

**Justine Brooks-Bedelph**

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**From:** David Gurr [david.gurr@goldensunrise.com.au]  
**Sent:** Wednesday, 19 February 2014 11:40 AM  
**To:** Justine Brooks-Bedelph  
**Cc:** Flood, Mary; Tony Hewitt  
**Subject:** planning application da2014-6 boat shed at 371a low head road low head

Dear Justine

Many thanks for taking my calls yesterday and today

We must admit that we are surprised at the tone of the representation received by council from one of our, so called neighbours.

I have suggested to you that Mary talks directly to the neighbour in question, to see if they will withdraw their objection.

It is now our understanding that you will endeavour to contact the neighbour to see if they wish to do so and let us know the result.

Regretfully, we will have to proceed with our replies to the information required by Council regardless of that outcome.

I have discussed the representation and your request for further information with Mary and the items raised there in, and

our reply or response to each of the items are as follows:

1. Tony Hewitt will provide you with a full set of unstamped drawings for the Planning application as requested..
2. Tony Hewitt will include on the drawings, details of a proposed internal toilet and laundry trough for cleaning purposes only.
3. There is no intention to occupy the boat shed for anything other than for work purposes.
4. There is no intention to provide an access path through the existing property as this is impassable.
  - 4a. There is no ability to pass a boat through the existing property and all access will be from the common private lane only.
  - 4b. There are two large doors to the boat shed, as detailed on the drawings provided, and these are located on the east wall for ease access into the boat shed.
5. The G.T. Interim Planning Scheme 2013 has not yet been ratified and therefore cannot be relied upon in this matter.

However, if one takes into consideration the performance criteria set out in the interim planning scheme item 10.4.2.13

which refers to and states that outbuildings must be designed and located so as not to have any "visual impact on the streetscape"

and "not to have any overshadowing of adjoining properties" and "to have compatibility with similar outbuildings in the area" then

we believe that we comply with all of those criteria without question.

(one can see any number of larger garages, sheds and outbuildings etc. that are built on boundaries, in the nearby vicinity)

6. Similarly, the performance criteria of the interim scheme code 10.4.2.6 – rear and side setbacks – does not apply, as the scheme has not yet been ratified.

However, if one takes into account that the rear (west) wall of the boat shed has no windows and the north (side) wall of the boat shed has only one high lite window, then the need for an setbacks become superfluous on both those boundaries.

7. The installation of a weed proof membrane covered by crushed rock between the rear and side boundaries and the shed wall will mitigate any weed growth in those areas.
8. We do not believe that there are any covenants on the land in question, apart from an existing part 5 agreement and we totally disagree with the comments made in the submission regarding this.

Finally, we question the right for any neighbour or person to dictate to us what we may or may not choose to do with our own property.

I believe that the tone of the submission in question is objectionable and inflammatory and would suggest that Council ignores any of the

comments made therein, unless those comments are justifiable in accordance with the current the George Town planning scheme.

We hope that this reply is sufficient and await your reply.

With best regards

David Gurvich for Mary Flood