

# Kingborough



## COUNCIL MEETING MINUTES

3 November 2025

*These Minutes are provided for the assistance and information of members of the public, and are a draft until confirmed as a true record at the next Ordinary Meeting of Council.*

# 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**

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MINUTES of an Ordinary Meeting of Council  
Kingborough Civic Centre, 15 Channel Highway, Kingston  
Monday, 3 November 2025 at 5.30pm

**WELCOME**

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The Chairperson declared the meeting open and welcomed all in attendance. The Chairperson made a statement in terms of Section 8 of the *Local Government (Meeting Procedures) Regulations 2025* and advised that audio recordings of Council meetings are made publicly available on Council’s website and are live streamed on YouTube.

**1 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

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The Chairperson acknowledged the traditional custodians of this land, paid respects to elders past and present, and acknowledged today’s Tasmanian Aboriginal community.

**2 ATTENDEES**

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**Councillors:**

- Mayor Councillor P Wriedt ✓
- Deputy Mayor Councillor C Glade-Wright ✓
- Councillor A Antolli ✓
- Councillor D Bain ✓
- Councillor K Deane ✓
- Councillor F Fox ✓
- Councillor A Midgley ✓
- Councillor C Street ✓

**Staff:**

- |   |                   |
|---|-------------------|
| Chief Executive Officer                             | Mr Dave Stewart   |
| Director People & Finance                           | Mr David Spinks   |
| Director Engineering Services                       | Mr Craig Mackey   |
| Director Governance, Recreation & Property Services | Mr Daniel Smee    |
| Communications Lead                                 | Ms Sam Adams      |
| Communications Officer                              | Mr Stuart Heather |
| Acting Executive Assistant                          | Ms Portia Jones   |

**C299/19-2025**

**3 APOLOGIES**

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- Councillor G Cordover
- Councillor M Richardson

C300/19-2025

**4 CONFIRMATION OF MINUTES**

Moved: Cr Flora Fox  
 Seconded: Cr David Bain

That the Minutes of the open session of the Council Meeting No. 18 held on 20 October 2025 be confirmed as a true record.

**CARRIED**

**5 WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

Date	Topic	Detail
27 October	1. Strategic Plan 2. Councillor Numbers	1. Finalisation of the Draft Strategic Plan 2. Discussion on the State consultation on numbers and remuneration

**6 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**7 TRANSFER OF AGENDA ITEMS**

There were no agenda items transferred.

C301/19-2025

**8 QUESTIONS WITHOUT 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.*

**Ms Karen Groves** asked the following questions without notice:

**8.1 Incorrect Advice**

*At the Council meeting on 21 July 2025, Christian Street reiterated several times that the community should talk to the TPC about their properties and ask for a hearing. At this stage, representations had been closed for six months. Not one person in leadership or the planning department corrected this mistake and the TPC subsequently had so much correspondence they placed a red banner on their website stating that no unsolicited correspondence would be accepted or representations. Would you agree that Council's silence at the meeting was misleading and has contributed to the misinformation that exists in the community?*

**Chief Executive Officer responds:**

The decision-making of the Planning Commission about their willingness to engage or not engage with subsequent representations is a decision for them. Not speaking for Councillor Street, but I think the intent was to make sure that the community's feedback was reaching the people that could ultimately make a decision as to whether or not they engage further.

## 8.2 Communication

*Kingborough Council seems prone to some complaints around their lack of communication and consultation. In the last ten quarterly published complaint summaries, there were complaints of this type every time and seven of the 10 final statements hoped to improve communication processes. Since last Council meeting and Mercury article where Council decided to hire a consultant, there has been no word of Council communication about anything relating to the hire, TPC direction 69 or community participation. So going forward, what are some of the ways that Council will be improving communication with the community and when is this going to start?*

### Mayor:

We do have a plan that is about to roll out and there is additional information on our website that has been on there since the meeting of 20 October, but I'll ask the CEO to address that.

### Chief Executive Officer:

Like the Mayor said, there is communication that is planned to go out to the community. There is a letter that's been drafted that will include further information about the subsequent processes that Council is engaging in. Additionally, it has fact sheets and information that will be sent out to all people that have property that is in any way impacted or potentially impacted by the landscape conservation zone. Additionally, we have launched a new campaign to get people to sign up with email addresses so that we've got a much more adaptive methodology for communication because sending letters is slow, time consuming and expensive. So finding a way to communicate digitally with our community, especially on these targeted topics, is a way that we can really improve the level of communication and engagement we have. In regard to the element around the consultant, we've been engaging with an EOI process so far, an expression of interest, to make sure that we understand who in the market in Tasmania is available for engagement in that piece of work. Additionally, we're just looking at whether or not we need to go further afield with that expression of interest process and subsequent tender as well. When there's some concrete information, we'll be sure to be communicating that with our wider community.

### Ms Groves:

So just to clarify, the information will be coming through, it is maybe on the website already, will be coming in a letter and email. Is that correct?

### Chief Executive Officer:

The intent is that the first piece of communication comes out through that letter to make sure that we're reaching all the people directly. That's the first step. Then once we've got email addresses then will have it that more adaptive methodology of communicating to our community. There isn't any information on the website at the moment around the consultancy, because there isn't anything to tell in regard to that yet. Once we do have some more information, we'll be sure to be sending that via the appropriate communication channels, whether that be social media, the website and/or email as well.

## 8.3 Draft LPS

*In the latest Mercury article on the LPS process, the Mayor stated 'I'm confident we can deliver an appropriate balance for our community'. The STRLUS also asks for balanced management of development with principles 4.2, including intergenerational and social equity. Yet the draft LPS and S35F reports seem to favour environmental protections, such as moving properties into discretionary zones, and extending overlays to protect landscape values. To ensure a balance, could you provide examples to us where the draft LPS has actively supported or protected the rights of ratepayers to maintain reasonable and continuous use of their properties across generations?*

**Chief Executive Officer responds:**

I can't give you exact examples at the moment. If you look across the wider LPS for Kingborough, you'll see many examples of where existing land use is retained through that. The challenge we've had with the environmental living zone in particular is that there isn't a directly equivalent zone under the Tasmanian Planning Scheme. So as a general comment, that's the challenge we've had there. But in terms of the detailed question, I'll take that on notice.

**Ms Janet de Hoog** asked the following questions without notice:

**8.4 Landscape Conservation Zone**

*Our family property is 10 hectares and is proposed by Council to be changed to landscape conservation zone with a new planning scheme. If the property is changed to LCZ, will we be able to continue to sensitively burn to manage the weeds and reduce the bushfire risk?*

**Chief Executive Officer responds:**

I'll need to take so that I can get you a detailed and accurate response to that. However, bushfire mitigation around a home is generally still accepted under the landscape conservation zone but, like I say, I will make sure that our experts are able to respond to the question for you so you get a full response to it.

**Ms de Hoog:**

Currently we personally determine the best time and weather for burning sensitively. We register the burn and if we need it, we obtain a fire permit from Tas Fire. If the property becomes LCZ, is that still what we need to do, or is there added things that we need to do if we are allowed to burn?

**Chief Executive Officer:**

I'll need to take that on notice again. My understanding, again, is that the application of the zone doesn't change your ability to undertake that sort of fire and risk management, but again, we'll provide an answer in the next agenda on that question for you.

**Ms de Hoog:**

Will we still be able to cut down trees on our property to use as wood for our wood heater?

**Chief Executive Officer:**

Again, I'm sorry I can't answer that question directly, so we will answer that through the next agenda for you, so I'll take that on notice.

**Ms Tamika Adkins** asked the following questions without notice:

**8.5 Landscape Conservation Zone Overlays**

*Landscape conservation zone was introduced to protect areas of high scenic value and environmental value, which I support in principle. However, the way it's currently being applied or proposed to be applied, especially when combined with biodiversity or scenic overlays and SAPs, means that most development applications, even for minor residential or rural buildings, default from permitted to discretionary. And this creates significant barriers for ordinary landowners. additional time, consultants' reports, the visual ecological bushfire reports, and often the addition of a binding part five agreement. Given that the landscape conservation zone already includes stringent controls on vegetation clearance and development visibility, what is the planning justification for applying additional overlays that trigger discretionary assessments for otherwise low impact or permitted uses? In other words, how does*

*Council ensure that cumulative regulatory laying is proportionate to the actual landscape values present on each property and not simply a duplication of existing LCZ provisions?*

**Chief Executive Officer responds:**

I would need to take that question on notice. It's worth noting that the elements within the draft LPS are still proposed at this stage. The zoning and the overlays are two separate things and so I take your point around the sort of cumulative impact of zones and overlays, but they do through necessity, stand alone from one another, but we'll make sure we get a full answer to you on the next agenda.

**8.6 Definition of Landscape Values**

*The term landscape value is repeatedly used across reports, zoning rationales and officer assessments as justification for both the application of the LCZ and for requiring that discretionary uses demonstrate compatibility to those values. However, neither of the State planning provisions nor the Kingborough local provision schedule provide a clear or measurable definition of landscape values. Councillors have previously confirmed the lack of definition. Without a clear definition, both applicants and assessors are left to interpret landscape values subjectively, and that introduces inconsistency and certainty in the assessment process. So LCZ specifically requires that discretionary use must have regard to the landscape values of the site and surrounding area. But if those values aren't defined, applicants can't reasonably demonstrate compliance and councils can't objectively determine it. So my question is, how can a development application be assessed as compliant with landscape values when the term is not clearly defined or consistently applied within the Tasmanian Planning Scheme, the State planning provisions or Council supporting documentations?*

**Chief Executive Officer responds:**

You're right, it is hard when there isn't a consistent defined set of criteria around landscape values and it's one of the challenges ultimately in defining how zones are applied because there isn't necessarily the state prescribed criteria around it. In terms of the detail of the response, I will need to take that on notice again so that the team who are the experts in this area can provide a response there.

**8.7 Minimum Lot Size**

*The minimum lot size is 50 hectares, which is 140-something acres. With a potential reduction to 20 hectares in limited circumstances, it's a fundamental component of LCZ and reflects the zone's intended purpose, which is to manage large, predominantly undeveloped landscapes with limited subdivision potential. Applying landscape conservation zone to existing smaller rural or semi-rural lots is inconsistent with the zone purpose statement under the State Planning Provisions, which states, 'LCZ is intended for large areas of contiguous natural landscape rather than fragmented or semi-developed blocks'. We have so many smaller properties that already sit within the rural living zone and are further constrained by overlays and subcategories which already ensure careful management of vegetation and landscape characters. Rezoning smaller properties to LCZ therefore offers little or no addition to conservation benefit, but significantly increases regulatory burden, preventing reasonable subdivision, triggering more discretionary applications, and reducing land value use and flexibility. Why is Council proposing to apply LCZ to land parcels that do not meet the minimum lot size requirement of the zone, and how can these smaller properties be assessed under a zone whose minimum area standards they cannot meet?*

**Chief Executive Officer responds:**

Through the work that is about to kick off with a consultant, we are going to be reviewing the application of the landscape conservation zone and looking at the criteria that have been used, the decision-making flow, the decision tree around the process. I acknowledge the point that you're raising and not able to provide the detailed response to the why of that myself, but I do note that there is a subsequent piece of work that will re-look at that again, test some of those elements and assumptions that you have mentioned there. I'll take the rest of it on notice, but just acknowledge the fact that there's a subsequent piece of work coming.

**Ms Adkins:**

The consultant will be made aware of obviously of the land size plots that are currently looked at that will not meet that minimum requirement?

**Chief Executive Officer:**

The consultant will be looking at all elements of the strategic drivers for the zoning of land and the criteria that are used, and that includes the plot size.

**Ms Kim Phillips** asked the following questions without notice:

**8.8 Consultant**

*When the consultant is undertaking that review, will they be reviewing all properties that have been flagged for LCZ or only those which have had a representation raised?*

**Chief Executive Officer responds:**

The scope of works that we have prepared includes different angles that we look at it. So first of all, it includes, as per the direction 69 that we received from the Tasmanian Planning Commission, the properties that had been proposed for the particular purpose zone. Additionally, it states all other landscape conservation zone.

**8.9 LCZ**

*How will Council ensure fairness and affordability for landowners, if LCZ comes about? The combination of LCZ controls and overlays means that most applications will require costly specialist reports and lengthy discretionary assessments, even for low impact or permitted uses. I ask that question because one of the reasons we live where we live is because I couldn't afford to buy property closer in town. So the idea of having all of these extra expenses makes everything so expensive, and I feel like it just has not been considered.*

**Chief Executive Officer responds:**

In the application of the LPS and the zones there, the consideration of the cost fundamentally of going through that process, unfortunately, isn't a consideration in that. It's about the appropriate allocation of zones. From within Council, though, what I'm looking to do and see is how we can look at our processes within the organisation to make these processes as easy and user-friendly as possible. What I'm saying is there will still be criteria under a scheme, and that's our statutory obligation to adhere to a scheme and go through a process around that. What we can do, though, is try and make ourselves easy to work with and approachable in that and so there's a test of reasonableness about whether different consultant reports and things like that will be necessary. I can't give you any sort of surety around individual cases. That's not something I can do here. But what I can talk about is a general intent to be able to be working in the planning space to make ourselves easier to work with and make sure that the cost barrier to these types of things is minimised wherever possible.

**Mr Ted Hale** asked the following questions without notice:

**8.10 Consultant**

*With regard to the hiring of the independent planner that's going to be that's been discussed, can you give us a timeframe as to when that person may begin, bearing in mind that it's now early November and that report is supposed to be before the TPC in late January?*

**Chief Executive Officer responds:**

The scope of works is prepared. We've undertaken an EOI, as I mentioned earlier. I'm just looking at whether or not we need to go further afield to broaden the pool of people we have tendering for the works. But the intent is that the scope of works requesting for tender will be released this week. And so I think we've allowed until mid next week from memory for the return of that. Then from there, it's dependent on the consultant availability fundamentally for when they're prepared to start that work. But obviously, given the timeframes we have and the commitment to the TPC around the conclusion of that work, we've got some really tight timeframes to be able to go through, to be able to engage that work, undertake it with good due diligence and process and then produce an output by 30 January.

**8.11 Trees and Overhanging Branches**

*There's been discussion or points raised about fire safety to do with trees. And I highlight probably Tinderbox Road is a really good example. The recent winds we had, I'm aware of two large trees that came down across Tinderbox Road. But there's a very large amount of overhead branches, many of which are dead and quite heavy, which are inevitably going to hit the road. So what is Council's policy about clearing overhead, because there's certainly a potential for a fatal accident and major problems if that's not attended to?*

**Chief Executive Officer responds:**

I'll take that on notice to come back to you. I'm aware of, obviously, the risk that exists with overhanging branches and the risk of failure in terms of our tree canopy. But I'll get an answer from the relevant team to come back to you about the detail of that.

**8.12 Road Verges**

Also in relation to Tinderbox Road and the environment along the road, there's a number of areas where the bush actually comes right to the very edge of the road. There are a number of signs along there asking drivers to be aware of the local animals etc but I'd suggest that bush land coming right to the very edge of the road is not really helping the animals because one step sideways you're going to be under a car. We need to have a look at trying to get a little bit more clearance, not to mention the damage for various individuals' cars if they hit a kangaroo that jumps out of there.

**Chief Executive Officer responds:**

We will ask the works team to do a drive through Tinderbox Road to have a look at the gap between the bushland and the road reservation and have a look to see whether that's safe or not. Thanks for raising it and I'll ask the team to do some work on that.

**Mr Joel Hodson** asked the following questions without notice:

**8.13 Residential Growth in Southern Channel**

*Woodbridge School is growing, there's definitely a larger range of families moving into the South Channel area. What ways are Council planning to encourage organic growth of the South Channel region in particular that doesn't involve simply waiting for current residents to move out of existing homes?*

**Chief Executive Officer responds:**

Strategic land use planning also includes consideration of where growth areas will occur. That happens in a number of different ways. The Southern Tasmania Regional Land Use Strategy is the principal one. Kingborough Council has some work to do as well around considering the strategic growth areas that exist within our municipal area. Growth isn't always the best option. There's going to be areas of

Kingborough where growth is not necessarily being encouraged because of cost of infrastructure, the lack of available land and services to support more people living within an area. Without speaking to the specifics of Woodbridge in particular, what we need to be doing across our municipality as a whole is looking at the overall land that we have within our community, the level of infrastructure and support that exists in different communities, and thinking about where growth can be realistically undertaken, and areas where maintaining a status quo in terms of the number of people living in that area is appropriate. If I think about significant growth in a low population area at the moment, it will often mean additional roading infrastructure, stormwater infrastructure, infrastructure from other organisations like TasNetworks and TasWater etc. So there's a number of implications that come with growth in population that need to be factored into any long-term planning around intensification of population.

**Mr Hodson:**

If people want to live in an area, though, shouldn't services cater to those people rather than people being constrained by services as to where they live.

**Chief Executive Officer:**

Within reason, that's a valid concern. In saying that, as a local government authority, we need to make sure that the affordability and deliverability and the livability for people within those communities can be maintained. The cost of roads, the cost of stormwater and those sort of things, and it's not just a cost implication, but I'm using that as an example, are all important considerations. And ultimately, the desirability of living in an area isn't always going to be the primary consideration in how intensification of population can occur. It is obviously consideration of desire is one element of that, but it's not the whole equation.

#### **8.14 Bushfire Mitigation**

*I strongly don't believe that roads are being, in particular, are being maintained to standard at the moment and I've had conversations with other landholders who share this opinion. What future plans does Council have to, this relates to bushfire mitigation, what future plans does Council have to, for instance, make it easier for homeowners to get things built and clear fire hazards, particularly when there's a conflict between, let's say, Part 5 agreements, conservation covenants and being able to manage our land?*

**Chief Executive Officer:**

Sorry, I'm just trying to follow your question. Can you ask it again.

**Mr Hodson:**

Maintaining roads and being able to is one way that we need to have in order to help maintain properties and mitigate bushfire risk. What are some other ways that Council are planning to help mitigate these bushfire risks on people's land?

**Chief Executive Officer:**

The primacy of minimising bushfire risk on privately owned land is with the private land owner around keeping their property safe for themselves and having a plan. We work with our community on preparation, thinking about what they need to be doing for summer to make sure that they're ready for bushfire season and putting all appropriate plans in place. We don't have a direct responsibility of bushfire preparedness on individual private land parcels, but we do have that wider duty of care to be informing people. We've got the abatement notices that we serve where we do have a concern about the risk of bushfire occurring on private land. So there's a number of things that we do in that space. But again, the primacy of bushfire preparedness does sit with the individual land holders.

**Mr Marcus Rediker** asked the following questions on notice:

### 8.15 Consultant

*With progression on the independent consultant, did we say mid next week we would be finding out an outcome for that?*

**Chief Executive Officer responds:**

I will need to take that on notice if you want an absolute date for when we'll close the tender. Obviously, there's a couple of drivers here. The first of all is making sure that we get appropriately skilled person on board to do this work. I might have to flex timelines associated with that to make sure that we do get the right consultant on board. The other imperative is obviously cost and making sure that we have appropriate value for money in that. I don't want to put a final date on that unless we have to flex things to be able to make sure that we meet those two imperatives. But I'll take the question on notice about the close date of that tender.

**Mr Rediker:**

When this person is appointed, they will be looking at zoning and plot size. Will they also be looking at the overlays suggested on those plots and zones?

**Chief Executive Officer:**

The intent is that they look at all the drivers around the zoning application of the properties that are currently proposed for landscape conservation zone or the particular purpose zone. The intent of that work is focused on the zone, not the overlays.

**Mr Rediker:**

As a question to all of you, Mayor, Deputy Mayor and Councillors, Did you receive, or should I ask, did you not, Charlie Biggins' well thought out and brilliantly written letter addressed to all of you, talking about the LCZ versus the rural living and bushfire problems extending from that?

**Mayor:**

I can't speak on behalf of all councillors, but certainly I did receive that this morning, I believe, or it might have come in over the weekend, but I read it today and I'm sure others have received it and if not, having read it so far, will be doing so in the next few days as their schedules allow.

## C302/19-2025

### 9 QUESTIONS ON NOTICE FROM THE PUBLIC

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*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 Zoning

**Ms Amy Dewhurst** submitted the following question on notice:

1. *What specific information/evidence did the Council use to determine that residential use and development is no longer the priority use for the properties proposed to transition to the Landscape Conservation Zone?*
2. *Once the TPC hearings and decision process concludes, what process exists for landowners to challenge or seek amendment to the LCZ (or any other zone) if it has been applied by the Council in error or without sufficient justification?*

**Officer's Response:**

1. The Planning Authority utilised the relevant and applicable guidelines, policies and strategies in developing the draft Kingborough Local Provisions Schedule and then considered representations made during exhibition period to inform the version submitted to the Tasmanian Planning Commission in July 2025. Detailed information regarding the application of all zones is contained in the Kingborough Draft LPS Supporting Report 2024 and the s35F Report both of which are available on Council's website. Any further discussions regarding zone application methodology will be managed through the Planning Commission hearings process to ensure all matters are considered transparently, placed on public record, and assessed in accordance with the Section 8A Zone Guidelines, the Southern Tasmanian Regional Land Use Strategy, and relevant State Policies.

Additionally, Council has recently resolved to engage an independent planning consultant to undertake a review of the application of the Landscape Conservation Zone in Kingborough. Both the Council and the Commission will evaluate all materials tabled during the hearings, including information provided by the community and the independent consultant. Any revised recommendations will be supported by evidence and presented as part of the hearing process prior to a final decision being made.

2. Under the *Land Use Planning and Approvals Act 1993* (LUPAA), there are no appeal rights available in relation to the implementation of the Local Provisions Schedule (LPS). This means that decisions made as part of the LPS process cannot be challenged through a merits-based review. However, it is understood that representors may consider pursuing a judicial review, but only on specific points of law. Such legal avenues do not allow for reconsideration of the planning merits of the LPS decisions. Anyone considering this option is strongly encouraged to seek independent legal advice to understand the scope and implications of judicial review in this context.

Once the LPS has been implemented in Kingborough, the standard statutory process for initiating a planning scheme amendment (such as proposing a change to zoning) remains available. This provides an ongoing mechanism for landowners, developers, or other stakeholders to request changes to zoning through Council, subject to assessment and public consultation.

*Deleeze Chetcuti, Director Environment, Development & Community Services*

**9.2 Individual Engagement on Rezoning**

**Ms Valeska D'Plesse** submitted the following question on notice:

*In the Officer's Report to Council titled 'Kingborough Draft Local Provisions Schedule (Tasmanian Planning Scheme) dated 26 November 2019' (included in Council Meeting Agenda 24 on 9 December 2019), the commitment was made to "individually notify landowners where it is apparent that there is likely to be a significant change to the use or development provisions that apply to their property. Similar notifications will be issued to those land owners that have in the past expressed an interest in proposed planning scheme changes. (Section 7.3)"*

*Section 8.2 discusses the risk "that some potentially interested landowners are not made aware of the upcoming planning scheme changes. Council will be doing its utmost to ensure that this does not occur (see 7.2 and 7.3 above.)"*

*Could you please advise:*

- 1.1 *Did Council individually notify landowners where it was apparent that there was likely to be a significant change to the use and development provisions?*
- 1.2 *If so, please provide specific information about what in form this Notification occurred, dates it occurred and the specific information it advised to the landowner.*

- 1.3 *If not, please provide very specific reasons why this did not take place despite a clear commitment in this report for individual notification to take place - including the date this change of decision was made, who was involved, and the specific reason/s why Council did not conduct this step as implied.*
- 1.4 *Or is it Council's opinion that the very generic flyer included in rates notices (that in no way clearly articulated to the ratepayer that 'significant changes' could/would occur) constituted appropriate individual notification to ratepayers, as implied by the above Officer Report?*
- 2.1 *Did Council individually notify landowners who in the past had expressed an interest in planning scheme changes?*
- 2.2 *If so, please provide specific information about what form this Notification occurred, dates it occurred and the specific information it advised to the landowner.*
- 2.3 *If not, please provide very specific reasons why this did not take place despite a clear commitment in this report for individual notification to take place - including the date this decision was made, who was involved, and the specific reason/s why Council did not conduct this step as implied.*
- 3.1 *Could you please summarise ALL of the ratepayer notification options Council considered before deciding not to proceed with this step, and the reasons why each option was not suitable (ie. individual letter to ratepayers, specific flyer to LCZ zoned properties, email, text message)?*
- 4.1 *When Officer reports are approved by Councillors, but the details of what was approved then changes, could you please describe what process occurs to ensure Councillors are aware that what they previously approved is no longer the case?*

**Officer's Response:**

- 1.1 The report presented at the Council meeting on 9 December 2019 related to the 2019 version of the draft Kingborough Local Provisions Schedule. A subsequent report, tabled on 3 April 2023, specifically addressed the matter of direct correspondence with landowners regarding the draft LPS. Council resolved to implement the communication plan outlined in that report, which included providing notification about the draft LPS within the rates notice - a measure that was carried out. As previously acknowledged by Council, no further direct notification was undertaken.
- 1.2 See 1.1 above.
- 1.3 See above. To note - The legislative requirements for notification are set out in section 35C of the *Land Use Planning and Approvals Act 1993* – which requires a notice of exhibition of the draft LPS be published once before, and once within 14 days after, the first day of the exhibition period, in a newspaper that is published, and circulates generally, in Tasmania. Beyond this requirement, Council held multiple information sessions at different locations, created an email subscription for updates, had staff available for individual appointments, directly contacted community groups, promoted the exhibition widely on social media and in local newspapers and provided interactive mapping and fact sheets on Council's website. Council's response to the exhibition requirements is also outlined in Section 1.5 of the section 35F report.
- 1.4 See response to 1.1 above.
- 2.1 No, an email subscription for interested residents and landowners was created in 2020 for purposes of providing updates on the exhibition of the draft LPS. This did not provide specific information on individual properties.
- 2.2 See 2.1 above.
- 2.3 See 2.1 above.
- 3.1 Please see the response to the first two questions above. Council's response to the exhibition requirements is also outlined in Section 1.5 of the section 35F report.

- 4.1 If a prior resolution by Council is recommended to change, a report must go back to Council detailing the reasons for the change and Council then votes for or against the recommended motion.

*Deleeze Chetcuti, Director Environment, Development & Community Services*

### 9.3 Consultation for Rezoning

At the Council meeting on 20 October 2025, **Mr Nick Barta** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

*As a volunteer firefighter, I'm aware of some of the vulnerable people in my neighbourhood and one of my neighbours who has been impacted by the rezoning with the LCZ, I happen to be aware that they have a significant brain injury and my question relates to the stakeholder consultation and engagement plan for the rezoning. I would like to know how did you consider and address the accessibility needs for the vulnerable in our community, including those with mental impairment or disadvantaged by literacy or lack of access to technology?*

#### Officer's Response:

The communication strategy for the draft Kingborough LPS specifically considered and addressed digital accessibility by including alternative options, including in-person and phone appointments with a planner, as well as community information sessions.

*Deleeze Chetcuti, Director Environment, Development & Community Services*

### 9.4 Approvals to Rebuild After Fire

At the Council meeting on 20 October 2025, **Mr Owen Marshall** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

*The thing that I think worries me the most about LCZ is the right to build a house becomes discretionary and the right to potentially rebuild a house becomes discretionary. If my house does burn down through a bushfire and I'm not able to rebuild for 5 or 10 or 20 years, do I still have the absolute right to rebuild?*

#### Officer's Response:

Section 12 of the *Land Use Planning and Approvals Act 1993* safeguards lawful existing land use rights if a house or building is destroyed, unless the use has been abandoned for two years or more. This section applies regardless of zoning. A building may be reconstructed without a planning permit after, providing it remains in the same location on the property, does not substantially alter the structure, and does not intensify the existing use. As no planning permit is required in such circumstances, classification of the permit type, whether permitted or discretionary, is not applicable.

*Deleeze Chetcuti, Director Environment, Development & Community Services*

### 9.5 Absence of House Plans

At the Council meeting on 20 October 2025, **Mr Richard Woolley** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

*Given this discretion issue, I know that many, many old properties and old houses around the municipality do not have accurate records, given that there was a major flood and a lot of records were lost in Kingston here some time ago, and I think a lot of records of house plans and everything were lost when the Bruny Island Council was overtaken by Kingborough. So if there are no records for your*

*house and your house burns down or gets destroyed by a flood, does that mean that then it becomes discretionary and you could probably have to go through the due DA process?*

**Officer's Response:**

Section 12 of the *Land Use Planning and Approvals Act 1993* (LUPAA) lets landowners keep using or rebuild developments that were legally approved, even if zoning rules change. If this doesn't apply (such as when there are no records or documents or other means to prove the existing use can be presented) you can still build a house (including a granny flat) in the Landscape Conservation Zone. This can happen in two ways, namely through *Permitted assessment* pathway if it's in a designated building area on a sealed plan, or *Discretionary assessment* if it's not. A Discretionary application means the Council will assess the proposal on its merits and have regard to the context to determine if it fits with the planning rules and the local area.

*Deleeze Chetcuti, Director Environment, Development & Community Services*

## 9.6 Rural Zone

At the Council meeting on 20 October 2025, **Ms Judy Kerr** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

*Everybody here is talking about the LCZ, but my concern is actually the rural zone. There's a lot of houses that were in rural living or rural resource that are now going to a rural zone, and I think those people need to be included and notified as well, because the rural zoning is totally discretionary on building.*

**Officer's Response:**

The Rural Resource Zone under the Kingborough Interim Planning Scheme will be replaced by the Rural Zone in the Tasmanian Planning Scheme, which is very similar. New dwellings are currently allowed as a discretionary use in the Rural Resource Zone (if all other requirements are met), and this will stay the same under the new Rural Zone. Council has met its legal obligations for public exhibition of the new planning scheme and does not plan to notify individual landowners in the Rural Zone. However, the Tasmanian Planning Commission (TPC) may choose to notify landowners directly as part of its process, but that decision is up to them.

*Deleeze Chetcuti, Director Environment, Development & Community Services*

## 9.7 Road Side Spraying

At the Council meeting on 20 October 2025, **Mr Julian Punch** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

*My question is very simple, and that is that the Council stops the pouring of poison on the roads in our area and in the whole of the municipality. What happens is, unfortunately, on our land, the weeds and the spray from the opposite side of the road move under a council channel from the other side of the road to ours.*

**Officer's Response:**

Our spraying program is carried out by suitably qualified contractors using approved products. The contractors will not spray chemicals into waterways or apply the chemical when it is raining to prevent it being transferred through stormwater assets.

*Jade Jones, Manager Works*

## 9.8 Road Reserves

At the Council meeting on 20 October 2025, **Mr Joel Hodson** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

*Since Crown Road reserves are not roads maintained by a road authority, and as the State Planning Office has confirmed, cannot give right of carriageway, regardless of whether a property owner has a current licence, a lease over that Crown Road Reserve, can Council give a total figure of properties that currently have the ability to build under the Interim Planning Scheme, but will lose that ability based on sections 20.4.3, 21.4.3 and 22.4.3 of the State Planning Provisions?*

### Officer's Response:

Given the technical and complex nature of what is entailed to provide a response, Council will need to seek further advice and will provide an answer in a future agenda.

*Andy D'Crus, Acting Manager Development Services*

## 9.9 Road Maintenance

At the Council meeting on 20 October 2025, **Mr Joel Hodson** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

*A follow-up question to the last meeting, my questions on notice regarding roads maintained by Council. I'm aware that Majors Road is partly owned by Council, that section of road. I've lived at my property for nine years and this road has not been maintained once. It's a key road to get access to Majors Hill. What liability does Council have for not maintaining this road or any other road in Council that is maintained by you in the event of a bushfire or, a situation like that? Say I drive up there and drive off the road because the road is not maintained. A follow-up for this is that I do have an email dated 2022 from Council Service Request Portal asking Council to maintain this road and there was no follow-up on it. Majors Road, Middleton has not had any work done for the last five years and is currently four-wheel drive access only. Landslides in at least two spots, rubbish dumped on the bridge. I went up there yesterday. It's still in a very poor shape.*

### Officer's Response:

Council records do not show any maintenance work undertaken on the Council owned portion of Majors Road in the last two years. Council officers have visited the site to review it's condition and undertakes to perform some minor maintenance during summer.

*Jade Jones, Manager Works*

## C303/19-2025

## 10 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

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*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.*

**Cr Midgley** asked the following question without notice:

### 10.1 Consultant

*With the engagement of the consultant in review of the LCZ and the provision of the draft local provisions schedule, is there any mechanism for landowners who have not previously provided a representation to do so now?*

**Chief Executive Officer responds:**

As was discussed with the question earlier tonight, there's no mechanism at the moment for a formal representation that goes through to the Tasmanian Planning Commission. In the work undertaken by the consultant, that's not part of the scope that we have at the moment, but I'll take that on notice because it might be something that we discuss in building the approach that the consultant takes around how they want to gain the information to be able to provide the advice that they need to. So I'll take the second part of that on notice.

**Cr Antolli** asked the following questions without notice:

**10.2 Use of Poison**

*This one that came up in the newspapers on the weekend about a poison known as 1080, which is used to handle rodents, animal infestation etc. Is that a poison that we use in Council and do we have a position on that if we do?*

**Chief Executive Officer responds:**

I've just been informed that we don't use it ourselves within Council.

**Cr Antolli:**

Can I ask why we don't use it? Not that I'm encouraging you to use it, I just generally would like to know why we don't.

**Chief Executive Officer responds:**

It's not something I've been involved in around the decision making around that pesticide. I can take that on notice for you.

**10.3 Communication to the TPC**

*I'm asking this next question on behalf of Cr Richardson, who is an apology tonight. At the last council meeting, Cr Deane asked the CEO if the Council could write to the TPC and request that the TPC allow residents who were unaware of the zone changes, I believe around the LCZ zone, to their property and therefore missed the deadline to be able to request one now. So the question is an update on what's been the follow through on that, if anything?*

**Chief Executive Officer responds:**

I haven't done that yet, so I will ensure that that communication goes out this week.

**Cr Clare Glade-Wright** asked the following questions without notice:

**10.4 Correspondence to Property Owners**

*Just regarding the letter that's going out to the rest of the community, is there any reason why we couldn't post it on our social media so it could be shared around the community?*

**Chief Executive Officer responds:**

The intent is to publish that letter through other Council channels, including our website, so it's available to all our community when it goes out.

**Cr Glade-Wright:**

So it's not only going to be addressed in an envelope, it can also be shared on social media and acknowledging that that's often a way that people receive their information these days.

**Chief Executive Officer:**

Correct, so the intent is that it will be emailed out to any property that has an association with the landscape conservation zone, that even includes a small portion of the property that might have an edge that landscape conservation zone cuts across. That will be a number of properties, and it might even be properties that are predominantly zoned another zone, but in addition, we'll post it on other channels so that it's available to our wider community and not just going to a certain subset of the population.

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**11 QUESTIONS ON NOTICE FROM COUNCILLORS**

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There were no questions on notice from Councillors.

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**12 PETITIONS STILL BEING ACTIONED**

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A report on the petition headed 'Installation of Footpaths and Upgrades on Cleburne Street, Kingston' will be provided at a future meeting of Council.

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**13 PETITIONS RECEIVED IN LAST PERIOD**

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

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**14 OFFICERS REPORTS TO COUNCIL**

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**C304/19-2025****14.1 REFORMS TO COUNCILLOR NUMBERS AND ALLOWANCES**

Moved: Cr Amanda Midgley

Seconded: Cr David Bain

That Council:

1. Endorses the positions outlined in this report as Kingborough Council's formal response to the Discussion Paper: Reforms to Councillor Numbers and Allowances; and
2. Authorises the Chief Executive Officer to submit the Council's response to the Office of Local Government by the closing date of 10 November 2025.

In Favour: Crs Paula Wriedt, Clare Glade-Wright, Aldo Antolli, David Bain, Kaspar Deane, Amanda Midgley and Christian Street

Against: Cr Flora Fox

**CARRIED 7/1**

Cr Antolli left the room at 6.33pm  
 Cr Antolli returned at 6.35pm

**C305/19-2025**

**14.2 KINGBOROUGH COUNCIL STRATEGIC PLAN**

Moved: Cr Clare Glade-Wright

Seconded: Cr Flora Fox

That Council endorses the attached Kingborough Strategic Plan 2025 – 2035, *with the inclusion of the following wording to Section 3.4:*

*Implement Council’s Climate Change Plan – **which acknowledges a climate and biodiversity emergency** – integrating mitigation and adaptation into planning, asset management, risk management and operational decision-making.*

**Amendment:**

Moved Cr Street

Seconded Cr Antolli

That Council endorses the attached Kingborough Strategic Plan 2025-2035.

In Favour: Crs Paula Wriedt, Aldo Antolli, David Bain, Kaspar Deane, Flora Fox, Amanda Midgley and Christian Street

Against: Cr Clare Glade-Wright

**CARRIED 7/1**

The substantive motion was then moved.

**CARRIED**

**C306/19-2025**

**14.3 LAND TRANSFER - KINGBOROUGH SPORTS PRECINCT**

Moved: Cr Kaspar Deane

Seconded: Cr David Bain

That Council advertises its intent to dispose of ~3.298Ha of land within the Kingborough Sports Precinct by means of a long-term lease to the Tasmanian Football Club for the purpose of constructing a High Performance Training Centre for the Tasmanian Devils AFL Team.

**CARRIED**

**C307/19-2025**

**14.4 ENFORCEMENT POLICY**

Moved: Cr David Bain

Seconded: Cr Amanda Midgley

That Council endorse the revised Enforcement Policy as attached to this report.

**CARRIED**

**C308/19-2025****14.5 COUNCILLOR WORKSHOP POLICY**

Moved: Cr Christian Street  
Seconded: Cr Amanda Midgley

That Council approve the update to the Councillor Workshop Policy (Number 1.19) as attached to this report.

**CARRIED**

**C309/19-2025****14.6 KINGBOROUGH BICYCLE ADVISORY COMMITTEE MINUTES 12 SEPTEMBER 2025**

Moved: Cr Amanda Midgley  
Seconded: Cr David Bain

That Council:

- (a) Notes the minutes of the Kingborough Bicycle Advisory Committee held 12 September 2025.
- (b) Notes and endorses the attached Cycling Strategy Action Plan Review 2025.

**CARRIED**

**C310/19-2025****14.7 APPENDICES**

Moved: Cr Clare Glade-Wright  
Seconded: Cr Aldo Antolli

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

**CARRIED**

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**15 NOTICES OF MOTION**

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There were no Notices of Motion.

**C311/19-2025****16 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

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Moved: Cr Amanda Midgley  
Seconded: Cr Clare Glade-Wright

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*

**Naming Rights - Lightwood Park**

Regulation 17(2)(h)(ii) *information that is provided to the council on the condition that it be kept confidential.*

**CARRIED**

In accordance with the *Council Meetings & Councillor Workshops Audio Recording Guidelines Policy*, recording of the open session of the meeting ceased.

Open Session of Council adjourned at 7.42pm

*Cr Deane left the room at 7.42pm*

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**OPEN SESSION ADJOURNS**

**OPEN SESSION RESUMES**

Open Session of Council resumed at 7.57pm

**C312/19-2025**

Moved: Cr Amanda Midgley

Seconded: Cr Flora Fox

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	Confirmed
Applications for Leave of Absence	Approved
Naming Rights - Lightwood Park	Approved

**CARRIED**

**CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 7.58pm

.....  
(Confirmed)

.....  
(Date)