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**Minutes of an ordinary meeting of the Development Support Special Committee held in the Council Chamber of the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 27 June 2016 commencing at 6.01pm**

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**Members attendance**

Cr Kathleen Downie (Acting Mayor)	Cr Shane Broad
Cr Garry Carpenter	Cr Rowen Tongs
Cr Tony van Rooyen	Ms Sandra Ayton

**Members apologies**

Cr Jan Bonde (Mayor)  
Cr Philip Viney

**Employees attendance**

Director Community Services (Mr Cor Vander Vlist)  
Director Infrastructure Services (Mr John Kersnovski)  
Director Organisational Services (Mr Vernon Lawrence)

**Public attendance**

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

**CONFIRMATION OF MINUTES OF THE COMMITTEE**

**19/2016 Confirmation of minutes**

The Director Community Services reported as follows:

“The minutes of the previous meeting of the Development Support Special Committee held on 14 June 2016 have already been circulated. The minutes are required to be confirmed for their accuracy.

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

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- Cr van Rooyen moved and Cr Broad seconded, “That the minutes of the previous meeting of the Development Support Special Committee held on 14 June 2016 be confirmed.”

Carried unanimously

## ACTING MAYOR’S COMMUNICATIONS

### 20/2016 Acting Mayor’s communications

The Acting Mayor reported as follows:

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

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

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

- Cr Broad moved and Cr Carpenter seconded, “That the Acting Mayor’s report be received.”

Carried unanimously

## PECUNIARY INTEREST DECLARATIONS

### 21/2016 Pecuniary interest declarations

The Acting Mayor reported as follows:

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

The Director Community Services reported as follows:

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

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

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

No interests were declared at this time.

#### **ADJOURNMENT OF MEETING**

##### **22/2016      Adjournment of meeting**

The Acting Mayor reported as follows:

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

The workshop commenced at 6.03pm. The workshop having been concluded, the Acting Mayor resumed the meeting at 6.09pm.

#### **DEPUTATIONS**

##### **23/2016      Deputations**

The Director Community Services reported as follows:

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

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## OPEN REPORTS

**24/2016 Residential (outbuilding – shed) – variation to side boundary development standards at 28 Main Street, Ulverstone – Application No. DA215200**

The Director Community Services reported as follows:

“The Town Planner has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:</i>	DA215200
<i>PROPOSAL:</i>	Residential (outbuilding – shed) – variation to side boundary development standards
<i>APPLICANT:</i>	Mark McCall
<i>LOCATION:</i>	28 Main Street, Ulverstone
<i>ZONE:</i>	General Residential
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Interim Planning Scheme 2013</i> (the Scheme)
<i>ADVERTISED:</i>	28 May 2016
<i>REPRESENTATIONS EXPIRY DATE:</i>	11 June 2016
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	5 July 2016
<i>DECISION DUE:</i>	27 June 2016
<i>PURPOSE</i>	

The purpose of this report is to consider an application for an outbuilding (shed) ancillary to a residential dwelling at 28 Main Street, Ulverstone.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation;
- . Annexure 4 – aerial view and photograph;
- . Annexure 5 – TasWater Submission to a Planning Authority Notice TWDA 2016/00712-CC;
- . Annexure 6 – Tasmanian Heritage Council – Notice of Heritage Decision.

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## *BACKGROUND*

### *Development description -*

Application is made for the demolition of a small shed and the development of a 151.6m<sup>2</sup> (9.3m x 16.3m), 4.27m high “double gable” outbuilding (shed). The building would be of Colorbond construction, built to within 4m of the southern rear boundary for a length of 16.3m and to within 1m of the eastern side boundary for a length of 9.3m. The building design has additional detail features, including gable roof design, to complement the design of the existing dwelling.

### *Site description and surrounding area -*

The development site is a flat, 1,199m<sup>2</sup> residential allotment in the central urban area of Ulverstone, identified as 28 Main Street, Ulverstone. The land supports a State heritage listed single dwelling. The dwelling is described on the Tasmanian Heritage Register data sheet, as “a single storey weatherboard federation building with a pair of projecting gables with a small central gable over the entry. The two projecting gables form a veranda over a pair of bay windows”.

A residential complex comprising three multiple dwellings adjoins the land to the south, a single residence adjoins the land to the east and two residential multiple dwellings, created by a past subdivision, adjoin the land to the west.

### *History -*

This is the second application for the proposal. The first application sought variations to rear and side boundary setbacks and was withdrawn during the statutory period of assessment. A second application has now been made, with the proposed outbuilding relocated 4m from the rear boundary of the allotment, with variations sought to side boundary development standards. The proposed 4m rear setback is the Scheme standard for setback of development from the rear boundary.

## *DISCUSSION*

The following table is an assessment of the relevant Scheme provisions:

## General Residential

CLAUSE	COMMENT
<b>10.3.1 Discretionary Permit Use</b>	
<p>10.3.1-(P1) Discretionary permit use must:</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement; and</p> <p>(c) minimise likelihood for adverse impact on amenity for use on adjacent land in the zone.</p>	<p>Not applicable.</p> <p>Residential use class is Permitted.</p>
<b>10.3.2 Impact of Use</b>	
<p>10.3.2-(A1) Use that is not a residential use must not occur on more than two adjoining sites.</p>	<p>Not applicable.</p> <p>Use is Residential.</p>
<p>10.3.2-(A2) The site for a use that is not in a residential use must not require pedestrian or vehicular access from a no-through road.</p>	<p>Not applicable.</p> <p>Use is Residential.</p>
<p>10.3.2-(A3) Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm.</p>	<p>Not applicable.</p> <p>Use is Residential.</p>

<b>10.4.1 Residential density for multiple dwellings</b>	
<p>10.4.1–(A1) Multiple dwellings must have a site area per dwelling of not less than:</p> <p>(a) 325m<sup>2</sup>; or</p> <p>(b) if within a density area specified in Table 10.4.1 and shown on the planning scheme maps, that specified for the density area.</p>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>
<b>10.4.2 Setbacks and building envelope for all dwellings</b>	
<p>10.4.2–(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> <p>(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</p> <p>(b) if the frontage is not a primary frontage, at least 3.0m, or, if the setback from the frontage is less than 3.0m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site with existing dwellings on adjoining sites on</p>	<p>(a) Compliant. The shed would be 37m from the Main Street frontage.</p> <p>(b) Not applicable. Satisfied by 10.4.2 (A1)(a).</p> <p>(c) Not applicable. Satisfied by 10.4.2 (A1)(a).</p> <p>(d) Not applicable. Development does not abut the Bass Highway.</p>

<p>the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) not less than 50.0m if the development is on land that abuts the Bass Highway.</p>	
<p>10.4.2–(A2) A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5m, or alternatively 1.0m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1.0m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10.0m from the frontage.</p>	<p>(a) Compliant. Outbuilding would be setback 37m from the primary frontage.</p> <p>(b) Not applicable. Development compliant with 10.4.2(A2)(a).</p> <p>(c) Not applicable. Development compliant with 10.4.2(A2)(a).</p>
<p>10.4.2–(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> <p>(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:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot</p>	<p>(a)(i) Compliant. The proposed outbuilding would be setback 37m from the front boundary.</p> <p>(a)(ii) Compliant. The proposed outbuilding would be contained within building envelope 10.4.2A, would be setback 4m from the rear boundary and would have an apex height of 4.275m.</p> <p>(b)(i) Non-compliant. Outbuilding would be 1m from the eastern side boundary with a wall development of 9.3m in length.</p>



<p>with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at the side boundaries and a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary or the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9.0m or one-third the length of the side boundary (whichever is the lesser).</p>	<p>(b)(ii) Non-compliant. Outbuilding would be 1m from the eastern side boundary with a wall development of 9.3m in length.</p> <p>Refer to "Issues" section below.</p>
<p><b>10.4.3 Site coverage and private open space for all dwellings</b></p>	
<p>10.4.3-(A1) Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60.0m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or</p>	<p>(a) Compliant. Development does not exceed 50% site coverage. The land area is 1,199m<sup>2</sup>. The existing dwelling has a floor area of 150.5m<sup>2</sup>. Proposed development would be 151.6m<sup>2</sup>. This equates to a total of 302.1m<sup>2</sup> on site, or a site coverage of 25.2%.</p> <p>(b) Not applicable. No multiple dwellings proposed.</p> <p>(c) Not applicable. No multiple dwellings proposed.</p>

<p>entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>	
<p>10.4.3-(A2) A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24.0m<sup>2</sup>; or</p> <p>(ii) 12.0m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4.0m; or</p> <p>(ii) 2.0m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the</p>	<p>(a)(i) Compliant. Area of private open space is greater than 200m<sup>2</sup> and located to the north and east of the dwelling.</p> <p>(a)(ii) Not applicable. Not a multiple dwelling.</p> <p>(b)(i) Compliant. The dwelling's private open space areas have a minimum horizontal dimension of 4m.</p> <p>(b)(ii) Not applicable. Not a multiple dwelling.</p> <p>(c) Compliant. Dwelling has existing open space accessible from habitable rooms.</p> <p>(d) Compliant. Private open space areas are located to the north and east of the dwelling.</p> <p>(e) Complaint. Private open space is located to the east (and north) of the dwelling.</p> <p>(f) Compliant. The land is flat.</p> <p>(g) Compliant. Private open space areas are separate to vehicle access and parking areas.</p>

<p>dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and</p> <p>(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</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	
<p><b>10.4.4 Sunlight and overshadowing for all dwellings</b></p>	
<p>10.4.4-(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>Compliant. There is an existing dwelling on site and the standard is not relevant to the construction of the outbuilding.</p>
<p>10.4.4-(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>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>

<ul style="list-style-type: none"> <li>(i) at a distance of 3.0m from the window; and</li> <li>(ii) vertically to a height of 3.0m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause the habitable room to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.</li> </ul>	
<p>10.4.4–(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> <ul style="list-style-type: none"> <li>(i) at a distance of 3.0m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3.0m above natural ground level</li> </ul>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>

<p>and then at an angle of 45 degrees from the horizontal.</p> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <p>(i) an outbuilding with a building height no more than 2.4m; or</p> <p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m from the multiple dwelling.</p>	
<p><b>10.4.5 Width of openings for garages and carports for all dwellings</b></p>	
<p>10.4.5-(A1) A garage or carport within 12.0m 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 6.0m or half the width of the frontage (whichever is the lesser).</p>	<p>Compliant. Proposed outbuilding (shed) is setback greater than 12m from the primary frontage of the allotment.</p>
<p><b>10.4.6 Privacy for all dwellings</b></p>	
<p>10.4.6-(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 1.0m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%,</p>	<p>Not applicable.</p> <p>Proposed development is not more than 1m above ground level.</p>

<p>along the sides facing a:</p> <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3.0m from the side boundary; and</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4.0m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6.0m: <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</li> </ul> </li> </ul>	
<p>10.4.6-(A2) A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1.0m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <ul style="list-style-type: none"> <li>(a) The window or glazed door: <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3.0m from a side boundary; and</li> <li>(ii) is to have a setback of at least 4.0m from a rear boundary;</li> </ul> </li> </ul>	<p>Not applicable.</p> <p>Proposed development is not more than 1m above ground level.</p>

<p>and</p> <ul style="list-style-type: none"> <li>(iii) if the dwelling is a multiple dwelling, is to be at least 6.0m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be at least 6.0m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li> <li>(ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</li> <li>(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 1.7m above floor level, with a uniform transparency of not more than 25%.</li> </ul>	
<p>10.4.6–(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</p>	<p>Not applicable.</p> <p>No shared access or parking space proposed.</p>

<p>distance of at least:</p> <p>(a) 2.5m; or</p> <p>(b) 1.0m if:</p> <p>(i) it is separated by a screen of at least 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.</p>	
<p><b>10.4.7 Frontage fences for all dwellings</b></p>	
<p>10.4.7–(A1) A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>	<p>Not applicable.</p> <p>No frontage fence is proposed.</p>



<b>10.4.8 Waste storage for multiple dwellings</b>	
<p>10.4.8-(A1) A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m<sup>2</sup> per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <p>(i) has a setback of at least 4.5m from a frontage; and</p> <p>(ii) is at least 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.</p>	<p>Not applicable.</p> <p>No multiple dwellings proposed.</p>
<b>10.4.9 Suitability of a site or lot for use or development</b>	
<p>10.4.9-(A1) A site or each lot on a plan of subdivision must:</p> <p>(a) have an area of not less than 330m<sup>2</sup> excluding any access strip; and</p> <p>(b) if intended for a building, contain a building area of not less than 10.0m x 15.0m:</p>	<p>(a) Compliant. Lot area is 1,199m<sup>2</sup>.</p> <p>(b)(i) Compliant. Existing development on site is contained in a building area greater than 10m x 15m.</p> <p>(b)(ii) Not applicable. Land does not adjoin a zone boundary.</p>

<ul style="list-style-type: none"> <li>(i) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(ii) clear of any applicable setback from a zone boundary;</li> <li>(iii) clear of any registered easement;</li> <li>(iv) clear of any registered right of way benefiting other land;</li> <li>(v) clear of any restriction imposed by a utility;</li> <li>(vi) not including an access strip;</li> <li>(vii) accessible from a frontage or access strip; and</li> <li>(viii) if a new residential lot, with a long axis within the range 30 degrees east of north and 20 degrees west of north.</li> </ul>	<ul style="list-style-type: none"> <li>(b)(iii) Not applicable. No easement applies to the land.</li> <li>(b)(iv) Not applicable. No right-of-way applies to the land.</li> <li>(b)(v) Not applicable. No restriction imposed by a utility applies to the land.</li> <li>(b)(vi) Not applicable. No access strip applies to the land.</li> <li>(b)(vii) Compliant. Development would be accessible from Main Street.</li> <li>(b)(viii) Not applicable. Not a new residential lot.</li> </ul>
<p>10.4.9–(A2) A site or each lot on a subdivision plan must have a separate access from a road:</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> <li>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</li> <li>(c) by a right of way connecting to a road: <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliant. Separate access over an existing frontage of 23.8m width.</li> <li>(b) Not applicable. Not an internal lot.</li> <li>(c) Not applicable. Compliant with (a).</li> <li>(d) Compliant. Site has 23.80m frontage to Main Street.</li> <li>(e) Compliant. Site has an existing approved access to Main Street in accordance with the <i>Local Government (Highways) Act 1982</i>.</li> </ul>

<p>other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than:</p> <p>(i) 3.6m for a single dwelling development; or</p> <p>(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	
<p>10.4.9–(A3) A site or each lot on a plan of subdivision must be capable of connecting to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p>	<p>Compliant.</p> <p>The site is connected to the reticulated water system. The Council’s Planning Permit would require compliance with TasWater’s approval, included as an attachment to the Planning Permit.</p>

<p>10.4.9–(A4) A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and wastewater to a sewage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>.</p>	<p>Compliant.</p> <p>The site is connected to the reticulated sewerage system. The Council’s Planning Permit would require compliance with TasWater’s approval, included as an attachment to the Planning Permit.</p>
<p>10.4.9–(A5) A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>.</p>	<p>Compliant.</p> <p>The site is able to connect to the reticulated stormwater system.</p>
<p><b>10.4.10 Dwelling density for single dwelling development</b></p>	
<p>10.4.10–(A1)</p> <p>(a) The site area per dwelling for a single dwelling must:</p> <p style="padding-left: 40px;">(i) be not less than 325m<sup>2</sup>; and</p> <p style="padding-left: 40px;">(ii) be not more than 830m<sup>2</sup>; or</p> <p>(b) The site is approved for residential use on a plan sealed before this planning scheme came into effect.</p>	<p>(a)(i) Not applicable. Compliant with (b).</p> <p>(a)(ii) Not applicable. Compliant with (b).</p> <p>(b) Compliant. Subdivision plan sealed in December 1993, prior to the current planning scheme coming into effect.</p>
<p><b>10.4.11 Other development</b></p>	

<b>10.4.11.1 Location and configuration of development</b>	
<p>10.4.11–(A1) The wall of a building (other than for a dwelling) must be set back from a frontage:</p> <ul style="list-style-type: none"> <li>(a) not less than 4.5m from a primary frontage; and</li> <li>(b) not less than 3.0m from any secondary frontage; or</li> <li>(c) not less than and not more than the setbacks for any existing building on adjoining sites;</li> <li>(d) not less than for any building retained on the site;</li> <li>(e) in accordance with any building area shown on a sealed plan; or</li> <li>(f) not less than 50.0m if the site abuts the Bass Highway.</li> </ul>	<p>Not applicable.</p> <p>Not “Other” development.</p>
<p>10.4.11.1–(A2) All buildings (other than for a dwelling) must be contained within a building envelope determined by:</p> <ul style="list-style-type: none"> <li>(a) the applicable frontage setback;</li> <li>(b) a distance of not less than 4.0m from the rear boundary or if an internal lot, a distance of 4.5m from the boundary abutting the rear boundary of the adjoining frontage site;</li> <li>(c) projecting a line at an angle of 45 degrees from the horizontal at a height of 3.0m above natural ground level at each side</li> </ul>	<p>Not applicable.</p> <p>Not “Other” development.</p>

<p>boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback:</p> <ul style="list-style-type: none"> <li>(i) not less than 1.5m from each side boundary; or</li> <li>(ii) less than 1.5m from a side boundary if: <ul style="list-style-type: none"> <li>a. built against an existing wall of an adjoining building; or</li> <li>b. the wall or walls: <ul style="list-style-type: none"> <li>i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;</li> <li>ii. there is no door or window in the wall of the building; and</li> <li>iii. overshadowing does not result in 50% of the private open space of an adjoining dwelling receiving less than 3 hours of sunlight between 9.00am and 3.00pm on 21 June.</li> </ul> </li> </ul> </li> <li>(d) in accordance with any building envelope shown on a sealed plan.</li> </ul>	
<p>10.4.11.1-(A3) Site coverage (other than for a dwelling) must:</p>	<p>Not applicable.</p>

<p>(a) not be more than 50%; or</p> <p>(b) not be more than any building area shown on a sealed plan.</p>	<p>Not “Other” development.</p>
<p>10.4.11.1–(A4) A garage, carport or external parking area and any area for the display, handling, or storage of goods, materials or waste (other than for a dwelling), must be located behind the primary frontage of a building.</p>	<p>Not applicable.</p> <p>Not “Other” development.</p>
<p>10.4.11.1–(A5) Other than for a dwelling, the total width of openings in the frontage elevation of a garage or carport (whether freestanding or part of any other building) must be the lesser of:</p> <p>(a) 6.0m; or</p> <p>(b) half the width of the frontage.</p>	<p>Not applicable.</p> <p>Not “Other” development.</p>
<p><b>10.4.11.2 Visual and acoustic privacy for residential development</b></p>	
<p>10.4.11.2–(A1) A door or window to a habitable room or any part of a balcony, deck, roof garden, parking space or carport of a building (other than for a dwelling) must:</p> <p>(a) if the finished floor level is more than 1.0m above natural ground level:</p> <p style="padding-left: 40px;">(i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site;</p>	<p>Not applicable.</p> <p>Not “Other” development.</p>

<ul style="list-style-type: none"> <li>(ii) be not less than 3.0m from a side boundary;</li> <li>(iii) be not less than 4.0m from a rear boundary; and</li> <li>(iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of an adjacent frontage site; or</li> </ul> <p>(b) if less than the setbacks in clause A1(a):</p> <ul style="list-style-type: none"> <li>(i) be off-set by not less than 1.5m from the edge of any door or window of another dwelling;</li> <li>(ii) have a window sill height of not less than 1.8m above floor level;</li> <li>(iii) have fixed glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above floor level; or</li> <li>(iv) have a fixed and durable external screen other than vegetation of not less than 1.8m height above the floor level with a uniform transparency of not more than 25% for the full width of the door, window, balcony, deck, roof garden, parking space, or carport.</li> </ul>	
<p>10.4.11.2-(A2) An access strip or shared driveway, including any pedestrian pathway and parking area (other than for a dwelling), must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.</p>	<p>Not applicable.</p> <p>Not "Other" development.</p>



<b>10.4.11.3 Frontage fences</b>	
<p>10.4.11.3-(A1) The height of a fence, including any supporting retaining wall, on or within a frontage setback (other than for a dwelling) must be:</p> <p>(a) not more than 1.2m if the fence is solid; or</p> <p>(b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%.</p>	<p>Not applicable.</p> <p>Not “Other” development.</p>
<b>10.4.12 Setback of development for sensitive use</b>	
<p>10.4.12-(A1) A building containing a sensitive use must be contained within a building envelope determined by:</p> <p>(a) the setback distance from the zone boundary as shown in the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45 degrees above the horizontal from a wall height of 3.0m at the required setback distance from the zone boundary.</p>	<p>Not applicable.</p> <p>Development of an outbuilding (shed) is not development of a sensitive use.</p>
<p>10.4.12-(A2) Development for a sensitive use must be not less than 50.0m from:</p> <p>(a) Bass Highway;</p>	<p>Not applicable.</p> <p>Development of an outbuilding (shed) is not development of a sensitive use.</p>

<p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road or rail purposes; or</p> <p>(d) a proclaimed wharf area.</p>	
<p><b>10.4.13 Subdivision</b></p>	
<p>10.4.13-(P1) Each new lot on a plan of subdivision must be:</p> <p>(a) intended for residential use;</p> <p>(b) a lot required for public use by the State Government, a Council, a statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority; or</p> <p>(c) for a purpose permissible in the zone.</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>
<p>10.4.13-(P2)</p> <p>(a) A lot must have a frontage to a road; or</p> <p>(b) An internal lot on a plan of subdivision must be:</p> <p>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots with a frontage</p>	<p>Not applicable.</p> <p>No subdivision proposed.</p>

<p>imposed by:</p> <ul style="list-style-type: none"> <li>a. slope, shape, orientation and topography of land;</li> <li>b. an established pattern of lots and development;</li> <li>c. connection to the road network;</li> <li>d. connection to available or planned utilities;</li> <li>e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a watercourse; or</li> <li>f. exposure to an unacceptable level of risk from a natural hazard; and</li> </ul> <p>(ii) without likely impact on the amenity of adjacent land.</p>	
<p><b>10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision</b></p>	
<p>10.4.14-(A1) Electricity reticulation and site connections must be installed underground.</p>	<p>Not applicable. No subdivision proposed.</p>
<p style="text-align: center;">CODES</p>	
<p><b>E1 Bushfire-Prone Areas Code</b></p>	<p>Not applicable.</p>
<p><b>E2 Airport Impact Management Code</b></p>	<p>Not applicable.</p>

<b>E3 Clearing and Conversion of Vegetation Code</b>	Not applicable.
<b>E4 Change in Ground Level Code</b>	Not applicable.
<b>E5 Local Heritage Code</b>	Not applicable.
<b>E6 Hazard Management Code</b>	Not applicable.
<b>E7 Sign Code</b>	Not applicable.
<b>E8 Telecommunication Code</b>	Not applicable.
<b>E9 Traffic Generating Use and Parking Code</b>	
<b>E9.2 Application of this Code</b>	Applicable. Applies to all use and development.
<b>E9.4 Use or development exempt from this Code</b>	Not exempt. No Local Area Parking Scheme applies.
<b>E9.5 Use Standards</b>	
<b>E9.5.1 Provision for parking</b>	
E9.5.1–(A1) Provision for parking must be:  (a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;  (b) motor bike parking at a rate of one space for every 20 vehicle	(a) Compliant. Table E9A requires the provision of two on-site car parking spaces. Two on-site spaces are provided.  (b) Not applicable. Requirement not triggered until 20 vehicle parking spaces are required or proposed.

<p>parking spaces;</p> <p>(c) parking spaces for people with disabilities at the rate of one space for every 20 parking spaces or part thereof; and</p> <p>(d) bicycle parking at the rate of one space for every 20 vehicle parking spaces or part thereof.</p>	<p>(c) Not applicable. Requirement not triggered until 20 vehicle parking spaces are required or proposed.</p> <p>(d) Not applicable. Requirement not triggered until 20 vehicle parking spaces are required or proposed.</p>
<p><b>E9.5.2 Provision for loading and unloading of vehicles</b></p>	
<p>E9.5.2-(A1) There must be provision within a site for:</p> <p>(a) on-site loading area in accordance with the requirement in the Table to this Code; and</p> <p>(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of one space for every 50 parking spaces.</p>	<p>(a) Not applicable. Loading/unloading provision not required by Table E9A.</p> <p>(b) Not applicable. Provision not applicable to residential development.</p>
<p><b>E9.6 Development Standards</b></p>	
<p><b>E9.6.1 Road access</b></p>	
<p>E9.6.1-(A1) There must be an access to the site from a carriageway of a road <sup>R36</sup>:</p> <p>(a) permitted in accordance with the <i>Local Government (Highways) Act 1982</i>;</p>	<p>(a) Compliant. Existing access to Main Street is in accordance with the <i>Local Government (Highways) Act 1982</i>.</p> <p>(b) Not applicable. Satisfied by E9.6.1-(A1)(a).</p>

<p>(b) permitted in accordance with the <i>Roads and Jetties Act 1935</i>; or</p> <p>(c) permitted by a license granted for access to a limited access road under the <i>Roads and Jetties Act 1935</i>.</p>	<p>(c) Not applicable. Satisfied by E9.6.1–(A1)(a).</p>
<p><b>E9.6.2 Design of vehicle parking and loading areas</b></p>	
<p>E9.6.2 A1.1 All development must provide for the collection, drainage and disposal of stormwater; and</p>	<p>Compliant through condition. Development would be required to connect to a reticulated stormwater system.</p>
<p>E9.6.2 A1.2 Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities – Off-Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS 2890.2 (2002) Parking Facilities – Off-Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 (1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off-Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the</p>	<p>Not applicable. Development site is in the General Residential zone and supports a single dwelling.</p>

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<p>internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space;</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	
<p>E9.6.2-(A2) Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.</p>	<p>Not applicable. Provisions do not apply to development in the General Residential zone.</p>
<p><b>E10 Water and Waterways Code</b></p>	<p>Not applicable.</p>
<p><b>Specific Area Plans</b></p>	<p>Not applicable. No Specific Area Plans apply to this location.</p>

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*Issues -*

*1 Side boundary setback and development length -*

The Scheme standard for side boundary setback is 1.5m, with development permitted to be within 1.5m of the boundary for a total length of 9m. The proposal seeks variations to these standards.

The 151.6m<sup>2</sup> outbuilding (shed) would be sited within 1m of the property's eastern side boundary. The building would be 9.3m long.

*Overshadowing -*

Performance Criteria 10.4.2-(P3), in relation to variations to side boundary development standards, require there be no unreasonable loss of amenity by overshadowing or visual impacts and that there is adequate separation between buildings, compatible with that prevailing in the surrounding area.

The proposed reduction to the required side boundary setback, with a resulting development of a 9.3m long shed wall to within 1m of the eastern side boundary, would have most impact on the adjoining property to the east, identified as 30 Main Street. This adjoining lot supports a single dwelling and outbuildings. The proposed outbuilding (shed) at 28 Main Street would result in a loss of afternoon sunlight to the rear of the adjoining lot, beginning at approximately 1.00pm and increasing in effect to 3.00pm, resulting in a shadow effect across the rear yard of the adjoining property.

However, the adjoining lot supports a dwelling that is constructed to the north of the site, with outbuildings on the rear boundary. The dwelling would impose an existing shadow impact on the land for much of the day on 21 June. It is considered the subject development would not result in a loss of amenity to the adjoining, eastern property, over and above that already experienced on site. The rear yard of 30 Main Street would lose sunlight for approximately three hours of the day as a result of the shed development, however the primary cause of shadow to the land at 30 Main Street would be the existing dwelling that is located to the north of the site, not the additional 300mm of shed wall or 500mm of reduced setback that is proposed for the development at 28 Main Street.

*Visual impacts -*

The proposed outbuilding would be most visible from the eastern adjoining property, 30 Main Street. The adjoining neighbor would view a 9.3m long, 3m high "Colorbond" wall, setback 1m from the fence. The Scheme Standard



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allows for a “permitted” wall length of 9m, to within 200mm of the boundary. The variation sought is only 300mm, which in terms of visual impact on the neighboring property would not be material; especially when taking into consideration a boundary fence may be constructed to 2.1m in height without the issue of a Planning or Building Permit.

*Setback compatible with that prevailing in the surrounding area –*

It is considered to be fair and reasonable development on site and consistent with development on adjoining lots, with many residential lots in the urban area of Ulverstone accommodating single dwellings and associated outbuildings.

*Heritage values –*

The dwelling at 28 Main Street is listed as a building of heritage significance and the proposed development required an assessment by the Tasmanian Heritage Council (THC). The THC has issued a “Notice of Heritage Decision”, dated 16 June 2016, consenting to the development proposal. No additional conditions would be required on a Planning Permit, if issued.

*Referral advice –*

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

SERVICE	COMMENTS/CONDITIONS
Environmental Health	No conditions required.
Infrastructure Services	No conditions required.
TasWater	No conditions required. Refer to Submission to Planning Authority Notice TWDA 2016/00712-CC.
Department of State Growth	Referral was not required.
Environment Protection Authority	Referral was not required.
TasRail	Referral was not required.

Heritage Tasmania	No conditions required. Refer to “Notice of Heritage Decision” issued 16 June 2016 by the Tasmanian Heritage Council.
Crown Land Services	Referral was not required.
Other	Referral was not required.

*CONSULTATION*

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

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

*Representations –*

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

The representation is summarised and responded to as follows:

MATTER RAISED	RESPONSE
1 The proposed development is not in keeping with the heritage nature of the property and will have a detrimental impact on the heritage values of the original dwelling.	<p>The property is listed by the Tasmanian Heritage Council (THC) as a site of heritage significance. The proposed development was referred to the THC. A joint assessment was undertaken by the Council, under the <i>Land Use Planning and Approvals Act 1993</i> and the <i>Central Coast Interim Planning Scheme 2013</i>, and the THC in accordance with the <i>Historic Cultural Heritage Act 1995</i>.</p> <p>The THC has provided its assessment of the proposal and has</p>

	<p>determined that the development would not have a negative impact on the heritage values of the property. Refer to “Notice of Heritage Decision” issued 16 June 2016 by the Tasmania Heritage Council – Annexure 6.</p>
<p>2 The height of the outbuilding would be 5m and is significantly higher than surrounding structures. This will impact on the area and appearance of surrounding properties.</p>	<p>The outbuilding would have a wall height of 3m, with an apex height at the top of both gables of 4.275m.</p> <p>The Scheme requires development of a “dwelling” with a wall height greater than 2.4m to be within a required building envelope; projecting a line at an angle of 45 degrees from the horizontal, at a height of 3.0m above natural ground level, to a building height of not more than 8.5m. The proposed development is within the required building envelope.</p> <p>NB: A “dwelling” is defined in the Scheme as a building or part of a building used as a self-contained residence including any outbuilding and other works that may normally form part of a dwelling.</p>
<p>3 The location of the development would have a significant shading impact over the representor’s adjoining property at 2/17A Victoria Street, placing the property in direct shade for a large portion of the day.</p>	<p>The proposed development would result in some overshadowing impact on the adjacent unit.</p> <p>However, the proposed outbuilding meets Scheme standards in relation to rear boundary setback, with a proposed setback of 4m from the rear boundary of the allotment.</p> <p>This means that matters such as overshadowing and visual impact are not matters that are subject to</p>

	<p>the exercise of the Council's discretion, in this regard. The affected unit was constructed within 2m of the northern boundary of the lot. This has resulted in the unit having minimal north facing open space and habitable rooms that are also subject to the impact of development on adjoining land. The result is an overshadowing effect of subsequent, lawful development on the adjoining northern lot. This is an unfortunate consequence of the existing unit construction and is not a matter that can be addressed by the subject application.</p>
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*RESOURCE, FINANCIAL AND RISK IMPACTS*

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

*CORPORATE COMPLIANCE*

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

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

*CONCLUSION*

The issue submitted in the representation, relating to the overshadowing effect on the adjacent unit as a result of the rear setback, is not a discretionary matter, and is not, in this instance, a matter to be considered by the Planning Authority.

The matter of the impact on the heritage values of the property has been assessed and considered by the Tasmanian Heritage Council who has determined that the development may proceed as proposed with no additional conditions to be placed on a Planning Permit, if issued. Refer to Annexure 6.

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The exercise of discretion is in relation to the proposed variations to side boundary setback and development length of the outbuilding (shed). The proposed development would not result in an unreasonable shadow effect or loss of amenity to adjoining property. The proposal satisfies the relevant Performance Criteria of the Scheme and the exercise of discretion, to permit the development, is considered to be justified.

*Recommendation –*

It is recommended that the application for Residential (outbuilding – shed) – with variation to side boundary development standards at 28 Main Street, Ulverstone be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the application for this Permit, unless modified by a condition of this Permit.
- 2 The development must be in accordance with the conditions of the Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2016/00712-CC (copy attached).
- 3 The development must be in accordance with the Notice of Heritage Decision issued by the Tasmanian Heritage Council dated 16 June 2016 (copy attached).
- 4 The development must collect and dispose of stormwater to a reticulated stormwater system.

Please note:

- 1 A Planning Permit remains valid for two years. If the use or development has not substantially commenced within this period an extension of time may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 “Substantial commencement” is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site or bank guarantee to undertake such works.
- 3 Building Permits are required for the proposed development. A copy of this Planning Permit should be given to your building surveyor.’

The report is supported.”

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The Director Community Services further reported as follows:

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

■ Cr Carpenter moved and Cr van Rooyen seconded that, “That the application for Residential (outbuilding – shed) – with variation to side boundary development standards at 28 Main Street, Ulverstone be approved subject to the following conditions and notes:

- 1 The development must be substantially in accordance with the application for this Permit, unless modified by a condition of this Permit.
- 2 The development must be in accordance with the conditions of the Submission to Planning Authority Notice from TasWater, Reference No. TWDA 2016/00712-CC (copy attached) (a copy being appended to and forming part of the minutes).
- 3 The development must be in accordance with the Notice of Heritage Decision issued by the Tasmanian Heritage Council dated 16 June 2016 (copy attached) (a copy being appended to and forming part of the minutes).
- 4 The development must collect and dispose of stormwater to a reticulated stormwater system.

Please note:

- 1 A Planning Permit remains valid for two years. If the use or development has not substantially commenced within this period an extension of time may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 “Substantial commencement” is the submission and approval of a Building Permit or engineering drawings and the physical commencement of infrastructure works on the site or bank guarantee to undertake such works.
- 3 Building Permits are required for the proposed development. A copy of this Planning Permit should be given to your building surveyor.”

Carried unanimously

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### **Closure**

There being no further business, the Mayor declared the meeting closed at 6.10pm.

CONFIRMED THIS                      DAY OF                      , 2016.

### **Chairperson**

(cvv:km)

### **Appendices**

- Minute No. 24/2016 - TasWater Submission to Planning Authority Notice Reference No. TWDA 2016/00712-CC
- Minute No 24/2016 - Tasmanian Heritage Council Notice of Heritage Decision dated 16 June 2016

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## QUALIFIED PERSON'S ADVICE

The *Local Government Act 1993* provides (in part) as follows:

. A general manager must ensure that any advice, information or recommendation given to the council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

. A council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the council.

I therefore certify that with respect to all advice, information or recommendation provided to the Development Support Special Committee within these minutes:

(i) the advice, information or recommendation was given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and

(ii) where any advice was directly given by a person who did not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.



Sandra Ayton  
GENERAL MANAGER



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# Appendices

## Submission to Planning Authority Notice

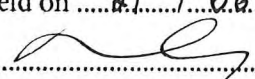
Council Planning Permit No.	DA215200	Council notice date	25/05/2016
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2016/00712-CC	Date of response	27/05/2016
TasWater Contact	David Boyle	Phone No.	6345 6323
<b>Response issued to</b>			
Council name	CENTRAL COAST COUNCIL		
Contact details	planning.cmw@centralcoast.tas.gov.au		
<b>Development details</b>			
Address	28 MAIN ST, ULVERSTONE	Property ID (PID)	6948230
Description of development	Residential outbuilding/shed		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Weeda Drafting	5316-4a of 5		19/05/2016
<b>Conditions</b>			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater does not object to the proposed development and no conditions are imposed.			
<b>Advice</b>			
Nil			
<b>Declaration</b>			
The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.			

**Authorised by**

**Jason Taylor**

Development Assessment Manager

<b>TasWater Contact Details</b>			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

<p><b>CENTRAL COAST COUNCIL</b></p> <p>I certify that this is <sup>the Tas water</sup> <del>Submission to Planning</del> Authority Notice - Ref No. TWDA 2016/00712-CC  28 Main Street, Ulverstone.....</p> <p>Application No. DA 215200 referred to in  Minute No. 24/2016 of a meeting of the  Development Support Special Committee  Council held on 27/05/2016</p> <p style="text-align: center;"></p> <p style="text-align: center;">Executive Services Officer</p>
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**Kellie Malone**

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**From:** TasWater - Development <Development@taswater.com.au>  
**Sent:** Friday, 27 May 2016 11:35 AM  
**To:** planning cmw  
**Subject:** TasWater Submission to Planning Authority Notice 2015 DA 2016 00712-CC for DA215200  
**Attachments:** PD16 40008 28 MAIN ST, ULVERSTONE TasWater Submission to Planning Authority Notice 2015 DA 2016 00712-CC.pdf

Dear Sir/Madam,

Please find attached TasWater's Submission to Planning Authority Notice which declares that TasWater:

- does not object to the granting of the permit

Please arrange for the TasWater Submission to Planning Authority Notice to be referenced within the permit and appended to it.

If you have any queries, please contact me.

Thank you.

Regards

David Boyle  
Development Assessment Officer



D (03) 6345 6323  
F 1300 862 066  
A GPO Box 1393, Hobart TAS 7001  
36-42 Charles Street, Launceston, TAS 7250  
E [david.boyle@taswater.com.au](mailto:david.boyle@taswater.com.au)  
W <http://www.taswater.com.au/>

# Annexure 6



Tasmanian Heritage Council  
GPO Box 618 Hobart Tasmania 7000  
103 Macquarie St, Hobart Tasmania 7000  
Tel: 1300 850 332  
enquiries@heritage.tas.gov.au  
www.heritage.tas.gov.au

PLANNING REF: DA215200  
THC WORKS REF: #5028  
REGISTERED PLACE NO: #769  
FILE NO: 15-20-79THC  
APPLICANT: Mark John McCall  
DATE: 16 June 2016

## NOTICE OF HERITAGE DECISION

(Historic Cultural Heritage Act 1995)

The Place: 28 Main Street, Ulverstone.  
Proposed Works: New sheds, driveway and concrete paving.

Under section 39(6)(a) of the *Historic Cultural Heritage Act 1995* (the Act), the Heritage Council gives notice that it consents to the discretionary permit being granted in accordance with **the documentation submitted with Development Application DA215190, advertised on 07/05/2016.**

Please ensure the details of this notice are included in any permit issued, and forward a copy of the permit or decision of refusal to the Heritage Council for our records.

Please contact Mr Chris Bonner on 1300 850 332 if you require clarification of any matters contained in this notice.

Ian Boersma  
**Works Manager – Heritage Tasmania**  
*Under delegation of the Tasmanian Heritage Council*

CENTRAL COAST COUNCIL Tasmanian Heritage Council I certify that this is <i>Tasmanian Heritage Council Notice of</i> <i>Heritage Decision dated 16 June 2016</i> <i>28 Main Street, Ulverstone</i> referred to in Minute No. <i>24/2016</i> of a meeting of the <i>Development Support Special Committee</i> Council held on <i>27/06/2016</i>  Executive Services Officer
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