

Kingborough



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, 21 July 2025 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. 12 to be held on Monday, 21 July 2025 contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendations.



Daniel Smee
ACTING CHIEF EXECUTIVE OFFICER
being the General Manager as appointed by the
Kingborough Council pursuant to section 61 of the
Local Government Act 1993 (TAS)

Tuesday, 15 July 2025

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GUIDELINES FOR PUBLIC QUESTIONS

Division 4 of the *Local Government (Meeting Procedures) Regulations 2015*

This guide helps community members understand how to ask questions during Public Question Time at a Council meeting or sending in questions to be placed on the meeting Agenda, based on the [Local Government \(Meeting Procedures\) Regulations 2015](#), as well as any other determinations made by Council.

Please remember, this time is for asking questions only—there will be no discussion or debate about the questions or the answers.

How to Ask a Question:	<p>You can ask a question either:</p> <ul style="list-style-type: none">• In writing (before the meeting) (see questions on notice below), or• In person at a regular Council meeting (see questions without notice below). <p>Your question must be about Council activities only.</p>
Purpose of Question Time:	<ul style="list-style-type: none">• This time is for asking questions, not for debating them.• Answers will be given, but there won't be any discussion.
Written Questions (Questions on Notice):	<ul style="list-style-type: none">• Must be sent at least 7 days before the meeting.• The 7-day period includes weekends and public holidays, but not the day you submit the question or the day of the meeting.• Title your submission clearly as “Question/s on Notice.”
Verbal Questions (Questions Without Notice):	<ul style="list-style-type: none">• At least 15 minutes will be set aside during the meeting for these.• A maximum of three (3) questions will be allowed per person, per meeting.• You can't ask about topics already on the meeting agenda.• If your question can't be answered right away, it will be answered at the next meeting or as soon as possible.
Rules for Asking Questions:	<p>Your question should:</p> <ul style="list-style-type: none">• Be short and clear;• Not be a statement;• Have little or no introduction. <p>The Chairperson may reject your question if it:</p> <ul style="list-style-type: none">• Is offensive, defamatory, or illegal;• Doesn't relate to Council business;• Is unclear, repetitive, or about confidential matters.

AGENDA of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 21 July 2025 at 5.30pm

WELCOME

The Chairperson will declare the meeting open and welcome all in attendance. The Chairperson will advise all persons attending the meeting that they are to be respectful of, and considerate towards, other persons attending the meeting.

AUDIO RECORDING

The Chairperson will 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.

1 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

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

2 ATTENDEES

Councillors:

Mayor Councillor P Wriedt
Councillor A Antolli
Councillor D Bain
Councillor G Cordover
Councillor K Deane
Councillor F Fox
Councillor M Richardson
Councillor C Street

3 APOLOGIES

Deputy Mayor Councillors C Glade-Wright
Councillor A Midgley

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the open session of the Council Meeting No.11 held on 7 July 2025 be confirmed as a true record.

5 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

Date	Topic	Detail
14 July	Local Provisions Schedule	<p>A workshop was held on the draft LPS to;</p> <ul style="list-style-type: none"> - Provide a summary of Council's response and approach to considering representations made during the exhibition process for the draft LPS; - Provide overview of the draft LUPAA s35F report to be provided to the Tasmanian Planning Commission; - Provide Information about the hearing process; and <p>To answer questions about the draft LPS, s35F report and hearing process from Councillors.</p>

6 DECLARATIONS OF INTEREST

In accordance with Regulation 10 of the *Local Government (Meeting Procedures) Regulations 2025* and Council's adopted Code of Conduct, the Mayor requests Councillors to indicate whether they have, or are likely to have, a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

7 TRANSFER OF AGENDA ITEMS

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 2025*.

8 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

9 QUESTIONS ON NOTICE FROM THE PUBLIC

Council has determined that questions on notice or questions taken on notice from a previous meeting should not contain lengthy preambles or embellishments and should consist of a question only. To this end, Council reserves the right to edit questions for brevity so as to table the question only, with some context if need be, for clarity.

9.1 Purchasing Policy

At the Council meeting on 7 July 2025, **Mr Charles Biggins** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

1. *What legal requirement is there under the Local Government Act or any other legislation, for Council to go through a Tender Process for the acquisition of goods or services?*
2. *Can Council advise what their annual budget for tree works is and if the total spend on Arboriculture services over the past 25 years was in the order of \$10million?*

3. *Can Council confirm that in the past 25 years, there has only been one Tender from Kingborough Council for Tree Contractors and that was only to pre-approve businesses to go onto a Panel of Providers (for Reactive Tree Works 2022) that Council staff could choose from?*
4. *Can Council confirm that over the past 25 years, all contracted tree works were exempt from being put out to Tender due to individual jobs falling below the Tender requirement threshold?*
5. *Can Council confirm if it was common practice during the past 25 years when requiring two quotes for larger tree works projects, that the same companies would be asked to provide those quotes?*
6. *Can Council confirm if the majority of Purchase Orders issued by Council staff for tree works over the past 25 years were for amounts that only required verbal quotes?*
7. *Can Council confirm if at least 80% of the total contracted tree works for the past 25 years (estimated to be in the order of \$10million) was spent on just two Arboricultural businesses, two businesses that were owned separately by two members of the same family?*
8. *Why were these two Arboricultural companies given such preferential treatment by Kingborough Council, given that they were based in Brighton and Cambridge and needed to transport heavy equipment to and from Kingborough for every one of these “small jobs” that fell short of the required Tendering Process?*
9. *Can Council please explain why my business of 25 years, the largest Arboriculture business in Kingborough for the last 15 years was not invited to quote on any tree works even after having successfully Tendered to be included on Kingborough Councils Panel of Providers (for Reactive Tree Works 2022)?*
10. *How can Council guarantee that Ratepayers are getting value for money if the legislated Tender Process can be and has been so easily by-passed by simply breaking larger maintenance budgets down into smaller jobs exempt from the Tender Process ?*
11. *Council approved its Fraud Control and Corruption Prevention Policy in November 2024. Council states that it will investigate allegations of impropriety. Is Council currently investigating any irregularities regarding Council's procurement of Arboricultural Services over the past 25 years?*

Officer's Response:

1. The requirement to go through a tender process for the supply of goods or services is detailed in Section 333 of the *Local Government Act 1993*. The provisions of this legislation require a council to invite tenders for any contract it intends to enter into for goods or services valued at or above the prescribed amount (\$250,000 excluding GST) and adopt a code relating to tenders and contracts. Council reviewed its Code for Tenders and Contracts Policy in March of 2025, with this document publicly available on Council's website.

The remainder of these questions require a review of a significant amount of historical data and given the time constraints and resources involved, responses are unable to be provided until the next Council meeting.

Daniel Smee, Acting Chief Executive Officer

9.2 Audit Panel

Ms Jo Landon submitted the following question on notice:

The minutes of the Audit Panel meeting held on 21 February 2025 can be found within the agenda of the ordinary Council meeting on 7 April 2025. Where can the public access the agenda of the Audit Panel meeting? If it isn't already publicly accessible, could Council please share it?

Officer's Response:

It is not Council's usual practice to publish the agendas of the Audit Panel as these may contain confidential information.

David Spinks, Director People & Finance

10 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

11 QUESTIONS ON NOTICE FROM COUNCILLORS

At the time the Agenda was compiled there were no Questions on Notice from Councillors.

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

12 OFFICERS REPORTS TO PLANNING AUTHORITY

12.1 REPORT ON REPRESENTATIONS RECEIVED DURING THE EXHIBITION OF THE KINGBOROUGH DRAFT LOCAL PROVISIONS SCHEDULE

File Number: 17.228 and 17.272

Author: Adriaan Stander, Senior Strategic Planner

Authoriser: Tasha Tyler-Moore, Manager Development Services

Strategic Plan Reference

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

Strategic Outcome: Best practice land use planning systems are in place to manage the current and future impacts of development.

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to provide an overview of the representations received during the exhibition of the Kingborough draft Local Provisions Schedule (LPS), for the incoming Tasmanian Planning Scheme.
- 1.2 The report includes a summary of the representations and includes recommendations to the Tasmanian Planning Commission (TPC) to consider as part of the public hearing process before a final decision is made.

2. BACKGROUND

- 2.1 Kingborough Council submitted its first draft of the Kingborough LPS to the TPC in 2019.
- 2.2 Following submission of the draft, there were several post-lodgement conferences between Council and the TPC to work through aspects of the draft.
- 2.3 Consistent with the other Councils, adjustments were made to the zone and code mapping and well as the written part of the scheme as part of the TPC's assessment and their formal directions under section 35(5)(b), section 35(5A) and Schedule 6, clauses 8C(5)(a) and 8D(9)(a) of the *Land Use Planning and Approvals Act 1993* (LUPAA).
- 2.4 Although there were numerous changes from the 2019 version of the draft LPS, the key differences relate to zoning and overlay application. The extent of the Landscape Conservation Zone was reduced, while the Agriculture Zone was applied more broadly. The Specific Area Plans (SAPs) proposed in 2019 were replaced with a new set of SAPs (excluding those that were transitioning), and the Code lists were updated.
- 2.5 The revised Kingborough draft LPS (the 2024 version) was placed on public exhibition for 60 days, commencing 9 October 2024 and closing on 9 December 2024.
- 2.6 For the duration of the exhibition period, people had the opportunity make written representations to indicate support for or to raise objections to or concerns with any proposed planning changes.

- 2.7 Council has allowed additional time for late representations after the formal exhibition period. All late representations received after the formal exhibition period and before 1 May 2025 are referenced in the s35F report (the report on the representations).
- 2.8 The s35F report and all representations will be forwarded to the TPC.
- 2.9 The above-mentioned report will also be supplemented with a statement under s35G of LUPAA providing recommendations in relation to modification to the State Planning Provisions in considerations of representations received.
- 2.10 The TPC will hold public hearings allowing representors to speak to their submission. The TPC will consider the written representations, public hearing submissions and the submissions or responses made by Council at the hearings before making a final decision on the final version of the LPS that will apply in Kingborough.
- 2.11 The illustration below provides an overview of the process.

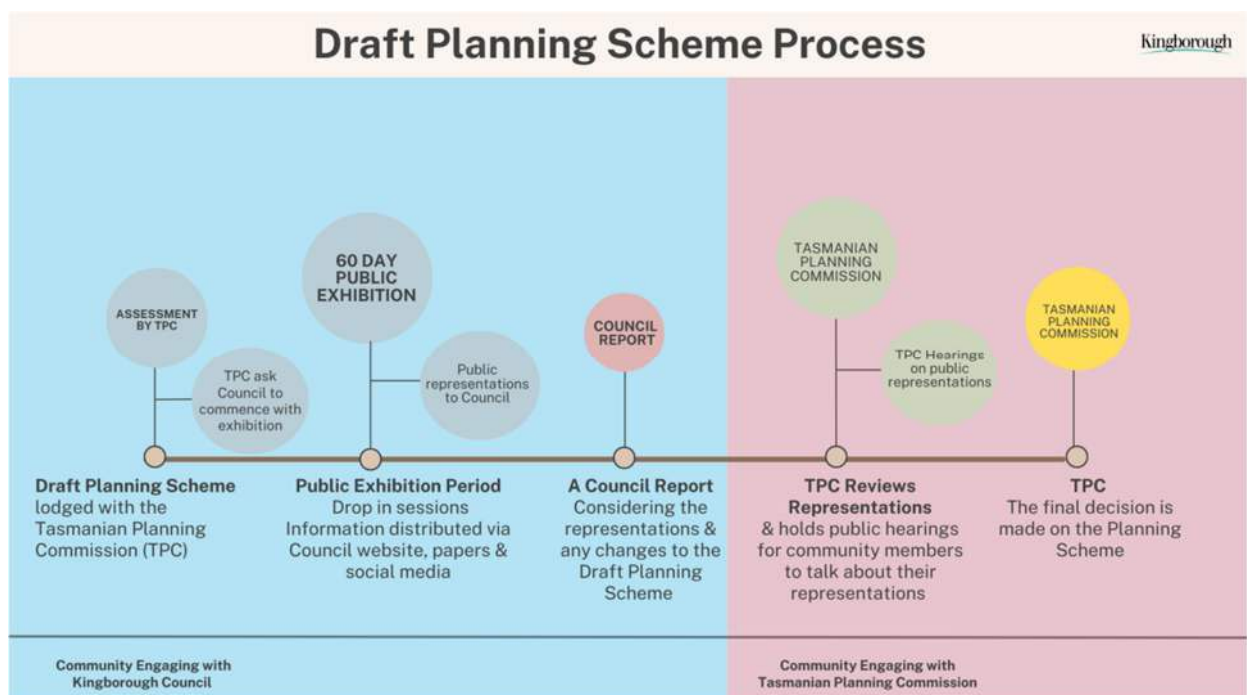


Figure 1 - LPS process (next step is the public hearings hosted by the TPC).

3. STATUTORY REQUIREMENTS – LPS EXHIBITION

- 3.1 Sections 35C and 35D of LUPAA set out the requirements of the draft LPS exhibition. Council has fulfilled its statutory obligations as follows:
- The draft LPS was made available for public exhibition for a period of 60 days, from 9 October 2024 to 9 December 2024.
 - Public notices advertising the exhibition were published in The Mercury on 8 October 2024 and 22 October 2024.
 - State service agencies, relevant state authorities, and adjacent planning authorities were notified in accordance with the TPC's instructions.
 - Throughout the exhibition period, hard copies of all draft LPS documentation were available for public inspection at the Civic Centre (15 Channel Highway, Kingston), Council's Service Centre in Alonnah (Bruny Island), and the TPC's offices (Level 3, 144 Macquarie Street, Hobart).

- All exhibition documents were also accessible for download by the public via an electronic address specified in the exhibition notice.

3.2 In addition to the above standard exhibition requirements, Council also undertook the following actions to ensure that as many people as possible are made aware of the public exhibition of the draft LPS and to assist people in making representations:

- A notice the Chronicle on 8 October 2024 and 22 October 2024.
- Social media posts on Facebook on 9 October, 15 October, 23 October, 30 October, 14 November and 4 December 2024. These posts reached approximately 8,750 people.
- Press releases on 9 October 2024 and 13 December 2024.
- Emails to 396 people who have signed up to be notified of the draft LPS exhibition¹.
- A dedicated Council webpage, providing:
 - Explanatory information and background in addition to the exhibited documents
 - An interactive mapping tool.
 - An online formal representation/submission form
 - An online enquiry form
 - More than 16,500 people engaged on this page during the exhibition period.
- Public information sessions (including session times outside of normal business hours) at Alonnah on 22 October 2024, Kettering on 29 October 2024, Sandfly on 31 October 2024, Kingston on 5 November 2024 and Adventure Bay on 8 November 2024. A total of 167 people attended these sessions.
- Approximately 10 small group presentations were provided on request.
- One-on-one consultations (during office hours and after hours) through appointments and/or as part of routine Duty Planner enquiries and meetings with Council's strategic planning unit and other planners.
- Ability to lodge enquiries via email, online form or to speak to a Council officer on the phone.

3.3 Following the statutory public exhibition of the draft LPS, the Planning Authority is required under s35F of LUPAA to prepare a report on the representations for submission to the TPC. This post-exhibition report must assess the representations received during the exhibition period. The report must include recommendations on whether the issues raised in the representations warrant modifications to the draft LPS.

3.4 Council also may in accordance with s35G of LUPAA include a statement if it is of the opinion that the State Planning Provisions should be modified after considering the LPS representations.

4. REPRESENTATIONS RECEIVED

4.1 A total of 620 representations were received in relation to the draft LPS. It included petition lists, template submissions, and individual representations many of which

¹ The 2023/2024 rates notices included an invite to sign-up to be notified of the draft LPS exhibition period. That invite was available on Council's website up to the point where the draft LPS was exhibited in October 2024.

addressed multiple properties or issues. For instance, one submission referenced 1,577 properties, while another comprised of 820 individual letters referring to approximately 730 properties.

4.2 The representations cover a broad spectrum of issues related to the draft LPS. These include both expressions of support for the draft LPS or specific elements of it, as well as objections to the draft LPS or specific provisions. Some representations focus on the process itself, while others are more specific, addressing issues related to zoning, codes, overlays, Specific Area Plans, or landowners' intentions to either maintain the current situation under the KIPS 2015 or pursue future subdivision or development.

4.3 Despite the range of issues raised, including those in support of the draft LPS, several key themes emerged. These are indicated below and discussed in more detail in Parts 2 to 5 of the s35F report:

- Requests to modify the subcategory within the Rural Living Zone (mainly to facilitate subdivision);
- Opposition and concerns about the Landscape Conservation Zone;
- Opposition and concerns about the Agriculture Zone;
- Opposition and concerns about the Specific Area Plans;
- Concerns and request to modify the Priority Vegetation Area Overlay;
- Opposition and request to modify the Scenic Protection Overlay; (it should be noted that it is a matter that cannot be resolved in the LPS due to the transitional arrangements under Schedule 6 of LUPAA); and
- Opposition to the Kingborough Biodiversity Offset Policy (the policy is mainly Council matter as it is only referenced in the proposed new SAPs and can be applied even if not specifically referenced in the planning scheme).

4.4 In addition to the above, many of the representations raised the following issues:

- The complexity of the new planning scheme.
- Issues with the LPS process, particularly the absence of community consultation before the formal exhibition of the draft LPS, as well as limited notification regarding the new planning scheme and the exhibition period.
- Concerns about the exhibition process, particularly the limited time available for making representations, along with requests for additional information sessions and community meetings.
- Concerns regarding the lack of clear information and understanding about the changes and their implications for the community.

4.5 Many people indicated that more consultation was needed on the draft LPS and the TPC's public hearings will be utilised for that purpose.

5. SECTION 35F REPORT COMMENTARY AND RECOMMENDATIONS

5.1 The s35F report provides a broad response on the representations received and outlines Council's preliminary position on how it proposes to proceed. The content of all the representations received was reviewed as part of developing the s35F report.

5.2 If a representation highlights an issue in their representation which is not mentioned or discussed in detail in this report, the representor still can raise and discuss that matter with

Council and the TPC at the public hearings as the focus of this report is to provide a brief summary of issues and to focus on the matters that Council is willing to consider ahead of the public hearings.

- 5.3 In most cases and regardless the recommendation in this report, further discussion with representors will be necessary during the public hearing process. Council's general approach is to remain open to making changes where appropriate, with the aim of addressing concerns and identifying workable solutions available under the TPS, the State Government's LPS Guidelines and broader outcomes sought by the State Policies and the Southern Tasmania Regional Land Use Strategy.
- 5.4 Where Council considers an alternative approach appropriate, such as proposing a different zoning or agreeing to amend an overlay, the s35F report includes a recommendation to that effect. However, the recommendations in the report do not preclude the opportunity to explore further alternatives during the public hearings. In some instances, the recommended changes may apply to a broader group of properties than those specifically referenced in a representation. Where this occurs, further discussion may be required with the relevant landowners or with those who have made representations about the same issue.

6. KEY RECOMMENDATIONS IN THE SECTION 35F REPORT

- 6.1 The State Government's position is that the LPS process is not intended to facilitate major strategic land use reviews or introduce changes that result in outcomes significantly different from those afforded under the interim planning schemes. Rather, the intent is to translate existing planning provisions into the new scheme in a manner that generally reflects the current situation under the interim schemes. Council's officer comments will reiterate this where the representors are seeking changes beyond what can be strategically justified in this report.
- 6.2 Representations that seek changes beyond what can be achieved through this translation process can still be pursued through a separate planning scheme amendment process after the implementation of the TPS in Kingborough, as per the standard process afforded by LUPAA.

Rural Living Zone

- 6.3 Many representations in relation to Rural Living Zone (RLZ) propose a different subcategory to enable further subdivision.
- 6.4 Council reviewed subcategories in the RLZ where representations were received, and where appropriate recommends changes guided by the LPS Guidelines and the Southern Tasmania Regional Land Use Strategy.
- 6.5 Recommended changes in relation to the RLZ generally aims to achieve a consistent subdivision pattern within specific localities or precincts. In some areas, this will increase subdivision opportunities for landowners.

Landscape Conservation Zone

- 6.6 The Landscape Conservation Zone (LCZ) received both support and opposition through representations.
- 6.7 The s35F report addresses key concerns and recommends alternative zones where appropriate. However, there are many instances where further discussion with representors is needed to explore options such as split zoning.
- 6.8 A major challenge is that some areas of Kingborough do not align well with any of the TPS zones. To address this, the report proposes a Particular Purpose Zone (PPZ) i.e the

'Kingborough Bushland and Coastal Living Zone' as an alternative to the LCZ in areas with grouping of lots that 10ha or smaller.

- 6.9 The draft PPZ has been discussed with the TPC but requires further consideration at the public hearings.
- 6.10 The purpose of the draft PPZ is to provide residential use and development in a bushland and coastal setting in a manner that balances and respects residential amenity as well as natural and landscape values. It provides controls that balance the established residential use of the land with landscape and natural values.
- 6.11 The draft PPZ is proposed for approximately 770 properties and if supported, could potentially be applied more broadly in the municipality.

Agriculture Zone

- 6.12 Representations on the Agriculture Zone (AZ) are mixed, with both support and concern about potential impacts on future development.
- 6.13 Council is open to alternative or split zoning where justified, but no changes are recommended in the s35F report. This is because the proposed zoning reflects the TPC's direction to expand the AZ in Kingborough in line with the State Government's Agricultural Land Mapping Project.
- 6.14 Further discussion with representors and the TPC is therefore required during the public hearings.
- 6.15 Most representations relate to the broad application of this zone on Bruny Island. Any zoning changes on Bruny Island must also be considered alongside the Bruny Island SAP which also requires discussion with the representors, the broader Bruny Island Community and the TPC at the public hearings.

Codes and Overlays

- 6.16 Many representations oppose the application of all relevant overlays, often linking these concerns to broader zoning issues. These broader concerns are likely to require further discussion during the public hearings.
- 6.17 Priority Vegetation Overlay - Many representations seek changes to the Overlay due to mapping accuracy and its application to cleared or residential land. Council will provide revised mapping for discussion at the hearings, with further refinements possible.
- 6.18 Bushfire Prone Areas Overlay - Some representations seek changes to the Overlay, raising broader concerns about bushfire risk and a lack of coordination with other parts of the scheme. Council is working with TFS to update the overlay, and matters relating to broader risks and interaction with other parts of the scheme is addressed in the report and will be discussed with representors at the hearings.
- 6.19 Flood Prone Area Overlay - Some representations oppose the Flood-Prone Areas Overlay in Margate and Adventure Bay, citing inaccuracies, but as the overlay is based on Council-endorsed flood mapping, concerns will be discussed with representors and expert advice sought where necessary.
- 6.20 Historic Heritage Code - Some representations seek changes to heritage listings, but as these are subject to transitional arrangements, they cannot be altered; Council intends to the listings post-LPS implementation, subject to resourcing.
- 6.21 Scenic Protection Overlay - Some representations oppose the Scenic Protection Overlay, but as it is covered by transitional arrangements, it cannot be changed; Council intends to review the mapping after LPS implementation, subject to resourcing.

- 6.22 Other overlays - There are representations on other overlays, but in many cases, Council cannot recommend changes because the mapping is state-wide.

Specific Area Plans

- 6.23 Representations on the proposed SAPs showed both support and opposition.
- 6.24 The report recognizes varied interpretations and expectations in these representations.
- 6.25 No changes to SAPs are recommended in the s35F report, but Council is open to refinements based on specific concerns as part of the public hearings.
- 6.26 Further discussion at public hearings will allow the opportunity to clarify issues, address misunderstandings and explore alternatives. The public hearings will also assess if there is sufficient support to proceed and provide a forum for open, constructive community input.
- 6.27 Some suggestions are provided for the Bruny Island SAP, but must be discussed with representors, the broader Bruny Island Community and the TPC at the hearings due to its interaction with underlying zones and codes and the TPC's outstanding notice.

7. SECTION 35G RECOMMENDATIONS

- 7.1 Section 35G of the LUPAA provides for a Planning Authority to advise the TPC by notice, that having considered the draft LPS and representations made in relation to a draft LPS that has been on public exhibition, it is of the opinion that the SPPs should be altered.
- 7.2 The TPC is required to consider this and, if it considers the advice has merit, provide the Minister with the notice and its opinion in relation to the advice. The Minister is then required to consider the notice and the TPC's opinion.
- 7.3 The Planning Authority has considered the representations and will also provide a s35G statement in relation to the State Planning Provisions. The matters in the s35G statement are broad and mainly includes items of concerns that Council previously raised with the State Planning Office to consider as part of their periodic review of the State Planning Provisions.

8. PUBLIC HEARINGS

- 8.1 The TPC will independently assess the content, merit and compliance of the draft planning scheme for Kingborough, following receipt of Council's s35F report on the outcomes of the draft LPS exhibition period.
- 8.2 Once the TPC has established the hearing dates, the TPC will invite people who have made written representations to attend hearings. Council is not able to indicate when the hearings will commence, but it is expected that the hearings will commence approximately within a month after the s35F report has been submitted to the TPC and is expected to be completed before the end of 2025.
- 8.3 The hearings are designed to be accessible for all people to attend and talk about their concerns that were raised in their submission, therefore they are not overly formal and do not require professional representation. However, some representors may choose to have someone represent them or a group of people with a similar interest.
- 8.4 Council officers may make additional recommendations during the TPC hearings in response to matters raised by individuals. In doing so, the following guiding principles will be applied when forming positions throughout the LPS public hearings process.
- 8.5 Council officers will remain open to considering alternative ideas and suggestions raised during the hearings, including matters not previously addressed in this report, particularly

where it can be demonstrated that the proposed changes align with LUPAA, relevant State Policies, the Southern Tasmania Regional Land Use Strategy, and the LPS Guidelines.

- 8.6 Council officers will consider local knowledge and community submissions as a valuable input to the hearings process, particularly in areas where regional or state-level policy provides flexibility.
- 8.7 Council officers will make recommendations based on planning merit, technical evidence, and strategic justification. Preference will be given to changes that improve clarity, consistency, or implementation of the planning framework, and that respond to legitimate land use or community needs while maintaining statutory integrity.
- 8.8 The hearings may result in further changes to the draft LPS. It should be noted that under s35KB of the LUPAA, the TPC has the ability direct the planning authority to re-exhibit the draft LPS if substantial modifications are required. This will be to the discretion of the TPC after the public hearings.

9. FINANCE

- 9.1 There are no direct financial implications associated with the providing the s35F report and s35G statement to the TPC.

10. ENVIRONMENT

- 10.1 Although the s35F report includes a range of issues and recommendations that may affect the environment, the recommendations align with the environmental directions set out in Council's Strategic Plan.

11. COMMUNICATIONS AND CONSULTATION

- 11.1 The report responds to the representations received during the LPS exhibition, with further discussion with representors to take place through the public hearings conducted by the TPC.

12. RISK

- 12.1 The recommendations in the s35F report present a broad range of potential risks, including environmental, social, and land use planning implications. However, the report has been prepared in a way that that supports an open and transparent dialogue with representors during the LPS public hearings. This approach will allow for the consideration of alternative approaches and potential refinements to the draft LPS, taking into account the wider risks and implications associated with proposed zoning changes.
- 12.2 The recommendations in the s35F report have been developed in accordance with the State Government's LPS Guidelines and broader outcomes sought by the State Policies and the Southern Tasmania Regional Land Use Strategy.

13. CONCLUSION

- 13.1 The attached s35F report presents Council's response to the representations received during the public exhibition of the draft LPS. While a range of issues have been identified, the report reflects a genuine willingness to engage with representors as part of the LPS public hearing process and to consider reasonable changes where appropriate. It seeks to balance the intent of the State Planning Provisions with local strategic considerations and provides a foundation for further discussion during the Tasmanian Planning Commission's public hearings, where outstanding matters can be explored in greater detail.
- 13.2 The attached s35G statement sets out Council's position that, following review of the draft LPS and public representations, amendments to certain provisions of the State Planning

Provisions (SPPs) are necessary. The submission identifies specific issues with the interpretation and operation of the SPPs and recommends changes to support more effective and locally appropriate planning outcomes.

14. RECOMMENDATION

That the Planning Authority:

1. Receives and notes the report under s35F and s35G of the *Land Use Planning and Approvals Act 1993*; and.
2. Allows the Chief Executive Officer to utilise his delegations to submit the attached report(s) to the Tasmanian Planning Commission pursuant to s35F(1) and s35G(1) of *Land Use Planning and Approvals Act 1993*, which includes the following particulars:
 - (a) the Planning Authority's consideration of the received representations and any subsequent recommendation for modification to the draft Local Provisions Schedule and State Planning Provisions; and
 - (b) a copy of each representation received.

ATTACHMENTS

1. Section 35(F) Report
2. Section 35(G) Statement

OPEN SESSION RESUMES

13 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

14 PETITIONS RECEIVED IN LAST PERIOD

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

15 OFFICERS REPORTS TO COUNCIL

15.1 APPENDICES

RECOMMENDATION

That the Appendices attached to the Agenda be received and noted.

16 NOTICES OF MOTION

At the time the Agenda was compiled there were no Notices of Motion received.

17 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

RECOMMENDATION

That in accordance with the *Local Government (Meeting Procedures) Regulations 2025* Council, by absolute majority, move into closed session to consider the following items:

Confirmation of Minutes

Regulation 40(6) *At the next closed meeting, the minutes of the previous closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.*

Applications for Leave of Absence

Regulation 17(2)(i) *applications by councillors for a leave of absence*

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

OPEN SESSION ADJOURNS

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	

CLOSURE

Public Copy

APPENDICES

- A Infrastructure Works Report: April to June 2025
- B Current and Ongoing Minute Resolutions (Open Session)

Public Copy

A INFRASTRUCTURE WORKS REPORT: APRIL TO JUNE 2025**File Number: 25.9****Author: Anthony Verdouw, Executive Officer Engineering Services****Authoriser: Craig Mackey, Director Engineering Services****Contracted Capital Projects****1. Pelverata Road (Vic 40) Realignment:**

Realignment works near 40 Pelverata Road are nearing completion, with primer sealing works scheduled in the coming weeks and final two-coat sealing planned for the warmer months. Once finished, two-way traffic will be restored, significantly improving accessibility and commuting efficiency in the area.

**2. Trial Bay Foreshore Toilet Replacement:**

The construction of new toilet amenities at Trail Bay has been completed by TAS Built, featuring one accessible cubicle and two unisex ambulant cubicles.

**3. Silverwater Park Upgrades and Toilet Replacement:**

Upgrade works at Silverwater Park, Woodbridge, are currently underway. The projects include construction of a new playground and a raised FRP walkway to provide DDA-compliant access from the roadway to the playground and park facilities. The new toilet block is nearing completion, while the playground and car park are expected to be finished in August.



4. Snug Community Hall Upgrade:

Upgrade works at Snug Community Hall were completed by Macquarie Builders in May. The kitchen and toilet have been rebuilt; front entry ramp and door have all improved to enhance accessibility and ensure DDA compliance for the hall, along with the addition of a marked accessible parking bay. All walls have also been repaired and freshly painted including the replacement of some doors.



5. Davies Road Reconstruction:

The contract for these works has been awarded to De Kleine Constructions Pty Ltd, with site works scheduled to commence in October. Works involve reconstructing 240 metres of Davies Road, including new kerbs, driveway aprons, concrete footpath, and upgraded stormwater infrastructure.



6. Pelverata Road (Vic 609) Reconstruction:

Reconstruction of Pelverata Road in the vicinity of Kaoota is continuing, with the majority of drainage, formation widening and initial pavement layers complete. Work will continue over the coming month with completion of the pavement works, fence reinstatements, guardrail and surfacing. An initial primer seal of the surface is programmed to hold the road and maintain trafficability over the colder winter months, with the final two-coat seal applied during the warmer summer months.



7. Kingston Beach LATM Upgrade:

Local Area Traffic Management project upgrade works along Beach Road, Kingston, are currently in progress. This project aims to enhance road safety and accessibility for all users through the construction of raised wombat crossings, pedestrian access ramps, concrete footpath, and improvements to lighting, signage and line marking. With most of the concrete and asphalt works now complete, the remaining tasks are expected to be finished within two weeks.



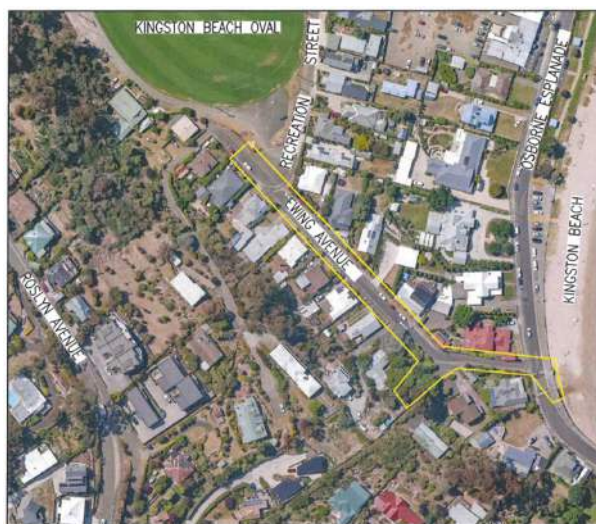
8. Kingston Beach Foreshore Revitalisation:

Duggans Pty Ltd are currently undertaking footpath upgrade works at the Kingston Beach Foreshore, which include the construction of exposed aggregate footpath, kerb and gutter, along with improvements to irrigation, stormwater, lighting and landscaping. Some redesign work is required, which will result in minor delays to the next stage of project delivery.



9. Ewing Avenue Stormwater Upgrade:

Duggans Pty Ltd will soon commence stormwater upgrade works along Ewing Avenue, Kingston Beach. Works include construction of 120m stormwater infrastructure, reinstatement of road, driveways and garden as well as minor adjustments to existing services, together with associated minor civil works.



LOCALITY PLAN

10. Adventure Bay Exercise Equipment Upgrade:

New exercise equipment has been installed at Adventure Bay Playground, Bruny Island – including a Body Twist, Stretch Station, Body Pulls and Push-Ups, Shoulder Mobility Wheel, Roman Rings, and more.



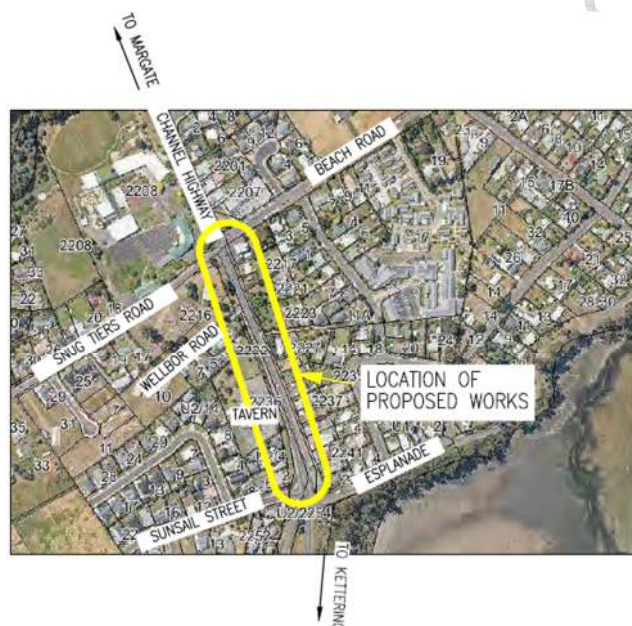
11. Taroona Bowls Club Disability Parking Upgrade:

The car park upgrade works at Taroona Bowls Club were completed in May, featuring a newly marked accessible parking bay, the installation of wheel stops, and improved stormwater infrastructure.



12. Channel Highway Snug Footpath and Old Station Road to Davies Road Shared Path:

These two shared path projects have been awarded to De Kleine Contracting Pty Ltd under a combined contract and will commence on site following the completion of the Kingston Beach LATM project. The upper section will extend a 2.5m wide footpath from Snug Tiers Road to Sunsail Street, while a new 2.5m wide concrete footpath will be constructed between Old Station Road and Davies Road.



LOCALITY PLAN



LOCALITY PLAN
NTS

13. Whitewater Underpass to Summerleas Road Roundabout Path Upgrade:

The tender for the construction of a 3m wide concrete shared path from the Summerleas–Channel Highway roundabout to the Whitewater underpass has just closed, with nine submissions received. Evaluation is underway, and works are expected to commence in August.



LOCALITY PLAN

14. Illawong-Hinsby Stormwater Upgrade:

The tender for the Illawong-Hinsby Stormwater Upgrade project closed in May. SawScope Pty Ltd were awarded the contract and works have recently commenced. This project aims to increase the capacity of the stormwater system and reduce flooding risks in the area through the upgrade and installation of approximately 200 metres of stormwater pipes in various sizes.



LOCALITY PLAN



Works Department – Works Recently Completed (Mainland Kingborough)

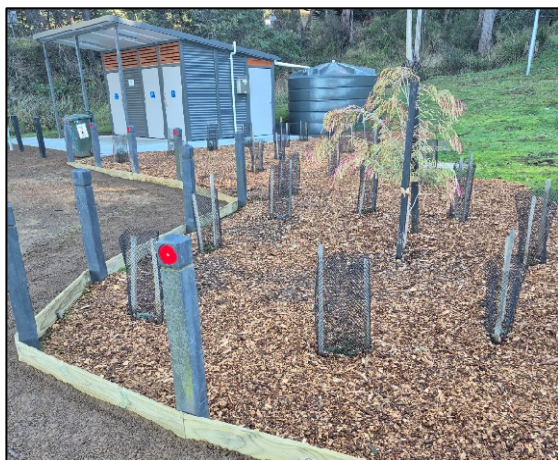
15. Snug Hall – new planter boxes installed:



16. Kelvedon Oval – new seating installed:



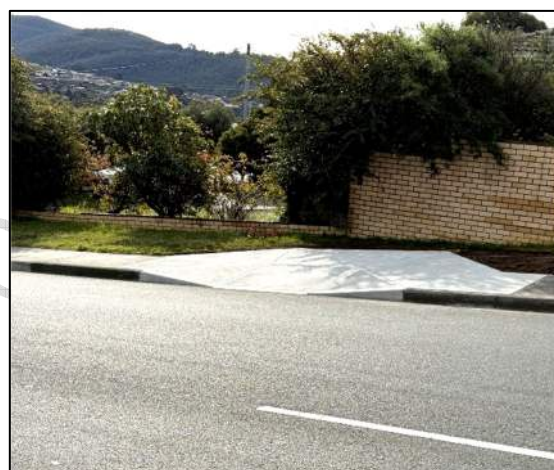
17. Trial Bay – landscaping at the new toilets completed:



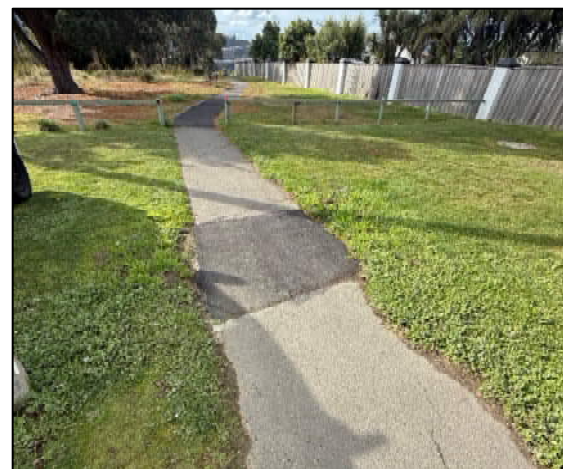
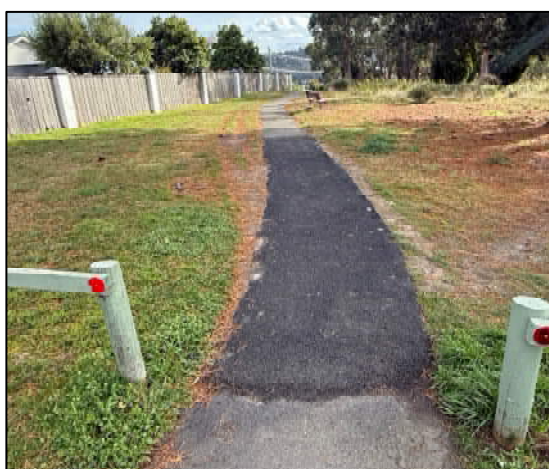
18. Dennes Point – new stairs constructed on the Heritage Trail:



19. Redwood Road (Capital Works) – pedestrian crossing construction completed:



20. Patonga Street – asphalt footpath maintenance completed:



21. Calder Crescent – footpath repairs completed:



22. Grading completed:

- | | | |
|------------------|--------------------|--------------------|
| ▪ Jamiesons Road | ▪ Bundella Road | ▪ Impara Drive |
| ▪ Tyndall Road | ▪ Gormley Drive | ▪ Palmers Road |
| ▪ Proctors Road | ▪ Old Station Road | ▪ Ananda Road |
| ▪ Wolfes Road | ▪ Whittons Road | ▪ Snug Tiers Road |
| ▪ McKenzies Road | ▪ Pullens Road | ▪ Sproules Road |
| ▪ Websters Road | ▪ Rowleys Road | ▪ Snug Falls Road |
| ▪ Betts Road | ▪ Llantwit Road | ▪ Talbots Road |
| ▪ Lawless Road | ▪ Saddle Road | ▪ Van Morey Road |
| ▪ Nierinna Road | ▪ Manuka Road | ▪ Old Bernies Road |
| ▪ Hickmans Road | ▪ Warremar Way | ▪ Bluegate Road |
| ▪ Frosts Road | ▪ McGuires Road | |

23. Drain cleaning completed:

- | | |
|----------------------------|-------------------|
| ▪ Esplanade Road Middleton | ▪ Scotts Road |
| ▪ Oates Road | ▪ Summerleas Road |
| ▪ Denehey Road | ▪ Leslie Road |
| ▪ Hackford Drive | ▪ Lawless Road |
| ▪ Old Summerleas Road | ▪ McGuires Road |
| ▪ Gryces Road | ▪ Oakdens Road |

24. Shoulder reinstatement completed:

- Eelmat Court
- Leslie Road
- Huon Road
- Summerleas Road

25. Tree trimming completed:

- Huon Road
- Sandfly Intersection
- Davies Road Drainage Easement
- Llantwit Road.

26. Potholing completed:

- | | | |
|---------------------|-----------------------|-----------------------------|
| ▪ Watsons Road | ▪ Wyburton Place | ▪ Esplanade Road, Middleton |
| ▪ Tinderbox Road | ▪ Bundalla Road | ▪ Wards Court |
| ▪ Umfrevilles Road | ▪ Perrins Road | ▪ Fehres Road |
| ▪ Sproules Road | ▪ Wingara Road | ▪ Wiggins Road |
| ▪ Petterd Road | ▪ Allens Rivulet Road | ▪ Hovingtons Road |
| ▪ Snug Tiers Road | ▪ Mudges Road | ▪ Besters Road |
| ▪ Whittons Road | ▪ Cranes Road | ▪ Clarks Road |
| ▪ Scotts Road | ▪ Pregnells Road | ▪ Van Morey Road |
| ▪ Summerleas Road | ▪ Wards Court | ▪ Patonga Street |
| ▪ Proctors Road | ▪ Risby Road | ▪ Tabors Road |
| ▪ Maddocks Road | ▪ Trial Bay Carpark | |
| ▪ Coningham Road | ▪ Harts Road | |
| ▪ Manuka Road | ▪ Cawthorn Road | |
| ▪ Dru Point Reserve | ▪ Bundalla Road | |

27. Middleton Esplanade (Capital Works) – culvert upgrade completed.

28. List of blasting and pit cleaning undertaken by contractors and Council in the last three months:

- 5 Charlton Street, Snug (Council)
- 24 Bareena Road, Tarooma (Council)
- 34 Nubeena Crescent, Tarooma (Council)
- 51 Oakleigh Avenue, Tarooma (Council)
- 24 Belhaven Avenue, Tarooma (Council)
- Barretta Tip (Veolia)
- 16 Esplanade, Snug (Veolia)
- 18 Blowhole Road, Blackmans Bay (Veolia)
- Montego Court, Blackmans Bay (Veolia)
- Balmoral Road, Kingston Beach (Veolia)
- 33 Ash Drive, Kingston (Veolia)
- Grit chamber clean out (Veolia)

Works Department – Works Recently Completed (Bruny Island)

29. Cloudy Bay Road (Capital Works) – resheeting completed:



30. Grading completed:

- | | |
|---------------------|-------------------------------|
| ▪ Cloudy Bay Road | ▪ Jannali Road |
| ▪ Simpsons Bay Road | ▪ Wooreddy Road South |
| ▪ Cemetery Road | ▪ Lighthouse Road |
| ▪ Lighthouse Road | ▪ Lighthouse Road (Parks PWA) |

31. Lighthouse Road – tree trimming completed in the area of Sharps Road North.

32. Potholing completed:

- | | |
|----------------------|---------------|
| ▪ Missionary Road | ▪ Sports Road |
| ▪ Resolution Road | ▪ Power Road |
| ▪ Adventure Bay Road | |

Works Department – Works Underway / Planned (Mainland Kingborough)

33. Grading planned:

- | | |
|---------------------|--------------------|
| ▪ Besters Road | ▪ Oakdens Road |
| ▪ Clarks Road | ▪ Mount Louis Road |
| ▪ Krauses Road | ▪ Benbows Road |
| ▪ Vines Saddle Road | ▪ Bonnie Brae Road |
| ▪ Tinderbox Road | ▪ Talbots Road |
| ▪ Halls Track Road | ▪ McGuires Road |

34. Drain cleaning planned:

- | | |
|--------------------|-----------------|
| ▪ Huon Road | ▪ Whittons Road |
| ▪ Mount Louis Road | ▪ Powers Road |
| ▪ Cades Drive | ▪ Betts Road |
| ▪ Manuka Road | ▪ Impara Drive |

35. Potholing planned:

- Waldie Drive
- Parkdale Drive
- Tinderbox Road
- Christella Road
- Granquist Road
- Manuka Road
- Llantwit Road
- Pullens Road
- Whittons Road
- Leslie Road
- Esplanade Road, Middleton
- Tinderbox Road

Works Department – Works Underway / Planned (Bruny Island)

36. Grading planned:

- Power Road
- Wisbys Road
- Cox Drive
- Missionary Road
- Apollo Bay Road
- Resolution Road
- Hayes Road
- Lobdales Road
- McPhersons Road

37. Tree trimming planned – Killora Road and Nebraska Road.

38. Drain cleaning planned:

- Killora Road
- Power Road
- Victoria Avenue
- Lighthouse Road
- Lumeah Road
- Lobdales Road

B CURRENT AND ONGOING MINUTE RESOLUTIONS (OPEN SESSION)

CURRENT	
Resolution Title	FOGO Service
Meeting Date	7 April 2025
Minute No.	C94/6-2025
Status	Ongoing
Responsible Officer	Director Engineering Services
Officers Comments	A report will be drafted shortly
Anticipated Date of Completion	August 2025
Resolution Title	Kingston Park
Meeting Date	7 July 2025
Minute No.	C184/11-2025
Status	Ongoing
Responsible Officer	Chief Executive Officer
Officers Comments	A report will be drafted shortly
Anticipated Date of Completion	August 2025
STILL BEING ACTIONED	
Resolution Title	Fire & Biodiversity Town Hall Meeting
Meeting Date	17 February 2025
Minute No.	C42/3-2025
Status	Ongoing
Responsible Officer	Director Environment, Development & Community Services
Officers Comments	Petition did not receive the requisite number of signatories. A report reviewing and addressing the concerns outlined in the petition is being developed.
Anticipated Date of Completion	October 2025
Resolution Title	The Tasmanian Sustainability Strategy
Meeting Date	2 October 2023
Minute No.	C314/19-2023
Status	In progress
Responsible Officer	Manager Development Services
Officers Comments	A submission was sent to State Govt (who are running the project) in October 2023. We await further direction or steps from them on the project.
Anticipated Date of Completion	Unknown
Resolution Title	Glyphosate
Meeting Date	7 February 2022
Minute No.	C54/2-2022
Status	Complete
Responsible Officer	Director Environment, Development & Community Services
Officers Comments	As part of Council's operational practices the use of herbicide is subject to ongoing review that is informed by current available research and advice from relevant bodies and adjustments to the management of herbicides are then made accordingly. Council does not use Glyphosphate within fenced playgrounds.
Anticipated Date of Completion	Ongoing