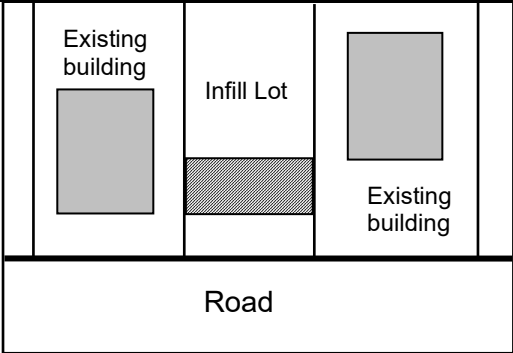
<p>A2 Building height must:</p> <p>a) not exceed 8m;</p>	<p>P2 Building height must:</p> <p>a) be consistent with the local area objectives, if any; and</p> <p>b) protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking having regard to:</p> <p>i) the surrounding pattern of development; and</p> <p>ii) the existing degree of overlooking and overshadowing; and</p> <p>iii) the impact on the adjoining property of a reduction in sunlight to habitable rooms and private open space to less than 3 hours between 9.00 am and 5.00 pm on June 21 or no increase to existing overshadowing where greater than above; and</p> <p>iv) maintaining reasonable privacy to private open space and windows; and</p> <p>v) existing screening or the ability to implement screening to enhance privacy.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. The development has a maximum height of 8m above natural ground level.</p>	
<p>A3 Primary frontage setbacks must be:</p> <p>a) a minimum distance of 6m; or</p> <p>b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 16.4.1B below; and</p>	<p>P3 Buildings must be set back from the frontage an appropriate distance having regard to:</p> <p>a) the efficient use of the site; and</p> <p>b) the safety of road users; and</p> <p>c) the prevailing setbacks of existing buildings on nearby lots; and</p> <p>d) the visual impact of the building when viewed from the road; and</p>

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<p>A2 Building height must:</p> <p>a) not exceed 8m;</p>	<p>P2 Building height must:</p> <p>a) be consistent with the local area objectives, if any; and</p> <p>b) protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking having regard to:</p> <p style="margin-left: 20px;">i) the surrounding pattern of development; and</p> <p style="margin-left: 20px;">ii) the existing degree of overlooking and overshadowing; and</p> <p style="margin-left: 20px;">iii) the impact on the adjoining property of a reduction in sunlight to habitable rooms and private open space to less than 3 hours between 9.00 am and 5.00 pm on June 21 or no increase to existing overshadowing where greater than above; and</p> <p style="margin-left: 20px;">iv) maintaining reasonable privacy to private open space and windows; and</p> <p style="margin-left: 20px;">v) existing screening or the ability to implement screening to enhance privacy.</p>
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Planners Response:

Complies with the Acceptable Solution. The development has a maximum height of 8m above natural ground level.

<div style="border: 1px solid black; padding: 10px; margin-bottom: 10px;">  </div> <p style="text-align: center;">Figure 16.4.1B – Primary Frontage Setback for Infill Lots</p> <p>c) for corner lots, side walls must be set back a minimum of 3m from the secondary frontage.</p>	<p>e) retention of vegetation within the front setback.</p>
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<p>A2 Building height must:</p> <p>a) not exceed 8m;</p>	<p>P2 Building height must:</p> <p>a) be consistent with the local area objectives, if any; and</p> <p>b) protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking having regard to:</p> <p>i) the surrounding pattern of development; and</p> <p>ii) the existing degree of overlooking and overshadowing; and</p> <p>iii) the impact on the adjoining property of a reduction in sunlight to habitable rooms and private open space to less than 3 hours between 9.00 am and 5.00 pm on June 21 or no increase to existing overshadowing where greater than above; and</p> <p>iv) maintaining reasonable privacy to private open space and windows; and</p> <p>v) existing screening or the ability to implement screening to enhance privacy.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. The development has a maximum height of 8m above natural ground level.</p>	
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. The proposal is behind the established building line of the existing dwelling and is more than 6m from the frontage.</p>	
<p>A4 Buildings must be set back from the side and rear boundaries a minimum distance of 3m.</p>	<p>P4 Buildings are sited so that side and rear setbacks:</p> <p>a) protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking having regard to:</p> <p>i) the surrounding pattern of development; and</p>

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<p>A2 Building height must:</p> <p>a) not exceed 8m;</p>	<p>P2 Building height must:</p> <p>a) be consistent with the local area objectives, if any; and</p> <p>b) protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking having regard to:</p> <p>i) the surrounding pattern of development; and</p> <p>ii) the existing degree of overlooking and overshadowing; and</p> <p>iii) the impact on the adjoining property of a reduction in sunlight to habitable rooms and private open space to less than 3 hours between 9.00 am and 5.00 pm on June 21 or no increase to existing overshadowing where greater than above; and</p> <p>iv) maintaining reasonable privacy to private open space and windows; and</p> <p>v) existing screening or the ability to implement screening to enhance privacy.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. The development has a maximum height of 8m above natural ground level.</p>	
	<p>ii) the existing degree of overlooking and overshadowing; and</p> <p>iii) the reduction of sunlight to habitable rooms and private open space to no less than 3 hours between 9.00 am and 5.00 pm on June 21 or no increase to existing overshadowing where greater than above; and</p> <p>iv) maintaining reasonable privacy to private open space and windows; and</p> <p>v) existing screening or the ability to implement screening to enhance</p>

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<p>A2 Building height must:</p> <p>a) not exceed 8m;</p>	<p>P2 Building height must:</p> <p>a) be consistent with the local area objectives, if any; and</p> <p>b) protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking having regard to:</p> <p>i) the surrounding pattern of development; and</p> <p>ii) the existing degree of overlooking and overshadowing; and</p> <p>iii) the impact on the adjoining property of a reduction in sunlight to habitable rooms and private open space to less than 3 hours between 9.00 am and 5.00 pm on June 21 or no increase to existing overshadowing where greater than above; and</p> <p>iv) maintaining reasonable privacy to private open space and windows; and</p> <p>v) existing screening or the ability to implement screening to enhance privacy.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. The development has a maximum height of 8m above natural ground level.</p>	
	<p>privacy; and</p> <p>b) further the objectives relating to the visual character of the village.</p>

7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)

Planners Response:

Relies on Performance Criteria. While the development is more than 3m from the rear boundary, it is less than 3m from both side boundaries.

The proposal will not have an unreasonable impact on the residential amenity of adjoining dwellings due to overshadowing or overlooking. The impact of overshadowing is at its worst on the 21st June, the shortest day of the year when the sun is furthest to the north. Shadow diagrams submitted with the application confirm that overshadowing will not impact the habitable rooms of either of the adjoining dwellings between the hours of 9:00am and 3:00pm on the 21st June, nor any other day of the year.

While some overshadowing of private open space will occur, both neighbouring properties have a significant area available and overshadowing will impact a relatively small portion of this area for less than 3 hours on the worst day of the year.

The proposal is considered to provide a reasonable degree of privacy. While the application includes an elevated first floor, direct views towards the dwelling at 6 Davies Street are adequately screened through the use of highlight windows and openings with a minimum sill height of 1.7m above the finished floor level. While there will be obtuse views from the first floor deck, they will overlook an existing outbuilding on the neighbouring property. The distance separation between the first floor deck and usable areas of the neighbouring private open space are adequate to mitigate privacy and will generally offer a greater degree of privacy than generally provided by the Acceptable Solutions.

While the first floor does offer views to the east, this component of the development is compliant with the height and setback requirements of the Acceptable Solutions in relation to the east boundary and the separation of more than 9m is sufficient to mitigate privacy impacts in this direction.

The primary ground floor deck has a finished floor height of 985mm. For the most part, an existing outbuilding at 6 Davies Street provides reasonable screening of this property. In response to the representations, the applicant has elected to reduce the extent of this deck to achieve a 3m setback consistent with the Acceptable Solutions. This is sufficient to provide reasonable privacy for the occupants of the adjoining dwelling.

The applicant has also elected to remove a wood storage room on the west side of the dwelling, reorientate the access door and replace the enclosed entry with a porch. Although the porch will remain less than 3m from the side boundaries, it will be provided with a timber screen to a height greater than 1.7m with a minimum transparency of 30%. This is considered adequate to minimise overlooking of the adjoining property.

Although, the garage will extend within 260mm of the east side boundary, the proposal does not have any east facing windows at this level and does not offer any elevated views into the property at 2 Davies Street.

There are no specific objectives in the Zone Purpose relating to visual character for individual developments.

It is recommended that the plans endorsed with the permit include the alterations outlined above. With the proposed amendments, the application is considered to comply with the Performance Criteria. No further action is considered warranted.

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7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)

E6.0 Car Parking and Sustainable Transport Code

E6.0 Use Standards

E6.6.1 Car Parking Numbers

Objective	
To ensure that an appropriate level of car parking is provided to service use.	
Acceptable Solution	Performance Criteria
<p>A1 The number of car parking spaces will not:</p> <p>a) If for dwellings in the General Residential Zone, be less than 100% of the requirements of Table E6.1; or</p> <p>b) be less than 90% of the requirements of Table E6.1 and not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater (except for dwellings in the General Residential Zone).</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p> <p>b) the availability of public car parking spaces within reasonable walking distance; and</p> <p>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</p> <p>d) the availability and frequency of public transport within reasonable walking distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p>

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	<ul style="list-style-type: none"> j) any heritage values of the site; and k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to: <ul style="list-style-type: none"> i) the size of the dwelling and the number of bedrooms; and ii) the pattern of parking in the locality; and iii) any existing structure on the land.
<p>Planners Response:</p> <p>Complies with the Acceptable Solutions. The dwelling design includes a double garage suitable for the parking of two vehicles and meets the requirements of Table E6.1.</p>	

E6.6.2 Bicycle Parking Numbers

<p>Objective</p> <p>To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.</p>	
Acceptable Solution	Performance Criteria
<p>A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or</p> <p>A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</p>	<p>P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the:</p> <ul style="list-style-type: none"> a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and b) location of the site and the distance a cyclist would need to travel to reach the site; and c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. There is ample room for bike parking on the site, within the attached garage and outbuilding.</p>	

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7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)

E6.6.3 Taxi Drop-off and Pickup

Objective To ensure that taxis can adequately access developments.	
Acceptable Solution	Performance Criteria
A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1 No performance criteria.
Planners Response: Complies with the Acceptable Solution. There is ample room for taxi parking on the site within the access.	

E6.6.4 Motorbike Parking Provisions

Objective To ensure that motorbikes are adequately provided for in parking considerations.	
Acceptable Solution	Performance Criteria
A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1 No performance criteria.
Planners Response: Complies with the Acceptable Solution. Adequate parking has been provided onsite to provide for the motorbike parking requirements.	

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective To ensure that car parking spaces and access strips are constructed to an appropriate standard.
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7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)

Acceptable Solution	Performance Criteria
<p>A1 All car parking, access strips manoeuvring and circulation spaces must be:</p> <p>a) formed to an adequate level and drained; and</p> <p>b) except for a single dwelling, provided with an impervious all weather seal; and</p> <p>c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.</p>	<p>P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. Parking is within an enclosed garage and the access and parking areas will be formed in concrete. The greater extent will be undercover, with stormwater collected and directed to water storage tanks.</p>	

E6.7.2 Design and Layout of Car Parking

<p>Objective</p> <p>To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.</p>	
Acceptable Solution	Performance Criteria
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and</p> <p>A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</p>	<p>P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:</p> <p>a) the layout of the site and the location of existing buildings; and</p> <p>b) views into the site from the road and adjoining public spaces; and</p> <p>c) the ability to access the site and the rear of buildings; and</p> <p>d) the layout of car parking in the</p>

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	<p>vicinity; and</p> <p>e) the level of landscaping proposed for the car parking.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. All parking is behind the building line. The property is not located in the General Residential Zone.</p>	
<p>A2.1 Car parking and manoeuvring space must:</p> <p>a) have a gradient of 10% or less; and</p> <p>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</p> <p>c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and</p> <p>d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:</p> <p>i) there are three or more car parking spaces; and</p> <p>ii) where parking is more than 30m driving distance from the road; or</p> <p>iii) where the sole vehicle access is to a category 1, 2, 3 or 4 road; and</p> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>P2 Car parking and manoeuvring space must:</p> <p>a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and</p> <p>b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.</p>
<p>Planners Response:</p> <p>The development complies with the Acceptable Solutions.</p> <p>The gradient of parking is less than 10%.</p> <p>Reversing from the site is suitable for the two vehicle spaces required by a</p>	

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<p>residential use.</p> <p>The access is existing and complies with the minimum width required by Table E6.2.</p> <p>Clause d) is not applicable to the proposal.</p> <p>The proposal complies with AS2890.1 so far as applicable to residential use and development.</p>

E6.7.3 Car Parking Access, Safety and Security

<p>Objective</p> <p>To ensure adequate access, safety and security for car parking and for deliveries.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Car parking areas with greater than 20 parking spaces must be:</p> <p>a) secured and lit so that unauthorised persons cannot enter or;</p> <p>b) visible from buildings on or adjacent to the site during the times when parking occurs.</p>	<p>P1 Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:</p> <p>a) levels of activity within the vicinity; and</p> <p>b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.</p>
<p>Not applicable. Less than 20 spaces provided.</p>	

E6.7.4 Parking for Persons with a Disability

<p>Objective</p> <p>To ensure adequate parking for persons with a disability.</p>	
Acceptable Solution	Performance Criteria
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p>P1 No performance criteria.</p>
<p>A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 –</p>	<p>P2 No performance criteria.</p>

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2009 Parking facilities – Off-street parking for people with disabilities.	
Not applicable. No spaces are provided designated for persons with a disability.	

E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

<p>Objective</p> <p>To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.</p>	
Acceptable Solution	Performance Criteria
<p>A1 For retail, commercial, industrial, service industry or warehouse or storage uses:</p> <p>a) at least one loading bay must be provided in accordance with Table E6.4; and</p> <p>b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.</p>	<p>P1 For retail, commercial, industrial, service industry or warehouse or storage uses, adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.</p>
Not applicable. The proposal is not for a commercial use.	

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

<p>Objective</p> <p>To ensure that cyclists are provided with adequate end of trip facilities.</p>	
Acceptable Solution	Performance Criteria
<p>A1 For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycles spaces thereafter.</p>	<p>P1 For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, end of trip facilities must be provided at adequate level to cater for the reasonable needs of employees having regard to:</p> <p>a) the location of the proposed use</p>

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	<p>and the distance a cyclist would need to travel to reach the site; and</p> <p>b) the users of the site and their likely desire to travel by bicycle; and</p> <p>c) whether there are facilities on the site for other reasons that could be used by cyclists; and</p> <p>d) the opportunity for sharing bicycle facilities by multiple users.</p>
<p>Not applicable. The proposal does not require 5 bicycle parking spaces.</p>	

E6.8.2 Bicycle Parking Access, Safety and Security

<p>Objective</p> <p>To ensure that parking and storage facilities for bicycles are safe, secure and convenient.</p>	
Acceptable Solution	Performance Criteria
<p>A1.1 Bicycle parking spaces for customers and visitors must:</p> <p>a) be accessible from a road, footpath or cycle track; and</p> <p>b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and</p> <p>c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and</p> <p>d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and</p> <p>A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</p>	<p>P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</p>
<p>Not applicable.</p>	

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<p>A2 Bicycle parking spaces must have:</p> <p>a) minimum dimensions of:</p> <p style="margin-left: 20px;">i) 1.7m in length; and</p> <p style="margin-left: 20px;">ii) 1.2m in height; and</p> <p style="margin-left: 20px;">iii) 0.7m in width at the handlebars; and</p> <p>b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.</p>	<p>P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.</p>
<p>Not applicable.</p>	

E6.8.5 Pedestrian Walkways

<p>Objective</p> <p>To ensure pedestrian safety is considered in development</p>	
<p>Acceptable Solution</p>	<p>Performance Criteria</p>
<p>A1 Pedestrian access must be provided for in accordance with Table E6.5.</p>	<p>P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.</p>
<p>Complies with the Acceptable Solution. There is no requirement for a separate pedestrian access for 2 parking spaces for developments with less than 10 spaces.</p>	

10. REFFERALS

Internal Referrals

No internal referrals considered warranted.

External Referrals

There were no external referrals required. The land is not in an area serviced by TasWater.

11. SERVICES

Road

It is recommended that the existing crossovers be upgraded to Council standards.

7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)

Sewer

The land is not connected to sewer. An onsite waste water assessment will be required as part of the building/plumbing approval process.

Water

The land is not serviced by reticulated water.

Storm Water

Stormwater will be directed to rainwater collection tanks and used by the dwelling.

12. STATE POLICIES

The State Policies are inculcated in the standards of the planning scheme. Compliance with the planning scheme ensures compliance with the State Policies.

13. CONCLUSION

The application for an extension to the single dwelling at 4 Davies Street, Weymouth, has been assessed against all relevant zone and code criteria of the *George Town Interim Planning Scheme 2013*. With appropriate conditions, the application complies with all of the applicable acceptable solutions and performance criteria and is recommended for approval.

14. RECOMMENDATION

That the application for Residential Use and extension to a single dwelling at 4 Davies Street, Weymouth (CT 196786/1) be **APPROVED** subject to the following conditions:

1. ENDORSED PLANS

The use and/or development must be carried out as shown on the endorsed plans and described in the endorsed documents:

Cataract Designs, Project No. 20009, Drawings SK000-DA3, SK001-DA3, SK100-DA3, SK101-DA3, SK102-DA3, SK200-DA3, SK201-DA3, SK400-DA3, SK401-DA3, SK402-DA3;

to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

2. VEHICULAR CROSSOVER

The existing crossover is to be upgraded in accordance with Tasmanian Standard Drawing TSD-R03-v1 and TSD-R04-v1 and to the satisfaction of Council. The developer must make application to Council for a road opening permit using Council designated form and obtain Council's written approval prior to the commencement of any works.

Permit Notes

1. This permit was issued based on the proposal documents submitted for DA 2020/77. You should contact Council with any other use or development, as they may require the separate approval of Council. Council's planning staff can be contacted on 6382 8800.

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7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET, WEYMOUTH (CONT.)

2. Prior to the construction of the driveways, separate consent is required by the Road Authority. An Application for Works in Road Reservation form must be completed and returned to Council. All enquiries should be directed to Council's Infrastructure Department on telephone 6393 5312.
3. An application for Building/plumbing permits will need to be accompanied by an onsite waste water assessment prepared by a suitably qualified person and demonstrating that wastewater can be effectively managed onsite.
4. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals may be required before construction commences:
 - a) Plumbing approvalAll enquiries should be directed to Council's Permit Authority.
5. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
 - c) Any other required approvals under this or any other Act are granted.
6. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au
7. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received within 6 months of the expiration.
8. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
9. If any Aboriginal relics are uncovered during works:
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and
 - c) The relevant approval processes will apply with state and federal government agencies.

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**7.1 DA 2020/77 – EXTENSION TO SINGLE DWELLING – 4 DAVIES STREET,
WEYMOUTH (CONT.)**

DECISION

VOTING

For:

Against:

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7.2 DA 2021/18 – RESIDENTIAL DWELLING – 3115 EAST TAMAR HIGHWAY, LONG REACH

REPORT AUTHOR: Statutory Town Planner – Mr J. Simons
Manager – Development and Environment – Mr R. Cassidy

REPORT DATE: 19th April, 2021

FILE NO: DA 2021/18

ATTACHMENT: (A) Title documents
(B) Site Plan and Elevations
(C) Representations (x2)
(D) Response to Representations

APPLICATION INFORMATION

Applicant: R Barnes

Site Address: 3115 East Tamar Highway, Long Reach

Titles details: CT 152160/1

Property ID: 2830972

Zone: Rural Resource

Use: Residential

Proposed Development: Single Dwelling

Application Received: 19th February 2021

1. SUMMARY

Application is made to erect a single dwelling, including three (3) bedrooms, two (2) bathrooms, a double garage, open plan living/dining/kitchen and external decks.

Two representations were received. The representations relate to environmental impacts and the potential impact of the proposal on the future capacity of adjoining land to be used for Extractive Industries. The proposal is not considered to compromise the environmental values of the area and complies with the Acceptable Solutions for the setback of sensitive uses from the boundaries.

The application was considered appropriate when assessed against all relevant standards of the *George Town Interim Planning Scheme 2013* and has been recommended for approval subject to a number of conditions.

2. STRATEGIC PLAN 2020-2030

This action relates to the following components of the Community Strategic Plan 2020-2030.

7.2 DA 2021/18 – RESIDENTIAL DWELLING – 3115 EAST TAMAR HIGHWAY, LONG REACH (CONT.)

Future Direction (1) Community Pride

2. All communities take pride in their place
 - i. Developing well-designed public spaces which are attractive, safe and support the area's identity and reputation.

Future Direction (3) Progressive well-resourced communities

8. Public infrastructure relevant to needs
 - i. Making sure the place works well through good design, safety standards, asset management and ongoing maintenance.
 - ii. Improve access through the design, maintenance and extension of footpaths, tracks and trails.

Future Direction (4) Leadership and Accountable Governance

2. Planning and regulatory responsibilities are undertaken fairly and openly
 - i. Building knowledge and understanding of planning and regulatory responsibilities and processes.

3. CONSULTATION

In accordance with section 57(5) of *The Land Use Planning and Approvals Act 1993*, the application was advertised for public comment for the period of 14 days.

4. RISK IMPLICATIONS

Risk is managed through the decision and conditioning of any permit issued.

5. FINANCIAL IMPLICATIONS

In the case of an appeal there are costs associated with the defence of Council's decision.

6. SITE AND LOCATION

The site comprises a 269.65ha lot, with frontage and access on the East Tamar Highway. The land is zoned both as Rural Resource and General Industrial. The State Rail Corridor crosses the south corner of the title, and is zoned Utilities. The State Rail Corridor is excluded from the title, effectively splitting it in two. An Electricity Transmission Line Corridor also crosses the title in the south corner.

The land is currently vacant and covered with native vegetation, some of which is identified as priority habitat.

The land is undulating, but with a general rise in elevation toward the north.

The East Tamar Highway is covered by a Scenic Tourist Corridor overlay, while the rear portion of the title is covered by a Scenic Management Area. The land shows signs of historic timber harvesting activities.

**7.2 DA 2021/18 – RESIDENTIAL DWELLING – 3115 EAST TAMAR HIGHWAY,
LONG REACH (CONT.)**

The land surrounding the title to the north, east and south is generally vacant with native vegetation cover. The land to the west of the East Tamar Highway is occupied by the Launceston Junior Motorcycle Club and has been developed with a motocross track, but is largely covered with native vegetation.



Figure 5 - Aerial view of subject site, outlined in red, and adjoining lots



Figure 6 - Aerial view of East Arm showing the location of subject site outlined in red.

7.2 DA 2021/18 – RESIDENTIAL DWELLING – 3115 EAST TAMAR HIGHWAY, LONG REACH (CONT.)

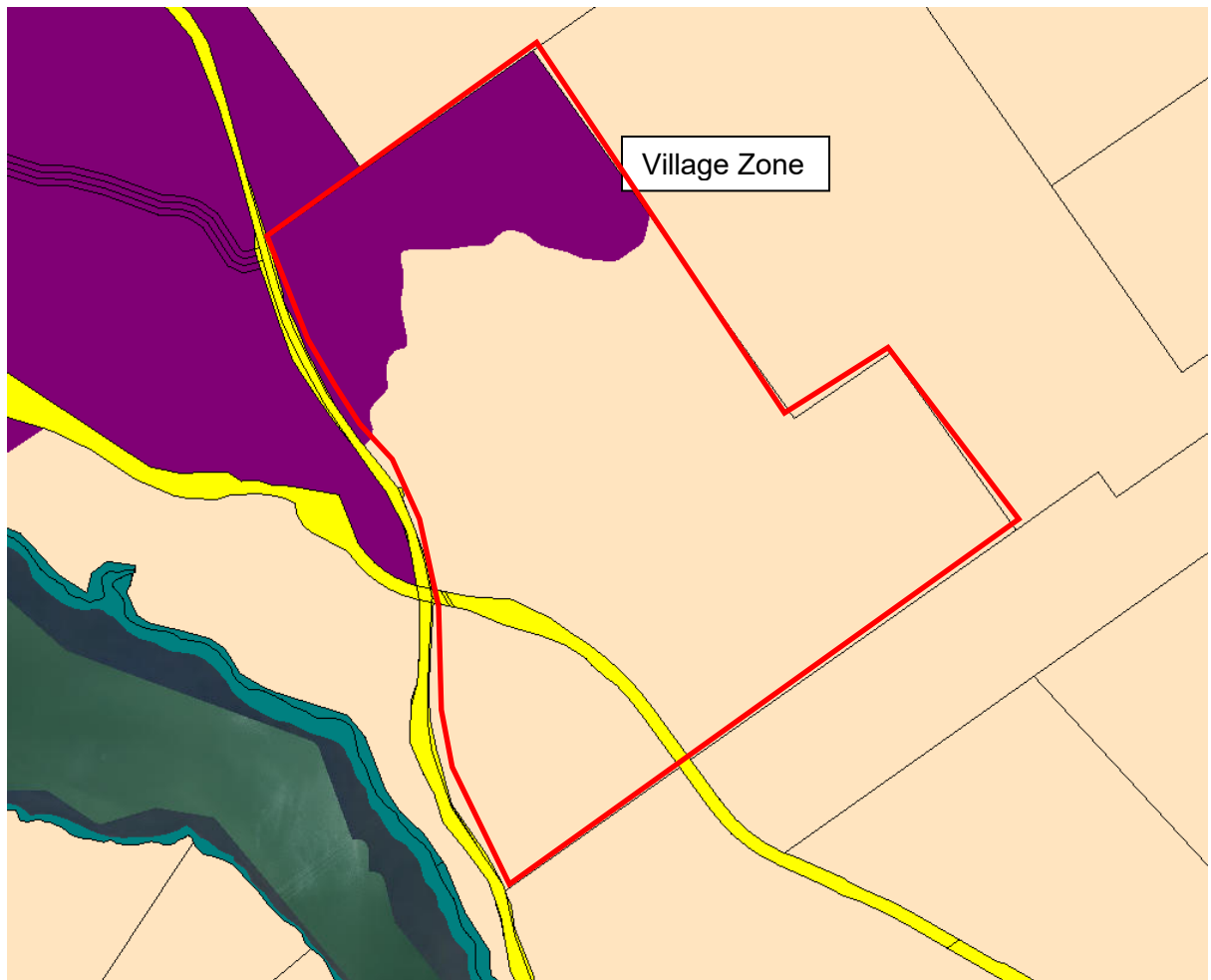


Figure 7 - Zoning of subject site (outlined in Red) and surrounds.

7. DEVELOPMENT AND USE DESCRIPTION

Application is made to erect a single dwelling, including three (3) bedrooms, two (2) bathrooms, a double garage, open plan living/dining/kitchen and external decks.

The application includes the formalisation of an existing access track, including a creek crossing, and the removal of vegetation to accommodate bushfire hazard management areas.

The development is fully contained in the portion of the land identified as Rural Resource.

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7.2 DA 2021/18 – RESIDENTIAL DWELLING – 3115 EAST TAMAR HIGHWAY, LONG REACH (CONT.)

An indicative site plan and elevations are below:



Figure 1: Proposed site plan (Van Diemen Consulting, 2020).

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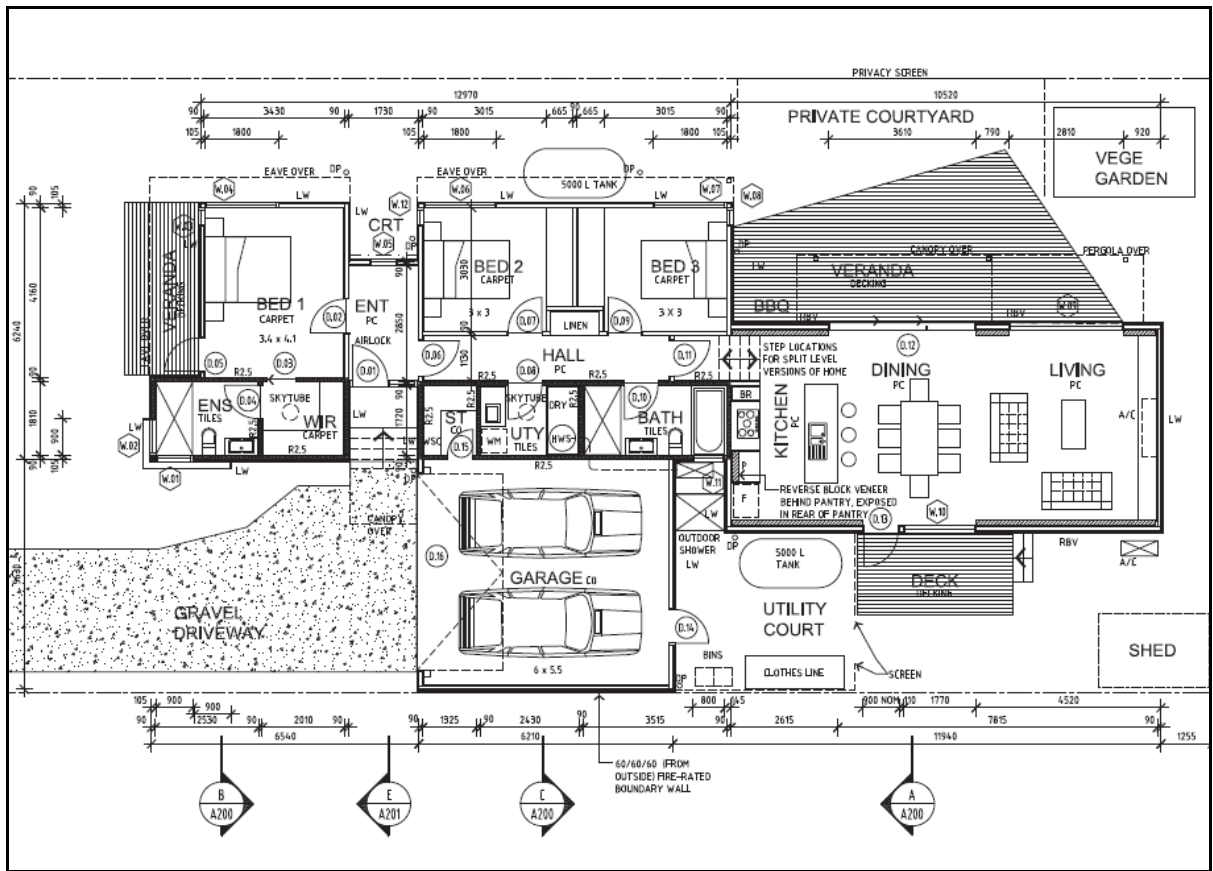


Figure 2: Proposed floor plan (Adam Dettrick Architect, 2012).

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LONG REACH (CONT.)**

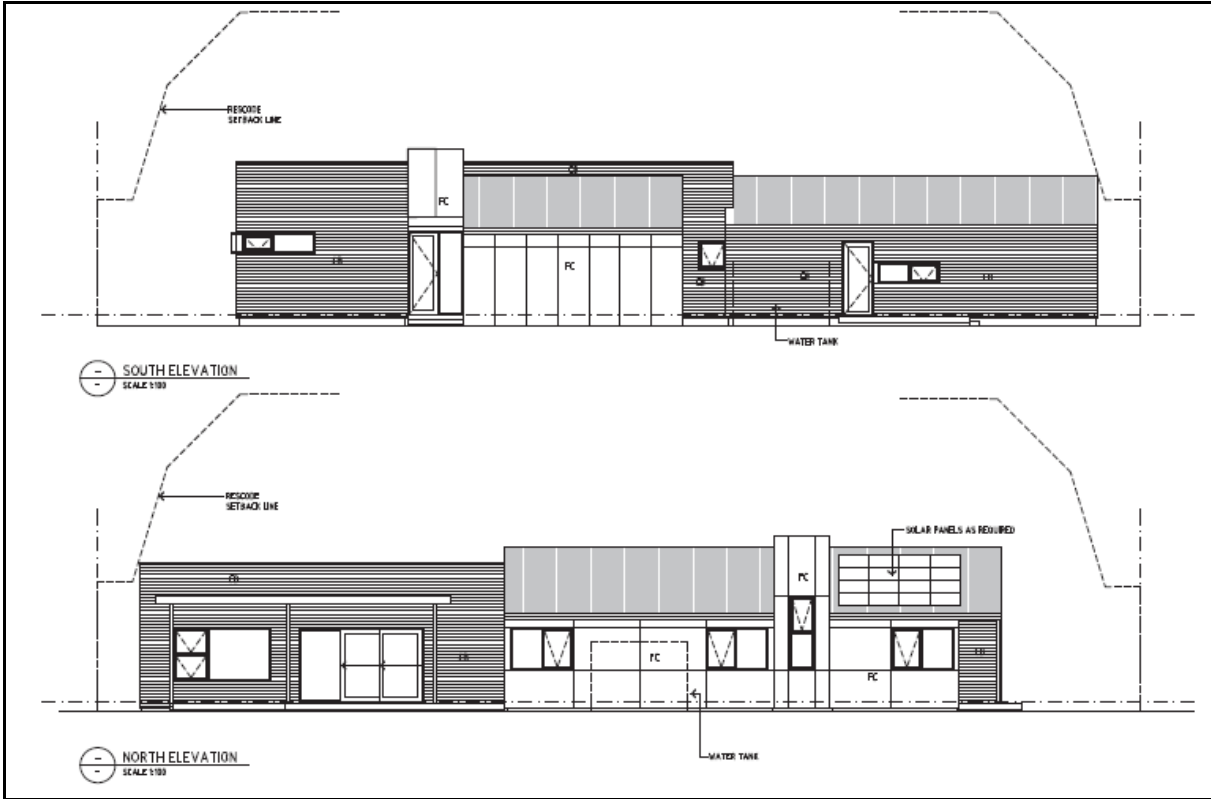


Figure 3: Proposed elevations (Adam Dettrick Architect, 2012).

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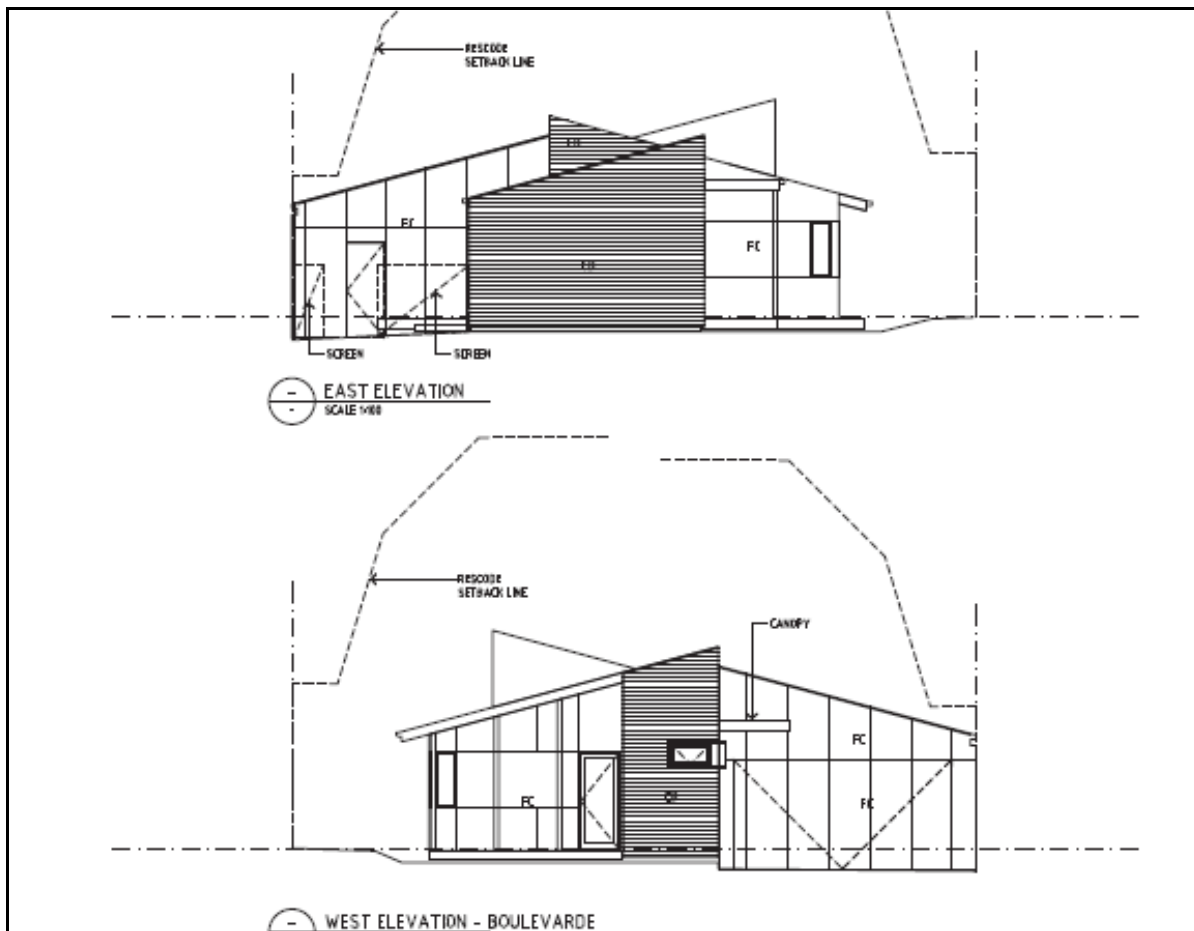


Figure 4: Proposed elevations (Adam Dettrick Architect, 2012).

8. REPRESENTATIONS

The application was advertised for community consultation from the 27/2/2021 – 16/3/2021. Two (2) representations were received and are summarised below.

A full copy of the representation has also been included as an attachment to this report.

Issues raised in representations	Council response
<p><i>Request flora and Fauna assessment to be undertaken to assess flora and fauna sightings within the title.</i></p>	<p>The extent of vegetation removal involved in the proposal is minimal. Approximately three (3) hectares will be removed in a property of 269.65 hectares. No threatened vegetation communities have been identified in the vicinity and the location of the dwelling is on land that has been previously disturbed with limited old growth vegetation or habitat trees present. A significant area of vegetation will remain undisturbed and continue to provide habitat functions and connectivity.</p> <p>No further assessment is considered warranted.</p>

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<p><i>Request bushfire threat assessment be undertaken. Threat may be lessened by placing the development close to the East Tamar Highway.</i></p>	<p>Bushfire hazard management for single dwellings is a matter which is addressed under the <i>Building Act 2016</i>. An application for a Building Permit will need to be accompanied by a Bushfire Hazard Assessment prepared by a suitably qualified person. The extent of vegetation clearance required to comply with the bushfire requirements has been considered in this application. Should further clearance be required, this will require a further assessment and permit from Council. No further actions are considered warranted.</p>
<p><i>EPBC signoff required due to wedgetailed eagle sighting, 1.2km to the south-east in June 2020.</i></p>	<p>It is the applicants' responsibility to determine if a referral is required under the EPBC act.</p>
<p><i>Adjoining land owner intends to undertake mining activities on the adjoining titles, including blasting and potential 24/7 operation.</i></p> <p><i>Potential future quarry will impact the amenity of the proposed dwelling and vice versa.</i></p> <p><i>Concern that a dwelling will create a reasonable opportunity to object to future applications for mining.</i></p>	<p>Council has not received an application for Extractive Industries on the adjoining titles. While Council is aware that a proposal will likely be put forward, there is insufficient detail to consider this potential proposal and Council cannot stop an application process in favour of a potential application.</p> <p>The planning scheme establishes an Acceptable Solution of 200m for new dwellings in the Rural Resource Zone.</p> <p>In the absence of an existing attenuated use on the neighbouring property, this is the only applicable standard which considers the impacts on adjoining land. The proposal complies with the Acceptable Solution and meets the 200m setback. While a greater attenuation may be warranted for blasting activities, no approval has been issued for mining activities or blasting on the adjoining land to date.</p> <p>The Land Information System of Tasmania does not identify any mining lease over the adjoining property, nor any valid applications for a mining lease. The area is identified as having an exploration licence. As has much of the George Town municipal area.</p> <p>Any application for a quarry on the adjoining land will be subject to Council's discretion and will similarly need to demonstrate that it is appropriate for the site and that the environmental impacts can</p>

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	be managed. A development of the scale suggested will also require assessment and approval by the EPA. Potential impacts on an existing dwelling will be managed through this process.
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9. STATUTORY REQUIREMENTS

The assessment of the development is dealt with under the following sections of the George Town Interim Planning Scheme 2013:

- 26.0 Rural Resource Zone
- E4.0 Road and Rail Assets Code
- E6.0 Car Parking and Sustainable Transport Code
- E7.0 Scenic Management Code
- E8.0 Biodiversity Code
- E9.0 Water Quality Code

This is an application which is to be determined under section 57 of the *Land Use Planning and Approval Act 1993* (the Act) as discretionary.

8.2 Use Class

The application is classified as a Residential. The definition of the Residential use as outlined in the *George Town Interim Planning Scheme 2013* is:

“use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.”

The Residential Use Class is classified as a **Discretionary** use within the Rural Resource Zone. In this instance, the proposal also relies on Performance Criteria.

8.2 Planning Assessment

Planning Scheme Zone Assessment

26.0 Rural Resource Zone

26.1 Zone Purpose

26.1.1	Zone Purpose Statements
26.1.1.1	To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.
26.1.1.2	To provide for other use or development that does not constrain or conflict with resource development uses.
26.1.1.3	To provide for economic development that is compatible with primary industry, environmental and landscape values.

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26.1.1.4 To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.

Planners Response:

The proposed development will not conflict with existing land uses on adjoining properties and is consistent with the Acceptable Solutions of the Rural Resource Zone relating to setbacks from adjoining properties. It is noted that in all cases where provisions of the planning scheme appear to be in conflict, the specific provisions of the planning scheme override the general provisions. As such, the Acceptable Solutions for the setbacks of new dwellings in Clause 26.4.1 overrides the general statements of the Zone Purpose. As such, the proposal will not conflict or constrain resource development uses, to the extent contemplated by the Rural Resource Zone.

The proposed development is consistent with the landscape values of the Rural Resource Zone. The visual impacts are further discussed in the assessment of the Scenic Management Code below.

The application is not for tourism.

26.1.12 Local Area Objectives

a) Primary Industries:

Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.

The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.

Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.

b) Tourism

Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.

The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.

c) Rural Communities

Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.

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Planners Response:

There are no specific objectives relating to residential development. The proposal complies with the Acceptable Solutions for setbacks and, as such, provides adequate protection of adjoining land.

26.1.3 Desired Future Character Statements

The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.

- a) Except for a wind farm and associated utilities infrastructure located at 553 Old Aerodrome Road (CT 198926/1), 381 Soldiers Settlement Road (CTs 210237/1 and 212067/1) and Soldiers Settlement Road (CTs 152982/5, 104543/1 and 104543/2); and
- b) To provide for a wind farm and associated utilities infrastructure at 553 Old Aerodrome Road (CT 198926/1), 381 Soldiers Settlement Road (CTs 210237/1 and 212067/1) and Soldiers Settlement Road (CTs 152982/5, 104543/1 and 104543/2) which requires a rural location for operational, security, management and proximity to transmission network reasons; and
- c) To ensure that the wind farm and associated utilities infrastructure at 553 Old Aerodrome Road (CT 198926/1), 381 Soldiers Settlement Road (CTs 210237/1 and 212067/1) and Soldiers Settlement Road (CTs 152982/5, 104543/1 and 104543/2) is of a scale and intensity that is appropriate having regard to the adjoining rural area.

Planners Response:

The proposed development will have minimal visual impact in the landscape. The visual impact is further considered in the assessment below.

26.3 Use Standards

26.3.1 Discretionary Uses if not a single dwelling

Not applicable. Application is for a single dwelling.

26.3.2 Dwellings

Objective	
To ensure that dwellings are:	
a) incidental to resource development; or	
b) located on land with limited rural potential where they do not constrain surrounding agricultural operations.	
Acceptable Solutions	Performance Criteria
A1.1 Development must be for the alteration, extension or replacement of existing dwellings; or	P1.1 A dwelling may be constructed where it is demonstrated that:
A1.2 Ancillary dwellings must be located within the curtilage of the existing dwelling on the property.	a) it is integral and subservient to resource development, as demonstrated in a report prepared by a suitably qualified person, having regard to:
	i) scale; and

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	<ul style="list-style-type: none"> ii) complexity of operation; and iii) requirement for personal attendance by the occupier; and iv) proximity to the activity; and v) any other matters as relevant to the particular activity; or <p>b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, having regard to:</p> <ul style="list-style-type: none"> i) limitations created by any existing use and/or development surrounding the site; and ii) topographical features; and iii) poor capability of the land for primary industry operations (including a lack of capability or other impediments); and <p>P1.2 A dwelling may be constructed where it is demonstrated that wastewater treatment for the proposed dwelling can be achieved within the lot boundaries, having regard to the rural operation of the property and provision of reasonable curtilage to the proposed dwelling.</p>
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Planners Response:

Relies on Performance Criteria. In this instance the application proposes that the subject site is practically incapable of supporting an agricultural use. The subject title, along with much of the Tippogoree Hills is mapped as Class 6 Land.

The Land Capability Handbook (DPIPWE, 1999) describes Class 6 land as follows:

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

In addition to a low land capability and a steep slope, the land is further constrained by planning overlays which generally discourage wholesale removal of vegetation. This includes a Scenic Management Area over the higher elevations, a Scenic Tourist Corridor along the East Tamar Highway and a number of watercourses, which mandate the preservation of priority habitat in riparian reserves.

It is also noted that the proposal does not limit the use of the land for selective native harvesting or the establishment of a plantation, should such an enterprise become a viable prospect. The amount of land converted to a residential use is small in the context of the entire site.

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The surrounding land to the north-east and south is similarly constrained. While there may be some possibility of future primary industry activity, substantial investigation would need to be undertaken in respect to the environmental and scenic impacts before any approvals could be issued.

It is not considered that there is substantial scope for the land to be included with other land for primary industry with minimal primary industry activity currently being undertaken on the immediately adjoining land.

The development is considered to comply with the Performance Criteria and with the Objective of the standard. The dwelling will be located on land with limited rural potential and has adequate buffers such that it will not constrain surrounding agricultural activities.

26.3.3 Irrigation Districts

Objective	
To ensure that land within irrigation districts proclaimed under Part 9 of the <i>Water Management Act 1999</i> is not converted to uses that will compromise the utilisation of water resources.	
Acceptable Solutions	Performance Criteria
A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i> .	P1 Non-agricultural uses within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i> must demonstrate that the current and future irrigation potential of the land is not unreasonably reduced having regard to: <ul style="list-style-type: none"> a) the location and amount of land to be used; and b) the operational practicalities of irrigation systems as they relate to the land; and c) any management or conservation plans for the land.
Planners Response:	
Not applicable. There are no proclaimed irrigation districts in the Local Government Area.	

26.4 Development Standards

26.4.1 Building Location and Appearance

Objective
To ensure that the:
<ul style="list-style-type: none"> a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and b) development of buildings is unobtrusive and complements the character of the landscape except for a wind farm and associated utilities infrastructure located at 553 Old Aerodrome Road (CT 198926/1), 381 Soldiers Settlement Road (CTs 210237/1 and 212067/1) and Soldiers Settlement Road (CTs 152982/5, 104543/1 and 104543/2); and

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<p>c) the wind turbine height at 553 Old Aerodrome Road (CT 198926/1), 381 Soldiers Settlement Road (CTs 210237/1 and 212067/1) and Soldiers Settlement Road (CTs 152982/5, 104543/1 and 104543/2) is;</p> <p>(i) necessary for the operation of the use; and</p> <p>(ii) minimises adverse impacts on neighbouring properties.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Building height must not exceed:</p> <p>a) 8m for dwellings; or</p> <p>b) 12m for other purposes; or</p> <p>c) 180 metres blade tip height for wind turbines located at 553 Old Aerodrome Road (CT 198926/1), 381 Soldiers Settlement Road (CTs 210237/1 and 212067/1) and Soldiers Settlement Road (CTs 152982/5, 104543/1 and 104543/2) provided that the turbines are setback:</p> <p>(i) in accordance with A2.1; and</p> <p>(ii) a minimum of 100m from Five Mile Bluff Conservation area; and</p> <p>(iii) a minimum of 165m from a public road.</p>	<p>P1 Building height must:</p> <p>a) be unobtrusive and complement the character of the surrounding landscape except for a wind farm and associated utilities infrastructure located at 553 Old Aerodrome Road (CT 198926/1), 381 Soldiers Settlement Road (CTs 210237/1 and 212067/1) and Soldiers Settlement Road (CTs 152982/5, 104543/1 and 104543/2); and</p> <p>b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal; and</p> <p>c) wind turbine height at 553 Old Aerodrome Road (CT 198926/1), 381 Soldiers Settlement Road (CTs 210237/1 and 212067/1) and Soldiers Settlement Road (CTs 152982/5, 104543/1 and 104543/2) must not have a significant impact on neighbouring properties having regard to:</p> <p>(i) the height, bulk and form of existing utilities and buildings;</p> <p>(ii) the topography of the site;</p> <p>(iii) separation from residential uses on neighbouring properties;</p> <p>(iv) any buffers created by natural or other features;</p> <p>(v) visibility when viewed from public roads; and</p> <p>(vi) the landscape character of the surrounding rural area.</p>
<p>Planners Response:</p> <p>Complies with Acceptable Solution. The proposed dwelling has a maximum height less than 8m.</p>	
<p>A2.1 Buildings must be set back a minimum of:</p>	<p>P2 Buildings must be setback so that the use is not likely to constrain adjoining</p>

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<p>a) 50m where a non sensitive use or extension to existing sensitive use buildings is proposed; or</p> <p>b) 200m where a sensitive use is proposed; or</p> <p>c) the same as existing for replacement of an existing dwelling.</p>	<p>primary industry operations having regard to:</p> <p>a) the topography of the land; and</p> <p>b) buffers created by natural or other features; and</p> <p>c) the location of development on adjoining lots; and</p> <p>d) the nature of existing and potential adjoining uses; and</p> <p>e) the ability to accommodate a lesser setback to the road having regard to:</p> <p>i) the design of the development and landscaping; and</p> <p>ii) the potential for future upgrading of the road; and</p> <p>iii) potential traffic safety hazards; and</p> <p>iv) appropriate noise attenuation.</p>
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Planners Response:

Complies with Acceptable Solution. The development has a setback greater than 200m from all title boundaries.

Codes:

Code	Applicability
E1 Bushfire-Prone Areas Code	Not applicable - No subdivision, vulnerable use or hazardous use.
E2 Potentially Contaminated Land Code	Not applicable – Land not identified as having been used for any contaminating activities.
E3 Landslip Code	Not applicable – The proposed dwelling is not located in an area identified as being prone to landslide hazard.
E4 Road and Railway Assets Code	Applicable – Use will result in a notable increase in the use of an access onto a Category 1 Road.
E5 Flood Prone Areas Code	Not applicable – Land not identified as being prone to flood.
E6 Car Parking and Sustainable Transport Code	Applicable – Code is applicable to all use and development.
E7 Scenic Management Code	Applicable – Development is in a Scenic Management Area and Scenic Tourist Corridor.
E8 Biodiversity Code	Applicable - Native vegetation is proposed to be removed for bushfire hazard management.
E9 Water Quality Code	Applicable – Proposal includes upgrading of a water crossing.
E10 Recreation & Open Space Code	Not applicable – Application is not for

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	subdivision.
E11 Environmental Impacts and Attenuation Code	Not applicable – The proposal is not within the Attenuation area of any existing activities.
E12 Airports Impact Management Code	Not applicable
E13 Coastal Code	Not applicable – Development is not adjacent the dune system or on vulnerable land.
E14 Signs Code	Not applicable. The proposal does not include any signage.

E4.0 Road and Railway Assets Code

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

<p>Objective</p> <p>To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway, must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.</p>	<p>P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.</p>
<p>Planners Response:</p> <p>Relies on Performance Criteria. The proposal will increase the use of the access onto the East Tamar Highway by more than 10%. A traffic impact assessment (TIA) prepared by a suitably qualified traffic consultant has been submitted with the application, along with advice from the Department of State Growth regarding the adequacy of the assessment. The assessment concludes that given its design capacity, the East Tamar Highway can readily accommodate the relatively small number of vehicles (8-12 per day approx.) generated by the site.</p> <p>No auxiliary turning lane is considered warranted with the small volume of traffic, however, it is recommended that a right turn from the Highway into the access be banned and suitable signage erected. It is also recommended that the access be sealed between the title and the property boundary.</p> <p>It is recommended that a condition be included on any permit issued to ensure that the access works are carried out to the satisfaction of the Department of State Growth prior to the commencement of use.</p>	

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<p>A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day.</p>	<p>P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
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Planners Response:
Not applicable. The road has a speed limit greater than 60km/h.

<p>A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.</p>	<p>P3 For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
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Planners Response:

Relies on Performance Criteria. The proposal will increase the use of the existing access by more than 10%. While the road is a Category 1 State Road, the access is existing and there is no opportunity to access a Category 4 or 5 Road.

A TIA has been submitted with the proposal along with the advice of the Department of State Growth regarding its adequacy. The assessment includes recommendations regarding suitable access to the site to ensure the continued safety and efficiency of the road network.

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The proposal is consistent with the objective.

E4.7 Development Standards

E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways

Objective	
To ensure that development on or adjacent to class 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:	
<ul style="list-style-type: none"> a) ensure the safe and efficient operation of roads and railways; and b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development. 	
Acceptable Solution	Performance Criteria
<p>A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> a) new road works, buildings, additions and extensions, earthworks and landscaping works; and b) building areas on new lots; and c) outdoor sitting, entertainment and children's play areas 	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <ul style="list-style-type: none"> a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.
Planners Response:	
Relies on Performance Criteria. The proposal includes works within 50m of the East	

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Tamar Highway. As discussed above the proposal includes a TIA and the advice of the Department of State Growth. The TIA includes recommendations to ensure that the access is suitable for the intended volume of vehicles likely to be accessing the site.

Provisions have been included to limit turning right into the access from the East Tamar Highway in order to maintain safety and efficiency.

The proposed dwelling itself is setback more than 500m from the East Tamar Highway and will not be impacted by noise, air pollution or vibrations.

No temporary buildings or works are proposed within the road corridor.

The proposal is consistent with the Objective.

E4.7.2 Management of Road Accesses and Junctions

<p>Objective</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
Acceptable Solution	Performance Criteria
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>	<p>P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
<p>Planners Response:</p> <p>Not applicable. The road has a speed limit greater than 60km/h.</p>	
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a

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	<p>category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. The proposal makes use of an existing access.</p>	

E4.7.3 Management of Rail Level Crossings

<p>Objective</p> <p>To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Where land has access across a railway:</p> <p>a) development does not include a level crossing; or</p> <p>b) development does not result in a material change onto an existing level crossing.</p>	<p>P1 Where land has access across a railway:</p> <p>a) the number, location, layout and design of level crossings maintain or improve the safety and efficiency of the railway; and</p> <p>b) the proposal is dependent upon the site due to unique resources, characteristics or location attributes and the use or development will have social and economic benefits that are of State or regional significance; or</p> <p>c) it is uneconomic to relocate an existing use to a site that does not require a level crossing; and</p> <p>d) an alternative access or junction is not practicable.</p>
<p>Planners Response:</p> <p>Not applicable. The railway is to the south of the existing access and the proposal does not require or include a level crossing.</p>	

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E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings

<p>Objective</p> <p>To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solutions. The proposed access complies with the safe sight distances in accordance with Table E4.7.4 and the Australian Standard.</p>	

E6.0 Car Parking and Sustainable Transport Code

E6.0 Use Standards

E6.6.1 Car Parking Numbers

<p>Objective</p> <p>To ensure that an appropriate level of car parking is provided to service use.</p>	
Acceptable Solution	Performance Criteria
<p>A1 The number of car parking spaces will not:</p> <p>a) If for dwellings in the General Residential Zone, be less than 100%</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p>

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<p>of the requirements of Table E6.1; or</p> <p>b) be less than 90% of the requirements of Table E6.1 and not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater (except for dwellings in the General Residential Zone).</p>	<p>b) the availability of public car parking spaces within reasonable walking distance; and</p> <p>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</p> <p>d) the availability and frequency of public transport within reasonable walking distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p style="margin-left: 20px;">i) the size of the dwelling and the number of bedrooms; and</p> <p style="margin-left: 20px;">ii) the pattern of parking in the locality; and</p> <p style="margin-left: 20px;">iii) any existing structure on the land.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solutions. The dwelling design includes a double garage suitable for the parking of two vehicles and meets the requirements of Table E6.1.</p>	

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E6.6.2 Bicycle Parking Numbers

<p>Objective</p> <p>To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.</p>

Acceptable Solution	Performance Criteria
<p>A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or</p> <p>A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</p>	<p>P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the:</p> <p>a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and</p> <p>b) location of the site and the distance a cyclist would need to travel to reach the site; and</p> <p>c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.</p>
<p>Planners Response:</p> <p>Acceptable solution achieved. There is ample room for bike parking on the site.</p>	

E6.6.3 Taxi Drop-off and Pickup

<p>Objective</p> <p>To ensure that taxis can adequately access developments.</p>	
Acceptable Solution	Performance Criteria
<p>A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).</p>	<p>P1 No performance criteria.</p>
<p>Planners Response:</p> <p>Acceptable solution achieved. There is ample room for taxi parking on the site.</p>	

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E6.6.4 Motorbike Parking Provisions

Objective To ensure that motorbikes are adequately provided for in parking considerations.	
Acceptable Solution	Performance Criteria
A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1 No performance criteria.
Planners Response: Adequate parking has been provided onsite to provide for the motorbike parking requirements.	

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective To ensure that car parking spaces and access strips are constructed to an appropriate standard.	
Acceptable Solution	Performance Criteria
A1 All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
Planners Response: Complies with the Acceptable Solution. The application proposes to upgrade an existing access track to a 4C standard to meet the bushfire requirements, including	

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a 4m width and gravel construction. The proposal includes an upgraded driveway crossover and an upgraded creek crossing. The proposed standard is considered adequate for the intended use.

E6.7.2 Design and Layout of Car Parking

<p>Objective</p> <p>To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.</p>	
Acceptable Solution	Performance Criteria
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and</p> <p>A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</p>	<p>P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:</p> <ul style="list-style-type: none"> a) the layout of the site and the location of existing buildings; and b) views into the site from the road and adjoining public spaces; and c) the ability to access the site and the rear of buildings; and d) the layout of car parking in the vicinity; and e) the level of landscaping proposed for the car parking.
<p>Planners Response:</p> <p>Not applicable. Less than 4 parking spaces are provided and the property is not located in the General Residential Zone.</p>	
<p>A2.1 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table 	<p>P2 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.

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<p>E6.2; and</p> <p>d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:</p> <p style="margin-left: 20px;">i) there are three or more car parking spaces; and</p> <p style="margin-left: 20px;">ii) where parking is more than 30m driving distance from the road; or</p> <p style="margin-left: 20px;">iii) where the sole vehicle access is to a category 1, 2, 3 or 4 road; and</p> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	
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Planners Response:

The development complies with the Acceptable Solutions.

The gradient of parking is less than 10%.

All vehicles will enter and exit the site in a forward direction.

The access width will be upgraded to ensure a minimum 3m width in accordance with Table E6.2.

The proposal complies with Table E6.3. There are no site limitations which impact manoeuvring adjacent to parking spaces.

Manoeuvring space adjacent to parking complies with Table E6.3 and the AS2890.1 so far as applicable to residential use and development.

E6.7.3 Car Parking Access, Safety and Security

Objective	
To ensure adequate access, safety and security for car parking and for deliveries.	
Acceptable Solution	Performance Criteria
A1 Car parking areas with greater than 20 parking spaces must be:	P1 Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having
a) secured and lit so that	

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<p>unauthorised persons cannot enter or;</p> <p>b) visible from buildings on or adjacent to the site during the times when parking occurs.</p>	<p>regard to the:</p> <p>a) levels of activity within the vicinity; and</p> <p>b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.</p>
<p>Not applicable. Less than 20 spaces provided.</p>	

E6.7.4 Parking for Persons with a Disability

<p>Objective</p> <p>To ensure adequate parking for persons with a disability.</p>	
Acceptable Solution	Performance Criteria
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p>P1 No performance criteria.</p>
<p>A2 A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.</p>	<p>P2 No performance criteria.</p>
<p>Not applicable. No spaces are provided designated for persons with a disability.</p>	

E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

<p>Objective</p> <p>To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.</p>	
Acceptable Solution	Performance Criteria
<p>A1 For retail, commercial, industrial, service industry or warehouse or storage uses:</p> <p>a) at least one loading bay must be</p>	<p>P1 For retail, commercial, industrial, service industry or warehouse or storage uses, adequate space must be provided for loading and unloading the type of vehicles</p>

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<p>provided in accordance with Table E6.4; and</p> <p>b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.</p>	<p>associated with delivering and collecting people and goods where these are expected on a regular basis.</p>
<p>Not applicable. The proposal is not for a commercial use.</p>	

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

<p>Objective</p> <p>To ensure that cyclists are provided with adequate end of trip facilities.</p>	
Acceptable Solution	Performance Criteria
<p>A1 For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycles spaces thereafter.</p>	<p>P1 For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, end of trip facilities must be provided at adequate level to cater for the reasonable needs of employees having regard to:</p> <ul style="list-style-type: none"> a) the location of the proposed use and the distance a cyclist would need to travel to reach the site; and b) the users of the site and their likely desire to travel by bicycle; and c) whether there are facilities on the site for other reasons that could be used by cyclists; and d) the opportunity for sharing bicycle facilities by multiple users.
<p>Not applicable. The proposal does not require 5 bicycle parking spaces.</p>	

E6.8.2 Bicycle Parking Access, Safety and Security

<p>Objective</p> <p>To ensure that parking and storage facilities for bicycles are safe, secure and</p>

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convenient.	
Acceptable Solution	Performance Criteria
<p>A1.1 Bicycle parking spaces for customers and visitors must:</p> <p>a) be accessible from a road, footpath or cycle track; and</p> <p>b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and</p> <p>c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and</p> <p>d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and</p> <p>A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</p>	<p>P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</p>
Not applicable.	
<p>A2 Bicycle parking spaces must have:</p> <p>a) minimum dimensions of:</p> <p>i) 1.7m in length; and</p> <p>ii) 1.2m in height; and</p> <p>iii) 0.7m in width at the handlebars; and</p> <p>b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.</p>	<p>P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.</p>
Not applicable.	

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E6.8.5 Pedestrian Walkways

Objective	
To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Complies with the Acceptable Solution. There is no requirement for a separate pedestrian access for 2 parking spaces.	

E7.0 Scenic Management Code

E7.6 Development Standards

E7.6.1 Scenic Management – Tourist Road Corridor

Objective	
(a) To enhance the visual amenity of the identified tourist road corridors through appropriate: <ul style="list-style-type: none"> i) setbacks of development to the road to provide for views that are significant to the traveller experience and to mitigate the bulk of development; and ii) location of development to avoid obtrusive visual impacts on skylines, ridgelines and prominent locations within the corridor; and iii) design and/or treatment of the form of buildings and earthworks to minimise the visual impact of development in its surroundings; and iv) retention or establishment of vegetation (native or exotic) that mitigates the bulk or form of use or development; and v) retention of vegetation (native or exotic) that provides amenity value to the road corridor due to being in a natural condition, such as native forest, or of cultural landscape interest such as hedgerows and significant, exotic feature trees; and 	
(b) To ensure subdivision provides for a pattern of development that is consistent with the visual amenity objectives described in (a).	
Acceptable Solution	Performance Criteria
A1 Development (not including subdivision) must be fully screened by	P1 Development (not including subdivision) must be screened when

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<p>existing vegetation or other features when viewed from the road within the tourist road corridor.</p>	<p>viewed from the road within the tourist road corridor having regard to:</p> <ul style="list-style-type: none"> a) the impact on skylines, ridgelines and prominent locations; and b) the proximity to the road and the impact on views from the road; and c) the need for the development to be prominent to the road; and d) the specific requirements of a resource development use; and e) the retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and f) whether existing native or significant exotic vegetation within the tourist road corridor is managed to retain the visual values of a touring route; and g) whether development for forestry or plantation forestry is in accordance with the 'Conservation of Natural and Cultural Values – Landscape' section of the <i>Forest Practices Code</i>; and h) the design and/or treatment of development including: <ul style="list-style-type: none"> i) the bulk and form of buildings including materials and finishes; ii) earthworks for cut or fill; iii) complementing the physical (built or natural) characteristics of the site.
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Planners Response:

Relies on Performance Criteria. The proposal includes access works within 100m of the East Tamar Highway Scenic Tourist Corridor, however the extent of these works is minimal and direct views fleeting. Besides the sealing of the access and signage required by the TIA, there will be minimal change to the appearance of the site from the East Tamar Highway.

Within approximately 20m of the access, views of the driveway and site of development are largely obscured by topography and standing vegetation. As the highway is generally downslope of the subject site and is frequently cut into the slope, the angle of observation results in a skyline formed by the standing vegetation on the road verge and obscures broader views into the site. Views from both approaches are generally limited in extent to the vegetation immediately adjoining the road, with only occasional glimpses of the broader

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landscape and the ridgeline of the Tippogoree Hills.

The proposed dwelling and associated vegetation clearance will be a substantial distance from the road and will generally be screened by the standing vegetation adjacent the road. The combination of distance separation and substantial screening is sufficient to mitigate the visual impacts of the proposal and preserve the scenic values of the East Tamar Highway Tourist Road Corridor.



Figure 5: Existing access to 3115 East Tamar Highway, showing the topography and vegetation to the immediate north of the road.



Figure 6: View of subject title, heading north on the East Tamar, showing screening topography and vegetation.

A2 Subdivision must not alter any boundaries within the areas designated as scenic management – tourist road corridor.

P2 Subdivision that alters any boundaries within the areas designated as 'scenic management – tourist road corridor' must be consistent with the scenic management objectives of the particular area set out in Table E7.1 – local scenic management areas, having regard to:

- a) site size; and
- b) density of potential development on sites created; and
- c) the clearance or retention of vegetation

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	<p>in combination with requirements for hazard management; and</p> <p>d) the extent of works required for roads or to gain access to sites including cut and fill; and</p> <p>e) the physical characteristics of the site and locality; and</p> <p>f) the scenic qualities of the land that require management.</p>
<p>Planners Response:</p> <p>Not applicable. The proposal is not for subdivision.</p>	

E7.6.2 Local Scenic Management Areas

<p>Objective</p> <p>a) To site and design buildings, works and associated access strips to be unobtrusive to the skyline and hillsides and complement the character of the local scenic management area; and</p> <p>b) To ensure subdivision and the subsequent development of land does not compromise the scenic management objectives of the local scenic management area.</p>	
Acceptable Solution	Performance Criteria
<p>A1 No acceptable solution.</p>	<p>P1 Development (not including subdivision) must have regard to the:</p> <p>a) character statement and scenic management objectives of the particular area set out in Table E7.1 – local scenic management areas; and</p> <p>b) impact on skylines, ridgelines and prominent locations; and</p> <p>c) retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and</p> <p>d) design or treatment of development including:</p> <p>i) the bulk and form of buildings including materials and finishes; and</p> <p>ii) earthworks for cut or fill; and</p> <p>iii) complementing the physical (built</p>

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	or natural) characteristics of the site or area.
<p>Planners Response:</p> <p>Relies on Performance Criteria.</p> <p>There are no management objectives identified in Table E7.1.</p> <p>In this instance the proposal is not considered to impact any ridgelines or the current skyline. As noted above, the site of the proposed dwelling is substantially screened from view of the East Tamar Highway by a combination of topography and roadside vegetation. Combined with a substantial setback from the road, this is considered sufficient to mitigate any views of the site from the East Tamar Highway. Due to the slope of the land and the semi industrial nature of the land to the south, adjacent to the East Arm of the Tamar, there is minimal opportunity for public or private views from land to the south.</p> <p>It is also noted that the dwelling will be located on a small plateau, with the topography continuing to rise substantially to the rear of the development area. This will provide a forested backdrop and allow the development to recede into the landscape when viewed from afar.</p> <p>While the site may be discernable from the west side of the estuary, there is almost 2km between the site of the proposal and the nearest public views or private dwellings. The small extent of clearance associated with the dwelling and the distance separation is sufficient to ensure the site remains relatively obscure in a landscape context.</p> <p>The proposed development complies with the Performance Criteria and the Objective, and will not be obtrusive or compromise the scenic values of the Scenic Management Area.</p>	
A2 No acceptable solution.	<p>P2 Subdivision must be consistent with the scenic management objectives of the particular area set out in Table E7.1 – local scenic management areas, having regard to:</p> <ul style="list-style-type: none"> a) the local scenic management area – character statement; and b) site size; and c) density of subsequent development; and d) the clearance or retention of vegetation in combination with requirements for hazard management; and e) the extent of works required for roads and to gain access to sites including cut and fill; and f) the physical characteristics of the site and locality; g) any plan over the land through an

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	agreement under S71 of the Act.
<p>Planners Response: Not applicable.</p>	

E8.0 Biodiversity Code

E8.5 Use Standards

Not used in this Scheme.

E8.6 Development Standards

E8.6.1 Habitat and Vegetation Management

<p>Objective</p> <p>To ensure that:</p> <p>a) vegetation identified as having conservation value as habitat has priority for protection and is appropriately managed to protect those values; and</p> <p>b) the representation and connectivity of vegetation communities is given appropriate protection when considering the impacts of use and development.</p>	
Acceptable Solution	Performance Criteria
<p>A1.1 Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan or;</p> <p>A1.2 Development does not clear or disturb native vegetation within areas identified as priority habitat.</p>	<p>P1 Clearance or disturbance of native vegetation within priority habitat may be allowed where a flora and fauna report prepared by a suitably qualified person demonstrates that development does not unduly compromise the representation of species or vegetation communities in the bioregion having regard to the:</p> <p>a) quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</p> <p>b) means of removal; and</p> <p>c) value of riparian vegetation in protecting habitat values; and</p> <p>d) impacts of siting of development (including effluent disposal) and</p>

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	<p>vegetation clearance or excavations, in proximity to habitat or vegetation; and</p> <p>e) need for and adequacy of proposed vegetation or habitat management; and</p> <p>f) conservation outcomes and long-term security of any offset in accordance with the <i>General Offset Principles</i> for the RMPS, Department of Primary Industries, Parks, Water and Environment.</p>
<p>Planners Response:</p> <p>The proposal relies on Performance Criteria. The application proposes the upgrading of an existing access track and stream crossing which passes through an area identified as priority habitat. While it is possible that some disturbance of the priority habitat will occur, the extent will be negligible and will not impact the viability of the vegetation community or alter species distribution or the function of the vegetation as a habitat corridor.</p> <p>The application includes a planning assessment, prepared by a suitably qualified ecologist. The assessment and the LIST identify that there are no threatened vegetation communities within the development area.</p> <p>The extent of vegetation removal is minimal in the context of the entire site and will occur on the margins of areas that have already been previously cleared and disturbed including the access track and the dwelling location. The greater part of the title will remain vegetated and the proposal will not impact the function of the land as habitat or result in fragmentation of the surrounding vegetation.</p> <p>Riparian vegetation will be preserved. With adequate buffers provided adjacent to watercourses, generally in excess of 100m, with the exception of the existing access crossing over Cummings Creek.</p> <p>Vegetation in the vicinity of the dwelling site is not of an age where it is likely to provide significant hollows for dens and nesting sites.</p> <p>The extent of vegetation that will be retained on the site is sufficient and no further offsets are considered warranted. Further approvals are required for the broader removal of vegetation.</p> <p>The proposal is consistent with the Objective and will not impact species representation in the bioregion or the connectivity of vegetation communities.</p>	
<p>A2 Clearance or disturbance of native vegetation is in accordance with a certified Forest Practices Plan.</p>	<p>P2.1 Clearance or disturbance of native vegetation must be consistent with the purpose of this Code and not unduly compromise the representation of species or vegetation communities of significance in the bioregion having regard to the:</p> <p>a) quality and extent of the vegetation or</p>

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	<p>habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</p> <p>b) means of removal; and</p> <p>c) value of riparian vegetation in protecting habitat values; and</p> <p>d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, , in proximity to habitat or vegetation; and</p> <p>e) need for and adequacy of proposed vegetation or habitat management; and</p> <p>f) conservation outcomes and long-term security of any offset in accordance with the <i>General Offset Principles</i> for the RMPS, Department of Primary Industries, Parks, Water and Environment.</p>
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Planners Response:

The proposal relies on Performance Criteria. The application is accompanied by a planning assessment prepared by a suitably qualified ecologist and environmental consultant. The assessment and the LIST identify that there are no threatened vegetation communities within the development area.

The extent of vegetation removal is minimal in the context of the entire site and will occur on the margins of areas that have already been previously been cleared and disturbed including the access track and the dwelling location. The greater part of the title will remain vegetated and the proposal will not impact the function of the land as habitat or result in fragmentation of the surrounding vegetation.

Riparian vegetation will be preserved. With adequate buffers provided adjacent to watercourses, generally in excess of 100m, with the exception of the existing access crossing over Cummings Creek.

Vegetation in the vicinity of the dwelling site is not of an age where it is likely to provide significant hollows for dens and nesting sites.

The extent of vegetation that will be retained on the site is sufficient and no further offsets are considered warranted.

The proposal is consistent with the Objective and will not impact species representation in the bioregion or the connectivity of vegetation communities.

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E9 Water Quality Code

E9.5 Use Standards

Not used in this Scheme.

E9.6 Development Standards

E9.6.1 Development and Construction Practices and Riparian Vegetation

<p>Objective</p> <p>To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Native vegetation is retained within:</p> <p>a) 40m of a wetland, watercourse or mean high water mark; and</p> <p>b) a Ben Lomond Water catchment area - inner buffer.</p>	<p>P1 Native vegetation removal must submit a soil and water management plan to demonstrate:</p> <p>a) revegetation and weed control of areas of bare soil; and</p> <p>b) the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and</p> <p>c) that disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.</p>
<p>Planners Response:</p> <p>Relies on Performance Criteria. The proposed development will require minor vegetation removal in the vicinity of the Cummings Creek crossing. The extent of vegetation removal will be limited to that required to accommodate a bushfire access, requiring the widening of the existing access track. Vegetation removal in proximity to the watercourse will be minor and inconsequential. The proponent has committed to undertake erosion control in accordance with the Forest Practices Code 2015 and the Wetland and Waterways Works Manual. Revegetation of any exposed soils will be undertaken with natives.</p>	
<p>A2 A wetland must not be filled, drained, piped or channelled.</p>	<p>P2 Disturbance of wetlands must minimise loss of hydrological and biological values, having regard to:</p> <p>(i) natural flow regimes, water quality</p>

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	<p>and biological diversity of any waterway or wetland;</p> <p>(ii) design and operation of any buildings, works or structures on or near the wetland or waterway;</p> <p>(iii) opportunities to establish or retain native riparian vegetation;</p> <p>(iv) sources and types of potential contamination of the wetland or waterway.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solutions. The application does not propose to fill pipe or channel any wetland.</p>	
<p>A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposes.</p>	<p>P3 A watercourse may be filled, piped, or channelled:</p> <p>a) within an urban environment for the extension of an existing reticulated stormwater network; or</p> <p>b) for the construction of a new road where retention of the watercourse is not feasible.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. The application does not propose to fill, pipe or channel a watercourse, except to provide a culvert for access purposes.</p>	

E9.6.2 Water Quality Management

<p>Objective</p> <p>To maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses.</p>	
<p>Acceptable Solution</p>	<p>Performance Criteria</p>
<p>A1 All stormwater must be:</p> <p>a) connected to a reticulated stormwater system; or</p> <p>b) where ground surface runoff is collected, diverted through a</p>	<p>P1 Stormwater discharges to watercourses and wetlands must minimise loss of hydrological and biological values, having regard to:</p> <p>(i) natural flow regimes, water quality and biological diversity of any</p>

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<p>sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or</p> <p>c) diverted to an on-site system that contains stormwater within the site.</p>	<p>waterway or wetland;</p> <p>(ii) design and operation of any buildings, works or structures, on or near the wetland or waterway;</p> <p>(iii) sources and types of potential contamination of the wetland or waterway;</p> <p>(iv) devices or works to intercept and treat waterborne contaminants;</p> <p>(v) opportunities to establish or retain native riparian vegetation or continuity of aquatic habitat.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. The application does not propose to discharge stormwater into a natural watercourse. Stormwater runoff from the road is proposed to be directed to spoon drains and allowed to flow into native vegetation, which will effectively function as a sediment trap.</p>	
<p>A2.1 No new point source discharge directly into a wetland or watercourse.</p> <p>A2.2 For existing point source discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existed at the effective date.</p>	<p>P2.1 New and existing point source discharges to wetlands or watercourses must implement appropriate methods of treatment or management to ensure point sources of discharge:</p> <p>a) do not give rise to pollution as defined under the <i>Environmental Management and Pollution Control Act 1994</i>; and</p> <p>b) are reduced to the maximum extent that is reasonable and practical having regard to:</p> <p>i) best practice environmental management; and</p> <p>ii) accepted modern technology; and</p> <p>c) meet emission limit guidelines from the Board of the Environment Protection Authority in accordance with the <i>State Policy for Water Quality Management 1997</i>.</p> <p>P2.2 Where it is proposed to discharge pollutants into a wetland or watercourse, the application must demonstrate that it is not practicable to recycle or reuse the material.</p>

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<p>Planners Response:</p> <p>Complies with the Acceptable Solution. The proposal does not include a new point source discharge. Road side drainage will be directed to spoon drains.</p>	
<p>A3 No acceptable solution.</p>	<p>P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.</p>
<p>Planners Response:</p> <p>Not applicable. The proposal does not include a quarry or borrow pit.</p>	

E9.6.3 Construction of Roads

<p>Objective</p> <p>To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.</p>	
<p>Acceptable Solution</p>	<p>Performance Criteria</p>
<p>A1 A road or track does not cross, enter or drain to a watercourse or wetland.</p>	<p>P1 Road and private tracks constructed within 50m of a wetland or watercourse must comply with the requirements of the <i>Wetlands and Waterways Works Manual</i>, particularly the guidelines for siting and designing stream crossings.</p>
<p>Planners Response:</p> <p>Relies on Performance Criteria. The application includes an upgrade to the existing creek crossing. The application includes a soil and water management plan and commits to undertaking the work in accordance with the Forest Practices Code 2015 and the <i>Wetlands and Waterways Works Manual</i>.</p>	

E9.6.4 Access

<p>Objective</p> <p>To facilitate appropriate access at suitable locations whilst maintaining the ecological, scenic and hydrological values of watercourses and wetlands.</p>
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Acceptable Solution	Performance Criteria
A1 No acceptable solution.	P1 New access points to wetlands and watercourses are provided in a way that minimises: <ul style="list-style-type: none"> a) their occurrence; and b) the disturbance to vegetation and hydrological features from use or development.
Planners Response: Not applicable. The proposal does not include a new access point.	
A2 No acceptable solution.	P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.
Planners Response: Not applicable. The proposal does not include a new access point.	

E9.6.5 Sediment and Erosion Control

Objective To minimise the environmental effects of erosion and sedimentation associated with the subdivision of land.	
Acceptable Solution	Performance Criteria
A1 The subdivision does not involve any works.	P1 For subdivision involving works, a soil and water management plan must demonstrate the: <ul style="list-style-type: none"> i) minimisation of dust generation from susceptible areas on site; and ii) management of areas of exposed earth to reduce erosion and sediment loss from the site.

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Planners Response:

Not applicable. The proposal does not include subdivision.

9.6.6 Ben Lomond Water Catchment Areas

Objective

To address the effects of use and development within defined buffer areas for water catchments.

Acceptable Solution

Performance Criteria

A1 Development located within a Ben Lomond Water catchment area - outer buffer must be developed and managed in accordance with a soil and water management plan approved by Ben Lomond Water.

P1 No performance criteria.

Planners Response:

Not applicable. The proposal is not in a catchment area.

A2 Development located within a Ben Lomond Water catchment area - inner buffer must not involve disturbance of the ground surface.

P2 Development located within a Ben Lomond Water catchment area - inner buffer that involves disturbance of the ground surface must not have a detrimental effect on water quality for the reticulated water intakes.

Planners Response:

Not applicable. The proposal is not in a catchment area.

10. REFFERALS

Internal Referrals

Nil

External Referrals

The application was referred to the Department of State Growth. State Growth provided Crown Consent to lodge the application and gave advice regarding the adequacy of the Traffic Impact Assessment submitted with the application and the impact of the proposal on the East Tamar Highway.

7.2 DA 2021/18 – RESIDENTIAL DWELLING – 3115 EAST TAMAR HIGHWAY, LONG REACH (CONT.)

The land is not in an area serviced by TasWater.

11. SERVICES

Road

The site is serviced by the East Tamar Highway. While the road has adequate capacity to accommodate the vehicle movements associated with a dwelling the access will need to be upgraded to the satisfaction of the Department of State Growth.

Sewer

The land is not connected to sewer. The subject site has a significant area and adequate opportunity to accommodate an onsite waste water treatment system.

Water

The land is not serviced by reticulated water.

Storm Water

The land is not serviced by reticulated stormwater, however, the site is significant in area and there is ample opportunity for onsite management of stormwater.

12. STATE POLICIES

The State Policies are inculcated in the standards of the planning scheme. Compliance with the planning scheme ensures compliance with the State Policies.

13. CONCLUSION

The application for a Single Dwelling at 3115 East Tamar Highway, Long Reach, has been assessed against all relevant zone and code criteria of the *George Town Interim Planning Scheme 2013*. With appropriate conditions, the application complies with all of the applicable acceptable solutions and performance criteria and is recommended for approval. While it is acknowledged that the neighbouring property has potential to be used for mining activities, such an application has not been made and the proposed development complies with the applicable Acceptable Solutions relating to the setbacks from boundaries.

14. RECOMMENDATION

That the application for a single dwelling, for land located at 3115 East Tamar Highway, Long Reach (CT 152160/1) be **APPROVED** subject to the following conditions:

1. ENDORSED PLANS

The use and/or development must be carried out as shown on the endorsed plans and described in the endorsed documents:

- a) Milan Prodanovic Traffic Engineering and Road Safety, Traffic Impact Assessment, dated March 2020;
- b) Van Diemen Consulting, Development Application: Supporting Information, dated 12 April 2020; and
- c) Adam Dettrick Architect, Job No. 1204, Sheets: A100/C, A150/C, A200/C, A201C, A300/C and A301C

to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

**7.2 DA 2021/18 – RESIDENTIAL DWELLING – 3115 EAST TAMAR HIGHWAY,
LONG REACH (CONT.)**

2. VEHICULAR CROSSOVERS

Prior to the commencement of use, the existing crossover is to be upgraded in accordance with the endorsed Traffic Impact Assessment and to the satisfaction of the Department of State Growth. Written confirmation from the Department of State Growth is to be provided to Council (see note 1).

3. VEGETATION CLEARANCE

Vegetation removal is limited to that required to achieve an acceptable degree of bushfire safety surrounding the dwelling and adjacent the access in accordance with a bushfire hazard management plan certified by an accredited bushfire practitioner and as shown on the endorsed plans. Any additional clearance will require a separate assessment by Council.

4. WATERCOURSE

All works within 50m of the Cummings Creek Crossing and the replacement of the crossing are to be undertaken in accordance with the Wetland and Waterways Works Manual (DPIWE) and the Soil and Water Management Plan submitted with the application.

Permit Notes

1. This permit was issued based on the proposal documents submitted for DA 2021/18. You should contact Council with any other use or development, as they may require the separate approval of Council. Council's planning staff can be contacted on 6382 8800.
2. Prior to the construction of the driveway, separate consent is required by the Road Authority. The Department of State Growth is the Road Authority in regard to the East Tamar Highway.
3. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Development Services on (03) 63 828 800 or via email: council@georgetown.tas.gov.au
4. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals may be required before construction commences:
 - a) Plumbing approval
 - b) Building approvalAll enquiries should be directed to Council's Permit Authority.
5. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
 - c) Any other required approvals under this or any other Act are granted.

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LONG REACH (CONT.)**

6. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au
7. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received within 6 months of the expiration.
8. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
9. If any Aboriginal relics are uncovered during works:
- a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and
 - c) The relevant approval processes will apply with state and federal government agencies.

DECISION

VOTING

For:

Against:

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7.3 DA 2021/21 – RESIDENTIAL OUTBUILDINGS (X2) – 11 BUSH HAVEN, LULWORTH

REPORT AUTHOR: Statutory Town Planner – Mr J. Simons
Manager – Development and Environment – Mr R. Cassidy

REPORT DATE: 16th April, 2021

FILE NO: DA 2021/21

ATTACHMENT: (A) Title documents
(B) Site Plan and Elevations
(C) Representations (x2)
(D) Applicants Response

APPLICATION INFORMATION

Applicant: S C Ellis

Site Address: 11 Bush Haven, Lulworth

Titles details: CT 8749/44

Property ID: 6471006

Zone: Village

Use: Residential

Proposed Development: Residential Outbuildings (x2)

Application Received: 19th February 2021

1. SUMMARY

Application is made to erect two residential outbuildings at 11 Bush Haven. The buildings are proposed to be used for domestic storage and garaging.

Full plans of the proposal are included in the attachments. An indicative site plan and elevations are below:

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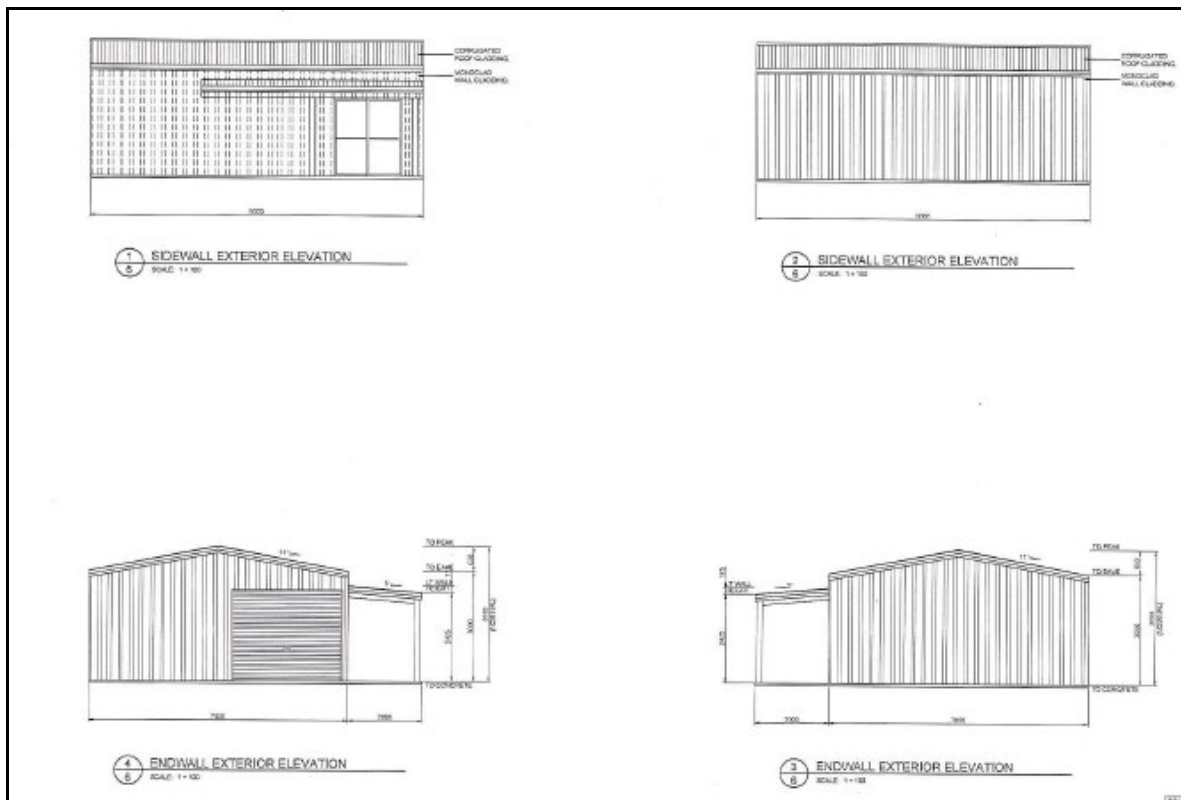


Figure 3: Proposed elevations (Skyline Roofing Pty Ltd, 2021).

The application is consistent with the intent of the Village Zone. While the proposal triggers Performance Criteria relating to the side boundary setback, the impacts on privacy and overshadowing are reasonable for a residential environment.

The development is considered appropriate when assessed against all relevant standards of the *George Town Interim Planning Scheme 2013* and has been recommended for approval.

2. STRATEGIC PLAN 2020-2030

This action relates to the following components of the Community Strategic Plan 2020-2030.

Future Direction (1) Community Pride

- 2. All communities take pride in their place
 - i. Developing well-designed public spaces which are attractive, safe and support the area's identity and reputation.

Future Direction (3) Progressive well-resourced communities

- 8. Public infrastructure relevant to needs
 - i. Making sure the place works well through good design, safety standards, asset management and ongoing maintenance.
 - ii. Improve access through the design, maintenance and extension of footpaths, tracks and trails.

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LULWORTH (CONT.)**

Future Direction (4) Leadership and Accountable Governance

2. Planning and regulatory responsibilities are undertaken fairly and openly
 - i. Building knowledge and understanding of planning and regulatory responsibilities and processes.

3. CONSULTATION

In accordance with section 57(5) of *The Land Use Planning and Approvals Act 1993*, the application was advertised for public comment for the period of 14 days.

4. RISK IMPLICATIONS

Risk is managed through the decision and conditioning of any permit issued.

5. FINANCIAL IMPLICATIONS

In the case of an appeal there are costs associated with the defence of Council's decision.

6. SITE AND LOCATION

The land is located in an established residential area, with frontage on Bush Haven and is zoned Village. The land has been developed with a single dwelling. The title is irregular in shape, almost triangular, with a wide frontage and very narrow rear boundary. The title is largely cleared, however there is a small stand of trees located near the frontage.

The surrounding lots have substantial vegetation cover.

The land to the south has been developed with a single dwelling and outbuildings and is largely cleared of vegetation. The land to the west is vacant and comprises a private walkway generally accessible to local residents.

The land is not serviced, and the dwelling relies on onsite waste water management.

7.3 DA 2021/21 – RESIDENTIAL OUTBUILDINGS (X2) – 11 BUSH HAVEN, LULWORTH (CONT.)



Figure 4: Aerial view of subject site, outlined in red, and adjoining lots.

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**7.3 DA 2021/21 – RESIDENTIAL OUTBUILDINGS (X2) – 11 BUSH HAVEN,
LULWORTH (CONT.)**



Figure 5: Aerial view of Lulworth showing the location of subject site outlined in red.

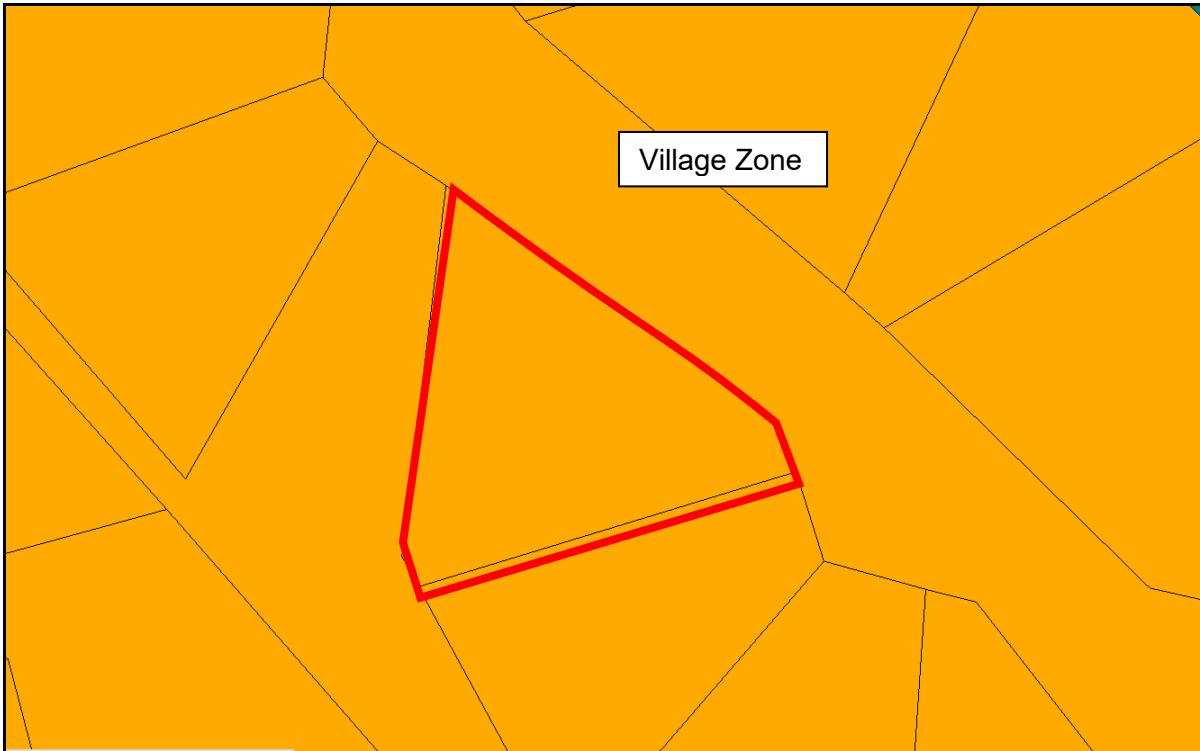


Figure 6: Zoning of subject site (outlined in blue) and surrounds.

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LULWORTH (CONT.)**



Figure 7: Subject property, looking north-west, showing the front boundary (approx.) in red.

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Figure 8: Existing dwelling viewed from Bush Haven.

7. DEVELOPMENT AND USE DESCRIPTION

The application seeks approval to construct two (2) residential outbuildings. The buildings will be used for domestic storage.

A site plan and elevations is included in Figures 1, 2 and 3 above and the attached documents.

The outbuilding closest to the frontage will have an area of 84m² (7m x12m), a wall height of 3m and a maximum height of 3.68m. The building will include a roller door at the front and rear to allow vehicles to pass through the building.

The second outbuilding, located to the rear of the existing dwelling, has a floor area of 63m² (7m x 9m, with a small verandah) and will have a similar height to the first outbuilding.

The outbuildings will be finished in coastal colours with surfmist walls and deep ocean roof. No development is proposed over the existing waste water treatment system associated with the dwelling.

The proposed buildings rely on Performance Criteria as they are setback less than 3m from the adjoining properties to the south and west.

7.3 DA 2021/21 – RESIDENTIAL OUTBUILDINGS (X2) – 11 BUSH HAVEN, LULWORTH (CONT.)



Figure 9: Subject site viewed from Bush Haven, showing the approximate location of the proposed outbuildings.

8. REPRESENTATION

The application was advertised for community consultation from the 6/3/2021 – 23/3/2021. Two (2) representations were received and are summarised below.

A full copy of the representation has also been included as an attachment to this report.

Issues raised in representations	Council response
<i>The largest of the sheds will impede the outlook from 9 Bush Haven.</i>	The protection of views is not generally within the scope of the planning scheme. The visual bulk of the proposal is considered in the assessment below.
<i>Development will have a negative impact on the value of the neighbouring property.</i>	Property Values are not a matter that can be considered under the planning scheme or <i>Land Use Planning and Approvals Act 1993</i> .
<i>Area is a Coastal Resort and the building does not fit with the rest of the structures in the area.</i> <i>Development is not in keeping with the look of the area and its tree lined streets.</i>	The proposed building is typical of the scale and form of many residential outbuildings in the vicinity and is not in itself out of character. The setback of the development from the street complies with the Acceptable

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<p><i>The development will have a detrimental impact on the streetscape.</i></p>	<p>Solutions and is consistent with the applicable objective relating to setbacks and streetscapes.</p> <p>The site and developments on it tend to stand out as a result of the lack of vegetation on the title in contrast to the surrounding properties. The requirements for developing in bushfire prone areas is significantly different to when much of Bush Haven was developed. It is no longer possible to ensure the maintenance of vegetation on the existing residential size lots in the area. Existing vegetation plays a significant role in mitigating the appearance of outbuildings.</p>
<p><i>The property has a covenant relating to fence heights being no greater than 2m.</i></p>	<p>Council does not play a role in the enforcement of covenants, which are a civil agreement between property owners within a sealed plan. However, it is noted that the application is not for a fence and the covenant is unlikely to be applicable to the proposal.</p>

9. STATUTORY REQUIREMENTS

The assessment of the development is dealt with under the following sections of the George Town Interim Planning Scheme 2013:

- 16.0 Village Zone
- E6.0 Car Parking and Sustainable Transport Code

This is an application which is to be determined under section 57 of the *Land Use Planning and Approval Act 1993* (the Act) as discretionary.

9.1 Use Class

The application is classified as a Residential. The definition of the Residential use as outlined in the *George Town Interim Planning Scheme 2013* is:

“use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.”

The Residential Use Class is classified as a **No Permit Required** use within the Village Zone. However, in this instance, the proposal relies on Performance Criteria and is subject to the discretionary application process.

7.3 DA 2021/21 – RESIDENTIAL OUTBUILDINGS (X2) – 11 BUSH HAVEN, LULWORTH (CONT.)

9.2 Planning Scheme Assessment

16 Village Zone

16.1 Zone Purpose

16.1.1	Zone Purpose Statements
16.1.1.1	To provide for small rural centres with a mix of residential, community services and commercial activities.
16.1.1.2	To provide for low impact, non residential uses that support the function of the settlement.
16.1.1.3	To provide for the amenity of the residents in a manner appropriate to the mixed use characteristics and needs of a particular settlement.
Planners Response:	
The proposal will not undermine the function of Lulworth as a small rural centre. The proposal is for a residential use and will not impact the residential amenity of the surrounding properties.	
16.1.2	Local Area Objectives
<p>1. Recognise the historic development of the coastal settlements whilst supporting some infill and limited development subject to the availability of services and in a manner that does not create ribbon development.</p> <p>2. Ensure the new use development in unserviced areas;</p> <p style="padding-left: 40px;">d) is self-sufficient in infrastructure provision,</p> <p style="padding-left: 40px;">e) does not cause material environmental harm; and</p> <p style="padding-left: 40px;">f) does not create significant additional demands on community resources.</p> <p>3. Protects the amenity of existing and future occupants of residences on adjoining lots in terms of;</p> <p style="padding-left: 40px;">a) visual and acoustic privacy</p> <p style="padding-left: 40px;">b) overlooking habitable rooms and outdoor recreation areas; and</p> <p style="padding-left: 40px;">c) loss of sunlight to habitable rooms and outdoor recreation areas.</p> <p>4. Ensure the design and layout of residential subdivision takes account of coastal protection requirements, solar access, waste disposal protection, protection of native vegetation, maintenance of the environmental and hydrological functions of streams and waterways and the visual amenity of surrounding areas.</p>	
Planners Response:	
The proposal respects the historic development of the coastal settlements. It is located on an existing title within the Lulworth village and does not encourage ribbon development or expansion of the settlement.	

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<p>The development does not interfere with the existing onsite waste water management system.</p> <p>The proposal does not include any elevated floor surfaces that would compromise the privacy of the adjoining property and does not include any windows directed toward the neighbouring property. Overshadowing is considered in the assessment below, however the impacts are acceptable.</p> <p>The proposal is not for a subdivision.</p>
<p>16.1.3 Desired Future Character Statements</p>
<p>In the small coastal settlements of:</p> <p>Bellingham, Bell Buoy Beach, Beechford, Lulworth, Tam O’Shanter and Weymouth limited residential and commercial development will be allowed depending on the services available. The lot density will provide for on-site open space and on-site parking for cars and boats.</p> <p>The urban form and density of development will be influenced by the availability of infrastructure;</p> <ul style="list-style-type: none"> • the need to protect against adverse impact on natural or cultural values and • the need to minimise exposure to natural and environmental hazards that create risk for the health and safety of people, property and the environment. <p>Most larger sites will be self-sufficient in respect to water supply, disposal of waste water and community and commercial facilities with smaller sites being required to be provided with connection to an offsite reticulated waste water treatment and re use system.</p>
<p>Planners Response:</p> <p>The proposed development does not increase dwelling density or create any new lots. The subject title does not contain any natural or cultural values and has not been identified as being subject to any particular natural hazard. Bushfire hazard management will be considered during the assessment under the <i>Building Act 2016</i>.</p> <p>The proposal will not interfere with the management of waste water on the site.</p>

16.3 Use Standards

16.3.1 Amenity

<p>Objective</p> <p>To ensure that all non-residential uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 If for permitted or no permit required uses.</p>	<p>P1 Discretionary uses must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.</p>

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Planners Response:	
Complies with the Acceptable Solution. The application is associated with a residential use, which is a no permit required use in the Village Zone.	
A2 Commercial vehicles must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	P2 Commercial vehicle operations must demonstrate that the amenity of residential uses within the surrounding area will not be unduly impacted upon by noise from operations or deliveries from the site.
Planners Response:	
Not applicable. The proposal does not include commercial vehicles.	
A3 Commercial vehicles are parked within the boundary of the property.	P3 Parking of commercial vehicles, including delivery vehicles, are not to create a traffic hazard or compromise the mixed use functions of the road.
Planners Response:	
Not applicable. The proposal does not include commercial vehicles.	

16.3.2 Village Character

Objective	
To ensure that non-residential uses are of an appropriate scale and type to support the objectives for the settlement.	
Acceptable Solutions	Performance Criteria
A1 Non-residential use must not exceed a combined gross floor area of 250m ² over the site.	<p>P1.1 The use is not within the classes of Business and Professional services, Education and Occasional care, General retail and hire, Hotel, Hospital services, Bulky Goods sales, Manufacturing and processing; and</p> <p>P1.2 The size and appearance of the use does not dominate the character of the area; and</p> <p>P1.3 The proposal is consistent with the local area objectives for visual character, if any.</p>
Planners Response:	
Not applicable. The application is for a residential use.	

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<p>A2 Goods or materials must not be stored outside in locations visible from adjacent properties, the road or public land.</p>	<p>P2 Storage of goods or materials is consistent with the local area objectives for visual character, if any.</p>
<p>Planners Response: Not applicable. The application does not propose storage of goods or materials.</p>	
<p>A3 Waste materials must be stored in:</p> <p>a) a manner and location that is not visible from the road to which the lot has frontage; and</p> <p>b) fully self-contained receptacles designed to ensure waste does not escape to the environment.</p>	<p>P3 Waste materials are stored in a manner that is consistent with the local area objectives for visual character, if any.</p>
<p>Planners Response: Complies with the Acceptable Solution. No changes to existing waste management for the dwellings is proposed.</p>	

16.4 Development Standards

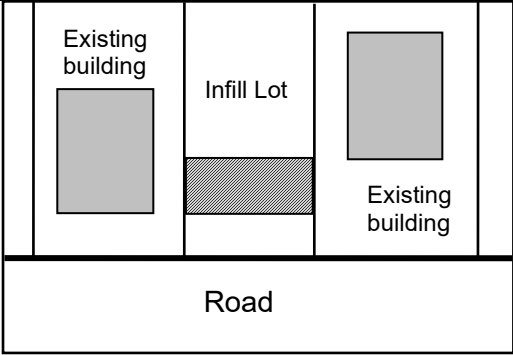
16.4.1 Building Design and Siting

<p>Objective</p> <p>a) To protect the residential amenity of adjoining lots by ensuring that the height, setbacks, siting and design of buildings provides adequate privacy, separation, open space and sunlight for residents; and</p> <p>b) To ensure that the siting and design of development furthers the local area objectives and desired future character statements for the area, if any.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Site coverage must not exceed 33%.</p>	<p>P1 The proportion of the site covered by buildings must have regard to the:</p> <p>a) existing site coverage and any constraints imposed by existing development or the features of the site; and</p> <p>b) site coverage of adjacent properties; and</p> <p>c) effect of the visual bulk of the building and whether it respects the village character; and</p> <p>d) capacity of the site to absorb runoff; and</p> <p>e) landscape character of the area.</p>

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<p>Planners Response:</p> <p>Complies with the Acceptable Solutions. The existing dwelling has a floor area of 112m². The proposed outbuildings have a floor area of 84m² and 75m². This results in a total footprint of 271m² on a 1169m² lot, or 23.2% site coverage.</p>	
<p>A2 Building height must:</p> <p>a) not exceed 8m;</p>	<p>P2 Building height must:</p> <p>a) be consistent with the local area objectives, if any; and</p> <p>b) protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking having regard to:</p> <p>i) the surrounding pattern of development; and</p> <p>ii) the existing degree of overlooking and overshadowing; and</p> <p>iii) the impact on the adjoining property of a reduction in sunlight to habitable rooms and private open space to less than 3 hours between 9.00 am and 5.00 pm on June 21 or no increase to existing overshadowing where greater than above; and</p> <p>iv) maintaining reasonable privacy to private open space and windows; and</p> <p>v) existing screening or the ability to implement screening to enhance privacy.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. The proposed outbuildings both have a maximum height of 3.7m.</p>	
<p>A3 Primary frontage setbacks must be:</p> <p>a) a minimum distance of 6m; or</p> <p>b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 16.4.1B below; and</p>	<p>P3 Buildings must be set back from the frontage an appropriate distance having regard to:</p> <p>a) the efficient use of the site; and</p> <p>b) the safety of road users; and</p> <p>c) the prevailing setbacks of existing buildings on nearby lots; and</p>

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 <p style="text-align: center;">Figure 16.4.1B – Primary Frontage Setback for Infill Lots</p> <p>c) for corner lots, side walls must be set back a minimum of 3m from the secondary frontage.</p>	<p>d) the visual impact of the building when viewed from the road; and</p> <p>e) retention of vegetation within the front setback.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. The proposal is setback 6m from the frontage and is consistent with the setback of the existing dwelling on the site.</p>	
<p>A4 Buildings must be set back from the side and rear boundaries a minimum distance of 3m.</p>	<p>P4 Buildings are sited so that side and rear setbacks:</p> <p>a) protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking having regard to:</p> <ul style="list-style-type: none"> i) the surrounding pattern of development; and ii) the existing degree of overlooking and overshadowing; and iii) the reduction of sunlight to habitable rooms and private open space to no less than 3 hours between 9.00 am and 5.00 pm on June 21 or no increase to existing overshadowing where greater than above; and iv) maintaining reasonable privacy to private open space and windows; and v) existing screening or the ability to implement screening to enhance privacy; and <p>b) further the objectives relating to the visual character of the village.</p>

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Planners Response:

Relies on Performance Criteria. The outbuilding to the rear of the dwelling is 500mm from the south side boundary and 1m from the west side boundary, while the outbuilding to the east of the dwelling is 1m from the south side boundary. The proposed tanks are also setback less than 1m from the boundary.

The Performance Criteria require an assessment of the amenity impacts resulting from overshadowing and overlooking.

The proposed buildings do not result in overlooking and will not compromise the privacy of the neighbouring dwelling. There are no finished floor surfaces elevated above natural ground level and the buildings do not include any windows directed towards the neighbouring property to the south. The proposed development will assist to screen the neighbouring property and will to a large degree enhance the privacy of the adjoining property.

The rear outbuilding is setback 1m from the west side boundary. The adjacent land to this boundary is significant in area, 1.68ha, It is denoted a private walkway on the title and does not contain any dwellings. There is ample opportunity for any future dwelling on this title to be located to ensure a reasonable degree of privacy and solar access.

As the development is immediately to the north of the property at 9 Bush Haven some over-shadowing of this title will occur.

Shadow diagrams demonstrate that separation between the proposed buildings and the adjacent dwelling is sufficient to ensure the proposal will not result in a reduction in sunlight to the habitable rooms of the adjacent dwelling to less than 3 hours between 9:00am and 5:00pm. Shadows will not extend to the dwelling until late in the afternoon. Although the shadow cast by the larger outbuilding at 3:00pm will intersect the footprint of the dwelling, it will not fall high enough on the wall to impact the rooms of the dwelling.

While shadows will fall onto the private open space at 9 Bush Haven throughout the day on the 21st June, the extent is considered reasonable. A significant area to the front of the dwelling, more than 75m² including the front deck, will not be impacted by the proposal and will receive direct solar access for more than three hours, before being overshadowed by the dwelling on that title, after this time the private open space to the rear of the dwelling will receive direct solar access for the remainder of the day.

The solar access which will remain at the dwelling at 9 Bush Haven will be in excess of three hours and complies with the Performance Criteria.

There are no specific objectives in either the standard or the zone purpose that relate to the visual character of individual buildings.

The proposal complies with the Performance Criteria and the Objective of the standard.

E6.0 Car Parking and Sustainable Transport Code

E6.0 Use Standards

E6.6.1 Car Parking Numbers

Objective
To ensure that an appropriate level of car parking is provided to service use.

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Acceptable Solution	Performance Criteria
<p>A1 The number of car parking spaces will not:</p> <p>a) If for dwellings in the General Residential Zone, be less than 100% of the requirements of Table E6.1; or</p> <p>b) be less than 90% of the requirements of Table E6.1 and not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater (except for dwellings in the General Residential Zone).</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p> <p>b) the availability of public car parking spaces within reasonable walking distance; and</p> <p>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</p> <p>d) the availability and frequency of public transport within reasonable walking distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solutions. The outbuilding includes sufficient parking in the proposed outbuilding and driveway for the parking of two vehicles and meets the</p>	

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requirements of Table E6.1.

E6.6.2 Bicycle Parking Numbers

<p>Objective</p> <p>To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.</p>	
Acceptable Solution	Performance Criteria
<p>A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or</p> <p>A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</p>	<p>P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the:</p> <p>a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and</p> <p>b) location of the site and the distance a cyclist would need to travel to reach the site; and</p> <p>c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. There is ample room for bike parking on the site, within the attached garage and outbuilding.</p>	

E6.6.3 Taxi Drop-off and Pickup

<p>Objective</p> <p>To ensure that taxis can adequately access developments.</p>	
Acceptable Solution	Performance Criteria
<p>A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).</p>	<p>P1 No performance criteria.</p>
<p>Planners Response:</p> <p>Complies with the Acceptable Solution. There is ample room for taxi parking on the site within the access.</p>	

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E6.6.4 Motorbike Parking Provisions

Objective	
To ensure that motorbikes are adequately provided for in parking considerations.	
Acceptable Solution	Performance Criteria
A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1 No performance criteria.
Planners Response:	
Complies with the Acceptable Solution. Adequate parking has been provided onsite to provide for the motorbike parking requirements.	

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective	
To ensure that car parking spaces and access strips are constructed to an appropriate standard.	
Acceptable Solution	Performance Criteria
A1 All car parking, access strips manoeuvring and circulation spaces must be: <ul style="list-style-type: none"> a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces. 	P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
Planners Response:	
Complies with the Acceptable Solution. The proposal is effectively for the construction of two outbuildings over the existing driveway and will place the	

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existing parking spaces undercover with a concrete base. The new parking areas will be formed in concrete and drainage directed to tanks.

E6.7.2 Design and Layout of Car Parking

<p>Objective</p> <p>To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.</p>	
Acceptable Solution	Performance Criteria
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and</p> <p>A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</p>	<p>P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:</p> <ul style="list-style-type: none"> a) the layout of the site and the location of existing buildings; and b) views into the site from the road and adjoining public spaces; and c) the ability to access the site and the rear of buildings; and d) the layout of car parking in the vicinity; and e) the level of landscaping proposed for the car parking.
<p>Planners Response:</p> <p>Not applicable. The proposal provides for less than four parking spaces and the property is not located in the General Residential Zone.</p>	
<p>A2.1 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and 	<p>P2 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.

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<p>d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:</p> <ul style="list-style-type: none"> i) there are three or more car parking spaces; and ii) where parking is more than 30m driving distance from the road; or iii) where the sole vehicle access is to a category 1, 2, 3 or 4 road; and <p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	
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Planners Response:

The development complies with the Acceptable Solutions.

The gradient of parking is less than 10%.

Reversing from the site is suitable for the two vehicle spaces required by a residential use.

The access is existing and complies with the minimum width required by Table E6.2.

Clause d) is not applicable to the proposal.

The proposal complies with AS2890.1 so far as applicable to residential use and development.

E6.7.3 Car Parking Access, Safety and Security

Objective	
To ensure adequate access, safety and security for car parking and for deliveries.	
Acceptable Solution	Performance Criteria
<p>A1 Car parking areas with greater than 20 parking spaces must be:</p> <ul style="list-style-type: none"> a) secured and lit so that unauthorised persons cannot 	<p>P1 Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:</p>

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<p>enter or;</p> <p>b) visible from buildings on or adjacent to the site during the times when parking occurs.</p>	<p>a) levels of activity within the vicinity; and</p> <p>b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.</p>
<p>Not applicable. Less than 20 spaces provided.</p>	

E6.7.4 Parking for Persons with a Disability

<p>Objective</p> <p>To ensure adequate parking for persons with a disability.</p>	
Acceptable Solution	Performance Criteria
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p>P1 No performance criteria.</p>
<p>A2 A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.</p>	<p>P2 No performance criteria.</p>
<p>Not applicable. No spaces are provided designated for persons with a disability.</p>	

E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

<p>Objective</p> <p>To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.</p>	
Acceptable Solution	Performance Criteria
<p>A1 For retail, commercial, industrial, service industry or warehouse or storage uses:</p> <p>a) at least one loading bay must be provided in accordance with Table E6.4; and</p> <p>b) loading and bus bays and access</p>	<p>P1 For retail, commercial, industrial, service industry or warehouse or storage uses, adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular</p>

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strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.	basis.
Not applicable. The proposal is not for a commercial use.	

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Objective To ensure that cyclists are provided with adequate end of trip facilities.	
Acceptable Solution	Performance Criteria
A1 For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycles spaces thereafter.	P1 For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, end of trip facilities must be provided at adequate level to cater for the reasonable needs of employees having regard to: <ul style="list-style-type: none"> a) the location of the proposed use and the distance a cyclist would need to travel to reach the site; and b) the users of the site and their likely desire to travel by bicycle; and c) whether there are facilities on the site for other reasons that could be used by cyclists; and d) the opportunity for sharing bicycle facilities by multiple users.
Not applicable. The proposal does not require 5 bicycle parking spaces.	

E6.8.2 Bicycle Parking Access, Safety and Security

Objective To ensure that parking and storage facilities for bicycles are safe, secure and convenient.
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Acceptable Solution	Performance Criteria
<p>A1.1 Bicycle parking spaces for customers and visitors must:</p> <ul style="list-style-type: none"> a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and <p>A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</p>	<p>P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</p>
<p>Not applicable.</p>	
<p>A2 Bicycle parking spaces must have:</p> <ul style="list-style-type: none"> a) minimum dimensions of: <ul style="list-style-type: none"> i) 1.7m in length; and ii) 1.2m in height; and iii) 0.7m in width at the handlebars; and b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed. 	<p>P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.</p>
<p>Not applicable.</p>	

7.3 DA 2021/21 – RESIDENTIAL OUTBUILDINGS (X2) – 11 BUSH HAVEN, LULWORTH (CONT.)

E6.8.5 Pedestrian Walkways

Objective To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Complies with the Acceptable Solution. There is no requirement for a separate pedestrian access for 2 parking spaces for developments with less than 10 spaces.	

10. REFFERALS

Internal Referrals

No internal referrals considered warranted.

External Referrals

There were no external referrals required. The land is not in an area serviced by TasWater.

11. SERVICES

Road

Access to Bush Haven is via a recently constructed and Council approved crossover.

Sewer

The land is not connected to sewer. An onsite waste water assessment will be required as part of the building/plumbing approval process.

Water

The land is not serviced by reticulated water.

Storm Water

Stormwater will be directed to rainwater collection tanks and used by the dwelling.

12. STATE POLICIES

The State Policies are inculcated in the standards of the planning scheme. Compliance with the planning scheme ensures compliance with the State Policies.

13. CONCLUSION

The application for two residential outbuildings at 11 Bush Haven, Lulworth, has been assessed against all relevant zone and code criteria of the *George Town Interim Planning Scheme 2013*. With appropriate conditions, the application complies with all of the applicable acceptable solutions and performance criteria and is recommended for approval.

7.3 DA 2021/21 – RESIDENTIAL OUTBUILDINGS (X2) – 11 BUSH HAVEN, LULWORTH (CONT.)

14. RECOMMENDATION

That the application for Residential Outbuildings (x2) at 11 Bush Haven, Lulworth (CT 8749/44) be **APPROVED** subject to the following conditions:

1. ENDORSED PLANS

The use and/or development must be carried out as shown on the endorsed plans and described in the endorsed documents:

- a) Louton Design Pty Ltd, Project No. AR438, Drawings S01 (Rev 3);
- b) Skyline Roofing, Job No. SKSG30521, Sheet 6; and
- c) Skyline Roofing, Job No. SKSG30522, Sheet 6;

to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

2. OUTBUILDINGS

The outbuildings approved by this permit are not to be used for human habitation, but are limited to domestic storage and related residential activities only.

Permit Notes

1. This permit was issued based on the proposal documents submitted for DA 2021/21. You should contact Council with any other use or development, as they may require the separate approval of Council. Councils planning staff can be contacted on 6382 8800.
2. An application for Building/plumbing permits will need to be accompanied by an onsite waste water assessment prepared by a suitably qualified person and demonstrating that wastewater can be effectively managed onsite.
3. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals may be required before construction commences:
 - a) Plumbing approval
 - b) Building approvalAll enquiries should be directed to Council's Permit Authority.
4. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) Any other required approvals under this or any other Act are granted.

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7.3 DA 2021/21 – RESIDENTIAL OUTBUILDINGS (X2) – 11 BUSH HAVEN, LULWORTH (CONT.)

5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received within 6 months of the expiration.
7. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
8. If any Aboriginal relics are uncovered during works:
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and
 - c) The relevant approval processes will apply with state and federal government agencies.

DECISION

VOTING

For:

Against:

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8. OFFICE OF GENERAL MANAGER

8.1 COUNCIL WORKSHOPS – MARCH/APRIL 2021

REPORT AUTHOR: General Manager – Mr S. Power

REPORT DATE: 20th April, 2021

FILE NO: 14.10

ATTACHMENT/S: Nil

SUMMARY

The purpose of this report is to provide a record of workshops held in accordance with the requirements of Section 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*.

DATE AND PURPOSE OF WORKSHOP HELD

TUESDAY 23RD MARCH, 2021

- Update on Planning and Building applications
- Update on Capital Works
- LGAT General Meeting update
- Community Grants Update
- Initial Consultation GTC-17 Urban Design, GTC-P1 Signs and Footpaths and GTC-P2 Tree Management
- Placemaking Committee Bollard Design
- User Agreement Update
- Anzac Drive Building
- Governance Issues

Present: Mayor Kieser, Deputy Mayor Harris, Cr Barraclough, Cr Barwick, Cr Brooks, Cr Dawson, Cr Mason, Cr Michieletto, Cr Parkes

Apologies: Nil

In Attendance: General Manager, Manager Development Services & Environment, Acting Manager Works & Infrastructure, Manager Corporate Services & Finance, Manager Liveable & Connected Communities, Manager People, Performance & Governance, Executive Support & Governance Officer

Guests: Nil.

TUESDAY 13TH APRIL, 2021

- Draft Ordinary Minutes of Council held 23rd March, 2021
- Woodside - Presentation
- George Town Structure Plan Update - Presentation
- Leave of Absence – Mayor Kieser
- Mount George Road Humps

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8.1 COUNCIL WORKSHOPS – MARCH/APRIL 2021 (CONT.)

- Mountain Bike Branding
- Governance Issues

Present: Acting Mayor Harris, Cr Barraclough, Cr Barwick, Cr Brooks, Cr Dawson, Cr Mason, Cr Michieletto

Apologies: Cr Parkes

In Attendance: General Manager, Acting Manager Development Services & Environment, Acting Manager Infrastructure & Works, Manager Liveable & Connected Communities, Executive Support & Governance Officer

Guests: Representatives from Woodside
Consultant from Plan Place

TUESDAY 20TH APRIL, 2021

- Budget

Present: Acting Mayor Harris, Cr Barwick, Cr Dawson, Cr Mason, Cr Parkes

Apologies: Cr Barraclough, Cr Brooks, Cr Michieletto

In Attendance: General Manager, Manager Development Services & Environment, Acting Manager Works & Infrastructure, Manager Corporate Services & Finance, Manager Liveable & Connected Communities, Manager People, Performance & Governance

Guests: Nil.

OFFICER'S RECOMMENDATION

That Council receives the report on the Council Workshops 23rd March 2021, 13th April and 20th April 2021 from the General Manager.

DECISION

VOTING

For:

Against:

9. DEVELOPMENT AND ENVIRONMENT

Nil.

10. WORKS AND INFRASTRUCTURE

10.1 ROAD HUMPS INSTALLATION, MOUNT GEORGE ROAD

REPORT AUTHOR: Project Manager, Peter Rickards

REPORT DATE: 31st March 2021

FILE NO: 13.13

ATTACHMENTS:

- (A) Traffic Impact Assessment - Mount George Bike Trail George Town
- (B) Mount George Trail Head - Proposed Carpark Layout
- (C) Mount George Road Traffic Calming Treatments
- (D) Road Hump - Watt Profile
- (E) Letter to residents - Speed Humps Mount George Road

SUMMARY

This report details the need for installation of two road humps on Mount George Road, as per recommendations from an independent Traffic Impact Assessment.

BACKGROUND

As part of the George Town Mountain Bike Trail Development, the Mount George Network trail head and carparking area will be located at the old quarry site at the base of Mount George. The carpark will have an access point onto Mount George Road at a location where sight distance to vehicles travelling westward (downhill) towards the access is limited to 55 meters.

Under the planning scheme, any development creating a new access off a public road is required to have a Traffic Impact Assessment undertaken to give consideration to current traffic numbers, and how the expected increase in traffic movements generated by the development will integrate into the current road network.

Based on the Traffic Impact Assessment, the installation of road humps on approach to the access is expected to reduce the operating speed of approaching vehicles to within the Safe Intersection Sight Distance tolerance, and this means traffic can enter and leave the access in a safe manner.

The humps must be clearly visible to approaching motorists and therefore the following supplementary devices will also be installed at the site of the road humps: -

- Advance notice traffic signage, including 25 km/h advisory signs at site of road humps;
- Pavement markings (reflective) on the road humps; and
- A minimum of four guideposts at close interval to each road hump.

There is also a requirement for the road hump site to be adequately illuminated by street lighting. The site where the roads humps are proposed is illuminated by an existing streetlight, the efficacy of which will be assessed, and upgraded if required.

The Traffic Impact Assessment recommends that the most effective road hump profile is the Watt profile constructed on-site using bitumen.

10.1 ROAD HUMP INSTALLATION, MOUNT GEORGE ROAD (CONT.)

STRATEGIC PLAN

This action relates to the following components of the Community Strategic Plan 2020-2030.

Future Direction 3 – Progressive well-resourced communities

i. Public infrastructure relevant to needs:

- a. Making sure the place works well through good design, safety standards asset management and ongoing maintenance, and

Future Direction 4 – Leadership and accountable governance

i. A culture of engagement and participation:

- a. Trusted, transparent and inclusive community engagement processes
- b. Engaging over things that matter to the community, and
- c. Understanding processes and participating in decision making

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

Under section E4.2.1 a) of the George Town Interim Planning Scheme, referring to the application of the Roads and Railway Assets Code, a development creating a new access requires a Traffic Impact Assessment to demonstrate compliance with performance criteria.

The approval of road humps on a public street is covered in section 49a of the *Traffic Act 1925*, and this section was amended in June 2019, to allow a road authority to approve and implement road humps, on roads under their jurisdiction.

Council has established a Policy Governance Framework which prescribes review periods for each policy of Council. GTC-11 Community Consultation Framework has been recently reviewed in accordance with Council's Policy Governance Framework and it has been determined that the objectives of policy are sufficiently covered to consult with the local residents about specific decisions that are guided by legislation.

RISK CONSIDERATIONS

The following risks have been identified in accordance with Council's adopted Risk Management Framework and Risk Matrix.

To mitigate against the limited available sight distance to vehicles travelling westward (downhill) towards the access, it will be necessary to implement traffic calming to reduce the speed of vehicles approaching the new car park access from this direction.

The Traffic Impact Assessment recommends the new access be supplemented with road humps located to the east (uphill) of the access. The road humps are expected to reduce the operating speed of approaching vehicles to less than 44 km/h. The corresponding Safe Intersection Sight Distance for a vehicle travelling at 44 km/h is 49 meters (this includes grade correction), meaning the available sight distance of 55 meters will satisfy the planning scheme sight distance requirements.

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10.1 ROAD HUMP INSTALLATION, MOUNT GEORGE ROAD (CONT.)

Possible impacts of road humps have been listed in the table below: -

Possible impacts	Consideration
Excessive acceleration and deceleration and associated noise.	The volume of traffic travelling over the road humps on a daily basis is low. The abutting land-use is a rural reserve with only one residential property located within 200 metres of the road humps, and the surrounding trees and vegetation is expected to dampen any excessive noise cause by vehicles travelling across the road humps. Excessive noise impact is considered a low risk.
Possible discomfort for bus passengers.	Buses are not expected to travel over the road humps.
Increase in travel time for drivers and frustration for property owners.	The road humps only directly impact two residential properties.
Effect of parking supply.	Not applicable for rural road.
Possible increase response time for emergency and service vehicles.	Emergency response times are primarily determined by the adequacy of main roads, and not the short length in which the road humps are located.
Transfer traffic from one street to another.	Transfer of traffic will not occur.
Additional cost burdens in terms of maintenance and enforcement.	Additional maintenance costs will be outweighed by the benefits delivered to the community through developing this project.
Mobility and service functionality.	With the road terminating within 1 kilometre of the devices, there is no impact to mobility or level of service to road users.

With the road terminating at the scenic lookout there is no through traffic; the expected volume of traffic travelling across the road humps is low, so the potential impact to traffic efficiency and road function appears to be minor. With the current speed limit at 60 km/h, the speed differential to negotiate the humps is moderate, and should not create any adverse impacts.

The no through road status means traffic must negotiate the road humps in the first instance while travelling uphill, and then return negotiating the road humps on a downhill slope, so motorists are aware of the devices and the downhill grade is not expected to be problematic.

FINANCIAL IMPLICATIONS

The project is fully funded by the Australian Government as part of the Community Development Grants Program.

Costs are not yet known, however two quotes have been requested as a starting point. A review of similar works indicate that costs will be between \$5,000 and \$10,000.

10.1 ROAD HUMP INSTALLATION, MOUNT GEORGE ROAD (CONT.)

CONSULTATION

The community implications of the recommended action have been assessed against Council's Community Consultation Framework as having a low to medium impact requiring category two consultation.

If passed in Council, a letter will be sent to residents/landowners of Mount George Road that would be directly impacted by change during the trip to/from their property on Mount George Road. The plans would also be advertised to the greater community for comment on Council's website and social media.

OPTIONS

Council may choose to:

1. Support the motion as presented; or
2. Support the motion with amendment; or
3. Not support the motion.

OFFICER'S COMMENTS

The reporting officer agrees with the recommendations of the Traffic Impact Assessment and has nothing further to add.

OFFICER'S RECOMMENDATION

That Council install road humps on Mount George Road as per recommendations from the Traffic Impact Assessment.

DECISION

VOTING

For:

Against:

11. CORPORATE SERVICES AND FINANCE

Nil.

12. LIVEABLE & CONNECTED COMMUNITIES

Nil.

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13. MAYOR

13.1 MATTERS OF INVOLVEMENT –MAYOR

FILE NO.: 14.11

REPORT DATE: 15th March 2021

Mayor Cr Greg Kieser		
February	22	Met with resident re Low Head Planning
	22	Met with resident re Concept ideas
	22	Met with Pipers River Neighbourhood Watch representative
	22	Met with resident re planning issue
	22	Attended George Town Chamber of Commerce AGM
	23	Chaired Council Workshop
	23	Chaired Ordinary Meeting of Council
March	25	Attended George Town visit by The Governor Her Excellency Kate Warner
	1	Attended George Town Chamber of Commerce Planning Meeting
	5	Attended launch of the Northern Employment Business Hub
	5	Attended GFG Liberty BBQ
	5	Met with GFG Liberty re School Based apprenticeships
	9	Attended meeting with TasPorts and General Manager
	9	Chaired Council Workshop
	10	Attended 50 GEMs launch
	11	Attended LGAT Mayors Workshop
	12	Attended LGAT General Meeting

Note: the Mayor has maintained regular contact with the General Manager and key staff to keep abreast of and respond to the COVID-19 crisis.

OFFICER'S RECOMMENDATION

That the information report from the Mayor on Matters of Involvement be received and the information noted.

13.1 MATTERS OF INVOLVEMENT – MAYOR (CONT.)

DECISION

VOTING

For:

Against:

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13.2 LEAVE OF ABSENCE – MAYOR, CR GREG KIESER

REPORT AUTHOR: General Manager – Mr S. Power

FILE NO.: 14.11, 14.86

REPORT DATE: 7th April, 2021

SUMMARY

Mayor Greg Kieser has submitted advice that he will be contesting the upcoming state election in the seat of Bass and as such he will be taking a leave of absence from the role of Mayor and Councillor of George Town Council for the period 7 April 2021 to 1 May 2021 inclusive. The Mayor has advised that he will not be paid his Councillor allowance for that period.

The Mayor has also advised that Deputy Mayor, Cr Tim Harris will assume the role of Acting Mayor in his absence.

DECISION

Moved:

Seconded:

That the leave of absence submitted to the ordinary Council meeting held on the 27 April 2021, by Mayor, Cr Greg Kieser for the period 7 April 2021 to 1 May 2021 inclusive for the reasons outlined within this report, be approved.

VOTING

For:

Against:

14. PETITIONS

Nil.

15. NOTICES OF MOTIONS

15.1 FUTURE USE OF THE BEECHFORD LEASED PUBLIC RESERVE AREA

Moved: Cr. Heather Barwick

That future use of the Beechford Leased Public Reserve Area PID 6459605 be closed to all camping.

Reason:

On the 19th August 2015 Council pursued a modified lease over the area and subsequently entered into a tripartite agreement signed by the George Town Council, Parks and Wildlife Services and Crown Land Services to include the tennis court site, the sportsground and the playground.

Under the agreement that has been signed Council are Assigned land under the Crown Lands Act 1976.

CAMPING at Beechford DOES NOT COMPLY with our Lease.

Section 11 of the Crown Lands Act 1976:

Bailiff of Crown Land.

- (1) A Police Officer or a Ranger, within the meaning of the National Parks and Reserves Management Act 2002, is a bailiff of Crown Lands and the Minister may appoint such other persons as Bailiff of Crown Lands as he thinks fit.
- (2) Every bailiff shall:
 - (a) PREVENT Intrusion, encroachment, and trespass on any Crown Land or ASSIGNED land:
 - (b) Seize and cause to be towed away to any garage or other place any vehicle parked or left without lawful authority on any Crown Land or ASSIGNED Land and not release the same until the owner or other person acting on his behalf reimburses the Crown with costs of the towage of the vehicle, the cost of its garaging or keeping, and the cost of its release.

16. COUNCILLORS' QUESTIONS WITH OR WITHOUT NOTICE

[Refer to Minute No. 362/15 which states "At any Ordinary Meeting of Council when a 'without notice' question from a councillor is accepted, and when this question is taken on notice',

- a) The General Manager is to record in the minutes of that meeting the 'question', and that the question was 'taken on notice'.*
- b) Provide the answer to the question 'taken on notice', at the next Ordinary Meeting of Council, in writing."]*

Cr Mason

Q. Has the Hillwood Football Club received any grant funding in previous years?

The Manager Corporate Services and Finance intends to provide elected members of grants provided to the Hillwood Football Club during the workshop held on 27th April 2021.

17. COUNCIL COMMITTEE REPORTS

17.1 GEORGE TOWN PLACEMAKING COMMITTEE MEETING – 1ST MARCH 2021

REPORT AUTHOR:	Executive Support & Governance Officer – Ms L. Dickenson
REPORT DATE:	20 th April, 2021
FILE NO:	14.7
ATTACHMENT/S:	George Town Placemaking Committee Confirmed Minutes 1 st March 2021

SUMMARY

The purpose of this report is to provide information to Council on the Confirmed minutes and any recommendations from the George Town Placemaking Committee for consideration.

BACKGROUND

The George Town Placemaking Committee met on the 12th April 2021 and accepted the minutes as true and accurate record of the meeting held on the 1st March 2021.

STRATEGIC PLAN

This action related to the following components of the Community Strategic Plan 2020-2030.

Future Direction 1. Community Pride:

- i. All are valued and included
 - a. Taking a ‘whole of community’ approach to everything
- ii. All communities take pride in their place
 - a. Maintaining public spaces so they are clean, tidy and appealing
 - b. Developing well-designed public spaces which are attractive, safe and support the area’s identity and reputation
- iii. A strong, recognisable, positive reputation
 - a. Promoting the area as the place to live, work, play and invest.

RISK IMPLICATIONS

The following risks have been identified in accordance with Council’s adopted risk Management Framework and Risk Matrix.

The scope of the Placemaking Committee is governed by Council Policy GTC-16 Special Committees and the Placemaking Committee Terms of Reference. Risk implications are therefore considered to be low.

**17.1 GEORGE TOWN PLACEMAKING COMMITTEE MEETING – 1ST MARCH 2021
(CONT.)**

STATUTORY REQUIREMENTS & RELATED COUNCIL DOCUMENTS

Local Government Act 1993 and Council Policy GTC-16 Special Committees.

George Town Council Placemaking Committee Terms of Reference.

FINANCIAL IMPLICATIONS

There were no identified financial implications.

CONSULTATION

The minutes were discussed at the 12th April 2021 Placemaking Committee meeting.

OPTIONS

That Council:

1. Accepts the minutes of the 1st March 2021 of the Placemaking Committee; or
2. Does not accept the minutes of the 1st March 2021 of the Placemaking Committee.

OFFICER'S COMMENTS

Nil.

OFFICER'S RECOMMENDATION

That Council accept the Confirmed minutes of the 1st March 2021 George Town Placemaking Committee as an accurate record of that meeting.

DECISION

VOTING

For:

Against:

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18. CLOSED MEETING

18.1 INTO CLOSED MEETING

DECISION

Moved: Cr

Seconded: Cr

That Council move into closed meeting at to discuss the following items:

Agenda Item 18.2 Minutes of the closed ordinary Council meeting held on the 23rd March 2021
--

As per the provisions of regulation 34(6) of the Local Government (Meeting Procedures) Regulations 2015.

Agenda Item 18.3 Legal Expenditure
--

As per the provisions of regulation S15(2)(a), (b), (d), (e)(i)(ii), (f), (g), (i), (j) of the Local Government (Meeting Procedures) Regulations 2015.

Agenda Item 18.4 RFT 02/21 – Dalrymple Road Upgrade and Pavement In-Situ Stabilisation
--

As per the provisions of regulation S15(2)(d) of the Local Government (Meeting Procedures) Regulations 2015.

REQUIRES ABSOLUTE MAJORITY OF COUNCIL

VOTING

For:

Against:

18.5 OUT OF CLOSED MEETING

In accordance with the requirements of the Local Government (Meeting Procedures) Regulations 2015 regulation 15(8) 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.

DECISION

Moved:

Seconded:

That Council moves out of Closed Meeting at and endorse those decisions taken while in Closed Meeting and the information remains Confidential.

VOTING

For:

Against:

There being no further business, the meeting closed at

**Cr Tim Harris
ACTING MAYOR**