

COUNCIL MEETING
MONDAY 2 MARCH 2026

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	7
5.	PUBLIC QUESTION TIME	8
5.1	PUBLIC QUESTIONS ON NOTICE	8
5.2	ANSWERS TO QUESTIONS ON NOTICE	9
5.3	ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE	9
5.4	QUESTIONS WITHOUT NOTICE	11
6.	DEPUTATIONS BY MEMBERS OF THE PUBLIC	12
7	PLANNING AUTHORITY MATTERS	
7.1	APPLICATION PDPSAMEND-2025/054641 – 113, 115, 117 AND 119 EAST DERWENT HIGHWAY, LINDISFARNE	14
8.	REPORTS OF OFFICERS	
8.1	DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS - NIL ITEMS	
8.2	ASSET MANAGEMENT - NIL ITEMS	
8.3	FINANCIAL MANAGEMENT - NIL ITEMS	

8.4 GOVERNANCE

8.4.1	QUARTERLY REPORT TO 31 DECEMBER 2025	71
8.4.2	DOG MANAGEMENT POLICY COMMUNITY ENGAGEMENT	72
8.4.3	LOCAL GOVERNMENT ELECTORAL LEGISLATION SUBMISSION	93
8.4.4	SPECIAL COMMITTEE APPOINTMENTS	110

9. MOTIONS ON NOTICE

9.1	NOTICE OF MOTION – COUNCILLOR GOYNE PUBLIC OPEN SPACE CLOSURES.....	115
10.	COUNCILLORS’ QUESTION TIME	116
10.1	QUESTIONS ON NOTICE	116
10.2	ANSWERS TO QUESTIONS ON NOTICE	116
10.3	ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING.....	116
10.4	QUESTIONS WITHOUT NOTICE	120
11.	CLOSED MEETING.....	121
11.1	APPLICATIONS FOR LEAVE OF ABSENCE	
11.2	PROPERTY MATTERS	

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 10 of the Local Government (Meeting Procedures) Regulations 2025 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 10 February 2026, 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
Market Research	
Waverley Reserve Management Plan	
Natone Street Ferry Terminal DA and Consultation Process	
Council Appointments	
Confidential Briefing	23 February

RECOMMENDATION:

That Council notes the workshops conducted.

4.4. TABLING OF PETITIONS

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

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

4.5 REPORTS FROM OUTSIDE BODIES

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

REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**
Representative: Cr James Walker

Quarterly Reports

September and December Quarterly Reports pending.

Representative Reporting

- **TASWASTE SOUTH**
Representative: 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 9, 16 and 23 February 2026 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 9, 16 and 23 February 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.

Mrs Joanne Marsh of Bellerive has given notice of the following questions:

“MASTERING OUR MASTER PLANS”

1. As each new vision for how an area could look in the future is created (master plan) and is added to those already existing, each of which needs many steps to be worked through before the project can be delivered with the biggest hurdles being money and staff resourcing.

How are Council regulating the number of master plans “sitting there” waiting for funding and resourcing for what, to the community, can seem to be a long time?

2. We are informed that the construction of Bellerive Beach Regional Park cost around \$5M. The delivery of the park’s master plan began over a decade ago. The toilet facilities are inadequate and do not meet standards required by the thousands of people who visit the park each month.

Would Council please advise the community about what hurdle exists that is preventing this facility upgrade.

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

SIGNAGE FOR LINDISFARNE TOILETS

Council own and maintain a toilet facility in the carpark at 25 Wellington Road. This carpark has two entrances off Lincolns Street, two entrances off Esplanade and one off Wellington Road, yet not one sign directing the public to these toilet facilities relatively unseen from these entrances. Can Council install some signs for the public to know where this toilet is?

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

The Acting Chief Executive Officer provides the following answers to Questions taken on Notice from members of the public at previous Council Meetings.

At Council's Meeting of 10 February Mr Michael Figg of Lauderdale asked the following question.

LIGHT DETECTION AND RANGING (LIDAR)

I understand that Local Government and in this case Clarence has the LiDAR (Light Detection and Ranging) for Lauderdale post 2019. Can the CEO please confirm that and advise when it will be available to the constituents – us?

ANSWER

Council officers have previously advised that the LiDAR data is managed by the Department of Natural Resources and Environment Tasmania and is publicly available via <https://elevation.fsd.org.au>

It is understood the “capture date” for the Lauderdale data is 2019.

As the data is co-ordinated by a State Government department it is recommended that enquiries be made through this Department. Beyond providing the above access link, Council is not able to provide further information on data held by the State Government.

At Council's Meeting of 10 February Ms Beth Rees of Rosny asked the following question.

HOTEL DEVELOPMENT ROSNY HILL RECREATION AREA

My question is in relation to the approval for development of a hotel on Rosny Hill Recreation Area, which is Parks and Wildlife land managed by Clarence City Council. What are the restrictions and/or requirements in relation to:

- 1 Clarence City Council subleasing Parks and Wildlife land in general and for this development in particular; and
- 2 On-selling the approval to another developer

and could you please explain how these issues have been resolved?

/ Contd on Page 10...

ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE /contd...**ANSWER**

In accordance with the *National Parks and Reserves Management Act 2002 (Tas.)* and the head lease between the Crown and Council, Council is permitted to sub-lease all or part of the Rosny Hill Nature Recreation Area. The Head Lease makes express reference to an acknowledgement on the part of the Minister that the Crown and Council contemplate third party development for commercial purposes. In relation to this particular development, Council granted Hunter Development Pty Ltd preferred developer status in 2015 following an expression of interest process.

The parties have not yet settled a sub-lease. The sub-lease will detail restrictions and requirements in the event that Hunter wish to sell or transfer the development approval to another entity.

At Council's Meeting of 10 February Mrs Joanne Marsh of Bellerive asked the following question.

DOGS OFF LEAD - ROSNY PARKLANDS

It is very distressing to see terrified brown bandicoots being chased by off lead dogs in Rosny Parklands. How is Council monitoring the welfare of these beautiful and interesting little creatures and communicating this information to park users?

ANSWER

Rosny Parklands is designated as a dog on-lead area, meaning dogs are required to remain on a lead at all times, with signage at major park entrances to advise park users of this requirement. Council recognises that the park supports native fauna, including bandicoots; however, Council does not undertake active fauna monitoring at present, with management efforts focused primarily on vegetation management, weed control and maintaining habitat values within the reserve.

Council relies on responsible dog ownership and community awareness to minimise disturbance to wildlife and encourages anyone who observes dogs off lead to report the matter so it can be followed up appropriately by Council Rangers. The park is monitored by the ranger team with periodic patrols and responses to complaints

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 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 APPLICATION PDPSAMEND-2025/054641 – 113, 115, 117 AND 119 EAST DERWENT HIGHWAY, LINDISFARNE**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to review Council’s decision of 20 October 2025 in response to the representations received during the public exhibition period.

The representations relate to a request to amend the Clarence Local Provision Schedule (LPS) for the rezoning of 113, 115, 117 and 119 East Derwent Highway (the site) from General Residential Zone to Local Business Zone.

The Planning Authority’s assessment of the representations and impact to the proposal must be provided to the Tasmanian Planning Commission (the Commission) under section 40K of the *Land Use Planning and Approvals Act 1993 (Tas.)* (LUPAA).

RELATION TO PLANNING PROVISIONS

The site is located at 113, 115, 117 and 119 East Derwent Highway and has a combined area of 2,948m² and is currently zoned General Residential; and subject to the Parking and Sustainable Transport Code, Road and Railway Assets Code, Flood-Prone Areas Hazard Code and the Safeguarding of Airports Code.

LEGISLATIVE REQUIREMENTS

The application for rezoning was submitted to the Planning Authority for a decision in accordance with section 37 of LUPAA. The certified amendment was advertised in accordance with the statutory requirements of section 40G of LUPAA. Council is now required to consider the merits of any representation received.

This report provides details of the representations received, and justification for 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 (Tas.)* and the Local Government (Meeting Procedures) Regulations 2025.

CONSULTATION

The proposal was advertised in accordance with statutory requirements, and 19 representations were received, including one signed by 197 signatories. The points raised can be summarised as follows:

- Support in principle
- Concern over strategic basis
- Impact on Lindisfarne Village
- Potential impact of traffic, parking and safety
- Potential impact on residential amenity
- Front setbacks and streetscape
- Lack of consultation; and
- Specific concerns over conceptual design.

RECOMMENDATION:

- A. The planning authority resolves, with regard to draft amendment PDPSAMEND-2025/054641 at 113, 115, 117 and 119 East Derwent Highway, Lindisfarne, that:
1. In accordance with section 40K(2) of the *Land Use Planning and Approvals Act 1993*, consideration of the merits of each representation received with regard to the requested amendment of the Clarence Local Provisions Schedule PDPSAMEND-2025/054641 is contained in the Associated Report and the Planning Authority considers that no modification to the draft amendment is warranted.
 2. In accordance with section 40K(2) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority is satisfied that the draft amendment meets the LPS criteria and no other recommendations to the draft amendment are warranted.
 3. In accordance with section 40K(1) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority provides the Associated Report and relevant attachments, including a copy of each representation, to the Tasmanian Planning Commission
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

ASSOCIATED REPORT**1. BACKGROUND**

On 20 October 2025, the Planning Authority resolved to certify an amendment to rezone the land at 113, 115, 117 and 119 East Derwent Highway from General Residential Zone to Local Business Zone as shown in Attachment 1.

2. PROPOSAL IN DETAIL**2.1. The Site**

The site, outlined in red in Figure 1, is located at the corner of East Derwent Highway and Ballawinnie Road, Lindisfarne and has a total area of 2948m². The properties are each subject to a drainage easement along the western (rear) boundary.



Figure 1 – Aerial image of area (subject site outlined in red)

Each of the properties currently contain a single dwelling, associated car parking, and gardens.

2.2. Zoning of Local Area

The adjoining property to the south of 113 East Derwent Highway is zoned Local Business Zone (light blue in Figure 2) and contains a service station and vehicle service centre. The land to the north along the highway, across Ballawinnie Road, is also in the Local Business Zone. This land contains a local supermarket and liquor store. A large aged-care facility is established on the land immediately to the rear (west) of the site which is within the General Residential Zone (red on Figure 2). The offices for the aged-care facility are located on East Derwent Highway directly south of the service station.



Figure 2 - Zoning of the area (subject site outlined in blue)

The Lindisfarne Primary School oval is located opposite the site, on the eastern side of the East Derwent Highway, and is zoned Community Purpose (light yellow on Figure 2). The East Derwent Highway is a State Road and is situated in the Utilities Zone (yellow on Figure 2). While managed by the Department of State Growth, the section of the highway immediately adjoining the site is a separate title and is owned by Council.

The highway is vertically separated at this point and pedestrian access is facilitated by a signalised crossing.

There is a number of small clusters of lots zoned Local Business Zone further north along the East Derwent Highway, the nearest being along Beach Road approximately 330m to the north, which contains a hairdresser, café, service station, and pizza store.

3. **STATUTORY IMPLICATIONS**

Section 40K(2) of LUPAA requires a Planning Authority to consider the merits of any representations received and their impact on the draft amendment and provide this report to the Commission within the statutory period which, in this case, has been extended by the Commission to 11 March 2026.

In considering the merits of the representations, the Planning Authority may make recommendations to the Commission that the amendment should be modified, abandoned, or remain unchanged.

The Commission will then hold public hearings into the matter where it will consider the views of the representors as well as the Planning Authority's recommendations prior to making its decision.

4. CONSULTATION

The certified draft LPS amendment was publicly notified for the statutory 28 days from 29 October 2025 to 26 November 2025. While the statutory notification under the *Land Use Planning and Approval Regulations 2025* only required two advertisements in the newspaper (which occurred on 29 October 2025 and 12 November 2025), additional notification was also undertaken including notification to landholders and occupants adjoining the subject site and notification signs on the site.

5. DISCUSSION ON THE MERITS OF THE REPRESENTATIONS

Nineteen representations were received during the public notification period. Several representations were received on behalf of multiple people, including one that was signed by 197 people. In accordance with council practice, and which has been accepted previously by the Tasmanian Civil and Administrative Tribunal, a submission on behalf of multiple people is treated as a single representation.

The representations raised concerns in relation to the draft amendment itself, as well as to the provided concept plan (which does not form part of the planning scheme amendment application). While issues outside the scope of the planning scheme amendment, such as future development details, cannot be considered in accordance with section 40J of LUPAA, these issues have been identified separately below.

The following issues in relation to the planning scheme amendment were raised in the representations.

5.1. Support in Principle

Two representations stated support in principle for the rezoning due to the potential benefits the local area could gain from future development, e.g: restaurants, retail outlets and accommodation. However, both representations also expressed concerns over specific site development issues (which are separately discussed below).

- **Comment**

The supporting comments of the representations are consistent with those matters set out in Council's report of 20 October 2025.

5.2. Concern over Strategic Basis

Five representations raised concerns that the proposed rezoning from General Residential Zone to Local Business Zone is inappropriate, with four of the representations stating the zoning should remain as residential. The representation from the Department of State Growth opined that, as an alternative, the Inner Residential Zone should be considered to allow for higher density residential developments.

The main concerns underpinning this position related to:

- the existing Activity Centre hierarchy and priority established through the Southern Tasmania Regional Land Use Strategy (STRLUS)
- the proposed zoning prioritises commercial development over residential developments, and
- impact on Lindisfarne Village.

- **Comment**

Council's consideration of the amendment against the provisions of STRLUS and the Commission's *Guideline No. 1 – Local Provision Schedule (LPS): zone and code application* (Guideline No.1) were set out in the report of 20 October 2025, and it is not necessary to be repeated in this report.

However, the suggestion of an alternative higher density residential zone is considered not to be appropriate when assessed against Guideline No.1 which states that this zoning is intended for land that has been identified for higher density residential development, proximate to an activity centre. This site has not been identified for such a use, nor is it what is applied for, which does not support this opinion. Furthermore, Local Business Zone would provide opportunity for higher density residential development (compared to General Residential Zone) if this use was seen as desirable.

Both the STLUS and *Clarence Activity Centre Strategy 2013* focus on the coordination of Neighbourhood Centres (such as Lindisfarne) upwards in a retail hierarchy. While acknowledging the existence and typology of a Local Centre in meeting the convenience needs for a local area (such as a Local Business Zone cluster as proposed), this is considered to be a matter determined at a local level. In particular, the Clarence Activity Centre Strategy 2013 identifies that these local centres “*are unlikely to influence the development or structure of an activity centre hierarchy for Clarence*”.

The current review of STRLUS (currently subject to public exhibition) does not alter this position; however, it does highlight that a review of Council’s current strategy is warranted.

From an economic perspective, it is considered that there are beneficial outcomes by:

- Supporting small business establishment and diversification
- Encouraging local employment opportunities
- Improving service accessibility for surrounding neighbourhoods;
and
- Reinforcing Lindisfarne’s role as a self-supporting activity node within the Clarence urban area.

In relation to prioritising commercial developments in the Local Business Zone, it is noted that the zone purpose is not only to provide for business use, but to also encourage residential use to support the local centre. The zone achieves this by designating residential use to be a permitted pathway should it be located above ground floor level, or by providing a discretionary pathway for all other residential uses. Furthermore, the Local Business Zone does not restrict the density of residential developments, therefore the rezoning could provide for a greater number of residential units than what could be achieved under the current General Residential Zone.

Accordingly, the proposed zoning is considered appropriate in the context of surrounding zoning. Therefore, this matter is not considered of sufficient merit to warrant a modification to the draft LPS amendment.

5.3. Impact on Lindisfarne Village

A representation stated that the Lindisfarne Village has been in decline for the past 20 years, and the rezoning of this application will create a rival commercial centre, which does not meet the purpose of the zone.

- **Comment**

As identified above, Lindisfarne Village is considered a Neighbourhood Centre, within both STLUS and *Clarence Activity Centre Strategy 2013*. A Neighbourhood Centre fulfills a primary role of providing weekly shopping needs to residents principally in regard to food retailing, and essential community services. They are also supported by a network of speciality retailers and other businesses meeting household and business needs.

The claim that Lindisfarne Village is in decline is not supported and is unevicenced. Lindisfarne Village continues to perform strongly and generally experiences high occupancy rates, indicating healthy demand for commercial space. However, the village is physically constrained by its established built form and street network, meaning there is limited opportunity for expansion or consolidation of new floor space.

Therefore, Lindisfarne Village has a limited opportunity to accommodate new or evolving business types, particularly those requiring visibility, parking or larger footprints. This lack of opportunity for expansion does not equate to decline.

As identified above, the rezoning will still provide services within a Local Centre and will not expand it to the purported degree. These centres provide access to some basic goods (including at least one grocery store) and services to support the community in the immediate area.

The subject site does not provide adequate land to create a centre to be classified as a Neighbourhood Centre. Further, Lindisfarne Village is zoned a higher-order business zone, that being General Business Zone. Extending and consolidating the existing Local Business Zone is considered to support the hierarchy of the activity centre network, rather than competing with other centres and has the potential of providing for multiple businesses associated with residential activity which increases the potential for viability.

Additionally, the Strategy notes that the growth of other centres is influenced by the rate of local population change. Accordingly, it was predicted that some expansion and revitalisation in Howrah and Lindisfarne would occur. The proposed rezoning is therefore in line with the predictions of this report and will provide an expansion of business zones within the Lindisfarne area to support the population growth of approximately 17% that Lindisfarne has experienced over the 10-year period from 2011-2021. (Source: <https://www.abs.gov.au/census/find-census-data/search-by-area>)

This matter is not considered of sufficient merit to warrant a modification to the certified draft LPS amendment.

5.4. Potential Impacts on Traffic, Parking and Safety

Concern was raised in relation to the potential for an increase in traffic to and from the site and in the surrounding streets with impact on pedestrian safety and parking.

- **Comment**

In relation to a perceived increase in traffic that will impact on-street parking, traffic and pedestrian safety, the rezoning itself will not change this – this is a consideration of a future development. While it is acknowledged that the rezoning has the potential to attract new commercial/residential development that is likely to generate an increase in traffic to the site, the current zone also has the potential for new residential/commercial development that is likely to generate an increase in traffic to the site.

Regardless of zoning, these issues will be required to be assessed at the time of development. The Department of State Growth, in their representation, was critical of an increased commercial traffic demand while suggesting the higher density residential option – it is unclear where the distinction lies from a traffic generation perspective. However, they did suggest that an upgrade Traffic Impact Assessment would be necessary for future developments.

Any future development that will substantially intensify the use or development of the site, would require a discretionary planning application. Such an application would be assessed against the scheme requiring traffic and parking impacts to be assessed as part of such applications.

Accordingly, while it is considered that rezoning the site may increase the likelihood of an application, the key issues and outcomes in terms of traffic impacts are unlikely to change. Therefore, it is considered that modification to the proposed zoning is not warranted.

5.5. Potential Impacts on Residential Amenity

Concern was raised in relation to the potential for loss of residential amenity given the development standards of proposed zone.

- **Comment**

As stated above, the rezoning itself will not impact the amenity, as no development is proposed at this stage. However, the impacts of future development, including that on residential amenity, would be assessed under the provisions of the Local Business Zone.

The Local Business Zone provides adequate provisions to ensure that any use or development does not cause an unreasonable loss of amenity to adjoining residential zones.

When considering factors that could affect amenity, such as height, setbacks, privacy, etc, the differences in Acceptable Solutions between the two zones is marginal as outlined below:

- The maximum building height in the Local Business Zone is 9.0m in comparison to 8.5m in the General Residential Zone.
- The front setback requirements differ as the Local Business Zone allows that buildings can be built to the frontage at ground level, whereas the General Residential Zone provides for a 4.5m front setback (from a primary frontage) and 3.0m otherwise. If the lots were consolidated, then the East Derwent Highway would be considered a non-primary frontage and the setback would then be 3.0m
- Where adjoining residential zones the Local Business Zone provides for greater side and rear setbacks than within the General Residential Zone itself.

- Additional standards in the Local Business Zone relate to design, fencing, outdoor storage areas, and dwellings. These are generally intended to support the amenity for residential use in the zone and adjoining residential zones.
- As with most standards, there is the opportunity, in both zones, to apply for a variation to these standards through an advertised planning application.

5.6. Front Setback and Streetscape

Concern was raised with regard to the minimisation of front setbacks and impacts on safety of the intersection and that the Local Business Zone promotes “*that building facades promote and maintain high levels of pedestrian interaction, amenity and safety*”. In addition, the East Derwent Highway footpath does not provide a suitable environment for pedestrian shoppers and larger window designed for passive surveillance will encourage crime.

- **Comment**

As stated above, the Local Business Zone allows for buildings to be built to the front boundary, although the Traffic Impact Assessment (TIA) does not directly assess visibility impacts that could arise from future buildings constructed to the East Derwent Highway boundary, as this is a future development application matter. For any future development application, matters such as sight distances, vehicular safety, safety of a junction and the effects on the efficiency of a road are all required to be assessed under the Road and Railway Assets Code.

Furthermore, front setbacks within the Local Business Zone are assessed against the compatibility with the streetscape, amenity of adjoining residential land, and minimising opportunities for crime and anti-social behaviour.

It is simply not agreed, nor is there any evidence to support that larger windows promote crime. In fact, studies show that windows that provide passive surveillance of public spaces reduce the incidence of crime and enhance community safety. Because of this, passive surveillance is encouraged, not discouraged.

From a streetscape perspective, future development has the potential to provide a more harmonious streetscape, as defined within the planning scheme, as opposed to the current eclectic mix – although this is seen as a relatively minor matter.

This matter is not considered of sufficient merit to warrant a modification to the certified draft LPS amendment.

5.7. Lack of Consultation

Concern was raised that the developer did not consult with neighbouring properties and that there was no information on what development was proposed in the future.

- **Comment**

As stated above, Council has undertaken consultation in accordance with the requirements of the legislation and has gone beyond the minimum standard required for planning scheme amendments.

The legislation does not mandate that neighbours are required to talk to each other, nor is there a requirement to include a proposal for development as part of the planning scheme amendment.

As already stated, regardless of the zone of the property, any development application is assessed against the provisions of the planning scheme at the time of lodgement.

5.8. Concerns regarding the Concept Plan

To support the application, a conceptual design was provided to demonstrate what type of development could be applied for in the future. It is noted that this plan did not distinguish what could be applied for under the current zone and what aspects would require rezoning, nor was this plan assessed against the current or future provision of the planning scheme.

This concept plan does not form part of the amendment and was provided for illustrative purposes only. Despite this, a number of representations specifically made comment on these concept plans.

Section 40J of LUPAA specifically requires that representations must relate to the contents or merits of the draft amendment and its consistency with the State Planning Provisions. However, any extraneous matter “is not to be taken to be part of the representation”.

For completeness sake, the matters raised with regard to the concept plan were:

- Five representations raised concerns about the concept plan, in that the commercial component of the plan does not provide for enough off-street parking, and that the surrounding streets, particularly Ballawinnie Road, are at capacity with on-street parking from residences, workers and commuters. Therefore, any future commercial business should provide adequate off-street parking.
- Ten representations were concerned that the concept plan would generate more traffic within the surrounding streets, which would have an impact on both pedestrian and vehicle safety and also the crossover on Ballawinnie Road will conflict with the IGA access on the north side of Ballawinnie Road.
- Representations suggest that the increase in traffic and higher demand for on-street parking is likely to impact pedestrians and their safety. Of particular concern, was the safety of school children using Ballawinnie Road and crossing the East Derwent Highway.
- One representation suggested a provision be required for the rezoning that a footbridge crossing the highway be constructed as part of the development. Also, it was suggested that development along the highway should be avoided to reduce pedestrian activity on the highway footpath which is dangerous.
- Another concern that was raised is that East Derwent Highway is a Category 3 road under the Tasmanian State Road Hierarchy and has a strategic importance as a key access road. Therefore, it is important that the function of the highway is maintained.

- Eight representations raised concerns that the concept plan would result in a loss of amenity. One representation concerns the height and scale of the development, which would have an impact on the sunlight entering the adjoining property. Further concerns related to the privacy from the balconies and the noise from the cars travelling along the side boundary.
- One representation raised concerns that the building height and scale would not be in keeping with the surrounding area.
- Five representations raised concerns that in a time where there is a housing shortage, four dwellings are being demolished.

5.9. Traffic Impact Assessment

As part of the original submission, a Traffic Impact Assessment (TIA) was submitted by the applicant. While it is based on the conceptual plans, it sought to demonstrate that development can be adequately proposed on the site. Two representations raised the following concerns in relation to the provided Traffic Impact Assessment:

- The TIA fails to identify the impact of increased traffic exiting onto Ballawinnie Road and the surrounding road network;
- The TIA fails to identify safety issues for pedestrians crossing Ballawinnie Road;
- The TIA fails to identify the impact on the local road network for customers accessing commercial developments from the north;
- The TIA fails to acknowledge that the intersection of Ballawinnie Road and East Derwent Highway is already a bottle neck, including access to the IGA;
- The TIA states the sight distance complies with Australian Standard AS2589.1 with a 40m distance from the driveway on Ballawinnie Road to the East Derwent Highway; however, distance is approximately 30m.
- The TIA should be updated to consider the following:
 - how deliveries may be made to businesses
 - whether road widening will be necessary
 - the need for visible “front of house” off-street car parking.

Given the concerns of the representation, the applicant updated the TIA which will form a basis of their submission to the Commission.

The updated TIA included an expanded transport network area that included Nietta Road, Liena Street and the Esplanade. The report stated that Liena Street is a residential street with a narrow carriageway and low traffic volumes (approximately 300 vehicles per day). These physical and operational characteristics discourage higher traffic volumes and act as a form of traffic calming. As a result, the TIA concluded that Liena Street is unlikely to experience any material increase in traffic demand attributable to the concept plan.

In relation to Nietta Road and the Esplanade, the TIA states that these roads operate as low-volume local roads. These roads do not provide a strategic advantage for site access compared to East Derwent Highway and Ballawinnie Road, therefore the TIA concluded that it is not expected to attract any significant redistribution of traffic resulting from the concept plan.

- **Comment**

Council officers have reviewed the updated TIA and provide the following comment.

In relation to traffic safety, the road safety impacts of the proposed development were assessed within the TIA with consideration of the existing crash history and the proposed access arrangements associated with the concept design.

The crash data shows no clear crash trends or patterns that would indicate specific road safety deficiencies in the vicinity of the subject site, or crashes associated with property access. The crash rate and severity distribution is considered typical of a four-lane divided carriageway highway through an urban area with mixed land uses and multiple access points.

No crashes were reported on Ballawinnie Road during the analysis period, which is consistent with its function as a low-volume local access road.

It is considered that the concept plan would result in several road safety improvements compared to the existing situation:

- **Access Consolidation:** The concept development will remove four existing residential driveways on East Derwent Highway and replace them with a single entry-only access. This represents a significant reduction in the number of potential vehicle conflict points along the highway frontage, from 4 two-way access points to 1 one-way entry point.
- **Elimination of Reversing Movements:** The existing residential driveways require vehicles to reverse either into or out of the properties due to limited on-site manoeuvring space. The proposed development eliminates these reversing movements onto East Derwent Highway, which removes a significant safety risk.
- **Entry-Only Design:** The proposed East Derwent Highway access is designed as entry-only, which eliminates right-turn and left-turn exit movements that could conflict with through traffic. This design significantly reduces the potential for rear-end and side-swipe collisions that are common at commercial driveways.
- **Traffic Distribution:** The two-way access via Ballawinnie Road provides an appropriate outlet for the development traffic while distributing movements between the highway and local road network in a manner that minimises safety impacts.

The TIA says that the proposed access arrangements will result in a net improvement to road safety conditions compared to the existing situation. The consolidation of access points, elimination of reversing movements, and entry-only design on East Derwent Highway will reduce potential conflict points and improve traffic flow. The road safety impacts of the proposed development are considered to be positive.

In relation to the pedestrian safety, the TIA states that the proposed development is likely to generate some pedestrian activity in the network. The existing footpath infrastructure is considered to be of a high standard in the existing road network to cater for these pedestrian movements.

Pedestrian actuated traffic signals are also located immediately adjacent to the subject site, providing a safe access for pedestrians across the highway. Furthermore, the concept design includes a separated pedestrian access at East Derwent Highway.

Future development of the site in accordance with the Local Business Zone would provide scope for rethinking vehicle access to protect the function of the East Derwent Highway by reducing the number of direct accesses from the highway.

The TIA states that the additional traffic generated by the concept plan could be accommodated by the existing road network without adversely affecting traffic flow or safety and the low volume nature of Ballawinnie Road.

The TIA states that the additional traffic that would be generated from the concept plan would represent a very small increase relative to existing traffic volumes on the East Derwent Highway. Therefore, this increase is not expected to affect the operation performance of the highway or exacerbate existing congestion. As for the surrounding local street network, the increase in traffic would also be minor and within the capacity and functional intent of these roads. It is considered that the traffic associated with the concept plan would not worsen existing congestion.

Regarding the sight distance for the crossover on Ballawinnie Road, the TIA confirms that for Ballawinnie Road (50km/h), the minimum sight distance required for a commercial driveway is 45m, and the available sight distance to the west exceeds this requirement, therefore complying with AS2890.1 requirements. The lower distance referred to in the representation being 30m, appears to relate to the distance to the East Derwent Highway stop line, which is not the relevant sight distance measure for driveway compliance.

As stated above, any future development application would be assessed against the Road and Railway Assets Code to ensure traffic generation has minimal adverse effects on the safety and efficiency of the road network.

The TIA does not suggest that there would be a need for road widening along the East Derwent Highway as a result of the concept plan. This is due to the increase in traffic representing a very small increase relative to existing traffic volumes on the East Derwent Highway. Furthermore, consolidating the access points, and there being an entry-only design, would result in an improvement to road safety conditions compared to the existing situation.

In relation to the assessment being updated to include how deliveries will be made to businesses and the need for visible off-street parking, the report did not re-assess these details, because this is a very specific detail for something that is only at a concept plan stage. Should a future planning application be lodged for this proposal, such details would then need to be addressed.

Furthermore, the proposed rezoning promotes efficient use of existing infrastructure capacity within the Urban Growth Boundary and metropolitan area of Greater Hobart.

6. EXTERNAL REFERRALS

The original application was referred to the Department of State Growth (State Growth), TasNetworks and TasWater as outlined in the original report. During the advertising period State Growth submitted a representation, which was considered in the above representations section of this report.

7. STATE POLICIES AND ACT OBJECTIVES

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

7.2. The proposal is considered consistent with section 34 LUPAA LPS requirements.

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

The proposal is consistent with Council’s adopted Strategic Plan or any other relevant Council policy, including the Clarence Activity Centre Strategy, December 2013.

9. CONCLUSION

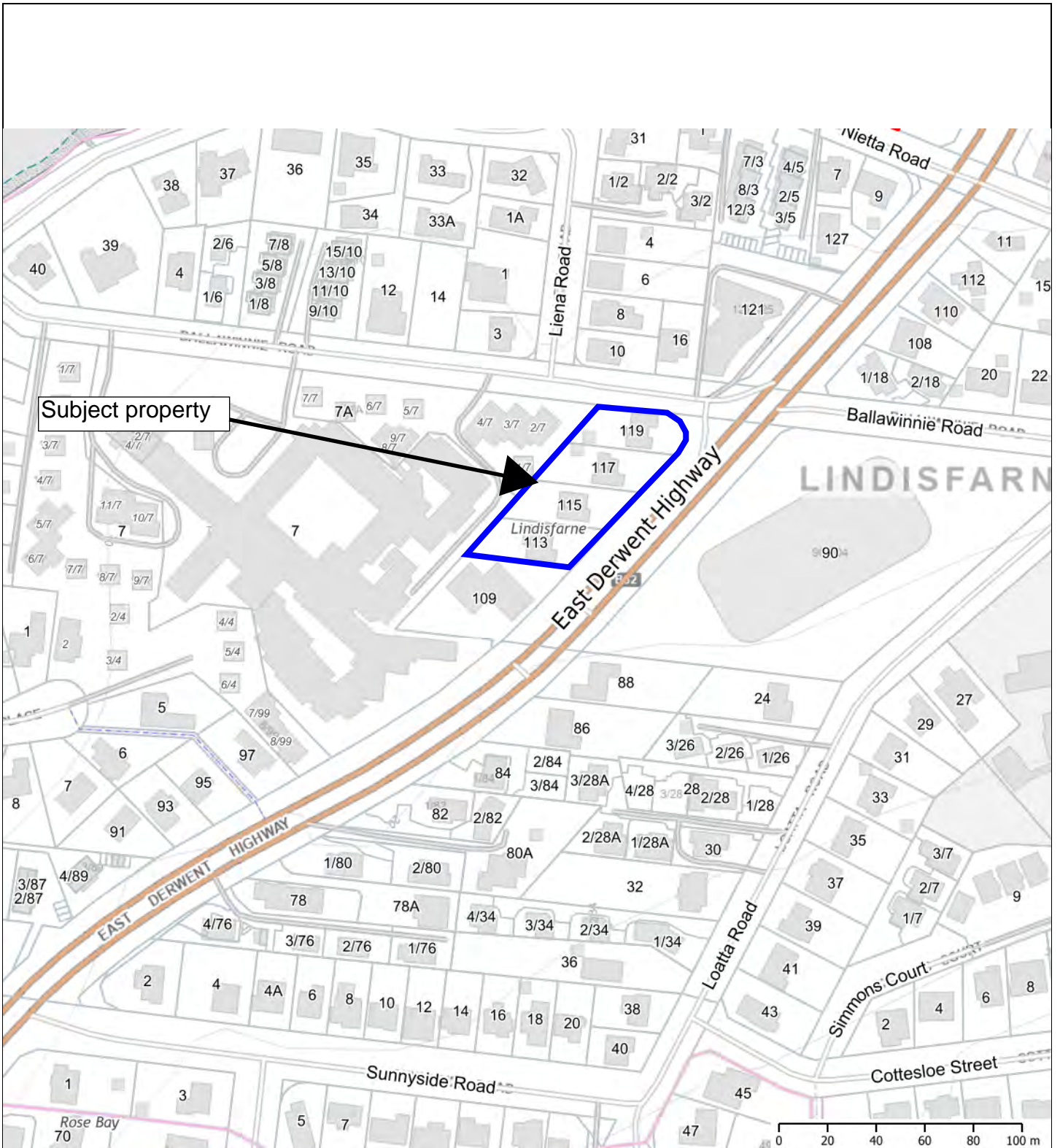
The proposed rezoning from General Residential to Local Business is considered to meet the LPS criteria as required under Section 34 of LUPAA, and representations received do not warrant proposed modifications.

It is recommended that Council maintain their support for the proposed amendment and that it is submitted to the Tasmanian Planning Commission for further consideration.

- Attachments: 1. Location Plan (7)
2. Updated Traffic Impact Assessment (27)

Daniel Marr
HEAD OF CITY PLANNING

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



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.

06/10/2025
1:2257





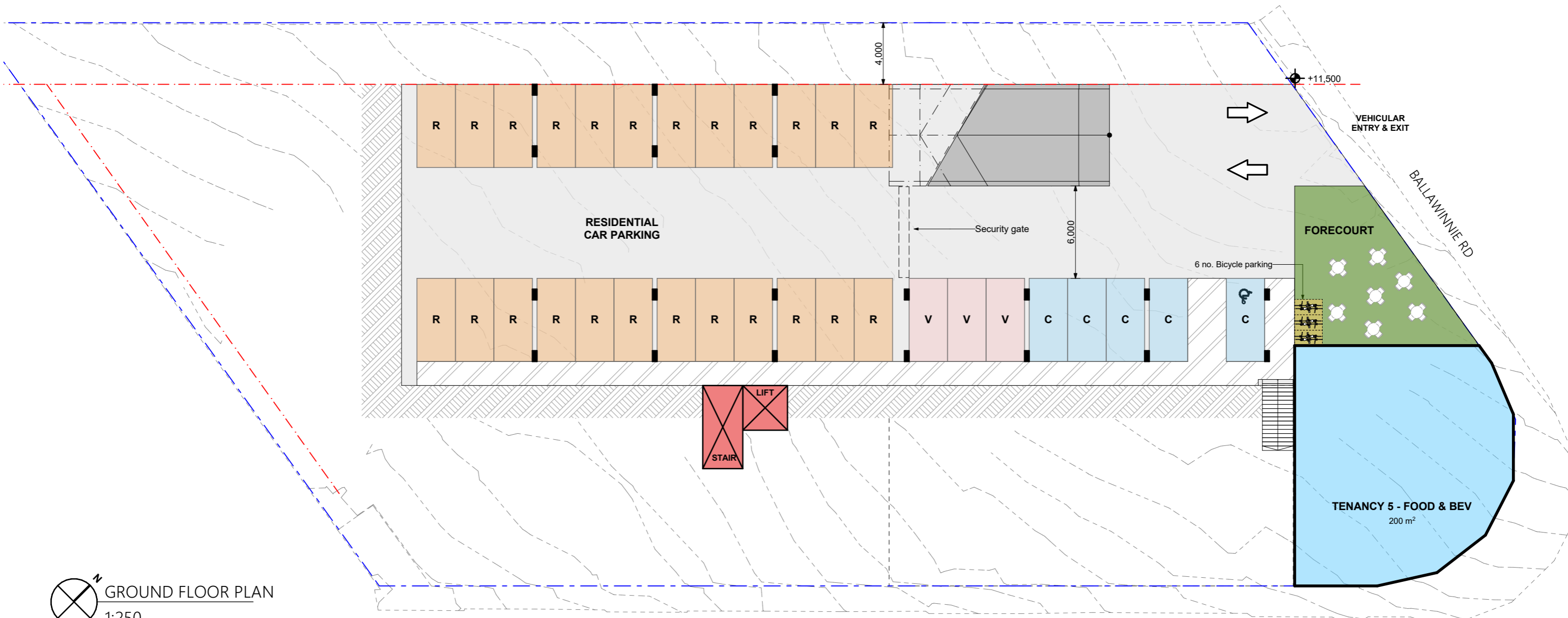
**AMENDMENT TO LOCAL PROVISION SCHEDULE MAPPING
PDPSPAMEND-2025/054641**

To amend the Tasmanian Planning Scheme - Clarence Local Provision Map by rezoning 113 - 119 East Derwent Highway, Lindisfarne from General Residential Zone to Local Business Zone.

THE COMMON SEAL OF THE CLARENCE CITY COUNCIL HAS BEEN HEREUNTO AFFIXED, THIS _____ DAY OF 2025, PURSUANT TO A RESOLUTION OF THE COUNCIL PASSED THE 20th DAY OF OCTOBER 2025, IN THE PRESENCE OF

HEAD OF GOVERNANCE

Scale 1:1,000 (at A4)



GROUND FLOOR PLAN
1:250

SCHEDULE OF AREAS - RESIDENTIAL			
LEVEL 2			
	2BR +	7	
	3BR	1	
LEVEL 3			
	2BR +	3	
	3BR	1	
		12	

SCHEDULE OF AREAS - CAR PARKING SPACES			
GROUND FLOOR			
	C	5	
	R	24	
	V	3	
LEVEL 1			
	C	39	
		71	

JAWSARCHITECTS

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479
THE ORDINANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TASMANIA
AUSTRALIA 7004

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION.
FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.

PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

PROJECT

East Derwent Hwy
115,117,119 Derwent Hwy, Lindisfame TAS 7015
for
Livadi INVESTMENTS PTY LTD.

DRAWING

STATUS **CONCEPTUAL**

REVISION	DESCRIPTION	DATE
07	Mixed Use Feasibility Study	15/06/2025
06	Updated Concept Plan	11/05/2025
05	Mixed Use Concept	2/05/2025
04	Additional Apartments	25/07/2024

NOT FOR CONSTRUCTION

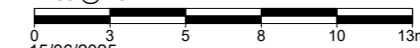
21043_SK01

DRAWING NAME

GROUND FLOOR PLAN

SCALE

1:250 @ A3



DATE
DRAWN
CHECKED
ACCREDITED DESIGNER
ACCREDITED NUMBER

15/06/2025
#Drawn By
#Checked By
#Accredited Designer
682220660

CAD REF C:\Users\heel\OneDrive - jawsarchitects.com\OneDrive Desktop\23046_East Derwent Hwy Units_Commercial - R5.pln



LEVEL 1 FLOOR PLAN
1:250

SCHEDULE OF AREAS - RESIDENTIAL			
LEVEL 2			
	2BR +	7	
	3BR	1	
LEVEL 3			
	2BR +	3	
	3BR	1	
		12	

SCHEDULE OF AREAS - CAR PARKING SPACES			
GROUND FLOOR			
	C	5	
	R	24	
	V	3	
LEVEL 1			
	C	39	
		71	

PROJECT
East Derwent Hwy
115,117,119 Derwent Hwy, Lindisfame TAS 7015
for
Livadi INVESTMENTS PTY LTD.

DRAWING

STATUS **CONCEPTUAL**

REVISION	DESCRIPTION	DATE
07	Mixed Use Feasibility Study	15/06/2025
06	Updated Concept Plan	11/05/2025
05	Mixed Use Concept	2/05/2025
04	Additional Apartments	25/07/2024

NOT FOR CONSTRUCTION

21043_SK02

JAWSARCHITECTS
JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479
THE ORDINANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TASMANIA
AUSTRALIA 7004

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

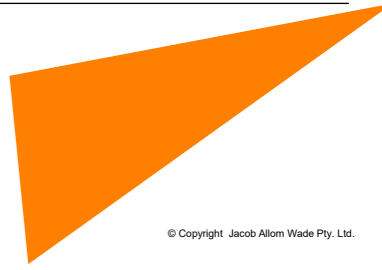
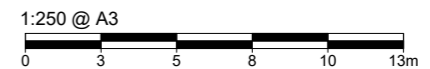
NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION.
FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.

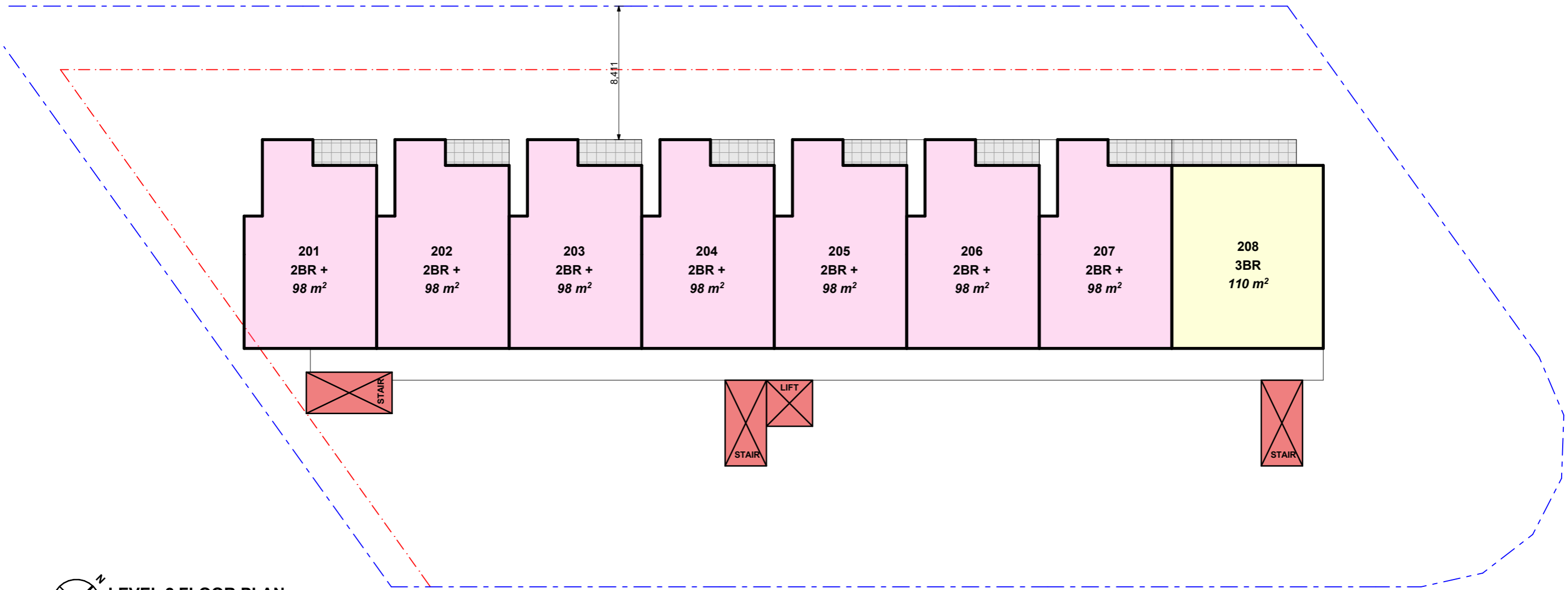
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING NAME LEVEL 1 FLOOR PLAN

SCALE 1:250 @ A3

DATE 15/06/2025
DRAWN #Drawn By
CHECKED #Checked By
ACCREDITED DESIGNER #Accredited Designer
ACCREDITED NUMBER 682220660
CAD REF C:\Users\heel\OneDrive - jawsarchitects.com\OneDrive Desktop\23046_East Derwent Hwy Units_Commercial - R5.pln









 **LEVEL 2 FLOOR PLAN**
1:250

SCHEDULE OF AREAS - RESIDENTIAL

LEVEL 2

	2BR +	7
	3BR	1

LEVEL 3

	2BR +	3
	3BR	1

12

JAWSARCHITECTS

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TASMANIA
AUSTRALIA 7004

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION.
FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.

PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

PROJECT

East Derwent Hwy
115,117,119 Derwent Hwy, Lindisfame TAS 7015
for
Livadi INVESTMENTS PTY LTD.

DRAWING

STATUS **CONCEPTUAL**

REVISION	DESCRIPTION	DATE
07	Mixed Use Feasibility Study	15/06/2025
06	Updated Concept Plan	11/05/2025
05	Mixed Use Concept	2/05/2025
04	Additional Apartments	25/07/2024

NOT FOR CONSTRUCTION

21043_SK03

DRAWING NAME **LEVEL 2 FLOOR PLAN**

SCALE

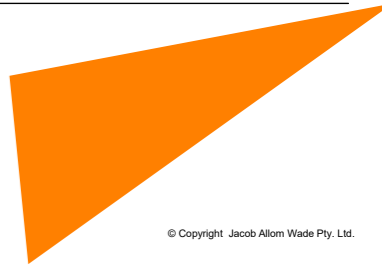
1:250 @ A3

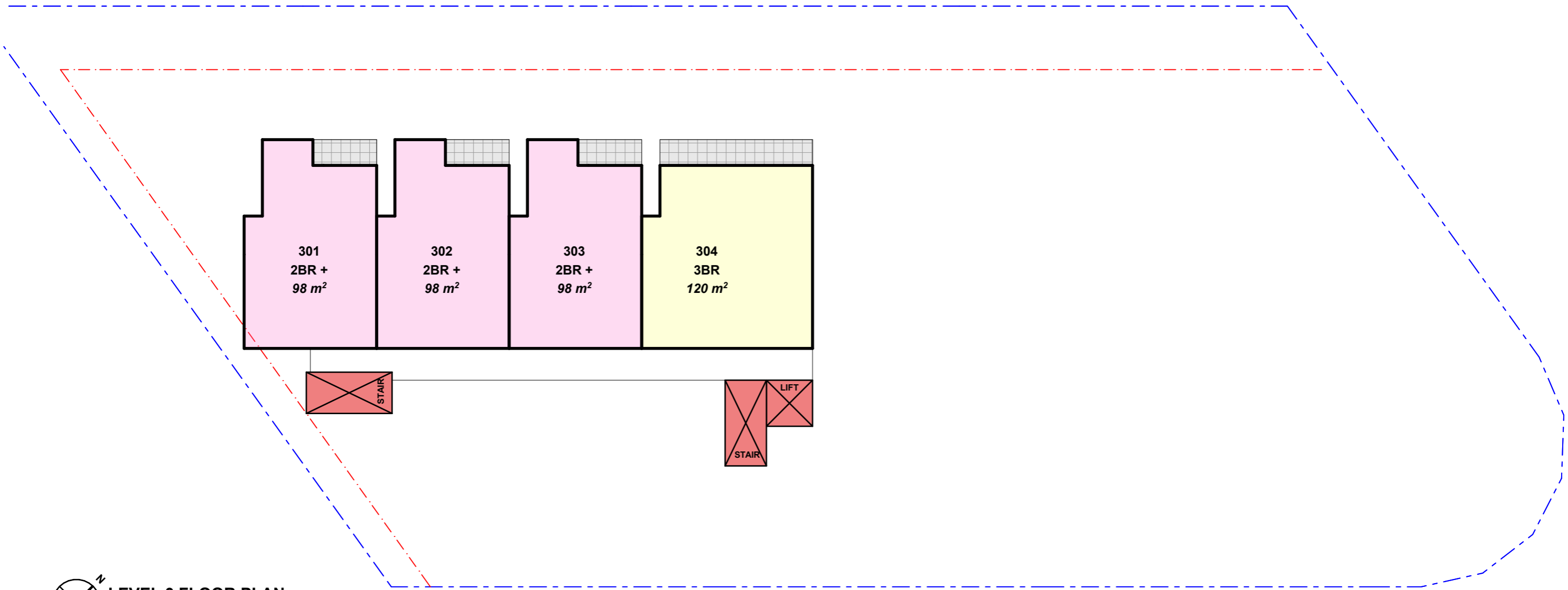



DATE
DRAWN
CHECKED
ACCREDITED DESIGNER
ACCREDITED NUMBER

15/06/2025
#Drawn By
#Checked By
#Accredited Designer
682220660

CAD REF C:\Users\heel\OneDrive - jawsarchitects.com\OneDrive Desktop\23046_East Derwent Hwy Units_Commercial - R5.pln









 **LEVEL 3 FLOOR PLAN**
1:250

SCHEDULE OF AREAS - RESIDENTIAL

LEVEL 2

	2BR +	7
	3BR	1

LEVEL 3

	2BR +	3
	3BR	1

12

JAWSARCHITECTS

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479
THE ORDINANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TASMANIA
AUSTRALIA 7004

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION.
FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.

PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

PROJECT

East Derwent Hwy
115,117,119 Derwent Hwy, Lindisfame TAS 7015
for
Livadi INVESTMENTS PTY LTD.

DRAWING

STATUS **CONCEPTUAL**

REVISION	DESCRIPTION	DATE
07	Mixed Use Feasibility Study	15/06/2025
06	Updated Concept Plan	11/05/2025
05	Mixed Use Concept	2/05/2025
04	Additional Apartments	25/07/2024

NOT FOR CONSTRUCTION

21043_SK04

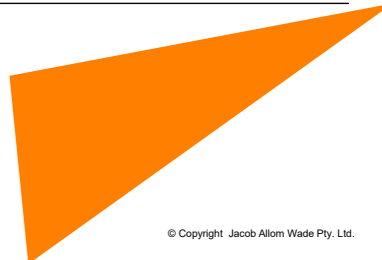
DRAWING NAME **LEVEL 3 FLOOR PLAN**

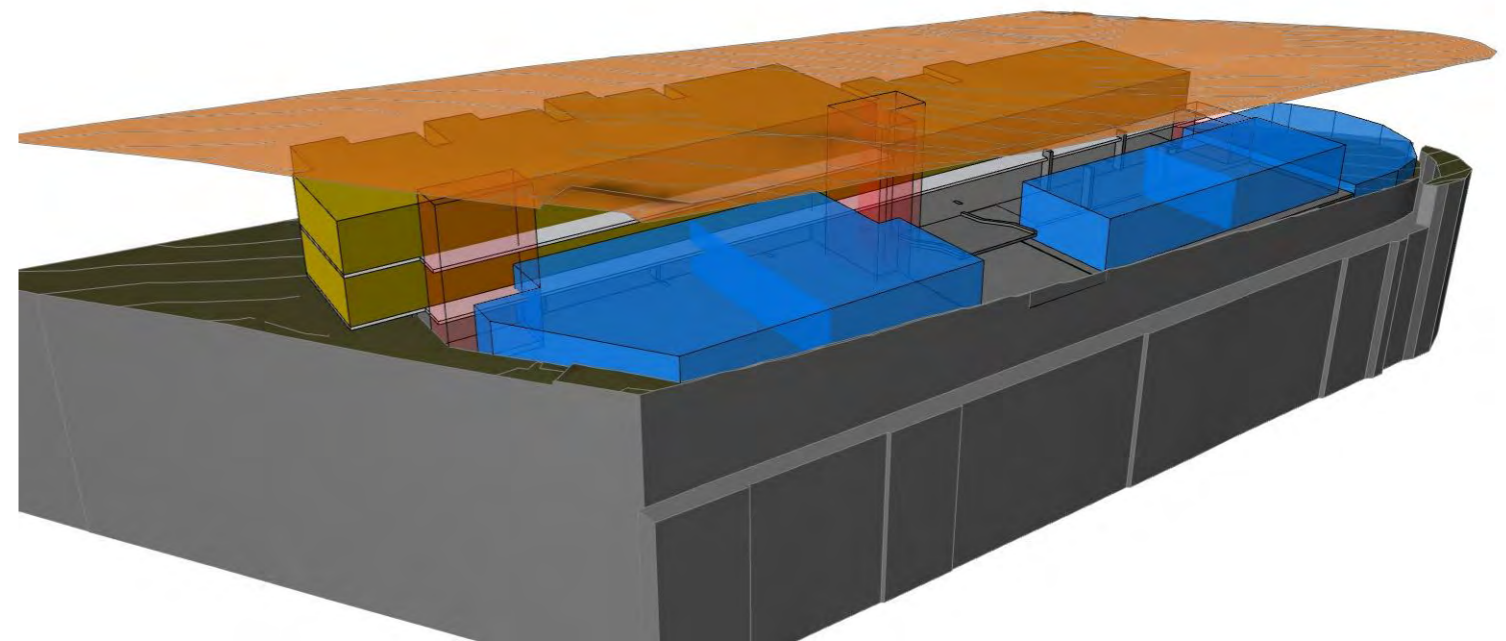
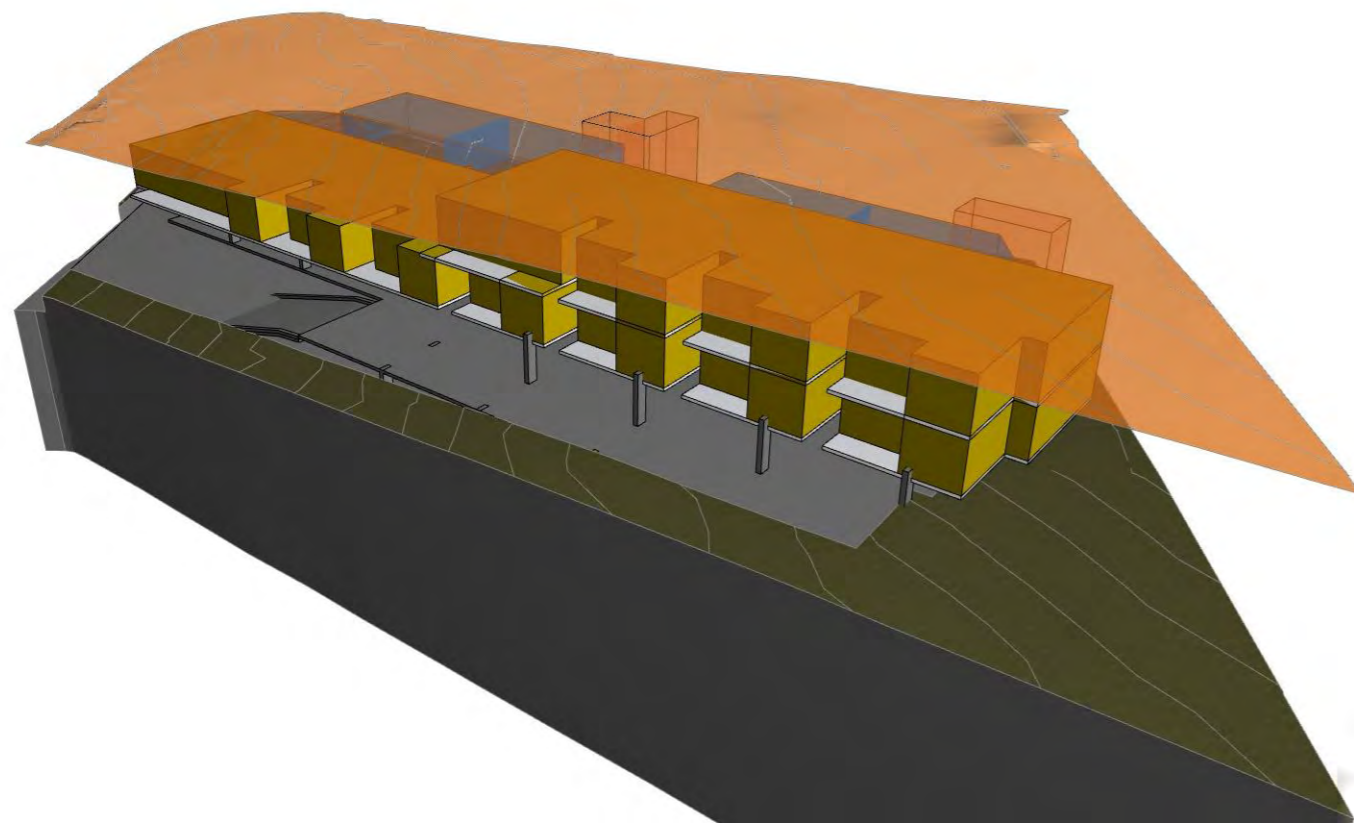
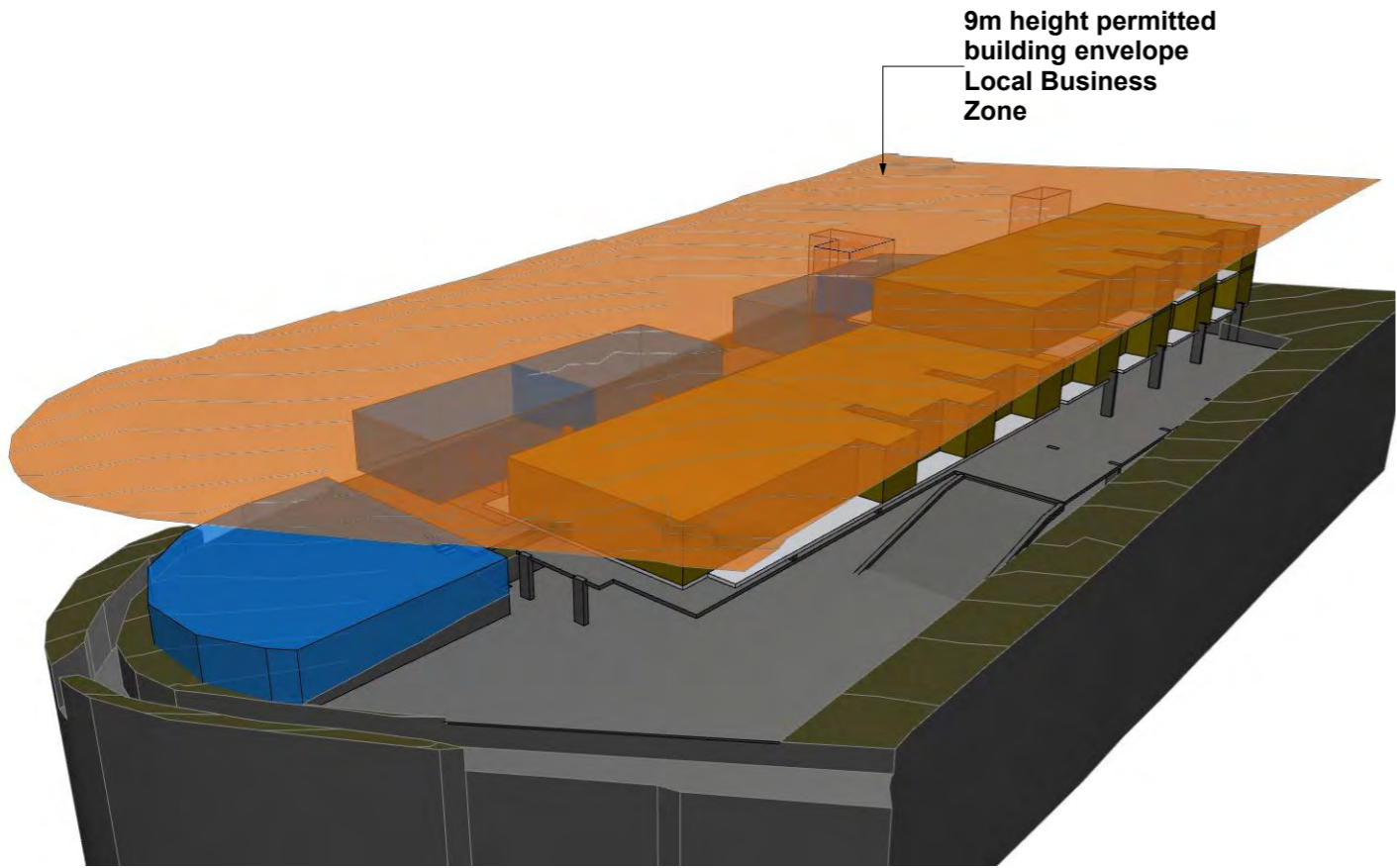
SCALE 1:250 @ A3



DATE 15/06/2025
DRAWN #Drawn By
CHECKED #Checked By
ACCREDITED DESIGNER #Accredited Designer
ACCREDITED NUMBER 682220660

CAD REF C:\Users\heel\OneDrive - jawsarchitects.com\OneDrive Desktop\23046_East Derwent Hwy Units_Commercial - R5.pln





NOT FOR CONSTRUCTION

21043_SK05

JAWSARCHITECTS

JACOB ALLOM WADE PTY LTD
 ABN 92 009 559 479
 THE ORDNANCE STORE
 21 CASTRAY ESPLANADE
 BATTERY POINT TASMANIA
 AUSTRALIA 7004

TELEPHONE 03 6223 4366
 FAX 03 6223 5726
 jaws@jawsarchitects.com
 www.jawsarchitects.com

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
 INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION.
 FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.

PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

PROJECT

East Derwent Hwy
 115,117,119 Derwent Hwy, Lindisfame TAS 7015
 for
 Livadi INVESTMENTS PTY LTD.

DRAWING

STATUS **CONCEPTUAL**

REVISION	DESCRIPTION	DATE
07	Mixed Use Feasibility Study	15/06/2025
06	Updated Concept Plan	11/05/2025
05	Mixed Use Concept	2/05/2025
04	Additional Apartments	25/07/2024

DRAWING NAME

SCALE

DATE
 DRAWN
 CHECKED
 ACCREDITED DESIGNER
 ACCREDITED NUMBER
 CAD REF

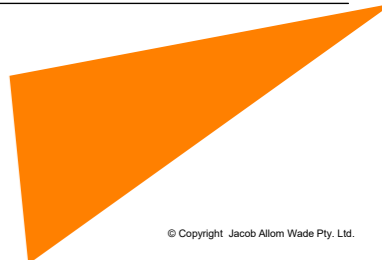
3D VIEWS

1:250 @ A3

0 3 5 8 10 13m

15/06/2025
 #Drawn By
 #Checked By
 #Accredited Designer
 682220660

C:\Users\heel\OneDrive - jawsarchitects.com\OneDrive Desktop\23046_East Derwent Hwy Units_Commercial - R5.pln





Livadi Investments
113-119 East Derwent Highway
Traffic Impact Assessment
January 2026



CELEBRATING 15 YEARS
2008 - 2023

Contents

1.	Introduction	4
1.1	Background	4
1.2	Traffic Impact Assessment (TIA)	4
1.3	Statement of Qualification and Experience	4
1.4	Project Scope	5
1.5	Subject Site	5
1.6	Reference Resources	6
2.	Existing Conditions	7
2.1	Transport Network	7
2.2	Road Safety Performance	9
3.	Proposed Development	11
3.1	Development Proposal	11
4.	Traffic Impacts	13
4.1	Trip Generation	13
4.2	Trip Assignment	14
4.3	Access Impacts	14
4.4	Sight Distance	17
4.5	Road Network Impacts	18
4.6	Pedestrian Impacts	19
4.7	Road Safety Impacts	19
5.	Parking Assessment	21
5.1	Parking Provision	21
5.2	Planning Scheme Requirements	21
5.3	Disabled Parking	22
5.4	Motorcycle Parking	22
5.5	Car Parking Layout	22
5.6	Loading	22
6.	Conclusions	24
6.1	Context and Land Use Appropriateness	24

6.2	Development Proposal	24
6.3	Key Traffic Findings	24
6.4	Broader Road Network and Rezoning Implications	25
6.5	Conclusion	25

Figure Index

Figure 1	Subject Site & Surrounding Road Network	6
Figure 2	East Derwent Highway	7
Figure 3	Ballawinnie Road	8
Figure 4	Crash Locations	10
Figure 5	Proposed Development Plans – Ground Floor	11
Figure 6	Proposed Development Plans – Lower Ground Floor	12

Table Index

Table 1	Concept Traffic Generation Summary	13
Table 2	Trip Assignment – PM Peak	14

1. Introduction

1.1 Background

Midson Traffic were engaged by Livardi Investments to prepare a traffic impact assessment for a proposed rezoning application to accommodate future mixed-use commercial and residential development at 113-119 East Derwent Highway, Lindisfarne.

1.2 Traffic Impact Assessment (TIA)

A traffic impact assessment (TIA) is a process of compiling and analysing information on the impacts that a specific development proposal is likely to have on the operation of roads and transport networks. A TIA should not only include general impacts relating to traffic management, but should also consider specific impacts on all road users, including on-road public transport, pedestrians, cyclists and heavy vehicles.

This TIA has been prepared in accordance with the Department of State Growth (DSG) publication, *Traffic Impact Assessment Guidelines*, August 2020. This TIA has also been prepared with reference to the Austroads publication, *Guide to Traffic Management, Part 12: Integrated Transport Assessments for Developments*, 2020.

Land use developments generate traffic movements as people move to, from and within a development. Without a clear understanding of the type of traffic movements (including cars, pedestrians, trucks, etc), the scale of their movements, timing, duration and location, there is a risk that this traffic movement may contribute to safety issues, unforeseen congestion or other problems where the development connects to the road system or elsewhere on the road network. A TIA attempts to forecast these movements and their impact on the surrounding transport network.

A TIA is not a promotional exercise undertaken on behalf of a developer; a TIA must provide an impartial and objective description of the impacts and traffic effects of a proposed development. A full and detailed assessment of how vehicle and person movements to and from a development site might affect existing road and pedestrian networks is required. An objective consideration of the traffic impact of a proposal is vital to enable planning decisions to be based upon the principles of sustainable development.

This TIA also addresses the relevant clauses of C2.0, *Parking and Sustainable Parking Code*, and C3.0, *Road and Railway Assets Code*, of the Tasmanian Planning Scheme – Clarence, 2021.

1.3 Statement of Qualification and Experience

This TIA has been prepared by an experienced and qualified traffic engineer in accordance with the **requirements of Council's Planning Scheme and The Department of State Growth's, *Traffic Impact Assessment Guidelines*, August 2020, as well as Council's requirements.**

The TIA was prepared by Keith Midson. Keith's experience and qualifications are briefly outlined as follows:

- 30 years professional experience in traffic engineering and transport planning.
- Master of Transport, Monash University, 2006

- Master of Traffic, Monash University, 2004
- Bachelor of Civil Engineering, University of Tasmania, 1995
- Engineers Australia: Fellow (FIEAust); Chartered Professional Engineer (CPEng); Engineering Executive (EngExec); National Engineers Register (NER)

1.4 Project Scope

The project scope of this TIA is outlined as follows:

- Review of the existing road environment in the vicinity of the site and the traffic conditions on the road network.
- Provision of information on the proposed development with regards to traffic movements and activity.
- Identification of the traffic generation potential of the proposal with respect to the surrounding road network in terms of road network capacity.
- Review of the parking requirements of the proposed development. Assessment of this parking supply with Planning Scheme requirements.
- Traffic implications of the proposal with respect to the external road network in terms of traffic efficiency and road safety.

1.5 Subject Site

The subject site is located at 113-119 East Derwent Highway, Lindisfarne. The site currently consists of four residential dwellings.

The subject site and surrounding road network is shown in Figure 1.

Figure 1 Subject Site & Surrounding Road Network



Image Source: LIST Map, DPIWE

1.6 Reference Resources

The following references were used in the preparation of this TIA:

- Tasmanian Planning Scheme – Clarence, 2021 (Planning Scheme)
- Austroads, *Guide to Traffic Management, Part 12: Integrated Transport Assessments for Developments*, 2020
- Austroads, *Guide to Road Design, Part 4A: Unsignalised and Signalised Intersections*, 2021
- Department of State Growth, *Traffic Impact Assessment Guidelines*, 2020
- Transport NSW, *Guide to Traffic Impact Assessment*, 2024 (TfNSW Guide)
- Australian Standards, AS2890.1, *Off-Street Parking*, 2004 (AS2890.1)

2. Existing Conditions

2.1 Transport Network

For the purposes of this report, the transport network consists of East Derwent Highway, Ballawinnie Road, Nietta Road, Liena Street and Esplanade.

2.1.1 East Derwent Highway

The East Derwent Highway near the subject site is classified as a Category 3 road under the Department of State Growth's **road hierarchy**.

The Highway is a four-lane divided carriageway with a posted speed limit of 60-km/h. The highway near the subject site is shown in Figure 2.

East Derwent Highway carries approximately 19,900 vehicles per day on weekdays near the subject site. The section of highway adjacent to the site is two northbound lanes which carry approximately 10,000 vehicles per day on weekdays. Peak flows are approximately 2,000 vehicles per hour during both the AM and PM periods.

An indented on-street car parking lane is located adjacent to and south of the subject site. Pedestrian actuated traffic signals are located immediately adjacent to the subject site, providing pedestrian access across the Highway.

Figure 2 East Derwent Highway



2.1.2 Ballawinnie Road

Ballawinnie Road is a local street that connects between East Derwent Highway at its eastern end, and the Esplanade at its western end. It provides access to residential properties, a nursing home, and a small shopping centre car park.

The general urban speed limit of 50-km/h is applicable to Ballawinnie Road. It carries a traffic volume in the order of approximately 1,000 vehicles per day, with higher traffic activity near the access to the shopping centre adjacent to East Derwent Highway. It has a sealed pavement width of approximately 8.5 metres, with footpaths provided on both sides of the road.

Ballawinnie Road adjacent to the subject site is shown in Figure 3.

Figure 3 Ballawinnie Road



2.1.3 Nietta Road

Nietta Road connects between East Derwent Highway and Esplanade. It has a length of approximately 140 metres. It provides access to residential properties along its length, as well as providing a full at-grade connection to East Derwent Highway.

The general urban speed limit of 50-km/h is applicable to Nietta Road. It carries a volume of approximately 500 vehicles per day.

2.1.4 Liena Road

Liena Road connects between Ballawinnie Road and Esplanade. It primarily provides access for residential properties along its length, as well as a link between Esplanade and Ballawinnie Road for surrounding residential properties.

The general urban speed limit of 50-km/h is applicable to Liena Road. It carries a traffic volume of approximately 300 vehicles per day.

2.1.5 Esplanade

The Esplanade is a local collector road that connects between Wellington Road and Marana Avenue. It predominantly provides access for residential properties along its length, as well as scenic foreshore route.

The general urban speed limit of 50-km/h is applicable to Esplanade.

2.2 Road Safety Performance

Crash data can provide valuable information on the road safety performance of a road network. Existing road safety deficiencies can be highlighted through the examination of crash data, which can assist in determining whether traffic generation from the proposed development may exacerbate any identified issues.

Crash data was obtained from the Department of State Growth for a 5+ year period between 1st January 2020 to 31st May 2025 for East Derwent Highway between Shore Street to Nietta Road, Esplanade between Selbourne Place and Nietta Road, as well as the full length of Ballawinnie Road, and Liena Road.

The findings of the crash data is summarised as follows:

Ballawinnie Road

- No crashes were reported in Ballawinnie Road during this time.

East Derwent Highway

- A total of 24 crashes were reported in East Derwent Highway during this period.
- Severity. 1 crash involved serious injury; 5 crashes involved minor injury; 2 crashes involved first aid at the scene; 16 crashes involved property damage only.
- Time of day. 19 crashes were reported between 8:00am and 6:00pm. 1 crash occurred prior to 4:00am, and 4 crashes were reported after 6:00pm. Afternoon crashes were dominant, with 10 crashes reported between 1:00pm and 4:00pm.
- Day of week. 6 crashes were reported on Thursdays; 5 crashes were reported on Tuesdays and Wednesdays; 3 crashes were reported on Mondays and Fridays; 1 crash was reported on a Saturday and a Sunday.
- Crash types. **4 crashes involved 'other-overtaking' collisions; 3 crashes involved 'cross-traffic' collisions; 3 crashes involved 'rear-end' collisions; 2 crashes involved 'lane-side-swipe' collisions;** various other crashes were reported with no clear crash trend.
- Crash locations. 4 crashes were reported at the Nietta Road junction; 14 crashes were reported at midblock locations; 5 crashes were reported in off-road locations (including service station property, IGA car park, etc).
- Vulnerable road users. 3 crashes involved pedestrians (1 serious injury and 2 minor injury); and 1 crash involved a motorcycle (property damage only). Two of the pedestrian crashes were reported at the signalised pedestrian crossing adjacent to the subject site.

Liena Road

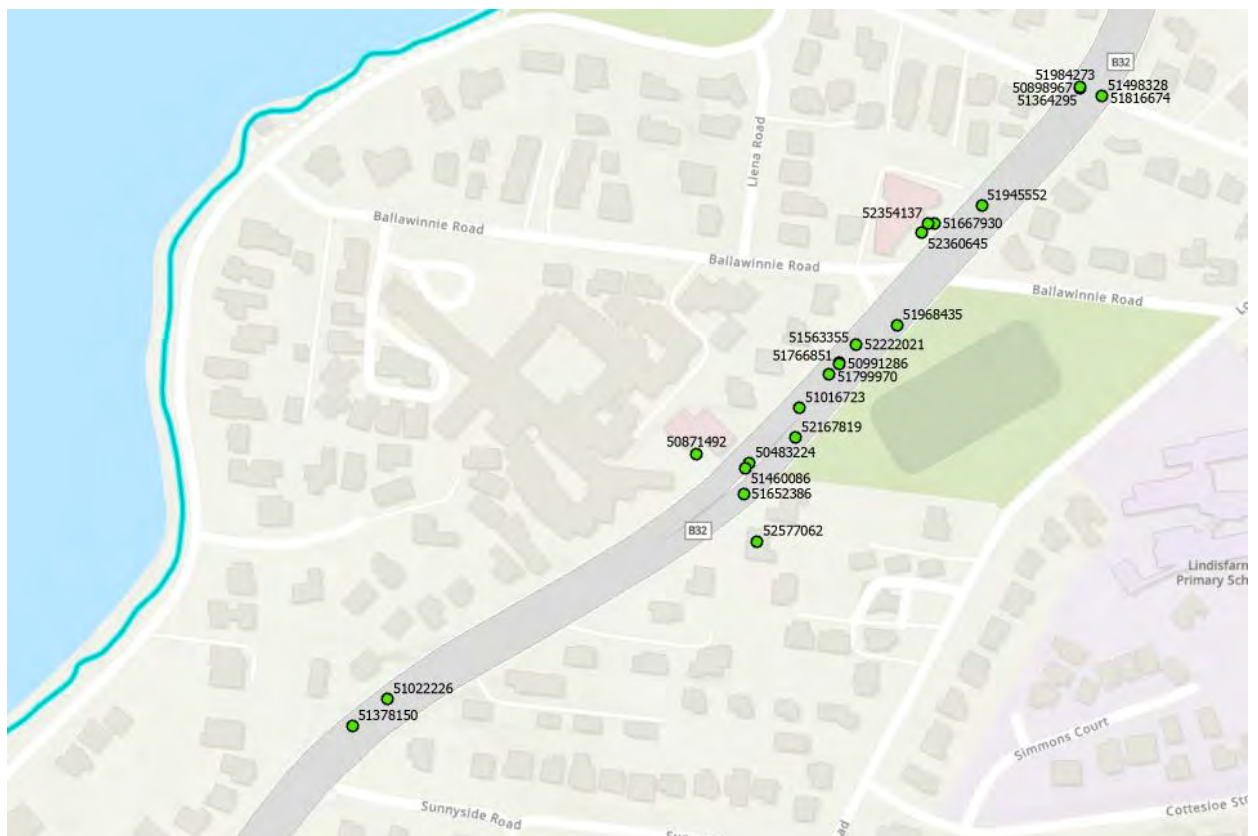
- 1 crash was reported In Liena Road. The crash occurred at 8:40am, 9th March 2022 involving 'other-on-path' collision between two vehicles resulting in property damage only.

Esplanade

- 1 crash was reported in the Esplanade. The crash occurred at 8:30am, 8th August 2022 involving a single vehicle 'other-curve' incident resulting in property damage only. The crash was reported south of the Ballawinnie Road junction.

The crash data associated with the East Derwent Highway is considered to be typical of a four-lane divided carriageway highway through an urban area. Crashes in the broader network, within the lower hierarchy roads are considered to be low, demonstrating that there are no pre-existing road safety deficiencies within the network that may be exacerbated by traffic generated by the proposed development.

Figure 4 Crash Locations



Source: Department of State Growth

3. Proposed Development

3.1 Development Proposal

The proposed development involves a rezoning from residential to local business. The rezoning will facilitate mixed use development on the site. A concept of what can be developed on the site as a result of the rezoning is provided in Figure 5 and Figure 3.

The concept development includes a mix of residential and commercial tenancies, with vehicular entry at East Derwent Highway and two-way vehicular access at Ballawinnie Street. The concept development includes the following components:

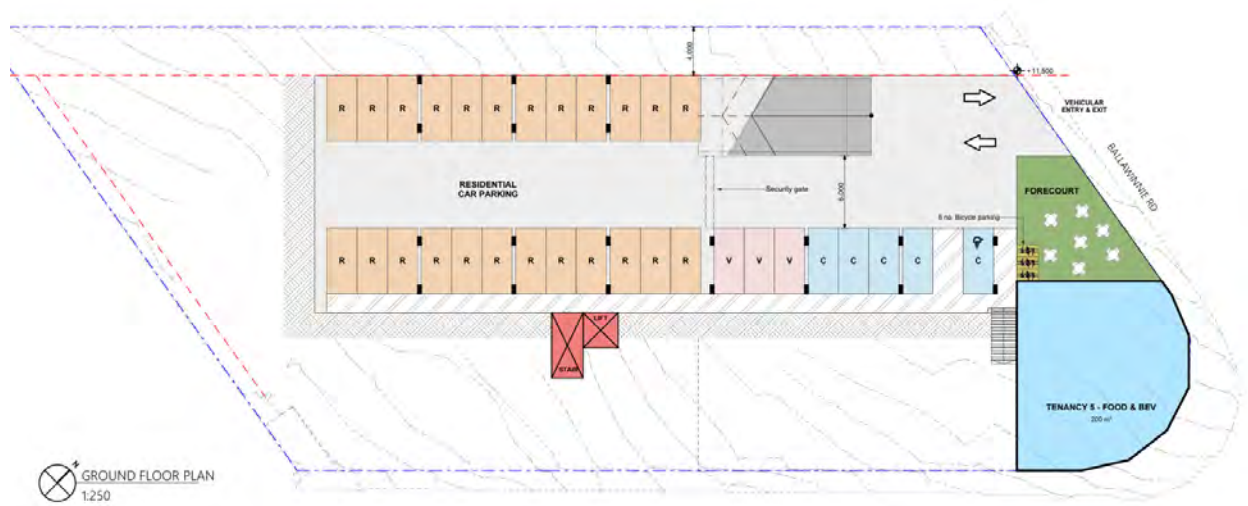
- 4 x ground floor commercial tenancies with total floor area of 516m²
- 2 x 3-bedroom residential dwellings
- 10 x 2-bedroom residential dwellings
- 71 on-site car parking spaces, and 2 x motorcycle parking spaces

It is noted that this traffic impact assessment has been prepared to support a rezoning application rather than a detailed development application. The indicative development concept has been used to test a reasonable worst-case traffic scenario. Detailed design matters, including any site-specific mitigation measures, loading arrangements or kerbside management, can be appropriately addressed at the development application stage if required.

Figure 5 Proposed Development Plans – Ground Floor



Figure 6 Proposed Development Plans – Lower Ground Floor



4. Traffic Impacts

4.1 Trip Generation

The rezoning will permit new development that is likely to generate increased traffic. Trip generation was determined using the TfNSW Guide.

The existing site consists of 4 residential dwellings that currently generate approximately 7.5 vehicles per dwelling per day, with a peak of 0.84 vehicles per dwelling per hour. This equates to an existing generation of 30 vehicles per day, with a peak of 3 vehicles per hour. Existing traffic generation is spread across four individual driveways.

The traffic generation of the concept development is set out in Table 1. The commercial components of the concept development were assessed as 'small suburban shopping centres (0 – 1,000m² GLFA)' in the TfNSW Guide. The residential components were assessed as 'medium density residential (regional areas)' in the TfNSW Guide.

The total traffic generation of the concept development is therefore approximately 1,100 vehicles per day, with a peak of 141 vehicles per hour.

Table 1 Concept Traffic Generation Summary

Component	Quantity	Daily Generation	Peak Generation
Tenancy 1 – General Retail & Hire.	185m ²	374 vpd	48 vph
Tenancy 2 – General Retail & Hire.	147m ²	297 vpd	38 vph
Tenancy 3 – Food and Beverage.	92m ²	186 vpd	24 vph
Tenancy 4 – Food and Beverage.	92m ²	186 vpd	24 vph
2 Bedroom Residential Units.	10 units	37 vpd	6 vph
3 Bedroom Residential Units.	2 units	7 vpd	1 vph
TOTAL		1,087 vpd	141 vph

4.2 Trip Assignment

The concept design has an entry only access on East Derwent Highway, and a two-way access on Ballawinnie Road.

The estimated trip assignment of the concept design is set out in Table 2.

Table 2 Trip Assignment – PM Peak

Access	Left-In	Right-In	Left-Out	Right-Out
East Derwent Hwy	49 vph	-	-	-
Ballawinnie Rd	13 vph	9 vph	21 vph	49 vph
TOTAL	IN: 71 vph		OUT: 70 vph	

4.3 Access Impacts

The concept design will result in the following access modifications to the subject site:

- Removal of four residential driveways on East Derwent Highway (two driveways at 113 and one driveway at 115, 117 and 119 East Derwent Highway). Each existing driveway facilitates two-way access, but no turning is available on each site, requiring a reversing manoeuvre for either entry or exit.
- New one-way entry access on East Derwent Highway.
- Modifications to the existing driveway access in Ballawinnie Road to facilitate entry and exit manoeuvres associated with the car park.

The concept design therefore reduces the number of accesses from 5 to 2 across both road frontages.

The access impacts associated with the East Derwent Highway and Ballawinnie Road accesses are examined in the following sections.

4.3.1 East Derwent Highway Access

A new access is proposed on East Derwent Highway that will be entry only. The Acceptable Solution A1.2 of Clause C3.5.1 of the Planning Scheme states "*For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority*".

In this case written consent has not been granted by the Department of State Growth as road authority and therefore the requirements of Acceptable Solution A1.2 of Clause C3.5.1 of the Planning Scheme is not met.

The Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme states:

"Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) any increase in traffic caused by the use;*
- (b) the nature of the traffic generated by the use;*
- (c) the nature of the road;*
- (d) the speed limit and traffic flow of the road;*
- (e) any alternative access to a road;*
- (f) the need for the use;*
- (g) any traffic impact assessment; and*
- (h) any advice received from the rail or road authority".*

The following is relevant with respect to the concept design:

- a. Increase in traffic. The concept design will remove 4 existing residential driveways on the East Derwent Highway frontage, with a combined traffic generation of 24 vehicles per day (4 driveways associated with three residential properties). The traffic generated by the concept design at the proposed access will be in the order of 300 vehicles per day (peak will be 49 vehicles per hour). The increase will therefore be in the order of 280 vehicles per day, however the increase will only involve inward movements and reduce the number of accesses from 4 to 1.
- b. Nature of traffic. The traffic generation will be a mix of residential and commercial (all light vehicles). This is compatible with traffic currently accessing neighbouring land use along the highway corridor. All traffic generation will be one-way inward flow, with no exit flow onto East Derwent Highway.
- c. Nature of road. East Derwent Highway is an urban highway that provides a high volume of through traffic and also provides a strong property access function near the subject site.
- d. Speed limit and traffic flow. East Derwent Highway has a posted speed limit of 60-km/h. The speed limit was recently reduced from 70-km/h. The traffic flow is approximately 10,000 vehicles per day in the northbound carriageways adjacent to the subject site (approximately 5,000 vehicles per day per lane). The speed limit and traffic flow are compatible with the proposed access arrangements associated with the concept design.
- e. Alternative access. An access is also provided in Ballawinnie Road. The access arrangements provide a balanced flow through the site that is compatible with the functions of the frontage roads.
- f. Need for use. The access is required to service the on-site car parking spaces associated with the concept design on the rezoned land.

- g. Road authority advice. No written advice has been received by the Department of State Growth as road authority.

Based on the above assessment, the East Derwent Highway access associated with the proposed concept design satisfies the requirements of Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme. Notably the access associated with the concept design will remove 4 existing two-way residential driveways and replace with a single one-way entry access.

4.3.2 Ballawinnie Road Access

The Acceptable Solution A1.4 of Clause C3.5.1 of the Planning Scheme states “*vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not be increased by more than the amounts in Table 3.1*”.

Table C3.1 specifies a maximum increase of 20% or 40 vehicle movements per day, whichever is greater, for vehicle crossings on a minor road. The traffic generation at the Ballawinnie Road exceeds this maximum level and therefore does not satisfy the requirements of Acceptable Solution A1.4 of Clause C3.5.1 of the Planning Scheme.

The Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme states:

“Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) any increase in traffic caused by the use;*
- (b) the nature of the traffic generated by the use;*
- (c) the nature of the road;*
- (d) the speed limit and traffic flow of the road;*
- (e) any alternative access to a road;*
- (f) the need for the use;*
- (g) any traffic impact assessment; and*
- (h) any advice received from the rail or road authority”.*

The following is relevant to the Ballawinnie Road access:

- a. Increase in traffic. The existing access currently services a residential property and therefore has a daily generation of 8 vehicles per day. The increase in traffic utilising the access will be in the order of 760 vehicles per day (noting that the access will facilitate all exit manoeuvres for the development and a proportion of entry manoeuvres). The peak hour increase will be 91 vehicles per hour during the PM peak, which equates to an average of approximately 1.5 vehicle

- movements every minute. The access can absorb the additional traffic generation at an acceptable level of efficiency or safety.
- b. Nature of traffic. The increased traffic generation will be residential and commercial (all small vehicles) in nature. This is consistent with nearby land uses in Ballawinnie Road.
 - c. Nature of road. Ballawinnie Road is a local access road that provides access residential properties along its length, as well as a nursing home and the shopping centre opposite the subject site. The nature of the road is compatible with the traffic generation associated with the proposed development.
 - d. Speed limit and traffic flow of road. Ballawinnie Road has a posted speed limit of 50-km/h and carries a traffic volume of approximately 1,000 vehicles per day. The traffic flow and speed limit are compatible with the access arrangements associated with the proposed development.
 - e. Alternative access. No alternative access is possible.
 - f. Need for use. The access is required to provide access to the on-site car parking associated with the proposed development.
 - g. Traffic impact assessment. This report documents the findings of a traffic impact assessment.
 - h. Road authority advice. Council requires a traffic impact assessment to be prepared for the proposed development.

Based on the above assessment, the proposed development's access complies with the requirements of Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme.

4.4 Sight Distance

Australian Standards, AS2890.1, provide the sight distance requirements for commercial and domestic driveways. Sight distance requirements are lower for driveways compared to road junctions.

- East Derwent Highway. The minimum sight distance requirements for a commercial driveway access in a 60-km/h frontage road is 45 metres (the desirable sight distance is 69 metres).
- Ballawinnie Road. The minimum sight distance requirements for a commercial driveway access in a 50-km/h frontage road is 83 metres (the desirable sight distance is 65 metres).

It is noted that the East Derwent Highway access is entry only, and therefore sight distance is not applicable at this access. A relevant consideration is following sight distance for vehicles slowing to enter the site to minimise the risk of rear-end collisions. The available sight distance exceeds 100 metres to the south of the access (noting also that the highway only has one-way flow adjacent to the site due to the divided carriageway).

The Ballawinnie Road access has unrestricted access to the East Derwent Highway junction (approximately 40 metres). It is not a requirement to have sight distance into an adjoining roadway. The available sight distance exceeds 45 metres to the west of the access, thus complying with the requirements of AS25890.1.

4.5 Road Network Impacts

The broader road network relevant to the proposed rezoning comprises East Derwent Highway, Ballawinnie Road, Nietta Road, Liena Street and the Esplanade. These roads perform distinctly different functions within the network, ranging from a high-volume urban highway to low-volume local access streets.

4.5.1 Traffic Distribution and Network Function

The road hierarchy and access arrangements associated with the indicative development are such that the majority of traffic will continue to access the site to and from East Derwent Highway. This reflects:

- The function of East Derwent Highway as the dominant arterial route in the region;
- The provision of an entry-only access from East Derwent Highway;
- The availability of Ballawinnie Road as the primary exit route from the site, with ; and
- The limited connectivity and low-volume nature of surrounding local streets.

While some redistribution of traffic onto Ballawinnie Road is anticipated (as assessed in Section 4.3), only a small proportion of site-generated traffic would reasonably be expected to utilise Nietta Road, Liena Street or the Esplanade. These streets primarily serve local residential access and are not attractive through-routes for trips associated with the proposed development.

4.5.2 Local Streets and Traffic Calming Characteristics

Liena Street is characterised by a narrow carriageway, low traffic volumes (approximately 300 vehicles per day), and a predominantly residential function. These physical and operational characteristics inherently discourage higher traffic volumes and act as a form of traffic calming. As a result, Liena Street is unlikely to experience any material increase in traffic demand attributable to the proposed development.

Similarly, Nietta Road and the Esplanade operate as low-volume local roads, with existing traffic volumes and very low recorded crash rates. These roads do not provide a strategic advantage for site access compared to East Derwent Highway and Ballawinnie Road, and therefore are not expected to attract any significant redistribution of traffic.

4.5.3 Congestion, Speeding and Operational Impacts

The additional traffic generated by the indicative development represents a very small increase relative to existing traffic volumes on East Derwent Highway (approximately 10,000 vehicles per day in the adjacent northbound carriageway). This increase will not materially affect the operational performance of the highway, nor will it exacerbate existing congestion conditions.

On the surrounding local street network, the absolute increase in traffic volumes would be minor and well within the capacity and functional intent of these roads. There is no evidence from existing traffic volumes or crash history to suggest that the proposed development would worsen issues relating to congestion, speeding, or parked vehicles restricting traffic flow on Nietta Road, Liena Street or the Esplanade.

4.5.4 Summary

In summary, the broader road network is capable of accommodating the additional traffic associated with the proposed rezoning and development. Traffic movements will be predominantly oriented to and from East Derwent Highway, with only limited interaction with surrounding local streets. The characteristics of the local street network, including narrow carriageways and low traffic volumes, further limit the likelihood of any material increase in traffic demand or adverse operational impacts.

The traffic and safety issues identified within the surrounding road network reflect existing conditions that are typical of an established urban environment. The analysis demonstrates that these issues are not caused by, nor materially exacerbated by, the proposed rezoning or indicative development. Where traffic or safety considerations exist, they are inherent to the function and design of the existing road network and are appropriately managed through existing infrastructure, controls and operational characteristics.

4.6 Pedestrian Impacts

The proposed development is likely to generate some pedestrian activity in the network. The existing footpath infrastructure is considered to be of a high standard in the existing road network to cater for these pedestrian movements. Pedestrian actuated traffic signals are also located immediately adjacent to the subject site, providing a safe access for pedestrians across the highway.

The concept design includes a separated pedestrian access at East Derwent Highway.

The pedestrian actuated traffic signals located adjacent to the subject site are positioned downstream of the proposed East Derwent Highway access. As the proposed access is entry-only, vehicle movements associated with the development will not interfere with the operation or visibility of the pedestrian signals. The development will not introduce conflicting exit movements in the vicinity of the signals, and therefore will not adversely affect pedestrian safety or signal operation.

4.7 Road Safety Impacts

The road safety impacts of the proposed development have been assessed with consideration of the existing crash history and the proposed access arrangements associated with the concept design.

4.7.1 Existing Road Safety Performance

The crash analysis undertaken for East Derwent Highway indicates that the existing road safety performance is consistent with expectations for this type of road infrastructure. Over the 5+ year analysis period (2020-2025), a total of 24 crashes were reported along the East Derwent Highway corridor, with the majority being property damage only crashes (16 crashes) or minor injury crashes (5 crashes). Only one crash involved serious injury.

The crash data shows no clear crash trends or patterns that would indicate specific road safety deficiencies in the vicinity of the subject site, or crashes associated with property access. The crash rate and severity distribution is considered typical of a four-lane divided carriageway highway through an urban area with mixed land uses and multiple access points.

No crashes were reported on Ballawinnie Road during the analysis period, which is consistent with its function as a low-volume local access road.

4.7.2 Impact of Proposed Development

The proposed development will result in several road safety improvements compared to the existing situation:

- Access Consolidation: The concept development will remove four existing residential driveways on East Derwent Highway and replace them with a single entry-only access. This represents a significant reduction in the number of potential vehicle conflict points along the highway frontage, from four two-way access points to one one-way entry point.
- Elimination of Reversing Movements: The existing residential driveways require vehicles to reverse either into or out of the properties due to limited on-site manoeuvring space. The proposed development eliminates these reversing movements onto East Derwent Highway, which removes a significant safety risk.
- Entry-Only Design: The proposed East Derwent Highway access is designed as entry-only, which eliminates right-turn and left-turn exit movements that could conflict with through traffic. This design significantly reduces the potential for rear-end and side-swipe collisions that are common at commercial driveways.
- Traffic Distribution: The two-way access via Ballawinnie Road provides an appropriate outlet for the development traffic while distributing movements between the highway and local road network in a manner that minimizes safety impacts.

The proposed access arrangements will result in a net improvement to road safety conditions compared to the existing situation. The consolidation of access points, elimination of reversing movements, and entry-only design on East Derwent Highway will reduce potential conflict points and improve traffic flow. The road safety impacts of the proposed development are considered to be positive.

5. Parking Assessment

5.1 Parking Provision

The concept development includes a total of 71 on-site car parking spaces. This includes 2 disabled parking spaces. A total of 2 motorcycle spaces are also proposed.

5.2 Planning Scheme Requirements

The Acceptable Solution A1 of Clause C2.5.1 of the Planning Scheme states:

"The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:

- (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;*
- (b) the site is contained within a parking precinct plan and subject to Clause C2.7;*
- (c) the site is subject to Clause C2.5.5; or*
- (d) it relates to an intensification of an existing use or development or a change of use where:*
 - (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or*
 - (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:*

$$N = A + (C - B)$$

N = Number of on-site car parking spaces required

A = Number of existing on site car parking spaces

B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1

C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1".

In this case, sub-points (a), (b), (c), and (d) are not applicable.

The requirements of Table C2.1 are summarised as follows:

▪ <u>General retail and hire.</u>	1 space per 30m ² of floor area	11 spaces
▪ <u>Food services.</u>	15 spaces for each 100m ²	28 spaces
▪ <u>Multiple dwellings.</u>	2 spaces per dwelling	24 spaces
▪ <u>Visitor parking (residential).</u>	1 space per 4 dwellings	3 spaces
▪ <u>TOTAL.</u>		<u>66 spaces</u>

The provision of 71 on-site parking spaces therefore complies with the requirements of Acceptable Solution A1 of Clause C2.5.1 of the Planning Scheme.

5.3 Disabled Parking

The proposed development provides two disabled parking spaces, located within the main car park immediately adjacent to commercial tenancies. The disabled parking provision complies with the requirements of the BCA Code.

The dimensions and layout of the accessible parking spaces comply with the requirements of AS2890.6 (specifically noting the requirement for a 'shared space' adjacent to the accessible parking space).

5.4 Motorcycle Parking

The Acceptable Solution A1 of Clause C2.5.3 of the Planning Scheme states "the number of on-site motorcycle parking spaces for all uses must be no less than the number specified in Table C2.4".

Table C2.4 requires 1 motorcycle parking space for every additional 20 car parking spaces beyond 41 spaces. This is a requirement for 2 motorcycle spaces, which is provided. Acceptable Solution A1 of Clause C2.5.3 of the Planning Scheme is satisfied.

5.5 Car Parking Layout

The general layout of the car park complies with the requirements of AS2890.1 in terms of parking dimensions and manoeuvring area.

The proposed development is for a rezoning, rather than a detailed development proposal, and therefore the parking layout has not been assessed against the requirements of Clause C2.6.2 of the Planning Scheme.

5.6 Loading

The proposed rezoning will facilitate future mixed-use development incorporating small-scale commercial tenancies at ground level. These uses are expected to generate limited and infrequent servicing and delivery activity, consistent with typical neighbourhood retail and food and beverage uses. Servicing is anticipated to primarily involve small rigid vehicles or vans rather than large articulated vehicles.

Due to site constraints and the rezoning-stage nature of the proposal, there is no practical scope to provide a dedicated on-site loading bay as part of the indicative development concept. This is not uncommon for mixed-use developments fronting urban arterial roads where land efficiency and access consolidation are key design objectives.

It is considered appropriate that servicing and delivery activity be accommodated via a short-stay kerbside loading arrangement within the existing indented parking lane on East Derwent Highway adjacent to the site. The highway frontage already incorporates an on-street parking lane, and a designated time-restricted loading zone could be provided without adversely affecting through traffic operations or safety. The entry-only access arrangement further ensures that delivery vehicles would not conflict with exiting site traffic.

The need for, and detailed design of, any kerbside loading zone, including its length, hours of operation and signage, can be appropriately determined at the development application stage once the specific commercial uses are known. This approach ensures servicing requirements can be managed in a manner that is proportionate to the scale of development while maintaining the safety and efficiency of the surrounding road network.

6. Conclusions

This traffic impact assessment (TIA) investigated the traffic and parking impacts of a proposed rezoning application to accommodate future mixed-use commercial and residential development at 113-119 East Derwent Highway, Lindisfarne.

The key findings of the TIA are summarised in the following sections.

6.1 Context and Land Use Appropriateness

The proposed rezoning involves changing the zoning from residential to local business to facilitate mixed-use development. The subject site currently consists of four residential dwellings that are effectively "land locked" by existing commercial developments, including a service station to the south, shopping centre to the north, and retirement village to the west. The residential use of the site is therefore inconsistent with the established commercial character of the immediate area, and the rezoning will provide a more appropriate land use that is compatible with the surrounding developments.

6.2 Development Proposal

The concept development plan demonstrates the type of mixed-use development that could be constructed on the rezoned land, comprising 4 commercial tenancies (516m² total), 12 residential dwellings (2 x 3-bedroom and 10 x 2-bedroom units), and 71 on-site parking spaces. It should be noted that this concept plan is indicative only and shows what is possible under the proposed zoning, rather than representing a detailed development application.

6.3 Key Traffic Findings

The key findings of the TIA are summarised as follows:

- Traffic Generation: The proposed development will generate approximately 1,087 vehicles per day with a peak of 141 vehicles per hour, compared to the existing residential use which generates 30 vehicles per day with a peak of 3 vehicles per hour.
- Access Improvements: The development will consolidate access arrangements from 5 existing access points to 2, removing 4 residential driveways from East Derwent Highway and replacing them with a single entry-only access. This represents a significant improvement in terms of traffic safety and efficiency.
- Road Safety: The proposed access arrangements will result in net road safety improvements through access consolidation, elimination of reversing movements onto East Derwent Highway, and the entry-only design that removes potential conflict points with through traffic. The expanded crash analysis for East Derwent Highway and surrounding local streets confirms that there are no pre-existing road safety deficiencies that would be exacerbated by the proposed rezoning, including in the vicinity of the pedestrian traffic signals adjacent to the site.

- Planning Compliance: The proposed accesses satisfy the Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme, with the East Derwent Highway access providing entry-only movements and the Ballawinnie Road access accommodating two-way traffic flow.
- Parking Provision: The proposed development provides 71 on-site parking spaces, which exceeds the Planning Scheme requirement of 66 spaces, along with appropriate disabled and motorcycle parking provision. Servicing and delivery activity associated with future commercial tenancies is expected to be low-intensity and typical of neighbourhood-scale retail and food and beverage uses. While no on-site loading bay is proposed at the rezoning stage, servicing can be appropriately accommodated via a short-stay kerbside loading zone within the existing parking lane on East Derwent Highway. The need for, and detailed design of, any loading arrangements can be addressed at the development application stage once specific uses are known.
- Pedestrian Impacts: The site benefits from good pedestrian connectivity via pedestrian actuated traffic signals immediately adjacent to the site, providing safe pedestrian access across East Derwent Highway and linking to the broader pedestrian network. Pedestrian safety has been considered in the context of increased site activity and the existing pedestrian traffic signals located adjacent to the site. The signals are located downstream of the proposed entry-only access on East Derwent Highway, and the development will not introduce conflicting exit movements in their vicinity. Accordingly, the development will not adversely affect the operation, visibility or safety performance of the pedestrian crossing facilities.
- Network Capacity: The additional traffic generated by the development can be accommodated by the existing road network without adversely affecting traffic flow or safety and the low volume nature of Ballawinnie Road.

6.4 Broader Road Network and Rezoning Implications

The broader road network, including East Derwent Highway, Ballawinnie Road, Nietta Road, Liena Street and the Esplanade, has been assessed to determine whether traffic generated by the indicative development would materially worsen existing traffic or safety conditions.

The assessment demonstrates that the majority of site-generated traffic will continue to access the site via East Derwent Highway, consistent with its function as the primary arterial route. Only a small proportion of traffic would be expected to utilise surrounding local streets, which operate at low traffic volumes and are not attractive through-routes.

The characteristics of these local streets, including narrow carriageways and residential frontage, inherently discourage higher traffic volumes and act as a form of traffic calming. As a result, the proposed rezoning and indicative development will not materially worsen existing issues such as congestion, speeding, or on-street parking constraints within the surrounding local road network.

6.5 Conclusion

The proposed rezoning will facilitate an appropriate mixed-use development that is consistent with the established commercial character of the area. The development will improve road safety conditions

through access consolidation and will provide adequate parking and connectivity. The traffic impacts are considered acceptable and can be appropriately managed within the existing transport network.

Overall, the traffic and safety issues identified within the surrounding road network reflect existing conditions rather than impacts arising from the proposed rezoning. The indicative development demonstrates that a reasonable worst-case traffic scenario can be accommodated without material adverse impacts. Any detailed design or site-specific mitigation measures can be appropriately resolved at the development application stage.

Midson Traffic Pty Ltd ABN: 26 133 583 025

28 Seaview Avenue

Taroona TAS 7053

T: 0437 366 040 E: admin@midsontraffic.com.au W: www.midsontraffic.com.au

© Midson Traffic Pty Ltd 2026

This document is and shall remain the property of Midson Traffic Pty Ltd. The document may only be used for the purposes for which it was commissioned and in accordance with the Terms of Engagement for the commission. Unauthorised use of this document in any form whatsoever is prohibited.

Document Status

Revision	Author	Review	Date
0	Keith Midson	Zara Kacic-Midson	11 July 2025
1	Keith Midson	Zara Kacic-Midson	29 January 2026

8. REPORTS OF OFFICERS

8.1 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

Nil Items.

8.2 ASSET MANAGEMENT

Nil Items.

8.3 FINANCIAL MANAGEMENT

Nil Items.

8.4 GOVERNANCE**8.4.1 QUARTERLY REPORT TO 31 DECEMBER 2025****EXECUTIVE SUMMARY****Purpose**

To consider the Chief Executive Officer's Quarterly Report covering the period 1 October to 31 December 2025.

Relation to Existing Policy/Plans

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

Legislative Requirements

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

Consultation

Not applicable.

Financial Implications

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

RECOMMENDATION

That the Quarterly Report to 31 December 2025 be received.

ASSOCIATED REPORT

The Quarterly Report to 31 December 2025 has been provided under separate cover.

Clare Shea

ACTING CHIEF EXECUTIVE OFFICER

8.4.2 DOG MANAGEMENT POLICY COMMUNITY ENGAGEMENT**EXECUTIVE SUMMARY****PURPOSE**

To seek Council approval to undertake community engagement on the review of the Dog Management Policy in accordance with the *Dog Control Act 2000*.

RELATION TO EXISTING POLICY/PLANS

The current Dog Management Policy (adopted October 2021) and Council's Stakeholder and Community Engagement Framework are relevant.

LEGISLATIVE REQUIREMENTS

Section 7(4) of the *Dog Control Act 2000* requires Council to review its Dog Management Policy at least every five years.

CONSULTATION

This will be the first phase of formal community engagement on the review of the Dog Management Policy. Preliminary internal planning and briefings have been undertaken.

FINANCIAL IMPLICATIONS

Costs associated with conducting the proposed community engagement process will be accommodated within the existing project budget.

RECOMMENDATION:

That Council authorises the Chief Executive Officer to initiate community engagement on the review of the Dog Management Policy.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** The *Dog Control Act 2000* requires Council to review its Dog Management Policy at least every five years. The current policy was adopted in October 2021 and is due for review.
- 1.2.** Dog management affects more than 10,000 dog owners in Clarence, as well as non-dog owners who use shared public spaces. The policy provides a framework for responsible ownership, community safety, environmental protection and equitable access to public areas.

- 1.3. The previous review in 2021 generated significant community interest, with more than 3,000 submissions received. Engagement during that process highlighted the importance of clear communication, transparency and inclusive consultation, particularly in relation to declared areas and off-lead access.
- 1.4. Changes in community expectations, dog ownership trends and best-practice approaches to animal management make it timely to undertake a comprehensive review of the policy.

2. REPORT IN DETAIL

- 2.1. Officers have prepared an Engagement and Communications Plan to guide how the community will be informed and consulted throughout the Dog Management Policy review.
- 2.2. The engagement approach is designed to be inclusive, accessible and transparent, recognising that dog management is a whole-of-community issue affecting dog owners, non-dog owners, environmental groups and other users of shared spaces.
- 2.3. The engagement will focus on clearly explaining:
 - why the policy is being reviewed
 - what aspects of dog management can be influenced locally
 - what elements are fixed by legislation or land management responsibilities; and
 - how community feedback will inform the draft policy.
- 2.4. Engagement activities will be delivered through a mix of online and in-person methods, including the Your Say Clarence platform, surveys, pop-up information sessions and targeted stakeholder engagement.
- 2.5. Feedback gathered through this process will inform the drafting of the Dog Management Policy 2026, which will be reported back to Council for consideration prior to public exhibition and adoption.

3. CONSULTATION

3.1. Consultation with Councillors has been undertaken through briefings and internal planning processes.

3.2. Community consultation will be undertaken in accordance with the approved Engagement and Communications Plan and Council's Stakeholder and Community Engagement Framework.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

4.1. The review of the Dog Management Policy supports Council's strategic objectives relating to community wellbeing, responsible regulation, environmental stewardship and shared use of public spaces.

4.2. The review must also comply with the requirements of Part 7, subsection 3 of the *Dog Control Act 2009*, which steps out what Council must do when reviewing its Policy. The proposed engagement is in line with these requirements.

5. EXTERNAL IMPACTS

5.1. The Dog Management Policy directly affects residents, dog owners, community organisations and users of public spaces across the City of Clarence.

5.2. The engagement process is designed to ensure a broad range of community perspectives are considered.

6. RISK AND LEGAL IMPLICATIONS

6.1. Failure to review the Dog Management Policy would place Council at risk of non-compliance with the *Dog Control Act 2000*.

6.2. The engagement approach has been designed to manage reputational and community risk by providing clear, accurate information and setting appropriate expectations about what can and cannot change.

7. FINANCIAL IMPLICATIONS

7.1. Costs associated with engagement and policy development are accommodated within existing budgets.

7.2. There are no additional financial implications arising from this report.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

Council approval of the Engagement and Communications Plan will enable structured community engagement to commence, ensuring the Dog Management Policy review is informed by community feedback and legislative requirements.

Attachments: 1. Dog Management Policy Community Engagement (17)

Clare Shea

ACTING CHIEF EXECUTIVE OFFICER



Engagement and Communications Plan

Dog Management Policy

PART A - ENGAGEMENT PLAN

PURPOSE

To provide Councillors with a clear overview of how we will inform and update the community throughout the Dog Management Policy review.

The focus is on what the community needs to understand, how we will communicate with them, and how we will support a fair, transparent process.

WHY THIS REVIEW MATTERS

Dog management affects more than 10,000 dog owners and many non-dog owners in Clarence.

The Dog Control Act 2000 requires a five-year review. Changes in community expectations, dog ownership trends, and environmental considerations make this review timely and important for balancing safety, amenity and biodiversity.

PROJECT PRINCIPLES

The following principles underpin the project:

- Responsible animal ownership
- Consistency with legal requirements and definitions
- Equity and balance between recreational requirements and environmental/habitat protection
- Fairness, respect and accountability in developing the policy
- Stakeholder and community consultation with respectful engagement and diverse perspectives
- Updated policy balancing legislation, best practice and community priorities

WHAT WE WILL COMMUNICATE

Clear information about the review, what is changing, what cannot change (due to legislation or land management responsibilities), and how community feedback will shape the updated policy.

HOW WE WILL ENGAGE

A simple, visible and accessible communication and engagement approach using public updates, City of Clarence's website, media releases, newsletters, social media and direct engagement with key stakeholders and the community.

KEY INITIATIVES

High-level activities include direct engagement, public-facing project webpage, consultation announcements, digital updates, pop-up information sessions, and briefings for elected members.

ENGAGEMENT FOCUS

Encouraging broad community participation – including dog owners, non-dog owners, environmental groups and recreational users – and ensuring information is clear, transparent and balanced, representing the needs and expectations of everyone in the community.

KEY THEMES

Themes include declared areas and access settings, safety and amenity, responsible dog ownership, environmental and wildlife considerations. These themes will guide public-facing information and updates.

KEY MESSAGES

Key messages will cover why the review is occurring, what parts of the policy can be influenced, what is fixed by legislation and how feedback will help shape a balanced policy.

Information will be framed around community values such as safety, fairness and environmental protection.

RISKS AND MITIGATION

Key risks include strong community opinions regarding off-lead areas, and misinformation and confusion about land management responsibilities. Mitigation includes frequent timely updates, proactive messaging, clear explanations of what can and cannot change, and monitoring social and traditional media for emerging issues.

EXPECTED OUTCOME

The communication and engagement approach aims to support broad, respectful community participation, ensuring Councillors and the public have accurate, timely information and trust in the review process and its outcomes.



ENGAGEMENT OBJECTIVES

- Clearly explain the purpose of the review so the community understands why it matters.
- Encourage broad, diverse participation, including groups not typically heard.
- Reinforce shared responsibility for dog management across the whole community.
- Support respectful, constructive conversations between different interest groups.
- Acknowledge and share community contributions to build trust and momentum.
- Provide clear, accessible information about legislation, context and best practice.
- Demonstrate how community input influences the policy and improves outcomes.

SUCCESS MEASURES

- Strong engagement and multi-channel participation (survey responses, event attendance etc).
- Engagement with a broad cross-section of the community, including underrepresented groups.
- Demonstrated reach through digital analytics, media coverage and online engagement.
- Community confidence in the process, shown through satisfaction and transparency feedback.
- Clear policy performance indicators, supported by baseline data and measurable improvements (registration rates, nuisance complaints, dog attack trends and overall satisfaction).

KEY STAKEHOLDERS AND DEMOGRAPHICS

Please refer to [Appendix A](#).

ENGAGEMENT TIMING

Please refer to [Appendix B](#).

KEY DATES AND MILESTONES

Please refer to [Appendix B](#).

PRIOR COMMUNITY ENGAGEMENT

The last review of City of Clarence's Dog Management Policy in 2021 attracted very high community interest, with more than 3,000 submissions.



The engagement also prompted community rallies and negative media attention, particularly around proposed changes to off-lead areas. In response, the engagement period was extended, and the draft policy was revised, including keeping off-lead access at key locations. Dog access and off-lead arrangements remain a sensitive topic. Future community engagement needs to be transparent, inclusive and clearly not pre-determined.

Participation in 2021 was heavily weighted toward dog owners. This review needs to actively involve non-dog owners, environmental advocates and other public space users to reflect whole-of-community needs.

WHAT CAN BE INFLUENCED?

The community can genuinely influence the content and settings of the updated Dog Management Policy, with feedback potentially leading to minor amendments through to a full redraft.

Decisions open to change include:

- **Declared areas and access settings:** which locations are exercise, training, restricted or prohibited areas, including reviewing existing areas and potential new locations, and where restrictions apply (within the *Dog Control Act* framework).
- **Dog parks:** whether Clarence needs additional facilities or changes to existing dog parks, including how they are managed (accessibility, safety, maintenance expectations).
- **Rules and processes that affect day-to-day use of shared spaces:** practical improvements to waste management (bins, signage, education), responsible ownership expectations, and how barking nuisance and other behavioural issues are managed (including complaint handling and support).
- **Fairness and affordability settings:** kennel licence requirements and processes (including fairness for households with multiple dogs and breeder identification) and fees/exemptions, including how these are communicated and applied locally.
- **How Council implements and communicates compliance locally:** approaches to registration and microchipping compliance (including streamlining processes), enforcement procedures and penalties (clarity, fairness, consistency), and local procedures for dog attacks/dangerous dogs (noting these are covered by the Act, but City of Clarence procedures and communications can be improved).

WHAT IS DECIDED?

These parts of the Dog Management Policy review are fixed (set by law, land manager responsibilities, governance process, and practical resourcing constraints).



- Important constraint to be clear about: some areas may be managed by Parks and Wildlife/NRE rather than City of Clarence, so influence may be limited to clarifying responsibilities or maintaining the status quo where Council is not the land manager.
- State law sets the rules LGAs must follow. The *Dog Control Act 2000* is the legal framework for dog management in Tasmania. LGAs can update its local policy, but it must stay consistent with the Act and cannot override it.
- Some places are off-limits to dogs for safety and environmental protection. By law, some areas must remain restricted to protect sensitive environments and public safety. The policy can clarify where and why, but those underlying restrictions are not optional.
- Assistance animal requirements are set by legislation. Any fee exemptions or access considerations for assistance animals must be clearly communicated and compliant with legislation, meaning LGAs cannot consult on removing legislated rights or protections.
- City of Clarence can't make unilateral changes on land it doesn't manage. Where areas are managed by Parks and Wildlife/NRE, Council may be limited to clarifying responsibilities, working with the land manager, or maintaining the status quo if Council is not the decision-maker for that land.

KEY MESSAGE

Key messages will cover why the review is occurring, what parts of the policy can be influenced, what is fixed by legislation and how feedback will help shape a balanced policy.

Information will be framed around community values such as safety, fairness and environmental protection.

KNOWN RISKS

Key risks include strong public opinion regarding certain elements of the Policy, particularly off-lead areas, misinformation and confusion about land management responsibilities. Mitigation includes frequent timely updates, proactive messaging, clear explanations of what can and cannot change, and monitoring social and traditional media for emerging issues.

DOCUMENTS

- *Dog Control Act 2000* (key legislative document)



ACTION AND ACTIVITY PLAN

Please refer to [Appendix B](#).

ENGAGEMENT TOOLS

Please refer to 'Communication Methods' in the Dog Management Policy Engagement Strategy (pg. 8).

Engagement tools to be used will be:

- Your Say page
- Community survey – complete proposed survey questions in [Attachment 2](#).
- Pop-up information sessions
- Community Reference Groups
- Face-to-face engagement
- Engagement with Elected Members
- Direct stakeholder engagement
- [Other engagement tool]
- [Other engagement tool]

YOUR SAY CONTENT AND SURVEY QUESTIONS

Proposed Your Say Clarence website content is [Attachment 1](#).

Survey questions and website FAQs

Draft survey questions for the community engagement, and Frequently Asked Questions (FAQs) for the Your Say webpage, have been prepared. These materials are intended to guide and encourage community participation and ensure relevant information is available throughout the engagement process.

At this stage, both the survey and FAQs are working drafts that will undergo further refinement, subject to the insights gathered through preliminary engagement with key stakeholders. This early engagement is currently underway and will inform adjustments to ensure the engagement tools are balanced, well-targeted and reflective of stakeholder and community priorities.

Finalised versions of the survey questions and FAQs will be released once this preliminary feedback has been incorporated, ensuring the community engagement proceeds with accurate, stakeholder-informed materials.



PART B – ENGAGEMENT PROMOTION PLAN

Does this project have a promotion budget? Yes No

If yes, what is the available budget? \$ TBC

Standard promotions for all projects **typically** include:

- A feature in Onsite Insight during the engagement period.
- Two posts on social media, one at engagement start and one reminder, roughly 1-2 weeks before the engagement is due to close.
- If engagement falls within the timing of Clarence News, it will be featured.
- If engagement falls within publication of an edition of the Eastern Shore Sun, it will be included as part of the monthly “Community Engagement” ad.



To be completed by the Communications team

Communication actions for this engagement are:

Corflute signage or signage on site	<input checked="" type="checkbox"/>
Posters and/or flyers	<input checked="" type="checkbox"/>
Social media (max of 2 posts)	<input checked="" type="checkbox"/>
Social media paid advertisement	<input checked="" type="checkbox"/>
Media release (ESS)	<input checked="" type="checkbox"/>
Media release (All media)	<input checked="" type="checkbox"/>
Media event	<input type="checkbox"/>
Standalone ad in Eastern Shore Sun (paid)	<input checked="" type="checkbox"/>
Clarence News feature	<input type="checkbox"/>
Staff news (Onsite insight)	<input checked="" type="checkbox"/>
Other (as detailed below): <ul style="list-style-type: none">• Info packs for selected stakeholder groups	



ATTACHMENT 1: PROPOSED YOUR SAY CONTENT

ABOUT

We are reviewing Clarence's Dog Management Policy to make sure our rules and public spaces work well for everyone, including dog owners, non-dog owners and wildlife. This review is about setting clear expectations for responsible dog ownership, improving safety and amenity in shared places, and protecting natural areas.

The current policy was adopted in 2021 and is reviewed every five years. We know our community cares deeply about dogs and the places we all use, and that changes to dog access can be a sensitive topic. To make sure decisions are community-informed, we are consulting at IAP2 Consult. We will listen to your views, test options and trade-offs, and use what we hear to refine the draft policy and the final recommendation to Councillors.

BACKGROUND

What is the Dog Management Policy?

The Dog Management Policy sets out how dogs and people can share public spaces safely and respectfully in Clarence. It guides things like where dogs can and cannot go, when they need to be on lead, expectations for responsible ownership, and how we manage safety, amenity and impacts on natural areas.

Why are we reviewing it now?

The current Dog Management Policy 2021 must be reviewed every five years. With changing demographics, evolving dog ownership trends and updated best practice, this review is timely to address current challenges and plan for future needs, including community safety, environmental protection, equitable access and responsible ownership.

What guides dog management in Tasmania and Clarence?

The *Dog Control Act 2000* provides the legislative framework for managing dogs in Tasmania. It outlines owner responsibilities and enables us to enforce compliance. Our local policy sits within this framework and helps translate it into clear expectations and local approaches for Clarence.

What we learned last time

The 2021 review showed strong community interest and sensitivity, particularly around off-lead access. It generated more than 3,000 submissions, alongside community rallies and negative media attention. We extended consultation and revised the draft policy to maintain off-lead access at key locations.



We are taking these lessons into this review, including the need to be transparent, inclusive, and to avoid a process that is dominated by one group or one issue.

Who the policy affects

Dog management affects everyone, not just dog owners. This review is an opportunity for constructive input from dog owners and non-owners, recreational users, environmental advocates and other public space users, so the policy reflects whole-of-community values and needs.

What we are considering in this review

We will be asking about the full range of dog management issues, including:

- Declared areas (exercise, training, restricted and prohibited areas), including existing and potential new locations
- Dog parks (provision, facilities, accessibility, safety and maintenance)
- Waste management (bins, signage and behaviour change)
- Kennel licences (including fairness for households with multiple dogs)
- Fees (fairness, transparency, affordability and exemptions)
- Registration and microchipping (including reflecting any changes in state legislation)
- Responsible ownership (education and expectations)
- Barking nuisance and behavioural issues (complaint processes and support for owners)
- Dog attacks and dangerous dogs (processes guided by the Act)
- Enforcement and penalties (clarity, fairness and consistency)
- Impacts on natural areas and wildlife (balancing access with biodiversity protection)

The evidence we will use

Alongside what we hear from the community, we will use local data and trends from recent years to understand what is working and what needs improvement. This includes looking at trends in dog ownership, registration rates, nuisance complaints and dog attacks, and using this to set clear performance measures for the updated policy.



How we will engage and what you will see on this page

This is a whole-of-community engagement. You can take part in a variety of ways, including:

- an online survey
- an interactive map to show where issues and priorities are
- pop-up sessions at places like dog parks, markets, events and shopping areas

We will also share updates, FAQs and summaries so you can see what we are hearing and how it is shaping the draft policy.

What happens next

Feedback from the early engagement will help shape a draft policy. The draft will then be released for public comment before a final recommendation is made. Depending on what we hear, outcomes may range from minor amendments to a full redraft, with the next policy intended to be finalised in early 2027.

TIMELINE

Phase 1: Planning and scoping (Nov – Feb 2026)

Phase 2: Broad community awareness including an eight-week community engagement (March – April 2026)

Phase 3: Deep dive consultation (Mid-2026)

Phase 4: Draft policy feedback (Mid-2026)

Phase 5: Finalisation and reporting (Oct 2026-early 2027)



APPENDIX A: STAKEHOLDER IDENTIFICATION AND INTEREST LEVEL

Title	Subject expertise	Stakeholder interest
EXTERNAL		
Kingborough Council	Kingborough dog management	Policy consistency/inconsistencies and lessons learned
Glenorchy City Council	Glenorchy dog management	Policy consistency/inconsistencies and lessons learned
City of Hobart	Hobart dog management	Policy consistency/inconsistencies and lessons learned
Sorell Council	Sorell dog management	Policy consistency/inconsistencies and lessons learned
Birdlife Tasmania Convenor	Sea, shore and land birds and their habitats and protection	Special interest group
Duck advocate/s	Ducks	Community interest group/stakeholder
Surf Life Saving Tasmania President	Surf lifesaving programs, times and locations	Potential impact of new policy on SLST programs and activities
Parks and Wildlife Tasmania Ranger in Charge – Derwent (Seven-mile Beach Field Centre)	Dogs on Parks land	Potential intersections of new policy with Parks policies, programs and activities
Assistance Dogs Australia	Public access rights for assistance dogs	Adherence of new policy to public access rights of assistance dogs. Effectiveness of new policy in meeting assistance dog owner expectations
Guide Dogs Tasmania	Guide dogs, autism assistance dogs, facility dogs, companion dogs	Effectiveness of new policy in meeting assistance dog owner expectations
Care Dogs and Co	Assistance dogs (hearing, guide, physical disability, dementia, PTSD, autism)	Effectiveness of new policy in meeting assistance dog owner expectations

Dogs Tasmania (Tasmanian Canine Association Inc (TCA Inc) President	Needs and expectations of dog owners/walkers	Effectiveness of new policy in meeting dog owner expectations
Tasmanian Dog Walking Clubs	Needs and expectations of dog owners/walkers	Effectiveness of new policy in meeting dog owner expectations
Tasmanian Dog Walking Clubs Inc President	Needs and expectations of dog owners/walkers	Effectiveness of new policy in meeting dog owner expectations
Hobart Dog Walkers	Needs and expectations of dog owners/walkers	Effectiveness of new policy in meeting dog owner expectations
GREAT (Greyhound Rehabilitation Enthusiasts Ass. Tasmania)	Greyhound rehabilitation	Effectiveness of new policy in meeting dog owner expectations
Clarence Dog Owners Group (CDOGs)	Local dog owner expectations	Effectiveness of new policy in meeting dog owner expectations
Eastern Shore Dog Club	Local dog owner expectations	Effectiveness of new policy in meeting dog owner expectations
Landcare Tasmania CEO	Conservation of the natural environment	Potential impacts of dog policy on the natural environment and wildlife
Local Landcare working groups in Clarence Waverley Flora Park Landcare group	Conservation of the local natural environment	Potential impacts on their local conservation projects
Save Rosny Parklands	Community expectations of Rosny parkland use	Special interest community group
NRE Head of PWS Division	Wildlife protection and interactions	Policy effectiveness in protecting wildlife
Threatened Species Unit	Threatened species	
Tasmanian Veterinary Hospitals (Bellerive)	Animal and domestic dog welfare	That the policy enables the wellbeing of domestic dogs in Clarence and supports responsible dog ownership
Eastern Shore Veterinary Hospital (Rosny Park) and	Animal and domestic dog welfare	That the policy enables the wellbeing of domestic dogs in Clarence and supports responsible dog ownership

Lindisfarne Veterinary Clinic		
Pet Love Vet Care (Rokeby)	Animal and domestic dog welfare	That the policy enables the wellbeing of domestic dogs in Clarence and supports responsible dog ownership
RSPCA CEO	Animal welfare and dog wellbeing	The policy protects the interests of domestic dogs and supports responsible dog ownership
Dogs Homes of Tasmania CEO	Dog welfare	The policy protects the interests of domestic dogs and supports responsible dog ownership
Brightside Farm Sanctuary CEO	Animal and dog wellbeing	The policy protects the interests of domestic dogs and supports responsible dog ownership
Dog sitting providers	Dog socialising and exercising needs when away from their owners	Dog areas in the policy
Ratepayers and residents	Various	How it impacts the areas they love and use, whether they are dog owners or not

APPENDIX B: IMPLEMENTATION TIMELINE

Phase One: Planning and scoping – Nov 2025 – Feb 2026	
Action	Activity
Complete literary review of dog management policies from similar councils	Comparison of Clarence policy against
Comparison review of Clarence against neighbouring council policies	Hobart, Kingborough, Glenorchy and Sorell dog management policies
Development of initial engagement materials	Interactive map, questions and discussion points for initial meetings with key stakeholders
Identify priority stakeholder meetings for initial engagement phase	Workshop with project team to ID priority stakeholders and schedule meetings
Initial listening meetings with priority stakeholders to introduce the process	Draft email intro and schedule 1-1 meetings with key stakeholders
Internal briefings and workshops with City of Clarence staff and elected members	Provide an overview of the policy engagement strategy, key messages and timeframes
Draft foundational materials for the Your Say Clarence website/social media/print	Project overview, FAQs etc
Phase 2: Broad Community Awareness – March - April 2026	
Action	Activity
Launch the public engagement campaign (inform)	Media release, social media, and paid advertising (local print, radio, digital).

Municipal community awareness campaign (inform)	Distribute brochures and posters to libraries, clubs and community groups, vet clinics, parks and businesses.
Open initial broad-based online survey to gather general sentiment and identify key issues from the community (consult)	Survey and potentially an interactive map to be incorporated on Your Say Clarence website
In person-community engagement commences (involve)	Conduct pop-up information sessions at high-traffic locations (dog parks, markets, events, shopping centres)
Phase 3: Deep dive consultation – mid 2026	
Action	Activity
Conduct targeted focus groups for deeper discussion on complex topics (involve)	Select stakeholders for targeted focus groups on specific issues
Hold direct meetings and workshops with specific stakeholder groups to understand their detailed needs (involve)	Identify stakeholders who require a more concentrated engagement effort
Release draft policy for public comment, based on all feedback gathered (consult)	Draft policy, Council endorsement, public consultation period
Phase 4: Draft policy feedback – mid 2026	
Action	Activity
Promote community consultation period on the draft policy (inform)	Your Say Clarence, socials, mainstream media, and direct emails to solicit feedback on the draft
Consider community feedback on the draft policy	Consolidate feedback and prepare summary report

Analyse feedback from the draft policy consultation	Prepare summary report consolidating community feedback from all engagement activities
Dog registration amnesty	Promote City of Clarence's dog registration amnesty
Phase 5: Finalisation and reporting – October 2026 – Early 2027	
Action	Activity
Publishing summary report and infographic, showing how community input influenced the final policy (inform)	Your Say Clarence website
Finalisation and adoption of Policy	Present the final recommended policy to Elected Members in Council meeting

8.4.3 LOCAL GOVERNMENT ELECTORAL LEGISLATION SUBMISSION**EXECUTIVE SUMMARY****PURPOSE**

To provide a submission to the Office of Local Government on two draft Bills - Local Government Electoral Bill 2025 and the Local Government Amendment (Electoral Reforms) Bill 2025, which are set out in the Local Government Electoral Reform Discussion Paper - Exposure Draft Legislation and Prior Consultation Report.

RELATION TO EXISTING POLICY/PLANS

Nil.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Council was advised of the draft legislation and invited to provide feedback prior to the closing date of Saturday 28 February 2026. Council has sought an extension to 3 March 2026.

The matter was discussed at a workshop on 16 February 2026.

FINANCIAL IMPLICATIONS

There are no immediate financial implications arising from the submission to the draft legislation. Financial implications may arise from any reform options recommended but these are not quantifiable or known at this stage.

RECOMMENDATION:

That Council:

- A. Notes the Local Government Electoral Reform Discussion Paper - Exposure Draft Legislation and Prior Consultation Report.
- B. Endorses Council's submission (Attachment 1 to the Associated Report) on the Local Government Electoral Reform Discussion Paper - Exposure Draft Legislation and Prior Consultation Report.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1. The State Government released the Local Government Electoral Bill Discussion Paper in April 2025. Council provided a submission.

1.2. In December 2025, Council was notified of the Local Government Electoral Reform Discussion Paper - Exposure Draft Legislation and Prior Consultation Report which details two draft Bills – the Local Government Electoral Bill 2025 and the Local Government Amendment (Electoral Reforms) Bill 2025.

1.3. The two draft Bills will introduce significant reform to local government elections.

2. REPORT IN DETAIL

2.1. The State Government released the Local Government Electoral Bill Discussion Paper in 2025. Council considered the discussion paper in a workshop and endorsed a submission to the Tasmanian Government at its meeting on 17 March 2025.

2.2. In December 2025, Council was notified of the Local Government Electoral Reform Discussion Paper - Exposure Draft Legislation and Prior Consultation Report, which is the second phase of consultation on local government electoral reforms.

2.3. The proposed electoral legislation is a key element of the Tasmanian State Government’s Local Government Priority Reform Program 2024-2026.

2.4. Councils and the general public have been invited to provide comment on the two draft bills – the Local Government Electoral Bill 2025 and the Local Government Amendment (Electoral Reforms) Bill 2025.

2.5. The key reforms proposed in the draft Local Government Electoral Bill 2025 include:

- flexibility for the Tasmanian Electoral Commission to determine the method of an election
- provide for the Deputy Mayor to be elected “around the table”
- increased transparency in political gifts and donations reporting
- strengthened electoral advertising rules; and
- changes to voter and candidate eligibility.

2.6. The key reforms proposed in the draft Local Government Amendment (Electoral Reforms) Bill 2025 include:

- repealing existing electoral provisions from the *Local Government Act 1993 (Tas.)*
- introduction of caretaker provisions for Councils during election periods; and
- reforms to the current interest’s management framework for local councillors.

2.7. Council endorsed a submission on the framework proposal for managing conflicts of interest of councillors at its meeting of 11 December 2023.

2.8. Council discussed the two draft Bills at its workshop on 16 February 2026, and the position of Council is reflected in Attachment 1. The consultation has also noted that a critical part of the consultation is to identify the highest priority reforms for implementation prior to the next local government elections. Council’s discussion at the workshop noted that Council considers the highest priority reforms to be:

- Reduction in councillor numbers
- Councillors to have access to the electoral roll during their term
- Transparency of gifts and donations; and
- Nominees not being required to provide their address when nominating as a candidate for election.

3. CONSULTATION

3.1. Community Consultation Undertaken

Nil.

3.2. State/Local Government Protocol

Council was notified of the Local Government Electoral Reform Discussion Paper - Exposure Draft Legislation and Prior Consultation Report.

3.3. Other

Nil.

3.4. Further Community Consultation

Nil.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

The implications for plans and policies of Council following any legislative change, as proposed by the State Government, will potentially be many and varied. They will be considered once the State Government advises of the next steps and timeframes.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

Future risks and legal implications arising from legislative changes are not yet fully known.

7. FINANCIAL IMPLICATIONS

Financial implications may arise from any legislative change, but these are not yet quantifiable.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

9.1. The Tasmanian State Government has released the Local Government Electoral Reform Discussion Paper - Exposure Draft Legislation and Prior Consultation Report, which proposes significant reform to local government elections and associated matters through the Local Government Electoral Bill 2025 and the Local Government Amendment (Electoral Reforms) Bill 2025.

9.2. Council's response has been reviewed by council officers and councillors.

Attachments: 1. Council Submission (13)

Clare Shea
ACTING CHIEF EXECUTIVE OFFICER

PART A

Local Government Electoral Bill 2025

Key Reform	Council's comment
PART 2 – ELECTION OF MAYORS, DEPUTY MAYORS AND COUNCILLORS	
<p>Provides for the election of the Deputy Mayor ‘around the table’ by councillors, rather than by direct elector ballot.</p> <p>This must be done by vote of the council (simple majority), and within the first two general meetings of council.</p> <p>Councils will be allowed to determine the term of deputy mayor to be either the term of council or a lesser period.</p>	<p>DO NOT SUPPORT</p> <p>The majority of councillors support the existing provisions which require that the role of Deputy Mayor should be voted for by the public.</p> <p>That said, council also notes that a change away from electoral voting for the Deputy Mayor role reflects a cost saving in terms of electoral costs.</p>
PART 3 – ELECTORS AND LOCAL GOVERNMENT ELECTORAL ROLLS	
<p>Amends the definition of “occupier” for enrolment purposes, to refer to actual occupation and use, and clarify that tenants and licensees are occupiers for the purposes of the Act.</p>	<p>SUPPORT</p> <p>Council supports this proposed reform as it will clarify the definition of “occupier” and allow for broader and more inclusive voter participation.</p>
<p>Preserves a supplementary roll (‘general manager’s roll’) for electors not entitled to be on the House of Assembly (HoA) Roll in respect of an electoral area, as well as clear and consistent criteria for applying to be on this roll.</p> <p>This supplementary roll is now named the Local Government Electoral Roll.</p> <p>This roll is for persons with property-based entitlements (landowners/occupiers, corporate bodies) and non-citizen electors who have lived in the electoral area for a continued period of at least 12 months.</p>	<p>SUPPORT</p> <p>Council supports the preservation of the General Managers Roll and the General Managers Roll being transferred to the TEC. The TEC is better resourced to ensure that appropriate compliance and enforcement systems are in place.</p>

Key Reform	Council's comment
Provides that responsibility for keeping and maintaining the supplementary rolls for electoral areas is to transfer to the TEC (currently council General Managers must maintain their council's supplementary rolls).	
Tightens the criteria for who can nominate to vote on behalf of corporate bodies, including that they: <ul style="list-style-type: none"> • Must not be a director or the secretary of the corporate body • Must not be already enrolled on the HoAroll for the electoral area • Not be the corporate body nominee for another corporate body in the same area. 	DO NOT SUPPORT
Provides for 'one vote, one value' by providing that each elector is entitled to one vote in an election for an electoral area. This changes the current situation where a person may have up to two votes (e.g. one in their own right, and one on behalf of a body corporate).	DO NOT SUPPORT There will be circumstances where a corporate body will not be able to nominate a director or secretary due to the 'one vote' rule, thereby restricting corporate bodies from being able to vote.
PART 4 – COMPULSORY VOTING	
Preserves compulsory voting for those on the HoA roll(status quo). Voting remains optional for electors on the supplementary Local Government Electoral Roll.	SUPPORT
PART 5 – METHOD OF ELECTION, ISSUING AND RECEIVING PLACES, POLLING PLACES AND ELECTION OFFICIALS	
Reduces prescription and introduces flexibility to 'future proof' elections, allowing the Electoral Commissioner to determine the method of voting at an election. This can include one or more methods, including attendance voting at a polling place and/or postal voting (including provision and receipt of ballots in person and by mail).	SUPPORT Council sees merit in a more flexible election model to encourage voter participation and to adapt to changing voter needs and emerging technology.

Key Reform	Council's comment
<p>These provisions provide flexibility for the Commissioner to determine multiple methods of voting, supporting the position of moving to a hybrid postal electoral format, allowing for continued mail voting, with provision of pre-polling and polling places for in-person completion of ballots.</p> <p>The provides for the postal method (allowing for and encouraging for hand returns) as the default election method and allows for an attendance ballot only where the Commissioner is satisfied available postal services are inadequate to ensure the reliable conduct of the election by postal ballot, a postal ballot would be more expensive to conduct than an attendance ballot.</p> <p>The Commissioner will be required to issue a notice as to the chosen method of election at least six months in advance of the notice of an election.</p>	<p>Further information and direction on how polling places will be managed in the future is required. Is it the expectation that the TEC will manage the polling places with the significant cost of this being borne by council? Will council still be expected to operate as a polling place?</p>
<p>Preserves issuing and receiving places, which allow for issue and return of ballots during mail (or hybrid) elections.</p> <p>Provisions from the <i>Local Government Act 1993</i> are expanded for accessibility, including allowing the Electoral Commissioner to appoint a hospital, convalescent home, nursing home or other similar place at which a mobile facility may be operated as an issuing and receiving place – similar to polling place provisions in the <i>Electoral Act 2004</i>.</p>	<p>SUPPORT</p>
<p>Allows for appointment of polling places, pre-poll polling places and mobile polling places in the event of an attendance ballot.</p> <p>Accessibility provisions mirror those for issuing and receiving places. There is also an additional clause (35) which provides for assistance to vote at a polling place to be provided for those who need it.</p>	<p>SUPPORT</p>

Key Reform	Council's comment
Provides that a local government election or by-election may not be held such that the polling period overlaps the date of a Tasmanian or Australian Government parliamentary election.	SUPPORT
Provides for continuation of non-citizen voting via the supplementary roll, while requiring <u>candidates</u> for council to be Australian citizens eligible to vote in parliamentary elections.	DO NOT SUPPORT
PART 6 – NOTICES OF ELECTIONS AND NOMINATIONS	
<p>Retains a single-phase nomination process, with additional requirements in the notice of nomination – including:</p> <ul style="list-style-type: none"> • A statement as to whether or not the candidate is formally endorsed by a registered party or is running under a group name not associated with a party. • An attestation that a candidate has completed the proposed mandatory pre-election training module. (does not apply to incumbent councillors). <p>A notice of nomination must also be signed by at least 30 electors or 1% of electors in the municipal area (whichever is smaller). Currently a notice of nomination must be signed by only two electors.</p>	<p>SUPPORT TO THE EXTENT THAT IT IS HARMONISED WITH STATE REQUIREMENTS</p> <p>Council supports this proposed reform but emphasises it does not support information on registered parties being published on ballot papers.</p>
<p>Requires the TEC to publish and distribute a candidate information package. This is currently done as a matter of convention and is the primary way electors become aware of the range of candidates, their reasons for seeking election, views and propositions. However, this is currently not a part of the formal legislative framework.</p> <p>At a minimum, this will include for each candidate - the candidate's name, a personal statement (if provided), and whether the candidate is endorsed by a registered party, running under a group name or is an independent candidate. This information is gathered as part of the notice of nomination.</p>	SUPPORT

Key Reform	Council's comment
PART 7 – VOTING AND BALLOTS	
Provides guidance around ballot material, and provisions on issuing, completing and returning ballots based on various election methods enabled under Part 6.	SUPPORT
PART 9 – ALTERNATIVE VOTING PROCEDURES	
<p>This is a broad Part which allows the Electoral Commission to approve and deliver alternative voting procedures for classes of electors who face barriers to traditional means of voting.</p> <p>This includes but is not limited to electronic voting methods such as online voting or voting by telephone.</p> <p>This supports universal franchise principles, consistent with recent reforms to the State <i>Electoral Act 2004</i>.</p>	SUPPORT
<p>Requires the TEC to approve procedures which enable and support accessible voting practices for electors with additional barriers to participation.</p> <p>The TEC is also required to publish after each election a statement on the implementation of the accessibility principles.</p>	SUPPORT
PART 12 – OFFENCES RELATING TO ELECTIONS	
<p>Introduces a range of offences related to polling and conduct at polling places consistent with the Electoral Act 2004, while also retaining offences relating to elections under the LG Act.</p> <p>It also contains offences relating to electoral bribery and treating and intimidation.</p>	SUPPORT

Key Reform	Council's comment
PART 13 – INVESTIGATORY POWERS	
<p>Provides standard investigatory powers for the Electoral Commissioner (or authorised officers) – consistent again with the <i>Electoral Act 2004</i>. This includes:</p> <ul style="list-style-type: none"> • Power to enter and inspect places • Power to require production of documents or information • Power to seize and detain • Power to require attendance and questioning 	<p>SUPPORT TO THE EXTENT THAT IT IS HARMONISED WITH STATE REQUIREMENTS</p>
PART 14 – ELECTORAL ADVERTISING AND PUBLICATION OF ELECTORAL MATTER	
<p>Introduces new prohibitions on the dissemination of misleading and deceptive statements (corresponding to the Electoral Act Review Final Report and the amended section 197 of the <i>Electoral Act 2004</i>).</p>	<p>SUPPORT</p> <p>Council supports these provisions which will align local government electoral law with the Electoral Act.</p>
<p>Repeals an existing provision that prohibits the publication of a candidate's name or image without their consent. This aligns local government elections with state and federal practices where no such restriction applies.</p>	<p>DO NOT SUPPORT</p> <p>The publication of a candidate's name and/or image should not be permitted without the candidate's consent. Council also raises concerns with the continued requirement for a candidate to provide an address under section 311 of the <i>Local Government Act 1993 (Tas.)</i>. This requirement raises safety concerns and may act as a barrier for some potential nominees.</p>
<p>Updates and clarifies what constitutes "electoral advertising" to ensure consistency and legal certainty.</p> <p>Seeks to align definitions with the <i>Electoral Act 2004</i> and reduce ambiguity for candidates and regulators.</p>	<p>SUPPORT</p>
<p>Requires electoral advertising to include information identifying who authorised the material.</p> <p>Aims to promote transparency and accountability in campaign communications.</p>	<p>SUPPORT</p>

Key Reform	Council's comment
PART 16 – ELECTORAL EXPENDITURE	
<p>Limits electoral expenditure to the candidate, intending candidate, or their formally nominated agent.</p> <p>Aims to prevent unregulated third-party campaigning and increase transparency.</p>	SUPPORT
<p>Replaces current advertising-specific limits with an overall cap on total electoral expenditure.</p> <p>Aligns local government elections with Legislative Council spending rules.</p> <p>Expenditure caps are as follows:</p> <ul style="list-style-type: none"> • for a candidate for election to the Hobart City Council, Clarence City Council, Glenorchy City Council, Kingborough Council or Launceston City Council – \$16 000 plus the applicable annual increment for that financial year. • for a candidate for election to any other council – \$10 000 plus the applicable annual increment for that financial year. <p>The annual increment is a cumulative increase to this limit of \$500 every year for the councils referred to in the first bullet point, and \$300 for all other councils, applying annually from 1 July 2027.</p>	SUPPORT
<p>Requires candidates to report not only their own spending but also any expenditure made on their behalf.</p> <p>Confirms that shared advertising must be fully attributed to each candidate featured.</p>	SUPPORT
<p>Prevents third parties from incurring expenditure on behalf of a registered party to influence election outcomes (strengthens transparency and restricts indirect or unregulated campaign spending).</p>	SUPPORT

Key Reform	Council's comment
PART 17 – GIFTS AND DONATIONS	
<p>Extends gift and donation disclosure obligations to all candidates. Maintains the \$50 threshold and introduces disclosure via the TEC website during the election period.</p>	<p>SUPPORT IN PART The cap of \$50 is too low and a cap of \$100 is suggested as being reasonable. It follows that if the cap of \$50 is too low, the cap for gifts and benefits for councillors is also too low and should be increased.</p>
<p>Prohibits indirect donations through intermediaries or third parties (ensuring all electoral donations are transparent and reported through candidates).</p>	<p>SUPPORT</p>

PART B

Local Government Amendment (Electoral Reforms) Bill 2025

Key Reform	Council response
PART 5 – PECUNIARY INTERESTS	
<p>Expands the definition of a close associate to a councillor to include:</p> <ul style="list-style-type: none"> • a person who has provided a gift or donation (as defined in the <i>Local Government Electoral Act 2025</i>); • a relative of the councillor or member who resides with that councillor or member on a regular basis. 	SUPPORT
<p>Establishes defence provisions for a councillor where they believe a pecuniary interest (where they receive or expect to receive a pecuniary benefit) is one held with a substantial proportion of electors in the municipality (meaning at least 5% or 1 000 electors, whichever is the lesser).</p> <p>This defence also applies to an application or request for approval, authorisation, licence, permit, exemption or other right, or beneficial interest in shares of a company or other body.</p>	SUPPORT
Requires that the existing register of pecuniary interests kept by the general manager to be published on a council’s website.	SUPPORT
PART 5B – Personal Interest Returns	
This is an entirely new Part which requires a councillor to lodge a personal interest return (PIR) with the general manager, within 28 days after a certificate of election is issued.	SUPPORT
<p>A PIR is to be made by Ministerial Order – and may specify a range of matters including:</p> <ul style="list-style-type: none"> • the assets and classes of assets to be disclosed, including real property and financial interests; 	SUPPORT TO THE EXTENT THAT IT IS HARMONISED WITH STATE REQUIREMENTS

<ul style="list-style-type: none"> • the liabilities and classes of liabilities to be disclosed; • the associated persons and classes of persons whose interests are to be disclosed, including individuals, bodies corporate and trustees; • employment, offices and other sources of income to be disclosed; • gifts, donations or contributions to other entities, and the classes of such gifts, donations or contributions, to be disclosed; • memberships of associations, including trade or professional associations, political parties and other organisations to be disclosed; • thresholds for disclosure and time periods to which the disclosures relate; • management strategies to be documented by councillors for managing actual, potential or perceived pecuniary interests or non-pecuniary interests arising from the matters disclosed. <p>As with all Orders pertaining to councils, the Minister must consult with councils before amending, revoking or substituting the PIR.</p> <p><i>Note: a draft PIR has been released alongside the consultation draft legislation package.</i></p>	
<p>The general manager must publish each personal interest return, and any revised personal interest return, on the council’s official website as soon as practicable after its lodgement.</p>	<p>SUPPORT</p>
<p>The general manager must not provide to a councillor any information, other than information included on a public agenda or otherwise available to members of the public, if it is reasonably apparent to the general manager, from a personal interest return or other information known to the general manager, that the councillor has a pecuniary interest in the matter.</p>	<p>SUPPORT</p>

Likewise, a councillor must not seek to obtain any information on the above grounds.	
The council must retain each personal interest return, and each revised personal interest return, until 2 years after the expiration of the term of the council during which the return was lodged.	SUPPORT
Offence provisions are included for providing false information, omitting known information, or refusal to lodge a PIR.	SUPPORT
PART 5C - CONDUCT OF COUNCIL DURING ELECTION PERIOD	
<p>This Part introduces ‘caretaker’ provisions related to the conduct of councils during election periods. During an election period a council cannot make any decision defined as a ‘prohibited decision’. This includes a decision:</p> <ul style="list-style-type: none"> • that relates to the appointment, reappointment or the remuneration of a general manager, other than the appointment, reappointment or remuneration of an acting general manager • that relates to the termination of a general manager • to enter into a contract, arrangement or agreement the total value of which exceeds whichever is the greater of – <ul style="list-style-type: none"> ○ \$100 000; or ○ 1% of the council’s revenue from general and service rating and fees and charges in the preceding financial year • that would enable the use of council resources in a way that is intended to influence, or is likely to influence, voting at a council election. <p>A council may, if they determine it is necessary and in the public interest for a prohibited decision to be made during an election period, make an application to the Minister for an exemption.</p> <p>Prohibited decisions do not apply to decisions or actions required by councils under statutory timeframes.</p>	SUPPORT

<p>This Part also prohibits the use of any council resources or publication of information promoting or advantaging a particular candidate or group of candidates.</p> <p>It also prohibits councils from making resources available that advantage a candidate which are not equally available to all candidates.</p> <p>Information in relation to an election can only be published if it has been published by the Electoral Commission.</p>	<p>SUPPORT</p>
<p>PART 6 – PETITIONS, POLLS AND PUBLIC MEETINGS</p>	
<p>The threshold for petitions requesting elector polls or public meetings has been raised to 20% of electors (from 5% or 1,000 electors, whichever is lesser).</p>	<p>SUPPORT IN PART</p> <p>We suggest that the City councils threshold should be 20% and non-city councils threshold should be 10%.</p> <p>The proposed reform should also address existing issues which arise with online petitions being submitted without providing the full address of petitioners as required by the Act.</p>

PART C

Feedback on Personal Interest Return (PIR) Form (Draft example provided)	
Section	Council comment
Generally	It is noted that the legislation will provide guidance on how and when the PIR form is to be completed but it would be clearer if these details were also provided on the PIR form, for example, this form must be completed by x date and submitted to x.
Liabilities	Council notes its previous feedback has been incorporated into the draft PIR form
Employment	Council notes that its previous feedback that unpaid employment should be included has not been adopted
Membership	Council notes its previous feedback has been incorporated into the draft PIR form

8.4.4 SPECIAL COMMITTEE APPOINTMENTS**EXECUTIVE SUMMARY****PURPOSE**

To consider elected member appointments to fill vacancies on various bodies following the resignation of Cr Warren from her representative appointments.

RELATION TO EXISTING POLICY/PLANS

Representative appointments of councillors are made following each ordinary local government election and are for the full four year term. While it has been past practice to review appointments mid-term to provide an opportunity for elected members to make changes to their appointments, Councillors may request changes to their appointments at any time.

LEGISLATIVE REQUIREMENTS

- Special Committees are established under Section 24 of the *Local Government Act, 1993* (the Act).
- Section 85 of the Local Government Act requires Councils to establish Audit Panels. Council's Audit Panel has five members, 3 of whom are independent members and 2 are councillors.
- Section 27 of the Act has as a function of the Mayor to represent the Council on regional organisations and at intergovernmental forums at regional, state and federal levels. The Mayor may delegate such an appointment to his nominee as is the case with TasWaste South.
- The Copping Refuse Disposal Site Joint Authority is established under Section 30 of the Act.

CONSULTATION

Consultation has been undertaken with councillors at a recent workshop.

FINANCIAL IMPLICATIONS

None identified.

RECOMMENDATION:

That Council:

- A. Notes Cr Warren's resignation from the following appointments:
 - Cultural Creative Advisory Committee;
 - Audit Panel;
 - TasWaste South (Mayor's Nominee); and
 - Copping Refuse Disposal Site Joint Authority (Proxy Representative).
- B. Notes Cr Ritchie's appointment as Mayor's Nominee to TasWaste South for the balance of the current Council term.
- C. Appoints a Councillor as Member of the Audit Panel for the balance of the current Council term.

- D. Appoints a Councillor as Proxy Representative to the Copping Refuse Disposal Site Joint Authority for the balance of the current Council term.
- E Resolves that a replacement appointment to the Cultural Creative Advisory Committee be held over until the review of the current committee structure has been completed.

ASSOCIATED REPORT

1. BACKGROUND

- 1.1.** Representative appointments of councillors are considered following each ordinary Council election and appointments are made for the full four year term of the Council.
- 1.2.** It has been past practice to review appointments mid-term to provide an opportunity for elected members to review their appointments; however, Councillors may request changes to their representative appointments at any time. Cr Warren has advised of her resignation from her representative appointments.
- 1.3.** Council is currently investigating options regarding the structure and operation of its Advisory Committees and Working Groups. Until this has been finalised and formally considered by Council, it is recommended that the vacancy on the Cultural Creative Advisory Committee not be filled at this time.
- 1.4.** Representation on TasWaste South is an appointment made to the Mayor (or his nominee) in accordance with Section 27 of the Act. The Mayor has appointed the Deputy Mayor, Cr Ritchie as his nominee for TasWaste South.
- 1.5.** Being statutory bodies which sit outside the Special Committee structure, replacement appointments are now sought for the Audit Panel and Copping Refuse Disposal Site Joint Authority (Proxy Representative).

2. REPORT IN DETAIL

- 2.1.** Council's current committee structure has been in place since 2023. At that time appointments to newly established Special Advisory Committees were made. Councillor appointments were also required for committees or bodies which sat outside Council's Special Committee Structure.
- 2.2.** Cr Warren has advised of her resignation from the following committees/bodies:
- Cultural Creative Advisory Committee;
 - Audit Panel;
 - TasWaste South (Mayor's Nominee); and
 - Copping Refuse Disposal Site Joint Authority (Proxy).
- 2.3.** Council is currently investigating options for a revised committee structure and until this is progressed it is not considered appropriate or necessary to fill the vacancy on the Cultural Creative Advisory Committee.
- 2.4.** As the Audit Panel and Copping Refuse Disposal Site Joint Authority are statutory bodies, it is appropriate to appoint elected members to fill those vacancies.
- 2.5.** Discussion was held with Councillors at a recent workshop regarding appointments to those entities.

3. CONSULTATION

3.1. Community Consultation

Not applicable.

3.2. State/Local Government Protocol

Not applicable.

3.3. Other

Changes to current appointments was discussed at a Council Workshop.

3.4. Further Community Consultation

Not applicable.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Council currently has five Special Advisory Committees to support the achievement of Council's purpose, mission, and vision and to align with Council's key strategies. Consideration of future options for Council's committee structure is currently underway.

5. EXTERNAL IMPACTS

Not applicable.

6. RISK AND LEGAL IMPLICATIONS

6.1. Special Committees are established under Section 24 of the Local Government Act, 1993.

6.2. Section 85 of the Local Government Act requires Councils to establish Audit Panels. Council's Audit Panel has five members, 3 of whom are independent members and 2 are councillors. It is appropriate to appoint a councillor to fill the vacancy on the Panel.

6.3. Section 27 of the Act has as a function of the Mayor to represent the Council on regional organisations and at intergovernmental forums at regional, state and federal levels. The Mayor may delegate such an appointment to his nominee as is the case with representation on TasWaste South. The Mayor has appointed the Deputy Mayor, Cr Ritchie as his nominee for the balance of the current Council term.

6.4. The Copping Refuse Disposal Site Joint Authority is established under Section 30 of the Act. Cr Walker is Council's current representative on the Joint Authority, and it is appropriate to fill the vacancy of Proxy Representative.

7. FINANCIAL IMPLICATIONS

None identified.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

9.1. Cr Warren has advised of her resignation from the following committees/bodies:

- Cultural Creative Advisory Committee;
- Audit Panel;
- TasWaste South (Mayor's Nominee); and
- Copping Refuse Disposal Site Joint Authority (Proxy).

9.2. It is now appropriate to consider appointments of elected members to fill the vacancies on the Audit Panel and Copping Refuse Disposal Site Joint Authority (Proxy Representative) for the balance of the current Council term.

9.3. It is recommended that a replacement appointment to the Cultural Creative Advisory Committee be held over until the review of the future structure of Council's Advisory Committees is finalised.

Attachments: Nil

Clare Shea
ACTING CHIEF EXECUTIVE OFFICER

9. MOTIONS ON NOTICE**9.1 NOTICE OF MOTION – COUNCILLOR GOYNE
PUBLIC OPEN SPACE CLOSURES FOR TOTAL FIRE BAN**

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

“That the CEO hold a Councillor Workshop presentation within the next six months to discuss Council’s decision making processes for public open space closures”.

EXPLANATORY NOTES

Due to recent changes arising from Council’s bushfire management plan, reserve closures have been implemented whenever a total fire ban is declared by the Tasmania Fire Service, despite other Councils not closing their public open spaces because they have different triggers for closures.

This motion requests the Council officers provide a councillor workshop to investigate these additional triggers, discuss reserve closures and this decision-making process, to ensure the best outcomes for our community.

The workshop should also consider how to balance community safety with autonomy.

E Goyne
COUNCILLOR

CHIEF EXECUTIVE OFFICER’S COMMENT

Other Councils may use different triggers for reserve closures or have no closure requirements at all. There is no universal approach. For example, some Councils use “high” or “extreme” fire danger ratings for reserve closures, which are a lesser trigger than a TFS Total Fire Ban declaration. This Council’s approach is based on best practice advice related to risk management considerations and a higher standard of declaration (Total Fire Ban declaration) based on professional advice issued in accordance with statutory requirements applicable to the TFS.

A matter for Council.

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

My question relates to an incident. I was travelling along Kangaroo Bay Drive just before Christmas and witnessed a very large snow gum in a gust of wind fall over and land over the top of a play park with a water feature and as I stopped to look at this I was approached by a man who had been in that spot ninety seconds before the tree fell in that playground right outside the Kangaroo Bay toilets, the jewel in the crown of the play park areas in the city. When I reported the issue to the CEO, I was advised that an examination had shown that the work that had created the play park had interfered with the roots of the tree and that was the cause of the tree falling over. My question is, if that can happen and nearly kill a man and his child who are playing in a council play area what are we doing about finding all these places where these large gum trees are in nature strips and roadwork areas where they are digging up footpaths where we have conducted works which may have the same effect?

Answer

Taken on Notice.

(Further information) Council's investigations indicate that this was a highly unusual failure. Our arborists noted that the small eucalypt tree failed at the root ball, which is atypical given that there were no external indicators—such as visible decay, fungal growth, or leaning—that would typically point to structural concerns during routine inspections.

As Cr Mulder noted, and as our internal review suggests, it is highly probable that the structural integrity of the root system was compromised during the original construction of the play park. Because these impacts occurred underground, they remained hidden from standard visual assessments until the extreme gust of wind occurred.

In response to Cr Mulder's concerns regarding other large gum trees in roadwork and nature strip areas, Council is taking the following proactive steps:

- Prioritising inspections of trees in high-traffic zones concurrent with civil works (footpaths, road upgrades, or drainage) being conducted in the last five years.
- Ensuring that all current and future works are strictly bound by Australian Standard AS4970-2009 (*Protection of trees on development sites*), ensuring that excavation and trenching near root zones are monitored by qualified professionals to prevent "hidden" damage.
- Annually inspecting all trees in and around high use areas such as playspaces, picnic shelters and car parks.

Cr Hulme

1. Mr Mayor, during the item earlier at Reports from Outside Bodies you made reference to the Economic Regulator's draft decision on sewerage and water prices. When the Regulator makes his final decision do the Owners' Representatives have any input into the determination of the dividends and will this matter be workshopped before Clarence puts its decision?

Answer

(Mayor) As owners we do have a degree of influence but clearly there is a Board of Directors. I sit on an advisory group that is associated with TasWater. Clearly there is a lot of work to be done yet so the answer is that TasWater will have to engage, and they will engage with all key stakeholders and key amongst those are the owners so of course the shareholders. That definitely will happen. Also when TasWater went in for this ask the very experienced Chairperson Kevin Young made the comment that he has never in all his years seen the utility get exactly what they asked for from the Economic Regulator so there is an ask here backed up by our annual plan but now we have an opportunity to feed into this, we need this for these reasons but clearly we need to cut our cloth according to what is available but that will be a negotiated outcome between those key parties, the Board and the Owners and let's not forget the State Government is a ten percent owner as well so they are looking for revery GBE to start performing and delivering a dividend to them as well. We will definitely workshop it when we know what is going on.

2. In regard to the concerns that we have just resolved at this meeting to submit about the draft STRLUS, if these concerns are not addressed in the final strategy what can councils, including Clarence, do to ensure that the implementation of STRLUS is consistent and coordinated across the region?

Answer

(Head of City Planning) We are still engaged in a number of working groups with strategic planners etc across the region, so we are constantly in touch with our colleagues looking to co-ordinate as much as possible. However, there are no hearings for the adoption of STRLUS. Whether they choose to do a second round of consultation, I have no idea I imagine it depends on the feedback if it is adopted and declared. In whatever format, Council is bound to consider it in a number of its decision making aspects particularly around when we are looking at supporting or not supporting rezonings in that we must be consistent with the regional land use strategies. So, in that case, even if we disagree with STRLUS we are bound to recognise it. However, it is not so prescriptive that the work that you alluded to that we have to do at a local level, I think our strategies can take cues from it. Some of those issues are beyond our ability to manage such as counting particular land types or land development types in regions other than ours. That is certainly where we will be working with our colleagues in other councils.

Cr James

1. Could I have an update in relation to the works on the corner of Beach and Malunna Road, Lindisfarne? Those funds have been approved by council, and I would just like to know when works will commence.

Answer

(Head of Infrastructure and Natural Assets) I will provide an update to Council, but my understanding is that the last thing done was a brief going out to consultants for the design of the work, so we are not near construction at this stage.

(Further information) Council has received quotations from external consultants to undertake survey and detailed design of the upgrade of the Beach Road and Malunna Road intersection. Upon award of the work to the successful consultant, Council will be provided with an update on the timing of the design phase of the project, to then be ready for Tender preparation.

2. Mr Mayor, I refer to a letter from Jim Garlick who sought Council's advice regarding the lack of lighting from the Bowen Bridge along the East Derwent Highway to the Grasree Hill Road roundabout. I think in your response to Mr Garlick you told him to contact DSG as the appropriate authority. In the past we have actually initiated a letter to an agency so my request is, could we write to DSG regarding some community input and concerns about the lack of lighting on that stretch of road from the Bowen Bridge to Grasree Hill roundabout?

Answer

(Mayor) We would be very happy to write to the Department of State Growth.

Cr Walker

1. Could I ask for the expenditure so far on external consultants in relation to the progression of the Wellbeing Plan, including the consolidation of the other existing plans?

Answer

Taken on notice.

(Further information) Council engaged consultants, The Social Planners through a Request for Quotation process to assist in the review of our suite of social plans and develop a Community Wellbeing Plan. Payments to date to The Social Planners are:

Phase 1 2024-2025: \$35,145

Phase 2 2025 -2026: \$31,787.25

Total to date= \$66,932.25

2. On Friday 9 January, I fielded a media enquiry. It was post the cancellation of the Bellerive beach party. They were wanting someone to speak to them and provide details and fill in some questions to which, as a humble councillor, I forwarded your details, unbeknownst that would not have been a convenient or appropriate time. My question is, with hindsight, do you believe that your carriage of that matter was ideal, and would you be handling it differently should you be away for another three weeks?

Answer

(Mayor) On Friday 9th, you might be aware I spoke with ABC Drive and very clearly put information out on socials, as did our media team, and I spoke with The Mercury. I would be very interested, off line, to know who contacted you because all efforts were taken to talk to the media so we could spread the word. Rather than coming in here on nights like this, you probably should have picked up the phone. It has been a number of weeks since that happened, but I was doing interviews about that issue as you know from my last diary entries. I am happy to have a conversation off line if you let me know who the journo is. I would be very keen to understand the sequence of events because from my perspective everything was covered.

Cr Goyne

1. Recently we have seen some closures of our public open spaces on declaration of a total fire ban. Can I ask if the declaration of a Total Fire Ban is the only reason we are closing those, or if there are other triggers to that decision?

Answer

(Chief Executive Officer) As far as I am aware a Total Fire Ban is the only reason we are doing that, but I will confirm.

(Further information) Recently the predominant reason we have closed reserves is for a Total Fire Ban declaration. However, the Public Places By-Law, allows for the closure of public places by the CEO for safety reasons, protection of a public place, repair, maintenance or improvement of a public place or the conduct of an event or activity permitted under the by-law.

The declaration of a Total Fire Ban by the Tasmanian Fire Service (TFS), in the South East region (of which Clarence is a part), is the trigger for council reserve closures.

The Clarence Bushfire Mitigation Strategy 2024-2034 adopted by Council has a recommendation and an action to develop and implement a Total Fire Ban action plan. The action plan currently implemented was developed based on expert external consultant recommendations.

2. From 1 July, Australia's Industrial Chemicals Environmental Management Standards prohibited the import, manufacture, export, intentional use of 3 specific PFAS chemicals. Last week while auditing some of the chemicals council uses with an environmental scientist there are multiple chemicals used which contain PFAS. When was the last time Council audited the chemicals utilised in our public open spaces?

Answer

Taken on notice.

(Further information) Council conducts reconciliation audits of chemical usage against stock levels multiple times each year. These audits verify chemicals are being applied in correct and compliant quantities. The reconciliation process excludes one off chemical purchases-for example, when an oval requires treatment for a specific pest or weed issue and the exact amount of chemical needed for the single application is purchased with no remaining stock.

In addition to reconciliation audits, detailed chemical application records are maintained for every application undertaken. This ensures traceability, compliance with regulatory requirements, and supports continuous monitoring of chemical use across sites.

All new chemicals are reviewed and approved by council's WHS team prior to purchase. This review ensures each product is safe and suitable for operational use and includes assessment of:

- User health and safety requirements
- Schedule classification
- Safety Data Sheet (SDS) content; and
- Relevant application standards and compliance obligations.

Our last external AgVet Audit conducted by DPIPW was in September 2020, as part of a spot audit program they were running.

Cr Chong

I have had a number of questions recently from people that relate to things that would come out in the Open Space strategy. Do we have an update on when we are likely to see that?

Answer

Taken on notice.

(Further information) The Open Space Strategy is currently being drafted, and it is anticipated that a draft will be presented to the Council and the community for feedback later this year.

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 matters have 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

11.2 PROPERTY MATTERS

These reports have 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:

- 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 17 matters, and that members of the public be required to leave the meeting room”.