



# COUNCIL MEETING AGENDA

NOTICE is hereby given that an Ordinary meeting of the Kingborough Council  
will be held in the Kingborough Civic Centre, 15 Channel Highway, Kingston on  
Monday, 5 December 2022 at 5.30pm

# Kingborough Councillors 2022 - 2026



**Mayor**  
**Councillor Paula Wriedt**



**Deputy Mayor**  
**Councillor Clare Glade-Wright**



**Councillor Aldo Antolli**



**Councillor David Bain**



**Councillor Gideon Cordover**



**Councillor Kaspar Deane**



**Councillor Flora Fox**



**Councillor Amanda Midgley**



**Councillor Mark Richardson**



**Councillor Christian Street**

# QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports contained in Council Meeting Agenda No. 23 to be held on Monday, 5 December 2022 contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendations.



Gary Arnold  
GENERAL MANAGER

Tuesday, 29 November 2022

Public Copy

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## **GUIDELINES FOR PUBLIC QUESTIONS**

### **Section 31 of the *Local Government (Meeting Procedures) Regulations 2015***

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Questions from the public may either be submitted to the General Manager in writing or asked verbally at an Ordinary Council meeting. Any question asked must only relate to the activities of Council [Section 31(2)(b)].

This guideline is provided to assist the public with the requirements of Public Question Time as set out in the *Local Government (Meeting Procedures) Regulations 2015* as well as determinations made by Council. You are reminded that the public question forum is designed to accommodate questions only and neither the questions nor answers will be debated.

#### **Questions on Notice**

Written questions on notice must be received at least seven (7) days before an Ordinary Council meeting [Section 31(1)] and must be clearly headed 'Question/s on Notice'. The period of 7 days includes Saturdays, Sundays and statutory holidays but does not include the day on which notice is given or the day of the Ordinary Council meeting [Section 31(8)].

#### **Questions Without Notice**

The Chairperson of an Ordinary Council meeting must ensure that, if required, at least 15 minutes is made available for public questions without notice [Section 31(3)]. A question without notice must not relate to any matter that is listed on the agenda for that meeting.

A question by any member of the public and an answer to that question is not to be debated at the meeting [Section 31(4)]. If a response to a question cannot be provided at the meeting, the question will be taken on notice and will be included in the following Ordinary Council meeting agenda, or as soon as practicable, together with the response to that question.

There is to be no discussion, preamble or embellishment of any question asked without notice, and the Chairperson may require that a member of the public immediately put the question.

The Chairperson can determine whether a question without notice will not be accepted but must provide reasons for refusing to accept the said question [Section 31 (6)]. The Chairperson may require a question without notice to be put on notice and in writing.

The Chairperson may rule a question inappropriate, and thus inadmissible if in his or her opinion it has already been asked, is unclear, irrelevant, offensive or relates to any matter which would normally be considered in Closed Session. The Chairperson may require that a member of the public immediately put the question.

AGENDA of an Ordinary Meeting of Council  
Kingborough Civic Centre, 15 Channel Highway, Kingston  
Monday, 5 December 2022 at 5.30pm

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**1      AUDIO RECORDING**

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The Chairperson will declare the meeting open, welcome all in attendance and advise that Council meetings are recorded and made publicly available on its website. In accordance with Council's policy the Chairperson will request confirmation that the audio recording has commenced.

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**2      ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

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The Chairperson will acknowledge the traditional custodians of this land, pay respects to elders past and present, and acknowledge today's Tasmanian Aboriginal community.

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**3      ATTENDEES**

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**Councillors:**

Mayor Councillor P Wriedt  
Deputy Mayor Councillor C Glade-Wright  
Councillor A Antolli  
Councillor D Bain  
Councillor G Cordover  
Councillor K Deane  
Councillor F Fox  
Councillor A Midgley  
Councillor M Richardson

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**4      APOLOGIES**

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Councillor C Street

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**5      CONFIRMATION OF MINUTES**

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**RECOMMENDATION**

That the Minutes of the open session of Council Meeting No. 22 held on 21 November 2022 be confirmed as a true record.

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**6      WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

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28 November      -      Sportsground User Fees

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## 7 DECLARATIONS OF INTEREST

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

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## 8 TRANSFER OF AGENDA ITEMS

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Are there any items, which the meeting believes, should be transferred from this agenda to the closed agenda or from the closed agenda to the open agenda, in accordance with the procedures allowed under Section 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

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## 9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

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## 10 QUESTIONS ON NOTICE FROM THE PUBLIC

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### 10.1 Responsible Person Conducting a Business or Undertaking at Council

At the Council meeting on 21 November 2022, **Mr Michael Rowan** asked the following question without notice to the Acting General Manager, with a response that the question would be taken on notice:

*Noting that the Council itself is the employer of the staff of the Kingborough Municipal Administration, but under the Tasmanian Work Health and Safety Act 2012, an elected member of the local authority does not in that capacity conduct a business or undertaking. Who carries the responsibility under that Act that arises from being a person who conducts a business or undertaking?*

#### Officer's Response:

The General Manager is the responsible officer.

*Gary Arnold, General Manager*

### 10.2 Bushfire Readiness

**Mr Charles Biggins** submitted the following question on notice:

Further to my Questions Without Notice, KC Council Meeting 21 Nov 22, item 9.3 Bushfire Readiness :

The following Questions on Notice relate to the Risk Statement and Treatments that Council have been held responsible for in the "Register of risks and treatments strategies" of the Kingborough Municipal Emergency Management Plan (MEMP), "KC 03.01, There is a risk of bushfire causing damage to residential, rural, commercial and community properties and assets and human life".

The following Treatments are amongst the stated Responsibility of Council :

- "enforcement of abatement notices"
- "maintain firebreaks (autumn/winter)"
- "ensuring ongoing maintenance of fire-protection zones around dwellings"

The Timeframe for all of the above Treatments is listed as “Ongoing”, which is further defined in the MEMP as “Ongoing: continuously monitor the adequacy of existing arrangements to mitigate the risk, or as described in the table”

Can you please report on the above Treatments that have been prescribed to Council and who’s adequacy has been continuously monitored as per the MEMP.

1. the number of Fire Abatement Notices issued over the last year and the total area abated.
2. are the Councils own firebreaks maintenance to the TFS guidelines for FireBreaks.
3. the number and frequency of compliance checks of fire protection zones around residential, rural, commercial and community properties.

**Officer’s Response:**

1. Concerning fire risk on private land, between 28 November 2021 and 28 November 2022, Council has issued 20 abatement notices pursuant to the *Local Government Act 1993*. Council does not record the total area of private land abated.

The issuing of abatement notices is not necessarily indicative of good fire risk reduction practices. In accordance with Council’s endorsed Fire Risk Abatement Policy, Council undertakes a proactive and reactive fire risk reduction campaign leading up to, and over the duration of the fire season (approximately October to March each year, subject to environmental factors). Council’s proactive activities consists of early engagement with land holders who have known historic fire risk, or strategically assessed fire risk. This allows land owners to take early action and abate fire risk prior to the height of the bush fire season. Council officers conduct inspections of historic and strategic fire risk throughout the fire season, and maintain dialogue with landowners in order to sustain reduced fire risk. Over the previous fire season (21/22) and the current fire season (22/23) Council has issued 130 proactive advice notifications.

2. Council maintains its fuel breaks twice per year during the bushfire season (November to March).

The breaks are maintained to the TFS recommended bushfire fuel management standard but not necessarily to the widths derived from using the TFS Fuel Break Design tool. Many of Kingborough Council’s bushland reserves are narrow and linear and do not lend themselves to application of the TFS Fuel Break Design Tool. As stated in the TFS Fuel Break Guidelines ‘Fuel break specifications calculated by the design tool will not guarantee life or property protection in all bushfire scenarios, and therefore cannot be relied upon as the only means for managing bushfire risk’.

Additionally, fuel breaks in some reserves are maintained in accordance with fire management plans written by fire practitioners specifically for that reserve.

Council’s bushfire officer conducts inspections of all breaks before and after maintenance is conducted each bushfire season.

3. Council does not provide a comprehensive property inspection service but reactively responds to community or officer initiated fire risk concerns, within its available resources.

*Meg Lorang, Bushfire Management Officer*

*Scott Basham, Compliance Coordinator*

### 10.3 Kingborough Interim Planning Scheme

**Ms Jo Landon** submitted the following question on notice:

1. *On page 20 of the meeting agenda of 21 November 2022, the officer's report refers to "the proposed urgent amendment". However during the discussion in the meeting the Manager Development Services explained that they were not seeking an urgent amendment, just the normal amendment. Please could you clarify whether or not Council sought an urgent amendment? Is the request being processed as an urgent amendment?*
2. *If an urgent amendment was either requested by Council or deemed appropriate by the TPC, why was it considered urgent?*
3. *If the amendment hasn't been deemed urgent, why is Council seeking to avoid the 28 day minimum public exhibition period?*
4. *The dispensation of the public exhibition requirement removes the opportunity for the community to comment on those revised policies, before the new versions become incorporated documents and part of the planning scheme.*
5. *Did the latest or earlier versions of the Kingborough Biodiversity Offset Policy and the Kingborough Public Open Space Policy go out for community consultation at any point? If so please could you share the reports.*
6. *The changes to the two policies aren't all of just a clerical nature, there are some important changes to the guidelines and procedures, including new terms and increased cost of offsets. In the discussion at the meeting it was stated that the content of the policies would not be considered a relevant matter and could not be commented on in a representation at the public exhibition stage. Is that correct? If the content of the revised policies isn't considered relevant at the public exhibition stage, what aspects of the amendment are considered relevant during the public exhibition stage?*
7. *By incorporating the revised policies into KIPS 2015, does this mean that these policies will automatically transfer to the LPS in the Tasmanian Planning Scheme without opportunity for public feedback?*

\* Paragraphs numbered for ease of reference

#### **Officer's Response:**

1. As per the Council Agenda report (21 November 2022) the request to initiate a Planning Scheme Amendment was not applied for as a s30IA of the former provisions of the *Land Use Planning and Approvals Act 1993* (LUPAA), 'Urgent Amendments of an Interim Planning Scheme'. The Amendment was made under s34(1)(b) of the former provisions of LUPAA.
2. Not applicable, the request to initiate was not an 'urgent amendment'.
3. Paragraph 7.2 of the report to Council outlined the reasons that may be put forward to the Tasmanian Planning Commission (TPC). However, in addition to that, it was suggested by the TPC that a request to dispense the public exhibition period could be made, given the nature of the amendment, however they noted that the request would need to be considered. To further expand on the reasons in the report, we advise that given that the policies already exist and are referenced in the Scheme, it is deemed that the public exhibition would serve no real purpose. It is important to understand that the amendment and the public exhibition would not be considering the content or effect of the Policies – it only considers the applicable referencing within the Scheme. The reason is that the Policies and their content and application sit outside the Planning Scheme and their link and reference has already been approved by the State Government (even without the amendment).
4. Neither of the two policies were subject to formal public consultation when they were reviewed, however Council did undertake consultation on the review of the Biodiversity Offset Policy in



2022 with experts, including independent consultants, Government agencies and NGOs and their feedback was integrated into the revised Policy. Council's Agenda of 15 November 2021 and 15 August 2022 provides an overview of the revisions made.

The previous update of the policies in the Planning Scheme took place in 2020 and it was subject to public exhibition as per the statutory requirements. The planning scheme amendment was initiated on 9 June 2020. The amendment was subject to public consultation for 28 days between 17 June 2020 to 15 July 2020. Only 1 submission was received from TasWater, indicating no objection. The TPC requested re-exhibition of the planning scheme amendment to ensure that the public is made aware of the content of the policies (and other documents that were being updated in the scheme). The second round of public exhibition occurred between 23 September 2020 and 18 November 2020. No submissions were received as part of the second round of exhibition. The TPC's decision as consideration of the scheme amendment is available on the [Austlii website](#) (external link).

5. Incorporating the most recent versions of the policies in the Planning Scheme does not give the policies effect, however it gives Council head of power to pull up the policies when considering planning applications and issuing development permits. Representations on the policy content is likely to have little purpose as it has already been endorsed by Council.
6. As per the above, there is considered to be no reason, hence why Council requested a dispensation of the exhibition requirements. The final decision about the exhibition requirements will be made by the TPC.
7. No. Council will have to formally request that the most recent version of the incorporated list (where appropriate) be transferred to the LPS. The LPS will be subject to public exhibition and that will include the opportunity to comment on the use of any incorporated documents in the new scheme.

*Tasha Tyler-Moore, Manager Development Services*

#### **10.4 Bushfire Readiness**

At the Council meeting on 21 November 2022, **Mr Charles Biggins** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

*Regarding Kingborough's Bushfire Readiness, can you please detail Council's own Bushfire Mitigation Program – budget, hectares of fire breaks maintained, the kilometres of fire trails maintained, the kilometres of rural roadside vegetation cleared to an emergency evacuation standard?*

#### **Officer's Response:**

##### ***Background to bushfire risk mitigation on Council owned or managed land***

The total land area of the Kingborough Municipality is 72000 hectares. Of this, Council owns/manages a total of 650 hectares of bushland. This is 0.01% of the total Kingborough land area.

Council owns additional bushland adjoining Wellington Park land (approx. 2000 ha) which is managed by City of Hobart.

Including the Wellington Park land managed by the City of Hobart the total 2650 ha land area owned by Council as a proportion of total Kingborough land area is 0.03%

The vast majority of the municipality is held in private ownership.

***Bushfire Mitigation Program***

Council has a Bushfire Risk Reduction Strategy for Council owned and managed land, together with an Implementation Plan to guide mitigation activities outlined in the Strategy. Council also has several bushfire related policies, reserve fire management plans and a set of Standard Operating Procedures for conducting burning on Council land.

Council undertakes bushfire mitigation activities in its reserves on an annual basis with breaks and trails being maintained twice throughout the bushfire danger period each year (usually November to March).

Council's Bushfire Officer regularly attends Regional Fire Management Area Committees (Southern and Hobart FMAC's). FMACs provide a forum for a range of land management stakeholders (TFS, PWS, local government, TasNetworks, STT etc) to work together to manage bushfire fuels for the mitigation of bushfire risk.

***Bushfire Mitigation Program Budget***

The annual budget for Council's Bushfire Mitigation Program is \$135k excluding the salary component.

***Hectares of fire breaks maintained***

Council maintains 15 fuel breaks. The purpose of fuel breaks is to provide an area of reduced fuel which is designed to reduce the intensity of a fire next to assets.

The width of each break varies from reserve to reserve making a precise calculation of their area difficult. A reasonable estimate would be 6.5 ha.

Council also manages 4 Hazard Management Areas (HMAs) with a total area of 1 ha. These are areas directly adjacent to assets which are maintained in a low fuel state throughout the fire season (i.e., grass cut short).

***Kilometres of fire trails maintained***

Council maintains a total of 3.4 km of fire trails.

***Kilometres of rural roadside vegetation cleared to an emergency evacuation standard?***

Council does not currently manage any roadside vegetation for fire. A bushfire roadside risk assessment has recently been conducted for Council's roads network, using grant funding obtained under the Natural Disaster Risk Reduction Grants Program. The roads risk assessment (due for finalisation at the end of the year) will prioritise roadside locations that may require mitigation work.

There is no emergency evacuation standard for roadside vegetation clearing. Construction of new roads in bushfire prone areas, such as new subdivisions, are required to comply with strict design standards for bushfire safety. The Tasmania Fire Service has recently released guidelines for Roadside Management for Bushfire Risk Mitigation. At a minimum TFS recommends vegetation adjacent to roads should be managed to the following standards:

- Horizontal clearance of 2 meters either side of the carriageway
- Vertical clearance of 4 metres above the carriageway and roadsides.

*Meg Lorang, Bushfire Management Officer*

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**11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

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**12 QUESTIONS ON NOTICE FROM COUNCILLORS**

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**12.1 CLIMATE ACTION**

**Cr Cordover** submitted the following question on notice:

*Are there any updates regarding Council's role supporting the Kingborough Resilience Working Group to promote a safe, sustainable and resilient community through practical planning for risk mitigation preparedness and recovery as mentioned on page 24 of the Annual Report? It said in the Annual Report that this is ongoing as opposed to on target.*

**Officer's Response:**

The Community Resilience Working Group was disbanded a number of years ago as it was difficult to attract membership. Instead work is done with individual community groups or special interest groups as this has proven to be far more effective in engaging community members. For example, the most recent activity was an emergency preparedness session for horse owners at the Huntingfield Pony Club. Whilst information helped horse owners prepare their animals for evacuation information was also shared about how to prepare yourself and your family (understanding risk, emergency warnings etc).

*Belinda Loxley, Emergency Management Coordinator*

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**13 PETITIONS STILL BEING ACTIONED**

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There are no petitions still being actioned.

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**14 PETITIONS RECEIVED IN LAST PERIOD**

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At the time the Agenda was compiled no Petitions had been received.

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## 15 OFFICERS REPORTS TO COUNCIL

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### 15.1 KINGBOROUGH LGBTIQA+ ACTION PLAN

**File Number:** 5.546

**Author:** Melissa Staples, Community Development Officer

**Authoriser:** Dr Samantha Fox, Director Environment, Development & Community Services

#### Strategic Plan Reference

Key Priority Area: 1 Encourage and support a safe, healthy and connected community.

Strategic Outcome: 1.1 A Council that engages with and enables its community.

#### 1. PURPOSE

- 1.1 The purpose of this report is to seek endorsement of the *Kingborough LGBTIQA+ Action Plan 2023-2025* (Attachment 1).

#### 2. BACKGROUND

- 2.1 Kingborough Council is seeking to better understand and address the needs of our lesbian, gay, bisexual, transgender, intersex, queer/questioning and asexual communities (LGBTIQA+).
- 2.2 This builds on years of work by members of the Kingborough/Huon Valley *Coming Out Proud Program*, a longstanding partnership that commenced in 2005 with Rainbow Communities Tasmania Inc.
- 2.3 In June 2022, Council established an LGBTIQA+ Working Group to guide consultation and inform development of a Kingborough LGBTIQA+ Action Plan. The eight-member working group was chaired by Cr Midgley, with Cr Glade-Wright as Deputy Chair and included community representatives.
- 2.4 An online, anonymous survey was created by the Working Group to seek information from members of the LGBTIQA+ community, their family, friends, allies and organisations that support this community, as well as members of the general public.
- 2.5 The survey was open between 12 July and 12 August 2022 and was promoted through print media, social media, Council's website and direct email to community contacts, schools, sporting groups and LGBTIQA+ advocacy groups. A total of 162 individuals completed the survey with the majority (63%) identifying as being LGBTIQA+.
- 2.6 Based on the themes arising from the consultation, a draft *Kingborough LGBTIQA+ Action Plan 2023-2025* was developed.
- 2.1 The Kingborough LGBTIQA+ Engagement Report and the draft Action Plan were released for community and stakeholder feedback between 3 and 28 October 2022. Following consultation, the Action Plan and Engagement Report were separated into two documents, with minor amendments made.

### 3. STATUTORY REQUIREMENTS

- 3.1 There are no statutory requirements that relate to this matter.

### 4. DISCUSSION

- 4.1 The Action Plan includes four main themes - the need for greater understanding; celebration and visibility; feeling safe, heard and having a supportive place; and equal access.
- 4.2 The Action Plan includes 30 actions, with 20 for immediate action and 10 requiring further consideration.
- 4.3 Subject to Council's endorsement, implementation of the Action Plan will be managed by the Community Services team, in consultation with other Council departments.

### 5. FINANCE

- 5.1 To implement the projects detailed in the Action Plan, a budget of \$20,000 is required over two financial years. Allocation of funding towards implementation is subject to 2023-24 and 2024-25 Council Budget processes.

### 6. ENVIRONMENT

- 6.1 There are no environmental risks to Council.

### 7. COMMUNICATION AND CONSULTATION

- 7.1 Consultation to develop the Action Plan was led by the Working Group, which also provided input into the Action Plan.
- 7.2 Detailed findings from the first stage of consultation (the online survey) are summarised in the Engagement Report at Attachment 2.
- 7.3 A small number of comments were received on the draft Action Plan during the second stage of consultation. All feedback was positive. Equality Tasmania, through President Rodney Croome, commented that, *"The plan is unprecedented. No other Council in Tasmania has gone to such trouble to find out what the local LGBTIQ+ community wants and to develop a draft action plan in response. We are very supportive of what you have done. Congratulations!"*

### 8. RISK

- 8.1 Endorsement of the Action Plan will demonstrate Council's commitment to creating a community that is inclusive, safe, welcoming, and respectful. However, it may create expectations that Council will immediately implement all actions in the Action Plan, with community backlash possible if actions are unable to be implemented in a timely manner.

### 9. CONCLUSION

- 9.1 Kingborough Council consulted with members of the LGBTIQ+ community, stakeholders, community organisations and the public to develop the *Kingborough LGBTIQ+ Action Plan 2023-2025*.
- 9.2 The *Kingborough LGBTIQ+ Action Plan 2023-2025* is recommended for endorsement by Council, with implementation subject to future budgetary processes.



## 10. RECOMMENDATION

That Council endorse the *Kingborough LGBTIQA+ Action Plan 2023-2025*.

## ATTACHMENTS

1. LGBTIQA+ Action Plan 2022
2. LGBTIQA+ Engagement Report 2022

Public Copy

Kingborough

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**LGBTIQA+  
ACTION PLAN  
2023 - 2025**

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**PREPARED BY**  
Kingborough Council

**November 2022**

## BACKGROUND

During 2022, Kingborough Council consulted with the lesbian, gay, bisexual, transgender, intersex, queer and asexual (LGBTIQA+) community to better understand local experiences and needs.

This consultation took into consideration years of work by members of the Kingborough/Huon Valley *Coming Out Proud Program*, which has been a longstanding partnership that commenced in 2005 with Rainbow Communities Tasmania Inc.

A working group was established that included representatives from the local LGBTIQA+ community and Council staff. The working group developed questions to be included in an online, anonymous survey to seek information from members of the LGBTIQA+ community, their family, friends, allies and organisations that support this community, as well as members of the general public.

The survey sought demographic information, perceptions of Kingborough, experiences in Kingborough, and experiences with Kingborough Council. A total of 162 people completed the survey between 12 July and 12 August 2022.



Four broad themes emerged for improving services and quality of life for LGBTIQA+ people who live, work, study and recreate in Kingborough.

Feedback received from the survey was used to produce this LGBTIQA+ Action Plan 2023 – 2025, which identifies actions against each of the themes.

Kingborough Council is extremely grateful to the members of our community and advocacy organisations that supported Council in developing the Action Plan.

Council is committed to implementing the LGBTIQA+ Action Plan 2023-2025, and continuing to engage with our LGBTIQA+ community.

## MAIN THEMES

-  **Greater Understanding:** To understand the experiences and needs of our LGBTIQA+ community members and respond in a way that is inclusive and welcoming.
-  **Celebration and Visibility:** To ensure that LGBTIQA+ members of our community feel seen and valued. We can do this through celebrating special days of significance, hosting festivals, flying the rainbow flag or wearing an ally badge to provide acknowledgement, recognition, and support.
-  **Feeling Safe, Heard and Having a Supportive Place:** To create and advocate for spaces where people of all cultures, genders, backgrounds, ages and abilities can feel safe and welcome. LGBTIQA+ people, their families, friends and allies need to feel heard and represented in all areas of life in Kingborough.
-  **Equal Access:** To be mindful in the provision of services and facilities that being treated with equality, respect and dignity is a human right for any member of our community.



## Kingborough LGBTIQA+ Action Plan 2023 – 2025

The Kingborough LGBTIQA+ Action Plan 2023 – 2025 aligns with Kingborough Council's Strategic Plan 2020 – 2025, which aims to:

1. Encourage and support a safe healthy and connected community
2. Deliver quality infrastructure and services
3. Sustain the natural environment whilst facilitating development for our future.

### 1. Greater Understanding

#### Immediate Actions

- 1.1 Contact local state schools and private schools to inform them of the options and actions they can take for LGBTIQA+ Inclusion training for staff and students.
- 1.2 Engage with 'Working it Out' to conduct LGBTIQA+ Inclusion training for front line Council staff, management, and elected representatives.
- 1.3 Engage with 'Working it Out' to conduct a limited number of LGBTIQA+ Inclusion workshops for community members as part of Council's Learning for Life program.
- 1.4 Liaise with relevant stakeholders to encourage LGBTIQA+ inclusion training with members of the Kingborough business community through the Kingborough/Huon Business Enterprise Centre.
- 1.5 Seek opportunities to provide positive news stories and articles to raise awareness of the LGBTIQA+ community in the local media.
- 1.6 Send a copy of the Kingborough LGBTIQA+ Engagement Report and Action Plan to relevant organisations such as Department of Education, Department of Health, Local Government Association of Tasmania, Tasmanian Chamber of Commerce and Industry, and Small Business Council to inform them of the findings and actions.

#### Actions Requiring Further Consultation

- 1.7 Investigate the formation of a Diversity and Inclusion Reference Group to inform Council on matters to ensure inclusion and access, including the implementation of the LGBTIQA+ Action Plan.



## 2. Celebration and Visibility

### Immediate Actions

- 2.1 In accordance with Council's policy, fly flags to mark/celebrate significant events on the calendar throughout the year e.g. TasPride Festival, Trans Day of Visibility, IDAHOBIT, Wear It Purple Day, Bi Visibility Day, Intersex Awareness Day and Trans Day of Remembrance.
- 2.2 Engage with members of the local LGBTIQ+ community to learn what types of events and workshops could be held in Kingborough to celebrate diversity and promote inclusivity.
- 2.3 Collaborate with members of the local LGBTIQ+ community to hold an annual event at the Kingborough Community Hub to celebrate diversity and promote inclusivity.
- 2.4 Ensure Kingborough's website, social media, marketing and printed material includes images of the diverse range of people who live, work, study and play in the municipality.
- 2.5 Allow provision for Council staff to add their pronouns on Council emails.
- 2.6 Develop a symbol that will go on all Council's posters and event advertising materials that promotes inclusivity.

### Actions Requiring Further Consultation

- 2.7 Work towards Signpost ([www.signpost.org.au](http://www.signpost.org.au)) for LGBTIQ+ inclusion in Council buildings including Civic Centre, Kingborough Community Hub, Kingborough Sports Centre and Kingborough Fitness Centre.
- 2.8 Encourage local business to list on Signpost to promote their business as being an inclusive, welcoming space.
- 2.9 Work towards the provision of ally badges for front facing staff and all staff who work closely with the community, on completion of LGBTIQ+ Inclusion training.

### 3. Feeling safe, heard and having a Supportive Place

#### Immediate Actions

- 3.1 Engage with members of Youth Action Kingborough to explore the viability and pilot of an ongoing LGBTIQA+ youth group.
- 3.2 Investigate options to promote LGBTIQA+ advocacy services through Council news stories for better public awareness.
- 3.3 Continue to advocate to the Tasmanian Government for onsite mental health services (for children, young people and adults) to be included in the stage 2 development of the Kingston Community Health Centre.
- 3.4 Continue to advocate to the Tasmanian Government for a 24-hour police presence in Kingston and request the inclusion of an LGBTIQA+ Liaison Officer.
- 3.5 Continue to advocate to the Tasmanian Government for safety improvements to public transport infrastructure.
- 3.6 Engage with 'Working it Out' to advocate with LGBTIQA+ inclusive health service providers to outreach to Kingborough.

#### Actions Requiring Further Consultation

- 3.7 Engage with Working it Out to further investigate ways to make the Kingborough Sports Centre and Kingborough Fitness Centre more inclusive.
- 3.8 Engage with members of the LGBTIQA+ community to gain a deeper understanding of the needs for a 'safe place'.
- 3.9 Develop a responsible event booking and venue hire policy to ensure that Council's facilities and spaces are safe and welcoming.

#### **4. Equal Access**

##### **Immediate Actions**

- 4.1 Investigate the potential for all new public toilets to have at least one universal equal access bathroom.
- 4.2 Update and replace signage on all universal toilets to indicate that they are also gender inclusive.

##### **Actions Requiring Further Consultation**

- 4.3 Investigate the creation of a gender inclusive change room at the Kingborough Sports Centre.
- 4.4 Explore the potential of auditing Council forms, documents and procedures to ensure that language is gender neutral.
- 4.5 Explore the development of a Council Style Guide that refers to the use of non-gendered language.

Kingborough

**LGBTIQA+  
ENGAGEMENT  
REPORT 2022**

**PREPARED BY**  
Kingborough Council

**November 2022**

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## Glossary

**Asexual** - A lack of sexual attraction to others, or low or absent desire for sexual activity or relationships. Some asexual people still pursue romantic relationships with others, however, sex is not experienced as a key part of their identity and/or connection with others.

**Bisexual** - An individual who is sexually and/or romantically attracted to people of the same gender and people of another gender. Bisexuality does not necessarily assume there are only two genders.

**Cisgender** - A term describing people whose gender identity corresponds with the cultural expectations based on the sex they were assigned at birth.

**Gay** - An individual who identifies as a man and is sexually and/or romantically attracted to other people who identify as men. The term gay can also be used in relation to women who are sexually and romantically attracted to other women.

**Gender** - Refers to how you understand who you are and how you interact with other people. Many people understand their gender as being female or male. Some people understand their gender as a combination of these or neither. Gender can be expressed in different ways, such as through behaviour or physical appearance.

**Gender diversity** - Acknowledges that there are many different ways to identify outside of the binary of male and female. A person's gender identity refers to their deeply held internal and individual feeling of gender.

**Heterosexual** - An individual who is sexually and/or romantically attracted to the opposite gender.

**Intersex** - Refers to people with innate variations of sex characteristics (genetic, hormonal or physical) that do not conform with medical norms for female or male bodies. Being intersex is a naturally occurring variation in humans and there are lots of ways someone can be intersex. Not all people with such characteristics identify as intersex.

**Lesbian** - An individual who identifies as a woman and is sexually and/or romantically attracted to other people who identify as women.

**LGBTIQA+** - An acronym for lesbian, gay, bisexual, transgender, intersex, queer/questioning and asexual and other people of diverse sexual orientations and gender identities. This acronym is widely used and has been adopted by all Tasmanian Government departments, however, there are other terminologies and expressions that people use.

**Non-binary** - Refers to someone who does not identify as exclusively male or female.

**Queer** - A term people often use to express fluid identities and orientations. Some people use queer to describe their own gender and/or sexuality if other terms do not fit. For some people, especially older people, 'queer' has negative connotations, because in the past it was used as a derogatory term.

**Pansexual** - A sexual orientation describing people who are sexually, romantically, and/or emotionally attracted to any people regardless of their gender identities.

**Sex** - The legal status that was initially determined by sex characteristics observed at birth.

**Sex characteristics** - A person's physical sex features such as their chromosomes, hormones and reproductive organs.

**Sexual orientation** - Describes a person's physical, romantic, and/or emotional attraction to another person.

**Transgender (trans)** - An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. Being transgender does not imply any specific sexual orientation. Transgender people may identify as straight, gay, lesbian, bisexual, etc.



## Consultation Summary

During 2022, Kingborough Council consulted with the lesbian, gay, bisexual, transgender, intersex, queer and asexual (LGBTIQA+) community to better understand local experiences and needs.

This consultation took into consideration years of work by members of the Kingborough/Huon Valley *Coming Out Proud Program*, which has been a longstanding partnership that commenced in 2005 with Rainbow Communities Tasmania Inc.

A working group was established that included representatives from the local LGBTIQA+ community and Council staff. The working group developed questions to be included in an online, anonymous survey to seek information from members of the LGBTIQA+ community, their family, friends, allies and organisations that support this community, as well as members of the general public.

The survey sought demographic information, perceptions of Kingborough, experiences in Kingborough, and experiences with Kingborough Council. A total of 162 people completed the survey between 12 July and 12 August 2022.



Survey respondents were offered the opportunity to participate in a follow-up, face-to-face focus group. Only one person sought to be involved in this focus group.

Through the contributions made by members of the LGBTIQA+ community, as well as their family, friends and allies, four broad themes emerged for improving services and quality of life for people who live, work, study and recreate in Kingborough.

Feedback received from the survey was used to produce the LGBTIQA+ Action Plan for Kingborough Council 2023 – 2025, which identifies actions against each theme.

Kingborough Council is extremely grateful to the members of the community and the advocacy organisations that supported Council in developing the Action Plan.



## MAIN THEMES

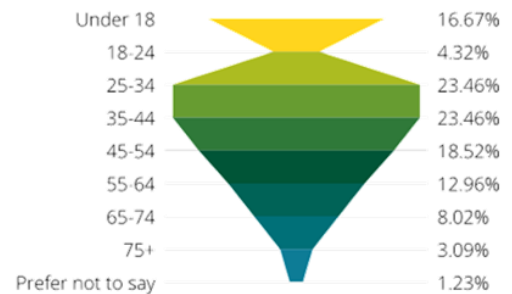
-  **Greater Understanding:** To understand the experiences and needs of our LGBTIQA+ community members and respond in a way that is inclusive and welcoming.
-  **Celebration and Visibility:** To ensure that LGBTIQA+ members of our community feel seen and valued. We can do this through celebrating special days of significance, hosting festivals, flying the rainbow flag or wearing an ally badge to provide acknowledgement, recognition, and support.
-  **Feeling Safe, Heard and Having a Supportive Place:** To create and advocate for spaces where people of all cultures, genders, backgrounds, ages and abilities can feel safe and welcome. LGBTIQA+ people, their families, friends and allies need to feel heard and represented in all areas of life in Kingborough.
-  **Equal Access:** To be mindful in the provision of services and facilities that being treated with equality, respect and dignity is a human right for any member of our community.

## Demographics of Survey Respondents

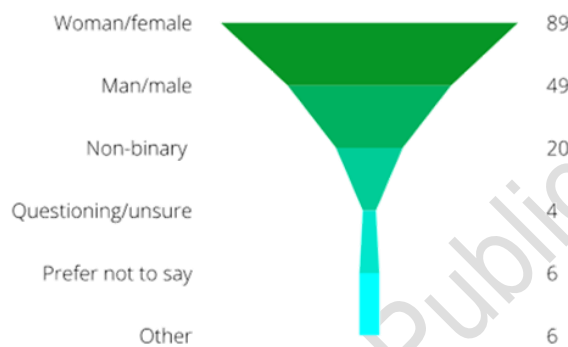
One hundred and sixty-two people completed the survey with the majority of those who responded identifying as being LGBTIQ+ (63%).

Those who contributed were mostly Kingborough residents, living in the Kingston/Kingston Beach area, describing themselves as a woman/female and aged 25 to 44 years.

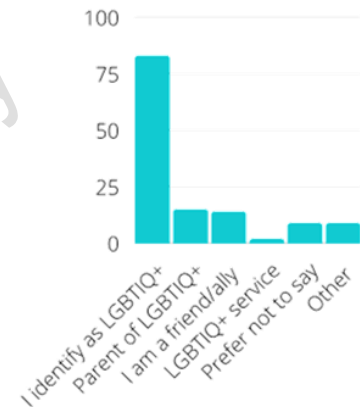
### What's your age?



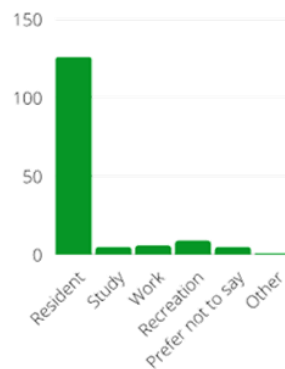
### How do you describe your gender?



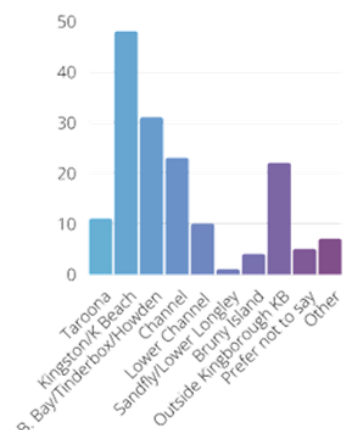
### Which best describes you?



### Primary Connection to Kingborough



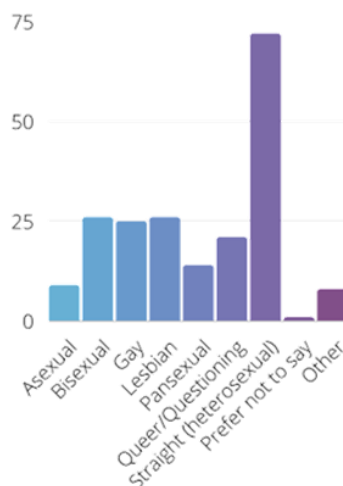
### If you live in Kingborough, which area do you live in?



## Demographics of Survey Respondents

- Almost 60% of respondents identified as either bisexual, gay, lesbian or queer.
- Approximately 1% of respondents identified that they were born with a variation of sex characteristics.
- Approximately 2% of respondents had a transgender history/experience.
- Approximately 5% of respondents were of Aboriginal and/ or Torres Strait Island descent.
- Approximately 23% of respondents said they were born overseas.
- Almost 25% of respondents said they are living with a chronic health condition or disability.

### How do you identify your sexual orientation?



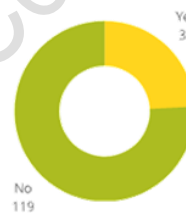
### Were you born with a variation of sex characteristics (Intersex)?



### Do you have a transgender history and/or experience?



### Were you born in another country?



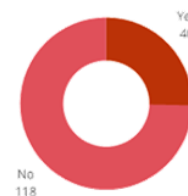
### Are you Aboriginal and/or Torres Strait Islander?



### Do you speak a language other than English at home?



### Are you living with a chronic illness, disability or age related condition?



## Survey Findings

### Experiences in Kingborough

Overwhelmingly, Kingborough was seen as a friendly, welcoming, progressive and accepting community. Many people remarked on Kingborough's natural beauty and environment, including access to beaches, coastlines, parks and walking trails. The convenience of locally-based services and facilities available including retail, cafes, restaurants, and the ease of getting around, were contributors to the lifestyle.

There were over 70 comments describing Kingborough's positive attributes as a community. Comments were also made about different organisations within Kingborough that were seen as particularly inclusive. Those mentioned included Kingston Library, Kingston High School Diversity Club, Tarremah School, Taroona Primary School and Westwinds Community Centre. Special mention was made of some Coles and Kingston Library workers wearing 'ally' badges.

*"Generally, Kingborough is an inclusive place, especially where I live. As an openly (older) gay man I feel quite supported by my local community."*

*"As somebody who works in a high-profile public position, I have found Kingborough to be a fairly accepting place for LGBTIQ+ people."*

*"Open discussion. One of my neighbours has a teenage transgender male and that parent and I felt safe in openly discussing the topic."*

*"The confidence I have when correcting people behind a shop counter when they presume my partner is male. Most now apologise! When I first moved to Kingborough almost 40 years ago I wouldn't have felt safe to be myself. Even my employment would've been jeopardised."*

*"We are lucky that our child can access Taroona Primary School. We moved from another suburb outside of Kingborough with acceptance of our family, a key driver. I hope families at other schools (and the schools themselves), are welcoming same sex parents, their children, and children who identify as LGBTIQA."*

*"It is a generally accepting place and there isn't much that actively discriminates against the queer community."*

*"9 times out of 10, people are accepting."*

*"The most positive thing for me is my job. I work in a government job in Kingston that is incredibly supportive and celebrates LGBTIQ. As for all people, there is great value in the proximity to different environments (beach, bush, trails, etc.) It would be good if these places were made and promoted as inclusive places."*

sure safe spaces Schools make sure safe within LGBTIQ people staff LGBTQIA  
activities welcoming identify gender shops Kingborough LGBT make  
including services information events safe place awareness also  
education flag community LGBTIQ community  
people Promote council Nothing LGBTIQ diversity  
support Gay acceptance group visibility spaces etc Educate  
place Greater public sporting queer around Rainbow flags students work  
venues rainbow feel visible education schools general

Most respondents (77% or 125/162) reported that they have never personally experienced harassment, discrimination or felt unsafe in Kingborough.

However, of those who identified as LGBTIQ+, almost 30% (or 24/83) of respondents stated that had felt unsafe in Kingborough sometime in the last two years.

In total, 8 people (5%) preferred to not answer the question.

Of those who responded, the majority 55% (or 16/29) had negative experiences in the school setting.

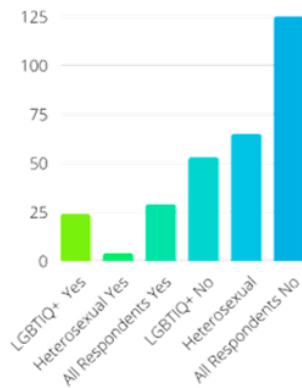
*"I have regularly been called homophobic slurs since I started at a local public high school."*

*"I have been called slurs before, as well as been told other various homophobic remarks."*

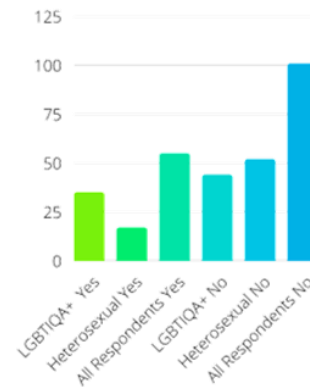
Other places where harassment and discrimination were experienced included shops (25%), public places including beaches, pubs and public transport (including bus stops), work and sporting venues.



**In the past 2 years, have you, or someone you know, ever personally felt harassed, discriminated against or unsafe because of LGBTIQA+ identity in Kingborough?**



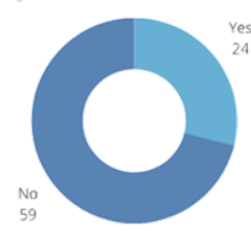
**In the past 2 years, have you witnessed harassment or discrimination against other people because of their LGBTIQA+ identity in Kingborough?**



**People who identify as LGBTIQA+ who have witnessed harassment or discrimination in Kingborough during the last two years.**



**People who identify as LGBTIQA+ who have felt unsafe in Kingborough sometime in the last two years.**



The majority of respondents (62% or 101/162) reported that they have not witnessed harassment or discrimination against other people because of their LGBTIQA+ identity.

However, when we looked at the data that was specifically from people who identified as LGBTIQA+, 42% (or 35/83) of respondents stated that they had witnessed harassment or discrimination in Kingborough during the last two years.

In total, 6 people preferred to not answer the question (4%).

*"My same sex partner also works in Kingston for a private business ... She feels unsafe to be "out" and endures negative language towards LGBTIQ+ regularly. So, whilst my workplace in Kingston is my haven and safe place, this isn't true for most other people."*

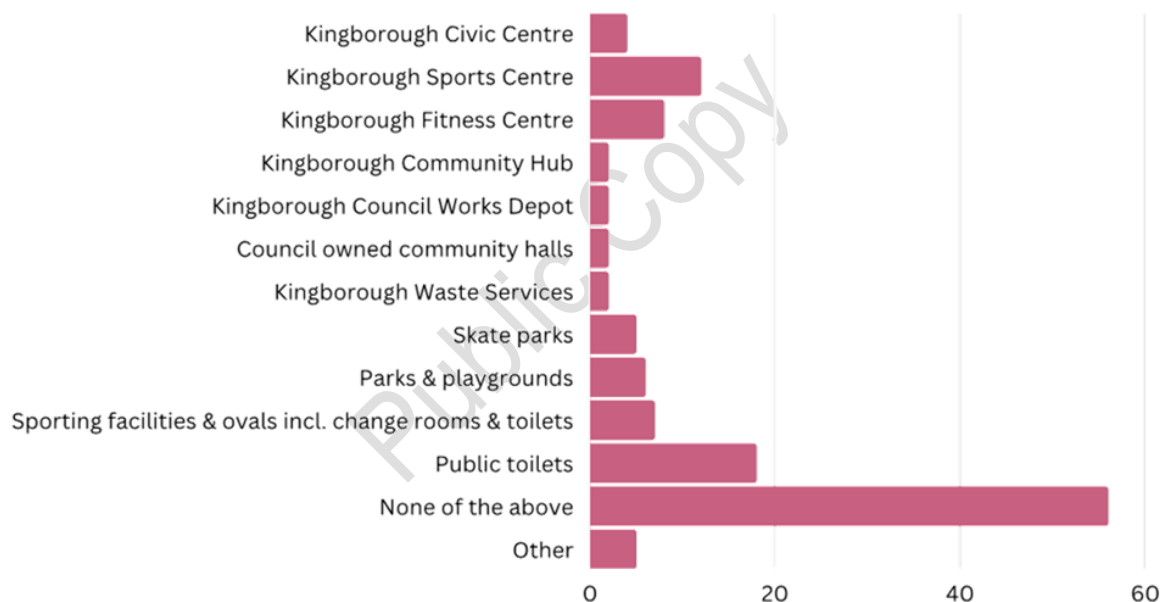
## Experiences with Kingborough Council

When asked about feeling discriminated against or excluded at Kingborough Council venues, events and facilities, most respondents 71.6% (or 116/162) said that they had not experienced any of these feelings at Council venues.

Comparatively, 80% (or 67/83) of those identifying as LGBTIQ+ said that they did not feel excluded or discriminated by Council services and activities.

Public toilets were listed as the most common area of exclusion/discrimination (15.43% or 25 respondents).

This was followed by attendance at the Kingborough Sports Centre, including the Kingborough Fitness Centre (14.2%), other sporting facilities/ovals (7.4%), parks/playgrounds (6.8%) and skate parks (6.2%).

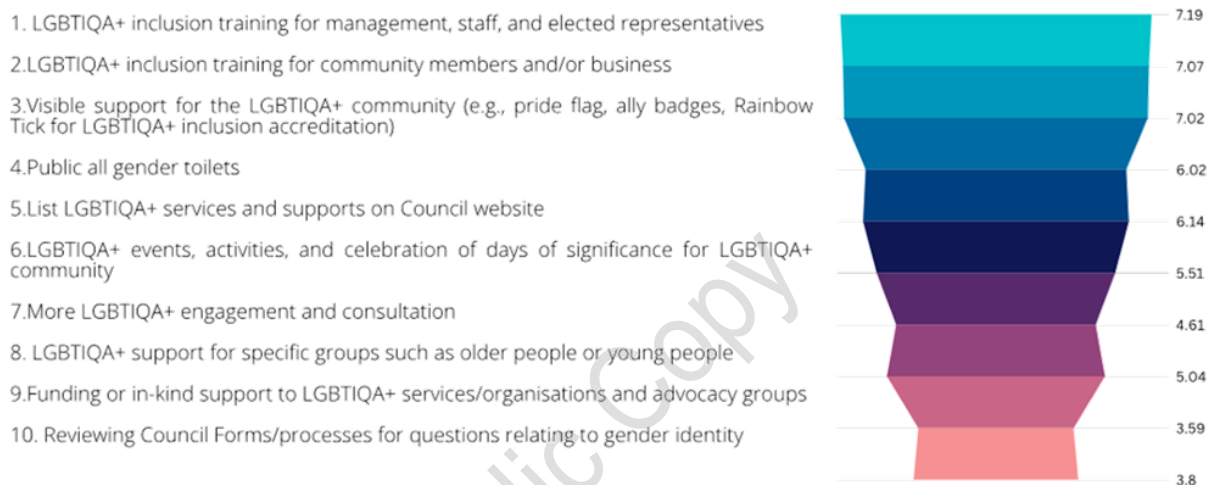


*"The sports centre, sports grounds and Council buildings do not feel very LGBTQIA+ inclusive. As for attending a Council meeting or raising an issue, I would not feel safe to do so given the behaviour of some of the councillors."*

## Ideas for a Safer and More Welcoming Kingborough

Several clear themes emerged to make Kingborough a safer and more welcoming place for LGBTIQ+ people to live, work, play and study.

The most popular responses to the question regarding how Council could show more leadership and support for the LGBTIQ+ community included, in order of priority:



*"Anywhere there's non-inclusive language used, and gendered toilets. I know it's a small thing to most people but for me it's a constant, everyday reminder of how other people perceive me regardless of who I truly am - which is why I keep bringing it up."*

*"Over time, many events have targeted families and that can sometimes make me feel invisible. This has shifted recently as the Council has begun to recognise the diversity in the community—and this feels terrific!"*

## Theme 1: Greater Understanding

### Education in Schools

Most respondents wanted to see more education and support provided in schools from primary to secondary levels.

*"Kingston High School seems to have an excellent culture but more work should be done in primary schools. That is where so many kids pick up their initial ideas and teasing behaviours. It is also where I have seen teasing occur."*

*"Presenting LGBTIQ+ perspectives and inclusion in education settings in positive ways."*

*"More work in schools around sexual orientation, identity and acceptance. Peer and professional support."*

*"Request for all schools/education centres within Kingborough to sign a charter promising to support equal opportunity in education and employment of any and all LGBTQI+ students, teachers or support staff."*

*"If government (at all levels) demonstrate LGBTIQ+ inclusiveness with events, etc. this greatly aids a young person grappling with sexuality to be open with others close to them (who will be their supports). I stress though, it needs to start in the schools as that's where the greatest positive change can be achieved."*

### Community Education

Actively raising awareness and understanding in the general community was seen as vital towards reducing homophobia, discrimination and harassment.

*"I would like to see more education offered around the LGBTQIA+ community as a lot of people are unaware. e.g., correct use of pronouns, what each gender means, why it is important to acknowledge someone by their preferred pronouns etc. I also believe we as a community should transition to using they/them when referring to someone we are not familiar with so that we can avoid any possible offense by assuming they are he/him, she/her etc."*

*"Public attitudes around accepting people for who they are rather than how they identify or according to gender stereotypes could benefit from shifting."*



Some parents suggested that there was a need to attend workshops or information sessions so that they had the confidence and terminology to speak with their children. It was also suggested that those in positions of power such as teachers, employers, supervisors, owners of businesses and trades team leaders, should be positive role models and call out discrimination when they see it.



*"Education is crucial! Promotion of equality and the legal and moral requirements to not discriminate or harass members of the LGBTQI community."*

*"Education / awareness surrounding treatment of elderly LGBTIQ+ in care settings (e.g. nursing homes, retirement villages)."*

*"In my experience, there needs to be better education in order to combat the intergenerational homophobia and transphobia that I have witnessed in schools and community."*

### **Education within Council**

Awareness raising and inclusion training for Council staff and elected representatives was raised as the highest priority for how Council could show more leadership and support for the LGBTIQ+ community. Inclusion training was seen as important for those staff in public facing roles and management. It was also considered important for all staff to work respectfully with their LGBTIQ+ colleagues.

Councillors were seen as representatives who could set an example for the rest of the public to follow and therefore, awareness raising, and inclusion training were seen as vital.

*"Educate the Councillors so they set a better example."*

Using gender inclusive language in correspondence was needed, however, it had to be balanced with the need to ensure that older members of the community also felt respected.



## Theme 2: Celebration and Visibility

The need for community activities, celebrations, events and workshops that encourage cultural diversity and inclusion was high on the list of responses. Respondents raised the need to create safe places and ensure that the LGBTIQ+ community was openly supported. An annual Pride Festival/Mardi Gras event in Kingborough was favoured by many respondents.

Visible symbols of support for the LGBTIQ+ community such as rainbow flags, posters, supportive signage, stickers, ally badges/emblems and pronoun pins were also raised by numerous respondents (25%).

Flying a Rainbow Flag at the Civic Centre to celebrate important celebrations on the community calendar, as well as flags at other community venues provides a visible display of support and acceptance. Council's website, social media, marketing and printed material could also include images of the diverse range of people who live, work, study and play in the municipality.

Promoting the contributions that LGBTIQ+ friends and neighbours make to the community, through articles and stories in the local media (such as the Kingborough Chronicle and Kingston Classifieds) could provide other positive avenues of recognition.



*"The importance of the Kingborough Chronicle in accessing early age groups and featuring many articles and advertisements which include recognition of minority groups."*

*"More visible 'stories', info, relevant content in local paper every week (same for Aboriginal community, other cultural groups, people with disabilities, etc.)"*

*"More visible signs of 'welcome' such as rainbow flags, stickers, etc, including in service venues, that show that people have undertaken appropriate 'training' (e.g. Rainbow Tick) so we know it is more than just lip service."*

*"Recognition of the diversity of our population, the increasing visibility of pride flags. Only LGBTIQ+ people and supportive friends and relatives can fully appreciate the tangible support that flag provides."*

*"It's nice to see stores with pride flags and/or signs saying LGBTIQA+ people are welcome."*

*"The use of ally badges and LGBTIQ+ welcome posters and signage also helps."*

*"Council should have a diversity and inclusion reference group that helps advise Council (if it doesn't already have one) and this should include representation from the LGBTIQ+ community."*

*"Some of these suggestions should just be done immediately (i.e., website). Don't waste time consulting on that, be proactive. Kids are killing themselves because of these issues."*



## Theme 3: Feeling Safe, Heard, and Having a Supportive Place

Respondents commented on the importance of feeling safe and accepted regardless of differences. This recognition, along with feeling heard and listened to, contributed to improved health and wellbeing outcomes.

Having a place that is considered safe, supportive and accepting for LGBTIQ+ people was raised by a number of respondents. Some followed up by saying that a venue with 'after hours access' and 'safe' people to talk to would also be beneficial.

*"Probably the most important thing would be making sure there is an easily accessible, visible safe place or mixed community to which vulnerable LGBTIQ+ people have easy access."*

*"Maybe a little hub where LGBTIQ+ identifying people or people who want to know more can access for information and help with what they want to know"*

*"Promote support services and LGBTIQ+ community groups within greater Hobart area that are available."*

*"Provision of a safe place. A place like Working It Out would be perfect! "*

*"As a place... Honestly knowing that there are safe spaces and the people who work there are safe people."*





A small number of comments were made suggesting that there needs to be LGBTIQ+ representation on Council. This was seen as another way for the LGBTIQ+ community to have a voice and to be heard. The act of consulting and engaging with members of the LGBTIQ+ community was seen as a great first step by Council.

*"The survey I'm filling in makes me feel welcome and safe."*

*"Just gratitude for giving us a voice - your survey will open many wounds but also provides the bandages-) a means to share."*

*"Thank you for taking the time to do this work!"*

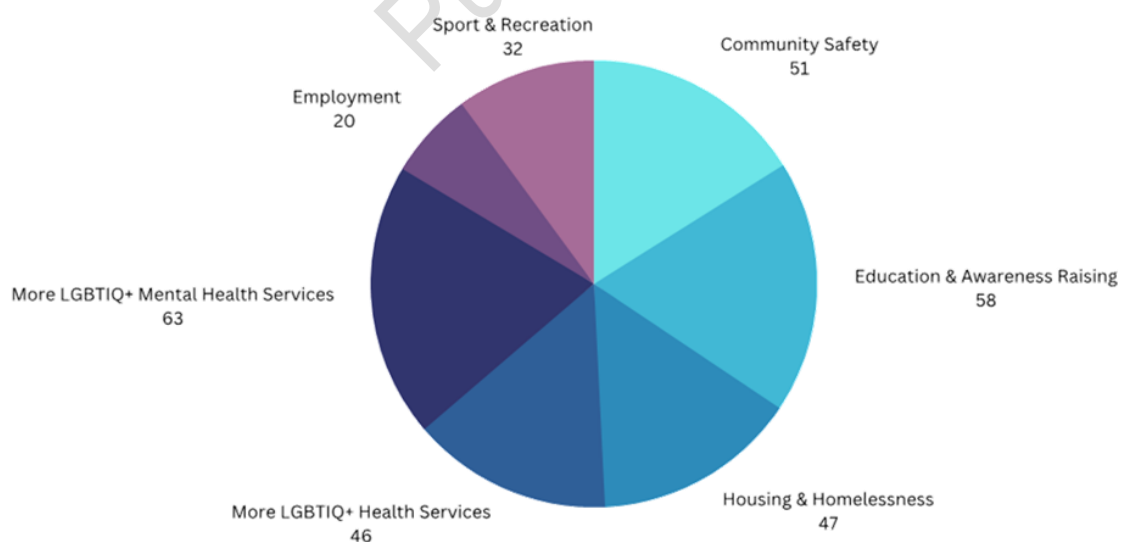
Having a place where information and support services are available was also requested by respondents to the survey. This ranged from having youth groups and youth initiatives that were specifically for people who identify as LGBTIQ+ or are still questioning. There were also several young people who expressed the need for a 'youth group' and safe place where they could 'hang out' outside of school hours and meet with friends. This place could also offer them access to information and support when required.

*"Places for youth to hang out outside of school hours."*

*"Queer youth group please."*

*"Community and sporting facilities should have more visible LGBTIQ+ information."*

*"Safety/freedom from harassment & bullying and mental health are the biggest issues I have concerns around with respect to my LGBTIQ+ family member."*



A total of 143 people responded to the question on how Kingborough Council should advocate to improve health and wellbeing on behalf of LGBTIQ+ community, at a State and Federal level. Of those who responded, 101 (70.6%) nominated improved mental health services (including for children, young people and adults) as a priority. Improved education and awareness raising (67.1% or 96 respondents) and community safety (59.4% or 85 respondents) were also considered important.

*"Providing more support for older people who maybe starting to lose some of their support networks as they age. Access to health services, counselling, and promotion of the services that are already available in greater Hobart area."*

*"Offer a counselling services program purely for LGBTIQ+ people and their families."*



## Theme 4: Equal Access

Public toilets were reported as the most likely Council venue/facility to cause feelings of discrimination or exclusion.

When asked what needed to be improved in Kingborough, just under 10% of respondents commented that non gendered public toilets were an important improvement. Of those who identified as LGBTIQ+, 21.7% (or 18/83) felt excluded by Council's public toilets.

The Kingborough Sports Centre and Kingborough Fitness Centre were mentioned by 24% (20/83 respondents) as places where people who identify as LGBTIQ+ felt excluded. This would require further investigation to understand if it is due to the toilets and change rooms or the way that sports teams are divided by gender (or a combination of both).

One respondent stated that all gender bathrooms would be the "number one thing" to make their life easier and needs understood which included sporting venues that were "just as easily accessible as male and female".

Improved street lighting and safer public transport hubs were also mentioned along with better policing of anti-social behaviour. Some members of the community felt that Council should focus on infrastructure, roads and footpaths instead of consulting with specific communities.





## A Balanced Response

In general, people felt that acceptance and inclusion went beyond LGBTIQA+ identity and should be extended to the diversity within the community without singling out specific groups.

*"When gender inclusive language is used such as using terms referring to 'everybody' or 'students' rather than 'ladies and gentlemen', it makes people feel welcome."*

*"I think it's a balance. In my opinion, our generation is responsible for trying to improve acceptance in the community but at the same time we need to be respectful of others ... sometimes small incremental changes, like getting the language right, can improve acceptance. I personally don't think we need to go overboard, or we risk being counterproductive."*

There was a fear from a small number of respondents (6 responses) that any work done, that was primarily focused on improving the conditions for members of the LGBTIQA+ community, would negatively impact on the rights of other members of the community.

For example, two of these respondents commented that all gender bathrooms would be less safe to use.

Council will need to be mindful that any future planning considers equality and access for all members of the community and fears such as these are allayed.

## Concluding Comments

This project has been the first major engagement with the Kingborough LGBTIQ+ community since the establishment of the Kingborough/Huon Valley Coming Out Proud Program Liaison Committee and appointment of a Liaison Councillor.

Council is committed to implementing the *LGBTIQ+ Action Plan 2023-2025*, as well as continuing to engage and consult with the LGBTIQ+ community.

Special thanks to all the members of the Kingborough LGBTIQ+ Working Group who willingly and voluntarily gave their time and support to the engagement project.

Thank you to Working it Out, Rainbow Communities Tasmania Inc and all the other advocacy organisations who helped to circulate the survey to ensure their members voices were heard.



## **Glossary Terminology References:**

Dwyer, A., Grant, R., Mason, R., and Barnes, A. (2021) 'Just listen properly, like with intent': LGBTIQ+ Tasmanians: Telling us the story - Final Report, December 2021.

[www.humanrights.gov.au/our-work/lgbti/terminology](http://www.humanrights.gov.au/our-work/lgbti/terminology)

Australian Institute of Family Studies LGBTIQA+ Glossary of Common Terms

[www.aifs.gov.au/sites/default/files/publication-documents/22-02\\_rs\\_lgbtqiqa\\_glossary\\_of\\_common\\_terms\\_0.pdf](http://www.aifs.gov.au/sites/default/files/publication-documents/22-02_rs_lgbtqiqa_glossary_of_common_terms_0.pdf)

## 15.2 UNAUTHORISED VEGETATION DAMAGE SIGNAGE POLICY REVIEW

**File Number:** 12.153

**Author:** Rene Raichert, Project Officer

**Authoriser:** Liz Quinn, Manager Environmental Services

### Strategic Plan Reference

Key Priority Area: 3 Sustaining the natural environment whilst facilitating development for our future.

Strategic Outcome: 3.3 Council is able to demonstrate strong environmental stewardship and leadership.

## 1. PURPOSE

- 1.1 The purpose of this report is to seek Council approval for the revised Unauthorised Vegetation Damage Signage Policy (5.7).

## 2. BACKGROUND

- 2.1 The Unauthorised Vegetation Damage Signage Policy was first adopted by Council in 2009 to guide the use of educational signage following the unauthorised removal of vegetation from Council owned and/or managed land.
- 2.2 A number of revisions to the policy have occurred to date, the most significant being the removal of Category C signage which were the largest signs.
- 2.3 These proposed revisions ensure consistency with the Parks, Recreation and Natural Areas By-Law 3 of 2021 and further simplify signage categories, whilst also ensuring impacts to a range of significant values are captured and responded to where appropriate.

## 3. STATUTORY REQUIREMENTS

- 3.1 The Parks, Recreation and Natural Areas By-Law 3 of 2021 Part 3, Division 2, Clause 9 (1) states:

*“Unless authorised by a permit to do so, a person must not, by any act, wherever performed, cut, pluck, destroy, or injure any tree, shrub, flower, or other vegetation growing in or on any Council land, or recreational facility.”*

- 3.2 Part 3, Division 2 Clause 9 (2) states:

*“Unless authorised by a permit to do so, a person must not remove any wood or timber from any Council land or recreational facility.”*

- 3.3 Part 3, Division 2 Clause 13(2) states:

*“Unless authorised by a permit to do so, a person must not interfere with the nest, breeding place or habitation of any wildlife on or in any Council land, or recreation facility.”*



#### 4. DISCUSSION

- 4.1 The Unauthorised Vegetation Damage signs are an important educational tool to demonstrate Kingborough Council values and protects the environment and is concerned about the unlawful damage of vegetation on public land, such as that witnessed on Snug Esplanade in 2011 (Plate 1) where nine native trees, including three eucalypts were felled.



*Plate 1. Category B signage on Snug Esplanade 2011.*

- 4.2 Inconsistencies in the previous version of the policy were identified, which introduced complexities as to whether a Category A sign or Category B sign was to be utilised.
- 4.3 The definitions of vegetation within both categories also meant that certain significant impacts were unable to be captured and responded to, such as impacts to landscape amenity and historical significance.
- 4.4 The proposed revisions focus on when a Category B sign is to be utilised and reflect the values identified within the Significant Tree Policy, as well as values of environmental significance. All other unauthorised damage is determined to fall within Category A signage. This simplification removes confusion and therefore allows for more effective and timely use of the signage where appropriate.
- 4.5 A reduction to the size of Category A signage also reflects the difference in the nature and significance of the damage between the two categories.
- 4.6 Council does not support the removal of trees/vegetation for view or private benefit. The identification and prosecution of perpetrators is normally pursued, however investigations are often unsuccessful due to a lack of evidence. Community education is therefore a key mechanism to promote the protection of trees and to encourage the reporting of vandalism.

#### 5. FINANCE

- 5.1 There are no significant financial implications of the revisions. However, allowing for easier implementation of the policy also allows for better protection of Kingborough's natural assets and therefore the financial implications of the policy could be considered

small in nature as compared to the cost of managing and rehabilitating degraded natural assets.

## **6. ENVIRONMENT**

- 6.1 Council's strategic plan provides clear objectives to protect natural values on Council land. The intent of the policy is to educate the community about the impact of vandalising vegetation on public land. Trees and other vegetation in our reserves, street scapes and coastal areas are fundamental to the character of our municipality. The signage achieves an educational outcome by indicating to the community where tree vandalism has occurred and that it is a serious criminal offence.
- 6.2 The revisions in this policy will enable officers to more effectively implement Unauthorised Vegetation Damage Signage and therefore meet the requirements of Council's strategic plan.

## **7. COMMUNICATION AND CONSULTATION**

- 7.1 Given the minor nature of the revisions to the policy, it is not deemed necessary to undertake community consultation.
- 7.2 This Policy will be published on Council's internet and intranet sites.

## **8. RISK**

- 8.1 A failure to use the Unauthorised Vegetation Damage signs where appropriate could create a perception in the community that Council is not committed to protecting the environment or to enforcing breaches of its By-laws. The proposed revisions allow for the efficient use of the signage when required and therefore help to manage the risk to Council's reputation and environment.

## **9. CONCLUSION**

- 9.1 The proposed revisions allow for a simpler policy and therefore the more efficient use of signage when required.

## **10. RECOMMENDATION**

That Council endorses the revised Unauthorised Vegetation Damage Signage Policy 5.7 as attached to this report.

## **ATTACHMENTS**

- 1. **Unauthorised Vegetation Damage Signage Existing Policy with Track Changes**
- 2. **Unauthorised Vegetation Signage Updated Policy for Approval**

## EXISTING POLICY WITH TRACK CHANGES



Policy No: 5.7  
 Approved by Council: August-2020 November 2022  
 New Review Date: August-2023 November 2024  
 Responsible Officer: Manager Environmental Services

Minute No: C460/15-2020  
 ECM File No: 12.153  
 Version: 3.04.0

## Unauthorised Vegetation Damage Signage Policy

POLICY STATEMENT	<p>1.1 To support Council's strategic outcomes to value and prioritise the values of the natural environment. Council is able to demonstrate strong environmental stewardship and leadership.</p> <p>1.2 To provide clear direction as to the appropriate use and placement of signage. The purpose of this policy is to provide guidance as to the use and placement of signage where illegal removal of vegetation has occurred on Council owned and/or managed land.</p> <p>1.3 To educate the public where illegal removal of vegetation has occurred on Council owned and/or managed land.</p>	Formatted: Block Text, Indent: Left: 0 cm, First line: 0 cm, Right: 0 cm, Space Before: 0 pt, After: 0 pt, Tab stops: Not at 1.82 cm
DEFINITIONS	<p>2.1 "Aesthetic significance" means trees whose form, seasonal beauty and/or placement are such that they are a significant aesthetic component of the streetscape, park, garden or natural landscape in which they grow.</p> <p>2.2 "Authorised officer" means a Council employee who is authorised for the purposes of the Parks, Recreation and Natural Areas By-Law No. 3 of 2021.</p> <p><b>Vegetation</b> means plant life whether native or exotic (not including declared or environmental weeds).</p> <p>2.2 <b>High conservation value tree</b> means a tree that is of a species that is listed in the Threatened Species Protection Act 1995 or the Environment Protection and Biodiversity Conservation Act 1999; and/or provides potential or significant habitat for a threatened species listed in either of those acts and/or is a native tree with a trunk circumference at 1.5m above the ground exceeding 220cm.</p> <p>2.3 "Conservation significance" means a tree that is of a species listed in the Threatened Species Protection Act 1995 or the Environment Protection and Biodiversity Conservation Act 1999; and/or provides potential or significant habitat for a threatened species listed in either of those acts; and/or is a native tree with a trunk circumference exceeding 220cm when measured at 1.5m above the ground; or in the case of an exotic species, is considered globally significant due to its conservation status in the country of origin.</p> <p>2.4 "Declared weed" means any plant which has been declared as a pest under the Biosecurity Regulations 2022.</p> <p>2.5 "Historical significance" means a tree which commemorates a particular broader community interest associated with historical significance or event.</p> <p>2.6 "Landscape significance" means the tree provides a key contribution to the environmental, cultural and/or historical landscape.</p> <p>2.7 "Vegetation" means plant life whether native or exotic (not including declared weeds).</p>	<p>Formatted: Indent: Left: 0 cm, Hanging: 0.72 cm</p> <p>Formatted: Font: Bold</p> <p>Formatted: Font: Bold</p> <p>Formatted: Font: Italic</p> <p>Formatted: Font: Italic</p> <p>Formatted: Font: Bold</p> <p>Formatted: Font: Italic</p> <p>Formatted: Font: Bold</p> <p>Formatted: Font: Bold</p>
OBJECTIVE	<p>3.1 To reduce and deter the illegal removal and/or damage of vegetation from public land within Kingborough, by providing a framework for a consistent and timely response by Council.</p> <p>3.2 To educate the public where illegal removal of vegetation has occurred on Council owned and/or managed land.</p> <p>3.2.3 To provide an avenue to respond to breaches of the Parks, Recreation and Natural Areas By-law, when other actions, such as infringement, are not available.</p>	<p>Formatted: Block Text, Indent: Left: 0 cm, First line: 0 cm, Right: 0 cm, Space Before: 0 pt, After: 0 pt, Tab stops: Not at 1.82 cm</p> <p>Formatted: Tab stops: 1.22 cm, Left + Not at 1.82 cm</p>
SCOPE	<p>4.1 This policy applies to all public land in Kingborough that is owned and/or managed by Council.</p>	



Policy No: 5.7  
 Approved by Council: August 2020 November 2022  
 New Review Date: August 2022 November 2024  
 Responsible Officer: Manager Environmental Services

Minute No: C460/15-2020  
 ECM File No: 12.153  
 Version: 3.04.0

#### PROCEDURE (POLICY DETAIL)

- 5.1 Educational signage ~~will~~may be erected at the site of the offence when clear breaches of the Parks, Recreation and Natural Areas By-law ~~2 of 2011~~3 of 2021, Division 2 ~~12(1) 12(2) or 15(3)~~9 (1) 9 (2) or 13 (2) have been identified.
- 5.2 Signage ~~will~~may be erected regardless of whether the identity of those responsible for the damage has been established.
- 5.3 The damaged site ~~shall~~may be rehabilitated either by planting suitable replacement vegetation or through ~~the use of other methods which aid natural regeneration, including the use of techniques or materials which aid such regeneration.~~
- 5.4 ~~Signage~~5.4 There are two categories of signs. Wording on both signs is consistent, with the difference in categories reflected in the sizes:  
 There are two size categories:
- 5.4.1 Category A: 600mm x 900mm 300mm x 450mm sign (approximately) on a post(s) to 3m high.
- 5.4.2 Category B: 1200mm x 900mm sign (approximately) on -posts- to 3m high.
- 5.5 ~~Wording of Sign (noting that the wording may be amended from time to time to reflect changes in Council's By-laws). The wording for signage will be as follows:~~

#### **THIS VEGETATION HAS BEEN ILLEGALLY DAMAGED**

Vegetation provides valuable wildlife habitat, visual amenity and resilience against landslips and erosion  
 Damaging vegetation without a permit is an offence under Kingborough Council's Parks, Recreation and Natural Areas By-law 2 of 2011 3 of 2021  
*Penalties apply*  
 Report suspicious activity to Kingborough Council on 6211 8200

#### 5.6 Signage placement and duration

The category of sign to be used is dictated by the scale of the unauthorised vegetation removal and/or ~~significance of the~~ damage at the location. Where appropriate, more than one sign may be erected.

~~Category A signage will be used where vegetation has been damaged and is deemed by an Authorised Officer to have been either:~~

- ~~between 0.1m and 1.5m in height and resulted in a cleared/modified area not exceeding 50m<sup>2</sup>, or~~
- ~~up to three individual trees, or~~
- ~~a combination of the above.~~

~~Category B signage will be used at the discretion of the General Manager where vegetation has been damaged and is deemed by an Authorised Officer to have been either:~~

- ~~between 0.1m and 1.5m in height and resulted in a cleared/modified area exceeding 50m<sup>2</sup>, or~~
- ~~one or more individual trees of high conservation value or scenic value~~
- ~~a combination of the above~~

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stops: Not at 1.82 cm



Policy No: 5.7  
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 New Review Date: August-2022 November 2024  
 Responsible Officer: Manager Environmental Services

Minute No: C460/15-2020  
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 Version: 3.04.0

	<p>5.6.1 Category A signage will be used where vegetation has been damaged and it is deemed by an Authorised Officer to not meet the requirements of a Category B sign.</p> <p>5.6.2 Category B signage will be used at the discretion of the General Manager where vegetation has been damaged and is deemed by an Authorised Officer to have been either:</p> <p>i. one or more individual trees which are deemed to have aesthetic, landscape, historical or conservation significance, or to be significant in size or age for the species type; or</p> <p>ii. to have resulted in a cleared or modified area exceeding 25m<sup>2</sup>; or</p> <p>iii. a combination of the above; or</p> <p>iv. where there is clear evidence of a direct benefit to adjoining properties such as improved sightlines.</p> <p>5.7 Signage will remain in place until the site has regenerated to pre-damage status, has regenerated to the satisfaction of the General Manager, or for five years, whichever comes sooner.</p> <p>5.8 The site will be monitored annually by Council. This is to include a photographic record of the site up until the sign is removed.</p>	<p>Formatted: Body Text Indent, Indent: Left: 0 cm, First line: 0 cm, Space Before: 0 pt, After: 0 pt</p> <p>Formatted: Block Text, Indent: Left: 0 cm, First line: 0 cm, Right: 0 cm, Space Before: 0 pt, After: 0 pt, T stops: Not at 1.82 cm</p>
GUIDELINES	<p>6.1 Category A signage is intended to be used where damage or impact to natural or scenic values is minor in nature or impact and/or there is no clear evidence of a direct benefit to adjoining properties.</p> <p>6.2 Category B signage is intended to be used where there is a moderate or significant impact on natural, landscape or historical values including high conservation value trees, threatened species and/or threatened species habitat, where there is high level of scenic disturbance and/or there is clear evidence of a direct benefit to adjoining properties such as improved sightlines.</p>	<p>Formatted: Block Text, Indent: Left: 0 cm, First line: 0 cm, Right: 0 cm, Space Before: 0 pt, After: 0 pt, T stops: Not at 1.82 cm</p>
COMMUNICATION	<p>7.1 This policy will be made available to the general public on the Council website and at the Customer Services counter, published on Council's internet and intranet sites.</p>	
LEGISLATION	<p>8.1 Parks, Recreation and Natural Areas By-Law 32 of 2011 2021 Division 2 12(1) 12(2) or 15(3) 9 (1), 9 (2) and 13(2).</p> <p>8.2 Land Use Planning and Approvals Act 1993, Kingborough Interim Planning Scheme 2015</p> <p>8.3 Threatened Species Protection Act 1995.</p> <p>8.4 Environment Protection and Biodiversity Conservation Act 1999.</p> <p>8.5 Biosecurity Act 2019 and Biosecurity Regulations 2022.</p>	<p>Formatted: Block Text, Indent: Left: 0 cm, First line: 0 cm, Right: 0 cm, Space Before: 0 pt, After: 0 pt, T stops: Not at 1.82 cm</p> <p>Formatted: Font: (Default) + Body (Calibri), Italic</p> <p>Formatted: Font: Italic</p> <p>Formatted: Font: Italic</p>
RELATED DOCUMENTS	<p>9.1 Nil Kingborough Interim Planning Scheme 2015 or subsequent scheme.</p>	<p>Formatted: Indent: Left: 0 cm, First line: 0 cm, T stops: 0.72 cm, Left + Not at 1.82 cm</p>
AUDIENCE	<p>10.1 Council staff. This Policy is intended for Council Employees and Councillors.</p> <p>10.2 Kingborough residents. The policy is publicly accessible via Council's website.</p>	<p>Formatted: Font: (Default) + Body (Calibri)</p> <p>Formatted: Block Text, Indent: Left: 0 cm, First line: 0 cm, Right: 0 cm, Space Before: 0 pt, After: 0 pt, T stops: Not at 1.82 cm</p>



## UPDATED POLICY FOR APPROVAL



# Unauthorised Vegetation Damage Signage Policy

<b>Policy No:</b>	5.7
<b>Approved by Council:</b>	November 2022
<b>New Review Date:</b>	November 2024
<b>Minute No:</b>	TBA
<b>ECM File No:</b>	12.153
<b>Version:</b>	4.0
<b>Responsible Officer:</b>	Manager Environmental Services
<b>Strategic Plan Reference:</b>	3.3 Council is able to demonstrate strong environmental stewardship and leadership.

## 1. POLICY STATEMENTS

- 1.1 Kingborough Council is committed to valuing and prioritising the natural environment.
- 1.2 The purpose of this policy is to provide guidance as to the use and placement of signage where illegal removal of vegetation has occurred on Council owned and/or managed land.

## 2. DEFINITIONS

- 2.1 **“Aesthetic significance”** means trees whose form, seasonal beauty and/or placement are such that they are a significant aesthetic component of the streetscape, park, garden or natural landscape in which they grow.
- 2.2 **“Authorised officer”** means a Council employee who is authorised for the purposes of the Parks, Recreation and Natural Areas By-Law No. 3 of 2021.
- 2.3 **“Conservation significance”** means a tree that is of a species listed in the *Threatened Species Protection Act 1995* or the *Environment Protection and Biodiversity Conservation Act 1999*; and/or provides potential or significant habitat for a threatened species listed in either of those acts; and/or is a native tree with a trunk circumference exceeding 220cm when measured at 1.5m above the ground; or in the case of an exotic species, is considered globally significant due to its conservation status in the country of origin.
- 2.4 **“Declared weed”** means any plant which has been declared as a pest under the *Biosecurity Regulations 2022*.
- 2.5 **“Historical significance”** means a tree which commemorates a particular broader community interest associated with historical significance or event.
- 2.6 **“Landscape significance”** means the tree provides a key contribution to the environmental, cultural and/or historical landscape.
- 2.7 **“Vegetation”** means plant life whether native or exotic (not including declared weeds).

## 3. OBJECTIVE

- 3.1 To reduce and deter the illegal removal and/or damage of vegetation on public land within Kingborough.
- 3.2 To educate the public where illegal removal of vegetation has occurred on Council owned and/or managed land.
- 3.3 To provide an avenue to respond to breaches of the Parks, Recreation and Natural Areas By-law.

## 4. SCOPE

- 4.1 This policy applies to all public land in Kingborough that is owned and/or managed by Council.

## 5. PROCEDURE (POLICY DETAIL)

- 5.1 Educational signage may be erected at the site of the offence when clear breaches of the Parks, Recreation and Natural Areas By-law 3 of 2011, Division 2 9(1), 9(2) or 13(2) have been identified.
- 5.2 Signage may be erected regardless of whether the identity of those responsible for the damage has been established.
- 5.3 The damaged site may be rehabilitated either by planting suitable replacement vegetation or through natural regeneration, including the use of techniques or materials which aid such regeneration.
- 5.4 There are two categories of signs. Wording on both signs is consistent, with the difference in categories reflected in the sizes:
  - 5.4.1 Category A: 300mm x 450mm sign (approximately) on a post to 3m high.



- 5.4.2 Category B: 1200mm x 900mm sign (approximately) on posts to 3m high.
- 5.5 The wording for the signage will be as follows:



- 5.6 The category of sign to be used is dictated by the scale of the unauthorised vegetation removal and/or significance of the damage at the location. Where appropriate, more than one sign may be erected.
- 5.6.1 Category A signage will be used where vegetation has been damaged and it is deemed by an Authorised Officer to not meet the requirements of a Category B sign.
- 5.6.2 Category B signage will be used at the discretion of the General Manager where vegetation has been damaged and is deemed by an Authorised Officer to have been either:
- i. one or more individual trees which are deemed to have aesthetic, landscape, historical or conservation significance, or to be significant in size or age for the species type; or
  - ii. to have resulted in a cleared or modified area exceeding 25m<sup>2</sup>; or
  - iii. a combination of the above; or
  - iv. where there is clear evidence of a direct benefit to adjoining properties such as improved sightlines.
- 5.7 Signage will remain in place until the site has regenerated to pre-damage status, has regenerated to the satisfaction of the General Manager, or for five years, whichever comes sooner.
- 5.8 The site will be monitored annually by Council. This is to include a photographic record of the site up until the sign is removed.

## 6. GUIDELINES

- 6.1 Category A signage is intended to be used where damage or impact is minor in nature and/or there is no clear evidence of a direct benefit to adjoining properties.
- 6.2 Category B signage is intended to be used where there is a moderate or significant impact on natural, landscape or historical values and/or there is clear evidence of a direct benefit to adjoining properties such as improved sightlines.

## 7. COMMUNICATION

- 7.1 This Policy will be published on Council's internet and intranet sites.

**8. LEGISLATION**

- 8.1 Parks, Recreation and Natural Areas By-Law 3 of 2021 Division 2 9 (1), 9 (2) or 13(2).
- 8.2 *Land Use Planning and Approvals Act 1993.*
- 8.3 *Threatened Species Protection Act 1995.*
- 8.4 *Environment Protection and Biodiversity Conservation Act 1999.*
- 8.5 *Biosecurity Act 2019 and Biosecurity Regulations 2022.*

**9. RELATED DOCUMENTS**

- 9.1 Kingborough Interim Planning Scheme 2015 or subsequent scheme.

**10. AUDIENCE**

- 10.1 This Policy is intended for Council Employees and Councillors.
- 10.2 The policy is publicly accessible via Council's website.

Public Copy

## 15.3 TINDERBOX BEACH EROSION MANAGEMENT - COMMUNITY CONSULTATION REPORT

**File Number:** 36.112

**Author:** Liz Quinn, Manager Environmental Services

**Authoriser:** Dr Samantha Fox, Director Environment, Development & Community Services

### Strategic Plan Reference

Key Priority Area: 1 Encourage and support a safe, healthy and connected community.

Strategic Outcome: 1.1 A Council that engages with and enables its community.

## 1. PURPOSE

- 1.1 The purpose of this report is to present the results of a community engagement in relation to the management of shoreline erosion at Tinderbox Beach and identify proposed future work.

## 2. BACKGROUND

- 2.1 Tinderbox Beach is a small (100m long) sandy pocket beach embayed into a long hard rocky coastline on the northern side of the north entrance of D'Entrecasteaux Channel from Storm Bay and the lower Derwent River estuary (Sharples, 2021).
- 2.2 As part of a carpark upgrade for Tinderbox Beach Reserve in 2017, Council designed and constructed a new stormwater system including a bioretention basin and outlets onto the beach. At this time the erosion scarp behind the beach was noted as a potential issue and a concept design for erosion stabilisation works were investigated.
- 2.3 The erosion was close to undermining a row of trees that had been planted by the local community in 2006. The projected retreat of the beach landwards over time was identified as likely to impact the recreation assets behind the beach including beach access paths, signage, stormwater infrastructure and eventually the playground. A decision was required on the options to adapt to this changing coastline.
- 2.4 Expert comment from a coastal geomorphologist was initially sought in 2017 to assess the impacts of fortifying the back of the beach on sand levels and wave scour.
- 2.5 Initial advice from Chris Sharples, a coastal geomorphologist, indicated that if the back of the beach was armoured with rock it would be prevented from migrating back as might normally happen with coastal erosion processes. With predicted sea level rise Sharples suggested that the beach would become narrower as the tide reached higher towards the back of the beach and would gradually become flooded. Increased wave scour, as waves hit the armoured rock, would likely necessitate occasional sand replenishment to maintain the beach.
- 2.6 Given this expert advice, it was decided that community and key stakeholder consultation was required to understand the values of the beach reserve and to facilitate a discussion about future climate change driven scenarios for the beach. This was postponed until after infrastructure improvements were completed.
- 2.7 Carpark and stormwater works were completed in 2018 and a landscape project designed and completed in 2020. This upgrade included a new playground, seating, and upgrades to the BBQ shelter.

- 2.8 Tinderbox Beach Reserve is split across three titles (as seen in Figure 1). The Parks and Wildlife Service own and manage the marine reserve including the beach to high tide. Council has a licence over the back of the beach, grass and playground from the Parks and Wildlife Service. Council own the title landward of the playground which contains the BBQ shelter and toilets (figure 1).



Figure 1. Land tenure at Tinderbox Beach Reserve

- 2.9 In 2021 a detailed beach stabilisation report was commissioned. In this report Chris Sharples confirmed that the soil margin behind the beach will continue to retreat and is likely to be comprised of dirt and industrial fill and therefore is not contributing sand to the beach. The erosion was described as 'one-way' as the scarp cannot rebuild. The 1m to 1.5m vertical scarp is eroding more actively from the west end as seen in Figure 2). The report recommended stabilising the eroding scarp with a stabilised landscape feature (rock wall or sand container structure) to manage the erosion and the hazardous scarp. Sharples estimated that the beach would eventually be drowned by rising sea levels (a rise of approximately 21cm since the 1880s) but that this would likely be decades in the future.



Figure 2. Erosion scarp at Tinderbox Beach

- 2.10 The report proposed two management options, the first to construct a artificial protection on the erosion scarp, the second to 'do nothing' or managed retreat.
- 2.11 The report recommended that the local community be consulted on the materials and design of any erosion control structure.
- 2.12 In July 2022 a community engagement was designed and implemented to provide input to decision making on Council's response to the erosion.

### **3. STATUTORY REQUIREMENTS**

- 3.1 There are no statutory requirements that relate to this matter.

### **4. DISCUSSION**

- 4.1 The community engagement targeted both people who use the beach and those who live in the surrounding area. Tinderbox Peninsula residents, recreation groups, and the Parks and Wildlife Service were specifically invited to participate.
- 4.2 A combined consultation and education approach was chosen. The key opportunities for input were a community discussion on site at the beach and an online survey.
- 4.3 The objective of the community discussion on site was both to understand how the reserve is valued and used as well as to seek input on three shoreline management options Council is considering.
- 4.4 Chris Sharples was invited to the community discussion to inform participants of the likely causes of the shoreline erosion, future scenarios under a warmer climate and erosion management options. Council staff answered questions and discussed learnings from other coastal hazard sites in Kingborough. Participants were encouraged to share their observations of how the site has changed over time and their preferences for future management.
- 4.5 The survey was designed to understand how people use the reserve, what they value about it and to capture their views in the different shoreline erosion management options proposed. The objective was to ensure that Council understands the community's priorities and preferences for the reserve so this information can inform future management.
- 4.6 The results of the survey indicated that most people (75%) visit monthly or seasonally, with 25% daily or weekly. Of the activities recorded 75% enjoy the beach and/or water (boating, kayaking, swimming, diving and snorkelling). With over 20% listing the playground and BBQ facilities as the main reason they visit.
- 4.7 Observations about changes at the beach were mixed, with 34% of survey respondents having witnessed major changes to the beach at Tinderbox, 48% minor changes and 18% no change or didn't know. Some locals had not observed significant backward movement of the shoreline but undercutting and a steepening of the scarp was reported. Over 60% of respondents considered addressing the erosion as 'very important' or 'important'. Monitoring the rate of retreat and its future trajectory was also seen as important to guide future management.
- 4.8 Three adaptation options were presented in the consultation. These were managed retreat, sand container treatment or a rock revetment. The consultation asked people to rank their preferred option. Managed retreat was the highest ranked option (49%), with a temporary barrier (31%) and rock armoring (20%) ranked 2nd and 3rd. Managed retreat would involve allowing the back of the beach to gradually move landwards and planning to move assets as they become exposed.

- 4.9 The public discussion and survey highlighted that one of the short-term priorities is improved beach access including directional signage from the carpark to deter people from accessing the beach by clambering down the eroded scarp. This improved access at the western end of the beach will allow kayaks, long boards and other beach equipment to be safely carried to the beach.

## **5. FINANCE**

- 5.1 The results of the community consultation indicate that undertaking a landscape planning exercise for the reserve would allow a united vision to be developed for the space that can be implemented over time. This planning work could be the subject of a 23-24 budget bid.
- 5.2 An improved beach access point and signage on the western end of the beach could be a capital works bid in the 23-24 budget.

## **6. ENVIRONMENT**

- 6.1 This community consultation engaged a local community in a discussion around coastal hazard management and climate change related impacts on beaches. It was an opportunity for education on the impacts of climate change on the coast and how we as a community can adapt to the changes.

## **7. COMMUNICATION AND CONSULTATION**

- 7.1 The public meeting was held at Tinderbox Beach on 9 July 2022. It was attended by twenty-one people, predominantly from the local area. A presentation by coastal expert, Chris Sharples allowed participants to understand the coastal processes at the site and the likely future trajectory of the erosion. A lively and informative conversation allowed the sharing of ideas, visions, stories from the past and opinions on future priorities.
- 7.2 A community survey was circulated after the public meeting to gather information from the community on how they use the reserve and preferred options for future management of the beach erosion. The survey was open for two months.
- 7.3 The survey was accessed through Council's website and was widely publicised through on-site signage, postcards distributed at the meeting and placed in strategic locations around the municipality and social media including a QR code directly linked to the survey.
- 7.4 The survey was answered by fifty-one respondents, fifteen of whom also attended the public meeting. Several participants provided extended submissions on the management proposals and history of the site including historic photos and observations. This input has been highly valued by staff.
- 7.5 The detailed outcomes of the survey are presented in the attached report (Appendix).
- 7.6 Participants of both the survey and site meeting were invited to stay informed about the project through an email group. This group will continue to be utilised to inform members about the outcomes of the consultation and resulting projects.

## **8. RISK**

- 8.1 There is risk that the engagement process will raise community expectations for the management of the reserve that may not be able to be realised due to funding constraints and required approvals. This risk has been managed through the consultation through honest communication including outlining the process for future works.



- 8.2 If Council decides to opt for managed retreat there is a risk that as the erosion becomes more evident and impacts the recreation space and carpark behind the beach that community opinion may change. Options to harden the shoreline could be revisited at this point.

## **9. CONCLUSION**

- 9.1 There is a significant community of users of Tinderbox Beach highly interested in the future management of the area. Integrating the views of stakeholders into decision making about the management of the beach will help them understand the issues and management responses.
- 9.2 Erosion at this stage is not considered critical and should be monitored in the short to medium term.
- 9.3 Landscape design advice should be sought in the development of a medium to long term plan for Tinderbox Beach, addressing beach and access management and enhancement of natural and aesthetic values to ensure the local character is maintained.

## **10. RECOMMENDATION**

That Council resolves that:

- (a) the results of the community engagement in relation to shoreline management at Tinderbox Beach be received and noted;
- (b) future budget bids for landscape planning and beach access improvements are considered by Council as part of Council's annual budget process.

## **ATTACHMENTS**

- 1. Tinderbox Beach Public Consultation Report**

# Kingborough

## **TINDERBOX BEACH PUBLIC CONSULTATION REPORT**

**PREPARED BY**

Kingborough Council in collaboration with  
Chris Rees, Impact Solutions International Pty Ltd

November 2022

# Consultation Summary

## The Beach

Tinderbox Beach is a popular spot for swimming, snorkeling and boating. The small sandy beach and rock platforms offer a sheltered place to relax and explore the Channel and PWS Marine Reserve.

## What is Happening at the Beach

Erosion at the back of the beach is natural and has been occurring for a long time. But, it is becoming more noticeable. A 1m high vertical scarp has developed and exposed old industrial fill which is now being deposited onto the beach.

During storm events and high tides, waves can hit the back of the soft shore and cause sections of the bank to collapse. The small trees that shade the beach are now being impacted as their roots are exposed to the waves.

The park behind the shore has become vulnerable due to the receding shoreline.

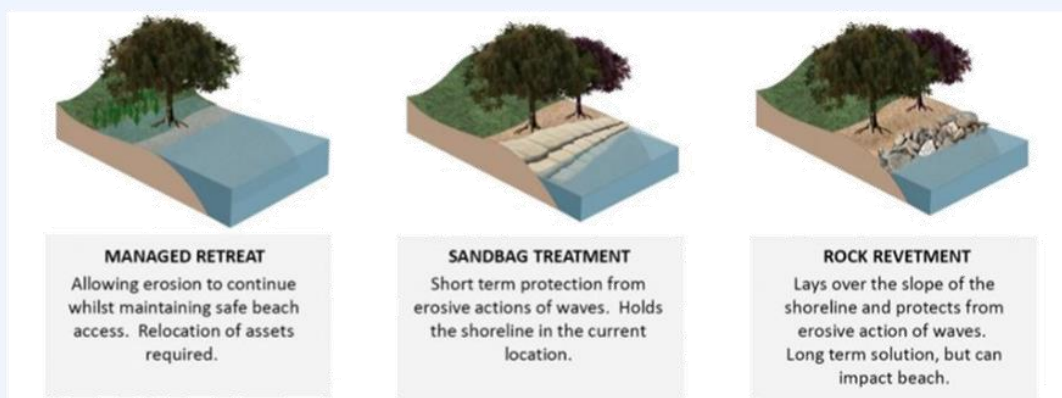
## Assessment

Council has sought to understand how this section of beach is changing and what it might look like in future, as erosion and gradual sea level rise continue.

In 2021, Dr Chris Sharples completed a geomorphological assessment on Tinderbox Beach shoreline erosion and concluded that ongoing global sea-level rise is starting to become apparent.

Council is now in the process of determining the rate of erosion and best management practices and possible remedial actions for the beach.

Future management options presented to community



# Public Consultation

## Community Feedback

To help determine how to manage the impact of erosion on the beach and park, Council sought feedback from the community about how they use this area, and what they think about possible management options.

## Public Meeting

A public meeting facilitated by Chris Rees, Impact Solutions was held on-site on Saturday 9 July 2022.

The meeting was promoted through signs at the beach, notices in letter boxes on the Tinderbox Peninsula, Council's website and social media channels, via email and phone with key stakeholders, user groups and individuals.

At the public meeting, Dr Chris Sharples, Geoscientist Consultant specialising in Coastal Geomorphology, Geodiversity and Landform Management, provided a summary of his 2021 Tinderbox Beach report to 21 people.

Dr Sharples took the group on a shoreline walk and discussed the issues and options.

The public meeting was attended by Tinderbox residents, beach users from the surrounding area, members of user groups and representatives from the Parks and Wildlife Service and Kingborough Council.

**Kingborough**  
**INVITATION TO PUBLIC DISCUSSION**

**SHORELINE EROSION MANAGEMENT AT TINDERBOX BEACH**

Coastal erosion is a significant issue that is recent years is happening more rapidly and becoming more noticeable. For this reason Kingborough Council have sought to understand how our coastline will be impacted by erosion and inundation, with rising sea levels. As the coast continues to change it can impact how we use the land in the coastal zone.

We are aware of the continuing gradual erosion behind the beach at Tinderbox and have commissioned Dr Chris Sharples, a highly experienced coastal geomorphologist, to study the beach, and look into the causes and possible remedial actions.

Council is planning a suitable approach to lessen the impact of the erosion and protect the amenity of the reserve. We would like to present Dr Sharples' findings to users of the beach and hear your views about the proposed management options. Your views will help us determine the best way forward.

**YOUR INVITATION**

If you are interested in the future management of erosion at Tinderbox Beach please meet us on site to hear Dr Sharples' presentation and participate in the discussion. Council staff will also be present to answer questions and hear your views.

We are interested to hear how the community use the space and how residents have noticed it changing over the years so we can determine the best protection option.

**Where:** Tinderbox Beach  
**Date:** Saturday 9th July 2022  
**Time:** 10:00am  
**Duration:** approx 1 hour

**Attending:** Dr Chris Sharples (Geomorphologist), Chris Rees (Facilitator), Kingborough Council Representative, Liz Quinn (Natural Areas and Biodiversity Coordinator)

If you cannot come to the meeting, you can contribute your view by completing a brief survey. You will be able to access this survey by using your smart device and scanning the QR code below or via the Kingborough Council website. The survey will be available from 9th July 2022.

**QR CODE AVAILABLE HERE**

All enquiries please contact:  
ki@kingborough.tas.gov.au  
(011) 6213 8300

Public notice signs placed around Tinderbox Beach



Public meeting attendees on shoreline walk



# Public Consultation

## Survey

Circulated throughout the community after the public meeting, a survey aimed to gather information on the community's values and activities in the reserve, frequency of use and preferred options for future management.

The survey was answered by 51 respondents, 15 of whom had also attended the public meeting.

Responses to the survey and submissions are documented in this report.

## POSTCARDS

Placed in strategic locations in the municipality and handed out at the the public meeting. They contained information about the engagement and a link via a QR code to the survey



## COMPLETE THE SURVEY TO HAVE YOUR SAY



Scan QR code to access survey or access it via the Kingborough Council website.

## SHORELINE EROSION MANAGEMENT AT TINDERBOX BEACH

Coastal erosion is a significant issue that in recent years is happening more rapidly and becoming more noticeable. For this reason Kingborough Council have sought to understand how our coastline will be impacted by erosion and inundation with rising sea levels. As the coast continues to change it can impact how we use the land in the coastal zone.

Council wants to plan a suitable approach to lessen the impact of the erosion and protect the amenity of the reserve. We would like to present Dr. Sharples' findings to users of the beach and hear your views about the proposed management options.



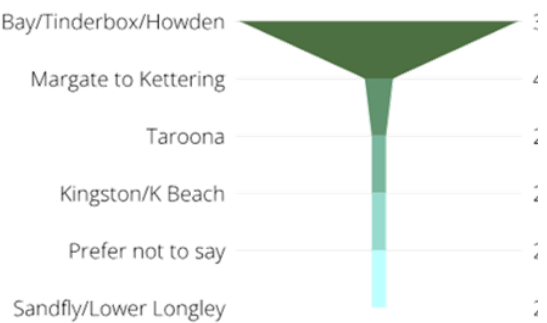
## Survey responses and submissions

### Q1. If you live in Kingborough, which area do you live in?

- 78% - Blackmans Bay/Tinderbox/ Howden
- 8% - Margate to Kettering
- 4% - Taroona
- 4% - Kingston/Kingston Beach
- 4% - Prefer not to say
- 2% - Sandfly or Lower Longley

Not answered by 1 respondent

#### Number of respondents



### Q2. Did you attend the community discussion about shoreline erosion held at the beach on 9 July?

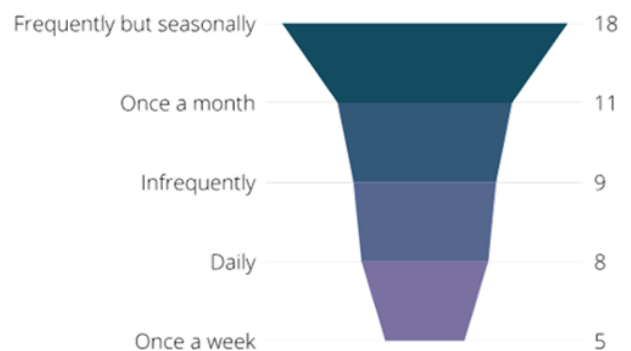
- 70% - No (35 respondents)
- 30% - Yes (15 respondents)

Not answered by 1 respondent



### Q3. How often do you visit Tinderbox Beach?

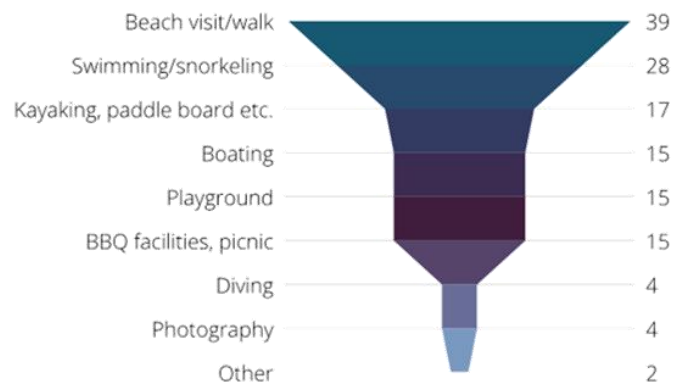
- 35.3% - Frequently but seasonally
- 21.6% - Once a month
- 17.6% - Infrequently
- 15.7% - Daily
- 9.8% - Once a week



**Q4. What activities do you most often do at the beach? Please select up to three.**

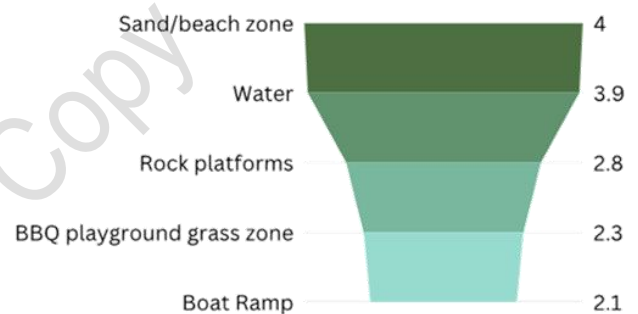
- 78.5% - Beach visit/walk
- 54% - Swimming snorkeling
- 33.3% - Kayaking/paddle board etc.
- 29.4% - Boating; playground and BBQ facilities/picnic
- 7.84% - Diving and photography
- 3.9% - Other (natural environment and cycling to the beach)

**Number of respondents**



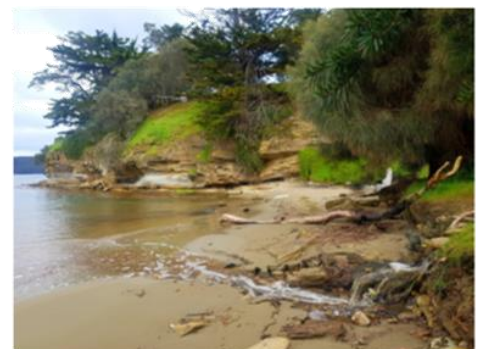
**Q5. Which feature of the beach reserve is the most valuable to you? (Please rank)**

- 4 - Sand/beach zone
- 3.9 - Water
- 2.8 - Rock platforms
- 2.3 - BBQ and playground grass zones
- 2.1 - Boat ramp



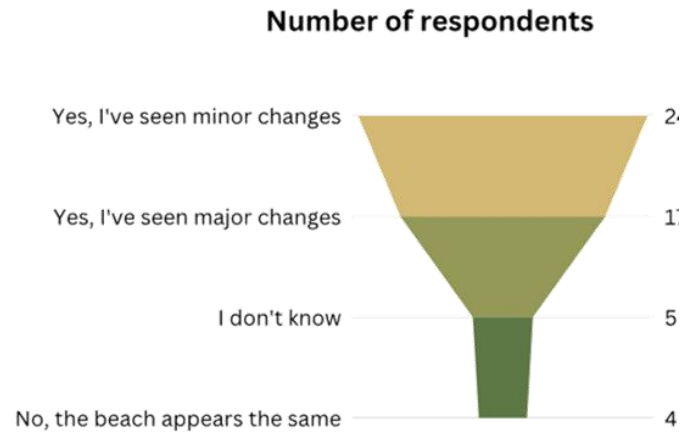
**Q6. Are you part of a group that use the beach reserve? If so which group?**

- 5 Participants were part of a group.
  - Friends of Tinderbox Marine Reserve = 3
  - Weedy Sea Dragon swimming group = 2



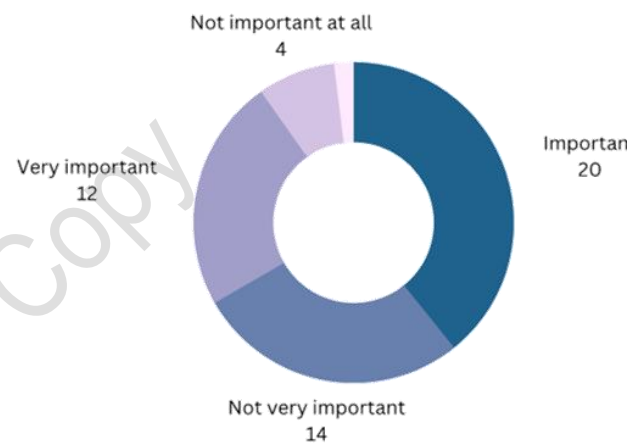
**Q8. Have you seen/experienced changes in the shoreline at Tinderbox Beach?**

- 48% - Yes, minor change
- 34% - Yes, major change
- 10% - I don't know
- 8% - No change



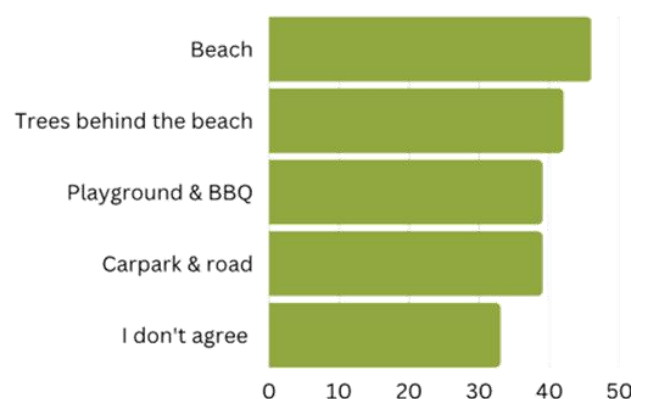
**Q9. Please indicate how important you think addressing beach erosion at Tinderbox is.**

- 39.2% - Important, take action in the near future
- 27.5% - Not very important, take minor actions to ensure safe beach access
- 23.5% - Very important, urgent action needed
- 7.8% - Not important at all, allow erosion to take its course
- 2% - Neutral



**Q10. What do you think are the most important reasons for protecting the coast at Tinderbox Beach? (Please rank)**

- 46 - Protect the beach
- 42 - Protect trees behind the beach
- 39 - Protect playground and BBQ facility
- 39 - Protect carpark and road
- 33 - I don't agree with these reasons

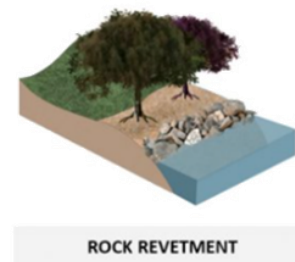


**Q11. Council is considering how to manage the shoreline erosion at Tinderbox Beach. There are three options being considered:**

**a) Managed retreat** - Allow the erosion to continue. This would involve managing safe beach access points and moving the park furniture and playground inland as required. We anticipate that the existing tree behind the beach would be lost and new planting established.

**b) Construct a temporary barrier** - Use sandbags or sand containers to prevent further erosion to the beach. This option holds the line for an estimated ten years and allows time for further investigation.

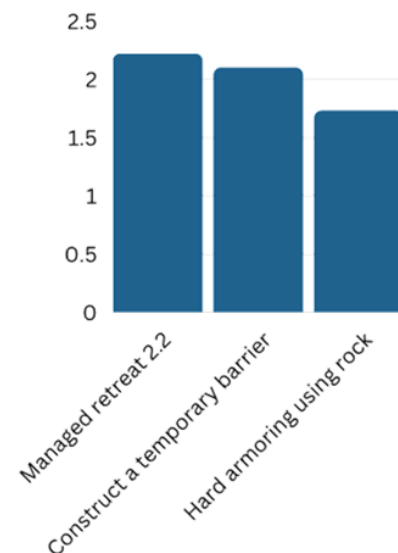
**c) Hard armoring using rock** - Use rock to construct a barrier at the back of the beach to prevent further erosion. This solution is long term and may impact the level of sand on the beach over time. It requires design, approvals, and budget allocation.



**Of the three options shown above, which do you prefer in ranking order?**

(Numbers are ranking score)

- 2.2 - Managed retreat
- 2.1 - Construct a temporary barrier
- 1.7 - Hard armoring using rock



**Q12. Do you have any further comments on the proposed management options?**

- 35 respondents answered this question
  - 16 respondents did not respond to this question
- 
- 8 respondents supported less intervention of the natural areas and no more major works that would have an environmental impact.
  - 7 respondents supported development of a management plan, including risk assessment and an established framework.
  - 3 respondents supported sandbagging.
  - 2 respondents were against sandbags due to their environmental impact.



**Extracted quotes:**

"Desirable options would be one(s) that would ensure having a sandy beach which may shift landward as a consequence of sea level rise, similar to saltmarsh retreat where there is no hinderance to the landward migration."

"Ideally, any proposed design decisions to be made in the short term ... would be guided by appropriately qualified landscape architects with much greater design sensitivity towards and understanding of natural places and nature reserves than an urban designer might."

"While funding may not be available this financial year for the community consultation required to undertake a simple master plan for the area going forward, it would be ideal if fee proposals could be sought from appropriately experienced landscape architects who have worked with Council, Parks and multiple stakeholders in the past to successfully deliver considered and sensitive design solutions in places of historical, natural and cultural significance."

"... I would like to see less intervention and high impact on this area in the future. Council needs to support the natural values of this area, which is after all, a Marine Park, and allow for a retreat of shoreline. Please can there be no more major works at Tinderbox Beach."

"I would like further information regarding the impacts of the different solutions on the biodiversity of the area."



### Extracted quotes cont..

"Whatever is implemented, I believe it should be as naturally consistent with the environment as possible. The previous use of dolerite is not in keeping with the coastline and negatively impacts the look of the area, which has becoming increasingly urbanised with the asphalt car park and boat ramp. ... Removal of the large ugly concrete platform from the beach would be most welcome!"

"As an oceanographer, I believe a combination of options a, b are probably best. Hard intervention will make the beach completely different from what it is today, defeating the propose of 'saving it'."

"Most important for future planning is to ensure an integrated vision and management plan for the next 30 years, mindful of the inherent beauty of place."

"For future management of beach erosion:  
a) continue monitoring of beach erosion due to both sea level rise & storm surges.  
b) in the next decade provide: - temporary stabilisation with long pillow sandbags/containers (less conspicuous than smaller bags) - minimise access points to beach."

"No to hard rock armouring - it may not be successful, obtrusive and very expensive. Other local beaches will be in greater need of preventative coastal erosion."

"It is also very important that the natural values of the area are maintained and the marine reserve respected, without the sole focus being on human influenced development and provision of services."



"The low cost option of sandbags to slow the retreat seemed a good solution, potentially with larger wedge-shaped 'pillow bags' resting up against the existing scarp, perhaps with pigface planted within to 'soften/naturalise' the intervention and help screen the bag material, providing the force of wave action is not sufficient to rip them out in a single storm, as proposed on Sat. However, I had not considered the inevitable shedding of synthetic fibres which commonly occur with sandbags over time."

"... restoring the beach closer to its original shore-line has great cultural merit and is a significant reason to allow a natural retreat."

"Could the storm water pipes (two, one to the left and one to the right of centre when facing the beach) be factored into the debate as these pipes open directly onto the beach and are also impacting the sand and beach."

# Conclusion and Management Options

by Chris Rees, Impact Solutions Pty Ltd

1. There is a significant community of users of Tinderbox Beach who are highly interested in the future management of the area.
2. Tinderbox Beach receives a significant level of use for a variety of purposes, principally for beach and water access, though the playground and BBQ are also regularly used.
3. Erosion at this stage is not considered critical and should be monitored in the short to medium term.
4. Apart from the eastern end of the beach, access is poor and even difficult and dangerous. Good access should be designed and installed at the western end and possibly the centre of the beach.
5. The fencing should be removed from the small reserve area at the Western end and opened up incorporating safe access to the beach, particularly for kayaking and long boarding.
6. Development of public infrastructure in recent times has detracted from the natural feel of the area and future infrastructure should foster a less urbanised look.
7. Expert landscaping advice should be sought in the development of a medium to long term plan for Tinderbox, addressing beach and access management and enhancement of natural and aesthetic values.
8. The marine reserve is a valuable natural asset and new signage should be developed for public education and explaining limitations on fishing activity.



Walter Synnot - Tinderbox 1840



Ariel photo ( 2021) annotated (Sharples 2022)



**References:**

Geomorphological considerations in landscaping options for Tinderbox Beach and adjacent backshore, By Dr Chris Sharples, [Report to Kingborough Council](#) (click title for report), December 2021.



## 15.4 KINGSTON BEACH WAR MEMORIAL

**File Number:** 22.30

**Author:** Daniel Smee, Director Governance, Recreation & Property Services

**Authoriser:** Gary Arnold, General Manager

### Strategic Plan Reference

Key Priority Area: 1 Encourage and support a safe, healthy and connected community.

Strategic Outcome: 1.1 A Council that engages with and enables its community.

### 1. PURPOSE

- 1.1 The purpose of this report is to present the results of community engagement undertaken in relation to the proposed installation of a new war memorial on the foreshore at Kingston Beach.

### 2. BACKGROUND

- 2.1 The Kingston Beach RSL Sub-Branch has approached Council with a proposal for the installation of a war memorial at Kingston Beach that will provide “a prominent and dignified structure appropriate for the recognition of the sacrifices of the millions who suffered and lost their lives in war, especially locals.”
- 2.2 Their preferred location is the site of the existing Gallipoli marker (opposite 36-39 Osborne Esplanade), which is where they currently conduct memorial services (due to the limitations of the current Kingston War Memorial on the corner of the Channel Highway and Freeman Street).
- 2.3 These services have been growing in number in recent years, with the backdrop of the beach providing a poignant reminder of the ANZAC landing at Gallipoli.
- 2.4 Council has facilitated a community engagement process for the proposal, given its role as land manager for the proposed site.

### 3. STATUTORY REQUIREMENTS

- 3.1 Council’s Planning Department has advised that the proposed memorial is considered to be minor infrastructure under Clause 5.2.10 of the Kingborough Interim Planning Scheme 2015 and is exempt from requiring a Planning Permit but may require a building permit depending on the final design.
- 3.2 The proposed location of the memorial is Crown Land over which Council has a licence for the purpose of public recreation. Accordingly, the consent of both parties will be required for the RSL to proceed with the project.

### 4. DISCUSSION

- 4.1 The results of the survey undertaken to gauge community support for the proposal are contained within the attached report prepared by Council’s Community Engagement team.
- 4.2 The results show 77% of respondents indicated support for an upgrade of the memorial at Kingston Beach, with 74% supporting the sandstone panel option over the obelisk design.

- 4.3 In addition to the survey results, Council received seven individual submissions in relation to the proposal.
- 4.4 The issues raised in these submissions can be summarised as follows:
- The memorial should include reference to the struggle of original Tasmanians to protect their land from invasion;
  - The memorial should include recognition of those who lost their lives (both traditional owners and settlers) in the “Tasmanian War”.
  - The current Gallipoli marker should be removed and not replaced.
  - Any memorial should be on RSL land – not on public land.
  - The lawn area of Kingston Beach is already overused and is the only area for families to have a picnic away from the sand.
  - The size/design of either option is not in keeping with the very sensitive and precious area of the beach.
  - The memorial should be located within Kingston Park where there is plenty of carparking and easy access for people with a disability.
- 4.5 In relation to the above, the issue of who/what the memorial should commemorate is largely one for the RSL to consider.
- 4.6 The question of the appropriateness of the memorial in this location will vary for different people but the survey results speak for themselves in terms of the overall level of community support.
- 4.7 Staff have explored alternate options for the memorial (Christopher Johnson Park, Balmoral Park and the northern end of Kingston Beach), all of which have their shortcomings.
- 4.8 Whilst the proposed location is not perfect, it is considered to be the best available and is clearly the one most preferred by the RSL.

## **5. FINANCE**

- 5.1 The RSL has requested assistance from Council towards the foundations and installation of the memorial.
- 5.2 It is estimated that this will cost around \$7,500 – which will require an allocation of capital funds from the 2023/24 budget.

## **6. ENVIRONMENT**

- 6.1 The proposed site for the memorial is in a highly modified area, with the main impacts on the visual amenity of Kingston Beach rather than on natural values.

## **7. COMMUNICATION AND CONSULTATION**

- 7.1 The community survey undertaken by in relation to this matter received 218 responses, plus seven individual submissions.



**8. RISK**

- 8.1 Given that 22% of correspondents indicated that they did not support the proposal, there is a risk that some members of the community will be disappointed if the project was to proceed.

**9. CONCLUSION**

- 9.1 A survey has shown strong community support for the proposal from the Kingston Beach RSL Sub-Branch for the installation of a new war memorial at Kingston Beach.
- 9.2 Of the two design alternatives proposed by the RSL, there was clear support for the sandstone panel option.

**10. RECOMMENDATION**

That:

- (a) Council advise the Kingston Beach RSL Sub Branch that it supports the installation of a new war memorial at Kingston Beach, with a sandstone panel design being the preferred option;
- (b) An allocation of funding be included for consideration in the 2023/24 Capital Works budget to cover the cost of the foundations and installation of the memorial.

**ATTACHMENTS**

1. Kingston Beach War Memorial Engagement Report

# Kingston Beach War Memorial

# **SURVEY RESULTS**

## OCT 2022

CREATED BY  
Kingborough Council  
on behalf of the  
Kingston Beach RSL  
Sub Branch

**Kingborough**

# Consultation Summary



**RSL**  
Tasmania

Kingborough Council invited community members to provide feedback on a proposal for a new memorial at Kingston Beach, at the current site of the Gallipoli marker.

The consultation was conducted on behalf of the Kingston Beach RSL Sub Branch and involved sending out a survey via the media, website and Facebook.



Option 1 - Sandstone Panels



Option 2 - Obelisk

## Survey

The survey was open to responses between 5 and 31 October 2022.

218 responses were received.

The preferred option was the Sandstone Panels with 74% of respondents choosing it.



# Background

The Kingston Beach RSL Sub Branch would like to replace the current Gallipoli marker at Kingston Beach, Osborne Esplanade, with a memorial to better represent the sacrifices of those who suffered and lost their lives in war, especially local community members.

## Where

The proposed new memorial will be located on Osborne Esplanade on the Kingston Beach side. The Gallipoli marker sits across the road from the Salty Dog in the location where services are currently held.

## Why a new war memorial?

The current Kingston War Memorial is on the corner of Channel Highway and Freeman Street and is not a suitable location to conduct large services. The number of people attending commemorative events now is significantly larger and the area requires more accessibility via level ground.

## Proposed options

The Kingston Beach RSL Sub Branch committee proposed two options for the replacement of the Gallipoli marker (see images below and descriptions next page).



The images shown may differ slightly to the final design of the memorials. These images should be taken only as illustrated examples.



## Proposed Options

### Option 1 - Sandstone Panels:

- Three sandstone panels.
- 1.5m high, approximately 2m wide. Black granite services badges inset (420mm x 420mm each).

### Option 2 - Obelisk:

- Polished black and grey granite.
- 3.38m high.
- Three services badges engraved on three sides of the lower back section.

### What happens to the plaques on the Gallipoli marker?

The two bronze plaques (from the existing Gallipoli marker) will be relocated onto the base of the obelisk or the back of the sandstone panels, depending on which version the community prefers.

### 50th year

2023 will mark the 50th year of the last Australian personnel to leave Vietnam after the war. The Kingston Beach RSL Sub Branch think it is very important to have the war memorial dedicated in this year.

## Council's involvement

Council conducted the public engagement to gauge the community's opinion on the design choices and created this engagement report.

The Kingston Beach RSL Sub Branch have agreed to pay for the design and construction of the memorial and will request that Council installs the memorial. This will be subject to Council approval.



Option 1 – Sandstone Panels



Option 2 – Obelisk

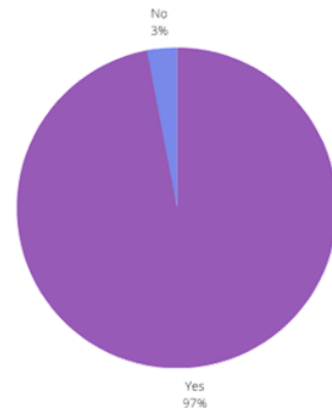


## Survey responses

### Q1 Are you a resident of Kingborough?

- Yes - 97% (210 respondents)
- No - 3% (7 respondents)

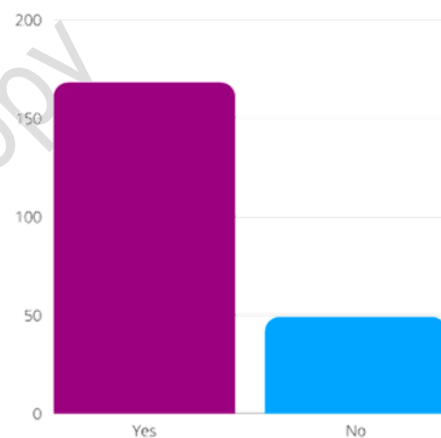
(one person skipped this question)



### Q2 Do you support an upgrade to the War Memorial at Kingston Beach?

- Yes - 77% (168 respondents)
- No - 22% (49 respondents)

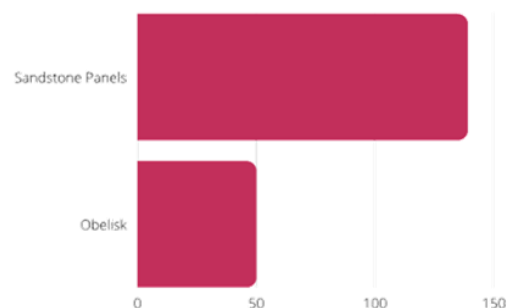
(one person skipped this question)



### Q3 Which one of the upgrades to the memorial would you prefer?

- Sandstone Panels - 74% (139 respondents)
- Obelisk - 26% (50 respondents)

(29 people skipped this question)



## 15.5 LGAT GENERAL MEETING MOTIONS

**File Number:** 12.42

**Author:** Gary Arnold, General Manager

### Strategic Plan Reference

Key Priority Area: 1 Encourage and support a safe, healthy and connected community.

Strategic Outcome: 1.1 A Council that engages with and enables its community.

### 1. PURPOSE

- 1.1 The purpose of this report is to ensure that Council's voting delegate, for the 8 December 2022 LGAT General Meeting, receives Council's direction on 'how to vote' on motions for which notice has been received. Please refer to the attached agenda items and background information in support of the motions needing decision.

### 2. BACKGROUND

- 2.1 Motions can be put to LGAT Members at any General Meeting but traditionally the majority are considered at the General Meeting attached to the annual Local Government Conference. There are 5 motions for Member Councils to vote on, including one put forward by Kingborough Council.

### 3. STATUTORY REQUIREMENTS

- 3.1 There are no statutory requirements associated with this report.

### 4. DISCUSSION

- 4.1 See attachment.

### 5. FINANCE

- 5.1 There are no financial implications associated with this report.

### 6. ENVIRONMENT

- 6.1 There are no environmental concerns associated with this report.

### 7. COMMUNICATION AND CONSULTATION

- 7.1 The LGAT Agenda has been provided to all Councillors prior to the Council meeting.

### 8. RISK

- 8.1 There are no risks associated with this report.

### 9. CONCLUSION

- 9.1 The motions, and background information, are tabulated in the attachment.

**10. RECOMMENDATION**

That Council advise the Mayor regarding voting at the upcoming LGAT General Meeting as follows:

LGAT General Management Committee Casual Vacancy	Yes <input type="checkbox"/> No <input type="checkbox"/> DD <input type="checkbox"/>
Workplace Health and Safety Review of Elected Representatives	Yes <input type="checkbox"/> No <input type="checkbox"/> DD <input type="checkbox"/>
Timing of Council Meetings	Yes <input type="checkbox"/> No <input type="checkbox"/> DD <input type="checkbox"/>
Affordable Housing	Yes <input type="checkbox"/> No <input type="checkbox"/> DD <input type="checkbox"/>
Review of Property Agents and Land Transactions Act 2016	Yes <input type="checkbox"/> No <input type="checkbox"/> DD <input type="checkbox"/>

**ATTACHMENTS****1. Motions for LGAT General Meeting**

Public Copy

## 1. LGAT General Management Committee Casual Vacancy

**Decision Sought:**

That Members endorse the extension of the term of the GMC representative from the Northwest electoral district (population greater than 20,000) from when elected until June 2025.

**Background:**

Following the 2022 local government elections there have been two GMC casual vacancies - Annette Rockcliff (Northwest electoral district with a population greater than 20,000) and Alex Green (Southern electoral district with a population less than 20,000).

The LGAT Rules (clause 21 (d)) indicate that *"A casual vacancy on the General Management Committee shall be filled as soon as practicable by the conduct of a by-election in accordance with Rule 20."*

There is an ordinary GMC election scheduled for next year, with the call for nominations likely to be in early March.

This timing causes challenges, as anyone elected in a by-election would be subject to another election immediately on taking office and also face the potential of only having a term of 4 months (March – July).

Typically, in circumstances such as this, the relevant proxy assumes the GMC membership for the remainder of the term of GMC. Kelly Spaulding, Tasman Council, is the proxy for the Southern electoral district (population less than 20,000) and has agreed to take the role. However, the Northwest electoral district (population greater than 20,000) proxy was Jan Bonde, who retired at the local government elections, leaving this position vacant. There are two councils in this electoral district – Devonport and Central Coast.

At its September meeting, the GMC determined to conduct a by-election for the vacant Northwest electoral district this year.

In recognition of the overlap between the by-election and the ordinary GMC election, Member endorsement is sought to extend the term of the successful candidate in the by-election until July 2025, pursuant to clause 21 (c) of the LGAT Rules, which states:

*"The term of office of the General Management Committee may be extended by any Meeting of the Association for such periods as it determines."*

This allows LGAT to conduct a by-election for the casual vacancy, commencing in December, for the current casual vacancy, with the GMC elections proper for the remaining positions to commence in March. All elected members will complete their two year term in June 2025.

An extension to an individual GMC members' term under these circumstances has precedent. In December 2016 the term of Tony Bisdee was extended following his by-election to fill a casual vacancy.

## 2. Workplace Health and Safety Review of Elected Representatives

### Decision Sought:

That Members endorse the recommendations contained in the Work Health and Safety Review – Elected Representatives.

### Background:

At the August 2021 General Meeting members resolved that:

*The Tasmanian local government sector confirms its commitment to ensuring a safe workplace for elected representatives and staff and, that LGAT calls on the State Government to commission a review of the workplace health and safety of the Local Government sector for elected representatives.*

Discussions with the State Government resulted in agreement for the Office of Local Government to fund the engagement of a suitably qualified consultant to undertake the review, with LGAT to manage the work.

Edge Legal were awarded the review following a competitive tender process. The full terms of reference are available on the LGAT Member Portal under “Elected reps governance”.

Broadly the engagement involved:

- A State-wide online survey document able to be answered anonymously by elected representatives, senior staff and relevant regulators.
- One on one confidential interviews (by request and invitation) of elected representatives, senior staff and relevant regulators.
- Inviting written submissions from elected representatives, senior staff and relevant regulators.
- A review of the current regulatory environment in Tasmania and other relevant jurisdictions.
- Written feedback on the draft report from all participants and the broader sector.

Edge Legal has produced the following deliverables as part of their work:

- an Executive Summary of the review, including all recommendations
- the full report
- stand alone reports on council, elected representatives and council staff responsibilities under the various legislative instruments (e.g. WH&S, Code of Conduct, Anti-Discrimination Act etc.)
- a statewide assessment of the health and safety hazards to elected representatives and appropriate risk mitigation actions (pursuant to the Work Health and Safety Act 2012) that can be taken by individual councils, depending on local circumstances’.

Each of these documents is available on the LGAT Member Portal under “Elected reps governance”. The Executive Summary is also included at **Attachment to Item 2.2**, with the full suite of recommendation outlined in detail from page 8 to 14.



Member endorsement of the recommendations is sought to allow LGAT to prepare an implementation plan for the work in 2023.

A summary of the recommendations is included below.

## **1. Legislation**

- 1.1 If any current initiatives to ensure a more comprehensive Model Code of Conduct are not achieved, include a requirement to have a Behavioural Management Policy and optional Behavioural Support Policy (similar to the current SA Framework).<sup>1</sup>
- 1.2 Amend Part 12B of Local Govt Act (Performance Improvement Directions) to broaden the application upon which a Director can make recommendations including a breach of the WHS Act, referral from GM/ CEO or Mayor; or not meeting the Director's assessment of "not acting in the best interest of the Community".
- 1.3 Amend Local Govt Act to permit removal of an Elected Representative from office by Minister (upon recommendation of the Director) for matters more currently recognised as not meeting contemporary community standards.
- 1.4 Include provisions in the Local Govt Act similar to allow those disrupting public meetings to be removed by the GM/ CEO and/or Mayor and with the potential to ban persons from future attendance.
- 1.5 Amend Integrity Commission Act to allow Integrity Commissioner to refer minor matters or matters, that in the opinion of the Integrity Commissioner would be more appropriately dealt with by another body, to Council or the Code of Conduct Panel to deal with at the triage stage.

## **2. Code of Conduct**

- 2.1 Amend s.28Y to allow the initial assessment<sup>2</sup> to be conducted by an expert (with expertise in behaviour and local government related matters) and/ or independent a Respectful Conduct Advisor appointed by GM/ CEO.
- 2.2 Permit Respectful Conduct Advisor to assess the matters as either:
  - a) frivolous, vexatious or without reasonable foundation;
  - b) minor breach; or
  - c) serious breach.
- 2.3 Amend s.28ZA to allow Chairperson to have reference to the Respectful Conduct Advisor's assessment.
- 2.4 Have separate processes for the Code of Conduct Panel to conduct investigations for minor and serious breaches.
- 2.5 Allow Code of Conduct Panel to impose 'without fault' restrictions (up to and including suspension) upon Elected Representatives whilst investigating serious breaches.
- 2.6 Strengthen sanctions for serious breaches – no requirement for 3 suspensions before removal of office is considered.

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<sup>1</sup> The Government initially agreed to do this but rescinded after consultation on the draft Bill. Feedback received suggested that a comprehensive Code of Conduct is the preferred option. The Government will introduce a new mandatory Code of Conduct for all Councils.

<sup>2</sup> Noting that the processes that Government has suggested could be further supported by such an additional assessment.

- 2.7 Allow Code of Conduct Panel to impose suspensions until training orders have been complied with.
- 2.8 Allow Code of Conduct Panel to determine breaches of matters already subject to training orders to be serious breaches.
- 2.9 Amend Model Code of Conduct to include additional matters as set out in Local Government (Governance and Integrity) Regulations 2020 (Vic) Schedule 1 – Standards of Conduct.
- 2.10 Confirm regulatory intent of the Model Code of Conduct is to promote and protect psychosocial safety.
- 2.11 Allow Code of Conduct Panel to provide permitted disclosures during the process to avoid ‘silence’ being used to ‘weaponise’ the process by preventing an Elected Representative who is responding to a complaint to declare their innocence and/or outline a basic summary of their defence.
- 2.12 Amend s.28ZN to allow a Code of Conduct Panel to award costs against either party or both.<sup>3</sup>
- 2.13 Change the “prescribed period” in s.28ZL(1) to be over the life of an Elected Representative’s tenure – not just limited to consecutive terms.
- 2.14 Allow automatic removal of an Elected Representative without requiring Ministerial discretion in s.28ZL(3), after 3 suspensions.
- 2.15 Introduce specific statutory protection for complainants and witnesses generally similar to the intent of those contained Public Interest Disclosures Act 2002.

### **3. Third Party Framework**

- 3.1 LGAT to coordinate with The Office of Local Government, Equal Opportunity Tasmania, Integrity Commission and WorkSafe Tasmania to review the status quo/improvements in relation to behavioural management and publish annual results for the industry.
- 3.2 LGAT (from the information above) provide clear guidance materials to Chair of Code of Conduct Panel.
- 3.3 LGAT (from the information above and direct information from Councils direct) to publish statistics on matters to demonstrate appropriate monitoring (eg due diligence) within the industry.
- 3.4 Independent Respectful Conduct Advisor position, with terms of reference, be created to assist GMs/ CEOs and the Mayor deal with behavioural matters informally and within Council.
- 3.5 Create standardised behavioural monitoring templates for Council to record and provide their behavioural management statistics to LGAT to publicly publish.
- 3.6 LGAT provide industry-wide examples of “what IS” and “what is NOT” acceptable behaviour in a council context for Elected Representatives, Council staff and members of the Community.
- 3.7 LGAT create standardised policies and processes for councils to deal with unreasonable complaints or inappropriate conduct from community members.

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<sup>3</sup> To be considered as part of TASCAT feasibility study.

- 3.8 Introduce industry sponsored communication to the community to confirm what the Code of Conduct process or any other behavioural management process can and can't be used for.
- 3.9 Create a community education campaign to set realistic expectations for the services Councils are able to deliver.
- 3.10 Create specific processes and expectations for Community participation in Council meetings.
- 3.11 Create standardised procedures for the conduct of meetings across the Local Government industry.
- 3.12 Implement a public Community education campaign to set behavioural expectations for the manner in which interactions with Council (Elected Representatives, GM/ CEO and Council staff) are to occur – similar to the Retail Industry campaign of “No one deserves a serve”.
- 3.13 Develop and introduce a Diversity campaign.
- 3.14 Extend EAP to Elected Representatives.
- 3.15 Extend Grievance Resolution and Workplace Behaviour Policies to Elected Representatives or create new ones voted on by Elected Representatives.
- 3.16 Councils to introduce practical measures which focus on building, maintaining and improving relationships between Elected Representatives (eg dinners, events, etc).
- 3.17 Councils to require full disclosure of any correspondence to prevent anonymous or unauthorised interactions and recommend to Elected Representatives to do the same for their personal accounts.

#### **4. Training**

- 4.1 Introduce additional training and education focused and tailored for 3 main stages of an Elected Representative's Journey - pre-election, induction; and refresher.
- 4.2 Clarify the role of GM as an officer of the PCBU with certain obligations under WHS laws which cannot be unreasonably interfered with.
- 4.3 Training for Mayors on the management of meetings and chairing meetings under the meeting regulations.
- 4.4 Introduce a requirement for qualification similar to Company Director's Course as a mandatory pre-condition for seeking election, an ongoing requirement for Continuing Professional Development (CPD) to be maintained throughout the term of an Elected Representative. The CPD to have a mandatory requirement for appropriate behavioural standards.
- 4.5 Provide opportunities for 'one on one' coaching for Elected Representatives.

### 3. Timing of Council Meetings

#### Council – Burnie City

**Decision Sought:**

That LGAT adopt a policy position that ensures that council meeting and workshop times occur at times that are conducive to and facilitate increased participation across a broader cross section of community candidates, particularly bearing in mind time constraints and commitments that would apply to those working full time, young people and those with caring responsibilities.

**Background Comments:**

At its meeting of 26 July 2022, Burnie City Council resolved to submit a motion to the upcoming LGAT General Meeting, asking the above policy be adopted.

The motion raises valid considerations about the practical structural barriers that might preclude the fullest range of community members from participating as councillors.

It would be counter-productive to prescribe the times at which Council meetings and Workshops should be held, as this may cause more problems than it solves. But making the issue of structural barriers more explicit and having each Tasmanian Council consider and determine meeting times to facilitate participation and access is worthy.

The demographic make up of elected councillors across the state is often a cause for discussion. There are persisting stereotypes that Councils are not particularly representative of the demographics of the communities from which they hail. Considering and minimising structural barriers that might preclude candidates from particular demographics is one way on improving the representative make-up of Councils.

**LGAT Comment**

There have been no previous motions on this matter.

#### 4. Affordable Housing

##### Council – Kingborough

**Decision Sought:**

That LGAT lobby the State Government to encourage the development of affordable housing, as a matter of urgency through:

- a) Measures that promote the efficient supply of well located, diverse housing;
- b) Promote the development of affordable housing with specific incentives for affordable housing enabled through planning schemes and policies; and
- c) Require the development of affordable housing with the use of mandatory provisions in appropriate locations (ie, a threshold that would require certain sized developments to provide a minimum percentage of affordable housing).

**Background Comments:**

Housing affordability is an increasing problem throughout Tasmania particularly for women escaping from family violence, young people and older Tasmanians. Despite this, there are currently no mechanisms in Tasmania to encourage housing affordability through the planning framework.

The land use planning framework can provide important support to promote affordable and social housing. Promoting new sources of affordable housing means encouraging provision through the private market of housing options that are more likely to meet the needs of low to moderate-income households now and in the future.

The State Government's "Affordable Housing Action Plan 2019-2023" included the following statement:

*"Action 2.2. Planning mechanisms will be reviewed to promote a greater array of housing options in new developments, including affordable housing, to determine those best suited to the specific Tasmanian regulatory, social and economic context".*

However, with just one year left of this strategy and Tasmania's worsening housing crisis, it does not appear that much progress has been made. Opportunities to promote new sources of affordable housing through the planning system could include:

- Ensuring that the Planning Scheme contains overall planning objectives to promote affordable housing. Such objectives will provide a basis for planning authorities to encourage applications that contribute to affordable housing or housing choice within an area;
- Facilitating the supply of appropriately zoned residential land, to avoid artificial supply constraints that may affect the cost of housing, by identifying potential housing opportunities such as un-utilised or under-utilised land, areas in need of urban renewal or upgrading, or vacant sites in public ownership;
- Ensuring that zone and locality provisions are sufficiently flexible to promote new affordable housing opportunities; and
- Introducing planning incentives for diverse housing types or for affordable housing.



Some Councils in other parts of Australia have introduced requirements in their planning schemes to diversify housing forms. For example:

- Leichhardt Council enforces mandatory requirements for diverse multi-unit configurations.
- Blue Mountains Council have developed specific development controls for accessible housing, including residential care facilities, hostels, or groups of two or more self-contained units intended to be used for older people or people with a disability. These controls include requirements to ensure that such housing is fully adaptable.
- Waverley Council encourages shop top or mixed commercial/residential developments through floor space incentives.

Communities Tasmania is currently in the process of reviewing their Housing Strategy, and the State Planning Office is working on planning reforms. It is therefore considered timely to advocate for policy change to ensure that all sectors work together to improve housing choices and access to suitable and affordable homes, particularly for the most vulnerable Tasmanians.

### **LGAT Comment**

LGAT has one related resolution on record from July 2018:

*That the Local Government Association of Tasmania be requested to lobby the State Government to ensure that the State is taking sufficient measures and allocating sufficient resources to provide affordable, low cost housing, particularly in rural and outer suburban areas with transport and social services to support the same.*

This resolution informed LGAT's advocacy to Tasmania's Affordable Housing Action Plan 2019-2023.

As councils respond to the intensifying housing pressure they see in their communities, LGAT has received a significant increase in housing related issues from the sector in the last few years. Housing affordability and shortages continue to be a problem nationally and internationally, which strongly demonstrating that economic and social factors are the primary cause, rather than local land use planning.

There is a range of current reforms and policy development where we are currently advocating on housing including:

- Planning reforms and reviews<sup>4</sup>:
  - Phase 1 Review: State Planning Provisions Review
  - Phase 2 Reforms: Tasmanian Planning Policies and Regional Land Use Strategies update
- Tasmanian Housing Strategy.<sup>5</sup>

Please refer to the specific agenda paper in this meeting's agenda for further information.

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<sup>4</sup> See: <https://planningreform.tas.gov.au/planning-reforms-and-reviews>

<sup>5</sup> See: <https://tashousingstrategy.communities.tas.gov.au/>

## 5. Review of Property Agents and Land Transactions Act 2016

### Council – West Tamar

**Decision Sought:**

That LGAT seek revisions to the Property Agents and Land Transactions Act 2016 to consider:

- a) Requiring a 337 Certificate prior to listing of a property and making it available as part of the sale process; and
- b) Requiring full disclosure for properties as part of the listing process.”

**Background Comments:**

The process of seeking the issue of a 337 Certificate as part of purchasing a property provides an effective tool in identifying a range of matters including matters relating to planning, building and plumbing. Regrettably normal practice is that a purchaser does not seek a certificate until they are about to, or already have, signed a contract meaning important information can remain unknown until the end of the process. This can and often does lead to frustration, increased costs, legal argument and ultimately delays in the process.

Requiring a 337 certificate prior to listing a property places the onus on the vendor and ensures the information is available when the property is listed for sale. This places the responsibility where it should lie and ensures a prospective purchaser is able to make a more informed decision.

Property disclosure statements exist in most states and territories in Australia and form part of the process of residential property sale. As with the responsibility described above regarding 337 certificates, it is appropriate that a property vendor be responsible for disclosing matters related to the property being listed for sale.

This is a matter which has been previously considered by government however with the recent increase in property transactions it has become apparent that it is appropriate to reconsider these suggested changes and incorporate them into Tasmanian law.

Providing this level of consumer protection has become the minimum standard expected by our communities.

**LGAT Comment**

A similar resolution was passed at the July 2019 General Meeting.

In January 2020 LGAT wrote to the Minister for Building and Construction, Hon Elise Archer MP. The Minister responded by noting that (emphasis added):

*the matter of vendor disclosure was considered by Government as recently as 2016 and not implemented as no consensus for reform was able to be reached among stakeholders. I understand that this remains the case, however I will continue to have discussions and monitor the issue to inform any future decision in relation to the proposed reforms.*

Tasmania and the Northern Territory are the only jurisdictions without mandatory disclosure, by either the seller or the property agent. The depth of disclosure varies around the country<sup>6</sup>.

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<sup>6</sup> See summary: <https://propertyupdate.com.au/property-sellers-disclose/>

Tasmania is relatively unique in the public availability of maps<sup>7</sup> of environmental hazards – bushfire, coastal erosion, coastal inundation, landslide and flood yet property buyers may not be aware of this information or not have access. Without this disclosure, property buyers may be unknowingly exposed to risks that they would otherwise avoid, with limited legal recourse even under Australian Consumer Law.<sup>8</sup>

The State Government may be more open to reforms than the previous attempt. For example, the Residential Building (Miscellaneous Consumer Protection Amendments) Bill 2022 is before the Parliament that is intended to strengthen consumer protections within the building industry and provide for streamlined dispute resolution for residential building work.

Our submission<sup>9</sup> to the bill's consultation was supportive of the consumer protections, but critical of how the reforms will impact local government.

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<sup>7</sup> See: <https://alert.tas.gov.au/get-ready/risk-ready/>

<sup>8</sup> See: <https://www.hopgoodganim.com.au/page/knowledge-centre/court-decision/no-relief-for-buyer-of-property-for-seller's-misleading-and-deceptive-conduct>

<sup>9</sup> See: [https://www.lgat.tas.gov.au/\\_\\_data/assets/pdf\\_file/0028/1192564/LG1E90~1.PDF](https://www.lgat.tas.gov.au/__data/assets/pdf_file/0028/1192564/LG1E90~1.PDF)

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## 16 NOTICES OF MOTION

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### 16.1 Communication of Local Provisions Schedule (LPS), Specifically the Landscape Conservation Zone (LCZ)

The following Notice of Motion was submitted by **Cr Deane**

#### RECOMMENDATION

That the Council:

- a) Communicate with the 1,952 property owners in Kingborough who are being proposed to be zoned as Landscape Conservation Zone (LCZ) as part of the Kingborough draft Local Provisions Schedule (LPS) submitted to the Tasmanian Planning Commission (TPC) in 2019, and;
- b) That this communication involves mailing property owners an information pack with:
  - information about the current process and timeframes for transitioning to the TPS [sic]
  - an overview of the LCZ
  - a fact sheet answering common LCZ-related queries
  - a guide for how to make a submission to the TPC once the LPS is advertised.

#### Background

Since Council lodged its Draft Local Provisions Schedule in 2019, there have been growing concerns amongst residents relating to the new Landscape Conservation Zone (LCZ).

Of Kingborough's 18,947 rateable properties, the Draft LPS has rezoned 1,952 properties as LCZ. The vast majority of these properties (87%) have been transferred from the Environmental Living Zone which will no longer exist under the Tasmanian Planning Scheme (TPS).

The process of transitioning towards the new TPS has been lengthy and the forthcoming changes are complex.

While it isn't feasible to communicate all of the TPS changes to all property owners, it is possible to respond to community concerns about the new LCZ.

Community concern has grown significantly in 2022, evidenced by the following:

- Council has received a significant number of LCZ-related queries from residents and property owners.
- A Kingborough Residents concerned about Landscape Conservation Zoning Facebook page has been created which currently has 654 members (as at 24/11/2022). The group has also leafleted effected residences.
- The issue has received media attention including in the Kingborough Chronicle and the Huon News.
- Kingborough Council hosted a Councillor Workshop on November 14, 2022 to brief Councillors on Kingborough's Draft LPS and LCZ-related matters.

In response, Council has attempted to address concerns either by providing more information on its website or by responding to as many individual queries as possible.

However, it is likely there is still a significant number of residents who either remain unaware of the proposed planning changes relating to their property, or lack sufficient knowledge of the current process.

To address this, Council should communicate the changes directly with residents so that:

- Residents have sufficient time to become familiar with the complex issues relating to the TPS, LPS & LCZ requirements.
- Residents can be better prepared if they choose to make a submission during the 60-day exhibition period.
- Council can demonstrate its commitment to being a consultative organisation that responds to community concerns.
- Any misunderstandings within the community about the process can be addressed.

In short, this motion seeks to support the right of affected residents to be informed with information relating to their property rezoning and builds on the work already undertaken by Council staff to date.

### **Officer's Response**

If the Council is of the opinion that individual letters should be sent to every land owner and occupier, it should not be limited to one zone as suggested in this Notice of Motion. The Planning Reform initiated by the State Government, which aims to have all Councils on a single scheme (Tasmanian Planning Scheme) includes changes to every zone and overlay; meaning that every property will see some changes, even if the name of their zone remains the same.

Singling out a single zone may cause issues with residents who do not receive a letter feeling that they have not been communicated with fairly and that if it was worthwhile for one zone then it is worthwhile for all zones. If that were to occur, it would likely cause reputational damage and result in delays in the advertising period or the need for readvertising.

Aside from the decision to made on this NOM, it should be noted that the items that are listed will be prepared and will be made available on the Council website, in our offices, posted by request and made available at the community information sessions that will be held during the public exhibition period.

*Tasha Tyler-Moore, Manager Development Services*



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**17 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

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**RECOMMENDATION**

That in accordance with the *Local Government (Meeting Procedures) Regulations 2015* Council, by absolute majority, move into closed session to consider the following items:

**Confirmation of Minutes**

Regulation 34(6) *In confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.*

**Applications for Leave of Absence**

Regulation 15(2)(h) *applications by councillors for a leave of absence*

**Acquisition of Right of Way for a Shared Pathway Connection**

Regulation 15(2)(f) *proposals for the council to acquire land or an interest in the land or for the disposal of land.*

In accordance with the Kingborough Council *Meetings Audio Recording Guidelines Policy*, recording of the open session of the meeting will now cease.

Open Session of Council adjourned at

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**OPEN SESSION ADJOURNS**

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## OPEN SESSION RESUMES

### RECOMMENDATION

The Closed Session of Council having met and dealt with its business resolves to report that it has determined the following:

Item	Decision
Confirmation of Minutes	
Applications for Leave of Absence	
Acquisition of Right of Way for a Shared Pathway Connection	

### CLOSURE

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# APPENDIX

A Mayor's Activities 11 October 2022 to 28 November 2022

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**A MAYOR'S ACTIVITIES 11 OCTOBER 2022 TO 28 NOVEMBER 2022**

<b>Date</b>	<b>Location</b>	<b>Item</b>
11 October	Civic Centre	Chaired Kingborough Municipal Emergency Committee Meeting
15 October	Margate	Launch of Fire Smart Garden, Margate Fire Station
17 October	Civic Centre	Chaired Council meeting
18 October	Bellerive	ICC World Cup presentation – Present gift to teams training at Twin Ovals
19 October	Kingston	Conduct Citizenship Ceremony
23 October	Bellerive	Attend T20 Men's World Cup Game
26 October	Kingston	Opening of first townhouses at Kingston Park with representatives of Traders in Purple and Minister for Housing, Guy Barnett
2 November	Civic Centre	Declaration of Office following Local Government elections
3 November	Kingston	Kingston High School – 50 <sup>th</sup> Anniversary Celebrations
7 November	Via Phone	Meeting with Hon Meg Webb, MLC, re Motion on review of Local Government elections.
7 November	Civic Centre	Chaired Council meeting
9 November	Kingston	Kingston Revitalisation Steering Committee meeting
13-27 November		Approved leave of absence – Cr Glade Wright Acting Mayor.
28 November	Civic Centre	Chaired Council Workshop on Sports Ground User fees