



COUNCIL MEETING AGENDA

Monday 18 January 2021
Council Chambers, St Helens

John Brown, General Manager
Break O'Day Council
11 January 2021

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NOTICE OF MEETING

Notice is hereby given that the next meeting of the Break O'Day Council will be held at the St Helens Council Chambers on Monday 18 January 2021 commencing at 10.00am.

CERTIFICATION

Pursuant to the provisions of Section 65 of the *Local Government Act 1993*, I hereby certify that the advice, information and recommendations contained within this Agenda have been given by a person who has the qualifications and / or experience necessary to give such advice, information and recommendations or such advice was obtained and taken into account in providing the general advice contained within the Agenda.



JOHN BROWN

GENERAL MANAGER

Date: 11 January 2021

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AUDIO RECORDING OF ORDINARY MEETINGS OF COUNCIL

As determined by Break O'Day Council in March 2019 all Ordinary, Special and Annual General Meetings of Council are to be audio recorded and a link will be available on the Break O'Day Council website where the public can listen to audio recordings of previous Council Meetings.

In accordance with the Local Government Act 1993 and Regulation 33 of the Local Government (Meeting Procedures) Regulations 2015, these audio files will be retained by Council for at least six (6) months and made available for listening online within seven (7) days of the scheduled meeting. The written minutes of a meeting, once confirmed, prevail over the audio recording of the meeting and a transcript of the recording will not be prepared.

OPENING

The Mayor to welcome Councillors and staff and declare the meeting open at [time].

ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Traditional Custodians of the land on which we work and live, the Palawa people of this land Tasmania, and recognise their continuing connection to the lands, skies and waters. We pay respects to the Elders Past, present and future.

01/21.1.0 ATTENDANCE

01/21.1.1 Present

Mayor Mick Tucker
Deputy Mayor John McGiveron
Councillor Kristi Chapple
Councillor Janet Drummond
Councillor Barry LeFevre
Councillor Glenn McGuinness
Councillor Margaret Osborne OAM
Councillor Lesa Whittaker
Councillor Kylie Wright

01/21.1.2 Apologies

Nil

01/21.1.3 Leave of Absence

Nil

01/21.1.4 Staff in Attendance

General Manager, John Brown
Executive Assistant, Angela Matthews

01/21.2.0 PUBLIC QUESTION TIME

Nil.

01/21.3.0 DECLARATION OF INTERESTS OF A COUNCILLOR OR CLOSE ASSOCIATE

Section 48 or 55 of the Local Government Act 1993 requires that a Councillor or Officer who has an interest in any matter to be discussed at a Council Meeting that will be attended by the Councillor or Officer must disclose the nature of the interest in a written notice given to the General Manager before the meeting; or at the meeting before the matter is discussed.

A Councillor or Officer who makes a disclosure under Section 48 or 55 must not preside at the part of the meeting relating to the matter; or participate in; or be present during any discussion or decision making procedure relating to the matter, unless allowed by the Council.

01/21.4.0 CONFIRMATION OF MINUTES

01/21.4.1 Confirmation of Minutes – Council Meeting 21 December 2020

OFFICER'S RECOMMENDATION:

That the minutes of the Council Meeting held on the 21 December 2020 be confirmed.

01/21.5.0 COUNCIL WORKSHOPS HELD SINCE 21 DECEMBER 2020 COUNCIL MEETING

There was no Workshop held in January 2021. The next scheduled Workshop is 1 February 2021.

01/21.6.0

PLANNING AUTHORITY

Pursuant to Section 25 of the Local Government (Meeting Procedures) Regulations 2015 the Mayor informed the Council that it was now acting as a Planning Authority under the Land Use Planning and Approvals Act 1993.

01/21.6.1

DA 176-2020 – Telecommunications Tower – 21174 Tasman Highway, Chain of Lagoons

ACTION	DECISION
PROPONENT	Lendlease Services Pty Ltd
OFFICER	Deb Szekely, Planning Officer
FILE REFERENCE	DA 176-2020
ASSOCIATED REPORTS AND DOCUMENTS	Approved Plans – DA176-2020 – DRAFT Planning Report <i>Circulated under Separate Cover:</i> <i>Applicant Response for Request for Further Information</i> <i>Correspondence between DSG and Applicant</i> <i>Environmental EME Report</i> <i>Examples of proposed signage</i> <i>Photos of Entry Access</i> <i>Protected Matters Report</i> <i>Responsible Officer completed Planning Scheme Assessment</i>

OFFICER'S RECOMMENDATION:

After due consideration of the application received and Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **TELECOMMUNICATIONS TOWER** on land situated at **21174 TASMAN HIGHWAY, CHAIN OF LAGOONS** described in Certificate of Title 44178/1 be **APPROVED** subject to the following conditions:

1. Development must be carried out in accordance with the approved plans and documents listed as follows, except as varied by conditions on this Planning Permit.

Approved Plans			
Plan / Document Name	Reference Number	Prepared By	Dated
Draft Site Layout	H0204-P1 Rev 1	Optus Mobiles Pty Ltd	25/03/2020
Draft Site Layout	H0204-P2 Rev 1	Optus Mobiles Pty Ltd	25/03/2020
Site Access Plan	H0204-P3 Rev 1	Optus Mobiles Pty Ltd	25/03/2020
Lease Area Survey	302474-HWY Rev 2 Sheet 1 of 2	Veris	15/09/2020
Lease Area Survey	302474-HWY Rev 2 Sheet 2 of 2	Veris	15/09/2020

2. The areas shown to be set aside for vehicle access must be:
 - a. completed before the use of the development;
 - b. provided with space for access turning and manoeuvring of vehicles on-site to enable them to enter and leave the site in a forward direction;
 - c. surfaced with a pervious dust free surface and drained in a manner that will not cause stormwater nuisance, and

- d. constructed in a manner that ensures sediment is neither tracked nor eroded across the property boundary.
3. The vehicle crossover from the carriageway to the property boundary must be upgraded in accordance with the following and financed by the applicant:
 - a) Upgrade of the existing access to Department of State Growth requirements shall be undertaken, including sealing between the road seal edge and the property boundary. Details of the works must be provided to the Department for review and acceptance as part of a works permit application, see note.

NOTE: A valid works permit is required for all works undertaken in the State Road (Tasman Highway) reservation. Details of the permit process and application forms can be found at: www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/new_or_altered_access_onto_a_road_driveways. Applications must be received by the Department of State Growth a minimum of twenty business days prior to the expected commencement date for works in order to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

4. No works are to commence on the crossover until an Access Works Permit has been issued by the Department of State Growth, Tasmania, for the crossover construction/upgrade.
5. Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.
6. Works on the site must not result in a concentration of flow onto other property, or cause ponding or other stormwater nuisance.
7. All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Works Operations Manager.
8. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.
9. Standard Phytophthora hygiene measures must be implemented for the construction and maintenance of works in accordance with and using the Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania (DPIPWE 2015, Eds. K. Stewart & M. Askey-Doran. DPIPWE, Hobart, Tas).
10. Ensure that the telecommunication facility and associated equipment shelter is painted with a colour that blends with the adjacent bushland vegetation and complies with the colour range provided by Optus Mobiles Pty Ltd, namely 'Factory Grey' (monopole) and 'pale eucalypt' green.

ADVICE

- Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
- Activities associated with construction works are not to be performed outside the permissible time frames listed:

Mon-Friday 7 am to 6 pm

Saturday 9 am to 6 pm

Sunday and public holidays 10 am to 6 pm

INTRODUCTION:

The applicant is seeking approval for a Telecommunications facility at 21174 Tasman Highway, Chain of Lagoons. The proposal is part of the State Government Funded Mobile Blackspot Program to provide access to enhanced mobile coverage services via the Optus mobile network along the Great Eastern Drive.

PREVIOUS COUNCIL CONSIDERATION:

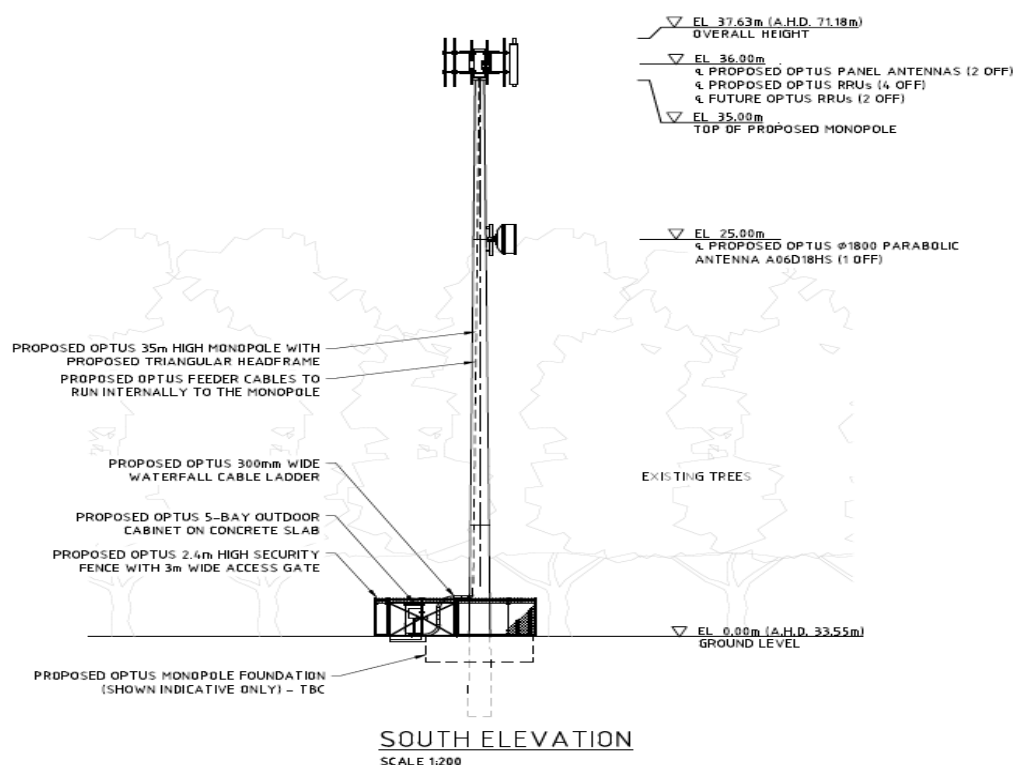
Not applicable.

OFFICER'S REPORT:

1. The Proposal

The application seeks planning consent for the installation of:

- One (1) new 35m monopole;
- Two (2) new panel antennas attached to a triangular headframe mounted at 36m on the pole;
- One (1) new radio communications dish mounted at a centreline height of 25m;
- Ancillary equipment associated with the operation of the facility;
- Installation of one (1) five (5) bay Outdoor Unit at the base of the monopole;
- 2.8m security fencing.



The Telecommunications Facility is to be sited in the south-western portion of the site and will benefit from an existing access off the Tasman Highway. The proposed development does not require the removal of any native vegetation. The facility will be accessed via an existing access off Tasman Highway and the Department of State Growth have conditioned an upgrade to the same. The development is set well back from the Tasman Highway (28.3m) and is mainly screened by existing mature native vegetation.



Photo 1 – Photomontage view taken along the Tasman Highway approximately 380m from the proposed site looking south.

2. Applicable Planning Assessment

- Part 14 Environmental Living Zone;
- E4 Road and Rail Assets Code;
- E5 Flood Prone Areas Code;
- E6 Car Parking and Sustainable Transport Code;
- E7 Scenic Management Code;
- E14 Coastal Code;
- E15 Signs Code.

3. Referrals

Department of State Growth.

4. Assessment

The application met the acceptable solutions for all issues except for reliance upon the performance criteria detailed below:

Break O'Day Interim Planning Scheme 2013:

- 14.2 Use Table;
- 14.3.1 Amenity P1;
- 14.4.1 Building Design and Siting P2;
- E6.7.1 construction of Car Parking Spaces and Access Strips P1;
- E7.6.1 Scenic Management – Tourist Road Corridor P1.

Detailed assessment against the provisions of the *Break O'Day Interim Planning Scheme 2013* where the proposal was reliant on satisfying the performance criteria, is provided below. **The proposal is deemed to comply with the performance criteria applicable.**

Planning Assessment

14 Environmental Living Zone

14.2 Use Table

The relevant Use Class (Utilities) is a discretionary use class within the Environmental Living Zone.

14.3 Use Standards

14.3.1 Amenity

Acceptable Solutions	Performance Criteria
A1 Development must be for permitted or no permit required uses.	P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise, smoke, odour, dust and illumination.
<p>Performance Criteria Assessment</p> <p><i>Assessment against the Performance Criteria is required.</i></p> <p><i>The proposed Telecommunications Facility is assigned a use class of 'Utilities'. The use class is discretionary within the Environmental Living Zone.</i></p> <p><i>Technical advice asserts the facility is not considered a significant noise generator with operational noise similar to low level noise from air conditioning units and is located outdoors. "Noise emanating from the air conditioning units is at a comparable level to a domestic air conditioning installation and will comply with the background noise levels prescribed by AS1055".</i></p> <p><i>Furthermore, the facility will not produce any smoke, odour, dust or illumination.</i></p> <p><i>The proposed facility is not considered to cause an environmental nuisance.</i></p> <p><i>The proposed development satisfies the performance criteria in this instance.</i></p>	

14.4 Development Standards

14.4.1 Building Design and Siting

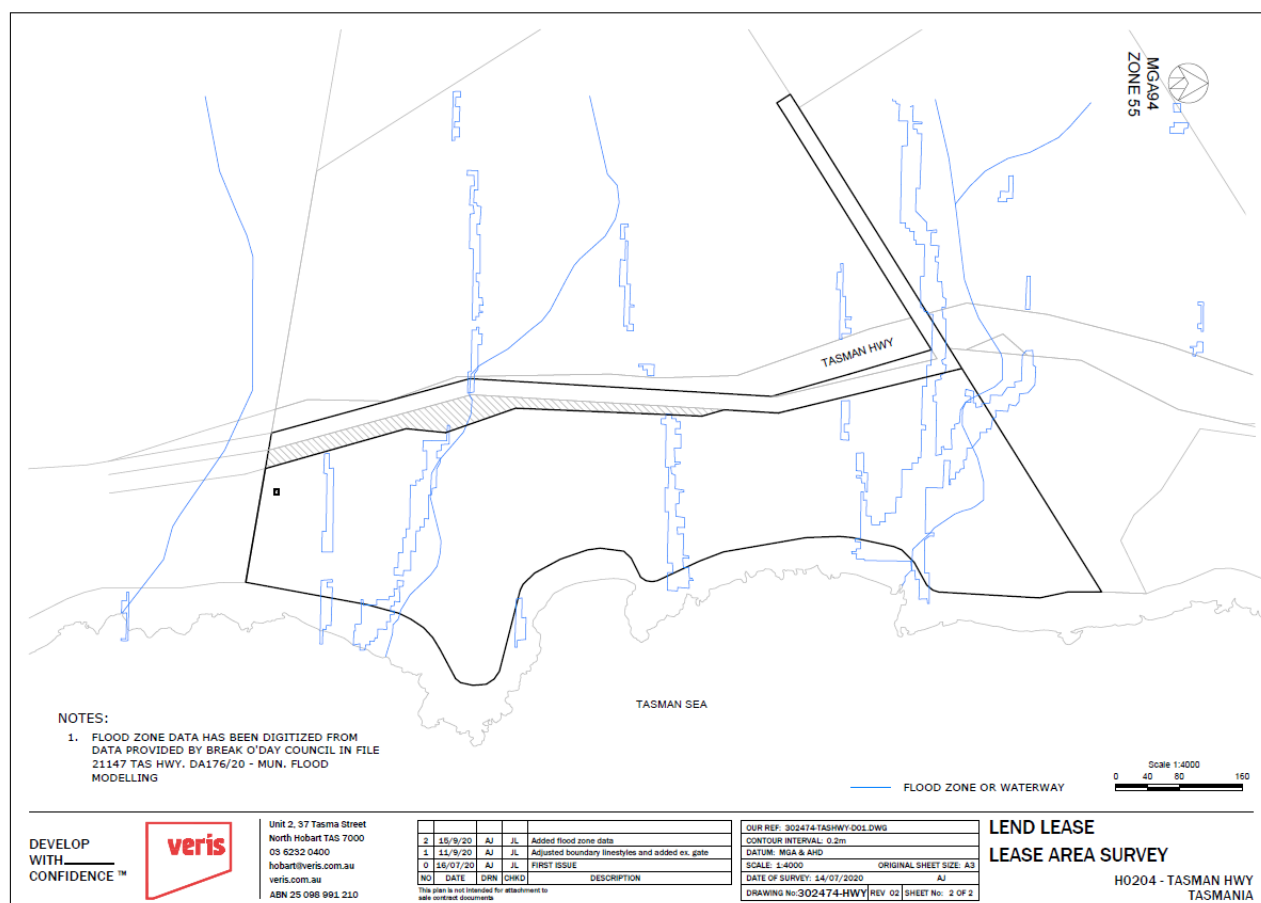
Acceptable Solutions	Performance Criteria
A2 Building height must not exceed 7m.	P2 Building height must: a) be unobtrusive and complement the character of the surrounding landscape; and b) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking.
<p>Performance Criteria Assessment</p> <p><i>Assessment against the Performance Criteria is required.</i></p> <p><i>The proposed development incorporates a monopole and attachments with an overall height of 37.63m and exceeds the acceptable solution. Whilst the height of the monopole is over 37m, it is narrow in width and does not present as building bulk to the frontage. The monopole is finished in a factory grey unreflective colour giving greater opportunity to blend into the skyline and the surrounding landscape. Due to existing vegetation it will only be the top portion that is visible from varying angles.</i></p> <p><i>In terms of protecting the amenity of adjoining dwellings, the proposed structure does not represent an unreasonable impact in terms of overshadowing adjoining dwellings due to being far removed from the same. The proposed structure is in excess of 260m to the nearest dwelling to the south.</i></p> <p><i>The proposed development satisfies the performance criteria in this instance.</i></p>	

E4 Road and Rail Assets Code

The proposed use and development has been determined to satisfy all relevant Acceptable Solutions of the Use Standards and Development standards of the Road and Rail Assets Code.

E5 Flood Prone Areas Code

The applicant has provide survey plans which demonstrate the proposed development is outside of the mapped flood prone areas. No further assessment against the E5 Flood Prone Areas Code is required.



E6 Car Parking and Sustainable Transport Code

E6.7 Development Standards

E6.7.1 construction of Car Parking Spaces and Access Strips

Acceptable Solutions	Performance Criteria
<p>A1 All car parking, access strips manoeuvring and circulation spaces must be:</p> <ol style="list-style-type: none"> formed to an adequate level and drained; and except for a single dwelling, provided with an impervious all weather seal; and except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces. 	<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>

Performance Criteria Assessment

Assessment against the Performance Criteria is required.

The use class 'utilities' has no requirements in term of car parking on the site. However the development has been assessed with respect to access strips and manoeuvring space. The proposed development is not proposing to seal the access strip with an impervious all weather seal. As a result the development will be conditioned to provide an access strip and manoeuvring space with a finished surface and utilising materials to ensure it is useable in all weather conditions.

The proposed development is conditioned to ensure it satisfies the performance criteria.

The proposed development satisfies the performance criteria in this instance.

E7 Scenic Management Code

E7.6 Development Standards

E7.6.1 Scenic Management – Tourist Road Corridor

Acceptable Solutions	Performance Criteria
A1 Development (not including subdivision) must be fully screened by existing vegetation or other features when viewed from the road within the tourist road corridor.	P1 Development (not including subdivision) must be screened when viewed from the road within the tourist road corridor having regard to: 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 Forest Practices Code; and h) the design and/or treatment of development including: 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.

Performance Criteria Assessment

Assessment against the Performance Criteria is required.

The proposed development includes a monopole with a finished height of 37.63m. The development is largely screened by existing vegetation on site and within the road reserve, however a portion of the monopole will be visible above the tree line. See Photo 1 previously.

The proposed Optus monopole is to be finished in a factory grey unreflective colour which is considered to blend into the skyline, minimising visual impact on the surrounding area. As a result the impact on skylines is considered to be minimal as the development is mostly screened by vegetation and passing traffic will be moving at approximately 100 km/hr. The closest dwelling is located in excess of 260m to the south with the orientation of the dwelling taking in ocean views to the east.

The proposed development is not considered prominent to the road and achieves a primary frontage setback of 28.3m and is screened by the existing native vegetation.

There are specific requirements for height of the monopole for telecommunications purposes and as such is likely to be a greater height than most screening vegetation. As the screening vegetation is to be retained on site, the tourist corridor is considered to retain the visual values of the touring route and the impact of the protruding monopole is considered minimal.

The proposed development satisfies the performance criteria in this instance.

E14 Coastal Code

The Coastal Code applies to use or development of land located at or below the height indicated on the coastal inundation height reference map. The development site is affected by the coastal inundation height reference map, however the development site is located between the 30m and 10m contour lines and is outside the coastal inundation height reference of 2.35m. No further assessment against the Coastal Code is required.

E15 Signs Code

The proposed signage associated with the Telecommunications Facility is considered to be Identification signage that is exempt under the Code. The signage is described as safety/warning signs and includes information regarding the telecommunications equipment. Signage is placed on the security compound fence and monopole. All signage will be on the site to which it relates. As the signage is exempt, no further assessment is required against the Code.

5. Representations

The application was advertised 31 October, 2020 to 16 November 2020 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining land owners. One (1) representation was received prior to the closing date and time. The representation is as follows:

The Representor has acknowledged that they are not opposed to Telecommunications infrastructure, and the proposed installation will not be visible from their residence, however they would like the installation to be on the opposite side of the Highway.

Issue	Response
Protection of the coastal strip and the development would be better placed on the opposite side of the Highway.	<p>Any reference to the 'coastal strip' is subject to interpretation unless defined by a statutory instrument. In terms of the planning scheme and E14 Coastal Code, the proposed development is not located on land that is in the vicinity of or within any coastal dune system or coastal foreshore and is not below the height indicated on the coastal inundation height reference map. Additionally the area of the development is not vulnerable to coastal erosion or recession. The proposed development does not require the removal of any coastal vegetation and will not impact on any coastal processes. In terms of visual impact, as previously assessed, the monopole is mostly obscured by existing mature vegetation with a section above the tree line visible. This is not considered to have an unacceptable impact on the visual amenity of the 'coastal strip'.</p> <p>The process of identifying a suitable site for the development has been conducted by Optus and they have detailed the considerations when choosing a site:</p> <ul style="list-style-type: none">• Radiofrequency coverage (extent and depth of coverage);• Low impact and co-location opportunities;• Ability to minimise visual, environmental and heritage impacts;• Regulatory framework of Commonwealth, State and Local Government views and policies;• Proximity to sensitive or potentially inconsistent land uses, such as residential areas etc.;• Availability to secure tenure with the landowner;• Engineering consideration and build feasibility e.g. soil conditions, slope and flood proneness, access and power. <p>The applicant did consider a site on the western side of the Highway, however the site was rejected due to:</p> <ul style="list-style-type: none">• Poor RF performance levels with a height of 45m unable to provide a suitable service outcome;• Engineering and buildability constraints due to access and power connection availability;• Close proximity to a Conservation Area with the proposal requiring native vegetation removal for the proposal and bushfire mitigation including clearing within the National Park. <p>This option was considered unviable by the applicant for the reasons stated above.</p>

Issue	Response
Concern the proposed installation is one of many planned for the East Coast.	The Tasmanian Government has partnered with Optus to expand and provide mobile phone coverage on the Great Eastern Drive. The Mobile Black Spot Program is designed to improve telecommunications in regional areas and as such this proposal is likely to be one of others in the Scheme. Each proposal is subject to separate assessment against the Planning Scheme and is assessed accordingly. Should the applicant lodge further applications, they will be assessed in accordance with the <i>Land Use Planning and Approvals Act 1993</i> and the <i>Break O'Day Interim Planning Scheme 2013</i> .
Concern regarding loss of vegetation and the need to enlarge the access over time.	The proposed development does not require the removal of native vegetation. Any future requirement for removal of native vegetation will require a further development application and assessment. There is no anticipated future requirement for enlarging the access over time as the proposed infrastructure does not generate traffic and has no car parking requirements under the Code (E6 Car Parking and Sustainable Transport Code). The existing access is considered adequate for both construction and ongoing maintenance of the site. Once operational, the facility will require infrequent maintenance visits and for this purpose the existing access will be maintained. The application has been referred to the Department of State Growth who have conditioned upgrading the access in terms of surface treatment.

The recommendation for approval has been made following due consideration of the representations and comments.

6. Mediation

Nil.

7. Conclusion

In accordance with 8.10 of the Break O'Day Interim Planning Scheme 2013, the application has been assessed against the objectives of the Scheme, in particular the Environmental Living Zone and all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and Performance Criterion and the received representation has been considered. It is recommended for approval with conditions normally set to this type of development.

LEGISLATION & POLICIES:

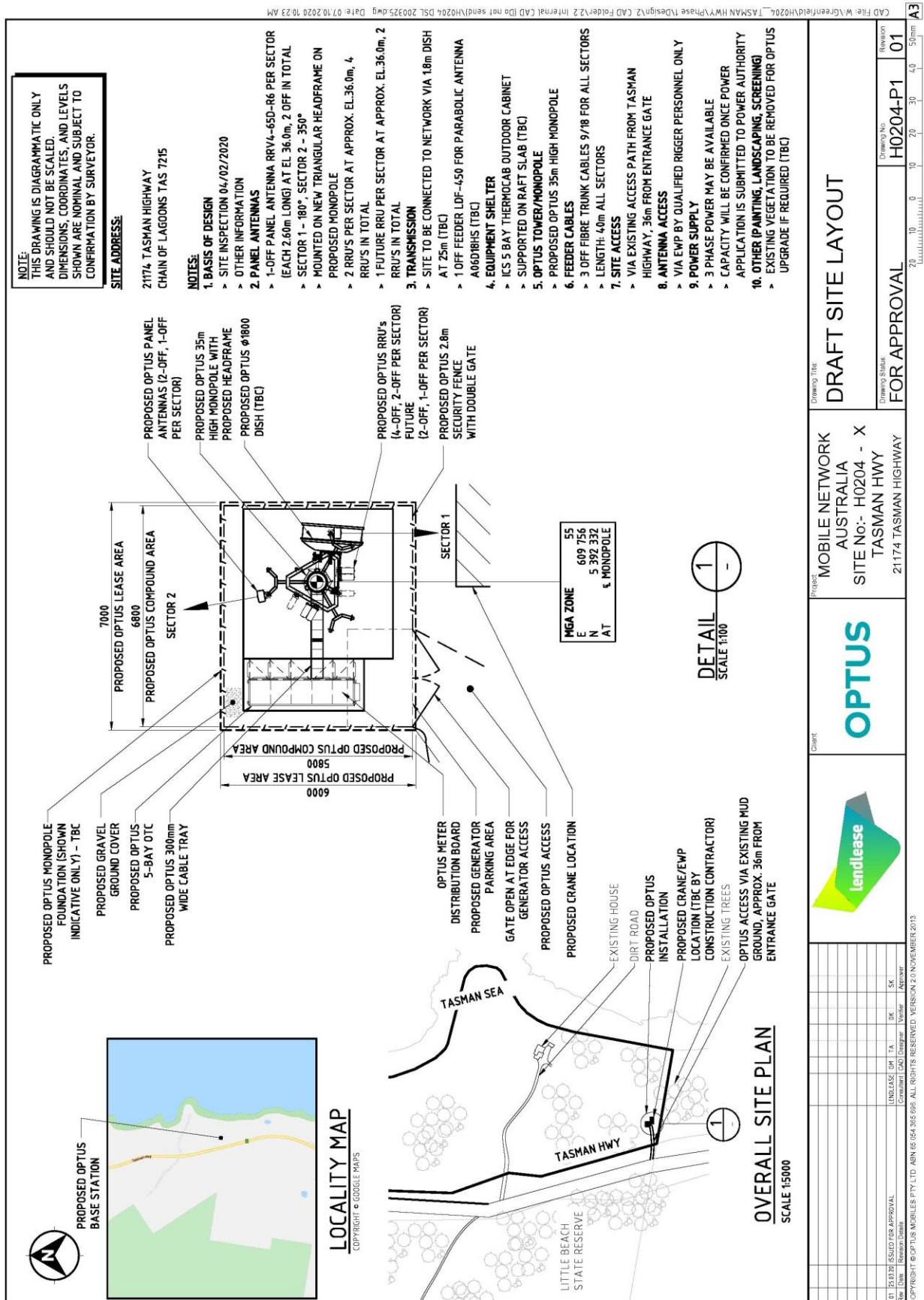
Break O'Day Interim Planning Scheme 2013;
Land Use Planning and Approvals Act 1993;
Local Government (Building and Miscellaneous Provisions) Act 1993.

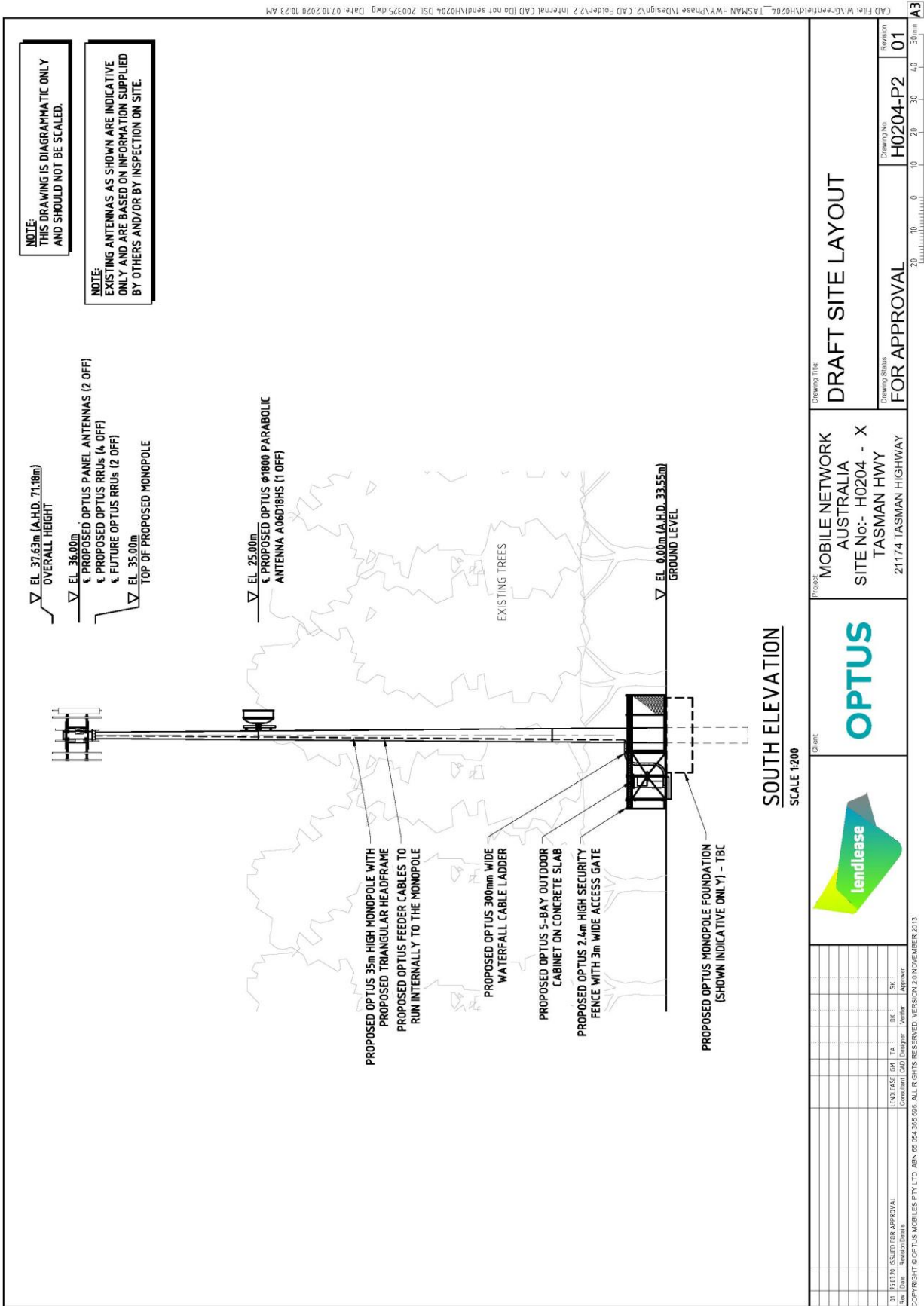
BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

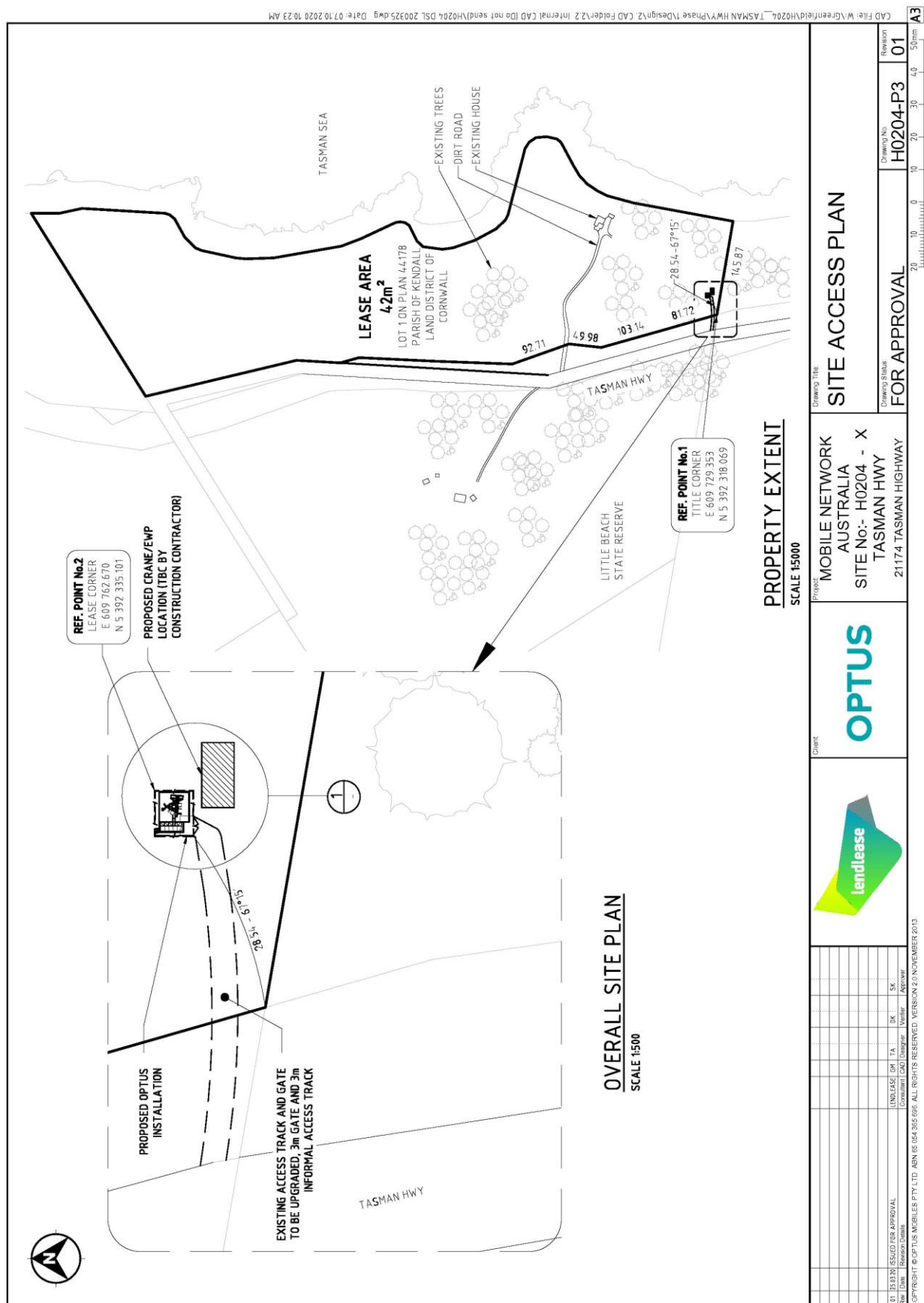
Not applicable, all costs of the development are the responsibility of the developer.

VOTING REQUIREMENTS:

Simple Majority.

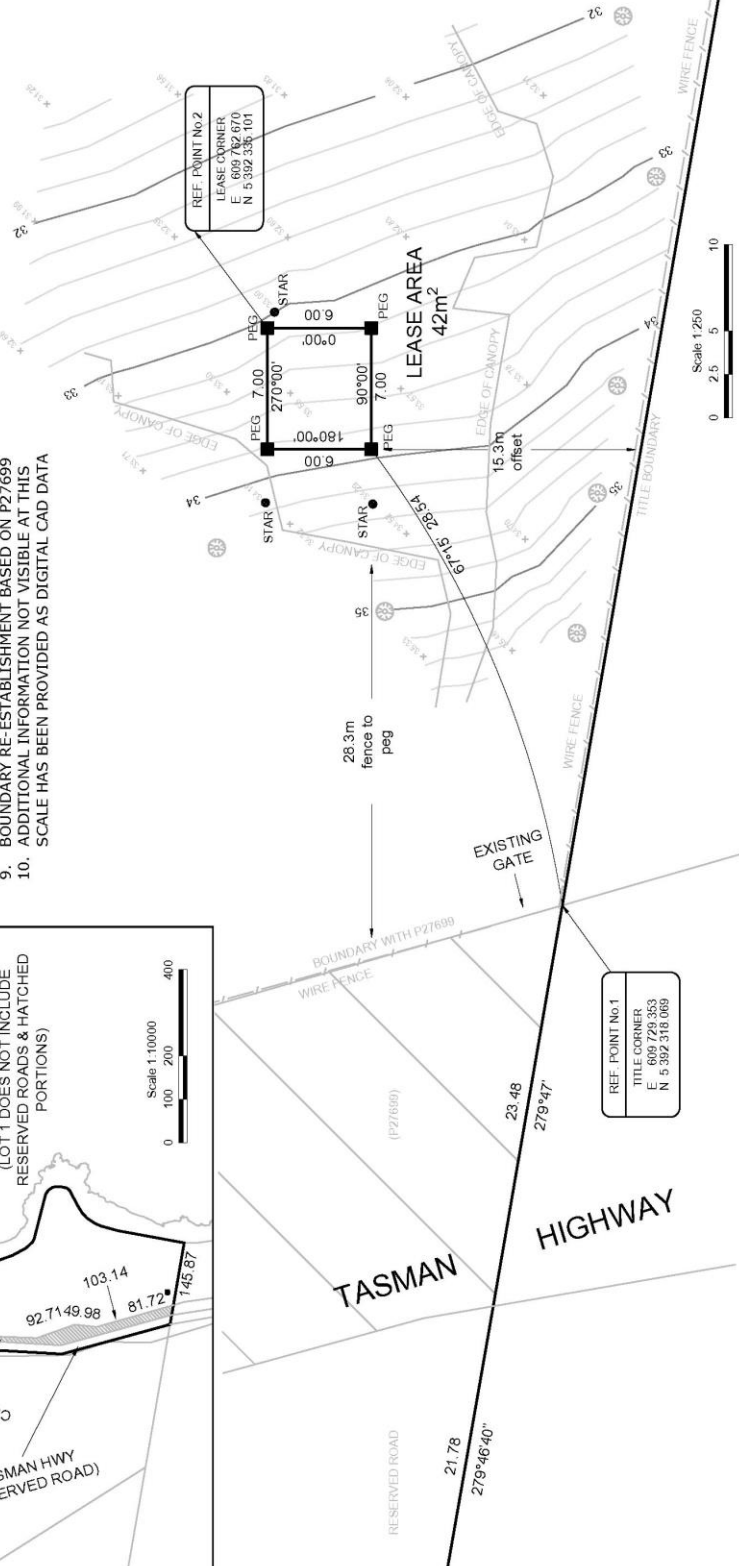
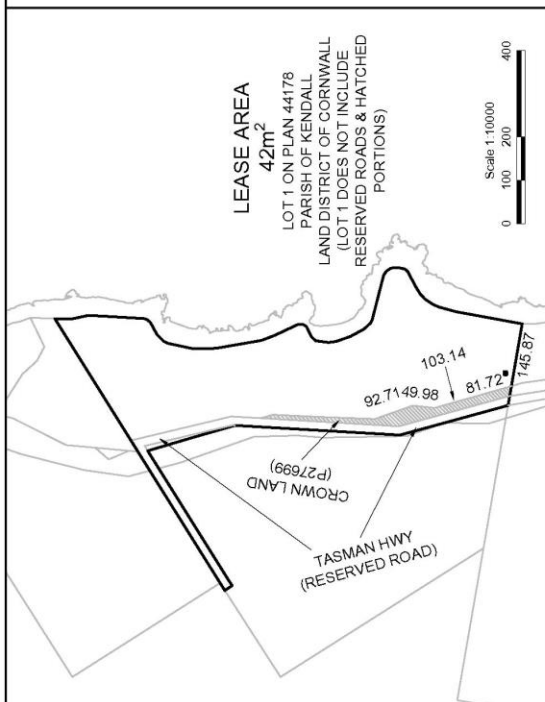








1. SITE SURVEY BY VERIS AUSTRALIA Pty Ltd
2. ALL LEVELS ARE IN METRES TO A.H.D. FROM STATE MARK ST1890
3. GRID CO-ORDINATES ARE TO MGA94 ZONE 55
4. LAND STATUS
LOT 1 ON PLAN 44178
PARISH OF KENDALL
LAND DISTRICT OF CORNWALL
5. SOLE PROPRIETOR:
C.P. SEDEVIC
6. LEASE AREA DETAIL & ORIENTATION BASED ON INFORMATION AS SUPPLIED BY SITELOGIC.
7. THE LEASE AREA IS WHOLLY CONTAINED WITHIN THE TITLE BOUNDARY
8. TOTAL NEW LEASE AREA 42m²
9. BOUNDARY RE-ESTABLISHMENT BASED ON P27699
10. ADDITIONAL INFORMATION NOT VISIBLE AT THIS SCALE HAS BEEN PROVIDED AS DIGITAL CAD DATA

H0204 - TASMAN HWY
TASMANIA

OUR REF: 302474-TASHWY-D01.DWG	DATE: 1-26-0	ORIGINAL SHEET SIZE: A3
CONTOUR INTERVAL: 0.2m	DATUM: MGA & AHD	AJ
DATE OF SURVEY: 14/07/2020		
DRAWING No: 302474-HWY1	REV 02	SHEET No: 1 OF 2

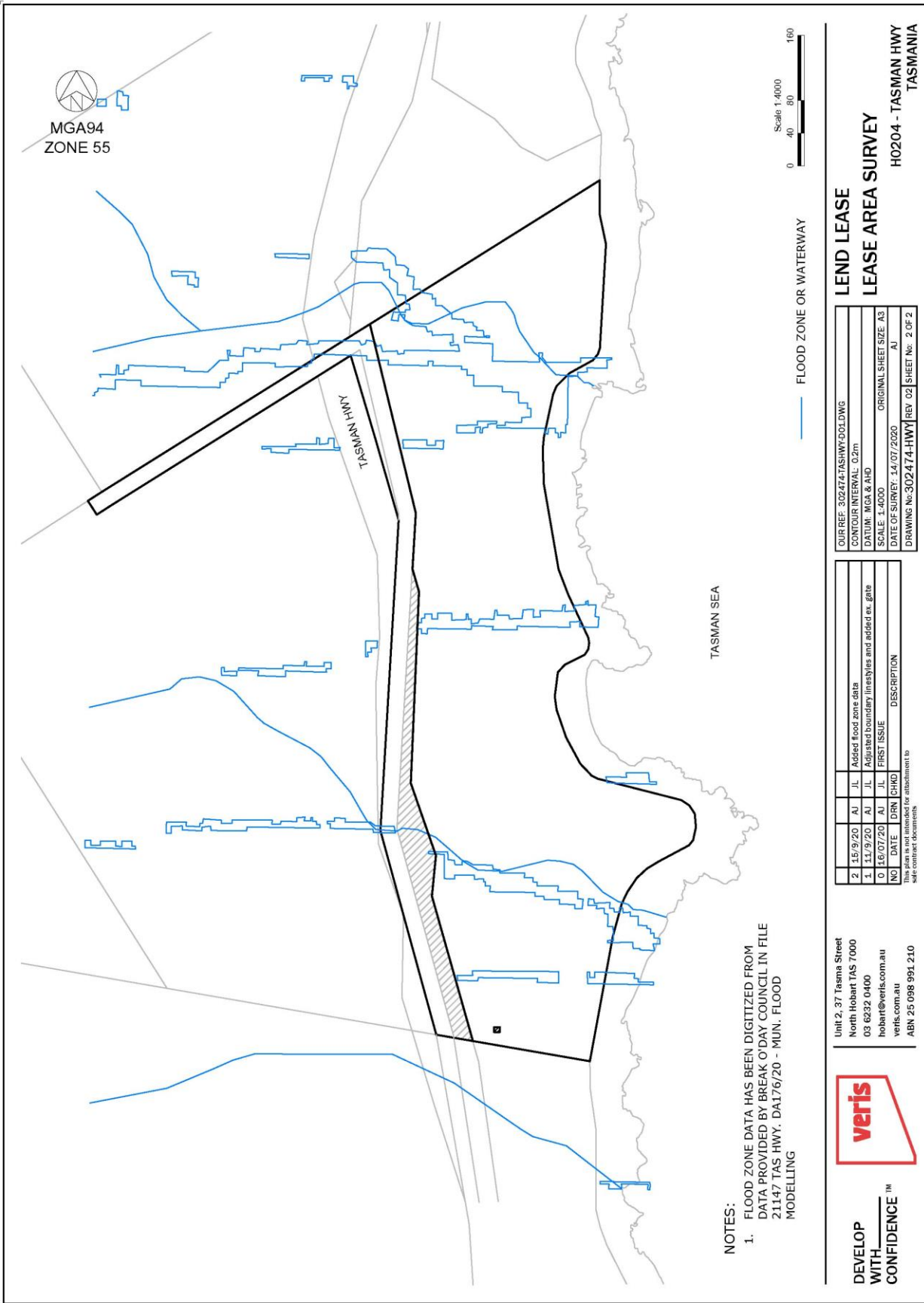
2	15/9/20	AJ	JL	Added flood zone data
1	11/9/20	AJ	JL	Adjusted boundary lines/yes and added ex. gate
0	16/07/20	AJ	JL	FIRST ISSUE
NO	DATE	DRN	CHWD	DESCRIPTION

This plan is not intended for attachment to
 any contract documents

Unit 2, 37 Tasma Street
North Hobart TAS 7000
03 6232 0400
hobart@veris.com.au
veris.com.au
ABN 25 098 991 210



DEVELOP
WITH _____
CONFIDENCE™



ACTION	DECISION
PROPONENT	J. Binns obo K. Gale
OFFICER	Rebecca Green, Planning Consultant
FILE REFERENCE	DA 256-2020
ASSOCIATED REPORTS AND DOCUMENTS	Proposed Plans & Elevations Shed Plans & Elevations Written Submission Representation (1) <i>Circulated under Separate Cover:</i> <i>Applicant's response to representation – amended plans dated: 09.12.20</i>

OFFICER'S RECOMMENDATION:

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Council Interim Planning Scheme 2013* that the application for **Dwelling & Shed** on land situated at **13 Cobrooga Drive, St Helens** described in Certificate of Title CT 140656/26 be **APPROVED** subject to the following conditions:

1. Development must be carried out in accordance with the approved plans and documents listed as follows, except as varied by conditions on this Planning Permit.

Approved Plans / Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Site Plan, Proposed Ground Floor, Proposed First Floor, Elevations & Visuals	Project No: 0520GA Drawing No's: a03 - a07 and a09	Jennifer Binns	09.12.20 Revision 2
Shed Plans and Elevations – Building Layout	LTH2010007	Shedsnhomes	15/10/20

2. All stormwater runoff from the proposed buildings must be detained by on-site water storage systems and overflow disposed of by means to Council's reticulated network via one point of discharge only for the subject land that will not result in soil erosion or other stormwater nuisance.
3. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.
4. Any damage that may occur to any Council infrastructure during the construction of the proposed dwelling and shed must be reinstated to the satisfaction of Council and at the cost of the developer.

ADVICE

- Council's Works and Infrastructure Department advice the following in relation to stormwater connection:

“According to the original subdivision plans this property has a connection already in the north east corner of the block. The developer is requested to contact Councils Works Operations Manager prior to making a connection to this pit.

- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council’s Works Operations Manager.
- Activities associated with works are not to be performed outside the permissible time frames listed:
Mon-Friday 7 am to 6 pm
Saturday 9 am to 6 pm
Sunday and public holidays 10 am to 6 pm

PROPOSAL SUMMARY:

Application is made for the use and construction of a single dwelling and shed at 13 Cobrooga Drive, St Helens. Original plans that were advertised detailed the dwelling to be located 4.5m from the primary frontage, following receipt of the representation amended plans have now moved the dwelling further away from the primary frontage at 6.0m. The original advertised plans show a maximum building height of the dwelling at 7.57m, by moving the dwelling further from the frontage the maximum height of the dwelling is to be 7.0m above natural ground level. The proponent now wishes to rely on the amended plans dated 09.12.20 and the planning assessment will assess the latest drawings against the relevant provisions of the Planning Scheme.





PREVIOUS COUNCIL CONSIDERATION:

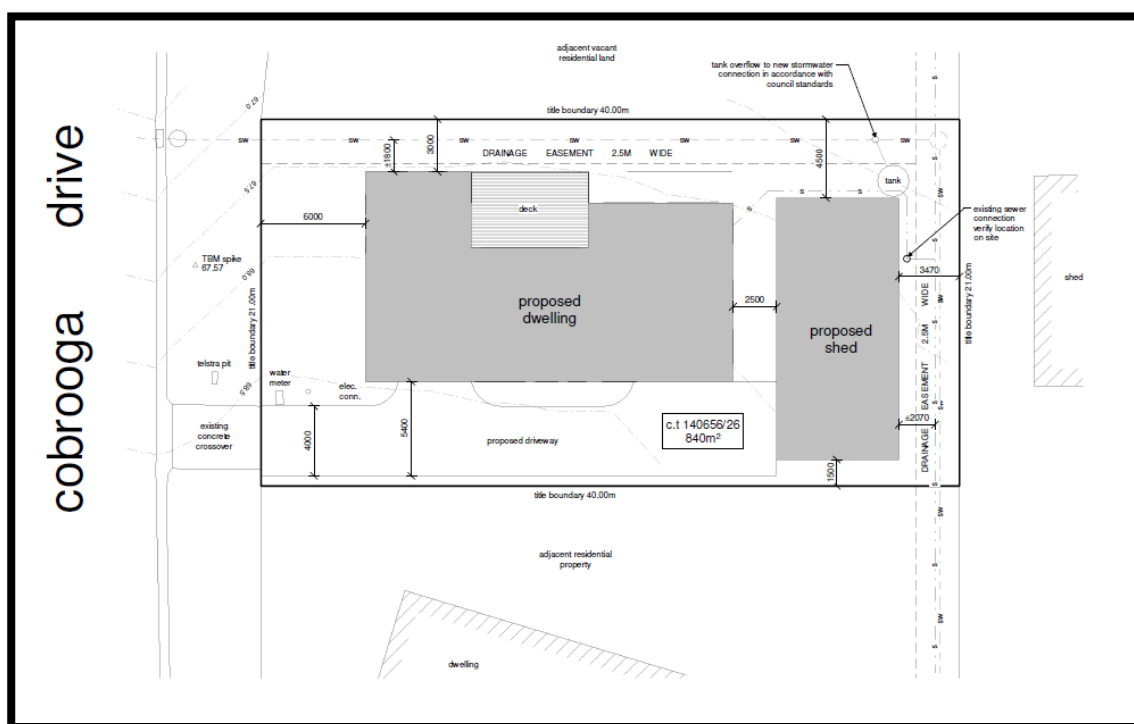
No previous applicable application.

OFFICER'S REPORT:

1. The Proposal

Break O'Day Council received an application on 27 October 2020 from Jennifer Binns on behalf of Kareena Gale for use and development of a new single dwelling and shed at 13 Cobrooga Drive, St Helens.

The subject site is a vacant fully serviced lot comprising an area of 840m². An existing concrete vehicle access is provided to the lot with no changes proposed in the south-western corner. The site has been predominantly cleared of vegetation and slopes down to the north.



^ Site Plan

The dwelling will comprise of two storeys accommodating on the ground floor level entry, laundry, bathroom, two (2) bedrooms, living room, garage and carport. The first-floor level of the dwelling will comprise two (2) further bedrooms, main with ensuite and walk-in-robe, office, laundry, bathroom, kitchen, dining and living and deck.

The building is to be clad with a combination of rendered blockwork and James Hardie Easytex wall cladding and colorbond roof sheeting.

A 15.0m x 7.0m x 4.22m (to apex) colorbond shed is proposed to the rear of the dwelling.

An extension of time to assess the development application was requested to 25 January 2021.

2. Applicable Planning Scheme Provisions

Part 10 General Residential Zone

E6 Car Parking and Sustainable Transport Code

3. Referrals

Council's Works and Infrastructure Department considered the application on 29 October 2020 and provided the following comment:

"According to the original subdivision plans this property has a connection already in the north east corner of the block. The developer is requested to contact Councils Works Operations Manager prior to making a connection to this pit."

4. Assessment

The application has met the acceptable solutions for all issues, except for reliance upon two (2) performance criteria originally as detailed below;

- 1) 10.4.2 Setbacks and Building Envelope for all Dwellings P2 & P3

Further to receipt of amended plans, including an increase in primary frontage setback to 6.0m P2 is no longer applicable, as the application meets the corresponding acceptable solution.

Detailed assessment against the provisions of the *Break O'Day Interim Planning Scheme 2013* is provided below. **The proposal is deemed to comply with the performance criteria applicable.**

Planning Assessment

10 General Residential Zone

10.1 Zone Purpose

10.1.1 Zone Purpose Statements

10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.

10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.

10.1.1.3 Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off site impacts.

10.1.1.4 To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.

10.2 Use Table

The proposed use fits the use class of Residential, being a single dwelling, which is a No Permit Required use within the General Residential Zone.

Residential as defined by the Scheme means:

"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."

10.3.1 Amenity

Acceptable Solutions	Proposed Solutions
A1 If for permitted or no permit required uses.	A1 The proposed is a No Permit Required Use. Acceptable solution met.
A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	A2 Not applicable. The proposed is a No Permit Required Use. Acceptable solution met.
A3 If for permitted or no permit required uses.	A3 The proposed is a No Permit Required Use. Acceptable solution met.

10.3.2 Residential Character – Discretionary Uses

Not applicable. The application is for a No Permit Required Residential Use (Single Dwelling).
Acceptable solution met.

10.4 Development Standards

10.4.1 Residential density for multiple dwellings

Not applicable. The proposed is for a single dwelling only.

10.4.2 Setbacks and building envelope for all dwellings

Acceptable Solutions/Performance Criteria	Proposed Solutions
<p>A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) If the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) If the frontage is not a primary frontage, at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) If for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) If the development is on land that abuts a road specified in Tables 10.4.2, at least that specified for the road. 	<p>A1 The proposed dwelling is to be located at least 6.0 metres from the primary frontage. Acceptable solution met.</p>
<p>A2 A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> (a) 5.5m, or alternatively 1m behind the façade of the dwelling; or (b) The same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage. 	<p>A2 The proposal complies. The garage component of the proposed dwelling is located at least 6.0m from the primary frontage, with amended plans dated 09.12.20 the proposal no longer seeks to vary the acceptable solution in which was originally advertised. Acceptable solution met.</p>

Acceptable Solutions/Performance Criteria	Proposed Solutions
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) Be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: <ul style="list-style-type: none"> (i) A distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and (ii) Projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and (b) Only have a setback within 1.5m of a side boundary if the dwelling: <ul style="list-style-type: none"> (i) Does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or (ii) Does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser). <p>P3 The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> (a) Not cause unreasonable loss of amenity by: <ul style="list-style-type: none"> (i) Reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or (ii) Overshadowing the private open space of a dwelling on an adjoining lot; or (iii) Overshadowing of an adjoining vacant lot; or (iv) Visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and (b) Provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area. 	<p>P3 The proposed dwelling is contained within the prescribed building envelope. The proposed shed is to be located 1.5m to the southern side boundary and complies with the side setback requirements but is to be located 3.47m to the rear boundary (east).</p> <p>The shed is located adjacent to an existing shed on the adjoining residential property to the east at 4 Ocean Vista Drive, St Helens. The variation sought is minor (0.53m) and given the orientation and physical separation to the eastern adjoining dwelling and private open space and the location of the adjacent shed in between, the proposed shed is compatible in size and scale prevailing in the surrounding area including other outbuildings.</p> <p>Performance criteria met.</p>

10.4.3 Site coverage and private open space for all dwellings

Acceptable Solutions	Proposed Solutions
<p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces. 	<p>A1 The proposed dwelling will have a site coverage of less than 50 per cent (38%) and will provide an area greater than 25 per cent that is free of impervious surfaces. A total private open space will be in excess of 60m². Acceptable solution met.</p>

Acceptable Solutions	Proposed Solutions
<p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is at least: <ul style="list-style-type: none"> (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking. 	<p>A2 The proposed dwelling will have an area of private open space that is in one location, is at least 24 m², has a minimum horizontal dimension of 4 m and is directly accessible from, and adjacent to, a habitable room (other than a bedroom) and is not located to the south, south-east or south-west of the dwelling and has a gradient not steeper than 1 in 10 and is not used for vehicle access or parking (proposed 29.9m² deck). Acceptable solution met.</p>

10.4.4 Sunlight and overshadowing for all dwellings

Acceptable Solutions	Proposed Solutions
<p>A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>	<p>A1 The dwelling will have the main living room windows facing between 30 degrees west of north and 30 degrees east of north. Acceptable solution met.</p>
<p>A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): <ul style="list-style-type: none"> (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. 	<p>A2 Not applicable. This application does not propose multiple dwellings.</p>

Acceptable Solutions	Proposed Solutions
<p>A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <p>(i) at a distance of 3 m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</p> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <p>(i) an outbuilding with a building height no more than 2.4 m; or</p> <p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</p>	<p>A3 Not applicable. This application does not involve multiple dwellings.</p>

10.4.5 Width of openings for garages and carports for all dwellings

Acceptable Solutions	Proposed Solution
<p>A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).</p>	<p>A1 The garage door does not face the primary frontage and is less than 6m opening. The shed and carport are not located within 12m of the primary frontage. Acceptable solution met.</p>

10.4.6 Privacy for all dwellings

Acceptable Solutions	Proposed Solutions
<p>A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>	<p>A1 The proposed first floor level deck is at least 3.0m from any property side boundary and at least 4.0m to the rear boundary. Acceptable solution met.</p>

<p>A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%. 	<p>A2 All windows fitting the description are offset appropriately from rear and side boundaries. Acceptable solution met.</p>
<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <ul style="list-style-type: none"> (a) 2.5 m; or (b) 1 m if: <ul style="list-style-type: none"> (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level. 	<p>A3 Not applicable. This application does not propose or require a shared driveway or parking space.</p>

10.4.7 Frontage fences for all dwellings

Acceptable Solutions	Proposed Solution
<p>A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:</p> <ul style="list-style-type: none"> (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights). 	<p>A1 Proposal complies, any frontage fence will not exceed 1.2m in height.</p>

10.4.8 – 10.4.14– Not applicable.

10.4.15 Subdivision

Not applicable. This application does not propose a subdivision.

10.4.16.1 Stormwater Disposal

Acceptable Solutions	Proposed Solutions
A1 All run off from buildings must be directed into on-site water storage tanks and the overflow from the tanks disposed of into the Council maintained roadside drain or the reticulated stormwater system.	A1 Stormwater from the buildings will be directed to a storage tank with the overflow connected to the reticulated stormwater system. Acceptable solution met.

10.4.16.2 Filling of sites

Acceptable Solutions	Proposed Solution
A1 Fill must be; a) No more than 50m ³ , and b) Clean fill, and c) Located more than 2m from any boundary.	A1 Not applicable. This application does not propose any site fill.

Codes

E6 Car Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Acceptable Solutions	Proposed Solution
A1 The number of car parking spaces must not be less than the requirements of: a) Table E6.1; or b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	A1 A minimum of 2 car parking spaces have been shown in compliance with Table E6.1. Acceptable solution met.

6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Acceptable Solutions	Proposed Solution
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.	A1 All car parking, access strips, manoeuvring and circulation spaces will be formed to an adequate level and drained to ensure that they are useable in all weather conditions. Acceptable solution met.

E6.7.2 Design and Layout of Car Parking

Acceptable Solutions	Proposed Solution
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for a dwelling in the General Residential Zone) must be located behind the building line; and A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	A1.1 Not applicable. This application does not require or propose 4 or more parking spaces; and A1.2 Vehicular turning will not be located within the front setback for the residential building. Acceptable solution met.

Acceptable Solutions	Proposed Solution
<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 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: <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>	<p>A2.1 Car parking and manoeuvring space will:</p> <ul style="list-style-type: none"> a) have a gradient of 10% or less; and b) not applicable; and c) have a width of vehicular access no less than prescribed in Table E6.2; and d) not applicable as none of the following apply; 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> <p>Acceptable solutions met.</p>

E6.7.3 Parking for Persons with a Disability

Not applicable. This proposal is not required to provide disabled parking.

E6.7.4 Loading and Unloading of Vehicles, Drop-off and Pickup

Not applicable.

E6.8 Provisions for Sustainable Transport

Not applicable. This application is not required to provide pedestrian walkways.

5. Representations

The application was advertised 7 November 2020 to 20 November 2020 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining land owners. One (1) representation was received prior to the closing date and time. The representation is as follows:-

Issues	Response
Issue of non-compliance with covenants.	Covenants are non-enforceable by Council, they are a restriction on the title, and enforceable by the original subdivider and/or any other party to the sealed plan. The Planning Authority can only consider the subject application against the relevant provisions of the <i>Break O' Day Interim Planning Scheme 2013</i> . However, the proponent has taken into account the concerns of the representor and submitted amended plans increasing the primary frontage setback to 6.0m.

Issues	Response
Concerns in relation to the shed and dwelling blocking the view of the representor.	The proposed dwelling meets all applicable acceptable solutions. Blocking one's view is not a relevant consideration of the Planning Scheme, the only discretion sought after the submission of amended plans is the variation to the rear setback from the proposed shed, height is not varied and therefore due to the proximity of the adjacent shed on the eastern adjoining property and the minor variation to the rear setback sought it is not considered warranted as an expense to the proponent to have submitted shadow diagrams to further justify the one performance criteria and a discretion that is not associated with the southern adjoining property at all.
Concerns that the site coverage proposed does not meet the acceptable solution.	The site has an area of 840m ² . Site coverage is defined as " <i>the proportion of the site (excluding any access strip) covered by roofed buildings</i> ". The total footprint of the two storey dwelling and shed total 345m ² , equating to 38% of the total site area for site coverage, the proposal meets the acceptable solution.

The recommendation for approval has been made following due consideration of the representation and comments.

6. Mediation

Nil.

7. Conclusion

In accordance with 8.10 of the *Break O' Day Interim Planning Scheme 2013*, the application has been assessed against the objectives of the Scheme, in particular the General Residential Zone, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and one (1) Performance Criterion; the received representation has been considered. It is recommended for approval with conditions normally set to this type of development.

LEGISLATION / STRATEGIC PLAN & POLICIES:

Break O' Day Interim Planning Scheme 2013;
Land Use Planning and Approvals Act 1993;
Local Government (Building and Miscellaneous Provisions) Act 1993.

BUDGET AND FINANCIAL IMPLICATIONS:

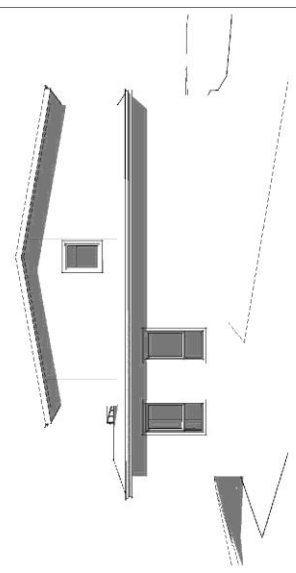
Not applicable, all costs of the development are the responsibility of the developer.

VOTING REQUIREMENTS:

Simple Majority.

proposed dwelling + shed

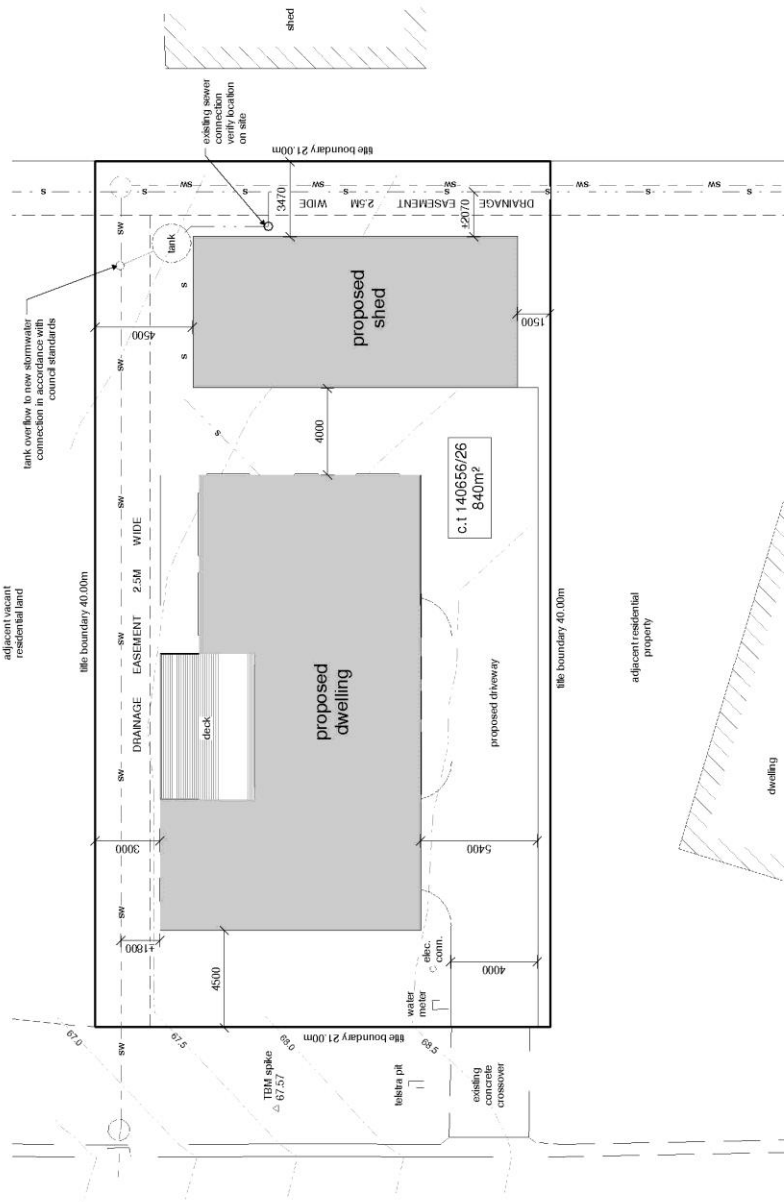
ricky + kareena gale
13 cobrooga drive st helens tasmania 7216



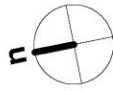
planning application

Building Areas	
proposed shed	105.00
proposed ground floor	69.38
proposed first floor	178.25
garage	71.57
deck	29.92
carport	45.72
	499.84

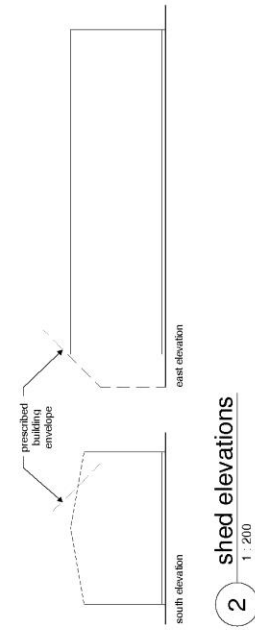
cobrooga drive



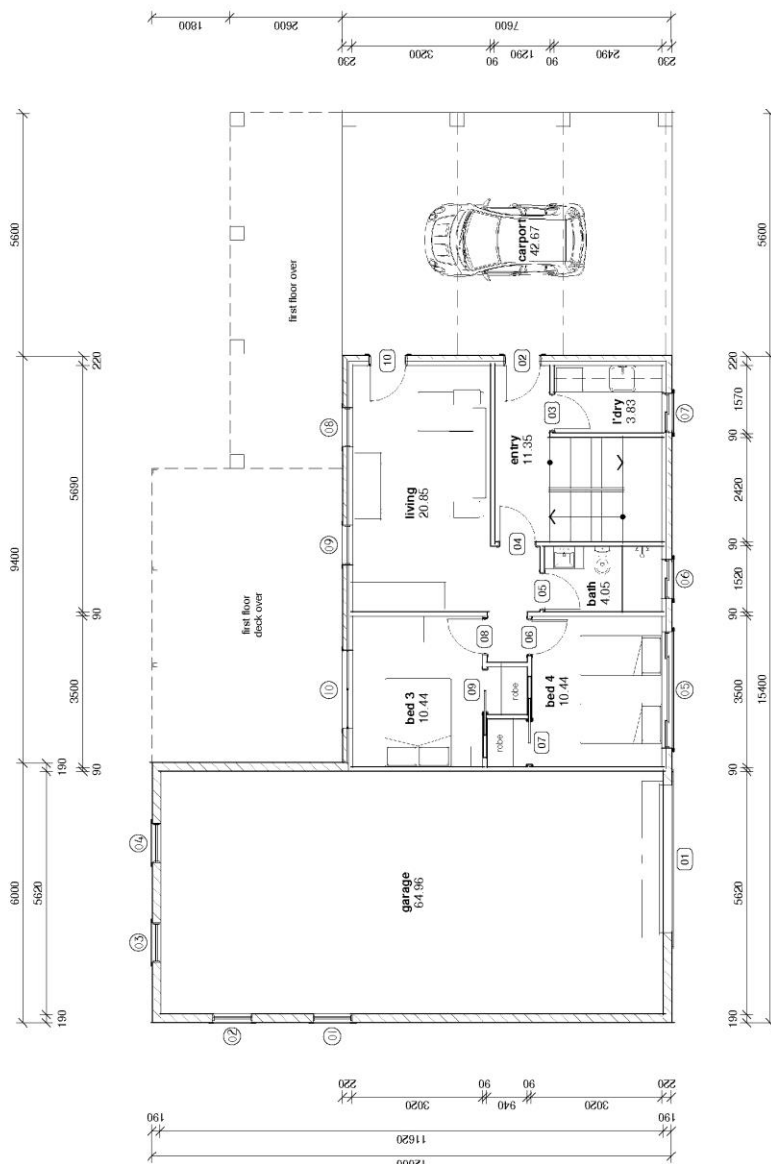
1 site plan
1 : 200



1	REV.	DESCRIPTION	DATE
1	PROPOSED DWELLING	16.10.20	
FOR			
K + T GALE			
13 COBROOGA DRIVE			
ST HELENS TASMANIA 7216			
DRAWING TITLE			
SITE PLAN			
DRAWING NO.		DRAWN BY	JB
A03		DATE	16.10.20
SCALE	1 : 200	PROJECT	0520GA
jennifer binns www.jenniferbinnsdesign.com.au (03) 6376 2288 (04) 39 765 422, jenniferbinns@jagpond.com Suite B level 1 every house, 48 Cecilia Street, St Helens 7216 bda becomes business ACCREDITATION NO. 0520GA			



2 shed elevations
1 : 200



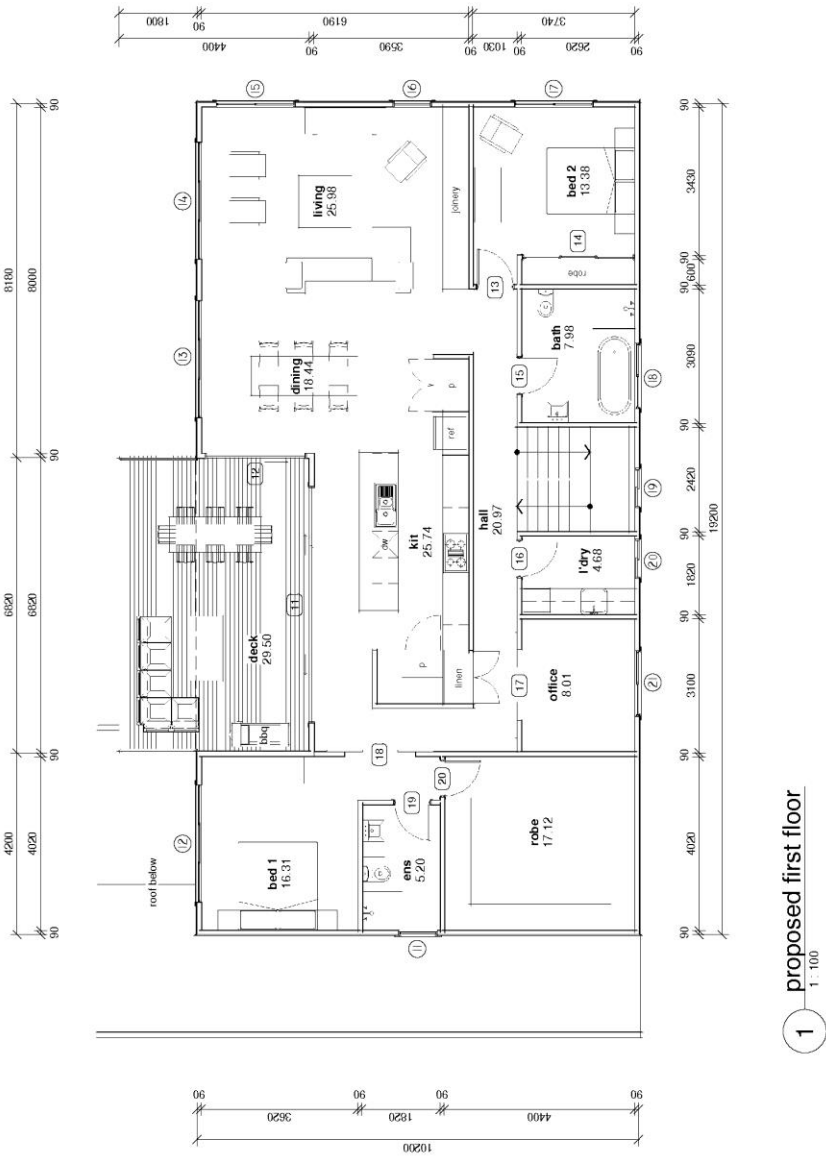
1 proposed ground floor
1:100



REV.	1	DESCRIPTION	DATE
PROJECT	proposed dwelling		
FOR	K + T gale		
	13 cobrooga drive		
	st helens tasmania 7216		
DRAWING TITLE	proposed ground floor		
DRAWING NO.	a04		
DRAWN BY	JB		
DATE	16.10.20		
SCALE	1:100		
PROJECT	0520GA		

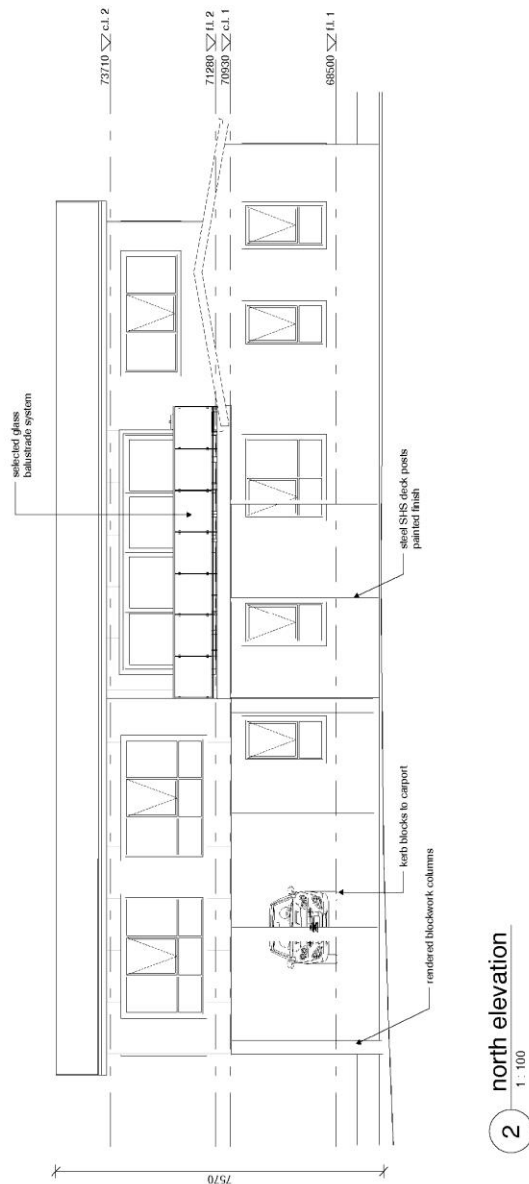
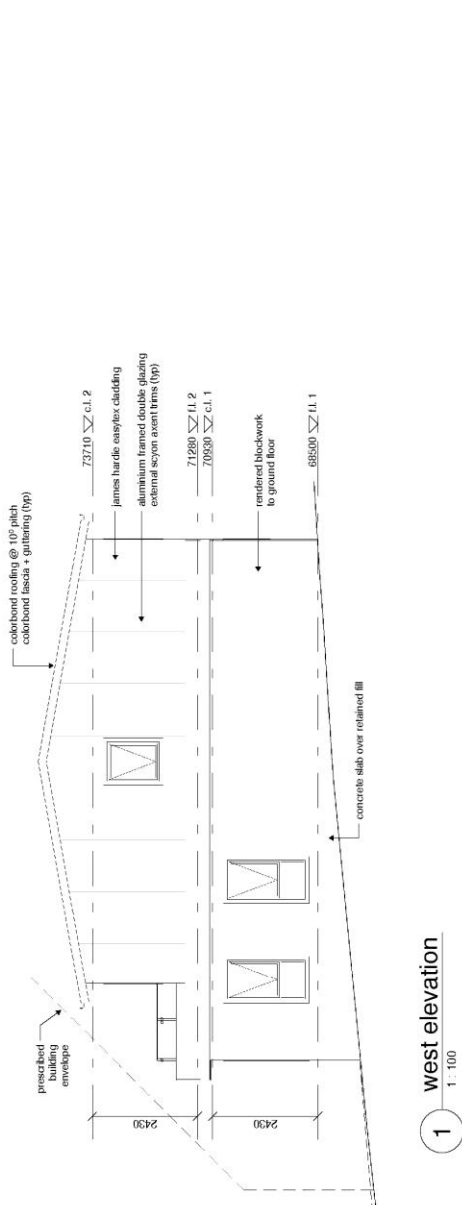
jennifer binns
www.jenniferbinnsdesign.com.au
031 6376 2288 0439 765 452 jenniferbinnsdesign@gmail.com
suite 8 level 1 every house, 48 Cecilia Street, St Helens 7216

bda
becomes
BUSINESS

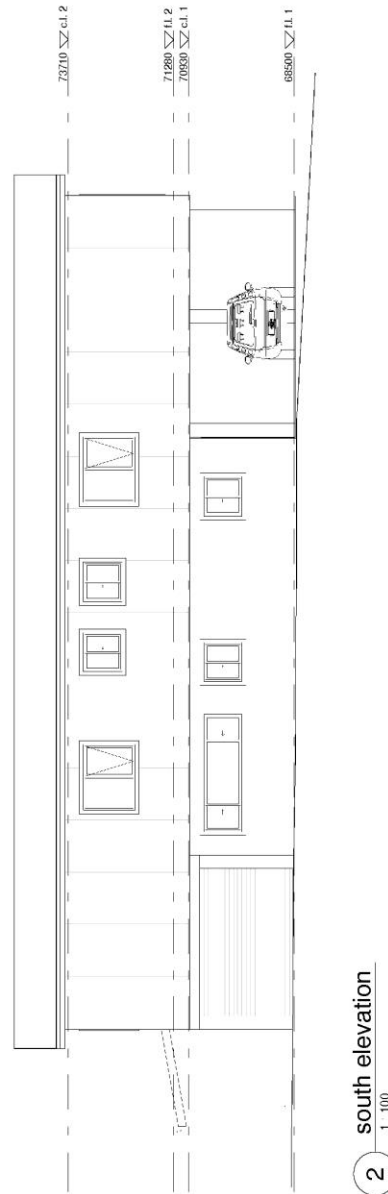
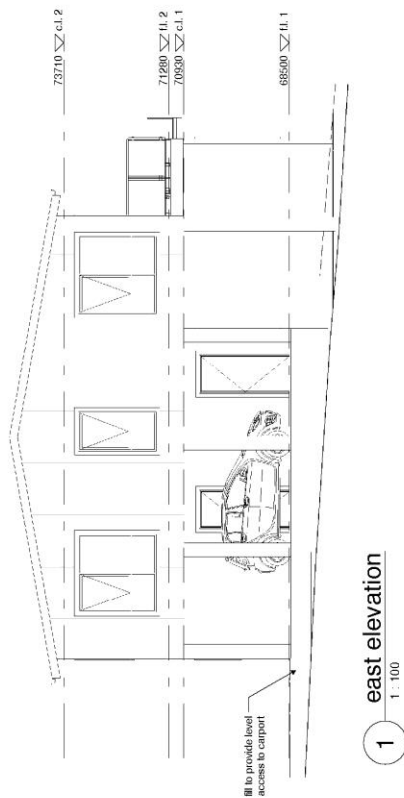
ACCREDITATION NO.
0520GA



1.	planning	16.10.20
REV.	DESCRIPTION	DATE
PROJECT		
proposed dwelling		
FOR		
k + r gale		
13 cobrooga drive		
st helens tasmania 7216		
DRAWING TITLE		
proposed first floor		
DRAWING NO.	DRAWN BY	JB
a05	DATE	16.10.20
SCALE	1:100	PROJECT: 0520GA
 jennifer binns www.jenniferbinnsdesign.com.au (03) 6376 2288 (0439 765 452, jenniferbinnsdesign@gmail.com) suite 8 level 1 every house, 48 Cecilia Street, St Helens 7216		
 bda <small>BUSINESS DESIGN ASSOCIATION</small> ACCREDITED NO. 0520GA		



REV.	DESCRIPTION	DATE
PROJECT	proposed dwelling	
FOR	k + r gale	
	13 cobrooga drive	
	st helens tasmania 7216	
DRAWING TITLE	elevations	
DRAWING NO.	a06	
DRAWN BY	JB	
DATE	16.10.20	
PROJECT	0520GA	
SCALE	1:100	
 jennifer binns <small>www.jenniferbinnsdesign.com.au</small> <small>(03) 6376 2288 (0439 765 452, jenniferbinnsdesign@gmail.com)</small> <small>suite 8 level 1 every house, 48 Cecilia Street, St Helens 7216</small>		
 <small>becomes business</small> <small>ACCREDITATION NO. 0520GA</small>		



REV.	DRAWING DESCRIPTION	DATE
1		16.10.20
PROJECT		
proposed dwelling		
FOR		
k + r gale		
13 cobrooga drive		
st helens tasmania 7216		
DRAWING TITLE		
elevations		
DRAWING NO.		DRAWN BY: JB
a07		DATE: 16.10.20
SCALE: 1:100		PROJECT: 0520GA
 jennifer binns <small>www.jenniferbinnsdesign.com.au</small> <small>(03) 6376 2588 (0439 765 452, jenniferbinnsdesign@gmail.com)</small> <small>suite 8 level 1 every house, 48 cecilia street, st helens 7216</small>		
 <small>business becomes better</small> <small>ACCREDITATION NO. 0520GA</small>		

Window Schedule					
No.	Location	Height	Width	Style	Glazing
01	garage	1800	910	awning	double clear
02	garage	1800	910	awning	double clear
03	garage	1800	910	awning	double clear
04	garage	1800	910	awning	double clear
05	bed 4	900	2710	awning	double clear
06	bath	900	910	awning	double clear
07	l'dry	900	910	awning	double clear
08	living	1800	910	awning	double clear
09	living	1800	910	awning	double clear
10	bed 3	1800	1810	awning	double clear
11	ens	1200	910	awning	double clear
12	bed 1	1200	2710	awning	double clear
13	dining	1800	2710	awning	double clear
14	living	1800	1810	awning	double clear
15	living	1800	910	awning	double clear
16	living	1800	1810	awning	double clear
17	bed 2	1800	1810	awning	double clear
18	bath	1200	1510	awning	double clear
19	stairwell	900	910	awning	double clear
20	l'dry	900	910	awning	double clear
21	office	1200	1510	awning	double clear

Window and door schedule notes

all openings and dimensions to be verified on site prior to commencing manufacture of windows and doors.

glazing to be in accordance with AS 1288 glass in buildings and AS 2047 windows in buildings.

glazing to be in accordance with BCA part 3.6

where glazing is capable of being mistaken for a doorway or opening, glass to be marked to make it readily visible

- provide opaque band min 20mm high, broken line or pattern acceptable
- lower edge of band min 700mm above FFL
- lower edge of band min 1200mm above FFL

does not apply to glazing <500mm in width, where there is no glazing within 700mm of FFL or where glazing incorporates at least one horizontal glazing bar.

for windows to bedrooms where the adjacent surface outside the window is more than 2m below FFL, openings in walls and doors must be protected by a device or system with child resistant release mechanism in accordance with BCA part 3.9.2.5

windows + door assemblies to be in accordance with AS 3859 buildings in bushfire prone areas, refer BPC notes

unless otherwise indicated, window and door heads at 2100 or near to suit external cladding requirements

unless otherwise indicated, flyscreens to be provided to all operable porches or windows + doors, refer BPC notes

external doors and windows to be fitted with seals to resist air movement.

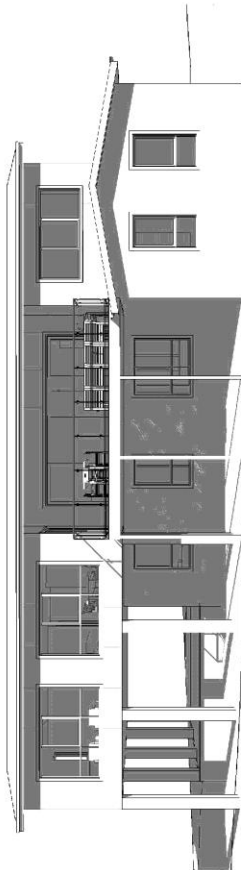
external doors and windows to be fitted with seals to resist air movement.

windows, doors, hardware and finishes as selected by client.

Door Schedule					
No.	Location	Height	Width	Style	Glazing
01	garage	2200	3400	steel roller door	
02	entry	2040	820	solid core external	aluminium
03	l'dry	2040	820	internal swing	timber
04	entry	2040	820	internal swing	timber
05	entry	2040	820	internal swing	timber
06	bed 4	2040	820	internal swing	timber
07	bed 4	2400	1020	internal cavity slider	timber
08	bed 3	2040	820	internal swing	timber
09	bed 3	2400	1020	internal cavity slider	timber
10	living	2040	820	solid core external	aluminium
11	kitchen	2100	5400	4 panel glazed sliding door	aluminium
12	dining	2100	2270	2 panel glazed sliding door	aluminium
13	bed 2	2040	820	internal swing	timber
14	bed 2	2040	2580	3 panel sliding robe	aluminium
15	bath	2040	820	internal swing	timber
16	l'dry	2040	820	internal swing	timber
17	office	2040	1640	double sliding barn	timber
18	bed 1	2040	1640	double sliding barn	timber
19	ens	2040	820	internal swing	timber
20	robe	2040	820	internal swing	timber

DESIGN WIND SPEED: N3
BAL LOW

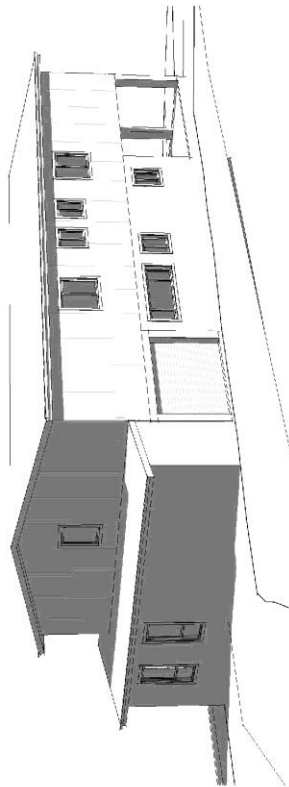
1	REV	planning DESCRIPTION	DATE: 16.10.20
PROJECT:			
proposed dwelling			
FOR			
k + r gale			
13 cobrooga drive			
st helens tasmania 7216			
DRAWING TITLE			
schedules			
DRAWING NO		DRAWN BY: JB	
a08		DATE: 16.10.20	
SCALE: 1 : 100		PROJECT: 0520GA	
<div> jennifer binns www.jenniferbinnsdesign.com.au 031 6376 2588 0439 765 452, jenniferbinnsdesign@gmail.com suite 8 level 1 every house, 48 Cecilia Street, St Helens 7216</div> <div> bda <small>business design australia</small> ACCREDITATION NO. 021 0284</div>			



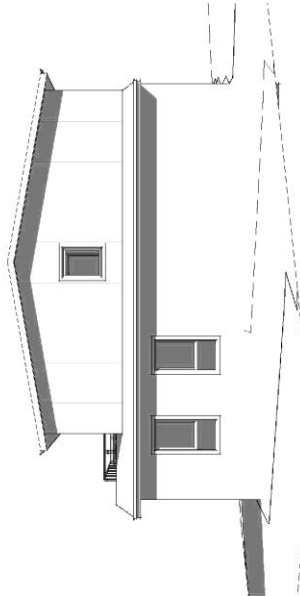
1 north visual



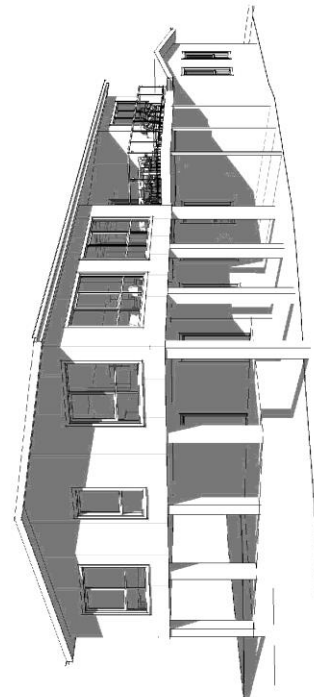
2 north west visual



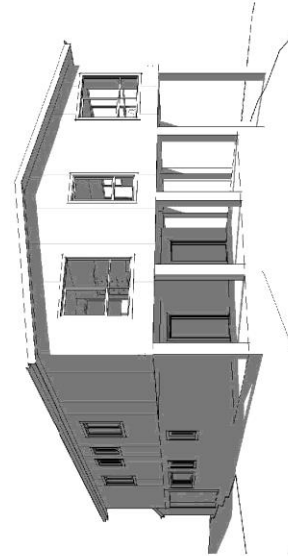
3 south west visual





4 west visual



5 north east visual



6 south east visual

1	REV.	DRAWING DESCRIPTION	16.10.20	DATE
PROJECT				
proposed dwelling				
FOR				
k + r gale				
13 cobrooga drive				
st helens tasmania 7216				
DRAWING TITLE				
visuals				
DRAWING NO		DRAWN BY		JB
a09		DATE		16.10.20
SCALE		PROJECT 0520GA		
		jennifer binns		
www.jenniferbinnsdesign.com.au				
(03) 6376 2588 (0439 765 452, jenniferbinnsdesign@gmail.com)				
suite 8 level 1 every house, 48 cecilia street, st helens 7216				
		ACCREDITATION NO. 0520GA		
AUSTRALIAN BUSINESS DEVELOPMENT ASSOCIATION				

ACTION	DECISION
PROPONENT	D.H. & D.H. Hamilton
OFFICER	Rebecca Green, Planning Consultant
FILE REFERENCE	DA 272-2020
ASSOCIATED REPORTS AND DOCUMENTS	Proposed Plans & Elevations Shed Plans & Elevations Written Submission Representations (2) <i>Circulated under Separate Cover:</i> <i>Applicant's response to representations</i>

OFFICER'S RECOMMENDATION:

After due consideration of the representations received pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Council Interim Planning Scheme 2013* that the application for **New Dwelling (Residential & Visitor Accommodation Use) & Shed** on land situated at **17 Maori Place, Akaroa** described in Certificate of Title CT 141769/107 be **APPROVED** subject to the following conditions:

- Development must accord with the Development Application DA 272-2020 received by Council 20 November 2020, together with all submitted documentation received and forming part of the development application, except as varied by conditions on this Planning Permit.
- All stormwater runoff from the proposed buildings must be detained by on-site water storage systems and overflow disposed of by means to Council's reticulated network via one point of discharge only for the subject land that will not result in soil erosion or other stormwater nuisance.
Stormwater discharge should be connected to the back of the side entry pit in front of the property. The connection must be completed by a licenced plumber in consultation with Council's Works Operations Manager.
A Works Permit is required before any work commences on the connection (application form attached).
- The areas shown to be set aside for vehicle access and car parking must be:
 - Completed prior to the use of the development commencing;
 - Designed and laid out in accordance with provisions of E6.0 of the *Break O'Day Interim Planning Scheme 2013*;
 - Provided with space for access turning and manoeuvring of vehicles on-site to enable them to enter and leave the site in a forward direction;
 - Surfaced and drained in a manner that will not cause nuisance to occupants of adjoining properties.
- Use of the development must not create a nuisance as defined by the *Environmental Management and Pollution Control Act 1994*.
- An occupancy limitation of six (6) persons shall be applied to the Visitor Accommodation Use and restricted to the ground floor level only.
- No advertising signage is approved as a part of this permit; any future signage will be subject to a separate application should it be required.

7. Prior to the visitor accommodation use commencing on site, approved by this permit, the proponent must install signage identifying and designating a minimum of 1 car parking space within 17 Maori Place, Akaroa for the approved Visitor Accommodation Use.
8. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.
9. Any damage that may occur to any Council infrastructure during the construction of the proposed dwelling and shed must be reinstated to the satisfaction of Council and at the cost of the developer.

ADVICE

- This permit allows for the dual Residential Use and Visitor Accommodation Use of the first floor level only of the dwelling at CT 141769/107, 17 Maori Place, Akaroa.
- Use or development which may impact on Aboriginal cultural heritage is subject to the Aboriginal Relics Act 1975. If Aboriginal relics are uncovered during works then an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures.
- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and / or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Works Manager.
- Activities associated with works are not to be performed outside the permissible time frames listed:
Mon-Friday 7 am to 6 pm
Saturday 9 am to 6 pm
Sunday and public holidays 10 am to 6 pm

PROPOSAL SUMMARY:

Application is made for the use and construction of a single dwelling and shed at 17 Maori Place, Akaroa. The ground floor level of the dwelling is to be used also for visitor accommodation use, with the first-floor level remaining at all times for residential use only.







PREVIOUS COUNCIL CONSIDERATION:

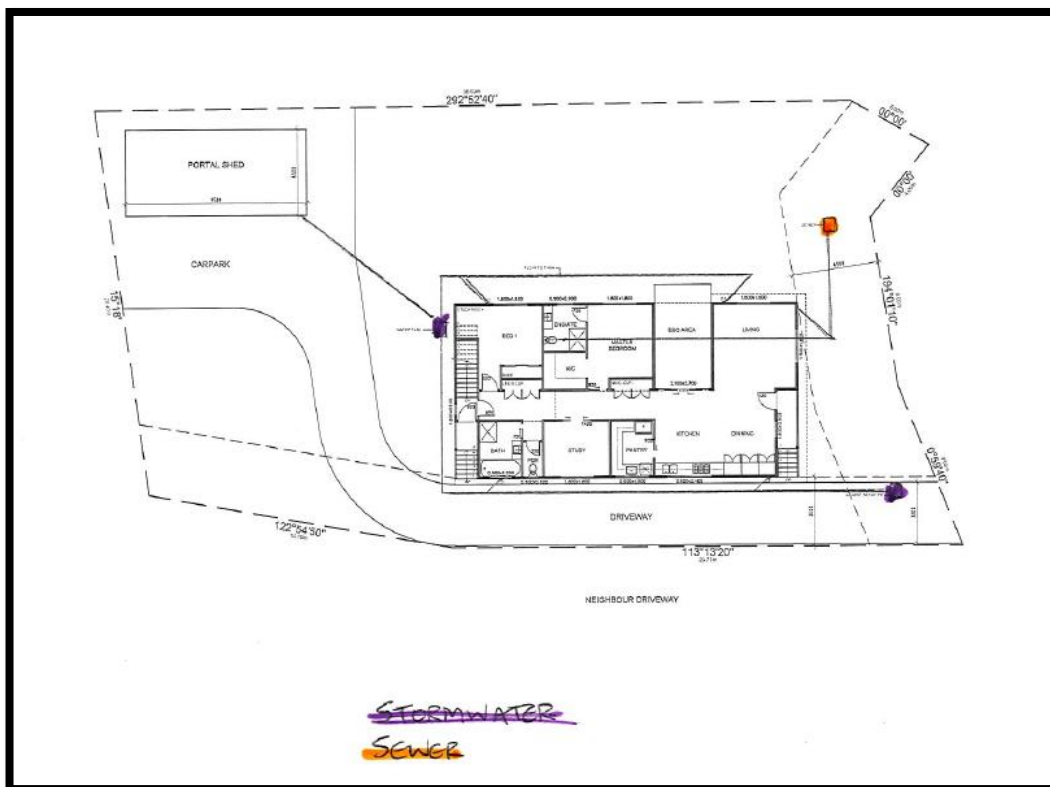
No previous applicable application.

OFFICER'S REPORT:

1. The Proposal

Break O'Day Council received an application on 20 November 2020 from David and Dianne Hamilton for use and development of a new single dwelling and shed at 17 Maori Place, Akaroa. The owners also wish to use the ground floor level of the dwelling for visitor accommodation purposes when they are not personally using the building.

The subject site is a vacant fully serviced lot comprising an area of 919m². An existing vehicle access is provided to the lot with no changes proposed in the south-eastern corner. The site has been predominantly cleared of vegetation and slopes down to the north.



^ Site Plan

The building will comprise on the ground floor level entry, study, two bedrooms, main with ensuite and walk-in-robe, bathroom, toilet and European laundry, open plan living, kitchen and dining and a covered BBQ area. The ground floor level will have dual use purposes both for residential and visitor accommodation. The first-floor level of the dwelling component of the building will comprise a kitchenette, dining and living area, bedroom and bathroom and a covered BBQ area. Access to the first-floor level can be restricted due to the layout of the building.

The building is to be clad with cement sheet for external walls and Colorbond roof cladding.

An extension of time to assess the development application was requested to 25 January 2021.

2. Applicable Planning Scheme Provisions

Part 10 General Residential Zone

E6 Car Parking and Sustainable Transport Code

Planning Directive No. 6 Visitor Accommodation

3. Referrals

No referrals required.

4. Assessment

The application has met the acceptable solutions for all issues, except for reliance upon two (2) performance criteria as detailed below;

- 1) 10.4.2 Setbacks and Building Envelope for all Dwellings P3
- 2) E6.7.1 Construction of Car Parking Spaces and Access Strips P1

Detailed assessment against the provisions of the *Break O'Day Interim Planning Scheme 2013* is provided below. **The proposal is deemed to comply with the performance criteria applicable.**

Planning Assessment
Planning Directive No. 6
Visitor Accommodation

Acceptable Solutions	Proposed Solution
A1 Visitor Accommodation: (a) Accommodate guests in existing habitable buildings; and (b) Have a gross floor area of not more than 200m ² per lot.	A1 The application is for the use of the ground floor level only of the two storey, three bedroom and study dwelling comprising of a total floor area including BBQ area of 164m ² . The whole of the residential component over both levels is 230m ² . Acceptable solution met.
A2 Visitor Accommodation is not for a lot, as defined in the <i>Strata Titles Act 1998</i> , that is part of a strata scheme where another lot within that strata scheme is used for residential use.	A2 The proposal complies with the acceptable solution, the visitor accommodation is not part of a strata scheme.

10 General Residential Zone

10.1 Zone Purpose

10.1.1 Zone Purpose Statements

10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.

10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.

10.1.1.3 Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off site impacts.

10.1.1.4 To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.

10.2 Use Table

The proposed use fits the use class of Residential, being a single dwelling, which is a No Permit Required use within the General Residential Zone and Visitor Accommodation which is Permitted use within the General Residential Zone.

Residential as defined by the Scheme means:

“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.”

Visitor Accommodation as defined by Planning Directive No. 6 means:

“use of land for providing short or medium term accommodation, for persons away from their normal place of residence, on a commercial basis or otherwise available to the general public at no cost. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.”

10.3.1 Amenity

Acceptable Solutions	Proposed Solutions
A1 If for permitted or no permit required uses.	A1 The proposed is a No Permit Required Use and a Permitted Use. Acceptable solution met.
A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	A2 Not applicable. The proposed is a No Permit Required Use and a Permitted Use. Acceptable solution met.
A3 If for permitted or no permit required uses.	A3 The proposed is a No Permit Required Use and a Permitted Use. Acceptable solution met.

10.3.2 Residential Character – Discretionary Uses

Not applicable. The application is for a No Permit Required Residential Use (Residential) and a Permitted Use (Visitor Accommodation). Acceptable solution met.

10.4 Development Standards

10.4.1 Residential density for multiple dwellings

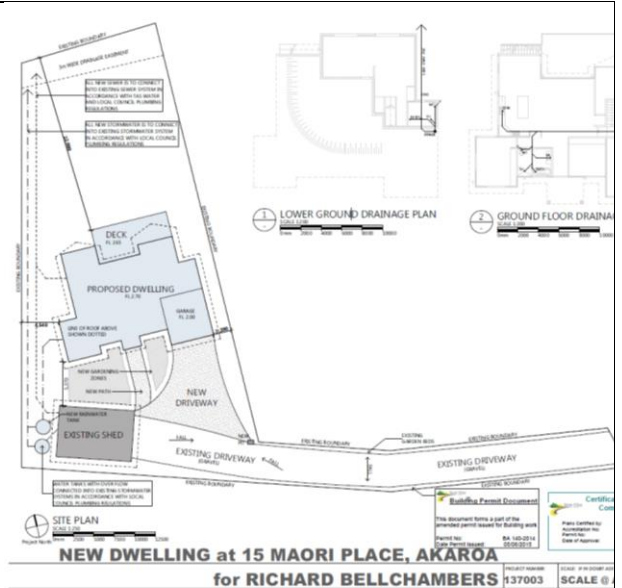
Not applicable. The proposed is for a single dwelling only.

10.4.2 Setbacks and building envelope for all dwellings

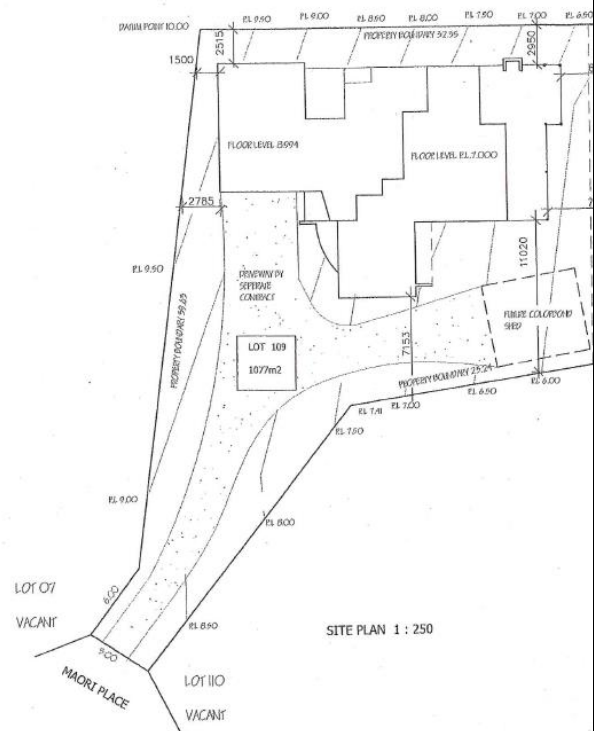
Acceptable Solutions/Performance Criteria	Proposed Solutions
<p>A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none">(a) If the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or(b) If the frontage is not a primary frontage, at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or(c) If for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or(d) If the development is on land that abuts a road specified in Tables 10.4.2, at least that specified for the road.	<p>A1 The proposed dwelling is to be located at least 4.5 metres from the primary frontage. Acceptable solution met.</p>

Acceptable Solutions/Performance Criteria	Proposed Solutions
<p>A2 A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> (a) 5.5m, or alternatively 1m behind the façade of the dwelling; or (b) The same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage. 	<p>A2 The proposal complies. The shed component of the proposed dwelling is located at least 5.5m from the primary frontage, being located behind the dwelling. Acceptable solution met.</p>
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) Be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: <ul style="list-style-type: none"> (i) A distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and (ii) Projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and (b) Only have a setback within 1.5m of a side boundary if the dwelling: <ul style="list-style-type: none"> (i) Does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or (ii) Does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser). <p>P3 The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> (a) Not cause unreasonable loss of amenity by: <ul style="list-style-type: none"> (i) Reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or (ii) Overshadowing the private open space of a dwelling on an adjoining lot; or (iii) Overshadowing of an adjoining vacant lot; or (iv) Visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and 	<p>P3 The proposed dwelling is contained within the prescribed building envelope. The proposed shed is to be located 0.8m to the northern side boundary and complies with the side setback requirements but is to be located on an angle to the rear boundary between 0m and 0.8m.</p> <p>The 9.0m x 6.0m x 4.52m shed is located to the east of an adjoining internal lot (15 Maori Place) which accommodates an existing single dwelling and shed. The dwelling at 15 Maori Place is located 2.2m from the eastern boundary (which is less than the acceptable solution for internal lot frontage of 4.5m). On the eastern side of the dwelling is a store room on the sub-floor level and a garage and ensuite. There are no habitable room windows or sufficient space to consider this as dedicated private open space between the proposed shed and the existing dwelling at 15 Maori Place and due to orientation there is no detrimental overshadowing to be caused by the proposal. The shortest elevation of the proposed shed (6.0m) is adjacent to the western boundary of the subject site. The shed will not cause an unreasonable loss to a habitable room window or private open space of 15 Maori Place. The shed is residential in scale, and articulated with the angled roof profile, the subject site is also lower than the adjoining western property. The shed will extend only south of the garage of 15 Maori Place by approximately 1 metre meaning that the bulk of the shed will not be considered intrusive due to articulation and other mitigation measures of visual impacts. The shed is located also adjacent and south to an adjoining garage at 19 Maori Place which will have a total 2.3m separation (0.8m setback plus 1.5m setback to garage on 19 Maori Place).</p>

(b) Provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.



^ Approved site plan – 15 Maori Place



^ Approved site Plan – 19 Maori Place

The proposed shed is compatible in size and scale prevailing in the surrounding area of other outbuildings. Vegetation screening is also present on the southern boundary of 19 Maori Place and the eastern boundary of 15 Maori Place further reducing any visual impact that may be apparent when viewed from these adjacent properties.

Performance criteria met.

10.4.3 Site coverage and private open space for all dwellings

Acceptable Solutions	Proposed Solutions
<p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces. 	<p>A1 The proposed dwelling will have a site coverage of less than 50 per cent and will provide an area greater than 25 per cent that is free of impervious surfaces. A total private open space will be in excess of 60m². Acceptable solution met.</p>
<p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is at least: <ul style="list-style-type: none"> i. 24 m²; or ii. 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> i. 4 m; or ii. 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking. 	<p>A2 The proposed dwelling will have an area of private open space that is in one location, is at least 24 m², has a minimum horizontal dimension of 4 m and is directly accessible from, and adjacent to, a habitable room (other than a bedroom) and is not located to the south, south-east or south-west of the dwelling and has a gradient not steeper than 1 in 10 and is not used for vehicle access or parking. Acceptable solution met.</p>

10.4.4 Sunlight and overshadowing for all dwellings

Acceptable Solutions	Proposed Solutions
<p>A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>	<p>A1 The dwelling will have both living room windows facing between 30 degrees west of north and 30 degrees east of north. Acceptable solution met.</p>

Acceptable Solutions	Proposed Solutions
<p>A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ol style="list-style-type: none"> i. at a distance of 3 m from the window; and ii. vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. <p>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ol style="list-style-type: none"> i. an outbuilding with a building height no more than 2.4 m; or ii. protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. 	<p>A2 Not applicable. This application does not propose multiple dwellings.</p>
<p>A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <ol style="list-style-type: none"> i. at a distance of 3 m from the northern edge of the private open space; and ii. vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ol style="list-style-type: none"> ii. an outbuilding with a building height no more than 2.4 m; or iii. protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. 	<p>A3 Not applicable. This application does not involve multiple dwellings.</p>

10.4.5 Width of openings for garages and carports for all dwellings

Acceptable Solutions	Proposed Solution
A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	A1 The shed associated with the dwelling is not within 12m of a primary frontage. Not applicable.

10.4.6 Privacy for all dwellings

Acceptable Solutions	Proposed Solutions
A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site. 	A1 The proposed first floor level BBQ area is at least 3.0m from any property side boundary and at least 4.0m to the rear boundary. Acceptable solution met.
A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): <ul style="list-style-type: none"> (a) The window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%. 	A2 All windows fitting the description are offset appropriately from rear and side boundaries. Acceptable solution met.

Acceptable Solutions	Proposed Solutions
<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of at least 1.7 m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</p>	<p>A3 Not applicable. This application does not propose or require a shared driveway or parking space.</p>

10.4.7 Frontage fences for all dwellings

Acceptable Solutions	Proposed Solution
<p>A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:</p> <p>a) 1.2 m if the fence is solid; or</p> <p>b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>	<p>A1 Proposal complies, any frontage fence will not exceed 1.2m in height.</p>

10.4.8 – 10.4.13.10 – Not applicable.

10.4.14 Non Residential Development

Proposal is for a permitted visitor accommodation use in accordance with Planning Directive No. 6 and therefore complies with the acceptable solution.

10.4.15 Subdivision

Not applicable. This application does not propose a subdivision.

10.4.16.1 Stormwater Disposal

Acceptable Solutions	Proposed Solutions
<p>A1 All run off from buildings must be directed into on-site water storage tanks and the overflow from the tanks disposed of into the Council maintained roadside drain or the reticulated stormwater system.</p>	<p>A1 Stormwater from the buildings will be directed to a storage tank to the rear of the dwelling with the overflow connected to the reticulated stormwater system to the frontage of the property. Acceptable solution met.</p>

10.4.16.2 Filling of sites

Acceptable Solutions	Proposed Solution
<p>A2 Fill must be;</p> <p>a) No more than 50m³, and</p> <p>b) Clean fill, and</p> <p>c) Located more than 2m from any boundary.</p>	<p>A1 Not applicable. This application does not propose any site fill.</p>

Codes

E6 Car Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Acceptable Solutions	Proposed Solution
<p>A1 The number of car parking spaces must not be less than the requirements of:</p> <p>a) Table E6.1; or</p> <p>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</p>	<p>A1 A minimum of 3 car parking spaces have been shown in compliance with Table E6.1. 2 spaces for the residential use and 1 space for the visitor accommodation use. Acceptable solution met.</p>

6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Acceptable Solutions/ Performance Criteria	Proposed Solution
<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>P1 All car parking, access strips, manoeuvring and circulation spaces will be formed to an adequate level and drained to ensure that they are useable in all weather conditions and identifiable for the visitor accommodation use.</p> <p>Performance criteria met.</p>

E6.7.2 Design and Layout of Car Parking

Acceptable Solutions	Proposed Solution
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for a dwelling 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>A1.1 Not applicable. This application does not require or propose 4 or more parking spaces; and</p> <p>A1.2 Vehicular turning will not be located within the front setback for the residential building. Acceptable solution met.</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</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>A2.1 Car parking and manoeuvring space will:</p> <p>a) have a gradient of 10% or less; and</p> <p>b) not applicable; and</p> <p>c) have a width of vehicular access no less than prescribed in Table E6.2; and</p> <p>d) not applicable as none of the following apply; 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> .	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> . Acceptable solutions met.
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E6.7.3 Parking for Persons with a Disability

Not applicable. This proposal is not required to provide disabled parking.

E6.7.4 Loading and Unloading of Vehicles, Drop-off and Pickup

Not applicable.

E6.8 Provisions for Sustainable Transport

Not applicable. This application is not required to provide pedestrian walkways.

5. Representations

The application was advertised 28 November 2020 to 11 December 2020 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining land owners. Two (2) representation was received prior to the closing date and time. The representation is as follows:-

Issues	Response
Objection to the location of the proposed shed. Being within 4m to the rear boundary the representors consider the shed wall to be extremely invasive.	<p>As discussed previously within the planning assessment section of this assessment in regard to P3 of Clause 10.4.2 the planning assessment has considered that the variation to the rear setback between 0m and 0.8m does meet the performance criteria.</p> <p>The dwelling at 15 Maori Place is located 2.2m from the eastern boundary (which is less than the acceptable solution for internal lot frontage of 4.5m). On the eastern side of the dwelling is a storeroom on the sub-floor level and a garage and ensuite. There are no habitable room windows or sufficient space to consider this as dedicated private open space between the proposed shed and the existing dwelling at 15 Maori Place.</p> <p>The shed is residential in scale, and articulated with the angled roof profile, the subject site is also lower than the adjoining western property. The shed will extend only south of the garage of 15 Maori Place by approximately 1 metre meaning that the bulk of the shed will not be considered intrusive due to articulation and other mitigation measures of visual impacts. The shed is adjacent to non habitable spaces and lower than the adjacent western dwelling overall height.</p>
Concerns in relation to surface and subsurface stormwater that may be caused due to excavations.	Stormwater run off from buildings and driveways shall not be concentrated to adjoining properties. A standard condition is to be placed on any planning approval. A plumbing permit is to be further issued and will therefore alleviate any concerns of this representor.

Issues	Response
Limitation of number of visitors and vehicles and occupancy.	The proponents have provided a response in relation to the visitor accommodation market they are wishing to aim towards. An occupancy limitation in line with the proponent's maximum number of guests for the accommodation use would also ensure that any impact on adjacent residential amenity from the visitor accommodation use will be minimal.

The recommendation for approval has been made following due consideration of the representations and comments.

6. Mediation

Nil.

7. Conclusion

In accordance with 8.10 of the *Break O' Day Interim Planning Scheme 2013*, the application has been assessed against the objectives of the Scheme, in particular the General Residential Zone, Planning Directive No. 6, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and two (2) Performance Criterion; the received representations have been considered. It is recommended for approval with conditions normally set to this type of development.

LEGISLATION / STRATEGIC PLAN & POLICIES:

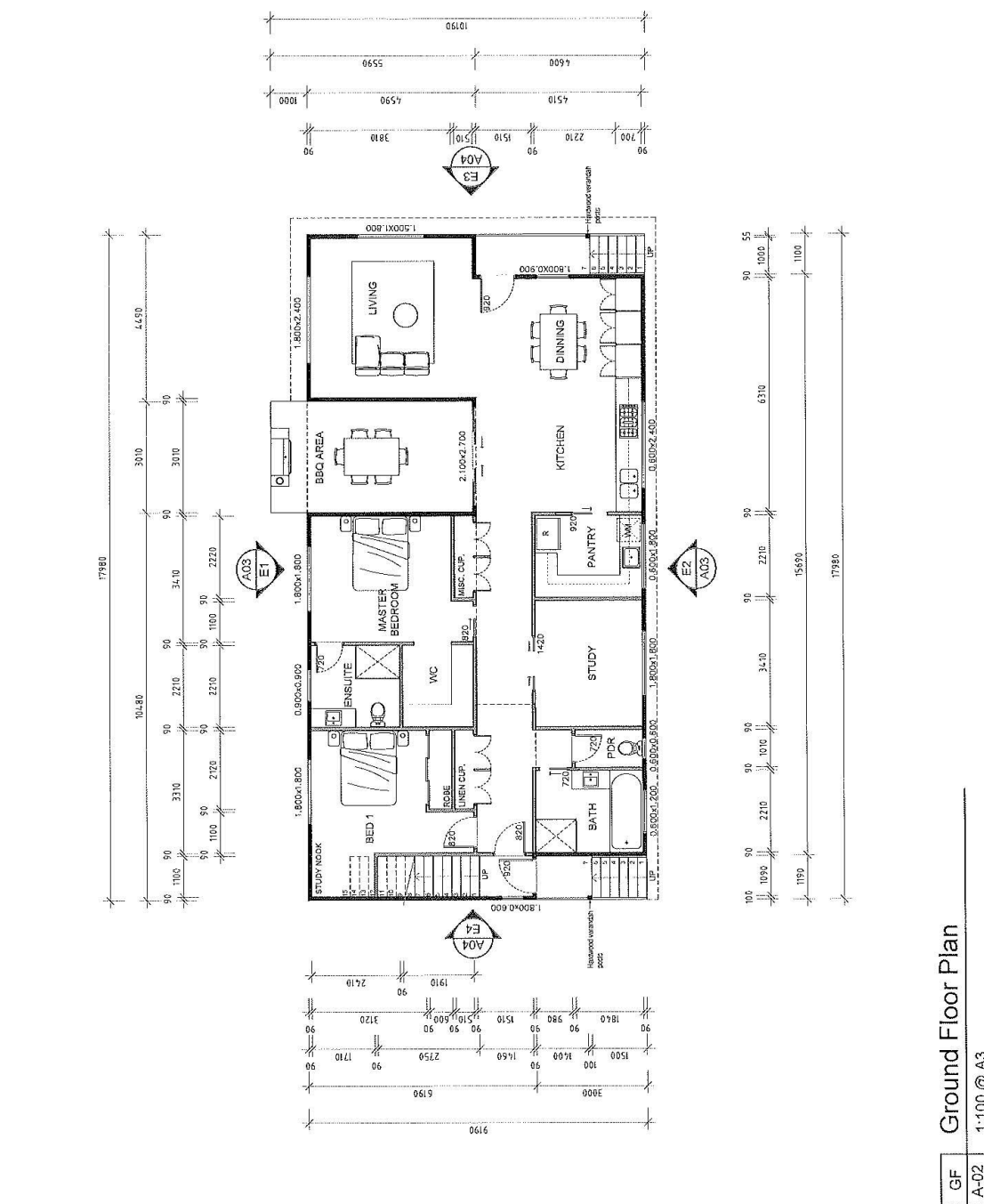
Break O' Day Interim Planning Scheme 2013;
Land Use Planning and Approvals Act 1993;
Local Government (Building and Miscellaneous Provisions) Act 1993.

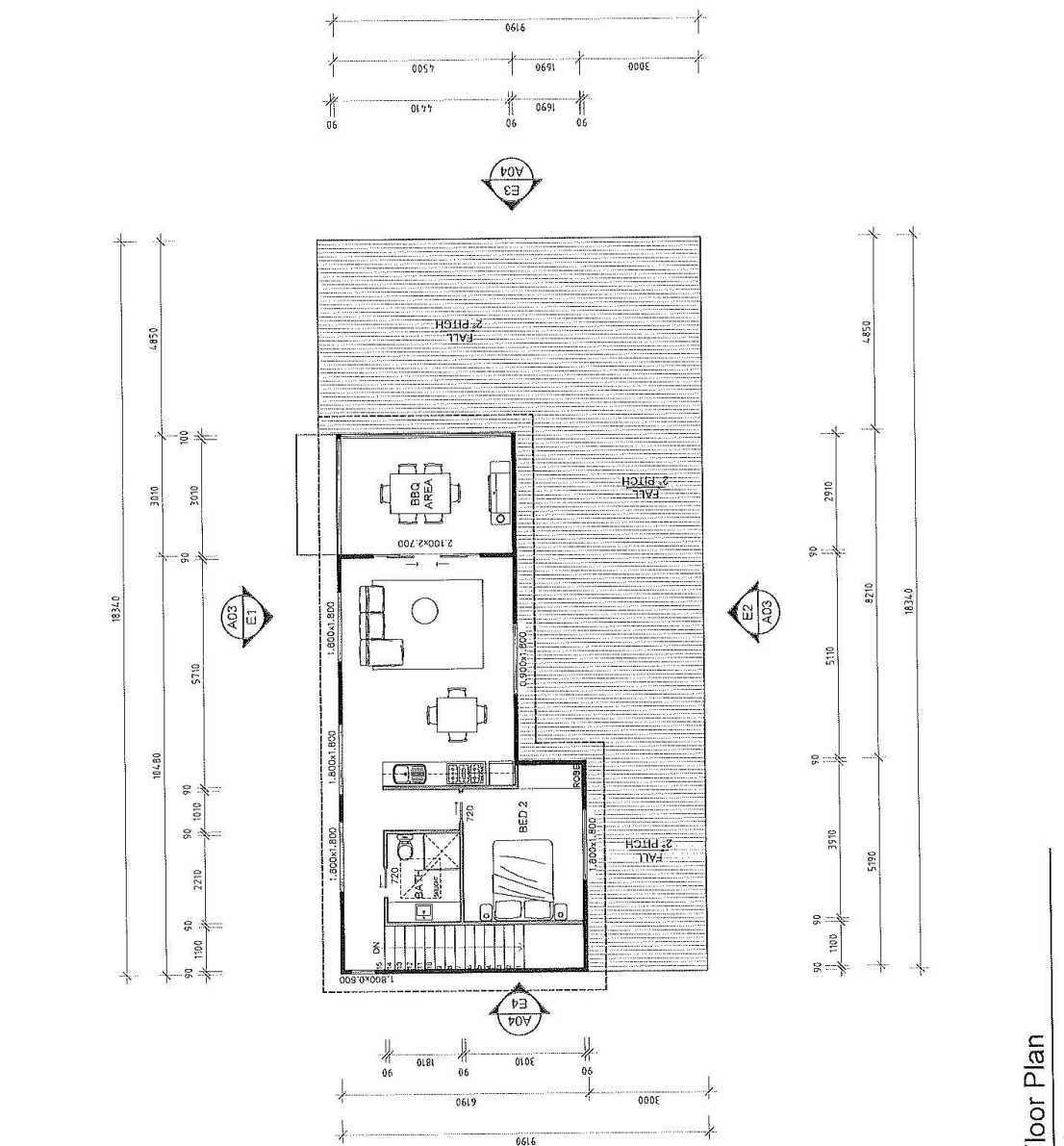
BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable, all costs of the development are the responsibility of the developer.

VOTING REQUIREMENTS:

Simple Majority.





GF	A-03
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ACTION	DECISION
PROPONENT	MJ Architecture obo Hallwill Pty Ltd
OFFICER	Rebecca Green, Planning Consultant
FILE REFERENCE	DA 077-2020
ASSOCIATED REPORTS AND DOCUMENTS	<p>Site Plans, Dwelling Plans and Elevations Written Submission <i>Circulated under Separate Cover:</i> <i>Representations (2)</i> <i>Late Representation – Tasmania Parks and Wildlife Service</i> <i>Bushfire Report and Hazard Management Plan (16 March 2020)</i> <i>Traffic Impact Assessment (report in common)</i> <i>Flora and Fauna Habitat Assessment (report in common)</i> <i>Preliminary Coastal Vulnerability Assessment (report in common)</i> <i>Onsite Waste Water & Stormwater Assessment and Design (report in common)</i> <i>Letter from Aboriginal Heritage Tasmania</i> <i>Applicants Response to Representations</i></p>

OFFICER'S RECOMMENDATION:

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **SINGLE DWELLING LOT 1** on land situated at **LOT 1 (CT167498/1) – TASMAN HIGHWAY, ST HELENS** (with access over Volume 167498 Folios 2, 3, 4, 5, 6 & 8) be **APPROVED** subject to the following conditions:

- Use and development must be substantially in accordance with the following endorsed plans and documents unless modified by a condition of this permit:
 - Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020;
 - Written Submission, MJ Architecture, Dated: 18 September 2020;
 - Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 16 March 2020; and
 - Flora and Fauna Habitat Assessment, NorthBarker Ecosystem Services, Dated: 13 March 2020.
- All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of by means that will not result in soil erosion or other stormwater nuisance in accordance with Part 14.4.1 A9 of the *Break O'Day Interim Planning Scheme 2013*.
- Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
- No native vegetation removal/modification is permitted outside that shown in Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020; and Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 16 March 2020.

5. All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.
6. Plants listed in Appendix 3 of the *Break O'Day Interim Planning Scheme 2013* must not be used in landscaping.
7. Prior to any works commencing on site, a vegetation/weed management plan must be developed and a copy provided to Council, and therefore forming part of this approval to assist in the maintenance of vegetation condition on the subject lot. The vegetation/weed management plan must be prepared in accordance with all of the recommendations contained within the Flora and Fauna Habitat Assessment (section 6), prepared by NorthBarker Ecosystem Services, Dated: 13 March 2020.
8. Reflective materials must not be used as visible external elements in the building and the colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements in accordance with Part 14.4.1 A7 of the *Break O'Day Interim Planning Scheme 2013*.
9. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. Works should be carried out strictly under the guidance of the attached Unanticipated Discovery Plan. If at any point during the proposed works Aboriginal heritage is suspected, works must cease immediately, and AHT must be contacted for advice. The Unanticipated Discovery Plan should be kept on site during the works to aid the proponent and their works personnel in meeting their obligations under the *Aboriginal Relics Act 1975* (the Act) in the event that Aboriginal heritage is identified.
10. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site.
11. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.
12. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the occupancy of the dwelling on the subject site.

ADVICE

- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within 2 metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
- Activities associated with construction works are not to be performed outside the permissible time frame listed:

Monday-Friday 7am to 6pm

Saturday 9am to 6pm

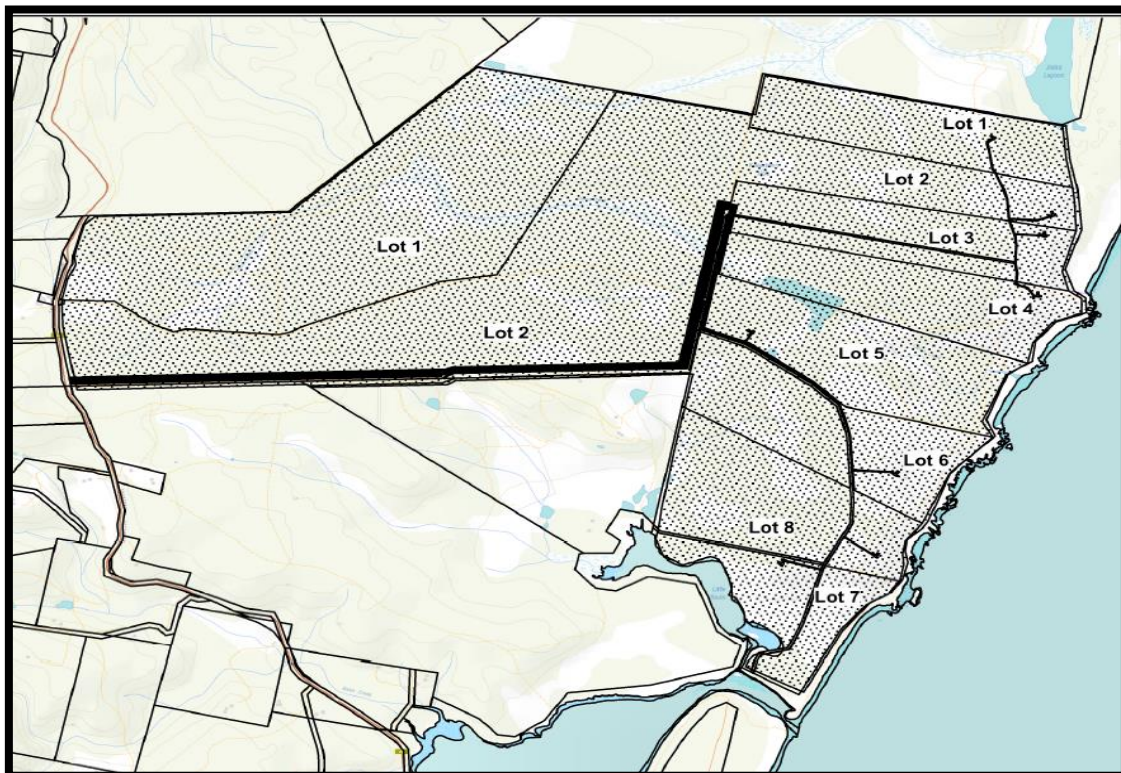
Sunday and public holidays 10am to 6pm

PROPOSAL SUMMARY:

Application is made for the use and construction of a new single dwelling at Lot 1 (CT167498/1), Tasman Highway, St Helens.

Access is proposed over Volume 167498 Folios 2, 3, 4, 5, 6 & 8 from an existing junction with Tasman Highway. The access point is to the north of the 2018 upgrades to Flagstaff Road and south of planned overtaking lanes. Pitt and Sherry, in their design of the overtaking lane, has accommodated the existing access point.

The lot has an area of 152.3ha and is vacant. The title has a number of right of carriageways burdening the site and also benefits to a number of right of carriageways.









PREVIOUS COUNCIL CONSIDERATION:

Nil.

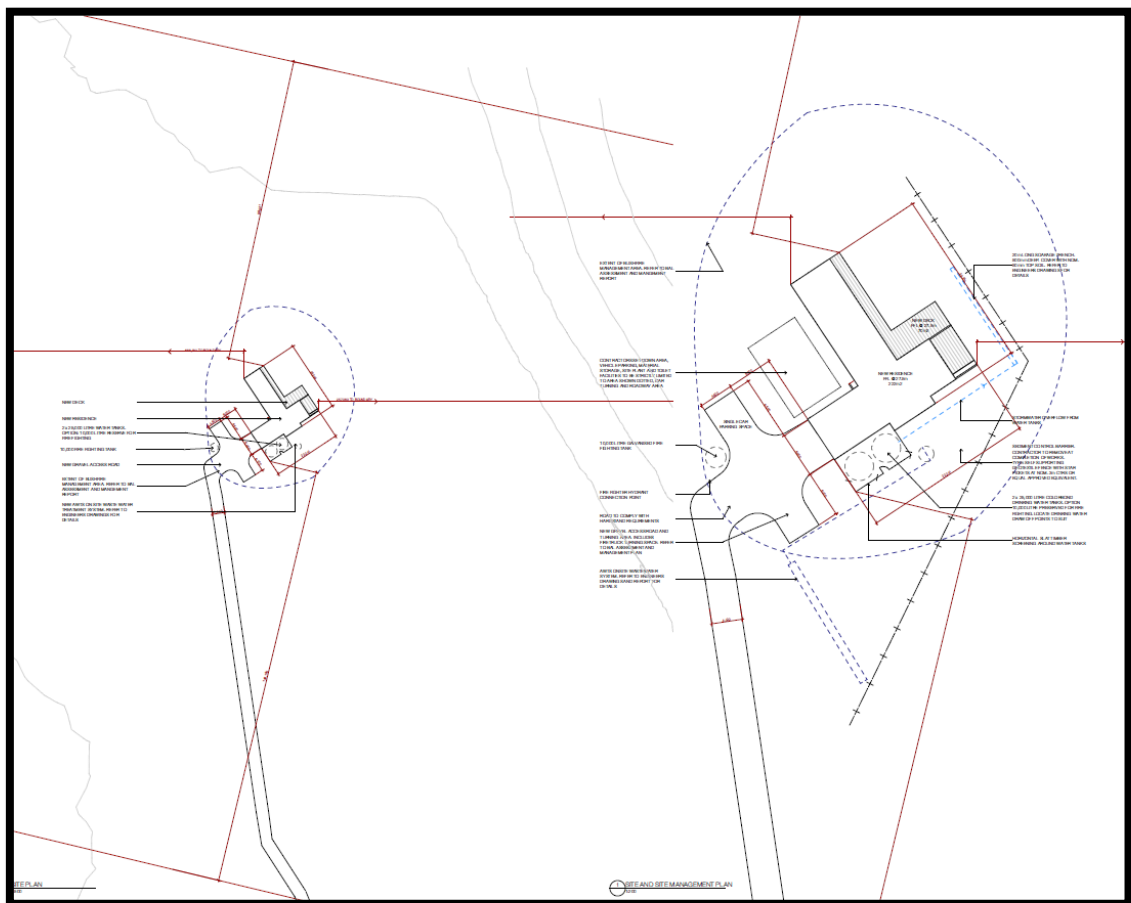
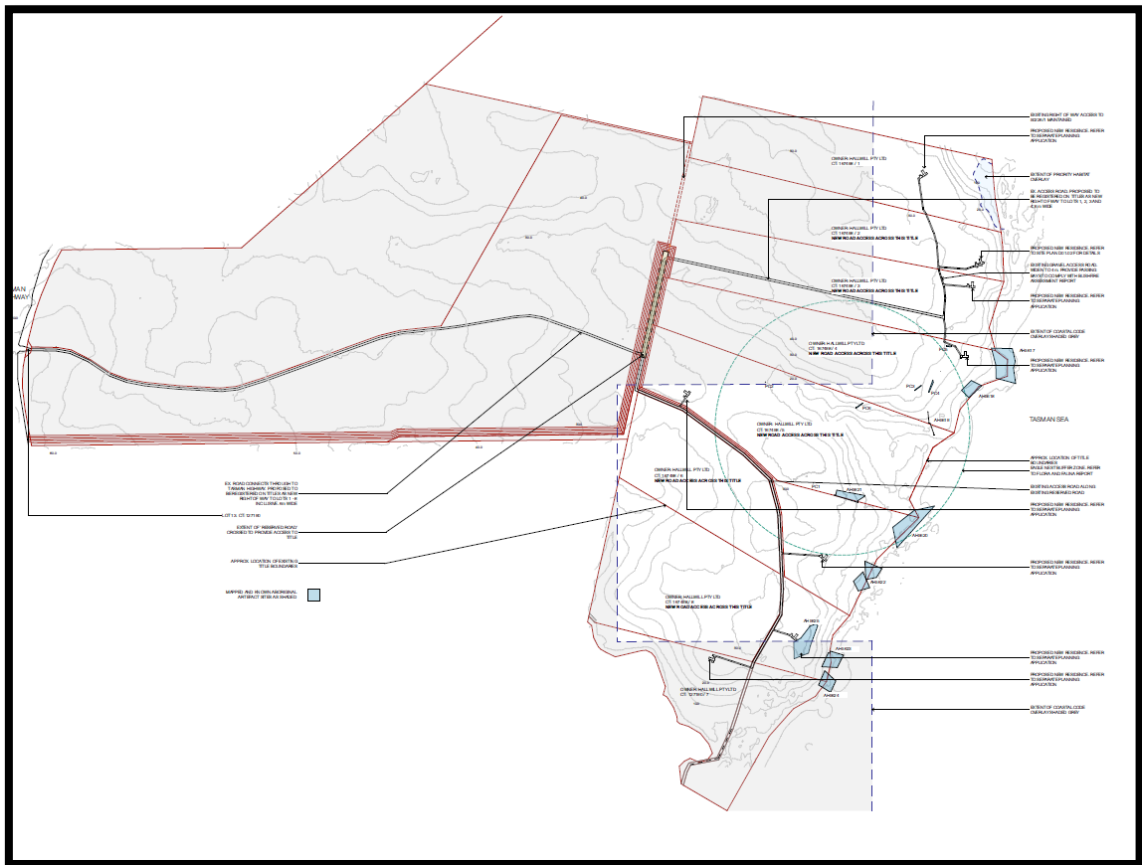
OFFICER'S REPORT:

1. The Proposal

Break O'Day Council received an application in April 2020 from MJ Architecture on behalf of Hallwill Pty Ltd, the owner of the subject land, for use and construction of a single dwelling at Lot 1 (CT167498/1) – Tasman Highway, St Helens. The application became valid from 13 October 2020 subsequent to receipt of additional information.

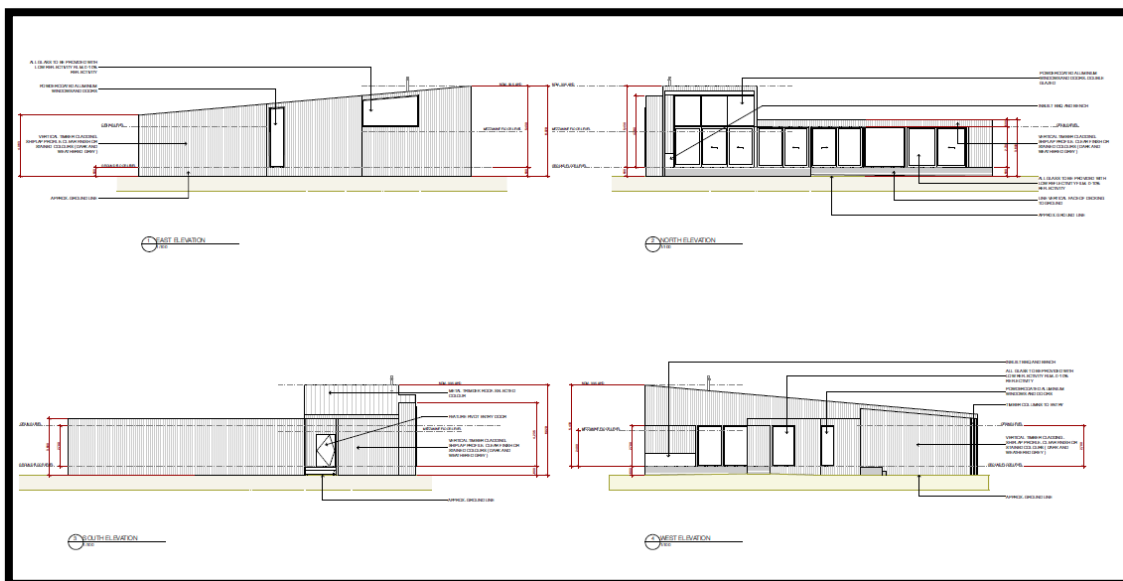
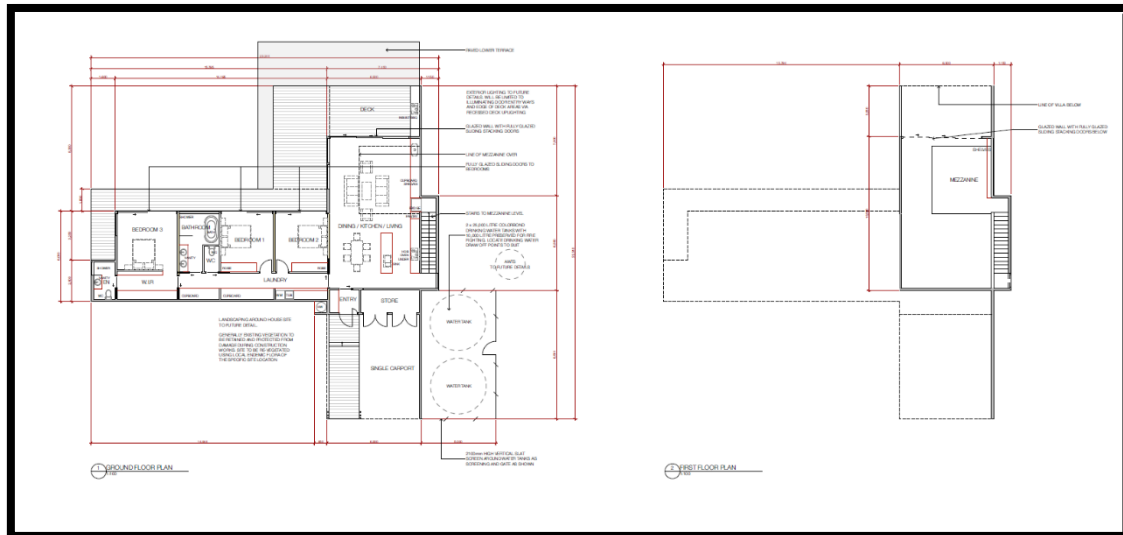
The 152.3ha site slopes down from Tasman Highway to the east to the water and is located on the eastern side of the Tasman Highway. The site is vacant land with no uses or meaningful buildings/structures present on the site.

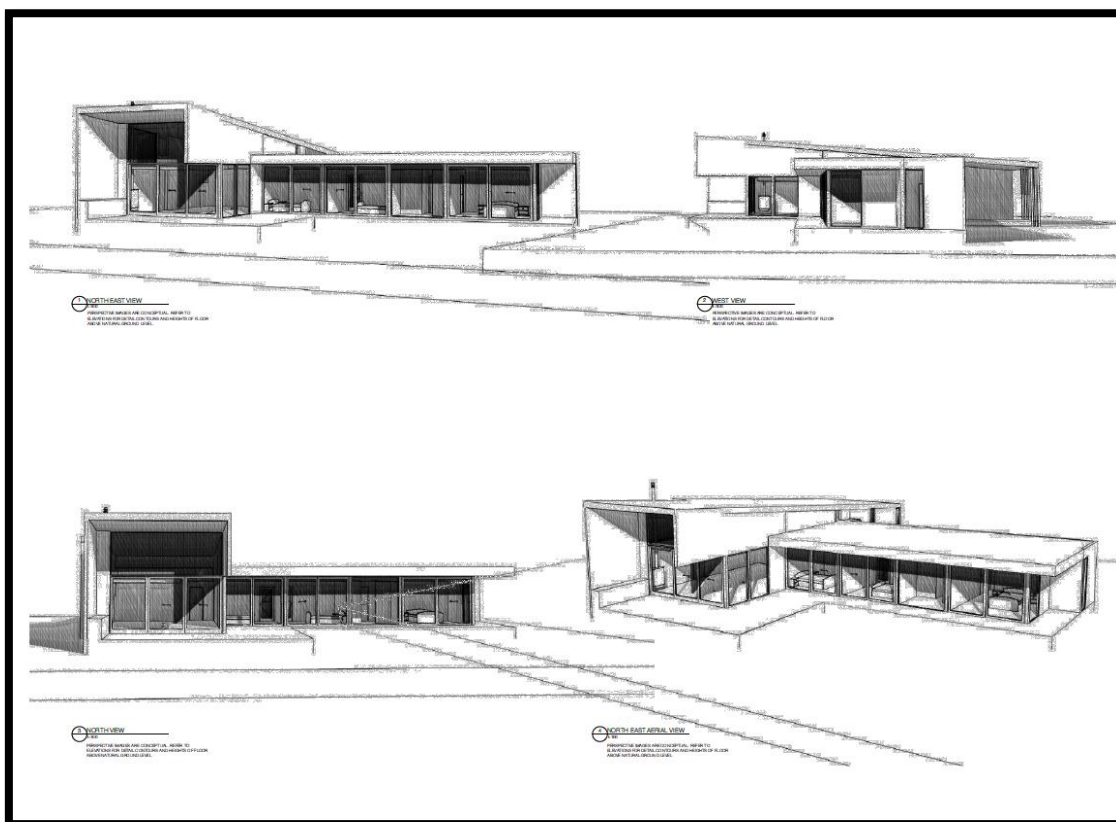
An existing access driveway is provided to the subject site from Tasman Highway with access to the dwelling site over Volume 167498 Folios 2, 3, 4, 5, 6 & 8. The site is not serviced by reticulated water, sewer or stormwater. Power and telecommunication services are available to the subject site.



The single dwelling is to comprise of a single carport, open plan dining/kitchen/living, three (3) bedrooms, main with ensuite and walk-in-robe, bathroom and laundry and deck. A mezzanine level is provided on the first floor. Total building area is 222m² (dwelling) + 70m² (deck), with a total site coverage of 0.019%.

The dwelling is to be clad using vertical timber cladding with shiplap profile, clear finish or stained colours (dark and weathered grey), with metal trimdeck roof in selected colour. All glass is to be provided with low reflectivity film 0-10% reflectivity.





Following receipt of representations and to complete the assessment of the application, Council requested and received an extension of time to 25 January 2021.

2. Applicable Planning Scheme Provisions

Part 14 Environmental Living Zone
 E4 Road and Railway Assets Code
 E6 Car Parking and Sustainable Transport Code
 E7 Scenic Management Code – Tourist Road
 E8 Biodiversity Code
 E9 Water Quality Code
 E12 Airports Impact Management Code
 E14 Coastal Code
 E16 Onsite Wastewater Management Code

3. Referrals

The initial application was referred on 11 May 2020 to DPIWE Policy and Conservation Advice Branch (PCAB), Conservation Assessment and Wildlife Management Section who provided the following advice in relation to Lot 1 which was forwarded to the Proponent for consideration within the final lodged documentation:

General Comments

It is noted that PCAB previously provided advice on a much larger proposal at this location and that while Council have requested comment on only Lot 1 it appears that this is part of a larger proposal. If this is the case PCAB generally recommends including details of the whole proposal to allow for a single assessment wherever possible. This will normally provide better conservation outcomes and greater certainty for the proponent.

Threatened Flora

PCAB notes that the Flora and Fauna Habitat Assessment states that 0.31 hectares of native vegetation (non-threatened vegetation communities) will be cleared with none of the four threatened flora species recorded nearby to be impacted. PCAB supports the recommendation within the Flora and Fauna Habitat Assessment for a vegetation plan to be developed to assist in the maintenance of vegetation and the protection of threatened flora species and fauna habitat into the future.

Threatened Fauna

Swift Parrot

The Flora and Fauna Habitat Assessment details that part of Lot 1 (as well as other adjacent Lots) supports *E.globulus* forest and the *E.ovata* forest and woodland, which is potential foraging habitat for swift parrots (*Lathamus discolor*), listed as endangered under the Threatened Species Protection Act 1995 (TSPA) and the Environment Protection and Biodiversity Conservation Act 1999 (EPBCA). Therefore, the property may support swift parrot activity. PCAB notes that the Flora and Fauna Habitat Assessment states that no potentially suitable habitat for swift parrots will be cleared from any Lot and this is supported.

A threat to swift parrots is colliding with man-made objects such as windows and chain-link fences. PCAB supports the recommendation in the Flora and Fauna Habitat Assessment that design principles are applied to minimise collision risk with swift parrots. For general information and advice on building structures which minimise risk of collisions (e.g. wire-mesh fences or windows) - see [Guidelines and recommendations for parrot-safe building design](#). For comprehensive advice on avoiding collisions with glass - see [An end to birds dying at windows](#).

White-bellied Sea-Eagle

The Flora and Fauna Habitat Assessment states that an area of at least 10ha surrounding a known White-bellied Sea-Eagle nest has been applied with no dwellings within 500m. It is generally recommended that most disturbance based activities within 500 m or 1 km line-of-sight of an active eagle nest are avoided during the breeding season (July to January). The dwelling on Lot 1 appears to be around 1km from the known nest site, and the road reserve around 900m. It is unclear from the Flora and Fauna Habitat Assessment whether the known White-bellied Sea-Eagle nest is within 1 km line-of-sight from Lot 1 however it seems that the area of at least 10ha surrounding the known nest without disturbance based activities will be adequate.

Tasmanian Devil and Quolls

The Flora and Fauna Habitat Assessment states that the entire site is suitable foraging habitat with sparse denning opportunities and that wombat burrows may provide denning opportunities for Tasmanian devils and quolls. The report details that two potentially suitable den sites were found and two motion-operated cameras were placed at each site for 8 nights, however the report does not indicate which Lot(s) the sites were on. If any dens are subsequently located during works then these should be managed in accordance with the Survey Guidelines And Management Advice For Development Proposals That May Impact On The Tasmanian Devil (*Sarcophilus harrisii*) (see <https://dpiwwe.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>). Any dens that cannot be avoided will require a permit to take under the Nature Conservation Act 2002.

New Holland Mouse

*The New Holland Mouse (Pseudomys novaehollandiae) is listed endangered under the TSPA and vulnerable under the EPBCA. Threats to the New Holland mouse include, but are not limited to, habitat loss and modification, inappropriate fire regimes and predation by cats. An important cause of habitat modification is infection of the New Holland mouse habitat with root rot fungus *Phytophthora cinnamomi*. PCAB acknowledges that vegetation clearance is to be minimised and supports the recommendation of implementing a weed management plan (detailed below).*

Jocks Lagoon

The property contains part of Jocks Lagoon, a Ramsar site recognising wetland areas of international significance. The development appears to occur within the catchment for Jocks Lagoon and therefore it is recommended that potential environmental impacts to the wetland be addressed as part of the development assessment process. Residential effluent entering the area could pose a possible threat.

PCAB recommends that all works are contained on site and that any construction activities, runoff or spills are adequately managed to prevent contamination or impact on the wetlands. PCAB supports the recommendation in the Flora and Fauna Habitat Assessment that water quality in Jocks Lagoon needs to be protected, however further details of how this will be achieved have not been provided.

PCAB notes that the Green and Gold Frog was not found during targeted surveys, however the Flora and Fauna Habitat Assessment indicates that Jocks Lagoon is likely to be more important than other adjacent habitat patches and that the species has been recorded in nearby Moriarty Lagoon.

Weeds and Diseases

The Flora and Fauna Habitat Assessment details widespread Spanish Heath on Lot 1 – a declared weed under the Weed Management Act 1999.

PCAB supports the implementation of a targeted weed management plan as part of the vegetation plan as outlined in the Flora and Fauna Report. Further information about controlling the introduction and spread of weeds and the development of weed and disease management plans can be found in Section 4 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#).

*A number of species likely to occur in the area are highly susceptible to *Phytophthora cinnamomi* (PC), and adherence to strict hygiene measures will be required. Information about practical hygiene measures to implement on development work sites can be found in Appendix 1 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#). Practical information on how to minimise the risks of introducing and spreading PC can be found in the manual [Keeping it clean - A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens](#).*

The application included Crown Consent and Department of State Growth (DSG) consent to the lodgment of the application.

The application was referred to the Airport Manager for advice on the OLS detail in relation to the development application. This advice was provided to the proponent prior to final plans and documentation being submitted for the application

4. Assessment

The advertised application relied upon the following four (4) performance criteria as detailed below;

- 1) 14.4.2 Landscaping P1
- 2) E4.6.1 Use and Road or Rail Infrastructure P3
- 3) E8.6.1 Habitat and Vegetation Management P2.1
- 4) E16.7.2 Surface and Ground Water Impacts P4

Detailed assessment against the provisions of the *Break O'Day Interim Planning Scheme 2013* is provided below. **The proposal is deemed to comply with the performance criteria applicable.**

14 Environmental Living Zone

14.1 Zone Purpose

14.1.1 Zone Purpose Statements

14.1.1.1 To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.

14.1.1.2 To provide for a mix of low impact activities that is sensitive to the natural environment.

14 Environmental Living Zone

14.3 Use Standards

14.3.1 Amenity

Acceptable Solutions	Proposed Solutions
A1 Development must be for permitted or no permit required uses.	A1 The proposed is for a permitted Residential Use only. Acceptable solution met.
A2 Operating hours for commercial vehicles for discretionary uses must be between 6.00am and 10.00pm.	A2 Not applicable. This application does not include commercial vehicles.

14.3.2 Environmental Living Character

Acceptable Solutions	Proposed Solutions
A1 Discretionary uses must not exceed a combined gross floor area of 200m ² of the site.	A1 Not applicable.
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	A2 Not applicable.
A3 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	A3 Not applicable.
A4 Waste material storage for discretionary uses must: <ol style="list-style-type: none"> a) Not be visible from the road to which the lot has frontage; and b) Use self-contained receptacles designed to ensure waste does not escape to the environment. 	A4 Not applicable.

14.4 Development Standards

14.4.1 Building Design and Siting

Acceptable Solutions	Proposed Solutions
A1 No more than 4 hectares or 20% of the site, whichever is the lesser, is used for development.	A1 The proposal does not exceed 20% of the total site area or 4 ha. The proposal complies with the Acceptable Solution.
A2 Building height must not exceed 7m.	A2 The proposed dwelling height will not exceed 7 metres (6.029m). The proposal complies with the Acceptable Solution.
A3 Buildings must be set back a minimum distance of 10m from a frontage.	A3 The proposal is at least 10m from a frontage. The proposal complies with the Acceptable Solution.
A4 Buildings must be set back a minimum of: a) 10m to side and rear boundaries; and b) 200m to the Rural Resource Zone where a sensitive use is proposed.	A4 The proposal is at least 10m from a side boundary and rear boundary and at least 200m from the Rural Resource zone. The proposal complies with the Acceptable Solution.
A5 The combined gross floor area of all outbuildings on a lot must not exceed 81m ² and a maximum height of 5m.	A5 Not applicable. No outbuilding proposed.
A6 The colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements.	A6 The proponent has advised that the external colours will be timber, grey stained timber or charred timber which will recede with the surrounding vegetation and landscape. The proposal complies with the Acceptable Solution.
A7 Reflective materials, excluding windows, must not be used as visible external elements in buildings.	A7 The plans and documents submitted do not propose any highly reflective elements. The proposal complies with the Acceptable Solution.
A8 On sites with a slope greater than 1:10, site benching through cut and fill must be less than 20% of the site coverage of the proposed building(s).	A8 No cut and fill works are proposed or required. The proposal complies with the Acceptable Solution.
A9 Rainwater runoff from roofs must be collected by means of roof guttering, downpipes and rainwater tanks.	A9 It is proposed that the roof runoff will be directed to stormwater collection tanks via guttering and downpipes. Overflow is to be directed towards absorption drains on the site. The proposal complies with the Acceptable Solution.
A10 Exterior building lighting is limited to that necessary to allow safe and secure movement of pedestrians and to allow movement around the building at night. Lighting must not be used as a means of displaying the presence of buildings to be visible from outside the site.	A10 External lighting will be limited to allow for safe and secure movement of pedestrians only, limited to lighting entry doorways and minor up lighting inset into the external decks. The proposal complies with the Acceptable Solution.
A11 Where a development is part of a larger complex, each component of the development must be connected by walking tracks.	A11 Not applicable.
A12 Single unbroken walls are not to exceed 15m in length.	A12 No single wall length is to exceed 15m (max. 14.944m). The proposal complies with the Acceptable Solution.
A13 Roofs must be: a) Pitched at an angle of less than 30 degrees and can be either hipped or gabled, or b) Curved at radius no greater than 12.5m.	A13 The proposed roof pitch is not to be at an angle greater than 30 degrees. The proposal complies with the Acceptable Solution.

14.4.2 Landscaping

Acceptable Solutions/Performance Criteria	Proposed Solutions
<p>A1 Development must be located on land where the native vegetation cover has been removed or significantly disturbed.</p> <p>P1 New development must be located in a manner that minimises vegetation removal.</p>	<p>P1 A Bushfire Report and Hazard Management Plan accompanied the application, prepared by NorthBarker Ecosystem Services. A BAL rating and Hazard Management Area for BAL 29 has been prescribed for the dwelling. Existing access roads and BAL 29 HMA and buildings and infrastructure are proposed to be located to minimise vegetation disturbance.</p> <p>The proposal is considered to be compliant with the performance criteria.</p>
<p>A2 All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.</p>	<p>A2 All new planting will need to be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site. Conditions can be placed upon any approval ensuring compliance.</p> <p>The proposal complies with the Acceptable Solution.</p>
<p>A3 Plants listed in Appendix 3 must not be used in landscaping.</p>	<p>A3 Plants listed in Appendix 3 will not be allowed to be used in landscaping. Conditions can be placed upon any approval ensuring compliance.</p> <p>The proposal complies with the Acceptable Solution.</p>

14.4.3 Subdivision – Not applicable to this proposal.

14.4.4 Tourist Operations – Not applicable to this proposal.

E4 Road and Railway Assets Code

E4.6 Use Standards

E4.6.1 Use and Road or Rail Infrastructure

Acceptable Solutions/Performance Criteria	Proposed Solutions
<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>A1 Not applicable.</p>
<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>A2 Not applicable.</p>
<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. 	<p>A3 A Traffic Impact Assessment was prepared for each application by Shane Wells, Woolcott Surveys. This application is individual and must be assessed on this basis. The traffic generation from a single dwelling in a rural location is in the order of 7 movements per day. Part a) of the Performance Criteria is not applicable. In terms of b), the dependency of the use on the site is established by the zoning, in which a Single Dwelling use is a permitted use. Further, there is no potential to access from a category 4 or 5 road. In terms of Part c), the road authority (Department of State Growth) is satisfied that there will be no unreasonable impact to traffic safety and efficiency having regard to both the current and planned Highway alignment.</p> <p>The proposal is consistent with the performance criteria.</p>

Acceptable Solutions/Performance Criteria	Proposed Solutions
A4 Use serviced by a side road from a deficient junction (refer E4 Table 2) is not to create an increase to the annual average daily traffic (AADT) movements on the side road at the deficient junction by more than 10%.	A4 Not applicable.

E4.7 Development Standards

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

Acceptable Solutions	Proposed Solutions
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: a) New road works, buildings, additions and extensions, earthworks and landscaping works; and b) Building envelopes on new lots; and c) Outdoor sitting, entertainment and children's play areas.	A1 Not applicable.

E4.7.2 Management of Road Accesses and Junctions

Acceptable Solutions	Proposed Solutions
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.	A1 Not applicable.
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	A2 One existing access/junction is to be utilised to serve the proposal. The proposal complies with the Acceptable Solution.
A3 Accesses must not be located closer than 6m from an intersection, nor within 6m of a break in a median strip.	A3 The existing access meets the acceptable solution. The proposal complies with the Acceptable Solution.

E4.7.3 Management of Rail Level Crossings – Not applicable.

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

Acceptable Solutions	Proposed Solutions
A1 Sight distances at a) An access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) Rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority have been obtained.	A1 The access complies with the SISD requirements for the 85 th percentile operating speed of the road, as confirmed between the authors of the Traffic Impact Assessment and the Department of State Growth. The SISD to the left is 245m and to the right is 177m. The 85 th percentile speed is considered to be 80 km/hr based on driving experience. The SISD requirement of the scheme is 175m. The proposal is consistent with the performance criteria.

E6 Car Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Acceptable Solutions	Proposed Solutions
A1 The number of car parking spaces must not be less than the requirements of: <ul style="list-style-type: none">a) Table E6.1; orb) A parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	A1 The site will provide a minimum 2 car parking spaces as required for the dwelling. The proposal complies with the Acceptable Solution.

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Acceptable Solutions	Proposed Solutions
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; andb) Except for a single dwelling, provided with an impervious all weather seal; andc) Except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	A1 All car parking, access strips, manoeuvring and circulation spaces will be: <ul style="list-style-type: none">a) Formed to an adequate level and drained; andb) Not applicable; andc) Not applicable. The proposal complies with the Acceptable Solution.

E6.7.2 Design and Layout of Car Parking

Acceptable Solutions	Proposed Solutions
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for a dwelling in the General Residential Zone) must be located behind the building line; and A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	A1 Not applicable.
A2.1 Car parking and manoeuvring space must: <ul style="list-style-type: none">a) Have a gradient of 10% or less; andb) Where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; andc) Have a width of vehicular access no less than prescribed in Table E6.2; andd) 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:<ul style="list-style-type: none">i) There are three or more car parking spaces; andii) Where parking is more than 30m driving distance from the road; oriii) Where the sole vehicle access is to a category 1, 2, 3 or 4 road; and A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .	A2.1 Car parking and manoeuvring space will: <ul style="list-style-type: none">a) Be on almost level ground; andb) Not applicable. Only requires a provision of 2 car parking spaces; andc) Provides a minimum 3.0m wide vehicular access; andd) Not applicable. A2.2 The layout of car spaces and access ways are in accordance with <i>Australian Standards AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i> . The proposal complies with the Acceptable Solution.

E7 Scenic Management Code

The site is affected by the Scenic Corridor overlay – tourist road corridor (Tasman Highway). However, as the proposed use and development is not located on land within 100 metres measured from the frontage to the scenic management tourist road corridor, the code has been determined to be not applicable.

E8 Biodiversity Code

E8.6.1 Habitat and Vegetation Management

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1.1 Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan or; A1.2 Development does not clear or disturb native vegetation within areas identified as priority habitat.	A1.1/A1.2 A review of Council's priority habitat layer indicates the vegetation is not located within an area of priority habitat. Not applicable
A2 Clearance or disturbance of native vegetation is in accordance with a certified Forest Practices Plan. 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 : 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 b) means or removal; and c) value of riparian vegetation in protecting habitat values; and d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations in proximity to habitat or vegetation; and e) need for and adequacy of proposed vegetation or habitat management; and 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.	P2.1 A Flora and Fauna Habitat Assessment accompanied the application, prepared by NorthBarker Ecosystem Services. No known locations of threatened flora will be disturbed on the lot. A small area of potential habitat of the new holland mouse will require conversion or modification to accommodate access, house site and Hazard Management Area (BAL 29) on the lot. No new holland mice have been recorded on site with extensive habitat present within range. Minor widening of the shared access through Lot 3 may require a handful of trees to be removed that are tree species suitable for swift parrot foraging habitat, they are small trees of negligible contribution to the conservation for the swift parrot. The planning applications for each lot avoids all Priority Habitat. Note that apparent conflict with priority habitat where the fee simple access routes overlay priority habitat will not be utilised. The existing road will be utilised. The areas of native vegetation that are proposed to be converted or modified on each lot range between 0.3 and 3ha or 0.1 and 5% of each lot (of all 8 dwellings). Each vegetation type is well represented and well reserved in the Bioregion. The report makes a number of recommendations in relation to Threatened Flora, Fauna values, and weed management and can be appropriately managed through conditions upon an approval. The proposal is considered to be compliant with the performance criteria.

E9 Water Quality Code

E9.6.1 Development and Construction Practices and Riparian Vegetation

Acceptable Solutions	Proposed Solutions
A1 Native vegetation is retained within: a) 40m of a wetland, watercourse or mean high water mark; and b) A Water catchment area – inner buffer.	A1 No native vegetation will be removed within 40m of a wetland, watercourse or mean high water mark. The proposal complies with the Acceptable Solution.

Acceptable Solutions	Proposed Solutions
A2 A wetland must not be filled, drained, piped or channelled.	A2 The proposal complies with the Acceptable Solution.
A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposed.	A3 The proposal complies with the Acceptable Solution..

E9.6.2 Water Quality Management

Acceptable Solutions	Proposed Solutions
A1 All stormwater must be: <ul style="list-style-type: none"> a) Connected to a reticulated stormwater system; or b) Where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) Diverted to an on-site system that contained stormwater within the site. 	A1 The proposed new dwelling will direct all overflow stormwater from rainwater tanks to proposed stormwater absorption trenches onsite. The proposal complies with the Acceptable Solution.
A2.1 No new point source discharge directly into a wetland or watercourse. 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.	A2.1 No point source discharge is proposed. The proposal complies with the Acceptable Solution. A2.2 Not applicable.
A3 No acceptable solutions. P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.	P3 Not applicable.

E9.6.3 Construction of Roads

Acceptable Solutions	Proposed Solutions
A1 A road or track does not cross, enter or drain to a watercourse or wetland.	A1 There is no new road or track that enters or crosses a watercourse or wetland proposed. The proposal complies with the Acceptable Solution.

E9.6.4 Access

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 No acceptable solution. P1 New access point to wetland 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. 	A1/P1 Not applicable.
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.	A2/P2 Not applicable.

E9.6.5 Sediment and Erosion Control – not applicable.

E9.6.6 Water Catchment Areas – not applicable.

E12 Airports Impact Management Code

The site is affected by the prescribed air space. The total development height is well below the OLS height of 86.5 AHD, refer to elevations for the height of the dwelling AHD, the code has been determined to be not applicable.

E14 Coastal Code

The area of the proposed development works is outside of the mapped area of the site that this code is applicable for. For additional information, refer to the Preliminary Coastal Vulnerability Assessment.

E16 On-Site Wastewater Management Code

E16.6 Use Standards

E16.6.1 Use and Lot Size

Acceptable Solutions	Proposed Solutions
A1 Residential uses that rely on onsite wastewater management must: a) Be on a site with minimum area of 2,000m ² ; and b) Have four bedrooms or less.	A1 The site has an area greater than 2000m ² (152.3ha) and only three bedrooms is proposed. The proposal complies with the Acceptable Solution.
A2 Non-residential uses that rely on onsite wastewater management must be on a site with minimum area of 5,000m ² .	Not applicable.

E16.7 Development Standards

E16.7.1 Onsite Wastewater Management

Acceptable Solutions	Proposed Solutions
A1 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and buildings and structures.	A1 A minimum separation distance of 3.0 metres from any structure to the wastewater infrastructure will be provided. The proposal complies with the Acceptable Solution.
A2 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and the following: a) Hardstand and paved areas; b) Car parking and vehicle manoeuvring areas; and c) Title or lot boundaries.	A2 A minimum horizontal separation of 3m will be provided. The proposal complies with the Acceptable Solution.
A3 Private Open Space must not be used for surface irrigation of treated wastewater.	A3 The proposal complies, no private open space is used for surface irrigation of treated wastewater. The proposal complies with the Acceptable Solution.
A4 Onsite wastewater management infrastructure must be on lots with an average slope of 10% or less.	A4 The proposed wastewater treatment system is on land with an average slope less than 10%. The proposal complies with the Acceptable Solution.

E16.7.2 Surface and Ground Water Impacts

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Onsite wastewater management infrastructure must have a minimum separation distance of 100m from a wetland or watercourse or coastal marine area.	A1 Onsite wastewater management infrastructure is to have a minimum separation distance of 100m from a wetland, watercourse or coastal marine area. The proposal complies with the Acceptable Solution.
A2 Onsite wastewater management infrastructure must have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply.	A2 Onsite wastewater management infrastructure will have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply. The proposal complies with the Acceptable Solution.
A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, must be no less than 1.5m.	A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, is to be no less than 1.5m. The proposal complies with the Acceptable Solution.
A4 Vertical separation between a limiting layer and the land used to apply effluent, including reserved areas, must be no less than 1.5m. P4 Onsite wastewater management infrastructure separated from the limiting layer by less than 1.5m must have no detrimental impacts on groundwater.	P4 An Onsite Waste Water & Stormwater Disposal Assessment and Design prepared by JD Consulting accompanied the application. For the majority of the area, the limiting layer is greater than 1.5m. Where the limiting layer is less than 1.5m, an onsite wastewater treatment system that is capable of providing secondary treated effluent quality will need to be installed, and can be assessed at the Plumbing Application stage further. The proposal is considered to be compliant with the performance criteria.

5. Representations

The application was advertised 17 October 2020 to 30 October 2020 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining land owners. Two representations have been received from individuals and a letter from Aboriginal Heritage Tasmania with concerns during the statutory exhibition period. A further letter from Tasmania Parks & Wildlife Service was received outside the statutory period. Parks & Wildlife supports the proponents adoption of the recommendations contained within section 6 of the Flora and Fauna Habitat Assessment. They also noted that the development sites are adjacent to the St Helens Conservation Area (SHCA), whilst no access is proposed as part of this application, any future access to SHCA shall be established only after consultation with PWS. These applications will address the adhoc access by the public over this subject lands currently taking place.

Aboriginal Heritage Tasmania concerns are in relation to HMA for Lot 8 and site AH5625 proximity. The proponent has advised that they have no issue with relocating the proposed dwelling on Lot 8 outside of a 10m buffer to mapped area AH5625. This will form a condition on the recommended approval for that particular development application.

Aboriginal Heritage Tasmania, noted that an assessment was carried out in 2017 as part of a different proposal, and whilst that report did not identify any Aboriginal heritage sites within Lot 1, the report states that poor ground surface visibility was a key constraint in survey coverage. Advice is provided in relation to works carried out on Lot 1, should be carried out strictly under the guidance of an attached Unanticipated Discovery Plan. In the case of AH5625, a 10m buffer was recommended.

Two (2) other representations raised concerns in relation to scenic values of the coastline, the new holland mouse, lack of an Aboriginal Heritage Report for each dwelling, and inconsistency with the State Coastal Policy. A number of these matters have been addressed within the reports provided, as well as further consideration of the applicants which has been provided.

The proponent together with the planning assessment above, and recommended conditions have adequately considered and dealt with the relevant concerns of the representors. No further comment is required for those matters that are not a relevant planning consideration/provision that have been addressed under the *Break O' Day Interim Planning Scheme 2013*.

The recommendation for approval has been made following due consideration of the representations and comments.

6. Mediation

Nil.

7. Conclusion

In accordance with 8.10 of the *Break O' Day Interim Planning Scheme 2013*, the application has been assessed against the objectives of the Scheme, in particular the Environmental Living Zone, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and four (4) Performance Criterion; the received representations have been considered. It is recommended for approval with conditions normally set to this type of development.

LEGISLATION / STRATEGIC PLAN & POLICIES:

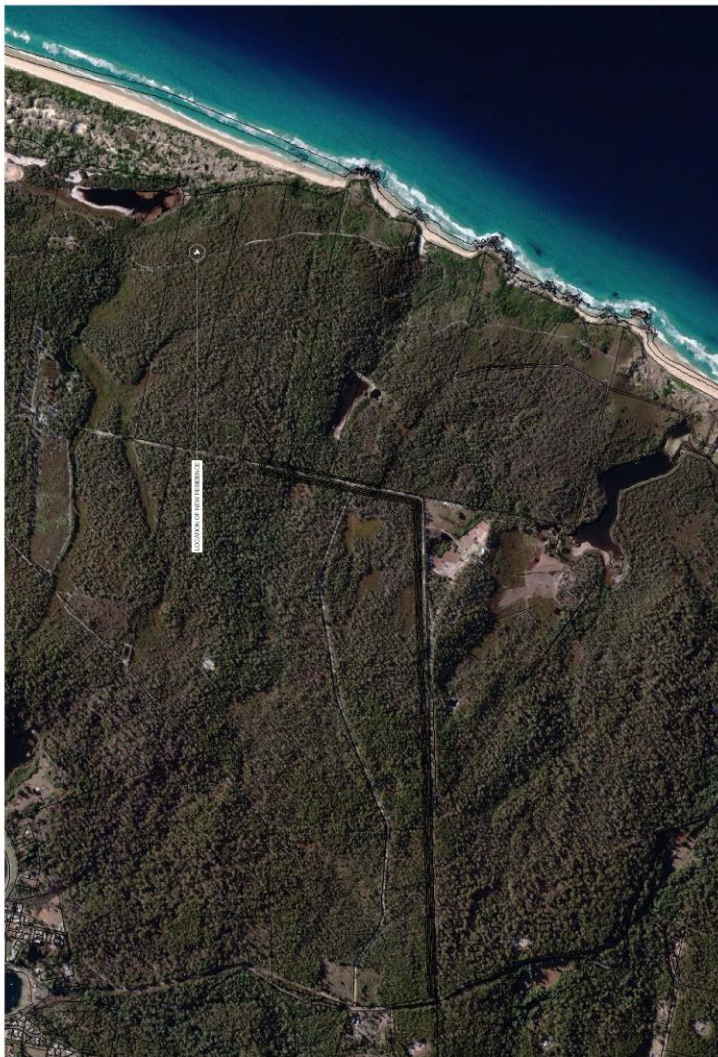
Break O' Day Interim Planning Scheme 2013;
Land Use Planning and Approvals Act 1993;
Local Government (Building and Miscellaneous Provisions) Act 1993.

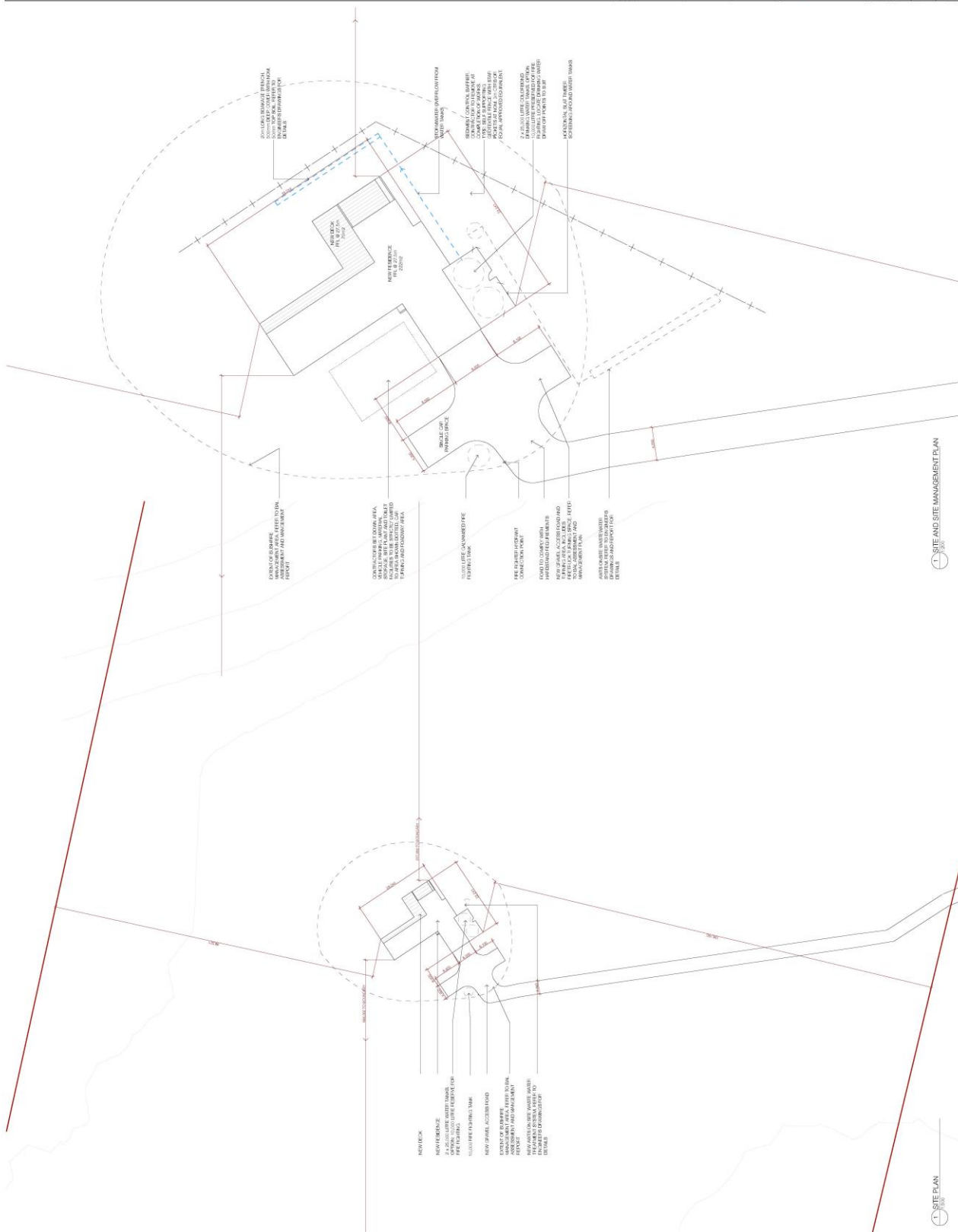
BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable, all costs of the development are the responsibility of the developer.

VOTING REQUIREMENTS:

Simple Majority

[illegible]





ACTION	DECISION
PROPONENT	MJ Architecture obo Hallwill Pty Ltd
OFFICER	Rebecca Green, Planning Consultant
FILE REFERENCE	DA 078-2020
ASSOCIATED REPORTS AND DOCUMENTS	<p>Site Plans, Dwelling Plans and Elevations Written Submission <i>Circulated under Separate Cover:</i> <i>Representations (2)</i> <i>Late Representation – Tasmania Parks and Wildlife Service</i> <i>Bushfire Report and Hazard Management Plan (16 March 2020)</i> <i>Traffic Impact Assessment (report in common)</i> <i>Flora and Fauna Habitat Assessment (report in common)</i> <i>Preliminary Coastal Vulnerability Assessment (report in common)</i> <i>Onsite Waste Water & Stormwater Assessment and Design (report in common)</i> <i>Letter from Aboriginal Heritage Tasmania</i> <i>Applicants Response to Representations</i></p>

OFFICER'S RECOMMENDATION:

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **SINGLE DWELLING LOT 2** on land situated at **LOT 2 (CT167498/2) – TASMAN HIGHWAY, ST HELENS** (with access over Volume 167498 Folios 3, 4, 5, 6 & 8) be **APPROVED** subject to the following conditions:

- Use and development must be substantially in accordance with the following endorsed plans and documents unless modified by a condition of this permit:
 - Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020;
 - Written Submission, MJ Architecture, Dated: 18 September 2020;
 - Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 16 March 2020; and
 - Flora and Fauna Habitat Assessment, NorthBarker Ecosystem Services, Dated: 13 March 2020.
- All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of by means that will not result in soil erosion or other stormwater nuisance in accordance with Part 14.4.1 A9 of the *Break O'Day Interim Planning Scheme 2013*.
- Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
- No native vegetation removal/modification is permitted outside that shown in Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020; and Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 16 March 2020;

5. All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.
6. Plants listed in Appendix 3 of the *Break O'Day Interim Planning Scheme 2013* must not be used in landscaping.
7. Prior to any works commencing on site, a vegetation/weed management plan must be developed and a copy provided to Council, and therefore forming part of this approval to assist in the maintenance of vegetation condition on the subject lot. The vegetation/weed management plan must be prepared in accordance with all of the recommendations contained within the Flora and Fauna Habitat Assessment (section 6), prepared by NorthBarker Ecosystem Services, Dated: 13 March 2020.
8. Reflective materials must not be used as visible external elements in the building and the colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements in accordance with Part 14.4.1 A7 of the *Break O'Day Interim Planning Scheme 2013*.
9. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. Works should be carried out strictly under the guidance of the attached Unanticipated Discovery Plan. If at any point during the proposed works Aboriginal heritage is suspected, works must cease immediately, and AHT must be contacted for advice. The Unanticipated Discovery Plan should be kept on site during the works to aid the proponent and their works personnel in meeting their obligations under the *Aboriginal Relics Act 1975* (the Act) in the event that Aboriginal heritage is identified.
10. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site
11. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.
12. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the occupancy of the dwelling on the subject site.

ADVICE

- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within 2 metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
- Activities associated with construction works are not to be performed outside the permissible time frame listed:

Monday-Friday 7am to 6pm

Saturday 9am to 6pm

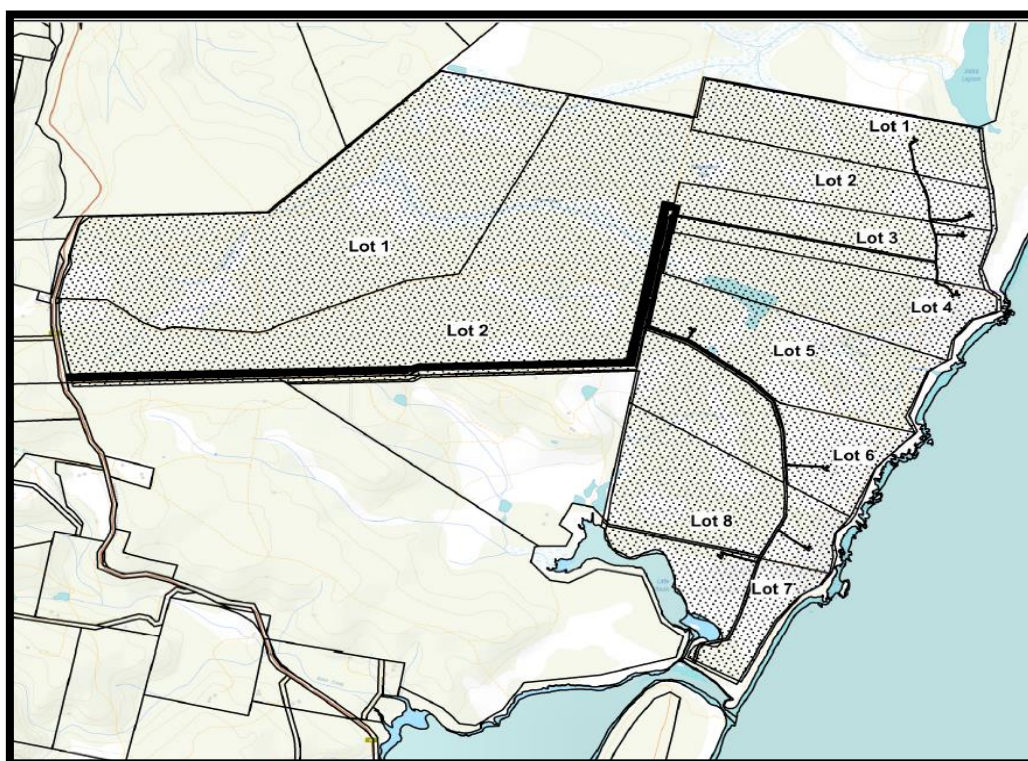
Sunday and public holidays 10am to 6pm

PROPOSAL SUMMARY:

Application is made for the use and construction of a new single dwelling at Lot 2 (CT167498/2), Tasman Highway, St Helens.

Access is proposed over Volume 167498 Folios 3, 4, 5, 6 & 8 from an existing junction with Tasman Highway. The access point is to the north of the 2018 upgrades to Flagstaff Road and south of planned overtaking lanes. Pitt and Sherry, in their design of the overtaking lane, has accommodated the existing access point.

The lot has an area of 155.6ha and is vacant. The title has a number of right of carriageways burdening the site and also benefits to a number of right of carriageways.









PREVIOUS COUNCIL CONSIDERATION:

Nil.

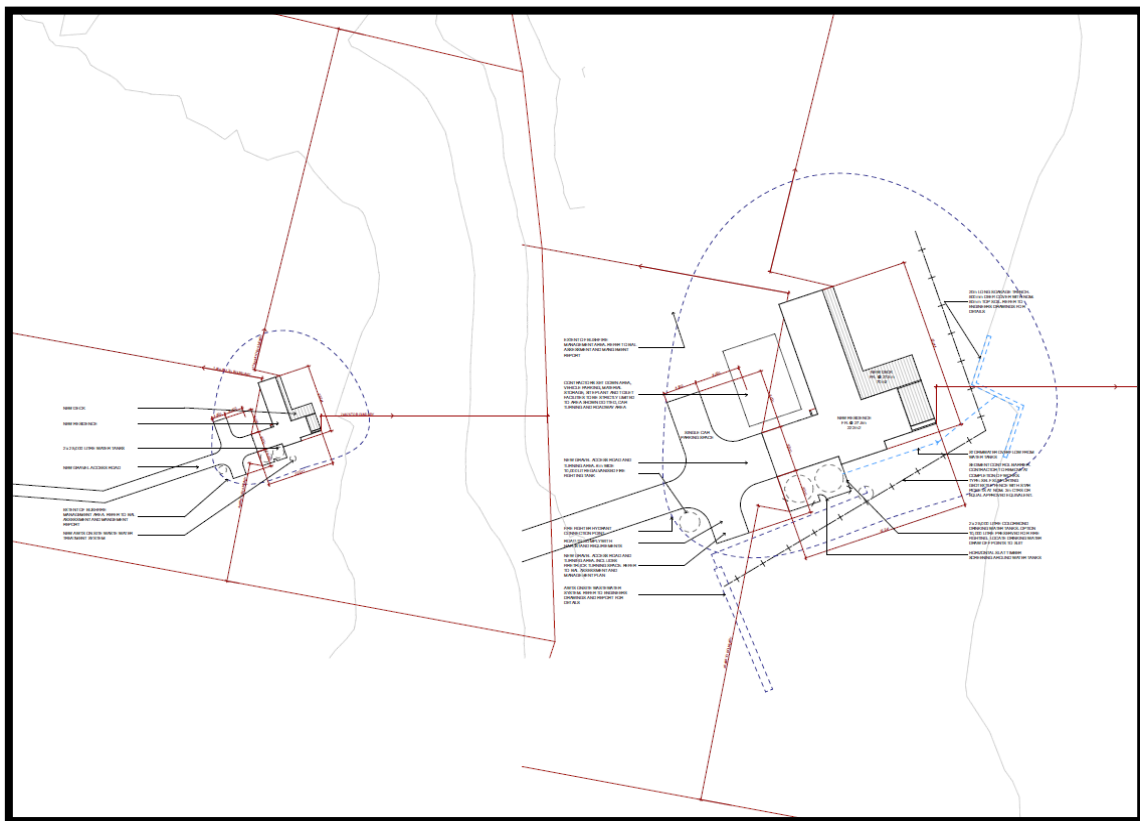
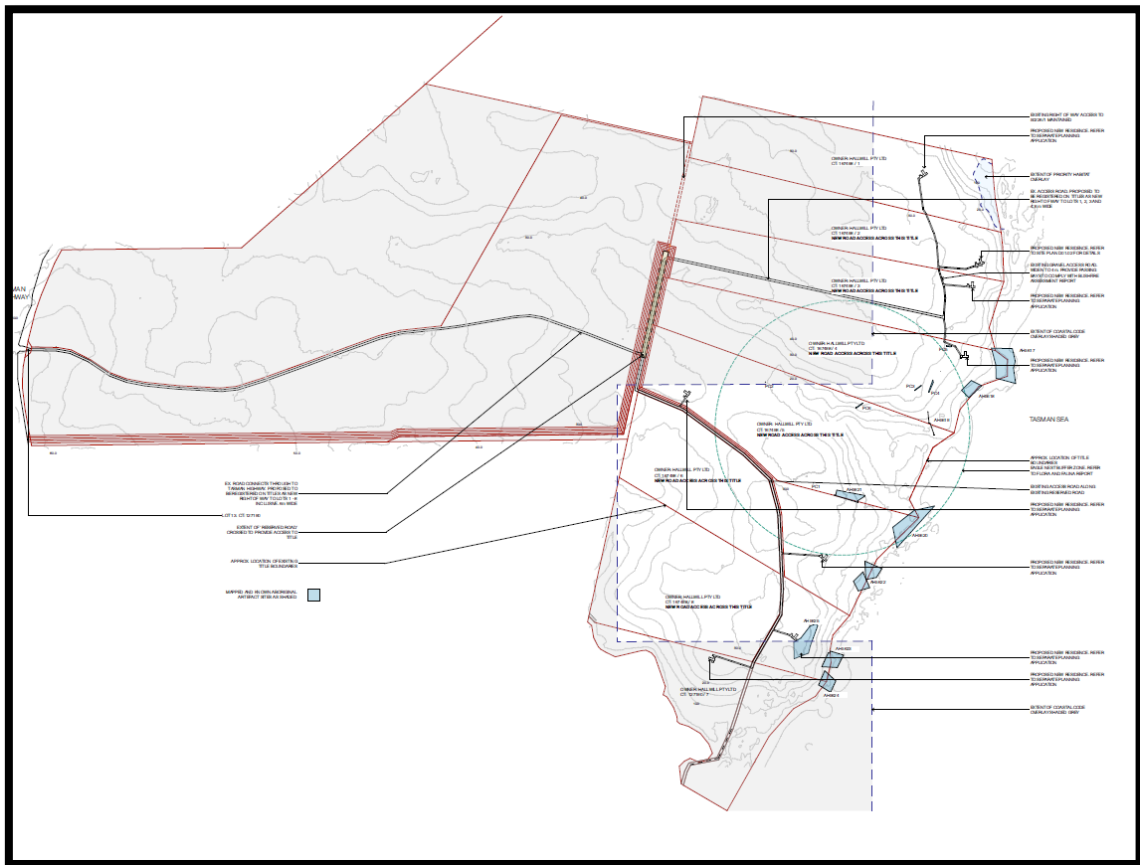
OFFICER'S REPORT:

1. The Proposal

Break O'Day Council received an application in April 2020 from MJ Architecture on behalf of Hallwill Pty Ltd, the owner of the subject land, for use and construction of a single dwelling at Lot 2 (CT167498/2) – Tasman Highway, St Helens. The application became valid from 13 October 2020 subsequent to receipt of additional information.

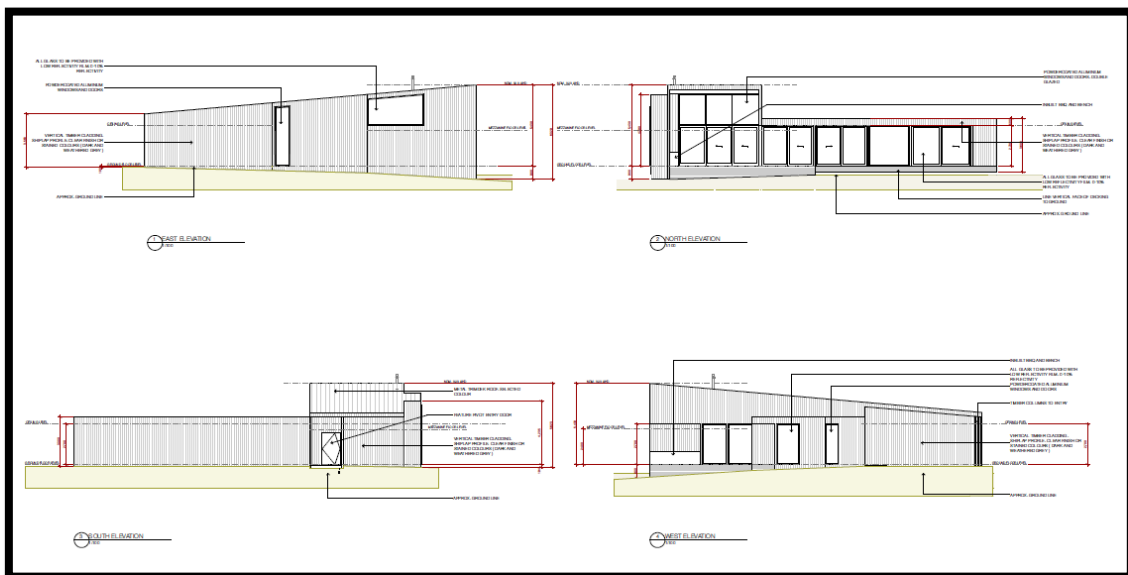
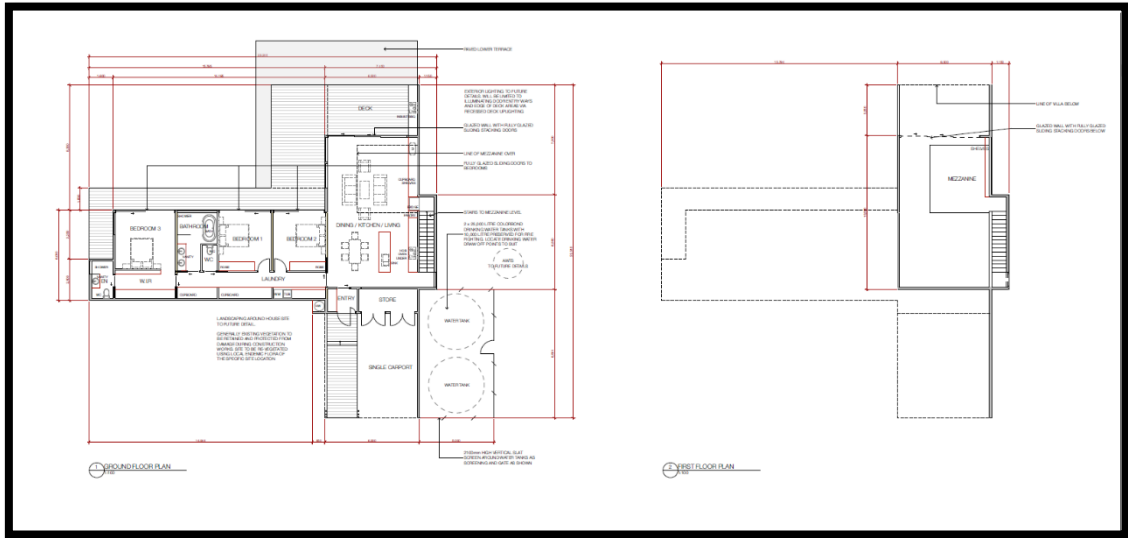
The 155.6ha site slopes down from Tasman Highway to the east to the water and is located on the eastern side of the Tasman Highway. The site is vacant land with no uses or meaningful buildings/structures present on the site.

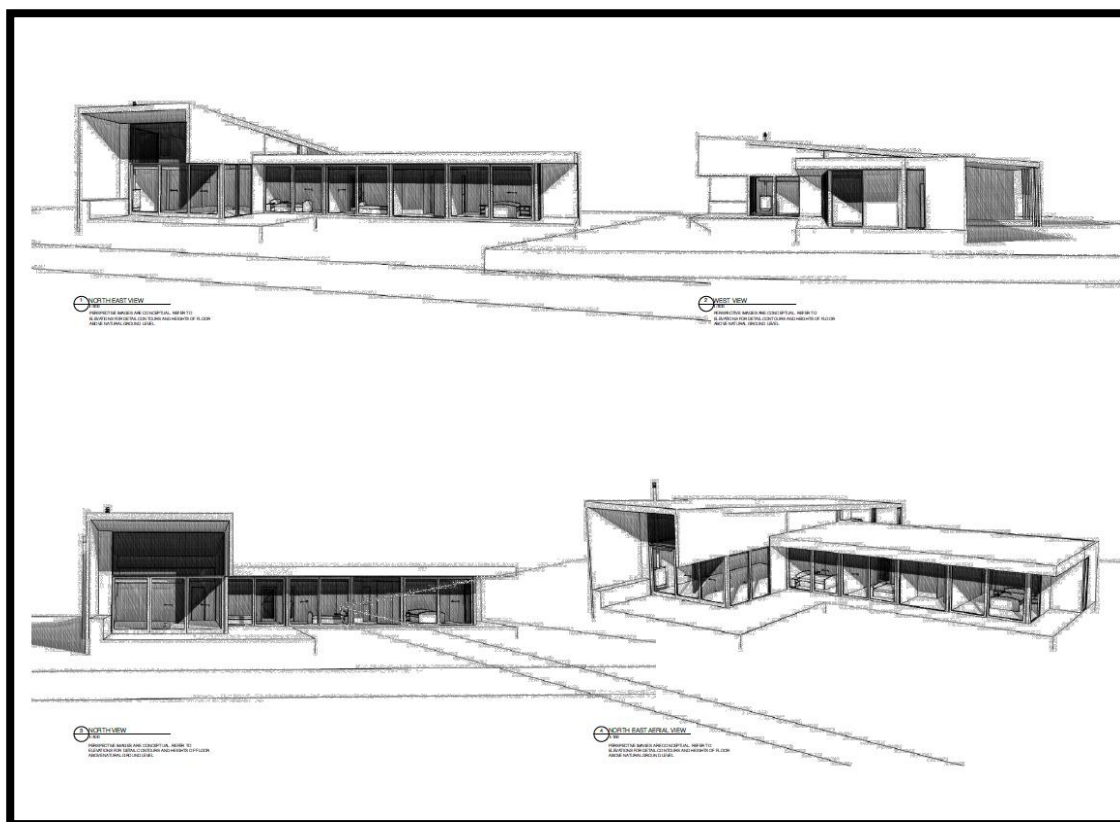
An existing access driveway is provided to the subject site from Tasman Highway with access to the dwelling site over Volume 167498 Folios 3, 4, 5, 6 & 8. The site is not serviced by reticulated water, sewer or stormwater. Power and telecommunication services are available to the subject site.



The single dwelling is to comprise of a single carport, open plan dining/kitchen/living, three bedrooms, main with ensuite and walk-in-robe, bathroom and laundry and deck. A mezzanine level is provided on the first floor. Total building area is 222m² (dwelling) + 70m² (deck), with a total site coverage of 0.019%.

The dwelling is to be clad using vertical timber cladding with shiplap profile, clear finish or stained colours (dark and weathered grey), with metal trimdeck roof in selected colour. All glass is to be provided with low reflectivity film 0-10% reflectivity.





Following receipt of representations and to complete the assessment of the application, Council requested and received an extension of time to 25 January 2021.

2. Applicable Planning Scheme Provisions

Part 14 Environmental Living Zone
 E4 Road and Railway Assets Code
 E6 Car Parking and Sustainable Transport Code
 E7 Scenic Management Code – Tourist Road
 E8 Biodiversity Code
 E9 Water Quality Code
 E12 Airports Impact Management Code
 E14 Coastal Code
 E16 Onsite Wastewater Management Code

3. Referrals

The initial application was referred on 11 May 2020 to DPIWPE Policy and Conservation Advice Branch (PCAB), Conservation Assessment and Wildlife Management Section who provided the following advice in relation to Lots 2-8 which was forwarded to the Proponent for consideration within the final lodged documentation:

Threatened Flora

CAS notes that the Flora and Fauna Habitat Assessment states that no threatened flora will be impacted by the development of any lot. CAS supports the recommendation within the Flora and Fauna Habitat Assessment for a vegetation plan to be developed for each Lot to assist in the maintenance of vegetation and the protection of threatened flora species and fauna habitat into the future.

Threatened Fauna

Swift Parrot

The Flora and Fauna Habitat Assessment details that a number of the Lots support E.globulus forest and the E.ovata forest and woodland, which is potential foraging habitat for swift parrots (Lathamus discolor), listed as endangered under the Threatened Species Protection Act 1995 (TSPA) and the Environment Protection and Biodiversity Conservation Act 1999 (EPBCA). Therefore, the area may support swift parrot activity. CAS notes that the Flora and Fauna Habitat Assessment states that no potentially suitable habitat for swift parrots will be cleared from any Lot and this is supported.

A threat to swift parrots is colliding with man-made objects such as windows and chain-link fences. CAS supports the recommendation in the Flora and Fauna Habitat Assessment that design principles are applied to minimise collision risk with swift parrots. For general information and advice on building structures which minimise risk of collisions (e.g. wire-mesh fences or windows) - see [Guidelines and recommendations for parrot-safe building design](#). For comprehensive advice on avoiding collisions with glass - see [An end to birds dying at windows](#).

White-bellied Sea-Eagle

The Flora and Fauna Habitat Assessment states that an area of at least 10ha surrounding a known White-bellied Sea-Eagle nest has been applied with no dwellings within 500m. It is generally recommended that most disturbance based activities within 500 m or 1 km line-of-sight of an active eagle nest are avoided during the breeding season (July to January). It is unclear from the Flora and Fauna Habitat Assessment whether the known White-bellied Sea-Eagle nest is within 1 km line-of-sight from any dwellings or disturbance based activities on any of the Lots, however it seems that the area of at least 10ha surrounding the known nest without disturbance based activities will be adequate.

Tasmanian Devil and Quolls

The Flora and Fauna Habitat Assessment states that the entire site is suitable foraging habitat with sparse denning opportunities and that wombat burrows may provide denning opportunities for Tasmanian devils and quolls. The report details that two potentially suitable den sites were found and two motion-operated cameras were placed at each site for 8 nights, however the report does not indicate which Lot(s) the sites were on. If any dens are subsequently located during works then these should be managed in accordance with the Survey Guidelines And Management Advice For Development Proposals That May Impact On The Tasmanian Devil (Sarcophilus harrisii) (see <https://dppwe.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>). Any dens that cannot be avoided will require a permit to take under the Nature Conservation Act 2002.

New Holland Mouse

The New Holland Mouse (Pseudomys novaehollandiae) is listed endangered under the TSPA and vulnerable under the EPBCA. Threats to the New Holland mouse include, but are not limited to, habitat loss and modification, inappropriate fire regimes and predation by cats. An important cause of habitat modification is infection of the New Holland mouse habitat with root rot fungus Phytophthora cinnamomi. CAS acknowledges that vegetation clearance is to be minimised and supports the recommendation of implementing a weed management plan (detailed below).

Shorebirds

Lots 2-8 each have a significant boundary with the coastal reserve, which supports threatened shorebird species documented and observed during the surveys. The potential increase in access and activity from residents, the numbers of domestic cats and dogs and 4WDs amplifies the threat to threatened shorebirds in the area.

Jocks Lagoon

Although Jocks Lagoon - a Ramsar site recognising wetland areas of international significance is not part of Lots 2 – 8, the Lots appear to occur within the catchment for Jocks Lagoon and therefore it is recommended that potential environmental impacts to the wetland be addressed as part of the development assessment process. Residential effluent entering the area could pose a possible threat.

CAS supports the recommendation in the Flora and Fauna Habitat Assessment that water quality in Jocks Lagoon needs to be protected, however further details of how this will be achieved have not been provided.

Weeds and Diseases

The Flora and Fauna Habitat Assessment details widespread Spanish Heath, a declared weed under the Weed Management Act 1999 on Lots 2 and 4 and to a lesser extent on others.

CAS supports the implementation of a targeted weed management plan as part of the vegetation plan as outlined in the Flora and Fauna Report. Further information about controlling the introduction and spread of weeds and the development of weed and disease management plans can be found in Section 4 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#).

*A number of species likely to occur in the area are highly susceptible to *Phytophthora cinnamomi* (PC), and adherence to strict hygiene measures will be required. Information about practical hygiene measures to implement on development work sites can be found in Appendix 1 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#). Practical information on how to minimise the risks of introducing and spreading PC can be found in the manual [Keeping it clean - A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens](#)*

Additional Comments for Lot 3

*CAS notes that the Flora and Fauna Habitat Assessment states that 1.11 hectares of native vegetation (non-threatened vegetation communities) and 0.1 hectares of Tasmanian threatened native vegetation community *Eucalyptus Viminalis* – *Eucalyptus Globulus* Coastal Forest and Woodland (DVC) will be cleared with the one threatened flora species recorded onsite not being impacted. CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.*

This Tasmanian threatened native vegetation community may also support important habitat for the swift parrot, listed as endangered under the TSPA and EPBCA. Clearing of this vegetation type should be avoided during swift parrot breeding season (September to January) if the species is breeding in the area or at other times if swift parrots are using the area.

Additional Comments for Lot 4

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lot 5

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lots 5 and 6

Geoconservation

Although almost entirely within the coastal reserve of the St Helens Conservation Area and tidal Crown Land, it appears that a small section on the boundaries of Lot 5 and Lot 6 contain part of the Dianas Basin Folds site – a site of global geoconservation significance. The feature of interest is the coastal exposure of folding caused by intrusion of granite. According to the plans provided it will not be subject to disturbance by the proposed dwellings. As a hard rock feature it is relatively immune to an increase in residential pedestrian traffic that the dwelling might bring but it is recommended that the proponents be made aware by Council of the location, significance and sensitivities of the site.



Map of the coast in the vicinity of Onion Creek showing the extent of significant coastal exposure of geodiversity outlined in red. The older polygon shown for reference in pink was derived from a lower resolution source and should now be disregarded.

Road Reserve

CAS notes that the Flora and Fauna Habitat Assessment states that 2.93 hectares of native vegetation (non-threatened vegetation communities) and 0.24 hectares of Tasmanian threatened native vegetation community *Eucalyptus ovata* Forest and Woodland (DOV). CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Again, threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.

The application included Crown Consent and Department of State Growth (DSG) consent to the lodgement of the application.

The application was referred to the Airport Manager for advice on the OLS detail in relation to the development application. This advice was provided to the proponent prior to final plans and documentation being submitted for the application

4. Assessment

The advertised application relied upon the following four (4) performance criteria as detailed below;

- 5) 14.4.2 Landscaping P1
- 6) E4.6.1 Use and Road or Rail Infrastructure P3
- 7) E8.6.1 Habitat and Vegetation Management P2.1
- 8) E16.7.2 Surface and Ground Water Impacts P4

Detailed assessment against the provisions of the *Break O'Day Interim Planning Scheme 2013* is provided below. **The proposal is deemed to comply with the performance criteria applicable.**

14 Environmental Living Zone

14.1 Zone Purpose

14.1.1 Zone Purpose Statements

14.1.1.1 To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.

14.1.1.2 To provide for a mix of low impact activities that is sensitive to the natural environment.

14 Environmental Living Zone

14.3 Use Standards

14.3.1 Amenity

Acceptable Solutions	Proposed Solutions
A1 Development must be for permitted or no permit required uses.	A1 The proposed is for a permitted Residential Use only. Acceptable solution met.
A2 Operating hours for commercial vehicles for discretionary uses must be between 6.00am and 10.00pm.	A2 Not applicable. This application does not include commercial vehicles.

14.3.2 Environmental Living Character

Acceptable Solutions	Proposed Solutions
A1 Discretionary uses must not exceed a combined gross floor area of 200m ² of the site.	A1 Not applicable.
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	A2 Not applicable.
A3 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	A3 Not applicable.
A4 Waste material storage for discretionary uses must: a) Not be visible from the road to which the lot has frontage; and b) Use self-contained receptacles designed to ensure waste does not escape to the environment.	A4 Not applicable.

14.4 Development Standards

14.4.1 Building Design and Siting

Acceptable Solutions	Proposed Solutions
A1 No more than 4 hectares or 20% of the site, whichever is the lesser, is used for development.	A1 The proposal does not exceed 20% of the total site area or 4 ha. The proposal complies with the Acceptable Solution.
A2 Building height must not exceed 7m.	A2 The proposed dwelling height will not exceed 7 metres (6.329m). The proposal complies with the Acceptable Solution.
A3 Buildings must be set back a minimum distance of 10m from a frontage.	A3 The proposal is at least 10m from a frontage. The proposal complies with the Acceptable Solution.
A4 Buildings must be set back a minimum of: a) 10m to side and rear boundaries; and b) 200m to the Rural Resource Zone where a sensitive use is proposed.	A4 The proposal is at least 10m from a side boundary and rear boundary and at least 200m from the Rural Resource zone. The proposal complies with the Acceptable Solution.
A5 The combined gross floor area of all outbuildings on a lot must not exceed 81m ² and a maximum height of 5m.	A5 Not applicable. No outbuilding proposed.
A6 The colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements.	A6 The proponent has advised that the external colours will be timber, grey stained timber or charred timber which will recede with the surrounding vegetation and landscape. The proposal complies with the Acceptable Solution.
A7 Reflective materials, excluding windows, must not be used as visible external elements in buildings.	A7 The plans and documents submitted do not propose any highly reflective elements. The proposal complies with the Acceptable Solution.
A8 On sites with a slope greater than 1:10, site benching through cut and fill must be less than 20% of the site coverage of the proposed building(s).	A8 No cut and fill works are proposed or required. The proposal complies with the Acceptable Solution.
A9 Rainwater runoff from roofs must be collected by means of roof guttering, downpipes and rainwater tanks.	A9 It is proposed that the roof runoff will be directed to stormwater collection tanks via guttering and downpipes. Overflow is to be directed towards absorption drains on the site. The proposal complies with the Acceptable Solution.

Acceptable Solutions	Proposed Solutions
A10 Exterior building lighting is limited to that necessary to allow safe and secure movement of pedestrians and to allow movement around the building at night. Lighting must not be used as a means of displaying the presence of buildings to be visible from outside the site.	A10 External lighting will be limited to allow for safe and secure movement of pedestrians only, limited to lighting entry doorways and minor up lighting inset into the external decks. The proposal complies with the Acceptable Solution.
A11 Where a development is part of a larger complex, each component of the development must be connected by walking tracks.	A11 Not applicable.
A12 Single unbroken walls are not to exceed 15m in length.	A12 No single wall length is to exceed 15m (max. 14.944m). The proposal complies with the Acceptable Solution.
A13 Roofs must be: a) Pitched at an angle of less than 30 degrees and can be either hipped or gabled, or b) Curved at radius no greater than 12.5m.	A13 The proposed roof pitch is not to be at an angle greater than 30 degrees. The proposal complies with the Acceptable Solution.

14.4.2 Landscaping

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Development must be located on land where the native vegetation cover has been removed or significantly disturbed. P1 New development must be located in a manner that minimises vegetation removal.	P1 A Bushfire Report and Hazard Management Plan accompanied the application, prepared by NorthBarker Ecosystem Services. A BAL rating and Hazard Management Area for BAL 29 has been prescribed for the dwelling. Existing access roads and BAL 29 HMA and buildings and infrastructure are proposed to be located to minimise vegetation disturbance. The proposal is considered to be compliant with the performance criteria.
A2 All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.	A2 All new planting will need to be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site. Conditions can be placed upon any approval ensuring compliance. The proposal complies with the Acceptable Solution.
A3 Plants listed in Appendix 3 must not be used in landscaping.	A3 Plants listed in Appendix 3 will not be allowed to be used in landscaping. Conditions can be placed upon any approval ensuring compliance. The proposal complies with the Acceptable Solution.

14.4.3 Subdivision – Not applicable to this proposal.

14.4.4 Tourist Operations – Not applicable to this proposal.

E4 Road and Railway Assets Code

E4.6 Use Standards

E4.6.1 Use and Road or Rail Infrastructure

Acceptable Solutions/Performance Criteria	Proposed Solutions
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%.	A1 Not applicable.

Acceptable Solutions	Proposed Solutions
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.	A2 Not applicable.
<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. 	<p>A3 A Traffic Impact Assessment was prepared for each application by Shane Wells, Woolcott Surveys. This application is individual and must be assessed on this basis. The traffic generation from a single dwelling in a rural location is in the order of 7 movements per day. Part a) of the Performance Criteria is not applicable. In terms of b), the dependency of the use on the site is established by the zoning, in which a Single Dwelling use is a permitted use. Further, there is no potential to access from a category 4 or 5 road. In terms of Part c), the road authority (Department of State Growth) is satisfied that there will be no unreasonable impact to traffic safety and efficiency having regard to both the current and planned Highway alignment.</p> <p>The proposal is consistent with the performance criteria.</p>
A4 Use serviced by a side road from a deficient junction (refer E4 Table 2) is not to create an increase to the annual average daily traffic (AADT) movements on the side road at the deficient junction by more than 10%.	A4 Not applicable.

E4.7 Development Standards

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

Acceptable Solutions	Proposed Solutions
<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 envelopes on new lots; and c) Outdoor sitting, entertainment and children's play areas. 	A1 Not applicable.

E4.7.2 Management of Road Accesses and Junctions

Acceptable Solutions	Proposed Solutions
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.	A1 Not applicable.

Acceptable Solutions	Proposed Solutions
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	A2 One existing access/junction is to be utilised to serve the proposal. The proposal complies with the Acceptable Solution.
A3 Accesses must not be located closer than 6m from an intersection, nor within 6m of a break in a median strip.	A3 The existing access meets the acceptable solution. The proposal complies with the Acceptable Solution.

E4.7.3 Management of Rail Level Crossings – Not applicable.

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

Acceptable Solutions	Proposed Solutions
A1 Sight distances at <ul style="list-style-type: none"> a) An access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) Rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority have been obtained. 	A1 The access complies with the SISD requirements for the 85 th percentile operating speed of the road, as confirmed between the authors of the Traffic Impact Assessment and the Department of State Growth. The SISD to the left is 245m and to the right is 177m. The 85 th percentile speed is considered to be 80 km/hr based on driving experience. The SISD requirement of the scheme is 175m. The proposal is consistent with the performance criteria.

E6 Car Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Acceptable Solutions	Proposed Solutions
A1 The number of car parking spaces must not be less than the requirements of: <ul style="list-style-type: none"> a) Table E6.1; or b) A parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone). 	A1 The site will provide a minimum 2 car parking spaces as required for the dwelling. The proposal complies with the Acceptable Solution.

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Acceptable Solutions	Proposed Solutions
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. 	A1 All car parking, access strips, manoeuvring and circulation spaces will be: <ul style="list-style-type: none"> a) Formed to an adequate level and drained; and b) Not applicable; and c) Not applicable. The proposal complies with the Acceptable Solution.

E6.7.2 Design and Layout of Car Parking

Acceptable Solutions	Proposed Solutions
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for a dwelling 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>A1 Not applicable.</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 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: <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 AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>A2.1 Car parking and manoeuvring space will:</p> <ul style="list-style-type: none"> a) Be on almost level ground; and b) Not applicable. Only requires a provision of 2 car parking spaces; and c) Provides a minimum 3.0m wide vehicular access; and d) Not applicable. <p>A2.2 The layout of car spaces and access ways are in accordance with <i>Australian Standards AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p> <p>The proposal complies with the Acceptable Solution.</p>

E7 Scenic Management Code

The site is affected by the Scenic Corridor overlay – tourist road corridor (Tasman Highway). However, as the proposed use and development is not located on land within 100 metres measured from the frontage to the scenic management tourist road corridor, the code has been determined to be not applicable.

E8 Biodiversity Code

E8.6.1 Habitat and Vegetation Management

Acceptable Solutions/Performance Criteria	Proposed Solutions
<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>A1.1/A1.2 A review of Council's priority habitat layer indicates the vegetation is not located within an area of priority habitat.</p> <p>Not applicable</p>

Acceptable Solutions/Performance Criteria	Proposed Solutions
<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 habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</p> <p>b) means or 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>	<p>P2.1</p> <p>A Flora and Fauna Habitat Assessment accompanied the application, prepared by NorthBarker Ecosystem Services.</p> <p>No known locations of threatened flora will be disturbed on the lot.</p> <p>A small area of potential habitat of the new holland mouse will require conversion or modification to accommodate access, house site and Hazard Management Area (BAL 29) on the lot. No new holland mice have been recorded on site with extensive habitat present within range. Minor widening of the shared access through Lot 3 may require a handful of trees to be removed that are tree species suitable for swift parrot foraging habitat, they are small trees of negligible contribution to the conservation for the swift parrot.</p> <p>The planning applications for each lot avoids all Priority Habitat. Note that apparent conflict with priority habitat where the fee simple access routes overlay priority habitat will not be utilised. The existing road will be utilised.</p> <p>The areas of native vegetation that are proposed to be converted or modified on each lot range between 0.3 and 3ha or 0.1 and 5% of each lot (of all 8 dwellings). Each vegetation type is well represented and well reserved in the Bioregion. The report makes a number of recommendations in relation to Threatened Flora, Fauna values, and weed management and can be appropriately managed through conditions upon an approval.</p> <p>The proposal is considered to be compliant with the performance criteria.</p>

E9 Water Quality Code

E9.6.1 Development and Construction Practices and Riparian Vegetation

Acceptable Solutions	Proposed Solutions
<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 Water catchment area – inner buffer.</p>	<p>A1 No native vegetation will be removed within 40m of a wetland, watercourse or mean high water mark.</p> <p>The proposal complies with the Acceptable Solution.</p>
<p>A2 A wetland must not be filled, drained, piped or channelled.</p>	<p>A2 The proposal complies with the Acceptable Solution.</p>
<p>A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposed.</p>	<p>A3 The proposal complies with the Acceptable Solution..</p>

E9.6.2 Water Quality Management

Acceptable Solutions	Proposed Solutions
<p>A1 All stormwater must be:</p> <ul style="list-style-type: none"> a) Connected to a reticulated stormwater system; or b) Where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) Diverted to an on-site system that contained stormwater within the site. 	<p>A1 The proposed new dwelling will direct all overflow stormwater from rainwater tanks to proposed stormwater absorption trenches onsite. The proposal complies with the Acceptable Solution.</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>A2.1 No point source discharge is proposed. The proposal complies with the Acceptable Solution.</p> <p>A2.2 Not applicable.</p>
<p>A3 No acceptable solutions.</p> <p>P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.</p>	<p>P3 Not applicable.</p>

E9.6.3 Construction of Roads

Acceptable Solutions	Proposed Solutions
<p>A1 A road or track does not cross, enter or drain to a watercourse or wetland.</p>	<p>A1 There is no new road or track that enters or crosses a watercourse or wetland proposed. The proposal complies with the Acceptable Solution.</p>

E9.6.4 Access

Acceptable Solutions/Performance Criteria	Proposed Solutions
<p>A1 No acceptable solution.</p> <p>P1 New access point to wetland and watercourses are provided in a way that minimises:</p> <ul style="list-style-type: none"> a) Their occurrence; and b) The disturbance to vegetation and hydrological features from use or development. 	<p>A1/P1 Not applicable.</p>
<p>A2 No acceptable solution.</p> <p>P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.</p>	<p>A2/P2 Not applicable.</p>

E9.6.5 Sediment and Erosion Control – not applicable.

E9.6.6 Water Catchment Areas – not applicable.

E12 Airports Impact Management Code

The site is affected by the prescribed air space. The total development height is well below the OLS height of 86.5 AHD, refer to elevations for the height of the dwelling AHD, the code has been determined to be not applicable.

E14 Coastal Code

The area of the proposed development works is outside of the mapped area of the site that this code is applicable for. For additional information, refer to the Preliminary Coastal Vulnerability Assessment.

E16 On-Site Wastewater Management Code

E16.6 Use Standards

E16.6.1 Use and Lot Size

Acceptable Solutions	Proposed Solutions
A1 Residential uses that rely on onsite wastewater management must: a) Be on a site with minimum area of 2,000m ² ; and b) Have four bedrooms or less.	A1 The site has an area greater than 2000m ² (155.6ha) and only three bedrooms is proposed. The proposal complies with the Acceptable Solution.
A2 Non-residential uses that rely on onsite wastewater management must be on a site with minimum area of 5,000m ² .	Not applicable.

E16.7 Development Standards

E16.7.1 Onsite Wastewater Management

Acceptable Solutions	Proposed Solutions
A1 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and buildings and structures.	A1 A minimum separation distance of 3.0 metres from any structure to the wastewater infrastructure will be provided. The proposal complies with the Acceptable Solution.
A2 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and the following: a) Hardstand and paved areas; b) Car parking and vehicle manoeuvring areas; and c) Title or lot boundaries.	A2 A minimum horizontal separation of 3m will be provided. The proposal complies with the Acceptable Solution.
A3 Private Open Space must not be used for surface irrigation of treated wastewater.	A3 The proposal complies, no private open space is used for surface irrigation of treated wastewater. The proposal complies with the Acceptable Solution.
A4 Onsite wastewater management infrastructure must be on lots with an average slope of 10% or less.	A4 The proposed wastewater treatment system is on land with an average slope less than 10%. The proposal complies with the Acceptable Solution.

E16.7.2 Surface and Ground Water Impacts

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Onsite wastewater management infrastructure must have a minimum separation distance of 100m from a wetland or watercourse or coastal marine area.	A1 Onsite wastewater management infrastructure is to have a minimum separation distance of 100m from a wetland, watercourse or coastal marine area. The proposal complies with the Acceptable Solution.
A2 Onsite wastewater management infrastructure must have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply.	A2 Onsite wastewater management infrastructure will have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply. The proposal complies with the Acceptable Solution.

Acceptable Solutions/Performance Criteria	Proposed Solutions
A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, must be no less than 1.5m.	A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, is to be no less than 1.5m. The proposal complies with the Acceptable Solution.
A4 Vertical separation between a limiting layer and the land used to apply effluent, including reserved areas, must be no less than 1.5m. P4 Onsite wastewater management infrastructure separated from the limiting layer by less than 1.5m must have no detrimental impacts on groundwater.	P4 An Onsite Waste Water & Stormwater Disposal Assessment and Design prepared by JD Consulting accompanied the application. For the majority of the area, the limiting layer is greater than 1.5m. Where the limiting layer is less than 1.5m, an onsite wastewater treatment system that is capable of providing secondary treated effluent quality will need to be installed, and can be assessed at the Plumbing Application stage further. The proposal is considered to be compliant with the performance criteria.

5. Representations

The application was advertised 17 October 2020 to 30 October 2020 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining land owners. Two (2) representations have been received from individuals and a letter from Aboriginal Heritage Tasmania with concerns during the statutory exhibition period. A further letter from Tasmania Parks & Wildlife Service was received outside the statutory period. Parks & Wildlife supports the proponents adoption of the recommendations contained within section 6 of the Flora and Fauna Habitat Assessment. They also noted that the development sites are adjacent to the St Helens Conservation Area (SHCA), whilst no access is proposed as part of this application, any future access to SHCA shall be established only after consultation with PWS. These applications will address the adhoc access by the public over this subject lands currently taking place.

Aboriginal Heritage Tasmania concerns are in relation to HMA for Lot 8 and site AH5625 proximity. The proponent has advised that they have no issue with relocating the proposed dwelling on Lot 8 outside of a 10m buffer to mapped area AH5625. This will form a condition on the recommended approval for that particular development application.

Aboriginal Heritage Tasmania, noted that an assessment was carried out in 2017 as part of a different proposal, and whilst that report did not identify any Aboriginal heritage sites within Lot 1, the report states that poor ground surface visibility was a key constraint in survey coverage. Advice is provided in relation to works carried out on Lot 1, should be carried out strictly under the guidance of an attached Unanticipated Discovery Plan. In the case of AH5625, a 10m buffer was recommended.

Two other representations raised concerns in relation to scenic values of the coastline, the new holland mouse, lack of an Aboriginal Heritage Report for each dwelling, and inconsistency with the State Coastal Policy. A number of these matters have been addressed within the reports provided, as well as further consideration of the applicants which has been provided.

The proponent together with the planning assessment above, and recommended conditions have adequately considered and dealt with the relevant concerns of the representors. No further comment is required for those matters that are not a relevant planning consideration/provision that have been addressed under the *Break O'Day Interim Planning Scheme 2013*.

The recommendation for approval has been made following due consideration of the representations and comments.

6. Mediation

Nil.

7. Conclusion

In accordance with 8.10 of the *Break O' Day Interim Planning Scheme 2013*, the application has been assessed against the objectives of the Scheme, in particular the Environmental Living Zone, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and four (4) Performance Criterion; the received representations have been considered. It is recommended for approval with conditions normally set to this type of development.

LEGISLATION / STRATEGIC PLAN & POLICIES:

Break O' Day Interim Planning Scheme 2013;
Land Use Planning and Approvals Act 1993;
Local Government (Building and Miscellaneous Provisions) Act 1993.

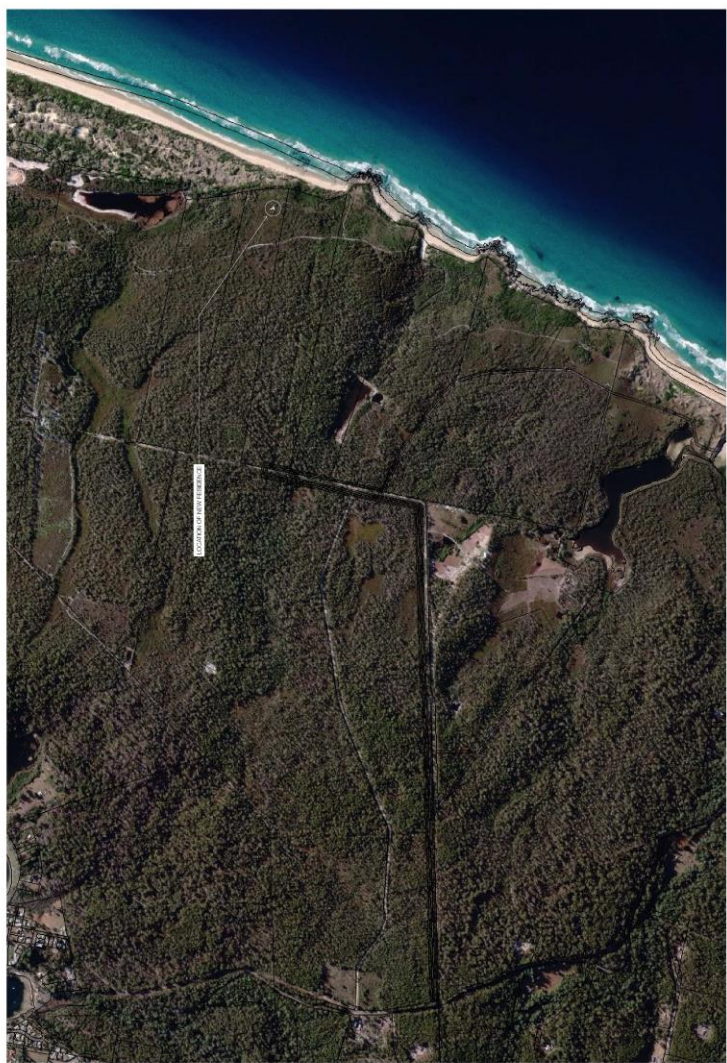
BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable, all costs of the development are the responsibility of the developer.

VOTING REQUIREMENTS:

Simple Majority.

PROJECT DETAILS		
FILE REFERENCE: 20240102		
SITE CLASSIFICATION: TEA		
WMO CLASSIFICATION: TEA		
DRAWING DATE: 2024		
TOTAL BUILDING AREA: 2222.14 (M ²) + 1.77m ² (TOTAL SITE COVERAGE: 0.010%)		
APPLICABLE ACCREDITATION NO. (CONFORM)		
DRAWING SCHEDULE		
DRAWING NO.	DRAWING NAME	REV. NO.
10/15/01	10/15/01	01
10/15/02	10/15/02	01
10/15/03	10/15/03	01
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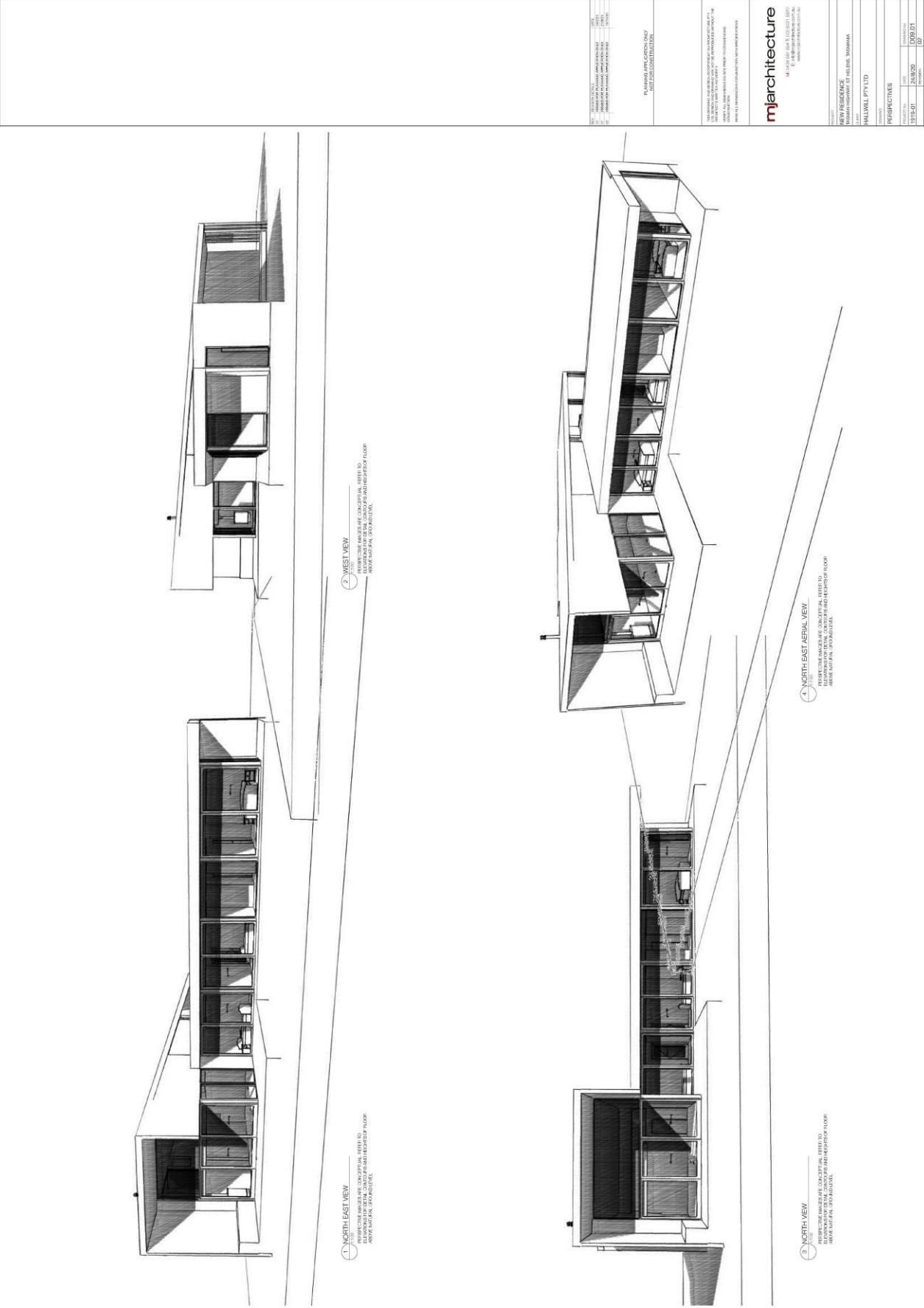




PLANNING APPLICATION ONLY
NOT FOR CONSTRUCTION[illegible]

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PROJECT NO.	PROJECT NAME	DATE	ISSUANCE NO.
1919-01	NEW RESIDENCE HOGAN HIGHWAY ET AL. ENG. TAZUWANA	24/08/20	D02 02
		REVISED	02



ACTION	DECISION
PROPONENT	MJ Architecture obo Hallwill Pty Ltd
OFFICER	Rebecca Green, Planning Consultant
FILE REFERENCE	DA 079-2020
ASSOCIATED REPORTS AND DOCUMENTS	<p>Site Plans, Dwelling Plans and Elevations Written Submission <i>Circulated under Separate Cover:</i> <i>Representations (2)</i> <i>Late Representation – Tasmania Parks and Wildlife Service</i> <i>Bushfire Report and Hazard Management Plan (9 February 2020)</i> <i>Traffic Impact Assessment (report in common)</i> <i>Flora and Fauna Habitat Assessment (report in common)</i> <i>Preliminary Coastal Vulnerability Assessment (report in common)</i> <i>Onsite Waste Water & Stormwater Assessment and Design (report in common)</i> <i>Letter from Aboriginal Heritage Tasmania</i> <i>Applicants Response to Representations</i></p>

OFFICER'S RECOMMENDATION:

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **SINGLE DWELLING LOT 3** on land situated at **LOT 3 (CT167498/3) – TASMAN HIGHWAY, ST HELENS** (with access over Volume 167498 Folios 2, 4, 5, 6 & 8) be **APPROVED** subject to the following conditions:

- Use and development must be substantially in accordance with the following endorsed plans and documents unless modified by a condition of this permit:
 - Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020;
 - Written Submission, MJ Architecture, Dated: 18 September 2020;
 - Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 9 February 2020; and
 - Flora and Fauna Habitat Assessment, NorthBarker Ecosystem Services, Dated: 13 March 2020.
- All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of by means that will not result in soil erosion or other stormwater nuisance in accordance with Part 14.4.1 A9 of the *Break O'Day Interim Planning Scheme 2013*.
- Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
- No native vegetation removal/modification is permitted outside that shown in Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020; and Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 9 February 2020;

5. All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.
6. Plants listed in Appendix 3 of the *Break O'Day Interim Planning Scheme 2013* must not be used in landscaping.
7. Prior to any works commencing on site, a vegetation/weed management plan must be developed and a copy provided to Council, and therefore forming part of this approval to assist in the maintenance of vegetation condition on the subject lot. The vegetation/weed management plan must be prepared in accordance with all of the recommendations contained within the Flora and Fauna Habitat Assessment (section 6), prepared by NorthBarker Ecosystem Services, Dated: 13 March 2020.
8. Reflective materials must not be used as visible external elements in the building and the colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements in accordance with Part 14.4.1 A7 of the *Break O'Day Interim Planning Scheme 2013*.
9. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. Works should be carried out strictly under the guidance of the attached Unanticipated Discovery Plan. If at any point during the proposed works Aboriginal heritage is suspected, works must cease immediately, and AHT must be contacted for advice. The Unanticipated Discovery Plan should be kept on site during the works to aid the proponent and their works personnel in meeting their obligations under the *Aboriginal Relics Act 1975* (the Act) in the event that Aboriginal heritage is identified.
10. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site
11. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.
12. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the occupancy of the dwelling on the subject site.

ADVICE

- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
- Activities associated with construction works are not to be performed outside the permissible time frame listed:

Monday-Friday 7am to 6pm

Saturday 9am to 6pm

Sunday and public holidays 10am to 6pm

- CAS notes that the Flora and Fauna Habitat Assessment states that 1.11 hectares of native vegetation (non-threatened vegetation communities) and 0.1 hectares of Tasmanian threatened native vegetation community *Eucalyptus Viminalis* – *Eucalyptus Globulus* Coastal Forest and Woodland (DVC) will be cleared with the one threatened flora species recorded onsite not being impacted. CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.

This Tasmanian threatened native vegetation community may also support important habitat for the swift parrot, listed as endangered under the TSPA and EPBCA. Clearing of this vegetation type should be avoided during swift parrot breeding season (September to January) if the species is breeding in the area or at other times if swift parrots are using the area.

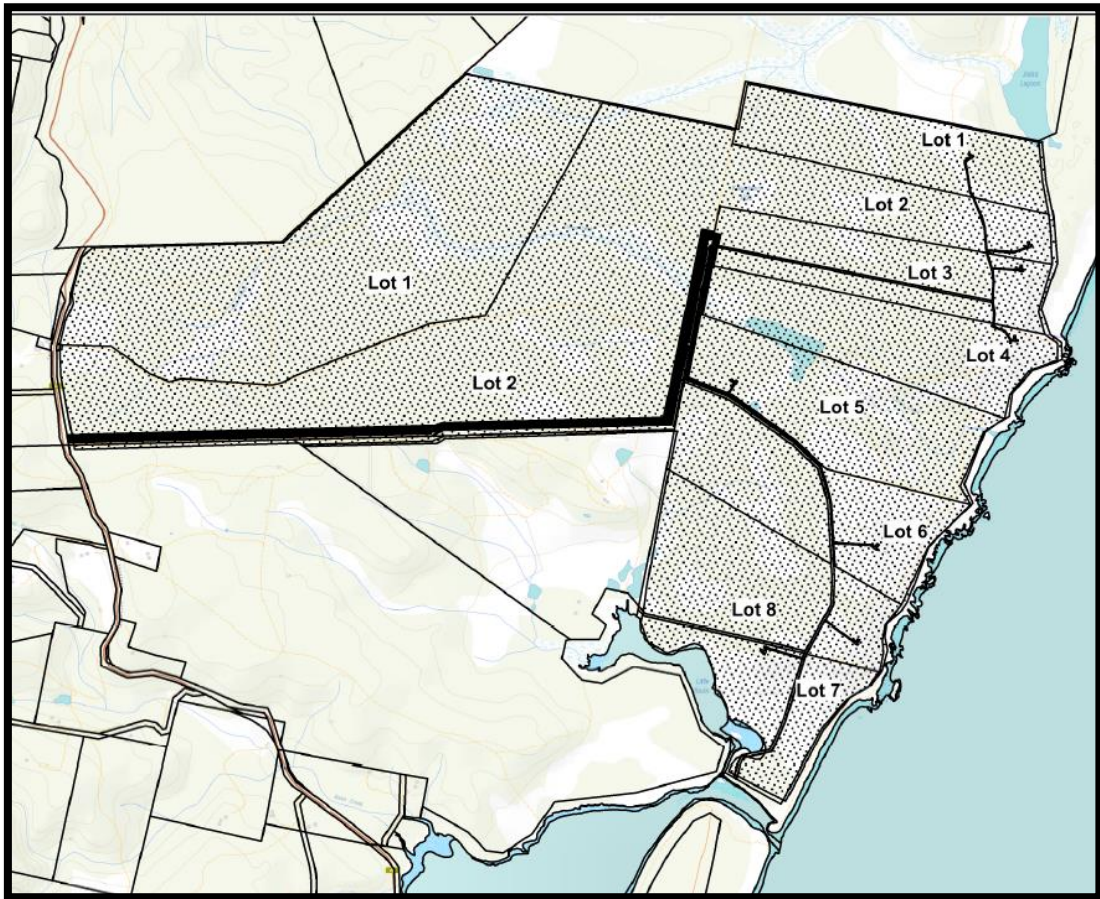
PROPOSAL SUMMARY:

Application is made for the use and construction of a new single dwelling at Lot 3 (CT167498/3), Tasman Highway, St Helens.

Access is proposed over Volume 167498 Folios 2, 4, 5, 6 & 8 from an existing junction with Tasman Highway. The access point is to the north of the 2018 upgrades to Flagstaff Road and south of planned overtaking lanes. Pitt and Sherry, in their design of the overtaking lane, has accommodated the existing access point.

The lot has an area of 34.4ha and is vacant. The title has a number of right of carriageways burdening the site and also benefits to a number of right of carriageways.







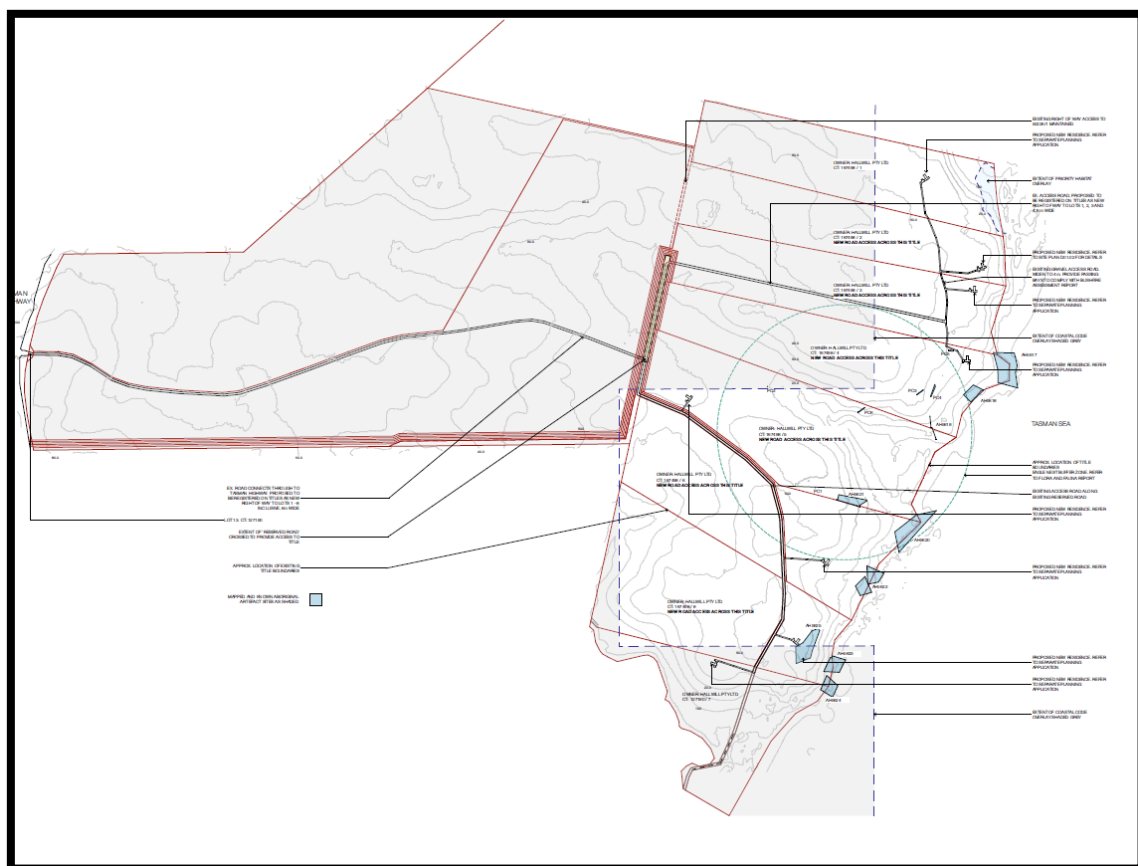


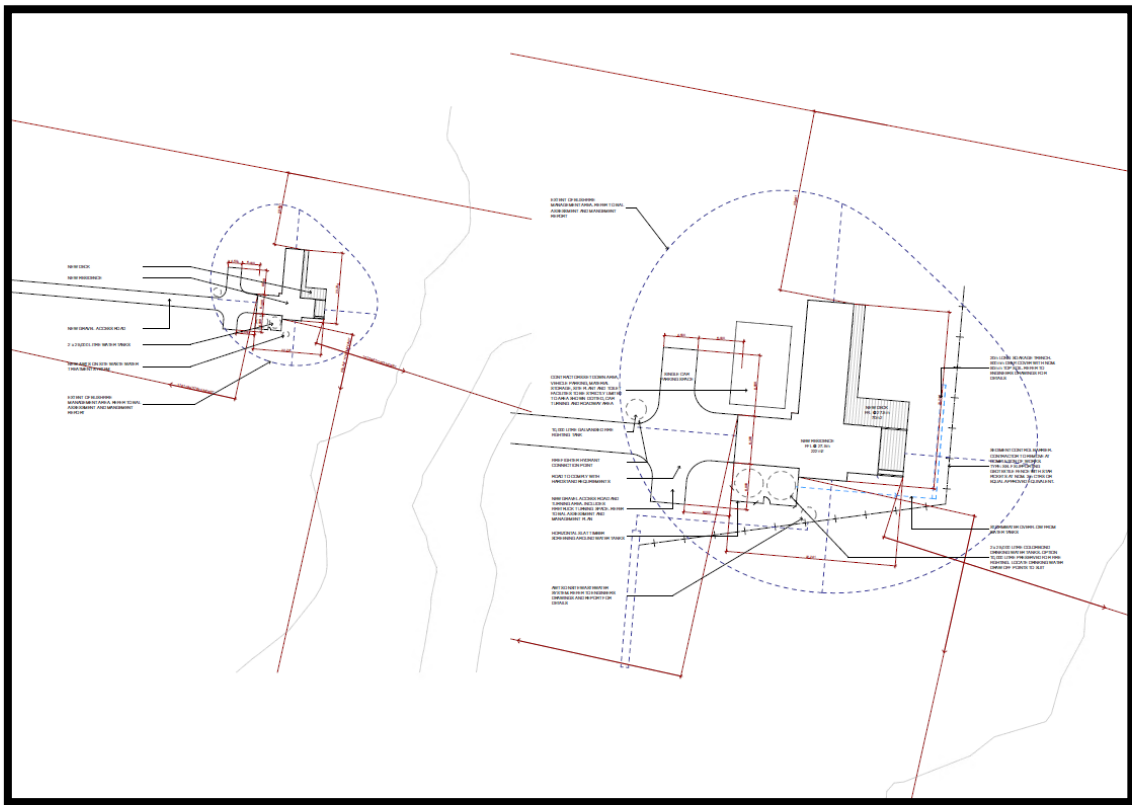
Nil.

1. The Proposal

The 34.4ha site slopes down from Tasman Highway to the east to the water and is located on the eastern side of the Tasman Highway. The site is vacant land with no uses or meaningful buildings/structures present on the site.

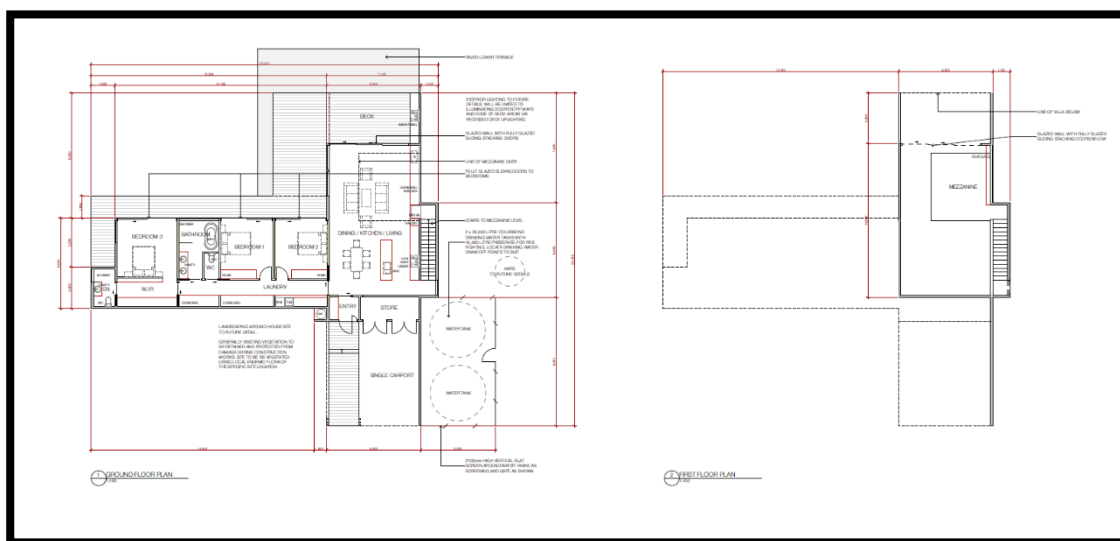
An existing access driveway is provided to the subject site from Tasman Highway with access to the dwelling site over Volume 167498 Folios 2, 4, 5, 6 & 8. The site is not serviced by reticulated water, sewer or stormwater. Power and telecommunication services are available to the subject site.

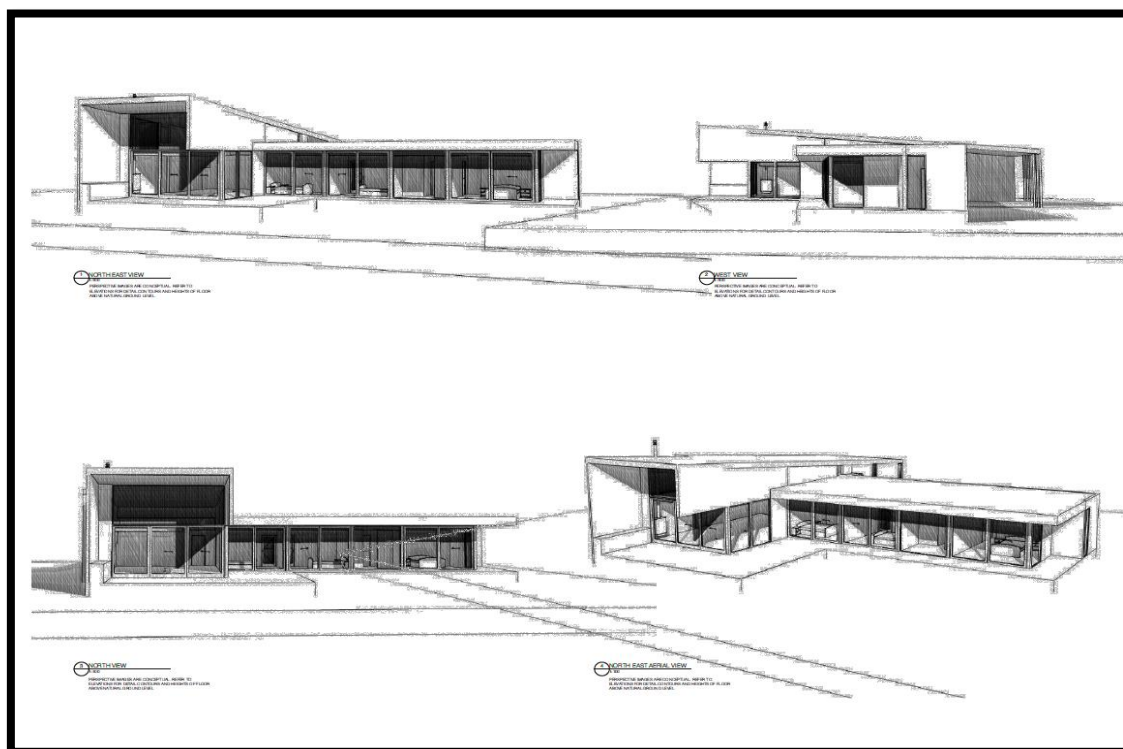
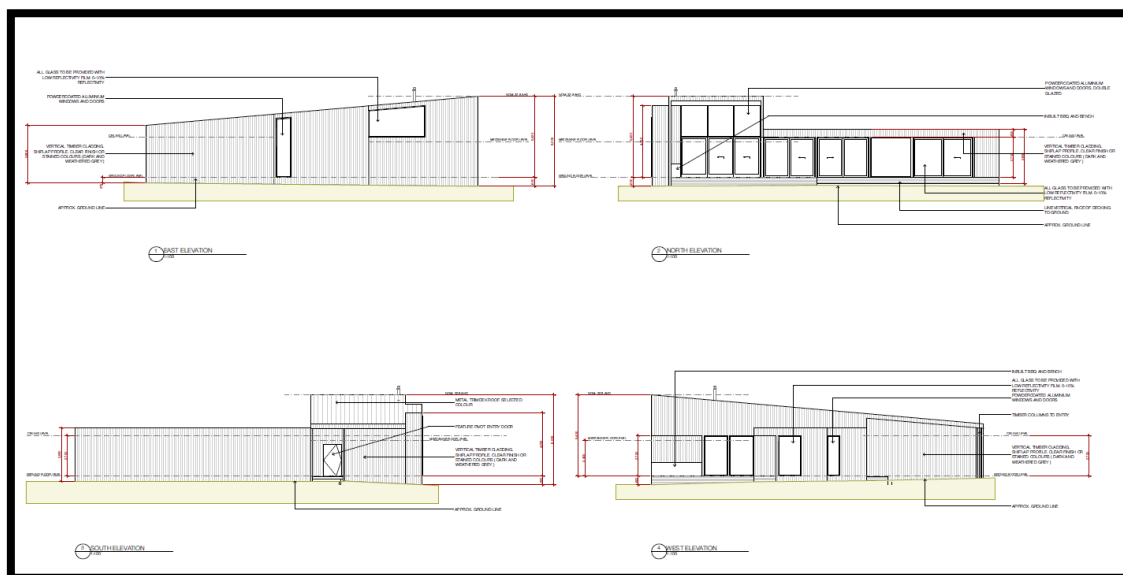




The single dwelling is to comprise of a single carport, open plan dining/kitchen/living, three bedrooms, main with ensuite and walk-in-robe, bathroom and laundry and deck. A mezzanine level is provided on the first floor. Total building area is 222m² (dwelling) + 70m² (deck), with a total site coverage of 0.85%.

The dwelling is to be clad using vertical timber cladding with shiplap profile, clear finish or stained colours (dark and weathered grey), with metal trimdeck roof in selected colour. All glass is to be provided with low reflectivity film 0-10% reflectivity.





Following receipt of representations and to complete the assessment of the application, Council requested and received an extension of time to 25 January 2021.

2. Applicable Planning Scheme Provisions

Part 14 Environmental Living Zone

E4 Road and Railway Assets Code

E6 Car Parking and Sustainable Transport Code

E7 Scenic Management Code – Tourist Road

E8 Biodiversity Code

E9 Water Quality Code

E12 Airports Impact Management Code

E14 Coastal Code

E16 Onsite Wastewater Management Code

3. Referrals

The initial application was referred on 11 May 2020 to DPIPWE Policy and Conservation Advice Branch (PCAB), Conservation Assessment and Wildlife Management Section who provided the following advice in relation to Lots 2-8 which was forwarded to the Proponent for consideration within the final lodged documentation:

Threatened Flora

CAS notes that the Flora and Fauna Habitat Assessment states that no threatened flora will be impacted by the development of any lot. CAS supports the recommendation within the Flora and Fauna Habitat Assessment for a vegetation plan to be developed for each Lot to assist in the maintenance of vegetation and the protection of threatened flora species and fauna habitat into the future.

Threatened Fauna

Swift Parrot

The Flora and Fauna Habitat Assessment details that a number of the Lots support E.globulus forest and the E.ovata forest and woodland, which is potential foraging habitat for swift parrots (Lathamus discolor), listed as endangered under the Threatened Species Protection Act 1995 (TSPA) and the Environment Protection and Biodiversity Conservation Act 1999 (EPBCA). Therefore, the area may support swift parrot activity. CAS notes that the Flora and Fauna Habitat Assessment states that no potentially suitable habitat for swift parrots will be cleared from any Lot and this is supported.

A threat to swift parrots is colliding with man-made objects such as windows and chain-link fences. CAS supports the recommendation in the Flora and Fauna Habitat Assessment that design principles are applied to minimise collision risk with swift parrots. For general information and advice on building structures which minimise risk of collisions (e.g. wire-mesh fences or windows) - see [Guidelines and recommendations for parrot-safe building design](#). For comprehensive advice on avoiding collisions with glass - see [An end to birds dying at windows](#).

White-bellied Sea-Eagle

The Flora and Fauna Habitat Assessment states that an area of at least 10ha surrounding a known White-bellied Sea-Eagle nest has been applied with no dwellings within 500m. It is generally recommended that most disturbance based activities within 500 m or 1 km line-of-sight of an active eagle nest are avoided during the breeding season (July to January). It is unclear from the Flora and Fauna Habitat Assessment whether the known White-bellied Sea-Eagle nest is within 1 km line-of-sight from any dwellings or disturbance based activities on any of the Lots, however it seems that the area of at least 10ha surrounding the known nest without disturbance based activities will be adequate.

Tasmanian Devil and Quolls

The Flora and Fauna Habitat Assessment states that the entire site is suitable foraging habitat with sparse denning opportunities and that wombat burrows may provide denning opportunities for Tasmanian devils and quolls. The report details that two potentially suitable den sites were found and two motion-operated cameras were placed at each site for 8 nights, however the report does not indicate which Lot(s) the sites were on. If any dens are subsequently located during works then these should be managed in accordance with the Survey Guidelines And Management Advice For Development Proposals That May Impact On The Tasmanian Devil (Sarcophilus harrisii) (see <https://dpiuwe.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>). Any dens that cannot be avoided will require a permit to take under the Nature Conservation Act 2002.

New Holland Mouse

*The New Holland Mouse (Pseudomys novaehollandiae) is listed endangered under the TSPA and vulnerable under the EPBCA. Threats to the New Holland mouse include, but are not limited to, habitat loss and modification, inappropriate fire regimes and predation by cats. An important cause of habitat modification is infection of the New Holland mouse habitat with root rot fungus *Phytophthora cinnamomi*. CAS acknowledges that vegetation clearance is to be minimised and supports the recommendation of implementing a weed management plan (detailed below).*

Shorebirds

Lots 2-8 each have a significant boundary with the coastal reserve, which supports threatened shorebird species documented and observed during the surveys. The potential increase in access and activity from residents, the numbers of domestic cats and dogs and 4WDs amplifies the threat to threatened shorebirds in the area.

Jocks Lagoon

Although Jocks Lagoon - a Ramsar site recognising wetland areas of international significance is not part of Lots 2 – 8, the Lots appear to occur within the catchment for Jocks Lagoon and therefore it is recommended that potential environmental impacts to the wetland be addressed as part of the development assessment process. Residential effluent entering the area could pose a possible threat.

CAS supports the recommendation in the Flora and Fauna Habitat Assessment that water quality in Jocks Lagoon needs to be protected, however further details of how this will be achieved have not been provided.

Weeds and Diseases

The Flora and Fauna Habitat Assessment details widespread Spanish Heath, a declared weed under the Weed Management Act 1999 on Lots 2 and 4 and to a lesser extent on others.

CAS supports the implementation of a targeted weed management plan as part of the vegetation plan as outlined in the Flora and Fauna Report. Further information about controlling the introduction and spread of weeds and the development of weed and disease management plans can be found in Section 4 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania.](#)

*A number of species likely to occur in the area are highly susceptible to *Phytophthora cinnamomi* (PC), and adherence to strict hygiene measures will be required. Information about practical hygiene measures to implement on development work sites can be found in Appendix 1 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania.](#) Practical information on how to minimise the risks of introducing and spreading PC can be found in the manual [Keeping it clean - A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens](#)*

Additional Comments for Lot 3

CAS notes that the Flora and Fauna Habitat Assessment states that 1.11 hectares of native vegetation (non-threatened vegetation communities) and 0.1 hectares of Tasmanian threatened native vegetation community *Eucalyptus Viminalis* – *Eucalyptus Globulus* Coastal Forest and Woodland (DVC) will be cleared with the one threatened flora species recorded onsite not being impacted. CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.

This Tasmanian threatened native vegetation community may also support important habitat for the swift parrot, listed as endangered under the TSPA and EPBCA. Clearing of this vegetation type should be avoided during swift parrot breeding season (September to January) if the species is breeding in the area or at other times if swift parrots are using the area.

Additional Comments for Lot 4

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lot 5

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lots 5 and 6

Geoconservation

Although almost entirely within the coastal reserve of the St Helens Conservation Area and tidal Crown Land, it appears that a small section on the boundaries of Lot 5 and Lot 6 contain part of the Dianas Basin Folds site – a site of global geoconservation significance. The feature of interest is the coastal exposure of folding caused by intrusion of granite. According to the plans provided it will not be subject to disturbance by the proposed dwellings. As a hard rock feature it is relatively immune to an increase in residential pedestrian traffic that the dwelling might bring but it is recommended that the proponents be made aware by Council of the location, significance and sensitivities of the site.



Map of the coast in the vicinity of Onion Creek showing the extent of significant coastal exposure of geodiversity outlined in red. The older polygon shown for reference in pink was derived from a lower resolution source and should now be disregarded.

Road Reserve

*CAS notes that the Flora and Fauna Habitat Assessment states that 2.93 hectares of native vegetation (non-threatened vegetation communities) and 0.24 hectares of Tasmanian threatened native vegetation community *Eucalyptus ovata* Forest and Woodland (DOV). CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Again, threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.*

The application included Crown Consent and Department of State Growth (DSG) consent to the lodgement of the application.

The application was referred to the Airport Manager for advice on the OLS detail in relation to the development application. This advice was provided to the proponent prior to final plans and documentation being submitted for the application

4. Assessment

The advertised application relied upon the following four (4) performance criteria as detailed below:

- 1) 14.4.2 Landscaping P1
- 2) E4.6.1 Use and Road or Rail Infrastructure P3
- 3) E8.6.1 Habitat and Vegetation Management P2.1
- 4) E16.7.2 Surface and Ground Water Impacts P4

Detailed assessment against the provisions of the *Break O'Day Interim Planning Scheme 2013* is provided below. **The proposal is deemed to comply with the performance criteria applicable.**

14 Environmental Living Zone

14.1 Zone Purpose

14.1.1 Zone Purpose Statements

14.1.1.1 To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.

14.1.1.2 To provide for a mix of low impact activities that is sensitive to the natural environment.

14 Environmental Living Zone

14.3 Use Standards

14.3.1 Amenity

Acceptable Solutions	Proposed Solutions
A1 Development must be for permitted or no permit required uses.	A1 The proposed is for a permitted Residential Use only. Acceptable solution met.
A2 Operating hours for commercial vehicles for discretionary uses must be between 6.00am and 10.00pm.	A2 Not applicable. This application does not include commercial vehicles.

14.3.2 Environmental Living Character

Acceptable Solutions	Proposed Solutions
A1 Discretionary uses must not exceed a combined gross floor area of 200m ² of the site.	A1 Not applicable.
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	A2 Not applicable.
A3 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	A3 Not applicable.
A4 Waste material storage for discretionary uses must: a) Not be visible from the road to which the lot has frontage; and b) Use self-contained receptacles designed to ensure waste does not escape to the environment.	A4 Not applicable.

14.4 Development Standards

14.4.1 Building Design and Siting

Acceptable Solutions	Proposed Solutions
A1 No more than 4 hectares or 20% of the site, whichever is the lesser, is used for development.	A1 The proposal does not exceed 20% of the total site area or 4 ha. The proposal complies with the Acceptable Solution.
A2 Building height must not exceed 7m.	A2 The proposed dwelling height will not exceed 7 metres (6.029m). The proposal complies with the Acceptable Solution.
A3 Buildings must be set back a minimum distance of 10m from a frontage.	A3 The proposal is at least 10m from a frontage. The proposal complies with the Acceptable Solution.

Acceptable Solutions	Proposed Solutions
A4 Buildings must be set back a minimum of: a) 10m to side and rear boundaries; and b) 200m to the Rural Resource Zone where a sensitive use is proposed.	A4 The proposal is at least 10m from a side boundary and rear boundary and at least 200m from the Rural Resource zone. The proposal complies with the Acceptable Solution.
A5 The combined gross floor area of all outbuildings on a lot must not exceed 81m ² and a maximum height of 5m.	A5 Not applicable. No outbuilding proposed.
A6 The colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements.	A6 The proponent has advised that the external colours will be timber, grey stained timber or charred timber which will recede with the surrounding vegetation and landscape. The proposal complies with the Acceptable Solution.
A7 Reflective materials, excluding windows, must not be used as visible external elements in buildings.	A7 The plans and documents submitted do not propose any highly reflective elements. The proposal complies with the Acceptable Solution.
A8 On sites with a slope greater than 1:10, site benching through cut and fill must be less than 20% of the site coverage of the proposed building(s).	A8 No cut and fill works are proposed or required. The proposal complies with the Acceptable Solution.
A9 Rainwater runoff from roofs must be collected by means of roof guttering, downpipes and rainwater tanks.	A9 It is proposed that the roof runoff will be directed to stormwater collection tanks via guttering and downpipes. Overflow is to be directed towards absorption drains on the site. The proposal complies with the Acceptable Solution.
A10 Exterior building lighting is limited to that necessary to allow safe and secure movement of pedestrians and to allow movement around the building at night. Lighting must not be used as a means of displaying the presence of buildings to be visible from outside the site.	A10 External lighting will be limited to allow for safe and secure movement of pedestrians only, limited to lighting entry doorways and minor up lighting inset into the external decks. The proposal complies with the Acceptable Solution.
A11 Where a development is part of a larger complex, each component of the development must be connected by walking tracks.	A11 Not applicable.
A12 Single unbroken walls are not to exceed 15m in length.	A12 No single wall length is to exceed 15m (max. 14.944m). The proposal complies with the Acceptable Solution.
A13 Roofs must be: a) Pitched at an angle of less than 30 degrees and can be either hipped or gabled, or b) Curved at radius no greater than 12.5m.	A13 The proposed roof pitch is not to be at an angle greater than 30 degrees. The proposal complies with the Acceptable Solution.

14.4.2 Landscaping

Acceptable Solutions/Performance Criteria	Proposed Solutions
<p>A1 Development must be located on land where the native vegetation cover has been removed or significantly disturbed.</p> <p>P1 New development must be located in a manner that minimises vegetation removal.</p>	<p>P1 A Bushfire Report and Hazard Management Plan accompanied the application, prepared by NorthBarker Ecosystem Services. A BAL rating and Hazard Management Area for BAL 29 has been prescribed for the dwelling. Existing access roads and BAL 29 HMA and buildings and infrastructure are proposed to be located to minimise vegetation disturbance.</p> <p>The proposal is considered to be compliant with the performance criteria.</p>
<p>A2 All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.</p>	<p>A2 All new planting will need to be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site. Conditions can be placed upon any approval ensuring compliance.</p> <p>The proposal complies with the Acceptable Solution.</p>
<p>A3 Plants listed in Appendix 3 must not be used in landscaping.</p>	<p>A3 Plants listed in Appendix 3 will not be allowed to be used in landscaping. Conditions can be placed upon any approval ensuring compliance.</p> <p>The proposal complies with the Acceptable Solution.</p>

14.4.3 Subdivision – Not applicable to this proposal.

14.4.4 Tourist Operations – Not applicable to this proposal.

E4 Road and Railway Assets Code

E4.6 Use Standards

E4.6.1 Use and Road or Rail Infrastructure

Acceptable Solutions/Performance Criteria	Proposed Solutions
<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>A1 Not applicable.</p>
<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>A2 Not applicable.</p>
<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> <ol style="list-style-type: none"> 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 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 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>A3 A Traffic Impact Assessment was prepared for each application by Shane Wells, Woolcott Surveys. This application is individual and must be assessed on this basis. The traffic generation from a single dwelling in a rural location is in the order of 7 movements per day. Part a) of the Performance Criteria is not applicable. In terms of b), the dependency of the use on the site is established by the zoning, in which a Single Dwelling use is a permitted use. Further, there is no potential to access from a category 4 or 5 road. In terms of Part c), the road authority (Department of State Growth) is satisfied that there will be no unreasonable impact to traffic safety and efficiency having regard to both the current and planned Highway alignment.</p> <p>The proposal is consistent with the performance criteria.</p>

Acceptable Solutions/Performance Criteria	Proposed Solutions
A4 Use serviced by a side road from a deficient junction (refer E4 Table 2) is not to create an increase to the annual average daily traffic (AADT) movements on the side road at the deficient junction by more than 10%.	A4 Not applicable.

E4.7 Development Standards

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

Acceptable Solutions	Proposed Solutions
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: a) New road works, buildings, additions and extensions, earthworks and landscaping works; and b) Building envelopes on new lots; and c) Outdoor sitting, entertainment and children's play areas.	A1 Not applicable.

E4.7.2 Management of Road Accesses and Junctions

Acceptable Solutions	Proposed Solutions
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.	A1 Not applicable.
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	A2 One existing access/junction is to be utilised to serve the proposal. The proposal complies with the Acceptable Solution.
A3 Accesses must not be located closer than 6m from an intersection, nor within 6m of a break in a median strip.	A3 The existing access meets the acceptable solution. The proposal complies with the Acceptable Solution.

E4.7.3 Management of Rail Level Crossings – Not applicable.

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

Acceptable Solutions	Proposed Solutions
A1 Sight distances at a) An access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) Rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority have been obtained.	A1 The access complies with the SISD requirements for the 85 th percentile operating speed of the road, as confirmed between the authors of the Traffic Impact Assessment and the Department of State Growth. The SISD to the left is 245m and to the right is 177m. The 85 th percentile speed is considered to be 80 km/hr based on driving experience. The SISD requirement of the scheme is 175m. The proposal is consistent with the performance criteria.

E6 Car Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Acceptable Solutions	Proposed Solutions
<p>A1 The number of car parking spaces must not be less than the requirements of:</p> <ul style="list-style-type: none"> a) Table E6.1; or b) A parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone). 	<p>A1 The site will provide a minimum 2 car parking spaces as required for the dwelling.</p> <p>The proposal complies with the Acceptable Solution.</p>

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Acceptable Solutions	Proposed Solutions
<p>A1 All car parking, access strips, manoeuvring and circulation spaces must be:</p> <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. 	<p>A1 All car parking, access strips, manoeuvring and circulation spaces will be:</p> <ul style="list-style-type: none"> a) Formed to an adequate level and drained; and b) Not applicable; and c) Not applicable. <p>The proposal complies with the Acceptable Solution.</p>

E6.7.2 Design and Layout of Car Parking

Acceptable Solutions	Proposed Solutions
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for a dwelling 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>A1 Not applicable.</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 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: <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 AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>A2.1 Car parking and manoeuvring space will:</p> <ul style="list-style-type: none"> a) Be on almost level ground; and b) Not applicable. Only requires a provision of 2 car parking spaces; and c) Provides a minimum 3.0m wide vehicular access; and d) Not applicable. <p>A2.2 The layout of car spaces and access ways are in accordance with <i>Australian Standards AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p> <p>The proposal complies with the Acceptable Solution.</p>

E7 Scenic Management Code

The site is affected by the Scenic Corridor overlay – tourist road corridor (Tasman Highway). However, as the proposed use and development is not located on land within 100 metres measured from the frontage to the scenic management tourist road corridor, the code has been determined to be not applicable.

E8 Biodiversity Code

E8.6.1 Habitat and Vegetation Management

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1.1 Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan or; A1.2 Development does not clear or disturb native vegetation within areas identified as priority habitat.	A1.1/A1.2 A review of Council's priority habitat layer indicates the vegetation is not located within an area of priority habitat. Not applicable
A2 Clearance or disturbance of native vegetation is in accordance with a certified Forest Practices Plan. 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 : 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 b) means or removal; and c) value of riparian vegetation in protecting habitat values; and d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations in proximity to habitat or vegetation; and e) need for and adequacy of proposed vegetation or habitat management; and 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.	P2.1 A Flora and Fauna Habitat Assessment accompanied the application, prepared by NorthBarker Ecosystem Services. No known locations of threatened flora will be disturbed on the lot. A small area of potential habitat of the new holland mouse will require conversion or modification to accommodate access, house site and Hazard Management Area (BAL 29) on the lot. No new holland mice have been recorded on site with extensive habitat present within range. Minor widening of the shared access through Lot 3 may require a handful of trees to be removed that are tree species suitable for swift parrot foraging habitat, they are small trees of negligible contribution to the conservation for the swift parrot. The planning applications for each lot avoids all Priority Habitat. Note that apparent conflict with priority habitat where the fee simple access routes overlay priority habitat will not be utilised. The existing road will be utilised. The areas of native vegetation that are proposed to be converted or modified on each lot range between 0.3 and 3ha or 0.1 and 5% of each lot (of all 8 dwellings). Each vegetation type is well represented and well reserved in the Bioregion. The report makes a number of recommendations in relation to Threatened Flora, Fauna values, and weed management and can be appropriately managed through conditions upon an approval. The proposal is considered to be compliant with the performance criteria.

E9 Water Quality Code

E9.6.1 Development and Construction Practices and Riparian Vegetation

Acceptable Solutions	Proposed Solutions
A1 Native vegetation is retained within: a) 40m of a wetland, watercourse or mean high water mark; and b) A Water catchment area – inner buffer.	A1 No native vegetation will be removed within 40m of a wetland, watercourse or mean high water mark. The proposal complies with the Acceptable Solution.
A2 A wetland must not be filled, drained, piped or channelled.	A2 The proposal complies with the Acceptable Solution.
A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposed.	A3 The proposal complies with the Acceptable Solution..

E9.6.2 Water Quality Management

Acceptable Solutions	Proposed Solutions
A1 All stormwater must be: a) Connected to a reticulated stormwater system; or b) Where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) Diverted to an on-site system that contained stormwater within the site.	A1 The proposed new dwelling will direct all overflow stormwater from rainwater tanks to proposed stormwater absorption trenches onsite. The proposal complies with the Acceptable Solution.
A2.1 No new point source discharge directly into a wetland or watercourse. 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.	A2.1 No point source discharge is proposed. The proposal complies with the Acceptable Solution. A2.2 Not applicable.
A3 No acceptable solutions. P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.	P3 Not applicable.

E9.6.3 Construction of Roads

Acceptable Solutions	Proposed Solutions
A1 A road or track does not cross, enter or drain to a watercourse or wetland.	A1 There is no new road or track that enters or crosses a watercourse or wetland proposed. The proposal complies with the Acceptable Solution.

E9.6.4 Access

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 No acceptable solution. P1 New access point to wetland and watercourses are provided in a way that minimises: a) Their occurrence; and b) The disturbance to vegetation and hydrological features from use or development.	A1/P1 Not applicable.

Acceptable Solutions/Performance Criteria	Proposed Solutions
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.	A2/P2 Not applicable.

E9.6.5 Sediment and Erosion Control – not applicable.

E9.6.6 Water Catchment Areas – not applicable.

E12 Airports Impact Management Code

The site is affected by the prescribed air space. The total development height is well below the OLS height of 86.5 AHD, refer to elevations for the height of the dwelling AHD, the code has been determined to be not applicable.

E14 Coastal Code

The area of the proposed development works is outside of the mapped area of the site that this code is applicable for. For additional information, refer to the Preliminary Coastal Vulnerability Assessment.

E16 On-Site Wastewater Management Code

E16.6 Use Standards

E16.6.1 Use and Lot Size

Acceptable Solutions	Proposed Solutions
A1 Residential uses that rely on onsite wastewater management must: a) Be on a site with minimum area of 2,000m ² ; and b) Have four bedrooms or less.	A1 The site has an area greater than 2000m ² (34.4ha) and only three bedrooms is proposed. The proposal complies with the Acceptable Solution.
A2 Non-residential uses that rely on onsite wastewater management must be on a site with minimum area of 5,000m ² .	Not applicable.

E16.7 Development Standards

E16.7.1 Onsite Wastewater Management

Acceptable Solutions	Proposed Solutions
A1 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and buildings and structures.	A1 A minimum separation distance of 3.0 metres from any structure to the wastewater infrastructure will be provided. The proposal complies with the Acceptable Solution.
A2 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and the following: a) Hardstand and paved areas; b) Car parking and vehicle manoeuvring areas; and c) Title or lot boundaries.	A2 A minimum horizontal separation of 3m will be provided. The proposal complies with the Acceptable Solution.
A3 Private Open Space must not be used for surface irrigation of treated wastewater.	A3 The proposal complies, no private open space is used for surface irrigation of treated wastewater. The proposal complies with the Acceptable Solution.

Acceptable Solutions	Proposed Solutions
A4 Onsite wastewater management infrastructure must be on lots with an average slope of 10% or less.	A4 The proposed wastewater treatment system is on land with an average slope less than 10%. The proposal complies with the Acceptable Solution.

E16.7.2 Surface and Ground Water Impacts

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Onsite wastewater management infrastructure must have a minimum separation distance of 100m from a wetland or watercourse or coastal marine area.	A1 Onsite wastewater management infrastructure is to have a minimum separation distance of 100m from a wetland, watercourse or coastal marine area. The proposal complies with the Acceptable Solution.
A2 Onsite wastewater management infrastructure must have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply.	A2 Onsite wastewater management infrastructure will have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply. The proposal complies with the Acceptable Solution.
A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, must be no less than 1.5m.	A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, is to be no less than 1.5m. The proposal complies with the Acceptable Solution.
A4 Vertical separation between a limiting layer and the land used to apply effluent, including reserved areas, must be no less than 1.5m. P4 Onsite wastewater management infrastructure separated from the limiting layer by less than 1.5m must have no detrimental impacts on groundwater.	P4 An Onsite Waste Water & Stormwater Disposal Assessment and Design prepared by JD Consulting accompanied the application. For the majority of the area, the limiting layer is greater than 1.5m. Where the limiting layer is less than 1.5m, an onsite wastewater treatment system that is capable of providing secondary treated effluent quality will need to be installed, and can be assessed at the Plumbing Application stage further. The proposal is considered to be compliant with the performance criteria.

5. Representations

The application was advertised 17 October 2020 to 30 October 2020 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining land owners. Two (2) representations have been received from individuals and a letter from Aboriginal Heritage Tasmania with concerns during the statutory exhibition period. A further letter from Tasmania Parks & Wildlife Service was received outside the statutory period. Parks & Wildlife supports the proponents adoption of the recommendations contained within section 6 of the Flora and Fauna Habitat Assessment. They also noted that the development sites are adjacent to the St Helens Conservation Area (SHCA), whilst no access is proposed as part of this application, any future access to SHCA shall be established only after consultation with PWS. These applications will address the adhoc access by the public over this subject lands currently taking place.

Aboriginal Heritage Tasmania concerns are in relation to HMA for Lot 8 and site AH5625 proximity. The proponent has advised that they have no issue with relocating the proposed dwelling on Lot 8 outside of a 10m buffer to mapped area AH5625. This will form a condition on the recommended approval for that particular development application.

Aboriginal Heritage Tasmania, noted that an assessment was carried out in 2017 as part of a different proposal, and whilst that report did not identify any Aboriginal heritage sites within Lot 1, the report states that poor ground surface visibility was a key constraint in survey coverage. Advice is provided in relation to works carried out on Lot 1, should be carried out strictly under the guidance of an attached Unanticipated Discovery Plan. In the case of AH5625, a 10m buffer was recommended.

Two other representations raised concerns in relation to scenic values of the coastline, the new holland mouse, lack of an Aboriginal Heritage Report for each dwelling, and inconsistency with the State Coastal Policy. A number of these matters have been addressed within the reports provided, as well as further consideration of the applicants which has been provided.

The proponent together with the planning assessment above, and recommended conditions have adequately considered and dealt with the relevant concerns of the representors. No further comment is required for those matters that are not a relevant planning consideration/provision that have been addressed under the *Break O' Day Interim Planning Scheme 2013*.

The recommendation for approval has been made following due consideration of the representations and comments.

6. Mediation

Nil.

7. Conclusion

In accordance with 8.10 of the *Break O' Day Interim Planning Scheme 2013*, the application has been assessed against the objectives of the Scheme, in particular the Environmental Living Zone, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and four (4) Performance Criterion; the received representations have been considered. It is recommended for approval with conditions normally set to this type of development.

LEGISLATION / STRATEGIC PLAN & POLICIES:

Break O' Day Interim Planning Scheme 2013;
Land Use Planning and Approvals Act 1993;
Local Government (Building and Miscellaneous Provisions) Act 1993.

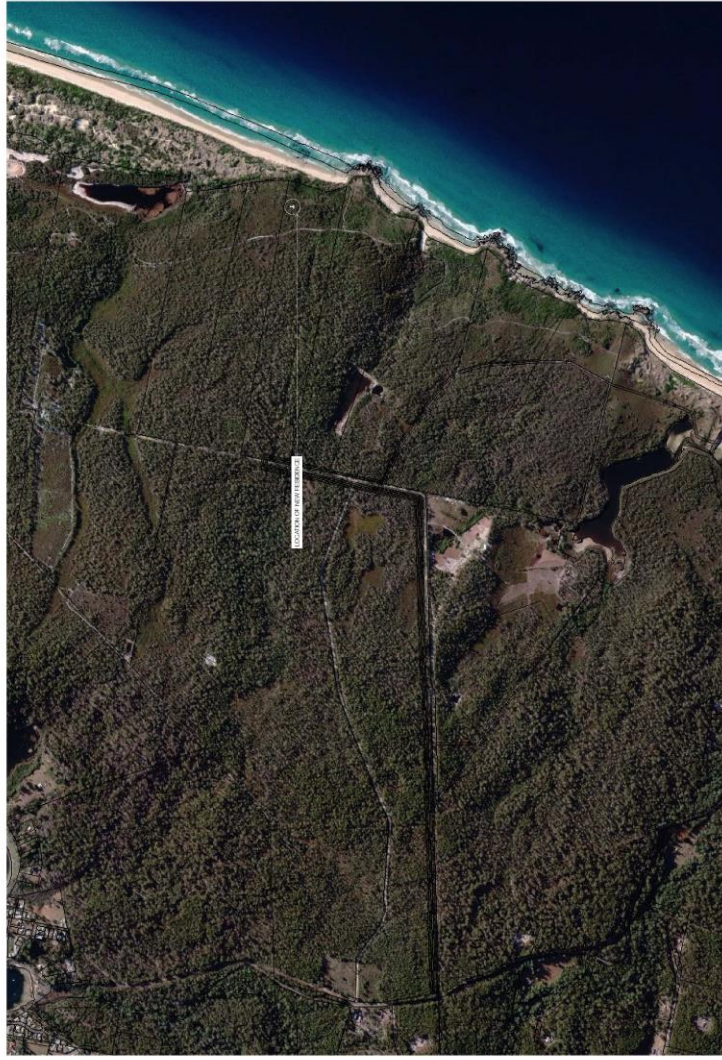
BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable, all costs of the development are the responsibility of the developer.

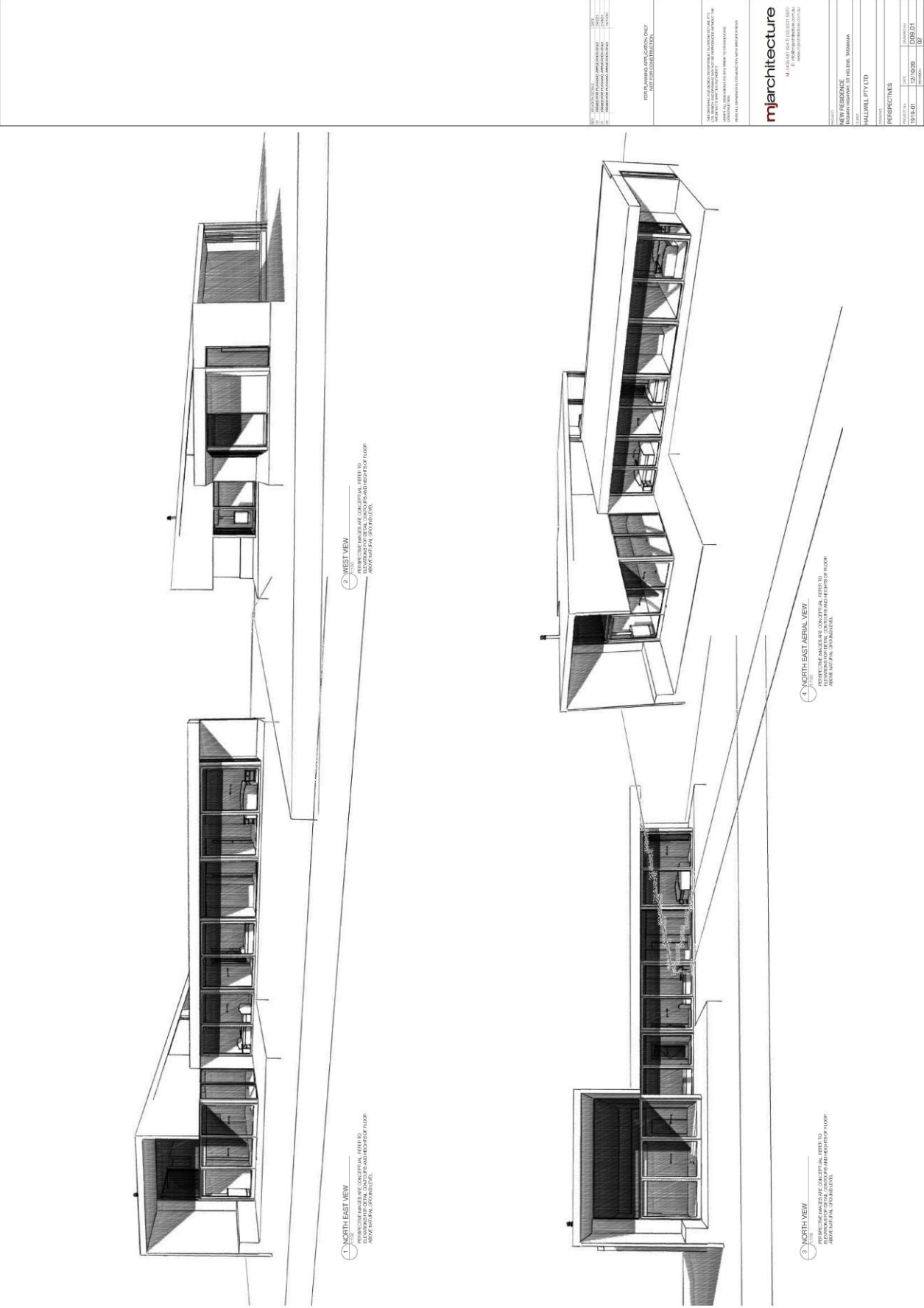
VOTING REQUIREMENTS:

Simple Majority

PROJECT DETAILS		
FILE REFERENCE: 20240103		
PROJECT NAME: NEW RESIDENCE		
WATER CLASSIFICATION: T1A		
DATE: 01/21/2024		
PROJECT LOCATION: TASMANIA		
PROJECT AREA: 1.77 Ha (4.36 Acres)		
TOTAL BUILDING AREA: 2,200 sqm (23,700 sq ft)		
TOTAL SITE COVERAGE: 0.000%		
DRAWING SCHEDULE		
DRAWING NO.	DRAWING NAME	REV. NO.
01/01	01/01 SITE PLAN	01
01/02	01/02 SITE PLAN	02
01/03	01/03 SITE PLAN	03
01/04	01/04 SITE PLAN	04
01/05	01/05 SITE PLAN	05
01/06	01/06 SITE PLAN	06
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ACTION	DECISION
PROPONENT	MJ Architecture obo Hallwill Pty Ltd
OFFICER	Rebecca Green, Planning Consultant
FILE REFERENCE	DA 080-2020
ASSOCIATED REPORTS AND DOCUMENTS	<p>Site Plans, Dwelling Plans and Elevations Written Submission <i>Circulated under Separate Cover:</i> <i>Representations (2)</i> <i>Late Representation – Tasmania Parks and Wildlife Service</i> <i>Bushfire Report and Hazard Management Plan (17 March 2020)</i> <i>Traffic Impact Assessment (report in common)</i> <i>Flora and Fauna Habitat Assessment (report in common)</i> <i>Preliminary Coastal Vulnerability Assessment (report in common)</i> <i>Onsite Waste Water & Stormwater Assessment and Design (report in common)</i> <i>Letter from Aboriginal Heritage Tasmania</i> <i>Applicants Response to Representations</i></p>

OFFICER'S RECOMMENDATION:

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **SINGLE DWELLING LOT 4** on land situated at **LOT 4 (CT167498/4) – TASMAN HIGHWAY, ST HELENS** (with access over Volume 167498 Folios 2, 3, 5, 6 & 8) be **APPROVED** subject to the following conditions:

- Use and development must be substantially in accordance with the following endorsed plans and documents unless modified by a condition of this permit:
 - Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020;
 - Written Submission, MJ Architecture, Dated: 18 September 2020;
 - Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 17 March 2020; and
 - Flora and Fauna Habitat Assessment, NorthBarker Ecosystem Services, Dated: 13 March 2020.
- All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of by means that will not result in soil erosion or other stormwater nuisance in accordance with Part 14.4.1 A9 of the *Break O'Day Interim Planning Scheme 2013*.
- Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
- No native vegetation removal/modification is permitted outside that shown in Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020; and Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 17 March 2020;

5. All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.
6. Plants listed in Appendix 3 of the *Break O'Day Interim Planning Scheme 2013* must not be used in landscaping.
7. Prior to any works commencing on site, a vegetation/weed management plan must be developed and a copy provided to Council, and therefore forming part of this approval to assist in the maintenance of vegetation condition on the subject lot. The vegetation/weed management plan must be prepared in accordance with all of the recommendations contained within the Flora and Fauna Habitat Assessment (section 6), prepared by NorthBarker Ecosystem Services, Dated: 13 March 2020.
8. Reflective materials must not be used as visible external elements in the building and the colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements in accordance with Part 14.4.1 A7 of the *Break O'Day Interim Planning Scheme 2013*.
9. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. Works should be carried out strictly under the guidance of the attached Unanticipated Discovery Plan. If at any point during the proposed works Aboriginal heritage is suspected, works must cease immediately, and AHT must be contacted for advice. The Unanticipated Discovery Plan should be kept on site during the works to aid the proponent and their works personnel in meeting their obligations under the *Aboriginal Relics Act 1975* (the Act) in the event that Aboriginal heritage is identified.
10. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site
11. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.
12. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the occupancy of the dwelling on the subject site.

ADVICE

- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
- Activities associated with construction works are not to be performed outside the permissible time frame listed:

Monday-Friday 7am to 6pm

Saturday 9am to 6pm

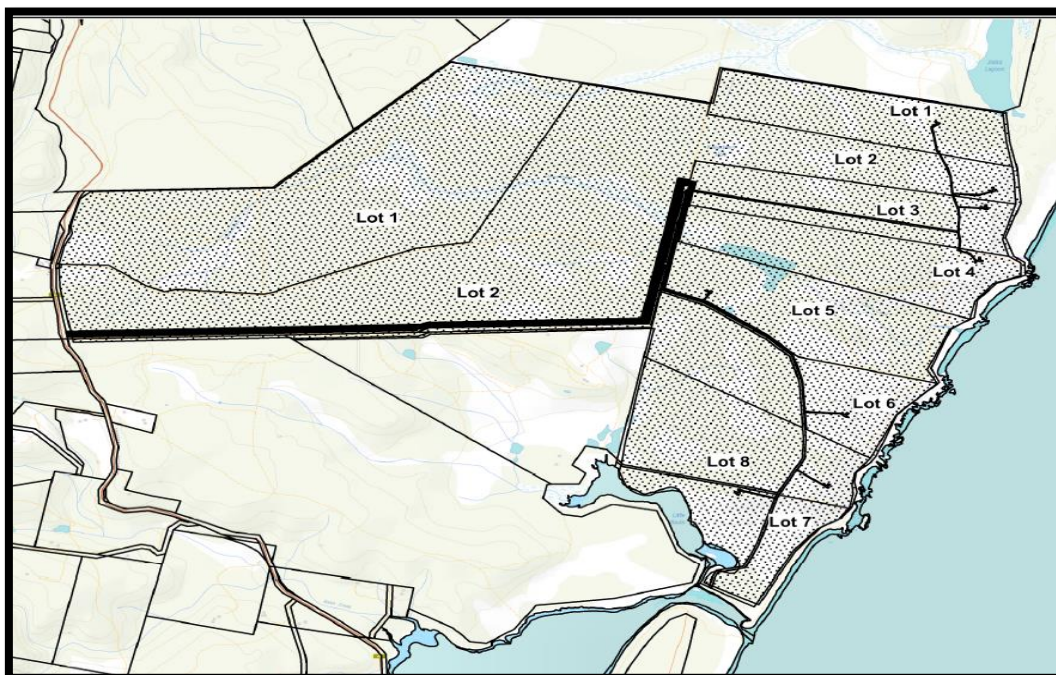
Sunday and public holidays 10am to 6pm

PROPOSAL SUMMARY:

Application is made for the use and construction of a new single dwelling at Lot 4 (CT167498/4), Tasman Highway, St Helens.

Access is proposed over Volume 167498 Folios 2, 3, 5, 6 & 8 from an existing junction with Tasman Highway. The access point is to the north of the 2018 upgrades to Flagstaff Road and south of planned overtaking lanes. Pitt and Sherry, in their design of the overtaking lane, has accommodated the existing access point.

The lot has an area of 37.6ha and is vacant. The title has a number of right of carriageways burdening the site and also benefits to a number of right of carriageways.









PREVIOUS COUNCIL CONSIDERATION:

Nil.

OFFICER'S REPORT:

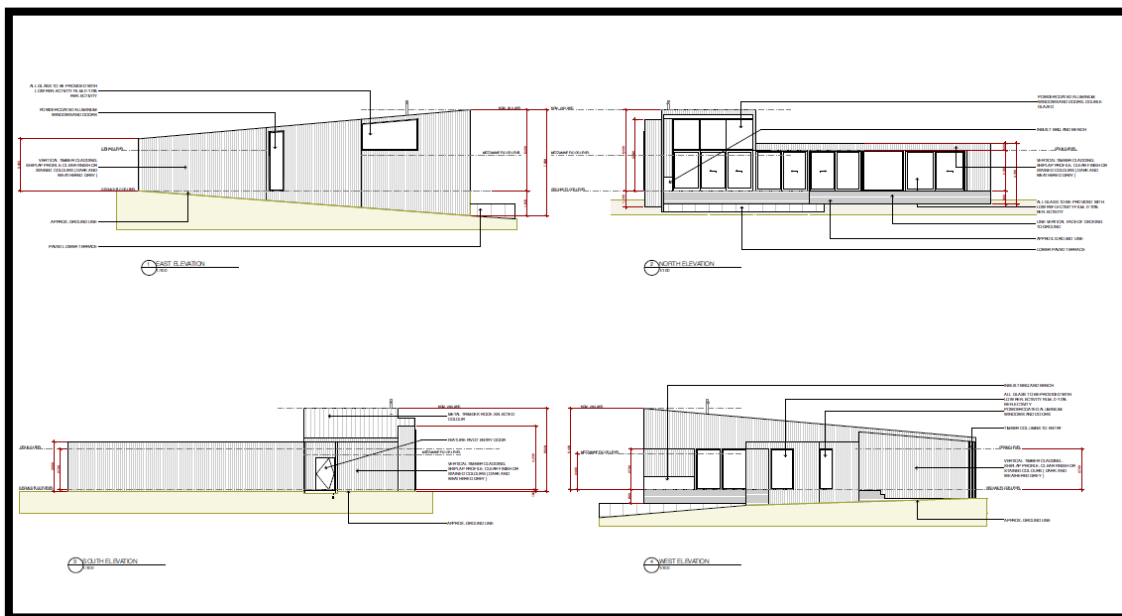
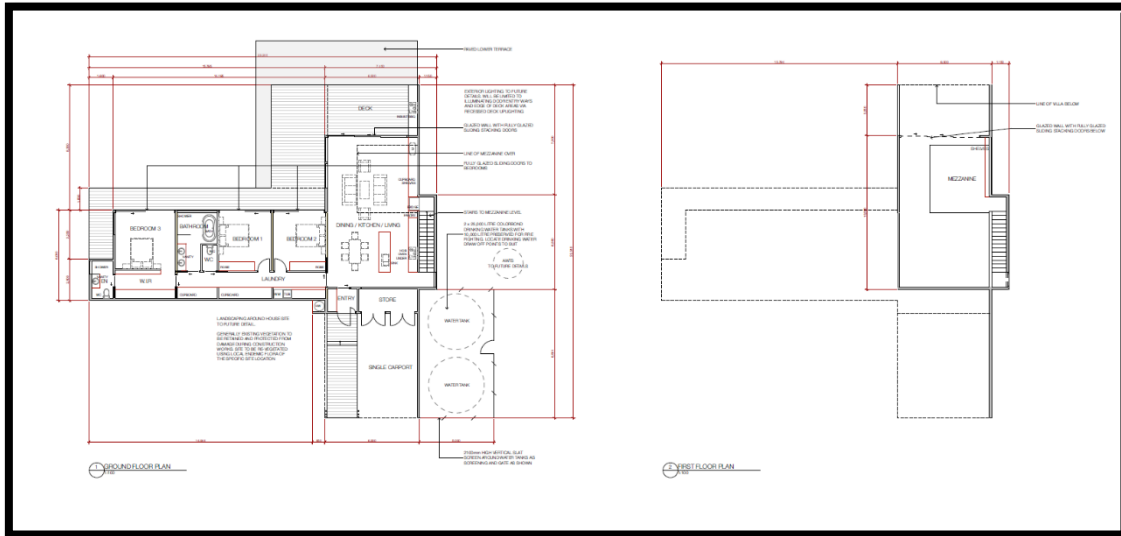
1. The Proposal

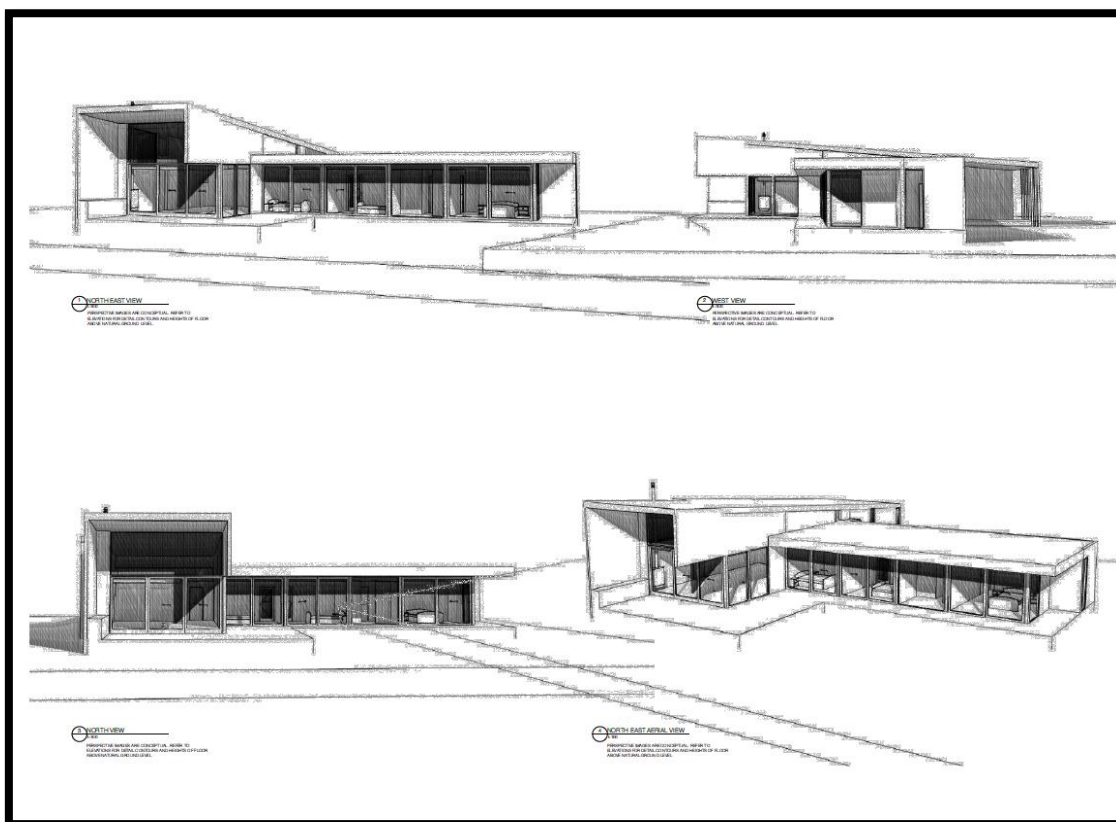
Break O'Day Council received an application in April 2020 from MJ Architecture on behalf of Hallwill Pty Ltd, the owner of the subject land, for use and construction of a single dwelling at Lot 4 (CT167498/4) – Tasman Highway, St Helens. The application became valid from 13 October 2020 subsequent to receipt of additional information.

The 37.6ha site slopes down from Tasman Highway to the east to the water and is located on the eastern side of the Tasman Highway. The site is vacant land with no uses or meaningful buildings/structures present on the site.

An existing access driveway is provided to the subject site from Tasman Highway with access to the dwelling site over Volume 167498 Folios 2, 3, 5, 6 & 8. The site is not serviced by reticulated water, sewer or stormwater. Power and telecommunication services are available to the subject site.

The dwelling is to be clad using vertical timber cladding with shiplap profile, clear finish or stained colours (dark and weathered grey), with metal trimdeck roof in selected colour. All glass is to be provided with low reflectivity film 0-10% reflectivity.





Following receipt of representations and to complete the assessment of the application, Council requested and received an extension of time to 25 January 2021.

2. Applicable Planning Scheme Provisions

Part 14 Environmental Living Zone
 E4 Road and Railway Assets Code
 E6 Car Parking and Sustainable Transport Code
 E7 Scenic Management Code – Tourist Road
 E8 Biodiversity Code
 E9 Water Quality Code
 E12 Airports Impact Management Code
 E14 Coastal Code
 E16 Onsite Wastewater Management Code

3. Referrals

The initial application was referred on 11 May 2020 to DPIWE Policy and Conservation Advice Branch (PCAB), Conservation Assessment and Wildlife Management Section who provided the following advice in relation to Lots 2-8 which was forwarded to the Proponent for consideration within the final lodged documentation:

Threatened Flora

CAS notes that the Flora and Fauna Habitat Assessment states that no threatened flora will be impacted by the development of any lot. CAS supports the recommendation within the Flora and Fauna Habitat Assessment for a vegetation plan to be developed for each Lot to assist in the maintenance of vegetation and the protection of threatened flora species and fauna habitat into the future.

Threatened Fauna

Swift Parrot

The Flora and Fauna Habitat Assessment details that a number of the Lots support *E.globulus* forest and the *E.ovata* forest and woodland, which is potential foraging habitat for swift parrots (*Lathamus discolor*), listed as endangered under the Threatened Species Protection Act 1995 (TSPA) and the Environment Protection and Biodiversity Conservation Act 1999 (EPBCA). Therefore, the area may support swift parrot activity. CAS notes that the Flora and Fauna Habitat Assessment states that no potentially suitable habitat for swift parrots will be cleared from any Lot and this is supported.

A threat to swift parrots is colliding with man-made objects such as windows and chain-link fences. CAS supports the recommendation in the Flora and Fauna Habitat Assessment that design principles are applied to minimise collision risk with swift parrots. For general information and advice on building structures which minimise risk of collisions (e.g. wire-mesh fences or windows) - see [Guidelines and recommendations for parrot-safe building design](#). For comprehensive advice on avoiding collisions with glass - see [An end to birds dying at windows](#).

White-bellied Sea-Eagle

The Flora and Fauna Habitat Assessment states that an area of at least 10ha surrounding a known White-bellied Sea-Eagle nest has been applied with no dwellings within 500m. It is generally recommended that most disturbance based activities within 500 m or 1 km line-of-sight of an active eagle nest are avoided during the breeding season (July to January). It is unclear from the Flora and Fauna Habitat Assessment whether the known White-bellied Sea-Eagle nest is within 1 km line-of-sight from any dwellings or disturbance based activities on any of the Lots, however it seems that the area of at least 10ha surrounding the known nest without disturbance based activities will be adequate.

Tasmanian Devil and Quolls

The Flora and Fauna Habitat Assessment states that the entire site is suitable foraging habitat with sparse denning opportunities and that wombat burrows may provide denning opportunities for Tasmanian devils and quolls. The report details that two potentially suitable den sites were found and two motion-operated cameras were placed at each site for 8 nights, however the report does not indicate which Lot(s) the sites were on. If any dens are subsequently located during works then these should be managed in accordance with the Survey Guidelines And Management Advice For Development Proposals That May Impact On The Tasmanian Devil (*Sarcophilus harrisii*) (see <https://dpiwve.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>). Any dens that cannot be avoided will require a permit to take under the Nature Conservation Act 2002.

New Holland Mouse

The New Holland Mouse (*Pseudomys novaehollandiae*) is listed endangered under the TSPA and vulnerable under the EPBCA. Threats to the New Holland mouse include, but are not limited to, habitat loss and modification, inappropriate fire regimes and predation by cats. An important cause of habitat modification is infection of the New Holland mouse habitat with root rot fungus *Phytophthora cinnamomi*. CAS acknowledges that vegetation clearance is to be minimised and supports the recommendation of implementing a weed management plan (detailed below).

Shorebirds

Lots 2-8 each have a significant boundary with the coastal reserve, which supports threatened shorebird species documented and observed during the surveys. The potential increase in access and activity from residents, the numbers of domestic cats and dogs and 4WDs amplifies the threat to threatened shorebirds in the area.

Jocks Lagoon

Although Jocks Lagoon - a Ramsar site recognising wetland areas of international significance is not part of Lots 2 – 8, the Lots appear to occur within the catchment for Jocks Lagoon and therefore it is recommended that potential environmental impacts to the wetland be addressed as part of the development assessment process. Residential effluent entering the area could pose a possible threat.

CAS supports the recommendation in the Flora and Fauna Habitat Assessment that water quality in Jocks Lagoon needs to be protected, however further details of how this will be achieved have not been provided.

Weeds and Diseases

The Flora and Fauna Habitat Assessment details widespread Spanish Heath, a declared weed under the Weed Management Act 1999 on Lots 2 and 4 and to a lesser extent on others.

CAS supports the implementation of a targeted weed management plan as part of the vegetation plan as outlined in the Flora and Fauna Report. Further information about controlling the introduction and spread of weeds and the development of weed and disease management plans can be found in Section 4 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#).

*A number of species likely to occur in the area are highly susceptible to *Phytophthora cinnamomi* (PC), and adherence to strict hygiene measures will be required. Information about practical hygiene measures to implement on development work sites can be found in Appendix 1 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#). Practical information on how to minimise the risks of introducing and spreading PC can be found in the manual [Keeping it clean - A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens](#)*

Additional Comments for Lot 3

*CAS notes that the Flora and Fauna Habitat Assessment states that 1.11 hectares of native vegetation (non-threatened vegetation communities) and 0.1 hectares of Tasmanian threatened native vegetation community *Eucalyptus Viminalis* – *Eucalyptus Globulus* Coastal Forest and Woodland (DVC) will be cleared with the one threatened flora species recorded onsite not being impacted. CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.*

This Tasmanian threatened native vegetation community may also support important habitat for the swift parrot, listed as endangered under the TSPA and EPBCA. Clearing of this vegetation type should be avoided during swift parrot breeding season (September to January) if the species is breeding in the area or at other times if swift parrots are using the area.

Additional Comments for Lot 4

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lot 5

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lots 5 and 6

Geoconservation

Although almost entirely within the coastal reserve of the St Helens Conservation Area and tidal Crown Land, it appears that a small section on the boundaries of Lot 5 and Lot 6 contain part of the Dianas Basin Folds site – a site of global geoconservation significance. The feature of interest is the coastal exposure of folding caused by intrusion of granite. According to the plans provided it will not be subject to disturbance by the proposed dwellings. As a hard rock feature it is relatively immune to an increase in residential pedestrian traffic that the dwelling might bring but it is recommended that the proponents be made aware by Council of the location, significance and sensitivities of the site.



Map of the coast in the vicinity of Onion Creek showing the extent of significant coastal exposure of geodiversity outlined in red. The older polygon shown for reference in pink was derived from a lower resolution source and should now be disregarded.

Road Reserve

CAS notes that the Flora and Fauna Habitat Assessment states that 2.93 hectares of native vegetation (non-threatened vegetation communities) and 0.24 hectares of Tasmanian threatened native vegetation community *Eucalyptus ovata* Forest and Woodland (DOV). CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Again, threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.

The application included Crown Consent and Department of State Growth (DSG) consent to the lodgment of the application.

The application was referred to the Airport Manager for advice on the OLS detail in relation to the development application. This advice was provided to the proponent prior to final plans and documentation being submitted for the application

4. Assessment

The advertised application relied upon the following four (4) performance criteria as detailed below;

- 1) 14.4.2 Landscaping P1
- 2) E4.6.1 Use and Road or Rail Infrastructure P3
- 3) E8.6.1 Habitat and Vegetation Management P2.1
- 4) E16.7.2 Surface and Ground Water Impacts P4

Detailed assessment against the provisions of the *Break O'Day Interim Planning Scheme 2013* is provided below. **The proposal is deemed to comply with the performance criteria applicable.**

14 Environmental Living Zone

14.1 Zone Purpose

14.1.1 Zone Purpose Statements

14.1.1.1 To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.

14.1.1.2 To provide for a mix of low impact activities that is sensitive to the natural environment.

14 Environmental Living Zone

14.3 Use Standards

14.3.1 Amenity

Acceptable Solutions	Proposed Solutions
A1 Development must be for permitted or no permit required uses.	A1 The proposed is for a permitted Residential Use only. Acceptable solution met.
A2 Operating hours for commercial vehicles for discretionary uses must be between 6.00am and 10.00pm.	A2 Not applicable. This application does not include commercial vehicles.

14.3.2 Environmental Living Character

Acceptable Solutions	Proposed Solutions
A1 Discretionary uses must not exceed a combined gross floor area of 200m ² of the site.	A1 Not applicable.
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	A2 Not applicable.
A3 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	A3 Not applicable.
A4 Waste material storage for discretionary uses must: <ul style="list-style-type: none"> a) Not be visible from the road to which the lot has frontage; and b) Use self-contained receptacles designed to ensure waste does not escape to the environment. 	A4 Not applicable.

14.4 Development Standards

14.4.1 Building Design and Siting

Acceptable Solutions	Proposed Solutions
A1 No more than 4 hectares or 20% of the site, whichever is the lesser, is used for development.	A1 The proposal does not exceed 20% of the total site area or 4 ha. The proposal complies with the Acceptable Solution.
A2 Building height must not exceed 7m.	A2 The proposed dwelling height will not exceed 7 metres (5.529m). The proposal complies with the Acceptable Solution.
A3 Buildings must be set back a minimum distance of 10m from a frontage.	A3 The proposal is at least 10m from a frontage. The proposal complies with the Acceptable Solution.
A4 Buildings must be set back a minimum of: <ul style="list-style-type: none"> a) 10m to side and rear boundaries; and b) 200m to the Rural Resource Zone where a sensitive use is proposed. 	A4 The proposal is at least 10m from a side boundary and rear boundary and at least 200m from the Rural Resource zone. The proposal complies with the Acceptable Solution.
A5 The combined gross floor area of all outbuildings on a lot must not exceed 81m ² and a maximum height of 5m.	A5 Not applicable. No outbuilding proposed.
A6 The colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements.	A6 The proponent has advised that the external colours will be timber, grey stained timber or charred timber which will recede with the surrounding vegetation and landscape. The proposal complies with the Acceptable Solution.
A7 Reflective materials, excluding windows, must not be used as visible external elements in buildings.	A7 The plans and documents submitted do not propose any highly reflective elements. The proposal complies with the Acceptable Solution.
A8 On sites with a slope greater than 1:10, site benching through cut and fill must be less than 20% of the site coverage of the proposed building(s).	A8 No cut and fill works are proposed or required. The proposal complies with the Acceptable Solution.

Acceptable Solutions	Proposed Solutions
A9 Rainwater runoff from roofs must be collected by means of roof guttering, downpipes and rainwater tanks.	A9 It is proposed that the roof runoff will be directed to stormwater collection tanks via guttering and downpipes. Overflow is to be directed towards absorption drains on the site. The proposal complies with the Acceptable Solution.
A10 Exterior building lighting is limited to that necessary to allow safe and secure movement of pedestrians and to allow movement around the building at night. Lighting must not be used as a means of displaying the presence of buildings to be visible from outside the site.	A10 External lighting will be limited to allow for safe and secure movement of pedestrians only, limited to lighting entry doorways and minor up lighting inset into the external decks. The proposal complies with the Acceptable Solution.
A11 Where a development is part of a larger complex, each component of the development must be connected by walking tracks.	A11 Not applicable.
A12 Single unbroken walls are not to exceed 15m in length.	A12 No single wall length is to exceed 15m (max. 14.944m). The proposal complies with the Acceptable Solution.
A13 Roofs must be: a) Pitched at an angle of less than 30 degrees and can be either hipped or gabled, or b) Curved at radius no greater than 12.5m.	A13 The proposed roof pitch is not to be at an angle greater than 30 degrees. The proposal complies with the Acceptable Solution.

14.4.2 Landscaping

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Development must be located on land where the native vegetation cover has been removed or significantly disturbed. P1 New development must be located in a manner that minimises vegetation removal.	P1 A Bushfire Report and Hazard Management Plan accompanied the application, prepared by NorthBarker Ecosystem Services. A BAL rating and Hazard Management Area for BAL 29 has been prescribed for the dwelling. Existing access roads and BAL 29 HMA and buildings and infrastructure are proposed to be located to minimise vegetation disturbance. The proposal is considered to be compliant with the performance criteria.
A2 All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.	A2 All new planting will need to be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site. Conditions can be placed upon any approval ensuring compliance. The proposal complies with the Acceptable Solution.
A3 Plants listed in Appendix 3 must not be used in landscaping.	A3 Plants listed in Appendix 3 will not be allowed to be used in landscaping. Conditions can be placed upon any approval ensuring compliance. The proposal complies with the Acceptable Solution.

14.4.3 Subdivision – Not applicable to this proposal.

14.4.4 Tourist Operations – Not applicable to this proposal.

E4 Road and Railway Assets Code

E4.6 Use Standards

E4.6.1 Use and Road or Rail Infrastructure

Acceptable Solutions/Performance Criteria	Proposed Solutions
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%.	A1 Not applicable.
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.	A2 Not applicable.
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%. P3 For limited access roads and roads with a speed limit of more than 60km/h: 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.	A3 A Traffic Impact Assessment was prepared for each application by Shane Wells, Woolcott Surveys. This application is individual and must be assessed on this basis. The traffic generation from a single dwelling in a rural location is in the order of 7 movements per day. Part a) of the Performance Criteria is not applicable. In terms of b), the dependency of the use on the site is established by the zoning, in which a Single Dwelling use is a permitted use. Further, there is no potential to access from a category 4 or 5 road. In terms of Part c), the road authority (Department of State Growth) is satisfied that there will be no unreasonable impact to traffic safety and efficiency having regard to both the current and planned Highway alignment. The proposal is consistent with the performance criteria.
A4 Use serviced by a side road from a deficient junction (refer E4 Table 2) is not to create an increase to the annual average daily traffic (AADT) movements on the side road at the deficient junction by more than 10%.	A4 Not applicable.

E4.7 Development Standards

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

Acceptable Solutions	Proposed Solutions
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: a) New road works, buildings, additions and extensions, earthworks and landscaping works; and b) Building envelopes on new lots; and c) Outdoor sitting, entertainment and children's play areas.	A1 Not applicable.

E4.7.2 Management of Road Accesses and Junctions

Acceptable Solutions	Proposed Solutions
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.	A1 Not applicable.
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	A2 One existing access/junction is to be utilised to serve the proposal. The proposal complies with the Acceptable Solution.
A3 Accesses must not be located closer than 6m from an intersection, nor within 6m of a break in a median strip.	A3 The existing access meets the acceptable solution. The proposal complies with the Acceptable Solution.

E4.7.3 Management of Rail Level Crossings – Not applicable.

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

Acceptable Solutions	Proposed Solutions
A1 Sight distances at <ul style="list-style-type: none"> a) An access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) Rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority have been obtained. 	A1 The access complies with the SISD requirements for the 85 th percentile operating speed of the road, as confirmed between the authors of the Traffic Impact Assessment and the Department of State Growth. The SISD to the left is 245m and to the right is 177m. The 85 th percentile speed is considered to be 80 km/hr based on driving experience. The SISD requirement of the scheme is 175m. The proposal is consistent with the performance criteria.

E6 Car Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Acceptable Solutions	Proposed Solutions
A1 The number of car parking spaces must not be less than the requirements of: <ul style="list-style-type: none"> a) Table E6.1; or b) A parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone). 	A1 The site will provide a minimum 2 car parking spaces as required for the dwelling. The proposal complies with the Acceptable Solution.

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Acceptable Solutions	Proposed Solutions
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. 	A1 All car parking, access strips, manoeuvring and circulation spaces will be: <ul style="list-style-type: none"> a) Formed to an adequate level and drained; and b) Not applicable; and c) Not applicable. The proposal complies with the Acceptable Solution.

E6.7.2 Design and Layout of Car Parking

Acceptable Solutions	Proposed Solutions
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for a dwelling 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>A1 Not applicable.</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 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: <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 AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>A2.1 Car parking and manoeuvring space will:</p> <ul style="list-style-type: none"> a) Be on almost level ground; and b) Not applicable. Only requires a provision of 2 car parking spaces; and c) Provides a minimum 3.0m wide vehicular access; and d) Not applicable. <p>A2.2 The layout of car spaces and access ways are in accordance with <i>Australian Standards AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p> <p>The proposal complies with the Acceptable Solution.</p>

E7 Scenic Management Code

The site is affected by the Scenic Corridor overlay – tourist road corridor (Tasman Highway). However, as the proposed use and development is not located on land within 100 metres measured from the frontage to the scenic management tourist road corridor, the code has been determined to be not applicable.

E8 Biodiversity Code

E8.6.1 Habitat and Vegetation Management

Acceptable Solutions/Performance Criteria	Proposed Solutions
<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>A1.1/A1.2 A review of Council's priority habitat layer indicates the vegetation is not located within an area of priority habitat.</p> <p>Not applicable</p>

Acceptable Solutions/Performance Criteria	Proposed Solutions
<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 habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</p> <p>b) means or 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>	<p>P2.1</p> <p>A Flora and Fauna Habitat Assessment accompanied the application, prepared by NorthBarker Ecosystem Services.</p> <p>No known locations of threatened flora will be disturbed on the lot.</p> <p>A small area of potential habitat of the new holland mouse will require conversion or modification to accommodate access, house site and Hazard Management Area (BAL 29) on the lot. No new holland mice have been recorded on site with extensive habitat present within range. Minor widening of the shared access through Lot 3 may require a handful of trees to be removed that are tree species suitable for swift parrot foraging habitat, they are small trees of negligible contribution to the conservation for the swift parrot.</p> <p>The planning applications for each lot avoids all Priority Habitat. Note that apparent conflict with priority habitat where the fee simple access routes overlay priority habitat will not be utilised. The existing road will be utilised.</p> <p>The areas of native vegetation that are proposed to be converted or modified on each lot range between 0.3 and 3ha or 0.1 and 5% of each lot (of all 8 dwellings). Each vegetation type is well represented and well reserved in the Bioregion. The report makes a number of recommendations in relation to Threatened Flora, Fauna values, and weed management and can be appropriately managed through conditions upon an approval.</p> <p>The proposal is considered to be compliant with the performance criteria.</p>

E9 Water Quality Code

E9.6.1 Development and Construction Practices and Riparian Vegetation

Acceptable Solutions	Proposed Solutions
<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 Water catchment area – inner buffer.</p>	<p>A1 No native vegetation will be removed within 40m of a wetland, watercourse or mean high water mark. The proposal complies with the Acceptable Solution.</p>
<p>A2 A wetland must not be filled, drained, piped or channelled.</p>	<p>A2 The proposal complies with the Acceptable Solution.</p>
<p>A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposed.</p>	<p>A3 The proposal complies with the Acceptable Solution..</p>

E9.6.2 Water Quality Management

Acceptable Solutions	Proposed Solutions
<p>A1 All stormwater must be:</p> <ul style="list-style-type: none"> a) Connected to a reticulated stormwater system; or b) Where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) Diverted to an on-site system that contained stormwater within the site. 	<p>A1 The proposed new dwelling will direct all overflow stormwater from rainwater tanks to proposed stormwater absorption trenches onsite. The proposal complies with the Acceptable Solution.</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>A2.1 No point source discharge is proposed. The proposal complies with the Acceptable Solution.</p> <p>A2.2 Not applicable.</p>
<p>A3 No acceptable solutions.</p> <p>P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.</p>	<p>P3 Not applicable.</p>

E9.6.3 Construction of Roads

Acceptable Solutions	Proposed Solutions
<p>A1 A road or track does not cross, enter or drain to a watercourse or wetland.</p>	<p>A1 There is no new road or track that enters or crosses a watercourse or wetland proposed. The proposal complies with the Acceptable Solution.</p>

E9.6.4 Access

Acceptable Solutions/Performance Criteria	Proposed Solutions
<p>A1 No acceptable solution.</p> <p>P1 New access point to wetland and watercourses are provided in a way that minimises:</p> <ul style="list-style-type: none"> a) Their occurrence; and b) The disturbance to vegetation and hydrological features from use or development. 	<p>A1/P1 Not applicable.</p>
<p>A2 No acceptable solution.</p> <p>P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.</p>	<p>A2/P2 Not applicable.</p>

E9.6.5 Sediment and Erosion Control – not applicable.

E9.6.6 Water Catchment Areas – not applicable.

E12 Airports Impact Management Code

The site is affected by the prescribed air space. The total development height is well below the OLS height of 86.5 AHD, refer to elevations for the height of the dwelling AHD, the code has been determined to be not applicable.

E14 Coastal Code

The area of the proposed development works is outside of the mapped area of the site that this code is applicable for. For additional information, refer to the Preliminary Coastal Vulnerability Assessment.

E16 On-Site Wastewater Management Code

E16.6 Use Standards

E16.6.1 Use and Lot Size

Acceptable Solutions	Proposed Solutions
A1 Residential uses that rely on onsite wastewater management must: a) Be on a site with minimum area of 2,000m ² ; and b) Have four bedrooms or less.	A1 The site has an area greater than 2000m ² (37.6ha) and only three bedrooms is proposed. The proposal complies with the Acceptable Solution.
A2 Non-residential uses that rely on onsite wastewater management must be on a site with minimum area of 5,000m ² .	Not applicable.

E16.7 Development Standards

E16.7.1 Onsite Wastewater Management

Acceptable Solutions	Proposed Solutions
A1 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and buildings and structures.	A1 A minimum separation distance of 3.0 metres from any structure to the wastewater infrastructure will be provided. The proposal complies with the Acceptable Solution.
A2 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and the following: a) Hardstand and paved areas; b) Car parking and vehicle manoeuvring areas; and c) Title or lot boundaries.	A2 A minimum horizontal separation of 3m will be provided. The proposal complies with the Acceptable Solution.
A3 Private Open Space must not be used for surface irrigation of treated wastewater.	A3 The proposal complies, no private open space is used for surface irrigation of treated wastewater. The proposal complies with the Acceptable Solution.
A4 Onsite wastewater management infrastructure must be on lots with an average slope of 10% or less.	A4 The proposed wastewater treatment system is on land with an average slope less than 10%. The proposal complies with the Acceptable Solution.

E16.7.2 Surface and Ground Water Impacts

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Onsite wastewater management infrastructure must have a minimum separation distance of 100m from a wetland or watercourse or coastal marine area.	A1 Onsite wastewater management infrastructure is to have a minimum separation distance of 100m from a wetland, watercourse or coastal marine area. The proposal complies with the Acceptable Solution.
A2 Onsite wastewater management infrastructure must have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply.	A2 Onsite wastewater management infrastructure will have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply. The proposal complies with the Acceptable Solution.

Acceptable Solutions/Performance Criteria	Proposed Solutions
A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, must be no less than 1.5m.	A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, is to be no less than 1.5m. The proposal complies with the Acceptable Solution.
A4 Vertical separation between a limiting layer and the land used to apply effluent, including reserved areas, must be no less than 1.5m. P4 Onsite wastewater management infrastructure separated from the limiting layer by less than 1.5m must have no detrimental impacts on groundwater.	P4 An Onsite Waste Water & Stormwater Disposal Assessment and Design prepared by JD Consulting accompanied the application. For the majority of the area, the limiting layer is greater than 1.5m. Where the limiting layer is less than 1.5m, an onsite wastewater treatment system that is capable of providing secondary treated effluent quality will need to be installed, and can be assessed at the Plumbing Application stage further. The proposal is considered to be compliant with the performance criteria.

5. Representations

The application was advertised 17 October 2020 to 30 October 2020 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining land owners. Two representations have been received from individuals and a letter from Aboriginal Heritage Tasmania with concerns during the statutory exhibition period. A further letter from Tasmania Parks & Wildlife Service was received outside the statutory period. Parks & Wildlife supports the proponents adoption of the recommendations contained within section 6 of the Flora and Fauna Habitat Assessment. They also noted that the development sites are adjacent to the St Helens Conservation Area (SHCA), whilst no access is proposed as part of this application, any future access to SHCA shall be established only after consultation with PWS. These applications will address the adhoc access by the public over this subject lands currently taking place.

Aboriginal Heritage Tasmania concerns are in relation to HMA for Lot 8 and site AH5625 proximity. The proponent has advised that they have no issue with relocating the proposed dwelling on Lot 8 outside of a 10m buffer to mapped area AH5625. This will form a condition on the recommended approval for that particular development application.

Aboriginal Heritage Tasmania, noted that an assessment was carried out in 2017 as part of a different proposal, and whilst that report did not identify any Aboriginal heritage sites within Lot 1, the report states that poor ground surface visibility was a key constraint in survey coverage. Advice is provided in relation to works carried out on Lot 1, should be carried out strictly under the guidance of an attached Unanticipated Discovery Plan. In the case of AH5625, a 10m buffer was recommended.

Two (2) other representations raised concerns in relation to scenic values of the coastline, the new holland mouse, lack of an Aboriginal Heritage Report for each dwelling, and inconsistency with the State Coastal Policy. A number of these matters have been addressed within the reports provided, as well as further consideration of the applicants which has been provided.

The proponent together with the planning assessment above, and recommended conditions have adequately considered and dealt with the relevant concerns of the representors. No further comment is required for those matters that are not a relevant planning consideration/provision that have been addressed under the *Break O'Day Interim Planning Scheme 2013*.

The recommendation for approval has been made following due consideration of the representations and comments.

6. Mediation

Nil.

7. Conclusion

In accordance with 8.10 of the *Break O' Day Interim Planning Scheme 2013*, the application has been assessed against the objectives of the Scheme, in particular the Environmental Living Zone, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and four (4) Performance Criterion; the received representations have been considered. It is recommended for approval with conditions normally set to this type of development.

LEGISLATION / STRATEGIC PLAN & POLICIES:

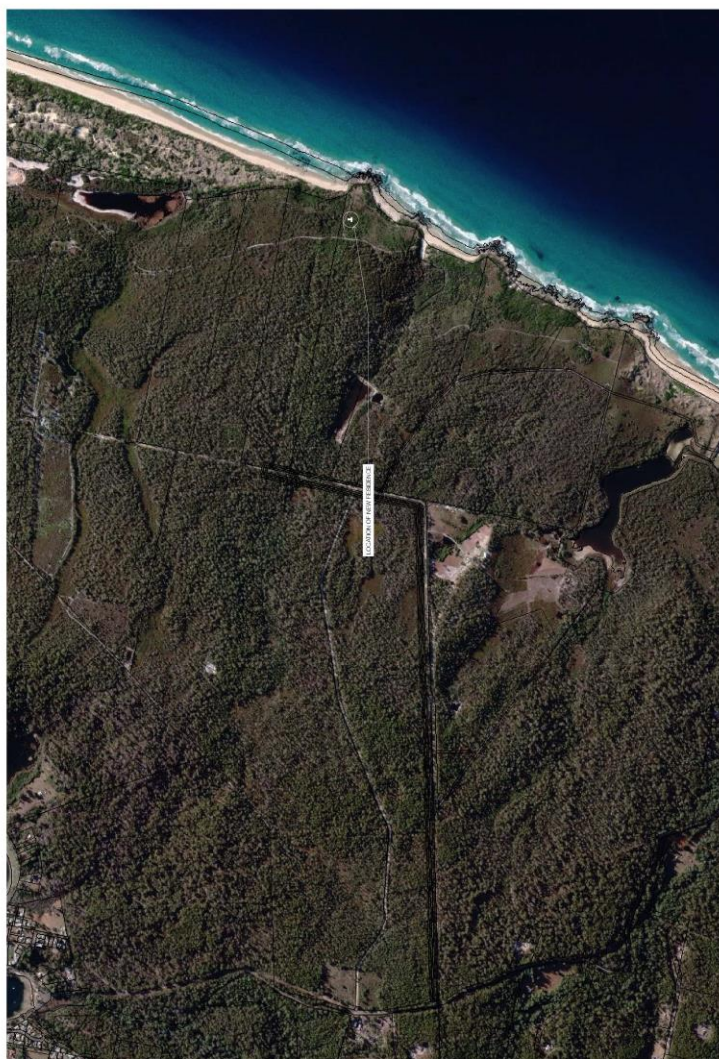
Break O' Day Interim Planning Scheme 2013;
Land Use Planning and Approvals Act 1993;
Local Government (Building and Miscellaneous Provisions) Act 1993.

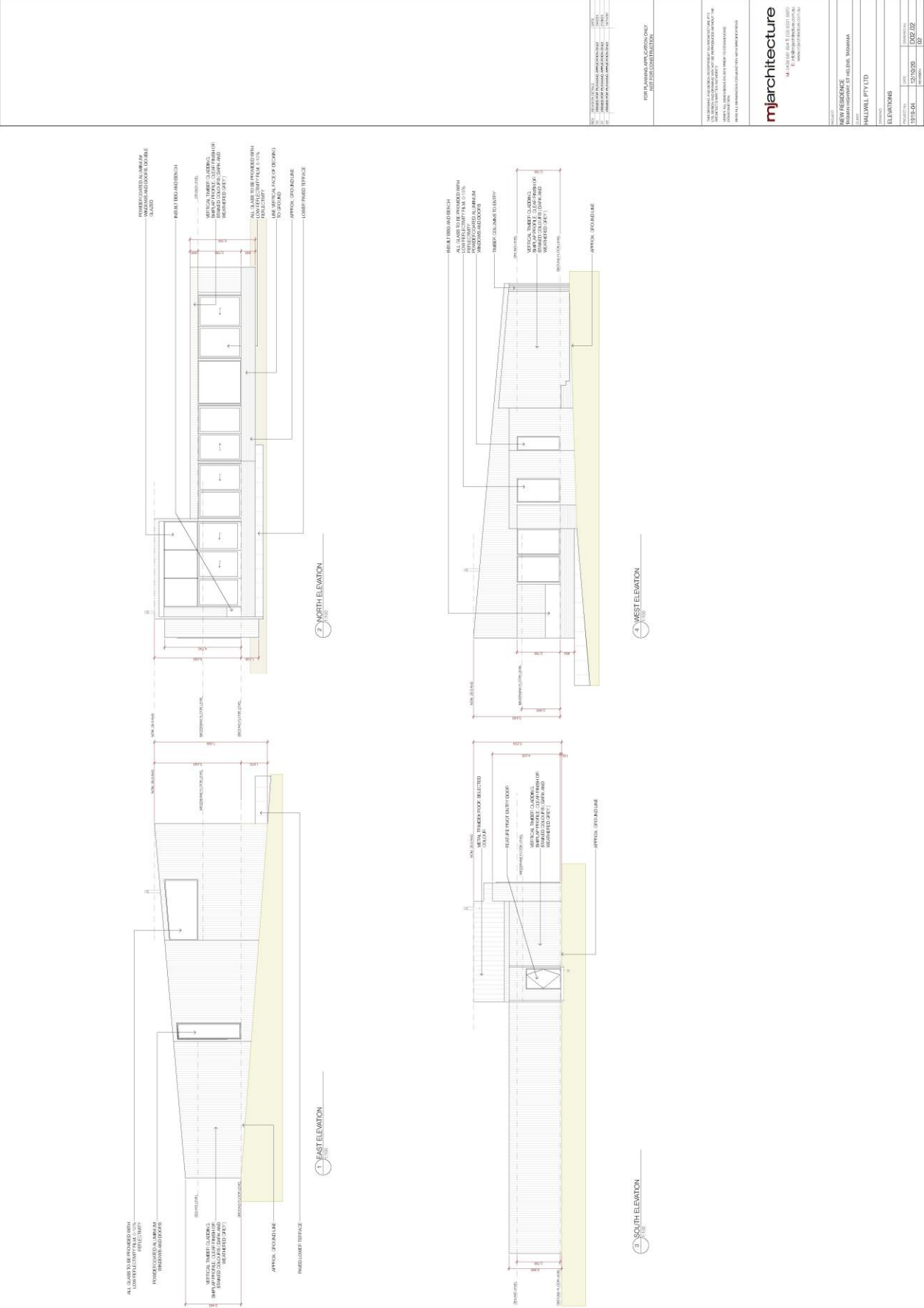
BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable, all costs of the development are the responsibility of the developer.

VOTING REQUIREMENTS:

Simple Majority.

[illegible]





ACTION	DECISION
PROPONENT	MJ Architecture obo Hallwill Pty Ltd
OFFICER	Rebecca Green, Planning Consultant
FILE REFERENCE	DA 081-2020
ASSOCIATED REPORTS AND DOCUMENTS	<p>Site Plans, Dwelling Plans and Elevations Written Submission <i>Circulated under Separate Cover:</i> <i>Representations (2)</i> <i>Late Representation – Tasmania Parks and Wildlife Service</i> <i>Bushfire Report and Hazard Management Plan (16 March 2020)</i> <i>Traffic Impact Assessment (report in common)</i> <i>Flora and Fauna Habitat Assessment (report in common)</i> <i>Preliminary Coastal Vulnerability Assessment (report in common)</i> <i>Onsite Waste Water & Stormwater Assessment and Design (report in common)</i> <i>Letter from Aboriginal Heritage Tasmania</i> <i>Applicants Response to Representations</i></p>

OFFICER'S RECOMMENDATION:

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **SINGLE DWELLING LOT 5** on land situated at **LOT 5 (CT167498/5) – TASMAN HIGHWAY, ST HELENS** (with access over Volume 167498 Folios 2, 3, 4, 6 & 8) be **APPROVED** subject to the following conditions:

- Use and development must be substantially in accordance with the following endorsed plans and documents unless modified by a condition of this permit:
 - Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020;
 - Written Submission, MJ Architecture, Dated: 18 September 2020;
 - Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 16 March 2020; and
 - Flora and Fauna Habitat Assessment, NorthBarker Ecosystem Services, Dated: 13 March 2020.
- All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of by means that will not result in soil erosion or other stormwater nuisance in accordance with Part 14.4.1 A9 of the *Break O'Day Interim Planning Scheme 2013*.
- Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
- No native vegetation removal/modification is permitted outside that shown in Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020; and Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 16 March 2020;

5. All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.
6. Plants listed in Appendix 3 of the *Break O'Day Interim Planning Scheme 2013* must not be used in landscaping.
7. Prior to any works commencing on site, a vegetation/weed management plan must be developed and a copy provided to Council, and therefore forming part of this approval to assist in the maintenance of vegetation condition on the subject lot. The vegetation/weed management plan must be prepared in accordance with all of the recommendations contained within the Flora and Fauna Habitat Assessment (section 6), prepared by NorthBarker Ecosystem Services, Dated: 13 March 2020.
8. Reflective materials must not be used as visible external elements in the building and the colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements in accordance with Part 14.4.1 A7 of the *Break O'Day Interim Planning Scheme 2013*.
9. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. Works should be carried out strictly under the guidance of the attached Unanticipated Discovery Plan. If at any point during the proposed works Aboriginal heritage is suspected, works must cease immediately, and AHT must be contacted for advice. The Unanticipated Discovery Plan should be kept on site during the works to aid the proponent and their works personnel in meeting their obligations under the *Aboriginal Relics Act 1975* (the Act) in the event that Aboriginal heritage is identified.
10. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site
11. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.
12. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the occupancy of the dwelling on the subject site.

ADVICE

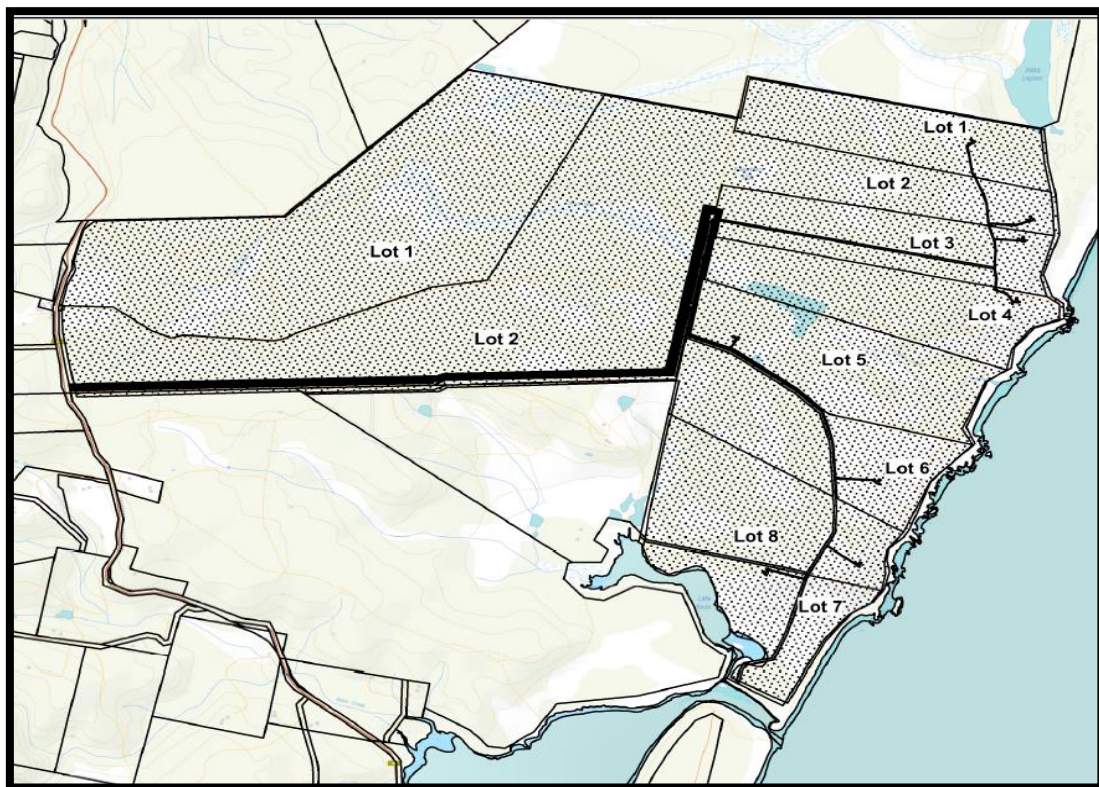
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
- Activities associated with construction works are not to be performed outside the permissible time frame listed:
 - Monday-Friday 7am to 6pm*
 - Saturday 9am to 6pm*
 - Sunday and public holidays 10am to 6pm*

PROPOSAL SUMMARY:

Application is made for the use and construction of a new single dwelling at Lot 5 (CT167498/5), Tasman Highway, St Helens.

Access is proposed over Volume 167498 Folios 2, 3, 4, 6 & 8 from an existing junction with Tasman Highway. The access point is to the north of the 2018 upgrades to Flagstaff Road and south of planned overtaking lanes. Pitt and Sherry, in their design of the overtaking lane, has accommodated the existing access point.

The lot has an area of 42.12ha and is vacant. The title has a number of right of carriageways burdening the site and also benefits to a number of right of carriageways.









PREVIOUS COUNCIL CONSIDERATION:

Nil.

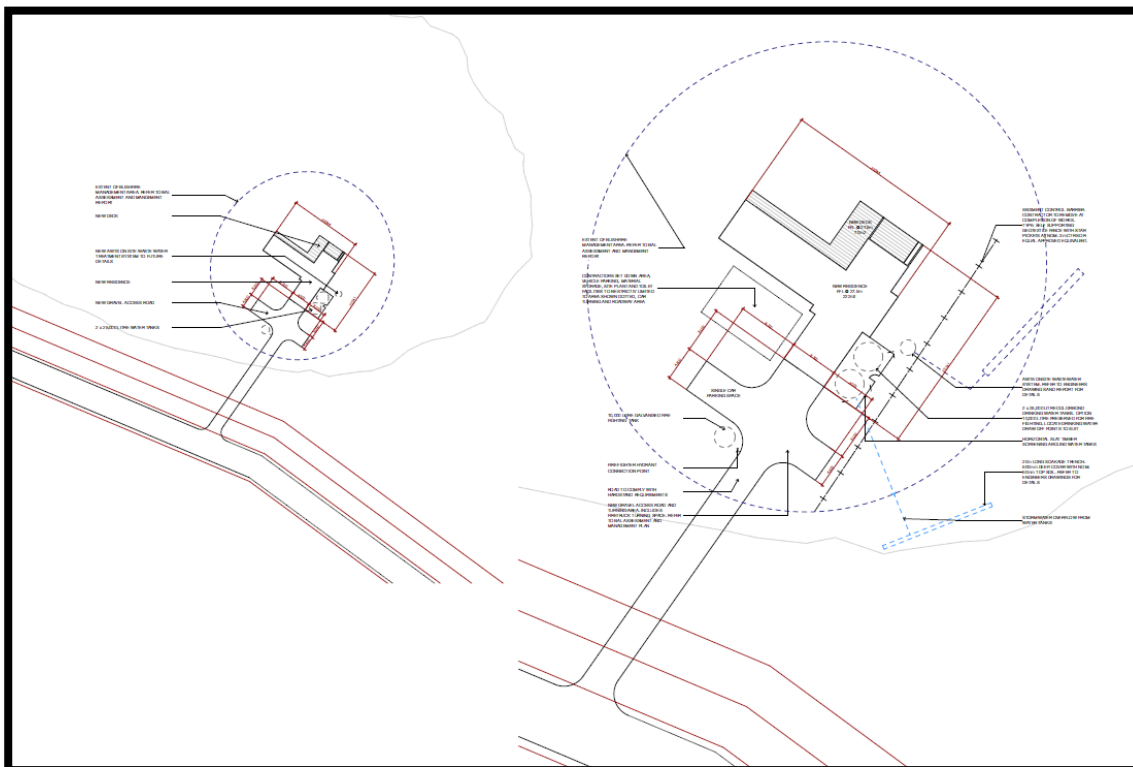
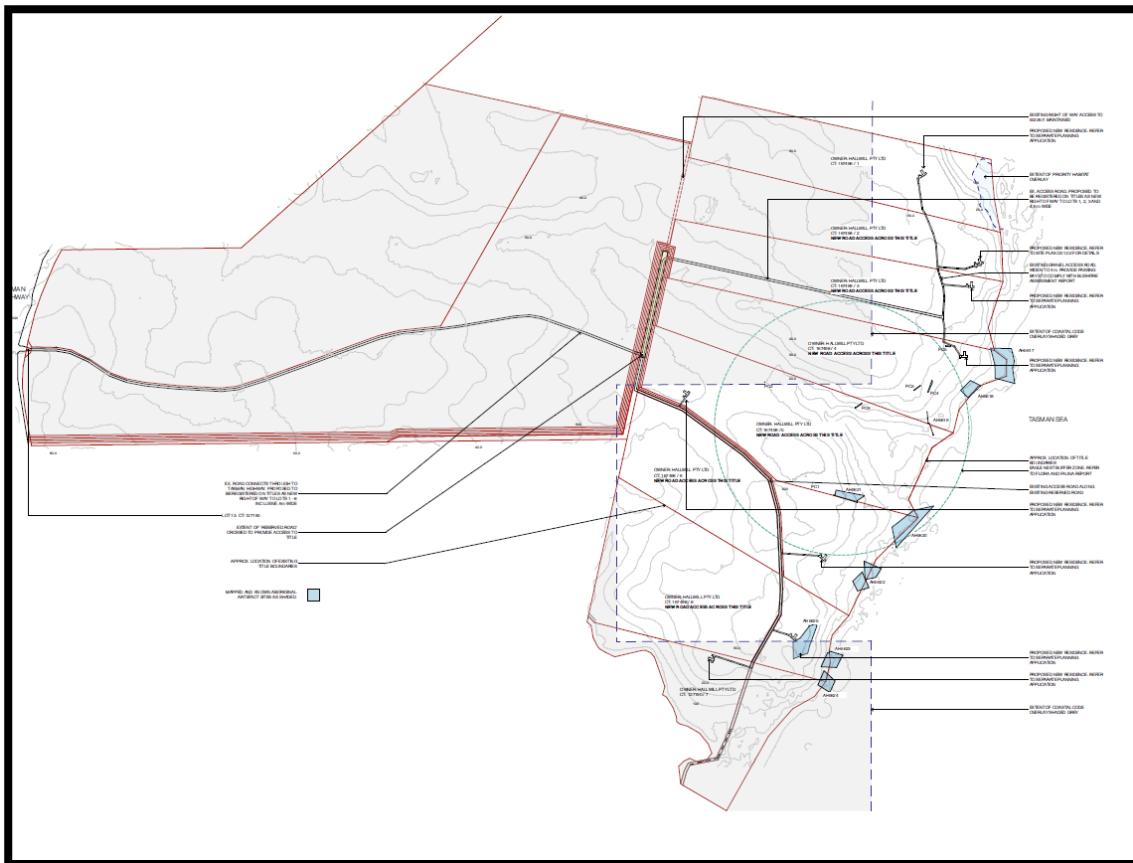
OFFICER'S REPORT:

1. The Proposal

Break O'Day Council received an application in April 2020 from MJ Architecture on behalf of Hallwill Pty Ltd, the owner of the subject land, for use and construction of a single dwelling at Lot 5 (CT167498/5) – Tasman Highway, St Helens. The application became valid from 13 October 2020 subsequent to receipt of additional information.

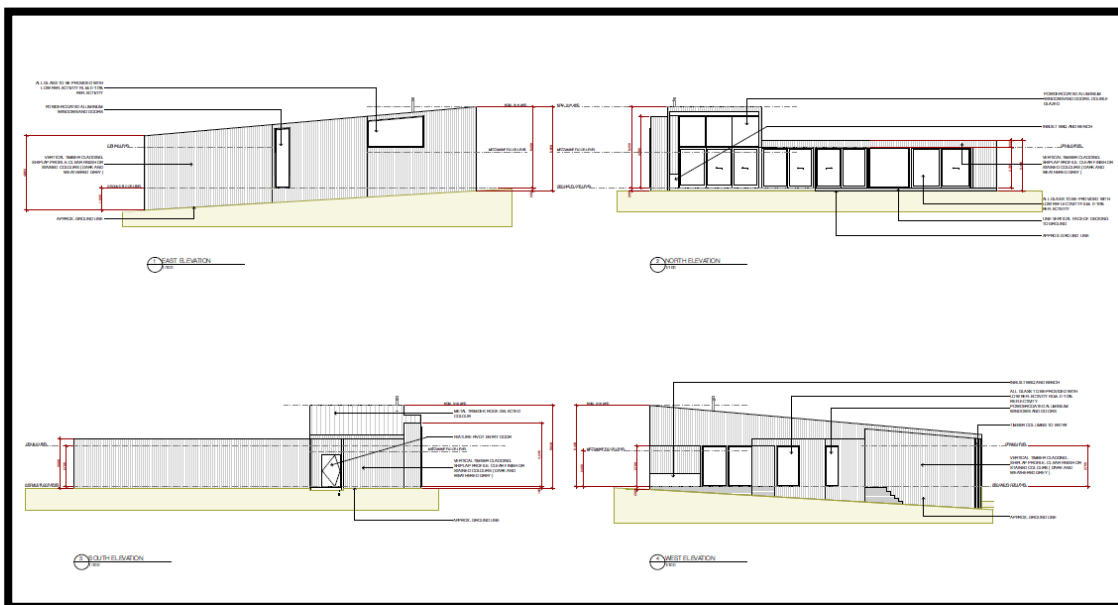
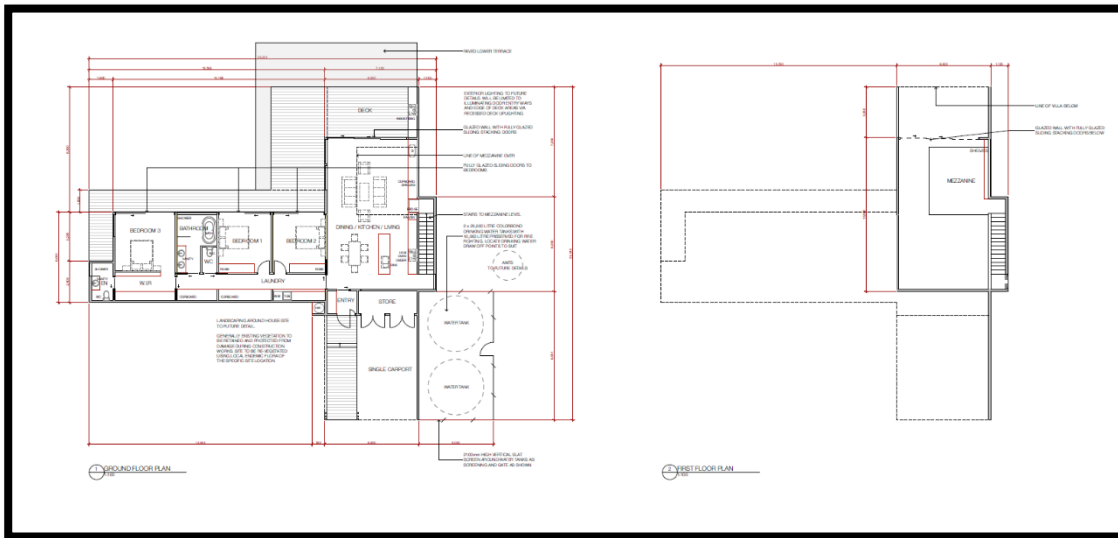
The 42.12ha site slopes down from Tasman Highway to the east to the water and is located on the eastern side of the Tasman Highway. The site is vacant land with no uses or meaningful buildings/structures present on the site.

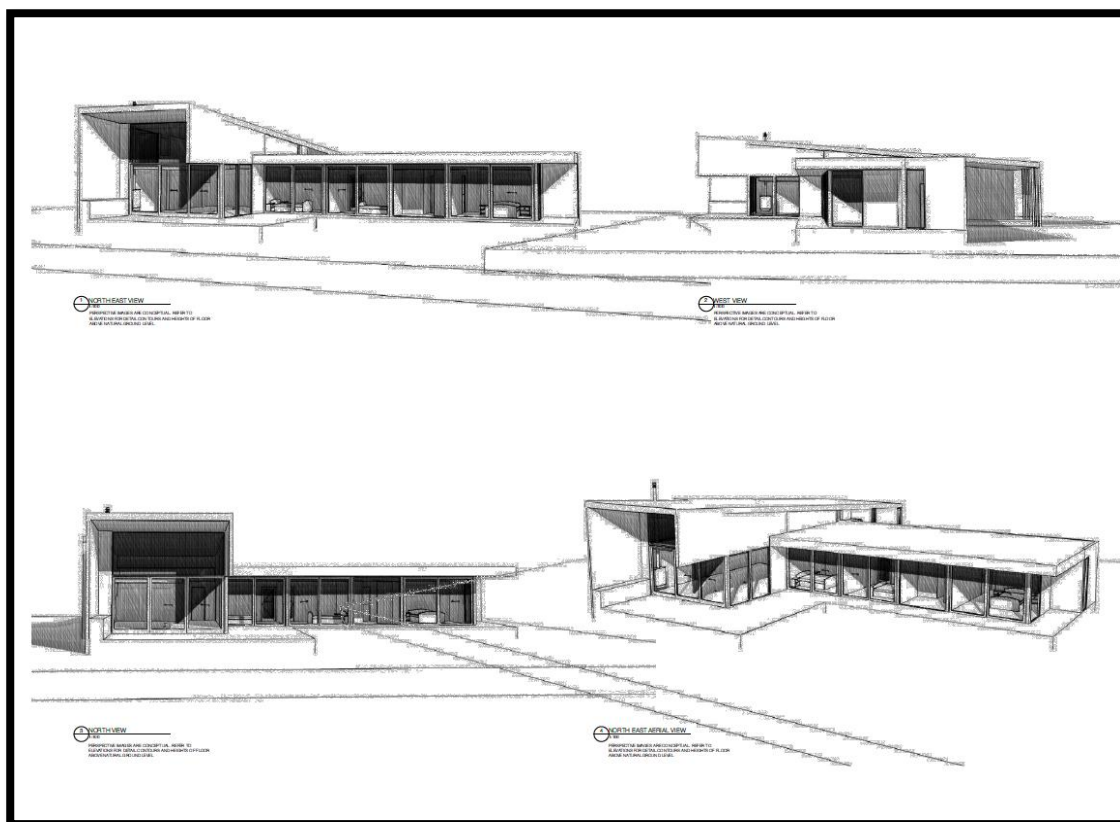
An existing access driveway is provided to the subject site from Tasman Highway with access to the dwelling site over Volume 167498 Folios 2, 3, 4, 6 & 8. The site is not serviced by reticulated water, sewer or stormwater. Power and telecommunication services are available to the subject site.



The single dwelling is to comprise of a single carport, open plan dining/kitchen/living, three bedrooms, main with ensuite and walk-in-robe, bathroom and laundry and deck. A mezzanine level is provided on the first floor. Total building area is 222m² (dwelling) + 70m² (deck), with a total site coverage of 0.069%.

The dwelling is to be clad using vertical timber cladding with shiplap profile, clear finish or stained colours (dark and weathered grey), with metal trimdeck roof in selected colour. All glass is to be provided with low reflectivity film 0-10% reflectivity.





Following receipt of representations and to complete the assessment of the application, Council requested and received an extension of time to 25 January 2021.

2. Applicable Planning Scheme Provisions

Part 14 Environmental Living Zone

E4 Road and Railway Assets Code

E6 Car Parking and Sustainable Transport Code

E7 Scenic Management Code – Tourist Road

E8 Biodiversity Code

E9 Water Quality Code

E12 Airports Impact Management Code

E14 Coastal Code

E16 Onsite Wastewater Management Code

3. Referrals

The initial application was referred on 11 May 2020 to DPIWE Policy and Conservation Advice Branch (PCAB), Conservation Assessment and Wildlife Management Section who provided the following advice in relation to Lots 2-8 which was forwarded to the Proponent for consideration within the final lodged documentation:

Threatened Flora

CAS notes that the Flora and Fauna Habitat Assessment states that no threatened flora will be impacted by the development of any lot. CAS supports the recommendation within the Flora and Fauna Habitat Assessment for a vegetation plan to be developed for each Lot to assist in the maintenance of vegetation and the protection of threatened flora species and fauna habitat into the future.

Threatened Fauna

Swift Parrot

The Flora and Fauna Habitat Assessment details that a number of the Lots support *E.globulus* forest and the *E.ovata* forest and woodland, which is potential foraging habitat for swift parrots (*Lathamus discolor*), listed as endangered under the Threatened Species Protection Act 1995 (TSPA) and the Environment Protection and Biodiversity Conservation Act 1999 (EPBCA). Therefore, the area may support swift parrot activity. CAS notes that the Flora and Fauna Habitat Assessment states that no potentially suitable habitat for swift parrots will be cleared from any Lot and this is supported.

A threat to swift parrots is colliding with man-made objects such as windows and chain-link fences. CAS supports the recommendation in the Flora and Fauna Habitat Assessment that design principles are applied to minimise collision risk with swift parrots. For general information and advice on building structures which minimise risk of collisions (e.g. wire-mesh fences or windows) - see [Guidelines and recommendations for parrot-safe building design](#). For comprehensive advice on avoiding collisions with glass - see [An end to birds dying at windows](#).

White-bellied Sea-Eagle

The Flora and Fauna Habitat Assessment states that an area of at least 10ha surrounding a known White-bellied Sea-Eagle nest has been applied with no dwellings within 500m. It is generally recommended that most disturbance based activities within 500 m or 1 km line-of-sight of an active eagle nest are avoided during the breeding season (July to January). It is unclear from the Flora and Fauna Habitat Assessment whether the known White-bellied Sea-Eagle nest is within 1 km line-of-sight from any dwellings or disturbance based activities on any of the Lots, however it seems that the area of at least 10ha surrounding the known nest without disturbance based activities will be adequate.

Tasmanian Devil and Quolls

The Flora and Fauna Habitat Assessment states that the entire site is suitable foraging habitat with sparse denning opportunities and that wombat burrows may provide denning opportunities for Tasmanian devils and quolls. The report details that two potentially suitable den sites were found and two motion-operated cameras were placed at each site for 8 nights, however the report does not indicate which Lot(s) the sites were on. If any dens are subsequently located during works then these should be managed in accordance with the Survey Guidelines And Management Advice For Development Proposals That May Impact On The Tasmanian Devil (*Sarcophilus harrisii*) (see <https://dpiwve.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>). Any dens that cannot be avoided will require a permit to take under the Nature Conservation Act 2002.

New Holland Mouse

The New Holland Mouse (*Pseudomys novaehollandiae*) is listed endangered under the TSPA and vulnerable under the EPBCA. Threats to the New Holland mouse include, but are not limited to, habitat loss and modification, inappropriate fire regimes and predation by cats. An important cause of habitat modification is infection of the New Holland mouse habitat with root rot fungus *Phytophthora cinnamomi*. CAS acknowledges that vegetation clearance is to be minimised and supports the recommendation of implementing a weed management plan (detailed below).

Shorebirds

Lots 2-8 each have a significant boundary with the coastal reserve, which supports threatened shorebird species documented and observed during the surveys. The potential increase in access and activity from residents, the numbers of domestic cats and dogs and 4WDs amplifies the threat to threatened shorebirds in the area.

Jocks Lagoon

Although Jocks Lagoon - a Ramsar site recognising wetland areas of international significance is not part of Lots 2 – 8, the Lots appear to occur within the catchment for Jocks Lagoon and therefore it is recommended that potential environmental impacts to the wetland be addressed as part of the development assessment process. Residential effluent entering the area could pose a possible threat.

CAS supports the recommendation in the Flora and Fauna Habitat Assessment that water quality in Jocks Lagoon needs to be protected, however further details of how this will be achieved have not been provided.

Weeds and Diseases

The Flora and Fauna Habitat Assessment details widespread Spanish Heath, a declared weed under the Weed Management Act 1999 on Lots 2 and 4 and to a lesser extent on others.

CAS supports the implementation of a targeted weed management plan as part of the vegetation plan as outlined in the Flora and Fauna Report. Further information about controlling the introduction and spread of weeds and the development of weed and disease management plans can be found in Section 4 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#).

*A number of species likely to occur in the area are highly susceptible to *Phytophthora cinnamomi* (PC), and adherence to strict hygiene measures will be required. Information about practical hygiene measures to implement on development work sites can be found in Appendix 1 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#). Practical information on how to minimise the risks of introducing and spreading PC can be found in the manual [Keeping it clean - A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens](#)*

Additional Comments for Lot 3

*CAS notes that the Flora and Fauna Habitat Assessment states that 1.11 hectares of native vegetation (non-threatened vegetation communities) and 0.1 hectares of Tasmanian threatened native vegetation community *Eucalyptus Viminalis* – *Eucalyptus Globulus* Coastal Forest and Woodland (DVC) will be cleared with the one threatened flora species recorded onsite not being impacted. CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.*

This Tasmanian threatened native vegetation community may also support important habitat for the swift parrot, listed as endangered under the TSPA and EPBCA. Clearing of this vegetation type should be avoided during swift parrot breeding season (September to January) if the species is breeding in the area or at other times if swift parrots are using the area.

Additional Comments for Lot 4

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lot 5

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lots 5 and 6

Geoconservation

Although almost entirely within the coastal reserve of the St Helens Conservation Area and tidal Crown Land, it appears that a small section on the boundaries of Lot 5 and Lot 6 contain part of the Dianas Basin Folds site – a site of global geoconservation significance. The feature of interest is the coastal exposure of folding caused by intrusion of granite. According to the plans provided it will not be subject to disturbance by the proposed dwellings. As a hard rock feature it is relatively immune to an increase in residential pedestrian traffic that the dwelling might bring but it is recommended that the proponents be made aware by Council of the location, significance and sensitivities of the site.



Map of the coast in the vicinity of Onion Creek showing the extent of significant coastal exposure of geodiversity outlined in red. The older polygon shown for reference in pink was derived from a lower resolution source and should now be disregarded.

Road Reserve

CAS notes that the Flora and Fauna Habitat Assessment states that 2.93 hectares of native vegetation (non-threatened vegetation communities) and 0.24 hectares of Tasmanian threatened native vegetation community *Eucalyptus ovata* Forest and Woodland (DOV). CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Again, threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.

The application included Crown Consent and Department of State Growth (DSG) consent to the lodgement of the application.

The application was referred to the Airport Manager for advice on the OLS detail in relation to the development application. This advice was provided to the proponent prior to final plans and documentation being submitted for the application

4. Assessment

The advertised application relied upon the following four (4) performance criteria as detailed below;

- 1) 14.4.2 Landscaping P1
- 2) E4.6.1 Use and Road or Rail Infrastructure P3
- 3) E8.6.1 Habitat and Vegetation Management P2.1
- 4) E16.7.2 Surface and Ground Water Impacts P4

Detailed assessment against the provisions of the *Break O'Day Interim Planning Scheme 2013* is provided below. **The proposal is deemed to comply with the performance criteria applicable.**

14 Environmental Living Zone

14.1 Zone Purpose

14.1.1 Zone Purpose Statements

14.1.1.1 To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.

14.1.1.2 To provide for a mix of low impact activities that is sensitive to the natural environment.

14 Environmental Living Zone

14.3 Use Standards

14.3.1 Amenity

Acceptable Solutions	Proposed Solutions
A1 Development must be for permitted or no permit required uses.	A1 The proposed is for a permitted Residential Use only. Acceptable solution met.
A2 Operating hours for commercial vehicles for discretionary uses must be between 6.00am and 10.00pm.	A2 Not applicable. This application does not include commercial vehicles.

14.3.2 Environmental Living Character

Acceptable Solutions	Proposed Solutions
A1 Discretionary uses must not exceed a combined gross floor area of 200m ² of the site.	A1 Not applicable.
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	A2 Not applicable.
A3 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	A3 Not applicable.
A4 Waste material storage for discretionary uses must: <ul style="list-style-type: none"> a) Not be visible from the road to which the lot has frontage; and b) Use self-contained receptacles designed to ensure waste does not escape to the environment. 	A4 Not applicable.

14.4 Development Standards

14.4.1 Building Design and Siting

Acceptable Solutions	Proposed Solutions
A1 No more than 4 hectares or 20% of the site, whichever is the lesser, is used for development.	A1 The proposal does not exceed 20% of the total site area or 4 ha. The proposal complies with the Acceptable Solution.
A2 Building height must not exceed 7m.	A2 The proposed dwelling height will not exceed 7 metres (5.629m). The proposal complies with the Acceptable Solution.
A3 Buildings must be set back a minimum distance of 10m from a frontage.	A3 The proposal is at least 10m from a frontage. The proposal complies with the Acceptable Solution.
A4 Buildings must be set back a minimum of: <ul style="list-style-type: none"> a) 10m to side and rear boundaries; and b) 200m to the Rural Resource Zone where a sensitive use is proposed. 	A4 The proposal is at least 10m from a side boundary and rear boundary and at least 200m from the Rural Resource zone. The proposal complies with the Acceptable Solution.
A5 The combined gross floor area of all outbuildings on a lot must not exceed 81m ² and a maximum height of 5m.	A5 Not applicable. No outbuilding proposed.
A6 The colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements.	A6 The proponent has advised that the external colours will be timber, grey stained timber or charred timber which will recede with the surrounding vegetation and landscape. The proposal complies with the Acceptable Solution.
A7 Reflective materials, excluding windows, must not be used as visible external elements in buildings.	A7 The plans and documents submitted do not propose any highly reflective elements. The proposal complies with the Acceptable Solution.
A8 On sites with a slope greater than 1:10, site benching through cut and fill must be less than 20% of the site coverage of the proposed building(s).	A8 No cut and fill works are proposed or required. The proposal complies with the Acceptable Solution.

Acceptable Solutions	Proposed Solutions
A9 Rainwater runoff from roofs must be collected by means of roof guttering, downpipes and rainwater tanks.	A9 It is proposed that the roof runoff will be directed to stormwater collection tanks via guttering and downpipes. Overflow is to be directed towards absorption drains on the site. The proposal complies with the Acceptable Solution.
A10 Exterior building lighting is limited to that necessary to allow safe and secure movement of pedestrians and to allow movement around the building at night. Lighting must not be used as a means of displaying the presence of buildings to be visible from outside the site.	A10 External lighting will be limited to allow for safe and secure movement of pedestrians only, limited to lighting entry doorways and minor up lighting inset into the external decks. The proposal complies with the Acceptable Solution.
A11 Where a development is part of a larger complex, each component of the development must be connected by walking tracks.	A11 Not applicable.
A12 Single unbroken walls are not to exceed 15m in length.	A12 No single wall length is to exceed 15m (max. 14.944m). The proposal complies with the Acceptable Solution.
A13 Roofs must be: a) Pitched at an angle of less than 30 degrees and can be either hipped or gabled, or b) Curved at radius no greater than 12.5m.	A13 The proposed roof pitch is not to be at an angle greater than 30 degrees. The proposal complies with the Acceptable Solution.

14.4.2 Landscaping

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Development must be located on land where the native vegetation cover has been removed or significantly disturbed. P1 New development must be located in a manner that minimises vegetation removal.	P1 A Bushfire Report and Hazard Management Plan accompanied the application, prepared by NorthBarker Ecosystem Services. A BAL rating and Hazard Management Area for BAL 29 has been prescribed for the dwelling. Existing access roads and BAL 29 HMA and buildings and infrastructure are proposed to be located to minimise vegetation disturbance. The proposal is considered to be compliant with the performance criteria.
A2 All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.	A2 All new planting will need to be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site. Conditions can be placed upon any approval ensuring compliance. The proposal complies with the Acceptable Solution.
A3 Plants listed in Appendix 3 must not be used in landscaping.	A3 Plants listed in Appendix 3 will not be allowed to be used in landscaping. Conditions can be placed upon any approval ensuring compliance. The proposal complies with the Acceptable Solution.

14.4.3 Subdivision – Not applicable to this proposal.

14.4.4 Tourist Operations – Not applicable to this proposal.

E4 Road and Railway Assets Code

E4.6 Use Standards

E4.6.1 Use and Road or Rail Infrastructure

Acceptable Solutions/Performance Criteria	Proposed Solutions
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%.	A1 Not applicable.
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.	A2 Not applicable.
<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. 	<p>A3 A Traffic Impact Assessment was prepared for each application by Shane Wells, Woolcott Surveys. This application is individual and must be assessed on this basis. The traffic generation from a single dwelling in a rural location is in the order of 7 movements per day. Part a) of the Performance Criteria is not applicable. In terms of b), the dependency of the use on the site is established by the zoning, in which a Single Dwelling use is a permitted use. Further, there is no potential to access from a category 4 or 5 road. In terms of Part c), the road authority (Department of State Growth) is satisfied that there will be no unreasonable impact to traffic safety and efficiency having regard to both the current and planned Highway alignment.</p> <p>The proposal is consistent with the performance criteria.</p>
A4 Use serviced by a side road from a deficient junction (refer E4 Table 2) is not to create an increase to the annual average daily traffic (AADT) movements on the side road at the deficient junction by more than 10%.	A4 Not applicable.

E4.7 Development Standards

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

Acceptable Solutions	Proposed Solutions
<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 envelopes on new lots; and c) Outdoor sitting, entertainment and children's play areas. 	A1 Not applicable.

E4.7.2 Management of Road Accesses and Junctions

Acceptable Solutions	Proposed Solutions
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.	A1 Not applicable.
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	A2 One existing access/junction is to be utilised to serve the proposal. The proposal complies with the Acceptable Solution.
A3 Accesses must not be located closer than 6m from an intersection, nor within 6m of a break in a median strip.	A3 The existing access meets the acceptable solution. The proposal complies with the Acceptable Solution.

E4.7.3 Management of Rail Level Crossings – Not applicable.

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

Acceptable Solutions	Proposed Solutions
A1 Sight distances at <ul style="list-style-type: none"> a) An access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) Rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority have been obtained. 	A1 The access complies with the SISD requirements for the 85 th percentile operating speed of the road, as confirmed between the authors of the Traffic Impact Assessment and the Department of State Growth. The SISD to the left is 245m and to the right is 177m. The 85 th percentile speed is considered to be 80 km/hr based on driving experience. The SISD requirement of the scheme is 175m. The proposal is consistent with the performance criteria.

E6 Car Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Acceptable Solutions	Proposed Solutions
A1 The number of car parking spaces must not be less than the requirements of: <ul style="list-style-type: none"> a) Table E6.1; or b) A parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone). 	A1 The site will provide a minimum 2 car parking spaces as required for the dwelling. The proposal complies with the Acceptable Solution.

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Acceptable Solutions	Proposed Solutions
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. 	A1 All car parking, access strips, manoeuvring and circulation spaces will be: <ul style="list-style-type: none"> a) Formed to an adequate level and drained; and b) Not applicable; and c) Not applicable. The proposal complies with the Acceptable Solution.

E6.7.2 Design and Layout of Car Parking

Acceptable Solutions	Proposed Solutions
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for a dwelling 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>A1 Not applicable.</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 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: <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 AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>A2.1 Car parking and manoeuvring space will:</p> <ul style="list-style-type: none"> a) Be on almost level ground; and b) Not applicable. Only requires a provision of 2 car parking spaces; and c) Provides a minimum 3.0m wide vehicular access; and d) Not applicable. <p>A2.2 The layout of car spaces and access ways are in accordance with <i>Australian Standards AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p> <p>The proposal complies with the Acceptable Solution.</p>

E7 Scenic Management Code

The site is affected by the Scenic Corridor overlay – tourist road corridor (Tasman Highway). However, as the proposed use and development is not located on land within 100 metres measured from the frontage to the scenic management tourist road corridor, the code has been determined to be not applicable.

E8 Biodiversity Code

E8.6.1 Habitat and Vegetation Management

Acceptable Solutions/Performance Criteria	Proposed Solutions
<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>A1.1/A1.2 A review of Council's priority habitat layer indicates the vegetation is not located within an area of priority habitat.</p> <p>Not applicable</p>

Acceptable Solutions/Performance Criteria	Proposed Solutions
<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 habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</p> <p>b) means or 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>	<p>P2.1</p> <p>A Flora and Fauna Habitat Assessment accompanied the application, prepared by NorthBarker Ecosystem Services.</p> <p>No known locations of threatened flora will be disturbed on the lot.</p> <p>A small area of potential habitat of the new holland mouse will require conversion or modification to accommodate access, house site and Hazard Management Area (BAL 29) on the lot. No new holland mice have been recorded on site with extensive habitat present within range. Minor widening of the shared access through Lot 3 may require a handful of trees to be removed that are tree species suitable for swift parrot foraging habitat, they are small trees of negligible contribution to the conservation for the swift parrot.</p> <p>The planning applications for each lot avoids all Priority Habitat. Note that apparent conflict with priority habitat where the fee simple access routes overlay priority habitat will not be utilised. The existing road will be utilised.</p> <p>The areas of native vegetation that are proposed to be converted or modified on each lot range between 0.3 and 3ha or 0.1 and 5% of each lot (of all 8 dwellings). Each vegetation type is well represented and well reserved in the Bioregion. The report makes a number of recommendations in relation to Threatened Flora, Fauna values, and weed management and can be appropriately managed through conditions upon an approval.</p> <p>The proposal is considered to be compliant with the performance criteria.</p>

E9 Water Quality Code

E9.6.1 Development and Construction Practices and Riparian Vegetation

Acceptable Solutions	Proposed Solutions
<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 Water catchment area – inner buffer.</p>	<p>A1 No native vegetation will be removed within 40m of a wetland, watercourse or mean high water mark. The proposal complies with the Acceptable Solution.</p>
<p>A2 A wetland must not be filled, drained, piped or channelled.</p>	<p>A2 The proposal complies with the Acceptable Solution.</p>
<p>A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposed.</p>	<p>A3 The proposal complies with the Acceptable Solution..</p>

E9.6.2 Water Quality Management

Acceptable Solutions	Proposed Solutions
<p>A1 All stormwater must be:</p> <ul style="list-style-type: none"> a) Connected to a reticulated stormwater system; or b) Where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) Diverted to an on-site system that contained stormwater within the site. 	<p>A1 The proposed new dwelling will direct all overflow stormwater from rainwater tanks to proposed stormwater absorption trenches onsite. The proposal complies with the Acceptable Solution.</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>A2.1 No point source discharge is proposed. The proposal complies with the Acceptable Solution.</p> <p>A2.2 Not applicable.</p>
<p>A3 No acceptable solutions.</p> <p>P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.</p>	<p>P3 Not applicable.</p>

E9.6.3 Construction of Roads

Acceptable Solutions	Proposed Solutions
<p>A1 A road or track does not cross, enter or drain to a watercourse or wetland.</p>	<p>A1 There is no new road or track that enters or crosses a watercourse or wetland proposed. The proposal complies with the Acceptable Solution.</p>

E9.6.4 Access

Acceptable Solutions/Performance Criteria	Proposed Solutions
<p>A1 No acceptable solution.</p> <p>P1 New access point to wetland and watercourses are provided in a way that minimises:</p> <ul style="list-style-type: none"> a) Their occurrence; and b) The disturbance to vegetation and hydrological features from use or development. 	<p>A1/P1 Not applicable.</p>
<p>A2 No acceptable solution.</p> <p>P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.</p>	<p>A2/P2 Not applicable.</p>

E9.6.5 Sediment and Erosion Control – not applicable.

E9.6.6 Water Catchment Areas – not applicable.

E12 Airports Impact Management Code

The site is affected by the prescribed air space. The total development height is well below the OLS height of 86.5 AHD, refer to elevations for the height of the dwelling AHD, the code has been determined to be not applicable.

E14 Coastal Code

The area of the proposed development works is outside of the mapped area of the site that this code is applicable for. For additional information, refer to the Preliminary Coastal Vulnerability Assessment.

E16 On-Site Wastewater Management Code

E16.6 Use Standards

E16.6.1 Use and Lot Size

Acceptable Solutions	Proposed Solutions
A1 Residential uses that rely on onsite wastewater management must: a) Be on a site with minimum area of 2,000m ² ; and b) Have four bedrooms or less.	A1 The site has an area greater than 2000m ² (42.12ha) and only three bedrooms is proposed. The proposal complies with the Acceptable Solution.
A2 Non-residential uses that rely on onsite wastewater management must be on a site with minimum area of 5,000m ² .	Not applicable.

E16.7 Development Standards

E16.7.1 Onsite Wastewater Management

Acceptable Solutions	Proposed Solutions
A1 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and buildings and structures.	A1 A minimum separation distance of 3.0 metres from any structure to the wastewater infrastructure will be provided. The proposal complies with the Acceptable Solution.
A2 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and the following: a) Hardstand and paved areas; b) Car parking and vehicle manoeuvring areas; and c) Title or lot boundaries.	A2 A minimum horizontal separation of 3m will be provided. The proposal complies with the Acceptable Solution.
A3 Private Open Space must not be used for surface irrigation of treated wastewater.	A3 The proposal complies, no private open space is used for surface irrigation of treated wastewater. The proposal complies with the Acceptable Solution.
A4 Onsite wastewater management infrastructure must be on lots with an average slope of 10% or less.	A4 The proposed wastewater treatment system is on land with an average slope less than 10%. The proposal complies with the Acceptable Solution.

E16.7.2 Surface and Ground Water Impacts

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Onsite wastewater management infrastructure must have a minimum separation distance of 100m from a wetland or watercourse or coastal marine area.	A1 Onsite wastewater management infrastructure is to have a minimum separation distance of 100m from a wetland, watercourse or coastal marine area. The proposal complies with the Acceptable Solution.

Acceptable Solutions/Performance Criteria	Proposed Solutions
A2 Onsite wastewater management infrastructure must have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply.	A2 Onsite wastewater management infrastructure will have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply. The proposal complies with the Acceptable Solution.
A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, must be no less than 1.5m.	A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, is to be no less than 1.5m. The proposal complies with the Acceptable Solution.
A4 Vertical separation between a limiting layer and the land used to apply effluent, including reserved areas, must be no less than 1.5m. P4 Onsite wastewater management infrastructure separated from the limiting layer by less than 1.5m must have no detrimental impacts on groundwater.	P4 An Onsite Waste Water & Stormwater Disposal Assessment and Design prepared by JD Consulting accompanied the application. For the majority of the area, the limiting layer is greater than 1.5m. Where the limiting layer is less than 1.5m, an onsite wastewater treatment system that is capable of providing secondary treated effluent quality will need to be installed, and can be assessed at the Plumbing Application stage further. The proposal is considered to be compliant with the performance criteria.

5. Representations

The application was advertised 17 October 2020 to 30 October 2020 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining land owners. Two (2) representations have been received from individuals and a letter from Aboriginal Heritage Tasmania with concerns during the statutory exhibition period. A further letter from Tasmania Parks & Wildlife Service was received outside the statutory period. Parks & Wildlife supports the proponents adoption of the recommendations contained within section 6 of the Flora and Fauna Habitat Assessment. They also noted that the development sites are adjacent to the St Helens Conservation Area (SHCA), whilst no access is proposed as part of this application, any future access to SHCA shall be established only after consultation with PWS. These applications will address the adhoc access by the public over this subject lands currently taking place.

Aboriginal Heritage Tasmania concerns are in relation to HMA for Lot 8 and site AH5625 proximity. The proponent has advised that they have no issue with relocating the proposed dwelling on Lot 8 outside of a 10m buffer to mapped area AH5625. This will form a condition on the recommended approval for that particular development application.

Aboriginal Heritage Tasmania, noted that an assessment was carried out in 2017 as part of a different proposal, and whilst that report did not identify any Aboriginal heritage sites within Lot 1, the report states that poor ground surface visibility was a key constraint in survey coverage. Advice is provided in relation to works carried out on Lot 1, should be carried out strictly under the guidance of an attached Unanticipated Discovery Plan. In the case of AH5625, a 10m buffer was recommended.

Two (2) other representations raised concerns in relation to scenic values of the coastline, the new holland mouse, lack of an Aboriginal Heritage Report for each dwelling, and inconsistency with the State Coastal Policy. A number of these matters have been addressed within the reports provided, as well as further consideration of the applicants which has been provided.

The proponent together with the planning assessment above, and recommended conditions have adequately considered and dealt with the relevant concerns of the representors. No further comment is required for those matters that are not a relevant planning consideration/provision that have been addressed under the *Break O' Day Interim Planning Scheme 2013*.

The recommendation for approval has been made following due consideration of the representations and comments.

6. Mediation

Nil.

7. Conclusion

In accordance with 8.10 of the *Break O' Day Interim Planning Scheme 2013*, the application has been assessed against the objectives of the Scheme, in particular the Environmental Living Zone, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and four (4) Performance Criterion; the received representations have been considered. It is recommended for approval with conditions normally set to this type of development.

LEGISLATION / STRATEGIC PLAN & POLICIES:

Break O' Day Interim Planning Scheme 2013;
Land Use Planning and Approvals Act 1993;
Local Government (Building and Miscellaneous Provisions) Act 1993.

BUDGET AND FINANCIAL IMPLICATIONS:

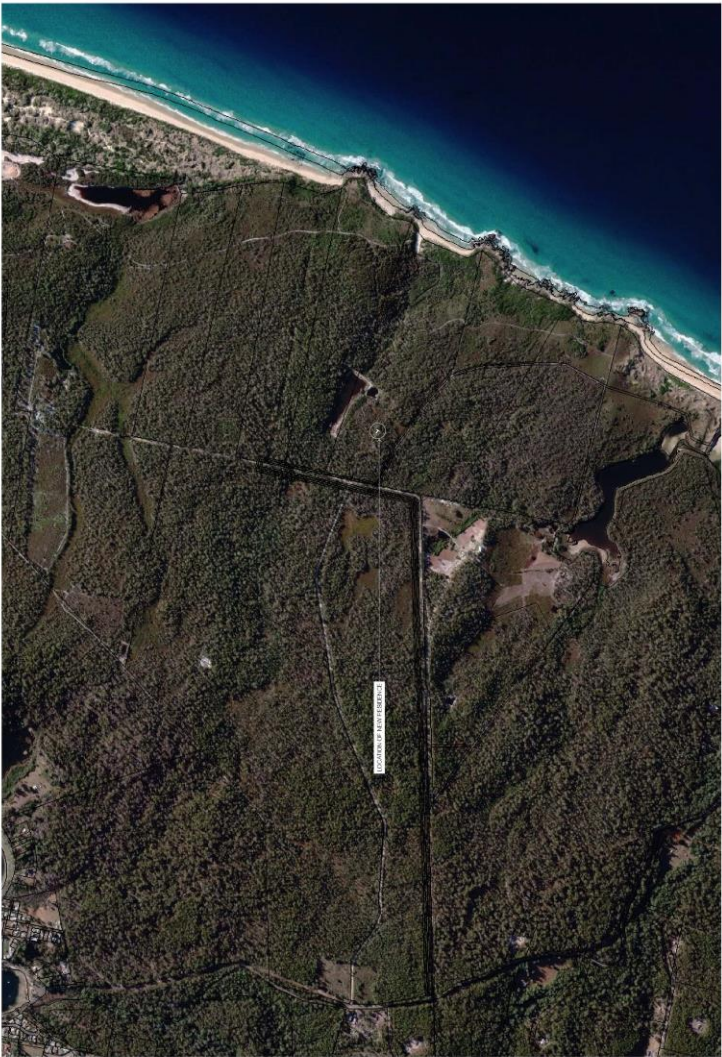
Not applicable, all costs of the development are the responsibility of the developer.

VOTING REQUIREMENTS:

Simple Majority

NEW RESIDENCE, TASMAN HIGHWAY, ST HELENS, TASMANIA
FOR PLANNING PERMIT ONLY
NOT FOR CONSTRUCTION

PROJECT DETAILS		
FILE REFERENCE: 2024/016		
DRILL CLASSIFICATION: TWS		
WATER BODY: BULZ		
APPLICANT: ANZURE INVESTMENTS PTY LTD		
TOTAL BUILDING AREA: 220m ² (140m ² x 1.57m ² (0.2m ²)) TOTAL SITE COVERAGE: 0.000%		
DRAWING SCHEDULE		
DRAWING NO.	DRAWING NAME	REV. NO.
001.01	001.01 SITE PLAN	01
001.02	001.02 SITE PLAN	02
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001.05	001.05 SITE PLAN	05
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FOR PLANNING PERMIT ONLY
NOT FOR CONSTRUCTION

THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. DATE 01-25-2001 BY 60322 UCBAW/STP

mjarchitecture
14 5439 550 854 T 021 8331 5620
E: info@mjarchitecture.com.au
www.mjarchitecture.com.au

PROJECT	NEW RESIDENCE	DATE	12/10/20
PROJECT NO	1519-05	PROJECT NO	002 02
PROJECT NO	1519-05	PROJECT NO	02



ACTION	DECISION
PROPONENT	MJ Architecture obo Hallwill Pty Ltd
OFFICER	Rebecca Green, Planning Consultant
FILE REFERENCE	DA 082-2020
ASSOCIATED REPORTS AND DOCUMENTS	<p>Site Plans, Dwelling Plans and Elevations Written Submission <i>Circulated under Separate Cover:</i> <i>Representations (2)</i> <i>Late Representation – Tasmania Parks and Wildlife Service</i> <i>Bushfire Report and Hazard Management Plan (16 March 2020)</i> <i>Traffic Impact Assessment (report in common)</i> <i>Flora and Fauna Habitat Assessment (report in common)</i> <i>Preliminary Coastal Vulnerability Assessment (report in common)</i> <i>Onsite Waste Water & Stormwater Assessment and Design (report in common)</i> <i>Letter from Aboriginal Heritage Tasmania</i> <i>Applicants Response to Representations</i></p>

OFFICER'S RECOMMENDATION:

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **SINGLE DWELLING LOT 6** on land situated at **LOT 6 (CT167498/6) – TASMAN HIGHWAY, ST HELENS** (with access over Volume 167498 Folios 2, 3, 4, 5 & 8) be APPROVED subject to the following conditions:

- Use and development must be substantially in accordance with the following endorsed plans and documents unless modified by a condition of this permit:
 - Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020;
 - Written Submission, MJ Architecture, Dated: 18 September 2020;
 - Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 16 March 2020; and
 - Flora and Fauna Habitat Assessment, NorthBarker Ecosystem Services, Dated: 13 March 2020.
- All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of by means that will not result in soil erosion or other stormwater nuisance in accordance with Part 14.4.1 A9 of the *Break O'Day Interim Planning Scheme 2013*.
- Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
- No native vegetation removal/modification is permitted outside that shown in Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020; and Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 16 March 2020;

5. All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.
6. Plants listed in Appendix 3 of the *Break O'Day Interim Planning Scheme 2013* must not be used in landscaping.
7. Prior to any works commencing on site, a vegetation/weed management plan must be developed and a copy provided to Council, and therefore forming part of this approval to assist in the maintenance of vegetation condition on the subject lot. The vegetation/weed management plan must be prepared in accordance with all of the recommendations contained within the Flora and Fauna Habitat Assessment (section 6), prepared by NorthBarker Ecosystem Services, Dated: 13 March 2020.
8. Reflective materials must not be used as visible external elements in the building and the colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements in accordance with Part 14.4.1 A7 of the *Break O'Day Interim Planning Scheme 2013*.
9. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. Works should be carried out strictly under the guidance of the attached Unanticipated Discovery Plan. If at any point during the proposed works Aboriginal heritage is suspected, works must cease immediately, and AHT must be contacted for advice. The Unanticipated Discovery Plan should be kept on site during the works to aid the proponent and their works personnel in meeting their obligations under the *Aboriginal Relics Act 1975* (the Act) in the event that Aboriginal heritage is identified.
10. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site
11. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.
12. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the occupancy of the dwelling on the subject site.

ADVICE

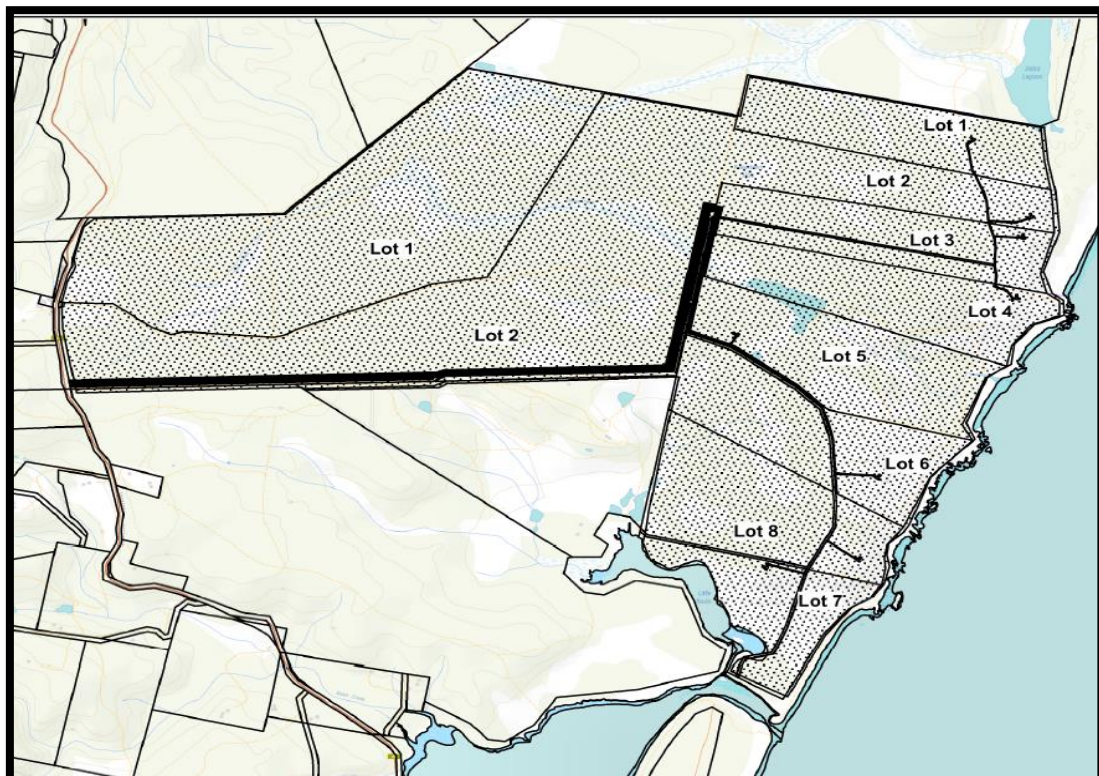
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
- Activities associated with construction works are not to be performed outside the permissible time frame listed:
 - Monday-Friday 7am to 6pm*
 - Saturday 9am to 6pm*
 - Sunday and public holidays 10am to 6pm*

PROPOSAL SUMMARY:

Application is made for the use and construction of a new single dwelling at Lot 6 (CT167498/6), Tasman Highway, St Helens.

Access is proposed over Volume 167498 Folios 2, 3, 4, 5 & 8 from an existing junction with Tasman Highway. The access point is to the north of the 2018 upgrades to Flagstaff Road and south of planned overtaking lanes. Pitt and Sherry, in their design of the overtaking lane, has accommodated the existing access point.

The lot has an area of 41.33ha and is vacant. The title has a number of right of carriageways burdening the site and also benefits to a number of right of carriageways.









PREVIOUS COUNCIL CONSIDERATION:

Nil.

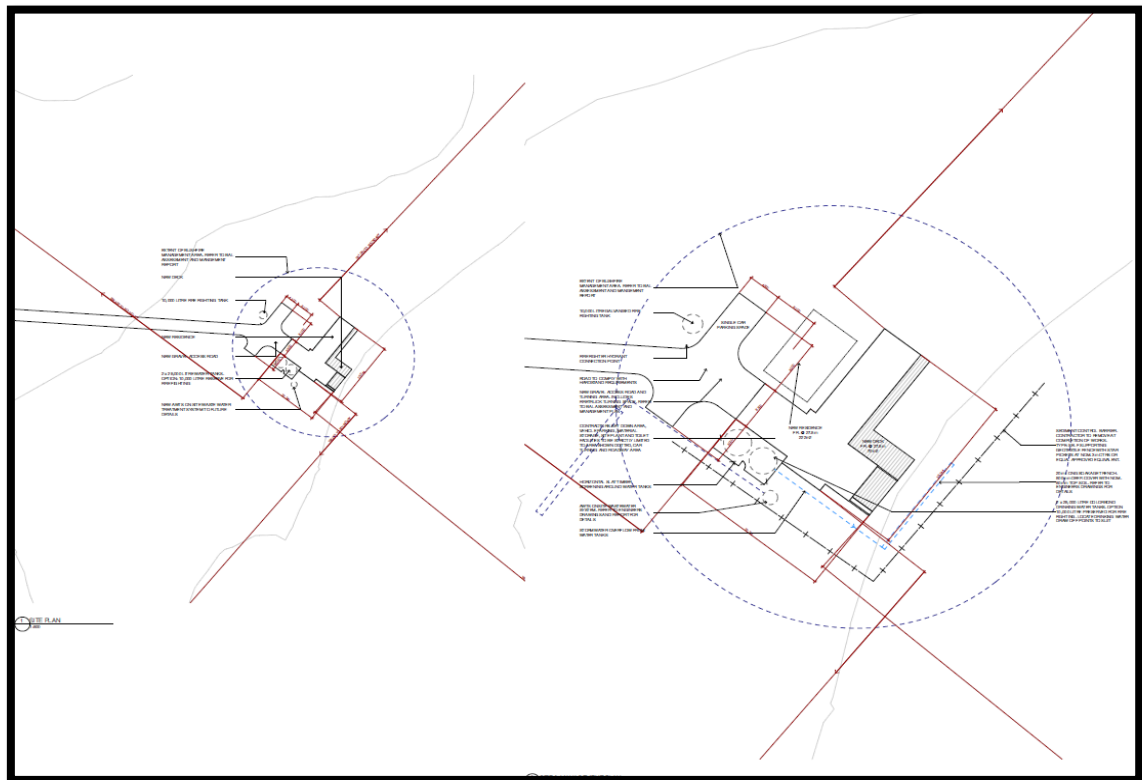
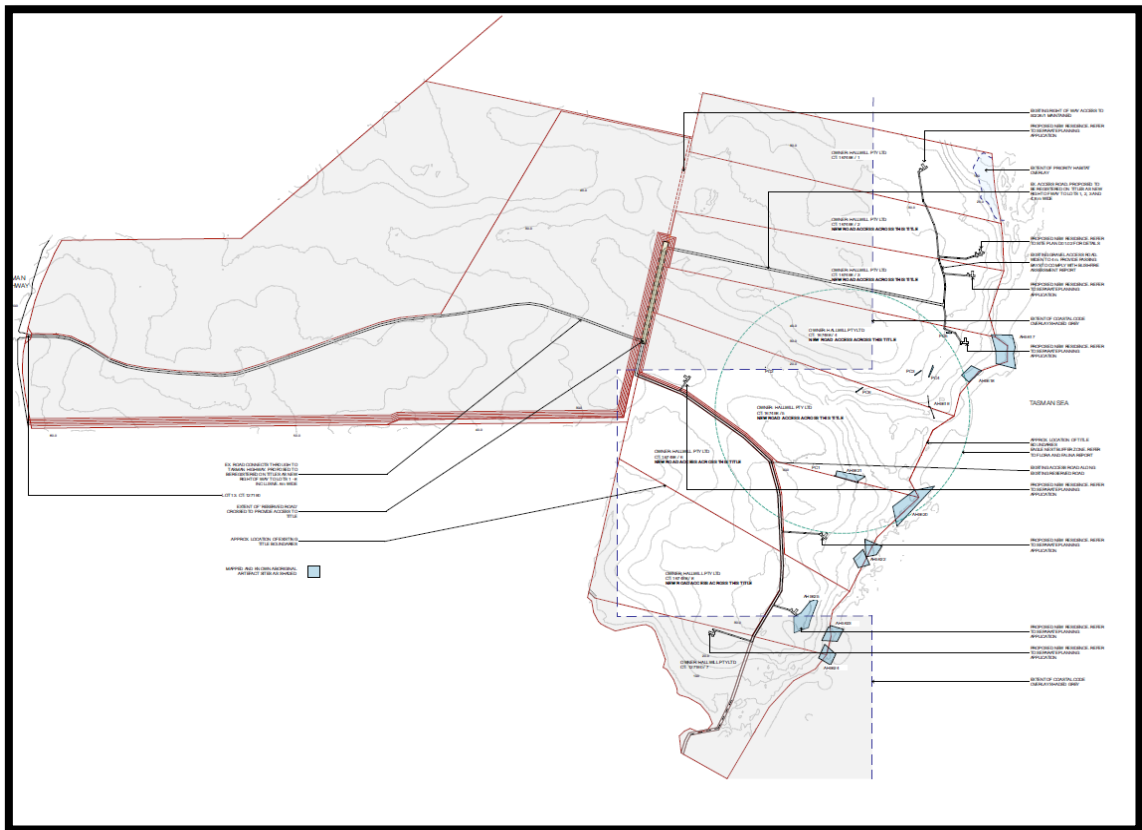
OFFICER'S REPORT:

1. The Proposal

Break O'Day Council received an application in April 2020 from MJ Architecture on behalf of Hallwill Pty Ltd, the owner of the subject land, for use and construction of a single dwelling at Lot 6 (CT167498/6) – Tasman Highway, St Helens. The application became valid from 13 October 2020 subsequent to receipt of additional information.

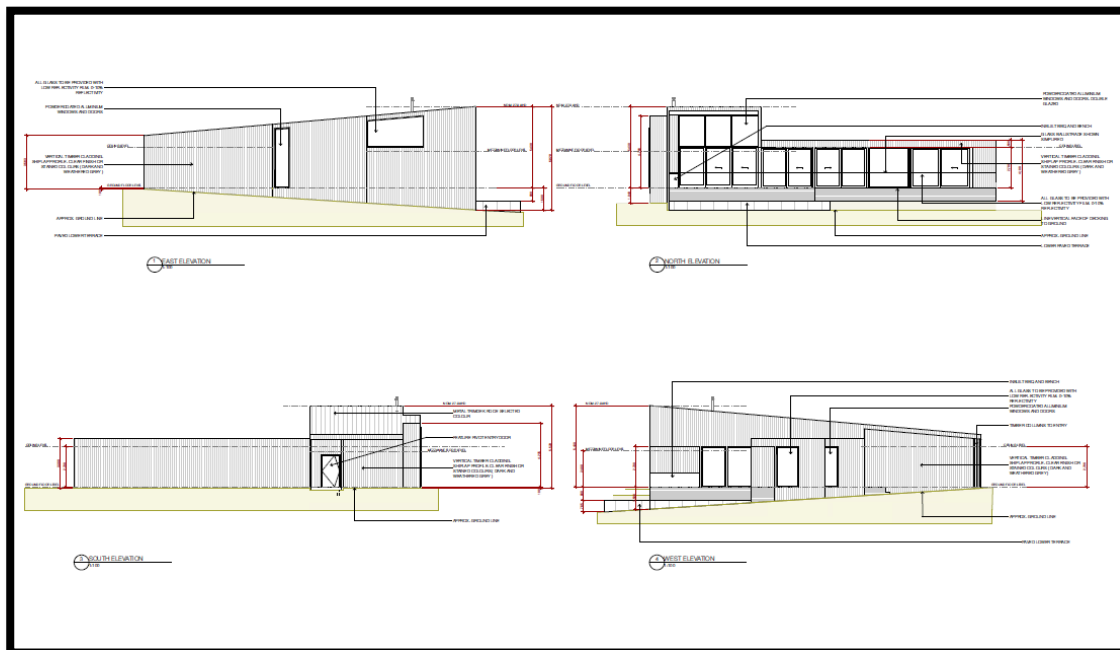
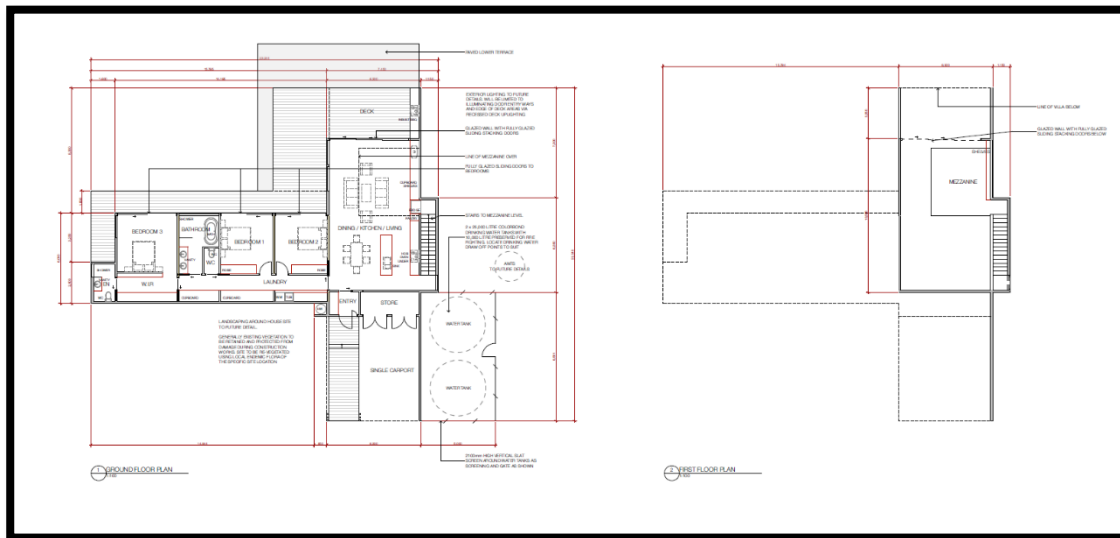
The 41.33ha site slopes down from Tasman Highway to the east to the water and is located on the eastern side of the Tasman Highway. The site is vacant land with no uses or meaningful buildings/structures present on the site.

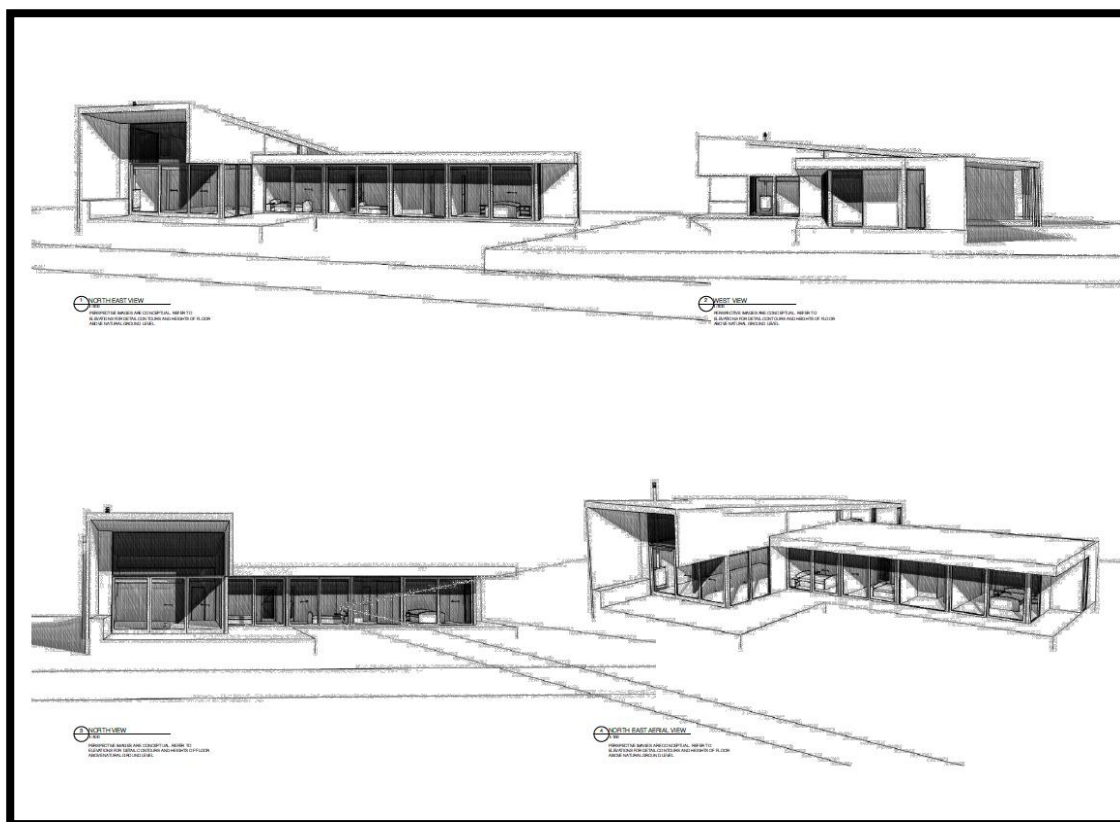
An existing access driveway is provided to the subject site from Tasman Highway with access to the dwelling site over Volume 167498 Folios 2, 3, 4, 5 & 8. The site is not serviced by reticulated water, sewer or stormwater. Power and telecommunication services are available to the subject site.



The single dwelling is to comprise of a single carport, open plan dining/kitchen/living, three bedrooms, main with ensuite and walk-in-robe, bathroom and laundry and deck. A mezzanine level is provided on the first floor. Total building area is 222m² (dwelling) + 70m² (deck), with a total site coverage of 0.070%.

The dwelling is to be clad using vertical timber cladding with shiplap profile, clear finish or stained colours (dark and weathered grey), with metal trimdeck roof in selected colour. All glass is to be provided with low reflectivity film 0-10% reflectivity.





Following receipt of representations and to complete the assessment of the application, Council requested and received an extension of time to 25 January 2021.

2. Applicable Planning Scheme Provisions

Part 14 Environmental Living Zone
 E4 Road and Railway Assets Code
 E6 Car Parking and Sustainable Transport Code
 E7 Scenic Management Code – Tourist Road
 E8 Biodiversity Code
 E9 Water Quality Code
 E12 Airports Impact Management Code
 E14 Coastal Code
 E16 Onsite Wastewater Management Code

3. Referrals

The initial application was referred on 11 May 2020 to DPIWE Policy and Conservation Advice Branch (PCAB), Conservation Assessment and Wildlife Management Section who provided the following advice in relation to Lots 2-8 which was forwarded to the Proponent for consideration within the final lodged documentation:

Threatened Flora

CAS notes that the Flora and Fauna Habitat Assessment states that no threatened flora will be impacted by the development of any lot. CAS supports the recommendation within the Flora and Fauna Habitat Assessment for a vegetation plan to be developed for each Lot to assist in the maintenance of vegetation and the protection of threatened flora species and fauna habitat into the future.

Threatened Fauna

Swift Parrot

The Flora and Fauna Habitat Assessment details that a number of the Lots support *E.globulus* forest and the *E.ovata* forest and woodland, which is potential foraging habitat for swift parrots (*Lathamus discolor*), listed as endangered under the Threatened Species Protection Act 1995 (TSPA) and the Environment Protection and Biodiversity Conservation Act 1999 (EPBCA). Therefore, the area may support swift parrot activity. CAS notes that the Flora and Fauna Habitat Assessment states that no potentially suitable habitat for swift parrots will be cleared from any Lot and this is supported.

A threat to swift parrots is colliding with man-made objects such as windows and chain-link fences. CAS supports the recommendation in the Flora and Fauna Habitat Assessment that design principles are applied to minimise collision risk with swift parrots. For general information and advice on building structures which minimise risk of collisions (e.g. wire-mesh fences or windows) - see [Guidelines and recommendations for parrot-safe building design](#). For comprehensive advice on avoiding collisions with glass - see [An end to birds dying at windows](#).

White-bellied Sea-Eagle

The Flora and Fauna Habitat Assessment states that an area of at least 10ha surrounding a known White-bellied Sea-Eagle nest has been applied with no dwellings within 500m. It is generally recommended that most disturbance based activities within 500 m or 1 km line-of-sight of an active eagle nest are avoided during the breeding season (July to January). It is unclear from the Flora and Fauna Habitat Assessment whether the known White-bellied Sea-Eagle nest is within 1 km line-of-sight from any dwellings or disturbance based activities on any of the Lots, however it seems that the area of at least 10ha surrounding the known nest without disturbance based activities will be adequate.

Tasmanian Devil and Quolls

The Flora and Fauna Habitat Assessment states that the entire site is suitable foraging habitat with sparse denning opportunities and that wombat burrows may provide denning opportunities for Tasmanian devils and quolls. The report details that two potentially suitable den sites were found and two motion-operated cameras were placed at each site for 8 nights, however the report does not indicate which Lot(s) the sites were on. If any dens are subsequently located during works then these should be managed in accordance with the Survey Guidelines And Management Advice For Development Proposals That May Impact On The Tasmanian Devil (*Sarcophilus harrisii*) (see <https://dpipwe.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>). Any dens that cannot be avoided will require a permit to take under the Nature Conservation Act 2002.

New Holland Mouse

The New Holland Mouse (*Pseudomys novaehollandiae*) is listed endangered under the TSPA and vulnerable under the EPBCA. Threats to the New Holland mouse include, but are not limited to, habitat loss and modification, inappropriate fire regimes and predation by cats. An important cause of habitat modification is infection of the New Holland mouse habitat with root rot fungus *Phytophthora cinnamomi*. CAS acknowledges that vegetation clearance is to be minimised and supports the recommendation of implementing a weed management plan (detailed below).

Shorebirds

Lots 2-8 each have a significant boundary with the coastal reserve, which supports threatened shorebird species documented and observed during the surveys. The potential increase in access and activity from residents, the numbers of domestic cats and dogs and 4WDs amplifies the threat to threatened shorebirds in the area.

Jocks Lagoon

Although Jocks Lagoon - a Ramsar site recognising wetland areas of international significance is not part of Lots 2 – 8, the Lots appear to occur within the catchment for Jocks Lagoon and therefore it is recommended that potential environmental impacts to the wetland be addressed as part of the development assessment process. Residential effluent entering the area could pose a possible threat.

CAS supports the recommendation in the Flora and Fauna Habitat Assessment that water quality in Jocks Lagoon needs to be protected, however further details of how this will be achieved have not been provided.

Weeds and Diseases

The Flora and Fauna Habitat Assessment details widespread Spanish Heath, a declared weed under the Weed Management Act 1999 on Lots 2 and 4 and to a lesser extent on others.

CAS supports the implementation of a targeted weed management plan as part of the vegetation plan as outlined in the Flora and Fauna Report. Further information about controlling the introduction and spread of weeds and the development of weed and disease management plans can be found in Section 4 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#).

*A number of species likely to occur in the area are highly susceptible to *Phytophthora cinnamomi* (PC), and adherence to strict hygiene measures will be required. Information about practical hygiene measures to implement on development work sites can be found in Appendix 1 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#). Practical information on how to minimise the risks of introducing and spreading PC can be found in the manual [Keeping it clean - A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens](#)*

Additional Comments for Lot 3

*CAS notes that the Flora and Fauna Habitat Assessment states that 1.11 hectares of native vegetation (non-threatened vegetation communities) and 0.1 hectares of Tasmanian threatened native vegetation community *Eucalyptus Viminalis* – *Eucalyptus Globulus* Coastal Forest and Woodland (DVC) will be cleared with the one threatened flora species recorded onsite not being impacted. CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.*

This Tasmanian threatened native vegetation community may also support important habitat for the swift parrot, listed as endangered under the TSPA and EPBCA. Clearing of this vegetation type should be avoided during swift parrot breeding season (September to January) if the species is breeding in the area or at other times if swift parrots are using the area.

Additional Comments for Lot 4

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lot 5

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lots 5 and 6

Geoconservation

Although almost entirely within the coastal reserve of the St Helens Conservation Area and tidal Crown Land, it appears that a small section on the boundaries of Lot 5 and Lot 6 contain part of the Dianas Basin Folds site – a site of global geoconservation significance. The feature of interest is the coastal exposure of folding caused by intrusion of granite. According to the plans provided it will not be subject to disturbance by the proposed dwellings. As a hard rock feature it is relatively immune to an increase in residential pedestrian traffic that the dwelling might bring but it is recommended that the proponents be made aware by Council of the location, significance and sensitivities of the site.



Map of the coast in the vicinity of Onion Creek showing the extent of significant coastal exposure of geodiversity outlined in red. The older polygon shown for reference in pink was derived from a lower resolution source and should now be disregarded.

Road Reserve

CAS notes that the Flora and Fauna Habitat Assessment states that 2.93 hectares of native vegetation (non-threatened vegetation communities) and 0.24 hectares of Tasmanian threatened native vegetation community *Eucalyptus ovata* Forest and Woodland (DOV). CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Again, threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.

The application included Crown Consent and Department of State Growth (DSG) consent to the lodgement of the application.

The application was referred to the Airport Manager for advice on the OLS detail in relation to the development application. This advice was provided to the proponent prior to final plans and documentation being submitted for the application

4. Assessment

The advertised application relied upon the following four (4) performance criteria as detailed below;

- 1) 14.4.2 Landscaping P1
- 2) E4.6.1 Use and Road or Rail Infrastructure P3
- 3) E8.6.1 Habitat and Vegetation Management P2.1
- 4) E16.7.2 Surface and Ground Water Impacts P4

Detailed assessment against the provisions of the *Break O'Day Interim Planning Scheme 2013* is provided below. **The proposal is deemed to comply with the performance criteria applicable.**

14 Environmental Living Zone

14.1 Zone Purpose

14.1.1 Zone Purpose Statements

14.1.1.1 To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.

14.1.1.2 To provide for a mix of low impact activities that is sensitive to the natural environment.

14 Environmental Living Zone

14.3 Use Standards

14.3.1 Amenity

Acceptable Solutions	Proposed Solutions
A1 Development must be for permitted or no permit required uses.	A1 The proposed is for a permitted Residential Use only. Acceptable solution met.
A2 Operating hours for commercial vehicles for discretionary uses must be between 6.00am and 10.00pm.	A2 Not applicable. This application does not include commercial vehicles.

14.3.2 Environmental Living Character

Acceptable Solutions	Proposed Solutions
A1 Discretionary uses must not exceed a combined gross floor area of 200m ² of the site.	A1 Not applicable.
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	A2 Not applicable.
A3 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	A3 Not applicable.
A4 Waste material storage for discretionary uses must: a) Not be visible from the road to which the lot has frontage; and b) Use self-contained receptacles designed to ensure waste does not escape to the environment.	A4 Not applicable.

14.4 Development Standards

14.4.1 Building Design and Siting

Acceptable Solutions	Proposed Solutions
A1 No more than 4 hectares or 20% of the site, whichever is the lesser, is used for development.	A1 The proposal does not exceed 20% of the total site area or 4 ha. The proposal complies with the Acceptable Solution.
A2 Building height must not exceed 7m.	A2 The proposed dwelling height will not exceed 7 metres (6.929m). The proposal complies with the Acceptable Solution.
A3 Buildings must be set back a minimum distance of 10m from a frontage.	A3 The proposal is at least 10m from a frontage. The proposal complies with the Acceptable Solution.
A4 Buildings must be set back a minimum of: a) 10m to side and rear boundaries; and b) 200m to the Rural Resource Zone where a sensitive use is proposed.	A4 The proposal is at least 10m from a side boundary and rear boundary and at least 200m from the Rural Resource zone. The proposal complies with the Acceptable Solution.
A5 The combined gross floor area of all outbuildings on a lot must not exceed 81m ² and a maximum height of 5m.	A5 Not applicable. No outbuilding proposed.
A6 The colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements.	A6 The proponent has advised that the external colours will be timber, grey stained timber or charred timber which will recede with the surrounding vegetation and landscape. The proposal complies with the Acceptable Solution.
A7 Reflective materials, excluding windows, must not be used as visible external elements in buildings.	A7 The plans and documents submitted do not propose any highly reflective elements. The proposal complies with the Acceptable Solution.
A8 On sites with a slope greater than 1:10, site benching through cut and fill must be less than 20% of the site coverage of the proposed building(s).	A8 No cut and fill works are proposed or required. The proposal complies with the Acceptable Solution.
A9 Rainwater runoff from roofs must be collected by means of roof guttering, downpipes and rainwater tanks.	A9 It is proposed that the roof runoff will be directed to stormwater collection tanks via guttering and downpipes. Overflow is to be directed towards absorption drains on the site. The proposal complies with the Acceptable Solution.

Acceptable Solutions	Proposed Solutions
A10 Exterior building lighting is limited to that necessary to allow safe and secure movement of pedestrians and to allow movement around the building at night. Lighting must not be used as a means of displaying the presence of buildings to be visible from outside the site.	A10 External lighting will be limited to allow for safe and secure movement of pedestrians only, limited to lighting entry doorways and minor up lighting inset into the external decks. The proposal complies with the Acceptable Solution.
A11 Where a development is part of a larger complex, each component of the development must be connected by walking tracks.	A11 Not applicable.
A12 Single unbroken walls are not to exceed 15m in length.	A12 No single wall length is to exceed 15m (max. 14.944m). The proposal complies with the Acceptable Solution.
A13 Roofs must be: a) Pitched at an angle of less than 30 degrees and can be either hipped or gabled, or b) Curved at radius no greater than 12.5m.	A13 The proposed roof pitch is not to be at an angle greater than 30 degrees. The proposal complies with the Acceptable Solution.

14.4.2 Landscaping

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Development must be located on land where the native vegetation cover has been removed or significantly disturbed. P1 New development must be located in a manner that minimises vegetation removal.	P1 A Bushfire Report and Hazard Management Plan accompanied the application, prepared by NorthBarker Ecosystem Services. A BAL rating and Hazard Management Area for BAL 29 has been prescribed for the dwelling. Existing access roads and BAL 29 HMA and buildings and infrastructure are proposed to be located to minimise vegetation disturbance. The proposal is considered to be compliant with the performance criteria.
A2 All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.	A2 All new planting will need to be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site. Conditions can be placed upon any approval ensuring compliance. The proposal complies with the Acceptable Solution.
A3 Plants listed in Appendix 3 must not be used in landscaping.	A3 Plants listed in Appendix 3 will not be allowed to be used in landscaping. Conditions can be placed upon any approval ensuring compliance. The proposal complies with the Acceptable Solution.

14.4.3 Subdivision – Not applicable to this proposal.

14.4.4 Tourist Operations – Not applicable to this proposal.

E4 Road and Railway Assets Code

E4.6 Use Standards

E4.6.1 Use and Road or Rail Infrastructure

Acceptable Solutions/Performance Criteria	Proposed Solutions
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%.	A1 Not applicable.
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.	A2 Not applicable.
<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. 	<p>A3 A Traffic Impact Assessment was prepared for each application by Shane Wells, Woolcott Surveys. This application is individual and must be assessed on this basis. The traffic generation from a single dwelling in a rural location is in the order of 7 movements per day. Part a) of the Performance Criteria is not applicable. In terms of b), the dependency of the use on the site is established by the zoning, in which a Single Dwelling use is a permitted use. Further, there is no potential to access from a category 4 or 5 road. In terms of Part c), the road authority (Department of State Growth) is satisfied that there will be no unreasonable impact to traffic safety and efficiency having regard to both the current and planned Highway alignment.</p> <p>The proposal is consistent with the performance criteria.</p>
A4 Use serviced by a side road from a deficient junction (refer E4 Table 2) is not to create an increase to the annual average daily traffic (AADT) movements on the side road at the deficient junction by more than 10%.	A4 Not applicable.

E4.7 Development Standards

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

Acceptable Solutions	Proposed Solutions
<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 envelopes on new lots; and c) Outdoor sitting, entertainment and children's play areas. 	A1 Not applicable.

E4.7.2 Management of Road Accesses and Junctions

Acceptable Solutions	Proposed Solutions
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.	A1 Not applicable.
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	A2 One existing access/junction is to be utilised to serve the proposal. The proposal complies with the Acceptable Solution.
A3 Accesses must not be located closer than 6m from an intersection, nor within 6m of a break in a median strip.	A3 The existing access meets the acceptable solution. The proposal complies with the Acceptable Solution.

E4.7.3 Management of Rail Level Crossings – Not applicable.

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

Acceptable Solutions	Proposed Solutions
A1 Sight distances at <ul style="list-style-type: none"> a) An access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) Rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority have been obtained. 	A1 The access complies with the SISD requirements for the 85 th percentile operating speed of the road, as confirmed between the authors of the Traffic Impact Assessment and the Department of State Growth. The SISD to the left is 245m and to the right is 177m. The 85 th percentile speed is considered to be 80 km/hr based on driving experience. The SISD requirement of the scheme is 175m. The proposal is consistent with the performance criteria.

E6 Car Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Acceptable Solutions	Proposed Solutions
A1 The number of car parking spaces must not be less than the requirements of: <ul style="list-style-type: none"> a) Table E6.1; or b) A parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone). 	A1 The site will provide a minimum 2 car parking spaces as required for the dwelling. The proposal complies with the Acceptable Solution.

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Acceptable Solutions	Proposed Solutions
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. 	A1 All car parking, access strips, manoeuvring and circulation spaces will be: <ul style="list-style-type: none"> a) Formed to an adequate level and drained; and b) Not applicable; and c) Not applicable. The proposal complies with the Acceptable Solution.

E6.7.2 Design and Layout of Car Parking

Acceptable Solutions	Proposed Solutions
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for a dwelling 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>A1 Not applicable.</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 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: <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 AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>A2.1 Car parking and manoeuvring space will:</p> <ul style="list-style-type: none"> a) Be on almost level ground; and b) Not applicable. Only requires a provision of 2 car parking spaces; and c) Provides a minimum 3.0m wide vehicular access; and d) Not applicable. <p>A2.2 The layout of car spaces and access ways are in accordance with <i>Australian Standards AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p> <p>The proposal complies with the Acceptable Solution.</p>

E7 Scenic Management Code

The site is affected by the Scenic Corridor overlay – tourist road corridor (Tasman Highway). However, as the proposed use and development is not located on land within 100 metres measured from the frontage to the scenic management tourist road corridor, the code has been determined to be not applicable.

E8 Biodiversity Code

E8.6.1 Habitat and Vegetation Management

Acceptable Solutions/Performance Criteria	Proposed Solutions
<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>A1.1/A1.2 A review of Council's priority habitat layer indicates the vegetation is not located within an area of priority habitat.</p> <p>Not applicable</p>

Acceptable Solutions/Performance Criteria	Proposed Solutions
<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 habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</p> <p>b) means or 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>	<p>P2.1</p> <p>A Flora and Fauna Habitat Assessment accompanied the application, prepared by NorthBarker Ecosystem Services.</p> <p>No known locations of threatened flora will be disturbed on the lot.</p> <p>A small area of potential habitat of the new holland mouse will require conversion or modification to accommodate access, house site and Hazard Management Area (BAL 29) on the lot. No new holland mice have been recorded on site with extensive habitat present within range. Minor widening of the shared access through Lot 3 may require a handful of trees to be removed that are tree species suitable for swift parrot foraging habitat, they are small trees of negligible contribution to the conservation for the swift parrot.</p> <p>The planning applications for each lot avoids all Priority Habitat. Note that apparent conflict with priority habitat where the fee simple access routes overlay priority habitat will not be utilised. The existing road will be utilised.</p> <p>The areas of native vegetation that are proposed to be converted or modified on each lot range between 0.3 and 3ha or 0.1 and 5% of each lot (of all 8 dwellings). Each vegetation type is well represented and well reserved in the Bioregion. The report makes a number of recommendations in relation to Threatened Flora, Fauna values, and weed management and can be appropriately managed through conditions upon an approval.</p> <p>The proposal is considered to be compliant with the performance criteria.</p>

E9 Water Quality Code

E9.6.1 Development and Construction Practices and Riparian Vegetation

Acceptable Solutions	Proposed Solutions
<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 Water catchment area – inner buffer.</p>	<p>A1 No native vegetation will be removed within 40m of a wetland, watercourse or mean high water mark.</p> <p>The proposal complies with the Acceptable Solution.</p>
<p>A2 A wetland must not be filled, drained, piped or channelled.</p>	<p>A2 The proposal complies with the Acceptable Solution.</p>
<p>A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposed.</p>	<p>A3 The proposal complies with the Acceptable Solution..</p>

E9.6.2 Water Quality Management

Acceptable Solutions	Proposed Solutions
<p>A1 All stormwater must be:</p> <ul style="list-style-type: none"> a) Connected to a reticulated stormwater system; or b) Where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) Diverted to an on-site system that contained stormwater within the site. 	<p>A1 The proposed new dwelling will direct all overflow stormwater from rainwater tanks to proposed stormwater absorption trenches onsite. The proposal complies with the Acceptable Solution.</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>A2.1 No point source discharge is proposed. The proposal complies with the Acceptable Solution.</p> <p>A2.2 Not applicable.</p>
<p>A3 No acceptable solutions.</p> <p>P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.</p>	<p>P3 Not applicable.</p>

E9.6.3 Construction of Roads

Acceptable Solutions	Proposed Solutions
<p>A1 A road or track does not cross, enter or drain to a watercourse or wetland.</p>	<p>A1 There is no new road or track that enters or crosses a watercourse or wetland proposed. The proposal complies with the Acceptable Solution.</p>

E9.6.4 Access

Acceptable Solutions/Performance Criteria	Proposed Solutions
<p>A1 No acceptable solution.</p> <p>P1 New access point to wetland and watercourses are provided in a way that minimises:</p> <ul style="list-style-type: none"> a) Their occurrence; and b) The disturbance to vegetation and hydrological features from use or development. 	<p>A1/P1 Not applicable.</p>
<p>A2 No acceptable solution.</p> <p>P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.</p>	<p>A2/P2 Not applicable.</p>

E9.6.5 Sediment and Erosion Control – not applicable.

E9.6.6 Water Catchment Areas – not applicable.

E12 Airports Impact Management Code

The site is affected by the prescribed air space. The total development height is well below the OLS height of 86.5 AHD, refer to elevations for the height of the dwelling AHD, the code has been determined to be not applicable.

E14 Coastal Code

The area of the proposed development works is outside of the mapped area of the site that this code is applicable for. For additional information, refer to the Preliminary Coastal Vulnerability Assessment.

E16 On-Site Wastewater Management Code

E16.6 Use Standards

E16.6.1 Use and Lot Size

Acceptable Solutions	Proposed Solutions
A1 Residential uses that rely on onsite wastewater management must: a) Be on a site with minimum area of 2,000m ² ; and b) Have four bedrooms or less.	A1 The site has an area greater than 2000m ² (41.33ha) and only three bedrooms is proposed. The proposal complies with the Acceptable Solution.
A2 Non-residential uses that rely on onsite wastewater management must be on a site with minimum area of 5,000m ² .	Not applicable.

E16.7 Development Standards

E16.7.1 Onsite Wastewater Management

Acceptable Solutions	Proposed Solutions
A1 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and buildings and structures.	A1 A minimum separation distance of 3.0 metres from any structure to the wastewater infrastructure will be provided. The proposal complies with the Acceptable Solution.
A2 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and the following: a) Hardstand and paved areas; b) Car parking and vehicle manoeuvring areas; and c) Title or lot boundaries.	A2 A minimum horizontal separation of 3m will be provided. The proposal complies with the Acceptable Solution.
A3 Private Open Space must not be used for surface irrigation of treated wastewater.	A3 The proposal complies, no private open space is used for surface irrigation of treated wastewater. The proposal complies with the Acceptable Solution.
A4 Onsite wastewater management infrastructure must be on lots with an average slope of 10% or less.	A4 The proposed wastewater treatment system is on land with an average slope less than 10%. The proposal complies with the Acceptable Solution.

E16.7.2 Surface and Ground Water Impacts

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Onsite wastewater management infrastructure must have a minimum separation distance of 100m from a wetland or watercourse or coastal marine area.	A1 Onsite wastewater management infrastructure is to have a minimum separation distance of 100m from a wetland, watercourse or coastal marine area. The proposal complies with the Acceptable Solution.
A2 Onsite wastewater management infrastructure must have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply.	A2 Onsite wastewater management infrastructure will have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply. The proposal complies with the Acceptable Solution.

Acceptable Solutions/Performance Criteria	Proposed Solutions
A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, must be no less than 1.5m.	A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, is to be no less than 1.5m. The proposal complies with the Acceptable Solution.
A4 Vertical separation between a limiting layer and the land used to apply effluent, including reserved areas, must be no less than 1.5m. P4 Onsite wastewater management infrastructure separated from the limiting layer by less than 1.5m must have no detrimental impacts on groundwater.	P4 An Onsite Waste Water & Stormwater Disposal Assessment and Design prepared by JD Consulting accompanied the application. For the majority of the area, the limiting layer is greater than 1.5m. Where the limiting layer is less than 1.5m, an onsite wastewater treatment system that is capable of providing secondary treated effluent quality will need to be installed, and can be assessed at the Plumbing Application stage further. The proposal is considered to be compliant with the performance criteria.

5. Representations

The application was advertised 17 October 2020 to 30 October 2020 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining land owners. Two (2) representations have been received from individuals and a letter from Aboriginal Heritage Tasmania with concerns during the statutory exhibition period. A further letter from Tasmania Parks & Wildlife Service was received outside the statutory period. Parks & Wildlife supports the proponents adoption of the recommendations contained within section 6 of the Flora and Fauna Habitat Assessment. They also noted that the development sites are adjacent to the St Helens Conservation Area (SHCA), whilst no access is proposed as part of this application, any future access to SHCA shall be established only after consultation with PWS. These applications will address the adhoc access by the public over this subject lands currently taking place.

Aboriginal Heritage Tasmania concerns are in relation to HMA for Lot 8 and site AH5625 proximity. The proponent has advised that they have no issue with relocating the proposed dwelling on Lot 8 outside of a 10m buffer to mapped area AH5625. This will form a condition on the recommended approval for that particular development application.

Aboriginal Heritage Tasmania, noted that an assessment was carried out in 2017 as part of a different proposal, and whilst that report did not identify any Aboriginal heritage sites within Lot 1, the report states that poor ground surface visibility was a key constraint in survey coverage. Advice is provided in relation to works carried out on Lot 1, should be carried out strictly under the guidance of an attached Unanticipated Discovery Plan. In the case of AH5625, a 10m buffer was recommended.

Two other representations raised concerns in relation to scenic values of the coastline, the new holland mouse, lack of an Aboriginal Heritage Report for each dwelling, and inconsistency with the State Coastal Policy. A number of these matters have been addressed within the reports provided, as well as further consideration of the applicants which has been provided.

The proponent together with the planning assessment above, and recommended conditions have adequately considered and dealt with the relevant concerns of the representors. No further comment is required for those matters that are not a relevant planning consideration/provision that have been addressed under the *Break O'Day Interim Planning Scheme 2013*.

The recommendation for approval has been made following due consideration of the representations and comments.

6. Mediation

Nil.

7. Conclusion

In accordance with 8.10 of the *Break O' Day Interim Planning Scheme 2013*, the application has been assessed against the objectives of the Scheme, in particular the Environmental Living Zone, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and four (4) Performance Criterion; the received representations have been considered. It is recommended for approval with conditions normally set to this type of development.

LEGISLATION / STRATEGIC PLAN & POLICIES:

Break O' Day Interim Planning Scheme 2013;
Land Use Planning and Approvals Act 1993;
Local Government (Building and Miscellaneous Provisions) Act 1993.

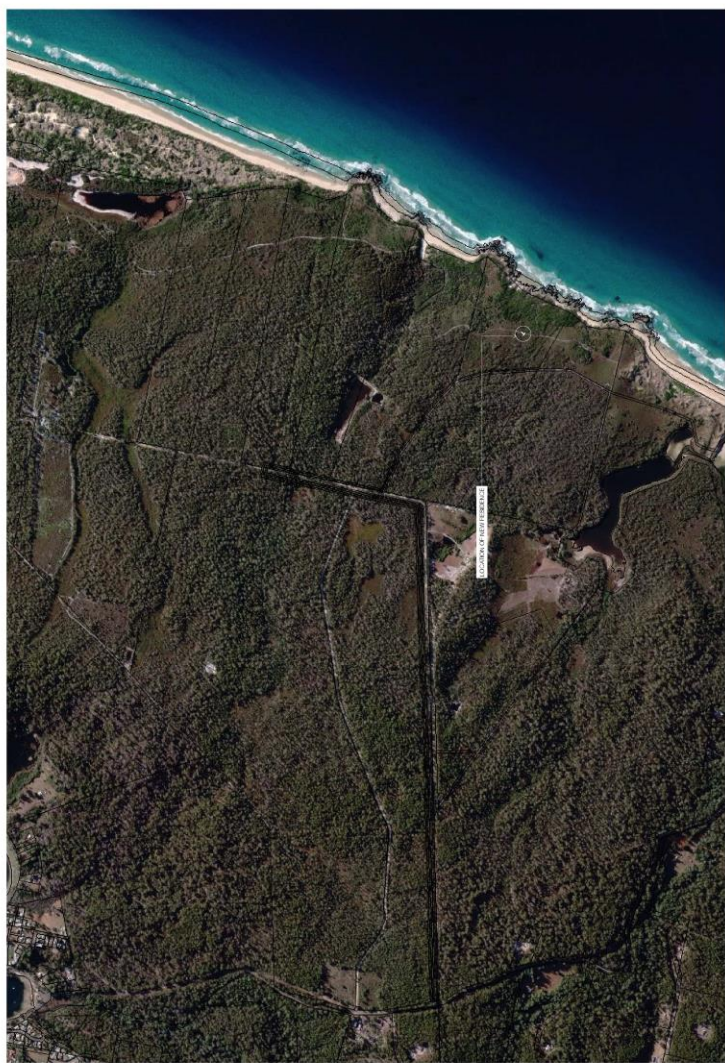
BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable, all costs of the development are the responsibility of the developer.

VOTING REQUIREMENTS:

Simple Majority.

PROJECT DETAILS		
THE REFERENCE NUMBER		
SER. CLASSIFICATION, TEA		
WMO CLASSIFICATION, TEA		
DRAWING NO. 20		
PROJECT LOCATION		
PROJECT ADDRESS		
PROJECT AREA		
PROJECT AREA (TOTAL SITE COMPLEX)		
DRAWING SCHEDULE		REV. NO.
DRAWING NO.	DRAWING NAME	
01/21.6.9	DA 082-2020	01
01/21.6.9	DA 082-2020	02
01/21.6.9	DA 082-2020	03
01/21.6.9	DA 082-2020	04
01/21.6.9	DA 082-2020	05
01/21.6.9	DA 082-2020	06
01/21.6.9	DA 082-2020	07
01/21.6.9	DA 082-2020	08
01/21.6.9	DA 082-2020	09
01/21.6.9	DA 082-2020	10
01/21.6.9	DA 082-2020	11
01/21.6.9	DA 082-2020	12
01/21.6.9	DA 082-2020	13
01/21.6.9	DA 082-2020	14
01/21.6.9	DA 082-2020	15
01/21.6.9	DA 082-2020	16
01/21.6.9	DA 082-2020	17
01/21.6.9	DA 082-2020	18
01/21.6.9	DA 082-2020	19
01/21.6.9	DA 082-2020	20
01/21.6.9	DA 082-2020	21
01/21.6.9	DA 082-2020	22
01/21.6.9	DA 082-2020	23
01/21.6.9	DA 082-2020	24
01/21.6.9	DA 082-2020	25
01/21.6.9	DA 082-2020	26
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01/21.6.9	DA 082-2020	32
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01/21.6.9	DA 082-2020	43
01/21.6.9	DA 082-2020	44
01/21.6.9	DA 082-2020	45
01/21.6.9	DA 082-2020	46
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01/21.6.9	DA 082-2020	53
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01/21.6.9	DA 082-2020	89
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01/21.6.9	DA 082-2020	91
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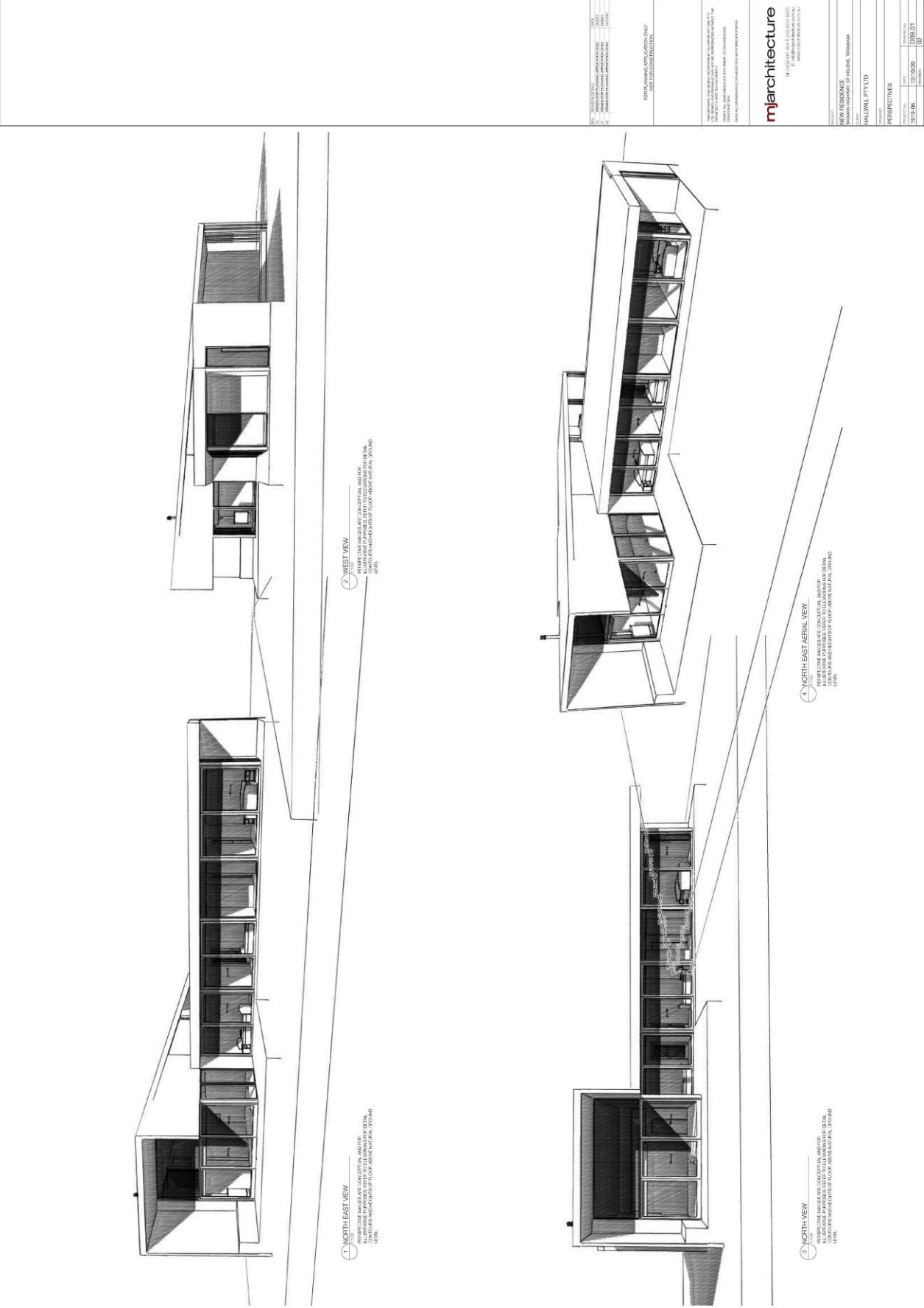
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NOT FOR CONSTRUCTION

NO. 2711 PHOTO
STATIONERY CO. 1000 1/2 ST. N. ST. PAUL, MN 55102

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PROJECT #	DATE	DESCRIPTION
1616-05	12/10/20	D02 D2
		D2



ACTION	DECISION
PROPONENT	MJ Architecture obo Hallwill Pty Ltd
OFFICER	Rebecca Green, Planning Consultant
FILE REFERENCE	DA 084-2020
ASSOCIATED REPORTS AND DOCUMENTS	<p>Site Plans, Dwelling Plans and Elevations Written Submission <i>Circulated under Separate Cover:</i> <i>Representations (2)</i> <i>Late Representation – Tasmania Parks and Wildlife Service</i> <i>Bushfire Report and Hazard Management Plan (17 March 2020)</i> <i>Traffic Impact Assessment (report in common)</i> <i>Flora and Fauna Habitat Assessment (report in common)</i> <i>Preliminary Coastal Vulnerability Assessment (report in common)</i> <i>Onsite Waste Water & Stormwater Assessment and Design (report in common)</i> <i>Letter from Aboriginal Heritage Tasmania</i> <i>Applicants Response to Representations</i></p>

OFFICER'S RECOMMENDATION:

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **SINGLE DWELLING LOT 7** on land situated at **LOT 7 (CT127190/7) – TASMAN HIGHWAY, ST HELENS** (with access over Volume 167498 Folios 2, 3, 4, 5, 6 & 8) be **APPROVED** subject to the following conditions:

- Use and development must be substantially in accordance with the following endorsed plans and documents unless modified by a condition of this permit:
 - Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020;
 - Written Submission, MJ Architecture, Dated: 18 September 2020;
 - Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 17 March 2020; and
 - Flora and Fauna Habitat Assessment, NorthBarker Ecosystem Services, Dated: 13 March 2020.
- All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of by means that will not result in soil erosion or other stormwater nuisance in accordance with Part 14.4.1 A9 of the *Break O'Day Interim Planning Scheme 2013*.
- Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.
- No native vegetation removal/modification is permitted outside that shown in Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01, D01.02, D01.03, D02.02 & D09.01, Rev: 01, Dated: 12 October 2020; and Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 17 March 2020;

5. All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.
6. Plants listed in Appendix 3 of the *Break O'Day Interim Planning Scheme 2013* must not be used in landscaping.
7. Prior to any works commencing on site, a vegetation/weed management plan must be developed and a copy provided to Council, and therefore forming part of this approval to assist in the maintenance of vegetation condition on the subject lot. The vegetation/weed management plan must be prepared in accordance with all of the recommendations contained within the Flora and Fauna Habitat Assessment (section 6), prepared by NorthBarker Ecosystem Services, Dated: 13th March 2020.
8. Reflective materials must not be used as visible external elements in the building and the colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements in accordance with Part 14.4.1 A7 of the *Break O'Day Interim Planning Scheme 2013*.
9. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. Works should be carried out strictly under the guidance of the attached Unanticipated Discovery Plan. If at any point during the proposed works Aboriginal heritage is suspected, works must cease immediately, and AHT must be contacted for advice. The Unanticipated Discovery Plan should be kept on site during the works to aid the proponent and their works personnel in meeting their obligations under the *Aboriginal Relics Act 1975* (the Act) in the event that Aboriginal heritage is identified.
10. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site
11. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.
12. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the occupancy of the dwelling on the subject site.

ADVICE

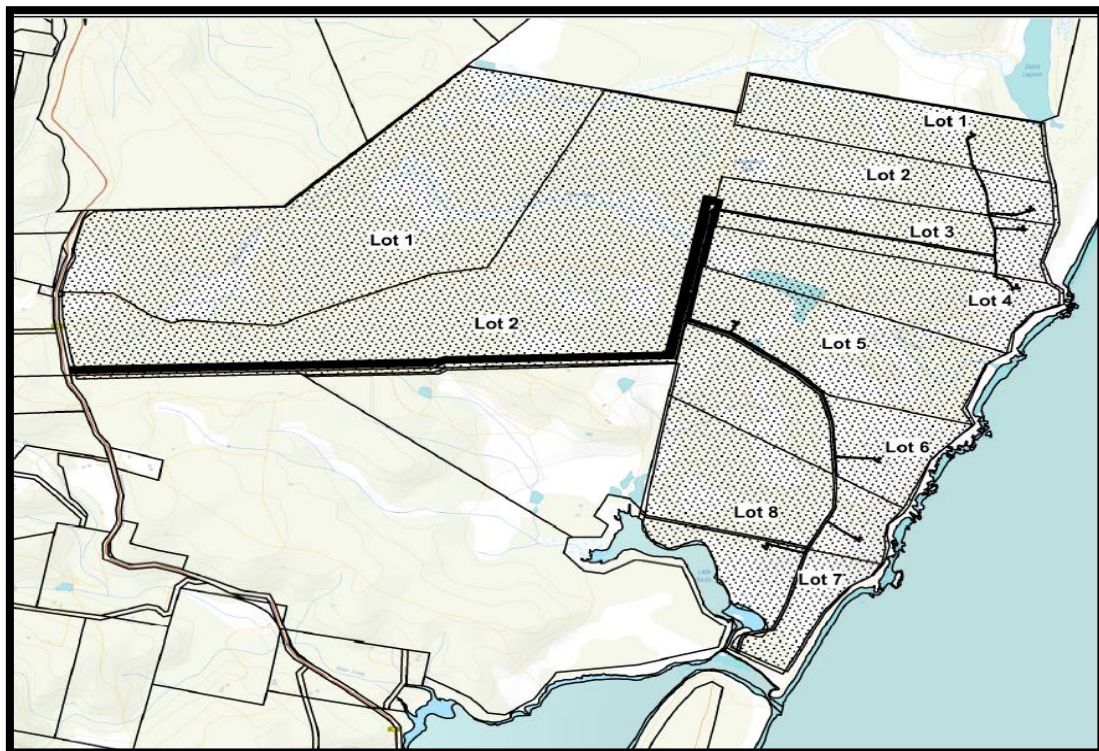
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
- Activities associated with construction works are not to be performed outside the permissible time frame listed:
 - Monday-Friday 7am to 6pm*
 - Saturday 9am to 6pm*
 - Sunday and public holidays 10am to 6pm*

PROPOSAL SUMMARY:

Application is made for the use and construction of a new single dwelling at Lot 7 (CT127190/7), Tasman Highway, St Helens.

Access is proposed over Volume 167498 Folios 2, 3, 4, 5, 6 & 8 from an existing junction with Tasman Highway. The access point is to the north of the 2018 upgrades to Flagstaff Road and south of planned overtaking lanes. Pitt and Sherry, in their design of the overtaking lane, has accommodated the existing access point.

The lot has an area of 23.73ha and is vacant. The title has a number of right of carriageways burdening the site and also benefits to a number of right of carriageways.









PREVIOUS COUNCIL CONSIDERATION:

Nil.

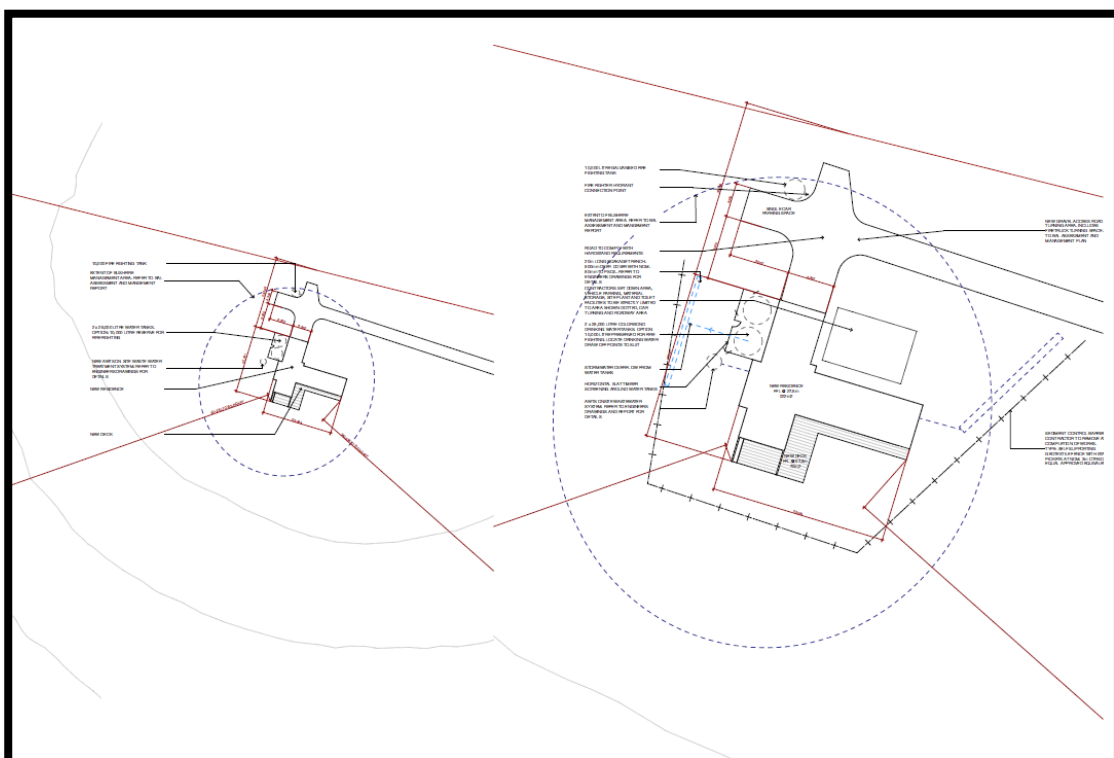
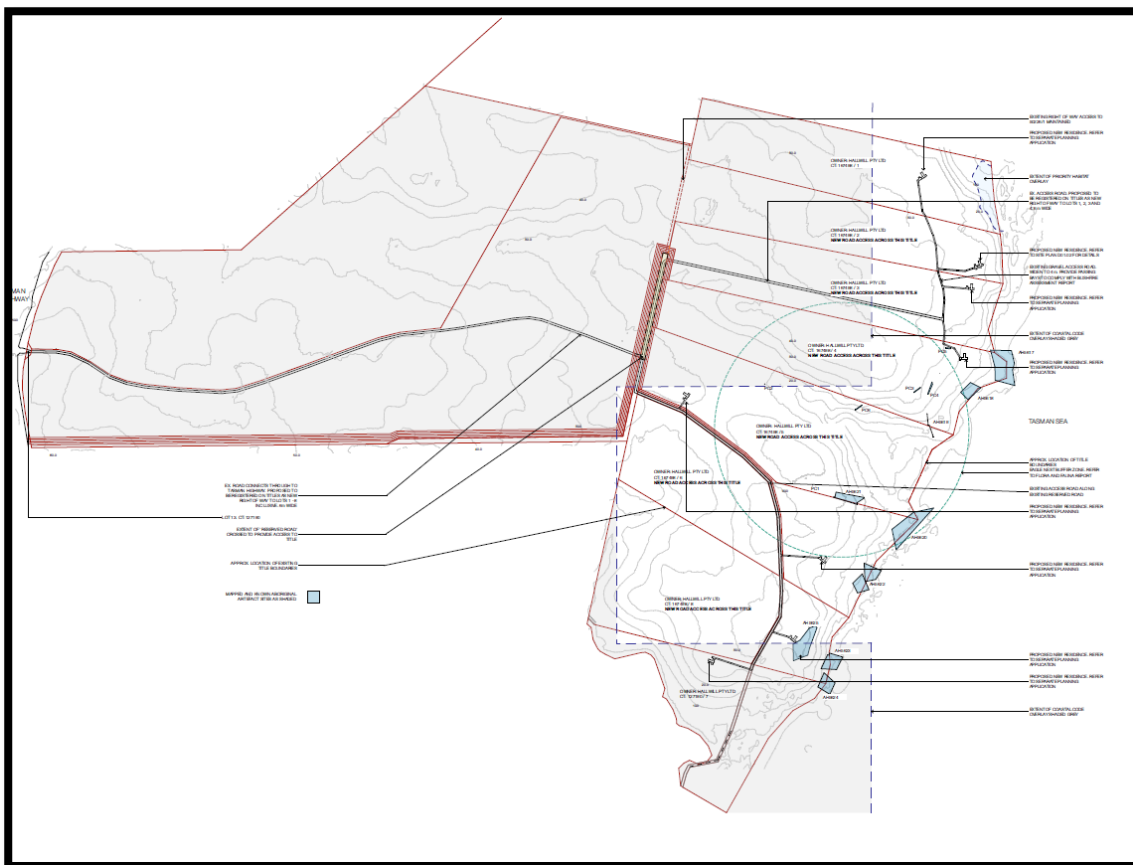
OFFICER'S REPORT:

1. The Proposal

Break O'Day Council received an application in April 2020 from MJ Architecture on behalf of Hallwill Pty Ltd, the owner of the subject land, for use and construction of a single dwelling at Lot 7 (CT127190/7) – Tasman Highway, St Helens. The application became valid from 13 October 2020 subsequent to receipt of additional information.

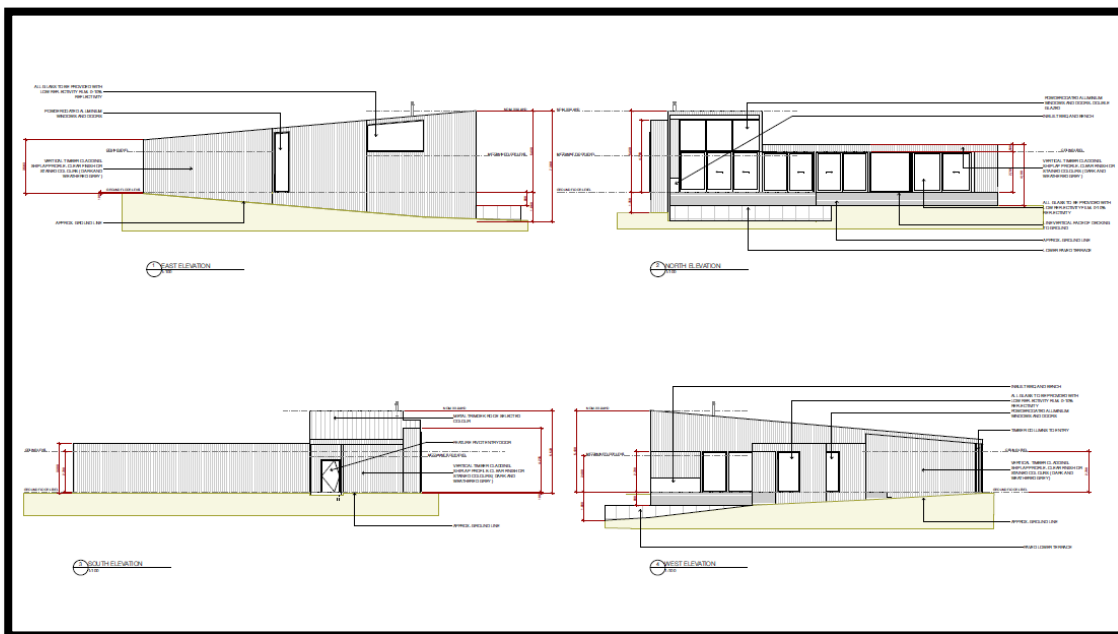
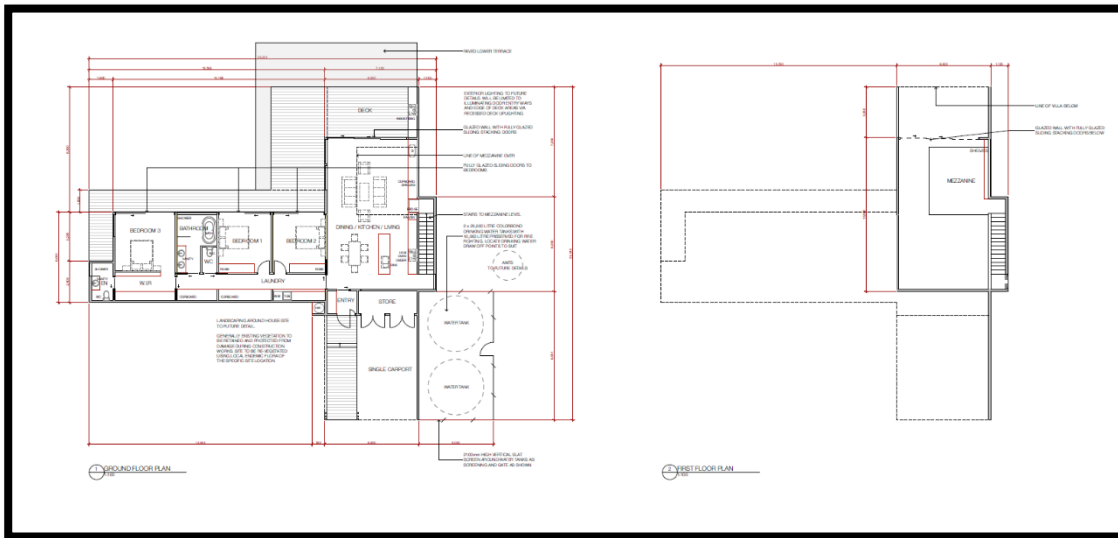
The 23.73ha site slopes down from Tasman Highway to the east to the water and is located on the eastern side of the Tasman Highway. The site is vacant land with no uses or meaningful buildings/structures present on the site.

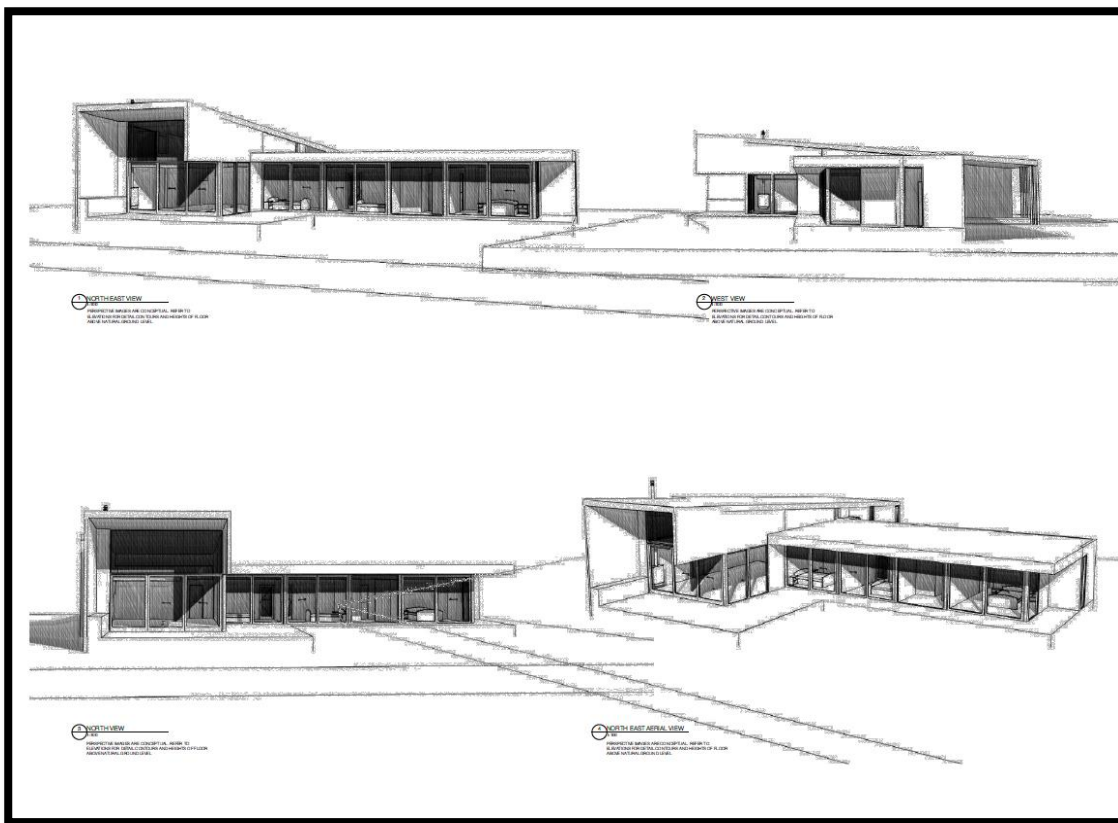
An existing access driveway is provided to the subject site from Tasman Highway with access to the dwelling site over Volume 167498 Folios 2, 3, 4, 5, 6 & 8. The site is not serviced by reticulated water, sewer or stormwater. Power and telecommunication services are available to the subject site.



The single dwelling is to comprise of a single carport, open plan dining/kitchen/living, three bedrooms, main with ensuite and walk-in-robe, bathroom and laundry and deck. A mezzanine level is provided on the first floor. Total building area is 222m² (dwelling) + 70m² (deck), with a total site coverage of 0.12%.

The dwelling is to be clad using vertical timber cladding with shiplap profile, clear finish or stained colours (dark and weathered grey), with metal trimdeck roof in selected colour. All glass is to be provided with low reflectivity film 0-10% reflectivity.





Following receipt of representations and to complete the assessment of the application, Council requested and received an extension of time to 25 January 2021.

2. Applicable Planning Scheme Provisions

Part 14 Environmental Living Zone
 E4 Road and Railway Assets Code
 E6 Car Parking and Sustainable Transport Code
 E7 Scenic Management Code – Tourist Road
 E8 Biodiversity Code
 E9 Water Quality Code
 E12 Airports Impact Management Code
 E14 Coastal Code
 E16 Onsite Wastewater Management Code

3. Referrals

The initial application was referred on 11 May 2020 to DPIWE Policy and Conservation Advice Branch (PCAB), Conservation Assessment and Wildlife Management Section who provided the following advice in relation to Lots 2-8 which was forwarded to the Proponent for consideration within the final lodged documentation:

Threatened Flora

CAS notes that the Flora and Fauna Habitat Assessment states that no threatened flora will be impacted by the development of any lot. CAS supports the recommendation within the Flora and Fauna Habitat Assessment for a vegetation plan to be developed for each Lot to assist in the maintenance of vegetation and the protection of threatened flora species and fauna habitat into the future.

Threatened Fauna

Swift Parrot

The Flora and Fauna Habitat Assessment details that a number of the Lots support *E.globulus* forest and the *E.ovata* forest and woodland, which is potential foraging habitat for swift parrots (*Lathamus discolor*), listed as endangered under the Threatened Species Protection Act 1995 (TSPA) and the Environment Protection and Biodiversity Conservation Act 1999 (EPBCA). Therefore, the area may support swift parrot activity. CAS notes that the Flora and Fauna Habitat Assessment states that no potentially suitable habitat for swift parrots will be cleared from any Lot and this is supported.

A threat to swift parrots is colliding with man-made objects such as windows and chain-link fences. CAS supports the recommendation in the Flora and Fauna Habitat Assessment that design principles are applied to minimise collision risk with swift parrots. For general information and advice on building structures which minimise risk of collisions (e.g. wire-mesh fences or windows) - see [Guidelines and recommendations for parrot-safe building design](#). For comprehensive advice on avoiding collisions with glass - see [An end to birds dying at windows](#).

White-bellied Sea-Eagle

The Flora and Fauna Habitat Assessment states that an area of at least 10ha surrounding a known White-bellied Sea-Eagle nest has been applied with no dwellings within 500m. It is generally recommended that most disturbance based activities within 500 m or 1 km line-of-sight of an active eagle nest are avoided during the breeding season (July to January). It is unclear from the Flora and Fauna Habitat Assessment whether the known White-bellied Sea-Eagle nest is within 1 km line-of-sight from any dwellings or disturbance based activities on any of the Lots, however it seems that the area of at least 10ha surrounding the known nest without disturbance based activities will be adequate.

Tasmanian Devil and Quolls

The Flora and Fauna Habitat Assessment states that the entire site is suitable foraging habitat with sparse denning opportunities and that wombat burrows may provide denning opportunities for Tasmanian devils and quolls. The report details that two potentially suitable den sites were found and two motion-operated cameras were placed at each site for 8 nights, however the report does not indicate which Lot(s) the sites were on. If any dens are subsequently located during works then these should be managed in accordance with the Survey Guidelines And Management Advice For Development Proposals That May Impact On The Tasmanian Devil (*Sarcophilus harrisii*) (see <https://dpi.pwe.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>). Any dens that cannot be avoided will require a permit to take under the Nature Conservation Act 2002.

New Holland Mouse

The New Holland Mouse (*Pseudomys novaehollandiae*) is listed endangered under the TSPA and vulnerable under the EPBCA. Threats to the New Holland mouse include, but are not limited to, habitat loss and modification, inappropriate fire regimes and predation by cats. An important cause of habitat modification is infection of the New Holland mouse habitat with root rot fungus *Phytophthora cinnamomi*. CAS acknowledges that vegetation clearance is to be minimised and supports the recommendation of implementing a weed management plan (detailed below).

Shorebirds

Lots 2-8 each have a significant boundary with the coastal reserve, which supports threatened shorebird species documented and observed during the surveys. The potential increase in access and activity from residents, the numbers of domestic cats and dogs and 4WDs amplifies the threat to threatened shorebirds in the area.

Jocks Lagoon

Although Jocks Lagoon - a Ramsar site recognising wetland areas of international significance is not part of Lots 2 – 8, the Lots appear to occur within the catchment for Jocks Lagoon and therefore it is recommended that potential environmental impacts to the wetland be addressed as part of the development assessment process. Residential effluent entering the area could pose a possible threat.

CAS supports the recommendation in the Flora and Fauna Habitat Assessment that water quality in Jocks Lagoon needs to be protected, however further details of how this will be achieved have not been provided.

Weeds and Diseases

The Flora and Fauna Habitat Assessment details widespread Spanish Heath, a declared weed under the Weed Management Act 1999 on Lots 2 and 4 and to a lesser extent on others.

CAS supports the implementation of a targeted weed management plan as part of the vegetation plan as outlined in the Flora and Fauna Report. Further information about controlling the introduction and spread of weeds and the development of weed and disease management plans can be found in Section 4 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#).

*A number of species likely to occur in the area are highly susceptible to *Phytophthora cinnamomi* (PC), and adherence to strict hygiene measures will be required. Information about practical hygiene measures to implement on development work sites can be found in Appendix 1 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#). Practical information on how to minimise the risks of introducing and spreading PC can be found in the manual [Keeping it clean - A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens](#)*

Additional Comments for Lot 3

*CAS notes that the Flora and Fauna Habitat Assessment states that 1.11 hectares of native vegetation (non-threatened vegetation communities) and 0.1 hectares of Tasmanian threatened native vegetation community *Eucalyptus Viminalis* – *Eucalyptus Globulus* Coastal Forest and Woodland (DVC) will be cleared with the one threatened flora species recorded onsite not being impacted. CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.*

This Tasmanian threatened native vegetation community may also support important habitat for the swift parrot, listed as endangered under the TSPA and EPBCA. Clearing of this vegetation type should be avoided during swift parrot breeding season (September to January) if the species is breeding in the area or at other times if swift parrots are using the area.

Additional Comments for Lot 4

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lot 5

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lots 5 and 6

Geoconservation

Although almost entirely within the coastal reserve of the St Helens Conservation Area and tidal Crown Land, it appears that a small section on the boundaries of Lot 5 and Lot 6 contain part of the Dianas Basin Folds site – a site of global geoconservation significance. The feature of interest is the coastal exposure of folding caused by intrusion of granite. According to the plans provided it will not be subject to disturbance by the proposed dwellings. As a hard rock feature it is relatively immune to an increase in residential pedestrian traffic that the dwelling might bring but it is recommended that the proponents be made aware by Council of the location, significance and sensitivities of the site.



Map of the coast in the vicinity of Onion Creek showing the extent of significant coastal exposure of geodiversity outlined in red. The older polygon shown for reference in pink was derived from a lower resolution source and should now be disregarded.

Road Reserve

CAS notes that the Flora and Fauna Habitat Assessment states that 2.93 hectares of native vegetation (non-threatened vegetation communities) and 0.24 hectares of Tasmanian threatened native vegetation community *Eucalyptus ovata* Forest and Woodland (DOV). CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Again, threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.

The application included Crown Consent and Department of State Growth (DSG) consent to the lodgement of the application.

The application was referred to the Airport Manager for advice on the OLS detail in relation to the development application. This advice was provided to the proponent prior to final plans and documentation being submitted for the application

4. Assessment

The advertised application relied upon the following four (4) performance criteria as detailed below;

- 1) 14.4.2 Landscaping P1
- 2) E4.6.1 Use and Road or Rail Infrastructure P3
- 3) E8.6.1 Habitat and Vegetation Management P2.1
- 4) E16.7.2 Surface and Ground Water Impacts P4

Detailed assessment against the provisions of the *Break O'Day Interim Planning Scheme 2013* is provided below. **The proposal is deemed to comply with the performance criteria applicable.**

14 Environmental Living Zone

14.1 Zone Purpose

14.1.1 Zone Purpose Statements

14.1.1.1 To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.

14.1.1.2 To provide for a mix of low impact activities that is sensitive to the natural environment.

14 Environmental Living Zone

14.3 Use Standards

14.3.1 Amenity

Acceptable Solutions	Proposed Solutions
A1 Development must be for permitted or no permit required uses.	A1 The proposed is for a permitted Residential Use only. Acceptable solution met.
A2 Operating hours for commercial vehicles for discretionary uses must be between 6.00am and 10.00pm.	A2 Not applicable. This application does not include commercial vehicles.

14.3.2 Environmental Living Character

Acceptable Solutions	Proposed Solutions
A1 Discretionary uses must not exceed a combined gross floor area of 200m ² of the site.	A1 Not applicable.
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	A2 Not applicable.
A3 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	A3 Not applicable.
A4 Waste material storage for discretionary uses must: <ul style="list-style-type: none"> a) Not be visible from the road to which the lot has frontage; and b) Use self-contained receptacles designed to ensure waste does not escape to the environment. 	A4 Not applicable.

14.4 Development Standards

14.4.1 Building Design and Siting

Acceptable Solutions	Proposed Solutions
A1 No more than 4 hectares or 20% of the site, whichever is the lesser, is used for development.	A1 The proposal does not exceed 20% of the total site area or 4 ha. The proposal complies with the Acceptable Solution.
A2 Building height must not exceed 7m.	A2 The proposed dwelling height will not exceed 7 metres (6.78m). The proposal complies with the Acceptable Solution.
A3 Buildings must be set back a minimum distance of 10m from a frontage.	A3 The proposal is at least 10m from a frontage. The proposal complies with the Acceptable Solution.
A4 Buildings must be set back a minimum of: <ul style="list-style-type: none"> a) 10m to side and rear boundaries; and b) 200m to the Rural Resource Zone where a sensitive use is proposed. 	A4 The proposal is at least 10m from a side boundary and rear boundary and at least 200m from the Rural Resource zone. The proposal complies with the Acceptable Solution.
A5 The combined gross floor area of all outbuildings on a lot must not exceed 81m ² and a maximum height of 5m.	A5 Not applicable. No outbuilding proposed.
A6 The colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements.	A6 The proponent has advised that the external colours will be timber, grey stained timber or charred timber which will recede with the surrounding vegetation and landscape. The proposal complies with the Acceptable Solution.
A7 Reflective materials, excluding windows, must not be used as visible external elements in buildings.	A7 The plans and documents submitted do not propose any highly reflective elements. The proposal complies with the Acceptable Solution.
A8 On sites with a slope greater than 1:10, site benching through cut and fill must be less than 20% of the site coverage of the proposed building(s).	A8 No cut and fill works are proposed or required. The proposal complies with the Acceptable Solution.
A9 Rainwater runoff from roofs must be collected by means of roof guttering, downpipes and rainwater tanks.	A9 It is proposed that the roof runoff will be directed to stormwater collection tanks via guttering and downpipes. Overflow is to be directed towards absorption drains on the site. The proposal complies with the Acceptable Solution.

Acceptable Solutions	Proposed Solutions
A10 Exterior building lighting is limited to that necessary to allow safe and secure movement of pedestrians and to allow movement around the building at night. Lighting must not be used as a means of displaying the presence of buildings to be visible from outside the site.	A10 External lighting will be limited to allow for safe and secure movement of pedestrians only, limited to lighting entry doorways and minor up lighting inset into the external decks. The proposal complies with the Acceptable Solution.
A11 Where a development is part of a larger complex, each component of the development must be connected by walking tracks.	A11 Not applicable.
A12 Single unbroken walls are not to exceed 15m in length.	A12 No single wall length is to exceed 15m (max. 14.944m). The proposal complies with the Acceptable Solution.
A13 Roofs must be: a) Pitched at an angle of less than 30 degrees and can be either hipped or gabled, or b) Curved at radius no greater than 12.5m.	A13 The proposed roof pitch is not to be at an angle greater than 30 degrees. The proposal complies with the Acceptable Solution.

14.4.2 Landscaping

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Development must be located on land where the native vegetation cover has been removed or significantly disturbed. P1 New development must be located in a manner that minimises vegetation removal.	P1 A Bushfire Report and Hazard Management Plan accompanied the application, prepared by NorthBarker Ecosystem Services. A BAL rating and Hazard Management Area for BAL 29 has been prescribed for the dwelling. Existing access roads and BAL 29 HMA and buildings and infrastructure are proposed to be located to minimise vegetation disturbance. The proposal is considered to be compliant with the performance criteria.
A2 All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.	A2 All new planting will need to be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site. Conditions can be placed upon any approval ensuring compliance. The proposal complies with the Acceptable Solution.
A3 Plants listed in Appendix 3 must not be used in landscaping.	A3 Plants listed in Appendix 3 will not be allowed to be used in landscaping. Conditions can be placed upon any approval ensuring compliance. The proposal complies with the Acceptable Solution.

14.4.3 Subdivision – Not applicable to this proposal.

14.4.4 Tourist Operations – Not applicable to this proposal.

E4 Road and Railway Assets Code

E4.6 Use Standards

E4.6.1 Use and Road or Rail Infrastructure

Acceptable Solutions/Performance Criteria	Proposed Solutions
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%.	A1 Not applicable.
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.	A2 Not applicable.
<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. 	<p>A3 A Traffic Impact Assessment was prepared for each application by Shane Wells, Woolcott Surveys. This application is individual and must be assessed on this basis. The traffic generation from a single dwelling in a rural location is in the order of 7 movements per day. Part a) of the Performance Criteria is not applicable. In terms of b), the dependency of the use on the site is established by the zoning, in which a Single Dwelling use is a permitted use. Further, there is no potential to access from a category 4 or 5 road. In terms of Part c), the road authority (Department of State Growth) is satisfied that there will be no unreasonable impact to traffic safety and efficiency having regard to both the current and planned Highway alignment.</p> <p>The proposal is consistent with the performance criteria.</p>
A4 Use serviced by a side road from a deficient junction (refer E4 Table 2) is not to create an increase to the annual average daily traffic (AADT) movements on the side road at the deficient junction by more than 10%.	A4 Not applicable.

E4.7 Development Standards

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

Acceptable Solutions	Proposed Solutions
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: a) New road works, buildings, additions and extensions, earthworks and landscaping works; and b) Building envelopes on new lots; and c) Outdoor sitting, entertainment and children's play areas.	A1 Not applicable.

E4.7.2 Management of Road Accesses and Junctions

Acceptable Solutions	Proposed Solutions
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.	A1 Not applicable.
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	A2 One existing access/junction is to be utilised to serve the proposal. The proposal complies with the Acceptable Solution.
A3 Accesses must not be located closer than 6m from an intersection, nor within 6m of a break in a median strip.	A3 The existing access meets the acceptable solution. The proposal complies with the Acceptable Solution.

E4.7.3 Management of Rail Level Crossings – Not applicable.

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

Acceptable Solutions	Proposed Solutions
A1 Sight distances at a) An access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) Rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority have been obtained.	A1 The access complies with the SISD requirements for the 85 th percentile operating speed of the road, as confirmed between the authors of the Traffic Impact Assessment and the Department of State Growth. The SISD to the left is 245m and to the right is 177m. The 85 th percentile speed is considered to be 80 km/hr based on driving experience. The SISD requirement of the scheme is 175m. The proposal is consistent with the performance criteria.

E6 Car Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Acceptable Solutions	Proposed Solutions
A1 The number of car parking spaces must not be less than the requirements of: a) Table E6.1; or b) A parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	A1 The site will provide a minimum 2 car parking spaces as required for the dwelling. The proposal complies with the Acceptable Solution.

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Acceptable Solutions	Proposed Solutions
<p>A1 All car parking, access strips, manoeuvring and circulation spaces must be:</p> <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. 	<p>A1 All car parking, access strips, manoeuvring and circulation spaces will be:</p> <ul style="list-style-type: none"> a) Formed to an adequate level and drained; and b) Not applicable; and c) Not applicable. <p>The proposal complies with the Acceptable Solution.</p>

E6.7.2 Design and Layout of Car Parking

Acceptable Solutions	Proposed Solutions
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for a dwelling 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>A1 Not applicable.</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 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: <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 AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>A2.1 Car parking and manoeuvring space will:</p> <ul style="list-style-type: none"> a) Be on almost level ground; and b) Not applicable. Only requires a provision of 2 car parking spaces; and c) Provides a minimum 3.0m wide vehicular access; and d) Not applicable. <p>A2.2 The layout of car spaces and access ways are in accordance with <i>Australian Standards AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p> <p>The proposal complies with the Acceptable Solution.</p>

E7 Scenic Management Code

The site is affected by the Scenic Corridor overlay – tourist road corridor (Tasman Highway). However, as the proposed use and development is not located on land within 100 metres measured from the frontage to the scenic management tourist road corridor, the code has been determined to be not applicable.

E8 Biodiversity Code

E8.6.1 Habitat and Vegetation Management

Acceptable Solutions/Performance Criteria	Proposed Solutions
<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>A1.1/A1.2 A review of Council's priority habitat layer indicates the vegetation is not located within an area of priority habitat.</p> <p>Not applicable</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 habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</p> <p>b) means or 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>	<p>P2.1</p> <p>A Flora and Fauna Habitat Assessment accompanied the application, prepared by NorthBarker Ecosystem Services. No known locations of threatened flora will be disturbed on the lot.</p> <p>A small area of potential habitat of the new holland mouse will require conversion or modification to accommodate access, house site and Hazard Management Area (BAL 29) on the lot. No new holland mice have been recorded on site with extensive habitat present within range. Minor widening of the shared access through Lot 3 may require a handful of trees to be removed that are tree species suitable for swift parrot foraging habitat, they are small trees of negligible contribution to the conservation for the swift parrot.</p> <p>The planning applications for each lot avoids all Priority Habitat. Note that apparent conflict with priority habitat where the fee simple access routes overlay priority habitat will not be utilised. The existing road will be utilised.</p> <p>The areas of native vegetation that are proposed to be converted or modified on each lot range between 0.3 and 3ha or 0.1 and 5% of each lot (of all 8 dwellings). Each vegetation type is well represented and well reserved in the Bioregion. The report makes a number of recommendations in relation to Threatened Flora, Fauna values, and weed management and can be appropriately managed through conditions upon an approval.</p> <p>The proposal is considered to be compliant with the performance criteria.</p>

E9 Water Quality Code

E9.6.1 Development and Construction Practices and Riparian Vegetation

Acceptable Solutions	Proposed Solutions
<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 Water catchment area – inner buffer.</p>	<p>A1 No native vegetation will be removed within 40m of a wetland, watercourse or mean high water mark. The proposal complies with the Acceptable Solution.</p>
<p>A2 A wetland must not be filled, drained, piped or channelled.</p>	<p>A2 The proposal complies with the Acceptable Solution.</p>
<p>A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposed.</p>	<p>A3 The proposal complies with the Acceptable Solution..</p>

E9.6.2 Water Quality Management

Acceptable Solutions	Proposed Solutions
<p>A1 All stormwater must be:</p> <ul style="list-style-type: none"> a) Connected to a reticulated stormwater system; or b) Where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) Diverted to an on-site system that contained stormwater within the site. 	<p>A1 The proposed new dwelling will direct all overflow stormwater from rainwater tanks to proposed stormwater absorption trenches onsite. The proposal complies with the Acceptable Solution.</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>A2.1 No point source discharge is proposed. The proposal complies with the Acceptable Solution.</p> <p>A2.2 Not applicable.</p>
<p>A3 No acceptable solutions.</p> <p>P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.</p>	<p>P3 Not applicable.</p>

E9.6.3 Construction of Roads

Acceptable Solutions	Proposed Solutions
<p>A1 A road or track does not cross, enter or drain to a watercourse or wetland.</p>	<p>A1 There is no new road or track that enters or crosses a watercourse or wetland proposed. The proposal complies with the Acceptable Solution.</p>

E9.6.4 Access

Acceptable Solutions/Performance Criteria	Proposed Solutions
<p>A1 No acceptable solution.</p> <p>P1 New access point to wetland and watercourses are provided in a way that minimises:</p> <ul style="list-style-type: none"> a) Their occurrence; and b) The disturbance to vegetation and hydrological features from use or development. 	<p>A1/P1 Not applicable.</p>
<p>A2 No acceptable solution.</p> <p>P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.</p>	<p>A2/P2 Not applicable.</p>

E9.6.5 Sediment and Erosion Control – not applicable.

E9.6.6 Water Catchment Areas – not applicable.

E12 Airports Impact Management Code

The site is affected by the prescribed air space. The total development height is well below the OLS height of 86.5 AHD, refer to elevations for the height of the dwelling AHD, the code has been determined to be not applicable.

E14 Coastal Code

The area of the proposed development works is outside of the mapped area of the site that this code is applicable for. For additional information, refer to the Preliminary Coastal Vulnerability Assessment.

E16 On-Site Wastewater Management Code

E16.6 Use Standards

E16.6.1 Use and Lot Size

Acceptable Solutions	Proposed Solutions
A1 Residential uses that rely on onsite wastewater management must: a) Be on a site with minimum area of 2,000m ² ; and b) Have four bedrooms or less.	A1 The site has an area greater than 2000m ² (23.73ha) and only three bedrooms is proposed. The proposal complies with the Acceptable Solution.
A2 Non-residential uses that rely on onsite wastewater management must be on a site with minimum area of 5,000m ² .	Not applicable.

E16.7 Development Standards

E16.7.1 Onsite Wastewater Management

Acceptable Solutions	Proposed Solutions
A1 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and buildings and structures.	A1 A minimum separation distance of 3.0 metres from any structure to the wastewater infrastructure will be provided. The proposal complies with the Acceptable Solution.
A2 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and the following: a) Hardstand and paved areas; b) Car parking and vehicle manoeuvring areas; and c) Title or lot boundaries.	A2 A minimum horizontal separation of 3m will be provided. The proposal complies with the Acceptable Solution.
A3 Private Open Space must not be used for surface irrigation of treated wastewater.	A3 The proposal complies, no private open space is used for surface irrigation of treated wastewater. The proposal complies with the Acceptable Solution.
A4 Onsite wastewater management infrastructure must be on lots with an average slope of 10% or less.	A4 The proposed wastewater treatment system is on land with an average slope less than 10%. The proposal complies with the Acceptable Solution.

E16.7.2 Surface and Ground Water Impacts

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Onsite wastewater management infrastructure must have a minimum separation distance of 100m from a wetland or watercourse or coastal marine area.	A1 Onsite wastewater management infrastructure is to have a minimum separation distance of 100m from a wetland, watercourse or coastal marine area. The proposal complies with the Acceptable Solution.

Acceptable Solutions/Performance Criteria	Proposed Solutions
A2 Onsite wastewater management infrastructure must have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply.	A2 Onsite wastewater management infrastructure will have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply. The proposal complies with the Acceptable Solution.
A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, must be no less than 1.5m.	A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, is to be no less than 1.5m. The proposal complies with the Acceptable Solution.
A4 Vertical separation between a limiting layer and the land used to apply effluent, including reserved areas, must be no less than 1.5m. P4 Onsite wastewater management infrastructure separated from the limiting layer by less than 1.5m must have no detrimental impacts on groundwater.	P4 An Onsite Waste Water & Stormwater Disposal Assessment and Design prepared by JD Consulting accompanied the application. For the majority of the area, the limiting layer is greater than 1.5m. Where the limiting layer is less than 1.5m, an onsite wastewater treatment system that is capable of providing secondary treated effluent quality will need to be installed, and can be assessed at the Plumbing Application stage further. The proposal is considered to be compliant with the performance criteria.

5. Representations

The application was advertised 17 October 2020 to 30 October 2020 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining land owners. Two (2) representations have been received from individuals and a letter from Aboriginal Heritage Tasmania with concerns during the statutory exhibition period. A further letter from Tasmania Parks & Wildlife Service was received outside the statutory period. Parks & Wildlife supports the proponents adoption of the recommendations contained within section 6 of the Flora and Fauna Habitat Assessment. They also noted that the development sites are adjacent to the St Helens Conservation Area (SHCA), whilst no access is proposed as part of this application, any future access to SHCA shall be established only after consultation with PWS. These applications will address the adhoc access by the public over this subject lands currently taking place.

Aboriginal Heritage Tasmania concerns are in relation to HMA for Lot 8 and site AH5625 proximity. The proponent has advised that they have no issue with relocating the proposed dwelling on Lot 8 outside of a 10m buffer to mapped area AH5625. This will form a condition on the recommended approval for that particular development application.

Aboriginal Heritage Tasmania, noted that an assessment was carried out in 2017 as part of a different proposal, and whilst that report did not identify any Aboriginal heritage sites within Lot 1, the report states that poor ground surface visibility was a key constraint in survey coverage. Advice is provided in relation to works carried out on Lot 1, should be carried out strictly under the guidance of an attached Unanticipated Discovery Plan. In the case of AH5625, a 10m buffer was recommended.

Two other representations raised concerns in relation to scenic values of the coastline, the new holland mouse, lack of an Aboriginal Heritage Report for each dwelling, and inconsistency with the State Coastal Policy. A number of these matters have been addressed within the reports provided, as well as further consideration of the applicants which has been provided.

The proponent together with the planning assessment above, and recommended conditions have adequately considered and dealt with the relevant concerns of the representors. No further comment is required for those matters that are not a relevant planning consideration/provision that have been addressed under the *Break O' Day Interim Planning Scheme 2013*.

The recommendation for approval has been made following due consideration of the representations and comments.

6. Mediation

Nil.

7. Conclusion

In accordance with 8.10 of the *Break O' Day Interim Planning Scheme 2013*, the application has been assessed against the objectives of the Scheme, in particular the Environmental Living Zone, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and four (4) Performance Criterion; the received representations have been considered. It is recommended for approval with conditions normally set to this type of development.

LEGISLATION / STRATEGIC PLAN & POLICIES:

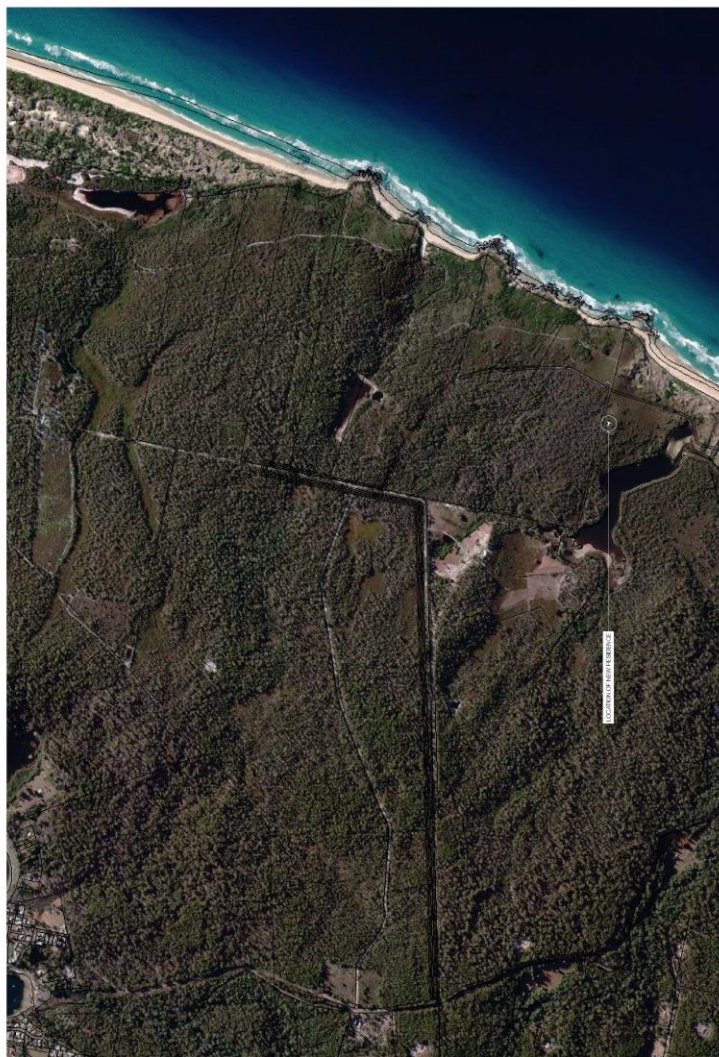
Break O' Day Interim Planning Scheme 2013;
Land Use Planning and Approvals Act 1993;
Local Government (Building and Miscellaneous Provisions) Act 1993.

BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable, all costs of the development are the responsibility of the developer.

VOTING REQUIREMENTS:

Simple Majority.

[illegible]



FOR PLANNING APPLICATION ONLY
NOT FOR CONSTRUCTION

NO. 2711 PHOTO
STATIONERY CO. 1000 1/2 ST. N. ST. PAUL, MN 55102

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M: 0438 551 854 T: 03 4331 5870
E: info@mjarchitecture.com.au
www.mjarchitecture.com.au

PROJECT#	NEW RESIDENCE		DATE	12/10/20	ISSUANCE NO.	D02 02
	TUGMAN HIGHWAY ET HELING TUGMANA					02
	0.047					
	HALLWILL PTY LTD					
	DRAWING					
	ELEVATIONS					
PROJECT NO.	1518-08					
	revised					



PROJECT #	NEW RESIDENCE		
	UGANDA HIGHWAY ET HELING, UGANDA		
LOCATION	UGANDA		
OWNER	HALLWILL PTY LTD		
DESIGNER	DESIGNERS		
PERSPECTIVES			
PROJECT #	DATE	DRAWING NO	
1616-08	12/10/20	D09.01	
		REVISED	02

ACTION	DECISION
PROPONENT	MJ Architecture obo Hallwill Pty Ltd
OFFICER	Rebecca Green, Planning Consultant
FILE REFERENCE	DA 085-2020
ASSOCIATED REPORTS AND DOCUMENTS	<p>Site Plans, Dwelling Plans and Elevations Written Submission <i>Circulated under Separate Cover:</i> <i>Representations (2)</i> <i>Late Representation – Tasmania Parks and Wildlife Service</i> <i>Bushfire Report and Hazard Management Plan (17 March 2020)</i> <i>Traffic Impact Assessment (report in common)</i> <i>Flora and Fauna Habitat Assessment (report in common)</i> <i>Preliminary Coastal Vulnerability Assessment (report in common)</i> <i>Onsite Waste Water & Stormwater Assessment and Design (report in common)</i> <i>Letter from Aboriginal Heritage Tasmania</i> <i>Applicants Response to Representations</i></p>

OFFICER'S RECOMMENDATION:

Pursuant to Section 57 of the *Land Use Planning & Approvals Act 1993* and the *Break O'Day Interim Planning Scheme 2013* that the application for **SINGLE DWELLING LOT 8** on land situated at **LOT 8 (CT167498/8) – TASMAN HIGHWAY, ST HELENS** (with access over Volume 167498 Folios 2, 3, 4, 5 & 6) be **APPROVED** subject to the following conditions:

- Use and development must be substantially in accordance with the following endorsed plans and documents unless modified by a condition of this permit:
 - Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.03, D02.02 & D09.01, Rev: 02, Dated: 12 October 2020;
 - Written Submission, MJ Architecture, Dated: 18 September 2020; and
 - Flora and Fauna Habitat Assessment, NorthBarker Ecosystem Services, Dated: 13 March 2020.
- Prior to issue of building approval and/or commencement of any site works, amended plans Dwg No: D01.01 and D01.02 and Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, are to be amended and submitted for approval to form part of this approval demonstrating the dwelling is located wholly outside of a 10m buffer to mapped area AH5625.
- All stormwater runoff from the proposed development must be detained by on-site water storage systems and overflow disposed of by means that will not result in soil erosion or other stormwater nuisance in accordance with Part 14.4.1 A9 of the *Break O'Day Interim Planning Scheme 2013*.
- Effluent disposal is subject to a technical assessment and issue of a Plumbing Permit by Council's *Plumbing Permit Authority*.

5. No native vegetation removal/modification is permitted outside that shown in Plans and Elevations, MJ Architecture, Dwg No: D00.00, D01.01 (as amended), D01.02 (as amended), D01.03, D02.02 & D09.01, Rev: 02, Dated: 12 October 2020; and Bushfire Report and Hazard Management Plan, NorthBarker Ecosystem Services, Dated: 17 March 2020 (as amended);
6. All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.
7. Plants listed in Appendix 3 of the *Break O'Day Interim Planning Scheme 2013* must not be used in landscaping.
8. Prior to any works commencing on site, a vegetation/weed management plan must be developed and a copy provided to Council, and therefore forming part of this approval to assist in the maintenance of vegetation condition on the subject lot. The vegetation/weed management plan must be prepared in accordance with all of the recommendations contained within the Flora and Fauna Habitat Assessment (section 6), prepared by NorthBarker Ecosystem Services, Dated: 13 March 2020.
9. Reflective materials must not be used as visible external elements in the building and the colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements in accordance with Part 14.4.1 A7 of the *Break O'Day Interim Planning Scheme 2013*.
10. Use or development which may impact on Aboriginal cultural heritage is subject to the *Aboriginal Relics Act 1975*. Works should be carried out strictly under the guidance of the attached Unanticipated Discovery Plan. If at any point during the proposed works Aboriginal heritage is suspected, works must cease immediately, and AHT must be contacted for advice. The Unanticipated Discovery Plan should be kept on site during the works to aid the proponent and their works personnel in meeting their obligations under the *Aboriginal Relics Act 1975* (the Act) in the event that Aboriginal heritage is identified.
11. All building wastes are to be removed to the appropriate waste disposal facility to prevent an environmental nuisance being caused outside of the works site
12. Any damage that may occur to any Council infrastructure during the construction of the proposed development must be reinstated to the satisfaction of Council and at the cost of the developer.
13. All conditions of this permit must be completed to the satisfaction of the responsible authority, prior to the occupancy of the dwelling on the subject site.

ADVICE

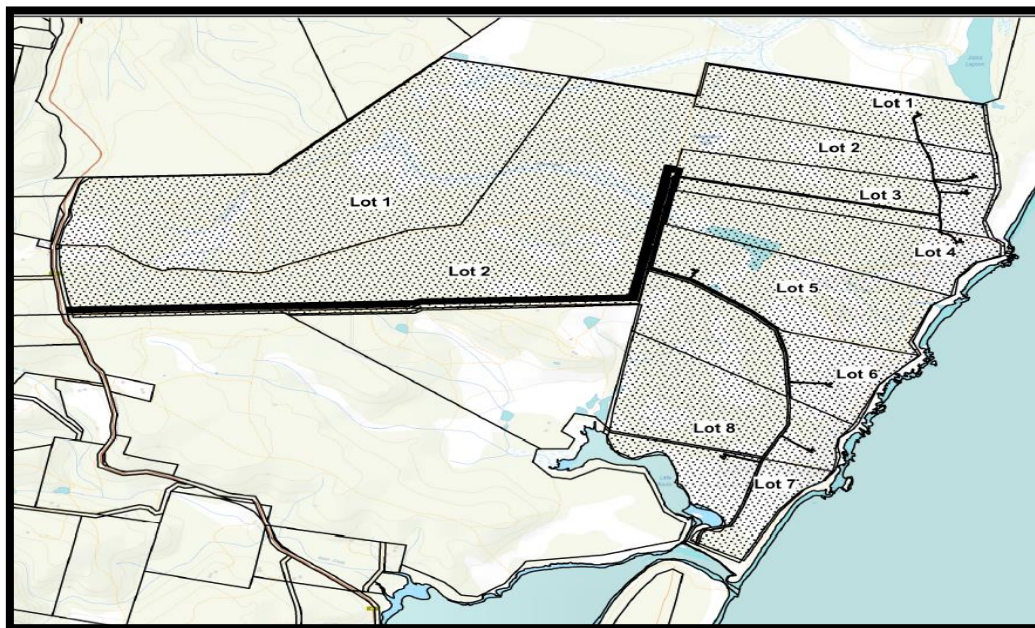
- The introduction of non-native plant species and plant species not of local provenance should be avoided and environmental weeds regularly monitored and targeted for removal.
- All underground infrastructure including all forms of water, storm water, power, gas and telecommunication systems must be located prior to the commencement of any on-site excavation and/or construction works. Any works to be undertaken within two (2) metres of any Council owned infrastructure must be done in consultation with Council's Manager Works and Infrastructure.
- Activities associated with construction works are not to be performed outside the permissible time frame listed:
 - Monday-Friday 7am to 6pm*
 - Saturday 9am to 6pm*
 - Sunday and public holidays 10am to 6pm*

PROPOSAL SUMMARY:

Application is made for the use and construction of a new single dwelling at Lot 8 (CT167498/8), Tasman Highway, St Helens.

Access is proposed over Volume 167498 Folios 2, 3, 4, 5 & 6 from an existing junction with Tasman Highway. The access point is to the north of the 2018 upgrades to Flagstaff Road and south of planned overtaking lanes. Pitt and Sherry, in their design of the overtaking lane, has accommodated the existing access point.

The lot has an area of 44.51ha and is vacant. The title has a number of right of carriageways burdening the site and also benefits to a number of right of carriageways.









PREVIOUS COUNCIL CONSIDERATION:

Nil.

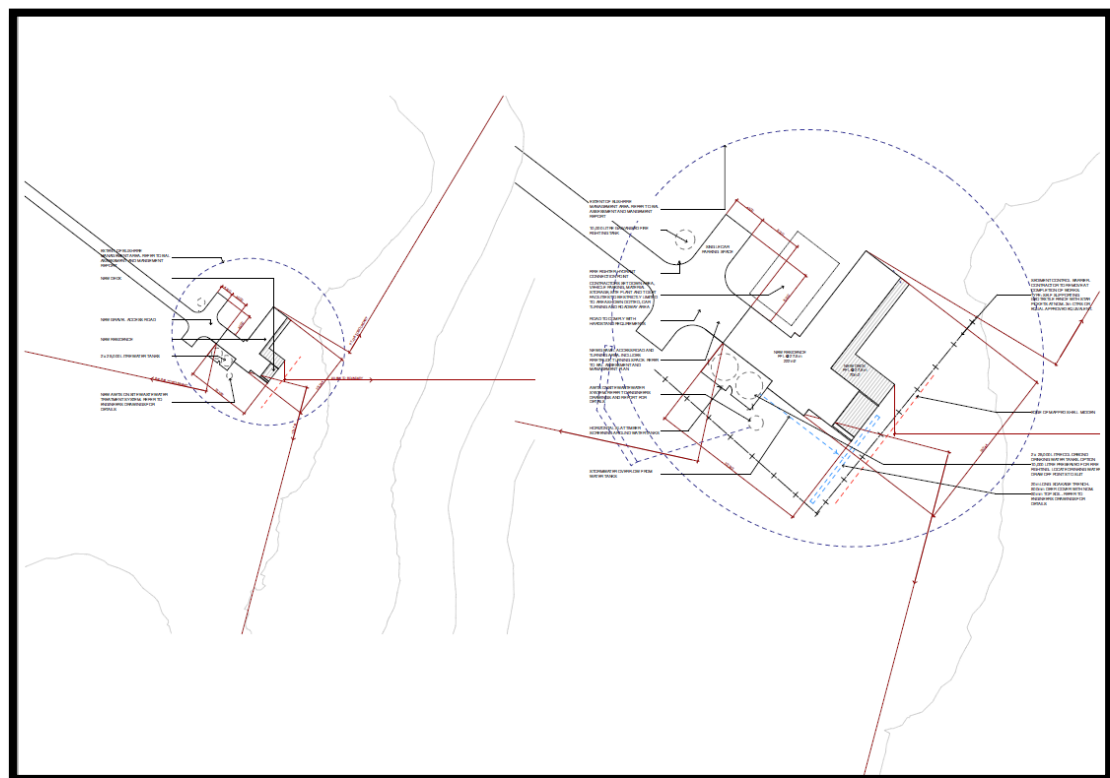
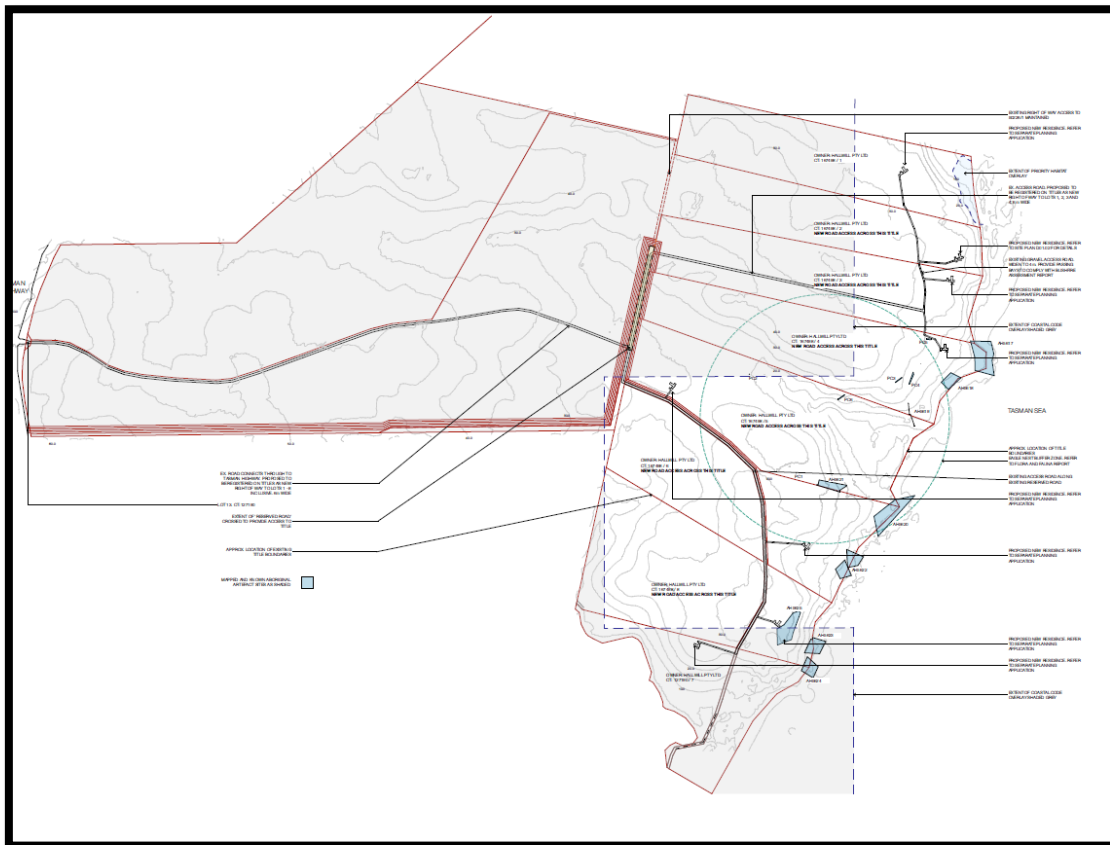
OFFICER'S REPORT:

1. The Proposal

Break O'Day Council received an application in April 2020 from MJ Architecture on behalf of Hallwill Pty Ltd, the owner of the subject land, for use and construction of a single dwelling at Lot 8 (CT167498/8) – Tasman Highway, St Helens. The application became valid from 13 October 2020 subsequent to receipt of additional information.

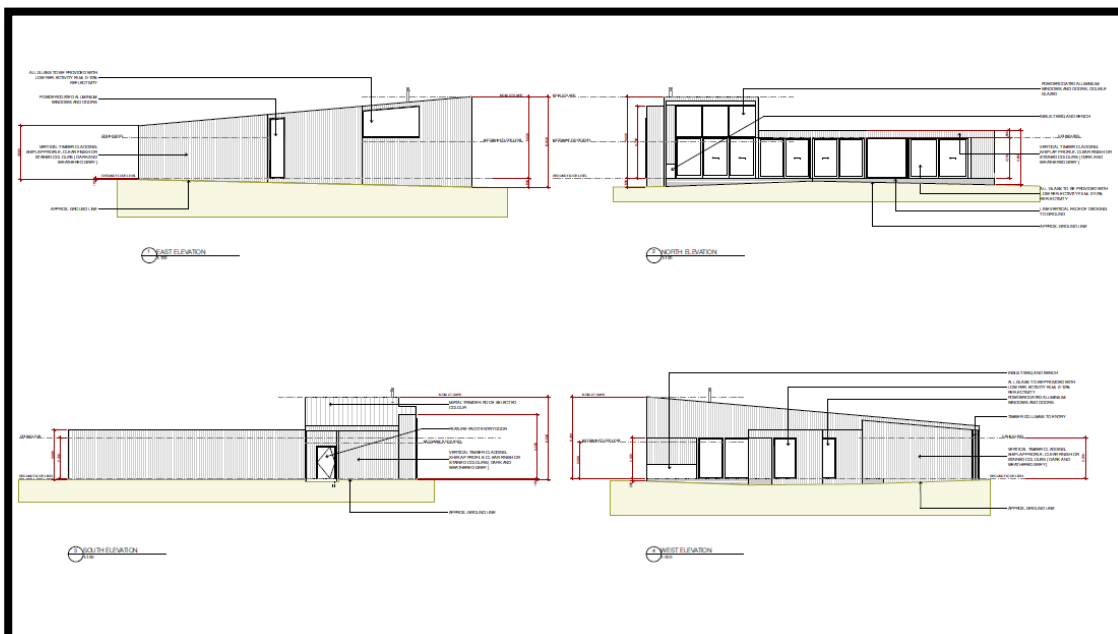
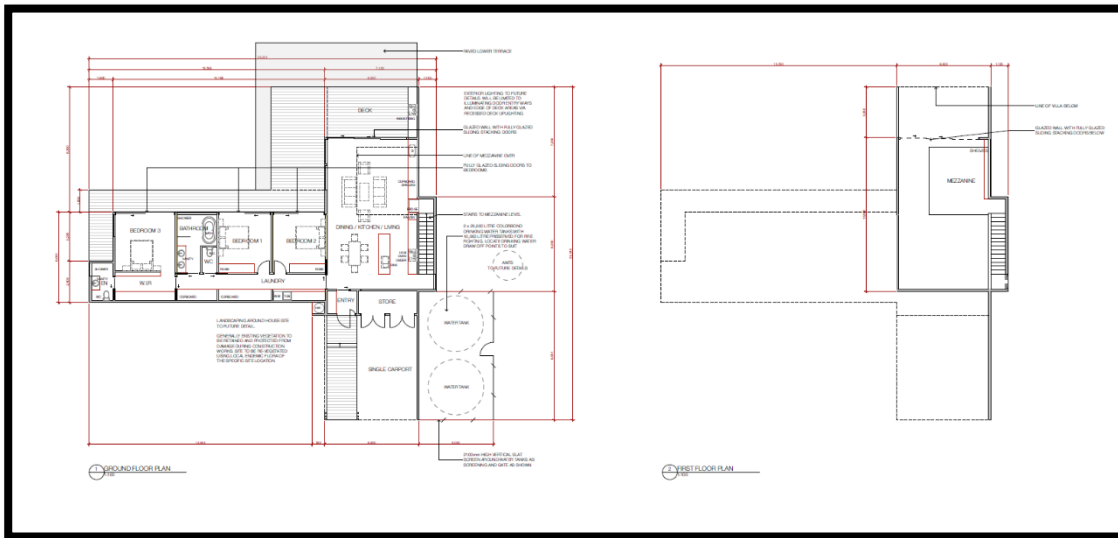
The 44.51ha site slopes down from Tasman Highway to the east to the water and is located on the eastern side of the Tasman Highway. The site is vacant land with no uses or meaningful buildings/structures present on the site.

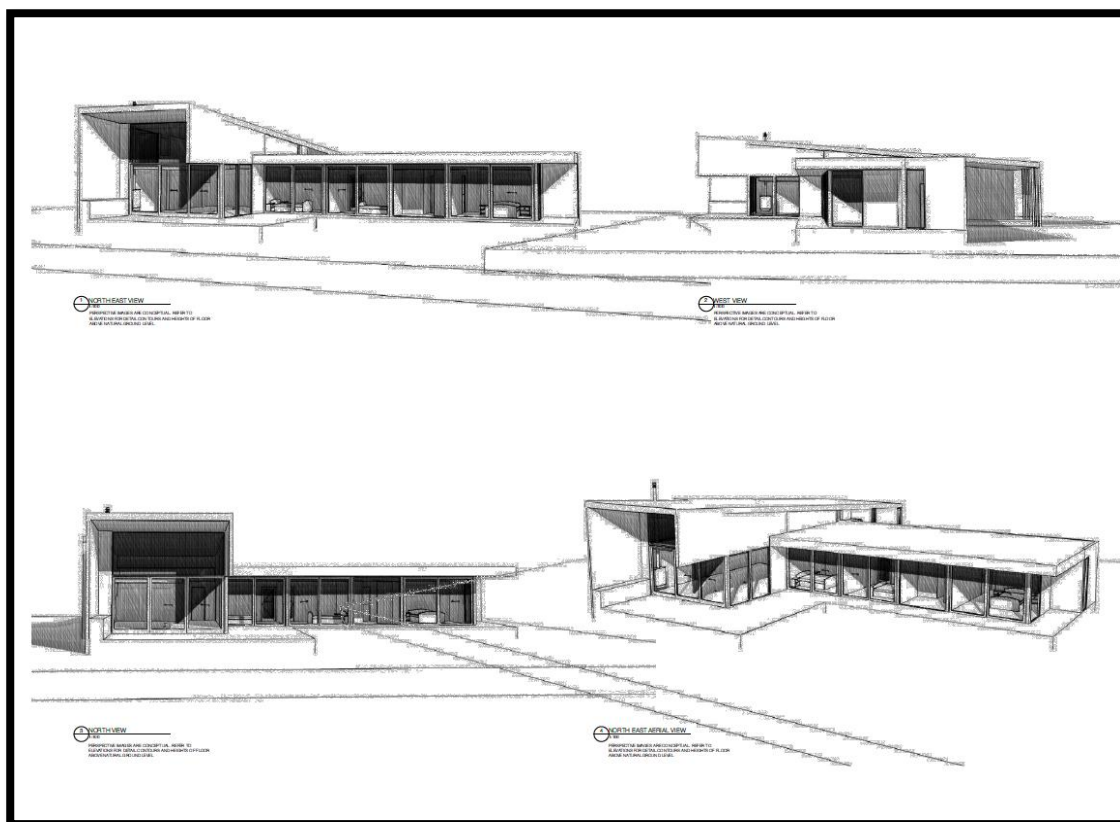
An existing access driveway is provided to the subject site from Tasman Highway with access to the dwelling site over Volume 167498 Folios 2, 3, 4, 5 & 6. The site is not serviced by reticulated water, sewer or stormwater. Power and telecommunication services are available to the subject site.



The single dwelling is to comprise of a single carport, open plan dining/kitchen/living, three bedrooms, main with ensuite and walk-in-robe, bathroom and laundry and deck. A mezzanine level is provided on the first floor. Total building area is 222m² (dwelling) + 70m² (deck), with a total site coverage of 0.066%.

The dwelling is to be clad using vertical timber cladding with shiplap profile, clear finish or stained colours (dark and weathered grey), with metal trimdeck roof in selected colour. All glass is to be provided with low reflectivity film 0-10% reflectivity.





Following receipt of representations and to complete the assessment of the application, Council requested and received an extension of time to 25 January 2021.

2. Applicable Planning Scheme Provisions

Part 14 Environmental Living Zone
 E4 Road and Railway Assets Code
 E6 Car Parking and Sustainable Transport Code
 E7 Scenic Management Code – Tourist Road
 E8 Biodiversity Code
 E9 Water Quality Code
 E12 Airports Impact Management Code
 E14 Coastal Code
 E16 Onsite Wastewater Management Code

3. Referrals

The initial application was referred on 11 May 2020 to DPIWE Policy and Conservation Advice Branch (PCAB), Conservation Assessment and Wildlife Management Section who provided the following advice in relation to Lots 2-8 which was forwarded to the Proponent for consideration within the final lodged documentation:

Threatened Flora

CAS notes that the Flora and Fauna Habitat Assessment states that no threatened flora will be impacted by the development of any lot. CAS supports the recommendation within the Flora and Fauna Habitat Assessment for a vegetation plan to be developed for each Lot to assist in the maintenance of vegetation and the protection of threatened flora species and fauna habitat into the future.

Threatened Fauna

Swift Parrot

The Flora and Fauna Habitat Assessment details that a number of the Lots support *E.globulus* forest and the *E.ovata* forest and woodland, which is potential foraging habitat for swift parrots (*Lathamus discolor*), listed as endangered under the Threatened Species Protection Act 1995 (TSPA) and the Environment Protection and Biodiversity Conservation Act 1999 (EPBCA). Therefore, the area may support swift parrot activity. CAS notes that the Flora and Fauna Habitat Assessment states that no potentially suitable habitat for swift parrots will be cleared from any Lot and this is supported.

A threat to swift parrots is colliding with man-made objects such as windows and chain-link fences. CAS supports the recommendation in the Flora and Fauna Habitat Assessment that design principles are applied to minimise collision risk with swift parrots. For general information and advice on building structures which minimise risk of collisions (e.g. wire-mesh fences or windows) - see [Guidelines and recommendations for parrot-safe building design](#). For comprehensive advice on avoiding collisions with glass - see [An end to birds dying at windows](#).

White-bellied Sea-Eagle

The Flora and Fauna Habitat Assessment states that an area of at least 10ha surrounding a known White-bellied Sea-Eagle nest has been applied with no dwellings within 500m. It is generally recommended that most disturbance based activities within 500 m or 1 km line-of-sight of an active eagle nest are avoided during the breeding season (July to January). It is unclear from the Flora and Fauna Habitat Assessment whether the known White-bellied Sea-Eagle nest is within 1 km line-of-sight from any dwellings or disturbance based activities on any of the Lots, however it seems that the area of at least 10ha surrounding the known nest without disturbance based activities will be adequate.

Tasmanian Devil and Quolls

The Flora and Fauna Habitat Assessment states that the entire site is suitable foraging habitat with sparse denning opportunities and that wombat burrows may provide denning opportunities for Tasmanian devils and quolls. The report details that two potentially suitable den sites were found and two motion-operated cameras were placed at each site for 8 nights, however the report does not indicate which Lot(s) the sites were on. If any dens are subsequently located during works then these should be managed in accordance with the Survey Guidelines And Management Advice For Development Proposals That May Impact On The Tasmanian Devil (*Sarcophilus harrisii*) (see <https://dpiwve.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>). Any dens that cannot be avoided will require a permit to take under the Nature Conservation Act 2002.

New Holland Mouse

The New Holland Mouse (*Pseudomys novaehollandiae*) is listed endangered under the TSPA and vulnerable under the EPBCA. Threats to the New Holland mouse include, but are not limited to, habitat loss and modification, inappropriate fire regimes and predation by cats. An important cause of habitat modification is infection of the New Holland mouse habitat with root rot fungus *Phytophthora cinnamomi*. CAS acknowledges that vegetation clearance is to be minimised and supports the recommendation of implementing a weed management plan (detailed below).

Shorebirds

Lots 2-8 each have a significant boundary with the coastal reserve, which supports threatened shorebird species documented and observed during the surveys. The potential increase in access and activity from residents, the numbers of domestic cats and dogs and 4WDs amplifies the threat to threatened shorebirds in the area.

Jocks Lagoon

Although Jocks Lagoon - a Ramsar site recognising wetland areas of international significance is not part of Lots 2 – 8, the Lots appear to occur within the catchment for Jocks Lagoon and therefore it is recommended that potential environmental impacts to the wetland be addressed as part of the development assessment process. Residential effluent entering the area could pose a possible threat.

CAS supports the recommendation in the Flora and Fauna Habitat Assessment that water quality in Jocks Lagoon needs to be protected, however further details of how this will be achieved have not been provided.

Weeds and Diseases

The Flora and Fauna Habitat Assessment details widespread Spanish Heath, a declared weed under the Weed Management Act 1999 on Lots 2 and 4 and to a lesser extent on others.

CAS supports the implementation of a targeted weed management plan as part of the vegetation plan as outlined in the Flora and Fauna Report. Further information about controlling the introduction and spread of weeds and the development of weed and disease management plans can be found in Section 4 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#).

*A number of species likely to occur in the area are highly susceptible to *Phytophthora cinnamomi* (PC), and adherence to strict hygiene measures will be required. Information about practical hygiene measures to implement on development work sites can be found in Appendix 1 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#). Practical information on how to minimise the risks of introducing and spreading PC can be found in the manual [Keeping it clean - A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens](#)*

Additional Comments for Lot 3

*CAS notes that the Flora and Fauna Habitat Assessment states that 1.11 hectares of native vegetation (non-threatened vegetation communities) and 0.1 hectares of Tasmanian threatened native vegetation community *Eucalyptus Viminalis* – *Eucalyptus Globulus* Coastal Forest and Woodland (DVC) will be cleared with the one threatened flora species recorded onsite not being impacted. CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.*

This Tasmanian threatened native vegetation community may also support important habitat for the swift parrot, listed as endangered under the TSPA and EPBCA. Clearing of this vegetation type should be avoided during swift parrot breeding season (September to January) if the species is breeding in the area or at other times if swift parrots are using the area.

Additional Comments for Lot 4

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lot 5

CAS notes that the Green and Gold Frog was not found during targeted surveys and that the Flora and Fauna Habitat Assessment suggests the dam is low quality habitat and that the site is only likely to be used in peak seasonal conditions, if at all. The species has however been recorded in the near vicinity of Moriarty Lagoon.

Additional Comments for Lots 5 and 6

Geoconservation

Although almost entirely within the coastal reserve of the St Helens Conservation Area and tidal Crown Land, it appears that a small section on the boundaries of Lot 5 and Lot 6 contain part of the Dianas Basin Folds site – a site of global geoconservation significance. The feature of interest is the coastal exposure of folding caused by intrusion of granite. According to the plans provided it will not be subject to disturbance by the proposed dwellings. As a hard rock feature it is relatively immune to an increase in residential pedestrian traffic that the dwelling might bring but it is recommended that the proponents be made aware by Council of the location, significance and sensitivities of the site.



Map of the coast in the vicinity of Onion Creek showing the extent of significant coastal exposure of geodiversity outlined in red. The older polygon shown for reference in pink was derived from a lower resolution source and should now be disregarded.

Road Reserve

CAS notes that the Flora and Fauna Habitat Assessment states that 2.93 hectares of native vegetation (non-threatened vegetation communities) and 0.24 hectares of Tasmanian threatened native vegetation community *Eucalyptus ovata* Forest and Woodland (DOV). CAS notes that clearing of this threatened native vegetation community has been kept to the minimum necessary for the widening of existing access routes to comply with bushfire hazard management. Again, threatened native vegetation communities can be cleared with Council approval, however consideration should be given to the extent of the community in the area and the overall impact each clearance will have before permitting clearance.

The application included Crown Consent and Department of State Growth (DSG) consent to the lodgement of the application.

The application was referred to the Airport Manager for advice on the OLS detail in relation to the development application. This advice was provided to the proponent prior to final plans and documentation being submitted for the application

4. Assessment

The advertised application relied upon the following four (4) performance criteria as detailed below;

- 1) 14.4.2 Landscaping P1
- 2) E4.6.1 Use and Road or Rail Infrastructure P3
- 3) E8.6.1 Habitat and Vegetation Management P2.1
- 4) E16.7.2 Surface and Ground Water Impacts P4

Detailed assessment against the provisions of the *Break O'Day Interim Planning Scheme 2013* is provided below. **The proposal is deemed to comply with the performance criteria applicable.**

14 Environmental Living Zone

14.1 Zone Purpose

14.1.1 Zone Purpose Statements

14.1.1.1 To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.

14.1.1.2 To provide for a mix of low impact activities that is sensitive to the natural environment.

14 Environmental Living Zone

14.3 Use Standards

14.3.1 Amenity

Acceptable Solutions	Proposed Solutions
A1 Development must be for permitted or no permit required uses.	A1 The proposed is for a permitted Residential Use only. Acceptable solution met.
A2 Operating hours for commercial vehicles for discretionary uses must be between 6.00am and 10.00pm.	A2 Not applicable. This application does not include commercial vehicles.

14.3.2 Environmental Living Character

Acceptable Solutions	Proposed Solutions
A1 Discretionary uses must not exceed a combined gross floor area of 200m ² of the site.	A1 Not applicable.
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	A2 Not applicable.
A3 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	A3 Not applicable.
A4 Waste material storage for discretionary uses must: <ul style="list-style-type: none"> a) Not be visible from the road to which the lot has frontage; and b) Use self-contained receptacles designed to ensure waste does not escape to the environment. 	A4 Not applicable.

14.4 Development Standards

14.4.1 Building Design and Siting

Acceptable Solutions	Proposed Solutions
A1 No more than 4 hectares or 20% of the site, whichever is the lesser, is used for development.	A1 The proposal does not exceed 20% of the total site area or 4 ha. The proposal complies with the Acceptable Solution.
A2 Building height must not exceed 7m.	A2 The proposed dwelling height will not exceed 7 metres (6.029m). The proposal complies with the Acceptable Solution.
A3 Buildings must be set back a minimum distance of 10m from a frontage.	A3 The proposal is at least 10m from a frontage. The proposal complies with the Acceptable Solution.
A4 Buildings must be set back a minimum of: <ul style="list-style-type: none"> a) 10m to side and rear boundaries; and b) 200m to the Rural Resource Zone where a sensitive use is proposed. 	A4 The proposal is at least 10m from a side boundary and rear boundary and at least 200m from the Rural Resource zone. The proposal complies with the Acceptable Solution.
A5 The combined gross floor area of all outbuildings on a lot must not exceed 81m ² and a maximum height of 5m.	A5 Not applicable. No outbuilding proposed.
A6 The colours of external surfaces must be the same shades and tones of the surrounding landscape and vegetation elements.	A6 The proponent has advised that the external colours will be timber, grey stained timber or charred timber which will recede with the surrounding vegetation and landscape. The proposal complies with the Acceptable Solution.
A7 Reflective materials, excluding windows, must not be used as visible external elements in buildings.	A7 The plans and documents submitted do not propose any highly reflective elements. The proposal complies with the Acceptable Solution.
A8 On sites with a slope greater than 1:10, site benching through cut and fill must be less than 20% of the site coverage of the proposed building(s).	A8 No cut and fill works are proposed or required. The proposal complies with the Acceptable Solution.
A9 Rainwater runoff from roofs must be collected by means of roof guttering, downpipes and rainwater tanks.	A9 It is proposed that the roof runoff will be directed to stormwater collection tanks via guttering and downpipes. Overflow is to be directed towards absorption drains on the site. The proposal complies with the Acceptable Solution.

Acceptable Solutions	Proposed Solutions
A10 Exterior building lighting is limited to that necessary to allow safe and secure movement of pedestrians and to allow movement around the building at night. Lighting must not be used as a means of displaying the presence of buildings to be visible from outside the site.	A10 External lighting will be limited to allow for safe and secure movement of pedestrians only, limited to lighting entry doorways and minor up lighting inset into the external decks. The proposal complies with the Acceptable Solution.
A11 Where a development is part of a larger complex, each component of the development must be connected by walking tracks.	A11 Not applicable.
A12 Single unbroken walls are not to exceed 15m in length.	A12 No single wall length is to exceed 15m (max. 14.944m). The proposal complies with the Acceptable Solution.
A13 Roofs must be: a) Pitched at an angle of less than 30 degrees and can be either hipped or gabled, or b) Curved at radius no greater than 12.5m.	A13 The proposed roof pitch is not to be at an angle greater than 30 degrees. The proposal complies with the Acceptable Solution.

14.4.2 Landscaping

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Development must be located on land where the native vegetation cover has been removed or significantly disturbed. P1 New development must be located in a manner that minimises vegetation removal.	P1 A Bushfire Report and Hazard Management Plan accompanied the application, prepared by NorthBarker Ecosystem Services. A BAL rating and Hazard Management Area for BAL 29 has been prescribed for the dwelling. Existing access roads and BAL 29 HMA and buildings and infrastructure are proposed to be located to minimise vegetation disturbance. The proposal is considered to be compliant with the performance criteria.
A2 All new planting must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site.	A2 All new planting will need to be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site. Conditions can be placed upon any approval ensuring compliance. The proposal complies with the Acceptable Solution.
A3 Plants listed in Appendix 3 must not be used in landscaping.	A3 Plants listed in Appendix 3 will not be allowed to be used in landscaping. Conditions can be placed upon any approval ensuring compliance. The proposal complies with the Acceptable Solution.

14.4.3 Subdivision – Not applicable to this proposal.

14.4.4 Tourist Operations – Not applicable to this proposal.

E4 Road and Railway Assets Code

E4.6 Use Standards

E4.6.1 Use and Road or Rail Infrastructure

Acceptable Solutions/Performance Criteria	Proposed Solutions
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%.	A1 Not applicable.
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.	A2 Not applicable.
<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. 	<p>A3 A Traffic Impact Assessment was prepared for each application by Shane Wells, Woolcott Surveys. This application is individual and must be assessed on this basis. The traffic generation from a single dwelling in a rural location is in the order of 7 movements per day. Part a) of the Performance Criteria is not applicable. In terms of b), the dependency of the use on the site is established by the zoning, in which a Single Dwelling use is a permitted use. Further, there is no potential to access from a category 4 or 5 road. In terms of Part c), the road authority (Department of State Growth) is satisfied that there will be no unreasonable impact to traffic safety and efficiency having regard to both the current and planned Highway alignment.</p> <p>The proposal is consistent with the performance criteria.</p>
A4 Use serviced by a side road from a deficient junction (refer E4 Table 2) is not to create an increase to the annual average daily traffic (AADT) movements on the side road at the deficient junction by more than 10%.	A4 Not applicable.

E4.7 Development Standards

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

Acceptable Solutions	Proposed Solutions
<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 envelopes on new lots; and c) Outdoor sitting, entertainment and children's play areas. 	A1 Not applicable.

E4.7.2 Management of Road Accesses and Junctions

Acceptable Solutions	Proposed Solutions
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.	A1 Not applicable.
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	A2 One existing access/junction is to be utilised to serve the proposal. The proposal complies with the Acceptable Solution.
A3 Accesses must not be located closer than 6m from an intersection, nor within 6m of a break in a median strip.	A3 The existing access meets the acceptable solution. The proposal complies with the Acceptable Solution.

E4.7.3 Management of Rail Level Crossings – Not applicable.

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

Acceptable Solutions	Proposed Solutions
A1 Sight distances at <ul style="list-style-type: none"> a) An access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) Rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority have been obtained. 	A1 The access complies with the SISD requirements for the 85 th percentile operating speed of the road, as confirmed between the authors of the Traffic Impact Assessment and the Department of State Growth. The SISD to the left is 245m and to the right is 177m. The 85 th percentile speed is considered to be 80 km/hr based on driving experience. The SISD requirement of the scheme is 175m. The proposal is consistent with the performance criteria.

E6 Car Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Acceptable Solutions	Proposed Solutions
A1 The number of car parking spaces must not be less than the requirements of: <ul style="list-style-type: none"> a) Table E6.1; or b) A parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone). 	A1 The site will provide a minimum 2 car parking spaces as required for the dwelling. The proposal complies with the Acceptable Solution.

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Acceptable Solutions	Proposed Solutions
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. 	A1 All car parking, access strips, manoeuvring and circulation spaces will be: <ul style="list-style-type: none"> a) Formed to an adequate level and drained; and b) Not applicable; and c) Not applicable. The proposal complies with the Acceptable Solution.

E6.7.2 Design and Layout of Car Parking

Acceptable Solutions	Proposed Solutions
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for a dwelling 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>A1 Not applicable.</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 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: <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 AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>A2.1 Car parking and manoeuvring space will:</p> <ul style="list-style-type: none"> a) Be on almost level ground; and b) Not applicable. Only requires a provision of 2 car parking spaces; and c) Provides a minimum 3.0m wide vehicular access; and d) Not applicable. <p>A2.2 The layout of car spaces and access ways are in accordance with <i>Australian Standards AS2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p> <p>The proposal complies with the Acceptable Solution.</p>

E7 Scenic Management Code

The site is affected by the Scenic Corridor overlay – tourist road corridor (Tasman Highway). However, as the proposed use and development is not located on land within 100 metres measured from the frontage to the scenic management tourist road corridor, the code has been determined to be not applicable.

E8 Biodiversity Code

E8.6.1 Habitat and Vegetation Management

Acceptable Solutions/Performance Criteria	Proposed Solutions
<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>A1.1/A1.2 A review of Council's priority habitat layer indicates the vegetation is not located within an area of priority habitat.</p> <p>Not applicable</p>

Acceptable Solutions/Performance Criteria	Proposed Solutions
<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 habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</p> <p>b) means or 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>	<p>P2.1</p> <p>A Flora and Fauna Habitat Assessment accompanied the application, prepared by NorthBarker Ecosystem Services.</p> <p>No known locations of threatened flora will be disturbed on the lot.</p> <p>A small area of potential habitat of the new holland mouse will require conversion or modification to accommodate access, house site and Hazard Management Area (BAL 29) on the lot. No new holland mice have been recorded on site with extensive habitat present within range. Minor widening of the shared access through Lot 3 may require a handful of trees to be removed that are tree species suitable for swift parrot foraging habitat, they are small trees of negligible contribution to the conservation for the swift parrot.</p> <p>The planning applications for each lot avoids all Priority Habitat. Note that apparent conflict with priority habitat where the fee simple access routes overlay priority habitat will not be utilised. The existing road will be utilised.</p> <p>The areas of native vegetation that are proposed to be converted or modified on each lot range between 0.3 and 3ha or 0.1 and 5% of each lot (of all 8 dwellings). Each vegetation type is well represented and well reserved in the Bioregion. The report makes a number of recommendations in relation to Threatened Flora, Fauna values, and weed management and can be appropriately managed through conditions upon an approval.</p> <p>The proposal is considered to be compliant with the performance criteria.</p>

E9 Water Quality Code

E9.6.1 Development and Construction Practices and Riparian Vegetation

Acceptable Solutions	Proposed Solutions
<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 Water catchment area – inner buffer.</p>	<p>A1 No native vegetation will be removed within 40m of a wetland, watercourse or mean high water mark.</p> <p>The proposal complies with the Acceptable Solution.</p>
<p>A2 A wetland must not be filled, drained, piped or channelled.</p>	<p>A2 The proposal complies with the Acceptable Solution.</p>
<p>A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposed.</p>	<p>A3 The proposal complies with the Acceptable Solution..</p>

E9.6.2 Water Quality Management

Acceptable Solutions	Proposed Solutions
<p>A1 All stormwater must be:</p> <ul style="list-style-type: none"> a) Connected to a reticulated stormwater system; or b) Where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) Diverted to an on-site system that contained stormwater within the site. 	<p>A1 The proposed new dwelling will direct all overflow stormwater from rainwater tanks to proposed stormwater absorption trenches onsite. The proposal complies with the Acceptable Solution.</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>A2.1 No point source discharge is proposed. The proposal complies with the Acceptable Solution.</p> <p>A2.2 Not applicable.</p>
<p>A3 No acceptable solutions.</p> <p>P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.</p>	<p>P3 Not applicable.</p>

E9.6.3 Construction of Roads

Acceptable Solutions	Proposed Solutions
<p>A1 A road or track does not cross, enter or drain to a watercourse or wetland.</p>	<p>A1 There is no new road or track that enters or crosses a watercourse or wetland proposed. The proposal complies with the Acceptable Solution.</p>

E9.6.4 Access

Acceptable Solutions/Performance Criteria	Proposed Solutions
<p>A1 No acceptable solution.</p> <p>P1 New access point to wetland and watercourses are provided in a way that minimises:</p> <ul style="list-style-type: none"> a) Their occurrence; and b) The disturbance to vegetation and hydrological features from use or development. 	<p>A1/P1 Not applicable.</p>
<p>A2 No acceptable solution.</p> <p>P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.</p>	<p>A2/P2 Not applicable.</p>

E9.6.5 Sediment and Erosion Control – not applicable.

E9.6.6 Water Catchment Areas – not applicable.

E12 Airports Impact Management Code

The site is affected by the prescribed air space. The total development height is well below the OLS height of 86.5 AHD, refer to elevations for the height of the dwelling AHD, the code has been determined to be not applicable.

E14 Coastal Code

The area of the proposed development works is outside of the mapped area of the site that this code is applicable for. For additional information, refer to the Preliminary Coastal Vulnerability Assessment.

E16 On-Site Wastewater Management Code

E16.6 Use Standards

E16.6.1 Use and Lot Size

Acceptable Solutions	Proposed Solutions
A1 Residential uses that rely on onsite wastewater management must: a) Be on a site with minimum area of 2,000m ² ; and b) Have four bedrooms or less.	A1 The site has an area greater than 2000m ² (44.51ha) and only three bedrooms is proposed. The proposal complies with the Acceptable Solution.
A2 Non-residential uses that rely on onsite wastewater management must be on a site with minimum area of 5,000m ² .	Not applicable.

E16.7 Development Standards

E16.7.1 Onsite Wastewater Management

Acceptable Solutions	Proposed Solutions
A1 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and buildings and structures.	A1 A minimum separation distance of 3.0 metres from any structure to the wastewater infrastructure will be provided. The proposal complies with the Acceptable Solution.
A2 A minimum horizontal separation of 3m must be provided between onsite wastewater management infrastructure and the following: a) Hardstand and paved areas; b) Car parking and vehicle manoeuvring areas; and c) Title or lot boundaries.	A2 A minimum horizontal separation of 3m will be provided. The proposal complies with the Acceptable Solution.
A3 Private Open Space must not be used for surface irrigation of treated wastewater.	A3 The proposal complies, no private open space is used for surface irrigation of treated wastewater. The proposal complies with the Acceptable Solution.
A4 Onsite wastewater management infrastructure must be on lots with an average slope of 10% or less.	A4 The proposed wastewater treatment system is on land with an average slope less than 10%. The proposal complies with the Acceptable Solution.

E16.7.2 Surface and Ground Water Impacts

Acceptable Solutions/Performance Criteria	Proposed Solutions
A1 Onsite wastewater management infrastructure must have a minimum separation distance of 100m from a wetland or watercourse or coastal marine area.	A1 Onsite wastewater management infrastructure is to have a minimum separation distance of 100m from a wetland, watercourse or coastal marine area. The proposal complies with the Acceptable Solution.

Acceptable Solutions/Performance Criteria	Proposed Solutions
A2 Onsite wastewater management infrastructure must have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply.	A2 Onsite wastewater management infrastructure will have a minimum separation distance of 50m from a downslope bore, well or other artificial water supply. The proposal complies with the Acceptable Solution.
A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, must be no less than 1.5m.	A3 Vertical separation between groundwater and the land used to apply effluent, including reserved areas, is to be no less than 1.5m. The proposal complies with the Acceptable Solution.
A4 Vertical separation between a limiting layer and the land used to apply effluent, including reserved areas, must be no less than 1.5m. P4 Onsite wastewater management infrastructure separated from the limiting layer by less than 1.5m must have no detrimental impacts on groundwater.	P4 An Onsite Waste Water & Stormwater Disposal Assessment and Design prepared by JD Consulting accompanied the application. For the majority of the area, the limiting layer is greater than 1.5m. Where the limiting layer is less than 1.5m, an onsite wastewater treatment system that is capable of providing secondary treated effluent quality will need to be installed, and can be assessed at the Plumbing Application stage further. The proposal is considered to be compliant with the performance criteria.

5. Representations

The application was advertised 17 October 2020 to 30 October 2020 in the Examiner Newspaper, notices on-site and at the Council Chambers and notification by mail to all adjoining land owners. Two (2) representations have been received from individuals and a letter from Aboriginal Heritage Tasmania with concerns during the statutory exhibition period. A further letter from Tasmania Parks & Wildlife Service was received outside the statutory period. Parks & Wildlife supports the proponents adoption of the recommendations contained within section 6 of the Flora and Fauna Habitat Assessment. They also noted that the development sites are adjacent to the St Helens Conservation Area (SHCA), whilst no access is proposed as part of this application, any future access to SHCA shall be established only after consultation with PWS. These applications will address the adhoc access by the public over this subject lands currently taking place.

Aboriginal Heritage Tasmania concerns are in relation to HMA for Lot 8 and site AH5625 proximity. The proponent has advised that they have no issue with relocating the proposed dwelling on Lot 8 outside of a 10m buffer to mapped area AH5625. This will form a condition on the recommended approval for this application.

Aboriginal Heritage Tasmania, noted that an assessment was carried out in 2017 as part of a different proposal, and whilst that report did not identify any Aboriginal heritage sites within Lot 1, the report states that poor ground surface visibility was a key constraint in survey coverage. Advice is provided in relation to works carried out on Lot 1, should be carried out strictly under the guidance of an attached Unanticipated Discovery Plan. In the case of AH5625, a 10m buffer was recommended.

Two other representations raised concerns in relation to scenic values of the coastline, the new holland mouse, lack of an Aboriginal Heritage Report for each dwelling, and inconsistency with the State Coastal Policy. A number of these matters have been addressed within the reports provided, as well as further consideration of the applicants which has been provided.

The proponent together with the planning assessment above, and recommended conditions have adequately considered and dealt with the relevant concerns of the representors. No further comment is required for those matters that are not a relevant planning consideration/provision that have been addressed under the *Break O' Day Interim Planning Scheme 2013*.

The recommendation for approval has been made following due consideration of the representations and comments.

6. Mediation

Nil.

7. Conclusion

In accordance with 8.10 of the *Break O' Day Interim Planning Scheme 2013*, the application has been assessed against the objectives of the Scheme, in particular the Environmental Living Zone, all relevant Codes and issues. The application has demonstrated compliance with the Acceptable Solutions and four (4) Performance Criterion; the received representations have been considered. It is recommended for approval with conditions normally set to this type of development.

LEGISLATION / STRATEGIC PLAN & POLICIES:

Break O' Day Interim Planning Scheme 2013;
Land Use Planning and Approvals Act 1993;
Local Government (Building and Miscellaneous Provisions) Act 1993.

BUDGET AND FINANCIAL IMPLICATIONS:

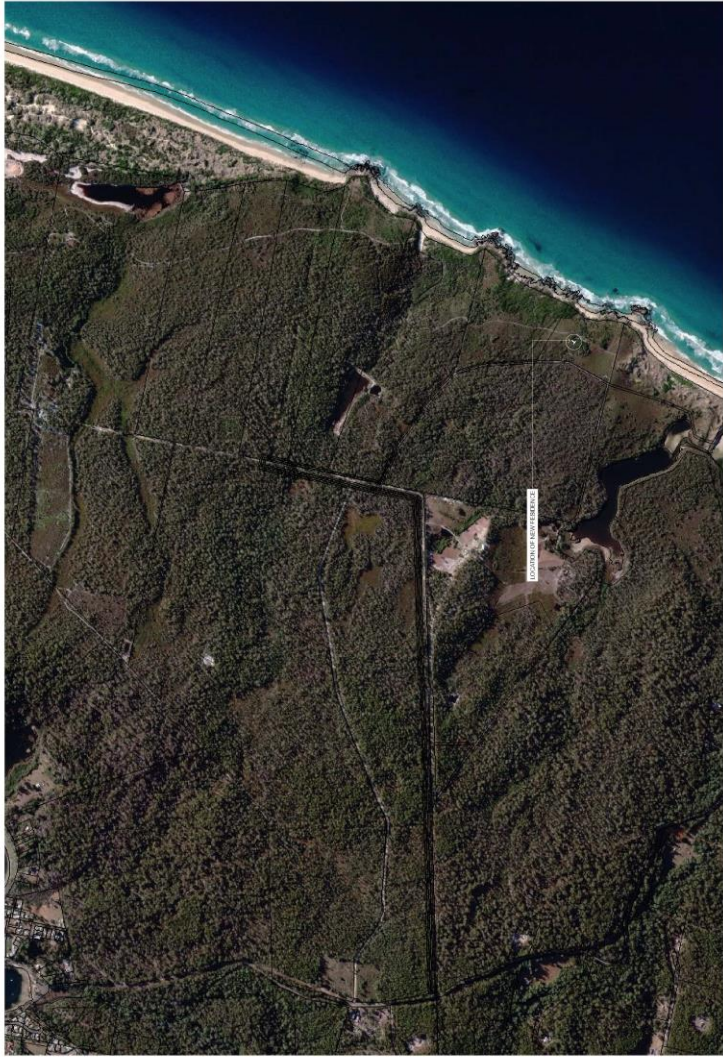
Not applicable, all costs of the development are the responsibility of the developer.

VOTING REQUIREMENTS:

Simple Majority.

PROJECT DETAILS	
FILE REFERENCE: 20240118	
PROJECT NAME: NEW RESIDENCE	
WATER CLASSIFICATION: 101A	
DATE: 18/01/2024	
PROJECT LOCATION: 101A	
PROJECT AREA: 101A	
TOTAL BUILDING AREA: 2200m ² (101A) 1770m ² (101B) TOTAL SITE COVERAGE: 0.000%	

DRAWING SCHEDULE	
DRAWING NO.	DRAWING NAME
101A-01	101A-01 SITE PLAN
101A-02	101A-02 SITE PLAN
101A-03	101A-03 SITE PLAN
101A-04	101A-04 SITE PLAN
101A-05	101A-05 SITE PLAN
101A-06	101A-06 SITE PLAN
101A-07	101A-07 SITE PLAN
101A-08	101A-08 SITE PLAN
101A-09	101A-09 SITE PLAN
101A-10	101A-10 SITE PLAN
101A-11	101A-11 SITE PLAN
101A-12	101A-12 SITE PLAN
101A-13	101A-13 SITE PLAN
101A-14	101A-14 SITE PLAN
101A-15	101A-15 SITE PLAN
101A-16	101A-16 SITE PLAN
101A-17	101A-17 SITE PLAN
101A-18	101A-18 SITE PLAN
101A-19	101A-19 SITE PLAN
101A-20	101A-20 SITE PLAN
101A-21	101A-21 SITE PLAN
101A-22	101A-22 SITE PLAN
101A-23	101A-23 SITE PLAN
101A-24	101A-24 SITE PLAN
101A-25	101A-25 SITE PLAN
101A-26	101A-26 SITE PLAN
101A-27	101A-27 SITE PLAN
101A-28	101A-28 SITE PLAN
101A-29	101A-29 SITE PLAN
101A-30	101A-30 SITE PLAN
101A-31	101A-31 SITE PLAN
101A-32	101A-32 SITE PLAN
101A-33	101A-33 SITE PLAN
101A-34	101A-34 SITE PLAN
101A-35	101A-35 SITE PLAN
101A-36	101A-36 SITE PLAN
101A-37	101A-37 SITE PLAN
101A-38	101A-38 SITE PLAN
101A-39	101A-39 SITE PLAN
101A-40	101A-40 SITE PLAN
101A-41	101A-41 SITE PLAN
101A-42	101A-42 SITE PLAN
101A-43	101A-43 SITE PLAN
101A-44	101A-44 SITE PLAN
101A-45	101A-45 SITE PLAN
101A-46	101A-46 SITE PLAN
101A-47	101A-47 SITE PLAN
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101A-51	101A-51 SITE PLAN
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101A-87	101A-87 SITE PLAN
101A-88	101A-88 SITE PLAN
101A-89	101A-89 SITE PLAN
101A-90	101A-90 SITE PLAN
101A-91	101A-91 SITE PLAN
101A-92	101A-92 SITE PLAN
101A-93	101A-93 SITE PLAN
101A-94	101A-94 SITE PLAN
101A-95	101A-95 SITE PLAN
101A-96	101A-96 SITE PLAN
101A-97	101A-97 SITE PLAN
101A-98	101A-98 SITE PLAN
101A-99	101A-99 SITE PLAN
101A-100	101A-100 SITE PLAN





FOR PLANNING APPLICATION ONLY
NOTE FOR CONSTRUCTION

FOR PLANNING APPLICATION ONLY
NOTE FOR CONSTRUCTION

[illegible]

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UNIT	
NEW RESIDENCE	
SASARAN HIGHWAY ST HELING, WAGANNA	
UNIT	
HALL WILL PTY LTD	
CONTRACT	
LEVATIONS	
PROJECT NO.	DRAWING NO.
918-07	24/8/20
	DWG 02

Nil.

MOTION:

A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:

That council re-assess and consider assuming responsibility for the maintenance of Terrys Hill Rd, which is a Crown Rd.

SUBMISSION IN SUPPORT OF MOTION:

This has been under discussion previously in approximately September 2014.

There are at least seven (7) homes on this road.

The road is now experiencing a large increase in traffic as it is used by shuttle companies and private mountain bikers to access pick up and drop off points for the Mountain Bike trails in the area.

Recent heavy rain has caused significant damage and the road is in very poor condition. During heavy rain the road resembled a river.

Pictures attached.



09/14.12.5 Maintenance of Non-Council Roads

ACTION	DECISION
PROPOSER	Council Officer
OFFICER	Stephen Yam, Manager Works and Infrastructure
FILE REFERENCE	032-005/016
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That Council approach Crown Land Services for approval for Council to maintain Terrys Hill Road for a distance of three (3) kilometres from the intersection of Terrys Hill Road and Lottah Road.

That Council approach Forestry Tasmania for approval for Council to maintain German Town Road from the intersection of German Town Road and Top Marshes Road to the intersection of German Town Road and Semmens Road.

INTRODUCTION:

Report Aims:

- To provide Council with information regarding roads that are not owned and maintained Council.
- To demonstrate the impact on residents when some of these roads are not maintained.

PREVIOUS COUNCIL CONSIDERATION:

Date: 1 September 2014.
 Location: Council Workshop.
 Recommendation: That Council maintain Terrys Hill Road (Goshen) and German Town Road (St Marys).

OFFICER'S REPORT:

Background

The table below lists roads within the municipality that are not owned by council:

Road	Locality	Road Authority	Approx No. of Homes on road
Terrys Hill Road	Goshen	Crown	7
Golden Gate Road	Mathinna	Forestry	0
Gunns Road	Mathinna	Forestry	0
Flagstaff Road	St Helens	Forestry	3
German Town Road (part of)	St Marys	Forestry	4

| 09/14.12.5 Maintenance of Non-Council Roads 93

Road	Locality	Road Authority	Approx No. of Homes on road
Mt Nicholas Road	St Marys	Forestry/SCDC	0
Semmens Road (S Road)	St Marys	Forestry	4
Top Marshes Road	St Marys	Forestry	0
Catos Road	Upper Scamander	Forestry	0
Logans Road	Upper Scamander	Forestry	0

Road Maintenance Complaints

There have been numerous complaints for the roads listed below

Road	Issues
Terrys Hill Road	<p>The road is in a untrafficable condition after an inspection by council staff.</p> <p>Although the road will be graded to be used as a bypass route for two (2) weeks in October 2014 during the closure of the Priory Road Bridge, council should consider the longer term impact.</p> <p>Council should consider maintenance of this road subject to approval by Crown Land Services.</p>
German Town Road	<p>The road is frequently reported to Council for maintenance, and Council does its best to both forward and encourage Forestry Tasmania to carry out maintenance. However Forestry will only maintain the road prior to and during harvesting operations. Forestry does not maintain roads for resident traffic.</p> <p>This particular road not only affects residents living on it, but impacts on residents living at German Town and further on Semmens Road, as this road serves as the only access road to services in St Marys and access to the Esk Main Road.</p> <p>Council should consider maintenance of this road subject to approval by Forestry Tasmania.</p>

Road Maintenance Standards

Council will maintain Terrys Hill Road to the same standard as council unsealed roads and will ensure Crown Land Services are aware if this.

Council will maintain German Town Road to the same standard as council unsealed roads and will ensure Forestry Tasmania is aware if this, in addition to adherence to Forestry Tasmania's work, health and safety policies and procedures. Council will however cease maintenance during harvesting operations as Forestry Tasmania will carry out road maintenance at those times.

| 09/14.12.5

Maintenance of Non-Council Roads

94

01/21.9.0

COUNCILLOR'S QUESTIONS ON NOTICE

Nil.

01/21.10.0

COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Regulation 29 of the Local Government (Meeting Procedures) Regulations 2005 specifies that in putting a Question Without Notice a Councillor must not offer an argument or opinion, draw any inference or make any imputations except so far as may be necessary to explain the question.

The Chairperson must not permit any debate of a Question without Notice or its answer.

01/21.11.0

MAYOR'S & COUNCILLOR'S COMMUNICATIONS

01/21.11.1

Mayor's Communications for Period Ending 18 January 2021

18.01.2021	St Helens	– Council Meeting
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01/21.11.2

Councillor's Reports for Period Ending 18 January 2021

This is for Councillors to provide a report for any Committees they are Council Representatives on and will be given at the Council Meeting.

- St Helens and Districts Chamber of Commerce and Tourism –Clr Margaret Osborne OAM
- NRM Special Committee – Clr Janet Drummond
- Barway Committee – Clr John McGiveron
- East Coast Tasmania Tourism (ECTT) – Clr Glenn McGuinness
- Mental Health Action Group – Clr Barry LeFevre
- Disability Access Committee – Clr Janet Drummond

01/21.12.0 BUSINESS AND CORPORATE SERVICES

01/21.12.1 Corporate Services Department Report

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Bob Hoogland, Manager Corporate Services
FILE REFERENCE	018\018\001\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which have been dealt with in the Business and Corporate Service Department since the previous Council Meeting.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:

OUTSTANDING REPORTS:

Motion Number	Meeting Date	Council Decision	Comments
12/20.12.6.232	21 December 2020	Request for Reduced Facility Hire Fee – Zumba - That this item be deferred.	Applicant advised of deferral.
12/20.12.7.233	21 December 2020	That Council approve waiving the facility hire fee by amending the lease agreement to include use of the stadium toilets without charge.	Lease agreement being amended.

COMPLETED REPORTS:

Motion Number	Meeting Date	Council Decision	Comments
12/20.12.5.230	21 December 2020	That Council receive the Budget Estimates 2020-2021 Review as at 30 September 2020 and the following variances be applied to the original 2020-2021 budget as set by Council.	Completed Budget amendments applied.
12/20.12.8.234	21 December 2020	That Policy AM01 Asset Recognition and Depreciation as amended be adopted.	Completed Policy amended on documents and on website.
12/20.16.2.241	21 December 2020	That Council adopt the following fees and charges for Event and Activity Space Hire at the Flagstaff Trail Head as per the Council Minute.	Completed Fees * Charges being amended.

Corporate Services Staffing and Other Activities:

Corporate Services staff generally were on leave during the office closure with only a few extra days taken by one or two staff.

Rate revenues, as identified in the statistics, are operating normally. The reminders for the third rate instalment (due 2 February 2021) were due to be sent in early January. The rates data was forwarded to prepare these for sending so this should have happened during the office closure and will now have been forwarded by email or post as preferred by the rate payer.

During November and December, we had significant problems with IT services to the Depot, with the microwave tower connection between the Depot and the main office compromised. The tower on the depot was replaced during December which not only resolved the problem but improvements in the technology being used should see improvements in the IT services at the depot.

Meetings Attended:

Limited face to face Corporate Services team meetings and manager-team member meetings

With Rates Administration Officer, met with a representative of Tasmanian Collection Services, discussing the status of debt collection actions. In general, it is considered that debt collection activities were very satisfactory in 2020 and it is possible that the Commonwealth Governments COVID support activities may have resulted in improved debt repayments.

Other Issues:

Investments – Term Deposits

BENDIGO:

\$1,003,498.88	0.35%	Maturing 08/02/2021
\$1,006,847.17	0.35%	Maturing 16/02/2021
\$1,000,000.00	0.30%	Maturing 04/03/2021
\$1,001,371.23	0.30%	Maturing 09/03/2021
\$1,009,610.60	0.30%	Maturing 11/03/2021
\$1,009,530.68	0.30%	Maturing 11/03/2021

CBA:

\$1,010,647.52	0.35%	Maturing 04/02/2021
\$1,014,217.34	0.35%	Maturing 22/02/2021
\$2,005,982.53	0.35%	Maturing 24/02/2021

Right to Information (RTI) Requests

An RTI request was received in September 2020 and satisfied in October 2020. There has been since a further request from the applicant to supply more detailed breakdown of this information. This is currently being worked through.

Another request was received in October and satisfied in November. A request for an internal review of the information supplied has been received upon the office reopening in 2021 and will be reviewed by the General Manager.

132 and 337 Certificates

	132	337
December 2020	82	44
November 2020	104	58
December 2019	50	29

The municipality is still receiving high numbers in property sales for 2020.

Debtors/Creditors @ 6 January 2021

DEBTORS INFORMATION

Invoices Raised

Current			Previous Year	
Month	Mth Value	YTD 20/21	Month	YTD 19/20
38	\$38,825.00	377	85	443

CREDITORS INFORMATION

Payments Made

Current			Previous Year	
Month	Mth Value	YTD 20/21	Month	YTD 19/20
274	\$916,742.00	2248	490	2373

Work Health & Safety Coordinator

Officer on leave at time of reporting.

RATES INFORMATION as at 7 January 2021						
This financial Year						
2020/2021	Rates Levied	Additional Rates (Sup Val)	Total Rates	Penalties	Interest	Rate Remissions
General	7,388,664.92	65,938.25	7,454,603.17	25,851.76	12,448.24	157,035.27
Waste	1,226,004.00	5,044.58	1,231,048.58			
Wheelie	452,119.20	3,489.00	455,608.20			
Recycling	253,536.00	664.47	254,200.47			
Fire	364,983.85	1,022.00	366,005.85			
TOTAL	9,685,307.97	76,158.30	9,761,466.27	25,851.76	12,448.24	157,035.27
Last Financial Year						
2019/2020	Rates Levied	Additional Rates (Sup Val)	Total Rates	Penalties	Interest	Rate Remissions
General	7,313,018.65	70,600.51	7,383,619.16	27,744.69	19,128.37	61,921.83
Waste	1,186,206.00	6,354.50	1,192,560.50			
Wheelie	429,934.75	3,744.51	433,679.26			
Recycling	242,865.00	1,091.51	243,956.51			
Fire	365,043.55	1,101.26	366,144.81			
TOTAL	9,537,067.95	82,892.29	9,619,960.24	27,744.69	19,128.37	61,921.83
Instalments						
2020/2021		Instalment \$	Outstanding \$	Outstanding %		
8 September 2020	Instalment 1	2,422,220.97	73,818.22	3.05%		
10 November 2020	Instalment 2	2,421,029.00	113,941.23	4.71%		
2 February 2021	Instalment 3	2,421,029.00	844,342.77	34.88%		
4 May 2021	Instalment 4	2,421,029.00	891,765.97	36.83%		
	TOTAL:	9,685,307.97	1,923,868.19	19.86%		
2019/2020						
		Instalment \$	Outstanding \$	Outstanding %		
10 September 2019	Instalment 1	2,382,877.95	65,238.47	2.74%		
12 November 2019	Instalment 2	2,384,730.00	129,120.82	5.41%		
4 February 2020	Instalment 3	2,384,730.00	911,621.14	38.23%		
5 May 2020	Instalment 4	2,384,730.00	966,103.81	40.51%		
	TOTAL:	9,537,067.95	2,072,084.24	21.73%		
Discount						
	Discount	No. of	Total Ratable	% of total		
2020/2021	157,878.93	3,475	6,476	53.66%		
2019/2020	145,747.62	3,272	6,461	50.64%		

STRATEGIC PLAN & ANNUAL PLAN:

Strategic Plan 2017-2027

Goal

Services – To have access to quality services that are responsive to the changing needs of the community and lead to improved health, education and employment outcomes.

Strategy

- Work collaboratively to ensure services and service providers are coordinated and meeting the actual and changing needs of the community.
- Ensure Council services support the betterment of the community while balancing statutory requirements with community and customer needs.

LEGISLATION & POLICIES:

Nil.

BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple Majority.

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Manager Corporate Services, Bob Hoogland
FILE REFERENCE	018\018\001\
ASSOCIATED REPORTS AND DOCUMENTS	Financial Reports

OFFICER'S RECOMMENDATION:

That the following reports for the month ending 31 December 2020 be received:

1. Trading Account Summary
2. Income Statement
3. Profit and Loss Statements
4. Financial Position
5. Cash Flow
6. Capital Expenditure

INTRODUCTION:

Presented to Council are the monthly financial statements.

PREVIOUS COUNCIL CONSIDERATION:

Council considers financial reports on a monthly basis.

OFFICER'S REPORT:

The financial statements as shown below show the financial position of Council as at 31 December 2020.

Trading Account Summary

Council's current position for the month ending 31 December is summarised as follows:-

CASH AT BEGINNING OF PERIOD	11,298,132
TOTAL INCOME FOR PERIOD	2,320,609
TOTAL AVAILABLE FUNDS	13,618,741
LESS TOTAL EXPENDITURE	2,052,272
CASH AT END OF PERIOD	11,566,469
OUTSTANDING SUNDRY DEBTORS 60 DAYS & OVER	7,142

N.B. Cashflows in the short term are not equivalent to accounting surplus or deficit and therefore cash flows in the above statement will not necessarily equal figures shown elsewhere in this report.

Income Statement				
2020-2021				
	2019-2020 Actual	Year to Date Actual	Year to Date Budget	2020-2021 Estimate
INCOME				
Rates and Charges	9,850,188	9,689,706	9,643,408	9,730,958
User Charges	1,099,845	421,574	382,476	830,591
Grants	3,078,651	781,167	766,926	3,000,411
Other Income	420,306	161,053	82,667	152,000
Investment Income	406,309	25,151	71,500	344,000
Total Income	14,855,299	11,078,651	10,946,976	14,057,960
Capital Income				
Capital grants	5,220,216	2,730,462	767,000	4,091,000
Profit or Loss on Sale of Assets	(318,269)	5,500	-	25,000
Total Income	19,757,246	13,814,613	11,713,976	18,173,960
EXPENSES				
Employee Expenses	4,539,148	2,620,616	2,756,198	5,512,396
Materials and Services	4,215,435	2,476,775	2,402,511	4,561,591
Depreciation and amortisation	3,732,684	1,745,061	1,827,847	3,659,093
Other expenses	1,584,106	468,713	530,856	857,586
Total Expenses	14,071,373	7,311,165	7,517,411	14,590,665
FAGs in advance				
Net Operating Surplus\ (Deficit)	783,926	3,767,485	3,429,565	(532,705)
Net Surplus\ (Deficit)	5,685,873	6,503,447	4,196,565	3,583,295

Profit & Loss Statement							
2020-2021							
		Month Actual	Year to Date Actual	Year to Date Budget	2020-2021 Budget	% of Annual Budget used	Comments
1600	Revenues						
1611	General Rate	-	7,454,603	7,389,216	7,389,216	101%	
1612	Waste Charges	-	1,231,049	1,226,004	1,226,004	100%	
1613	Fire Levy	-	366,006	364,927	364,927	100%	
1614	Tips & Transfer Stations	10,850	86,119	87,550	175,100	49%	
1615	Recycling Charges	-	254,200	253,592	253,592	100%	
1616	Early Settlement Discounts	-	(157,879)	(130,000)	(130,000)	121%	
1617	Wheelie Bin Charges	30	455,608	452,119	452,119	101%	
	Total Rates	10,880	9,689,706	9,643,408	9,730,958	100%	
	Environmental Health						
1622	Inspection Fees	-	-	3,000	6,000	0%	
1623	Health/Food Licence Fees and Fines	150	450	1,000	14,000	3%	
1624	Immunisations	-	-	-	1,000	0%	
	Total Environmental Health	150	450	4,000	21,000	2%	
	Municipal Inspector						
1631	Kennel Licences	-	(30)	-	1,200	-3%	
1632	Dog Registrations	215	8,307	7,000	50,100	17%	
1633	Dog Impoundment Fees & Fines	223	491	1,250	2,500	20%	
1634	Dog Replacement Tags	5	90	-	-		
1635	Caravan Fees and Fines	(129)	63,957	50,000	50,000	128%	
1636	Fire Abatement Charges	-	-	1,000	2,000	0%	
1637	Infringement Notices	172	1,350	8,750	17,500	8%	
	Total Municipal inspector	485	74,165	68,000	123,300	60%	
	Building Control Fees						
1641	Building Fees	100	5,430	15,000	30,000	18%	
1642	Plumbing	6,355	20,075	25,000	50,000	40%	
1643	Building Search Fees	-	-	600	1,200	0%	
1644	Permit Administration	6,375	17,000	17,500	35,000	49%	
1645	Building Inspections	7,445	25,027	20,000	40,000	63%	
1647	Certificates of Likely Compliance	6,000	18,995	11,000	22,000	86%	
1651	Development Application Fees	8,254	48,567	25,000	50,000	97%	
1653	Subdivision Fees	600	900	1,750	3,500	26%	
1654	Advertising Fee	6,800	48,825	25,000	50,000	98%	

		Month Actual	Year to Date Actual	Year to Date Budget	2020-2021 Budget	% of Annual Budget used	Comments
1655	Adhesion Orders	-	-	250	500	0%	
1656	Engineering Fees	856	4,708	1,000	2,000	235%	
	Total Planning And Building Control Fees	42,785	189,527	142,100	284,200	67%	
	Government Fees Levies						
1661	B.C.I Training Levy	6,474	18,856	15,000	30,000	63%	
1662	Building Permit Levy	3,237	9,428	8,500	17,000	55%	
1663	132 & 337 Certificates	14,181	60,070	40,000	80,000	75%	
1664	Section 137 Property Sales	(1,879)	781	-	-		
1666	Right to Information	-	81	-	-		
	Total Government Fees Levies	22,013	89,216	63,500	127,000	70%	
	Investment Income						
1671	Interest Income	5,197	25,151	71,500	150,000	17%	
1676	Dividends - TasWater	-	-	-	194,000	0%	
	Total Investment Income	5,197	25,151	71,500	344,000	7%	
	Sales Hire and Commission						
1681	Sales	2,702	15,653	42,108	127,600	12%	
1682	Commission	3,653	7,782	7,618	16,491	47%	
1684	Facilities and Hall Hire	3,649	15,615	18,150	55,000	28%	
1685	Facilities Leases	2,915	29,165	36,500	75,000	39%	
1687	History Room Other Income	-	-	500	1,000	0%	
	Total Sales Hire and Commission	12,919	68,216	104,876	275,091	25%	
	Other Income						
1761	Late Payment Penalties inc Interest	2,005	36,497	56,667	100,000	36%	
1765	Private Works	354	70,884	10,000	20,000	354%	Construction of Cunningham St Jetty
1766	Cemetery	-	5,418	12,500	25,000	22%	
1767	Contributions	-	1,177	-	-		
1768	Miscellaneous Income	6	52	-	-		
	Total Other Income	2,365	114,028	79,167	145,000	79%	
	Reimbursements						
1773	Workers Comp. Recoveries	-	-	1,000	2,000	0%	
1775	Roundings	-	(135)	-	-		
1776	Miscellaneous Reimbursements	9,129	15,834	2,500	5,000	317%	

		Month Actual	Year to Date Actual	Year to Date Budget	2020-2021 Budget	% of Annual Budget used	Comments
1778	GST free reimbursements	1,533	31,325	-	-		
	Total Reimbursements	10,662	47,024	3,500	7,000	672%	
	Gain or Loss on Sale of Assets						
1781	Profit or Loss on Sale of Assets	-	5,500	-	25,000	22%	
	Total Gain or Loss on Sale of Assets	-	5,500	-	25,000	22%	
	Grant Income						
	Operating Grants			-			
1792	Financial Assistance Grant	-	710,036	746,926	2,980,411	24%	
1794	State Grants - Other	25,000	51,100	-	-		
1794	Learner Driver Mentor Grant		20,032	20,000	20,000	100%	
	Total Operating Grants	25,000	781,167	766,926	3,000,411	26%	
	Capital Grants						
1791	Roads to Recovery	(936,297)	647,436	267,000	971,000	67%	
1791	DCF Round 2 Projects	-	500,000	500,000	1,000,000	50%	
1791	CDG Georges Bay Walking Trail	1,260,000	1,260,000		2,100,000	60%	
1791	Turf Mower	-	-	-	20,000	0%	
1791	Other Grants	-	166,276	-			
1793	Skyline Drive Junction	6,750	156,750				
	Total Capital Grants	330,453	2,730,462	767,000	4,091,000	67%	
	Total Revenue	462,909	13,814,613	11,713,976	18,173,960	76%	
	Expenses						
	Employee Costs						
1811	Salaries and Wages	285,031	1,804,865	1,895,506	3,791,012	48%	
1812	On Costs	121,227	782,538	841,922	1,683,844	46%	
1813	Overtime Payments	,159	33,214	18,770	37,540	88%	
	Total Employee Costs	412,417	2,620,616	2,756,198	5,512,396	48%	
	Energy Costs						
1851	Electricity	3,048	61,518	71,742	143,875	43%	
	Total Energy Costs	3,048	61,518	71,742	143,875	43%	
	Materials and Contracts						
1861	Advertising	-	38,867	24,250	48,500	80%	
1863	Bank Charges - GST	2,287	15,829	12,100	24,200	65%	

		Month Actual	Year to Date Actual	Year to Date Budget	2020-2021 Budget	% of Annual Budget used	Comments
1864	Books Manuals Publications	55	697	2,045	4,090	17%	
1865	Catering	1,236	4,311	7,200	14,400	30%	
1866	Bank Charges - FREE	47	304	500	1,000	30%	
1867	Computer Hardware Purchase	3,006	9,516	6,000	12,000	79%	
1869	Computer Internet Charges	-	-	1,000	2,000	0%	
1870	Computer Licence and Maintenance Fees	6,003	135,945	133,650	205,000	66%	
1872	Corporate Membership	-	66,304	115,790	144,790	46%	
1873	Debt Collection	-	5,795	8,000	16,000	36%	
1876	Stock Purchases for Resale	1,924	6,351	37,500	45,000	14%	
1890	Equipment Hire and Leasing	1,280	11,697	19,250	38,500	30%	
1891	Equipment Maintenance and Minor Purchases	-	1,025	5,850	11,700	9%	
1893	Internet Billpay Costs	-	4,457	3,500	7,000	64%	
1895	Licensing and Licence Costs	411	29,896	15,000	39,379	76%	
1896	Land and Building Rental or Leasing Costs	3,625	32,954	9,000	9,000	366%	Quail & Cecilia Sts carpark lease
1897	Materials	11,205	197,454	167,722	335,445	59%	
1898	Phone Calls Rental Fax	3,037	17,496	19,545	39,090	45%	
1899	Postage/Freight	335	13,353	11,505	23,010	58%	
1900	Printing/Laminating	-	-	2,500	5,000	0%	
1901	Property Insurance	-	127,186	100,000	109,300	116%	
1902	Room Hire	30	1,093	625	1,250	87%	
1904	Royalties and Production Licences	-	-	2,500	5,000	0%	
1905	Stationery	3,576	9,026	8,250	16,500	55%	
1906	Water and Property rates Payable	14,563	40,753	64,980	105,800	39%	
	Total Materials and Contracts	52,618	770,310	778,262	1,262,954	61%	
	Contractor Costs						
1971	Contractors	70,928	425,794	396,150	792,300	54%	
1972	Cleaning Contractors	2,430	94,611	94,865	189,730	50%	
1973	Waste Management Contractors	185	458,322	548,596	1,135,788	40%	
	Total Contractor Costs	73,543	978,728	1,039,611	2,117,818	46%	
	Professional Fees						
1992	Audit Fees	-	14,340	22,672	40,000	36%	
1993	Legal Fees	-	19,181	13,000	26,000	74%	
	Internal Audit Fees	1,744	10,753	3,250	6,500	165%	

		Month Actual	Year to Date Actual	Year to Date Budget	2020-2021 Budget	% of Annual Budget used	Comments
1995	Revaluation Fees- Municipal only	-	8,850	14,000	28,000	32%	
1997	Professional Fees - Strategic Projects	-	-	-	70,000	0%	
1998	Other Professional Fees	29,587	155,415	127,350	254,700	61%	
	Total Professional Fees	31,331	208,539	180,272	425,200	49%	
	Plant Hire						
2101	Plant Hire - Internal	79,773	387,744	258,150	516,300	75%	
2102	Plant Hire - External	977	2,389	2,750	5,500	43%	
2103	Registration and MAIB	-	40,429	39,672	39,672	102%	
2104	Insurance Premiums	-	25,431	41,773	41,773	61%	
2105	Plant Repairs and Maintenance	27,618	149,453	56,000	112,000	133%	
2140	Plant Hire Recovered	(84,893)	(423,901)	(360,000)	(720,000)	59%	
2141	Fuel	51	62,309	82,250	164,500	38%	
2142	Fuel Credit	-	(7,163)	(7,500)	(15,000)	48%	
	Total Plant Hire	23,527	236,691	113,095	144,745	164%	
	Government Fees and Levies						
2255	Fire Levy	91,232	182,463	182,529	365,186	50%	
2257	Building Permit Levy	-	5,410	7,500	15,000	36%	
2258	Land Tax	871	19,606	14,500	56,813	35%	
2259	Training Levy	-	13,510	15,000	30,000	45%	
	Total Government Fees and Levies	92,102	220,989	219,529	466,999	47%	
	Depreciation						
2305	Depreciation Buildings	-	99,159	118,161	236,323	42%	
2306	Depreciation Roads and Streets	152,167	913,002	913,000	1,826,000	50%	
2307	Depreciation Bridges	38,050	228,300	228,300	456,600	50%	
2308	Depreciation Plant & Equipment	-	178,082	205,434	410,868	43%	
2310	Depreciation Stormwater Infrastructure	27,658	165,948	165,948	331,896	50%	
2311	Depreciation Furniture	-	59,721	78,703	157,405	38%	
2312	Depreciation Land Improvements	1,750	90,048	107,501	215,001	42%	
2313	Amortisation of Municipal Valuation	1,800	10,800	10,800	25,000	43%	
	Total Depreciation	221,425	1,745,061	1,827,847	3,659,093	48%	

		Month Actual	Year to Date Actual	Year to Date Budget	2020-2021 Budget	% of Annual Budget used	Comments
	Other Expenses						
2401	Interest Payable	131,972	158,127	181,177	335,328	47%	
2403	Bad & Doubtful Debts	-	249		-		
2404	Grants and Community Support Given	13,227	34,455	100,100	179,100	19%	
2405	Rate Remissions	-	157,035	156,000	156,000	101%	Includes \$99k Covid19 rate relief
2407	Waiver of Fees and Lease etc	1,067	4,491	-	-		
2408	Refunds/Reimbursements	4,545	24,545	-	-		
2409	Council Member Expenses	105	3,252	9,000	18,000	18%	
2410	Council Member Allowances	14,643	86,559	84,579		51%	
	Total Other Expenses	165,559	468,713	530,856	857,586	55%	
	Total Expenses	1,075,570	7,311,165	7,517,411	14,590,665	50%	
	Net Surplus\ (Deficit) before Capital amounts	(943,114)	3,767,485	3,429,565	(532,705)		
	Capital Grants	330,453	2,730,462	767,000	4,091,000		
	Profit or Loss on Sale of Assets	-	5,500	-	25,000		
	Net Surplus\ (Deficit)	(612,661)	6,503,447	4,196,565	3,583,295		

Profit And Loss Statement				
2020-2021				
	Month Actual	Year to Date Actual	2020-2021 Budget	Comments
Business and Corporate Services				
Total Government Fees Levies	-	81	-	
Total Investment Income	5,197	25,151	344,000	
Total Sales Hire and Commission	-	16	6,000	
Total Reimbursements	40	1,701	-	
Total Revenue	5,237	26,948	350,000	
Total Employee Costs	45,878	362,393	817,408	
Total Energy Costs	-	-	5,800	
Total Materials and Contracts	14,819	316,412	497,450	
Total Contractor Costs	191	1,700	7,900	
Total Professional Fees	2,284	6,281	10,500	
Total Plant Hire	237	6,847	13,573	
Total Government Fees and Levies	-	-	180	
Total Depreciation	1,800	54,541	157,064	
Total Other Expenses	-	345	-	
Total Expenses	65,210	748,520	1,509,875	
Net Surplus\ (Deficit) before Capital Income	(59,973)	(721,572)	(1,159,875)	
Net Surplus\ (Deficit)	(59,973)	(721,572)	(1,159,875)	
Development Services				
Total Environmental Health	150	450	21,000	
Total Municipal inspector	(129)	63,957	59,500	
Total Planning And Building Control Fees	56,929	199,605	282,200	
Total Government Fees Levies	23,892	88,355	127,000	
Total Sales Hire and Commission	-	453	1,300	
Total Operating Grants	25,000	25,000	-	
Total Revenue	105,842	377,820	491,000	
Total Employee Costs	60,134	393,755	841,637	
Total Materials and Contracts	1,109	22,675	50,910	
Total Contractor Costs	-	1,042	10,000	
Total Professional Fees	20,584	82,709	142,700	
Total Plant Hire	454	5,105	8,807	
Total Government Fees and Levies	-	18,920	45,000	
Total Depreciation	-	7,711	19,740	
Total Other Expenses	5,100	7,410	34,500	
Total Expenses	87,381	539,327	1,153,293	
Net Surplus\ (Deficit) before Capital Income	18,461	(161,507)	(662,293)	
Net Surplus\ (Deficit)	18,461	(161,507)	(662,293)	

	Month Actual	Year to Date Actual	2020-2021 Budget	Comments
Community Services				
Total Other Income	-	1,177	-	
Total Reimbursements	-	2,008	-	
Total Operating Grants	-	40,032	20,000	
Total Capital Grants	(323,703)	(160,406)	2,100,000	
Total Revenue	(323,703)	(117,189)	2,120,000	
Total Employee Costs	19,706	124,437	281,043	
Total Materials and Contracts	418	3,682	26,950	
Total Contractor Costs	-	25,000	30,000	
Total Professional Fees	-	-	10,000	
Total Plant Hire	909	9,762	12,744	
Total Depreciation	-	5,897	16,212	
Total Other Expenses	13,227	54,455	144,600	
Total Expenses	34,260	223,233	521,549	
Net Surplus\ (Deficit) before Capital Income	(34,260)	(180,016)	(501,549)	
Net Surplus\ (Deficit)	(357,963)	(340,422)	1,598,451	
Works and Infrastructure				
Total Rates	10,880	2,026,976	2,106,815	
Total Municipal inspector	614	10,208	63,800	
Total Planning And Building Control Fees	856	4,922	2,000	
Total Sales Hire and Commission	6,564	45,163	175,000	
Total Other Income	361	76,354	45,000	
Total Reimbursements	9,129	13,615	2,000	
Total Gain or Loss on Sale of Assets	-	5,500	25,000	
Total Operating Grants	-	416,809	1,608,892	
Total Capital Grants	654,156	2,387,889	1,991,000	
Total Revenue	682,560	4,987,436	6,019,507	
Total Employee Costs	215,288	1,288,886	2,682,349	
Total Energy Costs	3,048	58,407	133,075	
Total Materials and Contracts	30,606	307,175	493,444	
Total Contractor Costs	73,352	943,760	2,065,068	
Total Professional Fees	1,300	30,178	44,000	
Total Plant Hire	21,812	209,899	99,978	
Total Government Fees and Levies	871	18,458	52,354	
Total Depreciation	219,625	1,661,899	3,442,005	
Total Other Expenses	132,484	163,019	335,328	
Total Expenses	698,385	4,681,681	9,347,600	
Net Surplus\ (Deficit) before Capital Income	(669,981)	(2,082,135)	(5,319,094)	
Net Surplus\ (Deficit)	(15,825)	305,754	(3,328,094)	

	Month Actual	Year to Date Actual	2020-2021 Budget	Comments
Visitor Information Centre				
Total Sales Hire and Commission	2,705	14,819	79,500	
Total Revenue	2,705	14,819	79,500	
Total Employee Costs	12,687	81,760	138,312	
Total Energy Costs	-	3,111	5,000	
Total Materials and Contracts	4,162	23,536	51,700	
Total Contractor Costs	-	5,845	4,850	
Total Plant Hire	80	415	-	
Total Government Fees and Levies	-	459	1,600	
Total Depreciation	-	8,513	8,472	
Total Expenses	16,929	123,639	209,934	
Net Surplus\ (Deficit) before Capital Income	(14,224)	(108,820)	130,434	
Net Surplus\ (Deficit)	(14,224)	(108,820)	130,434	
Governance and Members Expenses				
Total Rates	-	7,662,730	7,624,143	
Total Government Fees Levies	(1,879)	781	-	
Total Sales Hire and Commission	3,649	7,765	13,291	
Total Other Income	2,005	36,497	100,000	
Total Reimbursements	1,493	29,701	5,000	
Total Operating Grants	-	299,326	1,371,520	
Total Capital Grants	-	502,979	-	
Total Revenue	5,268	8,539,779	9,113,954	
Total Employee Costs	58,724	369,386	751,646	
Total Materials and Contracts	1,503	96,830	142,500	
Total Contractor Costs	-	1,380	-	
Total Professional Fees	7,164	89,370	218,000	
Total Plant Hire	34	4,663	9,645	
Total Government Fees and Levies	91,232	183,152	367,865	
Total Depreciation	-	6,500	15,600	
Total Other Expenses	14,748	243,485	343,158	
Total Expenses	173,405	994,766	1,848,414	
Net Surplus\ (Deficit) before Capital Income	(168,137)	7,042,034	7,265,539.19	
Net Surplus\ (Deficit)	(168,137)	7,545,013	7,265,539	

	Month Actual	Year to Date Actual	2020-2021 Budget	Comments
Council Total				
Total Rates	10,880	9,689,706	9,730,958	
Total Environmental Health	150	450	21,000	
Total Municipal inspector	485	74,165	123,300	
Total Planning And Building Control Fees	57,785	204,527	284,200	
Total Government Fees Levies	22,013	89,216	127,000	
Total Investment Income	5,197	25,151	344,000	
Total Sales Hire and Commission	12,919	68,216	275,091	
Total Other Income	2,365	114,028	145,000	
Total Reimbursements	10,662	47,024	7,000	
Total Gain or Loss on Sale of Assets	-	5,500	25,000	
Total Operating Grants	25,000	781,167	3,000,411	
Total Capital Grants	330,453	2,730,462	4,091,000	
Total Revenue	477,909	13,829,613	18,173,960	
Total Employee Costs	412,417	2,620,616	5,512,396	
Total Energy Costs	3,048	61,518	143,875	
Total Materials and Contracts	52,618	770,310	1,262,954	
Total Contractor Costs	73,543	978,728	2,117,818	
Total Professional Fees	31,331	208,539	425,200	
Total Plant Hire	23,527	236,691	144,745	
Total Government Fees and Levies	92,102	220,989	466,999	
Total Depreciation	221,425	1,745,061	3,659,093	
Total Other Expenses	165,559	468,713	857,586	
Total Expenses	1,075,570	7,311,165	14,590,665	
Net Surplus\ (Deficit) before Capital Income	(928,114)	3,787,985	(532,705)	
Capital Income	330,453	2,730,462	4,116,000	
Net Surplus\ (Deficit)	(597,661)	6,518,447	3,583,295	

Financial Position					
2020-2021					
	2019-2020 Actual	Year to Date Actual	Year to Date Budget	2020-2021 Budget	Comments
Current Assets					
Cash	10,256,813	11,562,230	8,497,357	3,737,243	
Receivables	1,093,391	2,410,766	2,580,075	750,000	
Inventories	63,905	200,542	120,000	120,000	
Other Current Assets	60,433	99,560	45,000	45,000	
Total Current Assets	11,474,542	14,273,098	11,242,431	4,652,243	
Non Current Assets					
Property Plant and Equipment	154,921,761	157,972,051	157,890,401	148,149,134	
Investment in TasWater	34,537,566	29,582,956	29,582,956	38,672,525	
Other Non Current Assets	176,326	63,800	95,000	95,000	
Total Non -Current Assets	189,635,653	187,618,807	187,568,357	186,916,659	
Total Assets	201,110,195	201,891,905	198,810,789	191,568,902	
Current Liabilities					
Payables	1,548,015	1,559,909	1,284,964	950,000	
Interest Bearing and Other Liabilities	368,056	183,226	183,226	356,256	
Contract Liabilities	344,516	-	-		Grants & Rates in advance
Provisions	829,258	849,537	853,572	853,572	
Total Current Liabilities	3,089,845	2,592,673	2,321,762	2,159,828	
Non Current Liabilities					
Interest Bearing and Other Liabilities	8,169,452	8,169,452	8,169,452	8,128,118	
Provisions	549,757	549,756	569,414	569,414	
Total Non Current Liabilities	8,719,209	8,719,208	8,738,866	8,697,532	
Total Liabilities	11,809,054	11,311,880	11,060,628	10,857,360	
Net Assets	189,301,141	190,580,025	187,750,161	180,711,542	
EQUITY					
Accumulated surplus	38,895,988	38,629,002	35,799,138	34,862,149	
Asset revaluation reserve	149,925,764	151,471,634	151,471,634	145,384,764	
Other reserves	479,389	479,389	479,389	464,629	
TOTAL EQUITY	189,301,141	190,580,025	187,750,161	180,711,542	
Other Reserves - detailed separately	479,389	479,389	479,389	464,628	
Employee Provisions	1,379,015	1,399,293	1,422,986	1,422,986	
Unallocated accumulated surplus	8,398,409	9,683,548	6,594,982	1,849,629	
Total cash available	10,256,813	11,562,230	8,497,357	3,737,243	
Note: This reflects the cash position and does not include Payables and Receivables					

Other Reserves				
2020-2021				
	Other Reserves 1/7/20	Reserves new 2020-2021	Reserves used 2020-2021	Remaining 30/6/2021
Public Open Space				
Binalong Bay	3,362			3,362
Ansons Bay	4,907			4,907
Beaumaris	2,229			2,229
Scamander	3,750			3,750
St Helens	26,242			26,242
St Marys	32,509			32,509
Stieglitz	6,752			6,752
Total Public Open Space	79,751	-	-	79,751
General Reserves				
Community Development	12,500			12,500
Fingal Tennis Court	14,500			14,500
137 Trust Seizures	372,638	-		372,638
Total General Reserves	399,638	-	-	399,638
Total Other Reserves	479,389	-	-	479,389

Estimated Cash Flow

2020-2021

	2019-2020 Actual	Year to Date Actual	Year to Date Budget	2020-2021 Budget	Comments
CASH FLOWS FROM OPERATING ACTIVITIES					
RECEIPTS					
Operating Receipts	14,993,252	10,484,322	8,495,848	14,057,960	
PAYMENTS					
Operating payments	(10,478,245)	(6,959,335)	(5,465,786)	(10,931,572)	
NET CASH FROM OPERATING	4,515,007	3,524,987	3,030,062	3,126,388	
CASH FLOWS FROM INVESTING ACTIVITIES					
RECEIPTS					
Proceeds from sale of Plant & Equipment	18,363	5,500	-	25,000	
PAYMENTS					
Payment for property, plant and equipment	(8,021,282)	(4,796,487)	(5,397,473)	(10,794,945)	
Capital Grants	5,405,286	2,730,462	767,000	4,091,000	
Payments for financial assets	-				
NET CASH FROM INVESTING ACTIVITIES	(2,597,633)	(2,060,525)	(4,630,473)	(6,678,945)	
CASH FLOWS FROM FINANCING ACTIVITIES					
RECEIPTS					
Proceeds from borrowings	-	-	-	-	
PAYMENTS					
Repayment of borrowings	(340,941)	(173,030)	(173,030)	(356,256)	
Repayment of Lease Liabilities	(11,800)				
NET CASH FROM FINANCING ACTIVITIES	(352,741)	(173,030)	(173,030)	(356,256)	
NET INCREASE (DECREASE) IN CASH HELD	1,564,633	1,291,433	(1,773,440)	(3,908,813)	
CASH AT BEGINNING OF YEAR	8,692,180	10,270,797	10,270,797	7,646,056	
CASH AT END OF PERIOD	10,256,813	11,562,230	8,497,357	3,737,243	

Capital Expenditure							
2020-2021							
Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
	PLANT & EQUIPMENT						
	Replacement of the following vehicles						
CI010	John Deere Turf Mower	4,873	4,873		40,000	40,000	Requires co-funding from SHFC
CH020	Skoda Karoq SL 2.01 TSI	38,866	38,866				Purchased Dec 2020 No trade
CH048	Garbage truck	-	-	(370,000)	370,000	-	Purchased June 2020
CH049	2nd hand back up garbage truck		131,735		120,000	120,000	Budget workshop 1/6/20
CI015	1226 Ute 2WD Tipper	-	-		30,000	30,000	
CI020	1316 Maintenance Van - Building Mtce Officer		50,424		45,000	45,000	
CI025	1294 Dual Cab Ute 4WD	-	-		40,000	40,000	
CI005	Small Plant - VARIOUS		33,836		42,000	42,000	
	TOTAL PLANT & EQUIPMENT	43,739	259,733	(370,000)	687,000	317,000	
	FURNITURE & IT						
CI070	Additional sit down/stand up desks	-	-		2,500	2,500	
CI055	IT - Server Upgrades 2020/21		28,826		25,000	25,000	
CI075	Council Chambers New Furniture	-	-		15,000	15,000	\$8700 to CI065 as advised 12 Aug 2020
CI060	Desktop/Laptops/Monitors 2020/21		12,063		10,000	10,000	
CI065	Printers/Copiers - Main Office		10,485		12,000	12,000	
	History Room acquisition reserve	-	-		1,000	1,000	
CH075	Town Christmas Decorations		4,959			-	
CD730	Hall Furniture Replacement	-	-	3,000		3,000	
CI080	Microwave Tower	16,865	16,865			-	
CH065	Audio visual equip		5,395			-	Chamber
	TOTAL FURNITURE & IT	16,865	78,593	3,000	65,500	68,500	
	BUILDINGS						
CC730 A	Old Tasmanian Hotel - Lift	479	167,676		213,000	213,000	DCF Round 2 Potential Project
CC730	Old Tasmanian Hotel Upgrades in Accordance with Conservation Mgt Plan		19,220		25,000	25,000	Annual commitment to Heritage upgrades and renovations
CI705	St Helens Works Depot		8,778		20,000	20,000	New 6m X 6m store building for Community Services
CI710	St Marys Railway Station Upgrades	-	-		25,000	25,000	Upgrades to Building to be scoped out

Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
CI715	BBQ Shelter - St Marys Community Space		2,498			-	as requested by JJ & JB
CH730	Portland Hall Upgrades		42,635	34,610	50,000	84,610	Electrical Upgrades, Replace Western Facing Windows & Storage room alterations
CE770	Workspace Renovations - History Rooms	-	-	27,270		27,270	
CF705	Weldborough Amenities	-	-	124,400		124,400	
CH705	Install 1 X Bus Shelter - High St, Mathinna	-	-			-	As per community consultation in April 2018
CH735	Fingal Park Shelter	-	-			-	As per community consultation in April 2018
CH710	St Helens Waste Transfer Station Tip Shop	-	-			-	New Addition to Tip Shop
CH715	Fingal Sports Complex - Toilet Addition	-	-			-	As per community consultation in April 2018
CH720	Four Mile Creek Community Hub	-	-	57,880		57,880	FOFMC
CH725	Break O Day Community Stadium - Upgrades		22,788	30,000		30,000	Roof Replacement to original amenities section
CG725	Scamander Sports Complex Disabled Toilet & Improvements	-	-			-	
	TOTAL BUILDINGS	479	263,595	274,160	333,000	607,160	
	PARKS, RESERVES & OTHER						
CX805*	St Marys Sports Complex (DA 129-20)	7,012	32,431		45,000	45,000	DCF Funding - New Implement and Buggy Shed exCI805
CX810*	St Marys Sports Centre (Bowls/Golf Clubhouse)	8,956	51,271		45,000	45,000	DCF Funding - Internal Alterations
CX815*	Scamander Surf Life Saving Club	17,273	17,273		19,745	19,745	DCF Funding - Fitout of Amenities
CX820*	St Marys Football Ground	1,452	100,275		110,020	110,020	DCF Funding - Irrigation System
CX825*	St Marys Community Space	6,597	35,112		35,000	35,000	DCF Round 2 Potential Project
CX830*	Mathinna Cemetery Master Plan	3,798	6,780		50,000	50,000	DCF Round 2 Potential Project
CX835*	Fingal Cemetery Master Plan		3,130		100,000	100,000	DCF Round 2 Potential Project

Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
CX840*	Fingal Valley Tracks	12,998	31,402		139,500	139,500	DCF Round 2 Potential Project
CX870*	Wombat Walk - Footpath Upgrade		13,976		-	-	DCF Round 2 Potential Project
CX845*	Drought Protection Plan	-	-		10,000	10,000	DCF Round 2 Potential Project
CI810	St Helens Sports Complex	-	-		50,000	50,000	Reroof and Repaint& waterproof - Athletics Building
CH870	Shade structure - Flagstaff tail head		24,942		25,000	25,000	TBC
CI815	Shade Structures - Scamander Reserve	-	-		25,000	25,000	TBC
CI805	Street furniture & signage		6,540		20,000	20,000	
CI820	Playground equipment replacement program	-	-		20,000	20,000	St Helens Foreshore - Playground Fence replacement
CI825	Playground equipment replacement program	-	-		50,000	50,000	10 sites at \$5K each
CI845	St Helens rec ground - Carpark Area	-	-		15,000	15,000	
CI830	Resheet airport runway	-	-		100,000	100,000	
	Pyengana Rec ground	-	-		40,000	40,000	Cancel. Budgeted twice
CI835	St helens Boat Ramp Project		20,000			-	\$98308.60 total - Council \$20000 Contribution ex GST
CF135*	Georges Bay Walking Trail/St Helens Foreshore Path	29,695	2,001,173		2,223,510	2,223,510	Community Development Grant Funded \$2.1M
CH865	Swimcart to Binalong Bay - MTB Trail		5,509			-	
CH805	St Marys Cemetery Master Plan	-	-			-	DCP
CH810	St Helens Cemetery Master Plan	-	-	50,000		50,000	
CH815	Dog exercise area St Helens Improvements		8,255	10,000		10,000	
CH820	Medeas Cove & Annie St intersection	-	-			-	Installation of crash barrier
CE715	Break O Day Community Stadium - External Upgrades	-	-			-	as per Council decision 10/19.17.3 Moved \$150k to CH530
CH530	Car Parking & MTB Hub - Cecilia St Carpark	80,799	95,280			-	as per Council decision 10/19.17.3
CH825	Cornwall Playground Upgrade (Slide Only)	- 2,300	5,690	5,000		5,000	Cornwall - Slide Only
CH830	Binalong Bay Playground site improvements	-	-			-	

Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
CD815	Wrinklers Lagoon Redevelopment Design & Planning - Amenities Building	-	-	89,400		89,400	
CE820	Street furniture & signage	-	-	8,860		8,860	New Code created for 2020/21
	Jetty upgrades - TBA	-	-			-	Grant funded
CD830 B	Jetty Upgrades - Cunningham Street	-	-			-	completed
CH835	St Helens Rec ground - Football Grounds	-	-			-	completed
	Break O Day Community Stadium	-	-			-	completed
CH840	St Helens Croquet Playing Field	-	-	30,000		30,000	
CF810	Fingal Cemetery Master Plan	-	-	40,000		40,000	
CE815	Mathinna Cemetery Master Plan	-	-	20,000		20,000	
CF825	Parnella foreshore protection works		46,247			-	C/f to CF805
CF805	Parnella/Foreshore Walkway		1,500	249,010		249,010	Moved from Footpaths
CG825	Streetlighting - LED Implementation	-	-			-	C/f to CF805
CH845	Street banner pole refurbishment St Helens	-	-			-	completed
CH850	Scamander Sports - Bowls Green Shade Structure	-	-			-	Replacement
CH855	Flood Levee - Groom Street, St Marys Flood Mit.	43,828	170,576				Flood Mitigation Funding
CH860	Flood Warning System - St Marys Flood Mitigation	231	10,458				Flood Mitigation Funding
CI850	Bike Racks - Multiple Locations	-	-				Funding AC/810
CF820*	Mountain Bike Trails - Poimena to Bay of Fires		44,424			-	
CF820 A*	Mountain Bike Trails - Stacked Loops-St Helens	10,880	389,486			-	
CI840	Flagstaff MTB Carpark Sealing	4,084	18,482			-	Funding Aust Govt Nov 2020 \$100K
CI855	Shared Pathway - Binalong Bay	-	-			-	Funding Aust Govt Nov 2020 \$40239
CI860	Shared Pathway - Kirwans Beach	-	-			-	Funding Aust Govt Nov 2020 \$35K
CI865	Shared Pathway - Scamander	-	-			-	Funding Aust Govt Nov 2020 \$108167
CI870	Shared Pathway - Foreshore to Circassian	-	-			-	Funding Aust Govt Nov 2020 \$185K
CI875	Pavement Rehabilitation - St Helens Pt Rd	-	-			-	Funding Aust Govt Nov 2020 \$170K

Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
CI880	Tourism Information Signage - Multiple	-	-			-	Funding Aust Govt Nov 2020 \$9K
	TOTAL PARKS, RESERVES & OTHER	221,218	3,121,728	502,270	3,122,775	3,625,045	
						-	
	ROADS					-	
	STREETSCAPES					-	
CX850 *	Mathinna Streetscape Improvements	11,828	74,552		208,035	208,035	DCF Round 2 Project Grant
CE110	Scamander entrance at Wrinklers	-	-	193,500		193,500	
CE105	Cecilia St (Circassian to Esplanade)	-	-			-	completed
CF105	Fingal Streetscape - Stage 2	-	-	40,000		40,000	Outstand Construction in 2020/21 - Can we make a new project code so as to close out the streetscape project?
CI130	Fingal Streetscape - 2020/21	-	-			-	NEW CODE for 2020/21 as requested
CG120	Fingal Streetscape - Stage 3	-	-			-	Completed - part of Drought funding
	TOTAL STREETSCAPES	11,828	74,552	233,500	208,035	441,535	
						-	
	FOOTPATHS					-	
CG115	Annual replacement of damaged footpaths		16,097	30,000	15,000	45,000	Covid 19 restrictions - defer work
CI110	Akaroa - Akaroa Ave	-	-		7,200	7,200	
CI115	Akaroa - Cannell Place	-	-		6,300	6,300	
CI120	Binalong Bay - Coffey Drive	-	-		13,000	13,000	
CI125	Binalong Bay - Barnett Close	-	-		7,000	7,000	
CI105	Scamander - Scamander Ave		34,676		60,000	60,000	
	St Helens - Existing Sub-division	-	-		125,000	125,000	southern side of GF Bridge.
CI135	St Helens Point Road Pavement Remediation		7,727				which will be funded by the \$650,000 bucket from the Local Road Community Infrastructure Program Fund (LRCI). This funding has not been finalized yet as JB has to sign the nomination form.
CH105	Binalong Bay Footpath - Main Road	-	-	30,000		30,000	Covid 19 restrictions - defer work
CF130	Parkside Foreshore Footpath		3,500			-	

Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
CH110	Binalong Bay - Highcrest to Bevan Streets		1,458	3,000		3,000	Covid 19 restrictions - defer work
CH115	Fingal - Talbot Street	-	-	30,000		30,000	completed
CH120	Scamander - Scamander Ave		16,882	41,118		41,118	completed
CH125	Stieglitz - Chimney Heights		2,384	3,000		3,000	completed
CF125	Medea Cove Footpath/Road options		375	70,265		70,265	Covid 19 restrictions - defer work
CG110	Storey St, St Marys		59,723	50,000		50,000	Covid 19 restrictions - defer work
	TOTAL FOOTPATHS	-	142,822	257,383	233,500	490,883	
						-	
	KERB & CHANNEL				-	-	
CI160	St Helens Point Road (Parnella SW Catchment 2)	-	-		150,000	150,000	
CI155	Atlas Drive - Landslip Control	-	-		40,000	40,000	
		-	-			-	
CH155	Byatt Court, Scamander	-	-	46,000		46,000	Covid 19 restrictions - defer work
	Replacements TBA	-	-	22,000		22,000	Covid 19 restrictions - defer work
CG155	Cameron St, St Helens (south of Quail St intersection) (0.16km)	-	-	20,000		20,000	Covid 19 restrictions - defer work
CG160	Penelope St St Helens	-	-			-	completed
CG165	Helen Grove, St Helens (Northern Side)	-	-			-	completed
CE165	Treloggen Drive, Binalong Bay	-	-	50,360		50,360	Covid 19 restrictions - defer work
CG170	Aerodrome Road, Stieglitz	-	-			-	completed
	TOTAL KERB & CHANNEL	-	-	138,360	190,000	328,360	
						-	
	RESHEETING					-	
	2285 - North Ansons Bay Rd	-	-		30,000	30,000	
	2286 - North Ansons Bay Rd	-	-		30,000	30,000	
	40 - Anchor Rd	-	-		10,100	10,100	
	39 - Anchor Rd	-	-		10,800	10,800	
	41 - Anchor Rd	-	-		16,400	16,400	
CI305	906 - Ansons Bay Rd (Priory Rd)	20,524	44,518		9,400	9,400	
CI305	903 - Ansons Bay Rd (Priory Rd)				44,900	44,900	
CI305	910 - Ansons Bay Rd (Priory Rd)				25,800	25,800	
CI305	909 - Ansons Bay Rd (Priory Rd)				25,700	25,700	
CI305	908 - Ansons Bay Rd (Priory Rd)				18,300	18,300	

Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
CI305	907 - Ansons Bay Rd (Priory Rd)				18,100	18,100	
CI305	904 - Ansons Bay Rd (Priory Rd)				16,000	16,000	
	46 - Church Hill Rd	-	-		2,800	2,800	
	1081 - Sorell St	-	-		6,700	6,700	
	1024 - Franks St Fingal	-	-		3,400	3,400	
	1187 - Honeymoon Pt Rd	-	-		6,200	6,200	
	1178 - Jeanerret Beach Rd	-	-		800	800	
	47 - Johnston Rd	-	-		8,100	8,100	
	1053 - Louisa St	-	-		2,800	2,800	
	1051 - Louisa St	-	-		3,700	3,700	
CI310	948 - Reids Rd	17,677	17,677		23,800	23,800	
CI310	946 - Reids Rd				20,400	20,400	
CI310	945 - Reids Rd				21,600	21,600	
	704 - U/N 1 Stieglitz	-	-		4,600	4,600	
	999 - Victoria St Part C	-	-		1,400	1,400	
	998 - Victoria St Part C	-	-		360	360	
	997 - Victoria St Part C	-	-		2,100	2,100	
CH325	2054 - Brooks Rd		173			-	
	2138 - Franks St Fingal	-	-	3,795		3,795	
CH305	2161 - Groves Rd	-	-			-	
CH305	2160 - Groves Rd	-	-			-	
CH310	2285 - North Ansons Bay Rd		271			-	
CH310	2286 - North Ansons Bay Rd					-	
	2258 - McKerchers Rd	-	-	8,190		8,190	
	2259 - McKerchers Rd	-	-	9,623		9,623	
	2260 - McKerchers Rd	-	-	2,662		2,662	
	2380 - Tims Creek Rd	-	-	6,880		6,880	
	2392 - Tyne Rd	-	-	6,370		6,370	
	2393 - Tyne Rd	-	-	7,262		7,262	
	2394 - Tyne Rd	-	-	6,166		6,166	
	2303 - Old Roses Tier Rd	-	-	6,848		6,848	
CH320	2015 - Ansons Bay Rd (Priory Rd)		2,903			-	
	2016 - Ansons Bay Rd (Priory Rd)	-	-			-	completed
	2008 - Ansons Bay Rd (Priory Rd)	-	-			-	completed
	2011 - Ansons Bay Rd (Priory Rd)	-	-			-	completed
	2012 - Ansons Bay Rd (Priory Rd)	-	-			-	completed
	2013 - Ansons Bay Rd (Priory Rd)	-	-			-	completed
	2014 - Ansons Bay Rd (Priory Rd)	-	-			-	completed
	2017 - Ansons Bay Rd (Priory Rd)	-	-			-	completed
	2176 - Honeymoon Point Rd	-	-	1,401		1,401	
	2331 - Reids Rd	-	-			-	
	2332 - Reids Rd	-	-			-	
	2333 - Reids Rd	-	-			-	

Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
CG310	Reids Rd		3,579	20,000		20,000	Only c/f \$20k
CF355	Lottah Road, Pyengana	-	-			-	Cancel
CF325	Upper Scamander Road, Scamander	-	-			-	Cancel
	Fingal Streets	-	-	6,500		6,500	
CG345	German Town Road, St Marys	-	-	6,980		6,980	
CG350	Dublin Town Road, St Marys	-	-	15,000		15,000	
	Falmouth Streets	-	-	-		-	
	Mathinna Plains Road	-	-			-	Cancel
CH315	Ansons Bay Road, Ansons Bay		1,082	-		-	
CH310	North Ansons Bay Road, Ansons Bay		-	-		-	
	TOTAL RESHEETING	38,201	70,204	107,677	364,260	471,937	
						-	
	RESEALS					-	
	Cornwall Alexander and William Streets (North of Lennox)	-	-		12,000	12,000	
CI490	1013 - Stieglitz St S/R Fingal	-	-		5,400	5,400	
CI455	266 - Upper Esk Rd	-	-		33,800	33,800	
CI440	1092 - Legge St Fingal	-	-		13,900	13,900	
	263 - Upper Esk Rd	-	-		47,000	47,000	CI455
	253 - Upper Esk Rd	-	-		22,000	22,000	CI455
	256 - Upper Esk Rd	-	-		34,000	34,000	CI455
	254 - Upper Esk Rd	-	-		20,500	20,500	CI455
	258 - Upper Esk Rd	-	-		36,500	36,500	CI455
	271 - Upper Esk Rd	-	-		7,000	7,000	CI455
	260 - Upper Esk Rd	-	-		4,000	4,000	CI455
CI435	Wrinklers Lagoon Carpark	-	-				
CI460	Giblin Street, Mathinna	-	-			-	
CI480	Barnett Close, Binalong Bay	-	-			-	
CI410	370 - Penelope St	-	-		3,200	3,200	
CI445	1071 - Grant St Fingal	-	-		18,500	18,500	
CI465	635 - Butler St	-	-		1,100	1,100	
CI470	634 - Dunn St	-	-		8,000	8,000	
CI475	615 - High St Mathinna	-	-		4,500	4,500	
CI405	653 - Thomas St Scamander		11,494		5,500	5,500	
CI407	Lawry Heights St Helens	-	-			-	Not in Tender - SEE CI595
CI408	Doric Grove St Helens	-	-			-	Not in Tender - SEE CI595
CI450	303 - Mangana Rd	-	-		50,000	50,000	
CI420	The Gardens Road	-	-		52,000	52,000	
CH405	799 - Acacia Dve	-	-			-	completed
CH410	731 - Aerodrome Rd	-	-			-	completed
CH415	673 - Akaroa Ave	-	-			-	completed

Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
CH420	683 - Cannell Pl	-	-			-	completed
CH425	434 - Circassian St	-	-			-	completed
CH425	433 - Circassian St	-	-			-	completed
CH430	788 - Coffey Ct	-	-			-	completed
CH435	379 - Douglas Crt (turning circle only)	-	-			-	TBA
CH440	526 - Fresh Water St	-	-			-	completed
CH440	525 - Fresh Water St	-	-			-	completed
CH445	564 - Hodgman St	-	-			-	completed
CH450	792 - King St Binalong Bay	-	-			-	completed
CH450	791 - King St Binalong Bay	-	-			-	completed
CH453	Talbot Street, Fingal	-	-			-	completed
CH455	58 - Lottah Rd	-	-			-	completed
CH460	760 - Main Rd Binalong Bay	-	-			-	completed
CH460	766 - Main Rd Binalong Bay	-	-			-	completed
CH460	762 - Main Rd Binalong Bay	-	-			-	completed
CH465	670 - Maori Pl	-	-			-	completed
CH470	389 - Medeas Cove Esp	-	-			-	completed
CH473	Heather Place	-	-			-	completed
CH475	1257 - Melaleuca St	-	-			-	completed
CH480	- Quail St parking	-	-			-	completed
CH485	951 - Reids Rd	6,541	6,541	7,290		7,290	Bridge approaches - new seal
CH485	947 - Reids Rd	-	-	6,210		6,210	Bridge approaches - new seal
CH487	758 - Reserve St	-	-			-	completed
CH488	549 - Rest Area C/P	-	-			-	completed
CH490	541 - Scamander Ave	-	-			-	Cancel
CH490	543 - Scamander Ave	-	-			-	Cancel
CH490	540 - Scamander Ave	-	-			-	Cancel
CH491	512 - Seaview Ave (turning circle only)	-	-			-	completed
CH492	71 - St Columba Falls Rd	-	-			-	completed
CH492	69 - St Columba Falls Rd	-	-			-	Cancel
CH493	Beaumaris Avenue	-	-			-	
CH494	380 - Susan Crt (turning circle only)	-	-			-	Completed
CH495	St Marys - Esk Main Road Storey to Groom Street	-	-	50,000		50,000	Deferred by DSG to coincide with DSG Road Sealing Programme in 2020/2021
CH490	Scamander Ave - Bridge to IGA	-	-	-		-	See R2R 2019/2020 project list
	TOTAL RESEALS	6,541	18,035	63,500	378,900	442,400	

Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
	ROAD RECONSTRUCTION / DIGOUTS					-	
CI505	Walker Street, St Helens		1,475		20,000	20,000	
CI510	Mangana Road		61,816		60,000	60,000	
CI515	Upper Esk Road		5,802		120,000	120,000	
CI520	Upper Scamander Road	3,392	32,813		25,000	25,000	
CI525	Gardens Road	10,484	11,396		15,000	15,000	
CI530	Medeas Cove Esplanade Reconstruction		2,130		250,000	250,000	
CI540	Skyline Drive Intersection Upgrade	-	-			-	Funding Aust Govt \$220000.00 Contribution
		-	-			-	
	ROAD CONSTRUCTION (NEW)	-	-			-	
CI485	St Marys - Car Park Sealing behind St Marys Hall	-	-		45,000	45,000	
CI425	Pyengana Rec Ground Entrance Road	-	-		45,000	45,000	
CI545	216 - Mathinna Plains Road		4,735		185,000	185,000	
CH515	Ansons Bay Road - Gravel Stabilisation	-	-		30,000	30,000	
	Road Intersection Upgrade Works	-	-	50,000	50,000	100,000	
CI590	Alexander/William Sts Cornwall - Intersection Upgrade	9,118	9,118				
CI595	Lawry Heights/Doric Grove - Intersection Upg.		17,835				
	Crash Barrier - Multiple Culverts	-	-		50,000	50,000	
CI550	Mathinna Road Barriers B0846		2,060			-	
CI555	Mathinna Road Barriers B1845	27,880	29,940			-	
CI560	Mangana Road Culvert SW3637		760			-	
CX860 *	Cornwall - Gravel Road Sealing - CAMPBELL	525	15,446		75,100	75,100	DCF Round 2 Potential Project ex CI540
CX865 *	Cornwall - Gravel Road Sealing - LENNOX	525	24,936			-	DCF Round 2 Potential Project ex CI541
	Road Sealing Program	-	-		350,000	350,000	
CI430	Lottah Road, Goulds County/Lottah - 200m	-	-		240,000	240,000	
CI431	Lottah Road, Goulds County/Lottah - 400m	1,300	1,300			-	
CH550	Brown Street, Fingal - Pavement Remediation	-	-			-	Project to use all Road Reconstruction/ Dig Out Budget
CH565	Lottah Road - Part 1 - CH 2.3-3.1		564			-	
CH570	Lottah Road - Part 2 - CH 3.5-3.7	-	-				
CH575	Lottah Road - Part 3 - CH 4.8		49			-	

Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
CH580	Lottah Road - Part 4 - CH 6.8-6.95		26,733	20,000		20,000	In progress RTR funded CFWD \$20K for sealing in late Spring 2020
CF515	The Gardens Road RTR	-	-			-	
CG540	Ansons Bay Rd dig out	-	-			-	
CG545	Rex Ct St Helens dig out	-	-	27,540		27,540	
CG550	St Helens Pt Rd dig out		36,394	50,000		50,000	
CH505	St Helens Pt Rd (Parkside)		10,163	789,838		789,838	Project to be rescoped and requires grant funding \$375K
CH510	Atlas Drive - Retaining Wall Anchor	-	-	40,000		40,000	Deferred to coincide with bridge works at Georges Bay sharedway - Spring 2020
CH515	Ansons Bay Road - Gravel Stabilisation	-	-	-		-	
CI535	Gardens Road - Sight Distance Works		20,314	400,000		400,000	Subject to successful \$200k Black Spot funding application
CH546	Grant Street, Falmouth - Sealing	-	-				
CH545	Franks Street, Falmouth - Sealing	-	-			-	
CH520	Talbot St, Fingal - Off Hwy Reconstruction/DigOut	-	-			-	Gleadow St to Brown St
CH555	Talbot to Percy Street, Fingal - Reconstruction		94				
CH525	Crash Barrier - Fingal Bridge	-	-			-	Mathinna Rd - DSG Bridge
	ROAD ASSET MANAGEMENT	-	-			-	
	Sealed Roads - Condition Assessments	-	-			-	
CH560	Road Network - Sign Replacement	-	-		15,000	15,000	
CG520	Beaumaris Ave		24			-	
CG505	St Helens Pt Rd, between Cunningham and Talbot Street		4,793			-	
	TOTAL ROADS OTHER	53,223	320,690	1,377,378	1,575,100	2,952,478	
						-	
	ROADS TOTAL	109,794	26,303	2,177,798	2,949,795	5,127,593	
						-	
	BRIDGES		-			-	
CI210	B2398 - Intake Bridge, Pyengana	41,615	41,984		220,000	220,000	Replace structure with 25T load limit
CI205	B3617 - Mt Elephant Rd		14,894		18,000	18,000	Replace Deck - brought forward from 2021-22
CG205	B185 Gillies Road, St Marys	-	-	-		-	Replace Deck

Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
CG220	B2293 Cecilia St, St Helens		- 9,671	31,671		31,671	Reallocate to another bridge in 2020/2021
CG210	B760 Bent St, Mathinna	-	-	-		-	
CG215	B1675 Lower Germantown Road, St Marys	-	-	-		-	
CG230	B2809 Argyle St, Mangana	-	-			-	Cancel
CG235	B3765 Argonaut Road, St Helens (Upper Golden Fleece)	-	-	-		-	completed
CG245	B7032 Davis Gully Road, Four Mile Creek	-	-	-		-	completed
CG250	B7027 Mathinna Plains Road	-	-	15,000		15,000	Culvert Extension - CFWD to 2020/2021
CH220	B2006 - Reids Rd, Priory	-	-	-		-	completed
CH225	B2809 - Argyle St, Mangana	-	-	-		-	Works Completed and Invoices to be processed
CG240	B7004 Richardson Road, St Marys	-	-	-		-	completed
CH230	B7005 - Tims Ck Rd	-	-	-		-	Replace Deck
CH235	B2242 - Hodges Rd	-	-	-		-	Works Completed yet to be invoiced
CH215	B2191 - Fletchers Creek, Reids Rd	-	-	-		-	completed
CH205	Footpath Bridge at Fingal Culvert		16,874			-	completed
CG225	B2792 Four Mile Creek Road		323,665	240,000		240,000	Contract awarded in April 2020 to be completed before end Sep 2020
CH240	B2117 The Flat Road Bridge, St Marys		3,395			-	Flood Mitigation Funding Due December 2019
	Install/upgrade traffic barriers	-	-	-		-	
CH245	B2006 - Reids Road - Barrier Upgrade	-	-			-	completed
CH535	Medeas Cove Esp/Annie St Int - Barrier Upgrade	-	-			-	completed
CH540	Gardens Road Twin Culverts - Barrier Upgrade	-	-			-	completed
CH210	B7043 Mathinna Road, Fingal (DSG)	-	-	-		-	completed
	TOTAL BRIDGES	41,615	391,140	286,671	238,000	524,671	
	STORMWATER						
CI660	Minor stormwater Jobs		16,745		50,000	50,000	
CI655	Falmouth St St Helens	-	-		30,000	30,000	Penelope to Halcyon
CX855*	Alexander St Cornwall		18,129		61,950	61,950	DCF Round 2 Potential Project ex CI660

Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
CI685	Treloggens Track	-	-		30,000	30,000	
CH660	Minor stormwater Jobs 2019/20	-	-			-	completed
CD655	Implement SWMP priorities	26	158			-	
CG665	Freshwater Street / Lade Court (Beaumaris)	-	-	70,000		70,000	Install new stormwater pipe rear of Freshwater Street properties to prevent Lade Court properties flooding.
CG670	Medea St - Opposite Doepel St	-	-	45,000		45,000	115m of open drain
CF657	Parnella Stormwater Stage 2	-	-			-	Civilscape retention not previously costed
CF665	Beauty Bay Access track improvements		289			-	completed
CH655	Beaumaris Ave	-	-	25,000		25,000	New Stormwater main
	TOTAL STORMWATER	26	35,321	140,000	171,950	311,950	
						-	
	WASTE MANAGEMENT					-	
CI630	Rehabilitation of former Binalong Bay Tip	-	-		5,000	5,000	
CI620	Scamander waste oil facility	-	-		13,000	13,000	
CI605	St Helens WTS - test Bore	-	-		15,000	15,000	
CI610	Scamander WTS - Test Bores (2)	-	-		45,000	45,000	
CI635	Scamander WTS - Leachate Retention pond	-	-		20,000	20,000	
CI615	Scamander WTS - Inert Landfill		1,590		20,000	20,000	
CI625	St Marys WTS Oil Station	-	-		13,000	13,000	
CI640	Waste Shredder	-	-	30,000	20,000	50,000	
CH605	St Helens WTS - Polystyrene Densifier	-	-	-		-	
CH610	Scamander WTS - Reseal entrance road	-	-			-	
CG605	Reconstruction & seal entrance to St Helens WTS	-	-			-	
CE615	Scamander WTS retaining wall replacement	-	-	52,000		52,000	Contingency for potential future site modification
	Recycling facilities	-	-			-	
CE625	Rehabilitation of former Binalong Bay Tip	-	-			-	

Project Code	Details	Month Actuals	Year to Date Actual	Budget expected to be C/F	2020-2021 Estimate	Total New Budget + C/f	Comments
CF610	Fingal WTS Retaining Wall Replacement	-	-			-	
	WASTE MANAGEMENT TOTAL	-	1,590	82,000	151,000	233,000	
						-	
	Total Capital expenditure	437,819	4,796,487	3,095,899	7,719,020	10,814,919	

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Bob Hoogland, Manager Corporate Services
FILE REFERENCE	040\028\002\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which are being dealt with by the Visitor Information Centre.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:**Staff Movements:**

The VIC has operated normally with the slightly reduced operating hours as advised previously, including being open all days except Christmas Day.

Similar to last month, visitor numbers are increasing but still very significantly less so than previous years. There was one day in the month with 100 visitors and a few days approaching 100 whereas previous years have had many days with well over 100 visitors.

Meetings Attended/Other information:

VIC staff noted:

- Nice article in The Coastal Column written by the Chamber of Commerce & Tourism
St Helens Visitor Centre: Thank you to Deb & Ros for all they do to assist visitors & promote our businesses. We particularly appreciate their production of the following hand-outs: Where to Eat & Things to Do – in St Helens and Surrounding Areas; Short Scenic Walks around St Helens; and the detailed map of St Helens township.
- Have had a lot of phone enquiries regarding free camping. Most of the enquiries are about is it possible to book a camp site, what will be the possibility of getting a camp site and also did have a lot of enquiries regarding the article on ghost camping. A lot of these enquiries were should we bother to come to St Helens to camp if all spots are taken up by ghost campers.
- Not many last minute enquiries in regard to finding accommodation. Seems like the majority of tourists are pre booking their accommodation beforehand.

The History Room Curator provided this additional information:

- **Advertising:** Google searching by visitors is finding St Helens History Room and the Visitor Centre with out-of-date opening times and rectifying this is underway. TripAdvisor still maintaining good reviews.
- **Hologram projection:** The fault has been rectified and this is working properly again.
- **RANT Grant (Federal funding):** Unfortunately, we were not successful with this grant but are staging the exhibition on Eddystone nonetheless. Requesting financial assistance through the Friends' group for a 50/50 split of costs.
- **Book Launch 'The Coast':** Latest book by Garry Richardson is scheduled for Sunday 28 February 2021 at the Portland Hall due to COVID restrictions at the St Helens History and Visitor Information Centre. It will be from 1 pm – 3 pm with set up occurring Saturday afternoon after the markets are finished.
- **Anchor Wheel and Stamper model:** The fault has been rectified and this is working properly again.
- **Firearms compliance:** Looking at modifying display items to meet permit requirements. Have temporarily removed one firearm until it can be displayed according to standards.
- **Statistics for December 2020**

SHHR Entry	\$	217.00
Sales/Donations	\$	65.15
TOTAL	\$	282.15
Annual Total 2020	\$	400.05
2019(\$7,774.05/\$533.10);	2018(\$7,573.25/\$535.60);	2017(\$6,133.55/\$372.30);
2016(\$7,555.75/\$491.50);		

Families/Couples	35
Concessions	14
TOTAL	49
Annual Total 2020	826
2019 (112/1475);	2018 (104/1311);
2017(58/1079);	2016 (94/1385);

These numbers reflect the impact of the pandemic on cultural organisations such as the St Helens History Room during the height of the season.

Volunteer Hours	84.50 hours this month; 21 average hrs/week
Annual 2020 Total	1061.75 hours averaging to 26 hours/week

Statistics:**Door Counts:**

Month/Year	Visitor Numbers	Daily Average	History Room
December 2010	2,958	98.6	105
December 2011	3,312	110.4	101
December 2012	3,130	104.3	101
December 2013	3,598	119.9	133
December 2014	4,609	148.7	158
December 2015	4,439	147.9	81
December 2016	3,368	112.2	95
December 2017	2,939	97.9	60
December 2018	3,145	104.8	104
December 2019	3,152	105.07	112
December 2020	1,409	46.97	49

Revenue 2019/2020:

Month	VIC Sales	HR Entry	HR Donations
July	1,531.55	209.00	236.20
August	2,261.05	162.00	28.00
September	3,974.85	379.00	59.30
October	6,219.40	456.00	61.00
November	9,928.75	680.00	108.30
December	9,181.90	486.00	47.10
January	11,386.71	674.00	94.65
February	9,025.60	703.00	210.10
March	8,237.44	700.00	186.80
April	NIL	NIL	NIL
May	NIL	NIL	NIL
June	537.20	34.00	16.00

Revenue 2020/2021:

Month	VIC Sales	HR Entry	HR Donations
July	2,335.55	194.00	121.65
August	1,774.39	111.00	78.05
September	1,642.36	216.00	83.10
October	1,791.61	372.00	73.45
November	2,022.22	137.00	105.05
December	3,963.18	217.00	65.15

STRATEGIC PLAN & ANNUAL PLAN:

Strategic Plan 2017-2027

Goal

Economy - To foster innovation and develop vibrant and growing local economies which offer opportunities for employment and development of businesses across a range of industry sectors.

Strategies

Create a positive brand which draws on the attractiveness of the area and lifestyle to entice people and businesses' to live and work in BOD.

Annual Plan 2019-2020

Goal

Economy - To foster innovation and develop vibrant and growing local economies which offer opportunities for employment and development of businesses across a range of industry sectors.

Key Focus Area 2.1.2

Tourism – Broadening, lengthening and improving the visitor experience through development of attractions and activities; promotion and signage; and great customer service.

Action 2.1.2.9

Assess and improve the customer experience delivered through the St Helens Visitor Information Centre.

LEGISLATION & POLICIES:

Nil.

BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple Majority.

ACTION	DECISION
PROPONENT	Secretary to the Audit Panel
OFFICER	Bob Hoogland, Manager Corporate Services
FILE REFERENCE	018\005\024\
ASSOCIATED REPORTS AND DOCUMENTS	Minutes of Audit Panel Meeting 7 December 2020

OFFICER'S RECOMMENDATION:

That Council receive the minutes of the Audit Panel 7 December 2020.

INTRODUCTION:

Council's Audit Panel meets every three (3) months and the minutes of each meeting are required to be provided to Council.

PREVIOUS COUNCIL CONSIDERATION:

Minutes of Audit Panel meetings are provided to and considered by Council following those meetings, four (4) times per year. This specific report has not been considered previously by Council.

OFFICER'S REPORT:

As per the minutes, the Audit Panel received and reviewed various elements of Council's financial performance, internal and external audit activities, management of risk and review of policies. Legislation requires these minutes to be provided to Council.

The Audit Panel recommended that Council adopt Policy AM01 – Asset Recognition and Depreciation but this is reported separately to Council and there are no other specific recommendations requiring Council consideration.

STRATEGIC PLAN & ANNUAL PLAN:

Strategic Plan 2017 – 2027

Goal

Services - To have access to quality services that are responsive to the changing needs of the community and lead to improved health, education and employment outcomes.

Strategies

- Work collaboratively to ensure services and service providers are coordinated and meeting the actual and changing needs of the community.
- Ensure Council services support the betterment of the community while balancing statutory requirements with community and customer needs.

LEGISLATION & POLICIES:

Local Government (Audit Panels) Order 2014
Division 4 – Audit Panels of Local Government Act 1993

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Simple Majority.



Minutes of the Meeting of the Audit Panel

Meeting Time and Date: Monday 07 December 2020 8.30 am

Meeting Venue: Break O'Day Council Library

Present: A Gray (Chair); Clr B LeFevre; Clr J McGiveron (Alternate)
In attendance: General Manager – J Brown (GM); Manager Corporate Services
– B Hoogland (MCS)
Mr Leigh Franklin, Tasmania Audit Office (by phone)

Apology: Clr L Whittaker

Order of Business:

Item 1 – Declaration of Pecuniary Interests/Conflict of Interests

Mr A Gray and Mr L Franklin noted a previous business relationship, having worked at the same firm although different cities and over two years ago. The meeting agreed that this did not constitute any form of a conflict of interest but appreciated it being noted.

Item 2 – Adoption of Previous Minutes

Minutes of the Meeting 19 October 2020 were accepted as circulated, having been received by Council at the November 2020 Monthly Meeting

Item 3 - Outstanding from Previous Meetings – Action Sheet

As requested at the previous meeting, the Procedure Review Schedule was circulated. MCS noted the contents reflected the recent introduction of a Schedule and the progressive initial review of Procedures. The Schedule was received by the Audit Panel.

Order of Business – Governance and Strategy:

Item 4 – Review Policies and Procedure

The meeting considered a Report reviewing Policy AM01 Asset Recognition. The Audit Panel noted the contents, MCS noted the recommendation from Tasmanian Audit Office that the Policy properly reflect Council's practices. The Chair recommended deleting the words, "Road earthworks are not depreciated" from section 2.2 as being both redundant and conflicting with the table of depreciation periods.

The Audit Panel recommended that Council adopt Policy AM01 – Asset Recognition and Depreciation, as amended.

The Panel also noted the circulated Policy Review Schedule. The Chair queried the couple of Policies overdue for review and GM and MCS noted the potential impact of proposed legislation changes has resulted in delaying their review. The Audit panel received the Schedule.

Item 5 – Review performance of plans, strategies and policies against benchmarks

This matter is placed on hold until benchmarking indicators become available.

Order of Business – Financial Reporting

Item 6 - Financial Reports

The Panel considered the circulated Review of Council's Long Term Financial Plan (LTFP). GM noted COVID-19 related issues significantly affected the operational results, for example: reduced rate revenues and reduced TasWater dividends. The Audit Panel received the report.

The Panel considered the circulated Budget Review report. MCS noted that this recognised adjustments between carry over capital works projects from 2019/2020 and capital projects identified subsequent to the budget adoption. Revenue adjustments primarily reflect grant funding associated with these capital projects. The Audit Panel received the report.

The Panel considered the circulated end of month financial report as at 31 October 2020 which were presented to the November 2020 Council Meeting. The Chair noted that it was still quite early in the financial year. The Audit Panel received the report.

Item 7 - Special Reports

Nil

Order of Business – Internal Audit

Item 8 – Internal Audit Reports

The Panel noted the circulated internal audit reports: Internal Audits of systems by Synectic and S Ewald-Rist; Management Report on Internal Audits; Internal Audit Register. The Panel discussed the reports and MCS clarified the process of choosing staff, consultants or other Councils for internal auditors. The Chair asked if Synectic were undertaking further audits for BODC. MCS noted due to the decrease in operating funds, this has been put on hold. When funds are again available, management are very interested in resuming outsourced internal audits and this may include systems outside of the cyclical internal audit schedule and may be influenced by priorities identified by the Audit panel. MCS noted Risk Management, rating and other internal audits still intended for completion in 2020/2021. Audit Panel requested a schedule be circulated. The Internal Audit reports were received.

Order of Business – External Audit

Item 9 – External Audit Reports

Mr Leigh Franklin joined the meeting by phone and discussed the Memorandum of Audit Findings for 2019/2020 and Audit Completion Report, as circulated. Mr Franklin referred to each of the TAO findings and management responses indicating that these either had been or were being addressed.

The Panel appreciated Mr Franklin's attendance and received the circulated reports and verbal update.

The meeting also considered the circulated Report of the Auditor General on Procurement in Local Government and specifically the findings from the BODC audit. The meeting considered these findings and the management response, particularly noting that compliance matters such as changing Council's policies to meet the requirements of regulations should be implemented in full but best practice recommendations could be subject to management considerations of resourcing implications. The Audit Panel received the report.

Order of Business – Risk Management and Compliance

Item 10 – Risk Update

The meeting considered the circulated risk management Framework, Policy and update.

The meeting noted that these had been relatively recently been significantly reviewed and amended. The Audit Panel received the reports.

Item 11 – Review Business Continuity Plan

The Audit Panel considered the circulated Business Continuity Plan (BCP). MCS noted that the BCP had recently been reviewed and updated and the backup external hard drives of documents also updated. A desktop review of the BCP is on the agenda of the next Management Team meeting to determine if this should be internally or externally facilitated

Item 12 – Review WH&S management process

The Audit Panel considered the circulated report on WH&S actions undertaken.

The Audit Panel received the report.

Item 13 – Monitor/Oversee claims/lawsuits/instances of fraud

The Chair queried if there were any reportable instances to be brought to the attention of the Panel. GM confirmed that there had been no such instances.

The Audit Panel received the verbal report.

Order of Business – Other Business

Item 14 – Other Business

Clr LeFevre requested that agenda reports be cross-referenced with agenda items, similar to Council agendas.

Item 15 - Meeting Close/Next meeting Date

The meeting closed at 9.45am, the next meeting has been scheduled for 01 February 2021

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Bob Hoogland, Manager Corporate Services
FILE REFERENCE	018\005\004\
ASSOCIATED REPORTS AND DOCUMENTS	Tasmanian Audit Office – Report of the Auditor General – Procurement in Local Government

OFFICER'S RECOMMENDATION:

That Council receive the report.

INTRODUCTION:

The Tasmanian Audit Office (TAO), as well as conducting annual financial audits of Council and state government bodies, undertakes performance and compliance audits. This report follows a 2020 performance audit of procurement in Councils including Break O'Day.

PREVIOUS COUNCIL CONSIDERATION:

This report was discussed verbally as part of the Corporate Services item at the December 2020 Council meeting and was considered by Council's Audit Panel at its December meeting.

OFFICER'S REPORT:

The Tasmanian Audit Office (TAO), as well as conducting annual financial audits of Council and state government bodies, undertakes performance and compliance audits. This report follows a 2020 performance audit of procurement in three Councils including Break O'Day and a similar audit of three Councils in the previous year.

The report (page 5) identifies that Council complied with the Local Government Act (LGA) and Regulations (LGR) with respect to procurement, as well as public tendering processes and reporting requirements. TAO did make six recommendations (page 6) to assist Council to improve our procurement processes.

In terms of the recommendations, management:

- Agreed with recommendations 1,2 and 4 and will amend the procurement policy, centralise recording of quotation records and enhance procurement monitoring
- Will seek clarification from TAO with respect to recommendation 5 to identify more specific guidance on where improvements could be implemented
- Did not agree with the findings leading to recommendations 3 and 6, that there were failings in either documenting rationale for procurement decisions, or that there are inadequacies with procurement skills or capabilities

More generally, management noted the audit process created some concerns around the adequacy of the audit and has endeavoured to communicate these to TAO. In particular, this audit, compared with the previous audit of three (3) Councils, was undertaken during and just after the COVID lockdown and was therefore conducted “off-site”, with both audit staff and often Council staff working from home and exchanging documents electronically. The potential for an inadequate understanding of Council’s processes was very significant. Management also perceives that, having previously conducted procurement audits, TAO staff seem to have approached the audit with an expectation of findings and reached conclusions based on limited or inappropriate evidence.

Management also has concerns around the reporting of the audit outcomes as there seems to be a failure to distinguish between a compliance failure and/or inappropriate procurement practices and recommendations that relate to best practice. The audience of these reports will not make that distinction unless this is quite clear. This can result in media, public, community erroneously and unnecessarily losing confidence in local government in general and Break O’Day Council in particular.

STRATEGIC PLAN & ANNUAL PLAN:

Strategic Plan 2017 – 2027

Goal

Services - To have access to quality services that are responsive to the changing needs of the community and lead to improved health, education and employment outcomes.

Strategies

Ensure Council services support the betterment of the community while balancing statutory requirements with community and customer needs.

LEGISLATION & POLICIES:

Nil.

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Simple Majority.



Tasmanian
Audit Office



**Report of the Auditor-General
No. 7 of 2020-21**

Procurement in Local Government

10 December 2020

Strive • Lead • Excel | *To Make a Difference*

The Role of the Auditor-General

The Auditor-General's roles and responsibilities, and therefore of the Tasmanian Audit Office, are set out in the *Audit Act 2008* (Audit Act). The Auditor-General's role as Parliament's auditor is unique.

Our primary responsibility is to conduct financial or 'attest' audits of the annual financial reports of State entities. State entities are defined in the Interpretation section of the Audit Act. We also audit those elements of the Treasurer's Annual Financial Report reporting on financial transactions in the Public Account, the General Government Sector and the Total State Sector.

Audits of financial reports are designed to add credibility to assertions made by accountable authorities in preparing their financial reports, enhancing their value to end users. Following financial audits, we report findings and outcomes to Parliament.

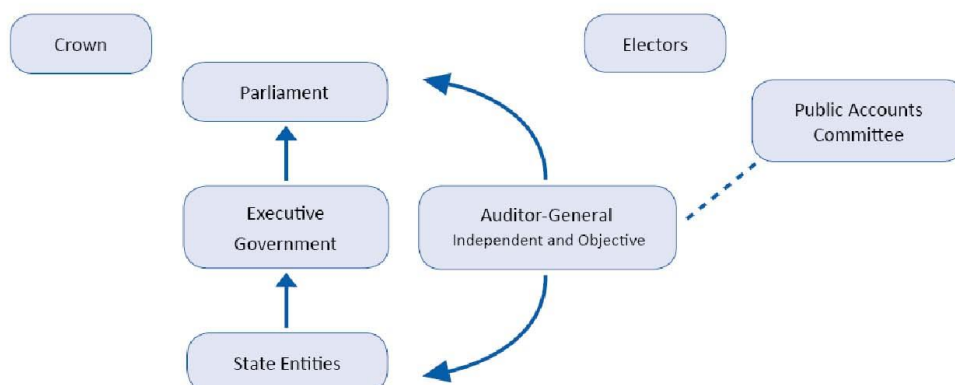
We also conduct performance audits and compliance audits. Performance audits examine whether a State entity is carrying out its activities effectively and doing so economically and efficiently. Audits may cover all or part of a State entity's operations, or consider particular issues across a number of State entities.

Compliance audits are aimed at ensuring compliance by State entities with directives, regulations and appropriate internal control procedures. Audits focus on selected systems (including information technology systems), account balances or projects.

We can also carry out investigations but only relating to public money or to public property. In addition, the Auditor-General is now responsible for state service employer investigations.

Where relevant, the Treasurer, a Minister or Ministers, other interested parties and accountable authorities are provided with opportunity to comment on any matters reported. Where they choose to do so, their responses, or summaries thereof, are detailed within the reports.

The Auditor-General's Relationship with the Parliament and State Entities





2020
PARLIAMENT OF TASMANIA

**Report of the Auditor-General No. 7 of 2020-21:
Procurement in Local Government**

10 December 2020

Presented to both Houses of Parliament pursuant to
Section 30(1) of the *Audit Act 2008*

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10 December 2020

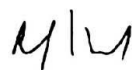
President, Legislative Council
Speaker, House of Assembly
Parliament House
HOBART TAS 7000

Dear President, Madam Speaker

Report of the Auditor-General No. 7 of 2020-21: Procurement in Local Government

This report has been prepared consequent to examinations and investigations conducted under section 23 of the *Audit Act 2008*. The objective of the audit was to form a reasonable assurance opinion on the compliance of Break O’Day Council, Derwent Valley Council and Glamorgan Spring Bay Council with their procurement and reporting obligations under the *Local Government Act 1993*, *Local Government (General) Regulations 2015* and their respective Code for Tenders and Contracts.

Yours sincerely



Rod Whitehead
Auditor-General

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Independent assurance report

This independent assurance report is addressed to the President of the Legislative Council and the Speaker of the House of Assembly. It relates to my audit of compliance by Break O'Day Council, Derwent Valley Council and Glamorgan Spring Bay Council with their procurement and reporting obligations under their respective Code for Tenders and Contracts (Code), the *Local Government Act 1993* (LGA) and *Local Government (General) Regulations 2015* (LGR).

Audit objective

The objective of the audit was to form a reasonable assurance opinion on each council's compliance with their procurement and reporting obligations under their respective Code, the LGA and LGR (the requirements).

Audit scope

Each council's Code, procurement policies and processes and annual reports were examined. For the purpose of assessing compliance with regulation 29 of the LGR, annual reports were examined for the financial years ended 30 June 2017, 2018 and 2019.

Payments made in the financial year ended 30 June 2019 were reviewed and a sample of procurements relating to these payments were selected for testing.

These time periods are referred to collectively as the 'specified period'.

Audit approach

The audit was conducted in accordance with Australian Standard on Assurance Engagements ASAE 3100 *Compliance Engagements* issued by the Australian Auditing and Assurance Standards Board, to express a reasonable assurance opinion.

The audit evaluated the following criteria and sub-criteria for each council:

1. Did the council's policies and procedures comply with the LGA and LGR procurement requirements?
 - 1.1. Was there a publicly accessible up-to-date Code that complied with the LGA and LGR?
 - 1.2. Were policies and procedures in relation to procurement compliant with the Code, LGA and LGR?
 - 1.3. Were adequate procedures established to document, review and report purchases of goods and services where a public tender or quotation process was not used?
2. Did the council have an effective approach to procurement that complied with the LGA, LGR and demonstrated good practice?
 - 2.1. Were procurement thresholds complied with?

- 2.2. Were variations to contracts reviewed to assess if any changes required further disclosure or additional procurement obligations?
- 2.3. Had all procurements gone through an appropriate procurement process?
- 2.4. Were multiple purchases from the same supplier appropriate (i.e. no splitting of procurements into separate invoicing or contracting arrangements to avoid procurement requirements)?
- 2.5. Were processes and procedures for receiving, evaluating, awarding and debriefing public tenders established and maintained?
- 2.6. Were annual reporting requirements in relation to public tenders and contracts as specified in the LGR complied with?
- 2.7. Was there an appropriate monitoring mechanism to ensure the council was complying with legislation and its own policies and procedures?
3. Did the council ensure staff were well trained in procurement?
 - 3.1. Did staff involved in procurement have the appropriate skills and training in procurement to perform their duties effectively?
 - 3.2. Did staff have templates and guidance to assist them in the procurement process?
 - 3.3. In relation to procurement, were staff aware of the possibility of conflicts of interest?
 - 3.4. Were all instances of attempted influence through gifts, benefits or other means were declared or reported as appropriate?

ASAE 3100 requires that I plan and perform my procedures to obtain reasonable assurance about whether the councils have complied, in all material respects, with the requirements as evaluated against the audit criteria.

An assurance engagement to report on the councils' compliance with the requirements involves performing procedures to obtain evidence about the activity and controls implemented to meet the requirements. The procedures selected depend on my judgement, including the identification and assessment of risks of material non-compliance with the requirements, as evaluated against the audit criteria.

I conducted my reasonable assurance review by making such enquiries and performing such procedures I considered reasonable in the circumstances. Evidence for the review was obtained primarily through discussions with council personnel and examining documentation.

The COVID-19 pandemic occurred prior to the fieldwork and analysis phase of this audit. As a consequence of the Tasmanian Audit Office transitioning to working from home arrangements, Tasmanian Audit Office staff were unable to complete fieldwork on site.

I believe the evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of each council

The functions of a council are contained in section 20 of the LGA and include:

- to provide for the health, safety and welfare of the community
- to represent and promote the interests of the community
- to provide for the peace, order and good government of the municipal area.

In performing its functions, a council is to consult, involve and be accountable to the community. Councillors are also required to comply with a Code of Conduct that sets out standards of behaviour with respect to all aspects of their role. The Code of Conduct acknowledges the importance of high standards of behaviour in maintaining good governance and supports each Councillor's primary goal of acting in the best interests of the community.

In relation to procurement, sections 333A and 333B of the LGA require each council to maintain a Code for Tenders and Contracts and comply with that Code when acquiring goods and services.

Responsibilities of the Auditor-General

My responsibility was to express a reasonable assurance opinion on each council's compliance, in all material respects, with the requirements, as evaluated as against the criteria.

Independence and quality control

I have complied with the independence and other relevant ethical requirements relating to assurance engagements, and applied Auditing Standard ASQC 1 *Quality Control for Firms that Perform Audits and Reviews of Financial Reports and Other Financial Information, and Other Assurance Engagements* in undertaking this assurance review.

Inherent limitations

Because of the inherent limitations of an assurance engagement, together with the internal control structure it is possible that fraud, error, or non-compliance with the requirements may occur and not be detected. A reasonable assurance engagement does not provide assurance on whether compliance with the requirements will continue in the future.

Opinion

Qualified opinion

In my opinion, except for the effects of the matters described below, Break O'Day Council complied with the requirements, in all material respects, as evaluated against the audit criteria throughout the specified period.

Break O'Day Council was unable to provide documentary evidence that written quotations were sought for all 12 procurements that required quotations. Also, Break O'Day Council did

not identify staff procurement skills gaps and provide staff with formal procurement training.

Qualified opinion

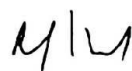
In my opinion, except for the effects of the matters described below, Derwent Valley Council complied with the requirements, in all material respects, as evaluated against the audit criteria throughout the specified period.

In two instances Derwent Valley Council did not provide or adequately document the justification for its decision not to follow the recommendation of the tender evaluation panel. This not only contravened Derwent Valley Council's own procedures but was contrary to LGA procurement principles of transparency and openness. In one instance a Derwent Valley Council Special Committee had not sought written quotations before awarding a contract. Derwent Valley Council was unable to provide documentary evidence that quotations were sought for 33 out of 35 procurements that required quotations, and did not identify and address staff procurement skills gaps through formal training.

Adverse opinion

In my opinion, because of the significance of the matters described below, I do not express an opinion on Glamorgan Spring Bay Council's compliance with the requirements, as evaluated against the audit criteria throughout the specified period.

Glamorgan Spring Bay Council could not provide the majority of the records of procurement and training activity requested. Evidence obtained also showed Spring Bay Council did not comply with its annual reporting requirements for procurements exceeding public tendering thresholds.



Rod Whitehead
Auditor-General

10 December 2020

Executive summary

Summary of findings

Break O'Day Council

Break O'Day Council's Code complied with the LGA and LGR, including promoting the four purchasing principles (open and effective communication, value for money, enhancement of the capabilities of the local business industry and ethical behaviour and fair dealing) and identifying when public tenders were required. However, there was insufficient detail in the Code relating to some requirements of the LGA and LGR.

Break O'Day Council complied with public tendering processes for procurements meeting the tendering threshold, though it had not established and maintained procedures for reviewing each tender process to ensure it complied with the LGR and Code, as required by regulation 28(k). We were unable to access records for procurements for which quotations should have been sought, which meant we could not assess whether there was compliance with thresholds for these procurements. Break O'Day Council complied with its annual reporting requirements for tenders and contracts.

Limited training, processes and templates existed to support staff in complying with legislative and regulatory requirements and the Code.

We have made six recommendations to assist Break O'Day Council improve their procurement processes.

Derwent Valley Council

Derwent Valley Council's Code complied with the LGA and LGR and a suite of procurement policies and processes underpinned the Code. We identified an opportunity to improve efficiency by rationalising the number of policies and processes.

We identified several areas of non-compliance with procurement processes. We could not find records of quotations being sought for most procurements we examined that were within Derwent Valley Council's quotations threshold. Derwent Valley Council's controls for raising and authorising purchase orders were also inadequate. Derwent Valley Council informed us their new finance system, which was being implemented, would address most of these issues.

We found two instances where Derwent Valley Council had not followed the recommendation of the evaluation panel, with no or very limited documentation explaining these decisions. This conflicts with Derwent Valley Council's own policies and the LGA and LGR principles of transparent and open purchasing processes.

Derwent Valley Council had not complied with its annual reporting requirements for 2018-19 by not reporting one procurement of over \$100 000 in that financial year.

We found limited evidence of ongoing monitoring of procurement activity to confirm correct processes were followed and legislative and regulatory requirements were complied with. Although documented processes and templates provided good support for staff

involved in procurement, no other mechanisms existed to ensure staff had the skills and knowledge to undertake procurement effectively.

We have made eight recommendations to assist Derwent Valley Council improve their procurement processes.

Glamorgan Spring Bay Council

Glamorgan Spring Bay Council's Code complied with the LGA and LGR in all material respects.

We found evidence Glamorgan Spring Bay Council had not complied with its annual reporting requirements for procurements exceeding public tendering thresholds.

Glamorgan Spring Bay Council was unable to provide us with the evidence required for us to assess or conclude against any of the other audit criteria. The procurement records we requested to assess compliance could not be provided as there was no centrally maintained document management system. This was a significant failing.

We have made two recommendations to assist Glamorgan Spring Bay Council improve their procurement processes.

Recommendations

Break O'Day Council

1. Ensure its policy on the use of multi-stage tenders includes all the information required by regulation 26.
2. Ensure accessible records are maintained for all procurements meeting quotations thresholds, ideally through a central repository.
3. Document the rationale for decisions where procurement thresholds are not complied with, for example, in approving significant contract variations.
4. Enhance procurement monitoring procedures to ensure they fully comply with regulation 28(k), particularly in relation to major procurements.
5. Support staff carrying out procurements in compliance with the LGA, LGR and the Code by providing them with documented processes, guidance and templates.
6. Ensure all staff carrying out procurement have the requisite skills and capabilities, with training provided through a structured training program.

Derwent Valley Council

1. Explore opportunities for rationalising the number of procurement policies and procedures to improve efficiency.
2. Develop a process to ensure compliance with regulation 29 annual reporting requirements for all contracts falling within the relevant threshold.
3. Ensure accessible records are maintained for all procurements meeting quotations thresholds, ideally through a central repository.
4. Introduce stronger controls for raising and authorising purchasing orders.

5. Establish processes for documenting the rationale for approving contract variations rather than proceeding with a new procurement when the variation amount falls within the threshold for public tenders and quotations.
6. Ensure decisions to award contracts contrary to the evaluation panel's recommendation comply with established procurement policy and processes, i.e. decisions are based on the same evaluation criteria and supported by written reasons.
7. Establish arrangements for ongoing monitoring or review of procurement activity to confirm correct processes are followed and there is compliance with the LGA, LGR and Code.
8. Ensure all staff carrying out procurement have the requisite skills and capabilities, with training provided through a structured training program.

Glamorgan Spring Bay Council

1. Introduce a centrally maintained document management system and maintain complete procurement records to evidence compliance with the LGA, LGR and Code and to enable effective procurement and contract monitoring and management.
2. Ensure all procurements exceeding the reporting threshold prescribed in the LGA and LGR are included in annual reports.

Submissions and comments received

In accordance with section 30(2) of the Audit Act a summary of observations was provided to the Minister for Local Government, Treasurer and each council with a request for submissions or comments.

Submissions and comments that we receive are not subject to the audit nor the evidentiary standards required in reaching an audit opinion. Responsibility for the accuracy, fairness and balance of these comments rests solely with those who provided the response. However, views expressed by the responders were considered in reaching our conclusions.

Section 30(3) of the Audit Act requires that this Report include any submissions or comments made under section 30(2) or a fair summary of them. Submissions received are included in full below.

Minister for Local Government

Thank you for your correspondence of 20 November 2020, enclosing a copy of your 2020-21 Report on Procurement in Local Government.

The Report demonstrates the important function of the Auditor-General in identifying areas of non-compliance in local government. I take these matters of council compliance very seriously and I am concerned to read some of the findings, particularly those relating to Glamorgan-Spring Bay Council and Derwent Valley Council. Accordingly, I will be contacting each council to discuss their proposed responses to the recommendations contained in the final Report as tabled.

With regard to Glamorgan Spring Bay Council, as you may be aware, the Director of Local Government and I have taken a number of steps recently to support the Council to improve its governance, financial, and operational capabilities and its long-term planning. These include recommending that the Council develop a Statement of Expectations governing relationships between the Mayor, councillors and senior staff; and issuing a Performance Improvement Direction in relation to the Council's statutory financial and asset management obligations under the *Local Government Act 1993*.

Thank you once again for the opportunity to comment.

The Honourable Mark Shelton MP

Minister for Local Government

Premier and Treasurer

I note your audit findings in relation to the compliance of the Break O'Day Council, Derwent Valley Council and Glamorgan Spring Bay Council with procurement and reporting obligations under their respective Code for Tenders and Contracts, the *Local Government Act 1993* and *Local Government (General) Regulations 2015*.

Given the information contained in the summary report, I support the recommendations you have made to each council.

Thank you for providing the summary report and recommendations for my review.

The Honourable Peter Gutwein MP

Premier and Treasurer

Break O'Day Council

Overall, Council management agrees with the assessment process and findings of the audit. Certainly, Council agrees that Policies have not in all instances completely complied with relevant regulations and this will be remedied. However, management does not believe that the conclusions and recommendations arising from the audit are appropriate for a local government of the size, resources and level of procurement both in terms of number and value of the transactions. In particular, management believes that findings and recommendations should be based on the level of risk, as determined by an assessment of likelihood and consequences, not simply of whether something may possibly happen. Further, recommendations appropriate to local governments with staff and financial resources are not necessarily appropriate for local governments of smaller staffing levels and other resources. The 'one size fits all', best practice approach to local government procurement audits should be tempered with a greater awareness of balance between risk, resources and appropriate practices.

Management notes that within the audit that there is a reference to 'value for money' and the opportunity for Council to package works to instigate a Public Tender process. Council has a strong focus on 'value for money' and draws attention to the Annual Plans of Council

for the period of the audit which identifies an annual target and then reports on progress towards achieving this target

John Brown

General Manager

Auditor-General's rejoinder

I am pleased Council has accepted the majority of findings. I do not believe significant resources would be required to implement the recommendations which, if actioned, would aid Break O'Day Council in complying with the LGA and LGR and enable it to carry out its procurement activities more efficiently.

Derwent Valley Council

Derwent Valley Council acknowledges and accepts the findings and recommendations of the Tasmanian Audit Office (TAO).

As discussed with TAO, Council is in the process of configuring and implementing a new finance system which will help to introduce stronger controls. The system is due to go-live on 1 July 2021. In the meantime, Council plans to review the systems and processes to prioritise improvements that can address the issues identified. This will also include Council's record keeping practices and expanding the suite of processes, guidance, templates and training for staff.

Council is due to review its Code for Tenders and Contracts and will use this opportunity to review and rationalise the associated policies and procedures, in line with the recommendations of TAO, by the end of the financial year 2021.

Council is also committed to ensuring transparency in its decision-making; any future deviations from the recommendation of the tender evaluation panel will be recorded in open and in accordance with Council's Tender Procedure.

Dean Griggs

General Manager

Glamorgan Spring Bay Council

Council have acknowledged the shortcoming in its records management systems and processes. During 2019-20 and continuing into the current year Council have invested in implementing new systems and processes and is in the process of reviewing its Code of Tenders and drafting a new Purchasing Policy. These should go a long way to addressing the short comings identified through this audit process.

Greg Ingham

General Manager

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Introduction

Context

- 1.1 The requirements for procurement by Local Government are specified in the LGA and LGR. All councils are required to maintain a Code consistent with the LGA and LGR and comply with that Code when acquiring goods and services over the prescribed amount specified in the LGR or a council's Code. Our audit assessed compliance with these requirements and also identified opportunities to manage risks of non-compliance more effectively.
- 1.2 Procurement is the process of acquiring goods and services from external providers. Usually different procurement processes are used based on the value of the good or service being acquired. Simple one-off low-value purchases may only require one or more quotes being obtained, while much larger projects, such as constructing new infrastructure or acquiring an expensive piece of equipment, require a more thorough public tender process be undertaken.¹ Procurement processes can involve complexity and risk and it is imperative established policy and procedures are followed diligently.
- 1.3 Sections 333A and 333B of the LGA describe requirements for a council relating to tenders and contracts for goods and services. This includes maintaining a Code and complying with that Code when acquiring goods and services. The requirements of the Code are to be consistent with the requirements of the LGR. The Code governs how councils are to procure goods and services including the need to obtain quotes or tenders.
- 1.4 The Code has specific procurement principles ensuring:
 - open and effective communication – transparent and open purchasing processes
 - value for money – procurement at the most competitive price available, but value for money does not mean buying at the lowest price
 - enhancement of the capabilities of the local business industry – engaging local markets
 - ethical behaviour and fair dealing – promote procurement practices that are legal, ethical, fair and unbiased.
- 1.5 Further details of the legislative requirements under the LGA and LGR are included in Appendix 1. Further details on the procurement principles, taken from a Local Government Association of Tasmania (LGAT) guide – *Code for Tenders and Contracts*, are included in Appendix 2.

¹ A request for tender is a structured invitation to suppliers to submit a bid to supply goods or services.

Recent Local Government procurement audit findings

- 1.6 In September 2019, we released *Report of the Auditor-General No.1 of 2019-20 Procurement in Local Government* following the conduct of an audit examining the effectiveness of governance and procurement processes for three local government councils: Devonport City Council, Dorset Council and Glenorchy City Council. Our audit found:
- Devonport City Council's governance and procurement processes for management of its Living City project, as measured against the audit criteria, were in all material respects, performed effectively except for it failing to follow sound commercial and governance processes before entering into the Providore Place head lease.
 - Dorset Council complied, in all material respects, with its Code, the LGA and LGR relating to processes to extend the Blue Derby Bike Trails, as evaluated against the criteria
 - Glenorchy City Council complied, in all material respects, with its Code, the LGA and LGR, as evaluated against the audit criteria.
- 1.7 Our audit of Break O'Day Council, Derwent Valley Council and Glamorgan Spring Bay Council builds on our September 2019 audit by using similar criteria and methodology.

Break O'Day Council detailed findings

Did Break O'Day Council's policies and procedures comply with LGA and LGR procurement requirements?

2.1 We assessed compliance of Break O'Day Council's policies and procedures with the LGA and LGR procurement requirements by determining whether:

- there was a publicly accessible up-to-date Code that complied with the LGA and LGR
- policies and procedures in relation to procurement were compliant with the Code, LGA and LGR
- adequate procedures were established to document, review and report purchases of goods and services where a public tender or quotation process was not used.

Break O'Day Council's Code complied with the LGA and LGR in nearly all respects and was publicly accessible

- 2.2 Break O'Day Council's Code complied with LGA and LGR requirements. The *Procurement Policy (Code for Tenders and Contracts)*, last amended on 16 December 2019, promoted the four purchasing principles as required by the LGA and LGR and identified the requirement for public tenders for procurements valued at an amount of \$100 000 or more. This is a lower threshold than the \$250 000 threshold prescribed in the LGR. Break O'Day Council informed us it considered this threshold was appropriate for the environment in which it operates and had made the decision not to raise the threshold.
- 2.3 Guidance to staff could be improved. There were some areas where the LGA and LGR requirements could be described in more detail to assist staff with compliance, either within the Code or through supporting procedures. These areas are described later in this Chapter.
- 2.4 The Code was publicly accessible on the Break O'Day Council's website and at its offices.

Limited additional procurement policy and procedures had been produced, with some procedures not covering all the activities required by the LGA and LGR

- 2.5 The Code was the main source of information for staff about the processes to follow for undertaking procurements. Break O'Day Council produced limited additional documented processes and guidance to support staff in complying with the Code.
- 2.6 Regulation 28 requires councils to establish and maintain local level procedures for tenders and contracts, which support the procurement principles defined in LGR.

Section 7 of Break O'Day Council's Code described most stages required for tendering including:

- preliminaries and documents preparation
- tender advertising and documents issue
- preferred shortlisted tenderers meeting
- tender evaluation
- reporting of exemptions.

There was insufficient detail about how some processes should operate. Some stages, such as processes for receiving and opening tenders, amending or extending tenders and handling complaints were referenced at a high level in the Code and there was limited information about how these processes should operate. Also, we found the policy on the use of multi-stage tenders did not provide the level of detail required by regulation 26.

2.7 The following requirements complied with the Code, LGA and LGR:

- instruments of delegation for committing expenditure for the procurement of goods and services
- official purchase order procedures, which expanded on some of the procurement principles in the Code
- Contractor Management Procedure as far as it related to awarding contracts and informing winning tenderers.

2.8 The Code described specific instances when Break O'Day Council is not required to call for public tenders as required by regulation 27. However, this was not supported by processes for documenting and reviewing purchases where a tender or quotation was not used. We were informed there had been no such procurements in the past few years.

2.9 Break O'Day Council informed us it did not use multiple-use registers, and therefore, had not produced procedures for multiple-use registers in accordance with regulation 25.

Did Break O'Day Council have an effective approach to procurement that complied with the LGA, LGR and demonstrated good practice?

2.10 In determining whether Break O'Day Council had effective approaches to procurement that complied with the LGA, LGR and demonstrated good practice we assessed whether Break O'Day Council:

- complied with its own procurement thresholds
- reviewed variations to contracts to assess if any changes required further disclosure or additional procurement obligations

- ensured all procurements gone through an appropriate procurement process
- had procured multiple purchases from the same supplier that could be construed as splitting procurements
- established and maintained processes and procedures for receiving, evaluating, awarding and debriefing of tenders
- complied with annual reporting requirements in relation to public tenders and contracts as specified in the LGR
- had an appropriate monitoring mechanism to ensure it was complying with legislation and its own policies and procedures.

Whilst there was compliance with public tendering requirements, inadequate record keeping meant compliance with requirements for seeking written quotations could not be assessed

- 2.11 Procurement thresholds were defined in Break O'Day Council's Code. Procurements of \$100 000 or more were required to be subject to public tender. We assessed a sample of procurements from payments made in 2018-19 exceeding the threshold for public tendering and found they had been subject to public tender as required. Records maintained for these procurements provided evidence that an appropriate procurement process had been followed, apart from the debriefing to unsuccessful tenderers (addressed later in this Chapter).
- 2.12 Written quotations were required for procurements between \$10 000 and \$100 000. Some quotation records were kept within a centrally held register, which was accessible and could be used by Break O'Day Council to check compliance with procurement processes before purchase orders were raised, invoices accepted and payments made. However, various methods of record management existed, which were the responsibility of individual staff managing the procurements. Problems with accessing records meant we did not have the evidence to satisfy ourselves that written quotations were sought as required for all procurements within this threshold range.
- 2.13 We found evidence of the procurement of separate services from a supplier that could have been bundled and packaged as a tender to achieve better value for money. In this instance, the supplier received six payments in 2018-19, which when totalled exceeded the Break O'Day Council's threshold for tendering. Break O'Day Council was of the view that each procurement represented a different and separate job but acknowledged that tendering of these services, for example, through establishment of a multiple use register, may be more appropriate.
- 2.14 In this case we were satisfied there was no intent to split the procurement into separate contract arrangements to avoid the public tendering requirement. However, Break O'Day Council's Code did not specifically prohibit the splitting of a contract into two or more contracts to avoid compliance with the public tendering requirement. Although not required by the LGR, including this information in the Code would facilitate staff awareness and compliance.

A significant variation to a contract was approved with limited documentation of the rationale for the approval

- 2.15 Break O'Day Council advised no significant variations to tenders or contracts had occurred in at least the past two years, except for one instance. After the original contract was awarded, a variation was subsequently requested by the contractor for an amount exceeding Council's thresholds for seeking written quotations. Our review of closed minutes confirmed Break O'Day Council had approved an increase in the capital budget to enable the extra work described in the variation request to be completed. However, there was no documented rationale for why Council agreed to treat this as a contract variation as opposed to a new procurement.

Documented procedures existed for the receiving, evaluation, awarding and debriefing of tenders, although information was limited on some requirements

- 2.16 Processes for receiving, evaluating, awarding and debriefing of tenders were set out in section 7 of the Code, although there was very limited information relating to the receipt and opening of tenders. Tools to support staff in receiving, awarding and debriefing were not available. The documented process steps would benefit from supporting templates such as a register of tenders received, register of attendance at tender opening, standard evaluation template and template debriefing letter.
- 2.17 For the procurements we reviewed, we found appropriate processes had been followed, apart from some information missing from debriefing letters sent to unsuccessful tenderers. We noted:
- a register was maintained to record tenders received and non-compliant tenders
 - details of tender panel members present at tender opening were recorded
 - evaluation matrices complied with Code requirements, with evaluation criteria well defined and aligned with Request for Tender criteria
 - Break O'Day Council was provided with a report on details of the evaluation and recommendation to award a contract
 - Break O'Day Council minutes recorded recommendations and motions regarding decisions to award contracts
 - written notification was sent to successful and unsuccessful tenderers.

Annual reporting requirements were complied with

- 2.18 Annual reports for the periods 2016-17, 2017-18 and 2018-19 included reporting on procurement of amounts of \$100 000 or more. There was compliance with regulation 29 (1) and (3) requirements relating to contracts entered into following tender or quotation processes respectively, though we noted annual reports would benefit from further clarity about options to extend contracts. For example, if contracts do not contain options for extension, this could be stated.

- 2.19 Regulation 29 (2) requires the reporting of certain instances of the non-application of the public tender process. Break O'Day Council informed us there had been no such procurements for these annual reporting periods.
- 2.20 We found no evidence of procurement activity which fell within the requirements for tender, which had not been reported.

Monitoring to ensure procurements had been through an appropriate process was undertaken, though processes did not fully comply with the LGR monitoring requirements

- 2.21 Regulation 28 (k) requires councils to establish and maintain procedures for the review of each tender process to ensure it is in accordance with the LGR and Code. We found evidence of ongoing monitoring of procurement activity. For example, system controls ensured compliance with delegations and reasonableness checks were undertaken before purchase orders were accepted and payments made. These could identify purchases that may not have been through appropriate processes.
- 2.22 A procurement or contract management review was included on the internal audit schedule every three years. The last review was conducted in July 2019, which covered Break O'Day Council's compliance with the LGA, LGR and policies and procedures from acceptance of tender and appointment of contractor to payment of invoice.
- 2.23 A future internal audit review of tender arrangements has been scheduled. Including procurement within other scheduled reviews of policies and procedures and fraud could be helpful in further strengthening Break O'Day Council's procurement review arrangements.
- 2.24 Break O'Day Council had some monitoring mechanisms in place for the review of submitted tenders and evaluation processes leading to recommendations to award contracts. However, the procedures do not fully comply with regulation 28(k), specifically to demonstrate there is monitoring of compliance with each part of the process for major procurements.

Did Break O'Day Council ensure staff were well trained in procurement?

- 2.25 In determining whether Break O'Day Council ensured staff were well trained in procurement we assessed whether:
- staff involved in procurement had the appropriate skills and training in procurement to perform their duties effectively
 - staff were provided with templates and guidance to assist them in the procurement process
 - staff were aware of the need to declare possible or actual conflicts of interest during procurement activities

- all instances of attempted influence through gifts, benefits or other means were declared or reported as appropriate.

Staff would benefit from more support through training, guidance and templates to carry out procurements appropriately

- 2.26 Break O'Day Council informed us staff procurement capabilities were assessed when staff were recruited, where relevant. Staff with purchasing responsibilities also received training in systems use and changes, with additional guidance provided where instances of non-compliance were identified. However, there was no process for identifying staff procurement skills gaps, for example, through formal staff performance reviews and for undertaking structured training. We would expect staff to receive training in the LGA and LGR procurement principles and the requirements of Code as part of staff induction and through refresher training. Not having a planned, structured approach to assessing skills gaps and for providing training may result in staff undertaking procurements in contravention of LGA and LGR principles and established policies and procedures.
- 2.27 Whilst the Code was the main source of information for staff undertaking procurement, there were limited additional documented processes, guidance and templates to support staff in complying with the Code. In practice, the lack of supporting templates resulted in staff copying and pasting from previous procurement documents. This could result in inconsistencies, inaccuracies and non-compliance in the way procurement is undertaken.

Processes existed for staff to declare conflicts of interest for procurements

- 2.28 Processes existed for staff to declare conflicts of interest for procurements they were involved in, and we were provided with evidence that staff completed Tender Assessment Conflict of Interest forms, whether they had an interest to declare or not. Also, as part of induction, staff were required to read and certify they had read and would comply with the conflicts of interest and gifts and benefits policies.

Derwent Valley Council detailed findings

Did Derwent Valley Council's policies and procedures comply with LGA and LGR procurement requirements?

3.1 We assessed compliance of Derwent Valley Council's policies and procedures with the LGA and LGR procurement requirements by determining whether:

- there was a publicly accessible up-to-date Code that complied with the LGA and LGR
- policies and procedures in relation to procurement were compliant with the Code, LGA and LGR
- adequate procedures were established to document, review and report purchases of goods and services where a public tender or quotation process was not used.

Derwent Valley Council's Code complied with the LGA and LGR and was publicly accessible

- 3.2 Derwent Valley Council's Code incorporated and expanded on the content of the LGAT model Code. Our analysis found the Code was compliant with the LGA and LGR. Many aspects of the Code expanded on the minimum requirements prescribed in the LGA and LGR, for example, the Code set out how to calculate the value of purchases, the use of Probity Advisors, procedures for recording and registering quotes and the responsibilities of the General Manager in procurement processes.
- 3.3 The Code was publicly accessible on the Derwent Valley Council's website and at its offices.

Procurement policies and procedures complied with the LGA and LGR and the Code, though some were overdue for review

- 3.4 Regulation 28 requires councils to establish and maintain local level procedures for tenders and contracts, which support the procurement principles defined in LGR. Derwent Valley Council had a suite of policies and procedures that underpinned the Code and complied with the LGA and LGR. This included hyperlinks from the policies and procedures to relevant templates. Delegations were compliant with section 64(1)(b) of the LGA and were accurately reflected in the procurement policies.
- 3.5 Although policies and procedures complied with the Code, LGA and LGR, some were past their review date. The lack of timely review had resulted in some policies and procedures not reflecting current practice. For example, Derwent Valley Council had implemented an E-procurement portal, which was used for inviting and receiving tenders. There was no reference to this portal in Derwent Valley Council's Tender

Procedure² which set out the mechanism for how tenders would be developed and reviewed through six identified stages of tendering. Stage 3 (invite and receiving) documented processes were mostly obsolete due to the introduction of the portal.

- 3.6 Derwent Valley Council advised it did not have the capacity to review all policies and procedures by their due date.

Processes for reporting on procurements where a tender or quotation process was not used were adequately documented

- 3.7 Derwent Valley Council's procedures for reporting on procurements where an exemption is granted were set out adequately in its Code.

Did Derwent Valley Council have an effective approach to procurement that complied with the LGA, LGR and demonstrated good practice?

- 3.8 In determining whether Derwent Valley Council had effective approaches to procurement that complied with the LGA, LGR and demonstrated good practice we assessed whether Derwent Valley Council:
- complied with its own procurement thresholds
 - reviewed variations to contracts to assess if any changes required further disclosure or additional procurement obligations
 - ensured all procurements gone through an appropriate procurement process
 - had procured multiple purchases from the same supplier that could be construed as splitting procurements
 - established and maintained processes and procedures for receiving, evaluating, awarding and debriefing of tenders
 - complied with annual reporting requirements in relation to public tenders and contracts as specified in the LGR
 - had an appropriate monitoring mechanism to ensure it was complying with legislation and its own policies and procedures.

Whilst there was compliance with public tendering requirements, inadequate record keeping meant compliance with requirements for seeking written quotations could not be assessed

- 3.9 We assessed compliance with thresholds for a sample of procurements and found tendering requirements were complied with.
- 3.10 Derwent Valley Council's Code and supporting procedures require written records of all written and verbal quotations to be documented. We selected a sample of

² DVC-PRO-023 *Tender Procedure*

suppliers who received payments during 2018-19 above the prescribed amount for seeking quotations. Of this sample, only 6% were recorded in the quotations register. Therefore we were unable to confirm whether quotations were sought, where required, in all instances. Derwent Valley Council acknowledged the quotations register was a significant failing in its financial system arising from an inability to match quotes against purchase orders and invoices for goods and services, resulting in resulting in a lack of transparency in procurement transactions. Derwent Valley Council advised it is currently implementing a new financial system which will enable records of procurements within the quotations threshold to be maintained centrally.

- 3.11 We found requests to raise purchase orders were often submitted by email and the staff member raising and authorising the purchase order were the same person. This lack of verification process indicated Derwent Valley Council had inadequate controls in place to manage risks of process non-compliance, fraud and error. Derwent Valley Council informed us the new financial system will address this issue.

There was no formal mechanism to review variations requests to assess if further disclosure or procurement processes were required

- 3.12 Variations forms were used by suppliers to request variations. Variations were documented and formal letters sent out to suppliers as required. However, it was unclear whether there was internal scrutiny of variations requests to determine whether a further procurement process was required to comply with Derwent Valley Council tendering and quotations thresholds before they were agreed.

Some procurements did not follow documented procurement processes

- 3.13 We assessed our sample of procurements against each of the six stages described in Derwent Valley Council's Tender Procedure, with no exceptions identified. COVID-19 restrictions meant we were unable to review records for inviting and receiving tenders retained within Derwent Valley Council's E-procurement portal. However, use of this portal would have reduced the risk of non-compliance with invitation and receipt of tender requirements.
- 3.14 The Tender Procedure, provides for Derwent Valley Council to make a final determination on the acceptance or rejection of tender responses. The procedure states 'Any decision by the Council to award a tender to a tenderer, other than the recommended tenderer, will need to be based on the same evaluation criteria and supported by written reasons'.
- 3.15 We were alerted to two occasions where Derwent Valley Council had awarded contracts contrary to the tender evaluation panel's recommendations. In one instance, Derwent Valley Council rejected the recommendation of the evaluation panel and awarded the contract to a supplier who had tendered at a higher price, however, no reason was documented. In the other instance, the written reason provided for not awarding the tender to the recommended supplier was 'local content'. However, both tenderers had been given equal weighting for 'local content' by the evaluation panel.

- 3.16 We were also alerted to the awarding of a contract by a Derwent Valley Council Special Committee without following Derwent Valley Council's processes for seeking two written quotations. We were informed this was a regular occurrence and we were not provided with any documented policies or processes describing the procurement role of Special Committees, including their exemption from complying with Derwent Valley Council's documented procurement processes.
- 3.17 On the face of it, the Derwent Valley Council's decisions for these procurements did not appear to comply with its own policies and processes. The decisions also appear to conflict with the LGA and LGR principles relating to transparent and open purchasing processes.

Appropriate processes were in place, in most respects, for the receiving, evaluation, awarding and debriefing of tenders

- 3.18 Derwent Valley Council's use of an E-procurement portal provides a mechanism to ensure process compliance for the receipt and opening of tenders.
- 3.19 Section 6.1 of the Code states that unless the Conditions of Tendering expressly provide for an alternative method, tender evaluation will be carried out in accordance with the principles and practices set out in the Code. The Code describes the requirement for an evaluation panel, evaluation criteria and weightings, a scoring guide to assist in the evaluation process and conflict of interest declarations.
- 3.20 Evaluations we reviewed were robust with weighted scoring used to assess compliance against the tender criteria and written evaluation reports submitted to Derwent Valley Council for decision were comprehensive.
- 3.21 For the completed procurements reviewed, letters were sent to unsuccessful bidders. These did not comply with all the requirements of the LGR, though they did include an invitation for a full debrief and the name of a Derwent Valley Council contact person.

Annual reporting requirements were complied with in material respects

- 3.22 Annual reporting on tenders and contracts complied with regulation 29, except for one contract with a value of over \$100 000 which had not been included in the annual report for the financial year in which the contract had been awarded, as required by regulation 29(3). The explanation for this exception was the procurement had not been registered in the Contract Register from which annual report information was drawn.
- 3.23 Derwent Valley Council complied with all other regulation 29 reporting requirements, except for the non-disclosure of the business address of a successful supplier in the 2017-18 annual report, as required by regulation 29(1)(f).

Evidence of ongoing monitoring of procurement activity to ensure compliance was limited

- 3.24 Regulation 28(k) requires councils to establish and maintain procedures for the review of each tender process to ensure it is in accordance with the LGR and the Code. Section 6.4 of Derwent Valley Council's Code states Probity Advisors will be engaged

‘where the nature of the tender warrants particular sensitivity to due process’. Examples provided included large and complex developments involving joint venture proposals.

- 3.25 We were provided with a probity report, produced internally by a staff member independent of the process, for review of a bridge tender. However, apart from this, there was no evidence of ongoing monitoring or review of procurement activity to confirm compliance with legislative requirements or established policies and procedures.
- 3.26 Some reviews were scheduled within the Audit Panel work program 2019-20, and although the program did not specifically identify procurement, other projects may include some elements of procurement within their scope. These included changes to the LGA, purchase orders approvals, Delegations of Authority, Gifts and Benefits Register and fraud control.

Did Derwent Valley Council ensure staff were well trained in procurement?

- 3.27 In determining whether Derwent Valley Council ensured staff were well trained in procurement we assessed whether:
- staff involved in procurement had the appropriate skills and training in procurement to perform their duties effectively
 - staff were provided with templates and guidance to assist them in the procurement process
 - staff were aware of the need to declare possible or actual conflicts of interest during procurement activities
 - all instances of attempted influence through gifts, benefits or other means were declared or reported as appropriate.

Staff procurement skills were not identified and staff did not have access to procurement training

- 3.28 Derwent Valley Council had not assessed whether its staff had the skills required to undertake procurement effectively. This could have occurred through formal staff performance reviews. There was no planned procurement training program, including refresher training, nor was procurement a component of staff induction.
- 3.29 Staff did not have access to procurement training. Derwent Valley Council’s procurement procedures identified the General Manager as being responsible for ‘providing adequate resources and training to achieve the required outcome’ in relation to procurement. We were informed LGAT had offered free procurement training, which Derwent Valley Council staff could attend if they requested, however this training was cancelled due to COVID-19.

Documented processes, guidance and templates supported staff undertaking procurement

3.30 As previously mentioned, a comprehensive suite of processes, guidance and templates for staff underpin the Code, which should support compliance.

Processes existed for staff to declare conflicts of interest for procurements

3.31 Derwent Valley Council provided evidence that key personnel involved in procurement decisions completed Conflict of Interest declarations whether they had a conflict or not. The General Manager was also responsible for maintaining a publicly accessible Gifts Register, with templates for staff to declare gifts received.

Glamorgan Spring Bay Council detailed findings

Did Glamorgan Spring Bay Council's policies and procedures comply with LGA and LGR procurement requirements?

4.1 We assessed compliance of Glamorgan Spring Bay Council's policies and procedures with the LGA and LGR procurement requirements by determining whether:

- there was a publicly accessible up-to-date Code that complied with the LGA and LGR
- policies and procedures in relation to procurement were compliant with the Code, LGA and LGR
- adequate procedures were established to document, review and report purchases of goods and services where a public tender or quotation process was not used.

Glamorgan Spring Bay Council's Code complied with the LGA and LGR and was publicly accessible

- 4.2 Glamorgan Spring Bay Council's Code complied with the LGA and LGR in all respects. The Code required public tenders for procurements of \$250 000 or more and clearly described processes for open tenders, a multi-stage tender and multiple-use register. In this respect it provided an extra level of detail to the requirements of regulation 28.
- 4.3 The Code also outlined where Glamorgan Spring Bay Council was not required to call for a tender, including the need for the General Manager to report to Glamorgan Spring Bay Council where a tender or quotation process was not used.
- 4.4 Our audit reviewed the May 2016 version of the Code. Following the completion of audit fieldwork, Glamorgan Spring Bay Council reviewed and approved an updated version of the Code.
- 4.5 The Code was publicly accessible on the Glamorgan Spring Bay Council's website and at its offices.

Glamorgan Spring Bay Council was unable to provide us with the evidence we requested for us to assess whether policies and procedures in relation to procurement were compliant with the Code, LGA and LGR or whether adequate procedures were established to document, review and report purchases of goods and services where a public tender or quotation process were not used

- 4.6 Glamorgan Spring Bay Council could not provide the procurement records we sought to assess whether policies and procedures in relation to procurement were compliant with the Code, LGA and LGR or whether adequate procedures were established to document, review and report purchases of goods and services where a public tender or quotation process were not used. This is because Glamorgan Spring Bay Council did not have a centrally maintained document management system. This is a significant failing by Glamorgan Spring Bay Council.

Did Glamorgan Spring Bay Council have an effective approach to procurement that complied with the LGA, LGR and demonstrated good practice?

- 4.7 In determining whether Glamorgan Spring Bay Council had effective approaches to procurement that complied with the LGA, LGR and demonstrated good practice we assessed whether Glamorgan Spring Bay Council:
- complied with its own procurement thresholds
 - reviewed variations to contracts to assess if any changes required further disclosure or additional procurement obligations
 - ensured all procurements gone through an appropriate procurement process
 - had procured multiple purchases from the same supplier that could be construed as splitting procurements
 - established and maintained processes and procedures for receiving, evaluating, awarding and debriefing of tenders
 - complied with annual reporting requirements in relation to public tenders and contracts as specified in the LGR
 - had an appropriate monitoring mechanism to ensure it was complying with legislation and its own policies and procedures.

Glamorgan Spring Bay Council was unable to provide us with evidence to enable us to form an opinion

- 4.8 A review of payments for 2018-19 indicated eight suppliers had each received several payments for the supply of the same or similar goods and services, which in total exceeded the procurement thresholds for tendering. We were unable to establish if they were separate procurements or whether public tenders should have occurred.

However, it is likely such procurements could have provided Glamorgan Spring Bay Council the opportunity to bundle goods and services for tendering or establishing a multi-use register to potentially achieve better value for money.

- 4.9 Glamorgan Spring Bay Council's Code states it will not split a contract into two or more contracts where the primary purpose is to avoid compliance with the requirement to publicly invite tenders. In the case of these eight suppliers we were unable to conclude on whether contract splitting had occurred due to Glamorgan Spring Bay Council's being unable to provide the requested information.
- 4.10 Procurement records we sought were not available for us to assess compliance against any of the other sub-criteria as there was no centrally maintained document management system.

Annual reporting requirements were not complied with

- 4.11 Our examination of accounts paid records for the past three years indicated a number of procurements exceeding the reporting threshold had not been disclosed in Glamorgan Spring Bay Council's annual reports.
- 4.12 The eight suppliers noted previously were not disclosed. As Glamorgan Spring Bay Council was unable to provide us evidence as to whether these were separate procurements, we could not conclude whether the non-disclosure complied with the LGA or LGR.

Did Glamorgan Spring Bay Council ensure staff were well trained in procurement?

- 4.13 In determining whether Glamorgan Spring Bay Council ensured their staff were well trained in procurement we assessed whether:
- staff involved in procurement had the appropriate skills and training in procurement to perform their duties effectively
 - staff were provided with templates and guidance to assist them in the procurement process
 - staff were aware of the need to declare possible or actual conflicts of interest during procurement activities
 - all instances of attempted influence through gifts, benefits or other means were declared or reported as appropriate.

Glamorgan Spring Bay Council was unable to provide us with evidence to enable us to form an opinion

- 4.14 Glamorgan Spring Bay Council was unable to provide any information to enable us to form an opinion for this criteria.

Acronyms and abbreviations

Audit Act	<i>Audit Act 2008</i>
Code	Code for Tenders and Contracts
LGA	<i>Local Government Act 1993</i>
LGAT	Local Government Association of Tasmania
LGR	<i>Local Government (General) Regulations 2015</i>
TAO	Tasmanian Audit Office

Appendix 1: Legislative framework and relevant legislation relating to procurement

The LGA requires councils to maintain a Code relating to tenders and contracts that is consistent with the LGA and LGR. This governs how a council is to procure goods and services including the need to obtain quotes or tenders.

The Code has specific procurement principles ensuring:

- open and effective communication – transparent and open purchasing processes
- value for money – procurement at the most competitive price available, but value for money does not mean buying at the lowest price
- enhancement of the capabilities of the local business industry – engaging local markets
- ethical behaviour and fair dealing – promote procurement practices that are legal, ethical, fair and unbiased.

Key clauses from the LGR and the Code referred to in this Report are outlined below.

Local Government (General) Regulations 2015

Regulation 23 *Public tenders*

- (1) For the purpose of section 333A(1) of the Act, the prescribed amount is \$250 000 (excluding GST).
- (2) A tender is to be publicly invited by one of the following:
 - (a) an open tender under regulation 24;
 - (b) a multiple-use register under regulation 25;
 - (c) a multiple-stage tender under regulation 26.
- (3) A council, through a public tender process, may establish a standing contract in which a single tenderer or multiple tenderers may be contracted for a specified period to provide specified goods or services during that period without the need for a further tender process.
- (4) A council must not split a contract into 2 or more contracts for the primary purpose of avoiding compliance with the requirement to publicly invite tenders.
- (5) A council may extend a contract entered into by tender –
 - (a) as specified in the contract; or
 - (b) if the contract does not specify extensions, by an absolute majority.

Regulation 27 *Non-application of public tender process*

The following situations and contracts are prescribed for the purposes of section 333A(3) of the Act:

- (a) an emergency, if, in the opinion of the general manager, there is insufficient time to invite tenders for the goods or services required in that emergency;
- (b) a contract for goods or services supplied or provided by, or obtained through, an agency of a State or of the Commonwealth;
- (c) a contract for goods or services supplied or provided by another council, a single authority, a joint authority or the Local Government Association of Tasmania;
- (d) a contract for goods or services obtained as a result of a tender process conducted by –
 - (i) another council; or
 - (ii) a single authority or a joint authority; or
 - (iii) the Local Government Association of Tasmania; or
 - (iv) any other local government association in this State or in another State or a Territory; or
 - (v) any organisation, or entity, established by any other local government association in this State or in another State or a Territory;
- (e) a contract for goods or services in respect of which a council is exempted under another Act from the requirement to invite a tender;
- (f) a contract for goods or services that is entered into at public auction;
- (g) a contract for insurance entered into through a broker;
- (h) a contract arising when a council is directed to acquire goods or services due to a claim made under a contract of insurance;
- (i) a contract for goods or services, if the council resolves by absolute majority and states the reasons for the decision, being that a satisfactory result would not be achieved by inviting tenders because of –
 - (i) extenuating circumstances; or
 - (ii) the remoteness of the locality; or
 - (iii) the unavailability of competitive or reliable tenderers;
- (j) a contract of employment with a person as an employee of the council.

Section 3 of the LGA – *Interpretation* states:

absolute majority means –

- (a) if no councillors are suspended more than half of the number of councillors to be elected to a council: or
- (b) if one or more councillors are suspended, more than half of the number of councillors to be elected to a council after subtracting the number of councillors who are suspended.

Regulation 28 Code for tenders and contracts

The code adopted under section 333B of the Act is to –

- (a) promote the following principles:
 - (i) open and effective competition;
 - (ii) value for money;
 - (iii) enhancement of the capabilities of local business and industry;
 - (iv) ethical behaviour and fair dealing; and
- (b) establish and maintain procedures to ensure that all potential suppliers are provided with the same information relating to the requirements of a tender or contract and are given equal opportunity to meet the requirements; and
- (c) establish and maintain procedures to ensure that fair and equal consideration is given to all tenders or quotations received; and
- (d) establish and maintain procedures to deal honestly with, and be equitable in the treatment of, all potential or existing suppliers; and
- (e) establish and maintain procedures to ensure a prompt and courteous response to all reasonable requests for advice and information from potential or existing suppliers; and
- (f) seek to minimise the cost to suppliers of participating in the tendering process; and
- (g) protect commercial-in-confidence information; and
- (h) for contracts valued at under \$250 000 (excluding GST), specify when 3 written quotations are required; and
- (i) establish and maintain procedures for the use of multiple-use registers for contracts valued at under \$250 000 (excluding GST); and
- (j) establish and maintain procedures for reporting by the general manager to the council in relation to the purchase of goods or services in circumstances where a public tender or quotation process is not used; and
- (k) establish and maintain procedures for the review of each tender process to ensure that it is in accordance with these regulations and the code; and
- (l) establish and maintain procedures for the following:
 - (i) amending or extending a tender once it has been released;
 - (ii) opening tenders;
 - (iii) the consideration of tenders that do not fully conform with the tender requirements;
 - (iv) the debriefing of unsuccessful tenderers;
 - (v) handling complaints regarding processes related to the supply of goods or services.

Regulation 29 Annual reporting requirements in relation to tenders and contracts

- (1) For the purposes of section 72(1)(e) of the Act, a council is to report the following in its annual report in relation to any contract, for the supply or provision of goods or services valued at or exceeding \$250 000 (excluding GST), that is entered into, or extended under regulation 23(5)(b), in the financial year to which the annual report relates:
 - (a) a description of the contract;
 - (b) the period of the contract;
 - (c) the periods of any options for extending the contract;
 - (d) the value of any tender awarded or, if a tender was not required, the value of the contract (excluding GST);
 - (e) the business name of the successful contractor;
 - (f) the business address of the successful contractor.
- (2) For the purposes of section 72(1)(e) of the Act, a council is to report in its annual report all instances where regulation 27(a) and (i) have been applied, with the following details:
 - (a) a brief description of the reason for not inviting public tenders;
 - (b) a description of the goods or services acquired;
 - (c) the value of the goods or services acquired;
 - (d) the name of the supplier.
- (3) For the purposes of section 72(1)(e) of the Act, a council is to report the following in its annual report in relation to any contract, for the supply or provision of goods or services valued at or exceeding \$100 000 (excluding GST) but less than \$250 000, that is entered into, or extended, in the financial year to which the annual report relates:
 - (a) a description of the contract;
 - (b) the period of the contract;
 - (c) the periods of any options for extending the contract;
 - (d) the value of the contract (excluding GST);
 - (e) the business name of the successful contractor;
 - (f) the business address of the successful contractor.

Appendix 2: Local Government Association of Tasmania Guide: Extract from Code for Tenders and Contracts

5 Procurement Principles

Council will have regard to the following principles when acquiring goods and services:

5.1 Open and Effective Communication

The Council will ensure that the purchasing process is impartial, open and encourages competitive offers.

In practice this means that Council will:

- 5.1.1 use transparent and open purchasing processes so that service providers and the public are able to have confidence in the outcomes
- 5.1.2 adequately test the market through seeking quotations or via tender as appropriate
- 5.1.3 avoid biased specifications
- 5.1.4 treat all service providers consistently and equitably
- 5.1.5 ensure a prompt and courteous response to all reasonable requests for advice and information from service providers

5.2 Value for Money

The Council will ensure that it is buying at the most competitive price available, but value for money does not mean buying at the lowest price.

In practice this means that Council will consider

- 5.2.1 the contribution the good or service makes to achieving Council's strategic plans or policies
- 5.2.2 the value of the acquisition and potential benefits against the costs of that purchase
- 5.2.3 an assessment of risks associated with the purchase including the preferred procurement method
- 5.2.4 how well goods or services meet needs
- 5.2.5 maintenance and running costs over the lifetime of a product
- 5.2.6 disposal value
- 5.2.7 time constraints
- 5.2.8 the impact of the procurement decision on the local economy, such as through industry development and employment creation
- 5.2.9 the impact of the procurement decision on the environment, such as through minimising waste and reducing demand for goods and services which have a direct impact on the environment (such as printing, utilities and travel)

- 5.2.10 the impact of the procurement decision on the society, (social value generated) such as through the elimination of discrimination and the promotion of equal opportunity, training, and other identified social objectives

5.3 Enhancement of the capabilities of the local business industry

The Council will ensure that where local capacity exists it will seek to engage the local market and encourage participation in tender and quotation processes.

In practice this means that Council will:

- 5.3.1 actively seek quotes from local businesses that are able to provide quality goods and or services
- 5.3.2 where local capability exists, ensure that discretionary elements of specifications do not prevent local business from competing
- 5.3.3 not give preferential treatment to local service providers where it cannot be reasonably justified

5.4 Ethical behaviour and fair dealing

The Council will promote procurement practice that is legal, ethical, fair and unbiased

In practice this means that Council will:

- 5.4.1 comply with legal requirements
- 5.4.2 conduct all business in the best interests of the Council
- 5.4.3 be as effective and efficient as possible when sourcing, ordering and paying for goods and services.
- 5.4.4 expect individuals involved in procurement processes to declare and act upon any conflicts of interest that may be seen to influence impartiality
- 5.4.5 ensure that specifications are clear
- 5.4.6 ensure that any Service Provider is not provided with information or clarification that is not provided equally to all service providers
- 5.4.7 maintain confidentiality at all times in dealing with service providers
- 5.4.8 ensure that conditions of contract are not excessively onerous
- 5.4.9 decline gifts or benefits offered by those involved in the procurement process, particularly from service providers

In practice this means that Council expects service providers to

- 5.4.10 ensure that they are well acquainted with Council requirements identified in this Code
- 5.4.11 are familiar with particulars relating to a specific tender and quotation processes including the relevant specifications
- 5.4.12 not submit a tender or quotation unless they have the financial, technical, physical, management resource or other capabilities to fulfil Council's requirements

- 5.4.13 not seek to influence a procurement process by improper means or collude with other service providers
- 5.4.14 declare and act upon any conflicts of interest that may be seen to influence impartiality
- 5.4.15 comply with all applicable legislative, regulatory and statutory requirements, including Acts of the Commonwealth and State, regulations, by laws and proclamations made or issued under such Acts and lawful requirements or directions of public and other authorities
- 5.4.16 not offer gifts or benefits to a Council officer for the discharge of official business

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Audit Mandate and Standards Applied

Mandate

Section 23 of the *Audit Act 2008* states that:

- (1) The Auditor-General may at any time carry out an examination or investigation for one or more of the following purposes:
 - (a) examining the accounting and financial management information systems of the Treasurer, a State entity or a subsidiary of a State entity to determine their effectiveness in achieving or monitoring program results;
 - (b) investigating any matter relating to the accounts of the Treasurer, a State entity or a subsidiary of a State entity;
 - (c) investigating any matter relating to public money or other money, or to public property or other property;
 - (d) examining the compliance of a State entity or a subsidiary of a State entity with written laws or its own internal policies;
 - (e) examining the efficiency, effectiveness and economy of a State entity, a number of State entities, a part of a State entity or a subsidiary of a State entity;
 - (f) examining the efficiency, effectiveness and economy with which a related entity of a State entity performs functions –
 - (i) on behalf of the State entity; or
 - (ii) in partnership or jointly with the State entity; or
 - (iii) as the delegate or agent of the State entity;
 - (g) examining the performance and exercise of the Employer's functions and powers under the *State Service Act 2000*.
- (2) Any examination or investigation carried out by the Auditor-General under subsection (1) is to be carried out in accordance with the powers of this Act

Standards Applied

Section 31 specifies that:

'The Auditor-General is to perform the audits required by this or any other Act in such a manner as the Auditor-General thinks fit having regard to -

- (a) the character and effectiveness of the internal control and internal audit of the relevant State entity or audited subsidiary of a State entity; and
- (b) the Australian Auditing and Assurance Standards.'

The auditing standards referred to are Australian Auditing Standards as issued by the Australian Auditing and Assurance Standards Board.



*Front cover image: The road to Ben Lomond.
Simon Sturzaker, Tourism Tasmania Visual Library*

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ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	David Jolly, Manager Infrastructure and Development Services
FILE REFERENCE	014\002\001\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the report be received by Council.

INTRODUCTION:

This is a monthly summary update of the works undertaken through the Works and Infrastructure Department for the previous month and a summary of the works proposed for the coming month, and information on other items relating to Council's infrastructure assets and capital works programs.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:**OUTSTANDING REPORTS:**

Motion Number	Meeting Date	Council Decision	Comments
04/18.16.4.102	16 April 2018	<ol style="list-style-type: none"> Pursuant to section 14 of the <i>Local Government (Highways) Act</i> 1982 (the Act), for the Council to discuss and consider the closure of the following assets for the public benefit due to "lack of use". <ol style="list-style-type: none"> The closure of Bridge 3462 over the George River providing current access to Yosts Flat. The closure of Grimstones Road from chainage 910m to end of road at chainage 4,680m. resolves that the part of Grimstones Road, Goshen as marked on the plan annexed and marked "A" should be closed to all traffic for the public benefit. Council delegates its functions and powers pursuant to section 14(1)(b) of the Act to the General Manager and authorises the General Manager to take such steps as may be necessary to comply with each of the requirements of that section in relation to the closure of Bridge 3462 over the George River providing current access to Yosts Flat and the closure of Grimstones Road from chainage 910m to end of road at chainage 4,680m. 	<p>In-progress</p> <p>Refer to Closed Council Resolution 11/18.17.3.</p>

Motion Number	Meeting Date	Council Decision	Comments
11/19.8.1.266	18 November 2019	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <ol style="list-style-type: none"> 1. That Council investigates the best route for a dual access, (bike/pedestrian), dual direction track between Swimcart Beach and the “yet to be built” dual access Binalong Bay Rd. track. 2. That Council seeks funding to enable this track to be built as soon as practical. 	Investigations commenced and potential route(s) are in initial stages of discussion with PWS.
11/19.13.3.274	18 November 2019	That Council consult with the St Marys Community to ascertain specific night-time usage requirement at the recreational ground, prior to giving consideration to commit \$35,000 to lighting infrastructure renewal.	<p>Resource and funding priority has been assigned to the installation of an in-ground irrigation system under the Drought Communities Program – nearing completion.</p> <p>Community consultation in relation to night time usage requirement of the recreational ground to be addressed in the near future.</p>
02/20.8.1.13	17 February 2020	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <p>That a Sun-shade for this playground be costed and the installation of it be included in our 2020-2021 Budget deliberations.</p>	The item refers to the St Helens foreshore playground. The playground and other foreshore infrastructure is to be considered as part of the Marine Facilities Strategy (Georges Bay).

Motion Number	Meeting Date	Council Decision	Comments
10/20.13.3.189	19 October 2020	<ol style="list-style-type: none"> That Councillors receive the letter from the residents of Lower Germantown Road and Denneys Road, St Marys. That Council engage the services of a qualified Traffic Engineer to undertake an assessment of Lower Germantown and Denney's roads against AS1742 Part 4, before considering and submitting an application for a speed limit change to the Department of State Growth. 	In-progress. Road Assessment (on-site) undertaken in November by Traffic Engineer who will provide the MIDS with an assessment report in January 2021.
11/20.8.1.203	16 November 2020	That Council approach the Department of State Growth to investigate the possibility of reducing the speed limit on the Tasman Highway heading northwest towards Scottsdale from 80km per hour to 60 km per hour to View Street.	In-progress Item raised with State Growth for consideration and response. MIDS to advise Council in due course.
11/20.13.3.215	16 November 2020	That Council make submission for a Safety Audit of the intersection of Upper Scamander Road and the Tasman Highway under the 2021/2022 Black Spot program at cost to the programme.	To be addressed at next round of Black Spot program—expected to be during July/Aug 2021.
12/20.8.1.225	21 December 2020	<p><i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i></p> <p>That Council investigate vehicle and pedestrian access from Annie Street to the community garden with a total of approximately 4.5 meters in width.</p>	To be actioned.

COMPLETED REPORTS:

Motion Number	Meeting Date	Council Decision	Comments
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Asset Maintenance	
Facilities	<ul style="list-style-type: none"> Preventative Maintenance Inspections (PMI) of Council owned buildings and playgrounds. Maintenance identified during inspection and managed via TRIM record. St Helens Memorial Park toilets have been refurbished.
Town & Parks	<ul style="list-style-type: none"> Mowing/ground maintenance – all areas. Garden/tree maintenance and weeding where required. Soft-fall has been replenished at playgrounds. Footpath Maintenance and repairs where required. Boat Ramp Inspections and cleaning. Drought Communities Project has started with outdoor projects in St Marys and Fingal Valley.
Roads	<ul style="list-style-type: none"> Sealed road patching – all areas Tree maintenance pruning Stormwater system pit cleaning and pipe unblocking Road side slashing has commenced throughout the municipality
MTB	<ul style="list-style-type: none"> Routine track maintenance

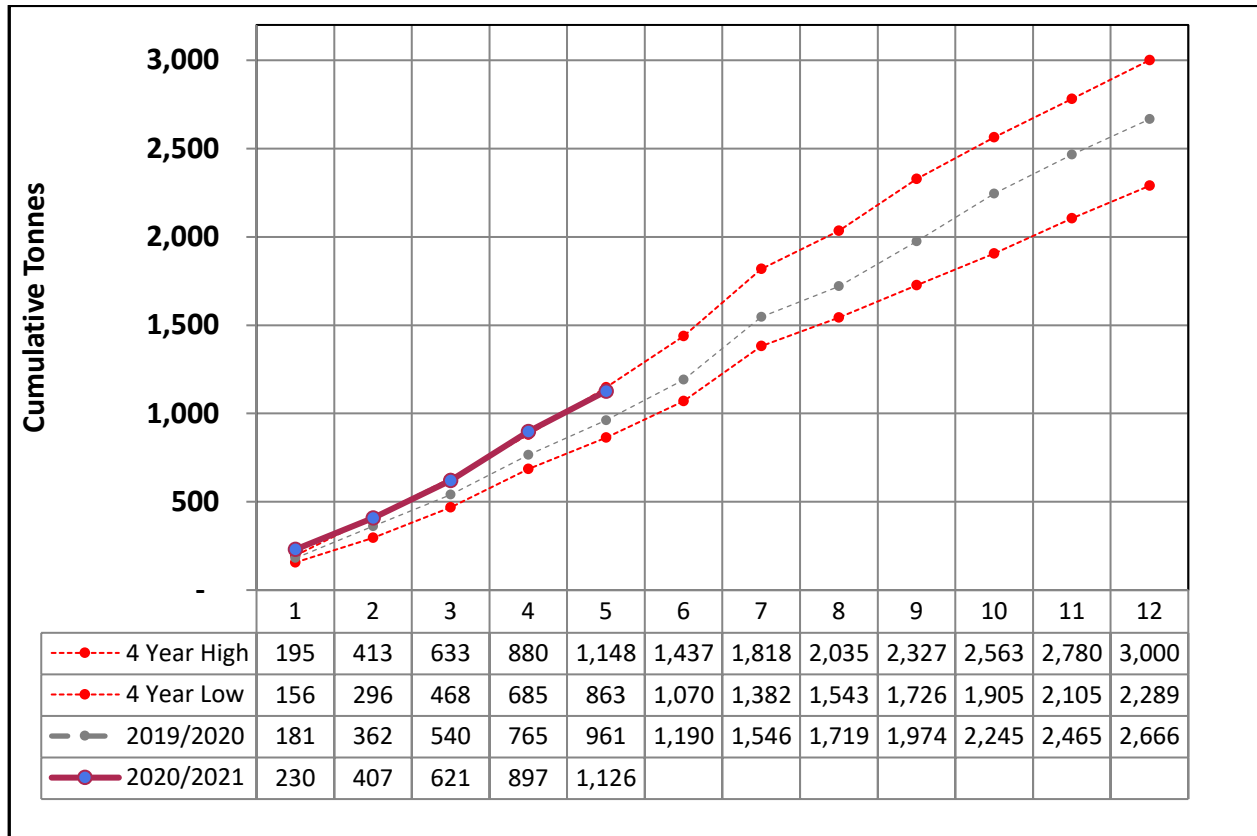
Flood Damage December 2020 – Infrastructure Remediation
<ul style="list-style-type: none"> Alexander St, Cornwall – road pavement damage Eastern Creek Road – Bridge abutment wash-out Fitzgeralds Road – road pavement damage Gardens Road – Culvert embankment wash-out requiring reconstruction Lottah Road – road pavement damage (multiple locations) Reids Road – road pavement damage Wrinklers Lagoon – opened to ocean to lower water level at lagoon to mitigate flood threat to private property Richardsons Road, St Marys Lower Germantown, St Marys Irishtown / St Patricks Head Road Dublinton Road Davis Gully Road Banticks Creek Road Ansons Bay Road (parts) North Ansons Bay Road (parts) Kennel Hill

Weed Management – Targeted weeds	
St Helens Foreshore	<ul style="list-style-type: none">• Capeweed, Blackberry, Thistle, Mullein

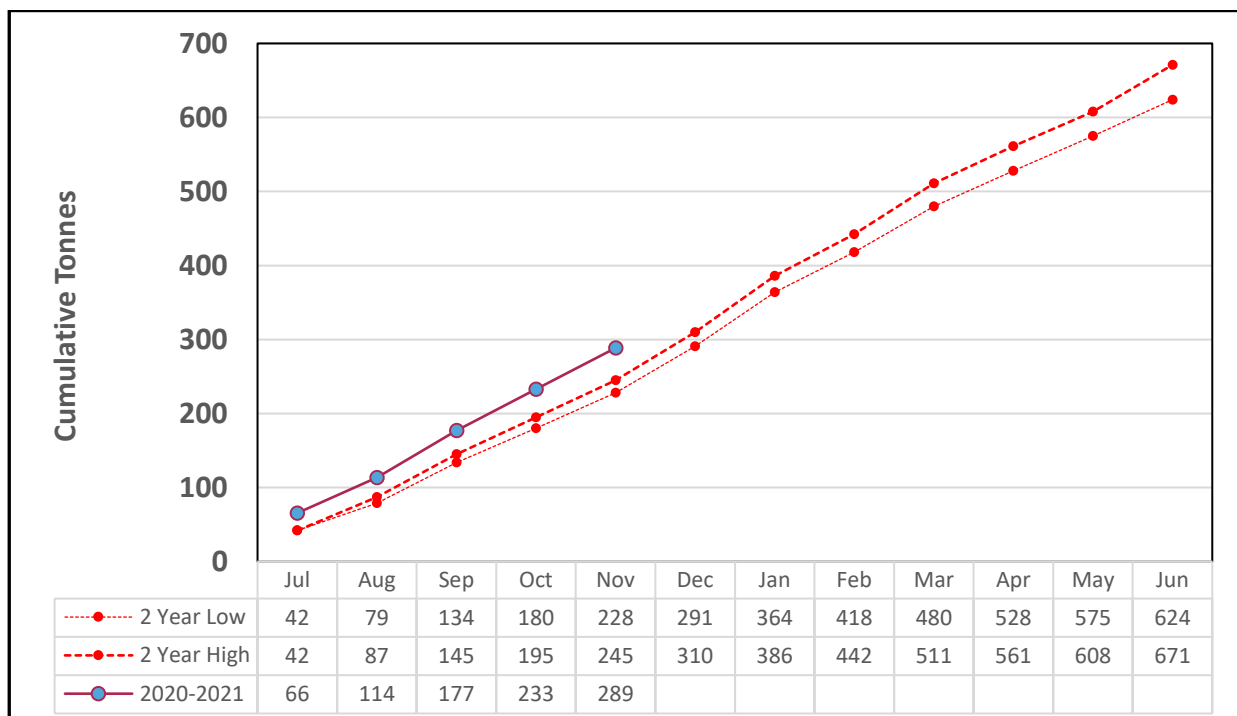
Asset Management
<ul style="list-style-type: none"> Bridge Management System updated after the 2020 bridge inspections by AusSpan. Strategic Asset Management Plan – Draft plan updated for Council review and endorsement. (February 2021)

Waste Management	
Kerbside Collection – Co-mingled Recyclables	<ul style="list-style-type: none">Stream contamination (non-recyclables) remains problematic resulting in higher cost burden to Council and rate payers.
Green Waste	<ul style="list-style-type: none">Stockpile of double mulched available for sale at the St Helens WTS on Wednesday and Saturday, between 10AM and 2PM.

Waste Management - Municipal General Waste to Copping Landfill



Kerbside Co-Mingled Recyclables collected by JJ's Waste



December 2020 figures not available at this stage.

CAPITAL WORKS SUMMARY

Details	Update
Ansons Bay Road - Stabilisation	In-progress.
Bridge 2398 Intake Bridge at Pyengana (Replacement)	Pre-cast components under manufacture.
DCP Project – Cornwall Stormwater Part B	In-progress.
DCP Project – Cornwall Road Sealing	In-progress.
DCP Project – St Marys Recreational Ground Irrigation System	In-progress.
DCP Mathinna Streetscape Improvements	In-progress.
DCP Mathinna Cemetery Master Plan	In-progress.
DCP Fingal Valley Tracks	In-progress.
DCP Fingal Cemetery Master Plan	Scheduled start of works – late January.
Flood Levee – Groom St, St Marys	In-progress.
Gardens Road – Sight Distance Improvements	Tender Report prepared for Council.
Medeas Cove Esplanade – Road Segment Reconstruction	In-progress
Road Re-sealing program	In-progress.
Road Re-sheeting program	In-progress.
Scamander WTS – Inert Landfill	In-progress.
Guard Rail Installation on two major culverts on Mathinna Road	Completed.

LEGISLATION / STRATEGIC PLAN & POLICIES:

Strategic Plan 2017-2027

Goal

Infrastructure - To provide quality infrastructure which enhances the liveability and viability of our communities for residents and visitors.

Strategy

- Be proactive infrastructure managers by anticipating and responding to the growing and changing needs of the community and the area.
- Work with stakeholders to ensure the community can access the infrastructure necessary to maintain their lifestyle.
- Develop and maintain infrastructure assets in line with affordable long-term strategies.

BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple Majority.

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Municipal Inspector
FILE REFERENCE	003\003\018\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the report be received by Council.

INTRODUCTION:

This is a monthly update for animal control undertaken since the last meeting of Council.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:

No report available as Officer on leave at time of reporting.

LEGISLATION / STRATEGIC PLAN & POLICIES:

Strategic Plan 2017-2027

Goal

Environment - To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.

Strategy

Ensure the necessary regulations and information is in place to enable appropriate use and address inappropriate actions.

BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple Majority.

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	David Jolly, Manager Infrastructure & Development Services
FILE REFERENCE	018\019\068\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That Council endorse the following projects for nomination for funding under the Local Roads and Community Infrastructure Program (extension):

1	St Helens Point Road (Parnella Storm Water Catchment 2).	\$107,000
2	O'Connor's Beach – Shared Pathway	\$95,000
3	Footpath Upgrade - Beaumaris	\$85,000
4	Footpath Upgrade – St Marys	\$50,000

That Council engage in community consultation with the Falmouth Community for the sealing of Franks Street and Morrison Street, Falmouth.

INTRODUCTION:**LRCI Program Extension**

The Australian Government has announced an extension of the Local Roads and Community Infrastructure Program (LRCI Program).

Under the LRCI Program Extension, Break O' Day Council will receive an additional funding allocation of \$596,896. This funding will be available from 1 January 2021, with the Program extended until the end of 2021.

Program Guidelines and Grant Agreements are currently in the process of being drafted and will be provided to the Council in due course. In the meantime, Council is encouraged to consider projects for nomination for funding under the Program Extension.

This report recommends an initial four (4) projects for nomination for funding.

PREVIOUS COUNCIL CONSIDERATION:

Previous December Council Workshop discussion.

OFFICER'S REPORT:

At the Councillor Workshop (Monday 7 December 2020), Councillors were presented with five (5) candidate projects for information and discussion.

Four (4) projects for immediate funding nomination are recommended:

Project	Description	Initial Estimate (\$)
1	<p>St Helens Point Road (Parnella Storm Water Catchment 2).</p> <p>The proposed project is for the reconstruction of the Northern lane on St Helens Point Road between Aerodrome Road heading east to Treloggens Track (<i>Note: This road reconstruction project supplements a current Council project to upgrade the southern traffic lane including the provision of kerb and channel</i>). The allocation of an additional \$107,000 to the project will ensure completion of the Parnella Storm Water Catchment 2 project.</p> <p><i>Proposed Timeframe: February-March 2021</i></p>	107,000
2	<p>O'Connor's Beach – Shared Pathway</p> <p>The proposed project is for the construction of a gravel shared pathway between the Cunningham Street Jetty and Treloggens Track (boom gate) 715lm at 1.8m in width and includes the provision of two footpath bridges.</p> <p><i>Proposed Timeframe: July-August 2021</i></p>	95,000
3	<p>Footpath Upgrade - Beaumaris</p> <p>The proposed project is for the upgrade of the gravel footpath between Ocean Drive and Reedy Street. The upgrade covering a length of 829m at 2 m width includes the construction of a missing footpath segment (Surfside) and sealing the path with a 2-coat spray seal.</p> <p><i>Proposed Timeframe: October-November 2021</i></p>	85,000
4	<p>Footpath Upgrade – St Marys</p> <p>The proposed project is for the upgrade of the existing footpath segment from Newman Street and into Irishtown Road (~260 lm and 1.5m in width. The upgrade includes the renewal of the wear surface in asphalt, replacement of a Telstra Communications pit and the height adjustment of five sewer pit lids.</p> <p><i>Proposed Timeframe: November-December 2021</i></p>	50,000
GRAND TOTAL		337,000
Available Funding		596,896
Unallocated Funding		259,896

The fifth project (Project 5) proposed is the sealing of Franks Street and Morrison Street, Falmouth at \$259,896 (November-December 2021) and subject to the outcome of a community consultation process.

The program allows project nominations throughout 2021. Approved projects require completion by 31 December 2021. There is sufficient time at this stage of the year for Project 5 to be given further consideration and for other alternative new projects to be scoped and considered by the Council.

STRATEGIC PLAN & ANNUAL PLAN:

Strategic Plan 2017 – 2027

Goal

Infrastructure - To provide quality infrastructure which enhances the liveability and viability of our communities for residents and visitors.

Strategies

- Be proactive infrastructure managers by anticipating and responding to the growing and changing needs of the community and the area.
- Work with stakeholders to ensure the community can access the infrastructure necessary to maintain their lifestyle.
- Develop and maintain infrastructure assets in line with affordable long-term strategies

Key Focus Area

Roads and Streets - Develop a well maintained road network that recognises the changing demands and requirements of residents and visitors.

LEGISLATION & POLICIES:

Local Government Act 1993.

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

Extension projects are to be fully funded by the LRCI Program.

VOTING REQUIREMENTS:

Simple Majority.

01/21.14.0 COMMUNITY DEVELOPMENT

01/21.14.1 Community Services Report

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	Chris Hughes, Manager Community Services
FILE REFERENCE	011\034\006\
ASSOCIATED REPORT AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which are being dealt with by the Community Services Department.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:

OUTSTANDING REPORTS:

Motion Number	Meeting Date	Council Decision	Comments
05/18.14.2.117	21 May 2018	Council to take over ownership of the toilet block to be built at The Gardens with Council entering into an agreement with Parks & Wildlife (PWS) who will maintain and service the toilet block.	PWS in discussion with the Gardens community as to the location of the temporary toilet.
08/18.8.2.182	20 August 2018	A report is sought providing advice in accordance with the requirements of <i>Section 65 of the Local Government Act 1993</i> for the information of Council at a future meeting and consider any advice as required from relevant State Agencies: That Council work with the Fingal Valley Neighbourhood House, the SES, local police and others to establish a Driver Reviver Site in Fingal at the Council owned Park and Public Toilet Facility on the Esk Highway. This site ideally should be operational before Christmas and operate through until after the Easter long weekend.	Awaiting a response from SES as to why this did not occur and when they intend to commence this project in our Municipality.

Motion Number	Meeting Date	Council Decision	Comments
03/19.8.2.47	18 March 2019	<i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i> That Council look at building a mountain bike and walking tracks in the Fingal Valley, and have it shovel ready for funding at the next State election.	This to be developed further as part of the Recreational Trails Strategy.
09/19.14.3.229	16 September 2019	That Council: 1. Replace the fence and fix the steps on the Medea Cove side of Kings Park; 2. Work with Tasmania Fire Service to undertake an assessment as to whether Kings Park is currently a fire risk to adjoining properties; 3. Commence the process to develop some walking trails and interpretative signage that helps to create a narrative that acts to generate a positive user experience within the Kings Park area.	Advised the Works Department of Council decision to replace the fence and fix the steps. Walking trails to be discussed during the development of the Recreational Trails Strategy.
11/19.14.3.277	18 November 2019	1. That Council in principle adopt the draft Disability Action Plan; and 2. That Council seek community feedback in relation to the draft Disability Action Plan.	Finalising process due to Covid 19 has been put on hold as required to go back to committee.
12/19.14.2.303	16 December 2019	1. That Council support the Department of Communities Tasmania to undertake an examination of the feasibility of the key options identified. 2. That Council commence discussions with Department of Communities Tasmania to transfer the green space at the front of the old Hospital (corner Circassian and Cecilia Street) to Council for community use.	Council provided a response to Department of Communities Tasmania. Hospital currently being used by Ochre as a Respiratory Clinic.
02/20.14.3.22	17 February 2020	That Council develop a brief and call for Expressions of Interest to develop a Marine Facilities Master Plan for Georges Bay.	Draft document finalised – currently seeking feedback on what it would cost.
04/20.14.3.63	20 April 2020	That Council seek feedback from the sporting and recreational group users of the St Helens Sports Complex with the objective of consolidating proposed projects and preparing an updated master planning document to guide the Council in its future decision-making.	Letter forwarded inviting comments from user organisations

Motion Number	Meeting Date	Council Decision	Comments
07/20.14.5.124	20 July 2020	That taking into account the community comment: 1. Council restrict the project to the area between the dune and the road referring all other matters to Parks & Wildlife Service to address as it is outside Council's leased area. 2. Council design and build a toilet facility in approximately the same location as the existing toilet facility which blends with the surrounding environment. 3. That Council utilise the existing bus shelter at Wrinklers; and 4. That Council undertake the traffic movement improvements as identified with the Traffic Impact Assessment to improve the flow of traffic at the site and to correct the issue of sight distance that has occurred since the upgrade of the Wrinklers Bridge located on the Tasman Highway.	Council received draft design of proposed toilet block – currently with staff seeking feedback.
08/20.8.2.134	17 August 2020	<i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i> That Council consider the development of a Domestic/Family and Sexual Violence Strategy in order to demonstrate our commitment to making our community safer for everyone impacted by the trauma of interpersonal violence.	To be discussed further after presentation – item for December workshop

COMPLETED REPORTS:

Motion Number	Meeting Date	Council Decision	Comments
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Council Community Grants/Sponsorship 2020-2021:

Program and Initiatives	2020-2021
Community Services	
Community Grants	30,000
Youth Services	8,000
Misc Donations & Events	7,500
School Prizes	1,000

Program and Initiatives	2020-2021
Community Event Funding	
Seniors Day	3,000
Australia Day Event	5,000
Swimcart	1,000
St Helens Athletic Carnival	2,500
Carols by Candlelight	1,600
St Helens Car Show (including Woodchopping	10,000
Fingal Valley Coal Festival	2,000
Pyengana Endurance Ride -	500
Game Fishing	2,000
Marketing Greater Esk Tourism	2,500
Volunteer Week	2,500
Bay of Fires Winter Arts Festival	14,000
St Marys Car & Bike Show	2,000
East Coast Masters Golf Tournament	2,000
Triathlon	2,000
World Supermodel	500
Mental Health Week	500
Mountains to the Sea Trail Fest	3,000
Council Sponsorship	
Funding for BEC Directory	2,000
Community car donation	2,500
St Helens Marine Rescue	3,000
Suicide Prevention Golf Day	1,000
Business Enterprise Centre	28,000

Updates on current projects being managed by Community Services:

St Helens Mountain Bike Network

Officer on leave at time of reporting.

The Bay of Fires Trail

Officer on leave at time of reporting.

Community Events

Community Services have been working closely with event organisers to help them develop their COVID safety plans and hold successful events.

Delivered

2020

December

- Travis Collins – Mathinna Country Club

Planned 2021

January

- Georges Bay Dragon Boat event
- St Helens Shark Fishing Competition

February

- Break O'Day Triathlon

March

- Ten Days on the Island – 'If These Halls could Talk'
- St Helens Game Fishing Competition
- Dragon Trail MTB

When International Borders revert to normal

- World Top 50 Supermodel Competition – On secret location filming

Driver Reviver Program

This project has been put on hold due to Covid-19.

Proposed Binalong Bay Swimcart trail

A conceptual design is currently being worked up in relation to trail alignment.

Bay of Fires Master Plan

Draft brief currently being finalised in conjunction with PWS. Conversations to continue with PWS as to who will lead this process, Council's preference is to assist PWS in the development of this Master Plan. External funding for this project will be required.

Leaner Driver Mentor Program

Get In2 Gear is back up and running and slowly working through the backlog on the waiting list.

There is a new mentor who is coming on board in a month or so, taking our numbers of mentors up to five (5).

On Road Hours: 60

Learners in the car: 9

Learners on waiting list: 7

Mentors: 4

Learners passed their Provisional Licence: 3

Learners failed their Provisional Licence: 1

LEGISLATION / STRATEGIC PLAN & POLICIES:

Strategic Plan 2017-2027

Goal

Community - To strengthen our sense of community and lifestyle through opportunities for people to connect and feel valued.

Strategy

- Build community capacity by creating opportunities for involvement or enjoyment that enable people to share their skills and knowledge.
- Foster a range of community facilities and programs which strengthen the capacity, wellbeing and cultural identity of our community.

BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple Majority.

01/21.15.0 DEVELOPMENT SERVICES

01/21.15.1 Development Services Report

ACTION	INFORMATION
PROPONENT	Department
OFFICER	Development Services
FILE REFERENCE	031\013\003\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which have been dealt with by the Development Services Department since the previous Council meeting.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:

OUTSTANDING REPORTS:

Motion Number	Meeting Date	Council Decision	Comments
03/20.6.4.30	16 March 2020	Break O'Day Draft Local Provisions Schedule (Tasmanian Planning Scheme) (LPS)	Officers attended meeting 30 July 2020 with Tasmanian Planning Commission for post lodgement conference for the Break O 'Day draft Local Provisions Schedule (Statewide Planning Scheme). A request for further information has been received from TPC for which a response is currently being finalised.
04/20.15.3.66	20 April 2020	That Council ask the Tasmanian Government to provide it with information including the economic and social implications for Break O'Day community of possible changes to Future Potential Production Forest Land in Break O'Day municipality.	After a follow-up request no specific information has been provided to date. Research shall be conducted to inform Council, as best as can be, at a future Workshop - so Council can consider its position in the meantime, regarding the future of FPPF Land in Break O'Day.

Motion Number	Meeting Date	Council Decision	Comments
10/20.15.4.196	19 October 2020	<ol style="list-style-type: none"> 1. That Council grant \$3,000 of Drought Weeds funding to an application for support of gorse control at St Marys on the Cullenswood, Millbrook and Sunnybanks properties. 2. That the offer of Break O'Day Drought Weeds Grants to farmers continue until funds are fully committed and with proactive support to farmers to develop projects meeting the Guidelines for municipal Drought Weeds Grants 2020. 	Actioned.
11/20.15.2.219	16 November 2020	<ol style="list-style-type: none"> 1. That Council's strategy for implementing its Dog Management Policy is to work in cooperation with the Parks and Wildlife Service with what resources Council and they have available and includes: joint targeted compliance actions with publicity, coordinated signage for dog access zones and to develop strategies for effective communication and education together. 2. That Council seek commitment from the Parks and Wildlife Service to work cooperatively with Council to implement consistent and coordinated management of dogs in the municipality through Council's public processes for Dog Management Policy and Declared Areas, while recognising our different roles, objectives and responsibilities, and means for achieving them. 	<p>Annual Plan implementation of Dog Management Policy to apply strategy.</p> <p>Parks and Wildlife Services to be asked to formalise cooperation with Council.</p>
11/20.15.3.220	16 November 2020	<ol style="list-style-type: none"> 1. That Council participate in a new project addressing Lower George floodplain priorities in partnership with the Lower George Riverworks Trust. 2. That Council contribute \$4,000 towards the cost of the project plus in-kind resources. 	Project start pending execution of grant deed with SES.

COMPLETED REPORTS:

Motion Number	Meeting Date	Council Decision	Comments
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KEY DEPARTMENT STRATEGIC OR OPERATIONAL MATTERS:

- ✓ Finalisation of response to Tasmanian Planning Commission in collaboration with GHD.
- ✓ Recruitment on Environmental Health Officer ongoing in conjunction with Northern Midlands Council.
- ✓ Recruitment of Vacant Senior Planner position ongoing.

PLANNING REPORT

The following table provides data on the number of applications approved for the month including statistical information on the average days to approve and the type of approval that was issued under the *Land Use Planning and Approvals Act 1993*:

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD	EOFY 2019/ 2020
NPR	2	3	6	8	2	2							23	
Permitted	3	3	4	2	2	6							20	
Discretionary	10	13	22	20	27	16							108	
Amendment		1	1	2	1	3							8	
Strata		1				1							2	
Final Plan				4	1	1							6	
Adhesion	1												1	
Petition to Amend Sealed Plan					1								1	
Total applications	16	21	33	36	34	29							169	259

Ave Days to Approve Nett *	29.3	32.47	31.33	30.5	30.67	23.06							29.55	
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* Calculated as Monthly Combined Nett Days to Approve/Total Applications

The following table provides specific detail in relation to the planning approvals issued for the month:


December 2020

DA NO.	LOCATION	DESCRIPTION	SECTION	Day to Approve Gross	Days to Approve Nett
221-2020	St Marys	Demolition & Extension of School Building	S57	33	28
101-2020 AMEND	Scamander	Amendment to boundary Adjustment	S56	15	15
277-2020	Ansons Bay	Garage	S58	15	15
253-2020	St Helens	Dwelling Extension & Shed	S57	48	39
242-2020	Scamander	Dwelling	S57	27	27
273-2005 AMEND	Falmouth	Construction of a 6.0m x 9.0m Shed	S56	13	13
260-2020	Scamander	Dwelling	S57	34	33
252-2020	Scamander	Dwelling	S57	43	42
309-2020	St Helens	Change of Use - Visitor Accommodation	S58	7	7
264-2020	Stieglitz	Shed	S57	40	40
306-2020	Stieglitz	Shed	S58	9	9
175-2020	Stieglitz	Second Dwelling	S57	51	39
237-2020	St Helens	Sheds	S57	64	33
326-2020	Scamander	Demolition & New Shed	S57	1	0
275-2020	St Helens	Shipping Container	S57	36	29
310-2020	St Helens	Change of Use - Visitor Accommodation	S58	8	8
302-2020	Scamander	New Shed & Widen Existing Crossover	NPR	13	13
270-2020	Binalong Bay	Dwelling Alterations, Extension & Deck	S57	38	37
110-2017 STRATA	St Helens	Examination and Sealing of Strata Plan	STRATA	25	25
284-2020	St Helens	Storage Shed Addition	S57	29	29
311-2020	Stieglitz	Change of Use - Visitor Accommodation	S58	8	7
294-2020	Ansons Bay	Dwelling & Outbuilding	S57	35	35
283-2020	St Marys	BBQ Shelter	S57	29	29
328-2020	Binalong Bay	Deck	S58	7	7
280-2020	Mangana	Laundry Block & Amenities Block	S57	30	30
322-2020	Scamander	Demolition of Existing Shed & New Shed	NPR	12	12
286-2020	St Helens	Front Fence & Spa	S57	17	0
211-2020 AMEND	Scamander	2 Lot Subdivision	S56	31	31
101-2020 FINAL	Scamander	Final Plan of Survey	FINAL	133	37

TOTAL: 29

BUILDING REPORT

Projects Completed in the 2020/2021 financial year

Description	Location	Updates
Re-Roof of Amenities Section	Bendigo Bank Community Stadium	Completed August 2020.
New Shade Structure	Flagstaff Trail Head	Completed November 2020. 
Internal Fit-out	Scamander Surf Life Saving Club	Completed December 2020

Projects ongoing – Capital Works Program (Includes carried over projects previous financial years)

Description	Location	Updates
Old Tasmanian Hotel Restoration Project Stage 1 – Complete First Floor Restoration, Reroof, External Repaint, New Access.	Fingal	<ul style="list-style-type: none"> Milestone 2 Report Approved by Grant funding body; Stage 1 Completed 31 July 2020;
Stage 2 – New Lift, Accessible Toilet & Rear Veranda		<ul style="list-style-type: none"> Stage 2 Works commenced and scheduled for completion by Mid Feb February 2021 and official opening planned for February/March 2021.
Internal Alterations (Renovation of Men's Toilet & Change rooms)	St Marys Sports Centre	<ul style="list-style-type: none"> Nearing Completion, minor fit out work outstanding.

Description	Location	Updates
Additions & Upgrades to Portland Hall	Portland Hall, St Helens	<ul style="list-style-type: none"> • Works almost completed, minor electrical works outstanding. • Scoping of works commenced for new budget allocation.
Demolish Existing Buggy Shed & Install New	St Marys Sports Centre	<ul style="list-style-type: none"> • Building Approvals obtained; • Works commenced and scheduled for completion early 2021.

Approved Capital Works Program – Current Financial Year - not yet started

Description	Location	Updates
New Amenities building	Wrinklers lagoon carpark	<ul style="list-style-type: none"> • Building Designer now engaged. Design concepts currently being prepared for consideration; • Regulatory approvals required.
Community Services Storage Shed	St Helens Works Depot	<ul style="list-style-type: none"> • Development Application approval pending.
Building upgrades	St Marys Railway Station	<ul style="list-style-type: none"> • Works scoping and scheduling of works to be confirmed.
Weldborough Amenities Building	Weldborough	<ul style="list-style-type: none"> • Site and scoping of works on hold.
Re-Roof and Weatherproofing of athletics building	St Helens Sports Complex	<ul style="list-style-type: none"> • Works scoping and scheduling of works to be confirmed.
New Shade Structure	Scamander Reserve	<ul style="list-style-type: none"> • Concept plans developed; • Final costings currently underway.
Four Mile Creek Community Hub	Four Mile Creek Reserve	<ul style="list-style-type: none"> • Design work currently being finalised; • Regulatory approvals required.
Marine Rescue Additions	St Helens Foreshore	<ul style="list-style-type: none"> • Community group have requested Councils Construction manager to oversee construction; • Works schedule compromised due to unknown location of existing services.
BBQ Shelter	St Marys Community Space	<ul style="list-style-type: none"> • Council staff carrying out works as Private Works to be funded by Community group; • Development approvals currently pending.

The below table provides a summary of the building approval issued for the month including comparisons to the previous financial year.

Building Services Approvals Report December 2020				
No.	BA No.	Town	Development	Value
1	2020 / 00131	St Helens	New Two Storey Dwelling incorporating Deck & Garage	\$522,000.00
2	2020 / 00255	St Helens	Addition to Deck	\$5,400.00
3	2020 / 00316	St Marys	Alterations (installations/replacement of clinical basins) - Hospital	\$46,000.00
4	2020 / 00103	St Helens	Additions to Dwelling (Bedroom, Ensuite & Veranda)	\$108,000.00
5	2018 / 00267	Akaroa	New Dwelling & Shed	\$375,000.00
6	2020 / 00308	Scamander	Replacement (fire damaged) Shed	\$0.00
7	2020 / 00329	Mount William	Partial replacement and repairs – 7 tents and Deck	\$400,000.00
8	2020 / 00291	St Helens	New Solar Panels (20x375w)	\$5,000.00
9	2020 / 00252	Scamander	New Dwelling incorporating Decks	\$150,000.00
10	2020 / 00243	St Helens	New Dwelling	\$229,201.00
11	2020 / 00126	Mangana	New Dwelling	\$250,000.00
12	2020 / 00276	Falmouth	New Shed	\$16,000.00
13	2020 / 00281	Ansons Bay	Dwelling (Additions) & Deck (New)	\$47,700.00
ESTIMATED VALUE OF BUILDING APPROVALS FINANCIAL YEAR TO DATE			2019/2020	2020/2021
			\$11,826,807.00	\$7,677,053.00
ESTIMATED VALUE OF BUILDING APPROVALS FOR THE MONTH		MONTH	2019/2020	2020/2021
		December	\$1,669,218.00	\$2,154,301.00
NUMBER BUILDING APPROVALS FOR FINANCIAL YEAR TO DATE		MONTH	2019/2020	2020/2021
		December	74	73

ENVIRONMENTAL REPORT

Description	Updates
NRM Committee	The NRM Committee held a meeting on 16 December and its outcomes will be reported to Council in February.
Community engagement in Environment and NRM	The PWS is running a range of activities over January in Break O'Day with a 'Bay of Fires Discovery Ranger' program from after Christmas through January. Council is lending support to help promote the activities calendar and local assistance, including participating in a larapuna Discovery day at Eddystone Point.

PUBLIC HEALTH REPORT

Recreational Water Quality

The *Public Health Act 1997* requires that Councils to monitor recreational waters (including public pools and spars) using the Tasmanian Recreational Water Quality Guidelines.

January sampling was conducted on 5 January and lab test results should be returned for reporting at the Meeting. Results of previous sampling and testing for the 20120-21 season are shown below.

Recreational water	9 December 2020	
	Enterococci /100ml	Recreational WQ class
Henderson Lagoon	<10	Good
Scamander River mouth	<10	Good
Wrinklers Lagoon	10	Good
Yarmouth Creek	<10	Good
Beauty Bay	<10	Good
Grants Lagoon	<10	Good
Denison Rivulet	10	Good

The results for water samples indicate conditions for all these waters are safe for swimming Tasmanian Recreational Water Quality Guidelines. All natural waters may be subject to local poorer water quality from time to time due to weather or other conditions.

Immunisations

The *Public Health Act 1997* requires that Councils offer immunisations against a number of diseases. The following table provides details of the rate of immunisations provided by Council through its school immunisation program.

MONTH	2020/2021		2019/2020	
	Persons	Vaccinations	Persons	Vaccinations
July - December	50	58	50	53
January - June			72	98
TOTAL	50	58	122	151

Sharps Container Exchange Program as at 9 December 2020

Current Year	Previous Year
YTD 20/21	YTD 19/20
10	3

STRATEGIC PLAN & ANNUAL PLAN:

Strategic Plan 2017-2027

Goal

Environment – To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.

Strategy

- Ensure the necessary regulations and information is in place to enable appropriate use and address inappropriate actions.
- Undertake and support activities which restore, protect and access the natural environment which enables us to care for, celebrate and enjoy it.

LEGISLATION & POLICIES:

Not applicable.

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple Majority.

ACTION	DECISION
PROPONENT	Council Officer
OFFICER	Polly Buchhorn, NRM Facilitator
FILE REFERENCE	017\014\004\
ASSOCIATED REPORTS AND DOCUMENTS	<i>Circulated under separate cover</i> Guidelines for municipal Drought Weeds Grants 2020 Break O'Day Drought Weeds Grants 2020 – Application form (available on Council's website).

OFFICER'S RECOMMENDATION:

1. That Council grant \$1,645 of Drought Weeds funding to an application for support of horehound control at Germantown on the Seaview Farm property.
2. That Council grant \$3,982 of Drought Weeds funding to an application for support of thistle control at Fingal on the Malahide property.

INTRODUCTION:

Two (2) further applications to Council for support from the \$30,000 of Break O'Day Drought Weeds grants program have been received.

PREVIOUS COUNCIL CONSIDERATION:**08/20.15.2.147***Moved: Clr J Drummond / Seconded: Clr L Whittaker*

1. *That Council offer farmers in Break O'Day Drought Weeds Grants on condition of the Municipal Drought Weeds Grants 2020 - Guidelines and Eligibility being met and best outcomes for the Break O'Day Drought Weeds Project.*
2. *That Council determine successful grant applications after considering recommendations from an assessment panel comprising two members of its NRM Special Committee, a Department of Primary Industries, Parks, Water and Environment officer and its NRM Facilitator.*

CARRIED UNANIMOUSLY**10/20.15.4.196***Moved: Clr J McGiveron / Seconded: Clr B LeFevre*

1. *That Council grant \$3,000 of Drought Weeds funding to an application for support of gorse control at St Marys on the Cullenswood, Millbrook and Sunnybanks properties.*
2. *That the offer of Break O'Day Drought Weeds Grants to farmers continue until funds are fully committed and with proactive support to farmers to develop projects meeting the Guidelines for municipal Drought Weeds Grants 2020.*

CARRIED UNANIMOUSLY

OFFICER'S REPORT:

The Break O'Day Drought Weeds grants remains open to applications until funds are fully committed.

Council's Drought Weeds grants assessment panel has reviewed two additional applications against the grants guidelines and application conditions. All relevant priority criteria for the Drought Weeds grants are met by the applications and they are recommended to be funded by Council.

Details for the two drought weed grants projects are:

1. 'Seaview Farm', Germantown

Weed/s	Horehound, infestation favoured by drought.
Weed plan	For biodynamic farm, repeat treatment with organic oil herbicide through season to prevent seeding and eradicate.
Weed/s & works	Spray with 'Slasher' contact herbicide now and following years.
Funding use	Chemical, subsidise farm labour hours.
Total project budget	\$2,265
Funding sought	<u>\$1,645</u>

2. 'Malahide', Fingal

Weed/s	Cotton and variegated thistles.
Weed plan	Biosecurity and treated, but still overwhelmed post drought. Spray missed thistles and follow up new germination in autumn. Build up biosecurity efforts and weed management skills.
Weed/s & works	Boom- and spot-spray thistle areas on 3 paddocks (150ha). Also doing another 380Ha, self funded.
Funding use	Weed control materials.
Total project budget	\$6,872
Funding sought	<u>\$3,982</u>

A number of farmers from the Fingal valley and George catchment farming areas are continuing to work on drought weed projects and applications with the Drought Weeds Officer. Further applications seeking support from the Break O'Day Council Drought Weeds grants fund are expected.

STRATEGIC PLAN & ANNUAL PLAN:

Strategic Plan 2017 – 2027

Goal

Environment - To balance our use of the natural environment to ensure that it is available for future generations to enjoy as we do.

Strategy

Undertake and support activities which restore, protect and access the natural environment which enables us to care for, celebrate and enjoy it.

Key Focus Area

Land management - Develop the financial and human resources to undertake projects and activities which address environmental issues such as weeds and land degradation.

Action

Secure financial and human resources for projects to rehabilitate degraded land and sustain soil productivity.

LEGISLATION & POLICIES:

Weed Management Act 1999

Break O'Day Council Weed Plan 2014

BUDGET; FUNDING AND FINANCIAL IMPLICATIONS:

The Break O'Day Drought Weeds Project and its WAF funding from the Tasmanian Government is included in Council's Budget for 2020/21.

VOTING REQUIREMENTS:

Simple Majority.

ACTION	INFORMATION
PROPONENT	Council Officer
OFFICER	John Brown, General Manager
FILE REFERENCE	002\012\001\
ASSOCIATED REPORTS AND DOCUMENTS	Nil

OFFICER'S RECOMMENDATION:

That the General Manager's report be received.

INTRODUCTION:

The purpose of this report is to provide Councillors with an update of various issues which are being dealt with by the General Manager and with other Council Officers where required.

PREVIOUS COUNCIL CONSIDERATION:

Provided as a monthly report – Council consideration at previous meetings.

OFFICER'S REPORT:**OUTSTANDING REPORTS:**

Motion Number	Meeting Date	Council Decision	Comments
07/19.16.2.182	15 July 2019	In accordance with section 156 of the <i>Local Government Act 1993</i> , Council resolves to make a by-law for the regulation of the Trail Networks.	Draft By-Law currently being prepared.
12/20.16.4.243	21 December 2020	That Council endorse the Memorandum of Understanding with East Coast Tasmania Tourism for the period 1 July 2020 to 30 June 2023.	

COMPLETED REPORTS:

Motion Number	Meeting Date	Council Decision	Comments
08/20.8.1.132	17 August 2020	<i>A report is sought providing advice in accordance with the requirements of Section 65 of the Local Government Act 1993 for the information of Council at a future meeting and consider any advice given by a person who has the qualifications or experience necessary to give such advice, information or recommendation:</i> That Council expressly provide for and regulate virtual attendance for councillors, to participate at meetings via teleconference, video-conference or other means of instant electronic communication.	Completed Report presented to the October Council Workshop

Motion Number	Meeting Date	Council Decision	Comments
12/20.16.3.242	21 December 2020	That pursuant to Section 23 of the <i>Emergency Management Act 2006</i> , Council nominate Chris Hughes as the Municipal Emergency Management Coordinator and Angela Matthews as the Deputy Municipal Emergency Management Coordinator for a term of five (5) years commencing immediately.	Completed

Meeting and Events attended:

21.12.2020	St Helens	– Council Meeting
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Meetings & Events Not Yet Attended:

Nil.

General – The General Manager held regular meetings with Departmental Managers and individual staff when required addressing operational issues and project development. Meetings with members of the community included Tania Fleming, Peter & Gail Paulsen, Steve Walley (BODEC), Wil Wodrow (Searson Buck).

Brief Updates:

Northern Tasmania Regional Land Use Strategy (NTRLUS)

As mentioned at the Council Meeting on 16 November 2020 a key point prior to progressing with a review has been to get some clarity on updating the NTRLUS from a regional perspective and an understanding on where the State Government sits on the matter. From the regional discussions it is apparent that there are two main elements which need addressing; the Future Urban Growth areas for Launceston which are those in areas such as Prospect, Legana and Perth; as well as a range of more diverse issues for Councils similar to the ones we have identified. Following a number of discussions with Minister Jaensch and the Policy Planning Unit some clarity has developed in relation to the pathway forward and amendments to the NTRLUS will be considered as packages of items. It is intended that updating the NTRLUS occur through two bundles based on their level of difficulty and preparedness, not their priority or importance.

The initial bundle will be text amendments only with no changes to the mapping and therefore they will not alter the strategic direction of the NTRLUS. Primarily the initial bundle will clarify the intent of the provisions relating to the described extent of Urban Growth Areas, including Growth Corridors and Future Investigation Areas to assist with interpretation; remove references to 2032 to enable rezoning to be considered to meet supply and demand needs where appropriately justified; allow for land contiguous to the Urban Growth Area, which will include Future Investigation Areas, to be considered for rezoning subject to detailed local planning consistent with the indicative nature of the Regional Framework Plan mapping; and clarify provisions relating to Rural Residential Areas to facilitate consideration of planning scheme amendments for new or expanded Rural Living zones.

The second bundle is more complex requiring strategic consideration and will address mapping changes within the RLUS following the completion of strategic work by individual Councils. This will also require text amendments within the RLUS covering such issues as amendments to the introduction / preamble; role of local planning, particularly within the Urban Growth Area, to deliver local planning outcomes; enabling growth in regional towns; and sub-regional assessment of supply/demand particularly when removed from the Launceston urban area. The Break O'Day Council targeted review of the Strategic Land Use documents guiding future development within Break O'Day will feed into the second bundle of changes.

Actions Approved under Delegation:

NAME/DETAILS	DESCRIPTION OF USE OF DELEGATION	DESCRIPTION	DELEGATION NO / ACT
Main Road, Weldborough	Affixing Common Seal	Title Transfer	Number 12 – Miscellaneous Powers and Functions to the General Manager
Scamander Avenue, Scamander	Affixing Common Seal	Final Plan of Survey	Number 12 – Miscellaneous Powers and Functions to the General Manager

General Manager's Signature Used Under Delegation for Development Services:

01.12.2020	337 Certificate	19 Pringle Street, Scamander	6406204
01.12.2020	337 Certificate	Lot 4 Mount Paris Dam Road, Weldborough (CT208684/4)	3461080
01.12.2020	337 Certificate	3A The Flat, St Marys	6405092
01.12.2020	337 Certificate	7 Akaroa Avenue, Akaroa	7610522
01.12.2020	337 Certificate	Main Road, Weldborough (CT214291-1)	3461099
01.12.2020	337 Certificate	Ocean Drive, Beaumaris (CT127762-8)	1812836
01.12.2020	337 Certificate	37 Beaulieu Street, St Helens	2635616
01.12.2020	337 Certificate	20 Bedgegood Place, Seymour	2134440
01.12.2020	337 Certificate	6 King Street, Binalong Bay	6809548
01.12.2020	337 Certificate	69 Alexander Street, Cornwall	2842084
01.12.2020	337 Certificate	9 Cameron Street, St Marys	6401593
02.12.2020	337 Certificate	36 Talbot Street, Fingal	6412751
02.12.2020	337 Certificate	28 Morrison Street, Falmouth	7513765
03.12.2020	337 Certificate	19 Lindsay Parade, St Helens	7731703
03.12.2020	337 Certificate	38 Freshwater Street, Beaumaris (CT180004-12)	9280159
07.12.2020	337 Certificate	1-15 Poseidon Street, St Helens	3076801
08.12.2020	337 Certificate	11 West Street, St Helens	1921944
09.12.2020	337 Certificate	Tasman Highway, Weldborough	3461101
09.12.2020	337 Certificate	130 St Helens Point Road, Stieglitz	6788951
09.12.2020	337 Certificate	103 Scamander Avenue, Scamander	6784184
09.12.2020	337 Certificate	Lot 6 Main Road, Weldborough	3460926
09.12.2020	337 Certificate	Lot 11 Main Road, Weldborough	3461021
09.12.2020	337 Certificate	Lot 5 Main Road, Weldborough	3460969

09.12.2020	337 Certificate	18 Seaview, Beaumaris	2503103
09.12.2020	337 Certificate	24419 Tasman Highway, St Helens	6792424
09.12.2020	337 Certificate	Lot 10 Main Road, Weldborough	3460993
09.12.2020	337 Certificate	Lot 5 Main Road, Weldborough	3460918
09.12.2020	337 Certificate	73 Tully Street, St Helens	7221121
09.12.2020	337 Certificate	38 Freshwater Street, Beaumaris (CT180004-33)	9280159
09.12.2020	337 Certificate	38 Freshwater Street, Beaumaris (CT180004-13)	9280159
10.12.2020	337 Certificate	2/82 Main Road, Binalong Bay	2668194
15.12.2020	337 Certificate	11 Hilltop Drive, Binalong Bay	6796935
15.12.2020	337 Certificate	Lot 14 Main Road, Weldborough	3461013
15.12.2020	337 Certificate	2 Edward Street, Cornwall	1957461
15.12.2020	337 Certificate	5 Lyne Court, Four Mile Creek	7495851
15.12.2020	337 Certificate	13 Tully Street, St Helens	6795772
16.12.2020	337 Certificate	78 Hills Road, Gray	9985169
16.12.2020	337 Certificate	261 St Helens Point Road, Akaroa	7440535
16.12.2020	337 Certificate	1 Cray court, Binalong Bay	6810661
16.12.2020	337 Certificate	35A Falmouth Street, St Helens	2908418
16.12.2020	337 Certificate	54 Scamander Avenue, Scamander	6783552
16.12.2020	337 Certificate	2 Hall Street, St Helens	6794390
16.12.2020	337 Certificate	30 Grant Street, Fingal	6411003
16.12.2020	337 Certificate	54 Peron Street, Stieglitz	6785240
16.12.2020	337 Certificate	7 Osprey Drive, Stieglitz	7221068
16.12.2020	337 Certificate	10 Bayvista Rise, St Helens	9215186
16.12.2020	337 Certificate	31 Coffey Drive, Binalong Bay	7896436
17.12.2020	337 Certificate	201 Binalong Bay Road, St Helens	6803875
17.12.2020	337 Certificate	4 Sunshine Court, St Helens	7560000
17.12.2020	337 Certificate	7 Karaka Close, Stieglitz	2800888
18.12.2020	337 Certificate	16 Erythos Grove, St Helens	6808836
18.12.2020	337 Certificate	24A Osprey Drive, Stieglitz	7431348

Tenders and Contracts Awarded:

Tender Closing Date	Description of Tender	Awarded to
4 November, 2020	Gardens Road – Sight Distance Works	Currently being assessed.

LEGISLATION / STRATEGIC PLAN & POLICIES:

Strategic Plan 2017-2027

Goal

Services - To have access to quality services that are responsive to the changing needs of the community and lead to improved health, education and employment outcomes.

Strategy

- Work collaboratively to ensure services and service providers are coordinated and meeting the actual and changing needs of the community.
- Ensure Council services support the betterment of the community while balancing statutory requirements with community and customer needs.

BUDGET AND FINANCIAL IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple Majority.

Pursuant to Regulation 15(1) of the Local Government (Meeting Procedures) Regulations 2015 that Council move into Closed Council.

IN CONFIDENCE

01/21.17.0 **CLOSED COUNCIL**

01/21.17.1 **Confirmation of Closed Council Minutes – Council Meeting 21 December 2020**

01/21.17.2 **Outstanding Actions List for Closed Council**

01/21.17.3 **Contract 030\001\127\ - Gardens Road Sight Distance Works - Closed Council Item Pursuant to Section 15(2)D of the Local Government (Meeting Procedures) Regulations 2015**

Pursuant to Regulation 15(1) of the Local Government (Meeting Procedures) Regulations 2005 that Council move out of Closed Council.