

**COUNCIL MEETING**  
**MONDAY 19 JANUARY 2026**

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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**

Nil.

## **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 1 December 2025, as circulated, be taken as read and confirmed.

### 4.2 MAYOR'S COMMUNICATION

### 4.3 COUNCIL WORKSHOPS

A Councillor's Meeting Briefing (workshop) was conducted on the Friday immediately preceding the Council Meeting.

#### **RECOMMENDATION:**

That the Councillor's Meeting Briefing (workshop) conducted on the Friday immediately preceding the Council Meeting be noted.

#### **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**

September and December Quarterly Reports 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

#### **4.6 WEEKLY BRIEFING REPORTS**

The Weekly Briefing Reports of 1, 8, 15 and 22 December 2025 and 5 and 12 January 2026 have been circulated to Councillors.

##### **RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 1, 8, 15 and 22 December 2025 and 5 and 12 January 2026 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.

Mr Bradley Walker of Howrah has given notice of the following questions:

1. **CURRENT LEGAL STATUS - HOBART INTERNATIONAL AIRPORT EX GRATIA PAYMENTS**

Can Council please provide the community with an update on the current status of its legal case with Commonwealth of Australia in regards to Hobart International Airport ex gratia payments in-lieu of rates. Preferably including costs to date, estimated timeframes and desired outcome from such past, current and future proceedings.

2. **SD-2011/30**

In follow up to previous questions I have been asking in relation to Figure 3 in DPO 17 of SD-2011/30 that permit condition 9 states “Walking tracks must be constructed by the applicant...prior to the sealing of public open space lots”. Council has taken on a contractor to construct some more of the required tracks. Could I please be updated with what contribution has been given for previous Council paid track construction and what contribution has been arranged for the ongoing tracks Council is constructing in the Rokeby Hills Reserve.

### 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 \(ccc.tas.gov.au\)](http://Public Question Time - City of Clarence : City of Clarence (ccc.tas.gov.au))

**6. DEPUTATIONS BY MEMBERS OF THE PUBLIC**

(In accordance with Regulation 46 of the Local Government (Meeting Procedures) Regulations 2025 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**

In accordance with Regulation 29 (1) of the Local Government (Meeting Procedures) Regulations 2025, 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 SCHEME AMENDMENT – LOCAL PROVISIONS SCHEDULE  
AMENDMENT AND COMBINED SUBDIVISION– PDPDPAMEND-2024/049390  
– 1300 OCEANA DRIVE, TRANMERE****EXECUTIVE SUMMARY****PURPOSE**

In accordance with Section 40K of the *Land Use Planning and Approvals Act 1993* (LUPAA), the purpose of this report is to consider the representations received during the public exhibition period in relation to the request for a combined planning scheme amendment to rezone land at 1300 Oceana Drive, Tranmere from Future Urban to General Residential and 13 lot subdivision (the draft amendment).

**RELATION TO PLANNING PROVISIONS**

The land subject to the draft amendment is zoned Future Urban and Landscape Conservation under the Tasmanian Planning Scheme – Clarence (the Scheme). The land is also subject to the Parking and Sustainable Transport Code, Natural Assets Code, Flood-Prone Areas Hazard Code, Bushfire-Prone Areas Code, Landslip Hazard Code and Safeguarding of Airport Code.

The proposed subdivision is a Prohibited development under the Scheme but would be facilitated by the draft amendment.

**LEGISLATIVE REQUIREMENTS**

The request for the amendment was submitted to the Planning Authority for a decision in accordance with Section 37 of LUPAA. Council determined at its meeting on 20 October 2025:

*“That, pursuant to Section 38(2) of the Land Use Planning and Approvals Act 1993, that the Planning Authority resolves to prepare a draft amendment to rezone part of CT 181629/101 to General Residential Zone and CT 173546/1 to Utilities Zone, pursuant to Section 40F(2) of the Act, and to certify the draft amendment as meeting the LPS Criteria and That, pursuant to Section 40Y(2) of the Land Use Planning and Approvals Act 1993, the Planning Application for a 13 lot subdivision application at 1300 Oceana Drive, Tranmere (PDPDPAMEND -2024/049390), which was submitted in accordance with s40T(1) of the Act, be approved subject to the following conditions.”*

Council’s decision was contrary to Council Officer’s recommendation; accordingly, Council engaged an independent consultant to further its decision.

The certified amendment was advertised in accordance with Section 40G of LUPAA for a period of 28 days, commencing on 4 November closing on 1 December 2025. Under the requirements of LUPAA, Council must now consider the merits of any representation received.

This report provides details of the representations received, responds to all matters raised and contains justification for each of the recommendations. 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 2000* and the *Local Government (Meeting Procedures) Regulations 2025*.

#### **CONSULTATION**

The proposed amendment was advertised in accordance with the statutory requirements and five representations were received. The representations raised the following issues:

- Landslide Risk
- Likelihood that the resulting lots would be developed for multiple residential dwellings
- Road widths insufficient to provide for increase in traffic and parking
- Loss of amenity to landowners on Ardiletta Road; and
- Support for the amendment.

#### **RECOMMENDATION:**

- A. That Council, as the Planning Authority resolves, regarding draft amendment – PDPDPAMEND-2024/049390, that:
  1. In accordance with section 40K (1) of the *Land Use Planning and Approvals Act 1993*, to provide this report and relevant attachments, including the submission of the Department of State Growth to the Tasmanian Planning Commission, and
  2. In accordance with section 40K(2)(a) of the *Land Use Planning and Approvals Act 1993*, to advise that five representations were received, including that of Department of State Growth on behalf of Mineral Resources Tasmania (MRT), during the exhibition of the amendment and provide copies of the representations to the Tasmanian Planning Commission, and
  3. In accordance with section 40K(2)(b) of the *Land Use Planning and Approvals Act 1993*, advise the Tasmanian Planning Commission that no representations were received after the end of the exhibition period, and
  4. In accordance with sections 40K(2)(c)(i) and 40K(2)(c)(ii) of the *Land Use Planning and Approvals Act 1993*, advise the Tasmanian Planning Commission that the Planning Authority's opinion to the merits of each representation is contained in this report and that these representations do warrant modification to the amendment, and

5	In accordance with section 42(b) of the Land Use Planning and Approvals Act 1993, advise the Tasmanian Planning Commission that based on the representations received that the Planning Authority no longer supports the application for a permit for a 13 lot subdivision, as it does not meet the provisions of the Landslip Hazard Code C15.7.1P1(a)-(g) of the Tasmanian Planning Scheme-Clarence. The representation from Mineral Resources Tasmania (MRT) outlines the potential for landslip risk which could not be mitigated under the current plan of subdivision.
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.

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## ASSOCIATED REPORT

### 1. BACKGROUND

- 1.1. The request for the draft amendment was submitted to Council in December 2024, at which time the land was outside the Urban Growth Boundary (UGB) under the Southern Tasmania Regional Land Use Strategy (STRLUS).
- 1.2. On 19 May 2025, an updated STRLUS was gazetted including a series of changes to the urban growth boundary. The subject site is now included within the UGB as shown on Map 10, Inset 5, of the updated STRLUS.
- 1.3. Council, as Planning Authority, supported the certification and advertising of the draft amendment at its meeting of 20 October 2025.
- 1.4. The draft amendment was advertised in accordance with Section 40G of LUPAA between 4 November and 1 December 2025. During the exhibition period five representations were received.

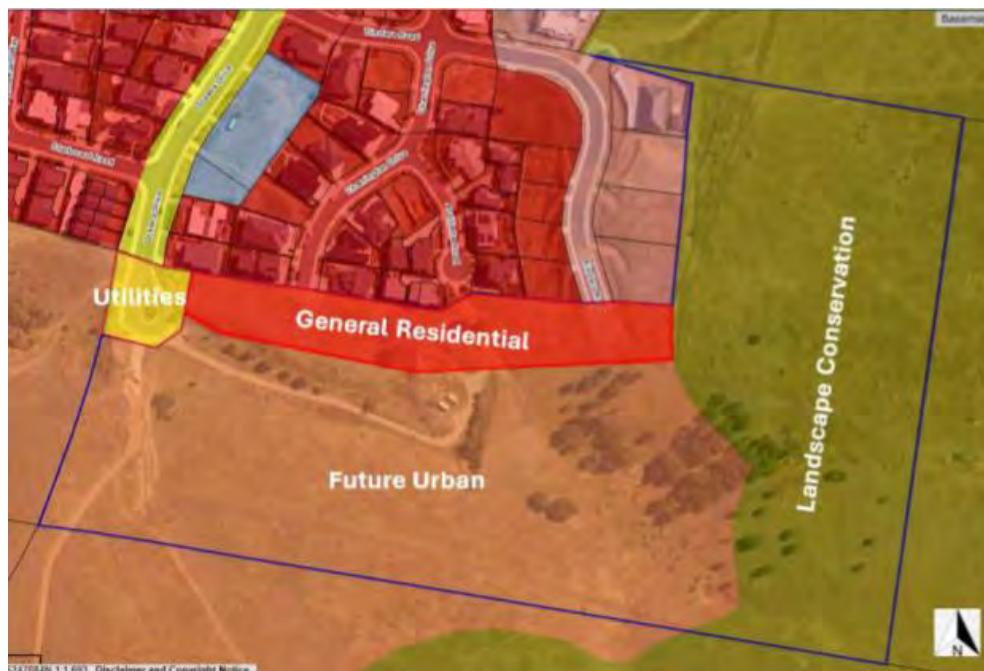
### 2. REPORT IN DETAIL

- 2.1. The proposal is for a combined LPS amendment to the mapping, with a residential subdivision which could only occur should the application of the zones be amended.

## 2.2. Proposed LPS Amendment

The proposed LPS amendment seeks to partially rezone a 1.052Ha portion of the north-west site area from Future Urban Zone to General Residential Zone, along with a rezoning of the entire (2066m<sup>2</sup>) Oceana Drive turning area site from Future Urban to Utilities Zone.

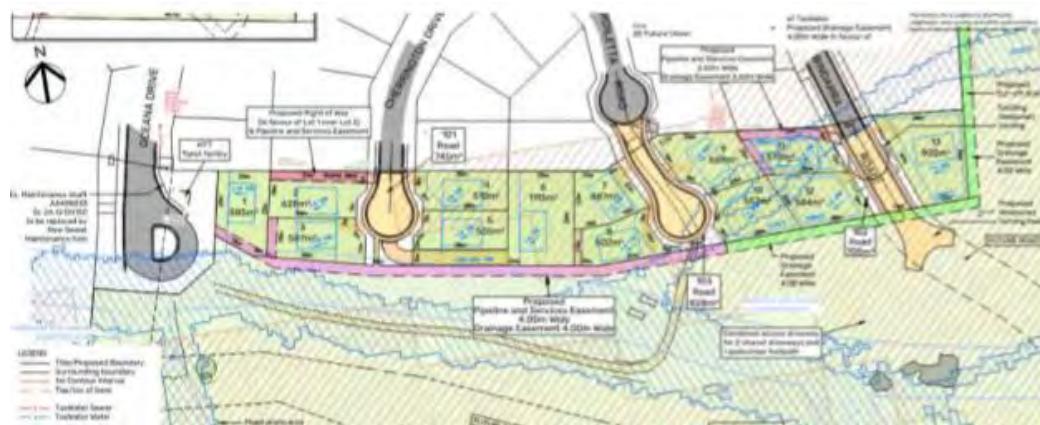
The balance area is proposed to remain split-zoned with the south-western area remaining as Future Urban Zone and the eastern section remaining as Landscape Conservation Zone (see Figure 1).



**Figure 1 - Image showing proposed zoning changes, and retention of split zones on the balance lot. (Source LISTmap)**

## 2.3. Proposed Subdivision

The subdivision proposes the creation of 13 residential lots, the extension of three existing road lots (Cherrington Drive, Ardilletta Road, and Bindara Road), a balance lot, and associated services infrastructure, including connection into existing services in the Oceana Drive Road reserve to the west (see Figure 2).



**Figure 2 – Image of proposed residential subdivision. (Source – MC Planners application)**

Of the three roads, only Bindara Road is designed to provide future connectivity to the south, along with Oceana Drive.

A pedestrian link into the balance lot to the south is proposed from the extended Cherrington Drive and Ardilletta Road cul-de-sacs.

Service easements are proposed on the balance lot, within private property, to the west and south of the proposed subdivision lots.

A Part 5 Agreement is proposed to manage the Bushfire Hazard Management Area (BHMA), which will extend into the balance lot between 50m and 100m to the south, and south-east of the proposed subdivision lots.

### 3. STATUTORY IMPLICATIONS

**3.1.** The site is zoned Future Urban and Landscape Conservation under the Tasmanian Planning Scheme – Clarence (the Scheme) and subject to the following codes:

- Parking and Sustainable Transport Code
- Natural Assets Code (Priority Vegetation, and Waterway and Coastal Protection overlays)
- Flood-prone Hazard Areas Code
- Bushfire-prone Areas Code
- Landslip Hazard Code; and
- Safeguarding of Airports Code.

**3.2.** The land contained within 1300 Oceana Drive (CT 181629/101) is also subject to Site Specific Qualifications.

- **CLA-22.1**

An additional Permitted Use Class for this site is Resource Development with the qualification “Only if for agricultural use and it does not involve the construction of any agricultural buildings.”

- **CLA-22.2**

A substitution for the qualification for the Discretionary Use Class of Resource Development for this site is: “If not listed as Permitted and if for agricultural use.”

#### **4. CONSULTATION**

**4.1.** The certified draft amendment was publicly exhibited in accordance with the requirements of Section 40G of LUPAA, for a period of 28 days between 4 November and 1 December 2025.

**4.2.** During the exhibition period five representations were received, including one from Mineral Resources Tasmania (MRT).

**4.3.** Subject to the Planning Authority’s resolution, the Commission is expected to hold public hearings prior to deciding on the certified draft amendment.

#### **5. REPRESENTATIONS**

##### **5.1. Landslide Hazard and Risk**

MRT provided a detailed representation outlining its concerns regarding the draft amendment. They stated that recent results of satellite-based ground-movement mapping (using a technique called radar interferometry, or InSAR) showed creep (of soil) between 5 and 10mm per annum at the site during the period 2019-2023.

They further stated that there were landslide scenarios missing from the landslide assessment or were underestimated in terms of likelihood. It is MRT’s view that there is a large earth slide near the site which could expand and directly influence the site.

Extremely slow slope movement (soil creep) at the site is ongoing, making its likelihood “almost certain”, which is a much greater likelihood than the “possible” likelihood indicated by the report. This scenario in their opinion was not considered.

According to MRT the landslide assessment should have used publicly available datasets to look for evidence of slope movement not already included in MRT’s reconnaissance-level regional landslide mapping. Freely available LiDAR data from 2013 [see Digital Atlas of Australia’s Elevation portal (ELVIS) 1] would have identified the large earth flow within 50m of this site, which MRT has mapped from the same dataset.

MRT stated in their representation that:

*“The ‘Geotechnical Desktop Review’ completed in early 2025 for the Droughty Peninsula Structure Plan by Scherzic Ground Investigations provides a separate consideration of geotechnical issues in the area. That report identified this site as coinciding with Scherzic’s ‘Area B’ (area including probable geotechnical issues), in which geotechnical investigations are required to assess risk.*

*The density associated with the proposed General Residential zoning, restricts options to avoid landslide issues when locating buildings and subsurface infrastructure, and increases risk and exposure to landslide movements that are known to have occurred and in some cases are currently occurring at the site.”*

A representor stated that slippage occurs during heavy rain and in turn streams onto the road surface of Bindara Road and that they experience water and mud moving from the vacant land directly behind their property (18 Bindara Road, Tranmere), into their property putting enormous pressure on their concrete patio drain and staining the newly laid concrete an orange colour.

- **Comment**

A summary of the representation from MRT was sent to the applicant who responded as follows:

*“The representor’s claims regarding landslide risk and creep are not supported by site data. The site comprises:*

- *Dry, stiff residual and alluvial soils (with alluvial soils confined to a localized gully infill at BH04);*

- *Shallow dolerite bedrock;*
- *No colluvial material; and*
- *Predictable settlement only in limited fill areas.*

*Important Clarifications:*

- *Any observed ground movement on the site is definitively associated with settlement of imported fill-not with residual or alluvial soils.*
- *Every proposed lot has sufficient natural soil for foundation design, meaning structures can be built without bearing on fill.*

*There is no geological or geotechnical basis for concern about slope instability. Landslide risk remains Acceptable/Low, and the proposed amendment is geotechnically sound.”*

The representation by MRT warns that the proposed subdivision would create the potential for Landslip Hazard and cannot be ignored.

The proposed plan of subdivision would also necessitate the construction of future dwellings on land where there is a substantial depth of uncompacted fill, up to 4m as shown in Figures 3 and 4. The geotechnical reports submitted in support of the draft amendment also recommend that footings for all future buildings should be grounded to bedrock.

This would entail footings up to 4.5m deep. Construction of future buildings needs to occur on land with compacted fill or outside of land subject to the Landslip Hazard Code, which cannot occur under the proposed plan of subdivision.

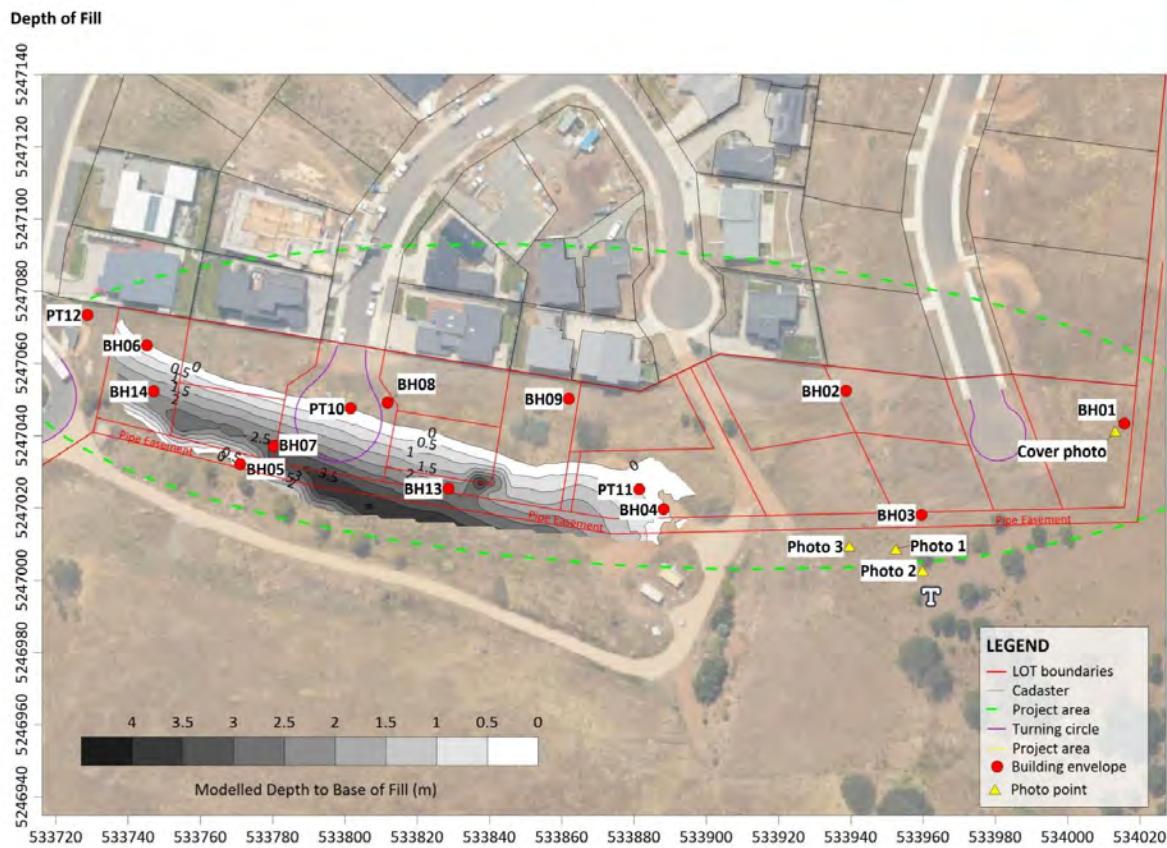


Figure 3: Modelled depth of fill (note: further fill outside this area)

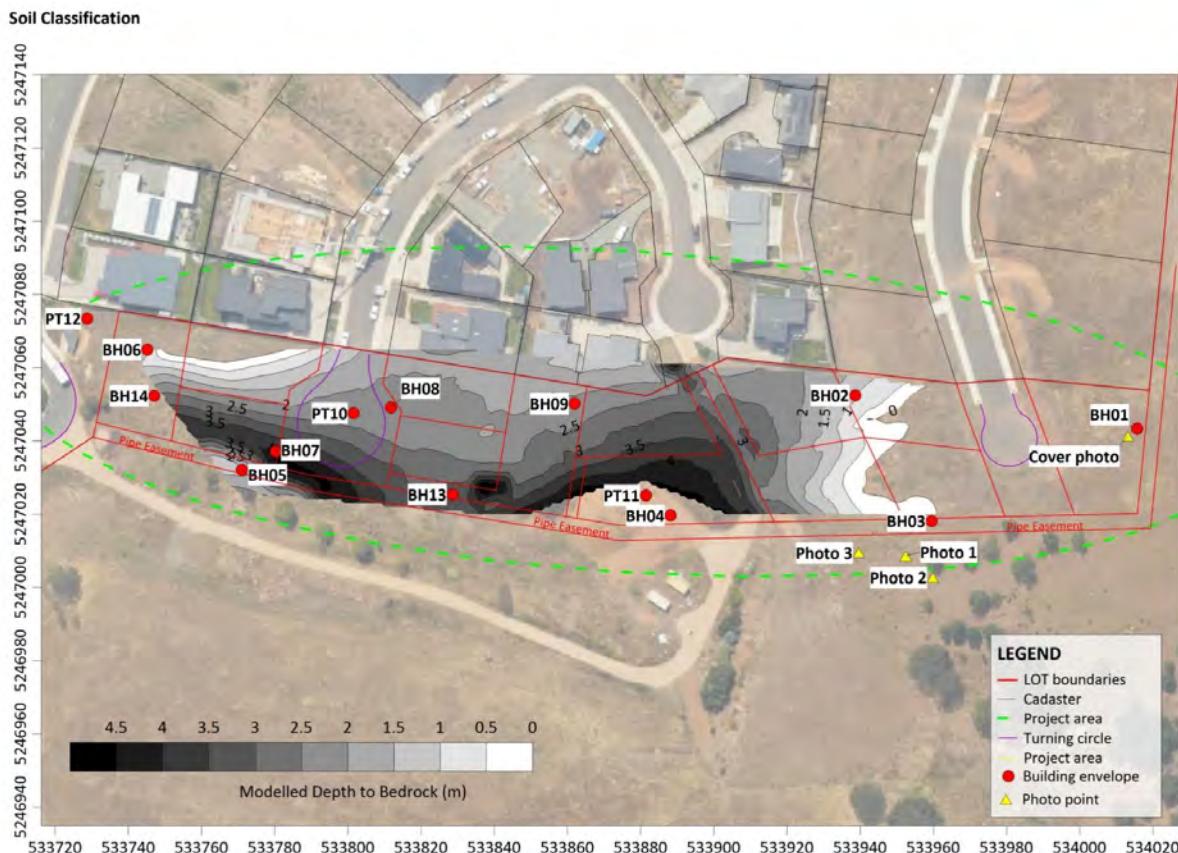


Figure 4: Modelled depth to bedrock

The representation from the adjacent landowners demonstrates that slippage occurs during periods of heavy rain.

If rezoned to General Residential an alternative plan of subdivision could still be developed and submitted to Council that more satisfactorily addresses the concerns raised by MRT and provides for building envelopes and subsequent footings outside of the area of uncompacted fill subject to Landslip Hazard Risk.

Any future development applications for subdivision would still be subject to the Landslip Hazard Code as the Code applies to use or development of land identified in a report, that is lodged with an application or required in response to a request under section 54 of the Act as having the potential to cause or contribute to a landslip, as per provision C15.2.1 of the Scheme.

It is recommended that based upon the representation received, the proposed plan of subdivision not be supported.

## **5.2. Insufficient Road Width and Limited On-street Parking**

One representor was concerned that the proposed subdivision would substantially increase traffic, on-street parking and service requirements, placing further strain upon Ardiletta Road which is already insufficient to provide for existing traffic.

- Comment**

The draft amendment would provide for access to an additional four lots at the end of Ardiletta Road. Ardiletta Road has a pavement width of 6m, it is of a low-speed environment, with low traffic volumes and it only provides for residential access.

A road pavement width of 6m is standard for local streets and provides for parking on one side of the street. The width of Ardiletta Street is considered sufficient to accommodate an additional four residential allotments.

### **5.3. Amendment Makes Good Use of the Land**

One representor stated that the proposal would positively contribute to the ongoing development of the local community.

The application could be improved by providing a river accessway. Is this something that Council might consider for amended inclusion in the proposed development?

- **Comment**

The representors support is noted.

No river accessway is proposed as part of the development application.

Public accessibility, open space and access ways are being considered as part of the Droughty Point Structure Plan which is under development.

### **5.4. Extension of Ardilletta Road to Accommodate 4 New Lots**

One representor raised the issue of that they and other purchasers of land within Ardilletta Road, purchased on the basis of the property being located in a cul-de-sac location and named Ardilletta Place. They further requested that Council consult with all current residents/owners of the existing Ardilletta Road, for the purpose of reinstating the naming back to Ardilletta Place.

- **Comment**

The comment is noted.

Whether a road is called a “road” or a “place”, or how it came to be named as such is not a relevant planning matter.

### **5.5. Unreasonable Loss of Amenity to Properties and Residents of Ardilletta Road**

One representor stated that the draft amendment would result in a clear and unreasonable loss of amenity on the current properties and residents of Ardilletta Road.

Ardilletta Road already has higher density use with three of the six lots containing multiple dwellings and an additional unit is under construction on the corner block with access to be established via Ardilletta Road. This intensity, combined with limited parking and the narrow road, creates significant challenges for larger vehicles such as removal trucks and waste collection vehicles.

Waste collection is particularly problematic. Bins often cannot be placed safely on verges due to the absence of a footpath along one side at the start of the road. As a result, bins are placed on the road, further impeding traffic and driveway access.

The inclusion of a right-of-way to access for proposed Lots 7 to 10 suggests future conversion into a through road as indicated in the concept plans for Skylands. Such a change would increase traffic, further reduce access to on-street parking and worsen access for existing residents.

Ardilletta Road was developed without factoring in any future subdivision and therefore is inadequate to support what is being proposed.

The representor requested that any rezoning be limited to Low Density Residential, that Ardilletta Road remain a cul-de-sac and not be converted into a through road for future development and that if General Residential Zoning is approved, then a restrictive covenant be placed on any future titles for Lots 7 to 10 restricting development to one dwelling per lot.

- **Comment**

Ardilletta Road has a pavement width of 6m which is sufficient to provide for an additional four lots.

Council has approved a request to rezone the land to General Residential. Council is now unable to alter the zoning to Low Density Residential.

The majority of Droughty Point has been zoned future urban or similar since the introduction of the *Eastern Shore (Area 2) Planning Scheme 1986*, hence there is a reasonable expectation that land to the south would be developed for residential use and development in the future.

Ardilletta Road; however, is terminated with a cul-de-sac turning head, reducing this expectation at least for Ardilletta Road.

The rezoning would not prevent a future through road from being developed or an alternative lot layout from being lodged.

The proposed subdivision would prevent any future through road from being constructed.

Placing a restrictive covenant on the titles such as proposed would be contrary to the use standards for residential dwelling unit density of one dwelling per 325m<sup>2</sup>.

No changes to the draft amendment are recommended in response to the representation.

## **6. STRATEGIC PLAN/POLICY IMPLICATIONS**

The proposal is consistent with Council's adopted Strategic Plan and other Council policies, including the Stormwater Management in New Developments Procedure.

## **7. RISK AND LEGAL IMPLICATIONS**

There have been a number of recent cases where a Local Government Authority has been taken to court over potential liability arising from their decisions surrounding landslides, in particular:

*Lorenza v Burwood Council* — Burwood Council was found liable by the Supreme Court of NSW after it provided a planning certificate containing negligent misstatements regarding landslide risk. *Lorenzato v Burwood Council* [2020] NSWSC 1659, [484] (Fagan J).

*McCrae Landslip Case – Mornington Peninsula Shire Building Appeals Board (Victoria), 2025.* Dispute between Council and landowners over who was liable for stabilisation of an extensive landslide and for the loss of a number of properties. *The council estimated that it would need to spend \$8m to deal with the landslide's aftermath.* The Building Appeals Board did not rule in Council's favour.

The case prompted the Victorian Government to establish a Board of Enquiry in May 2025. The matter is ongoing with no decision on who will foot the bill for remediation.

The Mineral Resources Tasmania Database is definitive resource for assessing landslip risk and this database maps a landslide within close proximity to the proposed subdivision.

The cases cited indicate that Council needs to be cognizant of landslip risk and give weight to the assessment data provided by Mineral Resources Tasmania. This does not mean that the land cannot be subject to future subdivision; rather, that the current plan of subdivision should not proceed as currently proposed as it does not adequately address the identified landslip hazard.

## **8. CONCLUSION**

The proposed rezoning from Future Urban to General Residential is considered to meet the LPS criteria as required under Section 34 of LUPAA and is recommended for submission to the Commission.

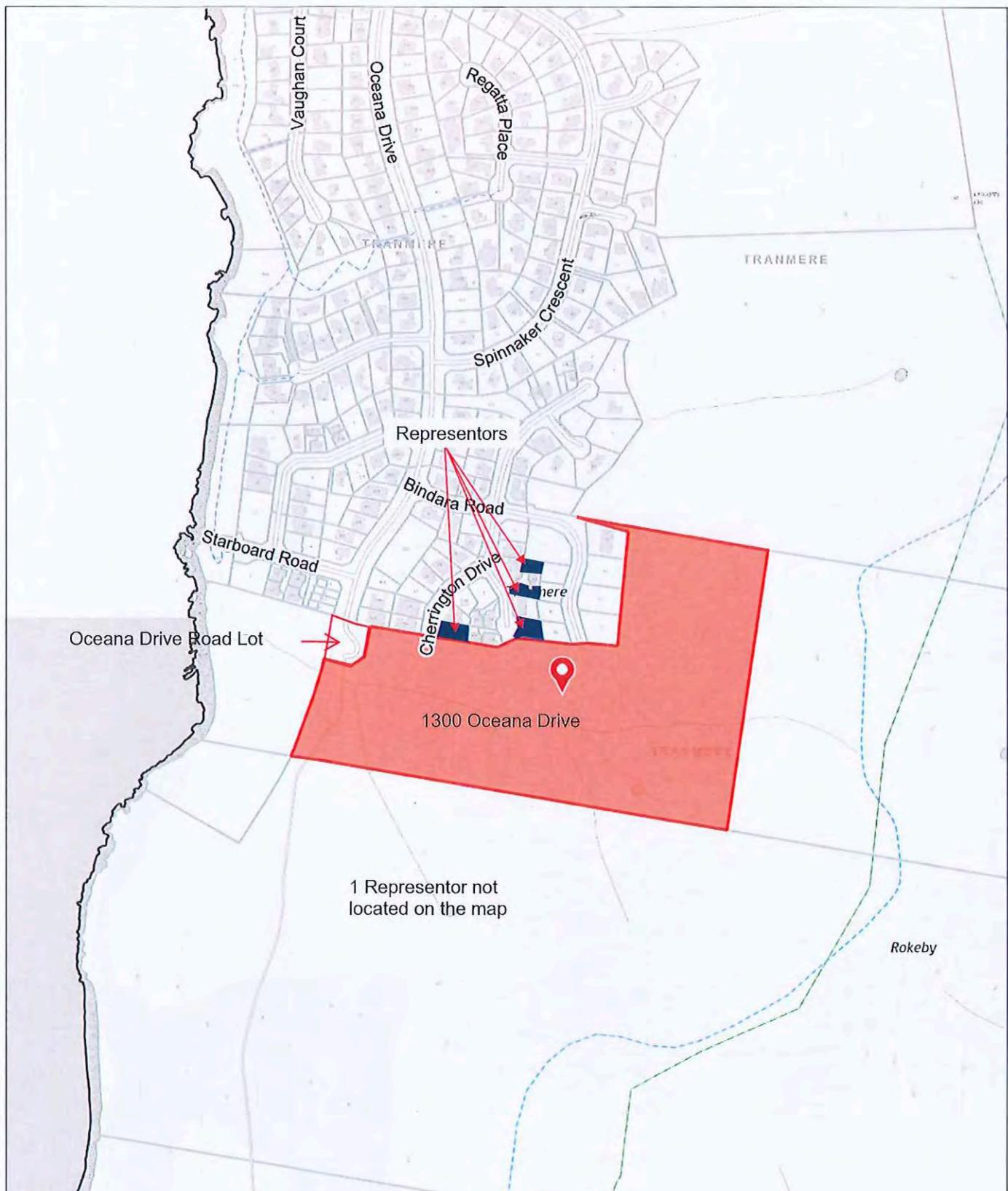
The proposed plan of subdivision is not supported as it is not considered to meet the subdivision provisions of the Landslip Hazard Code.

Attachments: 1. Location Plan (1)  
2. Certified Draft Amendment (1)

Robyn Olsen  
**ACTING HEAD OF CITY PLANNING**

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

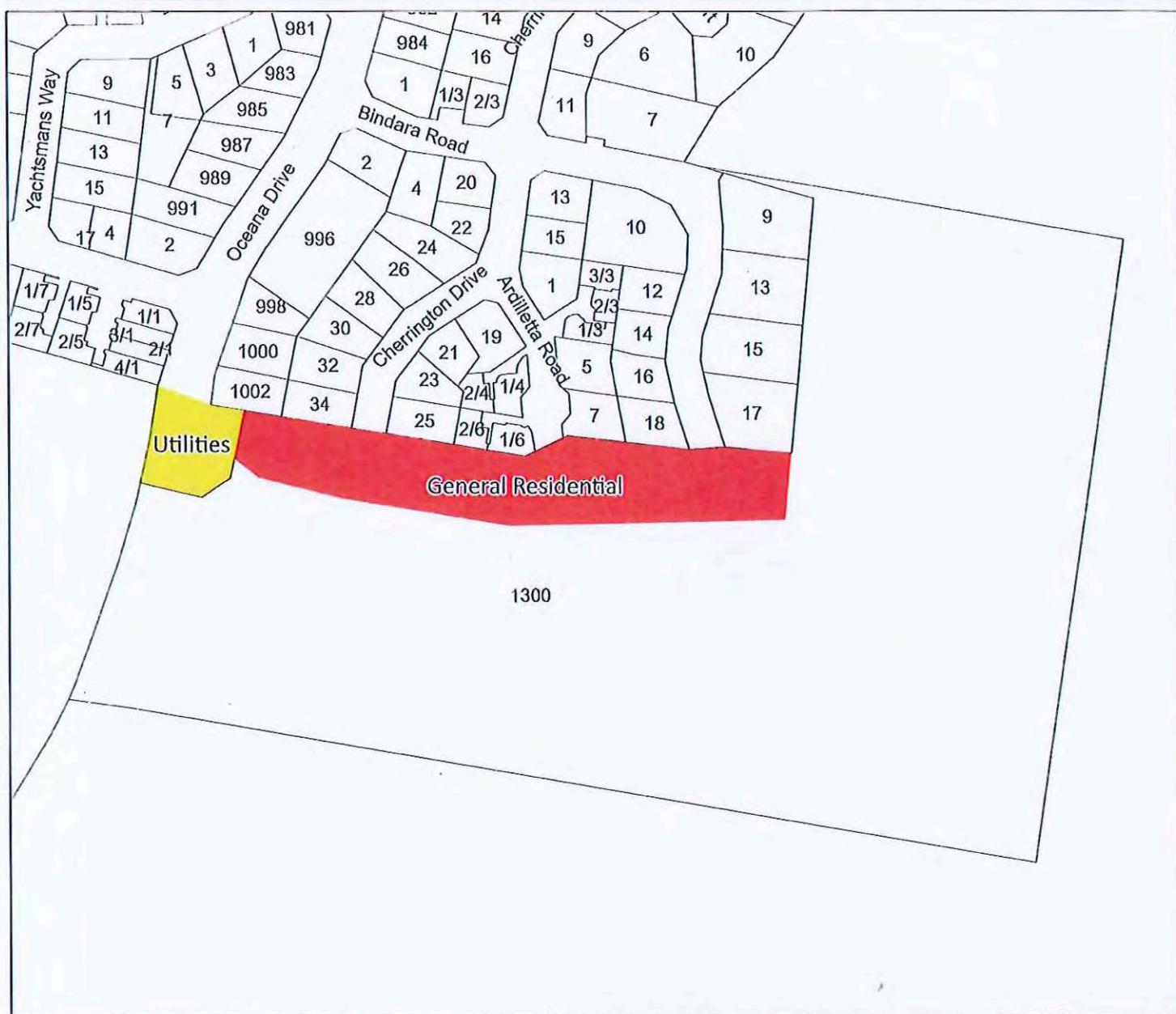
ATTACHMENT 1



 <b>City of Clarence</b>	<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>	03/12/2025	
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# Tasmanian Planning Scheme - Clarence Draft Amendment

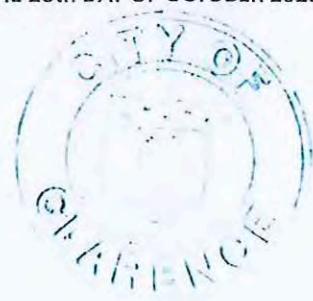


**AMENDMENT TO LOCAL PROVISION SCHEDULE MAPPING  
PDPSPAMEND-2024/049390**

In accordance with s38(2) of the Land Use Planning and Approvals Act 1993, to amend the Tasmanian Planning Scheme – Clarence Local Provision Map by rezoning:

- A 1.052 ha portion of 1300 Oceana Dr, Tranmere (CT 181629/101) from Future Urban to General Residential zone; and
- The 0.207 ha road casement (CT 173546/1) from Future Urban to Utilities zone.

THE COMMON SEAL OF THE CLARENCE CITY COUNCIL HAS  
BEEN HEREUNTO AFFIXED, THIS 22<sup>nd</sup> DAY OF October  
2025, PURSUANT TO A RESOLUTION OF THE COUNCIL  
PASSED THE 20th DAY OF OCTOBER 2025, IN THE PRESENCE  
OF



area

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## HEAD OF GOVERNANCE

Scale 1:3,000 (at A4)

**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**

Nil Items.

**9. MOTIONS ON NOTICE****9.1 NOTICE OF MOTION – COUNCILLOR GOYNE  
DOG WASTE BAGS**

In accordance with Notice given, Councillor Goyne intends to move the following Motion:

“That Council

- (a) commits to replacing current dog waste bags that are ‘degradable’ with ‘compostable’ bags once current reserves of bags are utilised; and
- (b) authorises the CEO to include, as part of the FOGO program development, consideration of options to best address the issue of dog waste, based on best practice environmental, service delivery and financial considerations.”

**EXPLANATORY NOTES**

The Dog Waste bags currently used by Council are degradable, meaning they break down; however, they do not break down naturally and can result in microplastics entering the environment.

Microplastics pollute air, water and soil, entering the body via ingestion and inhalation. Microplastics have been found in food, water and even brain tissue, blood, breastmilk and semen samples.

I constantly collect dog waste bags either washed up or left on the beach or whole reels blowing away from dispensers on windy days. Sadly, I have also collected several sea birds sick on beaches – when autopsied their stomachs are full of plastic, including dog waste bags.

With compostables, they break down naturally without the risk of microplastics and eventually can be included in FOGO once this service is established.

Preliminary consultation shows City of Hobart, Kingborough and Central Coast Councils already use compostable dog waste bags.

I believe supporting this initiative is consistent with Clarence City Council's commitment to recycling and removing soft plastic waste from our city and this proposal represents a prudent and practical approach to reducing harmful plastic to our environment.

**E Goyne**  
**COUNCILLOR**

**CHIEF EXECUTIVE OFFICER'S COMMENT**

Council currently procures approximately 4,600 rolls of dog waste bags and 14,500 bin liners per annum to service 139 dog waste bins across the city. Council currently spends around \$35,000pa on bags and bin liners. Transitioning to compostable bags will increase annual costs; however, the magnitude of the increase will vary depending on the type of bag and its compatibility with existing infrastructure. It is estimated that the additional cost for compostable dog waste bags and bin liners will be in the order of \$30,000pa.

The bags currently in use are classified as degradable and, where not disposed of correctly (into an approved landfill), may contribute to the generation of microplastics in the environment.

Council officers acknowledge the environmental concerns underpinning this motion in relation to microplastics and support the intent to better align Council operations with broader sustainability objectives. In this context, the motion raises a timely and appropriate question about transitioning to compostable dog waste bags; however, it is also important to consider the entire dog waste management stream - how dog waste is collected, serviced, processed and ultimately disposed of.

Achieving a best practice sustainable outcome will require a more integrated approach beyond a standalone decision about bag materials. Two key areas should be addressed as part of Council's consideration of the proposed FOGO service and management of public waste infrastructure more broadly:

**1. FOGO processing capability and acceptance criteria**

Council will need to understand the processing capacity and acceptance requirements of any prospective FOGO processor to which Council's organic material will be delivered. This includes whether dog waste is accepted at all, and whether it can be received if contained in compostable bags.

There is an emerging trend across Australia whereby compostable bags are increasingly not accepted by FOGO processors, and in NSW dog waste is excluded from FOGO streams altogether. Acceptance of dog waste via FOGO varies significantly between jurisdictions, with no national standard or consistent approach.

If dog waste is not accepted into FOGO streams in Tasmania, then the benefit of providing compostable / biodegradable dog waste bags is reduced to those bags that end up in the environment (rather than landfill). A change to compostable bags would nonetheless assist to minimise microplastics entering environmental ecosystems.

Initial enquiries directed to Southern Waste Solutions (SWS) indicate that dog waste will not be accepted into the first stage composting facility proposed for the Copping Landfill site (because it adversely impacts upon the quality of compost produced), however, should SWS develop a digester type facility at a later time, dog waste may be accepted into that system.

**2. Review of public waste infrastructure and service provision**

Council officers plan to undertake a comprehensive review of city public waste infrastructure and associated servicing arrangements in the near future. This review will consider the number, type, placement, and servicing of bins, together with broader operational efficiency and infrastructure capability, to inform future decision-making and strategic planning.

In the event that dog waste can be collected for FOGO processing in southern Tasmania, this would require changes to Council's current infrastructure and servicing arrangements to enable dog waste to be collected and managed as part of Council's broader FOGO service model. Conversely, if dog waste cannot be collected for FOGO processing, alternative efficiency considerations are likely to emerge. Both options require detailed consideration and evaluation, including in respect to cost.

## 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. We have all received a letter from a constituent in relation to Dorans Road which has been a bug-bear for many years. I know of at least 2 Senate Presidents, 1 Mayor of Clarence and 1 Hobart Alderman who have all been unsuccessful in having their road sealed, but the resident points out that there are serious accidents on a particular section, 5 overturned vehicles. When a car overturns it is a potential casualty. It is only on one small section, and I am just wondering that given that we should be looking at better road priorities?

#### ANSWER

(Head of Infrastructure and Natural Assets) We sought grant funding from the Safer Rural Roads Program for some work on Dorans Road, I will check on the timing of that grant program and advise councillors.

(Further information) Council was successful in securing \$40,000 grant funding through the State Government's 2023/24 Safer Rural Roads Program to construct formal passing bays on the gravel section of Dorans Road (between 550 Dorans Road and 620 Dorans Road). The scope of work also includes improved signage on the gravel road section plus additional delineation on the sealed section of Dorans Road. This work is proposed as an interim measure to improve safety by highlighting curves in the road and provide safe passing areas for drivers along this route.

Longer-term options for Dorans Road, including potential road realignment, continue to be considered within the framework of Council's broader road network planning. It is noted; however, that the considerable financial implications associated with realignment make this project challenging to justify at the present time.

In relation to the roll-over crash on Dorans Road in late November 2025, this was not reported to Tasmania Police so there is no formal record of this incident - making it difficult to understand what factors may have contributed to the crash. The 10-year crash history for this section of Dorans Road has been reviewed and 3 crashes have been reported in that period – which is significantly less than the anecdotal evidence provided by residents. Only one crash was reported on the section Dorans Road that would be bypassed as part of a future realignment.

2. Last week there was the 15th Annual Tasmanian Geo-sciences Forum held at Queenstown and I am informed very reliably that one of the issues that was discussed was Droughty Point and the fact that this geo-sciences survey that was done on the Droughty Point peninsula actually shows that there is subsidence and landslip on the whole of the Droughty Point peninsula and the fact is that the southern slopes of Droughty point peninsula are actually slipping away at the rate at this stage of 5 centimetres per annum. Are our strategic planners who are doing the Skylands development plan aware of this factual information and if not can they have a look at the papers?

**ANSWER**

The Head of City Planning asked Cr Mulder to provide the information so that it could be shared with the consultants.

(Further information) Any geotechnical issues will be addressed through the Structure Plan. Also, for information, Mineral Resources Tasmania know of this information and have provided a representation to the Development Application at 1300 Oceana Drive, Tranmere, which will be reported to a forthcoming Council meeting.

Cr Hunter

Has Council previously considered or assessed beach access in Lindisfarne? I was recently contacted by residents wondering that and I noticed in the Coastal Access Plan there was nothing north of Bellerive Beach until you get to Otago Bay, so I am sure there is good reasoning but wondered why that is the case.

**ANSWER**

Taken on notice.

(Further information) The Coastal Access Strategy classified the narrow beach near 73-77 Esplanade, Rose Bay as a C1 Activated Coastline, meaning coastal access infrastructure in this area focuses on movement along the coast and visual access, rather than access to the water's edge. The beach was not identified as a priority during the two rounds of community consultation undertaken for the Coastal Access Strategy and is already well serviced by the Clarence Foreshore Trail, with low demand for additional access down to the water. No beach access improvement works are planned for this location at this stage.

In regard to the small beach at the end of Natone Street, that site is being considered as part of early planning for a future ferry terminal, including potential improvements to visual and physical beach access.

Cr Hulme

1. What consideration has been given to the use of Bellerive (or Ninja Stadium) after Cricket Tasmania ends their lease?

**ANSWER**

(Chief Executive Officer) At this stage there has not been any particular consideration given, we are continuing to work with Stadiums Tasmania to understand what their considerations are and once we have a clear picture of that, we will come back to Council to workshop that issue.

2. I was made aware at the Disability Access and Inclusion Network end of year celebration by someone there who approached me and drew my attention to a project that had been done by some Tas Tafe students producing a brochure called “Coal River Valley, Richmond and Eastern Shore Accessible Touring Options” and it was a project that looked at the accessibility of various tourism attractions through our City, with particular focus on Coal Valley and Richmond. My question is, have council officers been made aware of this brochure and is there any way that Council can use it or benefit from it?

**ANSWER**

Taken on notice.

(Further information) Officers have recently become aware of this brochure which was developed by TAFE students. The brochure was shared with the Tasmanian Visitor Information Network Inc. in December last year, along with other tourism and local attraction resources. The brochure is now available on the Hobart and Beyond website. Officers are currently working on improving accessibility information within the existing Facility Map (Link: [Facilities - City of Clarence](#)) on Council’s website and some information within the brochure is a resource that can be utilised in this.

Cr James

1. The Chief Financial Officer mentioned in her presentation at the Annual General Meeting about the upgrade of Pass Road and the loan funds of \$5 million as part of that project. Are there options in relation to this where it is more than likely to exceed 5 million either to seek additional loan funds or whether cash reserves can be identified and sourced towards that?

**ANSWER**

(Chief Financial Officer) Both could be considered when the time arises when we know the full cost of the project.

(Further Information) When considering a capital project budget, either a new project or additional funds for an existing project, there are various sources of funds Council use, such as grant funding, renewal funding or borrowings. If Council decides to fund by borrowings, then when the time arises to use those loan funds, Council could either take up a new loan or use cash holdings for the project expenditure. However, the cash holdings used, would eventually need to be replenished from borrowings.

2. My question is regarding the sale of the former army barracks in Cambridge Road, which was mentioned this evening. Will Council be making a consideration in relation to change of use or is this going to be handled under the affordable housing convention?

**ANSWER**

(Head of City Planning) If the Housing Order is to change the zoning of the land they would still need to then make a development application through Council and go through public consultation as part of that.

Cr Goyne

1. You have probably seen that Huon Is trialling a herbicide free weed management strategy. Kingborough has already ceased spraying in their sensitive areas like playgrounds. In Clarence's Alternative to Glyphosate Review Discussion Document of 2021, it was recommended to seek costings on hand weeding. I would be interested to know if the hand weeding was costed, because I would like to know if it is possibly cheaper than the \$90,000 that we have allocated for the upcoming budget to sign when we spray possible carcinogens.

**ANSWER**

Taken on Notice.

(Further information) Council officers remain committed to benchmarking operations against industry best practice, focusing on continuous improvement and the investigation of alternative land management techniques to reduce chemical reliance.

Regarding the inquiry into the cost-effectiveness of manual weed control as an alternative to the signage program, the \$90,000 allocated in the current budget represents a one-off capital investment for the fabrication and installation of physical signs. In contrast, manual weeding is a labour-intensive recurring operational liability that would require significantly higher funding every year to remain effective. Initial costings demonstrate that a manual program is approximately 7.5 times more expensive than the equivalent pro-rata cost of the signage network.

To date, the signage network has been installed at Bellerive, Kangaroo Bay, Simmons, Stanley, ANZAC, and Beltana playgrounds with the remaining parks and reserves scheduled for completion in the new year. This project ensures the provision of essential community information regarding herbicide applications. Following the completion of the signage rollout, the ongoing annual budget required, is estimated at \$30,000 for small material components and sign replacements.

2. Can I clarify if the subdivision for the quarry in School Road has been approved and if so, what the headworks charges were on that?

**ANSWER**

(Head of City Planning) That was approved, I think it came to Council early this year or late last year and there were no headworks charges applied to that development because they [the developer] were constructing that portion of the road with the turning head.

Cr Chong

Just following up from Cr Walker's question from last meeting about committees, whilst I appreciate that we are doing the Strategic Plan review first there is a lot of disquiet in the working groups and committees because they don't know where they are going. So, my question is, do we have a timeframe for when this is likely to be completed, and we can look at the committee structure?

**ANSWER**

Taken on notice.

(Further information) A review of the committee structure is currently underway, with a workshop discussion with councillors anticipated to be held in the new year.

Cr Kennedy

1. Following a question from residents on boathouses, what is our policy on boathouses being used as [short stay accommodation]?

**ANSWER**

(Head of Infrastructure and Natural Assets) We know that boathouses are being used for boat storage and other uses, we do not have a policy. We know that some of them are being leased or licensed on Council land, and some are in relation to Crown land.

2. Would a boathouse that is on private land be available to be used as [short stay accommodation]?

**ANSWER**

(Head of City Planning) Any structure that is to be used as visitor accommodation will require a permit under the planning scheme irrespective of whether it is a boathouse on leased or licensed land or on private property.

Question contd...

How do we regulate that?

**ANSWER**

(Head of City Planning) Council regulates visitor accommodation that it doesn't know about by being advised through the State Government when the government provides its report where people have sought permission through them. If someone is not asking the State Government or Council to undertake that use, we generally only find out when people lodge complaints, we then investigate and possibly take enforcement action at that time.

#### **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 17 of the Local Government (Meetings Procedures) Regulations 2025 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 17 of the Local Government (Meeting Procedures) Regulations 2025.

### 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 17 of the Local Government (Meeting Procedures) Regulation 2025 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 17 matters, and that members of the public be required to leave the meeting room”.