

COUNCIL MEETING
MONDAY 26 FEBRUARY 2024

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BUSINESS TO BE CONDUCTED AT THIS MEETING IS TO BE CONDUCTED IN THE ORDER IN WHICH IT IS SET OUT IN THIS AGENDA UNLESS THE COUNCIL BY ABSOLUTE MAJORITY DETERMINES OTHERWISE

COUNCIL MEETINGS, NOT INCLUDING CLOSED MEETING, ARE AUDIO-VISUALLY RECORDED AND PUBLISHED TO COUNCIL'S WEBSITE

1. ACKNOWLEDGEMENT OF COUNTRY

The Mayor will:

- make the following statement:

“Before proceeding, I pay my respects to the Mumirimina people as the traditional and original custodians of the lands on which we meet, and I acknowledge the continuing connection of the Tasmanian Aboriginal people to the skies, land and waterways.

I pay respect to Elders past and present.”

- invite those present to pause for a moment of quiet reflection and respect before commencing the council meeting.
- advise the Meeting and members of the public that Council Meetings, not including Closed Meeting, are livestreamed, audio-visually recorded and published to Council’s website. The meeting is not protected by privilege. A link to the Agenda is available via Council’s website.

2. APOLOGIES

Cr Hulme (Leave of Absence)

3. DECLARATIONS OF INTERESTS OF COUNCILLORS OR CLOSE ASSOCIATE

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015 and Council’s adopted Code of Conduct, the Mayor requests Councillors to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

4. OMNIBUS ITEMS**4.1 CONFIRMATION OF MINUTES****RECOMMENDATION:**

That the Minutes of the Council Meeting held on 5 February 2024 and the Special Council (Planning Authority) Meeting held on 13 February 2024, as circulated, be taken as read and confirmed.

4.2 MAYOR'S COMMUNICATION**4.3 COUNCIL WORKSHOPS**

In addition to the Councillors' Meeting Briefing (workshop) conducted on Friday immediately preceding the Council Meeting the following workshops were conducted by Council since its last ordinary Council Meeting:

PURPOSE

Cat Management Presentations
Budget

DATE

12 February

RECOMMENDATION:

That Council notes the workshops conducted.

4.4. TABLING OF PETITIONS

(Note: Petitions received by Councillors are to be forwarded to the Chief Executive Officer within seven days after receiving the petition).

Petitions are not to be tabled if they do not comply with Section 57(2) of the Local Government Act, or are defamatory, or the proposed actions are unlawful.

4.5 REPORTS FROM OUTSIDE BODIES

This agenda item is listed to facilitate the receipt of both informal and formal reporting from various outside bodies upon which Council has a representative involvement.

REPORTS FROM SINGLE AND JOINT AUTHORITIES

Provision is made for reports from Single and Joint Authorities if required.

Council is a participant in the following Single and Joint Authorities. These Authorities are required to provide quarterly reports to participating Councils, and these will be listed under this segment as and when received.

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representative: Cr James Walker

Quarterly Reports

December Quarterly Report pending.

Representative Reporting

- **SOUTHERN TASMANIAN REGIONAL WASTE AUTHORITY**

Representative: Cr Warren (Mayor's nominee)
Cr Hunter (Proxy)

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

4.6 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 5, 12 and 19 February 2024 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 5, 12 and 19 February 2024 be noted.

5. PUBLIC QUESTION TIME

Public question time at ordinary Council meetings will not exceed 15 minutes. An individual may ask questions at the meeting. Questions may be submitted to Council in writing on the Friday 10 days before the meeting or may be raised from the Public Gallery during this segment of the meeting.

The Chairman may request a Councillor or Council officer to answer a question. No debate is permitted on any questions or answers. Questions and answers are to be kept as brief as possible.

5.1 PUBLIC QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, a member of the public may give written notice to the Chief Executive Officer of a question to be asked at the meeting). A maximum of two questions may be submitted in writing before the meeting.

Questions on notice and their answers will be included in the minutes.

Ms Jenny Rayner of Montagu Bay has given notice of the following questions:

AFL HIGH PERFORMANCE CENTRE

1. There has been considerable concern in the community about the selected locations for the proposed AFL High Performance Centre. Other locations such as Cambridge, which was a possibility at one time, might have been less controversial. Can Council please advise what benefits the AFL saw for them and for the community at large in choosing the parkland sites, bearing in mind that the destruction of these areas will represent a significant loss in public open space?
2. An informal survey of Charles Hand Park has estimated a total of over 50 mature trees including blue gums and cypresses, and a number of exotic deciduous trees. Can Council please advise whether they will commit to replace any trees that are removed in the course of the construction works, whether this would be on the basis of “like for like” and whether the cost of such works will be covered by the State Government project funding or by Clarence ratepayers?

Mr Terry Polglase of Lindisfarne has given notice of the following question:

AFL HIGH PERFORMANCE CENTRE

On p666 of the December 11 Council Meeting Notes for councillors, it reads “Targeted consultation has been undertaken with key stakeholders who would be directly impacted by the development of a HPC at the Charles Hand Park and Geilston Bay sites.”

Consultation is defined as “the act of exchanging information and opinions about something in order to make a decision.”

1. Did you receive any opinions from the users of the Rosny skate park? The Bastick Street residents on the boundary of CHMP and any Dog Owner Association over the decision to have the Parkland become an AFL oval plus potential infrastructure, or are they not considered KEY stakeholder?

5.2 ANSWERS TO QUESTIONS ON NOTICE

The Mayor may address Questions on Notice submitted by members of the public.

5.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

5.4 QUESTIONS WITHOUT NOTICE

The Chairperson may invite members of the public present to ask questions without notice.

Questions are to relate to the activities of the Council. Questions without notice will be dependent on available time at the meeting.

Council Policy provides that the Chairperson may refuse to allow a question on notice to be listed or refuse to respond to a question put at a meeting without notice that relates to any item listed on the agenda for the Council meeting (note: this ground for refusal is in order to avoid any procedural fairness concerns arising in respect to any matter to be determined on the Council Meeting Agenda.

When dealing with Questions without Notice that require research and a more detailed response the Chairman may require that the question be put on notice and in writing. Wherever possible, answers will be provided at the next ordinary Council Meeting.

Council's Public Question Time Policy can be found on Council's website at [Public Question Time - City of Clarence : City of Clarence \(ccc.tas.gov.au\)](https://www.ccc.tas.gov.au/public-question-time)

6. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2015 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

7 PLANNING AUTHORITY MATTERS
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In accordance with Regulation 25 (1) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following items:

7.1 DEVELOPMENT APPLICATION PDPLANPMTD-2023/041144 – 11 SUNNYSIDE ROAD, LINDISFARNE - DEMOLITION OF EXISTING DWELLING AND TWO NEW MULTIPLE DWELLINGS**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Demolition of Existing Dwelling and two New Multiple Dwellings at 11 Sunnyside Road, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential, and subject to the Parking and Sustainable Transport Code and the Safeguarding of Airports Code under the Tasmanian Planning Scheme - Clarence (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

Council is required to exercise a discretion within the statutory period which expires 28 February 2024.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and two representations were received, raising the following issues:

- Views;
- Amended plans;
- Overshadowing;
- Visual Impacts; and
- Privacy.

RECOMMENDATION:

A. That the Development Application for Demolition of Existing Dwelling and two New Multiple Dwellings at 11 Sunnyside Road, Lindisfarne (Cl Ref PDPLANPMTD-2023/041144) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. This permit approves the use of the site for two multiple dwellings only. The lower level of each building is not to be used as a separate self-contained residence.
3. ENG A1 – NEW CROSSOVER.

4. ENG M1 – DESIGNS DA.
5. ENG A7 – REDUNDANT CROSSOVER.
6. ENG M5 – EROSION CONTROL.
7. ENG A5 – SEALED CAR PARKING.
8. ENG S1 – INFRASTRUCTURE REPAIR.
9. The development must meet all required Conditions of Approval specified by TasWater notice dated [21/12/2023] (TWDA 2023/01753-CCC).

ADVICE

- a. A Building Surveyor is required to be engaged, to create and certify an Application for Building Approval.
- b. Council, as a Stormwater authority, formed a view that the proposed development will intensify the stormwater discharge from the property and hence requires approval under the Urban Drainage Act 2013 and the stormwater is to be designed as per Council's Stormwater Management Procedure for new development [Stormwater-Management-Procedure-for-New-Development (1).pdf]. This requirement will be assessed as part of engineering plans assessment if the proposed DA is approved.

If you would like to discuss what is required to meet Council's requirements in regards to stormwater, please contact Council's Development Engineers on 6217 9500.

- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

ASSOCIATED REPORT**1. BACKGROUND**

No relevant background.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned General Residential under the Scheme.

2.2. The proposal is discretionary because it does not meet the Acceptable Solutions under the Scheme.

2.3. The relevant parts of the Planning Scheme are:

- Section 5.6 – Compliance with Applicable Standards;
- Section 6.10 – Determining Applications;
- Section 10 – General Residential Zones;
- Section C2.0 – Parking and Sustainable Transportation Code; and
- Section C16.0 – Safeguarding of Airports Code.

2.4. Council's assessment of this proposal must consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act, 1993* (LUPAA).

3. PROPOSAL IN DETAIL

3.1. The Site

The subject property is an 885m², rectangular shaped lot with a north facing aspect. The lot has an 18.2m road frontage and a length of 48.4m. The topography of the site rises from the road at the north from 33m contour to the 39m contour at the rear boundary, resulting in 12.4% gradient.

The property currently supports an existing single storey, red brick dwelling that is setback 10.5m from the road frontage, which is proposed for demolition. The design and appearance of the dwelling is consistent with the initial residential subdivision of the area in the 1950s. There is also an associated outbuilding behind the existing dwelling.

3.2. The Proposal

The proposal is for the demolition of the existing dwelling and construction of two double-storey dwellings. The development is proposed to have a density of one dwelling per 442.5m².

The two dwellings will range in size from 244m² to 267m², each being two storeys. The lower storey of each dwelling consists of one bedroom, one bathroom, a rumpus room with kitchenette and a double garage.

The upper storey of each dwelling consists of three-bedrooms, two-bathrooms, a powder room and an open plan living area with kitchen. Each storey has access to decks.

A retaining wall of less than 1m in height is proposed, 1.5m from the front and side boundary. This structure is exempt under Clause 4.6.8 of the Scheme.

A total of five car parking spaces has been provided for the proposed development, in accordance with the requirements of the Parking and Sustainable Transport Code.

The applicant has confirmed that the ground level section of the dwelling will be used as part of one dwelling and is not intended to be operated as a self-contained residence.

4. PLANNING ASSESSMENT

4.1. Compliance with Applicable Standards [Section 5.6]

“5.6.1 A use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedules.”

4.2. Determining Applications [Section 6.10]

“6.10.1 In determining an application for any permit for use or development the planning authority must, in addition to the matters required by section 51(2) of the Act, take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and*
- (b) any representations received pursuant to and in conformity with section 57(5) of the Act, but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.”*

References to these principles are contained in the discussion below.

4.3. General Provisions

The Scheme contains a range of General Provisions relating to specific circumstances not controlled through the application of Zone, Code or Specific Area Plan provisions.

In this instance the proposal involves demolition of the existing dwelling and the associated outbuilding, which is permitted development under the General Provisions 7.9.

4.4. Compliance with Zone and Codes

The proposal satisfies exemption C16.4.1(a) of the Safeguarding of Airports Code with the maximum height of the development not exceeding the prescribed obstacle limitation surface level of 147m AHD.

The proposal is for Multiple dwellings, which has a “Permitted” status in the General Residential Zone. However, the proposal requires discretionary consideration because it relies on performance criteria to comply with applicable standards.

It is noted that each dwelling has a lower floor with a kitchenette attached to a rumpus room. However, there is only a single laundry for each dwelling. It has been made very clear to the applicants that each dwelling is to be occupied as a single dwelling only, which has been backed-up by way of condition.

The proposal meets the Scheme’s applicable acceptable solutions of the General Residential Zone, the Parking and Sustainable Transport Code and the Safeguarding of Airports Code, with the exception of the following.

General Residential Zone

- **Clause 8.4.2 Setbacks and building envelope for all dwellings - A3**
Proposed Units 1 and 2 will exceed the building envelope prescribed within Figure 8.1 of the standard on the western and eastern elevations.

The proposal must be considered under Performance Criteria P3 as follows.

Clause	Performance Criteria	Assessment
8.4.2 P1	<i>“The siting and scale of a dwelling must: (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</i>	The performance criteria is considered to be met on the following basis.
	<i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</i>	<p>The shadow diagrams provided by the applicant show that the proposed development would result in loss of solar access to rooms of dwellings on adjoining lots to the west at 9 Sunnyside Road, to the east at 13 Sunnyside Road and to the south at Units 1 and 2, 4 Kaoota Road.</p> <p>In relation to the property at 9 Sunnyside Road, the overshadowing will be along the eastern elevation that consists of bedrooms and bathrooms. Therefore, this clause is not applicable to that property because the standard excludes bedrooms, and a bathroom is not taken to be a habitable room under the scheme (Table 3.1).</p> <p>The shadowing from the proposed development onto 13 Sunnyside Road will occur during the afternoon from 1pm onwards. This impact is considered reasonable due to the windows of habitable rooms still receiving at least four hours of sunlight on the Winter Solstice.</p> <p>The shadow diagrams provide a clear indication of the overshadowing impacts to the dwellings at Units 1 and 2, 4 Kaoota Road. 3D modelling was provided to allow the assessment of the overshadowing impact of the development on the living rooms associated with the adjoining dwellings.</p>

		<p>The 3D shadow diagrams show that the living room windows will not be impacted by overshadowing due to the raised height and the lower windows to Unit 1, 4 Kaoota Road and it is mostly free from overshadowing by midday on the Winter Solstice.</p> <p>The proposal is considered acceptable on this basis and satisfies the performance criteria P3(a)(i).</p>
	<p><i>(ii) overshadowing the private open space of a dwelling on an adjoining property;</i></p>	<p>The properties mentioned above would all have some impact of shadowing over the respective private open spaces. From the shadow diagrams provided, it is evident that there is overshadowing impact during the morning at 9 Sunnyside Road and shadowing from 1pm at 13 Sunnyside Road. The private open space of both properties will still receive at least three hours of sunlight on 21 June. This is taken to be reasonable as the private open spaces of these dwellings will have adequate solar access to ensure that amenity is maintained on the adjoining properties.</p> <p>In relation to the shadowing of the two units located to the south of the proposed development, 4 Kaoota Road, Unit 1 will receive shadowing during the morning to a grassed area located between the boundary and the unit, and Unit 2 will receive afternoon shadowing to the garden area between the boundary and unit. Both units' private open space will receive at least three hours of sunlight on 21 June.</p>

		<p>While overshadowing of the private open space will occur on the adjoining properties, the impact will be limited to specific areas with most of the outdoor spaces remaining otherwise unhindered by shadows cast from the proposed development. Considering the extent of these impacts, the shadowing will not cause an unreasonable loss of amenity.</p>
	<i>(iii) overshadowing of an adjoining vacant property; and</i>	<p>There are no vacant residential lots adjoining the subject site.</p>
	<i>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</i>	<p>The proposed development may impact on the adjoining properties as a result of the two-storey design and the proposal is for two multiple dwellings within a streetscape typified by moderately sized, single storey, detached, mid-century dwellings.</p> <p>However, in assessing whether this impact is unreasonable, the proposed design solutions, such as flat roofs and varied external finishes have been considered. These features will make the dwellings appear lighter, less bulky, and significantly reduce the overall height of each dwelling. For these reasons, it is considered the proposal will not have an unreasonable loss of amenity to adjoining properties via visual impact.</p>
	<i>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</i>	<p>The dwellings propose a generous setback to the western side boundary ranging between 2.05m and 3.5m. Low lying decks encroach on this boundary but due to their finished floor level of under 1m, it is considered to have little impact in relation to separation.</p>

		<p>The proposed setback to the eastern side boundary 0.9m, and a rear boundary setback of 4m is proposed.</p> <p>This 0.9m side setback is compatible with the range of other setbacks within the surrounding area, such as Units 1-2/15 Sunnyside Road which consists of 1.4m side setbacks and Units 2-4/34 Loatta Road have a 0.15m side setback.</p> <p>The rear setback of 4m is characteristic of the surrounding area, with 2/15 Sunnyside Road having a similar 4m setback.</p> <p>The proposed separation of dwellings is assessed as being compatible with the surrounding area.</p>
	<p><i>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</i></p> <p><i>(i) an adjoining property; or</i></p> <p><i>(ii) another dwelling on the same site.”</i></p>	<p>There are no existing solar energy installations on adjoining properties.</p> <p>Not applicable, as the proposal does not include solar energy installations to the proposed dwellings, nor does it mention the intention for such installations in the near future.</p> <p>In summary, the application is assessed as satisfying the performance criteria and complies with the standard.</p>

5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and two representations were received. The following issues were raised by the representors.

5.1. Loss of Views

Two of the representors were concerned that the proposal would result in a loss of existing views over Lindisfarne, the bay and the Meehan Ranges currently enjoyed from their properties.

- **Comment**

The scheme has no specific provisions relating to the retention of views for existing properties adjacent to a proposed development. Therefore, this matter is not of determining weight.

5.2. Amended Plans

A representor requested Unit 2 be lowered to lessen the height of the dwelling and minimise the bulk of the proposed building.

- **Comment**

This matter has been discussed in the assessment of *8.4.2 Setbacks and building envelope for all dwellings* earlier in this report. The application is assessed as complying with the standard through the performance criteria.

5.3. Overshadowing

Two of the representors raised concern about potential overshadowing impacts from the proposed development.

- **Comment**

Overshadowing impacts have been previously discussed in the assessment of clause *8.4.2 Setbacks and building envelope for all dwellings* earlier in this report. The assessment found the proposed development would not cause an unreasonable loss of amenity to adjoining properties in relation to overshadowing.

5.4. Privacy

The representor raised concern regarding the proposed Unit 2 overlooking the representor's yard and into their living area.

- **Comment**

Privacy has been considered as part of 8.4.6 *Privacy for all dwellings*, of which the proposed development meets all the Acceptable Solutions of the scheme.

6. EXTERNAL REFERRALS

The proposal was referred to TasWater, who have provided a number of conditions to be included on the planning permit if granted.

The proposal was referred to TasNetworks who have no concerns about the proposed development.

7. STATE POLICIES AND ACT OBJECTIVES

7.1. The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.

7.2. The proposal is consistent with the objectives of Schedule 1 of LUPAA.

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan or any other relevant Council Policy.

9. CONCLUSION

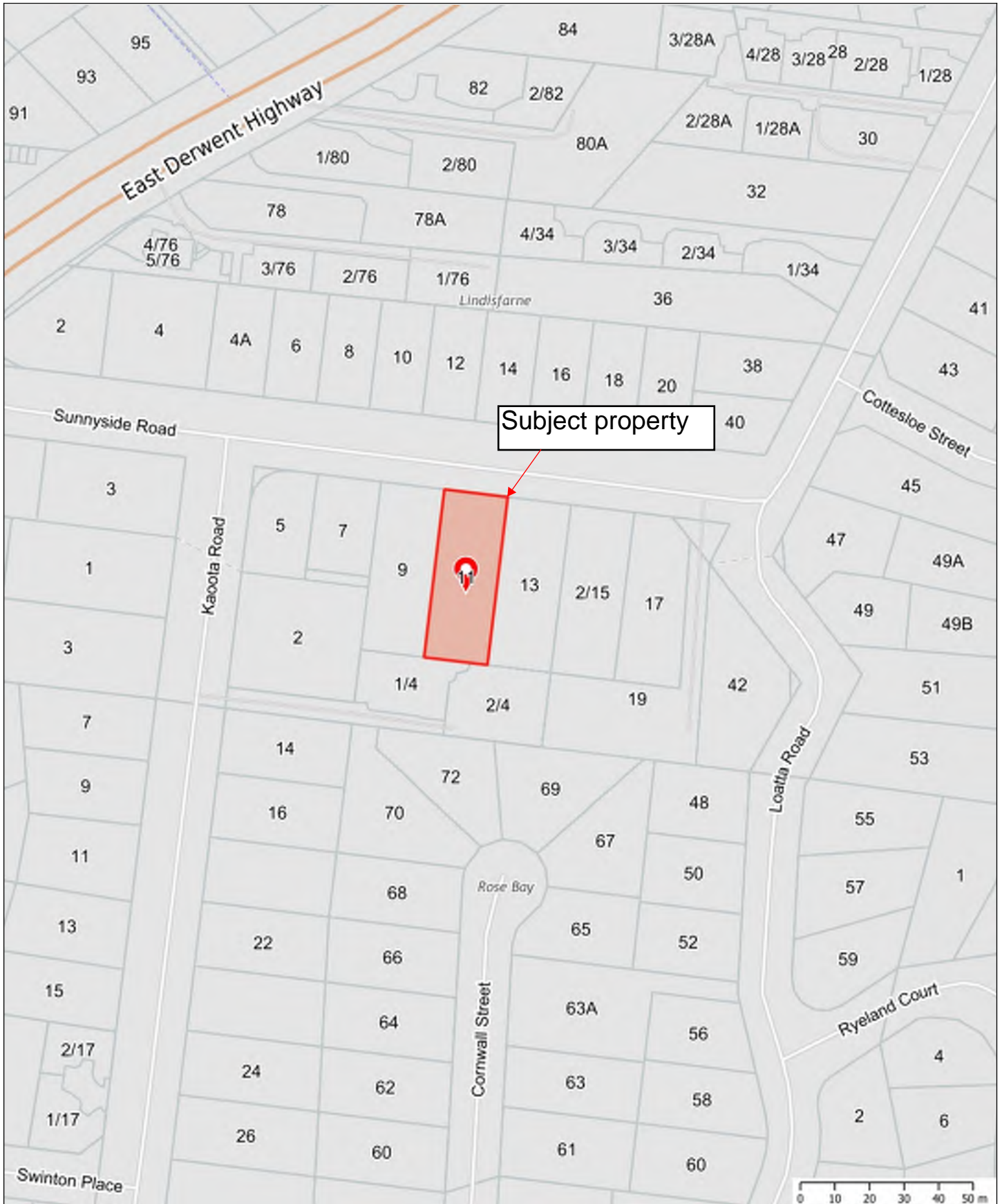
The proposal is recommended for approval.

Attachments: 1. Location Plan (1)
2. Proposal Plan (16)
3. Site Photo (2)



Daniel Marr
HEAD OF CITY PLANNING

Council now concludes its deliberations as a Planning Authority under the Land Use Planning and Approvals Act, 1993.

11 Sunnyside Road Rose Bay Location Plan



Subject property

	<p>This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.</p>	<p>24/05/2023</p> <p>1:1500</p>	
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PINNACLE

Note: The images provided are artistic representations only and should not be used as references for final colours, finishes, or external/internal features.



11 Sunnyside Rd, Lindisfarne 7015

Owner(s) or Clients	Costmac Investments Pty Ltd
Building Classification	1a
Designer	Jason Nickerson CC6073Y
Total Floor Area (Combined)	266.64m ²
Alpine Area	N/A
Other Hazards <small>(e.g., High wind, earthquake, flooding, landslip, dispersive soils, sand dunes, mine subsidence, landfill, snow & ice, or other relevant factors)</small>	Safeguarding of Airports Code

Title Reference	74618/5
Zoning	General Residential
Land Size	885m ²
Design Wind Speed	N2
Soil Classification	M
Climate Zone	7
Corrosion Environment	Moderate
Bushfire Attack Level (BAL)	Low

ID	Sheet Name	Issue
A0.01	Existing Site Plan	DA - 03
A0.02	Site Plan	DA - 03
A0.03	Shadow Diagrams 21st June	DA - 03
A0.04	Shadow Diagrams 21st June	DA - 03
A0.05	Building Envelope	DA - 03
A1.01	U1 - Floor Plan - Lower	DA - 03
A1.02	U1 - Floor Plan - Upper	DA - 03
A1.03	U1 - Elevations	DA - 03
A1.04	U1 - Elevations	DA - 03
A1.05	U1 - Roof Plan	DA - 03
A2.01	U2 - Floor Plan - Lower	DA - 03
A2.02	U2 - Floor Plan - Upper	DA - 03
A2.03	U2 - Elevations	DA - 03
A2.04	U2 - Elevations	DA - 03
A2.05	U2 - Roof Plan	DA - 03
C.01	Civil Plan	DA - 03
C.02	Parking & Turning Paths	DA - 03
C.03	Turning Paths	DA - 03
L.01	Landscaping Plan	DA - 03
P.01	Sewer & Water Plan	DA - 03

Legend

- Electrical Connection
- Electrical Turret
- Sewer Connection
- Stormwater Connection
- Telstra Connection
- Telstra Pit
- Water Meter
- Water Stop Valve
- Fire Hydrant
- Solar Bollard Light
- Spotlight with sensor

RENOVATION LEGEND

- EXISTING
- DEMOLITION

Site Areas

Site Area	885 m ²
Ex. House	115.06m ²
Ex. Shed	34.48m ²

Surface Water Drainage

Ground to fall away from building in all directions in compliance with AS2870 & N.C.C 2022 Volume I.

Surface water, resulting from a storm having an annual exceedance probability of 1%, must not enter the building.

Limitations

F1P2 does not apply to-
(a) Class 7 or 8 building where in the particular case there is no necessity for compliance; or
(b) a garage, tool shed, sanitary compartment, or the like, forming part of a building used for other purposes; or an open spectator stand or open-deck carpark.

Fire Safety

Where a building is more than 500m² or if internal fire hydrants are proposed/installed, a fire hose reel system must be provided in accordance with AS2441.
Fire hose reels must be installed within 4m of an exit or otherwise provided to provide full coverage to the building.

Survey Notes from Surveyor

Date of Survey: 5 October 2021

Bearing datum is GDA2020 per RTK GNSS Observation.

Horizontal datum is plane with MGA2020 coordinate adopted at SPM 7593, with coordinates of E 529156.257 N 5255019.859 per SurCoM.

Vertical datum is AHD per SPM 7593 with reputed RL14.583m.

Contour Interval 0.2m

While reasonable effort has been made to locate all visible above ground services, there may be other services which were not located during survey.

Only those features/points specifically requested by Sarah Lindsay of LXN Architecture have been located and subsequently shown on this plan.

Some services have been plotted from council records, and as such are approximate only. Prior to any demolition, excavation, final design or construction on this site, a comprehensive site investigation should be undertaken to locate all above and below ground service infrastructure.

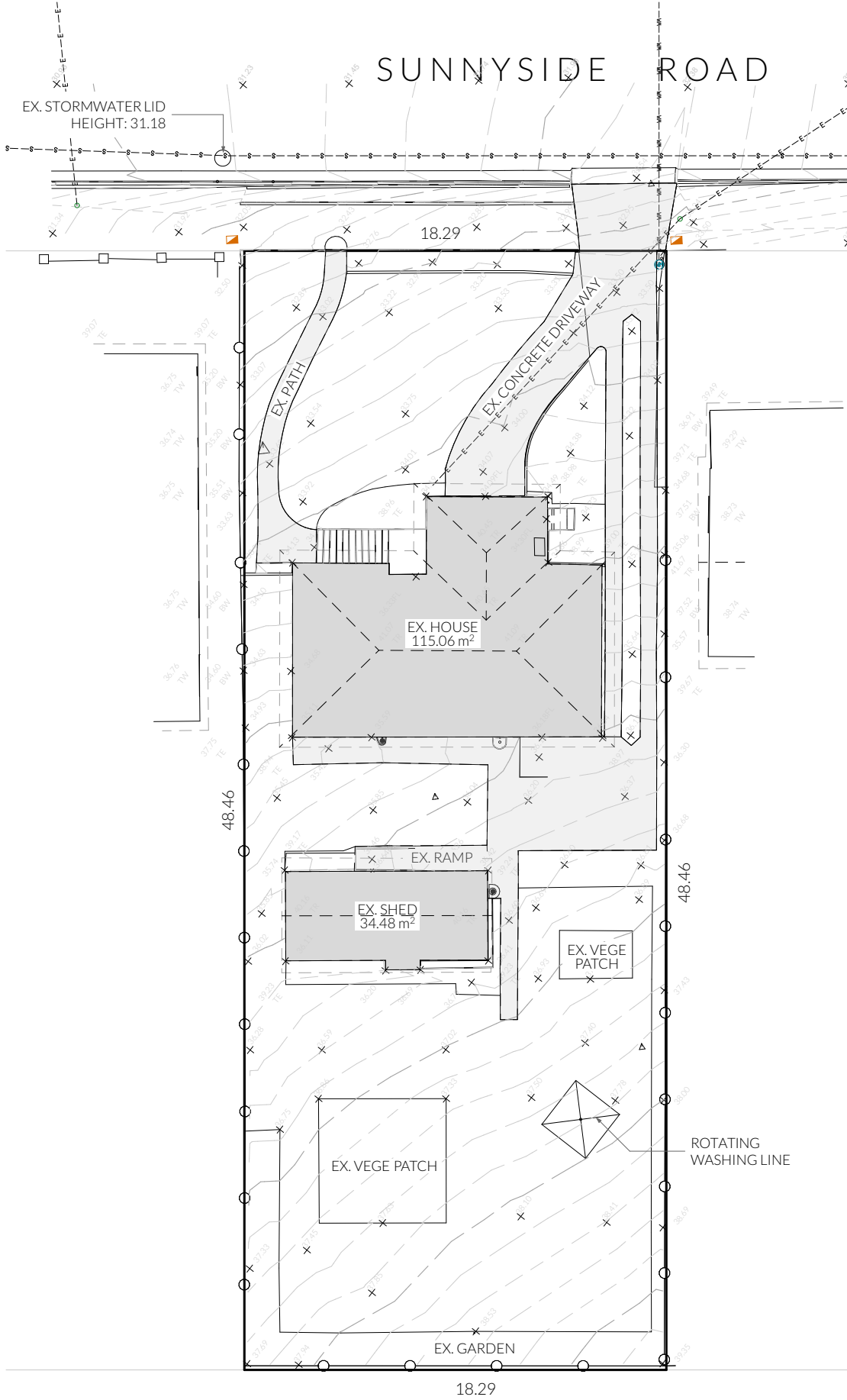
All coordinates within this file, although stated to the nearest 0.001 metre, are approximate only and are only within 0.015m of the stated coordinate (horizontally and vertically).

The boundaries shown on this plan are compiled from SP174801 and, as such, are approximate only.

If any works are to be conducted on or near the boundary a re-establishment survey will be required.

Any DTM modeling that is to be done from the accompanying 3D digital file must be done using only the layer 'TRIANGLE_1 SURFACE' to ensure that surface matches that verified by PDA Surveyors. No responsibility is taken for the use or interpretation of this data in any other format.

Some feature levels are not shown on this plan for clarity. These can be found turned on in model space or on the OFF Levels layer.



Existing Site Plan

1:250



Site Demolition Plan

1:250

NOT FOR CONSTRUCTION

PINNACLE	PINNACLE DRAFTING & DESIGN 7/3 Abernant Way, Cambridge 7170 03 6248 4218 admin@pinnacledrafting.com.au www.pinnacledrafting.com.au Licence: CC6073Y	Existing Site Plan	Scale: 1:250 @A3 Pg. No: A0.01	Proposal: Unit Development Client: Costmac Investments Pty Ltd Address: 11 Sunnyside Rd, Lindisfarne 7015	Date: 15/12/2023 Drawn by: JRN Job No: 88-2023 Engineer: TBA Building Surveyor: TBA	Issue Date DA02 09.01.2024 DA03 12.01.2024	Description Council RFI Council RFI		These drawings are the property of Pinnacle Drafting & Design Pty Ltd, reproduction in whole or part is strictly forbidden without written consent. © 2023. These drawings are to be read in conjunction with all drawings and documentation by Engineers, Surveyors and any other consultants referred to within this drawing set as well as any Certificate of Likely Compliance and/or permit documentation. DO NOT SCALE FROM DRAWINGS; All Contractors are to verify dimensions on site before commencing any orders, works or requesting/producing shop drawings. ANY AND ALL DISCREPANCIES DISCOVERED BY OUTSIDE PARTIES ARE TO BE BROUGHT TO THE ATTENTION OF PINNACLE DRAFTING & DESIGN PTY LTD AS SOON AS PRACTICABLE.	

Legend

- Electrical Connection
- Electrical Turret
- Sewer Connection
- Stormwater Connection
- Telstra Connection
- Telstra Pit
- Water Meter
- Water Stop Valve
- Fire Hydrant
- Solar Bollard Light
- Spotlight with sensor

Surface Water Drainage

Ground to fall away from building in all directions in compliance with AS2870 & N.C.C 2022 Volume I.

Surface water, resulting from a storm having an annual exceedance probability of 1%, must not enter the building.

Limitations

F1P2 does not apply to-
(a) Class 7 or 8 building where in the particular case there is no necessity for compliance; or
(b) a garage, tool shed, sanitary compartment, or the like, forming part of a building used for other purposes; or an open spectator stand or open-deck carpark.

Fire Safety

Where a building is more than 500m2 or if internal fire hydrants are proposed/installed, a fire hose reel system must be provided in accordance with AS2441.

Fire hose reels must be installed within 4m of an exit or otherwise provided to provide full coverage to the building.

Survey Notes from Surveyor

This plan and associated digital model is prepared for Pinnacle Drafting & Design from a combination of field survey and existing records for the purpose of designing new constructions on the land and should not be used for any other purpose.

The title boundaries as shown on this plan were not marked at the time of the survey and have been determined by plan dimensions only and not by field survey. No measurements or offsets are to be derived between the features on this plan and the boundary layer. The relationship between the features in this model and the boundary layers cannot be used for any set out purposes or to confirm the position of the title boundaries on site. Services shown have been located where visible by field survey. Services denoted as being "Per DBYD only" are approximate and for illustrative purposes only. Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted for possible location of further underground services and detailed locations of all services.

This note forms an integral part of the Plan/Data. Any reproduction of this plan/model without this note attached will render the information shown invalid.

Site Areas

Site Area 885 m²
Building Footprint 266.64 m²
Total Site Coverage 30.13%

PINNACLE

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Site Plan

Revision:
Approved by:

DA - 03
JRN

Scale:
1:250 @ A3
Pg. No:
A0.02

Proposal: Unit Development

Client: Costmac Investments Pty Ltd

Address: 11 Sunnyside Rd, Lindisfarne 7015

Date: 15/12/2023
Drawn by: JRN
Job No: 88-2023
Engineer: TBA
Building Surveyor: TBA

Issue Date
DA02 09.01.2024
DA03 12.01.2024

Description
Council RFI
Council RFI



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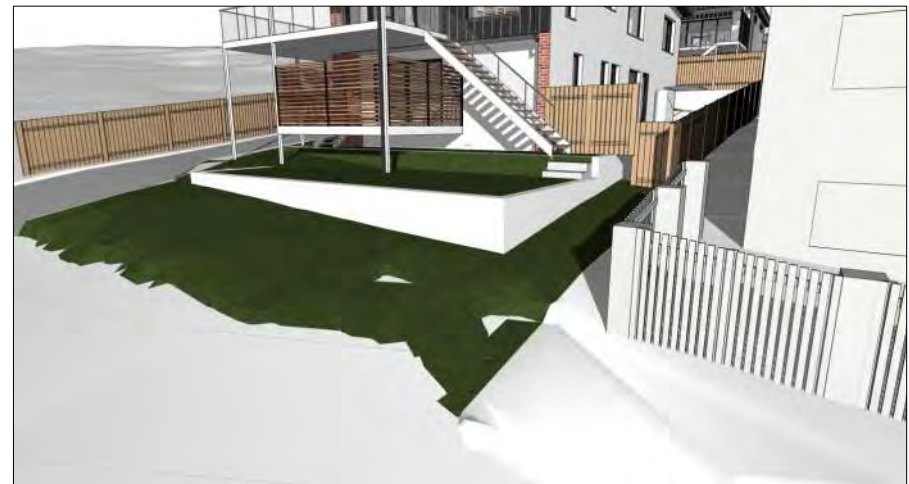


RENOVATION LEGEND

- EXISTING
- DEMOLITION



FRONT FENCE ELEVATION



PERSPECTIVE VIEW FRONT FENCE

Revision 12/01/24

NOT FOR CONSTRUCTION



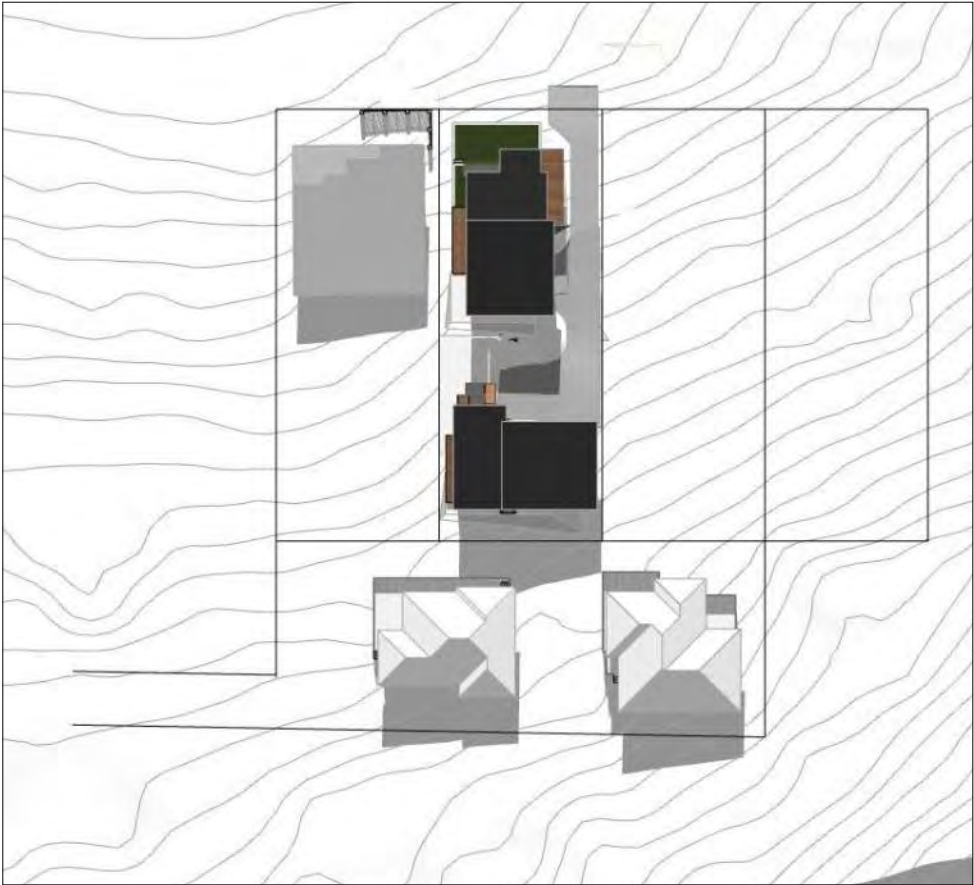
21st June 0900



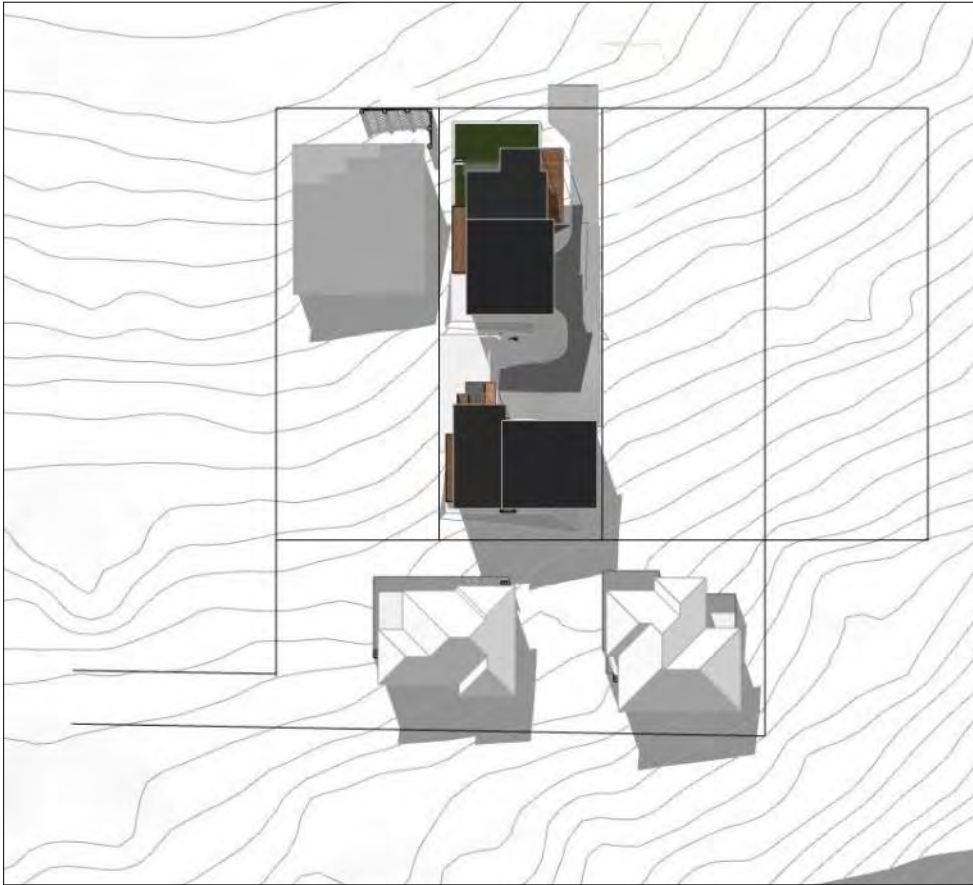
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21st June 1100



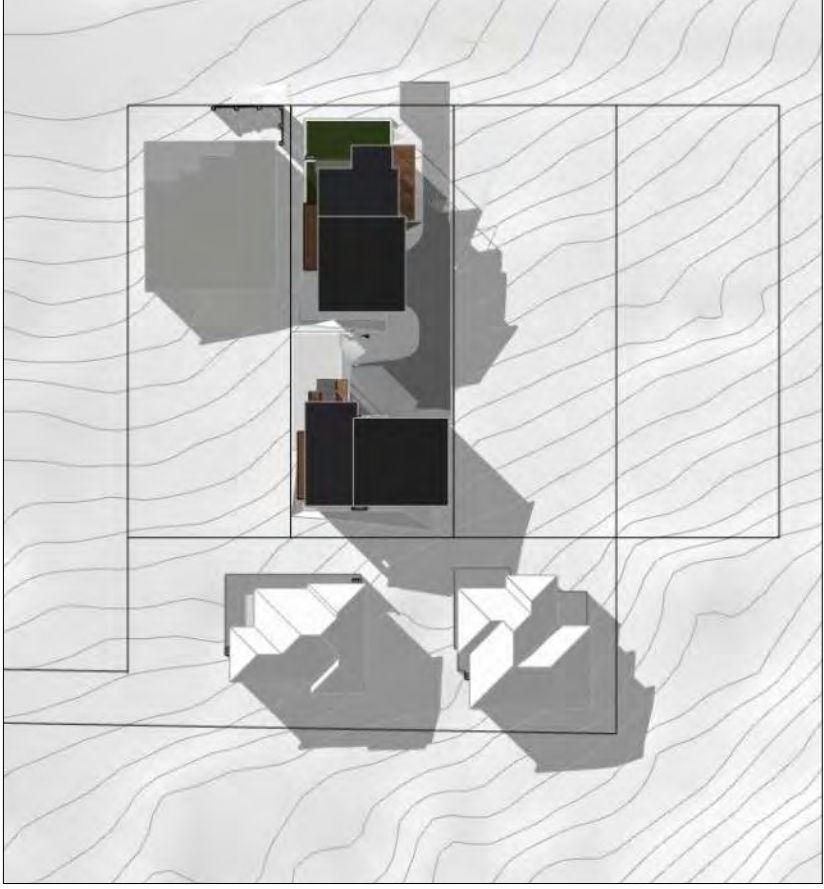
21st June 1200



21st June 1300

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		Revision: DA - 03	Approved by: JRN								



21st June 1500



Shadows @ 0900



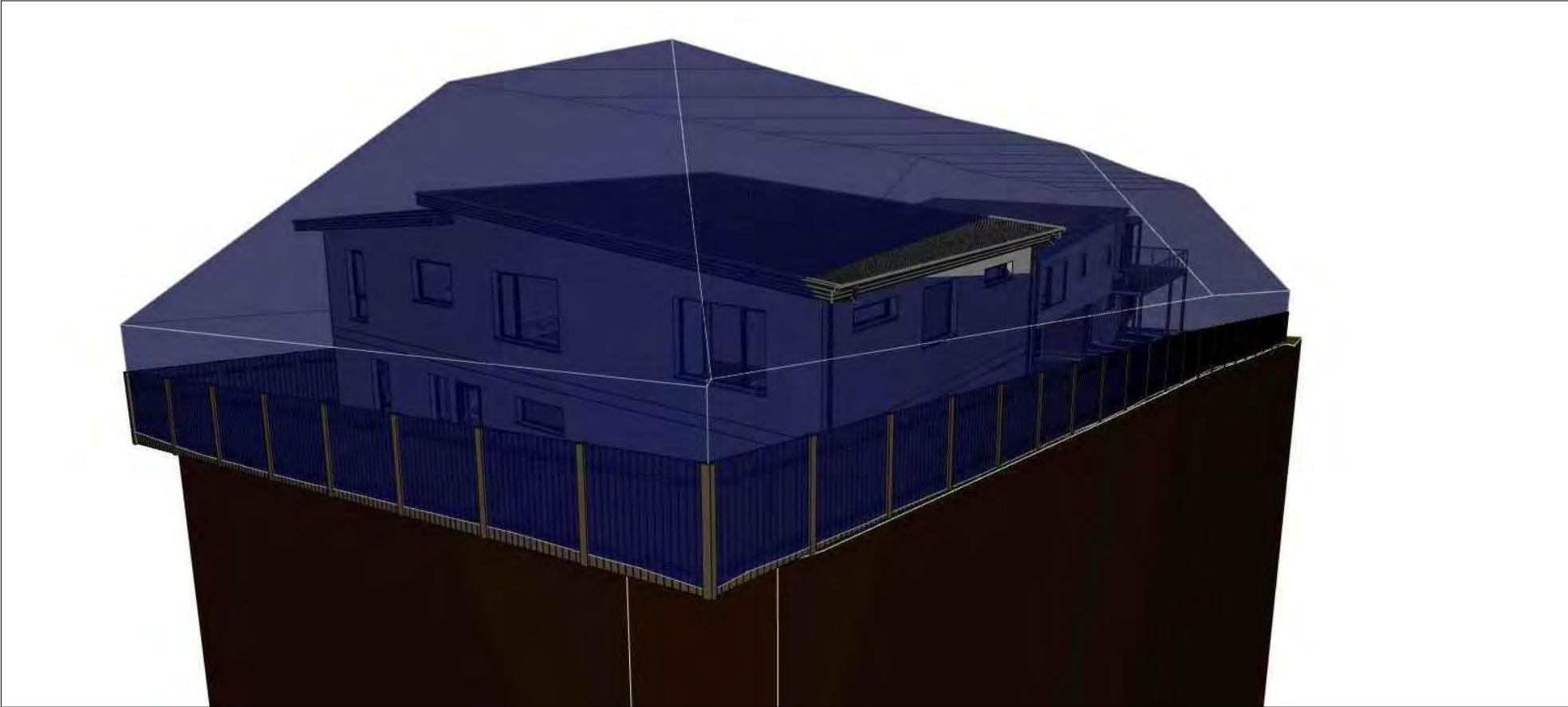
Shadows @ 1200



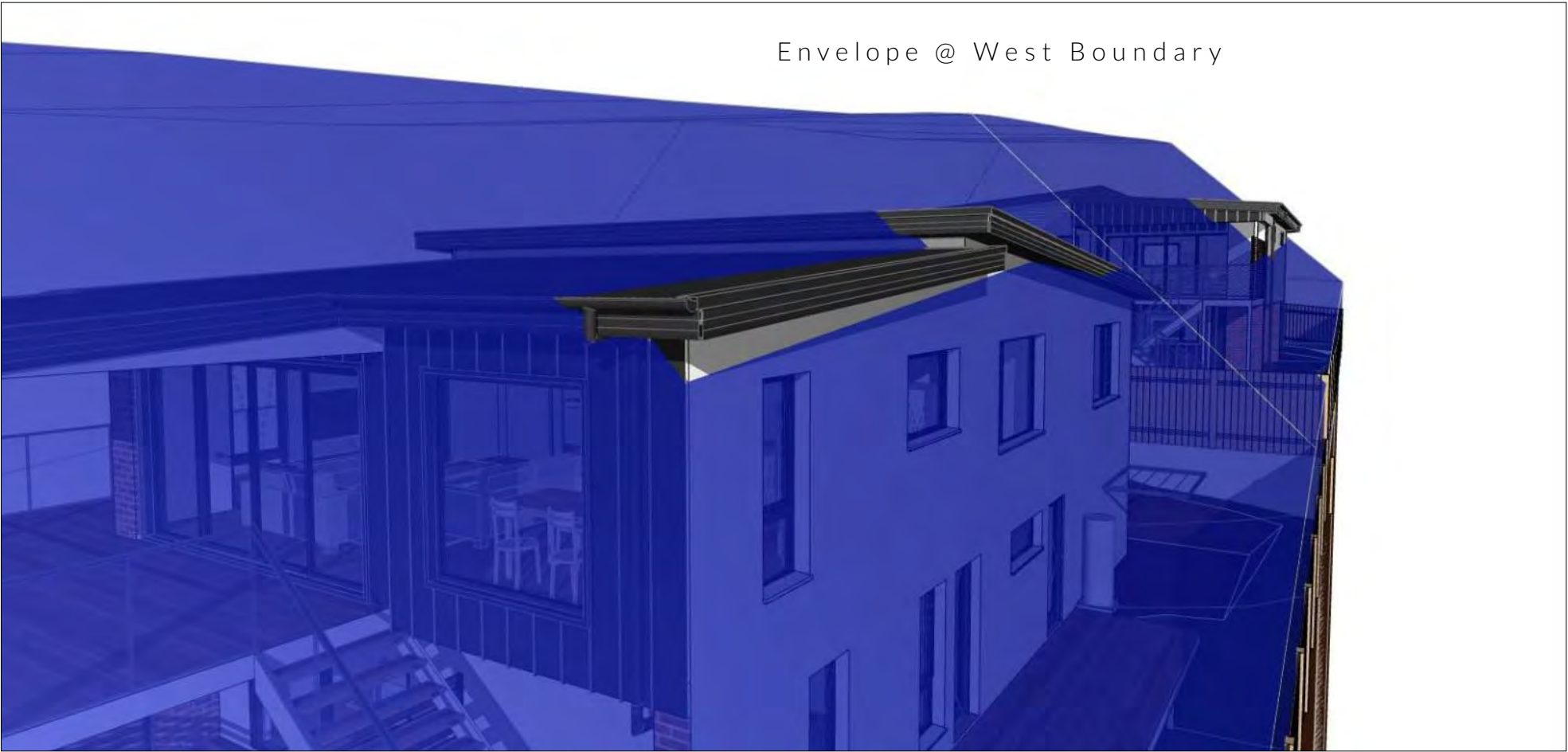
Shadows @ 1500

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		Revision: DA - 03 Approved by: JRN	Scale: @ A3 Pg. No: A0.04	Client: Costmac Investments Pty Ltd Address: 11 Sunnyside Rd, Lindisfarne 7015	Drawn by: JRN Job No: 88-2023 Engineer: TBA Building Surveyor: TBA					



Envelope @ East Boundary




Envelope @ West Boundary

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 Access Panel

 Articulation Joint

 Smoke Alarm

Construction of sanitary compartments 10.4.2 of NCC 2022

The door to a fully enclosed sanitary compartment must -

- open outwards; or
- slide; or
- be readily removable from the outside of the compartment.

unless there is a clear space of at least 1.2 m, measured in accordance with Figure 10.4.2 of NCC 2022 Vol II, between the closet pan within the *sanitary compartment* and the doorway.

Note: Safe Movement & Egress

Openable windows greater than 4m above the surface below are to be fitted with a device to limit opening or a suitable screen so a 125mm sphere cannot pass through. Except for Bedrooms, where the requirement is for heights above 2m. Refer to clauses 11.3.7 and 11.3.8 of NCC 2022 for further information on suitable protective devices.

Note: Paved Areas

All paths and patios to fall away from dwelling.

Note: Stair Construction

All stairs to be constructed in accordance with NCC Vol II 2022 Part 11.2.2:
Riser: Min 115mm - Max 190mm
Going: Min 240mm - Max 355mm
Slope (2R+G): Max 550 - Min 700
For stairways serving non-habitable room used infrequently, refer to table 11.2.2(b).

Landings to comply with Clause 11.2.5 and be a minimum of 750mm deep measured 500mm from the inside edge of the landing.

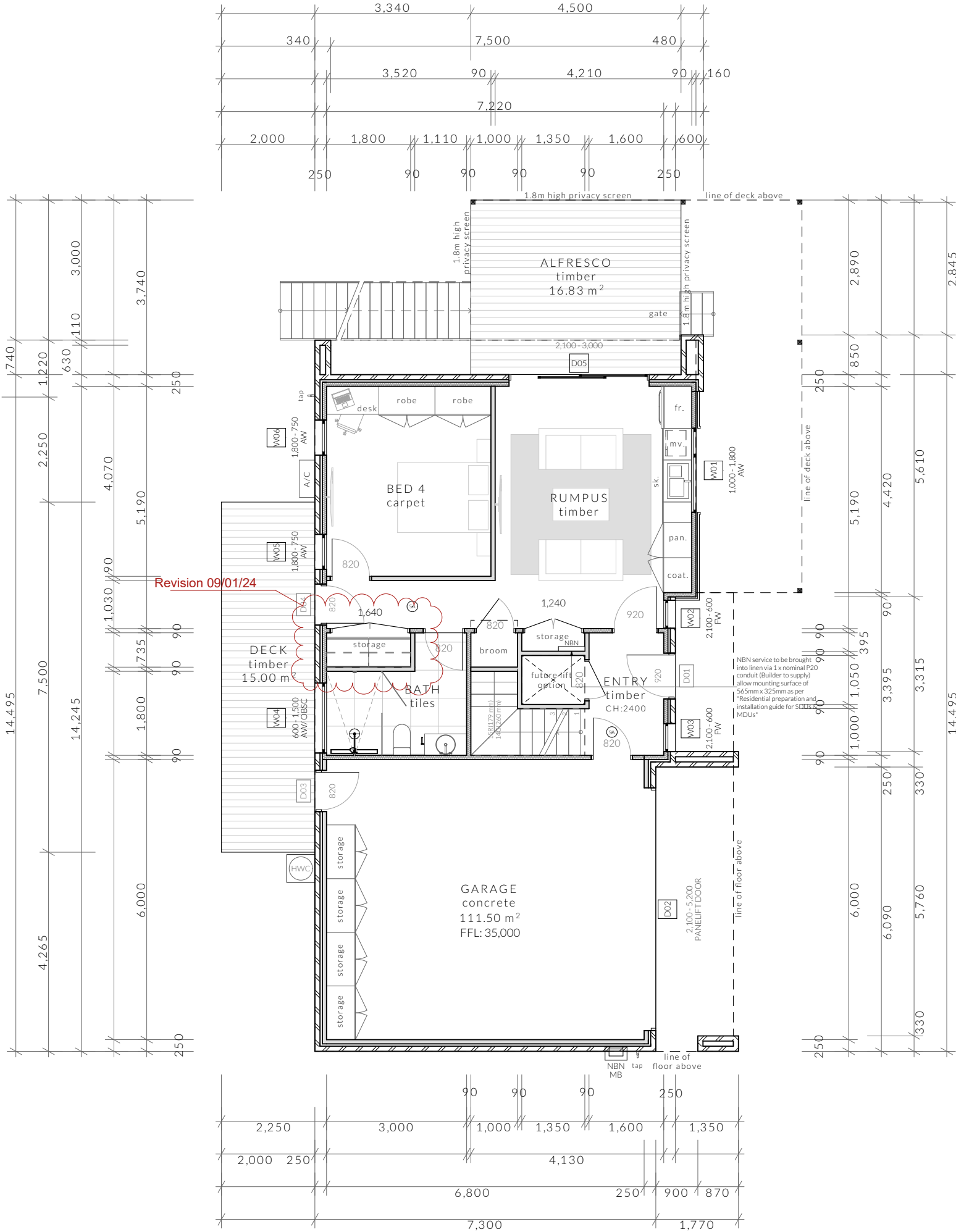
Slip resistance of treads, nosings and ramps to comply with Clause 11.2.4.

Heights of rooms & other spaces 10.3.1 of NCC 2022

Heights of rooms and other spaces must not be less than;

- (a) in a *habitable room* excluding a kitchen - 2.4 m; and
- (b) in a kitchen - 2.1 m; and
- (c) in a corridor, passageway or the like - 2.1 m; and
- (d) in a bathroom, shower room, laundry, *sanitary compartment*, airlock, pantry, storeroom, garage, car parking area or the like - 2.1 m; and
- (e) in a room or space with a sloping ceiling or projections below the ceiling line within- See NCC directly for these items
- (f) in a stairway, ramp, *landing*, or the like - 2.0 m measured vertically above the nosing line of stairway treads or the floor surface of a ramp, *landing* or the like.

If required onsite, the builder may work within the tolerances of the above as specified within the NCC 2022 Vol II. Builder to contact *Pinnacle* before undertaking works.



Floor Areas

Lower Floor	111.50m ²
Upper Floor	132.35m ²
Total Floor Area	266.64m ²
Deck	15.00m ²
Alfresco	16.83m ²

NOT FOR CONSTRUCTION

<div><div>PINNACLE</div><div>PINNACLE DRAFTING & DESIGN 7/3 Abernant Way, Cambridge 7170 03 6248 4218 admin@pinnacledrafting.com.au www.pinnacledrafting.com.au Licence Number: CC6073Y</div></div>				<table><tr><th>Issue</th><th>Date</th><th>Description</th></tr><tr><td></td><td></td><td></td></tr></table>		Issue	Date	Description			
Issue	Date	Description									
U1 - Floor Plan - Lower		Scale: 1:100 @ A3	Proposal: Unit Development	Date: 15/12/2023	<div>These drawing are the property of Pinnacle Drafting & Design Pty Ltd, reproduction in whole or part is strictly forbidden without written consent. © 2023. These drawings are to be read in conjunction with all drawings and documentation by Engineers, Surveyors and any other consultants referred to within this drawing set as well as any Certificate of Likely Compliance and/or permit documentation. DO NOT SCALE FROM DRAWINGS. All Contractors are to verify dimensions on site before commencing any orders, works or requesting/producing shop drawings. ANY AND ALL DISCREPANCIES DISCOVERED BY OUTSIDE PARTIES ARE TO BE BROUGHT TO THE ATTENTION OF PINNACLE DRAFTING & DESIGN PTY LTD AS SOON AS PRACTICABLE.</div> <div><div>bdaa</div><div>BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA</div></div>						
Revision: DA - 03	Pg. No: A1.01	Client: Costmac Investments Pty Ltd	Address: 11 Sunnyside Rd, Lindisfarne 7015	Drawn by: JRN							
Approved by: JRN				Job No: 88-2023 Engineer: TBA Building Surveyor: TBA							



—(AJ) Articulation Joint

SA Smoke Alarm

Construction of sanitary compartments 10.4.2 of NCC 2022

The door to a fully enclosed sanitary compartment must -

- open outwards; or
- slide; or
- be readily removable from the outside of the compartment.

unless there is a clear space of at least 1.2 m, measured in accordance with Figure 10.4.2 of NCC 2022 Vol II, between the closet pan within the *sanitary compartment* and the doorway.

Note: Safe Movement & Egress

Openable windows greater than 4m above the surface below are to be fitted with a device to limit opening or a suitable screen so a 125mm sphere cannot pass through. Except for Bedrooms, where the requirement is for heights above 2m. Refer to clauses 11.3.7 and 11.3.8 of NCC 2022 for further information on suitable protective devices.

Note: Paved Areas

All paths and patios to fall away from dwelling.

Note: Stair Construction

All stairs to be constructed in accordance with NCC
Vol II 2022 Part 11.2.2:

Riser: Min 115mm - Max 190mm

Going: Min 240mm - Max 355mm

Slope (2R+G): Max 550 - Min 700

For stairways serving non-habitable room used infrequently, refer to table 11.2.2(b).

Landings to comply with Clause 11.2.5 and be a minimum of 750mm deep measured 500mm from the inside edge of the landing.

Slip resistance of treads, nosings and ramps to comply with Clause 11.2.4.

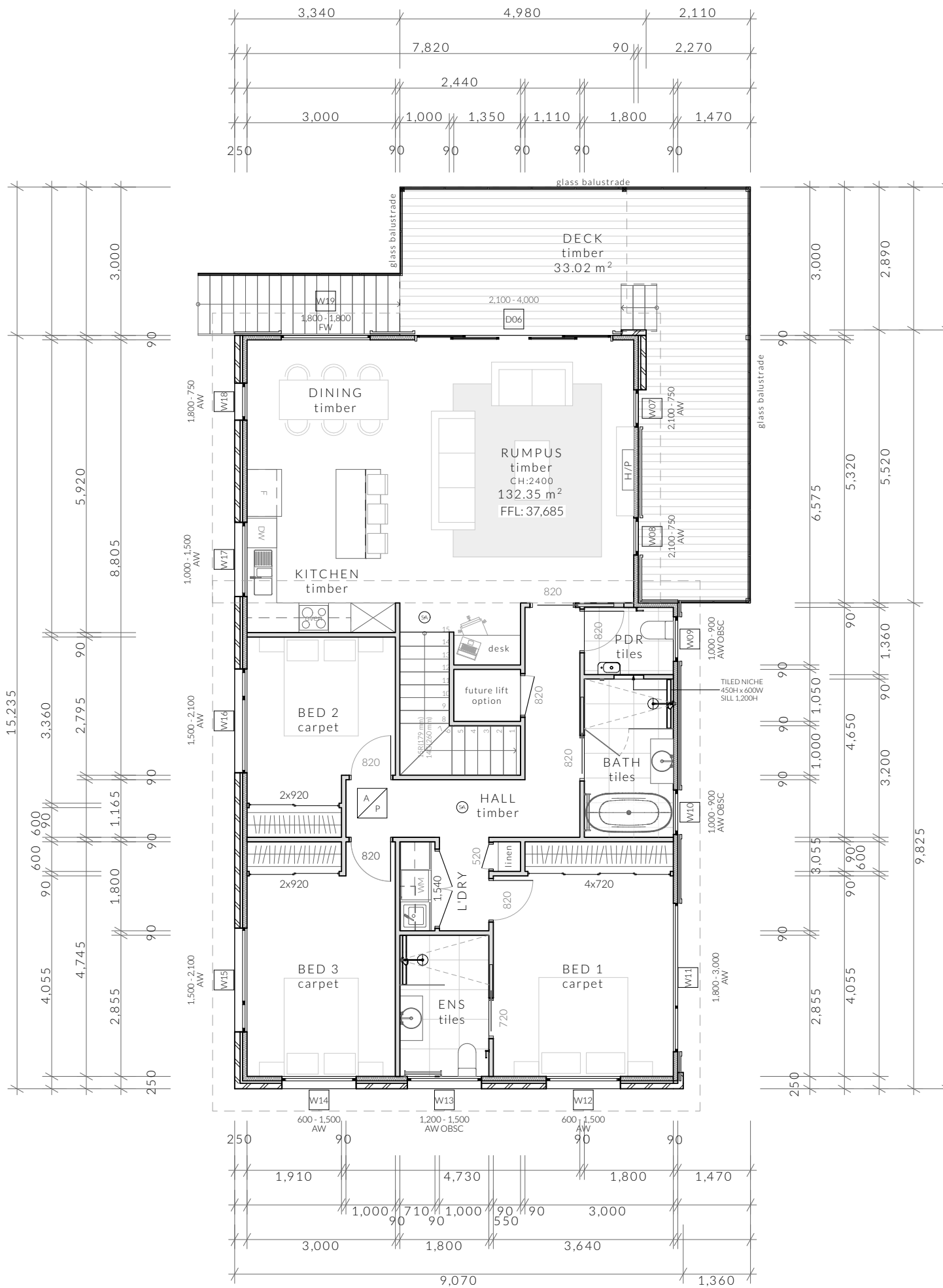
Heights of rooms & other spaces

10.3.1 of NCC 2022

Heights of rooms and other spaces must not be less than;

- (a) in a *habitable room* excluding a kitchen - 2.4 m; and
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- (d) in a bathroom, shower room, laundry, *sanitary compartment*, airlock, pantry, storeroom, garage, car parking area or the like - 2.1 m; and
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If required onsite, the builder may work within the tolerances of the above as specified within the NCC 2022 Vol II. Builder to contact *Pinnacle* before undertaking works.




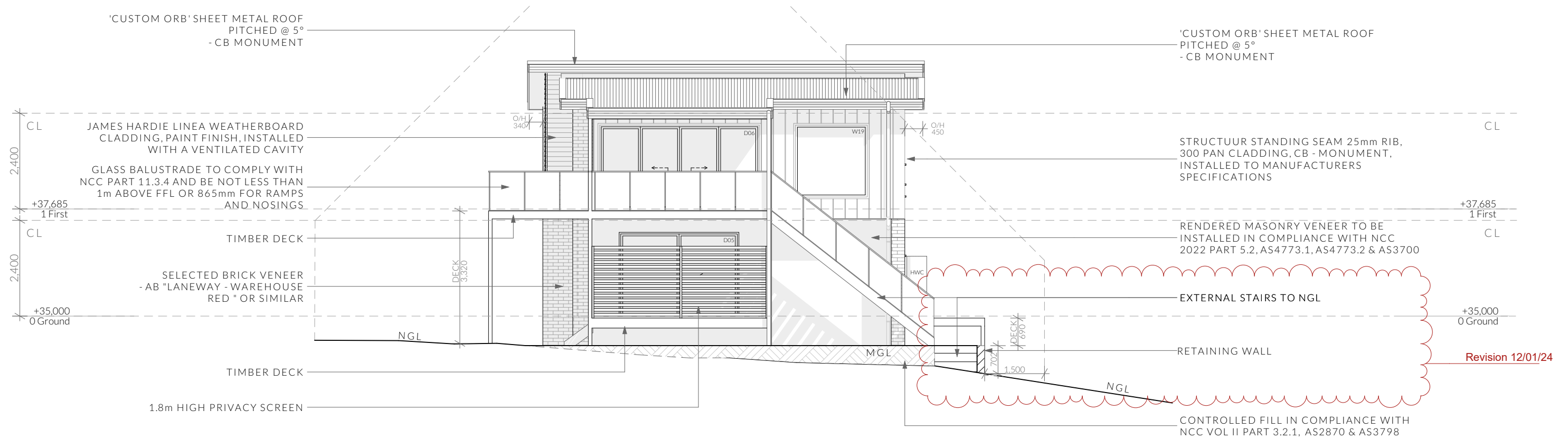
Floor Areas

Lower Floor	111.50m ²
Upper Floor	132.35m ²
<u>Total Floor Area</u>	<u>266.64m²</u>
Deck	33.02m ²

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admin@pinnacledrafting.com.au
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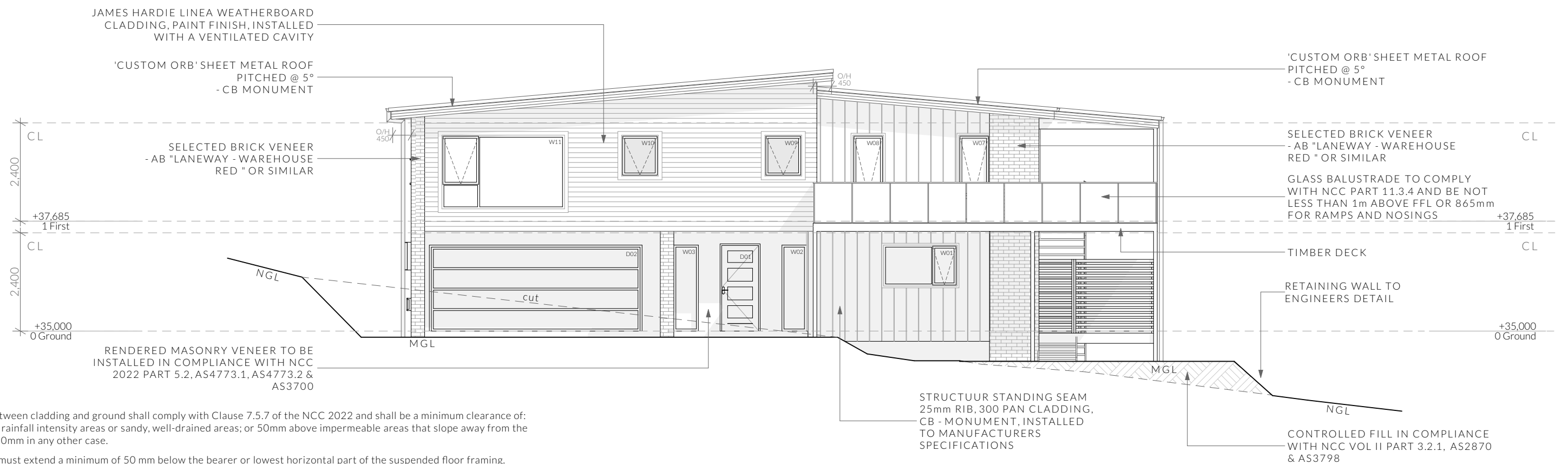
Issue	Date	Description
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U1 - Floor Plan - Upper		Scale: 1:100 @ A3	Proposal: Unit Development	Date: 15/12/2023	<p>These drawings are the property of Pinnacle Drafting & Design Pty Ltd, reproduction in whole or part is strictly forbidden without written consent. © 2023. These drawings are to be read in conjunction with all drawings and documentation by Engineers, Surveyors and any other consultants referred to within this drawing set as well as any Certificate of Likely Compliance and/or other permit documentation. DO NOT SCALE FROM DRAWINGS. All Contractors are to verify dimensions on site before commencing any orders, works or requesting/producing shop drawings. ANY AND ALL DISCREPANCIES DISCOVERED BY OUTSIDE PARTIES ARE TO BE BROUGHT TO THE ATTENTION OF PINNACLE DRAFTING & DESIGN PTY LTD AS SOON AS PRACTICABLE.</p> 
			Client: Costmac Investments Pty Ltd	Drawn by: JRN	
Revision: DA - 03		Pg. No:	Address: 11 Sunnyside Rd, Lindisfarne 7015	Job No: 88-2023	
Approved by: JRN		A1.02		Engineer: TBA Building Surveyor: TBA	



U 1 - North Elevation

1:100

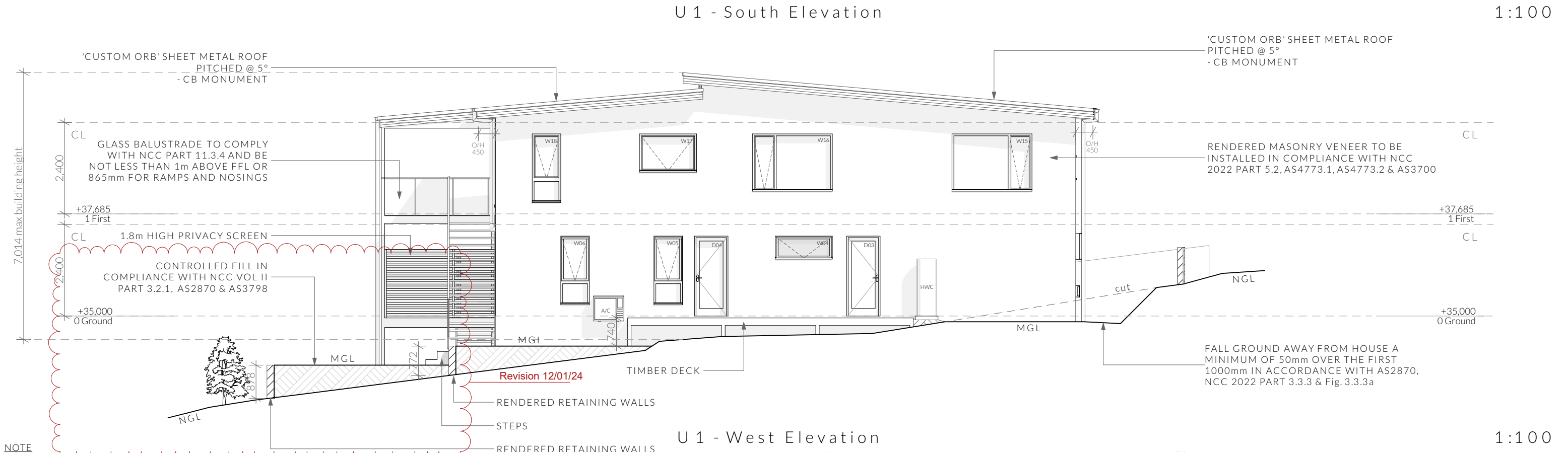
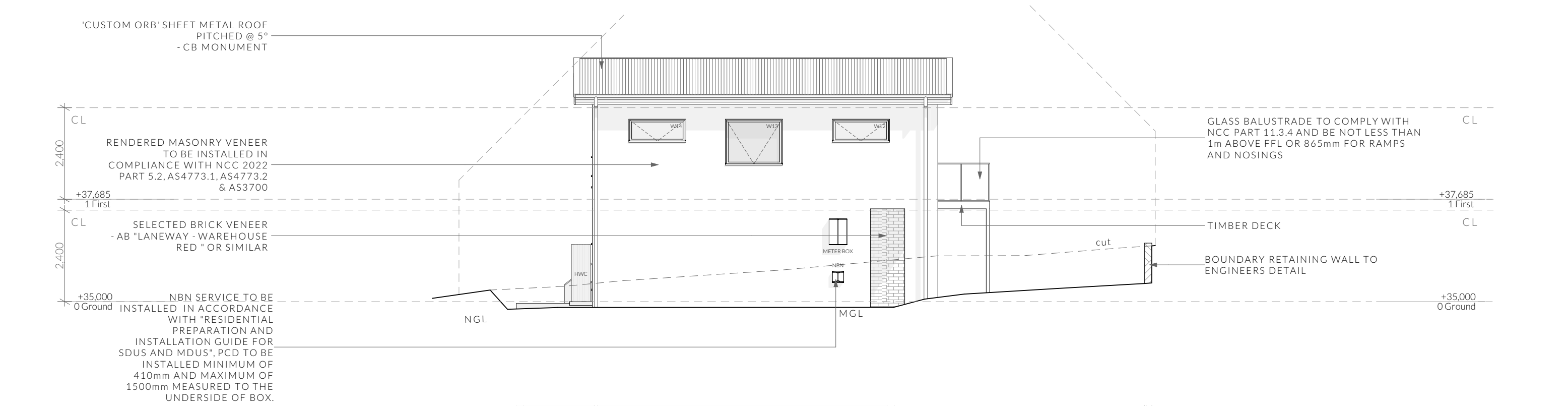


U 1 - East Elevation

1:100

NOTE
Clearances between cladding and ground shall comply with Clause 7.5.7 of the NCC 2022 and shall be a minimum clearance of: 100mm in low rainfall intensity areas or sandy, well-drained areas; or 50mm above impermeable areas that slope away from the building; or 150mm in any other case.
Wall cladding must extend a minimum of 50 mm below the bearer or lowest horizontal part of the suspended floor framing.
U.N.O in builders specifications or located in saline environments or if using a glazed finish brick, brickwork is to be installed in stretcher bond pattern with raked joints.
As per NCC parts 11.3.7 and 11.3.8, Openable windows greater than 4m above ground level are to be fitted with a device to limit the opening or a suitable screen so a 125mm sphere cannot pass through, and withstand a force of 250N. Except for bedrooms, where the requirement is for heights above 2m.
All stairs to be constructed in accordance with NCC 2022 Vol II Part 11.2.2
Riser: Min 115mm - Max 190mm
Going: Min 240mm - Max 355mm
Slope (2R+G): Max 550 - Min 700

PINNACLE	PINNACLE DRAFTING & DESIGN 7/3 Abernant Way, Cambridge 7170 03 6248 4218 admin@pinnacledrafting.com.au www.pinnacledrafting.com.au Licence: CC6073Y	U1- Elevations Revision: DA - 03 Approved by: JRN	Scale: 1:100 @A3 Pg. No: A1.03	Proposal: Unit Development Client: Costmac Investments Pty Ltd Address: 11 Sunnyside Rd, Lindisfarne 7015	Date: 15/12/2023 Drawn by: JRN Job No: 88-2023 Engineer: TBA Building Surveyor: TBA	Issue Date DA02 09.01.2024 DA03 12.01.2024	Description Council RFI Council RFI		These drawings are the property of Pinnacle Drafting & Design Pty Ltd, reproduction in whole or part is strictly forbidden without written consent. © 2023. These drawings are to be read in conjunction with all drawings and documentation by Engineers, Surveyors and any other consultants referred to within this drawing set as well as any Certificate of Likely Compliance and/or permit documentation. DO NOT SCALE FROM DRAWINGS. All Contractors are to verify dimensions on site before commencing any orders, works or requesting/producing shop drawings. ANY AND ALL DISCREPANCIES DISCOVERED BY OUTSIDE PARTIES ARE TO BE BROUGHT TO THE ATTENTION OF PINNACLE DRAFTING & DESIGN PTY LTD AS SOON AS PRACTICABLE.	



NOTE
Clearances between cladding and ground shall comply with Clause 7.5.7 of the NCC 2022 and shall be a minimum clearance of:
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All stairs to be constructed in accordance with NCC 2022 Vol II Part 11.2.2
Riser: Min 115mm - Max 190mm
Going: Min 240mm - Max 355mm
Slope (2R+G): Max 550 - Min 700

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- A

P
- Access Panel
- AJ
- Articulation Joint
- SA
- Smoke Alarm

Construction of sanitary compartments

10.4.2 of NCC 2022

The door to a fully enclosed sanitary compartment must -

- open outwards; or
- slide; or
- be readily removable from the outside of the compartment.

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Note: Paved Areas

All paths and patios to fall away from dwelling.

Note: Stair Construction

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For stairways serving non-habitable room used infrequently, refer to table 11.2.2(b).

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Heights of rooms & other spaces 10.3.1 of NCC 2022

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(c) in a corridor, passageway or the like - 2.1 m; and

(d) in a bathroom, shower room, laundry, *sanitary compartment*, airlock, pantry, storeroom, garage, car parking area or the like - 2.1 m; and

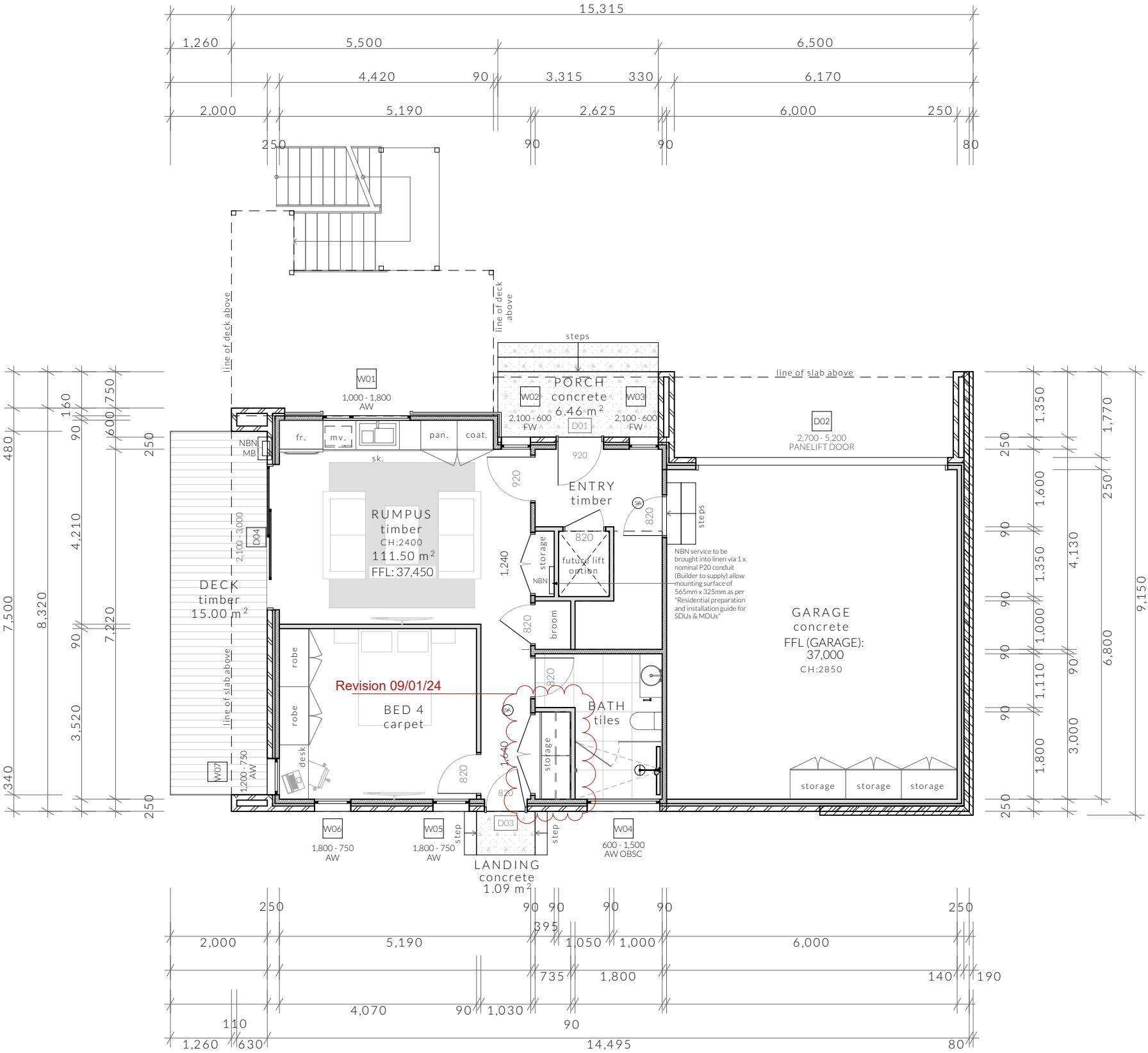
(e) in a room or space with a sloping ceiling or projections below the ceiling line within- See NCC directly for these items

(f) in a stairway, ramp, *landing*, or the like - 2.0 m measured vertically above the nosing line of stairway treads or the floor surface of a ramp, *landing* or the like.

If required onsite, the builder may work within the tolerances of the above as specified within the NCC 2022 Vol II. Builder to contact *Pinnacle* before undertaking works.

Floor Areas

Lower Floor	111.50m ²
Upper Floor	132.35m ²
Total Floor Area	243.85m ²
Deck	15.00m ²
Porch	6.46 m ²
Landing	1.09 m ²



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- A

P
- Access Panel

AJ

SA

Construction of sanitary compartments

10.4.2 of NCC 2022

The door to a fully enclosed sanitary compartment must -

- open outwards; or
- slide; or
- be readily removable from the outside of the compartment.

unless there is a clear space of at least 1.2 m, measured in accordance with Figure 10.4.2 of NCC 2022 Vol II, between the closet pan within the *sanitary compartment* and the doorway.

Note: Safe Movement & Egress

Openable windows greater than 4m above the surface below are to be fitted with a device to limit opening or a suitable screen so a 125mm sphere cannot pass through. Except for Bedrooms, where the requirement is for heights above 2m. Refer to clauses 11.3.7 and 11.3.8 of NCC 2022 for further information on suitable protective devices.

Note: Paved Areas

All paths and patios to fall away from dwelling.

Note: Stair Construction

All stairs to be constructed in accordance with NCC Vol II 2022 Part 11.2.2:

Riser: Min 115mm - Max 190mm

Going: Min 240mm - Max 355mm

Slope (2R+G): Max 550 - Min 700

For stairways serving non-habitable room used infrequently, refer to table 11.2.2(b).

Landings to comply with Clause 11.2.5 and be a minimum of 750mm deep measured 500mm from the inside edge of the landing.

Slip resistance of treads, nosings and ramps to comply with Clause 11.2.4.

Heights of rooms & other spaces 10.3.1 of NCC 2022

Heights of rooms and other spaces must not be less than;

(a)in a *habitable room* excluding a kitchen - 2.4 m; and

(b)in a kitchen - 2.1 m; and

(c)in a corridor, passageway or the like - 2.1 m; and

(d)in a bathroom, shower room, laundry, *sanitary compartment*, airlock, pantry, storeroom, garage, car parking area or the like - 2.1 m; and

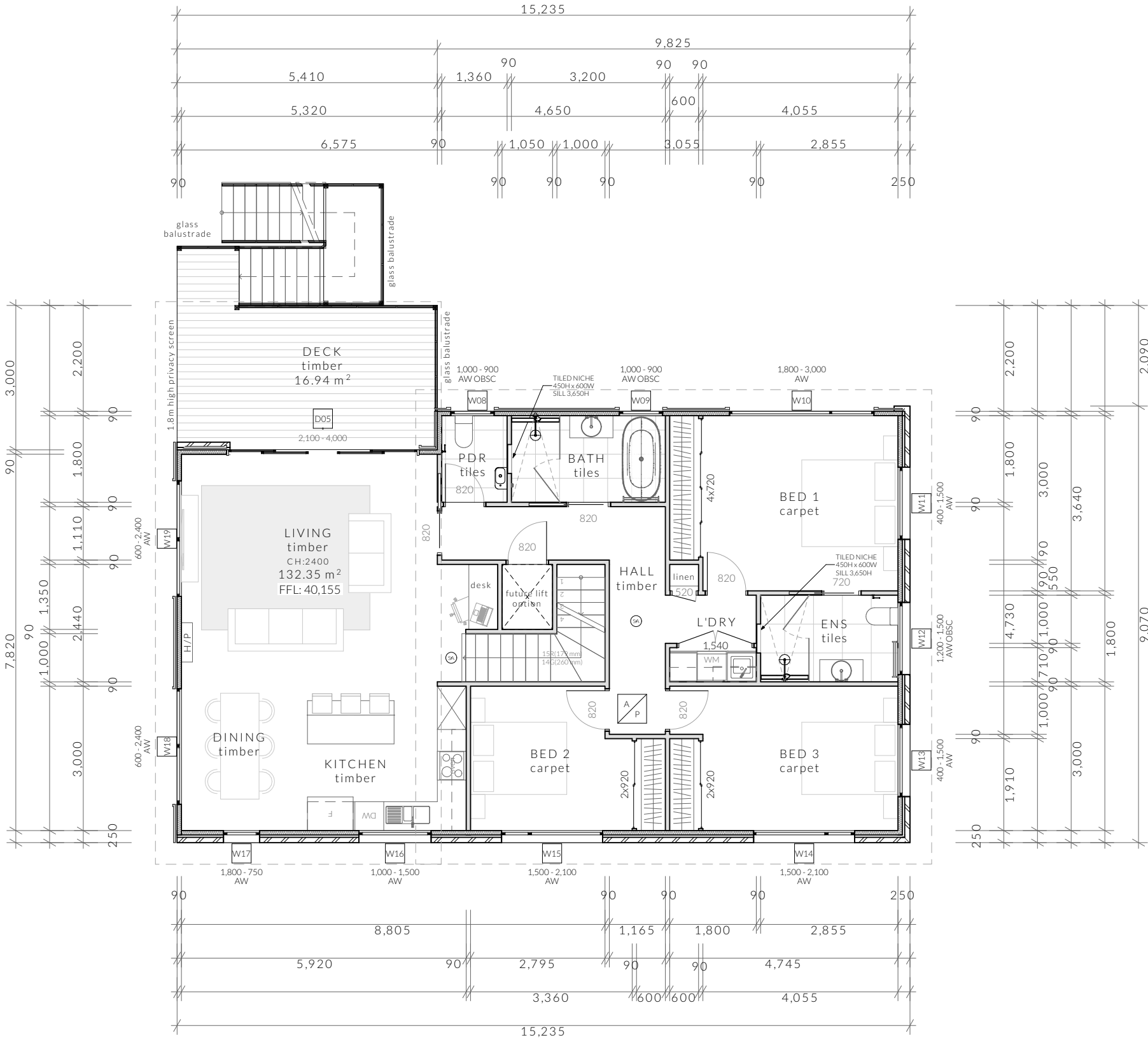
(e)in a room or space with a sloping ceiling or projections below the ceiling line within- See NCC directly for these items

(f)in a stairway, ramp, *landing*, or the like - 2.0 m measured vertically above the nosing line of stairway treads or the floor surface of a ramp, *landing* or the like.

If required onsite, the builder may work within the tolerances of the above as specified within the NCC 2022 Vol II. Builder to contact *Pinnacle* before undertaking works.

Floor Areas

Lower Floor	111.50m ²
Upper Floor	132.35m ²
Total Floor Area	243.85m ²
Deck	16.94m ²



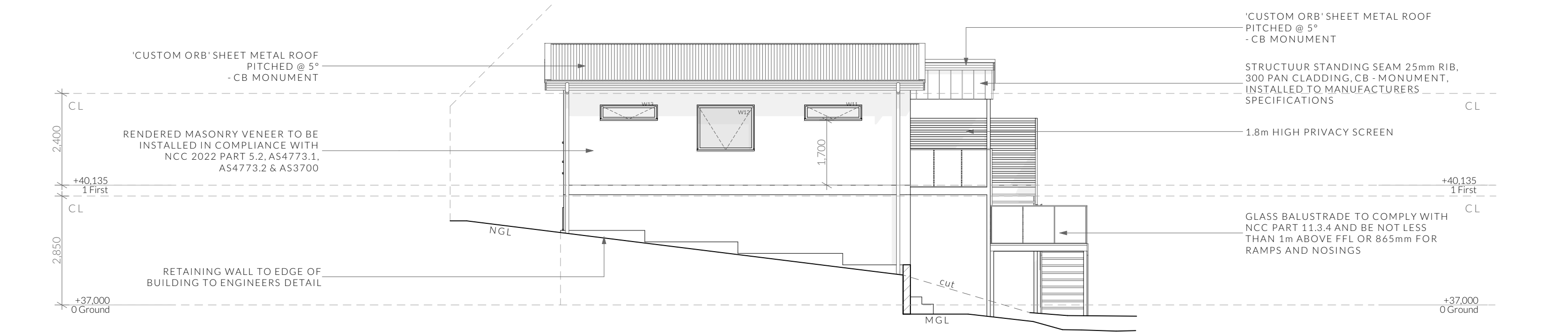
NOT FOR CONSTRUCTION

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U 2 - North Elevation

1:100



U 2 - East Elevation

1:100

NOTE
Clearances between cladding and ground shall comply with Clause 7.5.7 of the NCC 2022 and shall be a minimum clearance of:
100mm in low rainfall intensity areas or sandy, well-drained areas; or 50mm above impermeable areas that slope away from the building; or 150mm in any other case.

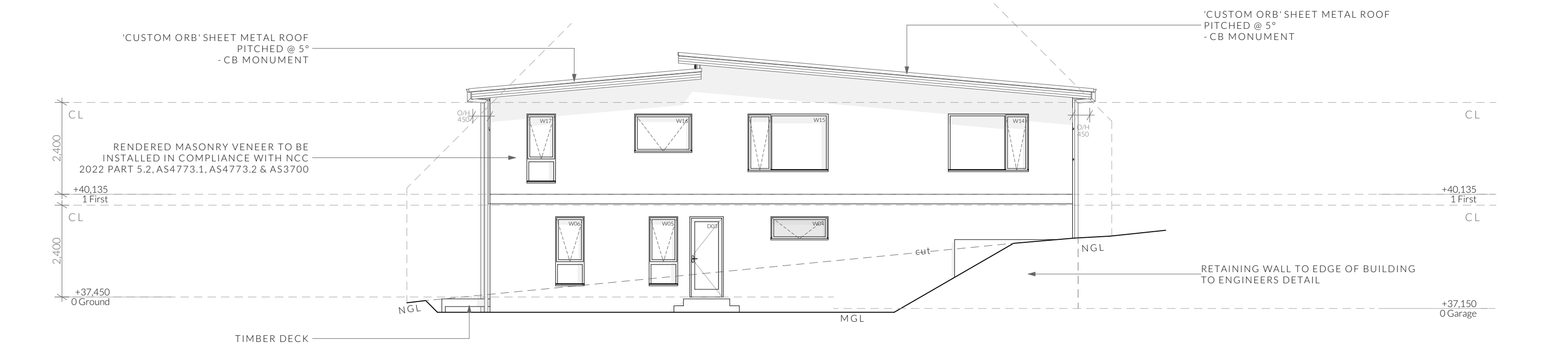
Wall cladding must extend a minimum of 50 mm below the bearer or lowest horizontal part of the suspended floor framing.

U.N.O in builders specifications or located in saline environments or if using a glazed finish brick, brickwork is to be installed in stretcher bond pattern with raked joints.

As per NCC parts 11.3.7 and 11.3.8,
Openable windows greater than 4m above ground level are to be fitted with a device to limit the opening or a suitable screen so a 125mm sphere cannot pass through, and withstand a force of 250N. Except for bedrooms, where the requirement is for heights above 2m.

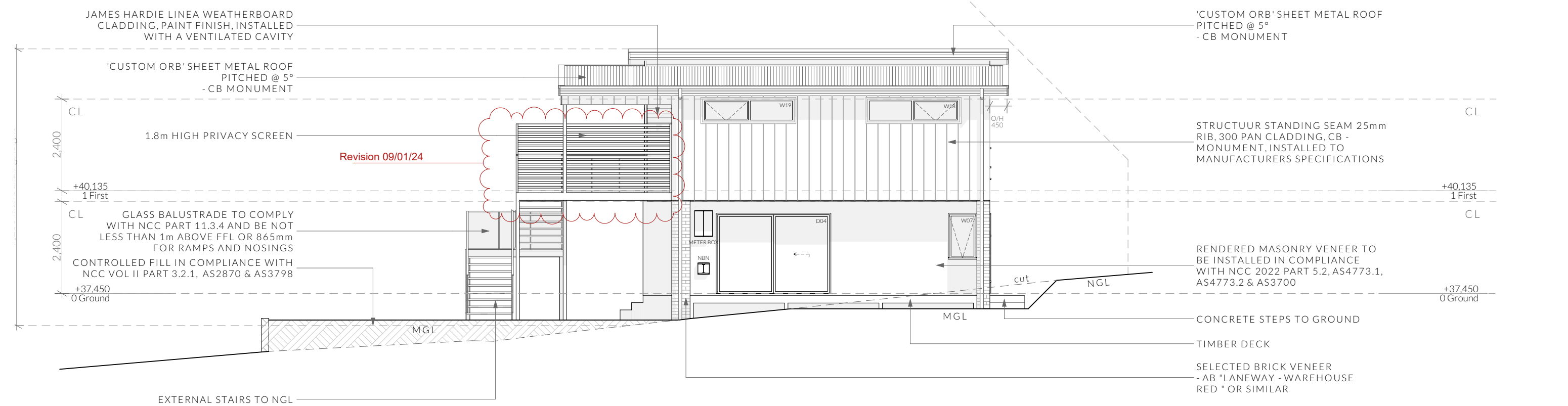
All stairs to be constructed in accordance with NCC 2022 Vol II Part 11.2.2
Riser: Min 115mm - Max 190mm Going: Min 240mm - Max 355mm Slope (2R+G): Max 550 - Min 700

PINNACLE	PINNACLE DRAFTING & DESIGN 7/3 Abernant Way, Cambridge 7170 03 6248 4218 admin@pinnacledrafting.com.au www.pinnacledrafting.com.au Licence: CC6073Y	U2 - Elevations	Scale: 1:100 @ A3 Pg. No: A2.03	Proposal: Unit Development Client: Costmac Investments Pty Ltd Address: 11 Sunnyside Rd, Lindisfarne 7015	Date: 15/12/2023 Drawn by: JRN Job No: 88-2023 Engineer: TBA Building Surveyor: TBA	Issue Date DA02 09.01.2024 DA03 12.01.2024	Description Council RFI Council RFI		These drawing are the property of Pinnacle Drafting & Design Pty Ltd, reproduction in whole or part is strictly forbidden without written consent. © 2023. These drawings are to be read in conjunction with all drawings and documentation by Engineers, Surveyors and any other consultants referred to within this drawing set as well as any Certificate of Likely Compliance and/or permit documentation. DO NOT SCALE FROM DRAWINGS; All Contractors are to verify dimensions on site before commencing any orders, works or requesting/producing shop drawings. ANY AND ALL DISCREPANCIES DISCOVERED BY OUTSIDE PARTIES ARE TO BE BROUGHT TO THE ATTENTION OF PINNACLE DRAFTING & DESIGN PTY LTD AS SOON AS PRACTICABLE.	



U 2 - South Elevation

1:100



U 2 - West Elevation

1:100

NOTE
Clearances between cladding and ground shall comply with Clause 7.5.7 of the NCC 2022 and shall be a minimum clearance of:
100mm in low rainfall intensity areas or sandy, well-drained areas; or 50mm above impermeable areas that slope away from the building; or 150mm in any other case.

Wall cladding must extend a minimum of 50 mm below the bearer or lowest horizontal part of the suspended floor framing.

U.N.O in builders specifications or located in saline environments or if using a glazed finish brick, brickwork is to be installed in stretcher bond pattern with raked joints.

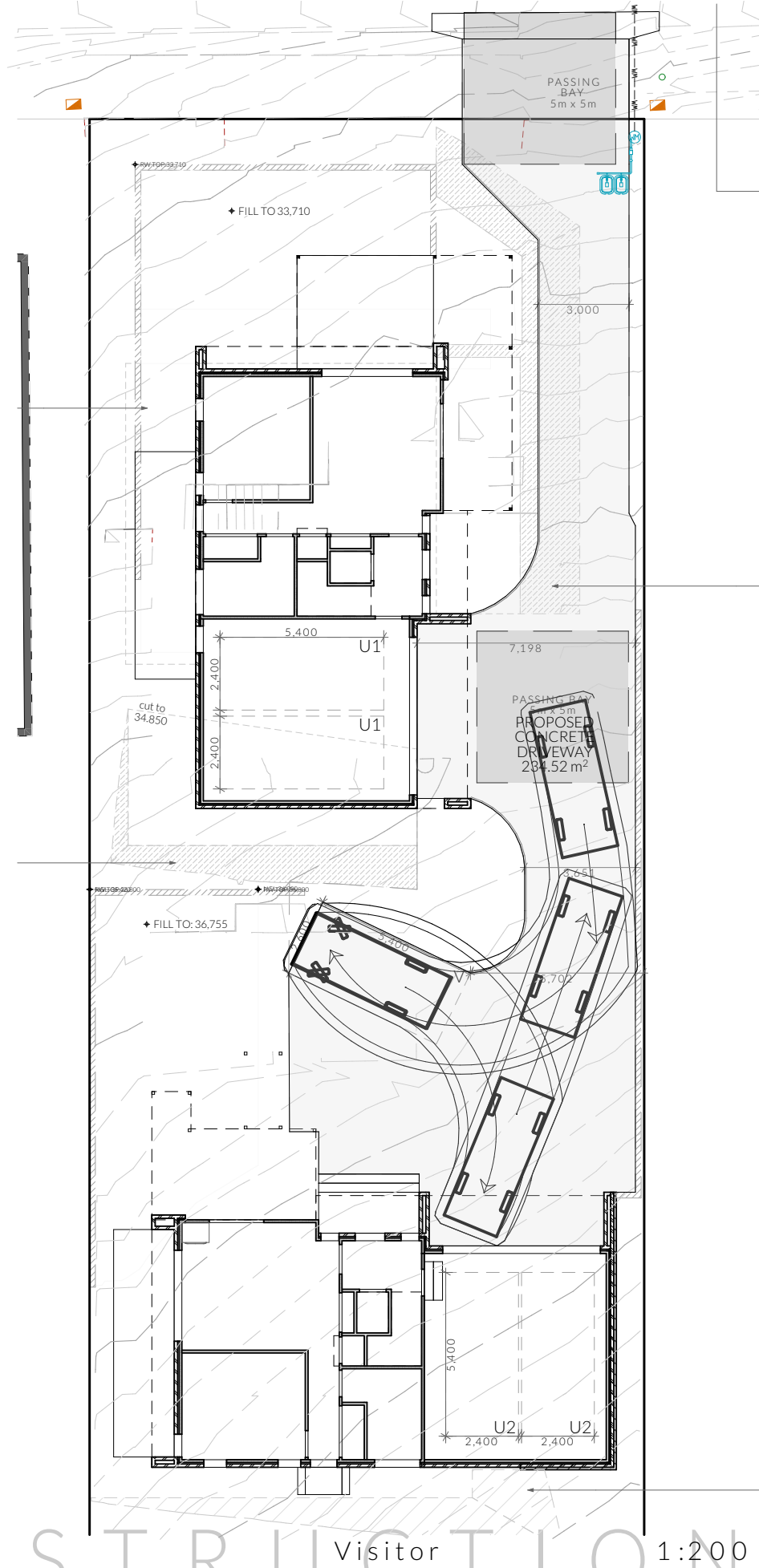
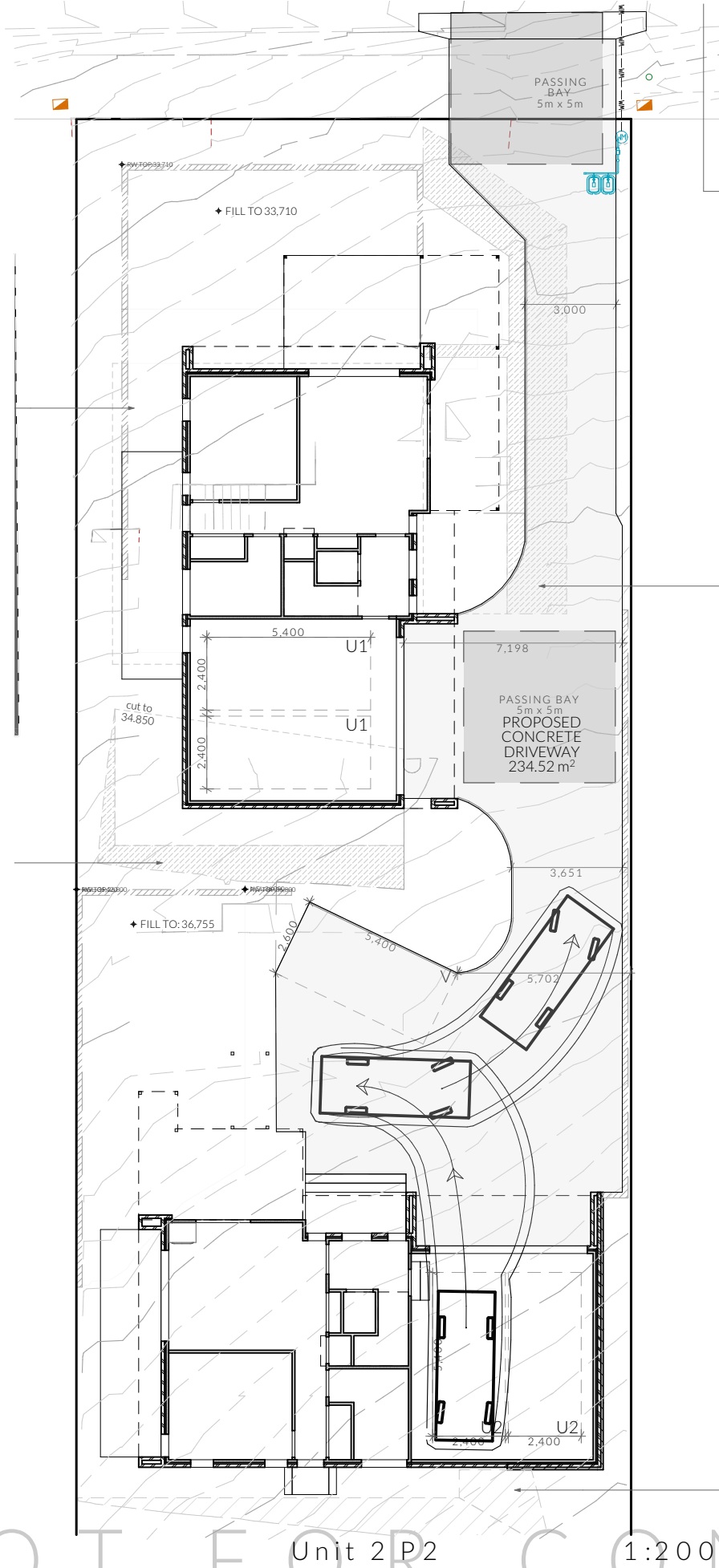
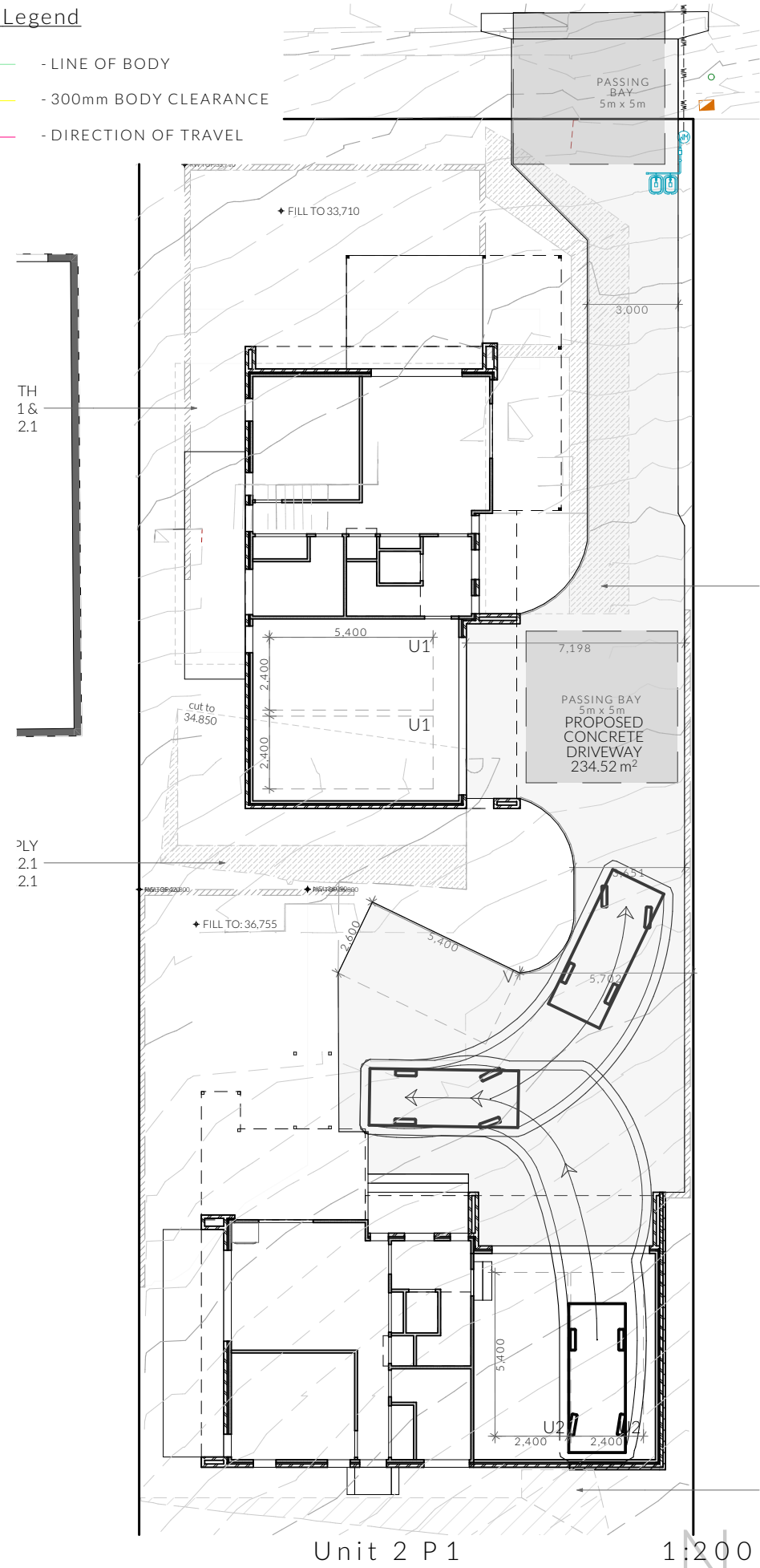
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All stairs to be constructed in accordance with NCC 2022 Vol II Part 11.2.2
Riser: Min 115mm - Max 190mm
Going: Min 240mm - Max 355mm
Slope (2R+G): Max 550 - Min 700

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Turning Path Legend

- LINE OF BODY
- 300mm BODY CLEARANCE
- DIRECTION OF TRAVEL



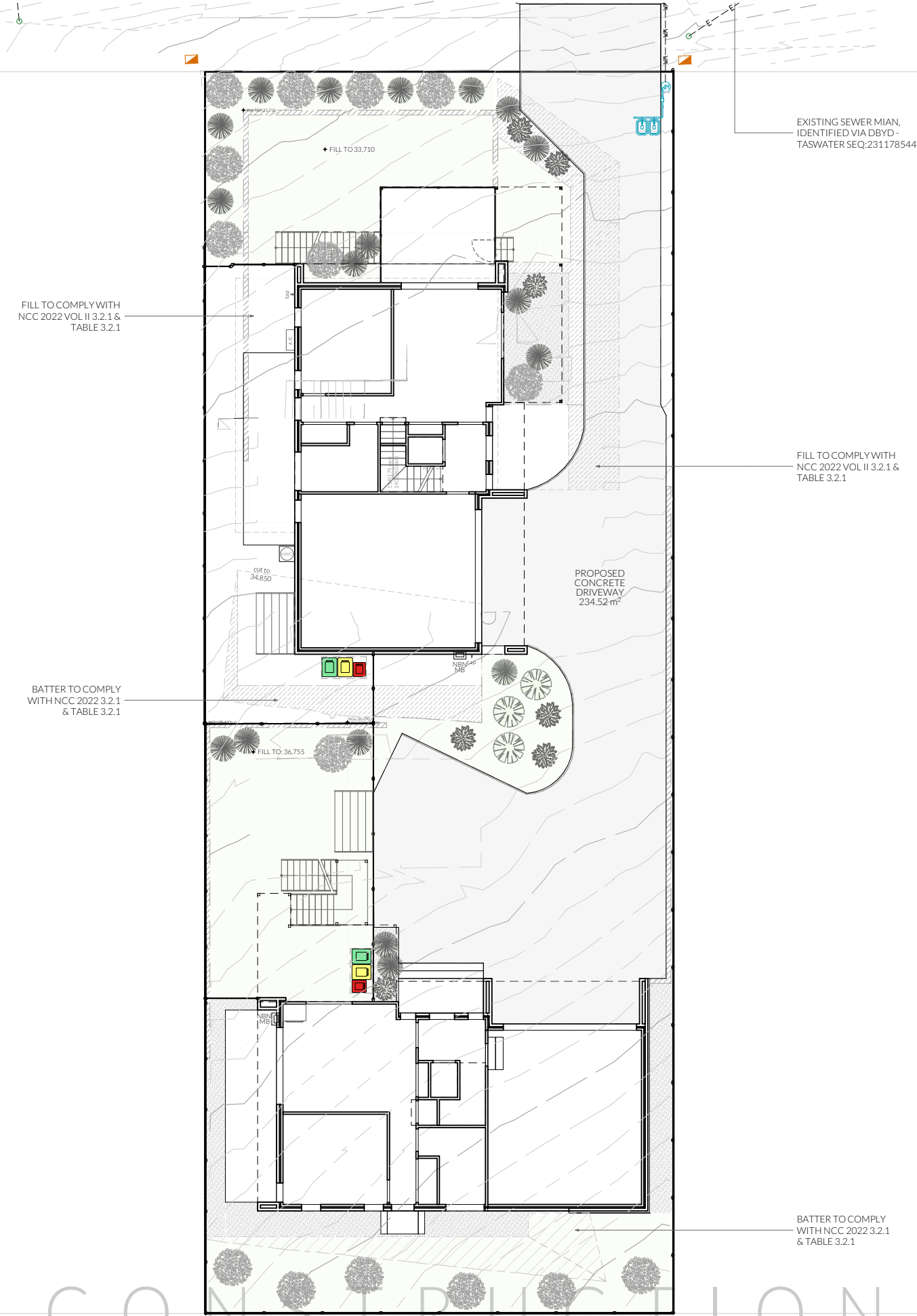
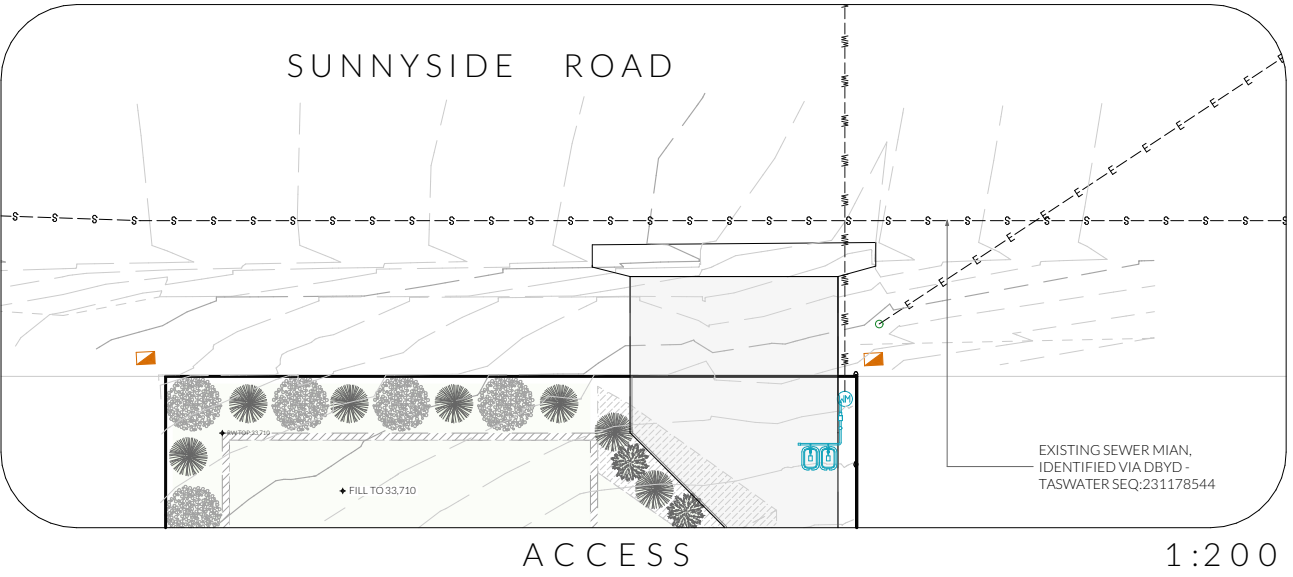
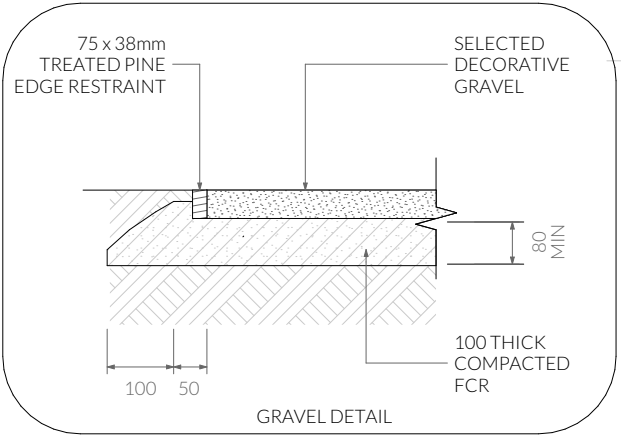
- Legend**
- General Waste Bin
 - Recycling Bin
 - Green Waste Bin
 - Clothesline
 - Air Conditioner unit
 - Meter Box
 - Hot Water Cylinder
 - 1.8m to 2.1m Paling Fence
 - 1.7m high Timber Screen
 - 1.2m Timber Fence
 - Solar Bollard Lighting
 - Spotlight with Sensor
 - Seeded Lawn
 - Mulched Garden Bed
 - Gravel Area - Fine
 - Decorative Pebble
 - Water
 - Paving

Planting Schedule

Symbol	Species	Qty	Pot Size
	Anigozanthos sp.	2	140 pot
	Dianella tasmanica	17	140 pot
	Lavandula sp.	9	140 pot
	Viburnum Odoratissimum	6	140 pot

Note

Plants have been selected to be drought tolerant and low maintenance once established, it is recommended that a dripper system or similar be put into place until established. Plant locations are indicative and may be altered where suitable growing conditions cannot be met. Garden areas to be mulched with 75mm cover of selected mulch and plants are to be fertilised 6 monthly or where required until established. Garden edges are to be timber, steel, or brick. Plantings that are unsuccessful will be replaced where required.

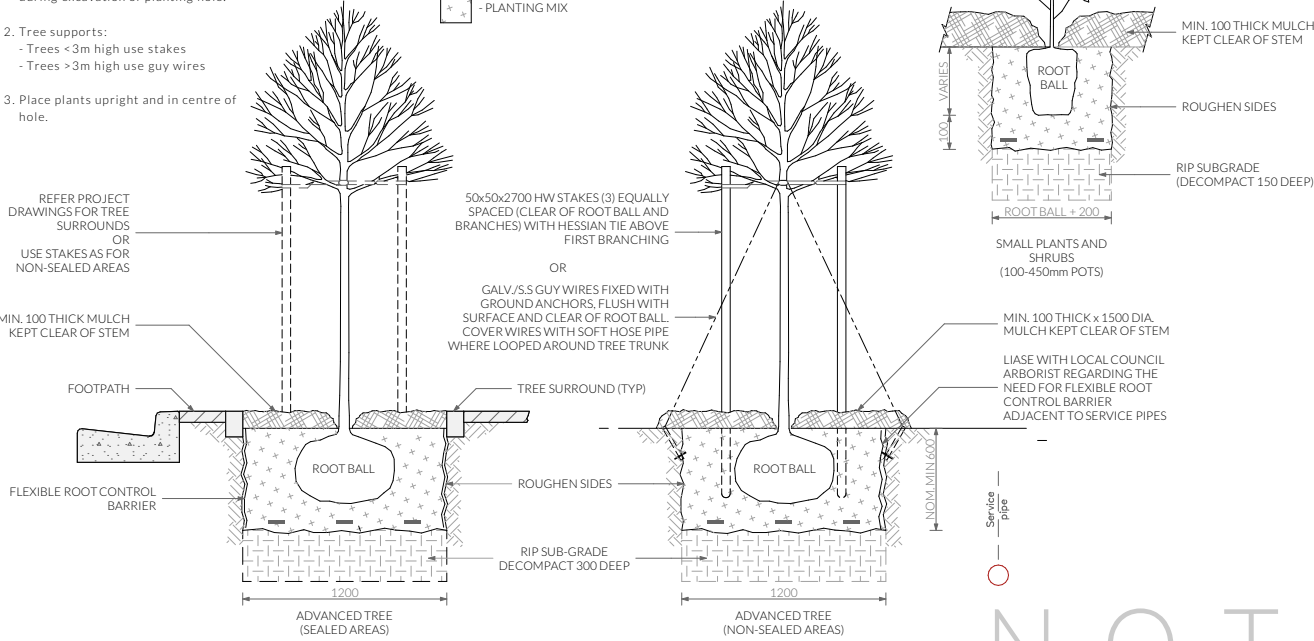


Notes

1. Liase with superintendent where clay or ground water is encountered during excavation of planting hole.
2. Tree supports:
 - Trees <3m high use stakes
 - Trees >3m high use guy wires
3. Place plants upright and in centre of hole.

KEY

- SLOW RELEASE FERTILISER
- PLANTING MIX



Tree and Shrub Planting

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Landscaping Plan

Revision: DA - 03
Approved by: JRN

Scale: 1:200 @ A3
Pg. No: L01

Proposal: Unit Development
Client: Costmac Investments Pty Ltd
Address: 11 Sunnyside Rd, Lindsfarne 7015

Date: 15/12/2023
Drawn by: JRN
Job No: 88-2023
Engineer: TBA
Building Surveyor: TBA

Issue Date
DA02 09.01.2024
DA03 12.01.2024

Description
Council RFI
Council RFI



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Attachment 3 - Site Photo, 11 Sunnyside Road Rose Bay



Subject Site - 11 Sunnyside Road Rose Bay

Attachment 4 Streetscape within Select Area



8. REPORTS OF OFFICERS

8.1 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

Nil Items.

8.2 ASSET MANAGEMENT

Nil Items.

8.3 FINANCIAL MANAGEMENT

Nil Items.

8.4 GOVERNANCE**8.4.1 QUARTERLY REPORT TO 31 DECEMBER 2023****EXECUTIVE SUMMARY****PURPOSE**

To consider the Chief Executive Officer's Quarterly Report covering the period 1 October to 31 December 2023.

RELATION TO EXISTING POLICY/PLANS

The Report uses as its base the Annual Plan adopted by Council and is consistent with Council's adopted Strategic Plan 2021-2031.

LEGISLATIVE REQUIREMENTS

There is no specific legislative requirement associated with regular internal reporting.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

The Quarterly Report provides details of Council's financial performance for the period.

RECOMMENDATION

That the Quarterly Report to 31 December 2023 be received.

ASSOCIATED REPORT

The Quarterly Report to 31 December 2023 has been provided under separate cover.

Clare Shea

ACTING CHIEF EXECUTIVE OFFICER

8.4.2 FUTURE OF LOCAL GOVERNMENT REVIEW – FINAL REPORT – COUNCIL SUBMISSION**EXECUTIVE SUMMARY****PURPOSE**

To seek Council's endorsement of the submission to the Minister for Local Government regarding the Final Report of the Local Government Board's Future of Local Government Review.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 is relevant.

LEGISLATIVE REQUIREMENTS

The *Local Government Act* 1993 is relevant.

CONSULTATION

The Local Government Board has been undertaking stakeholder and community consultation on the Future of Local Government Review since March 2022. The Board presented its final report to the Minister at the end of October 2023. The Minister provided the report to all Tasmanian Councils for comment with the closing date for submissions being 29 February 2024.

FINANCIAL IMPLICATIONS

There are no immediate financial implications arising from the submission of a response to the Minister.

Financial implications may arise from any reforms adopted but these are not quantifiable or known at this stage.

RECOMMENDATION:

That Council notes the submission (Attachment 1 to the Associated Report), regarding the Local Government Board's Final Report on the Future of Local Government and authorises the Chief Executive Officer to forward the submission to the Minister for Local Government.

FUTURE OF LOCAL GOVERNMENT REVIEW – FINAL REPORT – COUNCIL SUBMISSION /contd...

ASSOCIATED REPORT**1. BACKGROUND**

1.1. In 2021, the Tasmanian Government commissioned a Local Government Board Review into the Future of Local Government in Tasmania with the objective being the creation of a more robust and capable system of local government that is ready for the challenges and opportunities of the future.

1.2. The Review was to be conducted over an 18-month period in three distinct stages:

- **Stage 1 (Complete) – Community Engagement, Research, and Issues Identification (January 2022 – June 2022)**

Stage 1 was to gather community and stakeholder experiences and views combined with research and analysis to create a clear picture of the current state of local government, to be used to identify opportunities to achieve the Review's objectives.

- **Stage 2 – Options Development and Testing (Complete) (July 2022 – December 2022)**

In Stage 2, the Board drew on the priority reform areas identified in Stage 1 to develop and test potential reform ideas and options.

- **Stage 3 – Reform Recommendations (Complete) (January 2023 - June 2023)**

In Stage 3, the Board refined potential reform ideas and options for delivery in its final written review and recommendations to the Minister.

1.3. The Board presented its final report to the Minister for Local Government at the end of October 2023.

2. REPORT IN DETAIL

2.1. The Minister for Local Government wrote to all Tasmanian Councils on 16 November 2023 providing a copy of the Board's final report and inviting submissions to help inform the Government's response to the review. The report contained 37 reform recommendations while recognising the Government's position that there would be no forced amalgamations resulting from the review and that specific boundary changes would only proceed with the support of Councils and the community.

2.2. A submission addressing each of the recommendations has been prepared based on officer and councillor feedback, with reference to earlier submissions. A workshop was conducted with elected members on 29 January 2024 to discuss council's submission and receive further feedback from councillors.

3. CONSULTATION

3.1. Community Consultation Undertaken

Council undertook extensive community consultation in respect to possible amalgamations in 2016/17, ultimately determining that any amalgamation lacked broad community support.

The Local Government Board has been undertaking stakeholder and community consultation across Tasmania since March 2022.

No specific community consultation has been undertaken by Council to inform this submission.

3.2. State/Local Government Protocol

The Local Government Board, established by the Tasmanian Government, has been undertaking stakeholder and community consultation and provided opportunity for Council to comment on the review. The Minister presented the Board's final report to all Tasmanian Councils on 16 November inviting comment to help inform the Government's response to the review.

3.3. Other

Not applicable.

3.4. Further Community Consultation

In addition to providing the Board's final report to councils, the Minister also released the report publicly inviting submissions from the community. The community will need to be consulted on any adopted reforms affecting Clarence.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

The implications for plans and policies of Council following any major structural reform recommendations from the Board are wide, many and varied. These will need to be addressed once the adopted reform options are known.

5. EXTERNAL IMPACTS

Not applicable.

6. RISK AND LEGAL IMPLICATIONS

There are many and varied risks and legal implications arising from future possible reforms to the Local Government sector in Tasmania. They will need to be addressed once the Government's response to the review and any adopted reforms are known.

7. FINANCIAL IMPLICATIONS

7.1. There are no immediate financial implications arising from the submission of a response to the Minister regarding the Local Government Board's Future of Local Government Review Final Report.

7.2. Financial implications are likely to arise from any reforms adopted but these are not yet quantifiable or known at this stage.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

The Minister for Local Government provided the Local Government Board's final report to Tasmanian Councils on 16 November 2023, inviting submissions by 29 February 2024. A draft submission was presented to a council workshop on 29 January including officer feedback and input from elected members. The final submission has been updated to reflect feedback received and is now provided to council for formal endorsement before submission ahead of the 29 February 2024 deadline.

Attachments: 1. Clarence City Council – Future of Local Government Review Final Report – Submission (18)

Clare Shea

ACTING CHIEF EXECUTIVE OFFICER

Response to Future of Local Government Review – Final Report

No.	Recommendation and Response
Part 1 – A Future Vision for Local Government – Building Strong, Prosperous, and Resilient Local Communities	
1	<p><i>Define in Tasmania's new Local Government Act the role of local government consistent with the statement below:</i></p> <p><i>The role of local government is to support and improve the wellbeing of Tasmanian communities by:</i></p> <ol style="list-style-type: none"> <i>1. harnessing and building on the unique strengths and capabilities of local communities;</i> <i>2 providing infrastructure and services that, to be effective, require local approaches;</i> <i>3. representing and advocating for the specific needs and interests of local communities in regional state-wide and national decision making; and</i> <i>4. promoting the social economic and environmental sustainability of communities, by mitigating and planning for climate change impacts.</i> <p>Council's response</p> <p>Clarence supports a more definitive statement of the role of local government in Tasmania. The draft statement provided in the report is useful in some respects, but also highlights the need for carefully considered language. Focussing on the four suggested points within the provided statement, the first two elements may be argued to be ambiguous – they will be interpreted in different ways by each community. For example, point one provides 'harnessing and building on the unique strengths and capabilities of local communities' - the unique strengths and capabilities of local communities will be open to debate and not easily defined. Similarly, point 2, 'providing infrastructure and services that, to be effective, require local approaches' may be similarly troublesome because 'requiring local approaches' is not easily defined. By contrast, points 3 and 4 are clear. These points clearly set out the area of responsibility and its scope in simple, clear language.</p> <p>Additional to the above, there is a clear focus on community wellbeing within the report. The statement of the role of local government should include a 'community wellbeing' statement that ensures a focussed and consistent approach to this aspect of the local government role. There also needs to be a clear definition of 'community wellbeing' within the new legislation, to ensure a uniform understanding by councils and others of the extent and limits of this function.</p>
2	<p><i>The Tasmanian Government through subordinate legislation should implement a Local Government Charter to support the new legislated framework for local government.</i></p>

	<p><i>The Charter should be developed in close consultation with the sector and clarify and consolidate in a single document councils' core functions, principles, and responsibilities as well as the obligations of the Tasmanian Government when dealing with the sector as a partner in delivering community services and support.</i></p> <p>Council's response</p> <p>Clarifying the core uniform functions and services of councils in subordinate legislation is a useful addition to the legislative framework applying to councils. While there is clear utility in also providing guidance on the relationships, roles and responsibilities of local government in respect to other spheres of government, great care needs to be taken in the drafting of a charter to ensure that those relationships and responsibilities work both ways. A Charter should not act as a vehicle for other levels of government to 'on-delegate' roles and functions to councils, perpetuating a problem identified and highlighted by councils through the review process. The development of a Charter must be, first and foremost, a collaborative development between the Tasmanian Government and local government in Tasmania, not something imposed or directed.</p> <p>Considering the proposed contents for a Local Government Charter, it should:</p> <ul style="list-style-type: none"> • Operate as a guide for councils' operating environment and responsibilities, rather than as a 'set of rules'; • Make provision for review and update of the Charter periodically – as a living, contemporary document; and • Ensure that councils retain autonomy in respect to decision-making and regulatory functions. <p>Noting the 'set of rules' comment in the first dot point above, a rules-based approach would require a significant and robust description of functions, principles and responsibilities, including consideration of how those matters are enforced. Such an approach is not supported on the basis that any Charter must have flexibility to allow councils to determine the best way to achieve outcomes rather than adopting a prescriptive approach.</p> <p>Subject to the comments provided above, Clarence supports this recommendation.</p>
3	<p><i>The Tasmanian Government should work with the sector to develop, resource and implement a renewed strategic planning and reporting framework that is embedded in a new Local Government Act to support and underpin the role of local government. Under this framework councils will be required to develop - within the first year of every council election - a four-year strategic plan.</i></p> <p><i>The plan would consist of component plans including at minimum:</i></p> <ul style="list-style-type: none"> • <i>a community engagement plan;</i> • <i>a workforce development plan;</i>

	<ul style="list-style-type: none"> • <i>an elected member capability and professional development plan; and</i> • <i>a financial and assets sustainability plan.</i> <p>Council's response</p> <p>A strategic plan spanning only four years risks damaging councils' ability to properly plan on a long term basis. Critically, planning will be linked to election cycles risking politicisation of strategic planning processes resulting in potentially poor long term outcomes for communities. In many instances, key projects and objectives contained in strategic plans span two or more election cycles, and this should be reflected within the legislative scheme. Councils should be encouraged to take a long term view of their communities and not confine that thinking to a four year election period.</p> <p>An alternative to the proposed short timeframe review of strategic plans may be a stepped process. Such a process may include:</p> <ul style="list-style-type: none"> • Preserving the current 10 year strategic plan timeframe; • Requiring councils to review their strategic plan within 12 months of each election (as opposed to reviewing each four years as is currently the case); • Providing an opportunity for councils to develop a four year 'strategic priorities' plan that supports delivery of the 10 year strategic plan – that is, a plan that sets out what each council wishes to achieve in its four year term; and / or • Development of a four year implementation plan for strategic plan goals, objectives, actions or initiatives. <p>The suggestion that strategic plans be supported by component plans is supported.</p> <p>The suggestion that performance reporting be included in this reform is supported in principle; however, it is also important to be clear about the complexities of this type of reporting. If the suggestion is that this reporting be common / consistent for all councils, that implies that strategic plan structure and content must align to a significant extent – which could be argued to undermine the autonomy of councils in terms of setting their strategic directions. Alternatively, if the suggestion is that each council establish a reporting mechanism to measure its progress against its own strategic plan, there are a number of councils who already do this through quarterly and annual reporting mechanisms. Importantly, while reporting is important to transparency and confidence in local government, care needs to be taken that the reporting mechanism so onerous that it becomes the 'tail that wags the dog'.</p>
Part 3 – Structural Reform and Mandated Shared Capability	
4	<p><i>Formal Council amalgamation proposals should be developed for the following:</i></p> <ul style="list-style-type: none"> • <i>West Coast Waratah-Wynard and Circular Head (into 2 councils).</i>

	<ul style="list-style-type: none"> • <i>Kentish and Latrobe councils.</i> • <i>Break O Day Glamorgan Spring Bay and Sorell Councils (into 2 councils).</i> • <i>City of Hobart and Glenorchy City Councils.</i> • <i>Kingborough and Huon Valley Councils.</i> <p><i>The Board acknowledges council interest in and discussions on boundary changes are less advanced in respect of City of Hobart and Glenorchy and Kingborough and Huon Valley Councils but nonetheless believes that these councils have expressed clear interest in further exploring opportunities. The Board believes there is substantial merit in ensuring that those councils (and their communities) are afforded the opportunity to genuinely explore structural consolidation proposals in greater detail.</i></p> <p>Council's response</p> <p>Clarence does not provide a response to this recommendation.</p>
5	<p><i>A new Local Government Board should be established to undertake detailed assessment of formal council amalgamation proposals and make recommendations to the Tasmanian Government on specific new council structures.</i></p> <p>Council's response</p> <p>Amalgamation proposals need to be investigated and objectively examined to ensure that all parties, including relevant communities, make decisions on a fully informed basis. The concept of a Local Government Board established to undertake formal assessments of proposals is supported in principle, provided that the role of the Board is limited to supporting that process. Extension of the Board's role to making recommendations to the Tasmanian Government may be regarded as problematic in the context of a voluntary amalgamation process that requires community support. With that in mind, it may be more appropriate for the Board to provide its findings and any recommendations to a broader audience, to then be fed into a subsequent process where communities are provided the opportunity to respond to those recommendations via a formalised process (for example, an elector poll).</p> <p>We support the acknowledgement that the new Board will require a balance of expert representation with skills in administration and operations, workforce development and organisational change management; however, it needs to be acknowledged that there will be other areas of expertise required too – for example, rate modelling and asset management. The makeup of the new board should include a mix of state government, local government and independent community representation. The Board should be enabled and funded to engage specific expert advisors where necessary.</p>

	<p>The seven points related to the specific investigation of amalgamation arrangements are supported as are the points related to the issues that the Board is likely to need to consider when assessing and consulting on any amalgamation proposal.</p> <p>Noting the five amalgamation proposals outlined in Recommendation 4, any additional amalgamation proposals should be subject to an elector poll (or similar) to gauge community support after the Local Government Board releases its report on each amalgamation proposal. This is important because amalgamation proposals are generally disruptive and / or damaging to council stability and have consequences where such proposals aren't broadly supported by communities at the outset. For example, councils that are subject to unpopular amalgamation proposals will generally experience problems attracting and retaining staff during that period. These adverse impacts should be avoided or minimised where possible.</p>
6	<p><i>A Community Working Group (CWG) should be established in each area where formal amalgamation proposals are being prepared. The CWG would identify specific opportunities the Tasmanian Government could support to improve community outcomes.</i></p> <p>Council's comment</p> <p>While not directly relevant to Clarence (as there is no Phase 1 amalgamation proposal on foot for Clarence), it seems that the establishment of a CWG at the time that the Board is undertaking analysis of amalgamation proposals may lead to cross-over or duplication of work. We urge the Review Board to make this a two-stage approach – allow the Local Government Board to analyse the relevant proposal and make recommendations and then, if the recommendations are supported via an elector poll, establish a CWG to engage in the detailed consideration required to advance an amalgamation proposal toward the final approval stage.</p>
7	<p><i>In those areas where amalgamation proposals are being developed, a community vote should be held before any reform proceeds to consider an integrated package of reform that involves both a formal council amalgamation proposal and a funded package of opportunities to improve community outcomes.</i></p> <p>Council's comment</p> <p>While Clarence City Council is not immediately impacted by this recommendation, we agree that community votes on reforms are important. Consistent with our comments in the previous two recommendations, we consider a reasonable process to include the following key steps:</p> <ol style="list-style-type: none"> 1. That relevant councils seek support from the Local Government Board to conduct a detailed assessment of an amalgamation proposal. 2. That the Local Government Board conduct its detailed assessment and make recommendations.

	<p>3. That the relevant community vote be held to determine whether to proceed further with the proposed amalgamation, based on the LG Board report and recommendations.</p> <p>4. Subject to an affirmative vote, a CWG be established to identify opportunities to improve the proposal and address identified issues.</p> <p>5. The final proposal be subject to a community vote following provision of a detailed proposal endorsed by the LG Board and relevant councils.</p>
8	<p><i>If a successful community initiated elector poll requests councils to consider amalgamation, the Minister for Local Government should request the Local Government Board to develop a formal amalgamation proposal and put it to a community vote.</i></p> <p>Council's comment</p> <p>Council supports the use of elector polls for this purpose.</p>
9	<p><i>The new Local Government Act should provide that the Minister for Local Government can require councils to participate in identified shared service or shared staffing arrangements.</i></p> <p>Council's comment</p> <p>The FoLGR report identifies a range of issues likely to adversely impact the success of shared service models; then proceeds in the final section to suggest that a mechanism be built into the new Local Government Act to mandate such changes via a ministerial decision. That approach seems problematic given the earlier analysis. A unilateral approach such as that proposed fails to recognise that councils have developed processes based on their unique understanding of their communities that may not be easily addressed or recognised via a forced shared service model. A more balanced approach would be to empower the Minister to bring councils together to investigate opportunities, but that process should stop short of mandating an outcome.</p> <p>Notwithstanding the above, we recognise that there is value in scale within Tasmania. Councils have tackled the issue of shared or combined services in different ways in the past. From a Clarence perspective, we and other southern councils have enjoyed success through the Copping Waste Disposal Site Joint Authority; and we have participated in other common ventures with other southern councils. With that in mind, we suggest that a better approach (better than mandating shared services via a ministerial decision) would be to establish the principles governing shared service models within the proposed Local Government Charter alongside a performance expectation that requires councils to actively investigate opportunities with other councils in accordance with the Charter.</p>

	<p>Further to the comments above, any shared service model needs careful consideration particularly when it relates to or incorporates statutory or regulatory duties or functions. For example, the issues associated with the PlanBuild project, initiated by the Tasmanian Government to provide a common service platform for planning and building regulatory services, serves to demonstrate the complexity associated with some shared service models and highlights the need to properly understand a multi-faceted regulatory environment before embarking on potentially costly projects. The PlanBuild project demonstrates why proper planning and joint engagement in shared service models at the outset is critically important to success.</p>
10	<p><i>Give councils the opportunity to design identified shared service arrangements themselves, with a model only being imposed if councils cannot reach consensus.</i></p> <p>Council's comment</p> <p>Noting our comment in regard to the previous recommendation, this recommendation (10) is supported within the context of the first element (giving councils the opportunity to design shared arrangements) but in respect to the second element (imposing a model on councils if consensus is not reached) should only be utilised in extreme circumstances and only subject to clear advice supporting a shared service model from, for example, the Local Government Board, following an investigation and report.</p>
11	<p><i>Before endorsing a particular mandatory shared service arrangement, the Minister for Local Government should seek the advice of the Local Government Board.</i></p> <p>Council's comment</p> <p>Subject to our comments in related recommendations (9 and 10) above, it should be mandatory for the Minister for Local Government to seek advice from not only the Local Government Board, but each affected council prior to making any decision. Such an approach reflects proper administrative practice and adopts a natural justice approach to decision making.</p>
12	<p><i>If councils are unable to reach consensus on a mandatory service sharing agreement the Minister for Local Government should have the power to require councils to participate in a specific model or models the Tasmanian Government has developed.</i></p> <p>Council's comment</p> <p>This recommendation could be viewed as a compulsory amalgamation mechanism in disguise. Any move toward a mandatory service sharing agreement should not only be recommended by the Local Government Board, it should also be subject to community consultation and</p>

	endorsement in the same manner as any proposed amalgamation. Community support for a shared service model is as important as community support for a proposed amalgamation.
13	<p><i>The first priorities for developing mandatory shared service arrangements should be:</i></p> <ul style="list-style-type: none"> • <i>Sharing of key technical staff;</i> • <i>Sharing of common digital business systems and ICT infrastructure; and</i> • <i>Sharing of asset management expertise through a centralised council owned authority.</i> <p>Council's response</p> <p>Broadly speaking, council supports the notion of shared service arrangements. Historically, councils have both formally and informally shared services to support each other. This is particularly so where staff leave or recruitment results in a shortfall in one council.</p> <p>Care needs to be taken with any proposed shared service model. Specifically, the model will need to:</p> <ul style="list-style-type: none"> • Be clear on whether the shared service provider is a separate entity or part of a council; • Be clear on who the employer of staff is and where liability / risk lays in respect to the services, including consideration of relevant industrial instruments prior and post establishment (in particular for any transferring staff); and • Ensure that relevant statutory delegations are appropriately addressed through legislation, subject to the preferred model being determined. <p>Care should also be taken to ensure that Tasmania doesn't end up with multiple shared service providers developed in an adhoc way across different service areas and/or regions. The ultimate system of shared service arrangements should be strategically designed and well considered to avoid duplication and overlap of effort and resources. Care needs to be taken to ensure that Tasmania does not end up with complex shared services arrangements that detract from the aim of a more streamlined local government sector.</p> <p>Broadly speaking, Council supports the investigation of common ICT and business systems across councils (Recommendation 29), noting that any proposed common business systems should allow for a choice of best of breed vendors where competition between them ensures favourable service level agreements and quality outcomes. It is also important that, before a common ICT solution is selected, councils' have the opportunity to establish common practices and process alignment that will support a common business system. This will reduce the need (and cost) associated with customisation (whether collectively or individually).</p> <p>Council does not support the centralisation of asset value and condition assessments for the reasons set out in Recommendations 30 and 31.</p>

Part 4 - Specific Reform Recommendations	
14	<p><i>Include a statutory requirement for councils to consult with local communities to identify wellbeing priorities, objectives and outcomes in a new Local Government Act. Once identified, councils would be required to integrate the priorities into their strategic planning, service delivery and decision-making processes.</i></p> <p>Council's response</p> <p>This recommendation is supported. Any inclusion of wellbeing requirements within the new Local Government Act should ensure a strong alignment with the Australian Government's Wellbeing Framework and the Tasmanian Government's Wellbeing Framework and Sustainability Strategy.</p> <p>It is important to note that consultation on wellbeing matters is heavily resource dependent. For many councils, whether amalgamated or not, support to conduct this type of consultation may be required. It may also be appropriate to establish a common consultation framework for all councils to follow – to ensure, as far as reasonably possible, that there is consistency across Tasmania.</p> <p>In addition to the comment above, for many councils the delivery of community wellbeing programs is also heavily resource dependant. Delivery of these programs often involves the construction of physical assets as well as financial commitment to ongoing programs. Where those assets and commitments have a strong alignment with the Tasmanian Government's Wellbeing Framework and Sustainability Strategy, councils would benefit from funding support from the state government.</p>
15	<p><i>To be eligible to stand for election to council, all candidates should first undertake - within six months prior to nominating - a prescribed, mandatory education session, to ensure all candidates understand the role of councillor and their responsibilities if elected.</i></p> <p>Council's comment</p> <p>Council supports a prescribed mandatory education session for all candidates. We note that the session will need to be accessible for all potential candidates for the required session not to act as a 'filter' on prospective candidates.</p>
16	<p><i>The Tasmanian Government and the Local Government sector should jointly develop and implement a contemporary, best practice learning and ongoing professional development framework for elected members as part of this framework under a new Local Government Act:</i></p>

	<ul style="list-style-type: none"> • <i>all elected members - including both new and returning councillors - should be required to complete a prescribed 'core' learning and development program within the first 12 months of being elected; and</i> • <i>councils should be required to prepare, at the beginning of each new term, an elected member learning and capability development plan to support the broader ongoing professional development needs of their elected members.</i> <p>Council's comment</p> <p>Considerable work has already been done in this area through the Local Government Learning and Development Framework established at the last election. Council supports this Framework being prescribed as the core learning and development program for elected members. Council supports further refinement of current learning modules, including provision of multiple modes of delivery (eg, online self-paced learning, online by video, face, etc) to complete those modules.</p> <p>If a 'core' learning and development framework is prescribed for elected councillors to complete within the first 12 months of being elected, what is the consequence to a councillor if that program is not completed? That is not clear within the report.</p>
17	<p><i>The Tasmanian Government should further investigate and consider introducing an alternative framework for councils to raise revenue from major commercial operations in their local government areas, where rates based on the improved value of land are not an efficient, effective, or equitable form of taxation.</i></p> <p>Council's comment</p> <p>Clarence City Council already uses differential rating for commercial properties, which impose a higher rate in the dollar than residential properties. Through our Rates and Charges Policy we also charge a fixed charge in recognition that all properties should bear a reasonable portion of the total rate burden and not be based only on capital value or AAV alone.</p> <p>We believe differential rating of commercial properties is equitable. For example, in CBD areas, it assists to cover extra road and infrastructure, such as public car parks, that are used by patrons of commercial businesses.</p> <p>Notwithstanding the above, Clarence would welcome the opportunity to participate in an investigation of an alternative framework to raise rate revenue from major commercial operations within the city.</p>
18	<p><i>The Tasmanian Government should work with the sector and the development industry to further investigate and consider introducing a marginal cost based integrated developer charging regime.</i></p>

	<p>Council's comment</p> <p>Council supports the development of a robust, state-wide infrastructure headworks regime. Presently, headworks costs are borne by the broader community (which is, in our view, unfair and unreasonable). The lack of a proper headworks regime does not promote efficient and effective development within our city, or more broadly within Tasmania.</p>
19	<p><i>Introduce additional minimum information requirements for council rates notices to improve public transparency, accountability, and confidence in council rating and financial management decisions.</i></p> <p>Council's response</p> <p>Council supports the introduction of a standardised rates notice which will also assist to promote council comparison. However, great care needs to be taken in developing a standard notice. Provision of additional information should be by way of a link to information contained on the relevant council's website, not via inclusion within the rate notice itself. The suggested inclusions within the Report risk making the rate notice confusing and/or harder to understand. Councils must also have the IT systems capacity to reflect historic changes to data, which may not be the case for all councils.</p>
20	<p><i>Within the context of the national framework the Tasmanian Government should seek advice from the State Grants Commission on how it will ensure the financial assistance grants methodology is</i></p> <ul style="list-style-type: none"> <i>• transparent and well understood by councils and the community;</i> <i>• that assistance is being targeted efficiently and effectively; and</i> <i>• is not acting as a disincentive for councils to pursue structural reform opportunities.</i> <p>Council's comment</p> <p>Council supports this recommendation. The State Grants Commission has sought feedback in recent years regarding the methodology for allocating funding, which has allowed a level of transparency and understanding of the process. However, any changes to current boundaries or other such local government structural changes may result in material funding reallocations using the current methodology and current cost adjusters. Therefore, advice should include an illustration of the outcomes of applying the current methodologies in a future state, and any recommended future actions that may result.</p>

21	<p><i>The Tasmanian Government should review the total amount of Heavy Vehicle Motor Tax revenue made available to councils and consider basing this total amount on service usage data.</i></p> <p>Council's comment</p> <p>Council supports a fairer distribution of the Heavy Vehicle Motor Tax and therefore supports this recommendation.</p>
22	<p><i>Introduce a framework for council fees and charges in a new Local Government Act to support the expanded, equitable and transparent utilisation of fees and charges to fund certain council services.</i></p> <p>Council's comment</p> <p>Council supports this recommendation, including development of principles or guidelines.</p>
23	<p><i>The Tasmanian Government should review the current rating system under the Local Government Act to make it simpler, more equitable, and more predictable for landowners The review should only be undertaken following implementation of the Board's other rating and revenue recommendations.</i></p> <p>Council's comment</p> <p>Clarence does not support a broad-based review of the current rating system but does support a targeted review of certain aspects of the system.</p> <p>We believe that the calculation of rates is relatively simple in its current format with the reference in Council's Rates and Charges Policy stating that the value of a property is an indication of that ratepayer's ability to pay. Put simply, under our rating policy, the higher the capital value the higher the rates will be within each differential rating category. However, our policy also applies a fixed charge in recognition that all properties should bear a reasonable portion of the total rate burden and not be based only on capital value alone which makes the rates far more equitable for all rate payers.</p> <p>Clarence is one of a few councils that rate based on capital value and we introduced this some years ago because we believed capital value to be a better representation of a property's value than AAV, and we find capital value the easiest for ratepayers to understand. We would be supportive of all councils moving to capital value in the future.</p>

	<p>The Board has noted at point 5 (on page 84) that there are unevenly distributed gaps in council rate bases created by partially and fully exempt properties. This is a big issue for Clarence and a number of other councils given the number of Homes Tasmania houses being transferred to organisations (such as Salvation Army, CentaCare and Mission Australia) that then become rate exempt. This issue has expanded beyond the original concern related to Independent Living Units. The Tasmanian Government has been unwilling to address this inequity despite significant attempts by the Local Government sector to find a solution.</p> <p>Any review that is undertaken must include suitable representatives from all councils, led by LGAT.</p>
24	<p><i>The Tasmanian Government should work with the sector to develop, resource, and implement a best practice local government performance monitoring system.</i></p> <p>Council's comment</p> <p>Clarence supports this recommendation.</p>
25	<p><i>The Tasmanian Government should develop a clear and consistent set of guidelines for the collection, recording, and publication of data sets that underpin the new performance reporting system to improve overall data consistency and integrity and prescribe data methodology and protocols via ministerial order or similar mechanism.</i></p> <p>Council's comment</p> <p>The annual Consolidated Data Collection (CDC) Return and other prescribed reporting, including financial reporting, already includes strong reporting guidelines. For example, a prescribed financial statement template in accordance with relevant accounting standards is provided for council use, and the CDC also provides definitions and guidelines to help ensure responses from each council are consistent. The considerable amount of data collected and used for reporting and/or performance comparison should already be substantially consistent in nature. Any required data collection should aim to be an improvement on the current processes, rather than imposing additional requirements on councils. Additionally, the comparison or benchmarking of individual councils may or may not provide for legitimate variations where the community utilises infrastructure differently, or councils provide a regional benefit for a broader area beyond their LGA. Performance reporting should therefore be mindful of this and be suggestive, not prescriptive, of good performance measurements. With this in mind, providing councils with the ability to include qualitative commentary alongside quantitative data may be a useful inclusion.</p> <p>Relevantly, it is useful to note that the CDC currently requests data that, in part, is not easily collected, adds little value or does not relate to benchmarking in legislation (e.g. median timeframes for planning application types). Performance monitoring data needs to be reviewed to ensure</p>

	that the data requested is not an unreasonable impost on time and effort, avoids measuring things that do not matter but does respond to a clear legislative requirement.
26	<p><i>The new Strategic Planning and Reporting Framework should actively inform and drive education, compliance, and regulatory enforcement activities for the sector, and entities with responsibility for compliance monitoring and management - including the Office of Local Government and council audit panels - should be properly empowered and resourced to effectively deliver their roles.</i></p> <p><i>As part of this the Tasmanian Government should consider introducing a requirement for councils to have an internal audit function given their responsibilities for managing significant public assets and resources, and whether this requirement needs to be legislated or otherwise mandated. Consideration should also be given to resourcing internal audit via service sharing or pooling arrangements particularly for smaller councils.</i></p> <p>Council's comment</p> <p>To assist audit panels to perform their role, consideration should be given to the development of a model Audit Panel Charter for councils to adopt (in the same way that the model Code of Conduct is currently utilised). A model Audit Panel Charter was proposed and drafted through the Local Government Office around 2018. Resourcing of the audit panel should be sufficient for the panel to conduct at least two internal audit reviews per year. Those audits should comprise at least part of the council's overall internal audit program each year.</p> <p>Clarence supports consideration of regional Audit Panels (incorporating a internal audit function) for smaller councils, subject to establishment of a Charter and agreed cost sharing between those councils. This may be particularly useful if aligned with regional shared service initiatives.</p>
27	<p><i>The Tasmanian Government should collaborate with the local government sector to support a genuine, co-regulatory approach to councils' regulatory responsibilities, with state agencies providing ongoing professional support to council staff and involving councils in all stages of regulatory design and implementation.</i></p> <p>Council's comment</p> <p>Council supports a collaborative approach to regulatory enforcement.</p>
28	<p><i>The Tasmanian Government should work with the local government sector to pursue opportunities to strengthen partnerships between local government and Service Tasmania.</i></p> <p>Council's comment</p>

	Council supports this recommendation.
29	<p><i>Councils should migrate over time to common digital business systems and ICT infrastructure that meet their needs for digital business services, with support from the Department of Premier and Cabinet Digital Strategy and Services (DSS)</i></p> <p>Council's comment</p> <p>Clarence City Council utilises the Technology One 'One Council' cloud-based system to support its operations. This system is an example of a cloud-based system that could be utilised in a combined administration approach between neighbouring or regional councils. Aside from the licensing cost, and as mentioned in our response to Recommendation 13, it is critical that business systems, practices and processes are aligned between participating councils. This aspect is a likely hidden 'back end' cost of utilising a common digital system, going well beyond training of staff – for some councils it will amount to a fundamental redesign of their work processes. If supported through funding from the Tasmanian Government, this reform is achievable. Noting that this reform will amount to a significant, multi-year project.</p> <p>Clarence supports this recommendation.</p>
30	<p><i>The Tasmanian Government - in consultation with the sector - should review the current legislative requirements on councils for strategic financial and asset management planning documentation to simplify and streamline the requirements and support more consistent and transparent compliance.</i></p> <p>Council's comment</p> <p>Clarence supports this recommendation. The legislated asset management planning documentation is inconsistent with industry standards such as ISO55000. However, rather than legislating specific documents, it may be more effective to develop/endorse a specific asset management planning framework within the legislative framework and then allow the content of such a framework to evolve over time. This would alleviate the concern that legislation can be too rigid and slow to update.</p>
31	<p><i>The Tasmanian Government - in consultation with the sector - should investigate the viability of, and seek to implement wherever possible, standardised useful asset life ranges for all major asset classes.</i></p> <p>Council's comment</p>

	<p>Standardised useful life ranges for major asset classes are helpful, however, it is not unreasonable to expect variances from one LGA to another due to a number of reasons, such as: the levels of service that its community can afford; management/maintenance practices; environmental factors, etc. There should be commentary/guidance provided to the sector to describe and quantify the factors that affect the longevity of assets.</p> <p>Council does not support centralisation of asset management functions within a shared services body. We have formed this opinion as, from an asset management perspective, each council should be directly engaged with the assets they own and operate, including their condition and depreciation. Breaking that connection by moving the function to a shared service body risks adverse outcomes. However, council would support the development of a set of commonly understood principles or guidelines for the sector.</p> <p>It is also important to note that asset valuations and useful life assessments are overseen by the Office of the Auditor General, who provides active and ongoing oversight to these functions.</p>
32	<p><i>All Tasmanian councils should be required under a new Local Government Act to develop and adopt community engagement strategies - underpinned by clear deliberative engagement principles.</i></p> <p>Council's comment</p> <p>Council community engagement or consultation policies, no matter how named, should be based on the IAP2 public participation spectrum. Care should be taken to avoid a prescriptive, legislated approach beyond the requirement to have a strategy, properly resourced, that meets the IAP2 standard. Regarding social media, mechanisms need to be investigated and legislated that protect councillors and council staff from inappropriate conduct toward them in the conduct of their roles, particularly in respect to social media.</p> <p>Clarence supports this recommendation.</p>
33	<p><i>A new Local Government Act should require councils, when developing and adopting their community engagement strategies, to clearly set out how they will consult on, assess, and communicate the community impact of all significant new services infrastructure.</i></p> <p>Council's comment</p> <p>Clarence supports this recommendation.</p>

34	<p><i>Following the phase 1 voluntary amalgamation program, the Tasmanian Government should commission an independent review into councillor numbers and allowances.</i></p> <p>Council's comment</p> <p>Clarence City Council agrees that a review into councillor numbers and allowances is warranted. We agree that current councillor allowances:</p> <ul style="list-style-type: none"> • Do not support or encourage community members to run for council; • Do not reflect the workload (including complexity) involved; and • Do not reflect the time and effort expended by councillors. <p>A full review focussed on a 'best practice' model for councillor numbers and remuneration is warranted. The role of councillor can no longer be regarded as a 'off the side of the desk' activity.</p> <p>Clarence supports this recommendation.</p>
35	<p><i>The Tasmanian Government should expedite reforms already agreed and/or in train in respect of statutory sanctions available to deal with councillor misconduct or poor performance.</i></p> <p>Council's comment</p> <p>Clarence supports this recommendation.</p>
36	<p><i>The Tasmanian Government should:</i></p> <ul style="list-style-type: none"> • <i>support the Local Government Association (LGAT) to develop and implement - in consultation with councils and their staff - a workforce development tool kit tailored to the sector and aligned with the Tasmanian Government workforce development system;</i> • <i>support councils to update their workforce plans at the time of any consolidation;</i> • <i>support LGAT to lead the development and implementation of state-wide approach to workforce development for key technical staff, beginning with environmental health officers, planners and building inspectors;</i> • <i>recognise in statute that workforce development is an ongoing responsibility of council general managers - and is included as part of the new strategic planning and reporting framework; and</i> • <i>include simple indicators of each council's workforce profile in the proposed council performance dashboard.</i>

	<p>Council's comment</p> <p>As a part of the proposed reforms, a documented Workforce Plan should be required. The workforce plan should sit alongside each council's long term financial management plan and asset management plan(s), each of which should be a supporting document to the Strategic Plan. A workforce plan is the opportunity to demonstrate investment in council's workforce which will support attraction and retention of staff.</p> <p>Any workforce plan needs to critically look at demand side needs and then consider the supply side opportunities and requirements. While joint commitment to development of workforce plans is a critical first step, there must also be a commitment to delivering the training, programs and other capabilities needed to deliver the outcomes (that is, fund and deliver on the supply side model). While councils can support supply side programs and provide work experience, it will be necessary for the State to take a leading role in terms of negotiating and funding those programs with training providers.</p> <p>Clarence supports this recommendation.</p>
<p>37</p>	<p><i>The Tasmanian Government should partner with, and better support councils to build capacity and capability to plan for and respond to emergency events and climate change impacts.</i></p> <p>Council's comment</p> <p>Councils undertake various levels of emergency planning, resourcing and training, including recovery planning. There are strong working relationships with State Government organisations, such as the SES. Notwithstanding, there is always opportunity to improve and, in this regard, additional support from the Tasmanian Government would be welcomed. This is particularly the case in respect to bushfire hazard management and coastal inundation risks.</p> <p>Clarence supports this recommendation.</p>

9. MOTIONS ON NOTICE

Nil Items.

10. COUNCILLORS' QUESTION TIME

A Councillor may ask a question with or without notice at Council Meetings. No debate is permitted on any questions or answers.

10.1 QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, a Councillor may give written notice to the Chief Executive Officer of a question in respect of which the Councillor seeks an answer at the meeting).

Nil.

10.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

10.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING

Cr Ritchie

Could we have an update on any progress in relation to the motion which Clarence City Council successfully put forward to the Local Government Association of Tasmania in relation to short stay accommodation and the establishment of a reference group to further the prospects of a sector wide position on short stay accommodation?

ANSWER

(Chief Executive Officer) I spoke with representatives of the Local Government Association of Tasmania today who advised that they had drafted a discussion paper to send to the Housing Reference Group for feedback and that we should receive a copy of that in the coming days. Depending on the feedback from that reference group, a discussion paper will then be sent out to the broader sector ahead of the March General Meeting for discussion.

(Further information) The LGAT Housing Reference Group met on 16 February to review the discussion paper. It is intended that a draft response document will be circulated to the Housing Reference Group ahead of the March General Meeting.

Cr Mulder

1. My question is regarding the Skylands proposal, I have been led to believe that the structure plan is being developed by the Skylands proponents, rather than the planning staff and Councillors in collaborations with the community as required by Cr Hunter's motion. Could you confirm or deny that?

ANSWER

The structure plan will be prepared through Council. We may seek some third party assistance through consultant planners and the like. The proponent of the master plan has offered to provide assistance and we are still exploring what that might look like and whether it is appropriate but at this stage we are still developing the project plan and determining those items which need to be undertaken as part of the structure plan.

2. Mr Mayor, I note that in your communication you have departed from the recent convention of reading out some communications from the community. In that absence my question is, were any received and if so, how many were supportive of council actions and how many were critical?

ANSWER

(Mayor) We addressed this at the last council meeting.

Cr Hunter

1. My question relates to Bellerive Beach playground. I have been made aware by community members and community groups that use both the beach and the playground that they have been ticketed because it is a two hour limit. Is it possible to consider extending it to three hours to promote health and well-being in the community?

ANSWER

(Chief Executive Officer) That timing of traffic controls and parking controls was investigated at the time that the park was established, and the two hour time limit was designed to promote turnover in the area so that more people are able to use the park and to encourage a particular type of parking behaviour.

(Further information) An increase in local car parking demand occurred after upgrades to Bellerive Oval and Bellerive Beach Park in 2015. Following community consultation and a survey of car parking demand, Council at its meeting of 26 October 2015 adopted a plan to implement 2 hour parking restrictions between 9am and 5pm Monday to Friday in the Bellerive Beach carpark. A subsequent Notice of Motion was put to Council, following which the decision was made on 15 March 2016 to extend the 2 hour parking limit in the carpark from 9am to 9pm 7 days per week. Council's Head of Infrastructure and Natural Assets has delegation from the Transport Commissioner to establish parking restrictions however, considering time restrictions for this particular area were adopted by Council it is appropriate for changes to car parking restrictions at Bellerive Beach Park to be a decision of Council.

2. Will UTAS again be engaged to do some research in conjunction with the Skylands structure plan and master plan?

ANSWER

(Head of City Planning) We are still working through what opportunities there are and what the needs are in developing the structure plan given the engagement on the structure plan will be different to the master plan itself, if that is what you are referring to, so I do not have a firm answer. We are in contact with the University in terms of opportunity for the planning students to be involved to look at the master plan for the site and the proponent has been in agreement with that.

Cr Hulme

My question refers to Minister Jaensch's correspondence to the Chief Executive Officer of 14 July in relation to my motion which passed both this chamber and the Local Government Association of Tasmania General Meeting relating to restrictive covenants, I wondered if we could have an update?

ANSWER

(Chief Executive Officer) I have not received any update at all, but I will follow up with the Minister and provide a response to council.

(Further information) A letter has been forwarded to the Minister for Parks, the Hon Nick Duigan MLC, seeking an update on this issue. Further advice will be provided once a response has been received.

Cr James

1. My question relates to the Royal Hobart Golf Club. Are we able to be provided with what were the key determinations of the Tribunal's judgement in supporting the people's case to refuse the development at Regal Court?

ANSWER

(Mayor) The TASCAT judgement was circulated to all elected members today. The Chief Executive Officer and I did discuss that this afternoon; however, rather than "on the fly" as it were as it has already been provided to councillors it would be appropriate to also provide an overview in the Weekly Briefing Report rather than now without the judgement in front of us in fairness to all parties.

(Further information) A memo and copy of the decision was included in the Weekly Briefing Report for the week beginning 5 February 2024.

2. Mr Mayor you have on occasions referred to us as a board of directors and we have carried out our duties as a board of directors. Are we required to have an identification number?

ANSWER

(Head of Governance) I am not aware that each councillor requires a number or council as a whole.

Cr Walker

1. My question primarily to place on record is regarding the sensors placed around council carparks including along Bligh Street. They all feature individual numbers on each parking bay. Can you confirm or clarify that these are for the rangers' benefit rather than the carpark users and I ask that because I am receiving feedback about the size of the numbers and some people having difficulty being able to read them. I note in Hobart there are large numbers on the kerb?

ANSWER

(Chief Executive Officer) I will take that on notice, but I do make the point that the numbers on the kerb in Hobart are because of paid parking.

(Further information) The bay numbering enables staff to verify the bay number with the sensor to ensure the accuracy of any infringement issued.

2. Staff and Councillors receive professional development through both internal and external providers. Could I be furnished with the details of all external sessions that have occurred in 2023 at the council offices rather than external venues including the course subject titles, the course providers and the cost to council for the delivery of these programs? Ideally, I would like to know the duration of courses and the number of attendees as well, but the principal core of my question is the external courses, the external providers and the cost to council.

ANSWER

Taken on notice.

(Further information) During the 2023 calendar year, the following professional development sessions have been conducted at the council offices for staff and Councillors and facilitated by external providers.

Name of Course	Provider	Date of course	Cost of course	Number of participants
Where is the Line? Councillor presentation	Equal Opportunity Tasmania	6 March 2023	N/A	7
White Card Construction Induction (Staff)	Allens Training	11 May 2023	\$500.00	5
Where is the Line? Staff sessions	Equal Opportunity Tasmania	9 October 2023 10 October 2023 11 October 2023	\$2,392.50	39
Intercultural Communication (Staff)	Sherlock & Dutta Consulting	22 August 2023	\$3,300.00	20
Psychological Safety (Staff)	Rachel Moore Consulting	1 October 2023 & 1 November 2023	\$4,800.00	40
Cultural Awareness Training Staff sessions	Reconciliation Tasmania	7 March 2023 5 April 2023 3 May 2023 16 May 2023	\$8,008	91
Cultural Awareness Training (condensed session – Councillors and staff)	Reconciliation Tasmania	15 September 2023	\$1,144	6 staff 7 councillors

Cr Goyne

1. After we have roads upgraded do we have a process to assess the quality of work that has been done so that it is up to the standard which we have paid for?

ANSWER

(Head of Infrastructure and Natural Assets) Each tender has a project completion date and that is set aside when work is declared finished, and inspections are undertaken prior to that date being released. Then the works are on a defects period where the service provider may have maintenance responsibilities for a certain period which may be a year and another inspection is carried out, but it depends on the work. Reseal works are different to road reconstruction or road upgrades, it depends on the contract in terms of the final inspections and maintenance period.

Question contd

Are staff used for those inspections?

ANSWER

(Head of Infrastructure and Natural Assets) Sometimes we have external consultants undertaking the inspections, which is due to our workload. Mostly the roads are undertaken by us, but sometimes external project managers might be used for example large roads. Beach Street has external assistance, Pass Road will have external assistance as they are significant projects.

2. Is there updated public toilet mapping for Clarence mainly because I have been a couple of times of late to toilets that have very few in use and also not being able to access the parenting rooms, but it turns out there is something called an MLAK key. How does one go about getting one of those because the council staff weren't aware that there is a key required when I asked for access to the parenting room and said that the toilets were closed. How do I go about getting an MLAK key and are they upgraded with things like shower facilities with the public toilet map app?

ANSWER

Taken on notice.

Further information) Mapping of public toilet facilities is managed by the Federal Government on their website The National Public Toilet Map – <https://toiletmap.gov.au/>.

The Australia-wide MLAK system uses a universal lock and key to allow people with disabilities 24-hour access to dedicated public facilities including toilets, change facilities and adaptive playground equipment. Enabled facilities can be identified by dedicated MLAK signage. Currently in Clarence MLAK locks are only fitted on Changing Places facilities – public toilets with full sized change tables and hoists intended to meet the needs of people with disabilities. There are over 112 facilities in Australia, and these can be located via <https://changing-places.org.au/find-changing-places-toilet/>.

Cr Warren

1. I have noticed another increase in what I think is illegal parking. One is vehicles for sale on the road between the Mornington roundabout and Shoreline and the other example is that I believe on Saturday afternoon there were vehicles parked on Charles Hand Park off the Rosny Hill Road side. Could I have some information as to whether those are illegally parked vehicles and what enforcement action might be taken?

ANSWER

(Chief Executive Officer) We will need to have a look at that as to what is occurring because it will depend whether it is a council road or State road. Certainly, we have some common requirements but I will obtain some more details and provide a further response.

(Further information) The Tasman Highway between the Mornington roundabout and Shoreline is a State-owned road with the Department of State Growth being responsible for any issues with parking and sale of vehicles.

Council has the power under its Public Places By-law to issue a warning or an infringement notice if an authorised officer has sufficient evidence that a vehicle is parked without authorisation under the By-law.

2. Mr Mayor, I received an email today, a letter, as did a number of us, probably all councillors, from Mrs Janice Overett and she did request that her letter be tabled this evening by yourself. I understand as you have explained to us before, that it is your prerogative as to what you table and I know earlier in the meeting you stressed the importance of transparency, and I can understand why you wouldn't want to table that letter. Is there any way that other councillors can table that letter for the public record?

ANSWER

Taken on notice.

(Further information) There is no provision within the consolidated meeting procedures that enable a councillor to table correspondence without leave of the Mayor.

As a further consideration, care needs to be taken when seeking to read any correspondence into the public record. Council meetings are not subject to any form of privilege. Should correspondence contain factually incorrect statements, defamatory statements, private or personal information, reading that correspondence could give rise to a legal liability for both the councillor reading the correspondence and also the Council as an organisation (because the council meetings are “published” via YouTube).

Cr Chong

I have had a number of people in Bellerive contact me about the Freestyle Kings show this coming Sunday and while they appreciate it is in the afternoon, this kind of show has previously caused a lot of angst with the noise etc. So, I just would like to ask what steps we have taken to let people know what is happening and what mitigation we have put in place?

ANSWER

(Chief Executive Officer) Our Manager Environmental Health has been working with the stadium operators, Cricket Tasmania to address the issue of noise. We are preparing some advice which I expect to have that to councillors tomorrow so that you can respond to those questions. The nub of the issue is that there are really two sources of noise, motorbikes and public address system. We have looked at both of those noise sources and monitoring will be active during the day. Noise monitoring is in place, and we have an arrangement in place to be able to deal with any issues should they arise.

Cr Kennedy

My question is on behalf residents of Seven Mile Beach. A number of us that attended an information session at One Hill Estate at the end of last year where the information was about an expansion of the lifestyle village where is that at, is it coming to council and what form will that take?

ANSWER

(Head of City Planning) I understand that an application is yet to be lodged so I am unaware of what form, etc but I will inform council when that is lodged and the process that they will be taking.

10.4 QUESTIONS WITHOUT NOTICE

A Councillor may ask a Question without Notice of the Chairman or another Councillor or the Chief Executive Officer. Note: the Chairman may refuse to accept a Question without Notice if it does not relate to the activities of the Council. A person who is asked a Question without Notice may decline to answer the question.

Questions without notice and their answers will be recorded in the following Agenda.

The Chairman may refuse to accept a question if it does not relate to Council's activities.

The Chairman may require a question without notice to be put in writing. The Chairman, a Councillor or the Chief Executive Officer may decline to answer a question without notice.

11. CLOSED MEETING

Regulation 15 of the Local Government (Meetings Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matter has been listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

11.1 APPLICATIONS FOR LEAVE OF ABSENCE

This report has been listed in the Closed Meeting section of the Council agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulation 2015 as the detail covered in the report relates to:

- applications by Councillors for a Leave of Absence.

Note: The decision to move into Closed Meeting requires an absolute majority of Council.

The content of reports and details of the Council decisions in respect to items listed in “Closed Meeting” are to be kept “confidential” and are not to be communicated, reproduced or published unless authorised by the Council.

PROCEDURAL MOTION

“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.