

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 20 JULY 2026

HOUR CALLED: 6.00pm

PRESENT: The meeting commenced at 6.01pm with the Mayor (Cr B A Blomeley) in the Chair and with Councillors:

H	Chong
J	Darko
E	Goyne
D	Hulme
R	James
T	Mulder
A	Ritchie
J	Walker
B	Warren; present.

1. APOLOGIES

B	Hunter (Leave of Absence)
W	Kennedy

ORDER OF BUSINESS Items 1 – 11

IN ATTENDANCE

Chief Executive Officer
(Mr I Nelson)

Head of Infrastructure and Natural Assets
(Mr R Graham)

Head of Community and Culture
(Ms T Cockburn)

Chief Financial Officer
(Ms J Murrell)

Head of Strategic Development Communications and Engagement
(Ms G Wicks)

Head of City Planning
(Mr D Marr)

Head of Governance
(Ms C Shea)

Head of Regulatory Services
(Mr R Brennan)

Executive Officer to the Chief Executive Officer
(Ms J Ellis)

The Meeting closed at 8.51pm

COUNCIL MEETING
MONDAY 20 JULY 2026

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11.1 APPLICATIONS FOR LEAVE OF ABSENCE

1. ACKNOWLEDGEMENT OF COUNTRY

The Mayor:

- made 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.”

- invited those present to pause for a moment of quiet reflection and respect before commencing the council meeting.
- advised 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. ATTENDANCE AND APOLOGIES

Refer to cover page.

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.

INTEREST DECLARED: NIL

4. OMNIBUS ITEMS

4.1 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Council Meeting held on 29 June 2026, as circulated, be taken as read and confirmed.

Decision: **MOVED** Cr Chong **SECONDED** Cr Warren

“That the Minutes of the Council Meeting held on 29 June 2026, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

4.2 MAYOR’S COMMUNICATION

- **Former Alderman Doug Doust**

The Mayor acknowledged the recent passing of former Alderman Doug Doust. Doug was an Alderman from 1999-2007 and again from 2011 until 2018. During his terms on Council, he represented Council and the community on numerous committees and organisations.

Doug was also a pharmacist and for many years operated his pharmacy in Clarence Street, Howrah.

On behalf of Council, the Mayor extended condolences to Doug’s family and invited those present to stand for a minute’s silence in honour of Doug.

- The Mayor reported on the following meetings and attendances since the last Council Meeting:

30 June: Sue Seymour regarding Fitness in the Park – Deepak – Urban Kitchen & Grill;
Sky News – Bush Summit – focus on Richmond;
1 July: Tasman Council Chambers Official Reopening;
2 July: Meeting with Eastern Shore Panel & Paint;
Andrew Lyden – Lauderdale Football Club discussions;
3 July: Golden Roos Lunch;
TasWater Expert Advisory Group Meeting;
4 July: The Mercury Interview – Campaign Donations;
7 News Interview – Droughty Point Structure Plan
Ronald McDonald Ball;
5 July: The Mercury Interview – Neil the Seal;
Squash Masters Tournament – Trophy Presentations;
6 July: Flag Raising – piyura kitina for 2026 NAIDOC Week;

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MAYOR'S COMMUNICATION /contd...

- 7 July: Meeting with Dean Winter MP & the Hon. Luke Edmunds MLC;
- 8 July: Warrane Mornington Neighbourhood Centre – Community Breakfast;
Cuppa with a Copper;
Official Opening of Green Leaves Early Learning Glebe Hill;
Celebrating 45 Years of Fujian-Tasmania Sister-State Relations;
- 9 July: Ten Lives Rosny Park Op Shop 1st Birthday & belated Grand Opening;
- 10 July: Mayor's Prize Winner Choice from Open Art Exhibition;
- 11 July: Tasmania Devils social Club – Mental Health Round;
SFL Premier League Senior Men – Lauderdale v Kingborough;
Girl Guides Tasmania State Commissioner Handover Ceremony;
Clarence Zebras Game – guest of the Hon. Luke Edmunds MLC;
- 12 July: Geilston Bay Tennis Club Open – Finals;
Official Opening of the Clarence Open Art Exhibition;
- 13 July: Meeting with Dominoes Basketball;
- 14 July: Meeting with Kristy Lark – Killara Distillery;
- 15 July: Meeting with BEST – update on activities;
Rotary Club of Lindisfarne – Changeover Dinner & AGM;
- 19 July: An Evening of Appreciation – Celebrating Community Service and Dedication –
guest of the Multicultural Women's Council of Tasmania; and
- 20 July: Fr Peter O'Loughlin's 60th Anniversary Mass.

- **Fr Peter O'Loughlin**

The Mayor advised that today he had represented Council at the 60th Anniversary Mass of Priestly Ordination of Fr Peter O'Loughlin who was a long serving and highly respected Priest of the Bellerive-Lindisfarne Catholic Parish. The Mayor tabled a letter he had written to Fr Peter congratulating him on this milestone.

- **Lindisfarne Rotary Club**

The Mayor advised that he had represented Council at the Rotary Club of Lindisfarne's Changeover Dinner and Annual General Meeting on 15 July. The Mayor acknowledged the Club's valuable contribution to the community and took the opportunity to thank all Lindisfarne Rotarians for their commitment to service over the past year, particularly Co-Presidents Peter Fitzgerald and Liz Luck. He wished Peter well as he hands over to Liz who steps up as President and congratulated both Peter and Liz as well as Cr Daniel Hulme on being awarded the Paul Harris Fellow, one of Rotary International's highest honours.

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
Clarendon Vale Youth Precinct Pilchers Hill Reserve Management Plan Pipeclay Esplanade Caretaker Policy	6 July
Confidential Briefings Draft Community Wellbeing Plan Caretaker Policy	13 July

RECOMMENDATION:

That Council notes the workshops conducted.

Decision: **MOVED** Cr Chong **SECONDED** Cr Warren

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

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.

The Chief Executive Officer tabled the following petition which complies with the Act requirements:

- Electronic petition from 341 signatories requesting upgrade of Bayview Park with diverse, high quality play equipment.

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 Walker
Cr Goyne (Proxy)

Quarterly Reports

September and December 2025 and March and June 2026 Quarterly Reports pending.

Representative Reporting

- **TASWASTE SOUTH**
Representative: Cr Ritchie (Mayor's nominee)
Cr Hunter (Proxy)
- **TASWATER CORPORATION**
- **GREATER HOBART COMMITTEE**

REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

NATIONAL FORUM – COUNCILLOR HULME

8TH NATIONAL HOUSING AND HOMELESSNESS FORUM – SYDNEY – 26–29 MAY 2026

Cr Hulme presented his conference report.

OTHER REPORTS

RICHMOND ADVISORY COMMITTEE

- Cr Chong tabled the minutes of the Richmond Advisory Committee Meeting held on 20 May 2026.

4.6 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 29 June and 6 and 13 July 2026 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 29 June and 6 and 13 July 2026 be noted.

Decision: **MOVED** Cr Chong **SECONDED** Cr Warren

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

5. PUBLIC QUESTION TIME

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

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

5.1 PUBLIC QUESTIONS ON NOTICE

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

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

Mr Bradley Walker of Howrah gave notice of the following questions.

1. **SPENDING OF CASH-IN-LIEU FUNDS**
How does council find, assess, determine where Public Open Space cash-in-lieu payments/holdings are spent, and is community input part of this process?
2. **COST OF COLLECTION OF ILLEGAL DUMPED RUBBISH**
Does council keep records of its costs involved with illegal waste/dumpings removals and if so, can it provide totals for the previous 5 financial years?

5.2 ANSWERS TO QUESTIONS ON NOTICE

The Chief Executive Officer provided the following responses to Mr Bradley Walker's questions at Item 5.1.

1. **SPENDING OF CASH-IN-LIEU FUNDS**
In accordance with Council's Public Open Space Policy 2013, utilisation of the Public Open Space fund is to be directed towards longer term strategic land acquisitions and capital improvements of major facilities rather than capital improvements of current assets and not to be used for the maintenance of existing assets or infrastructure. Utilisation of the POS contributions must be determined by resolution of Council through the annual budget or budget variations, not via delegation to the CEO or council officers.

Community Consultation is not undertaken for decisions on when to use the Public Open Space fund as a funding source.

The Public Open Space Policy 2013 can be found on council's website.

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ANSWERS TO QUESTIONS ON NOTICE /contd...**2. COST OF COLLECTION OF ILLEGAL DUMPED RUBBISH**

Council records the costs of collecting and disposing of illegally dumped rubbish and litter through a separate annual project budget. However, reliable figures are only available from 1 July 2023, as these works were previously absorbed within the broader duties of operational crews.

Recorded expenditure for the past three financial years is:

- 2025/26: \$118,080*
- 2024/25: \$107,087
- 2023/24: \$138,482

*The 2025/26 figure is provisional and may be subject to adjustment as part of the end of financial year reconciliation process.

The allocated budget has been underspent in each of the past three financial years. Expenditure has also decreased following the cessation of Council's former hard waste program.

5.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

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

At Council's Meeting of 29 June 2026 Mr B Walker of Howrah asked the following question.

OCEANA PHASE 2 MASTER PLAN

It appears evident that the developer involved with SD 2011/30, more commonly known as Oceana Phase 2 Master Plan, is pursuing to get the final handful of lots on this subdivision signed off by council and the titles released. As this development has been on-going for quite some time can the council please assure the community that all permit conditions and associate plans will be fulfilled before council's sign off for these final lots?

ANSWER

The identified subdivision, SD2011/30 is only one of a number of ongoing staged subdivisions within Clarence. Under the provisions of the Land Use Planning and Approvals Act 1993, the Planning Authority is required to enforce the provisions of the planning scheme, including compliance with condition of permits, within the ambit of its powers. In addition, the Act also requires the Planning Authority to, upon request by the applicant, determine if a permit condition has been satisfied.

Council, acting as a Planning Authority, has issued almost 2200 planning permits since the adoption of the Tasmanian Planning Scheme – Clarence in October 2021 and its obligations are the same with any planning permit, included that nominated.

5.4 QUESTIONS WITHOUT NOTICE

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

Mr M Figg of Lauderdale asked the following question

CARETAKER POLICY

The question is about the section brought forward by the CEO tonight, which is talking about caretaker mode, I notice in that there was no consultation with the public. I ask the question if we have voted for all the councillors here tonight to represent us for the full term and you haven't asked us what we feel about the caretaker mode being installed where if we have a bad, I am not saying this is true, but if we have a bad CEO, which is highlighted in what the CEO is putting forward saying the appointment, dismissal or removal of the Chief Executive Officer's contract can't happen while you are in caretaker mode, what's going on?

ANSWER

The Chief Executive Officer provided the following response

The caretaker policy has been developed to be largely consistent with the proposal put forward by the State Government that was intended to be legislated earlier this year for the upcoming elections in October. Going to your question about the CEO provision in there, that reflects that State Government provision regarding major changes to council structure during a caretaker period so that was one of the express exclusions from a council decision making process during a caretaker period.

Mr V Marsh of Bellerive asked the following question

PARKING REQUIREMENTS - BELLERIVE

Trying to find a parking space in Bellerive village and surrounds during business hours close enough to have safe pedestrian access to doctors, chemists and post office is very difficult particularly for the elderly and people with disabilities who are also fearful of receiving a parking fine. My question is, does the council see the parking requirements for thirteen proposed apartments at the edge of Bellerive village exacerbating the current parking debacle in the area?

ANSWER

The Head of City Planning provided the following response.

If I am correct in understanding the question the apartments that were referred to were approved a number of years ago by council and the issue with regard to adequacy of parking was assessed at that time. That pre-dated me so I probably cannot provide much more than that at the moment, but I am happy to provide further information.

/ contd on Page 14...

QUESTIONS WITHOUT NOTICE /contd...

(Further information) A permit was issued for a mixed-use development at 19 Cambridge Road in 2012. This development commenced work then ceased. The uncompleted work had been the subject of a number of complaints since the work ceased, however, council had no power to force an applicant to continue a development. A new proposal for a mixed-use development, comprising ten apartments and commercial spaces on the site was approved at the Council meeting of 15 May 2023. The proposal provides for 13 car spaces on-site for the residential use, which was considered suitable given the nature of the development and the context of parking in a commercial area. In addition, a cash-in-lieu payment of \$120,000 was required for 12 deficient spaces, including that attributed to the commercial tenancies. This permit has commenced with the demolition of the previous work back to ground-level.

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)

LOCAL PROVISIONS SCHEDULE AMENDMENT AND COMBINED DEVELOPMENT APPLICATION PDPSPAMEND-2022/028417 – 2 PIERS ROAD, GEILSTON BAY, 647 EAST DERWENT HIGHWAY AND 657 EAST DERWENT HIGHWAY, RISDON

(REFER ITEM 7.5)

M/s Dianne Michalkowski addressed the meeting regarding the above application.

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-2026/062166– PARTICULAR PURPOSE ZONE - KANGAROO BAY**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is for Council, acting as Planning Authority, to consider an amendment to the Clarence Local Provision Schedule (LPS) under Section 40D (b) of the *Land Use Planning and Approvals Act 1993* (LUPAA).

The draft amendment seeks to correct an error in the wording of the Visitor Accommodation qualification within clause CLA-P2.4 Use Table of the Particular Purpose Zone - Kangaroo Bay (PPZ) which arose through the translation of the *Clarence Interim Planning Scheme 2015* (CIPS 2015).

RELATION TO PLANNING PROVISIONS

The proposal will impact all properties within the area affected by the PPZ. Visitor Accommodation Uses within the CIPS 2015 were intended to have a discretionary use class within the entire area of the PPZ.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the *Judicial Review Act 2000* and the Local Government (Meeting Procedures) Regulations 2025.

Section 40D of LUPAA provides for the Planning Authority to, of its own motion, prepare a draft amendment to the Clarence Local Provision Schedule (LPS).

In determining this matter, the Planning Authority must consider whether it is satisfied that the draft amendment meets the LPS criteria under Section 34 of LUPAA. As it is of its own motion, there is no statutory timeframe within which the Planning Authority must make a decision.

Section 40I of LUPAA allows a Planning Authority to apply to the Tasmanian Planning Commission (the Commission) to consider an amendment without public exhibition if it is satisfied that the proposal is to correct an error, and that the public interest will not be prejudiced by not advertising the amendment.

CONSULTATION

The purpose of the proposal is to correct an error, which may be considered by the Commission as meeting the requirements of Section 40I Exemption from public exhibition. Discussions have occurred with the Tasmanian Planning Commission who have acknowledged the error.

FINANCIAL IMPLICATIONS

No significant implications.

RECOMMENDATION:

- A. That, pursuant to Section 40D(b) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority resolves to prepare a draft amendment to amend the ordinance wording of clause CLA-P2.4 Use Table of the Particular Purpose Zone - Kangaroo Bay to enable Visitor Accommodation as a discretionary use as detailed in this report.
- B. That pursuant to Section 40F(2) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority certifies that the draft amendment meets the requirements of the Act including the LPS criteria.
- C. That the Planning Authority requests the Tasmania Planning Commission to issue a notice pursuant to Section 40I to dispense with the requirements of public exhibition of the draft amendment as the matter relates to a drafting error.
- D. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

Decision: **MOVED** Cr Ritchie **SECONDED** Cr Chong

"That the Recommendation be adopted".

CARRIED UNANIMOUSLY

7.2 APPLICATION PDPSAMEND-2026/059268 – 82 TRANMERE ROAD, HOWRAH – TO REZONE THE SITE FROM OPEN SPACE ZONE TO GENERAL RESIDENTIAL ZONE**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is for Council, acting as Planning Authority, to consider an amendment to the Clarence Local Provision Schedule (LPS) under Section 40D (b) of the *Land Use Planning and Approvals Act, 1993* (LUPAA).

The draft amendment seeks to reinstate residential zoning to the land at 82 Tranmere Road, Howrah from Open Space Zone to General Residential Zone. The proposal also includes the consequential rezoning of public road casements to the west from Open Space Zone to General Residential zone, in accordance with Tasmanian Planning Commission (Commission) guidelines.

RELATION TO PLANNING PROVISIONS

The property is privately owned and located within a residential neighbourhood with properties to the north, south, and east within the General Residential Zone. A portion of land within the General Residential Zone, associated with 31 Alinta Street, Howrah, separates the subject site of 82 Tranmere Road from land to the east within the Open Space Zone, which is owned by Clarence City Council.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the *Judicial Review Act 2000* and the Local Government (Meeting Procedures) Regulations 2025.

Section 40D of LUPAA provides for the Planning Authority to consider, of its own motion, to prepare a draft amendment to the Clarence Local Provision Schedule (LPS).

In determining this matter, the Planning Authority must consider whether it is satisfied that the draft amendment meets the LPS criteria under Section 34 of LUPAA. As it is of its own motion, there is no statutory timeframe within which the Planning Authority must make a decision.

Section 40I of LUPAA allows a Planning Authority to apply to the Tasmanian Planning Commission (the Commission) to consider an amendment without public exhibition if it is satisfied that the proposal is to correct an error, and that the public interest will not be prejudiced by not advertising the amendment.

CONSULTATION

The purpose of the proposal is to correct an error, which may be considered by the Commission as meeting the requirements of Section 40I Exemption from public exhibition.

FINANCIAL IMPLICATIONS

No significant implications.

RECOMMENDATION:

- A. That, pursuant to Section 40D(b) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority resolves to prepare a draft amendment to rezone the property 82 Tranmere Road, Howrah (identified as Volume 11891 Folio 41) from Open Space Zone to General Residential Zone, including the consequential rezoning of public road easements to the west from Open Space Zone to General Residential zone.
- B. That pursuant to Section 40F(2) of the Land Use Planning and Approvals Act 1993, the Planning Authority certifies that the draft amendment meets the requirements of the Act including the LPS criteria.
- C. That the Planning Authority requests the Commission to issue a notice pursuant to Section 40I to dispense with the requirements of public exhibition of the draft amendment.
- D. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

Decision: **MOVED** Cr Ritchie **SECONDED** Cr James

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

**7.3 DROUGHTY PENINSULA DRAFT STRUCTURE PLAN – PHASE 2
COMMUNITY ENGAGEMENT****EXECUTIVE SUMMARY****PURPOSE**

To present the Droughty Peninsula Draft Structure Plan (the Structure Plan) to Council and request Council approval for the Structure Plan to be released for the Phase 2 community engagement.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2025-2035 and Community Engagement Policy 2020 are relevant. The Structure Plan aligns with Focus Area - 02 Sustainable Growth in Council's Strategic Plan 2025-2035; with finalising the delivery and adoption of the Structure Plan is identified as strategic outcome within the 2026-27 Annual Plan.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Phase 1 engagement for the Structure Plan occurred in mid-2025.

The aim of the Phase 2 engagement to inform the community on how their feedback has been used to inform the Structure Plan. The engagement will also give key stakeholders a further opportunity to discuss proposed implementation and governance recommendations and provide the community with a further opportunity to make submissions.

FINANCIAL IMPLICATIONS

Costs associated with conducting the proposed community re-engagement process is within the existing project budget.

RECOMMENDATION:

That Council endorses the draft Droughty Peninsula Draft Structure Plan for Phase 2 Community Engagement for consultation in accordance with the Droughty Peninsula Draft Structure Plan Community Engagement Plan.

/ Refer to Page 22 for Decision on this Item...

DROUGHTY PENINSULA DRAFT STRUCTURE PLAN – PHASE 2 COMMUNITY ENGAGEMENT /contd...

Decision:	MOVED Cr Hulme SECONDED Cr James	
	“That the Recommendation be adopted”.	
	Cr Mulder Foreshadowed a Motion in the event that the above Motion was Lost.	
	The Motion was put and CARRIED	
	FOR	AGAINST
	Cr Blomeley	Cr Mulder
	Cr Chong	
	Cr Darko	
	Cr Goyne	
	Cr Hulme	
	Cr James	
	Cr Ritchie	
	Cr Walker	
	Cr Warren	

7.4 APPLICATION PDPSAMEND-2024/048902 – REVIEW OF REPRESENTATIONS - 471 CAMBRIDGE ROAD, MORNINGTON AND 528 & 540 PASS ROAD, CAMBRIDGE
--

EXECUTIVE SUMMARY**PURPOSE**

This report has been prepared to consider the representations received during the public exhibition of draft amendment PDPSPAMEND 2024/048902 and the associated draft subdivision permit.

The proposal relates to a request to amend the Clarence Local Provisions Schedule through the rezoning of land and application of a Specific Area Plan, together with a combined subdivision application to enable a five lot subdivision (two residential lots, one public open space lot, one road lot, and one balance lot with two existing dwellings), on land at 471 Cambridge Road, Mornington, and 528 and 540 Pass Road, Cambridge.

LEGISLATIVE REQUIREMENTS

The draft amendment and associated permit were certified and approved for exhibition by the Planning Authority on 11 May 2026 and publicly exhibited in accordance with Sections 40G and 40Z of the Land Use Planning and Approvals Act 1993 (LUPAA). Following exhibition, the Planning Authority is required to undertake an assessment of those representations in accordance with Sections 40K and 42 of LUPAA and make recommendations to the Tasmanian Planning Commission (the Commission).

Such report must be provided within the statutory period which expires on 27 July 2026.

CONSULTATION

Seven representations were received during the exhibition period, comprising four representations from State authorities and three from members of the public.

The representations raise matters relating to transport and access, bushfire hazard management, public open space, residential density, and the statutory basis for the proposed Specific Area Plan.

State authority representations primarily relate to strategic and technical matters, including bushfire considerations and transport planning, and identified a required correction to an advice clause in the draft permit. Public representations raise concerns regarding traffic conditions, access, density, and local amenity.

RECOMMENDATION:

- A. Pursuant to Sections 40K(2) and 42 of the *Land Use Planning and Approvals Act 1993*, the merits of each representation received with regard to the requested amendment of the Clarence Local Provisions Schedule PDPSPAMEND-2024/048902 to rezone 471 Cambridge Road, Mornington and 528 & 540 Pass Road, Cambridge from Rural Living B Zone to General Residential Zone, Open Space Zone, Local Business Zone and apply a Specific Area Plan (the Mornington Park Specific Area Plan) and the associated planning application for a five lot subdivision (two residential lots, one public open space lot, one road lot, and one balance lot with two existing dwellings, which was submitted in accordance with s40T of the Act, is contained in the Associated Report and the Planning Authority considers that modification to the draft amendment or the associated planning permit is not warranted.
- B. Pursuant to Sections 40K(2) and 42 of the *Land Use Planning and Approvals Act 1993*, the Planning Authority is satisfied that the modified draft amendment meets the LPS criteria and no other recommendations to either the draft amendment or the planning permit are warranted.
- C. Pursuant to Sections 40K(1) and 42 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.
- D. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

Decision: **MOVED** Cr Hulme **SECONDED** Cr Mulder

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

7.5 LOCAL PROVISIONS SCHEDULE AMENDMENT AND COMBINED DEVELOPMENT APPLICATION PDPSPAMEND-2022/028417 – 2 PIPER ROAD, GEILSTON BAY, 647 EAST DERWENT HIGHWAY AND 657 EAST DERWENT HIGHWAY, RISDON**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is for the Planning Authority to consider the application made for a combined Amendment to the Clarence Local Provision Schedule (LPS) under Section 37(1) of the *Land Use Planning and Approvals Act 1993* (LUPAA) and development application under Section 40T (1) of LUPAA.

The application relates to land at 2 Piper Road, Geilston Bay (CT: 226109/1), 647 East Derwent Highway, (CT: 115696/1), and 657 East Derwent Highway, Risdon (CT: 61125/1).

The land at 2 Piper Road, Geilston Bay and 647 East Derwent Highway is to be rezoned from Rural Living B to a Particular Purpose Zone – Clarence Lifestyle Village to enable the expansion of the existing residential development (Retirement Village) and associated infrastructure.

The proposal also seeks to consolidate the land at 2 Piper Road, Geilston Bay and 647 East Derwent Highway into one title with the existing right-of-way access over 657 East Derwent Highway, Risdon removed as part of the consolidation.

RELATION TO PLANNING PROVISIONS

The land is currently zoned Rural Living B under the Tasmanian Planning Scheme - Clarence. It is also subject to the following codes: Parking and Sustainable Transport Code, Road and Railway Assets Code, Natural Assets Code, Bushfire-prone areas Code, Flood-prone areas Code and Safeguarding of Airports Code.

The proposed residential development (Retirement Village) would be prohibited under the current provisions of the Local Provisions Schedule (LPS).

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the *Judicial Review Act 2000* and the *Local Government (Meeting procedures) Regulation 2025*.

Section 37 of LUPAA provides for the Planning Authority to consider a request to amend the Clarence LPS. Section 40T of LUPAA provides for the lodging of an application for a permit which would not be allowed if the planning scheme were not amended as requested.

In determining this matter, the Planning Authority must consider whether it is satisfied that the draft amendment meets the LPS criteria under Section 34 of LUPAA. The Planning Authority is required to make a decision in relation to this matter within the statutory period, which expires on 27 July 2026.

CONSULTATION

Unless directed otherwise by the Tasmanian Planning Commission (the Commission), if Council agrees to a request to prepare a draft amendment to the LPS, it will then be subject to public exhibition and open for public comment for a period of 28 days, in accordance with statutory requirements.

FINANCIAL IMPLICATIONS

No significant implications.

RECOMMENDATION:

- A. That, pursuant to Section 38(1) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority is satisfied that the requested amendment of the Clarence Local Provisions Schedule PDPSPAMEND-2022/028417 to rezone 2 Piper Road, Geilston Bay and 647 East Derwent Highway, Risdon from Rural Living Zone B to the Particular Purpose Zone - Clarence Lifestyle Village meets the LPS criteria.
- B. That, pursuant to Section 40F (2) of the Act, the Planning Authority certifies the modified draft amendment as meeting the LPS Criteria.
- C. That, once certified, the Planning Authority will provide a copy of the draft amendment to the Tasmanian Planning Commission, give notice and place the draft amendment on public exhibition for a period of 28 days as required under Section 40H of the *Land Use Planning and Approvals Act 1993*.
- D. That, pursuant to Section 40Y (2) of the *Land Use Planning and Approvals Act 1993*, the planning application for 54 Residential (Retirement Village) Units, Demolition of the Existing Dwelling & Outbuilding at 647 East Derwent Highway and Associated Works at 2 Piper Road, 647 East Derwent Highway & 657 East Derwent Highway, Risdon be approved subject to the following conditions and advice.
 1. GEN 01 – ENDORSED PLANS.
 2. Development must occur in accordance with the recommendations contained within the Clarence Lifestyle Village - Noise Impact Assessment by Noise Impact Consulting, dated 28 October 2024. These measures are to be certified by a recognized Acoustic Engineer or other appropriately qualified person and submitted as part of a Building Permit.
 3. An updated Bushfire Report must be submitted showing the following:
 - All dwellings be designed and built to BAL-12.5 minimum standard under AS 3959:2018,
 - An updated TFS-endorsed bushfire emergency plan drafted in accordance with the current template documents found on the TFS website,
 - All new dwellings be designed with a basic ember protection at a minimum,
 - The whole site must be maintained as a hazard management area,

must be submitted to and approved by Council's Chief Executive Officer or delegate prior to the commencement of the use / prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). When approved, the plans will form part of the permit.

4. Suitable covenants must be included in the Schedule of Easements with respect to:
 - Establishing the 13m setback to the rear (southern boundary) of the subject property an exclusion zone with no new habitable buildings to be built within this zone.
 - the whole site must be maintained in a low fuel state as a hazard management area.

Additional covenants or other controls must not be included on the titles to the lots created by the subdivision where they are in conflict with any provisions of, or seek to prohibit any use provided for within, the relevant Planning Scheme applying to the lot.

5. The proposed non-combustible fence must be designed in accordance with the specifications referred to in the bushfire hazard report and the construction of the non-combustible fence must be implemented as part of the site civil works to the satisfaction of Council's Chief Executive Officer or delegate.
6. A landscape plan must be submitted to and approved by Council's Chief Executive Officer or Delegate prior to the commencement of the use / prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). The landscape plan must be to a standard scale, provide the designer's contact details and be legible when reproduced at A3 size. The landscape plan must clearly document the following:
 - a north point/arrow,
 - existing property information such as building footprints, location of underground and overhead services, boundary lines, outdoor structures, garden beds and fences,
 - existing trees identified, marked clearly as "retained" or "for removal". An outline of tree protection measures – inclusive of calculated Tree Protection Zones in line with AS 4970-2009 – is required for all "retained" trees,
 - existing contours, relevant finished floor levels and any proposed alterations to ground levels,
 - areas of proposed landscape hard work treatments such as driveways, paths, buildings, carparks, retaining walls, edging and fencing,
 - areas of proposed landscape soft work treatments including garden beds and lawns,
 - proposed planting design with locations of individual plants at intended spacing and clearly identified species (use of symbols with a legend or direct labelling of plants preferred),
 - a table listing selected species' botanical names, mature height, mature width, pot size and total quantities,

- avenue type plantings adjacent to the Commerce Road boundary with the inclusion of Ornamental pear species,
- details of proposed ongoing maintenance schedule (e.g. watering, weeding), and
- estimated cost for the installation of landscape works.

Note: Refer to “Preparing Landscape Plans for Development Applications” pamphlet for further information. Installed landscape works (soft and hard) will be inspected for adherence to the approved landscape plan and for quality of workmanship.

7. The detailed landscape plan must be consistent with the hazard management area requirements.
8. ENG M8A – SERVICE EASEMENTS.
9. ENG M8 – EASEMENTS.
10. ENG M1 –DESIGNS DA.
11. ENG A5 – SEALED CAR PARKING.
12. ENG S1 – INFRASTRUCTURE REPAIR.
13. ENG S2 – SERVICES.
14. ENG S11 – SEALING OF SERVICES.
15. ENG S5 - STORMWATER PRINCIPLES.
16. Prior to the issue of Engineering Approval, detailed and coordinated stormwater and flood management design, prepared by a suitably qualified engineer, must be submitted to and approved by Council’s Chief Executive Officer or delegate.

The design must be consistent with the approved development plans and address the relevant findings of the supporting stormwater and flood reports. The design must demonstrate that:

- (a) The proposed drainage, detention and major overland flow systems safely manage the 1% AEP event, inclusive of the adopted climate change allowance.
- (b) Post-development stormwater discharge from the development does not exceed pre-development discharge at the relevant discharge points.

- (c) The cut-off drain, check dams, headwalls, pipe network, detention basins, internal roads and overflow paths are coordinated and adequately designed to safely manage site runoff and external overland flows, including relevant design calculations, hydraulic modelling, longitudinal sections, cross sections, profiles, levels, pipe schedules, basin details and capacity calculations.
- (d) The proposed works do not cause or contribute to adverse flooding, permanent scour or erosion impacts on the site, adjoining land, East Derwent Highway or public infrastructure.
- (e) Finished floor levels and relevant access levels are set in accordance with the approved flood and drainage design, including appropriate freeboard where required.

The submission must include sufficient supporting calculations, modelling outputs and detailed engineering drawings to demonstrate compliance with this condition.

When approved, the amended plans will form part of this permit. If compliance with this condition cannot be demonstrated, the approved development must not proceed in its approved form, and a further planning approval may be required.

17. An erosion and sedimentation control plan, in accordance with the Derwent Estuary Program Soil & Water Management on Building & Construction Sites document, must be submitted and approved by Council's Head of Infrastructure and Natural Assets prior to the commencement of the works / prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). All debris/construction materials must be contained within the property. All works must be carried out in compliance with the approved erosion and sediment control plan or to the satisfaction of Council's Chief Executive Officer or delegate prior to the commencement of works.
18. A weed management plan identifying methods to control weeds, must be submitted to and approved by Council's Head of Infrastructure and Natural Assets prior to commencement of works. The plan must:
 - reference any Weeds of National Significance and Declared Weeds under the Weed Management Act and address the spread of soil-based pathogens in accordance with the Tasmanian Washdown Guidelines for Weed and Disease Control,
 - identify the weed species, initial treatment, on-going management and maintenance period thereof. The plan may include manual removal of larger plants and/or chemical control as recommended by the relevant Government department, and
 - include a detailed breakdown of estimated costs.

The Final Plan and Schedule of Easements for any stage will not be sealed until the weed management plan for that stage has been implemented and maintained to the satisfaction of Council's Head of Infrastructure and Natural Assets. Alternatively, a bond of 1.5 times the estimated cost of works associated with implementing the weed management plan for that stage must be submitted prior to sealing. The bond will be held as security to ensure both development and maintenance of each lot is undertaken in accordance with the approved plan until each of the newly created lots are sold or the management period has expired, whichever comes first. The bond is to be a cash deposit or a bank guarantee.

19. All works must be undertaken generally in accordance with the *Wetlands and Waterways Works Manual* produced by the Tasmanian Department of Primary Industries, Water and the Environment 2003 [copy available at <https://nre.tas.gov.au/conservation/flora-of-tasmania/tasmanias-wetlands/wetlands-waterways-works-manual>].
20. Certificates of Title for subject land, Volume 226109/1 and Volume 115696/1 must be consolidated into one title prior to the issue of a building/plumbing permit or commencement of works, whichever occurs first. To consolidate the titles, the final plan and schedule of easements must be submitted to Council for sealing.
21. The development must meet all required Conditions of Approval specified by TasWater notice dated 05/07/2024 (TWDA 2022/0088 - CCC).

- E. That the permit be accompanied by standard advice.
- F. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

Decision: **MOVED** Cr Ritchie **SECONDED** Cr James

"That the Recommendation be adopted".

CARRIED UNANIMOUSLY

Cr Mulder left the meeting at this stage (7.45pm).

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

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 ELECTION CARETAKER PERIOD POLICY 2026****EXECUTIVE SUMMARY****PURPOSE**

To adopt the Election Caretaker Period Policy 2026 and associated Communication Guidelines covering the upcoming local government election period.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2025 – 2035, strategy 1.3 (Leadership and good governance) is relevant.

LEGISLATIVE REQUIREMENTS

The *Local Government Act 1993* (Tas.) and *Local Government (Code of Conduct) Order 2024* are relevant.

CONSULTATION

The proposed Caretaker Policy and associated Communication Guidelines were discussed at workshops with Councillors invited to provide feedback.

FINANCIAL IMPLICATIONS

Nil.

RECOMMENDATION:

That Council:

- A. Adopts the Election Caretaker Period Policy 2026 and associated Communication Guidelines as set out in Attachment 1 of the Associated Report.
- B. Authorises the Chief Executive Officer to communicate the approved policy with staff, community and key stakeholders.

/ Refer to Page 35 for Decision on this Item...

ELECTION CARETAKER PERIOD POLICY 2026 /contd...

Decision: **MOVED** Cr James **SECONDED** Cr Hulme

“That the Recommendation be adopted”.

Cr Mulder returned to the meeting at this stage (7.48pm).

The **MOTION** was **put** and **CARRIED**

FOR

Cr Blomeley
Cr Chong
Cr Darko
Cr Hulme
Cr James
Cr Mulder
Cr Ritchie
Cr Walker
Cr Warren

AGAINST

Cr Goyne

9. MOTIONS ON NOTICE

9.1 NOTICE OF MOTION – COUNCILLOR GOYNE MANAGEMENT FRAMEWORK – NEIL THE SEAL

In accordance with Notice given, it was:

Decision: **MOVED** Cr Goyne **SECONDED** Cr Walker

“That Clarence City Council:

1. Notes the correspondence from Deputy Mayor Allison Ritchie advocating for a coordinated, non-lethal management framework for Neil the Seal, recognising his significance to Tasmania's natural heritage, the strong community support for his protection, the need to balance animal welfare with public safety, and the benefits of measures such as temporary exclusion zones, public education, inter-agency cooperation, and appropriate penalties for breaches of exclusion zones or actions that compromise animal welfare and safety.
2. Notes the advice from the Chief Executive Officer that the Department of Natural Resources and Environment Tasmania, the City of Clarence and other relevant agencies are developing a comprehensive management plan for future visits by Neil the Seal.
3. Requests that the Chief Executive Officer provide an update to a councillor workshop on the progress of the management plan, including inter-agency roles and responsibilities; proposed public safety, traffic and exclusion zone arrangements; education and communication measures; enforcement mechanisms; resource and funding implications for Council; and opportunities for adoption of the framework by other Tasmanian councils, within this term of council if possible”.

The **MOTION** was **put** and **LOST**

FOR

Cr Goyne
Cr Hulme
Cr James
Cr Ritchie
Cr Walker

AGAINST

Cr Blomeley
Cr Chong
Cr Darko
Cr Mulder
Cr Warren

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 Hulme

1. The Tracks and Trails Accessibility Audit Report has been presented to the Disability Access and Inclusion Working Group and the Tracks and Trails Working Group. It is an excellent report, very comprehensive. I am wondering if it will be made public at some point and if so, when?

Answer

Taken on notice.

(Further information) An update will be provided via a weekly briefing report.

2. As I mentioned earlier, I went for a walk with a Clarence Plains resident around the Clarence Plains Rivulet and Stokell Creek and saw large volumes of illegally dumped rubbish around the place and I understand that some of it has been there for some considerable time. What is Council's approach to cleaning up rubbish dumped on council land?

Answer

(Head of Infrastructure and Natural Assets) I believe that some of that might be private land at Stokell Creek so we will need to identify that. I will talk to our Waste and Sustainability Team and our Compliance Team in terms of identifying exactly where that is and come back to Council.

(Further information) As outlined in the Weekly Briefing Report issued in the week commencing 6 July 2026, reports of dumped rubbish on Council land are investigated by Regulatory Services staff before a work order is raised for removal of the rubbish.

Cr James

1. One of my questions at the last meeting was about the Kangaroo Bay Boulevard development and I thank the staff for the advice that there has been an extension of the permit to 9 November 2027. My question is, Council has quite an involvement as far as monies from the sale of those blocks. Is there any intention that we would receive some interest on that, or does it depend upon when they lodge their development application presumably after the lapse of the date of 9 November 2027?

Answer

(Chief Executive Officer) There has been no agreement about sale amount at this point, we are awaiting a further valuation.

2. Regarding Mornington roundabout there has been quite extensive coverage in the newspapers in relation to this. My question is, Council's road, Cambridge Road, abuts the Mornington roundabout and presumably our involvement is such that our input will be in kind rather than any monetary contribution. Could I have some clarification on that please?

Answer

(Head of Infrastructure and Natural Assets) Similar to the Gordons Hill Road project, we will be a key stakeholder in that. It is probably too early for us to be advised on where the funding or commitments from Council may be requested until the solutions are further down the track.

(Mayor) I met with the Minister for Infrastructure and Transport, The Hon Kerry Vincent MLC and this is one of the items we discussed. I can assure you that the Minister is extraordinarily keen to progress this project. He is as frustrated as we are as is the Federal Member for Franklin because Ms Collins secured the federal contribution two, maybe three, budgets ago now, so we are very keen to progress things. I am informed that Mr Shane Gregory is now back in the Secretary role, and the Minister is very comfortable that that is a good position for Mr Gregory to be in, to champion these causes in the bureaucracy. So hopefully we will get some action but he, like us, is frustrated by the lack of action and he assures me that he is pulling all levers to move things along quickly.

Cr Walker

My question concerns the matter of Freedom of Information requests and how many currently are outstanding, how many unique issues do they pertain to and what is the greatest length of time that a request is currently outstanding?

Answer

(Head of Governance) I understand that we have two Right to Information requests at the moment, they were only received in the last week or so, so not outstanding but I will seek further information and provide that to Council.

(Further information) Council currently has six applications for assessed disclosure under the *Right to Information Act 2009 (Tas.)*. None of the applications are overdue for a decision and will be responded to within the statutory timeframes provided for under the Act. As to the issues they pertain to and whether they are unique issues, that is a matter for the Right to Information delegate.

Cr Goyne

1. I was contacted by a constituent about another serious incident involving violent youths on a bus last Friday in Clarence. The constituents have told me that they are even considering retiring early to avoid having to catch buses. I would appreciate an update on Council's participation in both immediate intervention and long-term strategies to ensure our community feels safe on public transport systems.

Answer

(Chief Executive Officer) Council does not have a lot of direct involvement with Metro or the police in terms of any violence that occurs on buses. The limit of our involvement is generally around the Rosny Bus mall, as the owner.

2. Under section 28A of the Local Government Act the CEO can refuse the request for specific information under certain circumstances. As reflected in tonight's agenda, I have received multiple 28A responses used to decline my questions. Could it please be confirmed whether I am the only Councillor this term to receive these responses on multiple occasions?

Answer

(Chief Executive Officer) Yes.

10.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

11. CLOSED MEETING

Regulation 17 of the Local Government (Meetings Procedures) Regulations 2025 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matter was 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

In accordance with Regulation 17 of the Local Government (Meeting Procedures) Regulations 2025 the reports in the Closed Meeting section of the Council Agenda were dealt with on the grounds that the detail covered in the reports relates to:

- applications by Councillors for a Leave of Absence.

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.

Decision:	PROCEDURAL MOTION MOVED Cr Chong SECONDED Cr Warren “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”. CARRIED UNANIMOUSLY
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The Meeting closed at 8.51pm