

COUNCIL MEETING
MONDAY 28 JULY 2025

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	ACKNOWLEDGEMENT OF COUNTRY	3
2.	APOLOGIES	3
3.	DECLARATIONS OF INTERESTS OF COUNCILLORS OR CLOSE ASSOCIATE	3
4.	OMNIBUS ITEMS	4
4.1	CONFIRMATION OF MINUTES	4
4.2	MAYOR'S COMMUNICATION	4
4.3	COUNCIL WORKSHOPS	4
4.4.	TABLING OF PETITIONS	5
4.5	REPORTS FROM OUTSIDE BODIES	6
	REPORTS FROM SINGLE AND JOINT AUTHORITIES	6
	REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES	6
4.6	WEEKLY BRIEFING REPORTS	17
5.	PUBLIC QUESTION TIME	18
5.1	PUBLIC QUESTIONS ON NOTICE	18
5.2	ANSWERS TO QUESTIONS ON NOTICE	18
5.3	ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE	18
5.4	QUESTIONS WITHOUT NOTICE	18
6.	DEPUTATIONS BY MEMBERS OF THE PUBLIC	19
7	PLANNING AUTHORITY MATTERS	
7.1	PLANNING APPLICATION PDPLANPMTD-2025/050706 – 90 BAYVIEW ROAD, LAUDERDALE – ADDITIONS AND ALTERATIONS (SINGLE DWELLING)	21
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	COLLABORATIVE NETWORK OF SOUTHERN TASMANIAN COUNCILS	58
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9. MOTIONS ON NOTICE - NIL ITEMS

10.	COUNCILLORS' QUESTION TIME	66
10.1	QUESTIONS ON NOTICE	66
10.2	ANSWERS TO QUESTIONS ON NOTICE	66
10.3	ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING.....	66
10.4	QUESTIONS WITHOUT NOTICE	68
11.	CLOSED MEETING.....	69
11.1	APPLICATIONS FOR LEAVE OF ABSENCE	
11.2	PROPERTY MATTER	
11.3	TENDER T1576-25 - CLARENDON VALE OVAL LIGHTING	

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 Hunter (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 7 July 2025, as circulated, be taken as read and confirmed.

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

In addition to the Councillor's 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	DATE
Coastal Access Strategy	
Community Plans Review	
Southern Councils Network	
Confidential Briefing Boulevard and Rosny Hill	
Confidential Briefing Rezoning and Subdivision Application	21 July

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

March Quarterly Report pending.

Representative Reporting

- **TASWASTE SOUTH**

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

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

The following minutes from Special Advisory Committees are provided for information.

- Community Wellbeing Advisory Committee dated 30 June 2025 (refer Attachment 1).



City of Clarence

Community Wellbeing Advisory Committee

Minutes

Monday, 30 June 2025

3.30pm – 4.44pm

Clarence City Council Committee Room – 38 Bligh Street, Rosny Park TAS 7018 / Microsoft TEAMS

Formalities		
1	Acknowledgement of Country	The Chair provided an Acknowledgement of Country.
2	Record of attendees	Councillor Heather Chong (Chair), Jane Menzies (CCC), David Ronaldson (CCC), Georgia Kruse (CCC), Mat Blunt, Dermot Cottuli, Harmanpreet Singh, Councillor Jade Darko, Tracey Cockburn (CCC)
3	Guests	Consultant Mike Wall from The Social Planners
4	Apologies	Jo Goldfinch, Councillor James Walker, David Monckton
5	Declaration of conflict of interest	Nil declared.

6	Confirmation of previous meeting minutes	Minutes accepted by all in attendance.
7	Actions arising from previous meeting minutes	<ol style="list-style-type: none"> 1. Community Services Plan Review (Life Course Plan / Community Wellbeing Implementation Plan) – In progress 2. Connect with Head of People, Safety and Culture seeking clarification of Terms and Reference timeline. Out of session feedback to be provided – In progress
General business (including reports from Working Groups)		
8	LGBTIQA+ Working Group Terms of Reference for 2025	<p>Chair, Councillor Heather Chong introduced the Draft LGBTIQA+ Terms of Reference (ToR) to the Committee. Councillor Jade Darko further explained the intention of the Working Group and the necessity for the Terms of Reference to be endorsed and implemented to enable recruitment of new Working Group members.</p> <p>The ToR document was drafted with support from the office of the CEO to ensure consistency, as it will form a template for other working groups who are yet to establish ToR.</p> <p>Terminology issue raised within the draft document. Manager Community Services advised that the Purpose Statement and Key Functions sections will be developed further once the membership of the group is established, however for the purpose of this meeting, the LGBTIQA+ Working Group is seeking endorsement on the generic template and intention to recruit</p> <p>On that basis, the committee provided endorsement and requested the ToR be submitted to the CEO for approval before Expressions of Interest are advertised for new members.</p>

9	<p>Action: Connect with Head of People, Safety and Culture seeking clarification of Terms and Reference timeline. Out of session feedback to be provided.</p>	<p>Manager Community Services provided an update on behalf of Head of Community and Culture.</p> <p>The action under this item was to seek clarification on a timeline for the completion of a standard Terms of Reference (ToR) template for all council working groups and committees. However, at the time of the meeting, this is still unknown. Concurrent to this is the working group and committee member survey, which was circulated by the office of the CEO, and is open for feedback until end of June – this was discussed as the results and timing of the survey may impact on the timeline for the ToR.</p> <p>Another item concurrent to ToR and raised by the Chair, Councillor Heather Chong, is the need to ensure that the Child and Youth Safe Framework is referenced and included in all ToR and included in the Work Health and Safety (WH&S) Inductions of new members – an item to check with council’s WH&S team.</p>
10	<p>Findings Update – Review of Community Services Plans</p>	<p>Confirmation from the committee that attachments Findings Report and Draft Future Options Report have been read ahead of the meeting.</p> <ul style="list-style-type: none"> Assuming that these documents have been read, Manager Community Services and The Social Planners’ Mike Wall presented on the findings of the Community Services Plan review work and proposed three future direction options to the committee. Feedback and amendments were sought from the committee on the presentation as well as the recommended future direction which is to: Elevate equity, diversity and inclusion at a higher strategic plan level.

		<ul style="list-style-type: none"> • Update/refresh of the Community Wellbeing Strategy to bring into alignment with future direction; and • Develop one Community Wellbeing Plan which adopts a life-course, all-of-community approach from cradle to grave; thus, removing the need to replicate the following plans: Age Friendly Clarence, Disability Access and Inclusion Plan, Community Safety Plan, Youth Services Plan. Children up to 12 years will be referenced in this plan, however it was identified that the Children's Services team will also require an Operational/Business Plan as distinct to this process. <p>Committee Discussion points:</p> <ul style="list-style-type: none"> • Advised caution around elevating equity, diversity and inclusion and language - to ensure it doesn't further divide and isolate marginalised communities. • Question around when Community Wellbeing Strategy would be updated – first, after or during the development of new plan? • The committee endorsed the whole of community approach, however highlighted that some initiatives may need to relate to one cohort, and the proposed direction allows for flexibility in this regard. • Councillor Jade Darko left the meeting at 3.59pm. <p>Action Item: Manager Community Services to circulate the presentation with the committee for further consideration of the four main points – Completed, remove next agenda.</p> <p>Action Item: Committee Members to respond by COB Friday 4 July 2025, providing their agreement and commentary. Once received, Manager Community Services to compile for the Head of Community and</p>
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		Culture's review and presentation to the Executive Leadership Team before going to a Council Workshop.
11	Droughty Peninsula Structure Plan Project	<p>Chair, Councillor Heather Chong referred to the attached letter circulated ahead of the meeting and encouraged the Committee to go online and complete the Droughty Peninsula Structure Plan community survey and to also encourage their community connections to participate.</p> <ul style="list-style-type: none"> • Tracey Cockburn joined the meeting at 4.30pm. • Chair, Councillor Heather Chong and Harmanpreet Singh left the meeting at 4.32pm
12	Adopted Budget 2025-26 Update	<p>Manager Community Services provided a budget update to the committee, which included the recent purchase of the office buildings located at 30 Gordons Hill Road, and the committee budget request for 2025/26 Financial Year. Out of the six budget requests submitted, the following projects were fully funded:</p> <ul style="list-style-type: none"> • Mental Health Week Walk \$15,000 • Development of Community Services Plans \$40,000 • Continuation of Tracks and Trails Accessibility Audit \$15,000 • Implementation of the Universal Accessible Information Project \$5,000 • YNAG Support \$7,500 <p>Except for the LGBTIQ+ Community Consultation which was reduced from \$18,000 to \$16,000.</p>
13	Community and Working Group Survey Participation	As outlined in item 9 a committee and working group member survey was circulated on behalf of the CEO seeking anonymous feedback to shape

		<p>how our working groups and committee's function. To participate in the survey, access the following link.</p> <p>Working group and committee member survey</p> <p>Action: Recirculate the Community and Working Group Survey email to the committee – Completed, to be removed next agenda.</p>
14	<p>Working Group Updates:</p> <ul style="list-style-type: none"> • Youth Working Group • LGBTIQ+ Working Group • Positive Aging Working Group 	<p>Youth Working Group – Tuesday 27 May 2025 – Update from Manager Community Services</p> <ul style="list-style-type: none"> • During the meeting concerns for public safety, broad ranging issues raised across all of Clarence was raised. • Metro Weekend bus timetables. Information has been passed onto Metro. <ul style="list-style-type: none"> - Across Greater Hobart Council survey, Head of Community and Culture raised the opportunity for an extensive response to be formulated apart of council's survey response. • Terms of Reference is currently being refined. To be shared with the committee once finalised. • During the meeting the question was raised, how young people are involved within council business. Manager Community Services proposed to the committee the possibility of a young person self-nominating to attend our committee meetings and report back to the Youth Working Group. <p>LGBTIQ+ Working Group – Wednesday 18 June 2025 – Update from Team Leader Community Development</p> <ul style="list-style-type: none"> • Refer to item 8 - LGBTIQ+ Working Group Terms of Reference for 2025. Nothing additional to raise. <p>Positive Ageing Working Group</p>

		<ul style="list-style-type: none"> Meeting scheduled Thursday 22 May 2025 did not go ahead, due to not having a quorum.
15	Community Development Team Project Updates	<ul style="list-style-type: none"> Team Leader Community Development provided the following updates: <ul style="list-style-type: none"> The Reconciliation Action Plan (RAP) was endorsed by Reconciliation Australia in May 2025 (timely approval for Reconciliation Week). Potential RAP launch to be held late July/August 2025. Upcoming NAIDOC Week film screening at the Barn – Free event. Share with friends, family and community. <p>What: Free film screening of In My Blood It Runs When: Saturday 12 July, 3pm-4.30pm Where: Rosny Barn Tickets and Event Info: In My Blood It Runs - Film Screening Trailer is here. Facebook event is here. Tickets are free, but registrations are essential.</p>
16	News from members	<ul style="list-style-type: none"> Question raised in relation to quorum and members of the Committee, seeking if there is appetite to increase number of community group representatives on this Committee. Councils' advertisement of Community Events issue raised. For example, the upcoming Story Festival Event scheduled at the Grace Centre, feels the event hasn't been well pushed into the local community and passed on difficulties trying to locate anything promotional on Councils website. Partnerships and collaboration with other Community Groups from Councils perspective question raised as the Grace Centre is

		<p>in the process of exploring with an Architect with the purpose of designing a mud map of potential uses of their surrounding land.</p> <p>Action: Manager Community Services and Team Leader Community Development to review constitution and confirm the number of community member representatives are to be on a committee and inform the Chair. If the committee unanimously agrees we can go out with an Expression of Interest for new members.</p> <p>Action: Manager Community Services, Team Leader Community Development and Dermot Cottuli to schedule a meeting onsite at the Grace Centre to explore potential partnership and or collaboration ideas.</p>
17	Any other business	<ul style="list-style-type: none"> • Formal recognition of David Monckton's resignation from the Committee. <p>Action: Letter to be drafted on behalf of the Chair and a small gesture sent to David Monkton thanking him for his time and contribution to the Committee.</p>

Concluding		
18	Review agreed actions	<ul style="list-style-type: none"> • Connect with Head of People, Safety and Culture seeking clarification of Terms and Reference timeline. Out of session feedback to be provided – In progress. • Manager Community Services to circulate the presentation with the committee – Completed, remove next agenda. • Committee Members to respond by COB Friday 4 July 2025, providing their agreement and commentary. Once received, Manager Community Services to compile for the Head of Community and Culture’s review and presentation to the Executive Leadership Team before a Council Workshop. • Recirculate the Community and Working Group Survey email to the committee – Completed, remove next agenda. • Manager Community Services and Team Leader Community Development to review constitution and confirm the required number of community member representatives on a committee and inform the Chair. If the committee unanimously agrees we can go out with an Expression of Interest for new members. • Manager Community Services, Team Leader Community Development and Dermot Cottuli to schedule a meeting onsite at the Grace Centre to explore potential partnership and or collaboration ideas. • Letter to be drafted on behalf of the Chair and a small gesture sent to David Monkton thanking him for time and contribution to the committee.
19	Date, time and location of next meeting	Monday 22 September 2025 at 3:30pm , located in the Clarence City Council Chambers Library – 38 Bligh Street, Rosny Park TAS 7018 / Microsoft TEAMS .

		2025 Meeting Schedule: <ul style="list-style-type: none">Monday 1 December 2025
20	Meeting close	4:44pm

4.6 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 7, 14 and 21 July 2025 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 7, 14 and 21 July 2025 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.

Nil.

5.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

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 PLANNING APPLICATION PDPLANPMTD-2025/050706 – 90 BAYVIEW ROAD, LAUDERDALE - ADDITIONS AND ALTERATIONS (SINGLE DWELLING)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Additions and Alterations (Single Dwelling) at 90 Bayview Road, Lauderdale.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is subject to the Parking and Sustainable Transport Code, Coastal Erosion Hazard Code, Coastal Inundation Hazard Code, Flood-prone Hazard Areas Code, Natural Assets Code and 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 on 30 July 2025.

CONSULTATION

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

- Frontage setback;
- Visual bulk;
- Overshadowing;
- Privacy;
- Vehicle access;
- Traffic and parking congestion;
- Coastal Inundation Report feasibility;
- Construction risk to adjoining properties;
- Front fence design and height;
- Potential for asbestos removal; and
- Loss of views.

RECOMMENDATION:

A. That the Planning Application for Additions and Alterations (Single Dwelling) at 90 Bayview Road, Lauderdale (Cl Ref PDPLANPMTD-2025/050706) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG A1 – NEW CROSSOVER.

3. S1 – INFRASTRUCTURE REPAIR.
 4. An erosion and sedimentation control plan, in accordance with the Derwent Estuary Program Soil & Water Management on Building & Construction Sites document, must be submitted and approved by Council's Head of Infrastructure and Natural Assets prior to the commencement of the use / prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). All debris/construction materials must be contained within the property. All works must be carried out in compliance with the approved erosion and sediment control plan, or to the satisfaction of Council's Head of Infrastructure and Natural Assets.
 5. All works must be undertaken generally in accordance with the Tasmanian Coastal Works Manual produced by the Tasmanian Department of Primary Industries, Parks, Water and the Environment 2010 [Tasmanian_Coastal_Works_Manual.pdf].
- B. That in addition to standard advice, the following advice be provided to the proponent.
- a. The property is within a mapped Coastal Inundation & Erosion Hazard prone area, as such the works are at minimum Category 3 Notifiable Building Work under the Directors Determination. Notifiable Building Work requires a Building Surveyor to be engaged to create and certify an Application for Building Approval. Please provide a Hazard Report for Coastal Inundation and Erosion from a suitably qualified person that meets the requirements of the Determinations and Building Act 2016. These reports must form part of the certified documents issued by the Building Surveyor for the building application.
 - b. A Building Surveyor to be engaged for certification and to ensure fire separation from the garage is provided prior to approval of the works.
 - c. A Form 6 Protection Works Notice may be required as proposed work appears to be on the boundary line, please consult your Building Surveyor to advise if necessary.
 - d. The proposed works are located within a mapped overland flow path and prone to flood. Please refer to Council's flood mapping system <https://www.ccc.tas.gov.au/flood-maps/> as such and in accordance with the requirements of the Building Act 2016 and Regulations, the finished floor level FFL of all habitable rooms must be 300mm or more above the designated flood level for that land. You should seek advice on this from your designer and building surveyor at the earliest possible opportunity.

- e. 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 (<https://assets.ccc.tas.gov.au/uploads/2023/07/Stormwater-Management-Procedure-for-New-Development.pdf>). This requirement will be assessed as part of engineering plans assessment if the proposed Development is approved.

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

- C. 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

The existing dwelling was constructed in 1948 with later alterations in 1975 and 1977.

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 all the Acceptable Solutions under the Scheme and relies upon Performance Criteria.
- 2.3.** The relevant parts of the Planning Scheme are:
- Section 5.6 – Compliance with Applicable Standards;
 - Section 6.10 – Determining Applications;
 - Section 8.0 - General Residential Zone;
 - Section C2.0 – Parking and Sustainable Transport Code;
 - Section C7.0 – Natural Assets Code;
 - Section C10.0 – Coastal Erosion Hazard Code;
 - Section C11.0 – Coastal Inundation Hazard Code;
 - Section C12.0 – Flood-prone Hazard Areas 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 site is a flat rectangular shaped lot with an area of 556m² and has an existing access to Bayview Road. The rear of the site abuts public land which is part of Lauderdale Beach.

The surrounding area is zoned General Residential and Open Space. The area consists of predominantly established single dwellings on similar sized lots.

3.2. The Proposal

The proposal is for additions and alterations to the single dwelling, including a proposed upper-level addition, alterations to the lower level, a double garage, alfresco area, removal of existing sheds at the rear and new vehicle access to Bayview Road.

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 two outbuildings located at the rear of the lot. The demolition works are permitted in accordance with General Provision 7.9.

Compliance with Zone and Codes

Although applicable, the proposal does not require assessment under the Coastal Erosion Hazard Code because the proposed building and works meet the exemptions in accordance with clause C10.4.1 (a) and C11.4.1 (a) of the Coastal Erosion Hazard Code.

The Flood-prone Hazard Code is not applicable in accordance with standard C12.2.5, in that the code does not apply to land subject to the Coastal Inundation Hazard Overlay, even though it is exempt under that code.

The proposal satisfies exemption clause C16.4.1(a) of the Safeguarding of Airports Code, because the maximum height of the development would not exceed the prescribed obstacle limitation surface level of 147m AHD.

The proposal is for additions and alteration to a single dwelling, which has a “No Permit Required” use status in the General Residential Zone.

The proposal meets the Scheme’s relevant Acceptable Solutions of the General Residential Zone and Parking and Sustainable Transport Code and Natural Assets Code except for the following.

General Residential Zone

- **Clause 8.4.2 – Setbacks and Building Envelope for all Dwellings**

The proposal includes part of the dwelling additions (entry hall) within 4.5m of the frontage and a garage within 5.5m of the frontage. In addition, the proposed upper level at the rear partially exceeds the building envelope along the southern façade.

The proposal must be assessed against Performance Criteria P1, P2 and P3 of Clause 8.4.2 as follows.

Performance Criteria	Assessment
“Clause 8.4.2	The proposal is assessed as satisfying the performance criteria as outlined below
<p>P1 <i>A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.</i></p>	<p>For the purpose of assessment, streetscape is a defined term in the planning scheme and “means the visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setback of buildings and structures from the property boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve. For the purposes of determining streetscape for a particular site, the above matters are relevant when viewed from either side of the same street within 100m of each side boundary of the site, unless for a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule, where the extent of the streetscape may be determined by the relevant precinct provisions.”</p> <p>The proposed addition and alterations to the dwelling include an entry area and deck which is located 3.8m from the frontage boundary. The subject site has no prevailing topographical constraints; however, the proposal is taken to be compatible with the streetscape because along Bayview Road there are multiple precedents where existing development is located within the frontage setback.</p> <p>The proposed surrounding properties along Bayview Road include approved structures, predominantly garages and carports with the reduced frontage setbacks.</p> <p>These properties include; 94 Bayview Road (Setback 1.6m – 2.0m), 83 Bayview Road (Setback 3.0m), 112 Bayview Road (0.7m), 114 Bayview Road (0.3m) and 62 Bayview Road (Setback 0.3m).</p>

	On this basis, the reduced frontage setback of the dwelling is assessed as being consistent with existing established development along Bayview Road, as outlined above, and is therefore compatible with the streetscape.
<p>P2 <i>A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</i></p>	<p>The proposal includes a double garage which is located 0.71m from the frontage boundary. The subject site has no prevailing topographical constraints; however, the proposal is taken to be compatible with established setbacks within the street. It is noted that this standard relates to the entire street and is not limited to the “streetscape”, as with P1 above.</p> <p>As discussed above, along Bayview Road there are multiple precedents where existing garages and carports are located within the frontage setback.</p> <p>Specifically, the following reduced setbacks are of a similar dimension to the proposed garage. The garage located at 112 Bayview Road has a frontage setback of 0.7m, 114 Bayview Road has a garage situated just 0.3m from the frontage and further along Bayview Road, at 62 Bayview Road the garage has a frontage setback of just 0.3m.</p> <p>On this basis, the proposed reduced setback of the garage is assessed as being compatible with the established streetscape and existing frontage setbacks of garages and carports within the street.</p>
<p>P3 <i>The siting and scale of a dwelling must:</i> <i>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</i></p> <p style="padding-left: 40px;"><i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</i></p> <p style="padding-left: 40px;"><i>(ii) overshadowing the private open space of a dwelling on an adjoining property;</i></p>	<p>The proposed additions and alterations include a garage and part of the dwelling which exceed the building envelope at the frontage, whilst a minor portion of the upper-level addition to the south exceeds the vertical building envelope.</p> <p>The shadow diagrams provided for 21 June, show that there is no unreasonable loss of sunlight to private open space or a habitable room (other than a bedrooms) on the adjoining property to the south.</p> <p>The shadow diagrams show that the proposed addition partially overshadows the private open space of the adjoining property to the south.</p>

<p>(iii) <i>overshadowing of an adjoining vacant property; and</i></p> <p>(iv) <i>visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</i></p> <p>(b) <i>provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</i></p> <p>(c) <i>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>(ii) <i>another dwelling on the same site.”</i></p>	<p>The reduction in sunlight to the private open space is not unreasonable, because the shadow diagrams provided show at least three hours of sunlight between 9.00am and 3.00pm on 21 June to at least 50% of the private open space.</p> <p>The reduction in sunlight to windows to habitable rooms (other than a bedroom) of the adjoining property is not unreasonable. The windows of the upper level (containing the living areas) of the adjoining dwelling, are partially overshadowed at 3pm. The windows receive more than three hours of full sunlight between 9am and 3pm on 21 June.</p> <p>The surrounding neighbourhood is characterised by predominantly single and double storey dwellings on similar sized rectangular lots. Specifically, the two properties either side of this development present large double storey developments of a similar scale and bulk.</p> <p>Accordingly, the proposed addition and alterations are assessed as being consistent in scale and proportion with the dwellings on surrounding established properties.</p> <p>The proposed development is two storeys, with the upper level being situated primarily at the rear of the dwelling.</p> <p>The proposed floor levels present as a split-level design, with the upper floor level set 2100mm above the existing ground floor level, which minimises the overall height of the proposed development. The proposal presents itself as a single storey dwelling when viewed from the frontage with the upper-level setback over 15m from the frontage. The development does not present as unreasonably bulky and is what could reasonably be expected to be located on the site.</p> <p>The proposed setbacks to the side boundaries are consistent with the separation between dwellings on adjoining sites and within the surrounding area, ranging between 0m to 3m distance.</p>
--	---

	<p>As a result, the proposed development contributes to a consistent pattern of separation distance between buildings that are established within the surrounding area.</p> <p>Aerial imagery shows that there are solar panels located on the adjoining property to the south. Shadow diagrams provided, show that there is no shadow cast by the proposed development on the adjoining dwelling's roof and subsequently there is no impact to any existing solar energy installations</p>
--	---

Natural Assets Code

- **Clause C7.6.1 A1 – Development Standards for Buildings and Works**

In relation to buildings and works within a waterway and coastal protection area, the Acceptable Solution is not met because the proposed development is partially within a coastal protection area and not confined to a defined building area on title.

The proposal must be assessed against Performance Criteria P1.1 of Clause C7.6.1 as follows.

Performance Criteria	Assessment
"Clause 7.6.1 P1.1	The proposal is assessed as satisfying the performance criteria as outlined below
<p><i>Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</i></p> <p>(a) <i>impacts caused by erosion, siltation, sedimentation and runoff;</i></p> <p>(b) <i>impacts on riparian or littoral vegetation;</i></p> <p>(c) <i>maintaining natural streambank and streambed condition, where it exists;</i></p>	<p>The proposed buildings and works are partially located within a Coastal Protection Area located at the rear of the site which adjoins Lauderdale Beach.</p> <p>The subject site contains an existing dwelling and associated outbuildings within the Coastal Protection Area. The proposed development does not cause adverse impacts on the natural values of the mapped protection area, as the proposed development is clustered with surrounding suburban development, and it is not considered to have a significant impact on erosion, siltation, sedimentation or runoff.</p> <p>The proposed building works will not involve any impact on riparian or littoral vegetation because the site is clear of the waterbody.</p>

<p>(d) <i>impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</i></p> <p>(e) <i>the need to avoid significantly impeding natural flow and drainage;</i></p> <p>(f) <i>the need to maintain fish passage, where known to exist;</i></p> <p>(g) <i>the need to avoid landfilling of wetlands;</i></p> <p>(h) <i>the need to group new facilities with existing facilities, where reasonably practical;</i></p> <p>(i) <i>minimising cut and fill;</i></p> <p>(j) <i>building design that responds to the particular size, shape, contours or slope of the land;</i></p> <p>(k) <i>minimising impacts on coastal processes, including sand movement and wave action;</i></p> <p>(l) <i>minimising the need for future works for the protection of natural assets, infrastructure and property;</i></p> <p>(m) <i>the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</i></p> <p>(n) <i>the guidelines in the Tasmanian Coastal Works Manual.”</i></p>	<p>The proposal is not expected to impede flow lines and will not restrict natural flow or drainage, fish passage or coastal processes or wave action given the waterbody located clear of the subject site.</p> <p>There are no wetland areas located on the site or within proximity to the site.</p> <p>The proposed development is clustered within the existing developed areas on the site. There is minimal cut and fill proposed, and the proposed addition is primarily located on the upper level.</p> <p>Should the proposal be approved, the permit will include a condition for the proposal to be carried out in accordance with the guidelines in the <i>Tasmanian Coastal Works Manual</i>.</p>
---	---

5. REPRESENTATION ISSUES

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

5.1. Frontage Setback

Concern was raised in relation to the frontage setbacks proposed for both the proposed double garage and additions to the dwelling, and that the proposal is not consistent with the pattern of development and neighbourhood character of the street.

- **Comment**

The proposed development has been assessed against the performance criteria of standard 8.4.2 in relation to frontage setbacks and the building envelope. The performance criteria has been met as outlined in the above assessment.

5.2. Visual Bulk

Concern was raised in relation to the proposed additions' visual bulk and imposing nature.

- **Comment**

The proposal is for additions and alterations to a single dwelling, including a second level addition, which is consistent with the scale and heights of other dwellings along the street, in particular those adjacent. The proposed development is assessed as being consistent in scale and proportion with the surrounding established residential area and what could reasonably be expected to be located on the site. The proposed height and scale are considered reasonable and therefore do not justify refusal of the proposal.

5.3. Overshadowing

Concern was raised in relation to overshadowing, in that the proposed development would overshadow the adjoining property's private open space and pool on the Winter Solstice.

- **Comment**

Due to the orientation of the subject site, loss of sunlight occurs on 21 June to the private open space and windows to habitable rooms to the adjoining property to the south. While it is acknowledged that the proposed development would have impact upon solar access on the Winter Solstice, as demonstrated by the submitted shadow diagrams, this impact is considered reasonable and therefore does not justify refusal of the proposal.

5.4. Privacy

Concern was raised in relation to privacy, in that the windows located on the upper-level addition would overlook neighbouring properties.

- **Comment**

The proposed development has been assessed against the Privacy Standard 8.4.6 and has met the acceptable solution. The upper-level windows proposed are either setback more than 3m from a side boundary, have obscured glazing or are offset in the horizontal plane, not less than 1.5m from the edge of a window or glazed door to a habitable room of another dwelling. In this instance, the above matter has no determining weight.

5.5. Vehicle Access

Concern was raised in relation to the potential for the original access to be utilised in addition to the new access.

- **Comment**

The site plan confirms that the existing access is to be removed, and the kerb and gutter reinstated to Council requirements. The new access is to be the only vehicle access to the property. The above matter has no determining weight.

5.6. Traffic and Parking Congestion

Concern was raised in relation to the use of on street parking causing parking and traffic congestion along Bayview Road.

- **Comment**

The proposal includes a double garage which meets the parking requirements for the single dwelling use. Therefore, the above matter has no determining weight.

5.7. Coastal Inundation Report Feasibility

Concern was raised in relation to the minimum floor level proposed below 3m AHD and recommendations included in the Coastal Hazard Assessment provided relating to minimum floor heights.

- **Comment**

While there has been a slight increase in the overall footprint of the original house—particularly in Bedrooms 2 and 3—the changes remain part of an alteration rather than a new build. If this were a completely new dwelling, the FFL of the entire house would be required to meet the 3m AHD minimum.

From a building compliance perspective, and in accordance with the Director’s Determination for Coastal Inundation, if a building application is lodged with Council that includes a Coastal Inundation Report and is certified by a Building Surveyor, then the application is considered to have met all requirements under the *Building Act 2016* and the *Building Regulations 2016*.

The proposal is assessed as meeting the relevant exemptions of the Coastal Inundation Hazard Code and Coastal Erosion Hazard Code, consequently the above matter has no determining weight.

5.8. Construction Risk to Adjoining Properties

Concern was raised in relation to potential risk or damage to existing development on adjoining properties during the construction phase, particularly where development located along a shared boundary.

- **Comment**

A *Form 6 Protection Works Notice* may be required for future works located along the boundary line; this form will be provided by a Building Surveyor with a future building application. The above is not a planning matter and had no determining weight.

5.9. Front Fence Design and Height

Concern was raised in relation to the height and design on the frontage fence, specifically in relation to the limited visibility for pedestrians and vehicles.

- **Comment**

The proposed frontage fence is a solid wall with a maximum height of 1.2m, as shown on the documentation provided. The proposed frontage fence meets exemption 4.6.3 of the Scheme in relation to fences within 4.5m of a frontage. Consequently, the above matter has no determining weight.

5.10. Potential for Asbestos Removal

Concern was raised that the existing dwelling may contain asbestos, and removal of asbestos may be required as part of future works.

- **Comment**

The above matter is not a planning matter and therefore has no determining weight.

5.11. Loss of Views

Concern was raised that the addition of the second level would obscure views from surrounding properties.

- **Comment**

The proposal is for additions and alterations to a single dwelling, including a second level addition, which is consistent with the scale and height of other dwellings along the street. There is no applicable standard under the Scheme to address impacts to views. Consequently, the above matter has no determining weight.

6. EXTERNAL REFERRALS

No external referrals were required or undertaken as part of this application.

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 and furthers 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

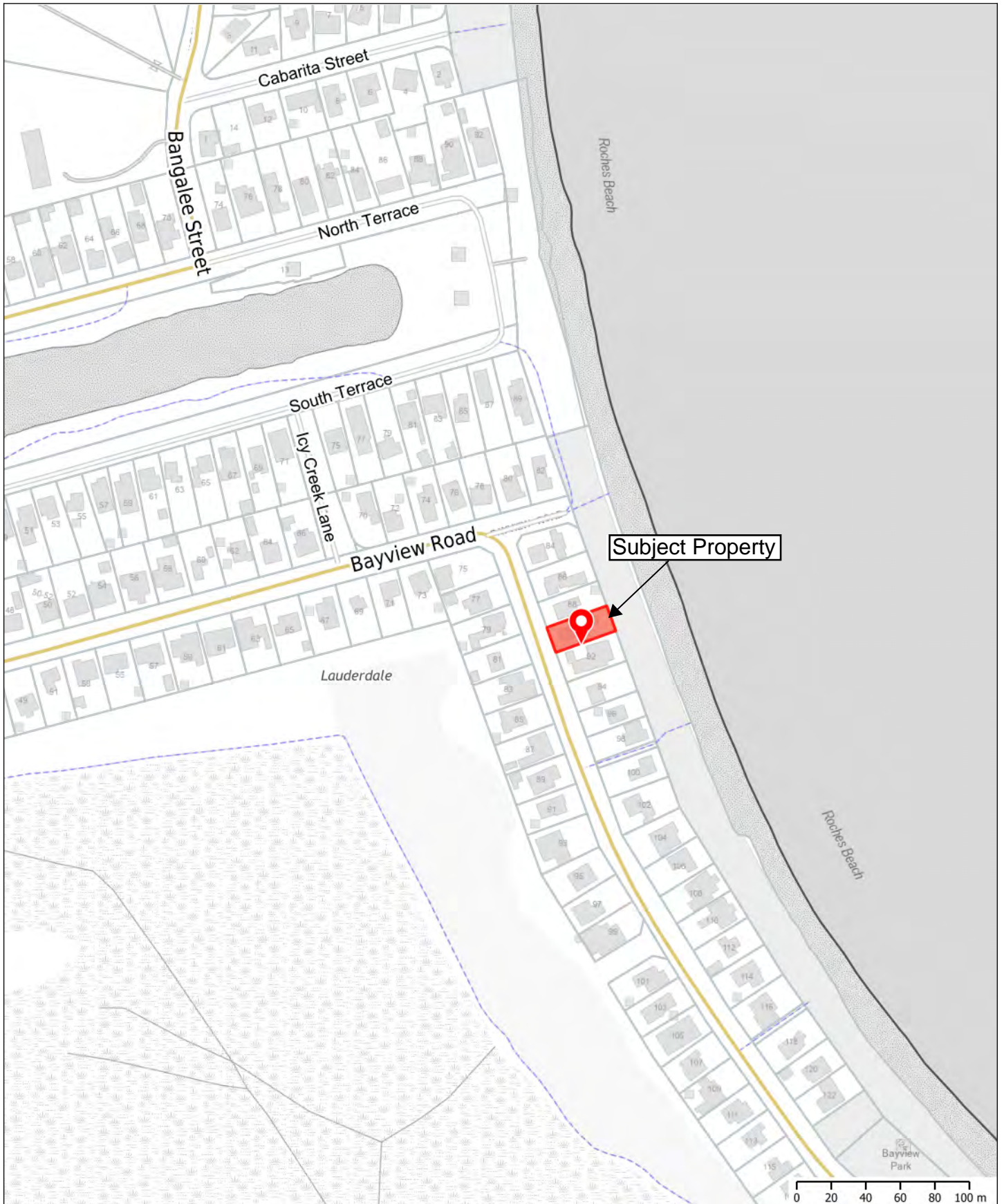
The proposal is recommended for approval subject to conditions.



Attachments: 1. Location Plan (1)
2. Proposal Plan (17)
3. Site Photo (1)

Daniel Marr
HEAD OF CITY PLANNING

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

Attachment 1



	<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>16/07/2025</p>	
		<p>1:3000</p>	

A000	Cover Page
A001	Ground Floor General Arrangement Plan
A002	First Floor General Arrangement Plan
A100	Existing Site Plan
A101	Existing & Demolition Floor Plan
A110	Proposed Site Plan
A130	Ground Floor Plan
A131	First Floor Plan
A150	Roof Plan
A200	West External Elevations
A201	South External Elevations
A202	East External Elevations
A203	North External Elevations
A204	Bayview Road Elevation



90 BAYVIEW ROAD | LAUDERDALE

GA Plan Legend

All works to be undertaken in accordance with the National Construction Code 2022 and relevant Australian Standards.

The contractor shall check all dimensions and levels on site prior to construction and notify of any errors, discrepancies or omissions.

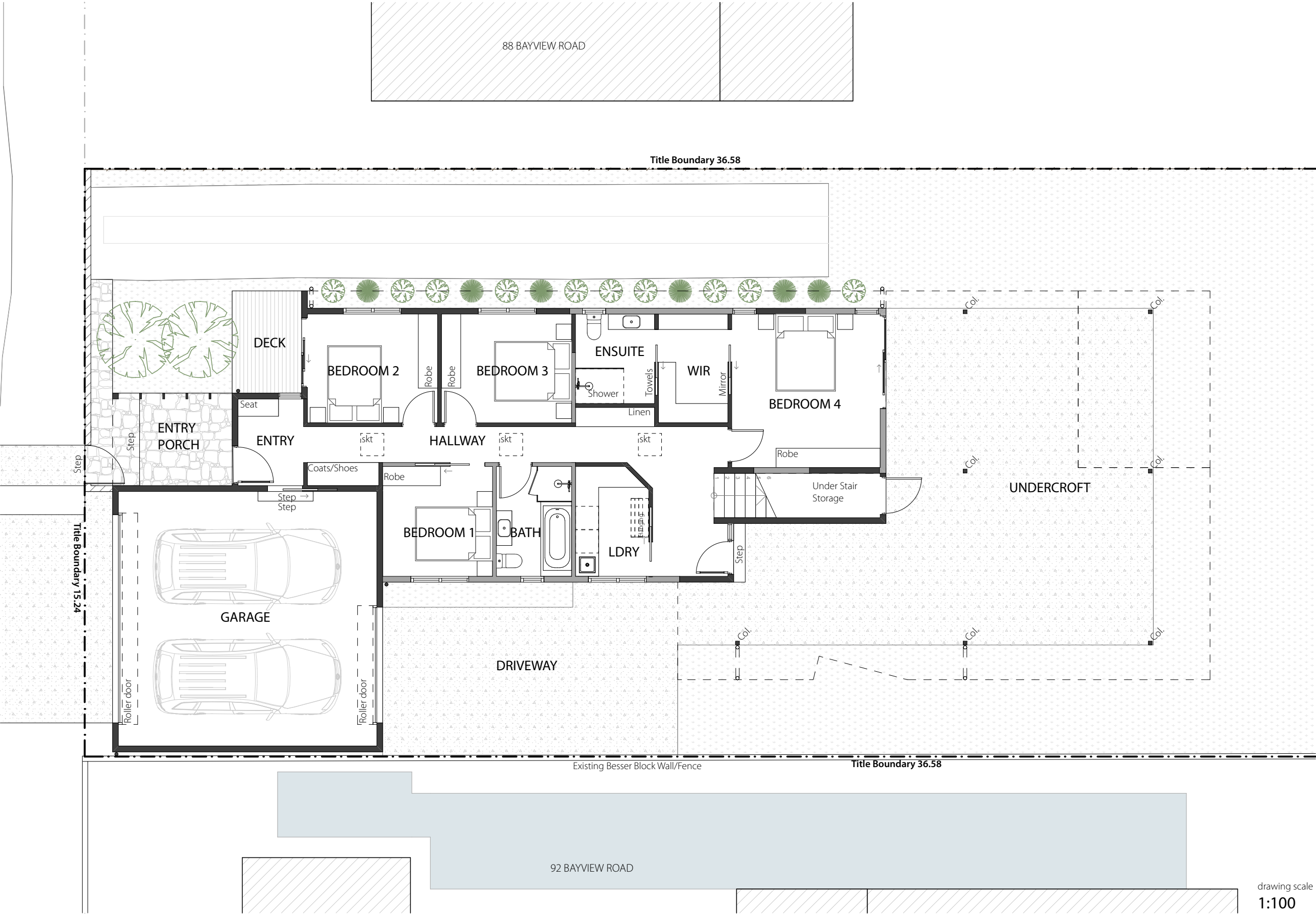
Written dimensions to take preference over scaled dimensions.

Contractor must verify and check all site conditions including ceiling heights and all dimensions before commencing work on site.

All drawings to be read in conjunction with Hydraulic, Structural/Civil details, drawings and specifications.

Authorities & Approvals

Refer to Planning and Building Permit conditions in respect to all works. Ensure compliance with all council regulations and requirements.



stuartsmith
architecture & design

project name
Alterations & Additions
client
H. Pettit & A. Wheeler
site address
90 Bayview Road, Lauderdale

office project number
24007
nominated architect
Stuart Smith
project stage
Development Application
accreditation number
CC6350
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abn 23 756 092 576 | 30 dexter drive, mount rumney 7170 | info@stuartsmith.com.au

drawing title
Ground Floor General Arrangement Plan
drawing size
A3
issue date
7/5/2025
drawing number
A001
revision
DA02

GA Plan Legend

All works to be undertaken in accordance with the National Construction Code 2022 and relevant Australian Standards.

The contractor shall check all dimensions and levels on site prior to construction and notify of any errors, discrepancies or omissions.

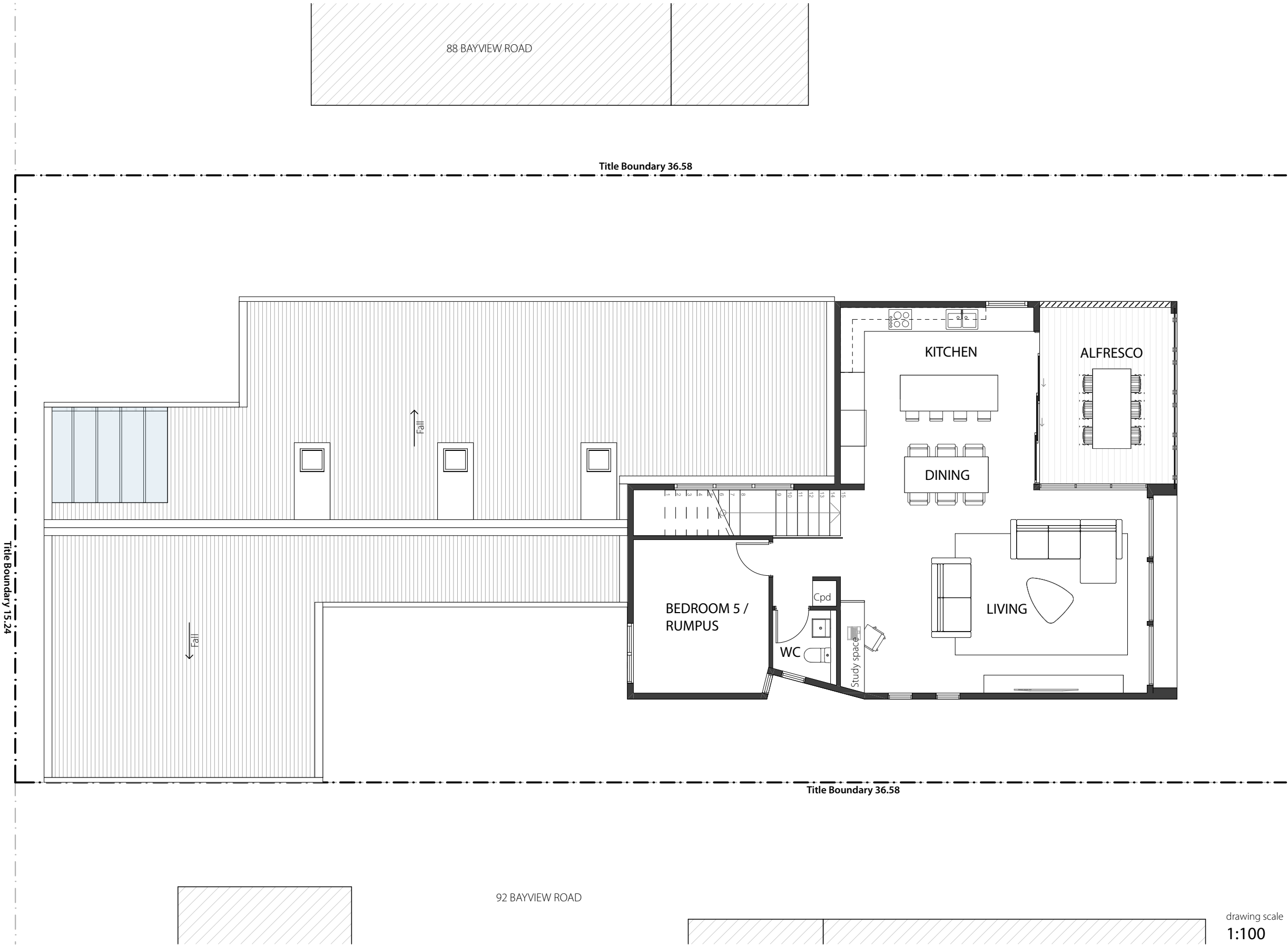
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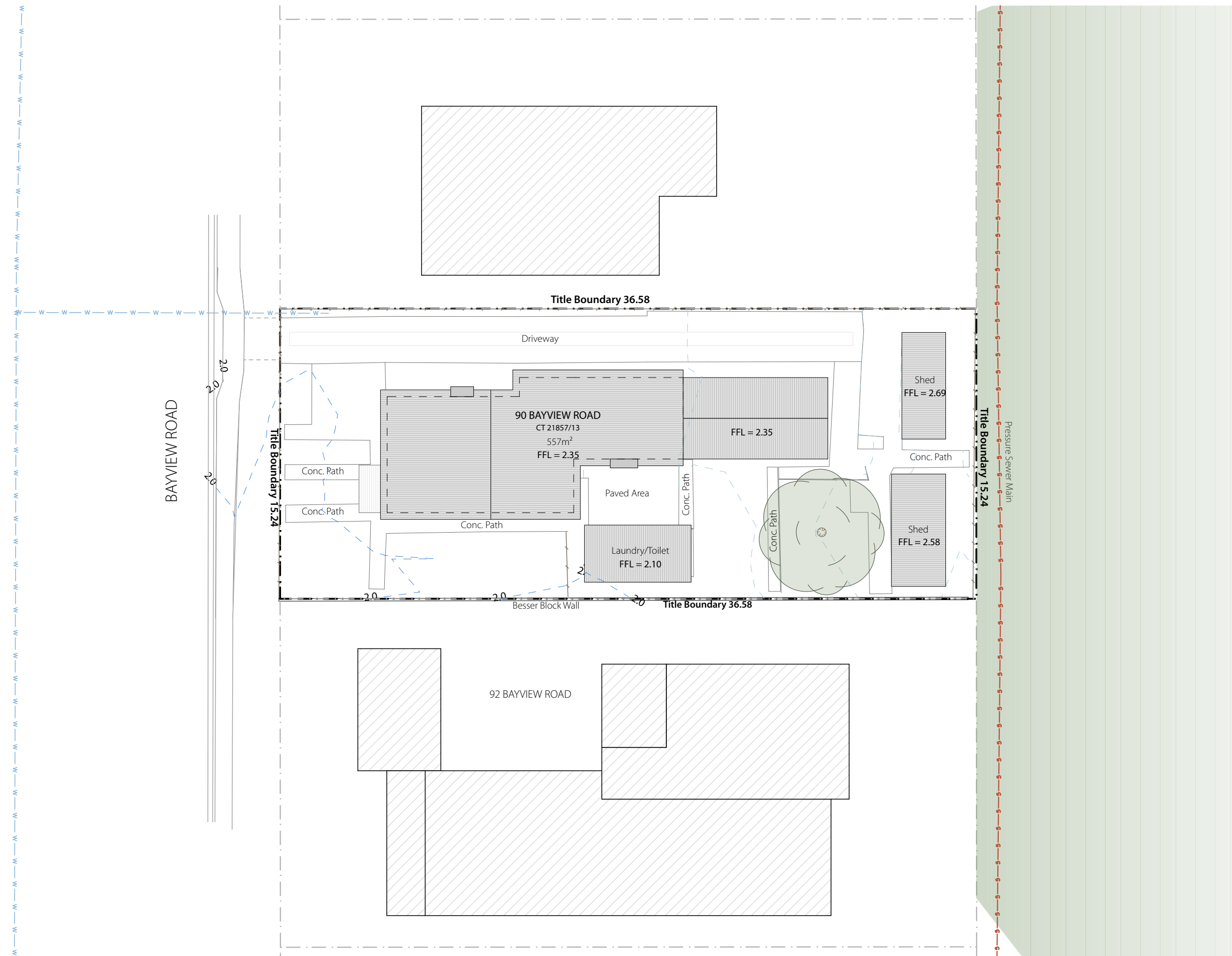


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architecture & design

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90 Bayview Road, Lauderdale

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CC6350
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drawing title
First Floor General Arrangement Plan
drawing size
A3
issue date
7/5/2025
drawing number
A002
revision
DA02



Existing Plan Legend

Existing floor plan as measured on site or as supplied as dwg/pdf. For full accuracy its recommended engaging a registered surveyor.



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architecture & design

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abn 23 756 092 576 | 30 dexter drive, mount rumney 7170 | info@stuartsmith.com.au

project stage
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CC6350

drawing size
A3
issue date
7/5/2025

drawing title
Existing Site Plan
drawing number
A100
revision
DA02

Walls & elements to be demolished

Demolish section of wall and others building elements to extent shown dotted. Make good to retained surfaces including floors, walls and ceilings affected by removal of wall or elements

Door to be demolished

Demolish door, frame and hardware as shown dashed. Make good to opening in preparation for new wall infill or provide new reveals for opening as required.

Wall to be retained

Wall to be retained. Protect existing wall throughout demolition phase. Patch and repair walls in area of new works to be delivered.

Doors to be retained

Protect existing door throughout demolition. Contractor is to tighten and adjust hinges and hardware to deliver door fully operational. Applicable in area of works

All demolition works to be undertaken in accordance with AS2601 - demolition of structures.

Demolition plan to be read in conjunction with existing associated plans.

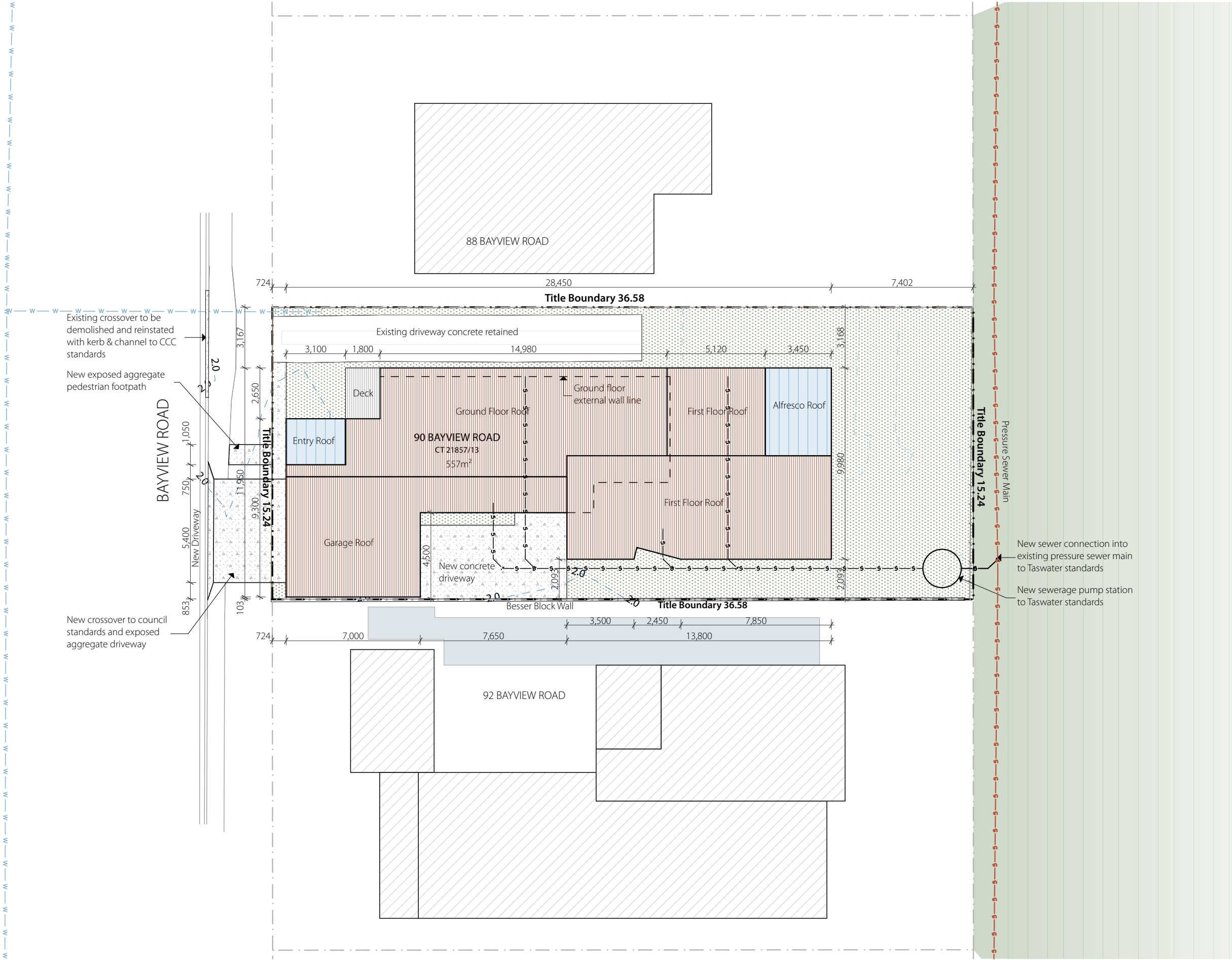
Allow to make good to all penetrations in walls and floors where items removed.



stuart**smith**
architecture & design

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nominated architect **Stuart Smith** accreditation number **CC6350**
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drawing title
Existing & Demolition Floor Plan
drawing size
A3
drawing number
A101
issue date
7/5/2025
revision
DA02



Site Plan Legend

- Neighbouring buildings
- New dwelling roof
- New external roofed areas
- New concrete surfaces
- New timber decking
- Soft landscaping
- 42 Existing contour levels
- New concept sewer lines

Site Coverage

Site Area	557m2	100%
Proposed Dwelling Coverage	265m2	47%

General

During Construction, soil and water is to be appropriately managed. This includes the provision of silt fencing, filter screens or dedicated silt traps to prevent the discharge of gravel, soil or other debris to any existing water course or adjoining property during the construction process

Excavation

Contractor is to allow for bulk excavation where required and all excavation, filling, back filling and consolidation required for the footings and slabs. Retain all access and services as documented. Make good to all ground surfaces upon completion.

Setting Out

The builder shall accurately set-out the works and verify all dimensions and levels before commencing construction. Contractor shall make good at their own expense any errors arising from inaccuracies of the set-out.

Hydraulics

All drainage and sanitary plumbing to connect into existing council system. All plumbing works to be completed in accordance with AS3500, the local plumbing code and requirements. The hydraulic contractor is to submit as constructed drawings and submit to council & principal for their records.



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drawing title
Proposed Site Plan
drawing number
A110
drawing size
A3
issue date
7/5/2025
revision
DA02

Floor Plan Legend

- D.XX

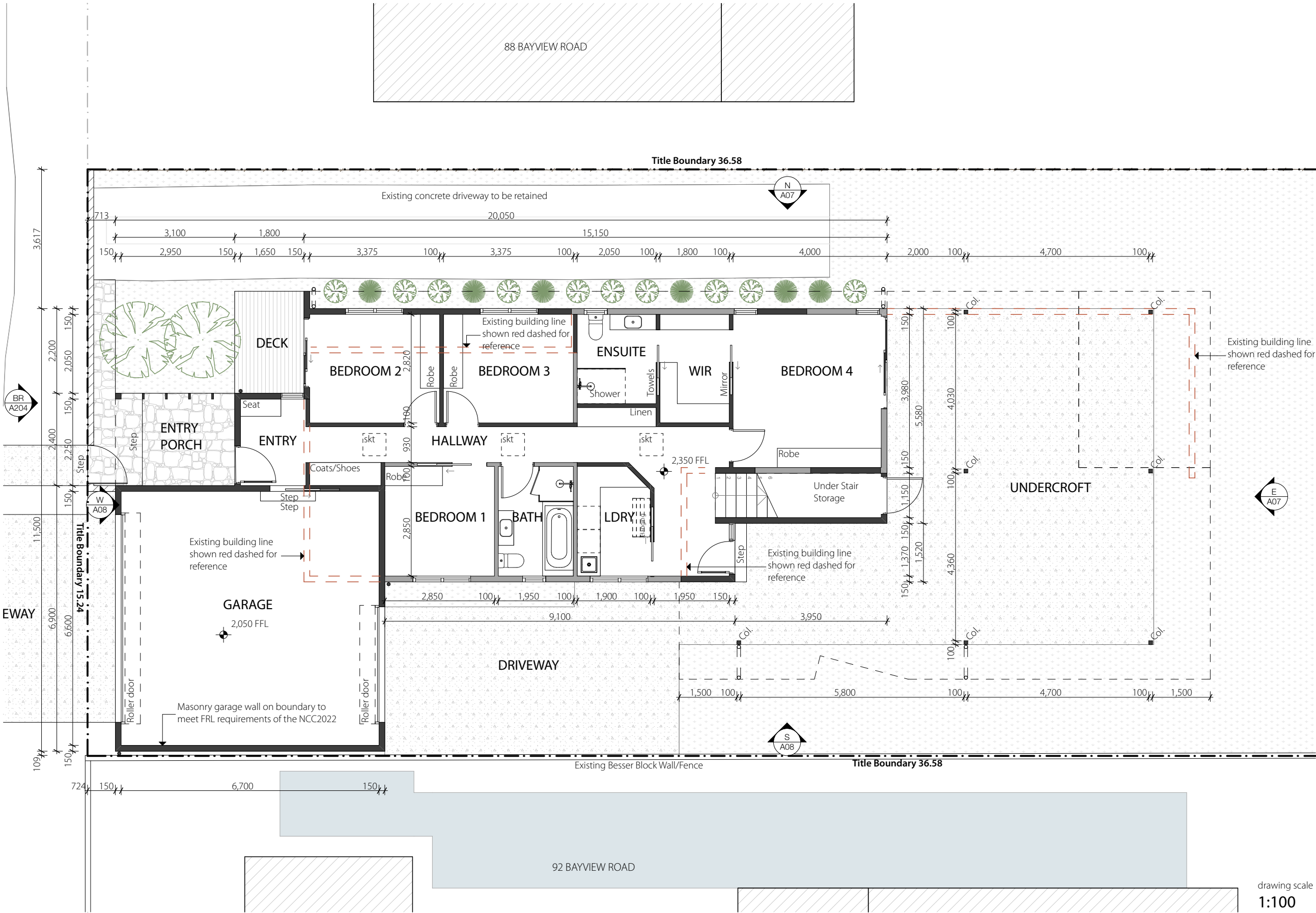
Door Tag
Refer to door schedule for details.
- W.XX

Window Tag
Refer to window schedule for details.
- New Walls**
Refer to section and details for composition
- Existing Walls**

General

Dimension lines shown are to overall wall thickness on new walls. Allow to work out stud locations as required.

All new glazing to meet as 1288. Toughened safety glass to be used for glazing within 500mm of floor. Glazed doors to be toughened safety glass. Opaque contrasting decals are recommended for glazed doors



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architecture & design

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Stuart Smith
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project stage
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CC6350

drawing title
Ground Floor Plan
drawing size
A3
issue date
7/5/2025
drawing number
A130
revision
DA02

drawing scale
1:100

0m 1 2 3 4 5



Floor Plan Legend

- D.XX

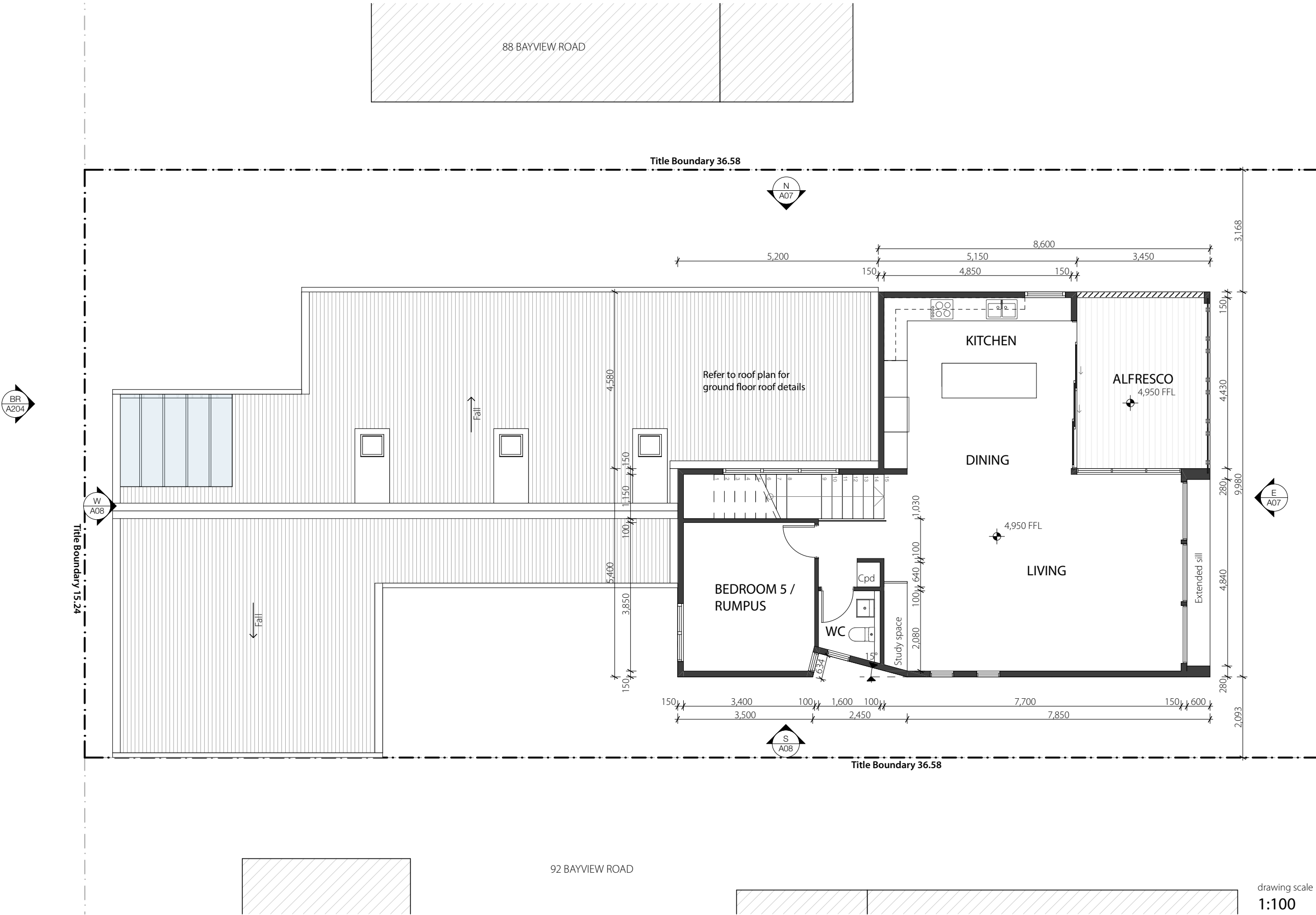
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Refer to door schedule for details.
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architecture & design

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Stuart Smith
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abn 23 756 092 576 | 30 dexter drive, mount rumney 7170 | info@stuartsmith.com.au

project stage
Development Application
accreditation number
CC6350

drawing scale
1:100

drawing title
First Floor Plan
drawing number
A131
revision
DA02

drawing size
A3
issue date
7/5/2025

Elevations Legend

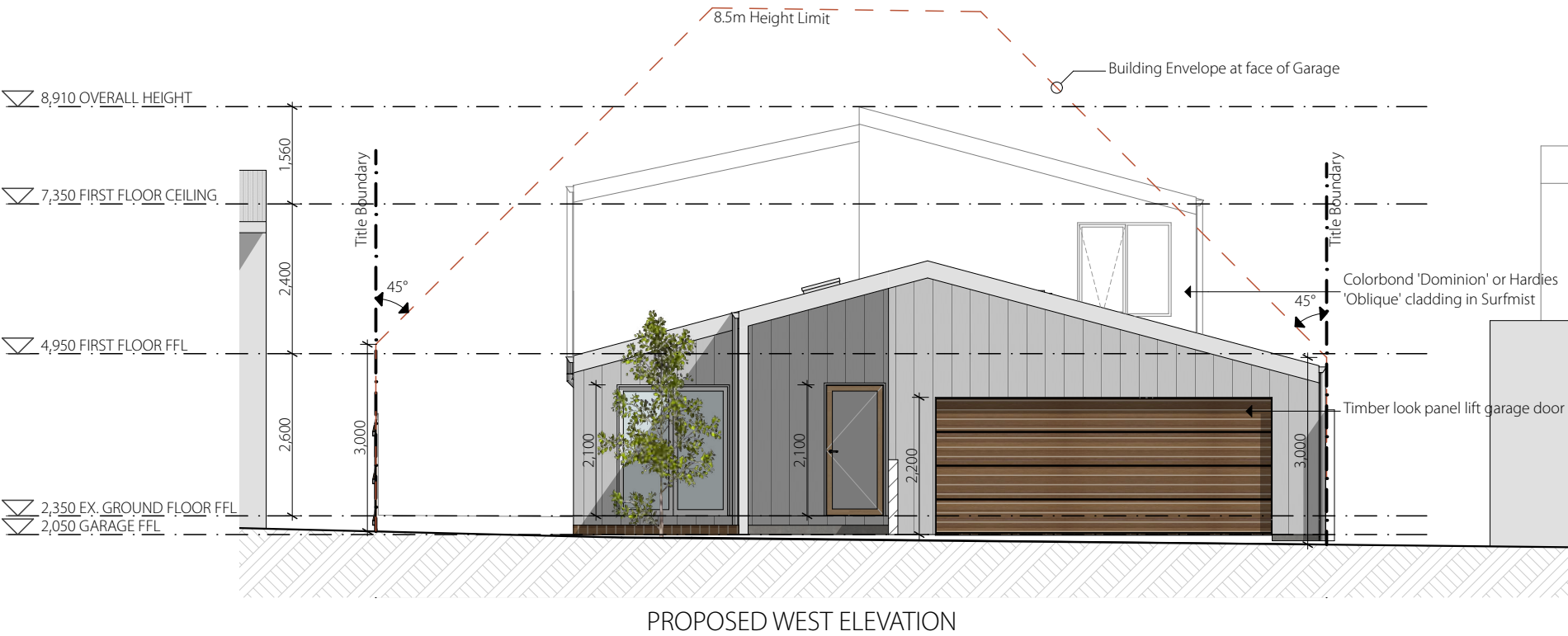
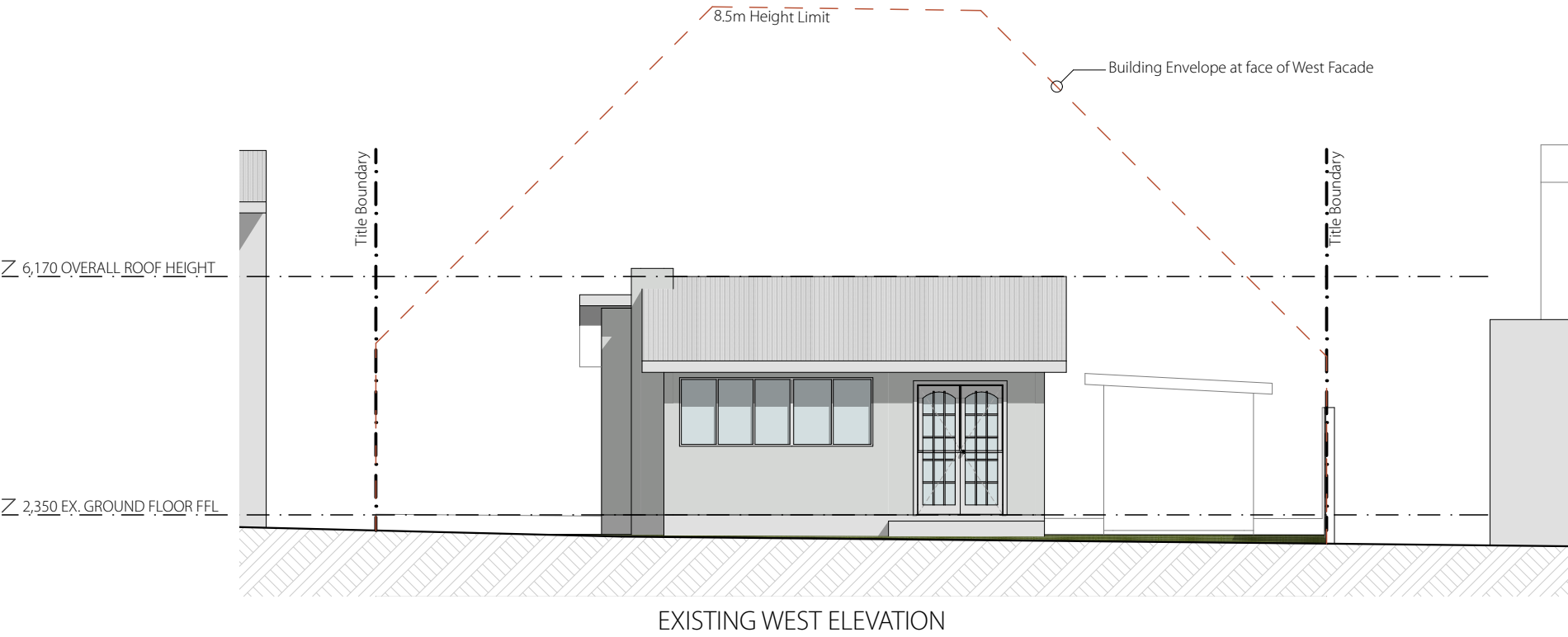
Material Schedule



Wall cladding type 1
Profile: Hardies 'Stria' staggered
Colour: Surfmist



Wall cladding type 2
Profile: Cemintel 'Woodlands'
Colour: Teak



stuartsmith
architecture & design

project name
Alterations & Additions
client
H. Pettit & A. Wheeler
site address
90 Bayview Road, Lauderdale

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abn 23 756 092 576 | 30 dexter drive, mount rumney 7170 | info@stuartsmith.com.au

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Development Application
accreditation number
CC6350

drawing title
West External Elevations
drawing size
A3
issue date
7/5/2025
drawing number
A200
revision
DA02

Elevations Legend

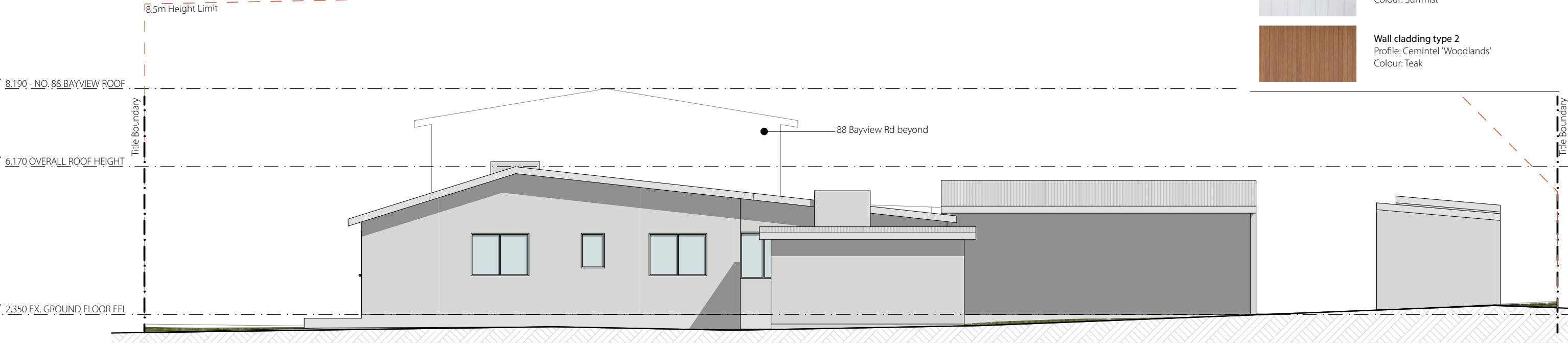
Material Schedule



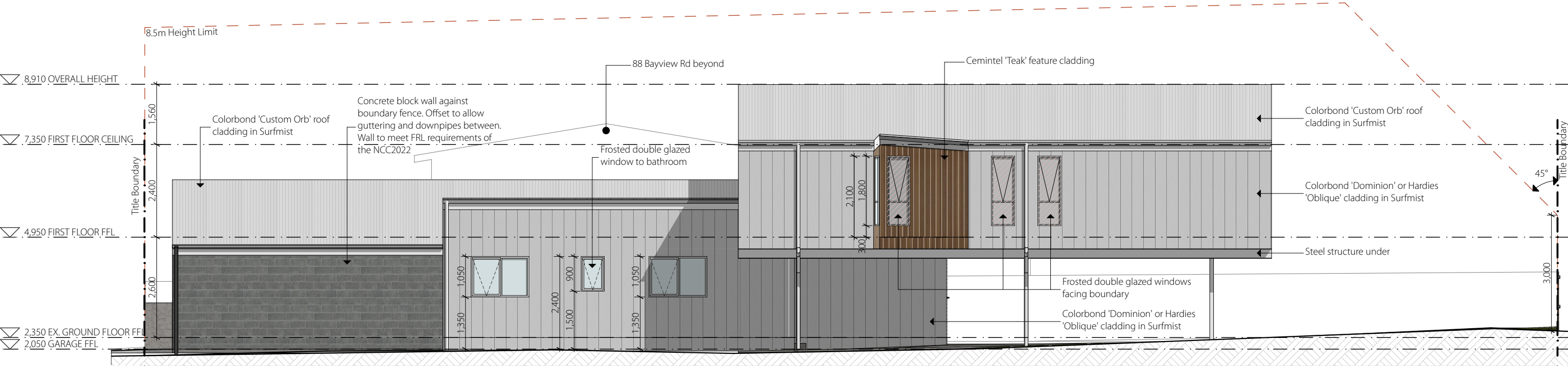
Wall cladding type 1
Profile: Hardies 'Stria' staggered
Colour: Surfmist



Wall cladding type 2
Profile: Cemintel 'Woodlands'
Colour: Teak



EXISTING SOUTH ELEVATION



PROPOSED SOUTH ELEVATION



stuartsmith
architecture & design

project name
Alterations & Additions
client
H. Pettit & A. Wheeler
site address
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drawing title
South External Elevations
drawing size
A3
issue date
7/5/2025
drawing number
A201
revision
DA02

Elevations Legend

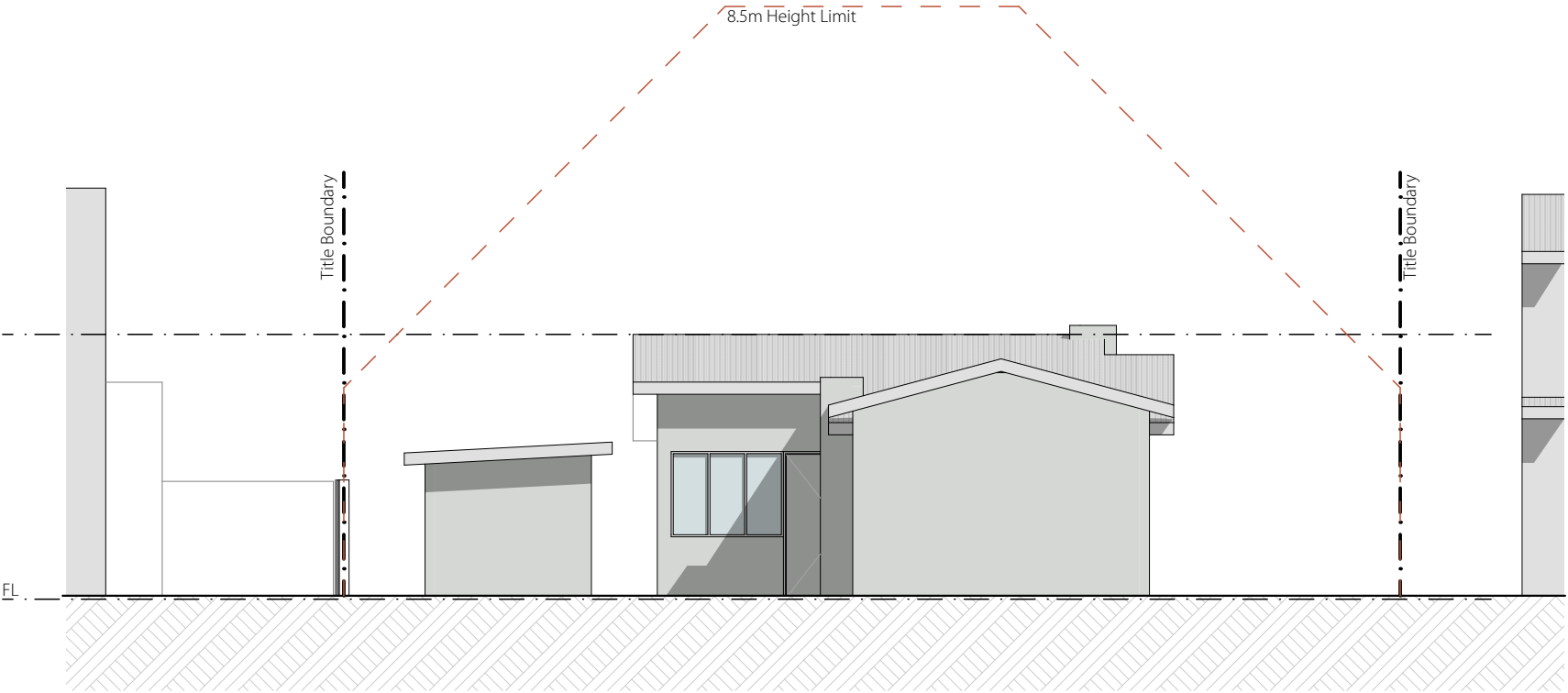
Material Schedule



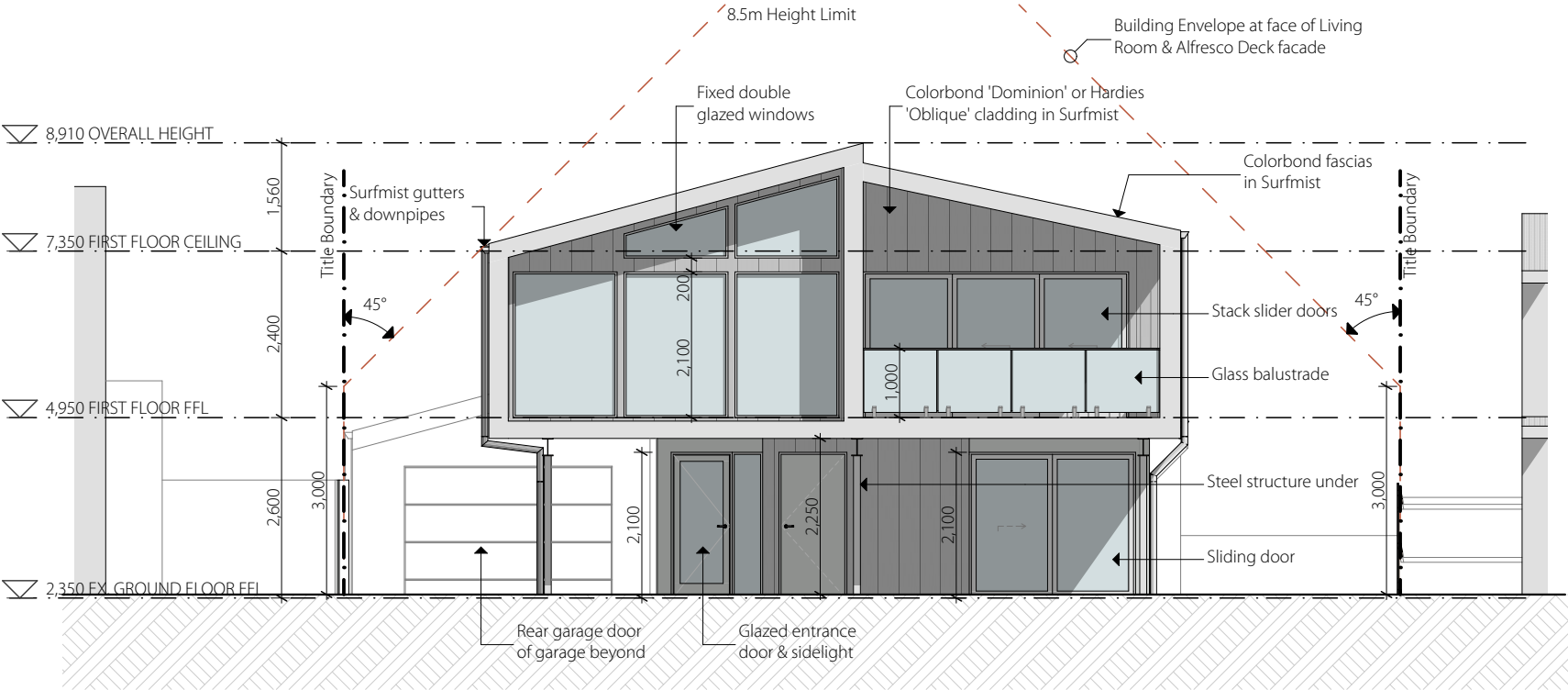
Wall cladding type 1
Profile: Hardies 'Stria' staggered
Colour: Surfmist



Wall cladding type 2
Profile: Cemintel 'Woodlands'
Colour: Teak



EXISTING EAST ELEVATION



PROPOSED EAST ELEVATION

drawing scale
1:100



stuartsmith
architecture & design

project name
Alterations & Additions
client
H. Pettit & A. Wheeler
site address
90 Bayview Road, Lauderdale

office project number
24007
nominated architect
Stuart Smith

project stage
Development Application
accreditation number
CC6350

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drawing title
East External Elevations
drawing size
A3
issue date
7/5/2025

drawing number
A202
revision
DA02

Elevations Legend

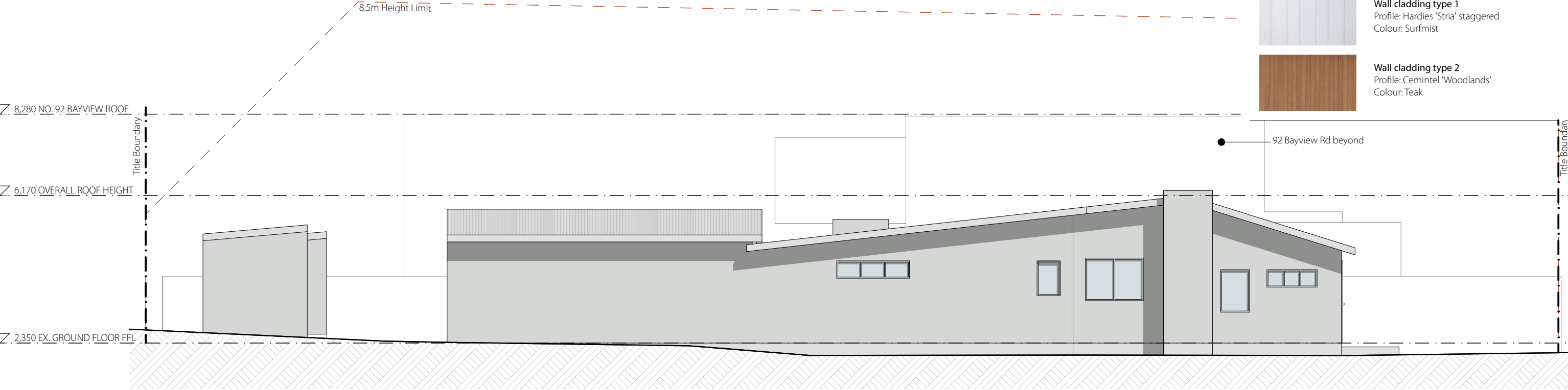
Material Schedule



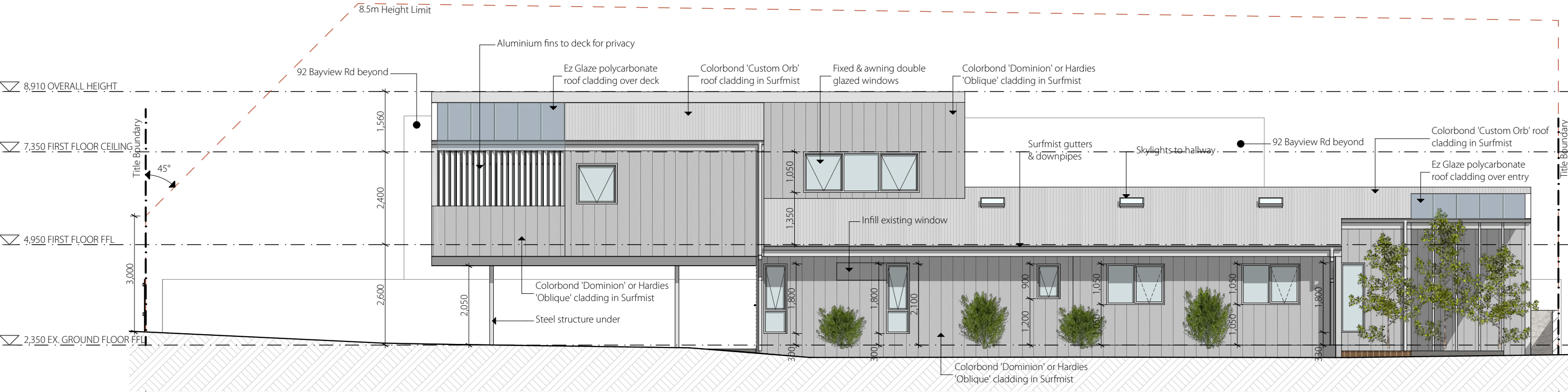
Wall cladding type 1
Profile: Hardies 'Stria' staggered
Colour: Surfmist



Wall cladding type 2
Profile: Cemintel 'Woodlands'
Colour: Teak



EXISTING NORTH ELEVATION



PROPOSED NORTH ELEVATION

drawing scale
1:100



stuartsmith
architecture & design

project name
Alterations & Additions
client
H. Pettit & A. Wheeler
site address
90 Bayview Road, Lauderdale





office project number
24007
nominated architect
Stuart Smith

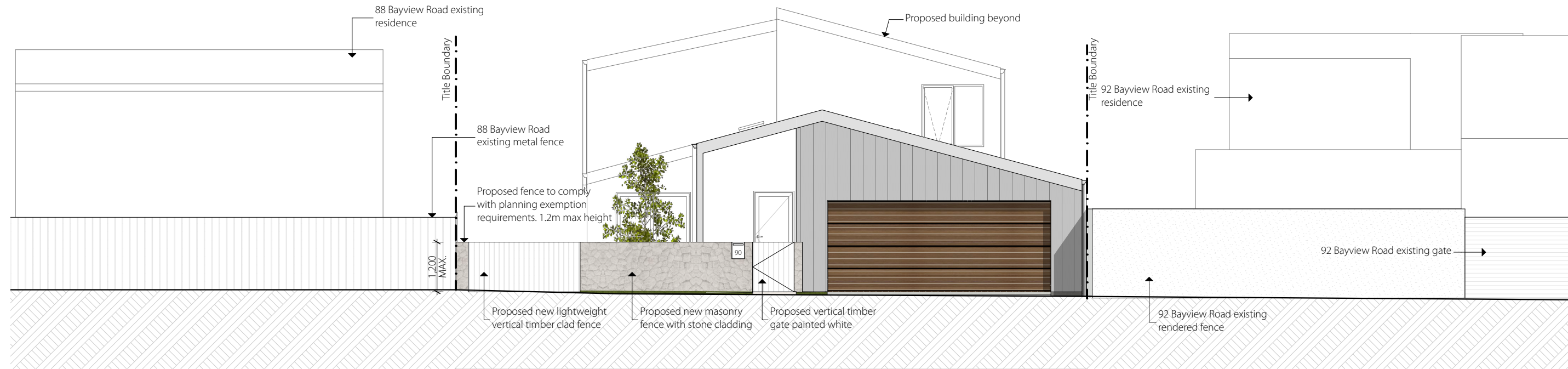
project stage
Development Application
accreditation number
CC6350

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drawing title
North External Elevations
drawing size
A3
issue date
7/5/2025
drawing number
A203
revision
DA02

Elevations Legend

Material Schedule	
	Wall cladding type 1 Profile: Hardies 'Stria' staggered Colour: Surfmist
	Wall cladding type 2 Profile: Cemintel 'Woodlands' Colour: Teak
	Fence cladding type 1 Profile: Vertical Timber Slats Colour: Surfmist
	Fence cladding type 2 Profile: Stone Clad Masonry Colour: Limestone or similar



BAYVIEW ROAD ELEVATION

drawing scale
1:100

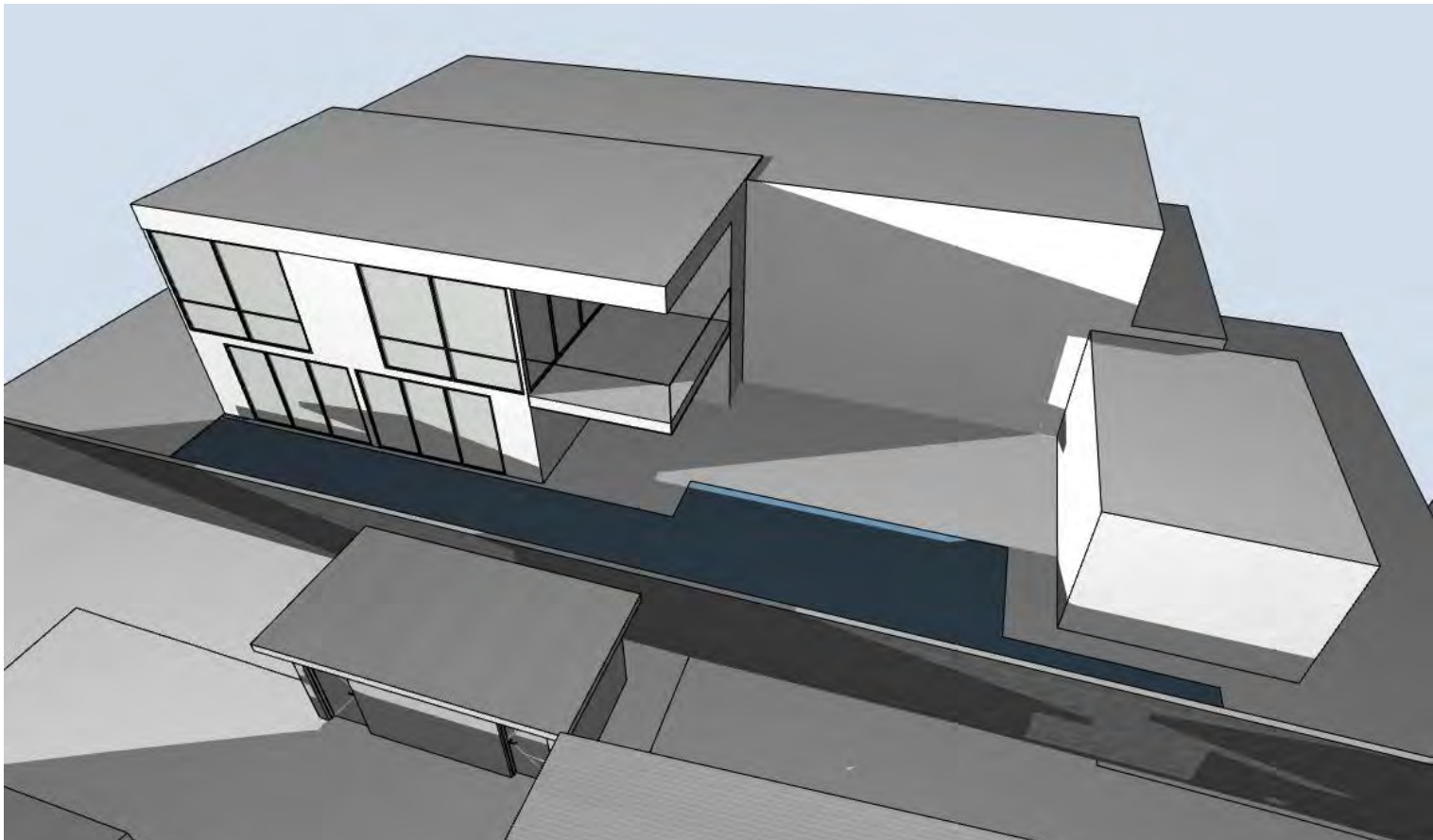


stuartsmith
architecture & design

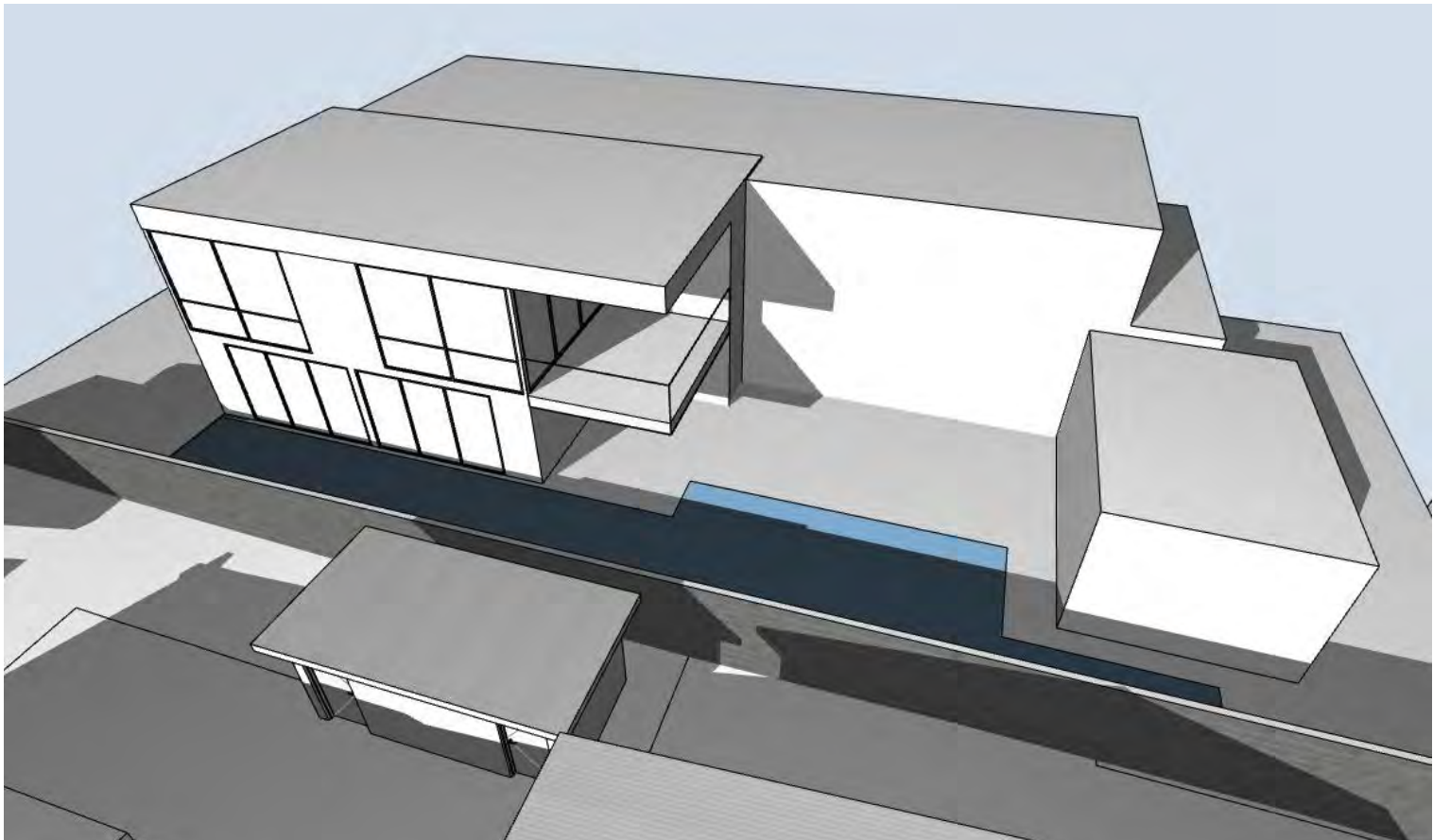
project name
Alterations & Additions
client
H. Pettit & A. Wheeler
site address
90 Bayview Road, Lauderdale

office project number
24007
nominated architect
Stuart Smith
project stage
Development Application
accreditation number
CC6350
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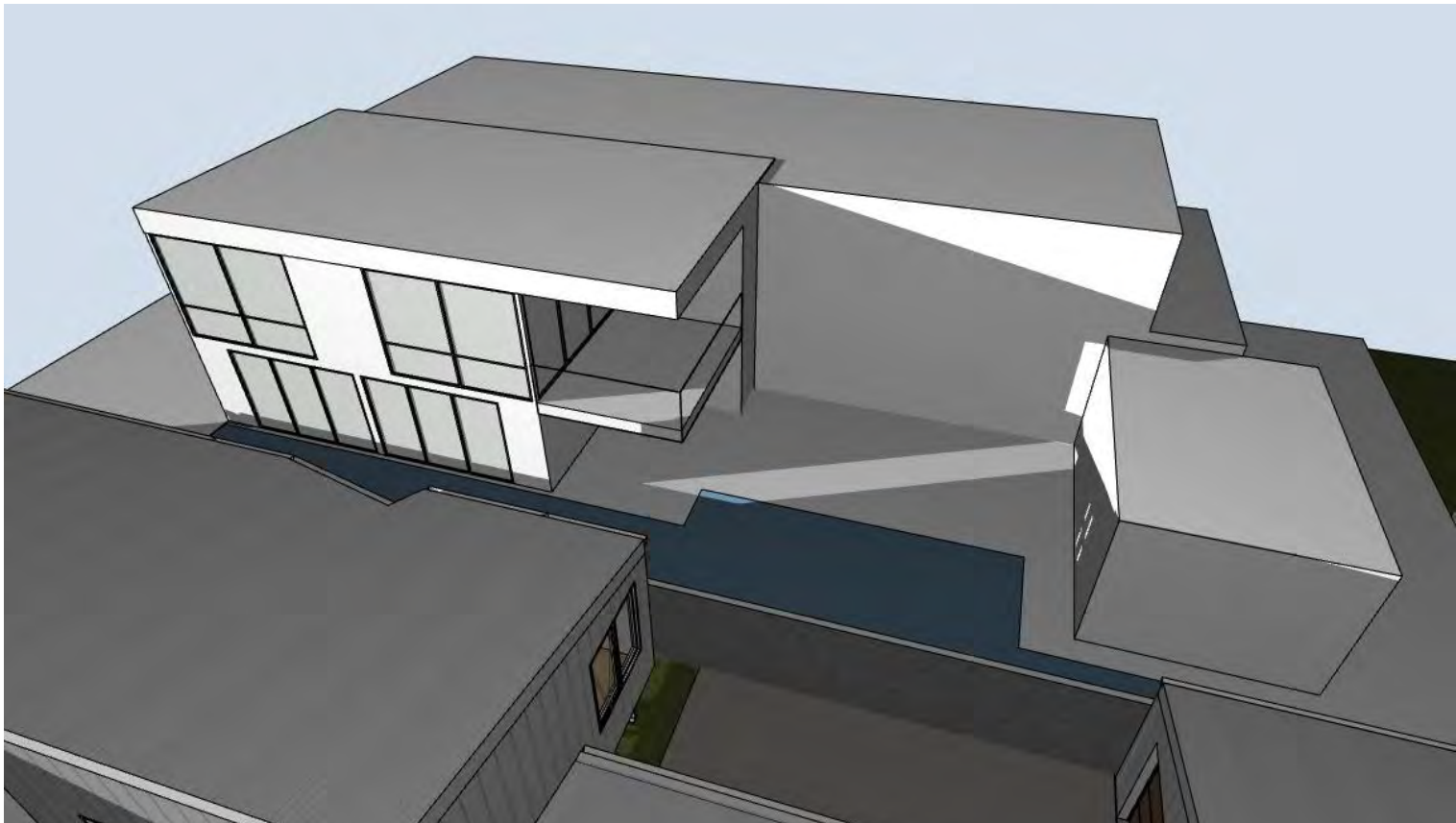
drawing title
Bayview Road Elevation
drawing size
A3
issue date
7/5/2025
drawing number
A204
revision
DA02



Existing June 20 9am



Existing June 20 12pm



Proposed June 20 9am



Proposed June 20 12pm

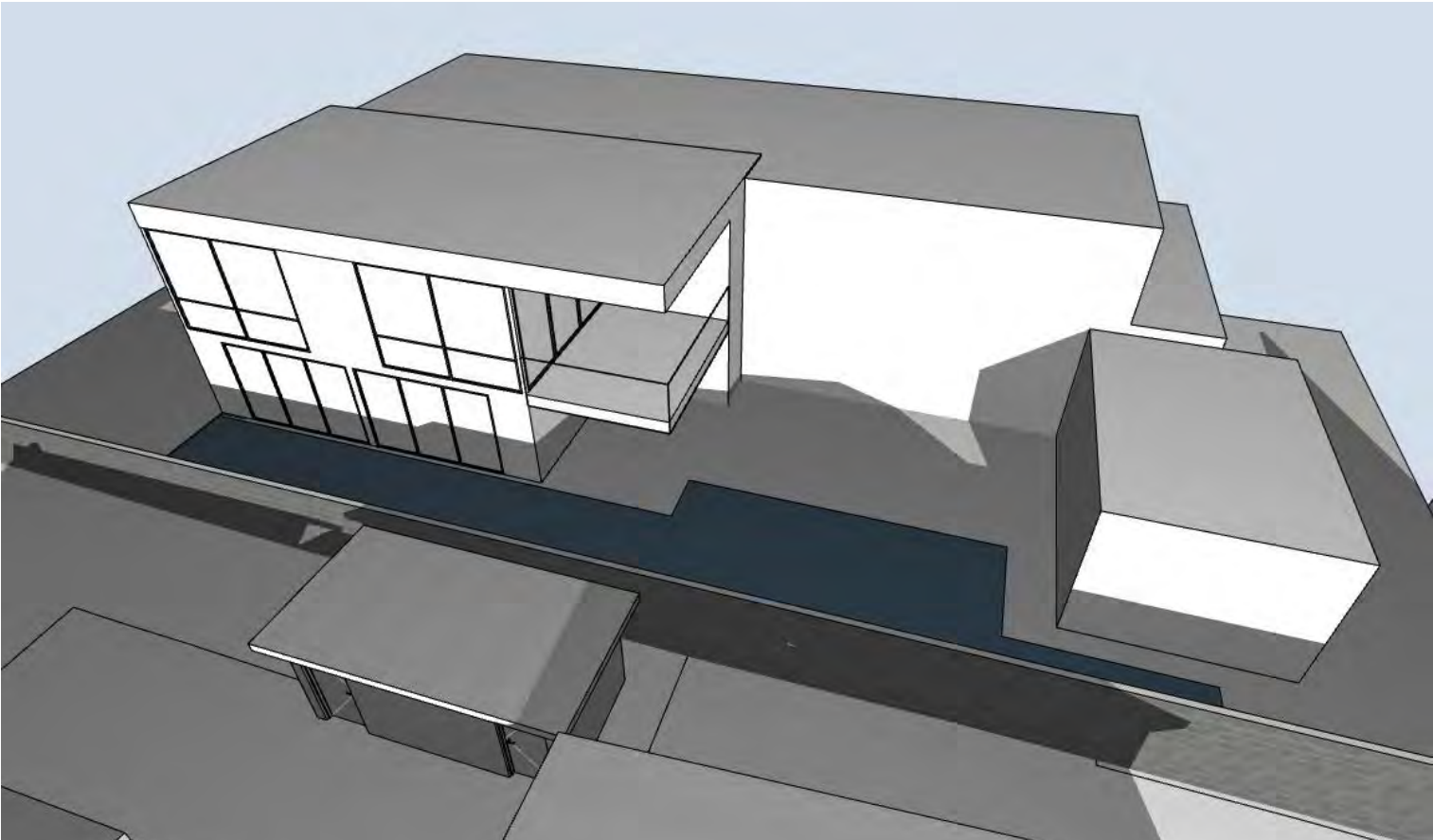
stuartsmith
architecture & design

project name
Alterations & Additions
client
H. Pettit & A. Wheeler
site address
90 Bayview Road, Lauderdale

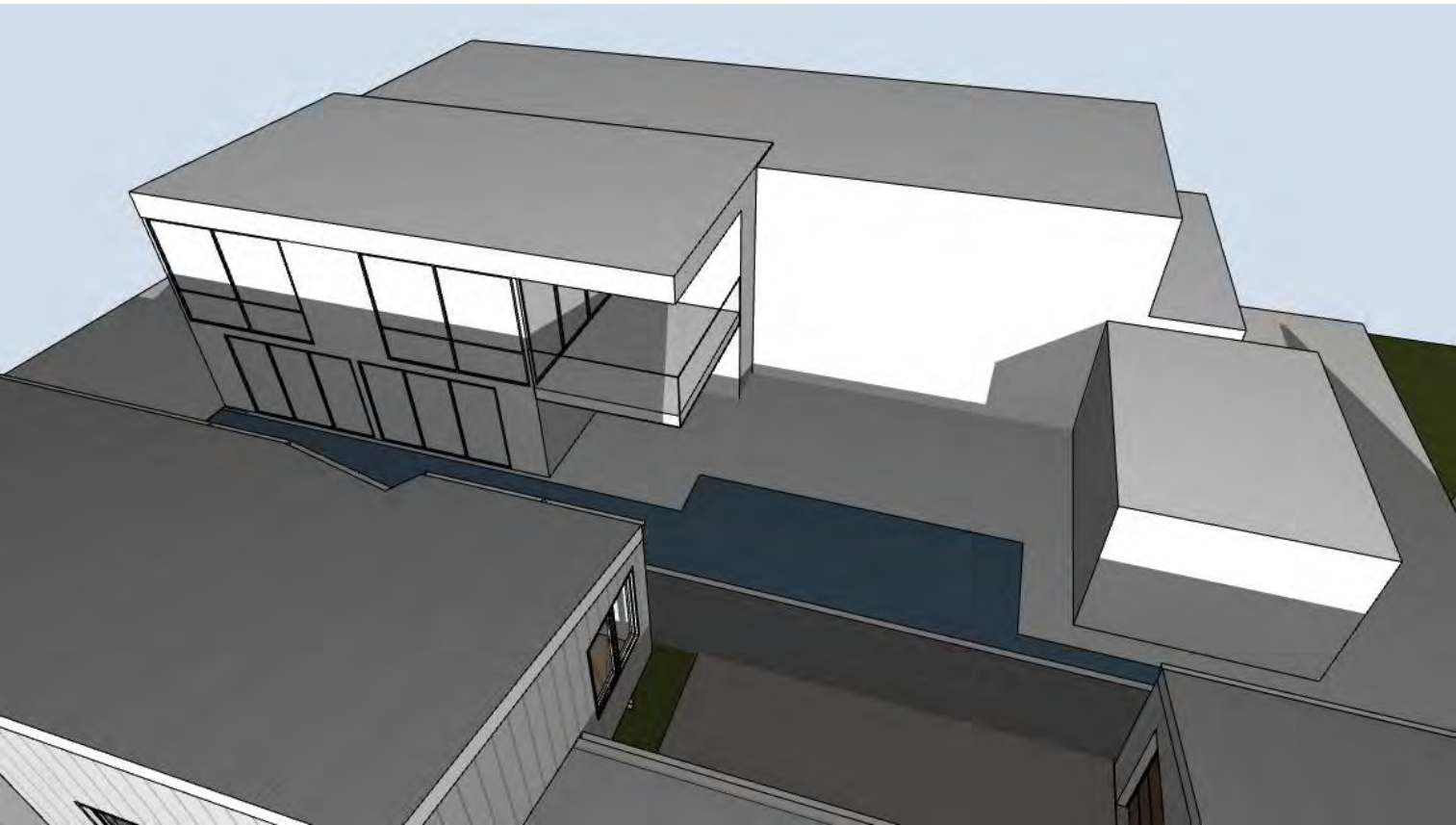
office project number
24007
nominated architect
Stuart Smith
project stage
Development Application
accreditation number
CC6350
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drawing size
A3
issue date
21/5/2025

drawing title
Shadow Diagrams
drawing number
A800
revision
DA01



Existing June 20 3pm



Proposed June 20 3pm

<div><div>stuartsmith</div><div>architecture & design</div></div>	project name	office project number	project stage	drawing title
	Alterations & Additions	24007	Development Application	Shadow Diagrams
	client	nominated architect	accreditation number	drawing size
	H. Pettit & A. Wheeler	Stuart Smith	CC6350	A3
	site address	the copyright of these designs, plans and specifications belongs to stuart smith architecture and must not be used, reproduced or copied without their written permission. abn 23 756 092 576 30 dexter drive, mount rumney 7170 info@stuartsmith.com.au		drawing number
90 Bayview Road, Lauderdale			issue date	revision
		21/5/2025		DA01



General Residential Zone

8.4.2 (A1/P1, A2/P2 & A3/P3) Setbacks and Building Envelope for All Dwellings

• Please demonstrate compliance with the above standard, specifically in relation to the proposed addition and garage within the frontage setback. It is noted that the proposed frontage setback significantly exceeds the minimum setback required as per the above clauses. Please demonstrate how the proposed setback of the dwelling and garage is completable with setbacks in the street.

SSA Response

The frontage setback is designed to be compatible with existing setbacks within the street. There are multiple examples of similar carport/garage setbacks in close proximity in Bayview Road as documented below.



62 Bayview - Garage within frontage setback



83 Bayview - Enclosed carport within frontage setback



94 Bayview - Garage within frontage setback



112 Bayview - Garage within frontage setback



114 Bayview - Carport within frontage setback





8.4.7 Frontage Fences for All Dwellings

- Please clarify the height of the proposed frontage fence. If exemption (4.6.3) in relation to frontage fences is not met, please demonstrate compliance with the performance criteria of clause 8.4.7 P1.

SSA Response

The front fence has been elevated and detailed on drawing A204 for assessment. The fence is designed to be low profile (1.2m Max height) to offset the scale of the garage and to provide openness to the development. We note that the front fence proposed is lower than the existing front fence and lower than the neighbouring properties either side. This will provide visual relief across the frontage of the 3 properties.

Advice from council Building Department:

- The Coastal Vulnerability Assessment by GES dated 28 January 2025 refers to the finished floor level (FFL) of the habitable areas must be constructed at or above 3.0AHD, however the plans provided only refers to 2.350 FFL. Please provide amended plans showing the FFL at a minimum of 3.0AHD to comply with GES Assessment and the Directors Determinations - Coastal Inundation Hazard Areas.

SSA Response

The Coastal Vulnerability Assessment report has been updated by GES to clarify that only newly constructed habitable rooms are to be built on or above 3.0AHD which is limited to the proposed first floor extension works only.

The garage boundary wall, please provide an amended plan showing a Fire Wall as to the National Construction Code 2022 (NCC).

SSA Response

Notations have been added to the relevant plans and elevations for the boundary wall to meet FRL requirements of the NCC 2022.

We trust that this will satisfy the RFI's - please reach out if you have any concerns.

Kind regards,

Stuart Smith

Wednesday, 7 May 2025



Attachment 3



Subject site frontage - 90 Bayview Road, Lauderdale



Bayview Road looking North and South from 90 Bayview Road, Lauderdale

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 COLLABORATIVE NETWORK OF SOUTHERN TASMANIAN COUNCILS****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is for Council to consider its support for a new collaboration of southern region local government councils.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan is relevant.

LEGISLATIVE REQUIREMENTS

Winding up of the Southern Tasmanian Councils Authority must be undertaken in accordance with the *Local Government Act 1993* (Tas.).

CONSULTATION

Discussions were held with the Greater Hobart Committee and Greater Hobart Strategic Partnership in relation to expanded membership, to provide a regional collaboration service for all southern Tasmanian councils. The Committee and Strategic Partnership declined to expand their membership, giving rise to an alternative proposal which would see establishment of a new collaborative body with support provided by Regional Development Australia (Tasmania) (RDA Tas). The new collaborative network will be CEO led, with involvement on relevant regional issues by council staff, supported by RDA (Tas).

FINANCIAL IMPLICATIONS

The proposed annual budget for the collaborative network is \$75,500 with additional project funding and grants being pursued on an agreed and case-by-case basis. The total cost would be shared across the southern Councils and would be based on population, with cost per council ranging from \$3,000 to \$9,500. The City of Clarence, due to its population size would have an annual fee of \$9,500 (equal to Glenorchy, Hobart and Kingborough).

Council has included a budget allocation in the current Estimates to cover the cost of participation in the current financial year, should Council endorse its participation.

RECOMMENDATION:

That Council:

- A. Endorse participation in the Collaborative Network of Southern Tasmanian Councils, which would be supported through Regional Development Australia (Tasmania) and replace the Southern Tasmanian Councils Authority.
- B. Request the Southern Tasmanian Councils Authority Board to commence a winding up process in accordance with the rules of the Joint Authority and the requirements of the *Local Government Act 1993* (Tas.).

COLLABORATIVE NETWORK OF SOUTHERN TASMANIAN COUNCILS /contd...

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** The Southern Tasmanian Councils Authority (STCA) was established in 2006 to enable the twelve southern councils (Brighton, Central Highlands, Clarence City, Derwent Valley, Glamorgan/Spring Bay, Glenorchy City, Hobart City, Huon Valley, Kingborough, Sorell, Southern Midlands and Tasman) to facilitate and co-ordinate agreed regional development strategies and actions for the southern region.
- 1.2.** Membership of the STCA has been in decline over many years with Glenorchy, Kingborough and Clarence having previously withdrawn and Glamorgan Spring Bay and Derwent Valley Councils withdrawing last year.
- 1.3.** Given the withdrawal of the above Councils, the STCA was representing only seven of the twelve Southern Council areas. The STCA Board has determined to wind up the Authority.

2. REPORT IN DETAIL

- 2.1.** The STCA was established to provide a regional development service that reasonably met the needs and demands of the southern City Councils, while also meeting the needs and demands of the regional southern Tasmanian Councils, which vary in size, needs and capacity. History has demonstrated that this has not been sustainable as a majority of the City Councils have withdrawn their membership, identifying that their needs are vastly different to those of the majority of regional STCA members.

- 2.2.** Notwithstanding, there is an ongoing need for southern Councils to engage closely, particularly in respect to the Southern Regional Land Use Strategy, legislative reform areas and other regional priorities. Accordingly, an alternative approach to regional engagement between the southern Councils is required in which the needs of regional Councils can be balanced against the needs of the southern region City Councils, and regional projects can continue to be regionally managed in a coordinated way.
- 2.3.** Regional Development Australia (Tasmania) (RDA Tas) was appointed to provide executive support to facilitate a full review of STCA in 2024. The review explored a variety of options for delivering a workable regional collaboration model for southern Tasmania.
- 2.4.** The review identified that RDA Tas is ideally placed to support the development of a regional collaboration model in southern Tasmania as it is consistent with the overall purpose and mission of the organisation. RDA Tas is well versed in managing conflicting interests in their advocacy and engagement work and, given that it is an existing organisation, would prevent the need to establish a new regional organisation. At its meeting on 16 December 2024, the STCA Board unanimously supported the formation and funding of a proposed collaborative network of southern Tasmanian councils which would be supported by RDA Tasmania.
- 2.5.** RDA Tas has been successfully supporting the STCA, through secretariat support, over the last twelve months and has provided a proposal to support a collaborative network of southern Tasmanian councils in-lieu of a formal STCA model. The collaborative network would aim to foster quarterly forums and joint policy setting focused on data and insights, as well as managing shared service opportunities and regional project collaboration on an as needs basis. The southern Tasmanian Councils share overlapping priorities and challenges, including economic development, infrastructure, community well-being, and sustainable growth.

A coordinated approach is crucial to maximise resources, improve efficiencies, and address shared challenges effectively as well as more effective advocacy for shared priorities. RDA Tas, with its expertise in regional collaboration, strategic planning, and data-driven decision-making is well positioned to support this initiative.

2.6. The objectives of the collaborative network would be to:

- Facilitate collaboration by providing a structured platform for councils to exchange knowledge, align priorities, and foster partnerships.
- Leverage data and insights to enable evidence-based decision-making by sharing regional data, analytics, and trends.
- Encourage efficiency by identifying shared service opportunities and streamline resource allocation.
- Drive strategic projects by supporting collaborative projects that address regional challenges and opportunities.
- Enhance governance by providing administrative and logistical support to ensure forums are effective and outcomes focused.
- Support regional communication by providing a point of contact for stakeholders to engage at a southern scale.

2.7. The governance structure for the new model would include the Chief Executive Officer/General Manager or delegate from each southern Tasmanian Council, with the role of chairperson rotating amongst the councils, supported by RDA Tasmania. Elected Members would be engaged in the business of the collaborative network via their respective CEO's/General Managers and ultimately would be responsible for making decisions regarding their respective Council's involvement and/or expenditure on regional collaboration initiatives. It is proposed to hold regional Elected Member forums periodically to consider matters of regional importance with a Council of Mayors (or elected delegate) to be held once a year in conjunction with the CEO's/General Managers. Working groups would be formed on an ad-hoc basis for specific initiatives or projects. Terms of reference would be developed to underpin the collaborative network and include annual reporting and financial statements.

2.8. The benefits of the network include:

- Stronger regional collaboration and shared vision
- Enhanced capacity for data-driven decision-making
- Cost savings through shared services and coordinated efforts
- Increased success in securing funding for joint projects
- A unified voice in advocating for regional priorities
- Efficiency of using existing not for profit entity and regional capacity.

2.9. The proposal being presented by RDA Tasmania is for a two-year commitment, reviewed annually with a view to the network becoming self-supporting. This model will provide opportunity to review performance against cost, to ensure that the collaborative network is achieving its goals and representing good value for money.

3. CONSULTATION

3.1. Community Consultation Undertaken

Nil.

3.2. State/Local Government Protocol

Discussions were held with the Greater Hobart Committee and Greater Hobart Strategic Partnership who declined the proposal to expand membership and remit to provide a regional collaboration service for the southern councils. An alternative proposal was discussed with southern CEO's/General Managers which would see RDA Tas step in to provide the role that was proposed for the Greater Hobart strategic partnership.

3.3. Other

If Council resolves to support the new collaborative network across the southern Councils, advice will be provided to RDA Tasmania and the matter considered at a future STCA Board meeting.

The proposal was presented to a council workshop on 21 July 2025.

3.4. Further Community Consultation

Nil.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Council's Strategic Plan 2021-2031 under the strategic goal area of Governance and Leadership has the Objectives:

"5.1 "Responding to the changing needs of the community through leadership, advocacy and best practice governance: and

5.6 Establishing strategic partnerships to facilitate greater opportunities".

5. EXTERNAL IMPACTS

There is an ongoing need for southern Councils to engage closely, particularly in respect to regional priority areas. Accordingly, an approach to regional engagement between the southern Councils is required in which the needs of regional Councils can be balanced against the needs of the City Councils, and regional projects can continue to be regionally supported and managed.

6. RISK AND LEGAL IMPLICATIONS

6.1. Support of the recommendation would signal to the STCA Board that the Joint Authority is to be wound up.

6.2. As the STCA is a joint authority established under the Local Government Act 1993, section 37 of the Act states that:

*"...(2) A joint authority may be wound up –
 ...(b) on the decision of the majority of participating
 councils...*

*(3) The winding-up of a single authority or joint authority is to be
 notified in the Gazette by the council or one of the
 participating councils".*

7. FINANCIAL IMPLICATIONS

7.1. The proposed annual budget for the collaborative network is \$75,500 with additional project funding and grants being pursued on an agreed and case-by-case basis. The total cost would be shared across the southern Councils and would be based on population ranging from \$3,000 to \$9,500.

The broad payment categories based on population (Tas Treasury Estimates 30 June 2023) are set out below:

<3,000 = \$3,000

<10,000 = \$4,000

<20,000 = \$6,500

>20,000 = \$9,500

- 7.2.** The City of Clarence, due to its population size, would have an annual fee of \$9,500 (equal to Glenorchy, Hobart and Kingborough). A funding allocation has been included in the current Estimates to cover the cost of Clarence's participation, in anticipation of the recommendations contained in this report being endorsed by Council.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

- 9.1.** Difficulty in meeting expectations and declining membership has led to a decision by STCA in 2024 to appoint Regional Development Australia (Tasmania) to provide executive support to facilitate a full review of the Authority. The review explored a variety of options for delivering a workable regional collaboration model for southern Tasmania and identified that RDA is ideally placed to support the development of such a model.

- 9.2.** The proposal for establishment of the Collaborative Network of Southern Tasmanian Councils is now presented to Council for formal consideration.

Attachments: Nil

Ian Nelson
CHIEF EXECUTIVE OFFICER

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 Mulder

1. Recent parking enforcement at the Howrah Community Centre resulted in fines over \$1000 for parking on a grassed area. Compared with a similar fine which could have been delivered of about 100 dollars for parking on a footpath, do you consider this a draconian penalty and what steps can be taken to make the punishment more commensurate with the crime?

ANSWER

(Chief Executive Officer) As you are aware the fine is prescribed by the Public Places By-law. I understand that people will see that as significant but in the context of the behaviour that we are seeking to manage at the Howrah Community Centre, it is appropriate. We are seeking and have been for some time, to manage parking behaviour which we have spoken to people about, issued warnings and are now moving to issuing fines where that behaviour has not changed and puts users of the centre and school children being collected from Howrah Primary School at significant risk.

(Further information) The Public Places By-Law is due for review and renewal in 2028.

2. In the context of the fact that this fine is under the By-law as you pointed out, the By-laws are a product of Parliament. Have the recipients of those fines been advised that a magistrate could vary that statutory penalty?

ANSWER

(Chief Executive Officer) All of the recipients have been advised of their appeal rights to the Magistrates Court.

Cr Hulme

I had a resident reach out to me about a fine that he received by overstaying in a five minute parking space where he was just going to get a coffee, and his concern was that 5 minutes really isn't sufficient time to do anything effective. I suppose you can use a 5 minute space to do pick up and drop off but what else could a five minute zone be used for?

ANSWER

(Head of Infrastructure and Natural Assets) Five minutes really is just collecting something but it is up to the person to judge how long it is going to take in what they are going to do and if it is a risk of being longer than 5 minutes but there are other 30 minute slots around there that people can use.

Cr James

When can we expect a new revised development application for the boulevard development at Kangaroo Bay?

ANSWER

(Chief Executive Officer) I am anticipating having a meeting with Hunter Developments in the next week and once I have had that discussion I will be bringing an update to Council.

Cr Walker

We have a large and diverse workforce presumably all the way from cadets through to the Chief Executive Officer. What is the median salary for a Clarence employee?

ANSWER

Taken on notice.

(Further information) The median wage of staff as at July 2025, based on full-time and part-time employees (excluding casuals), is \$82,577.16.

Cr Goyne

1. In relation to the Lauderdale Canal, in an elected member response in February this year it said that the canal was the responsibility of the State Government who owns the canal water area and the surrounding land that manages the area adjacent to the Derwent Estuary. However, on 25 June I received a response from Minister Duigan's office stating that the Lauderdale canal is under the management and responsibility of the Clarence City Council and as such, removing the sediment is considered a Council matter and the State Government does not have the responsibility for the maintenance or management of the canal. My question is, do we know whose responsibility it is? I was further advised that if Council is seeking funds from the State Government to assist with covering the cost of removing the sediment, then it may be prudent to make a funding submission. So, if we determine it is our responsibility are we planning on making a funding submission at the current time due to the state election because it is recommended from the State Government that we make a submission?

ANSWER

(Mayor) The issue is that there is Ralphs Bay on the other side which is quite sensitive so if you remove the sediment in one area you might have to remove it from the other, so there is the impact that might have.

(Chief Executive Officer) As councillors would be aware the Lauderdale canal is owned by the Crown and we have a lease over that, now that lease has expired. We have been in the process of negotiating that for some time and we have issues related to liability for Council that are unresolved, hence the delay. One of those issues relates to sediment and in the context of how that may be managed into the future that is something we are negotiating at the moment. We are expecting to further those discussions with the State Government representatives through NRE in the next few weeks. There is no point making a funding request until we have got the lease issues resolved and then we have potential to deal with that as part of the lease and if that is not the case, then we will consider what other avenues we have after that; but we would as a point of principle be looking towards resolving those issues. As the Mayor has said the sediment in the canal is only one part of the issue there is not a lot of point dredging that entrance if it is blocked on the Ralphs Bay side and there are a lot of environmental issues to deal with on the Ralphs Bay side, that is the more complicated area.

2. As I was doing my investigations on the Racecourse Flats area I entered and exited lots of entrances along that area to look at the signs. I have significant concerns that some of the entrances are 41cm wide, which meant that even I had to go sideways through them. Do they meet the current accessibility requirements and particularly the maze constructed ones. I know they are generally not recommended for users of the Tangara Trail given their hazardous nature for horses, if a horse could fit through 41 cm which it could not.

ANSWER

Taken on notice.

(Further information) Historical efforts were made to restrict trail bike access at some entrances to the reserve, which resulted in narrowing some of the access points off Bayview Road. Where achievable, these access points will be altered to ensure accessibility is improved, whilst still maintaining the intent to restrict unauthorised access and use of the reserve to protect sensitive flora and fauna.

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 matters have 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

11.2 PROPERTY MATTER

11.3 TENDER T1576-25 – CLARENDON VALE OVAL LIGHTING

These reports have 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:

- contracts and tenders for the supply of goods and services;
- proposals to acquire land or an interest in land or for the disposal of land; and
- 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”.