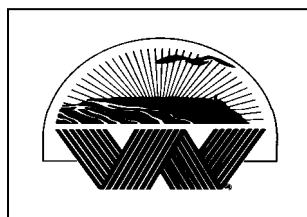


**ORDINARY MEETING  
OF COUNCIL**

**MINUTES**

**21 JULY 2008**



**Waratah-Wynyard  
Council**



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**WARATAH-WYNYARD COUNCIL**  
**ORDINARY COUNCIL MEETING**

**21 JULY 2008**

**AGENDA**

**VENUE:** Council Chambers, 21 Saunders Street, Wynyard

**HOUR:** 5:30 pm

|                            | <b>From</b> | <b>To</b> | <b>Time Occupied</b> |
|----------------------------|-------------|-----------|----------------------|
| Open Council               | 5.30pm      | 5.41pm    | 11 minutes           |
| Planning Authority         | 5.41pm      | 6.04pm    | 23 minutes           |
| Open Council               | 6.04pm      | 6.30pm    | 26 minutes           |
| Closed Council             | 6.30pm      | 6.55pm    | 25 minutes           |
| Open Council               | 6.55pm      | 6.55pm    | 0 minutes            |
| <b>TOTAL TIME OCCUPIED</b> |             |           | 1 hour 25 minutes    |

**PRESENT:**

***Councillors***

MAYOR HYLAND

CR DIBLEY

CR FRIEDERSDORFF

CR PENDLEBURY (5.45pm)

CR BRAMICH

CR DUNIAM

CR MOORE

CR RANSLEY

***In Attendance***

Acting General Manager – John Stretton  
Project Officer - Ian Brunt

Director Engineering Services – M Greskie  
Consultant Planner – John Ayers

**177/08 APOLOGIES**

CR R WALSH

CR C WALSH

MOVED BY

CR FRIEDERSDORFF

SECONDED BY

CR BRAMICH

*That the apologies be accepted.*

IN FAVOUR

|              |            |            |           |                  |
|--------------|------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     |            | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

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**MATTERS PROPOSED FOR CONSIDERATION IN  
CLOSED MEETING**

| <i>Matter</i>  | <i>Local Government (Meeting Procedures) Regulations<br/>2005 Reference</i> |
|--|---|
| <i>Position of General Manager</i>                                   | <i>15 (2)(a)</i>  |
| <i>Leave of Absence Requests - Councillors</i>                       | <i>15 (2)(i)</i>  |
| <i>Accounts Paid</i>   | <i>15 (2)(c)</i>  |
| <i>Contract 621 – Aussie Waste Management</i>                        | <i>15 (2)(c)</i>  |
| <i>Reservoir Drive Sewerage Contract</i>                             | <i>15 (2)(c)</i>  |
| <i>R &amp; H Margetts – Land Acquisition – Bells Parade Somerset</i> | <i>15.(2)(e)</i>  |
| <i>Possible Acquisition – 53 Dodgin Street, Wynyard</i>              | <i>15.(2)(e)</i>  |
| <i>Insurance Claims – 2007/2008 – Status Report</i>                  | <i>15 (2)(h)</i>  |
| <i>Minutes of Other Bodies/Committees</i>                            | <i>15 (2)(f)</i>  |

MOVED BY            CR MOORE  
 SECONDED BY      CR BRAMICH

*That the matters listed above be considered in Closed Meeting at the conclusion of the Open Meeting business.*

IN FAVOUR

|              |            |            |           |                  |
|--------------|------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     |            | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

**DECLARATIONS OF PECUNIARY INTEREST**

| <b>Councillor</b>      | <b>Item</b>                                 |
|------------------------|---|
| Nil                    |   |
| <b>Staff</b>           |   |
| Acting General Manager | 5/08 – 14 Moore Street – Dwelling Extension |

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**178/08 CONFIRMATION OF MINUTES**

Ordinary Council Meeting – 16 June 2008

MOVED BY            CR DUNIAM  
SECONDED BY        CR DIBLEY

*That the Minutes of the Ordinary Meeting of the Waratah-Wynyard Council held at the Council Chambers, Wynyard on Monday 16 June 2008, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.*

IN FAVOUR

|              |            |            |           |                  |
|--------------|------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     |            | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

Closed Council Meeting – 16 June 2008

MOVED BY            CR BRAMICH  
SECONDED BY        CR FRIEDERSDORFF

*That the Minutes of the Closed Meeting of the Waratah-Wynyard Council held at the Council Chambers, Wynyard on Monday 16 June 2008, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.*

IN FAVOUR

|              |            |            |           |                  |
|--------------|------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     |            | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

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Special Council Meeting – 23 June 2008

MOVED BY           CR MOORE  
SECONDED BY       CR DUNIAM

*That the Minutes of the Special Meeting of the Waratah-Wynyard Council held at the Council Chambers, Wynyard on Monday 23 June 2008, a copy of which having previously been circulated to Councillors prior to the meeting, be confirmed as a true record.*

IN FAVOUR

|              |            |            |           |                  |
|--------------|------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     |            | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

**BUSINESS ARISING FROM MINUTES CONFIRMED**

| <b>Councillor</b> | <b>Minute Reference</b> | <b>Comment</b>  |
|-------------------|-------------------------|---|
| Cr R Walsh        | 158/08                  | At the last meeting copies were requested of previous correspondence from DIER regarding Inglis Street. Copies of this letter and previous Council decision are included in the enclosure document.<br><br>It was resolved that this matter be relisted for the next Ordinary Meeting due to the absence of Cr R Walsh. |

**PUBLIC QUESTIONS AND STATEMENTS**

QUESTIONS

|                |   |  |
|----------------|---|--|
| <b>Name</b>    | Clint Stretton                              |  |
| <b>Address</b> | 14 Moore Street, Boat Harbour               |  |
| <b>Issue</b>   | 5/08 – 14 Moore Street – Dwelling Extension |  |

STATEMENTS

|                |                             |  |
|----------------|-----------------------------|--|
| <b>Name</b>    | Rodney Calvert              |  |
| <b>Address</b> | 269 Seabrook Road, Somerset |  |
| <b>Issue</b>   | Wynyard Wharf               |  |



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# PLANNING AUTHORITY



Planning Authority Meeting commenced at 5.41 pm.

**PLANNING AUTHORITY REPORTS**

**179/08 12 ESPLANADE, SOMERSET - NEALE GILLET AS TRUSTEE FOR THE GILLETT FAMILY TRUST – DWELLING EXTENSION – OVERSHADOWING, PRIVACY AND SETBACK WAIVER – RESIDENTIAL ZONE**

**To: Planning Authority**  
**Reporting Officer: Town Planner**  
**Responsible Manager: Director Development Services**  
**File Reference: DA 107/2008 & 7041868**  
**Council Meeting Date: 21 July 2008**

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**1. Recommendation**

*That Council grant approval for a dwelling extension and renovation at 12 Esplanade, Somerset subject to the following conditions:*

1. *Prior to the commencement of the approved development the applicant shall submit to the Director Development Services two copies of plans drawn to scale generally in accordance with the plans accompanying the application but amended to show either:
  - a) *A non-masonry solid screen within a minimum height of 1.8 metres which totally screens any overlooking from the balcony area onto the adjoining residence; or*
  - b) *A full solid wall along the entire length of the eastern side of the balcony.**
2. *These amended plans to be to the satisfaction of the Director Development Services and when approved shall be the endorsed plans of this permit.*
3. *The construction of this development is not to result in the generation of environmental harm or nuisance as defined in the Environmental Management and Pollution Control Act 1994.*
4. *No damage is to be caused to the road, footpath or other facility.*
5. *No materials, machinery or operational construction is to be located on the road, footpath, nature strip or road reservation.*
6. *No construction works can commence on site with out the written approval of the Director Engineering Services.*

7. *All disturbed surfaces on the land, except those set a side for roadways, footways and driveways, shall be covered with top soil and seeded and, where appropriate, revegetated and stabilized to the satisfaction of the Director Engineering services.*
8. *All costs associated with the approved development are to be met by the developer.*

## **2. Summary**

Application is made to add an extra bedroom, ensuite and patio area to the existing house via the addition of a second storey. Other works include the removal of a rear laundry and the re-cladding of the existing dwelling with Colorbond at 12 Esplanade, Somerset.

The site is in the Residential zone. The proposal is for a dwelling which falls within the Residential Use class, a Primary use in the zone. The application is discretionary as it relies on assessment against the Performance Criteria in relation to a number of development standards.

## **3. Background**

The subject property is located on the southern side of the Esplanade. The subject lot is 1118m<sup>2</sup> in area and is a relatively flat site. The subject site contains 3 existing dwellings, the subject dwelling in consideration is sited to the north of the lot facing the Esplanade. The applicant seeks to renovate and extend this dwelling to match with the existing dwellings on and around the subject site.

## **4. Statutory Requirements**

The application is subject to the following statutory instruments:

- *Land Use Planning and Approvals Act 1993*
- *Waratah Wynyard Planning Scheme 2000*

## **5. Finances**

Financial costs may arise in relation to any appeal against the determination of the application by the Planning Authority.

## **6. Discussion**

### Application

The application involves the extension of an existing house and associated renovations, including a balcony and an upper floor addition. The scope of works for the new house includes:

- Existing dwelling is currently 77.76m<sup>2</sup> and it is proposed to demolish approximately 9.11m<sup>2</sup> to allow for the extension works;
- Construction of a ground floor extension of 4.13m<sup>2</sup> (new staircase);
- Addition of a second storey with a floor area of 41.3m<sup>2</sup> and comprising a new bedroom, built in robes and an ensuite;
- A new balcony and awning area of approximately 15.40m<sup>2</sup> will also be constructed on the first floor.

### Advertising

The application was advertised for a period of 14 days in accordance with the provisions of the *Land Use Planning and Approvals Act 1993*. During this time Council received one representation.

- Gladys Duncan of 11 Esplanade Somerset. (Adjoining landowner).

### **Issued Raised:**

1. Concerns relate to the encroachment of the setback zone, which according to the Waratah Wynyard Planning Scheme 2000 is 4.5 metres:

The proposed extension is well inside the setback zone as stated in the scheme. The proposed works are setback 2.95 metres from the front title boundary, therefore evoking discretion. A reduced front boundary setback is not uncommon for development along the Esplanade and houses on both neighbouring properties have subminimal front boundary setbacks. The angle of the lot in relation to the Esplanade means that most of the buildings have been constructed with a decreasing front boundary setback. The boundary setback at the ground level will remain unchanged.

2. The north-eastern side of the proposed dwelling is noticeable further over the setback and it is this side that borders onto the residence.

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From the wording of the representation it is unclear as to exactly what

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*Planning Authority Reports*

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the concern is.

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3. The extension will reduce the already limited sunlight to rooms on the eastern side boundary.

The eastern elevation of the representor's house is already subject to a high level of shade due to the proximity of both houses to the common title boundary. The proposed extension will increase the shadow onto the adjoining property, however it will not be any more detrimental than the current situation for the majority of the day, it will only cast additional shadow over the roof line and not on to any other habitable rooms on the adjoining site.

4. Proposed deck set to the outer perimeter of the dwelling has an open and transparent handrail and does not conform to the privacy provision of the Planning Scheme.

This is a valid concern. A recommended condition of permit will require amended plans to be submitted showing a suitable solid screening device that does not allow any direct overlooking into the adjoining property or a full solid wall along the eastern side of the balcony.

5. Future owners deserve consideration as this extension will reduce sunlight and decrease any privacy.

As discussed above, the privacy issue is a valid concern. The proposed balcony will afford views directly into the side yard of the neighbouring property and into windows along the eastern elevation of the house on the representor's property. A recommended condition of approval will require amended plans to be submitted showing a solid permanent screen along the entire length of the western side of the balcony, to prevent any direct view onto the adjoining residence. The screen will be required to have a minimum height of 1.8 metres. An alternate solution would be to construct a solid wall along the entire length of the eastern side of the balcony. The choice between the two options is provided for in the wording of the condition.

The sunlight concern is an issue that cannot be avoided due to the lack of separation between the two residences. The proposal has sited the second storey to the western elevation giving maximum separation. This proposal will create a shadow onto the roofline however; will not affect any other habitable rooms of the residence much more than existing shadows.

*Planning Authority Reports*

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6. The setback variation will not allow for future off street parking.

The existing house effectively has a front boundary setback of 2.95 metres as a concrete decking is constructed with a minimum setback of 2.95 metres. It is proposed to construct a second storey addition directly above the existing deck which will not reduce the setback any further. The off street parking allocation for this development has been designated to the rear of the subject residence and does not require any further consideration.

### Assessment

The site is zoned Residential under the *Waratah-Wynyard Planning Scheme 2000*. The proposal relates to an existing Residential Use class, a Primary use in the zone.

Standards for development in the Residential Zone are provided in Part 6 and referenced Schedules in particular Schedule 11 'Residential Development Schedule' of the Planning Scheme and are of particular relevance to the assessment of the application.

As the application relies on assessment against the Performance Criteria in relation to a number of development standards, it requires discretionary approval under Section 57 planning application under the *Land Use Planning and Approvals Act 1993* (LUPAA).

The following section provides an assessment against the relevant Planning Scheme provisions.

### **6.0 Residential Zone**

#### **6.1 Values of the zone**

6.1.1 *This zone incorporates predominantly residential and associated use or development of the following areas:*

*Wynyard and Somerset, the hinterland settlements of Yolla and Waratah and the coastal holiday settlements of Boat Harbour Beach and Sisters Beach. The zone also includes land suitable for residential and associated use or development.*

6.1.2 *The values associated with those areas zoned residential are specified in Part 2 of the planning scheme.*



**6.2 Intent of the zone**

- (a) To protect and enhance residential amenity; and
- (b) To allow for compatible uses that does not adversely impact upon residential amenity.

The proposed dwelling, subject to some consideration of possible design changes, will complement the character of the existing dwellings on the Esplanade. However careful consideration is needed to prevent any adverse impacts on any residential character and the privacy of adjoining neighbours.

As the proposed development does not comply with the Acceptable Solution requirements of the scheme, this application will be assessed under the relevant performance criteria as followed:

Relevant Standards for use or development in the Residential Zone

| <b>Table 11.1 Issue 1.0:- Building Appearance and Neighbourhood Character</b>   |   |
|---|---|
| <b>Objective: To ensure that building appearance from public streets and adjoining sites is visually compatible with surrounding development.</b>                   |   |
| <b>Acceptable Solution</b>  | <b>Performance Criteria</b>   |
| <b>Building Form</b>  | <b>Building Form</b>  |
| 1.1 New buildings are to have no more than 15 metres of any frontage to a public street that is not articulated with bay windows, balconies, decks or wall offsets. | 1.1 Buildings are to be designed to enhance the streetscape through façade articulation, detailing and window and door proportions. |

The proposed extension will have approximately 2.95 metres of unarticulated street frontage for the balcony and 4.29 metres for the first floor extension. The subject extension will be constructed to suit a contemporary style façade that is in keeping with the surrounding area. The existing house frontage is articulated with windows and doors with the proposed extension seeking to blend and create a modern appearance and therefore is in compliance with both the required criteria.

|  |   |
|--|---|
| 1.2 Garages and carports facing the street shall not have openings exceeding 6m or 50% of the frontage width, whichever is the lesser. | 1.2 Garages and carports are to be sited and designed so that they do not dominate the appearance of the building from the street.            |
| 1.3 Garages and carports are to be located behind the main face of the associated building.  | 1.3 Car parking facilities must be designed and located to enhance the streetscape and provide for security needs for residents and visitors. |

The proposed works will not result in a garage or carport having openings facing the street exceeding 6 metres or 50%. No new garages or carports are proposed as part of the building works and therefore is in compliance with this criterion.

| <i>Front Fences and Walls</i>   | <i>Front Fences and Walls</i>   |
|---|---|
| <p>1.4 <i>Front fences and walls shall be no higher than 1.2 metres above natural ground level. This height may be increased to 1.8 metres if:</i></p> <p>(a) <i>The fence has openings which make it not less than 50% transparent; or</i></p> <p>(b) <i>The main private open space is in front of the dwelling; or</i></p> <p>(c) <i>The adjacent street carries in excess of 6000 vehicles per day.</i></p> | <p>1.4 <i>Front fences and walls shall be of a height and design that takes into account the streetscape, surveillance and safety, the security of children, pets and property and the use of front garden space.</i></p> |

Front fencing already exists on the subject site and no new fencing is proposed, therefore compliance with the Acceptable Solution is achieved.

| <b>Table 11.1 Issue 2.0:- Street setbacks</b>  |                             |              |             |       |     |     |           |     |     |       |     |     |   |  |
|--|-----------------------------|--------------|-------------|-------|-----|-----|-----------|-----|-----|-------|-----|-----|---|--|
| <b>Objective:</b> <i>To setback buildings and associated garages and carports from the street to provide adequate space for landscape or open space, visual and acoustic privacy and vehicular accesses, while assisting in establishing an attractive streetscape.</i>  |                             |              |             |       |     |     |           |     |     |       |     |     |   |  |
| <b>Acceptable Solution</b>   | <b>Performance Criteria</b> |              |             |       |     |     |           |     |     |       |     |     |   |  |
| <p>2.1 <i>The minimum setback (metres) of buildings from the street is to be:</i></p> <table border="1"> <thead> <tr> <th><b>VPD</b></th> <th><b>Front</b></th> <th><b>Side</b></th> </tr> </thead> <tbody> <tr> <td>&gt;2000</td> <td>4.5</td> <td>2.0</td> </tr> <tr> <td>2000-6000</td> <td>5.0</td> <td>2.0</td> </tr> <tr> <td>6000+</td> <td>6.0</td> <td>4.0</td> </tr> </tbody> </table> <p><i>VPD – Vehicle movements per day</i></p> | <b>VPD</b>                  | <b>Front</b> | <b>Side</b> | >2000 | 4.5 | 2.0 | 2000-6000 | 5.0 | 2.0 | 6000+ | 6.0 | 4.0 | <p>2.1 <i>Buildings are to be sited so as to:</i></p> <p>(a) <i>be compatible with the streetscape character;</i></p> <p>(b) <i>assist the integration of new development into the public streetscape; and</i></p> <p>(c) <i>allow efficient use of the site and provide amenity for residents.</i></p> |  |
| <b>VPD</b>   | <b>Front</b>                | <b>Side</b>  |             |       |     |     |           |     |     |       |     |     |   |  |
| >2000  | 4.5                         | 2.0          |             |       |     |     |           |     |     |       |     |     |   |  |
| 2000-6000  | 5.0                         | 2.0          |             |       |     |     |           |     |     |       |     |     |   |  |
| 6000+  | 6.0                         | 4.0          |             |       |     |     |           |     |     |       |     |     |   |  |

The Acceptable Solution requires a minimum front boundary setback of 4.5 metres. The proposed extension will be setback a minimum 2.95 metres from the front title boundary, therefore the proposal does not meet the Acceptable Solution and is required to be assessed against the Performance Criterion.

The proposed works is for a second storey extension only and is compatible with the existing streetscape character and does allow for suitable and efficient use of the site. The angle of the front boundary means that the reduced front boundary setback is unavoidable. It is noted that many of the houses along the street, including the two neighbouring properties, have front boundary setbacks decreasing to between 2-3 metres. The proposed setback is consistent with typical setbacks in the street.

Compliance with the Performance Criteria is achieved.

|   |   |
|---|---|
| <i>2.2 In established areas where the setbacks of adjacent buildings are different to those specified in Table 11.1, infill development is to be set back the same distance as one or the other of the adjoining buildings.</i> | <i>2.2 In established areas where it is proposed to vary the setbacks from those currently applying, buildings are to be sited as to:<br/>(a) be compatible with the streetscape character;<br/>(b) assist the integration of new development into the public streetscape; and<br/>(c) allow efficient use of the site and provide amenity for residents.</i> |
|---|---|

The subject development is sited in an established area with the building setback being in line with the adjoining and surrounding buildings as demonstrated in Figure 1 and 2. The proposed extension is compatible with the Esplanade streetscape and does not negatively impact the intent of future use and amenity for residents. Compliance with the required criterions is achieved.



**Figure 1** – View of subject frontage and relationship between adjoining landowners.



**Figure 2** – View across adjoining landowner situated on the north-eastern boundary. The subject building is shown with a red roofline (second from front).

| <b>Table 11.1 Issue 3.0:- Building Siting and Design</b>   |                                       |             |             |      |   |  |           |     |  |           |     |  |           |     |  |           |     |  |   |
|--|---------------------------------------|-------------|-------------|------|---|--|-----------|-----|--|-----------|-----|--|-----------|-----|--|-----------|-----|--|---|
| <b>Objective:</b> To enable flexibility in the siting of buildings, to protect reasonable neighbour amenity, to maintain appropriate residential character and visual bulk, and to provide adequate daylight to dwellings and sunlight to private open space.  |                                       |             |             |      |   |  |           |     |  |           |     |  |           |     |  |           |     |  |   |
| <b>Acceptable Solution</b>   | <b>Performance Criteria</b>           |             |             |      |   |  |           |     |  |           |     |  |           |     |  |           |     |  |   |
| <i>Building Setbacks for Daylight</i>  | <i>Building Setbacks for Daylight</i> |             |             |      |   |  |           |     |  |           |     |  |           |     |  |           |     |  |   |
| <p>3.1 Where a new building is to adjoin an existing dwelling, setbacks (metres) to habitable room windows of the adjoining dwelling are to comply with the following:</p> <table border="1"> <thead> <tr> <th>Window setback</th> <th>Max</th> <th>Wall Height</th> </tr> </thead> <tbody> <tr> <td>&lt;1.5</td> <td>0</td> <td></td> </tr> <tr> <td>1.5 – 3.5</td> <td>3.0</td> <td></td> </tr> <tr> <td>3.5 – 4.0</td> <td>3.5</td> <td></td> </tr> <tr> <td>4.0 – 4.5</td> <td>4.0</td> <td></td> </tr> <tr> <td>4.5 – 5.0</td> <td>4.5</td> <td></td> </tr> </tbody> </table> | Window setback                        | Max         | Wall Height | <1.5 | 0 |  | 1.5 – 3.5 | 3.0 |  | 3.5 – 4.0 | 3.5 |  | 4.0 – 4.5 | 4.0 |  | 4.5 – 5.0 | 4.5 |  | <p>3.1 Setbacks to habitable room windows in adjoining dwellings are to be progressively increased as wall height increases to maintain adequate daylight to these rooms.</p> |
| Window setback   | Max                                   | Wall Height |             |      |   |  |           |     |  |           |     |  |           |     |  |           |     |  |   |
| <1.5   | 0                                     |             |             |      |   |  |           |     |  |           |     |  |           |     |  |           |     |  |   |
| 1.5 – 3.5  | 3.0                                   |             |             |      |   |  |           |     |  |           |     |  |           |     |  |           |     |  |   |
| 3.5 – 4.0  | 3.5                                   |             |             |      |   |  |           |     |  |           |     |  |           |     |  |           |     |  |   |
| 4.0 – 4.5  | 4.0                                   |             |             |      |   |  |           |     |  |           |     |  |           |     |  |           |     |  |   |
| 4.5 – 5.0  | 4.5                                   |             |             |      |   |  |           |     |  |           |     |  |           |     |  |           |     |  |   |

The proposed extension (second storey) will give the development a total wall height of 6.5 metres at its highest point which will be off set from the adjoining residence on the eastern boundary by approximately 8 metres therefore compliance with the Acceptable Solution is achieved.

However, the recommended condition of permit requiring either a 1.8 metre screen along the eastern side of the balcony or a solid wall will increase the wall height to up to 5.6 metres (although noting that there will be no wall on the lower level). Therefore an assessment against the Performance Criteria is needed. It is considered that the window opposite the balcony is already well shaded due to the proximity of both houses to the common boundary and the upper floor addition will not greatly increase the loss of daylight to this window. Compliance with the Performance Criteria is therefore achieved.

| <i>Building Height and Setbacks</i>   | <i>Building Height and Setbacks</i>  |
|---|--|
| <p>3.2 <i>Buildings are not to exceed 7.5m in height and are to comply with the following setback requirements:</i></p> <p>(a) <i>subject to Clause 3.1, walls up to 3m in height shall be setback a minimum of 1m from the side or rear boundary, unless the wall is to be built to the boundary in accordance with Clause 3.4, and</i></p> <p>(b) <i>for that part of the wall over 3m in height, the minimum setback is to be 1m plus 0.3m for every 1m of height over 3m.</i></p> | <p>3.2 <i>Building height and setbacks are not to cause adverse impacts on the amenity of adjoining residences or streetscape.</i></p> |

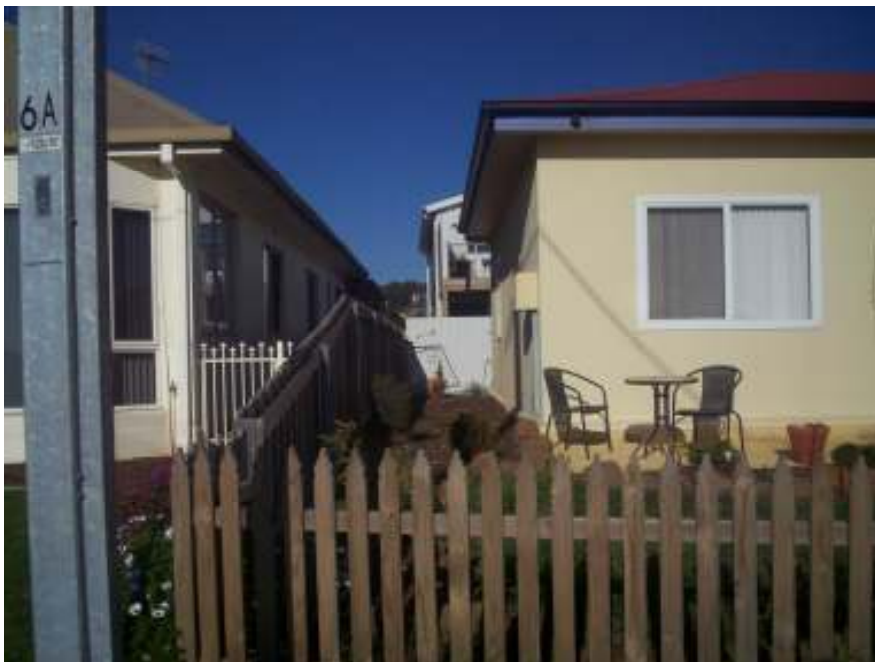
The subject proposal will give a total wall height of 6.5 metres with the highest point (roof line) totalling 6.75 metres from natural ground level. Therefore meets the height and minimum setback requirement allowing for sufficient separation from both adjoining residences. Compliance with the Acceptable Solution is therefore achieved.

|   |  |
|---|--|
| <p>3.3 <i>Fascias, gutters, downpipes, non combustible lining of eaves and the like, masonry chimney backs, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services, electricity or gas meters, light fittings, aerials or antennae and sunblinds may encroach into the setback areas required by Clause 3.1 and 3.2 if the distance to the boundary is not reduced to less than 1 metre, unless that wall is built to the boundary in accordance with clause 3.4.</i></p> | <p>3.3 <i>No performance criteria.</i></p> |
|---|--|

All structural elements as part of this extension will not encroach the required setbacks and is in compliance with the Acceptable Solution.

| <i>Building to the Boundary</i>  | <i>Building to the Boundary</i>  |
|--|--|
| <p>3.4 Walls may be built to the side and rear boundaries where:</p> <p>(a) the length of the new boundary walls is no more than 30% of each of the abutting property boundaries and where the maximum height is to be 3m; or</p> <p>(b) the length of the new boundary walls matches existing boundary walls on adjoining properties where the maximum wall height is to be 3m or the height of the existing wall whichever is the greater.</p> | <p>3.4 Boundary wall height and length are to be limited to minimize the impact on neighbours.</p> |

The subject proposal does not involve the construction of any walls erected directly onto the side and rear boundaries of the site and therefore is in compliance with acceptable solution.



**Figure 3** – View shows the lack of minimal separation between the subject and adjoining residence.



**Figure 4** – view showing the subject sites entrance and relationship of the adjoining land owner to the north western boundary.

| <b>Table 11.1 Issue 5.0:- Privacy</b>   |   |
|---|---|
| <b>Objective:</b> <i>To site and design buildings to meet projected user requirements for visual and acoustic privacy, and to protect the visual and acoustic privacy of nearby residents in their dwellings and private open space.</i>  |   |
| <b>Acceptable Solution</b>  | <b>Performance Criteria</b>   |
| <i>Visual Privacy</i>   | <i>Visual Privacy</i>   |
| <i>5.1 Windows in habitable rooms with a sill height of less than 1.7m and balconies/decks greater than 1m above natural ground level shall be offset and/or screened from the windows of habitable rooms in adjoining dwellings and outdoor living spaces, where there would be direct views and the separation is less than 8.5 metres.</i> | <i>5.1 Direct overlooking of main internal living areas and private open spaces of other dwellings is to be minimized by appropriate building layout, location and design of windows and balconies and the use of screening devices and landscaping. Windows and balconies are to be located so as to avoid overlooking. Screening devices, high sills or obscured glass should only be used where windows and balconies cannot be appropriately located. Where screening devices are used, they should be integrated with the building design and have minimal negative effect on residents or neighbours amenity.</i> |



The proposed balcony will directly overlook into the adjoining property to the eastern boundary giving direct views onto the neighbour’s windows on the western elevation. As noted in the representation section, the representors have raised the loss of privacy as a concern.

As the proposal does not meet the Acceptable Solution, it is required to be assessed against the Performance Criterion.

The proposed balcony has been purposely placed in this orientation to take full advantage of the views to the coast. Without the creation of an additional expansion of the dwelling, this seems the most cost effective and logical position for a balcony. Due to lack of space and the current orientation and design of the existing dwelling it does not give the option for appropriate relocation and therefore, does not allow the balcony to comply with this privacy criterion.

It is proposed to include a condition on the permit that provides the developer with two options that will result in a satisfactory solution under the performance criteria;

- The first option is to erect a non-masonry, solid screen like device that has a minimum height of 1.8 metres and totally screens any overlooking from the balcony area onto the adjoining residence (eastern elevation). The screened device will need building approval and be in compliance with the relevant Australian Standard and the Building Code of Australia.
- The second option available to the applicant is to construct a solid wall that runs along the total length of the balcony area. However, this option will contribute to the total wall height, as it will be a continuance of the existing wall on the eastern elevation.

The proposal does not offer any other reasonable solutions to locate and redesign the layout and both options are an appropriate means to limit the visual privacy issue and therefore with appropriate conditioning, the development can accord with the performance criteria.

| <i>Acoustic Privacy</i>   | <i>Acoustic Privacy</i>   |
|---|---|
| <i>5.2 Habitable room windows are to be at least 2.5m from vehicular accesses and parking areas used by other dwellings unless those windows at their lowest point are at least 1.4m above the carriageway and the ground floor level of the dwelling is at least 1m above the carriageway.</i> | <i>5.2 Site layout is to separate habitable room windows from vehicular accesses and parking areas used by other dwellings through use of noise barriers.</i> |

The subject development is for a second storey extension and is sighted well above the required minimum separation distances. The subject western elevation faces the driveway/access to all 3 existing residences. The proposed bedroom (habitable room) has two new windows, with the lowest window measuring 4.25 metres between the bottom of the seal and the vehicular access (natural ground level). Therefore this proposal is in compliance with this acceptable solution.

**7. Risk**

There is a risk that the applicants or representors may appeal the determination of the Planning Authority to the Resource Management and Planning Appeal Tribunal.

**8. Conclusion**

The application involves a new extension situated on the first floor of an existing dwelling. It also requires the demolition of a portion of the dwelling to allow for a new internal staircase. Although it does not comply with a number of Acceptable Solutions, it complies with the associated Performance Criteria. The proposed balcony design will need to be revised, as it does not comply with the privacy criterion of the scheme. Once addressed, the application is considered to not affect the amenity of the area, adjacent properties and is recommended for conditional approval.

*Enclosures:- refer to Enclosure Document Page 13*

- *Development Application*
- *Certificate of Title*
- *Location Plan*
- *Plans x 5*
- *Representation x 1*

MOVED BY            CR MOORE  
SECONDED BY       CR DUNIAM

IN FAVOUR

|              |            |            |           |                  |
|--------------|------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     |            | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

Cr Pendlebury attended the meeting at 5.45pm.

**180/08 5 GOLDIE STREET, WYNYARD – WARATAH-WYNYARD COUNCIL –  
DEMOLITION OF BUILDING AND RIVER TERRACE UPGRADING WORKS –  
BUSINESS AND CIVIC/ENVIRONMENTAL MANAGEMENT ZONES – SETBACK AND  
SITE CONTAMINATION WAIVER**

**To: Planning Authority**  
**Reporting Officer: Consultant Town Planner**  
**Responsible Manager: Director Development Services**  
**File Reference: DA 124/2008 & 7066731**  
**Council Meeting Date: 21 July 2008**

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**1. Recommendation**

*That Council grant approval for the demolition of building, and river terrace upgrading works at 5 Goldie Street, Wynyard subject to the following conditions:*

- 1. The development as shown on the endorsed plan(s) is not to be altered or modified for any reason without the consent of the Planning Authority.*
- 2. All costs associated with the development shall be at the developer's expense.*
- 3. No damage is to be caused to the road, footpath or other facility.*
- 4. Works are to be carried out in accordance with a Traffic Control Plan approved by the Director Engineering Services.*
- 5. Works are to be carried out in a manner which minimises disruption to traffic, pedestrians and adjacent properties.*
- 6. Any re-vegetation works on the site are not to include species that are declared weeds under the Weed Management Act 1999.*
- 7. Prior to the works commencing, the applicant must undertake a full site investigation and assessment to determine the level of site contamination present.*
- 8. at the completion of any site remediation undertaken consequential to any site investigations, the applicant must submit to Council's Environmental Health Officer written confirmation that the site has been remediated to a level satisfactory for its intended use.*

9. *no trees to be removed.*

## **2. Summary**

Application is made by the Waratah-Wynyard Council to demolish the former Visitor Information Centre and Historical Society Building located at 5 Goldie Street Wynyard and undertake upgrading works to the river terrace.

The site is in the Business and Civic/Environmental Management Zones. The proposal is for a recreational use, a primary use in the Environmental Management Zone and a secondary use in the Business and Civic Zone under the Waratah-Wynyard Planning Scheme. The application is discretionary as it relies on assessment against the Performance Criteria in relation to a number of development standards.

## **3. Background**

The subject site is located at 5 Goldie Street Wynyard.

Presently the site is used as a public recreation space (Gutteridge Gardens). There is an Information Centre on site which is currently vacant, and a Historical Society Building which will be relocated to the community centre.

The proposal involves the demolition of the former Visitors Information Centre, toilet block and the Historical Society Building, and the upgrading of the existing river terrace.

## **4. Statutory Requirements**

The application is subject to the following statutory instruments:

- \* *Land Use Planning and Approvals Act 1993*
- \* *Waratah Wynyard Planning Scheme 2000*

## **5. Finances**

Financial costs may arise in relation to any appeal against the determination of the application by the Planning Authority.

## **6. Discussion**

### Application

The application involves the demolition of the former Visitor Information Centre and Historical Society Buildings, which are located on the area north of the Hogg Street/Goldie Street intersection, to upgrade the river terrace. The scope of works for the development includes:

- Demolition of the existing toilet block
- Demolition of the existing Visitor Information Centre;
- Demolition of the existing building (Historical Society Room);
- Upgrading of stage near Gutteridge Gardens with a height of 2.7 metres;
- Construction of a new toilet block
- Widening of an existing footpath;
- Installation of a new ramped footpath from the road to the foreshore;
- Excavation of the top layer of soil as shown on the site demolition plan;
- Selective trimming of existing trees and shrubs;
- Removal of a tree; and
- Retention of a heritage tree and other services.

### Advertising

The application was advertised for a period of 14 days in accordance with the provisions of the *Land Use Planning and Approvals Act 1993*. During this time Council received one representation in support of the application. In addition to the support, the representor made the following requests:

- That the area be well lit at night and equipped with security cameras; and
- That a garbage bin be installed close to the picnic tables.

Garbage bins will be installed at strategic locations. There is no proposal to install security cameras, though there will be lighting provided.

### Assessment

The subject site is located within two zones under the Waratah-Wynyard Planning Scheme 2000 – the Business & Civic and Environmental Management Zones. The proposal falls within the Recreation Use class, a secondary use class in the Business and Civic Zone, and a primary use class in the Environmental Management Zone.

Standards for development in the Business and Civic Zone are provided in Part 7 of the Planning Scheme. The referenced Schedule of particular relevance to the assessment of this application is Schedule 20 'Potentially Contaminated Lands' Schedule.

Standards for development in the Environmental Management Zone are provided in Part 10 of the Planning Scheme. The referenced Schedules, in particular Schedule 12 'Siting of Development', Schedule 16 'Wetlands and Waterways', and Schedule 20 'Potentially Contaminated Lands' are relevant to the assessment of the application.

As the application relies on assessment against the Performance Criteria in relation to a number of development standards, it is a discretionary application under Section 57 of the *Land Use Planning and Approvals Act 1993* (LUPAA). The discretions triggered by this proposal are:

- Vegetation protection (Clause 10.4.1, Issue 1.0)
- Works on or near wetlands or waterways (Schedule 16, Issue 1.0); and
- Contamination (Schedule 20: Issue 1.0).

The following section provides an assessment against the relevant Planning Scheme provisions.

## **BUSINESS AND CIVIC ZONE**

### 7.1 Values of the Zone

**Clause 7.1 of the Scheme sets out the values of the zone. These are:**

7.1.1 This zone incorporates predominantly business and civic related use or development within Wynyard and Somerset serving the local and wider community.

7.1.2 The values associated with those areas zoned business and civic are specified in Part 2 of the planning scheme.

### 7.2 Intent of the Zone

**According to Clause 7.2 of the Scheme, the intent of the zone is:**

- (a) To provide for a range of business and civic uses in concentrated areas; and

To allow a range of other uses in ways and locations that do not affect the viability and operation of use or development associated with the primary uses of the zone.

This proposal will have no negative impact on the viability of the primary use classes of this zone, as the recreational use is a viable concurrent use with the business/civic uses and does not affect the viability and operation of the business and civic use. Therefore, the proposed development complies with the intent of the zone.

#### **ENVIRONMENTAL MANAGEMENT ZONE**

##### 10.1 Values of the zone

The values of the Environmental Management Zone are set out in Clause 10.1 of the Planning Scheme, and are as follows:

10.1.1 This zone incorporates areas of higher environmental quality. These areas incorporate most of the recreation and conservation reserves of the planning area together with other areas in which environmental protection is a priority. Most of the land is publicly owned. It includes areas of high usage recreation in natural settings, semi-natural areas and wilderness.

10.1.2 The values associated with those areas zoned Environmental Management are specified in Part 2 of the Planning Scheme.

##### 10.2 Intent of the zone

According to Clause 10.2 of the Scheme, the intent of the Zone is:

10.2.1 To provide for the protection and management of natural and cultural resources including cultural heritage, natural heritage, scenic landscapes, fragile landforms, water catchments and areas of recreational value; and

To allow compatible use or development that protects and maintains these values.

A recreational use class is a compatible use within the Environmental Management Zone, as such a use will not detract from the natural/cultural heritage values of the area and will in fact afford the community better opportunities to enjoy the natural assets the river affords. The intent of the zone recognises that such an area may have recreational value, therefore a recreational use complies with the intent of this zone.

The application is assessed as follows against Scheme criteria specific to the application.

**6.3 Relevant standards for use and Development in the Business and Civic Zone**

|  |   |
|--|---|
| <p><i>7.4.1 Issue 2.0: - Building appearance and street character</i><br/> <i>Objective: To ensure that building appearance from public streets is visually compatible with surrounding development and maintains pedestrian amenity.</i></p>  |   |
| <p><i>Acceptable Solution</i></p>  | <p><i>Performance Criteria</i></p>  |
| <p><i>Height</i></p>   | <p><i>Height</i></p>  |
| <p><i>2.2 Differences in building height between existing buildings and new development shall not be more than one storey.</i></p>   | <p><i>2.2 Building height at the street level is to maintain a compatible scale with adjacent development.</i></p>  |
| <p><i>2.3 Maximum height of buildings is to be 12m.</i></p>  | <p><i>2.3 Where a building exceeds 12 metres in height it is to be demonstrated that the building will not cause overshadowing or loss of sunlight to major pedestrian routes, public open spaces or areas used for outside commercial or community activities.</i></p>   |
| <p><i>Front Setback</i></p>  | <p><i>Front Setback</i></p>   |
| <p><i>2.4 The front wall of a new building is to be setback so as to be within 2 metres (forwards or backwards) of the average setback of the nearest principal building on other sites with frontage to that road. If the development site is on a street corner, the setback is to be within 2 metres of the setback of the nearest principal building on another site with frontage to that road.</i></p> | <p><i>2.4 Where that setback is not provided and where it is proposed to provide additional areas for customer use, not including car parking, between the road and the front wall of the objective building, it must be demonstrated that the development:</i></p> <p><i>contributes to the streetscape</i></p> <p><i>assists in the integration of new development into the streetscape, and</i></p> <p><i>provides for amenity for road users.</i></p> |

The proposal complies with the height and setback requirements set out by the Acceptable Solutions of the Scheme.



|   |  |
|---|--|
| <p><i>7.4.1 Issue 6.0: - Amenity of existing non-residential use or development.<br/>Objective: To ensure that new use or development does not adversely impact on the operation of existing non-residential use or development on adjoining sites.</i></p> |  |
| <i>Acceptable Solution</i>  | <i>Performance Criteria</i>                |
| <p><i>6.1 A proposal for use or development must not create smoke, fumes, dust, noise or other emissions likely to cause environmental nuisance to adjoining use or development.</i></p>  | <p><i>6.1 No performance criteria.</i></p> |

The sites adjacent to the subject site are a combination of Residential and Business and Civic use, however the smoke/noise resulting from the recreation area will not be of a level that is likely to cause environmental nuisance to the adjoining uses. The proposal will not represent a change of use from the current use at the site and therefore complies with Acceptable Solution.

|  |  |
|--|--|
| <p><i>7.4.1 Issue 8.0 Issue:- Pedestrian Movement<br/>Objective: To ensure that pedestrian movement along public walkways is not obstructed.</i></p> |  |
| <i>Acceptable Solution</i>   | <i>Performance Criteria</i>                |
| <p><i>8.1 Use or development is not to obstruct the free flow of pedestrians along public walkways.</i></p>  | <p><i>8.1 No performance criteria.</i></p> |

The general intent of the development proposal is to provide level access and ease of movement from Goldie/Hogg Streets to the river. Further to this intent, several measures have been taken to increase the safety such as the provision of handrails with integrated lighting, and the inclusion of recycled plastic stair treads inset into the coloured concrete for improved pedestrian safety. As a result, the development proposal complies with the Acceptable Solution and the design is consistent with the intent of the Scheme.

|  |  |
|--|--|
| <p><i>7.4.1 Issue 9.0:- Sustainable Transport Access<br/>Objective: To ensure that access and parking is managed to maximise access to and circulation within business and civic areas by public transport, walking and cycling.</i></p> |  |
| <i>Acceptable Solution</i>   | <i>Performance Criteria</i>                |
| <p><i>9.1 All new use and development shall be designed to accommodate and facilitate or enhance safe and convenient access by public transport and/or walking and cycling through appropriate paving,</i></p>                           | <p><i>9.1 No performance criteria.</i></p> |

|  |  |
|--|--|
| <i>lighting, seating etc. and separation from, or clear priority over, private vehicle access and parking.</i> |  |
|--|--|

As mentioned above, the development provides for the safe and convenient access of pedestrians through the area, and the use of paving, hand rails with integrated light systems, and the use of plastic stair treads inserted into the concrete ensures the safe movement of pedestrians on a potentially hazardous surface (the river stair). The development has also provided several seating areas and picnic areas, and vehicle access/parking is clearly separated from the recreational area/river terrace. As a result, the proposal is consistent with the intent of the Scheme relating to sustainable transport access. Compliance with the Acceptable Solution is achieved.

**6.4 Standards for use or development in the Environmental Management Zone**

|  |  |
|--|--|
| <i>10.4.1 Issue 1.0:- Vegetation Protection</i>  |  |
| <i>Objective: To ensure that use or development has a minimal impact on the values of native vegetation.</i> |  |
| <i>Acceptable Solution</i>   | <i>Performance Criteria</i>  |
| <i>1.1 No clearance of native vegetation.</i>  | <p><i>1.1 Where a use or development requires the clearance of native vegetation, it must be demonstrated that the clearance:</i></p> <p><i>will not adversely impact on rare and endangered species or habitats critical to their survival;</i></p> <p><i>will not sever existing wildlife corridors or fragment viable communities;</i></p> <p><i>will not result in site erosion; and</i></p> <p><i>will not adversely affect adjacent land reserved under the National Parks and Wildlife Act 1970, through loss of buffering to weeds and introduced pests.</i></p> |

The development requires the clearing/trimming of some vegetation on the subject site and therefore fails to comply with the Acceptable Solution. However, the trimming of the vegetation will not adversely impact any rare or endangered species, and will not result in site erosion or affect adjacent land. It is noted that the development is sensitive to the trees on the site and has been designed to accommodate the protection of these trees. Therefore while this development fails to comply with the Acceptable Solution, it does comply with the Performance Criteria for this standard.

**6.5 Relevant Standards under the siting and development schedule.**

| <i>Table 12.1 Issue 2.0:- Landscape Protection</i>   |  |
|--|--|
| <i>Objective: To ensure that buildings and vegetation clearance do not adversely impact on the visual amenity of the landscape.</i>  |  |
| <i>Acceptable Solution</i>   | <i>Performance Criteria</i>  |
| <p><i>2.1 Buildings and vegetation clearance within the Primary Industries Zone or Environmental Management Zone which would be visible from tourist roads, public beaches and open spaces accessible to the public are to be sited or undertaken so that:</i></p> <ul style="list-style-type: none"> <li><i>no part of a building or other works is located on a slope of 1:5 or greater;</i></li> <li><i>no part of a building is located on a skyline, exposed slope, ridge line or any coastal headland;</i></li> <li><i>buildings do not exceed 8m in height;</i></li> <li><i>vegetation clearance is to be not evident, unless Council has previously approved a forest operation pursuant to clause 9.4.1 Issue 10; and</i></li> <li><i>site works associated with buildings will not intrude into view fields from tourist roads, public beaches and public open space areas by reason of the extent of cut and fill or the contrast between exposed soil, rock or similar materials and adjoining areas.</i></li> </ul> | <p><i>2.1 Where works are proposed within the Primary Industries Zone or Environmental Management Zone which would be visible from tourist roads, public beaches and public open spaces accessible to the public, it must be demonstrated that buildings and other works are able to be sited or undertaken in a manner that does not result in high levels of contrast with the background landscape elements. This includes the colour of buildings as well as exposed soil and bedrock from site works; shape and height of buildings – building elements are to be broken up to avoid large flat surfaces with horizontal emphasis or steep rooflines; shape of vegetation clearings and reflectivity of building materials.</i></p> |

The development will be visible from a tourist road and public open spaces accessible to the public. However, the design is such that there will not be a high level of contrast with the background landscape elements. The colour scheme of the proposal is not in contrast with the background landscape elements – the paving is neutral in colour and matches the existing paving. The development easily complies with the height requirements of the development schedule and is considered an appropriate response to the topography of the site.

In addition, the development (zig-zag ramp) is designed so that it is not overtly prominent in the context of the surrounding landscape. The ramp follows the contours of the site, does not intrude into view fields from tourist roads, and as it has been broken up into smaller horizontal elements, the scale of the development has been contained, thus avoiding large flat surfaces with horizontal emphasis.

From the scaling of the plans, the slope is in a range of 1:4.5 and 1:5 which may exceed the Acceptable Solution. Notwithstanding that, the proposal meets the Performance Criteria.

As a result, the site works will not intrude into the view fields from tourist roads and open spaces, and the development complies with the Acceptable Solutions/Performance Criteria for the Landscape Protection standards.

| <i>Table 12.1 Issue 3.0:- Coastal Processes and Coastal Habitat Protection</i>  |                                     |
|---|-------------------------------------|
| <i>Objective: To ensure natural coastal processes and natural habitats are maintained and the hydrological and biological roles of the coast, wetlands and waterways are protected.</i> |                                     |
| <i>Acceptable Solution</i>  | <i>Performance Criteria</i>         |
| <i>3.6 No building, other than those buildings directly associated with a marina, jetty, boat ramp or slipway, is to be erected within 6 metres of a Public Reserve.</i>                | <i>3.6 No performance criteria.</i> |

The pathways are existing and the construction of new pathways and widening works will not impact on hydrological and biological roles of any waterway.

**6.6 Relevant standards applicable under the wetlands and Waterways Schedule**

| <i>Table 16.1 Issue 1.0:- Works on or near Wetlands or Waterways</i>  |  |
|---|--|
| <i>Objective: Works on or near wetlands and waterways are not to affect the hydrological and biological roles of wetlands and waterways.</i>  |  |
| <i>Acceptable Solution</i>  | <i>Performance Criteria</i>  |
| <i>1.1 No channel training works, filling, draining, building or other structures are to be constructed in or within 30 metres of the boundary of any wetland or stream bank of a waterway.</i> | <p><i>1.1 Where works are proposed in or within 30 metres of the boundary of a wetland or stream bank of a waterway, it must be demonstrated that:</i></p> <p><i>the design and operation of any works or structures are in accordance with Best Practice Environmental Management as defined in the Environmental Management and Pollution Control Act 1994 and State Policy for Water Quality Management 1997; and</i></p> <p><i>the natural flow regimes, water quality and biological diversity of any wetland or waterway will not be adversely affected.</i></p> |

The pathways are existing and the construction of new pathways and widening works will not impact on natural flow regimes, water quality or biological diversity of any waterway. Compliance with the performance criteria is achieved.

6.6 Relevant standards applicable to use and development under Potentially Contaminated Lands Schedule.

Table 20.1 Objectives and Standards for Potentially Contaminated Land

| <i>Table 20.1 Issue 1.0:- Contamination</i>  |   |
|--|---|
| <i>Objective: To ensure that human health and safety and the environment is not adversely impacted by contaminated land.</i>   |   |
| <i>Acceptable Solution</i>   | <i>Performance Criteria</i>   |
| <i>1.1 Where a site is to be used or developed for a sensitive use, public open space or recreational activities, it must be demonstrated that the site has not been used for an activity listed in Figure 21.1.</i> | <i>1.1 Where a site is to be used or developed for a sensitive use, public open space or recreational activities and it cannot be demonstrated that it has not been used for an activity listed in Figure 20.1, a detailed site investigation</i> |

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|  |   |
|--|---|
|  | <p><i>report shall be undertaken by an appropriately qualified person.</i></p> <p><i>Where the detailed site investigation report reveals that the land is contaminated, details of the proposed remediation measures which are to be undertaken to decontaminate the land to a standard appropriate for the intended use must be provided.</i></p> |
| <p><i>1.2 Where soil is to be removed from a site previously used for an activity listed in Figure 21.1, it must be assessed for contamination by an appropriately qualified person prior to disposal.</i></p>   | <p><i>1.2 No performance criteria.</i></p>  |
| <p><i>1.3 Where the soil is found to be contaminated, it must be demonstrated how the soil is to be treated in order to ensure that maximum concentrations and leachability of contaminants will be kept within acceptable levels of disposal.</i></p>   |   |
| <p><i>1.4 Where use or development is to be undertaken on a site previously used for an activity listed in Figure 21.1, dust and stormwater runoff from site works during the construction phase must be contained within the site or treated to remove contaminants to acceptable levels.</i></p> | <p><i>1.3 No performance criteria.</i></p>  |

There is anecdotal evidence that part of the site (under the rear of the Visitor Information Centre) was previously used for solid fill. There are no records to support this, but some solid fill was uncovered during repair works about 6-8 years ago. At the time it was not deemed necessary to do a full site study as the builder confirmed the limited nature and extent of the fill. On the basis of the information provided by Council, it is inconclusive whether the site was used for an activity listed in Figure 20.1 (landfill). No remediation measures were taken at the time to decontaminate the land.

As a result, the appropriate course of action is to assess any soil that is to be removed from the site prior to disposal, and contain the dust and stormwater runoff within the site. Taking these actions will ensure that the Performance Criteria for this development standard have been met.

### **7. Risk**

There is a risk that the applicants or representors may appeal the determination of the Planning Authority to the Resource Management and Planning Appeal Tribunal. Given that the applicant is Council and that the one representation was positive, the risk is low.

### **8. Conclusion**

The application involves the demolition of two existing buildings, and upgrading works on the river terrace. Although the development does not comply with a number of Acceptable Solutions, it complies with the associated Performance Criteria. The application is considered to not affect the use/intent of the area, adjacent properties, or coastal processes and is recommended for conditional approval.

*Enclosures:- refer to Enclosure Document Page 27*

- *Development Application*
- *Location Plan*
- *Letter from Department of Education*
- *Map from Crown Land Services*
- *Plans x 4*
- *Representation*

MOVED BY            CR DIBLEY  
SECONDED BY        CR BRAMICH

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IN FAVOUR

|            |            |  |  |  |
|------------|------------|--|--|--|
| CR BRAMICH | CR DIBLEY  |  |  |  |
|            | CR RANSLEY |  |  |  |

AGAINST

|               |  |           |                  |                 |
|---------------|--|-----------|------------------|-----------------|
|               |  | CR DUNIAM | CR FRIEDERSDORFF | CR MOORE        |
| CR PENDLEBURY |  |           |                  | MAYOR<br>HYLAND |

LOST

MOVED BY CR MOORE  
SECONDED BY CR BRAMICH

*That the council investigate the feasibility of relocating the subject tree within the Gutteridge Gardens precinct.*

IN FAVOUR

|            |            |           |                  |                 |
|------------|------------|-----------|------------------|-----------------|
| CR BRAMICH | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF | CR MOORE        |
|            | CR RANSLEY |           |                  | MAYOR<br>HYLAND |

AGAINST

|               |  |  |  |  |
|---------------|--|--|--|--|
|               |  |  |  |  |
| CR PENDLEBURY |  |  |  |  |

CARRIED

MOVED BY CR MOORE  
SECONDED BY CR DUNIAM

*That Council grant approval for the demolition of building, and river terrace upgrading works at 5 Goldie Street, Wynyard subject to the following conditions:*

- 1. The development as shown on the endorsed plan(s) is not to be altered or modified for any reason without the consent of the Planning Authority.*
- 2. All costs associated with the development shall be at the developer's expense.*
- 3. No damage is to be caused to the road, footpath or other facility.*



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4. *Works are to be carried out in accordance with a Traffic Control Plan approved by the Director Engineering Services.*
5. *Works are to be carried out in a manner which minimises disruption to traffic, pedestrians and adjacent properties.*
6. *Any re-vegetation works on the site are not to include species that are declared weeds under the Weed Management Act 1999.*
7. *Prior to the works commencing, the applicant must undertake a full site investigation and assessment to determine the level of site contamination present.*
8. *at the completion of any site remediation undertaken consequential to any site investigations, the applicant must submit to Council's Environmental Health Officer written confirmation that the site has been remediated to a level satisfactory for its intended use.*

IN FAVOUR

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

The Acting General Manager, having declared an interest, retired from the meeting.

**181/08 14 MOORE STREET, BOAT HARBOUR BEACH – CK STRETTON – DWELLING  
EXTENSION – RESIDENTIAL ZONE – HEIGHT AMENITY AND SETBACK WAIVERS**

**To: Planning Authority**  
**Reporting Officer: Town Planner**  
**Responsible Manager: Director Development Services**  
**File Reference: 7087225 & DA 84/2008**  
**Council Meeting Date: 9 July 2008**

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**1. Recommendation**

*That Council grant approval for a dwelling extension at 14 Moore Street, Boat Harbour Beach subject to the following conditions:*

- 1. The development as shown on the endorsed plan(s) is not to be altered or modified for any reason without the consent of the Planning Authority.*
- 2. Prior to the commencement of the approved development the applicant shall submit to the Director Development Services two copies of the following for approval:*
  - a. A geotechnical report from an engineer suitably qualified in slope stability certifying that that the development can be erected safely, the building will be structurally sound and the completed building and services will not aggravate the existing landslide conditions.*
  - b. An erosion and sediment control plan, detailing measures to be implemented and maintained during the course of the development to minimise downstream soil and sediment transfer, particularly with respect to watercourses, stormwater outlets and disturbed ground.*
- 3. Prior to the commencement of the approved development the applicant shall submit to the Director Development Services two copies of plans drawn to scale generally in accordance with the plans accompanying the application but amended to show:*
  - a. A different roof form over the approved storeroom / bedroom addition than the proposed extension to the existing roof form over the southern portion of the dwelling.*
  - b. Details of the colour of the new section of roof.*

- c. *Retention of the existing crossover and provision of an additional parking space associated with the dwelling adjacent to the northern wall of the new garage. Parking spaces shall be in accordance with Condition 4 below.*
        - d. *The driveway associated with the new garage shall be a minimum of 3 metres wide.*
- 4. *On-site car parking shall comply with the following requirements:*
  - a. *All internal car parking and hardstand areas are to be surfaced in an all weather material such as concrete, asphalt or bitumen seal*
  - b. *Concentrated stormwaters arising from car parks and hardstand areas are to be contained on site and directed to a legal point of discharge.*
  - c. *On site car parking is to be designed in accord with the requirements of AS 2890.1*
  - d. *External parking is to be design in accord with AS 2890.5 and meet the requirements of the planning scheme.*
- 5. *The construction of this development is not to result in the generation of environmental harm or nuisance as defined in the Environmental Management and Pollution Control Act 1994.*
- 6. *All disturbed surfaces on the land, except those set a side for roadways, footways and driveways, shall be covered with top soil and seeded and, where appropriate, revegetated and stabilized to the satisfaction of the Director Engineering services*
- 7. *No material is to be deposited onto the road.*
- 8. *No damage is to be caused to the road, footpath or other facility.*
- 9. *No materials, machinery or operational construction is to be located on the road, footpath, nature strip or road reservation.*
- 10. *All costs associated with the approved development are to be met by the developer.*
- 11. *Vehicular access complete with a bitumen sealed surface to be constructed from the edge of the bitumen sealed pavement of the Council road to the property boundary in accordance with Municipal Standard Drawing No SD1012 Rural Roads – Standard Access to the satisfaction of the Director Engineering Services.*

## **2. Summary**

Application is made to construct alterations and additions to a dwelling located at 14 Moore Street, Boat Harbour Beach.

The site is in the Residential zone. The proposal is for a dwelling which falls within the Residential Use class, a Primary use in the zone. The application is discretionary as it relies on assessment against the Performance Criteria in relation to a number of development standards.

## **3. Background**

The subject property is located on the lower side of Moore Street. It is 431m<sup>2</sup> in area. The land generally falls towards the east. The existing house is constructed partly within a previously levelled area in the middle of the site and projects partly over the slope. It appears as single storey from the front and double storey at the rear.

## **4. Statutory Requirements**

The application is subject to the following statutory instruments:

- *Land Use Planning and Approvals Act 1993*
- *Waratah Wynyard Planning Scheme 2000*

## **5. Finances**

Financial costs may arise in relation to any appeal against the determination of the application by the Planning Authority.

## **6. Discussion**

### **Application**

The application involves alterations and additions to the existing dwelling and includes other associated development within the site. The scope of works include:

- Demolition of an existing concrete deck, part of an existing garage and associated works on the northern side of the dwelling.
- Demolition of an existing timber deck, roof structure, steel support structure and concrete stair return currently constructed from the south eastern corner of the dwelling.

- Construction of a new garage from the northern wall of the dwelling, occupying part of the area which contains the existing garage and deck described above. A new roller door will be provided within the front wall of the garage to provide direct access from the street.
- A new two storey addition from the south eastern corner of the dwelling (storage on the lower level and bedroom on the upper).
- Construction of a new deck from the eastern side, extending from the new bedroom addition to above the new garage.

Floor area details and full dimensions are not provided on the plans submitted with the development application. Scaling from the drawings provided, it is estimated that the development will result in a site coverage by the dwelling of 145m<sup>2</sup> (not including the new deck). The deck is approximately 75m<sup>2</sup> although is constructed over the garage addition.

#### Advertising

The application was advertised for a period of 14 days in accordance with the provisions of the *Land Use Planning and Approvals Act 1993*. During the advertising period, Council received two representations:

- Faye Plant, 5 Cumming Street, Boat Harbour Beach
- Boat Harbour Progress Association, 161 Port Road, Boat Harbour Beach (similar issued raised to the above objection)

#### **Issue Raised:**

*“The land purchased and subdivided from Moreton Street (P79947) and added to the block at 14 Moore Street is on a different level and much of this land, on or near to, the proposed development has had retaining walls built and land fill added. I did not site [sic] a land contour plan with this application. I would question the stability of actual landfill designated on slip land and use thereafter. There has already been retaining walls built and landfill added in the area of the proposed garage”.*

#### **Planning Comment:**

The existing fill should be taken into account in undertaking the geotechnical investigation required in Condition 2(a), as necessary.

#### **Issue Raised:**

*“There is no off street parking provided and vehicles will have to stop on the road to enter the garage. There is no forward entry of vehicles from the garage. The provision of off street parking is problematic and directly affects me in as much as my block is already used by neighbours and their visitors for parking on a regular basis. I anticipate that this problem will only increase”.*

**Planning Comment:**

It is recommended that the permit be conditioned to require two parking spaces to be provided in association with the dwelling. This is consistent with the requirement under the Planning Scheme. (See assessment against the acceptable solution under Table 17 Car Parking and Access Schedule, Issue 1.0 – Car Parking Provision).

There is considered to be adequate space available within the nature strip and in front of the garage roller doors for vehicles to stand mostly off the road prior to entering the garage. This is not inconsistent with situations which exist in other residential areas.

The requirement for vehicles to enter and exit sites in a forward direction does not apply to single dwellings on an allotment. (See assessment against the acceptable solution 2.7 under Table 17 Car Parking and Access Schedule, Issue 2.0 – Car Parking and Access Design).

**Issue Raised:**

*“The height of the new development will cause shadowing on adjoining properties and impact on the amenity as well as block views to the water”.*

**Planning Comment:**

The southern wall of the development is 6.3 metres, which is 300mm above the relevant acceptable solution under the Boat Harbour Beach Urban Design provisions (Clause 6.4.2, Issue 1.0). It therefore relies on assessment against the corresponding performance criteria (PC 1.2). The garage addition complies with the acceptable solution.

It is not considered that the southern wall of the addition will cause significant adverse overshadowing or privacy impacts to the property to the south, particularly given the physical separation which exists. The wall complies with the acceptable solutions under Table 11.1 (Residential Development Schedule) Issue 3.0 (relating to setbacks for daylight) and Issue 5.0 (visual privacy), even though it does not meet the relevant acceptable solution under Issue 3.0 of the table relating to setback from the southern side boundary.

The bedroom addition will only block out part of the view of the water from Moore Street and the adjoining property to the south. The loss of view attributable to the additional 300mm in building height is considered to be comparatively minor.

**Issue Raised:**

*“The size of the building will far exceed 30% of site coverage and the bulk and size of the building is contrary to the design guidelines”.*

**Planning Comment:**

The site coverage as a result of the addition is difficult to calculate accurately given the absence of floor area details or dimensions on the plans. It is likely to be around 50%, which clearly does not comply with the relevant acceptable solution under the Boat Harbour Beach Urban Design provisions (Clause 6.4.2, Issue 1.0). On the other hand, the additional floor area attributable to the additions is relatively minor. An assessment against the relevant performance criteria (PC 1.1) is provided below.

The development is also not likely to significantly increase the bulk of the existing dwelling. It has been assessed as compliant with the relevant development requirements under the urban design guidelines, including those relating to building height (PC 1.2) and the requirement to have a single storey appearance from the road (AS 1.3). It is recommended that the permit be conditioned to require a different roof form over the bedroom addition in order to comply with the roof design requirements (PC1.6) under Clause 6.4.2 (see further comments below in the planning assessment against the relevant performance criteria). This would break up the bulk of the building when viewed from the road.

**Issue Raised:**

*“The setbacks on the SW have not been included on the western side of the house. The survey notes of the length of the southern boundary indicate that the house is on or over the road”.*

**Planning Comment:**

This is an issue separate to the assessment of the current development application.

**Issue Raised:**

*“The application is not sympathetic to the setback requirements with the structure to be placed on the boundary of the road. Dimensions indicate that the newly installed fence and water tank is on the road – others in the area have had to remove such structures. This tank is a feeder tank for other tanks below in Moreton Street”.*

**Planning Comment:**

The garage is constructed to 1.1m from the front boundary and is partly in front of the main face of the existing dwelling. However, it will be constructed at the lower level of the dwelling with the new deck over, and will therefore not be a dominant feature in the streetscape. (See assessment against the Table 11.1 - Issue 1.0, Performance Criteria 1.3 ‘Siting of Garages and Carports’ and Issue 2.0, Performance Criteria 2.1 ‘Street Setbacks’).

Any issues relating to the existing fence and water tank are separate to the assessment of the current development application.

**Issue Raised:**

*“The application does not comply with 1.6 of the urban design guidelines. The application does not comply with the urban design guidelines in that there will be an expanded area of flat roof”.*

**Planning Comment:**

The application does not comply with this acceptable solution of the Boat Harbour Beach Urban Design provisions. In order to comply with the performance criteria, which requires the breaking up of roof forms, it is recommended that a different roof form to that proposed should be provided over the new addition. (See assessment against Performance Criteria 1.6 of the guidelines, as well as recommended permit condition 3a.)

**Issue Raised:**

*“The Planning Scheme requires demonstration of how development will compliment the streetscape – this application has not demonstrated anything”.*

**Planning Comment:**

The main impacts on the streetscape relate to the proposed garage adjacent to the front setback and proposed roof form over the bedroom addition (which would be visible from the street). These issues have been discussed elsewhere, and assessed against the relevant performance criteria further below.

**Issue Raised:**

*“The colour is not a recommended colour in the guidelines for Boat Harbour Beach”.*

**Planning Comment:**

Taking account that the proposed dark blue colour matches that of the existing dwelling, it is assessed as acceptable when considered against the relevant performance criteria (PC 1.7 of Clause 6.4.2).

**Issue Raised:**

*“The window in the southern wall overlooks and provides a visual intrusion into the main living area and private open spaces of the adjoining property. Views between the buildings will not be retained”.*

**Planning Comment:**

This window complies with the acceptable solution relating to privacy (AS 5.1) under Table 11.1 ‘Residential Development Schedule’. It is setback greater than 8.5 metres from the adjacent dwelling to the south. Furthermore, given that it is a small bedroom window with a 1.5m sill height, it is unlikely to result in unreasonable overlooking of the outdoor space associated with the adjacent property to the south.



**Issue Raised:**

*“There is a drainage easement on the land adjoining in Moreton Street and I would question if the easement should also be shown and included on the plans for 14 Moore Street and if the easement will be beneath this new application”.*

**Planning Comment:**

The proposed development will not be constructed directly over Council infrastructure.

**Issue Raised:**

*“There are no plans showing internal rooms in the house and the council must take into consideration the number of bedrooms, toilets and bathrooms that already exist in relation to the size of the block and amenities”.*

**Planning Comment:**

This is not necessary for the assessment of the planning application.

**Assessment**

The site is zoned Residential under the *Waratah-Wynyard Planning Scheme 2000*. The proposal relates to an existing Residential Use class, a Primary use in the zone.

Standards for development in the Residential zone are provided in Part 6 and the referenced Schedules in particular Schedule 11 ‘Residential Development Schedule of the Planning Scheme’. The standards within Schedule 12 ‘Siting of Development Schedule’ are also of particular relevance to the assessment of the application.

As the application relies on assessment against the Performance Criteria in relation to a number of development standards, it requires discretionary approval under Section 57 planning application under the *Land Use Planning and Approvals Act 1993* (LUPAA).

An assessment of the application against the relevant Planning Scheme provisions is provided below.

**6.0 Residential Zone**

**6.1 Values of the zone**

*6.1.1 This zone incorporates predominantly residential and associated use or development of the following areas:*

*Wynyard and Somerset, the hinterland settlements of Yolla and Waratah and the coastal holiday settlements of Boat Harbour Beach and Sisters Beach. The zone also includes land suitable for residential and associated use or development.*

6.1.2 *The values associated with those areas zoned residential are specified in Part 2 of the planning scheme.*

**6.2 Intent of the zone**

- (a) *To protect and enhance residential amenity; and*
- (b) *To allow for compatible uses that do not adversely impact upon residential amenity.*

The proposed dwelling additions, subject to some design changes to be given effect by way of recommended permit conditions, will complement the character of the existing residential area and will not adversely impact on residential character.

An assessment against the relevant performance criteria is provided below, following consideration of the applicable acceptable solutions.

**Assessment Against the Applicable Acceptable Solutions**

**Clause 6.4.1 Standards for use or development in the Residential Zone**

**Issue 1.0: - Effluent and storm-water disposal**

**Objective:** *To ensure effluent and storm water discharge from new development does not have an adverse effect on water quality.*

| <b>Acceptable Solution</b>   | <b>Comment</b>  |
|--|---|
| <b>Serviced Areas</b><br><i>1.1 Effluent is to be disposed of by a connection to a reticulated sewerage, sewage treatment and storm water systems.</i> | Complies. The existing dwelling is connected to reticulated services. |

Issue 2.0: - Effluent and stormwater disposal at Sisters Beach and Boat Harbour Beach

**Objective:** *To ensure that effluent and stormwater treatment systems for new use or development at Sisters Beach and Boat Harbour Beach do not worsen existing water quality problems.*

| <i>Acceptable Solution</i>   | <b>Comment</b>  |
|--|---|
| 2.1 <i>Any use or development that increases the catchment of rainwater or increases the load on on-site disposal of wastewater is to be connected to reticulated sewerage and stormwater.</i> | Complies. The existing dwelling is connected to reticulated services. |

**Issue 3.0: - Subdivision**

Not applicable. The application does not involve subdivision.

**Issue 4.0: - Airport Protection**

Not applicable. The application is not in the vicinity of the Burnie Airport at Wynyard.

**Issue 5.0: - Railway Alignment**

Not applicable. The site is not within the vicinity of the railway asset.

**Issue 6.0: - Infrastructure Provision**

***Objective:*** *To ensure that the cost of providing infrastructure to new development is not borne by the community.*

| <i>Acceptable Solution</i>  | <b>Comment</b>   |
|---|--|
| 6.1 <i>Where a use or development requires the provision of infrastructure or will exceed the design capacity of existing public infrastructure, the cost of the infrastructure is to be paid for by the person undertaking the use or development.</i> | Complies. The proposed development does not necessitate an infrastructure upgrade. |

**Clause 6.4.2 Boat Harbour Beach Urban Design**

The following provisions prevail over any inconsistency with provisions located elsewhere within the Residential zone or the Residential Development Schedule of the Planning Scheme.

**Issue 1.0: - Boat Harbour Beach Urban Design**

***Objective:*** *To ensure new development:*

- (a) *is respectful of the scale of the seaside character of the Boat Harbour Beach settlement in terms of size, bulk and setbacks of buildings; and*
- (b) *is innovative contemporary design, which draws on the traditional elements of the settlement without replicating the existing built environment.*

*Where possible existing views are to be retained.*

| <b>Acceptable Solution</b>  | <b>Comment</b>   |
|---|--|
| 1.1 <i>A maximum site coverage of 30% applies to any new building on a lot or extensions to existing buildings.</i>                     | <p>Does not comply. A floor area for the house and deck is not provided with the application, therefore an accurate measurement of site coverage cannot be made. However, it is clear that the site coverage is greater than 30% (it is estimated to be around 50%).</p> <p>The application relies on the performance criteria as discussed below in “<u>Assessment Against the Applicable Performance Criteria</u>”.</p>                                    |
| 1.2 <i>A maximum building height limit of 6.0m.</i>   | <p>Does not comply. The new bedroom extension will have a maximum height of 6.3 metres.</p> <p>The application relies on the performance criteria as discussed below in “<u>Assessment Against the Applicable Performance Criteria</u>”.</p>   |
| 1.3 <i>Buildings on the lower side of roads shall be single storey when viewed from the road. A split-level solution is acceptable.</i> | Complies   |
| 1.4 <i>Minimum setbacks to boundaries:<br/>Side – 3.0m<br/>Rear – 12.0m</i>   | <p>Does not comply. The proposed bedroom addition is constructed to approximately 300mm from the southern side property boundary.</p> <p>The proposed garage is constructed to 900mm from the rear property boundary.</p> <p>The proposed deck is constructed to 1.58m from the rear property boundary.</p> <p>The application relies on the performance criteria as discussed below in “<u>Assessment Against the Applicable Performance Criteria</u>”.</p> |
| 1.5 <i>Fences shall not be permitted between the major building on any block and the road.</i>  | N/A (the application does not involve a new fence)   |

|   |   |
|---|---|
| <p>1.6 <i>Small areas of broken roof forms such as hip, gable, flat or skillion shall span no more than 6.5m at any one point and pitch not greater than 25 degrees for a main roof and 15 degrees for veranda or skillion roofs.</i></p>   | <p>Does not comply. The roof section over the southern portion of the dwelling spans 6.5 metres in the southern elevation. This section of roof is proposed to be extended over the bedroom addition to create a total expanse of 13 metres, which is a doubling of the requirement under the acceptable solution.</p> <p>The application relies on the performance criteria as discussed below in <u>“Assessment Against the Applicable Performance Criteria”</u></p> <p>The existing and proposed roof pitch is around 6°, which is in accordance with the acceptable solution.</p> |
| <p>1.7 <i>Exterior materials, colours and finishes shall be as follows:</i></p> <p><i>Walls</i></p> <ul style="list-style-type: none"> <li>– <i>timber boards; or</i></li> <li>– <i>sheet fibro or metal; and</i></li> <li>– <i>utilising light colours such as cream, light brown, white, yellow and light green.</i></li> </ul> | <p>The proposed building additions will be constructed using sheet cladding with a rendered finish to match the existing house. This is considered to comply with the acceptable solution.</p> <p>The proposed colour is a dark blue, to match the existing house. It is not in accordance with the acceptable solution.</p> <p>The application relies on assessment against the performance criteria in relation to colour, as discussed below in <u>“Assessment Against the Applicable Performance Criteria”</u>.</p>   |
| <p><i>Roofs</i></p> <ul style="list-style-type: none"> <li>– <i>corrugated galvanised iron or</i></li> <li>– <i>coloured in green, red or brown or off white.</i></li> </ul> <p><i>Tile roofs and modern profile sheet roofing are not to be used.</i></p>  | <p>Construction and colour details for the roof have not been included with the development application. The roof colour should be nominated prior to the commencement of the development.</p>  |
| <p>1.8 <i>Notwithstanding clause 6.4.1 issue 3 no re-subdivision of existing titles will be allowed.</i></p>  | <p>N/A</p>  |
| <p>1.9 <i>Council shall not approve amalgamation of existing titles.</i></p>  | <p>N/A</p>  |

|   |   |
|---|---|
| <p>1.10 <i>Cut, fill or retaining walls will be permitted up to a maximum height of 0.6 metres above or below the existing surface level.</i></p> | <p>Does not comply. The cut into the existing bank has an approximate 1 metre maximum height.</p> <p>The plans indicate a concrete retaining wall will be constructed in association with the storeroom &amp; bedroom addition. Details on the extent of cut and fill are not provided.</p> <p>The application relies on the performance criteria as discussed below in “<u>Assessment Against the Applicable Performance Criteria</u>”</p> |
|---|---|

**Applicable Schedules**

**Table 11.1 Residential Development Schedule**

**Issue 1.0:- Building Appearance and Neighbourhood Character**

***Objective:*** *To ensure that building appearance from public streets and adjoining sites is visually compatible with surrounding development*

| <b>Acceptable Solution</b>  | <b>Comment</b>   |
|---|--|
| <i>Building Form</i>  |  |
| <p>1.1 <i>New buildings are to have no more than 15 metres of any frontage to a public street that is not articulated with bay windows, balconies, decks or wall offsets.</i></p> | <p>Not applicable. The application does not significantly change appearance of the front wall of the existing building.</p>  |
| <p>1.2 <i>Garages and carports facing the street shall not have openings exceeding 6m or 50% of the frontage width, whichever is the lesser.</i></p>                              | <p>Complies. The proposed garage roller door which faces the street has a width of 3 metres.</p>   |
| <p>1.3 <i>Garages and carports are to be located behind the main face of the associated building.</i></p>   | <p>Does not comply. The new garage extends partly in front of the main face of the existing dwelling,</p> <p>The application relies on the performance criteria as discussed below in “<u>Assessment Against the Applicable Performance Criteria</u>”.</p> |
| <p>1.4 <i>Front Fences and Walls</i></p>  | <p>N/A (the application does not involve a new fence)</p>  |

**Issue 2.0:- Street setbacks**

**Objective:** To setback buildings and associated garages and carports from the street to provide adequate space for landscape or open space, visual and acoustic privacy and vehicular accesses, while assisting in establishing an attractive streetscape.

| <b>Acceptable Solution</b>  | <b>Comment</b> |              |             |       |     |     |           |     |     |       |     |     |   |
|---|----------------|--------------|-------------|-------|-----|-----|-----------|-----|-----|-------|-----|-----|---|
| <p>2.1. The minimum setback (metres) of buildings from the street is to be:</p> <table border="0"> <thead> <tr> <th><b>VPD</b></th> <th><b>Front</b></th> <th><b>Side</b></th> </tr> </thead> <tbody> <tr> <td>&gt;2000</td> <td>4.5</td> <td>2.0</td> </tr> <tr> <td>2000-6000</td> <td>5.0</td> <td>2.0</td> </tr> <tr> <td>6000+</td> <td>6.0</td> <td>4.0</td> </tr> </tbody> </table> <p>VPD – Vehicle movements per day</p> | <b>VPD</b>     | <b>Front</b> | <b>Side</b> | >2000 | 4.5 | 2.0 | 2000-6000 | 5.0 | 2.0 | 6000+ | 6.0 | 4.0 | <p>Does not comply. The proposed garage is to be constructed to 1.1m from the front property boundary.</p> <p>The application relies on the performance criteria as discussed below in “<u>Assessment Against the Applicable Performance Criteria</u>”.</p> |
| <b>VPD</b>  | <b>Front</b>   | <b>Side</b>  |             |       |     |     |           |     |     |       |     |     |   |
| >2000   | 4.5            | 2.0          |             |       |     |     |           |     |     |       |     |     |   |
| 2000-6000   | 5.0            | 2.0          |             |       |     |     |           |     |     |       |     |     |   |
| 6000+   | 6.0            | 4.0          |             |       |     |     |           |     |     |       |     |     |   |

**Issue 3.0:- Building Siting and Design**

**Objective:** To enable flexibility in the siting of buildings, to protect reasonable neighbour amenity, to maintain appropriate residential character and visual bulk, and to provide adequate daylight to dwellings and sunlight to private open space.

| <b>Acceptable Solution</b>   | <b>Comment</b>         |                        |      |   |           |     |           |     |           |     |           |     |   |
|--|------------------------|------------------------|------|---|-----------|-----|-----------|-----|-----------|-----|-----------|-----|---|
| <p><b>Building Setbacks for Daylight</b></p> <p>3.1 Where a new building is to adjoin an existing dwelling, setbacks (metres) to habitable room windows of the adjoining dwelling are to comply with the following:</p> <table border="0"> <thead> <tr> <th><b>Window setback</b></th> <th><b>Max Wall Height</b></th> </tr> </thead> <tbody> <tr> <td>&lt;1.5</td> <td>0</td> </tr> <tr> <td>1.5 – 3.5</td> <td>3.0</td> </tr> <tr> <td>3.5 – 4.0</td> <td>3.5</td> </tr> <tr> <td>4.0 – 4.5</td> <td>4.0</td> </tr> <tr> <td>4.5 – 5.0</td> <td>4.5</td> </tr> </tbody> </table> | <b>Window setback</b>  | <b>Max Wall Height</b> | <1.5 | 0 | 1.5 – 3.5 | 3.0 | 3.5 – 4.0 | 3.5 | 4.0 – 4.5 | 4.0 | 4.5 – 5.0 | 4.5 | <p>Complies. The proposed additions have sufficient setback from the adjoining dwellings to the east and south.</p> |
| <b>Window setback</b>  | <b>Max Wall Height</b> |                        |      |   |           |     |           |     |           |     |           |     |   |
| <1.5   | 0                      |                        |      |   |           |     |           |     |           |     |           |     |   |
| 1.5 – 3.5  | 3.0                    |                        |      |   |           |     |           |     |           |     |           |     |   |
| 3.5 – 4.0  | 3.5                    |                        |      |   |           |     |           |     |           |     |           |     |   |
| 4.0 – 4.5  | 4.0                    |                        |      |   |           |     |           |     |           |     |           |     |   |
| 4.5 – 5.0  | 4.5                    |                        |      |   |           |     |           |     |           |     |           |     |   |

| <i>Building Height and Setbacks</i>  |  |
|--|--|
| <p>3.2 <i>Buildings are not to exceed 7.5m in height and are to comply with the following setback requirements:</i></p> <p><i>(a) subject to Clause 3.1, walls up to 3m in height shall be setback a minimum of 1m from the side or rear boundary, unless the wall is to be building to the boundary in accordance with Clause 3.4, and</i></p> <p><i>(b) for that part of the wall over 3m in height, the minimum setback is to be 1m plus 0.3m for every 1m of height over 3m.</i></p> | <p>Does not comply. The wall of the garage addition is less than 3 metres, requiring a minimum setback of 1 metre from side and rear boundaries. The garage is proposed to be built up to 900mm from the eastern (rear) boundary.</p> <p>The proposed bedroom addition is constructed up to approximately 300mm from the southern side property boundary. The height of the wall at that point is estimated to be 6 metres, requiring a setback of 1.9 metres. The setback of the addition from the eastern (rear) boundary is greater than the required distance.</p> <p>The addition angles progressively away from the southern side boundary towards the front boundary. The western-most point of the addition in the southern elevation is setback an estimated 1.6 metres from the side property boundary and is estimated to be 3.7 metres in height. The required setback at this point is therefore 1.3 metres.</p> <p>The application relies on the performance criteria in relation to setback from the eastern (rear) and southern side property boundaries, as discussed below in <u>“Assessment Against the Applicable Performance Criteria”</u>.</p> |



***Issue 4.0:- Energy Efficiency***

***Objective:*** To ensure that all dwellings have adequate access to sunlight and can be located so as to benefit from solar energy.

| <b><i>Acceptable Solution</i></b>   | <b><i>Comment</i></b>   |
|---|---|
| <p>4.1 <i>Dwellings are to be sited and designed so that at least one wall is orientated between north east and north west and windows located in that wall take advantage of solar energy by:</i></p> <p><i>(a) setting the north wall back from the north boundary to provide on-site winter solar access; and</i></p> <p><i>(b) providing a total window area orientated between north east and north west of at least 10% of the gross floor area of the dwelling.</i></p> <p><i>Or</i></p> <p><i>For all new dwellings and extensions containing main living areas, it is to be demonstrated that the proposed design can achieve an energy rating of 4 out of 5 stars when assessed using an approved energy rating software program.</i></p> | <p>Complies, with respect to the existing dwelling. The proposed addition does not involve any new main living areas.</p>   |
| <p>4.2 <i>Buildings and landscaping shall not overshadow the north facing wall of a dwelling for more than 2 hours of available sunlight on any day. In the case of adjacent vacant lots, buildings and landscaping shall not cause overshadowing across the north orientated boundary'(ies) of adjoining residential sites between 11:00am and 2:00pm on 21 June.</i></p>  | <p>Complies. The proposed bedroom addition will not significantly overshadow the north facing wall of the dwelling on the adjoining lot to the north given the significant physical separation distance between the two dwellings which exists.</p> |

**Issue 5.0:- Privacy**

**Objective:** To site and design buildings to meet projected user requirements for visual and acoustic privacy, and to protect the visual and acoustic privacy of nearby residents in their dwellings and private open space.

| <b>Acceptable Solution</b>  | <b>Comment</b>  |
|---|---|
| <p>5.1. <i>Windows in habitable rooms with a sill height of less than 1.7m and balconies/decks greater than 1m above natural ground level shall be offset and/or screened from the windows of habitable rooms in adjoining dwellings and outdoor living spaces, where there would be direct views and the separation is less than 8.5 metres.</i></p> | <p>Partly complies. Part of the northern section of the proposed deck is likely to be within 8.5 metres of the rear wall of the adjoining dwelling to the east (facing Morton Street). However, there are no significant habitable room windows within this wall of the adjacent dwelling. The external living areas associated with the dwelling are located on the eastern side of the property (i.e. opposite side to the subject site).</p> <p>The outdoor private open space associated with the other property adjoining to the east at 6 Morton Street (immediately to the south of the abovementioned property) appears to be within the western section of that property. Part of this area is within 8.5 metres of the proposed deck and proposed bedroom addition. The application relies on an assessment against the corresponding the performance criteria in relation to this issue, as discussed below in <u>“Assessment Against the Applicable Performance Criteria”</u>.</p> <p>The window in the southern wall of the proposed extension has a sill height of approximately 1.5 metres. It is setback greater than 8.5 metres from the dwelling to the south. Furthermore, given that it is a small bedroom window, it is unlikely to result in unreasonable overlooking of the outdoor space associated with the adjacent property.</p> |

**Issue 6.0:- Private Open Space**

*Objective: To ensure that private open space provided for dwellings is clearly defined, useable and meets user requirements for privacy, access, outdoor activities and landscaping.*

The proposed new deck is considered to enhance the private open space associated with the existing dwelling given its size, northerly orientation and access from the main living areas of the dwelling. It is therefore considered to comply with the requirements under this Issue.

**Issue 7.0:- Site Facilities**

*Objective: To ensure that site facilities are well-located, meet the usual domestic needs of residents, and blend with the streetscape character.*

The development meets the applicable requirements under this Issue as they relate to single dwellings.

**Issue 8.0:- Utilities**

*Objective: To provide a range of utilities to each lot in a timely, efficient and cost-effective manner.*

The development is capable of being adequately serviced. It therefore meets the relevant requirements under this Issue.

**Issue 9.0:- Home Occupation**

*Objective: To ensure that the use of dwellings for a home occupation protect reasonable neighbour amenity and maintain appropriate residential character.*

Not applicable

**Issue 10.0:- Occupation of Site during Construction Works**

Not applicable.

**Table 12.1 Siting and Development Schedule**

The intent of this schedule is to:

- (a) *protect aspects of visual and environmental significance of the planning area; and*
- (b) *prevent use or development occurring in locations where there is risk of future property damage or lives are placed at risk.*

The development site is well setback from the coastal reserve within the curtilage of an existing dwelling, and is not within the Primary Industries or Environmental Management zones. However, the property is within a Declared Class B Landslip Area. The relevant objective and acceptable solution in this regard is outlined below.

| <b><i>Issue 4.0:- Flood, Storm, Surge and Landslip Hazards</i></b>  |  |
|---|--|
| <b><i>Objective:</i></b> To ensure use or development mitigates risk from flooding, storm surge and landslip.   |  |
| <b><i>Acceptable Solution</i></b>   | <b><i>Comment</i></b>  |
| <p>4.1 No development is to be undertaken on any part of the site which has the following characteristics:</p> <p>...</p> <p>(b) within a Declared B Landslip area or other area of potential landslide hazard.</p> | <p>The application relies on the performance criteria as discussed below in "<u>Assessment Against the Applicable Performance Criteria</u>".</p> |

**Table 17 Car Parking and Access Schedule**

***Issue 1.0: - Car Parking Provision***

***Objective*** To provide sufficient conveniently located and accessible parking for people utilising or servicing a use or development.

| <b><i>Acceptable Solution</i></b>   | <b><i>Comment</i></b>   |
|---|---|
| <p>1.1. The number of car parking spaces to be provided on the development site for a use or development shall be in accordance with the requirements of Figure 17.1.</p> | <p>Figure 17.1 requires 2 spaces per dwelling associated within a Residential use class. The existing dwelling contains a single garage accessed from the northern side of the dwelling. Informal parking is provided for within the driveway adjacent to the garage door.</p> <p>The application involves demolition of the existing garage. A new single garage will be constructed, with its entrance roller door facing the street (western side of the dwelling). This requires the provision of a new, or extension of the existing, crossover.</p> |

|  |   |
|--|---|
|  | It is considered preferable to retain the existing crossover to allow for additional off-street parking associated with the dwelling to the north of the new garage. This is not indicated on the plans, and should therefore form part of the permit conditions. An amended plan detailing the proposed access and parking arrangements should be provided prior to the commencement of the development. |
|--|---|

**Issue 2.0: - Car Parking and Access Design**

**Objective:** To ensure that car parking spaces are designed and located to meet the needs for an on site parking, access and manoeuvring of vehicles.

| <b>Acceptable Solution</b>   | <b>Comment</b>   |
|--|--|
| <i>2.1. Car parking spaces are to have minimum dimensions of 5.5 metres x 2.6 metres.</i>  | The parking space within the new garage meets this requirement. An informal space to the north of the garaged accessed via the existing crossover would likely need to be angled into the site in order to meet these dimensions. The parking bay should be shown on the amended plan discussed under Issue 1.0 above. |
| <i>2.2. Car parking spaces must be separately accessible, except for residential development where the second car space per dwelling may be provided in tandem with the first.</i> | Given the space available between the new garage roller door and the street there is no opportunity for tandem parking.  |
| <i>2.3. Where parking is located adjacent to a driveway, the dimensions of the driveway are to be in accordance with Figure 17.3.</i>  | Not applicable (vehicle turning will occur within the street rather than the short internal driveway).   |

|   |  |
|---|--|
| <p>2.4. <i>Vehicle access and driveways are to be designed to enable vehicles to enter a designated parking space in a single turning movement and leave the space in no more than two turning movements.</i></p>   | <p>Complies. Vehicles would likely enter the parking spaces associated with the development in a forward direction from the street, and exit in a reverse direction onto the street (see AS 2.7 for further discussion).</p> |
| <p>2.5. <i>For non-residential use or development accessible to the public, 1 car parking space for every 20 provided is to be designed, constructed and designated for use by persons with disabilities in accordance with AS 1428.</i></p>  | <p>N/A</p>   |
| <p>2.6. <i>Minimum driveway and vehicle access widths are to be as set out in Figure 17.2.</i></p>  | <p>Driveway widths are not shown on the plans. The 3 metre requirement is considered achievable, and should be shown on the amended plan discussed under Issue 1.0 above.</p>  |
| <p>2.7. <i>On site turning shall be provided so that egress is carried out in a forward direction where:</i></p> <p style="padding-left: 40px;"><i>(a) a use or development requires three or more car parking spaces; or</i></p> <p style="padding-left: 40px;"><i>(b) a driveway connects to a road carrying more than 3000 vehicles per day.</i></p> | <p>The requirement for vehicles to enter and exit the site in a forward direction does not apply to single dwellings on an allotment (further to the discussion under AS 2.4 above).</p>                                     |
| <p>2.8. <i>All parking spaces and vehicle accesses are to be constructed to meet Council's engineering standards, unless the access is to a state road, in which case the access shall be constructed to the requirements of the Department of Infrastructure Energy and Resources.</i></p>   | <p>It is recommended that the requirements of the acceptable solution, relating to engineering standards, be reflected in the permit conditions.</p>   |

**Assessment Against the Applicable Performance Criteria**

**Clause 6.4.2 Issue 1.0: - Boat Harbour Beach Urban Design**

Site Coverage – Performance Criteria

- 1.1 *A greater site coverage may be approved where it can be demonstrated that the character and amenity of the area will not be detrimentally affected, nor cause adverse impacts on the amenity of adjoining residences, and the proposal maintains viewing corridors between the adjoining buildings.*

The application involves additions to the existing house and is unlikely to significantly alter the character and amenity of the area by way of additional site coverage. It is estimated that dwelling extension (not including the deck) constitutes an additional 25m<sup>2</sup> of site coverage. As discussed elsewhere below, it will not result in significant or unreasonable adverse impact on the amenity of adjoining residences, including their view of the water.

Building Height – Performance Criteria

- 1.2 *A greater height may be approved where it can be demonstrated that it will not detract from views to the water from public places, and Council is satisfied that the character and amenity of the area will not be detrimentally affected.*

A greater building height is not to cause adverse impacts on the amenity of adjoining residences or their views to the water.

The proposed development, particularly the bedroom addition, will only block out part of the view of the water from Moore Street and the adjoining property to the south. The loss of view attributable to the additional 300mm in building height is considered to be comparatively minor.

It is not considered that the southern wall of the addition will cause significant adverse overshadowing or privacy impacts to the property to the south, particularly given the physical separation which exists. This wall complies with the acceptable solutions under Issue 3.0 (relating to setbacks for daylight) and Issue 5.0 (visual privacy).

In any event, the height of the wall may be reduced in order to comply with the requirements of performance criteria 1.6 (Roof Design), as discussed below.

Side & Rear Building Setbacks – Performance Criteria

- 1.4 *Side and rear setbacks in accordance with Part 11, or where following an existing setback, may be approved where it is demonstrated that the proposed building will not cause adverse impacts on the amenity of adjoining residences.*

Side and rear setbacks have been assessed as being in accordance with Schedule 11 (see discussion below relating to Issues 3.0 and 5.0 of this schedule in particular). Although the proposed southern wall is a continuation of an existing wall, it angles towards the property boundary. It is therefore not considered that the addition follows an existing setback.

Roof Design – Performance Criteria

- 1.6 *Large expanses of flat or pitched roofs shall not impact detrimentally on the streetscape character and appearance of the area.*

The section of roof over the bedroom is an extension of an existing section of roof in the southern portion of the dwelling. In order to comply with the performance criteria, which requires the breaking up of roof forms, it is considered that a different roof form should be provided over the new addition. For example, this could involve a step down from the existing section of roof, or a mirror-reversal of the pitch. A relevant condition is recommended for inclusion as part of any permit issued. Either of these suggestions is also likely to reduce the height of the southern wall of the addition (see comments under AS 1.2 of this same issue).

Exterior Materials, Colours and Finishes – Performance Criteria

- 1.7 *Alternative exterior materials will be considered that can demonstrate they reflect the traditional beachside character of the area, the unpretentious nature of the existing designs, and colours that blend with the natural environment and townscape.*

*Materials with a painted finish may deviate from the specified colours where it is demonstrated they will complement the existing character of the area and will not be dominant within the overall streetscape.*

Taking account that the proposed dark blue colour matches that of the existing house, it is considered acceptable.



Cut and Fill – Performance Criteria

1.10 *Cut, fill or retaining walls greater than 0.6 metres in height may be considered where it can be demonstrated that:*

*(a) the earth works will not increase the risk of landslide to the adjoining properties; and/or*

See comments below in relation to Schedule 12, Issue 4.0, Performance Criteria 4.1(d). The development site is within a Declared B Landslip area. It is recommended that a requirement be included in the planning permit requiring certification of the works by a geo-technical engineer.

*(b) the visual impact of the works will be screened by existing development; and/or*

The retaining wall associated with the store / bedroom addition will be screened from the front of the site given the slope and the existing house.

The cut for the new garage and driveway will be visible from the street. It therefore requires consideration under the following item.

*(c) any exposed slopes will be landscaped to minimise their visual impact.*

The cut at the front of the site will be retained. It should also be landscaped in order to comply with this requirement. A relevant condition has been recommended for inclusion as part of any planning permit issued.

**Table 11.1 Residential Development Schedule**  
**Issue 1.0:- Building Appearance and Neighbourhood Character**

Siting of Garages and Carports – Performance Criteria

1.3 *Car parking facilities must be designed and located to enhance the streetscape and provide for security needs for residents and visitors.*

Although the proposed garage will be partly in front of the main face of the building, it is constructed at the lower level of the dwelling with a new deck over. It will therefore not be a dominant feature in the streetscape. An existing front fence is constructed forward of the front building line of the proposed garage.

**Issue 2.0:- Street setbacks**

**Street Setbacks – Performance Criteria**

2.1 *Buildings are to be sited so as to:*

- (a) be compatible with the streetscape character;*
- (b) assist the integration of new development into the public streetscape;*  
*and*
- (c) allow efficient use of the site and provide amenity for residents.*

The garage generally matches the front setback of the existing dwelling, and has been assessed as compliant with performance criteria 1.3 under Issue 1.0 above. It is therefore also considered to comply with this performance criteria.

**Issue 3.0:- Building Siting and Design**

**Building Height and Setbacks – Performance Criteria**

3.2 *Building height and setbacks are not to cause adverse impacts on the amenity of adjoining residences or streetscape.*

Whilst the height and setback of the proposed additions are likely to impact on the amenity of adjoining residences, particularly the two to the east and a third to the south, these impacts are considered to be within acceptable limits. The development will not have a significant impact on the daylight or visual privacy of these dwellings (see assessment under Schedule 11, Issue 3.0 AS 3.1 and Issue 5.0 AS & PC 5.1). Impacts on the representor's property to the south are ameliorated largely given the physical separation which exists between the two properties.

Given that the areas of the proposed development which encroach within the setbacks specified under the relevant acceptable solutions are to the rear of the dwelling, this issue will not impact on the streetscape.

**Issue 5.0:- Privacy**

5.1 *Direct overlooking of main internal living areas and private open spaces of other dwellings is to be minimized by appropriate building layout, location and design of windows and balconies and the use of screening devices and landscaping. Windows and balconies are to be located so as to avoid overlooking. Screening devices, high sills or obscured glass should only be used where windows and balconies cannot be appropriately located. Where screening devices are used, they should be integrated with the building design and have minimal negative effect on residents or neighbours amenity.*

Whilst there would be opportunities for direct views from the proposed deck and bedroom addition, this is unlikely given the significant variation in levels which will exist between the two areas. Screening devices are unlikely to be effective. Predominant views from the deck and new bedroom would be over this adjoining property to the water.

It is noted that the deck would act as a screen from the existing living areas within the dwelling subject of this application. The new bedroom will not form part of the main living areas of the dwelling.

***Table 12.1 Siting and Development Schedule***  
***Issue 4.0:- Flood, Storm, Surge and Landslip Hazards***

***Declared B Landslip – Performance Criteria***

*4.1(d) Where within a Declared B Landslip area, ensure that the erection, alteration or addition can be carried out safely, the building will be structurally sound and the completed building and services will not aggravate the existing landslide conditions.*

No documentation has been submitted with the development application to ensure that the proposed addition can be constructed in accordance with this performance criteria. It is recommended that a requirement be included in the planning permit requiring a geotechnical report from an engineer suitably qualified in slope stability certifying that the that the development can be erected safely, the building will be structurally sound and the completed building and services will not aggravate the existing landslide conditions.

**7. Risk**

There is a risk that the applicants or representors may appeal the determination of the Planning Authority to the Resource Management and Planning Appeal Tribunal.

**8. Conclusion**

The application involves the construction of alterations and additions to a dwelling located at 14 Moore Street, Boat Harbour Beach. It does not comply with a number of acceptable solutions under the Planning Scheme, and therefore relies on an assessment against the performance criteria corresponding to these issues. The proposed dwelling additions, subject to some design changes to be given effect by way of recommended permit conditions, will complement the character of the existing residential area and will not adversely impact residential character.

*Planning Authority Reports*

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*Enclosures:- refer to Enclosure Document Page 39*

- *Development Application*
- *Certificate of Title*
- *Location Plan*
- *Site Plan*
- *Plans*
- *Certificate of Others*
- *Representation x 2*

MOVED BY            CR DUNIAM  
SECONDED BY        CR PENDLEBURY

IN FAVOUR

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

The Acting General Manager returned to the meeting.

Planning Authority Meeting concluded at 6.04 pm.

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# COUNCIL



## **GENERAL MANAGER**

### **182/08 POSTPONEMENT OF POLICY REVIEWS**

**To:** Council  
**Reporting Officer:** Project Officer  
**Responsible Manager:** General Manager  
**File Reference:** 001.00  
**Council Meeting Date:** 21 July 2008

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#### **1. Recommendation**

*That Council:*

*(a) agree to the postponement of reviews for the following policies until July 2009:*

- *Smoke Free Areas;*
- *Public Consultation;*
- *Code of Conduct for Councillors;*
- *Equal Employment Opportunity;*
- *Maintenance of Electric Barbeques in Council Reserves;*
- *Tree Management; and*
- *Nature Strip Mowing.*

#### **2. Summary**

Due to recent staffing changes, the scheduled reviews of the aforementioned policies cannot be undertaken at this stage.

The policies affected have a periodic review term, each ranging from two (2) to four (4) years. This postponement will set back each review a further one (1) year.

However, there is always the ability to review particular policies as the need arises – as may occur between now and July 2009.

#### **3. Background**

The periodic review of Council policies ensures that its policies remain effective and retain their relevance in regard to any new or updated legislation.

The reviews provide the opportunity to evaluate the original intent and structure of particular policies and to gauge the effectiveness of their implementation.

Often the reviews are routine and no change is required. Essentially, the periodic reviews provide a safeguard against outdated or ineffective policies and ensure any newly arising issues are reflected and adequately addressed within existing policies.

#### **4. Statutory and Strategic Requirements**

##### Strategic Plan Reference

|                                    |  |
|------------------------------------|--|
| <b>Objective 6.3</b>               | Ensure that Council service delivery is reviewed, maintained and enhanced to reflect community expectations. |
| <b>Strategy 6.3.1</b>              | To regularly review the role, function and viability of service programmes.                                  |
| <b>Performance Measure 6.3.1.1</b> | Programs monitored and reviewed.   |

##### Statutory Requirements

There are no statutory requirements.

#### **5. Finances**

There is no impact on finances.

#### **6. Discussion**

Not applicable.

#### **7. Risk**

With Council explicitly acknowledging the postponement of these policy reviews and with the ability to undertake particular reviews prior to July 2009 if necessary, there is negligible risk in this action.

**8. Conclusion**

This report is presented Council for consideration.

MOVED BY            CR DUNIAM  
SECONDED BY        CR FRIEDERSDORFF

IN FAVOUR

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY



**CORRESPONDENCE**

**Recommendation**

*That the correspondence be noted.*

MOVED BY            CR DIBLEY  
SECONDED BY        CR RANSLEY

IN FAVOUR

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

**183/08 SOMERSET INDOOR RECREATION CENTRE FLOOR – SOMERSET INDOOR BIAS BOWLS CLUB (603.16)**

This item was deferred from the Ordinary Council meeting held 16 June 2008 and is tabled again as follows:-

The Western Wing of the Somerset Indoor Recreation Centre hosts multiple uses including basketball, volleyball and indoor bowls. The needs of the different users are unfortunately not always compatible.

The Somerset Indoor Bias Bowls Club has written to Council on more than one occasion with respect to uneven floor levels and has requested that Council investigate possible remedial measures to address the variable floor grades. Council have also corresponded to the bowls club.

In the Club's correspondence a number of possible actions to remove isolated high and low areas in the floor are suggested. It is noted that the Somerset Bias Bowls Club made a financial contribution to the construction of the West Wing of the Somerset Indoor Recreation Centre.

Copies of the previous correspondence are attached.

**OFFICERS COMMENTS**

The floor in the West Wing of the Somerset Indoor Recreation Centre was constructed some 5 years ago. The floor system used was "Airthrust" Pneumatic flooring and consists of "aircell" natural rubber matting, glued to the concrete floor and overlaid by a parquetry surface. At the time of laying, the floor was constructed within the tolerances specified in the construction documentation.

As the name of the floor suggests, the system provides cushioning for players of sports such as basketball, volleyball and the like. Not all of the floor area will receive equal playing time and, as such, variable minor settling will occur. This does not affect the above mentioned sports; however, variations in floor levels may impact upon the playing of bias bowls. To make the level tolerances tighter long-term, there would be a need to go away from the pneumatic flooring.

*Correspondence*

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Options of repair have been considered during Councils budget deliberations. Unfortunately, for the floor construction to be compatible with the high impact sports there will be in the long-term minor differential settlement of the floor.

*Enclosures:- refer to Enclosure Document Page 63*

- *Letter – Somerset Indoor Bias Bowls Club – 27 November 2007*
- *Letter – Kerry Saward – Received 6 November 2007*
- *Letter – Director Corporate Services – 28 November 2007*

Additional enclosures supplied by Cr Moore:-

- *Summary of meeting held 9 July 2008*
- *Notes from general meeting held 18 March 2003 and other documentation*

MOVED BY            CR MOORE  
SECONDED BY        CR DUNIAM

IN FAVOUR

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

**184/08 WATER AND SEWERAGE TRANSITION (NORTH WEST REGION) – OWNERS’ REPRESENTATIVES FOR REGIONAL CORPORATIONS (313.05)**

The Project Manager for the Water and Sewerage Transition in the North Western region has furnished Council with a report addressing the process for nominations and election of Owners’ Representatives for the Tasmanian Water and Sewerage Corporation (North-Western Region) Pty Ltd.

The report is fully contained in the Enclosure Document, addresses all relevant issues and seeks Council’s endorsement of the appointment of the following:

**Owners’ Representatives:**

Mayor Kevin Hyland – Waratah-Wynyard Council  
Mayor Lynn Laycock – Devonport City Council  
General Manager Paul Arnold – Burnie City Council

**Proxy Owners’ Representatives:**

Mayor Darryl Gerrity – West Coast Council  
Mayor Michael Downie – Central coast Council  
General Manager – Latrobe Council

**OFFICERS COMMENT**

This report is submitted for Councils consideration.

**RECOMMENDATION**

*That Council endorse the following as Owners’ Representatives and Proxy Owners’ Representatives for the Tasmanian Water and Sewerage Corporation (North-Western Region) Pty Ltd:*

***Owners’ Representatives:***

*Mayor Kevin Hyland – Waratah-Wynyard Council  
Mayor Lynn Laycock – Devonport City Council  
General Manager Paul Arnold – Burnie City Council*

***Proxy Owners’ Representatives:***

*Mayor Darryl Gerrity – West Coast Council  
Mayor Michael Downie – Central coast Council  
General Manager – Latrobe Council*

*Correspondence*

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*Enclosures:- refer to Enclosure Document Page 72*

- *Report from Water & Sewerage Transition (North-Western Region) re: Owners' Representatives and Proxy Owners' Representatives for the Tasmanian Water and Sewerage Corporation (North-Western Region) Pty Ltd*

MOVED BY            CR BRAMICH  
SECONDED BY        CR DIBLEY

IN FAVOUR

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

**185/08 WATER AND SEWERAGE REFORM – STRUCTURAL IMPLEMENTATION GOVERNANCE ARRANGEMENTS**

The Secretary of the Department of Treasury and Finance has written seeking Council's agreement to implementing governance arrangements for the Water and Sewerage Reform process outlined in an attached governance paper.

**OFFICER'S COMMENTS**

The Acting General Manager advises that the issues have been considered and agreed by the North Western Region Water and Sewerage Reform Transition Project Control Group, of which the Acting General Manager, General Manager elect and Mayor Hyland are currently members, however it appears the Department seeks written confirmation of the approval of all participating Councils.

The Secretary has requested the earliest possible response, indicating that he wishes to recommend to the Treasurer by mid - July that the first milestone payment of transition funds be made to Councils.

**RECOMMENDATION**

*That Council agree to the Acting General Manager providing written advice to the Secretary of its agreement with the structural implementation governance arrangements set out in his governance paper.*

*Enclosures:- refer to Enclosure Document Page 77*

- *Letter – Department of Treasury & Finance -26 June 2008*
- *Water & Sewerage Implementation Joint Steering Committee – Agenda Item 4(a): Structural Reform Implementation Governance and Funding*

MOVED BY            CR MOORE  
SECONDED BY        CR RANSLEY

**IN FAVOUR**

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

**CARRIED UNANIMOUSLY**

**186/08 RUTH FORREST – BARKING DOG COMPLAINT**

On 1 July 2008 Council received correspondence from Ruth Forrest in regards to a barking dog in Reid Street Wynyard.

**OFFICER’S COMMENTS**

On 6 July 2008 the Director Engineering Services responded to the matters raised. The comments in the response largely answer the queries raised. The Director is happy to discuss these further with the author if required.

**RECOMMENDATION**

*That Council note the report.*

*Enclosures:- refer to Enclosure Document Page 86*

- *Correspondence - Hon Ruth Forrest MLC – 23 June 2008*
- *Letter –Hon Ruth Forrest MLC – 7 July 2008*

MOVED BY            CR DUNIAM  
SECONDED BY        CR FRIEDERSDORFF

**IN FAVOUR**

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

**CARRIED UNANIMOUSLY**

MOVED BY            CR MOORE  
SECONDED BY        CR DIBLEY

*That the Honourable Ruth Forrest MLC be invited to a further discussion with Council.*

**IN FAVOUR**

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

**CARRIED UNANIMOUSLY**

**187/08 WYNYARD HIGH SCHOOL – REQUEST FOR FINANCIAL ASSISTANCE FOR STUDENT PROJECT (032.04)**

Correspondence from three students and two staff members of Wynyard High School has been received, in which financial assistance is sought to help defray the cost of the students travelling to Victoria to participate in a National Inquiry Based Challenge project.

The students plan to build and demonstrate a solar powered remote control boat and deliver a presentation on the concepts involved in the design and construction of the project.

They have offered to display sponsors logos on their boat or team shirts.

**OFFICER’S COMMENT**

The students have not quantified the extent of their request beyond commenting that they were looking for the contribution of a “small amount”. The letter is a circular-type communication that in all probability has also been sent to many other potential sponsors in the municipal area.

By granting requests for financial support that are lodged outside the annual Community Assistance grants program, Council runs the risk of increasing the frequency of such requests and it is recommended that such practice be avoided except in exceptional circumstances. It is recognised however that the timing of some projects makes it difficult to contain such activity to the normal program timeframe.

An amount of \$35,372 has been committed to Community Assistance Grants from a budget of \$42,000 for the 2008/09 financial year.

The issue is submitted for Council policy determination.

**RECOMMENDATION**

Option 1

*That Council advise the students that it is unable to provide financial assistance towards their project.*

Option 2

*That Council advise the students that it will provide assistance of ..... from the 2008/09 Community Assistance Contingency Fund towards their project.*



*Correspondence*

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*Enclosures:- refer to Enclosure Document Page 89  
- Letter – Wynyard High School – 25 June 2008*

MOVED BY            CR BRAMICH  
SECONDED BY        CR RANSLEY

IN FAVOUR

|            |            |  |                  |  |
|------------|------------|--|------------------|--|
| CR BRAMICH | CR DIBLEY  |  | CR FRIEDERSDORFF |  |
|            | CR RANSLEY |  |                  |  |

AGAINST

|               |  |           |  |                 |
|---------------|--|-----------|--|-----------------|
|               |  | CR DUNIAM |  | CR MOORE        |
| CR PENDLEBURY |  |           |  | MAYOR<br>HYLAND |

LOST

MOVED BY            CR MOORE  
SECONDED BY        CR BRAMICH

*That Council advise the students that it will provide assistance of \$200 from  
the 2008/09 Community Assistance Contingency Fund towards their project.*

IN FAVOUR

|            |            |           |  |                 |
|------------|------------|-----------|--|-----------------|
| CR BRAMICH | CR DIBLEY  | CR DUNIAM |  | CR MOORE        |
|            | CR RANSLEY |           |  | MAYOR<br>HYLAND |

AGAINST

|               |  |  |                  |  |
|---------------|--|--|------------------|--|
|               |  |  | CR FRIEDERSDORFF |  |
| CR PENDLEBURY |  |  |                  |  |

CARRIED

**188/08 ROYAL YACHT CLUB OF TASMANIA – REQUEST FOR FINANCIAL ASSISTANCE FOR CRUISE MANUAL**

Correspondence has been received from the Van Diemen's Land Circumnavigation Cruise Committee of the Royal Yacht Club of Tasmania seeking a small amount of funding towards the production of a cruise manual covering the 2009 event. The cruise is held every second year and comprises a 5 week event, commencing after the February long weekend, during which up to 45 sailing and motor craft make an anti-clockwise circumnavigation of Tasmania, stopping at a variety of anchorages and towns.

The manual contains a series of guides to the towns the cruise visits, containing vital information for the crews, not only regarding mooring, but all facilities and services such as medical, police, rubbish collection, shopping, fuel and chandlery, internets, laundries and restaurants.

The committee is seeking financial support to the extent of \$75 from each of the councils to assist printing and binding these important documents.

**OFFICERS COMMENT**

The request is self explanatory and Council needs to make a value judgment about the benefit to the local economy that may arise from promoting local services to the cruise participants. Based on the projected number of vessels, it could be expected that over one hundred visitors may spend up to 2-3 days based in Wynyard during the cruise.

An amount of \$35,372 has been committed to Community Assistance Grants from a budget of \$42,000 for the 2008/09 financial year.

**RECOMMENDATION**

*That Council advise the Organising Committee that it will provide assistance of \$75.00 from the 2008/09 Community Assistance Contingency Fund towards the cost of producing the 2009 Cruise Manual.*

*Correspondence*

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*Enclosures:- refer to Enclosure Document Page 90*

*- Email – Van Diemen’s Land Circumnavigation Cruise Committee – 15 June 2008*

MOVED BY            CR MOORE  
SECONDED BY        CR FRIEDERSDORFF

IN FAVOUR

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

*Correspondence*

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**189/08 SOMERSET VILLAGE GROUP – NUMEROUS MATTERS**

On 1 July 2008 Council received correspondence from the Somerset Village Group in regards to numerous matters.

**OFFICERS COMMENTS**

On 8 July 2008 DES responded to the matters raised. The comments in the response largely answer the queries raised. DES is happy to discuss these further with the author if required.

**RECOMMENDATION**

*That Council note the report.*

*Enclosures:- refer to Enclosure Document Page 91*

- *Correspondence – Peter Shaw (Chairman) – Received 1 July 2008*
- *Letter – Peter Shaw – 8 July 2008*

MOVED BY            CR DUNIAM  
SECONDED BY        CR MOORE

**IN FAVOUR**

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

**CARRIED UNANIMOUSLY**

**INFORMATION REPORT**

**190/08 INFORMATION REPORT – 30 JUNE 2008**

**Recommendation**

*That the Information Report be received.*

MOVED BY           CR DIBLEY  
SECONDED BY       CR FRIEDERSDORFF

IN FAVOUR

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

**FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE 2008**

*Enclosures:- refer to Enclosure Document Page 93  
- Financial Report*

**GIFTS AND DONATIONS**

| <i>Organisation</i>                                      | <i>Minute Ref.</i> | <i>Committed</i> | <i>Paid</i>  |
|--|--------------------|------------------|--------------|
| <i>Boat Harbour Beach Surf Lifesaving Club</i>           | <i>107/07</i>      | <i>900</i>       | <i>900</i>   |
| <i>Wynyard AFL Auskick Centre Inc</i>                    | <i>107/07</i>      | <i>500</i>       | <i>500</i>   |
| <i>Wynyard Golf Club Inc</i>                             | <i>107/07</i>      | <i>900</i>       | <i>900</i>   |
| <i>Wynyard Yacht Club Inc</i>                            | <i>107/07</i>      | <i>723</i>       | <i>723</i>   |
| <i>Wynyard Football Club</i>                             | <i>107/07</i>      | <i>1,500</i>     | <i>1,500</i> |
| <i>Wynyard Cricket Club</i>                              | <i>107/07</i>      | <i>4,000</i>     | <i>4,000</i> |
| <i>Inglis Pony Club</i>                                  | <i>107/07</i>      | <i>500</i>       | <i>500</i>   |
| <i>Wynyard Softball Club</i>                             | <i>107/07</i>      | <i>500</i>       | <i>500</i>   |
| <i>Wynyard Soccer Club</i>                               | <i>107/07</i>      | <i>250</i>       | <i>250</i>   |
| <i>Wynyard Gymnastics Club Inc</i>                       | <i>107/07</i>      | <i>219</i>       | <i>219</i>   |
| <i>Somerset Surf Lifesaving Club</i>                     | <i>107/07</i>      | <i>900</i>       | <i>900</i>   |
| <i>Wynyard Squash Racquets Association</i>               | <i>107/07</i>      | <i>600</i>       | <i>600</i>   |
| <i>Wynyard Bowls Club</i>                                | <i>107/07</i>      | <i>1,500</i>     | <i>1,500</i> |
| <i>Samurai Ju-Jitsu Fed Tas</i>                          | <i>107/07</i>      | <i>1,000</i>     | <i>1,000</i> |
| <i>Hellyer College</i>                                   | <i>107/07</i>      | <i>500</i>       | <i>500</i>   |
| <i>Wynyard Rainbow Guides</i>                            | <i>107/07</i>      | <i>500</i>       | <i>500</i>   |
| <i>Somerset Girl Guide Support Group</i>                 | <i>107/07</i>      | <i>500</i>       | <i>500</i>   |
| <i>1<sup>st</sup> Wynyard Scout Group</i>                | <i>107/07</i>      | <i>1,000</i>     | <i>1,000</i> |
| <i>Lighthouse Cluster of Schools</i>                     | <i>107/07</i>      | <i>2,682</i>     | <i>2,682</i> |
| <i>Waratah Primary School</i>                            | <i>107/07</i>      | <i>100</i>       | <i>100</i>   |
| <i>Wynyard Leo Club</i>                                  | <i>107/07</i>      | <i>200</i>       | <i>200</i>   |
| <i>Elliott District Association</i>                      | <i>107/07</i>      | <i>1,200</i>     | <i>1,200</i> |
| <i>Myalla Community Centre Inc</i>                       | <i>107/07</i>      | <i>300</i>       | <i>300</i>   |
| <i>Yolla Memorial Hall</i>                               | <i>107/07</i>      | <i>1,200</i>     | <i>1,200</i> |
| <i>Australian Breastfeeding Association</i>              | <i>107/07</i>      | <i>611</i>       | <i>611</i>   |
| <i>GROW Tasmania</i>                                     | <i>107/07</i>      | <i>720</i>       | <i>720</i>   |
| <i>Women of the World</i>                                | <i>107/07</i>      | <i>60</i>        | <i>60</i>    |
| <i>Wynyard Carers Support Group</i>                      | <i>107/07</i>      | <i>300</i>       | <i>300</i>   |
| <i>Wynyard Camera Club</i>                               | <i>107/07</i>      | <i>330</i>       | <i>330</i>   |
| <i>Sizzling Seniors</i>                                  | <i>107/07</i>      | <i>500</i>       | <i>500</i>   |
| <i>Wynyard Ladies Probus</i>                             | <i>107/07</i>      | <i>100</i>       | <i>100</i>   |
| <i>The North West Bird Club</i>                          | <i>107/07</i>      | <i>399</i>       | <i>399</i>   |
| <i>Cam / Somerset Neighbourhood Watch</i>                | <i>107/07</i>      | <i>200</i>       | <i>200</i>   |
| <i>Central Wynyard Neighbourhood Watch</i>               | <i>107/07</i>      | <i>200</i>       | <i>200</i>   |
| <i>Somerset Safety House Committee</i>                   | <i>107/07</i>      | <i>300</i>       | <i>300</i>   |
| <i>Somerset Pageant Committee</i>                        | <i>107/07</i>      | <i>500</i>       | <i>500</i>   |
| <i>Lions Club of Wynyard</i>                             | <i>107/07</i>      | <i>1,000</i>     | <i>1,000</i> |
| <i>Wynyard Garden Club Inc.</i>                          | <i>107/07</i>      | <i>700</i>       | <i>700</i>   |
| <i>Wynyard Municipal Band Inc.</i>                       | <i>107/07</i>      | <i>3,000</i>     | <i>3,000</i> |
| <i>Wynyard Working Sheep Dog Club</i>                    | <i>107/07</i>      | <i>500</i>       | <i>0</i>     |
| <i>Lighthouse Film Society</i>                           | <i>107/07</i>      | <i>1,500</i>     | <i>1500</i>  |
| <i>Wynyard Community Arts Centre</i>                     | <i>107/07</i>      | <i>550</i>       | <i>550</i>   |
| <i>Inglis District Country &amp; Variety Music Assoc</i> | <i>107/07</i>      | <i>1,000</i>     | <i>1,000</i> |
| <i>Preolenna Mothers Group – TCA</i>                     | <i>107/07</i>      | <i>250</i>       | <i>250</i>   |

*Information Report*

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| <b>Organisation</b>                                 | <b>Minute Ref.</b> | <b>Committed</b> | <b>Paid</b>   |
|---|--------------------|------------------|---------------|
| <i>Coast FM</i>                                     | <i>107/07</i>      | <i>1,000</i>     | <i>1,000</i>  |
| <i>Vincent Industries Inc – Wynyard</i>             | <i>107/07</i>      | <i>1,000</i>     | <i>1,000</i>  |
| <i>Yolla District High School – Rock Eisteddfod</i> | <i>167/07</i>      | <i>1,000</i>     | <i>1,000</i>  |
| <i>Powerstation Gym</i>                             | <i>251/07</i>      | <i>354</i>       | <i>354</i>    |
| <i>Ability Tasmania Group</i>                       | <i>308/07</i>      | <i>500</i>       | <i>500</i>    |
| <i>Wynyard Amateur Basketball Association</i>       | <i>59/08</i>       | <i>350</i>       | <i>350</i>    |
| <b>TOTAL OF COMMUNITY ASSISTANCE</b>                |                    | <b>39,098</b>    | <b>38,598</b> |
| <b>SMALL GRANTS</b>                                 |                    |                  |               |

**Summary of Gifts and Donations to date**

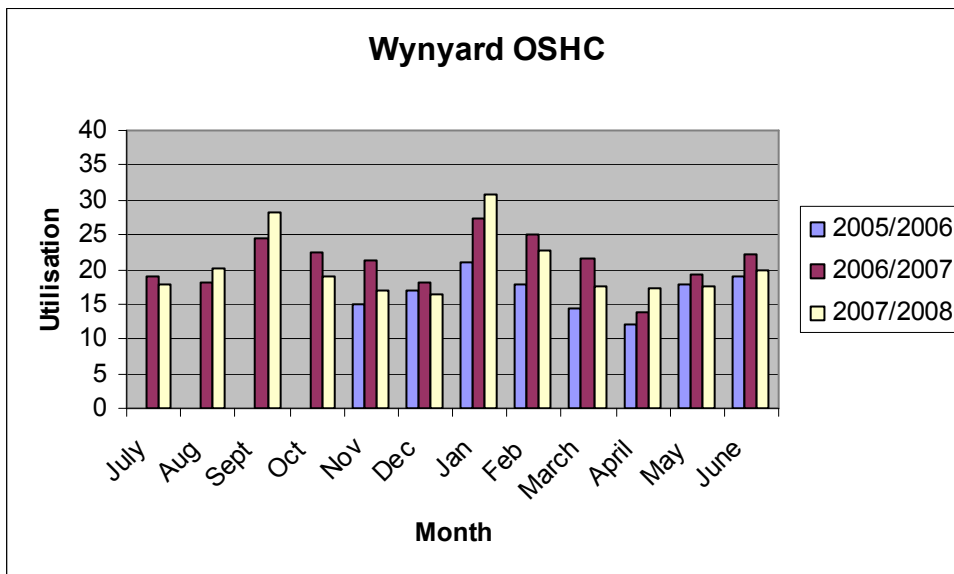
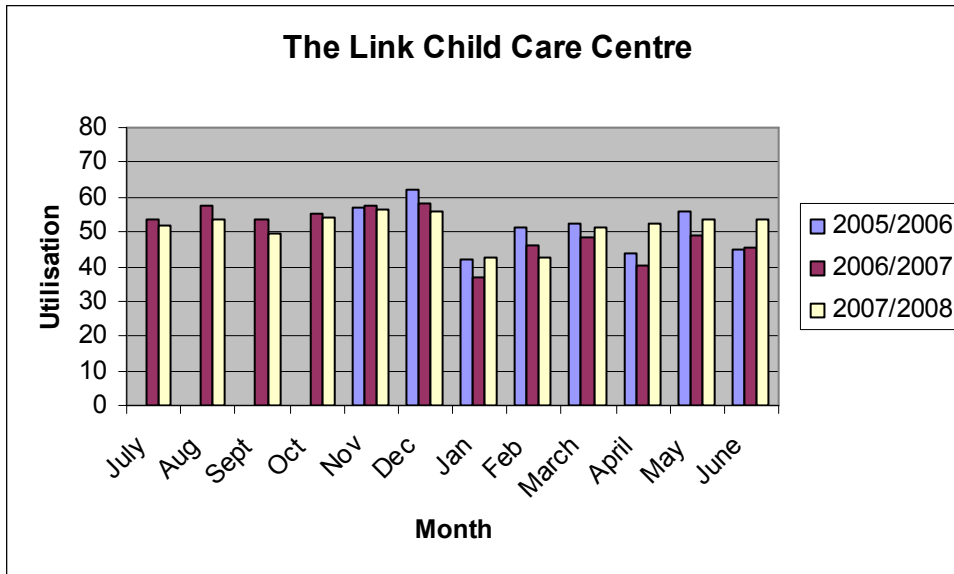
|                          |                 |
|--------------------------|-----------------|
| <b>Budget Allocation</b> | <b>\$42,000</b> |
| Approved Expenditure     | <u>39,098</u>   |
| Balance Unallocated      | <u>\$2,902</u>  |

**COMMUNITY SERVICES**

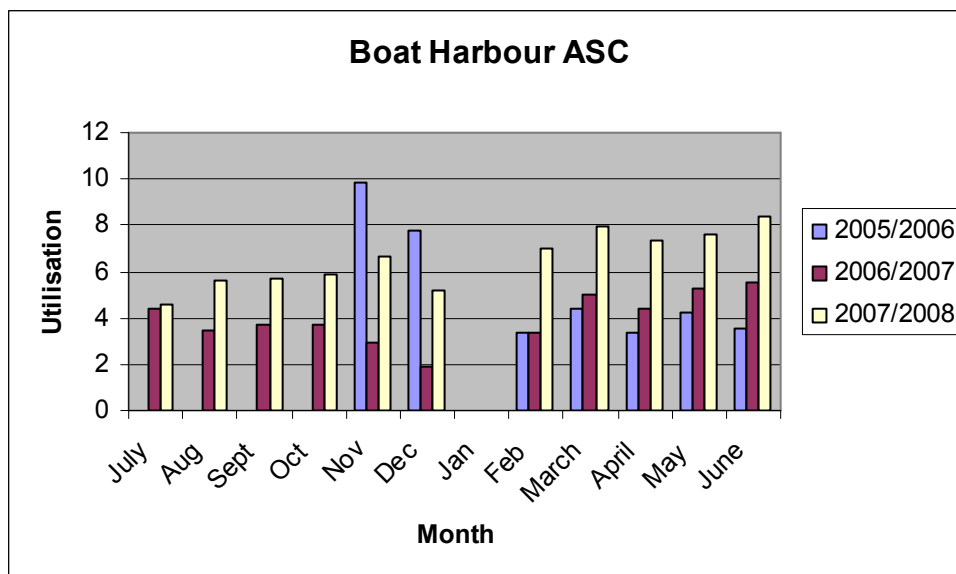
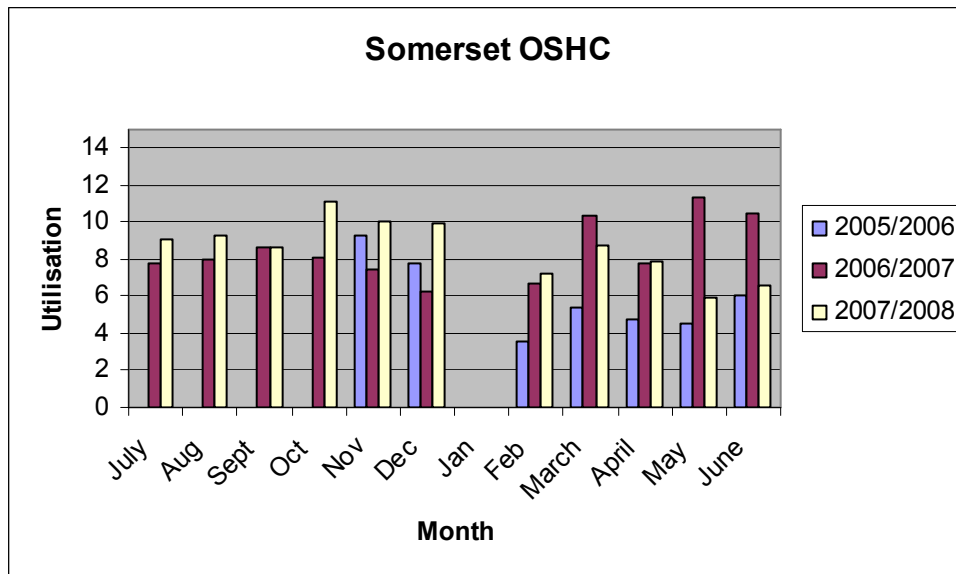
**CHILDREN'S SERVICES**

Notification has been received from the National Childcare Accreditation Council that the external validation visit will occur some where within a six week period starting the 18<sup>th</sup> June.

The June Vacation Care program was very successful with excursion days heavily booked.



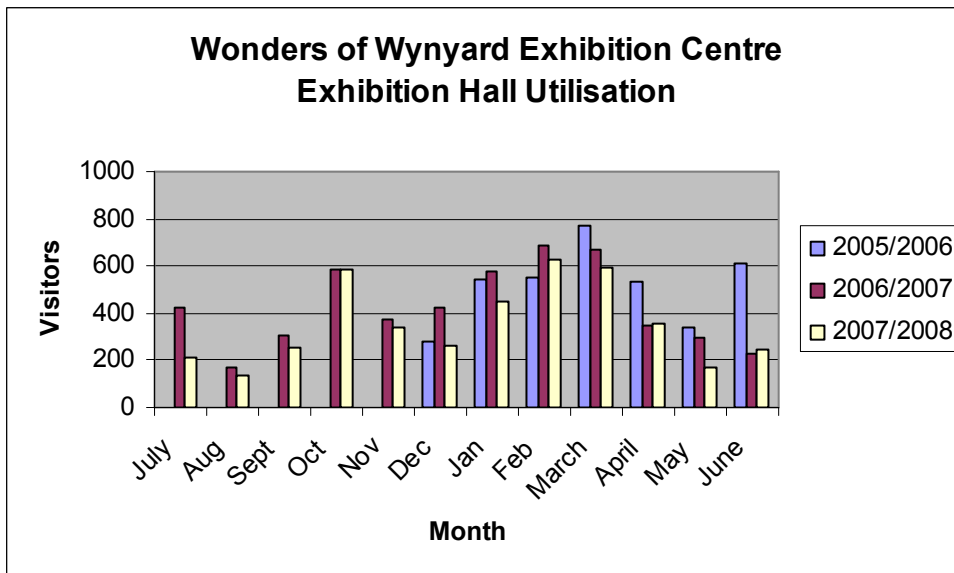
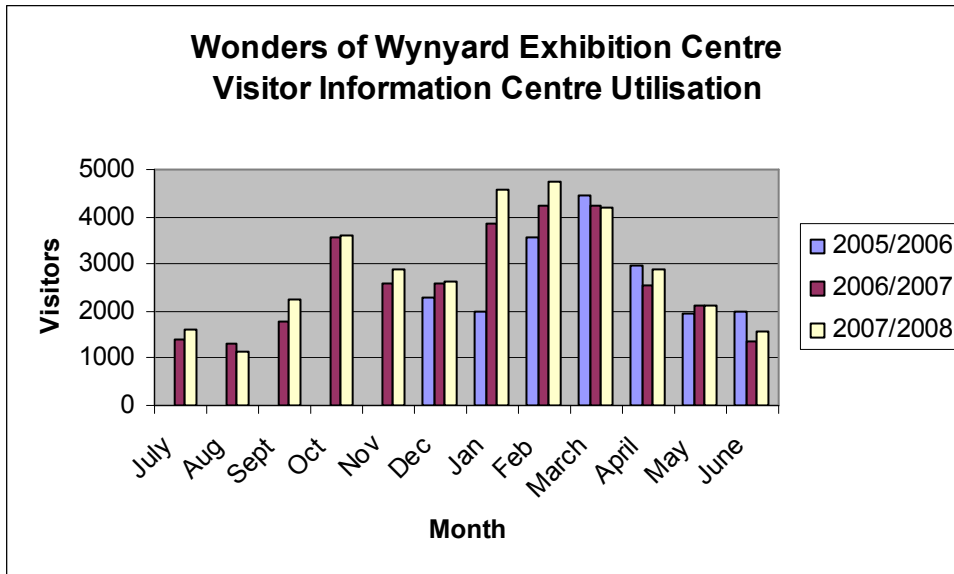


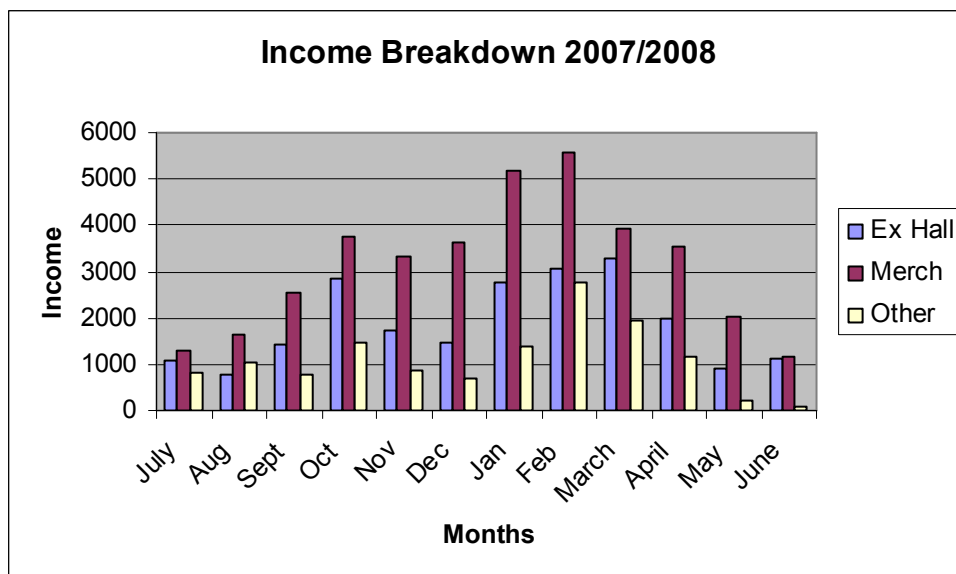
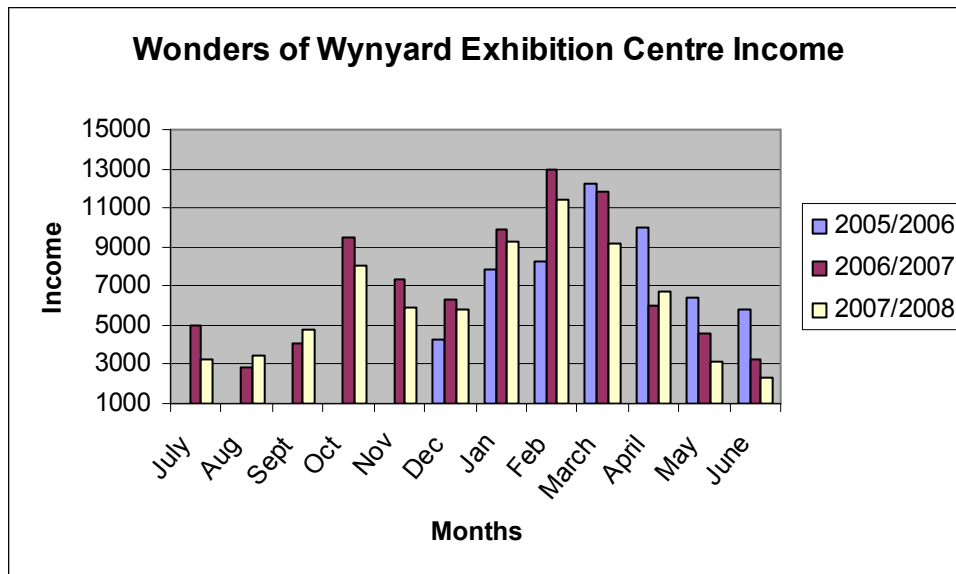


**WONDERS OF WYNYARD EXHIBITION CENTRE**

Family tours are currently being investigated for the “off season”. An invitation has been received from Bridestowe Lavender Farm to tour their facility during winter. 24 volunteers have registered for this tour, with possible dates being in August / September 2008. There will be some adjustments made to the itinerary due to the distance to the farm.

The Wynyard Historical Society is preparing to set up a display in early July showcasing how the community has changed over the last 100 years since Waratah-Wynyard became a municipality.





## COMMUNITY DEVELOPMENT

The Community Development Officer is currently assisting a local group who are working with the Wynyard Lions on an application for funding from Sport and Recreation Tasmania. If successful the funding will be used to extend the walking track west of the Cam River and for outdoor gym equipment to be purchased and placed at regular intervals along the walk.

A tour of the municipal area by the Youth Team (15 members) took place on the 19<sup>th</sup> June. The tour covered Council facilities in Sisters Beach and Wynyard.

The Walking Wynyard program has been entered in the Heart Foundation's Local Government Awards for physical activity.

Work is underway with Tasmanian Regional Arts to support an event in Wynyard during Living Writers Week.

Yolla District High School and Wynyard High have been invited to nominate 20 students to participate in a short film project with BighART over July. The completed films will be shown to Councillors and at the October Civic Celebration.

A fishing day has been organised for 3 October 2008 in conjunction with the Wynyard Angling Club and Fishcare volunteers.

Support is being provided for an initiative from Waratah residents for a community bus service to Wynyard and Burnie. CTST are prepared to commit a vehicle on a Monday subject to a minimum passenger load being maintained.

An Evacuation Centre/ Recovery Centre mobile kit has been developed. The mobile kit is now complete and an area has been identified in the upstairs storage area in the Council Chambers for it to be located. The kit will expedite a quick response to local emergencies when a recovery or evacuation centre is deemed necessary.

Council has been successful in receiving a grant for \$10,000 from Tasmanian Regional Arts to deliver the 'This is living' program through a partnership with BighART. The project is a process driven performing arts piece with Wynyard young people & elderly, working with professional artists and culminating in theatrical work for 10 Days on the Island 2009. This will be part of the BighART project This Is Living, which is touring 3 other Tasmanian communities for the 10 Days festival. The project will build on the pilot project and preview performance piece of 2007, where Wynyard partnered with BighART to stage This Is Living for the AGM & Civic Celebration

#### WASTE MANAGEMENT – TRANSFER STATION

| Month     | Waste Station Fees Collected \$ |           |           | Waratah No. of Bins |           |
|-----------|---------------------------------|-----------|-----------|---------------------|-----------|
|           | 2005/2006                       | 2006/2007 | 2007/2008 | 2006/2007           | 2007/2008 |
| July      | 6,319.97                        | 7,935.92  | 10,395.93 | 1                   | 2         |
| August    | 6,182.46                        | 9,849.11  | 10,287.24 | 2                   | 3         |
| September | 10,650.03                       | 9,075.01  | 9,918.17  | 2                   | 1         |
| October   | 8,730.04                        | 10,339.98 | 11,429.12 | 2                   | 2         |
| November  | 9,536.78                        | 10,301.78 | 11,670.61 | 4                   | 2         |
| December  | 12,006.35                       | 9,881.35  | 11,133.15 | 1                   | 2         |
| January   | 11,387.32                       | 15,663.19 | 19,552.08 | 2                   | 2         |
| February  | 9,177.71                        | 10,821.80 | 11,010.00 | 2                   | 2         |

*Information Report*

| Month        | Waste Station Fees Collected \$ |                     |                     | Waratah No. of Bins |           |
|--------------|---------------------------------|---------------------|---------------------|---------------------|-----------|
|              | 2005/2006                       | 2006/2007           | 2007/2008           | 2006/2007           | 2007/2008 |
| March        | 7,938.47                        | 10,614.57           | 9,197.53            | 2                   | 3         |
| April        | 7,279.95                        | 11,269.53           | 13,538.12           | 2                   | 2         |
| May          | 8,145.00                        | 8,570.91            | 8,852.68            | 2                   | 2         |
| June         | 9,120.39                        | 7,533.19            | 9,503.45            | 2                   | 1         |
| <b>Total</b> | <b>\$106,474.47</b>             | <b>\$121,856.34</b> | <b>\$136,487.75</b> | <b>24</b>           | <b>24</b> |

| Month        | Port Latta Waste Transfer Tonnage |                 |                 | Port Latta Household Garbage Tonnage |                 |                 |
|--------------|-----------------------------------|-----------------|-----------------|--------------------------------------|-----------------|-----------------|
|              | 2005/2006                         | 2006/2007       | 2007/2008       | 2005/2006                            | 2006/2007       | 2007/2008       |
| July         | 191.06                            | 183.34          | 229.24          | 224.58                               | 229.60          | 237.02          |
| August       | 226.12                            | 219.64          | 225.70          | 255.26                               | 273.76          | 260.44          |
| September    | 256.28                            | 215.18          | 232.02          | 254.82                               | 271.11          | 262.12          |
| October      | 258.56                            | 256.90          | 252.50          | 280.66                               | 294.94          | 300.86          |
| November     | 321.17                            | 241.78          | 296.30          | 342.30                               | 297.38          | 318.18          |
| December     | 279.38                            | 262.36          | 291.84          | 295.02                               | 255.36          | 285.26          |
| January      | 296.36                            | 291.28          | 286.54          | 291.76                               | 318.28          | 324.00          |
| February     | 240.82                            | 243.66          | 235.54          | 262.28                               | 264.34          | 254.56          |
| March        | 226.58                            | 256.56          | 231.90          | 286.24                               | 281.62          | 261.74          |
| April        | 201.78                            | 230.82          | 223.90          | 239.08                               | 267.60          | 280.52          |
| May          | 231.10                            | 224.36          | 220.68          | 261.48                               | 278.72          | 259.24          |
| June         | 204.02                            | 197.40          | 224.7           | 239.06                               | 243.38          | 247.94          |
| <b>Total</b> | <b>2,933.23</b>                   | <b>2,823.28</b> | <b>2,950.88</b> | <b>3,232.54</b>                      | <b>3,276.09</b> | <b>3,291.88</b> |

**WASTE MANAGEMENT – RECYCLING CRATE CONTENTS**

| Month     | 2007/2008          |                                   |           |          |                  |                    |                |         |         |                |
|-----------|--------------------|-----------------------------------|-----------|----------|------------------|--------------------|----------------|---------|---------|----------------|
|           | Aluminium Cans Kgs | Cardboard Kgs (+ papers from Oct) | Glass Kgs | HDPE Kgs | Milk Cartons Kgs | Mixed Plastics Kgs | News-paper Kgs | PET Kgs | PVC Kgs | Steel Cans Kgs |
| July      | 928                | 1,272                             | 25,961    | 1,562    | 553              | 1,204              | 3,817          | 1,615   | 127     | 1,430          |
| August    | 1,059              | 1,066                             | 16,168    | 802      | 145              | 304                | 3,199          | 750     | 110     | 1,280          |
| September | 396                | 1,359                             | 21,085    | 1,301    | 429              | 800                | 4,076          | 1,714   | 184     | N/A            |
| October   | 736                | 14,800                            | 18,032    | 1,150    | 322              | 644                | N/A            | 1,885   | 276     | 1,748          |
| November  | 616                | 12,600                            | 15,400    | 962      | 270              | 539                | N/A            | 1,578   | 231     | 1,463          |
| December  | 600                | 12,300                            | 15,150    | 937      | 262              | 525                | N/A            | 1,537   | 225     | 1,425          |
| January   | 936                | 14,500                            | 23,634    | 1,462    | 409              | 819                | N/A            | 2,398   | 351     | 2,223          |
| February  | 720                | 13,800                            | 18,180    | 1,125    | 315              | 630                | N/A            | 1,845   | 270     | 1,710          |
| March     | 696                | 13,800                            | 17,540    | 1,087    | 304              | 630                | N/A            | 1,783   | 261     | 1,710          |
| April     | 704                | 14,200                            | 17,770    | 1,087    | 308              | 616                | N/A            | 1,783   | 264     | 1,672          |
| May       | 600                | 14,456                            | 15,150    | 937      | 262              | 525                | N/A            | 1,537   | 225     | 1,425          |
| June      | 624                | 15,052                            | 15,756    | 975      | 273              | 546                | N/A            | 1,599   | 234     | 1,482          |

**WASTE MANAGEMENT – RECYCLING CRATE COLLECTION PARTICIPATION RATE**

| <b>Month</b> | <b>2006/07 Percentage</b> | <b>2007/08 Percentage</b> |
|--------------|---------------------------|---------------------------|
| July         | N/A                       | 42.50%                    |
| August       | N/A                       | 42.45%                    |
| September    | N/A                       | 42.36%                    |
| October      | N/A                       | 50.00%                    |
| November     | N/A                       | 47.60%                    |
| December     | N/A                       | 45.00%                    |
| January      | N/A                       | 60.00%                    |
| February     | N/A                       | 55.00%                    |
| March        | 35.1%                     | 55.00%                    |
| April        | 42.6%                     | 50.00%                    |
| May          | 39.2%                     | 47.00%                    |
| June         | 41.4%                     | 52.00%                    |

**337 CERTIFICATES – LAND INFORMATION CERTIFICATES**

| <b>Month</b> | <b>2005/2006</b> | <b>2006/2007</b> | <b>2007/2008</b> |
|--------------|------------------|------------------|------------------|
| July         | 23               | 39               | 33               |
| August       | 36               | 28               | 43               |
| September    | 19               | 32               | 33               |
| October      | 29               | 40               | 40               |
| November     | 41               | 43               | 55               |
| December     | 33               | 27               | 35               |
| January      | 37               | 34               | 33               |
| February     | 33               | 43               | 56               |
| March        | 49               | 53               | 32               |
| April        | 24               | 47               | 47               |
| May          | 37               | 50               | 37               |
| June         | 40               | 43               | 28               |
| <b>Total</b> | <b>401</b>       | <b>479</b>       | <b>472</b>       |

**CEMETERIES – NUMBER OF INTERMENTS**

| <b>Cemetery</b> | <b>2005/2006</b> | <b>2006/2007</b> | <b>2007/2008</b> |
|-----------------|------------------|------------------|------------------|
| Wynyard Lawn    | 46               | 58               | 52               |
| Wynyard Old     | 2                | 1                | 1                |
| Flowerdale      |                  |                  |                  |
| Somerset        |                  | 1                | 1                |
| Yolla           | 1                | 1                | 1                |
| Waratah         | 2                | 1                |                  |
| <b>Total</b>    | <b>51</b>        | <b>62</b>        | <b>55</b>        |

**COUNCIL WEBSITE DATA**

| <b>Month</b> | <b>2006/07</b> | <b>2007/08</b> |
|--------------|----------------|----------------|
| July         | 1,545          | 2,524          |
| August       | 1,674          | 2,404          |
| September    | 1,578          | 2,848          |
| October      | 1,512          | 3,315          |
| November     | 1,545          | 3,075          |
| December     | 2,047          | 2,850          |
| January      | 2,425          | 3,323          |
| February     | 2,365          | 2,858          |
| March        | 2,957          | 3,256          |
| April        | 3,123          | 3,256          |
| May          | 3,598          | 3,738          |
| June         | 3,386          | 4,309          |
| <b>TOTAL</b> | <b>27,755</b>  | <b>37,756</b>  |

*Number of Home Page Hits*

**ENVIRONMENTAL HEALTH**

Operational Aims 2007/2008

**Immunisations**

The Public Health Act 1997 requires that Councils offer immunisations against a number of diseases. The following table will provide Council with details of the rate of immunisations provided through Council clinics. A monthly clinic is held at Wynyard, excepting December, with bi-monthly clinics at Waratah.

| <b>Month</b> | <b>2006/2007</b> |                    | <b>2007/2008</b>     |                    |
|--------------|------------------|--------------------|----------------------|--------------------|
|              | <b>Persons</b>   | <b>Vaccination</b> | <b>Persons</b>       | <b>Vaccination</b> |
| July         | 5                | 8                  | 13                   | 19                 |
| August       | 12               | 19                 | 11                   | 14                 |
| September    | 3                | 5                  | 7                    | 8                  |
| October      | 5                | 8                  | 6                    | 14                 |
| November     | 11               | 17                 | Session<br>Cancelled |                    |
| December     | 0                | 0                  | 0                    | 0                  |
| January      | 8                | 17                 | 8                    | 13                 |
| February     | 3                | 4                  | 6                    | 11                 |
| March        | 7                | 10                 | 11                   | 15                 |
| April        | 11               | 10                 | 21                   | 26                 |
| May          | 28               | 35                 | 12                   | 15                 |
| June         | 15               | 19                 | 6                    | 8                  |
| <b>TOTAL</b> | <b>108</b>       | <b>152</b>         | <b>101</b>           | <b>143</b>         |

## Information Report

In addition to the figures given above, Council supplied 24 staff members with the flu vaccination and 10 with the first dose of the Hepatitis B vaccine.

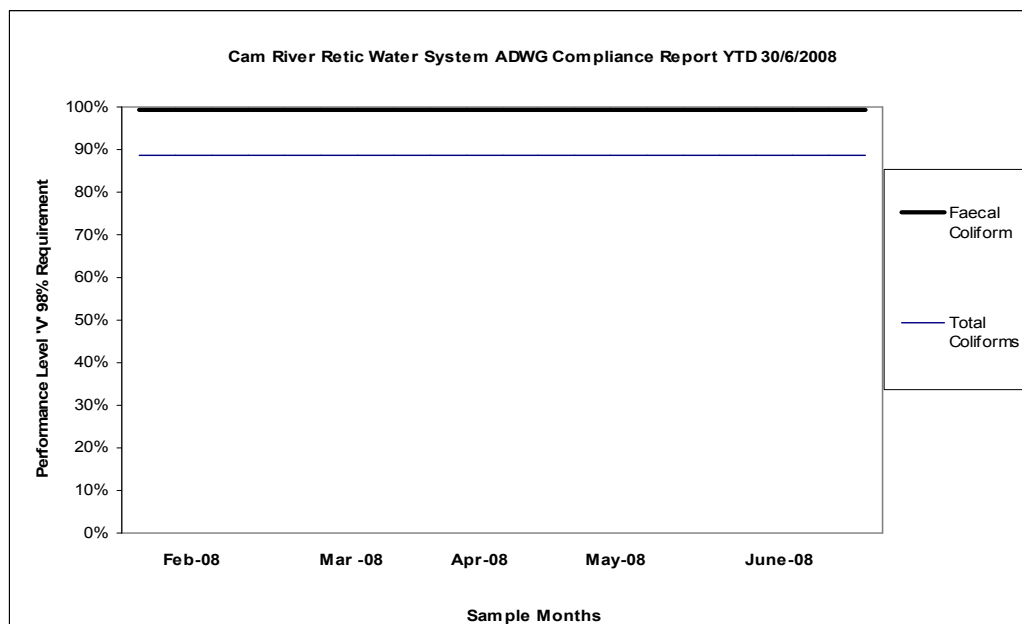
### OTHER ENVIRONMENTAL HEALTH SERVICES

#### Operational Aims 2007/2008

Determine acceptable and achievable levels of environmental and public health by ongoing monitoring, inspection, education and, where necessary by applying corrective measures by mutual consent or application of legislation. Ensure safe standards of food offered for sale are maintained.

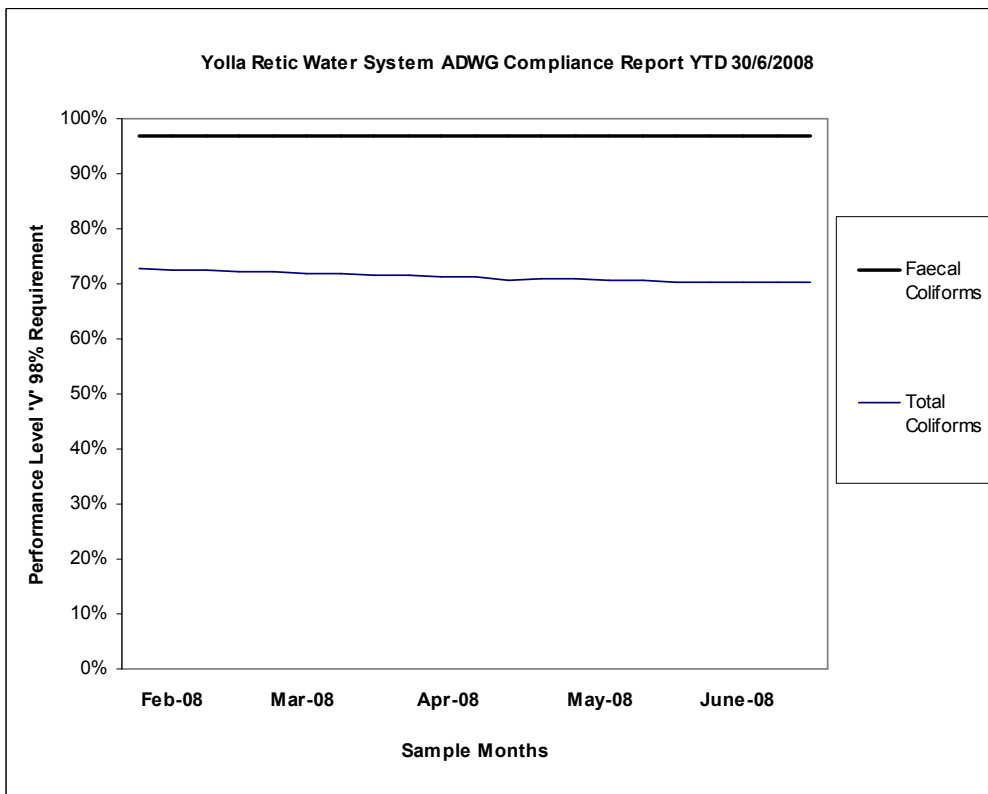
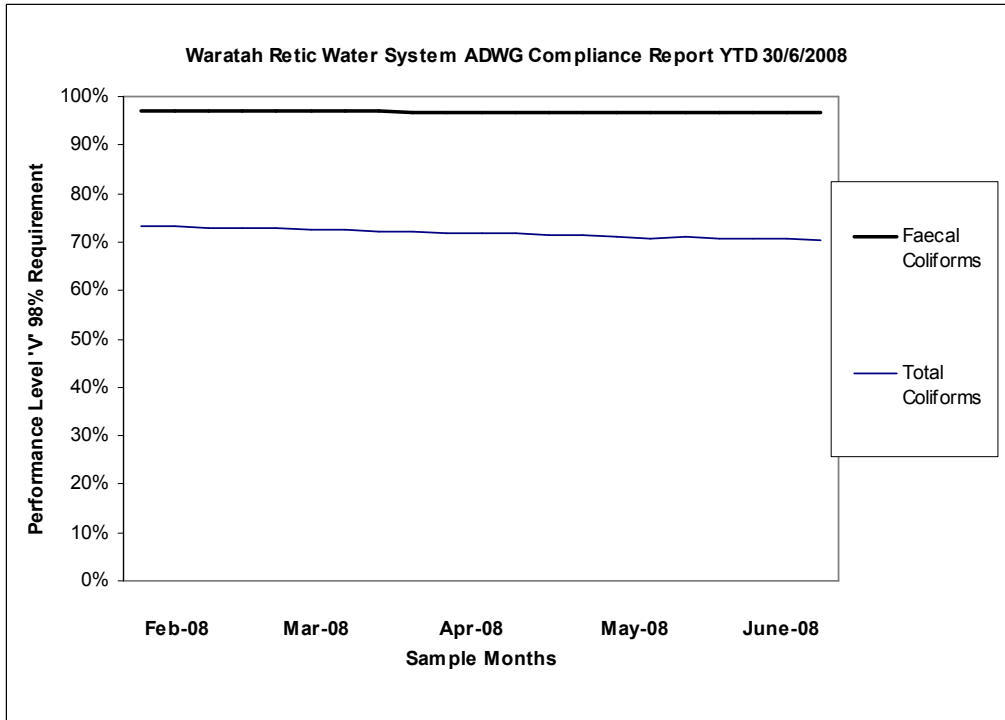
| 2007/2008    | Notifiable Diseases | Inspections of Registered Food Premises | Abatement Notices Issued |
|--------------|---------------------|---|--------------------------|
| July         | 0                   | 11                                      | 0                        |
| August       | 0                   | 9                                       | 0                        |
| September    | 0                   | 6                                       | 0                        |
| October      | 0                   | 15                                      | 0                        |
| November     | 0                   | 0                                       | 0                        |
| December     | 0                   | 6                                       | 0                        |
| January      | 0                   | 15                                      | 0                        |
| February     | 0                   | 6                                       | 0                        |
| March        | 0                   | 4                                       | 0                        |
| April        | 0                   | 7                                       | 0                        |
| May          | 0                   | 2                                       | 0                        |
| June         | 0                   | 2                                       | 0                        |
| <b>TOTAL</b> | <b>0</b>            | <b>83</b>                               | <b>0</b>                 |

### WATER SAMPLING





Information Report



## HEALTH APPROVALS

Determine acceptable and achievable levels of environmental and public health by ongoing monitoring, inspection, education and, where necessary by applying corrective measures by mutual consent or application of legislation.

Ensure safe standards of food offered for sale are maintained.

### Registration Types – YTD Totals 2007/2008

| Month        | Food Premises (FP) | Temporary Food Premises (TFP) | Places of Assembly (PA) | Public Health Risk Activities (PHRA) | Private Water Suppliers (PWS) |
|--------------|--------------------|-------------------------------|-------------------------|--------------------------------------|-------------------------------|
| July         | 82                 | 5                             | 29                      | 5                                    | 0                             |
| August       | 11                 | 4                             | 1                       | 0                                    | 0                             |
| September    | 10                 | 3                             | 0                       | 0                                    | 2                             |
| October      | 1                  | 3                             | 0                       | 0                                    | 0                             |
| November     | 0                  | 2                             | 0                       | 0                                    | 0                             |
| December     | 0                  | 1                             | 0                       | 0                                    | 0                             |
| January      | 0                  | 6                             | 0                       | 0                                    | 0                             |
| February     | 0                  | 0                             | 0                       | 0                                    | 0                             |
| March        | 0                  | 7                             | 0                       | 0                                    | 0                             |
| April        | 0                  | 9                             | 0                       | 0                                    | 0                             |
| May          | 0                  | 3                             | 0                       | 0                                    | 0                             |
| June         | 0                  | 4                             | 0                       | 0                                    | 0                             |
| <b>TOTAL</b> | <b>104</b>         | <b>47</b>                     | <b>30</b>               | <b>5</b>                             | <b>2</b>                      |

## BUILDING APPROVALS

Operational Aims 2007/2008

- Process Building Applications as expeditiously as possible
- Apply building legislative requirements

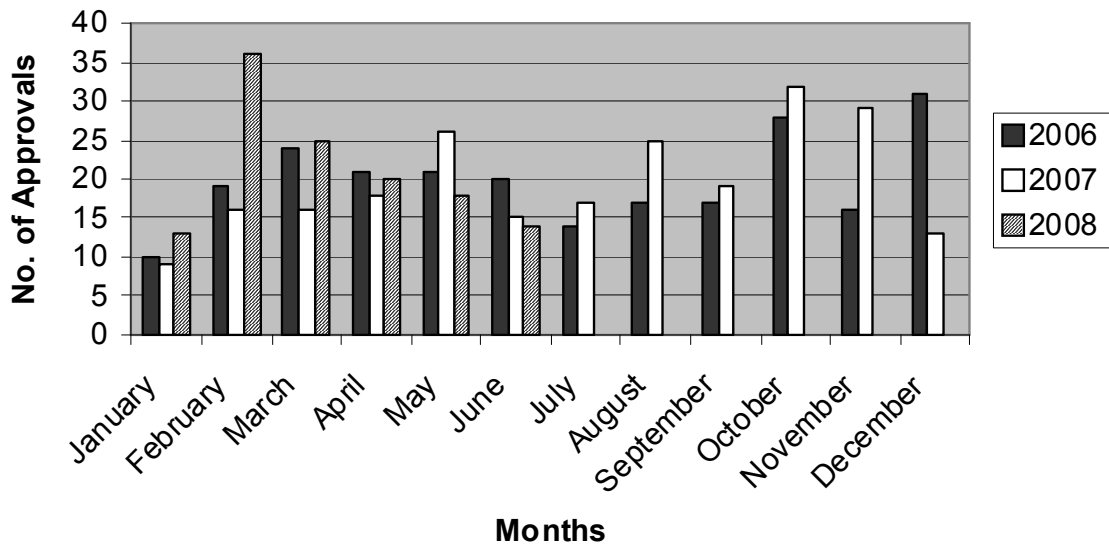
Building Approvals 2007/2008 – YTD Totals 135

| Permit Number | Development                                    | Value \$ | Application Fees \$ | Class        | Approving Officer | Permit Date | Approve Process Working Days |
|---------------|--|----------|---------------------|--------------|-------------------|-------------|------------------------------|
| 08-117-01     | New Dwelling & Shed                            | 200,000  | 420.00              | 1a & 10a     | P Kennedy         | 06.06.08    | 6                            |
| 08-118-01     | New Carport                                    | 4,900    | 100.00              | 10a          | P Kennedy         | 06.06.08    | 5                            |
| 08-120-01     | Demolition Garage                              | 2,860    | 100.00              | 10a          | P Kennedy         | 03.06.08    | 1                            |
| 08-109-01     | New Dwelling                                   | 360,000  | 860.00              | 1a           | P Kennedy         | 06.06.08    | 13                           |
| 08-113-01     | New Carport                                    | 2,100    | 100.00              | 10a          | P Kennedy         | 06.06.08    | 7                            |
| 08-106-01     | New Dwelling                                   | 290,000  | 440.00              | 1A           | P Kennedy         | 11.06.08    | 3                            |
| 08-119-01     | Kennel & Cattery, Landscape supply Yard & Shop | 80,000   | 600.00              | 10a, 10b & 6 | P Kennedy         | 11.06.08    | 7                            |
| 08-122-01     | Shed   | 11,500   | 100.00              | 10a          | P Kennedy         | 19.06.08    | 6                            |
| 08-125-01     | New Dwelling                                   | 180,000  | 420.00              | 1a           | P Kennedy         | 19.06.08    | 2                            |
| 08-128-01     | New Farm Shed                                  | 20,500   | 360.00              | 10a          | P Kennedy         | 26.06.08    | 3                            |
| 08-130-01     | New Garage/workshop                            | 14,000   | 360.00              | 10a          | P Kennedy         | 26.06.08    | 3                            |
| 08-129-01     | New Garage                                     | 3,600    | 100.00              | 10a          | P Kennedy         | 26.06.08    | 3                            |
| 08-127-01     | New Carport                                    | 3,500    | 100.00              | 10a          | P Kennedy         | 26.06.08    | 4                            |
| 08-131-01     | New Farm Shed                                  | 23,700   | 360.00              | 10a          | P Kennedy         | 26.06.08    | 1                            |

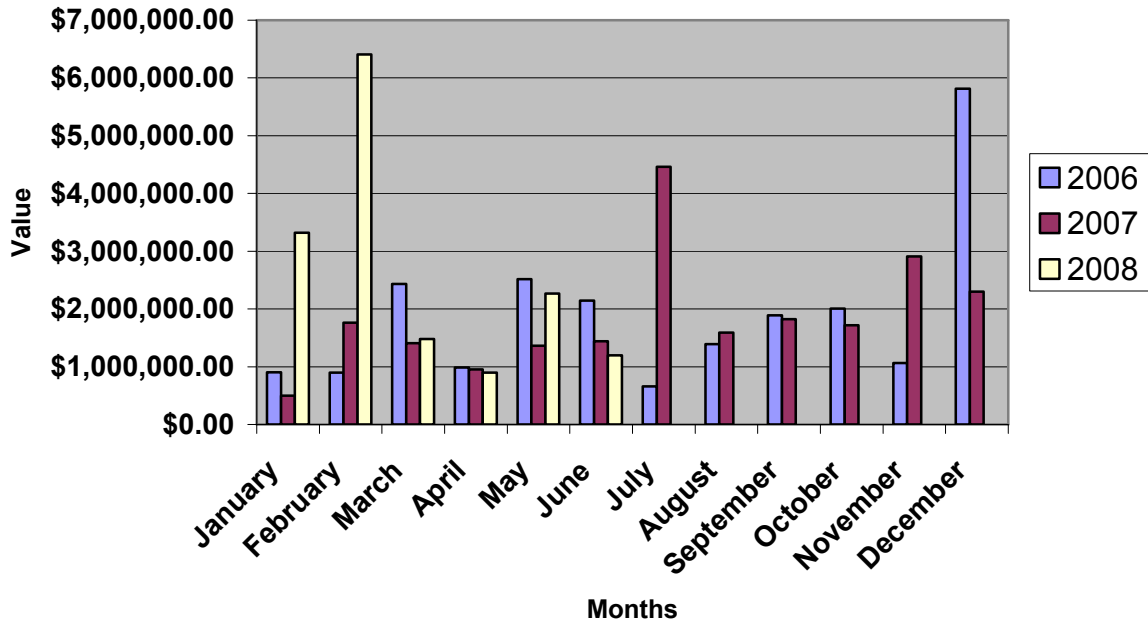
*Information Report*

|              | Class 1a  | Class 1b | Class 2  | Class 3  | Class 4  | Class 5  | Class 6  | Class 7b | Class 8   | Class 9a | Class 9b | Class 9c | Class 10a | Class 10b |
|--------------|-----------|----------|----------|----------|----------|----------|----------|----------|-----------|----------|----------|----------|-----------|-----------|
| July         | 3         | -        | -        | 1        | -        | 1        | 1        | 2        | -         | -        | -        | -        | 10        | -         |
| August       | 11        | -        | -        | -        | -        | 1        | -        | 1        | 3         | -        | -        | -        | 11        | -         |
| September    | 9         | -        | -        | -        | -        | -        | -        | -        | 2         | -        | 1        | -        | 7         | 1         |
| October      | 11        | -        | -        | -        | 1        | 1        | 1        | -        | -         | -        | -        | -        | 21        | -         |
| November     | 7         | -        | -        | -        | -        | -        | 1        | -        | 1         | 2        | -        | -        | 17        | 1         |
| December     | 8         | 1        | -        | -        | -        | -        | -        | -        | -         | -        | 1        | -        | 6         | -         |
| January      | 10        | -        | -        | -        | -        | -        | -        | -        | 1         | -        | -        | -        | 5         | -         |
| February     | 12        | 2        | -        | 1        | -        | 2        | -        | 2        | 2         | -        | -        | -        | 14        | 1         |
| March        | 9         | -        | -        | -        | -        | -        | 1        | -        | 1         | -        | -        | -        | 13        | 1         |
| April        | 5         | -        | -        | -        | -        | -        | -        | -        | 3         | -        | -        | -        | 12        | -         |
| May          | 13        | -        | -        | -        | -        | -        | -        | -        | 1         | -        | 1        | -        | 6         | -         |
| June         | 4         | -        | -        | -        | -        | -        | 1        | -        | -         | -        | -        | -        | 11        | 1         |
| <b>Total</b> | <b>68</b> | <b>3</b> | <b>-</b> | <b>2</b> | <b>1</b> | <b>5</b> | <b>5</b> | <b>5</b> | <b>14</b> | <b>2</b> | <b>3</b> | <b>-</b> | <b>88</b> | <b>5</b>  |

**Building Approvals 2006, 2007 & 2008**



**Building Values 2006,2007 & 2008**



**DEVELOPMENT APPLICATIONS – PLANNING**

| DA No.   | Location                               | Development   | Date Permit Issued |
|----------|--|---|--------------------|
| 257/2007 | 6 Ward Street, Wynyard                 | Home Business (chocolates)                          |                    |
| 44/2008  | 61 Inglis Street Wynyard               | Dwelling – Strata Title Units                       |                    |
| 45/2008  | 8A George Street Wynyard               | Dwellings x 9                                       |                    |
| 49/2008  | Lot 1 Back Cam Road Somerset           | Dwelling & Garage                                   |                    |
| 80/2008  | 10 Hogg Street Wynyard                 | 10 Units  |                    |
| 84/2008  | 14 Moore St Boat Harbour Bch           | Dwelling Addition                                   |                    |
| 88/2008  | 9 York Street Wynyard                  | Garage  | 03.06.2008         |
| 89/2008  | 19 Fenton Crescent, Boat Harbour Beach | Demolish existing Dwelling & Replace w new Dwelling | 17.06.2008         |
| 90/2008  | 81 Irby Boulevard, Sisters Beach       | Dwelling Extension & New Shed                       | 10.06.2008         |
| 91/2008  | 1A Bells Parade Somerset               | Dwelling Extension                                  | 11.06.2008         |
| 92/2008  | 300 Back Cam Road Somerset             | Shed  | 03.06.2008         |
| 93/2008  | 1510 Mt Hicks Road Yolla               | Sawmill   |                    |
| 96/2008  | Golf Links Road, Wynyard               | Signage   | 10.06.2008         |
| 97/2008  | 31 Rulla Road, Sisters Creek           | Greenhouse, Stable, Office & Storage                | 10.06.2008         |
| 100/2008 | 180 Goldie Street, Wynyard             | Storage Shed x 4 & Signage                          | 12.06.2008         |
| 101/2008 | 69 Old Bass Highway, Wynyard           | Change of use & signage                             | 10.06.2008         |
| 102/2008 | 568 Reservoir Drive, Wynyard           | Shed  | 03.06.2008         |
| 104/2008 | 1538 Preolenna Road, Wynyard           | Dwelling Extension                                  | 03.06.2008         |
| 105/2008 | 1A Belton Street, Wynyard              | Garage  | 03.06.2008         |
| 106/2008 | Murchison Highway, Somerset            | Storage Shed  |                    |

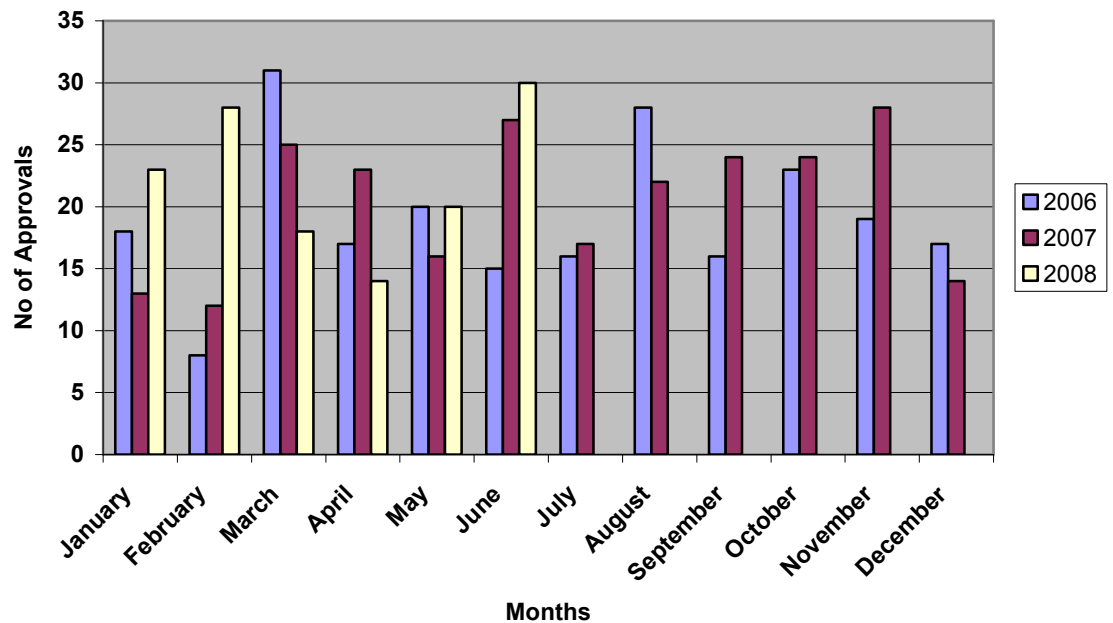
*Information Report*

| <b>DA No.</b> | <b>Location</b>                         | <b>Development</b>                                | <b>Date Permit Issued</b> |
|---------------|---|---|---------------------------|
| 107/2008      | 12 Esplanade, Somerset                  | Dwelling Extension                                |                           |
| 109/2008      | 3 Airport Street, Wynyard               | New Shed  | 17.06.2008                |
| 110/2008      | 15385 Bass Highway, Somerset            | Extension & demolish Shed                         |                           |
| 111/2008      | 1659 Mount Hicks Road, Yolla            | Demolition of Garage and Re-erection              | 12.06.2008                |
| 112/2008      | 51 Emerald Vale Road Wynyard            | Machinery Shed                                    | 12.06.2008                |
| 113/2008      | 1A Golf Links Road, Wynyard             | Shed  | 17.06.2008                |
| 114/2008      | Lot 1 Scotts Road, Lapoinya             | Shed  | 12.06.2008                |
| 115/2008      | 23 George Street, Wynyard               | Dwelling  | 12.06.2008                |
| 117/2008      | 107 Oldina Road, Wynyard                | Carport   |                           |
| 118/2008      | 92 Inglis Street, Wynyard               | Extension   | 12.06.2008                |
| 119/2008      | 16784 Bass Highway,<br>Flowerdale       | New Shed  | 25.06.2008                |
| 120/2008      | 91 Inglis Street, Wynyard               | New Garage  | 12.06.2008                |
| 121/2008      | 11 Fairlands Drive, Somerset            | New Signage                                       | 26.06.2008                |
| 122/2008      | Quiggin Street, Wynyard                 | New Dwelling                                      | 12.06.2008                |
| 123/2008      | 11 York Court, Wynyard                  | New Dwelling                                      | 26.06.2008                |
| 124/2008      | 5 Goldie Street, Wynyard                | Demolish Building River Terrace                   |                           |
| 125/2008      | 63A Old Bass Highway,<br>Wynyard        | New Dwelling                                      | 25.06.2008                |
| 126/2008      | 13 Reid Street, Wynyard                 | Deck Garage & Carport                             |                           |
| 127/2008      | 297 Murchison Highway,<br>Somerset      | New Garage  |                           |
| 128/2008      | 1484 Mount Hicks Road,<br>Wynyard       | New Shed  |                           |
| 129/2008      | Albert Road, Somerset                   | New Shed  |                           |
| 130/2008      | K & L Moore Investments                 | New Dwelling – 2 Units                            |                           |
| 131/2008      | Monica Middap                           | Change of Use – Massage Room                      |                           |
| 132/2008      | A & K Bourke                            | New Garage  |                           |
| 133/2008      | Cardigan Street, Wynyard                | Extension to existing building new chang<br>rooms |                           |
| 134/2008      | 201 Pages Road, Flowerdale              | Gravel Extraction                                 |                           |
| 135/2008      | 29 Ritchie Street, Waratah              | New Shed  | 30.06.2008                |
| 136/2008      | Michael Redman Hotondo                  | Dwelling Extension                                |                           |
| 137/2008      | Kevin & Sue Young                       | Dwelling Extension                                |                           |
| 138/2008      | 1987 Murchison Highway,<br>Henrietta    | Garage  |                           |
| 139/2008      | 299 Lapoinya Road, Lapoinya             | Deck  |                           |
| 141/2008      | 1419 Mount Hicks Road,<br>Wynyard       | Shed  |                           |
| 142/2008      | 192 Sisters Beach Road, Boat<br>Harbour | Dwelling Extension                                |                           |
| 143/2008      | Jamie Vandenberg                        | Storage Sheds                                     |                           |
| 144/2008      | 300 Pages Road, Wynyard                 | Shed  |                           |
| 146/2008      | 273 Deep Creek Road, Wynyard            | Shed  |                           |
| 147/2008      | 35 Hales Street, Wynyard                | Sunroom Deck                                      |                           |
| 148/2008      | 195 Old Bass Highway,<br>Wynyard        | Demolish existing Shed and replace with<br>garage |                           |
| 149/2008      | 145 Old Bass Highway<br>Wynyard         | 3 New Units                                       |                           |
| 150/2008      | B & J Sell                              | New Shed  |                           |

*Information Report*

| DA No.   | Location                            | Development                    | Date Permit Issued |
|----------|-------------------------------------|--------------------------------|--------------------|
| 151/2008 | Cradle Coast Authority              | Road side information          |                    |
| 152/2008 | Mount Hicks Road, Wynyard           | Storage Sheds                  |                    |
| 153/2008 | 620 Seabrook Road                   | Farm Shed x 2                  |                    |
| 154/2008 | 1 Malakoff Street, Somerset         | Deck                           |                    |
| 155/2008 | Lot 5 Banksia Avenue, Sisters Beach | Dwelling                       |                    |
| 156/2008 | 415 Mount Hicks Road, Wynyard       | Shed                           |                    |
| 157/2008 | 77 Jackson Street, Wynyard          | Dwelling Extensions            |                    |
| 158/2008 | 56 Inglis Street, Wynyard           | Shed                           |                    |
| 159/2008 | 12/14 Simpson Street, Somerset      | Change of Use                  |                    |
| SD 1798  | 1C Quiggin Street Wynyard           | 15 Lot residential Subdivision | 04.06.2008         |
| SD 1809  | 17786 Bass Highway, Sisters Creek   | Boundary Adjustment            | 03.06.2008         |
| SD1810   | Terra Nova Drive, Wynyard           | Boundary Adjustment            | 12.06.2008         |
| SD1811   | 53 Belton Street, Wynyard           | Boundary Adjustment            | 26.06.2008         |

**Planning Approvals 2006,2007 & 2008**



**PLANNING APPEALS/APPLICATION INFORMATION**

**MATTERS AWAITING DECISION BY RESOURCE PLANNING & DEVELOPMENT COMMISSION**

A hearing was held in respect to PSA 2005/03, which deals with Development controls specific to Sisters Beach at 11.00am on 6 May 2008 at Waratah-Wynyard Council Chambers. Council are awaiting the outcome of this Hearing.

A hearing was held in respect to appeal 112/08P - 263 Port Road Boat Harbour Beach. This matter was held at Waratah-Wynyard Council Chambers on 26 June 2008. Council are awaiting the outcome of this Hearing.

**ACTIVE PLANNING APPEALS**

Appeal A18/08, 41 Jackson Street Wynyard. This matter is proceeding to a hearing to be held at Waratah-Wynyard Council Chambers at Waratah-Wynyard Council Chambers on 13 August 2008.

Appeal 233/08S, Dodgin Street Wynyard. This matter is proceeding to a hearing to be held at Waratah-Wynyard Council Chambers at Waratah-Wynyard Council Chambers on 22 September 2008.

**CURRENT ENFORCEMENT ACTION UNDER SECTION 64 OF LUPAA**

Nil

**ENGINEERING SERVICES**

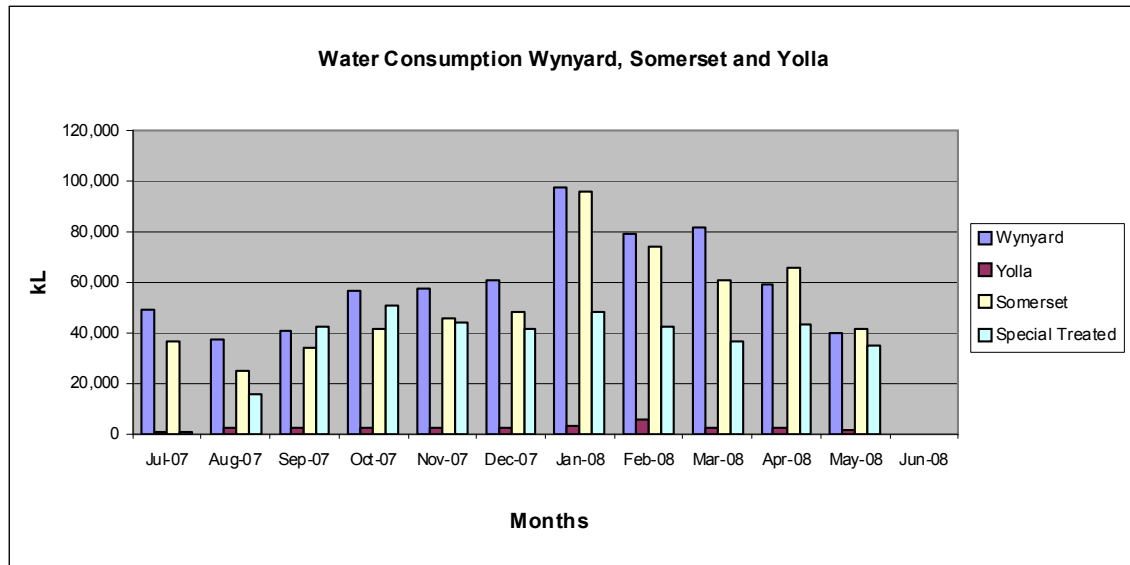
**A. WORKS MANAGERS REPORT**

1. 1. Hydraulics

*Hydraulics Services June 2008*

| <i>Description</i>        | <i>Location</i>                                 | <i>Work Undertaken</i>                            |
|---------------------------|---|---|
| <b>Water</b>              |   |   |
| <i>General Operations</i> |   |   |
| <i>Reticulation</i>       | Wynyard, Somerset, Yolla.                       | Routine maintenance.<br>Meter readings completed. |
|                           | Yolla, Somerset.                                | Fire plug maintenance.                            |
| <i>Treatment</i>          |   |   |
| <b>Sewer</b>              |   |   |
| <i>General Operations</i> |   |   |
| <i>Reticulation</i>       | Wynyard, Somerset.                              | Water blasting.                                   |
|                           | Wynyard, Somerset.                              | Routine maintenance.                              |
| <i>Treatment Plants</i>   | Wynyard, Somerset, Boat Harbour, Sisters Beach. | Routine maintenance.                              |
| <b>Drainage</b>           | Wynyard, Somerset.                              | Routine maintenance.                              |
|                           | Wynyard, Somerset.                              | Water blasting.                                   |
| <b>Capital Works</b>      | Elizabeth / George Street drainage              | In progress.                                      |
|                           | Flow Meter - Wynyard Treatment Plant            | In progress.                                      |





2. Transport

*Transport and General Services – June 2008*

| <b>Description</b>         | <b>Location</b>   | <b>Work Undertaken</b>            |
|----------------------------|---|-----------------------------------|
| <b>Capital Works</b>       | Meunna Road, re-sheeting.   | Complete.                         |
|                            | Goldie Street.  | Footpath. In progress.            |
| <b>Guide Posts</b>         | Black Spot Program.<br>Mt Hicks, Seabrook and Sisters Beach Roads.  | Complete                          |
|                            | Frederick Street/<br>Reservoir Drive reconstruction   | Complete apart from one driveway. |
| <b>Bridge Maintenance</b>  | nil   |                                   |
| <b>Maintenance General</b> |   |                                   |
| <i>Activities</i>          | Chalks Road, Lyons Road, Beatties Road, Capells Road, Station Road, Bramichs Road, Dares Road, Rothwells Road, Broomhalls Road, Devils Elbow Road, Wienerts Road, Duniams Road, Rulla Road, Gates Road and Meunna Road. | Maintenance Grading.              |

| <i>Description</i> | <i>Location</i>                                 | <i>Work Undertaken</i> |
|--------------------|---|------------------------|
|                    | Elliott, Mt Hicks, Deep Creek, Calder By Roads. | Storm Damage.          |
|                    | Urban and Rural.                                | Sign Maintenance.      |
|                    | Wynyard and Somerset                            | Street Sweeping.       |

3. Parks & Reserves

*Parks and Reserves - June 2008*

| <i>Description</i>            | <i>Location</i>                       | <i>Work Undertaken</i>  |
|-------------------------------|---------------------------------------|---|
| <b>Capital Works</b>          | Sisters Beach.                        | Installation of solar powered lights.   |
| <i>Goldie Upgrade</i>         | Garden beds.                          | Replanted with annuals.   |
| <i>Cape Bridge Reserve</i>    | Cape Bridge.                          | Replacing deck timber and guardrail.<br>Completed.                                |
| <b>Oval Maintenance</b>       | Langley Park.                         | Mowing as required.   |
|                               | Wynyard Recreation Ground.            | Mowing as required.   |
|                               | Yolla Recreation Ground.              | Mowing as required.   |
|                               | Frederick Street Reserve.             | Mowing as required, turf maintenance.   |
|                               | Somerset Recreation Ground.           | Mowing as required, turf repairs. Line marked for Soccer.                         |
|                               | Wynyard Showground.                   | Mowing as required, turf maintenance.   |
| <b>Somerset Gardens</b>       | Sports Centre.                        | Vegetation removal, re-sown with grass.   |
| <b>Cemeteries</b>             |                                       | General mowing and maintenance, turf levelling. Plinths edged, dead tree removal. |
| <b>Waste Transfer Station</b> |                                       | Green waste chipped.  |
| <b>Wynyard Walkways</b>       | Inglis River.                         | General maintenance, brush cutting and spraying, track repairs.                   |
| <b>Wynyard Gardens</b>        | General maintenance and tree pruning. |   |

#### 4. Workshop and Plant Maintenance

*Workshop and Plant Maintenance – June 2008*

| <i>Activity</i>                   | <i>Plant Item</i>  | <i>Description of Works</i>   | <i>Comment</i> |
|-----------------------------------|--|-------------------------------|----------------|
| <i>Routine Plant Servicing</i>    | Hilux No 5   | Service                       |                |
|                                   | Falcon s/w No 2  | Service                       |                |
|                                   | Isuzu Giga No 5  | Service                       |                |
|                                   | Kobota Mower   | Service                       |                |
|                                   | Toyota Dyna  | Service                       |                |
|                                   | Case Tractor   | 1000 Hour Service             |                |
|                                   | 12H Grader No 1  | 250 Hour Service              |                |
|                                   | General Small Plant                                      | Servicing and General Repairs |                |
|                                   | Treatment Plants and Sewerage Pumps                      | Servicing and General Repairs |                |
| <i>Major Breakdowns</i>           | No Major Breakdowns Only General Maintenance and Repairs |                               |                |
| <i>Plant Replacement/ Capital</i> |  |                               |                |

#### **B. DIRECTOR ENGINEERING SERVICES REPORT**

##### 1. Permits & Applications

*Banner Pole Permits YTD - Totals*

| <b>2007/2008</b> |                       |                      |
|------------------|-----------------------|----------------------|
| <b>Month</b>     | <b>Permits Issued</b> | <b>No of Banners</b> |
| July             | 0                     | 0                    |
| August           | 1                     | 1                    |
| September        | 1                     | 1                    |
| October          | 3                     | 3                    |

*Information Report*

| <b>2007/2008</b> |                       |                      |
|------------------|-----------------------|----------------------|
| <b>Month</b>     | <b>Permits Issued</b> | <b>No of Banners</b> |
| November         | 2                     | 2                    |
| December         | 1                     | 0                    |
| January          | 1                     | 1                    |
| February         | 1                     | 1                    |
| March            | 0                     | 0                    |
| April            | 0                     | 0                    |
| May              | 0                     | 0                    |
| June             | 0                     | 0                    |

***Use of Council Reserves - YTD Totals 2007/2008 for Rostered Matches, Training and Private Functions***

| Month            | Wynyard Recreation Ground | Frederick Street Reserve | Wynyard Showground | Yolla Rec Ground | Langley Park | Anzac Park | Somerset Soccer Ground | Foreshores | Gutteridge Gardens |
|------------------|---------------------------|--------------------------|--------------------|------------------|--------------|------------|------------------------|------------|--------------------|
| <b>July</b>      | 17                        | 11                       | 0                  | 2                | 3            | 0          | 0                      | 0          | 1                  |
| <b>August</b>    | 15                        | 13                       | 0                  | 0                | 1            | 1          | 0                      | 0          | 0                  |
| <b>September</b> | 12                        | 6                        | 0                  | 0                | 0            | 0          | 0                      | 0          | 1                  |
| <b>October</b>   | 13                        | 5                        | 5                  | 5                | 3            | 0          | 0                      | 0          | 3                  |
| <b>November</b>  | 17                        | 6                        | 4                  | 5                | 4            | 1          | 0                      | 4          | 2                  |
| <b>December</b>  | 13                        | 7                        | 5                  | 4                | 3            | 5          | 0                      | 9          | 0                  |
| <b>January</b>   | 15                        | 5                        | 5                  | 3                | 3            | 1          | 0                      | 1          | 1                  |
| <b>February</b>  | 11                        | 6                        | 6                  | 4                | 4            | 3          | 0                      | 1          | 2                  |
| <b>March</b>     | 17                        | 6                        | 7                  | 8                | 8            | 2          | 0                      | 3          | 2                  |
| <b>April</b>     | 27                        | 21                       | 0                  | 0                | 2            | 14         | 2                      | 0          | 2                  |
| <b>May</b>       | 30                        | 20                       | 0                  | 0                | 2            | 0          | 5                      | 0          | 0                  |
| <b>June</b>      | 25                        | 17                       | 0                  | 0                | 1            | 0          | 0                      | 1          | 0                  |
| <b>TOTAL</b>     | <b>212</b>                | <b>123</b>               | <b>32</b>          | <b>31</b>        | <b>34</b>    | <b>27</b>  | <b>7</b>               | <b>19</b>  | <b>14</b>          |

2. Access and Other Permits

| Month            | Permit for Bridge Over a Footpath | Permit to Temporarily Open Up and Occupy a Highway | Occupation Licence | Permit to Cross Footpath with Vehicles |
|------------------|-----------------------------------|--|--------------------|--|
| <b>July</b>      | 5                                 | 2  | 1                  | 0                                      |
| <b>August</b>    | 3                                 | 0  | 2                  | 0                                      |
| <b>September</b> | 0                                 | 0  | 0                  | 2                                      |
| <b>October</b>   | 0                                 | 0  | 0                  | 0                                      |
| <b>November</b>  | 0                                 | 1  | 3                  | 0                                      |
| <b>December</b>  | 2                                 | 0  | 1                  | 0                                      |
| <b>January</b>   | 1                                 | 0  | 2                  | 0                                      |
| <b>February</b>  | 8                                 | 1  | 0                  | 0                                      |
| <b>March</b>     | 0                                 | 0  | 3                  | 0                                      |
| <b>April</b>     | 3                                 | 0  | 3                  | 0                                      |
| <b>May</b>       | 1                                 | 0  | 0                  | 0                                      |
| <b>June</b>      | 4                                 | 0  | 0                  | 0                                      |
| <b>TOTAL</b>     | <b>27</b>                         | <b>4</b>   | <b>15</b>          | <b>2</b>                               |

**C. COMPLIANCE**

1. Animal Control

Operational Aims 2007/2008

- a) Register all dogs in the municipal area.
- b) Maintain street, roads and other public places free of straying animals.
- c) Implement legislative control and enforcement where required.

| Item                          | June 2008 |          | Dogs – Year to Date<br>2007/2008 |           |
|-------------------------------|-----------|----------|----------------------------------|-----------|
|                               | No.       | \$       | No.                              | \$        |
| Dogs Registered               | 245       | 2,194.00 | 753                              | 10,769.00 |
| Dogs Impounded                | 12        | 140.00   | 128                              | 1,200.00  |
| Dogs Euthanised               | 0         | -        | 16                               | -         |
| Dogs Adopted                  | 1         | -        | 17                               | -         |
| New Kennel Licences           | 1         |          | 4                                | 400.00    |
| Licence Renewals              |           |          | 28                               | 700.00    |
| Dogs Re-Claimed               | 7         |          | 96                               |           |
| Livestock Impounded           | 0         | 0        | 6                                | 820.00    |
| Infringement Notices          | 3         |          | 11                               | 2,160.00  |
| Legal Action                  | -         | -        |                                  | -         |
| Total Registered<br>2007-2008 |           |          | 2,040                            |           |

*Pending Kennel Licence Nil*

2. Weed Management

**Willow Eradication Program**

Contractors have continued with eradication follow up, currently working on Seabrook Creek, they have also worked on the Inglis River and Blackfish Creek.

Pampas Grass infestations have been removed from Whites Road, individual plants poisoned adjacent to Cam River.

Sisters Beach Environment Team have been holding regular working bees to remove weeds from the coastal dune and replanting with native vegetation.

## Information Report

### PERSONNEL

- (a) Commencements:  
Nil
- (b) Departures:  
Paul West – General Manager  
Len Streets – Municipal Employee  
Maureen Keegan – Executive Officer  
Chloe Hutcheon – Administration Assistant  
Jillian Alderson – Records Clerk

### COUNCIL ACTION LIST – OPEN MEETING MATTERS

| Minute No. & Date   | Details  | Action Required  | Officer | Status   |
|---------------------|--|--|---------|--|
| 927.4,<br>17/11/03  | Table Cape Lighthouse  | Progress the lease of the Lighthouse from the State Govt.  | DCS     | Continuing to pursue issues relating to access through the Parks and Wildlife Service and AMSA. Discussions continuing with AMSA. Most recent advice was that the lease variation and the tourist concession licence had been sent to the State for execution on their part. |
| 237/05,<br>18/7/05  | Waratah Museum Transfer– Crown Land Assessment Project Offer | Museum building to be transferred to Council ownership.  | GM      | Awaiting issue of title. Being dealt with as part of CLAC program.   |
| 244/06<br>21/08/06  | East Wynyard Infrastructure                                  | General Manager to negotiate with interested parties.  | GM      | Investigation underway. Awaiting information from developers of land at East Wynyard.  |
| 282/06,<br>18/09/06 | Sewer Connections – Boat Harbour and Sisters Beach           | Formal action to be instigated to ensure all properties are connected to sewerage infrastructure.  | DES     | Owners of remaining non-connected properties being pursued. Legal advice being sought on next step to enforce connections where this is necessary.   |
| 316/06,<br>16/10/06 | Local Highways – future management                           | Authorised legal practitioner to prepare a draft bylaw and associated regulatory impact statement. | DCS     | Regulatory Impact Statement submitted to Local Government Office.  |
| 185/07,<br>20/08/07 | Demolition of Ex-Information Centre Building                 | Organise necessary approvals.  | GM      | Transfer of ownership of building being finalised. Permission has been requested from Department of Education for submission of DA prior to transfer occurring.  |
| 212/07,<br>17/09/07 | Sale of Land – Hales Street                                  | Apply to amend the Sealed Plan then prepare and lodge a subdivision plan.                          | ESM     | Title amended. Subdivision approved. Works required to allow finalisation of subdivision to be undertaken when other work commitments allow.   |

## Information Report

| Minute No. & Date   | Details  | Action Required  | Officer | Status  |
|---------------------|--|--|---------|---|
| 275/07<br>19/11/07  | Cam River Walking Track – Stage 2                                | Consult regarding continuation of the Cam River Walking Track  | DES     | DES to press BCC further in regards to bridge location and track on BCC side of river.<br><br>Consultation on the four (4) options identified by Council is to be pursued. Discussed at a recent Group Discussion – works will not occur during the current financial year due to the unavailability of ‘Work-for-the-Dole’ labour. Consultation on the options being considered by Council will be pursued in the near future. |
| 309/07,<br>17/12/07 | Somerset Indoor Recreation Centre Floor – Indoor Bias Bowls Club | Investigate options available to address floor level concerns.   | DES     | Not proposed to take any further action at this stage. After 2008/09 budget resolved, DES to advise Bowls Club.   |
| 9/08<br>21/01/08    | Cam River Reserve – Tree Lighting                                | Evaluate and prepare a report for Council on the suggestion of floodlighting of features in the Cam River Reserve.   | DES     | Suggestion to be evaluated and a report to be prepared.   |
| 29/08<br>18/02/08   | Tarkine Project – Tasmanian Forest Initiative                    | Liaise with CCA on developing and managing the Whytes Hill Lookout & Savage River Gateway Site.  | GM      | Development Application approved. CCA to commence works in conjunction with Engineering Department<br><br>Still awaiting notification from CCA on Savage River Gateway Site.  |
| 30/08<br>18/02/08   | Sisters Beach Recreation Plan                                    | Recreation Plan for Sisters Beach to be developed.   | CDO     | To be incorporated into the 2008/09 budget.   |
| 73/08               | Review of Draft Disability Discrimination Policy                 | Advertise for 2 weeks for public consultation.<br><br>Resubmit to Council after public consultation period closes.   | EO      | Resubmitted to Council 16 June 2008.  |
| 74/08               | Review of Dog Management Policy                                  | Advertise for 2 weeks for public consultation.<br><br>Resubmit to Council after public consultation period closes.   | EO      | Resubmitted to Council 16 June 2008.  |
| 80/08               | Sewerage Treatment Plants East Wynyard and Sisters Beach         | Remove Council Sewerage Treatment Plant East Wynyard, Sisters Beach from the balance land to ensure the excess land is secured for future community use.   | DDS     | In process.   |
| 83/08               | Waratah Reserve Bridge   | Close the Waratah Reserve Truss Bridge.<br><br>Include in 2009 budget \$20k to investigate & report to Council issues relating to associated heritage value of the bridge in context of the Mining Heritage Trail. | DE      | Pedestrian access prevented.  |
| 120/08              | R&H Margetts land acquisition Bells Parade Somerset              | Advertise as public notice Council intention to sell subject land.   | DCS     | Advertisement placed in the Advocate newspaper and placed on the Councils website. Item in closed section of agenda   |

## Information Report

| Minute No. & Date | Details                     | Action Required   | Officer | Status                                    |
|-------------------|-----------------------------|---|---------|---|
| Business Arising  | Minister for Infrastructure | Write to Minister to organise meeting concerning Bass Highway upgrade   | DES     | Meeting has been arranged with Mayor      |
| 158/08            | Inglis Street Traffic Study | Forward correspondence to DIER with copy of Neighbour hood Watch letter | DES     | Letter written to DIER awaiting response. |

### COMPLAINTS REGISTER

In accordance with the adopted Customer Service Charter Council is to be provided with a monthly statistical report of the number of complaints received and their nature by reference to the relevant department, activity or program area.

| Operational Area           | Jan      | Feb       | Mar      | Apr       | May       | Jun      | Jul | Aug | Sept | Oct | Nov | Dec |
|----------------------------|----------|-----------|----------|-----------|-----------|----------|-----|-----|------|-----|-----|-----|
| Corporate Services         | 0        | 0         | 0        | 0         | 0         | 1        |     |     |      |     |     |     |
| Development Services       | 0        | 0         | 2        | 0         | 0         | 0        |     |     |      |     |     |     |
| Engineering (Indoor staff) | 1        | 1         | 2        | 4         | 5         | 0        |     |     |      |     |     |     |
| Finance                    | 0        | 0         | 0        | 0         | 0         | 0        |     |     |      |     |     |     |
| General Managers Unit      | 0        | 1         | 1        | 0         | 1         | 0        |     |     |      |     |     |     |
| Hydraulic Services         | 2        | 2         | 1        | 2         | 4         | 1        |     |     |      |     |     |     |
| Parks and Reserves         | 5        | 7         | 0        | 2         | 0         | 2        |     |     |      |     |     |     |
| Transport                  | 1        | 10        | 0        | 3         | 5         | 1        |     |     |      |     |     |     |
| <b>Total</b>               | <b>9</b> | <b>21</b> | <b>6</b> | <b>11</b> | <b>15</b> | <b>5</b> |     |     |      |     |     |     |

### MAYOR'S DIARY AND COMMUNICATION

| Date     | Purpose                        |
|----------|--------------------------------|
| 02.06.08 | Emergency Management Committee |
|          | Budget Meeting                 |
| 03.06.08 | Gunns Tree Planting            |
| 05.06.08 | Cradle Coast                   |
|          | Disability Services            |
| 07.06.08 | D.F.A Combined game            |
| 11.06.08 | Zone Marketing Group Stanley   |
|          | Tourism Forum                  |
| 13.06.08 | Tryskill Afternoon Tea         |
| 16.06.08 | Wynyard Bowls Club             |
|          | Coast FM interview             |
|          | General Manager Interviews     |
|          | Council Meeting                |



## *Information Report*

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| <b>Date</b> | <b>Purpose</b>  |
|-------------|---|
| 17.06.08    | Zone Marketing Group Presentation                       |
| 18.06.08    | LGAT Conference   |
| 19.06.08    | LGAT Conference   |
| 20.06.08    | LGAT Conference   |
| 23.06.08    | Special Council Meeting & Group Discussion              |
| 25.06.08    | Cradle Coast  |
| 26.06.08    | Wynyard Coastal Pathway Meeting<br>Zone Marketing Group |
| 27.06.08    | Zone Marketing Group Tarraleah                          |
| 28.06.08    | Wynyard Lions   |
| 29.06.08    | Concert Band  |

### **COUNCIL WORKSHOPS SINCE LAST COUNCIL MEETING**

| <b>Date</b> | <b>Purpose</b>   |
|-------------|--|
| 7 July 2008 | Group Discussion<br>- Sgt Nigel Sheehan<br>- Constitutional Recognition of Local Government<br>- Water and Sewerage Reform – Structural Implementation<br>Governance Arrangements<br>- Whytes Hill Lookout<br>- Wynyard Cricket Club – Request for Financial Assistance<br>- Other Items |

### **USE OF CORPORATE SEAL**

| <b>Date</b> | <b>Document Sealed</b>               | <b>Name</b>  |
|-------------|--------------------------------------|--|
| 02.06.08    | Final Plan and Schedule of Easements | Smarts Road, Olden – Michell Hodgetts & Assoc P/L                  |
| 11.06.08    | Transfer Section 58 Land Titles Act  | Sale of Lots 1,3,16,17 & 25 Serrata Crescent, Sisters Beach        |
| 19.06.08    | Transfer Section 58 Land Titles Act  | Sale of Lots 24, 26 & 31 Serrata Crescent, Sisters Beach           |
| 26.06.08    | Deed of Charge                       | Loan Agreement with Tasmanian Public Finance Corporation (Tascorp) |
| 26.06.08    | Transfer Section 58 Land Titles Act  | Sale of Lots 14 & 15 Serrata Crescent, Sisters Beach               |
| 30.06.08    | Survey Plan & Sec. 71 Agreement      | Tasmanian Plantations P/L  |

**REPORT OF COMMITTEES**

**191/08 MINUTES OF OTHER BODIES/COMMITTEES**

**Recommendation**

*That the Minutes be received.*

Copies were circulated of the following unconfirmed Minutes:-

- 1) Waratah-Wynyard Emergency Management Committee – 26 May 2008 (p.95 )
- 2) North-Western Region Mayors and General Managers – 4 July 2008 (p.97)
- 3) North-Western Region Water and Sewerage Project Control Group – 4 July 2008 (p.99)

A copy of the following report was also circulated:-

- 1) Waratah-Wynyard State Emergency Service – Annual Report 2007/2008 (p.102.)

*Enclosures:- refer to Enclosure Document Page 95*

MOVED BY            CR BRAMICH  
SECONDED BY        CR FRIEDERSDORFF

IN FAVOUR

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

**192/08 URGENT BUSINESS - LATE ITEM**

The Acting General Manager reports that the correspondence relating to the following item was mislaid in the office upon arrival on 3 July 2008 and not located until after the agenda for the current meeting had been finalised and or that reason it was not possible to include the matter on the agenda.

The matter is urgent because it does need to be determined before the 31 July 2008 and the next Ordinary Meeting will not be held until !8 August 2008.

There are no issues that arise with relation the provision of advice on this item under Section 65 of the Act.

**Regulation 8.6 of the Local Government (Meeting Procedures) Regulations 2005 provides as follows:**

**8. (6)** A council by absolute majority, or a council committee by simple majority, may decide at an ordinary meeting to deal with a matter that is not on the agenda if the general manager has reported –

(a) the reason it was not possible to include the matter on the agenda; and

(b) that the matter is urgent; and

(c) that advice has been provided under section 65 of the Act.

MOVED BY            CR BRAMICH  
SECONDED BY        CR RANSLEY

*That Council deal with Urgent Business pursuant to Part 2, Division 1 , 8(6) of the Local Government (Meeting Procedures) Regulations 2005, being “Cradle Coast Authority – Council Nominated Director’s Vacancy”*

*Note: Absolute Majority Required.*

IN FAVOUR

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

**193/08 CRADLE COAST AUTHORITY – COUNCIL NOMNATED  
DIRECTOR’S VACANCY (016.20)**

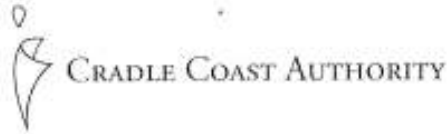
Correspondence has been received from the Executive Chairman of the Cradle Coast Authority indicating that a Council nominated Director’s position will become vacant on the Authority in August 2008.

Council, along with others in the region, has been invited to make a nomination for a local government representative.

Nominations for this position close on Thursday 31 July 2008.

**OFFICERS COMMENT**

The correspondence from the Authority fully outlines the situation, as follows:



30 Marine Terrace Burnie Tasmania  
PO Box 338 Burnie 7320  
Telephone: (03) 6431 6285  
Facsimile: (03) 6431 7014  
E-mail: admin@cradcoast.com

1 July 2008

|         |              |                        |
|---------|--------------|------------------------|
| 016-20  | 03 6431 6285 | CRADLE COAST AUTHORITY |
| Meeting | Copy to      | Kan.                   |

John Stretton  
Acting General Manager  
Waratah-Wynyard Council  
PO Box 168  
WYNYARD TAS 7325

Dear John

RE: **DIRECTOR - CRADLE COAST AUTHORITY**

In August, 2008, a Council nominated Director's position will become vacant on the Cradle Coast Authority.

A Board Appointment Committee was established at the Representatives Meeting held on 29<sup>th</sup> May, 2008 comprising of Mayors Mike Downie, Kevin Hyland, Alwyn Boyd and Cr John Oldaker. The Committee met on 25<sup>th</sup> June, 2008 and determined the process to fill the positions becoming due on the Authority's Board.

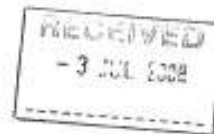
Your Council is invited to make a nomination for a local government representative and a "Call for Nominations" form, setting out particulars relating to the position, is attached. Relevant background material relating to the Authority is also attached for the benefit of any potential nominee.

In order to fill the vacant local government position by the expiration of the current Director's term, it is requested that this matter be considered by your Council as a matter of urgency with nominations to be received by Thursday, 31<sup>st</sup> July, 2008.

If you require further information, please call Karen Hampton on (03) 6431 6285.

Yours sincerely

Roger Jaensch  
EXECUTIVE CHAIRMAN  
On behalf of the Board Appointment Committee



Encf



## **CALL FOR NOMINATIONS – CRADLE COAST AUTHORITY BOARD**

### **COUNCIL-NOMINATED POSITION (1)**

#### **Background**

A Council nomination is sought for one (1) director position covering skills and experience relevant to community leadership and development in the Cradle Coast region for a term of 4 years.

The Authority will seek nominations for one (1) other position covering skills and experience relevant to agriculture, food and/or natural resource management in the region through public advertisement.

#### **Eligibility**

A Council can nominate **any person** for consideration as a member of the Authority's Board. Candidates do not need to be elected members, staff, residents or ratepayers of that Council, or any Council.

Candidates do not need to live or work in the Cradle Coast region to be eligible for appointment.

A person cannot be both a Representative and a director. A Representative appointed as a director must resign their appointment as a Representative before accepting appointment as a director.

Board Selection Committee members who are nominated for appointment as a director must resign their position on the Committee in writing to the Chief Representative before accepting nomination.

In accordance with its Rules, the Authority is not to appoint to its Board a person who:

- under the Corporations Law of any State is not entitled to manage a corporation or has been disqualified by Court order from managing a corporation; or
- is suspending payment generally to creditors or compounding with or assigning his or her estate for the benefit of the creditors; or
- is of unsound mind or is a patient under a law relating to mental health or whose estate is administered under laws relating to mental health.

#### **Selection criteria – individual directors**

1. Recognised skills and experience in community leadership and development in the Cradle Coast region
  2. Knowledge of broader regional development issues facing the Cradle Coast region
  3. Understanding of the role, structure and current activities of the Cradle Coast Authority
  4. Demonstrated understanding of the governance roles of Boards and individual Directors
  5. Personal abilities and attributes that can contribute to the operation of the Board as a team
-

**Selection and appointment process**

1. Applications received by the closing date will be considered by the Board Appointment Committee.
2. Shortlisted candidates will be interviewed by the Board Appointment Committee, comprising 4 representatives of the Authority's member Councils on Friday, 8<sup>th</sup> August, 2008.

**NOMINATION PROCESS**

Councils should

- determine their nomination(s) through their own internal processes
- advise the nominee(s) of their nomination
- confirm the nomination(s) in writing to the Board Selection Committee (c/Cradle Coast Authority)
- ensure each nominee prepares and submits a full application, providing assistance if required

Each candidate must submit an application comprising

- A completed nomination cover sheet (attached), confirming acceptance of the nomination
- A letter (addressed to the Board Selection Committee) introducing the candidate and his/her suitability for the role, including statements addressing the selection criteria for individual directors
- A current CV or biographic information summarising relevant skills, experience and qualifications

Completed applications should be marked CONFIDENTIAL and

- sent by post to the Board Selection Committee, Cradle Coast Authority, PO Box 338 BURNIE 7320, or
- delivered by hand to the offices of the Cradle Coast Authority, 30 Marine Terrace, Burnie.

Applications must be received by **COB Thursday 31<sup>st</sup> July, 2008**. Any questions regarding the nomination process should be directed to Karen Hampton on 6431 6285.

**ATTACHMENTS**

- Nomination cover sheet
- Annual Report 2006/07
- Charter 2008/09
- Annual Plan 2008/09



**NOMINATION FORM – CRADLE COAST AUTHORITY BOARD  
COUNCIL-NOMINATED POSITION (1)**

**CONTACT DETAILS**

|         |  |
|---------|--|
| Name    |  |
| Address |  |
| Phone   |  |
| Email   |  |

**NOMINATED BY**  
(Insert name of Council)

**RELEVANT BACKGROUND/EXPERIENCE**

- Local Government
- Agriculture (including farming, food processing and agribusiness)
- Industry (other primary industry, manufacturing, etc)
- Commerce (retail, services)
- Education/training
- Tourism
- Other (please specify): \_\_\_\_\_

**SIGNATURE**

Please sign and date below to confirm that you accept nomination and meet the eligibility requirements referred to in the Call for Nominations (attached)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Shortlisted candidates will be contacted to arrange interviews. Interviews will be held in Burnie on 8<sup>th</sup> August. Phone interviews can be arranged if candidates are unable to attend in person.*



Other Matters

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MOVED BY CR BRAMICH

*That Council nominate Cr D Moore*

MOVED BY CR FRIEDERSDORFF

*That Council nominate Cr M Duniam*

The Mayor advised that a ballot would be conducted to determine the successful nominee.

MOVED BY CR MOORE  
SECONDED BY CR BRAMICH

*That Ian Brunt and Matthew Greskie be appointed as scrutineers for the ballot.*

IN FAVOUR

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

Following the ballot, the Mayor declared that Cr M Duniam had received a majority of votes.

MOVED BY CR RANSLEY  
SECONDED BY CR DIBLEY

*That Council consider and respond to the invitation from the Cradle Coast Authority by nominating Cr M Duniam for a position of Council-nominated Director on the Authority's Board of Management.*

IN FAVOUR

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

CARRIED UNANIMOUSLY

*Other Matters*

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**CLOSED MEETING**

MOVED BY           CR BRAMICH (6.30pm)  
SECONDED BY       CR RANSLEY

*That Council go into Closed Meeting.*

**IN FAVOUR**

|              |               |            |           |                  |
|--------------|---------------|------------|-----------|------------------|
| MAYOR HYLAND | CR BRAMICH    | CR DIBLEY  | CR DUNIAM | CR FRIEDERSDORFF |
| CR MOORE     | CR PENDLEBURY | CR RANSLEY |           |                  |

**CARRIED UNANIMOUSLY**

**RESUMPTION OF OPEN MEETING**

AT 6.55 PM. THE OPEN MEETING WAS RESUMED.

**THERE BEING NO FURTHER BUSINESS THE MEETING WAS CLOSED  
AT 6.55 PM.**

Confirmed,

MAYOR

18 August 2008

