

Kingborough



COUNCIL MEETING MINUTES

15 December 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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Public Copy

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

WELCOME

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

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

Councillors:

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

Staff:

Chief Executive Officer	Mr Dave Stewart
Director People & Finance	Mr David Spinks
Director Governance, Recreation & Property Services	Mr Daniel Smee
Director Environment, Development & Community Services	Mrs Deleuze Chetcuti
Communications Officer	Mr Stuart Heather
Executive Assistant	Mrs Amanda Morton

3 APOLOGIES

There were no apologies.

C358/22-2025

4 CONFIRMATION OF MINUTES

Moved: Cr Flora Fox
Seconded: Cr Clare Glade-Wright

That the Minutes of the open session of the Council Meeting No. 21 held on 1 December 2025 be confirmed as a true record.

CARRIED

5 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

Date	Topic	Detail
8 December	TasWater	Presentation on status of infrastructure and proposed changes to pricing models
	Draft LPS	Presentation from consultants appointed to undertake zoning review in relation to approach

6 DECLARATIONS OF INTEREST

There were no declarations of interest.

7 TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

C359/22-2025

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 Tamieka Adkins asked the following questions without notice:

8.1 Consultants

While Kingborough Council's appointment of IreneInc planning meets the minimum definition of a consultant's review, engage an external firm to provide analysis, it falls short of best practice standards. The lack of disclosure about the individual consultants and the apparent omission of prior public commentary from independence checks has undermined community confidence in the impartiality of the review. My question is, how does Kingborough Council define independence in the context of consultant reviews?

Chief Executive Officer responds:

I don't necessarily agree with the statement in the preamble, but in terms of responding to the question, the independence here is people from outside of the organisation, people that have no vested interest in the organisation and people who are suitably qualified and suitably experienced to be able to undertake the review. In terms of the procurement we did around it, we went to the market and engaged with as many consultants as we could in terms of understanding who was out there and who was interested and had relatively significant applications from them in terms of the tenders we received around the work to be undertaken. In my opinion, the reviews have got impartiality, independence and will be thorough and robust in reviewing the zoning.

Ms Adkins:

To ensure transparency and maintain community trust, can Kingborough Council demonstrate that the that the independence of the consultant was rigorously evaluated, including consideration of public statements that may affect perceptions of bias?

Chief Executive Officer:

As part of the process to undertake the evaluation, we looked at potential or perceived conflicts of interest. So we considered them from previous work that had been done by different people tendering for the work, and that was considered as part of the evaluation of the tenders.

Ms Adkins:

What measures are in place to ensure the consultant's findings are truly independent and not influenced by council officers' existing views, the planning department staff's existing views?

Chief Executive Officer:

The review is underway and the review of existing materials is an important part of that process to understand context of what's gone before, what's happened at hearings, what's happened through the exhibition period, the representations that were made by the community, that's an important part of it. There is times and places where the consultants will be engaging with council staff to be able to do that. There's also times and places where they'll be engaging with Councillors. As you heard earlier in the agenda tonight, we had a workshop with Councillors last Monday night where the thoughts and views of Councillors were expressed and the consultants were able to portray the process that they would undertake through to Councillors as well. So this isn't just an executive function overseeing the consultants here. We also have Councillors that are heavily engaged in this process to make sure that there's the representatives of your community as Councillors involved in the discussion with the consultants around the process that's being undertaken and the information that they're receiving from the councillors as part of that process. There's multiple contact points and ways of engaging in oversight as part of the process. I will note that as part of the Council resolution, a final report from them will also come back to the Planning Authority for approval before it goes to the TPC.

Cr Wriedt left the room at 5.42pm

Cr Wriedt returned at 5.43pm

Ms Adkins:

The Councillors here are representing the community. Is that what you're saying?

Chief Executive Officer:

Yes.

Mr Peter Creef asked the following questions without notice:

8.2 Consultants

Independence in such reviews is not just about being external. It's about being free from conflicts of interest and being seen as impartial by the community. Did IreneInc. declare any conflicts of interest before being appointed?

Chief Executive Officer responds:

As part of the procurement process, as I've mentioned in the previous answer, we received information on conflicts of interest from all the parties that put in tenders, work that they had done, who they've represented, those types of things. So, yes, they did.

Mr Creef:

Were reputational risks, such as prior public commentary, included in the probity assessment?

Chief Executive Officer:

Reputational risk isn't a direct criteria that's used in the evaluation of the tenders. We looked at a number of criteria which relate to the skills and experience to undertake the role, obviously the conflicts of interest that we talked about earlier. We talked about other non-price attributes as well as pricing involved in the assessment of the tenders that came through.

Mr Creef:

Then how has Council ensured, not just in this circumstance, but how does Council ensure that all consultants are free from both actual and perceived conflicts of interest?

Chief Executive Officer:

Appropriate oversight is one way that we maintain that. That's not influencing the work or the outcome, but it's about looking at the process that's being undertaken and making sure that it is free from bias and working towards achieving say, an evidence-based outcome. There's multiple ways that we do that. The key way is obviously the contract management and oversight through that and the accountability for that comes back to me. But additionally, like I mentioned earlier, there's workshops scheduled with Councillors around this in the final report to come back to Council as well. There's multiple engagement points to make sure that the process is as transparent and accountable as possible in achieving a good outcome.

Ms Catherine Anderson asked the following questions without notice:

8.3 Publication of Consultants Report

Council has appointed IreneInc Planning as the independent consultant to review the application for the LCZ. Will Council publish the consultant's methodology for assessing LCZ mapping?

Director Environment, Development & Community Services responds:

Yes, I anticipate we will, and that will be included as part of the final report that is then put to Councillors as the planning authority with the methodology and recommendations from the review.

Ms Anderson:

Will the consultant's draft findings be made available for public comment before finalisation?

Director Environment, Development & Community Services:

We haven't actually turned our mind to that, so we'll have to consider that and take it on notice.

Ms Anderson:

Will Council publish the budget allocated for or paid in full on completion of the appointed individual consultant's work of the review?

Director Environment, Development & Community Services:

I imagine so through our budget reporting that we're obliged to do.

Mr Mark Donnellon asked the following questions without notice:

8.4 Lost Property

When Council staff find lost property like a jacket, phone, watch or a pram at Kingston Park and the Kingborough Community Hub, what happens to it and is there a policy that defines what should be done?

Director Governance, Recreation & Property Services responds:

There's certainly no policy on the matter, but I'd need to take it on notice in relation to what our various staff that may find such items do with them.

Mr Donnellon:

Kingston Beach has a lost property tree. How did its existence come about and can anyone speak to its usefulness?

Mayor:

I understand that the lost property tree was a community-based initiative and it seems to have been working very well because when people find something at the beach, they put it on the tree and then generally they follow up by posting on social media about it. And quite often I know that someone has gone down and claimed it and there's been happy reunions and pictures of lost toys in particular. So that seems to be working very well and is a great example of a community initiative that is just benefiting those who are beachgoers.

8.5 Road Markings at Kingston Beach

As part of the Kingston Beach local area traffic management upgrades, the Council has installed wavy blue art on the road surface, which is intended to improve safety for pedestrians, by slowing down and increasing the attentiveness of drivers. The blue material appears to be affixed to the road, much the same way as my daughter might paint with glue and glitter. In much the same way an amount of the blue material at this stage comes loose on the road surface. What is this blue material and is it something we're okay with entering our waterways?

Mayor responds:

We don't have our Director of Engineering Services with us here this evening. We might need to take that on notice.

Mr Nick Booth asked the following questions without notice:

8.6 Bushfire Management/Mitigation

Recent bushfires on the east coast have highlighted that councils are potentially open for litigation. The Glamorgan Spring Bay Council has acknowledged potential liability exposure that is a key consideration regarding action or inaction in a recent major bushfire event and potentially ignored fire mitigation efforts that were recommended in a report it orchestrated. Does the Council believe they would not face the same potential litigation if a catastrophic bushfire was to happen in this municipality?

Mayor responds:

I haven't seen the comments by Glamorgan Spring Bay, so I can't speak to them, but I'll ask our CEO or Ms Chetcuti to address that.

Director Environment, Development & Community Services:

Statewide bushfire management sits under the State Government, so the TFS, along with Forestry, TAS and Parks and Wildlife. We sit underneath that framework and our bushfire mitigation works align with the overall direction and mitigation actions determined at that level. In terms of our own land, yes, we do have a responsibility to ensure our land is managed properly and is managing bushfire risk that may arise from it. And then any other infrastructure that we own that is required for fire management should be maintained as well. If we're doing that in accordance with our currently

approved plans, then I would like to think we are deemed as executing our duty in relation to bushfire mitigation.

Mr Booth:

Given that the key section of STRLUS, Section 8, which provides regional policies for managing risks and hazards, and the majority of the policies that are pertaining to bushfire hazards that relate to ensuring that planning schemes provide suitable requirements for vegetation removal are considered. Will the Council consider increasing its bare minimum of hazard management areas or HMAs that allow landholders to clear to a maximum rather than the current minimum that are presently required in most DAs, in bushfire prone areas as higher BALs require an expensive construction costs to increase the BAL rating. This would lower construction costs, increase housing affordability and place the safety of the community as its priority, allowing for a more resilient bushfire rural community better able to withstand fires that are without doubt going to increase in ferocity in the future.

Director Environment, Development & Community Services:

I hope I've understood your question and that this answer addresses it for you. In terms of assessing applications in bushfire prone areas, the applicant will submit a report from a suitably qualified bushfire practitioner that will recommend the hazard management area required for the particular development, and that is what then informs our assessment for that area.

Mr Booth:

Given that most of these practitioners usually recommend a fairly high BAL so that they know that they can get it through Council, you know, it's catch-22, if you recommend a higher BAL rating, you're generally going to get knocked back, is the consensus from a lot of them. Because there is a perceived from most of the practitioners that if you go higher, you're not going to get it approved, so you're going to make it a lot higher, you actually get it through.

Director Environment, Development & Community Services:

I'm unsure of the question.

Mr Booth:

When you talk to the practitioners that recommend clearing, they generally recommend a higher BAL rating so that it will actually get through Council rather than actually a lower BAL rating that won't get through Council.

Director Environment, Development & Community Services:

I'm unaware of whether that is something that is happening. What we rely on is suitably qualified bushfire practitioners submitting reports recommending what the hazard management area should be.

Ms Natalie Kingston asled the following questions without notice:

8.7 Community Engagement with Consultants

Will Irene Inc. engage directly with the affected landowners during the review?

Director Environment, Development & Community Services responds:

We have commissioned this work to quite tight timeframes and, unfortunately, there's also the intervening Christmas and holiday break. We haven't planned for direct consultation with landowners, given the logistics and time to do this. What we can say, though, is all of the evidence presented at the hearings to date as well as all of the representations, and our consultant engaging with our Councillors who have done a very good job of articulating the concerns, and they will be engaging with Councillors through the process as well, to hear the views of the community. In terms of

landowners, the review will be looking at all of LCZ, so for the proposed LCZ properties, all properties will be considered.

Ms Kingston:

If after the review process there is a recommendation for a different zoning, will there then be the opportunity for landowners to have another say or a say at all, what would that process be?

Director Environment, Development & Community Services:

The report will come to Council for approval and then submitted to the Commission, who will be the final decision maker and will consider those recommendations on their merits. If the Commission determines outcomes that are different than what is currently proposed in the Section 35F report and draft LPS, the Commission will then make a decision around what further consultation will be required, and that could take various forms.

Ms Kingston:

How would individual property owners seek feedback? Would that be through the TPC?

Director Environment, Development & Community Services:

It will be via the hearings themselves, and then the Commission, if there's proposed changes to the draft mapping, they will determine what consultation is then required. I can't imagine that no consultation will occur - that's not a likely outcome for owners whose properties may or be changed and are affected.

Ms Donna Finnegan asked the following questions without notice:

8.8 Outcomes and Accountability

What mechanisms exist to identify any independent oversight of Irenelinc's work beyond the Council itself?

Chief Executive Officer responds:

It's important to note that there, as has been described earlier in the questions, that there's multiple layers of oversight as part of this process. There's the director, there's myself, there's the Councillor's that are all involved in this process and will have degrees of oversight through the process. Beyond that, the report is then submitted to the Tasmanian Planning Commission. Now, the Planning Commission is again an independent agency established to test the veracity of the process and the validity of the application of zones, and it's done through the public hearing process that we're in the midst of. So there's multiple layers of checks and balances associated with this, and the independent review is another one that we've included into this process.

Ms Finnegan:

How will council respond if Irenelinc's findings contradict the Council officer's recommendations?

Chief Executive Officer:

Through this process, we've been very open about the fact that we enter into this process in good faith to get external input. So there wouldn't be staff intervention in the outputs of that. That information would then be approved through the planning authority and would then be submitted to the TPC.

Ms Finnegan:

And will the Council commit to adopting Irenelinc's recommendations or are they advisory only?

Chief Executive Officer:

It's important to note that the Council wouldn't be adopting the recommendations. They are something that the Council would endorse to be supplied to the TPC. The output of that is still subject to the process through the TPC. There is still decision-making beyond whatever the consultant report says in terms of a final outcome. Just because it's written in the consultant report doesn't necessarily mean that that's what the final outcome is, because there's still that independent process with the commission that still is to play out. The Council will have a role in endorsing that as materials to be submitted through Council to the TPC, but that's not the same as adopting a final outcome.

Ms Finnegan:

Just so that I've got it clear, whatever the outcome is that's recommended, the Council is going to use that to provide their evidence to the Planning Commission based on the report from IrenelInc.

Chief Executive Officer:

Once the Council, as the planning authority, has endorsed the report, it would be then submitted through to the TPC unaltered from that point.

Ms Finnegan:

Whatever the recommendations are from IrenelInc., the Planning Authority in the Council will endorse those recommendations and then it goes to the Planning Commission. Have I got the steps right?

Chief Executive Officer:

I can't speak for the Planning Authority, that's the Councillors around this table that sit in that seat, as to what their response to that will be. Once it is endorsed by the Planning Authority, it will go to the Tasmanian Planning Commission, but I would suggest that the Councillors acting as the Planning Authority won't just be rubber stamping something that comes through, they'll be interrogating it with the consultant to make sure that they've tested for validity, they've tested for the process that's been undertaken, they've tested for that independence that's been asked about to make sure that it's robust and rigorous and at that point I would suggest they would likely endorse it to go through to the TPC.

Mr Vince Taskunas asked the following questions without notice:

8.9 Consultants

You mentioned earlier about a number of firms that were considered. Could you please tell us how many firms were considered in terms of the process for the selection of the consultant and can the list of those be tabled?

Chief Executive Officer responds:

I can't tell you off the top of my head how many people we went out to. I can tell you that we had three responses to our request for tender. I can take the question of how many firms we contacted on notice.

Mr Taskunas:

You were talking about the endorsement by the Planning Authority for the outputs of the work. Did you have a specific time frame for that because you were talking about a process in the answer earlier about over Christmas, New Year etc. I was just wondering, have we got a specific time frame for that?

Chief Executive Officer:

The Council first part of the commission and the planning commission had also issued the Direction 69, we indicated an indicative time frame of being able to respond by the end of January

2026 for that work. The intent there being that we needed time to procure and resource to be able to do the review, at the same time acknowledging the desire from everyone to move through the process. The intent is there or thereabouts that the review would be completed around that. In saying that, there's multiple steps that we need to go through, both in terms of the consultants being able to undertake the work, but also to be able to workshop it appropriately with Council. We've already had a first workshop on it, and then ultimately for it to come to a meeting for adoption by the planning authority before it goes through to the commission. I can't say exactly when it'll be finally submitted to the commission, but I think I've provided you an indicative timeframe.

Mr Taskunas:

In relation to the review itself of our properties to Landscape Conservation Zone, given the fact that the draft rezoning resulted in significantly more titles zoned as LCZ than any other municipality, can you confirm that one option of the review is that fewer titles will end up being recommended as LCZ?

Mayor:

Well, that is a possibility, of course, but that is entirely up to the assessment of the independent consultants that we've engaged to go through this process. I'm not going to preempt what outcome they are going to come up with. I don't think anybody in this room could possibly do that. But that is certainly one option that would be on the table.

Mr Taskunas:

That will be the decision of the planning authority or the consultant?

Mayor:

As we've already heard this evening, they will be making recommendations and then the planning authority, which is all of us 10 Councillors collectively, will consider the advice that we receive from them and vote on it accordingly and then it would go to the TPC for the final say.

Mr Taskunas:

And the appointment of the consultant, was that signed off by Council or by staff?

Mayor:

It was signed off by Council on the recommendation of staff.

Mr Richard Woolley asked the following questions without notice:

8.10 Changing LCZ properties to Rural Living

I'm struggling to understand why this process is continuing the way that it is, given that there's a massive pushback from the community and the affected landowners and ratepayers, and there's also been suggestions from the Planning Commission during the hearings that a simple fix would be to simply change the affected properties to rural zoning in one of the three variations. So why hasn't this planning authority gone along with the recommendations or the hints, if you like, from the Planning Commission, and what is the motivation behind continuing with this process?

Director Environment, Development & Community Services responds:

We are following the direction of the Planning Commission, which was Direction 69, for us to undertake a review of the proposed LCZ properties, which is what has been commissioned. We are following the applicable process in terms of reviewing how that applies, which is the different guidelines around applying zones under a draft LPS, as well as relevant policies and strategies. For example, STRLUS, the Southern Tasmanian Regional Land Use Strategy, and considering all the evidence and representations presented at the hearings to date. So we are following the process that we are bound to follow.

Mr Woolley:

Is this Planning Authority capable or allowed to simply override the whole process and say, the community doesn't want this process, why don't we just, as suggested by the Planning Commission, make it all rural?

Mayor:

I think you might be misinterpreting the words of the Planning Commission in saying, change all the proposed LCZ to rural living. That's not the direction that they have provided us with, so let's not misinterpret their words in framing a question, please, because that would be very disingenuous. As Ms Chetcuti has already indicated, we are following the advice that they provided in direction 69. They haven't directed us to change everything to rural living and as I've previously indicated in answer to other questions in this forum, there are people who are currently touted for LCZ who have indicated and have written in and said, we don't want to be made to rural living. There aren't that many, but there are those who feel very strongly that they don't want to. So it would be very, very difficult for us to override the process, and the process is that in determining what zoning is applied in certain areas, there are a whole lot of considerations of state planning policies that have to be taken into regard, as well as, as has been indicated, the STRLUS, amongst others. I know that in Utopia there is a view that we could just go, okay, no LCZ, make it all rural living.

Mr Woolley:

That was the question. Do you have that authority to do that?

Mayor:

We do not, because it would not be in line with the process and the procedures and the guidelines that the TPC asks us to follow, and that is to take into consideration all of the different state policies and things like the state coastal policy, different agricultural policies. There's a really long list of things that need to be looked at and assessed against for the zoning of each of these properties. A blanket rezoning from anything that's proposed to LCZ to rural living would not satisfy the TPC according to the process that they have put forward for everybody else, for all councils.

Mr Woolley:

So wouldn't that just be a simple every landowner and ratepayer affected could say yes or no to LCZ? Those that want it, fair enough, off you go, and those that don't can go to rural. I'm pretty sure I read that that was what was suggested by the Planning Commission in some of the hearings.

Mayor:

Don't believe that that's what the Planning Commission have indicated, but Ms Chetcuti, you might like to address that one.

Director Environment, Development & Community Services:

The representation and submissions and wishes of the property owner is one consideration alongside the other considerations that we've just described. I don't believe that has been a suggestion from the Planning Commission, and their expectation is that we follow the process and the framework that is set out and then submit the evidence before the hearings in which they will consider all of those things as well in determining how zones apply.

Ms Kim Phillips asked the following questions without notice:

8.11 Engagement of Consultants

At the public meeting that was held in Margate way back when, there was an agreement that there would be a motion for Councillors as the Planning Authority to review. We understand that there was a workshop held later where the decision was then made to change that motion to the engagement of

a consultant and then at some time after that, the decision was then made to engage multiple consultants due to the time frames. We understand that. I sent an e-mail about a week ago requesting a copy of the circular that went around while that decision was made. We've been led to believe that that decision was made via a circular. Can that circular be made public, please, so that we can see the conversation that occurred?

Mayor responds:

Sorry, I'm unsure what circular you're referring to.

Ms Phillips:

I don't know either. What we would like to understand is the discussion and the information that contributed to the decision to engage multiple consultants rather than a single consultant.

Chief Executive Officer:

What I've just heard is the question is the materials that went into selecting multiple consultants rather than a single consultant. That recommendation was made by the tender panel that was looking at and evaluating the tenders that came through, and then the final recommendation that went to Councillors then recommended a split between two consultants based on, like we've said earlier in the evening, based on timing to be able to achieve the outcome. So, is that what you're referring to?

Ms Phillips:

That's what I'm referring to, yes.

Chief Executive Officer:

Typically, tenders are commercial in confidence and are therefore considered in closed session of Council. I would suggest that's a confidential document and would not be disclosed under RTI.

Ms Phillips:

Council in a closed meeting and the decision was made to engage multiple consultants rather than a single consultant. Is that what I'm being told?

Chief Executive Officer:

Just to clarify, it was not considered at a Council meeting due to timing. It was sent around via e-mail. Because it's commercial in confidence, it wouldn't be disclosable under RTI because of the commercial nature of the information within that. That could be tested, but that would be my position at the moment.

Cr Richardson left the room at 6.19pm

C360/22-2025

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 Aged Care Assistance

Ms Christine Ford submitted the following question on notice:

I recently applied to Aged Care for assistance for small jobs I could not do at 73 years, the company was coming from Moonah to help me for a simple job and charging \$35 just for travel allowance. Then the \$40 for the small job.

Why does the Kingston council not provide a maintenance team to help for Aged Care participants, as we pay rates of over \$1500 per year like others. Age should not be a barrier to services. Could this be added to next years budget to provide Kingborough residents of appropriate need (senior women who are single or people with disabilities) to obtain help?

Officer's Response:

Council have been running a community volunteer program for over ten years. The Kingborough Volunteer Program assists people aged 65 and over with basic support services allowing them to continue living independently in the community.

The Kingborough Volunteer Program is a Centrelink approved provider.

Some of the support services our volunteers include:

- befriending
- pet support
- shopping assistance
- transport to medical or other appointments
- light gardening
- telephone support
- social support.

To enquire about the service or volunteer please contact Council or visit [Seniors - Kingborough Council](#). This page also has information about services for senior residents offered by other service providers as well as initiatives and programs run as part of Kingborough Council's Positive Aging Strategy.

Deleaze Chetcuti, Director Environment, Development & Community Services

9.2 Requests for Further Information (RFIs)

At the Council meeting on 1 December 2025, **Ms Tamieka Adkins** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

In the interest of transparency and accountability around approvals to better understand the impacts of RFIs on development timelines and to ensure sound governance and evidence-based decision-making in the planning process, can the Council provide statistics on the number of RFIs issued over the past three years, including the average time added to application process as a result? What portion of permitted applications will move to discretionary so that the community can assess whether this practice is generally necessary for compliance or whether it functions as an administrative delay that slows housing delivery?

Officer's Response:

Council acknowledges the importance of transparency and accountability in the planning process and supports the need to monitor performance, identify issues, and implement improvements. While the data requested is not readily extractable, we recognise the value of reviewing information to better understand development timelines and process impacts.

It is important to note that Request for Information (RFI) data requires careful interpretation. Multiple RFIs can occur for various reasons, such as applications being lodged without supporting

documentation, incomplete responses to initial RFIs, or changes to the development design during assessment. These factors mean RFIs are not always a direct indicator of administrative delay.

While the data cannot be provided at this stage, Council is committed to reducing unnecessary RFIs and improving the overall efficiency of the development assessment process. This will be a key focus within our continuous improvement program, aimed at streamlining workflows, supporting evidence-based decisions, and reporting on key performance indicators.

Deleuze Chetcuti, Director Environment, Development & Community Services

9.3 Cool Burning

At the Council meeting on 1 December 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. *I have some questions following on from Jason and following on from Professor Michael Rowan's questions on notice. Why is cultural burning given exemption under the prescribed burning clause of the Biodiversity Code overlay but mechanical management of the same vegetation prior to conducting a cool burn is not interpreted as being part of the same prescribed burning exemption?*
2. *Why didn't the Council officer also extend to Professor Rowan's question the provisions contained within the same Biodiversity Code exemptions for the clearing of previously cleared land by mechanical means?*

Officer's Response:

1. In relation to the Biodiversity Code, the code applies to development involving clearance and conversion or disturbance of native vegetation within a Biodiversity Protection Area.

As previously advised, cultural burning does not benefit from an exemption under the Biodiversity Code specifically. However, providing the cool burn meets the following parameters, it would not be considered clearance and conversion or disturbance of native vegetation:

- is for the purposes of protecting, conserving or managing ecological systems, habitat, species, cultural sites or landscapes;
- does not involve the physical removal or clearing of native vegetation or impact high conservation trees; and
- does not adversely alter the structure and species composition of a native vegetation community.

Further to this, the current scheme includes zone standards in relation to native vegetation removal. These standards mean that, even where a cool burn and any associated site preparation do not trigger the Biodiversity Code, approval under the zone standards may be required.

Therefore, any cool burn which involves activities that do not meet the above parameters may require planning approval and needs to be considered on a case-by-case basis.

2. The advice provided was in relation to planning permit requirements broadly in the context of cool burns, rather than detailing the application of individual exemptions. There are a range of exemptions under the Biodiversity Code. Meeting the definition of previously cleared and converted land as defined under the Biodiversity Code may enable a level of mechanical vegetation removal to be undertaken as part of a cool burn without triggering the requirements of the Code. However, this definition is specific and only applicable in certain circumstances.

As outlined in response to question 1, the exemption under the Biodiversity Code does not extend to vegetation removal under the zone provisions. Therefore, even where a cool burn and any associated site preparations do not trigger the Biodiversity Code, approval under the zone standards may be required.

It should be noted that the Natural Assets Code does not include the same exemptions as the Biodiversity Code, including clearance and conversion or disturbance of previously cleared and converted land.

Nikki den Exter, Environmental Planner

9.4 Landscape Conservation Zone

Professor Michael Rowan submitted the following question on notice:

To further clarify the helpful answers to my questions on this topic provided in the agendas for meetings 17 November and 1 December I ask

1. *Is it correct to say that any planning application for residential development on a property zoned Landscape Conservation which:*
 - 1.1 *has been submitted and progressed by the applicant such as to provide Council sufficient time to determine the application within the statutory time frame, but*
 - 1.2 *has not been approved by an officer of the council in accordance with their delegated authority*
will be referred to the Planning Authority (elected Council) for decision?
2. *In comparison to the Development Standards for Buildings and Works of the Environmental Living Zone of the Kingborough Interim Planning Scheme 2015, for a residential development proposing site coverage of less than 400 square metres, which elements of the Development Standards for Buildings and Works of the Landscape Conservation Zone, in relation to both Acceptable Solutions and Performance Criteria are:*
 - 2.1 *More permissive in the latter compared to the former such that a development that would be recommended by Council officers for refusal under the former planning scheme would be approved under the latter*
 - 2.2 *More restrictive in the latter compared to the former such that a development that would be approved by Council officers under the former planning scheme would be recommended by Council officers for refusal under the latter?*
3. *Have these differences been clearly communicated to the community, and if so how and where?*
4. *Where the basis for refusing an application for planning approval for a residential development on a property zoned Landscape Conservation comprising site coverage of less than 400 square metres relies on a value judgement, in particular judgement on matters concerning landscape values, as in Sec 22.4.4 Performance Criteria P1 and P2, is Council satisfied that elected members have already or will receive the training necessary for them to exercise independent judgement on these matters, and if so, how, in view of the fact that the Local Government Learning and Development Framework Learning Package 3 Module 5 which would seem to be most relevant does not appear to cover this learning?*
5. *Considering whatever answers are given to the above, what communication from Council to the community should have given landowners confidence that land being zoned as Landscape Conservation will not make it less likely that residential development will be approved on their land? Or is it Council's view that land being zoned as Landscape Conservation will make it less likely that residential development will be approved on that land?*

Officer's Response:

1. Under Council's Delegated Authority Policy 1.1 and the *Land Use Planning and Approvals Act 1993* (LUPAA):
 - Applications are referred to elected Council (acting as the Planning Authority) if:
 - Three or more opposing representations are received during public advertising; or
 - The application is recommended for refusal.
 - In instances where there is insufficient time for Council to determine the application within the statutory timeframe, an extension can be requested from the applicant. If the request for extension is refused by the applicant, the CEO has delegation to determine the application.
 - Under section 59(1) of LUPAA, if Council fails to determine the application within the statutory period and all required information has been provided, a permit is considered to be granted. The applicant must then appeal to TASCAT under section 59(3) to determine conditions of approval.
2. Advising whether approval for a development is easier or harder under each zone referenced above is challenging as it depends on the specific property characteristics, the design of the proposed development, and any applicable overlays, however the Tasmanian Planning Scheme allows merit-based assessment under Performance Criteria if Acceptable Solutions cannot be met.

Council has published a detailed comparison of the Environmental Living Zone, Rural Living Zone, Landscape Conservation Zone and the previously proposed Kingborough Bushland and Coastal Living Zone (no longer applicable) in the s35F report (Table 10, p.68) submitted to the Tasmanian Planning Commission in July 2025. This table is also available in a factsheet on Council's website (links provided below).

It is important to note that the Environmental Living Zone is no longer available under State Planning Provisions. The zones and associated requirements were established by the State Planning Office, who may be better positioned to provide detailed advice and context on comparative aspects.

[S35F-report-Final-for-TPC.pdf](#)

[Fact sheets and other useful Information - Kingborough Council](#)

3. Please see response to question 2 above.
4. Even though Councillors undertake training through the Local Government and Development Framework modules, there is no expectation for elected members to be fully qualified in planning. Each planning report presented to Council is prepared by a qualified officer and includes a clear recommendation based on the requirements of the Planning Scheme. A planning officer also attends the Council meeting to answer any questions from Councillors regarding the application, the report, and the Scheme requirements.
5. Please see response to Question 2, where comparison of the zones has been detailed in the s35F report and on Council's website. In addition, over the past 12 months, planning officers have provided tailored advice in response to individual property enquiries and Council has written to landowners whose properties are proposed to be zoned Landscape Conservation, providing further information and inviting them to subscribe for regular updates.

Deleeze Chetcuti, Director Environment, Development & Community Services

9.5 Cultural Cool Burns

Professor Michael Rowan submitted the following question on notice:

Further to the clarification of whether planning approval is needed for a cultural cool burn (1 December, agenda item 9.3) is it correct to say that no planning approval is needed for the removal of fine fuels – defined by the TFS Guidelines for Building in Bushfire Prone Areas 2009 as 'grasses, bracken, dead or fallen materials such as leaved, bark, twigs and branches up to 6 millimetres in diameter' - by a cultural cool burn? Likewise, is it the case that no planning approval is required for the removal of fine fuels by raking, hand weeding or cutting? If planning approval is required for the removal of fine fuels by physical means but not by combustion, what is the legislative or policy authority by which such a rule is justified?

Officer's Response:

The need for planning approval is not determined by the TFS Guidelines for Building in Bushfire Prone Areas, but the planning scheme and *Land Use Planning and Approvals Act 1993*. Council is working on consolidated vegetation and fire management advice for landowners. In the interim we suggest property owners contact Council directly for advice on a case-by-case basis.

Nikki den Exter, Environmental Planner

9.6 Planning Responses/Time Frames

At the Council Annual General Meeting on 6 December 2025, **Mr Nick Booth** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

On 17 November I asked the Council if it had a benchmark on performance in relation to the planning response and timeframes. I was referred to The List and the CDC data as a mechanism to judge the performance of Council, as I had made the assertion that council didn't publish this information. Out of curiosity, I delved into the bowels of the CDC website and found the CDC information doesn't really contain the information that I was after, and was referred back to getting that information from the council in question. Given that the councils operate under the Tasmanian Government's open date policy, some of the key principles are discoverable and usable. I would argue that in this case, that information isn't discoverable or usable. My question still stands. How can we judge the performance of the planning department without comparative information showing the performance of Kingborough Council and comparisons to other councils so that Kingborough residents can objectively compare the performance of the departments?

Officer's Response:

The CDC data and the information published on the Tasmanian Council Data Dashboards under the [Council Data – Future of Local Government Review](#) represent the publicly available datasets that all councils report for benchmarking purposes. Council is not aware of any other centrally collected datasets that could be used for benchmarking across councils.

The CDC dashboard includes comparative data on the average number of statutory days taken to assess development applications. Kingborough performs slightly below the all-council average days taken for discretionary applications and slightly above the average for permitted applications.

Council recognises the importance of collecting and monitoring key performance indicators and, as part of its continuous improvement program, will work to identify, monitor, and report against a broader range of indicators. Additionally, Council will engage further with other councils to identify and adopt efficiency improvements already implemented elsewhere.

Deleeze Chetcuti, Director Environment, Development & Community Services

10 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

There were no questions without notice from Councillors

11 QUESTIONS ON NOTICE FROM COUNCILLORS

There were no questions on notice from Councillors.

12 PETITIONS STILL BEING ACTIONED

A report on the petition 'Kerbside Collection, Leslie Vale' will be provided to a future Council meeting.

13 PETITIONS RECEIVED IN LAST PERIOD

No Petitions had been received.

14 OFFICERS REPORTS TO COUNCIL

C361/22-2025**14.1 MOTIONS RECEIVED AT COUNCIL'S ANNUAL GENERAL MEETING**

Moved: Cr Aldo Antolli
Seconded: Cr Flora Fox

That Council notes the motions passed at its 2025 Annual General Meeting and the estimated timeframes for an officer report in response.

Cr Richardson returned at 6.21pm

CARRIED

C362/22-2025**14.2 APPENDICES**

Moved: Cr Gideon Cordover
Seconded: Cr David Bain

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

CARRIED

15 NOTICES OF MOTION

There were no Notices of Motion.

C363/22-2025

16 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

Moved: Cr Clare Glade-Wright
Seconded: Cr Flora Fox

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.*

Tender Assessment - AB2529 Campbell Street Stormwater Upgrade

Regulation 17(2)(e) *contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.*

Rates Recovery S.137

Regulation 17(2)(h)(i) *information that is of a personal and confidential nature.*

CARRIED UNANIMOUSLY AND BY ABSOLUTE MAJORITY

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 6.25pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 6.38pm

C364/22-2025

Moved: Cr Gideon Cordover
Seconded: Cr David Bain

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
Tender Assessment - AB2529 Campbell Street Stormwater Upgrade	Tender awarded to Duggans Pty Ltd for \$259,851.50 excl GST
Rates Recovery S.137	Approved

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 6.39pm

.....
(Confirmed)

.....
(Date)