

Kingborough



COUNCIL MEETING MINUTES

4 May 2026

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, 4 May 2026 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:

Acting 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 Engineering Services	Mr Craig Mackey
Director Governance, Recreation & Property Services	Mr Daniel Smee
Director Environment, Development & Community Services	Mrs Deleeze Chetcuti
Manager Environmental Services	Ms Liz Quinn
Lead Strategic Planner	Mr Adriaan Stander
Senior Statutory Planner	Mr Brian Huang
Communications Officer	Mr Stuart Heather
Executive Assistant	Mrs Amanda Morton

C130/8-2026

3 APOLOGIES

Mayor Councillor P Wriedt

STATEMENT BY THE CHIEF EXECUTIVE OFFICER

Before moving in tonight's agenda, I just wanted to provide an update on the cyber incident that was recently identified by Council.

Council became aware on 30 April of a cyber incident involving limited data. We acted immediately to remove access to that information and commenced an investigation, engaging independent cybersecurity experts to help us fully understand what had occurred. Based on the investigation to date, the information involved primarily relates to property addresses and associated owner and or occupier names. There's some indication that a small number of records may also have included e-mail addresses. Importantly, the data did not include any financial information, identity documents, date of birth, or other highly sensitive personal details. I want to reassure the community that the data is no longer publicly accessible and there is no evidence of misuse and Council's core systems were not compromised. A detailed forensic investigation is underway to understand the full extent of the incident and we're working closely with specialist cyber security advisers and have notified relevant authorities, including the Australian Cyber Security Centre and the Tasmanian Police to ensure the matter is managed appropriately. To date, there is no evidence that the data has been used in any malicious way, and we've established monitoring via an external firm of the internet and the dark web for any indications that the data is being transferred. We understand that incidents like this are concerning for the community and I want to be clear that the Council is taking the matter very seriously and we're committed to being open and transparent. As the situation continues to unfold as part of that investigation, we are providing our updates through our website and once the investigation is complete, we will write to any affected individuals with clear information and advice on next steps. Council services continue to operate and I would like to acknowledge the professionalism of our staff in responding quickly and maintaining service delivery during this time.

Finally, I want to apologise for the concern that this incident has caused. We will continue to update the community as more information becomes available and will be ensuring the integrity of the investigation is maintained.

C131/8-2026

4 CONFIRMATION OF MINUTES

Moved: Cr Gideon Cordover
 Seconded: Cr David Bain

That the Minutes of the open session of the Council Meeting No. 7 held on 20 April 2026 be confirmed as a true record.

CARRIED

5 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

Date	Topic	Detail	Consultant
27 April	Budget	Review of cost saving opportunities for the budget	Nil

C132/8-2026

6 DECLARATIONS OF INTEREST

Cr Bain declared an interest in the report *“PSA-2025-2: Proposed Amendment to the Kingborough Interim Planning Scheme 2015 - Rezoning and Removal of the Biodiversity Protection Overlay at Lot 100, Spring Farm Road, Kingston”*.

7 TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

C133/8-2026

8 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

8.1 Whitewater Creek Track

Mr Mark Donnellon asked the following questions without notice:

The Whitewater Creek track is very popular and sees a lot of movements each day. Last June, the Council's public counts counted 450 movements a day at the outlet underpass in June 2025. I would guess a lot of those movements are going to be before and after work and at that time of year it gets very dark. What level of investigation has gone into provisioning lighting for the path?

Director Governance, Recreation & Property Services responds:

Our staff have undertaken some preliminary investigations into the provision of lighting. It's not simply as straightforward as putting in some solar bollards. It is a wildlife corridor, so it needs to be sensitive to that fact, but there is yet to be a fully developed business case or inclusion within our capital program.

Mr Donnellon:

What are the chances of finance to progress that will be included in this year's financial year budget?

Director Governance, Recreation & Property Services:

Nil.

8.2 Dog Park

Ms Jennifer Lawrence asked the following questions without notice:

Will Council guarantee that the new dog exercise area and amenities will be ready for use on 31 May or 1 June, when the other one closes and if not, what suitable alternative arrangements have been made or considered, for example, extending the use on the current one?

Director Governance, Recreation & Property Services:

The intent is certainly to have the new facility at Maddocks Road open to coincide with the closure of the one at Kingston View Drive. I can't give a guarantee on that because there is a planning permit that is needed to be issued before that work can be done. In relation to the second part of your question, that is certainly a consideration, but we would need to look at the timing of the works and the required starting period for those works.

Ms Lawrence:

Your website states that the new areas will provide similar levels of amenity and accessibility for the communities to enjoy with their dogs, will there be the same facilities that are at the current dog exercise area including waste bins, provision of dog waste bags, toilet facilities for dog users, clean, drinkable water and possibly relocation of seating currently at the old park to the new park? Things like weather protection for users as on your plan the only shade provided is from existing trees and there are none in the small dog area, which is quite often frequented by elderly people?

Director Governance, Recreation & Property Services:

It is certainly Council's intention to provide a like for like facility. However, it won't be possible to provide all of those elements immediately given the nature of the time frames and the work required.

Ms Lawrence:

How long is the lease with TasNetworks for the new area and what is the Council's contingency plan should TasNetworks decide to amend or cancel that lease?

Director Governance, Recreation & Property Services:

Off the top of my head, I think it is a five year lease. Council's contingency would be that there are new public open space areas that are being opened up as part of the Huntingfield development and if in the event that the TasNetwork site was no longer available, we'd look to develop an alternate site in one of those new areas that's been opened up.

Ms Lawrence:

Is that something that the Council is looking at in future?

Director Governance, Recreation & Property Services:

We are looking at the potential for that to be a contingency option in the event that the TasNetwork site is no longer available, but there's certainly no indication at this point in time that there is any time pressure in relation to the Maddocks Road site.

Mrs Marianne Dwyer asked the following questions without notice:

How many dogs does the Kingborough Council have registered?

Director Governance, Recreation & Property Services:

Roughly 6,500.

Mrs Dwyer:

Do you think that the industrial site of the proposed block will turn people off from using it?

Director Governance, Recreation & Property Services:

Very difficult for me to speak on behalf of what other people might think, but certainly the indications to date are that our engagement through the Kingborough Dog Walkers Association is that it's a very good site and will meet the needs of people looking to exercise their dogs.

Mrs Dwyer:

Is the site you are proposing flat enough for the elderly and people with disabilities to walk around and exercise with their dog as they have been able to at the other park?

Director Governance, Recreation & Property Services:

Yes it is. It's actually flatter than the existing park

Mr Bernard Dwyer asked the following questions without notice:

It's been documented in the latest DA application that the dog park would only be open now in daylight hours. If that's applied, that will stop people from exercising their dogs after work, certainly in

winter, and there was a comment made in the DA that wouldn't require lighting and obviously we don't have lighting at the current dog park at any rate. I'm interested in your thoughts on the only daylight operating hours?

Director Governance, Recreation & Property Services:

That would be a condition of the planning permit, but the permit hasn't been issued, so I can't confirm that that would be a condition, but I'm assuming that would be the case.

Mr Dwyer:

I'm just seeking clarification on that. So it would be the case that it would only be in daylight hours?

Director Governance, Recreation & Property Services:

If that was a condition of the planning permit, yes.

Mr Dwyer:

Why does the development application not include the facilities that were requested and actually documented in the survey that we all recently completed? There are no facilities other than three taps on that DA application?

Director Governance, Recreation & Property Services:

The development application relates to use. It doesn't necessarily detail all the facilities that will be included. Those facilities don't require planning approval. It's the change of use that requires the planning approval. The development application shows a conceptual set of plans and doesn't necessarily detail all the facilities that will be included as part of those plans.

Mr Dwyer:

Will we look forward to seeing that in public, all the facilities?

Director Governance, Recreation & Property Services:

As indicated earlier the intent is to provide a like for like facility and as I noted earlier, some of those facilities will be developed over time and won't be immediately available, but the intent is to make the facility as desirable as possible from day one.

Acting Mayor:

Mr Smee, could you maybe just let us know what will be there from day one?

Director Governance, Recreation & Property Services:

I'm not the project director on this one so I don't know in detail, I don't know if Mr Mackey has more detail on what will be there, but certainly I can say there will be a fenced area, there will be car parking, there will be water, there will be seating.

Mr Dwyer:

How can the current park be closed at the end of this month and the development application comment hasn't been closed yet until 7 May? And then there's a process obviously for that DA to be approved, and the park be closed and no facility provided for considerable number of people that use that every day?

Director Governance, Recreation & Property Services:

I think it's important to note that this is not the only dog exercise area in Kingborough. There are 13 other off lead dog exercise areas that will be available. It is our intention to provide minimum delay

with respect to the opening of the new and there are alternate dog exercise facilities available within the municipal area for what will be a very short period of changeover.

Ms Kathleen Shaw asked the following questions on notice:

Why has only minimal car parking been included in the plan for the new area as there often something like 14 to 15 users and their cars at the current area. There are only 10 on the plan and where are the extra going to park?

Director Governance, Recreation & Property Services:

The car parking that's being provided is consistent with our observations in relation to the number of users at any one time of the current facility. We believe that the car parking is adequate for the particular numbers that will use the facility at any one time.

Ms Shaw:

As dogs have fun when they're running around exercising and playing with one another, they can be boisterous and bark quite a fair bit. What's the Council's position if they receive noise complaints from the residents of Hollyhock Drive, Henwood Drive and any other nearby streets once this new area opens?

Director Governance, Recreation & Property Services:

We've had an expert noise consultant provided advice in relation to the development application and provided specific advice in relation to the noise of dog parks. We have a dog exercise area in Tarooma, for example, that borders residential areas. There's been noise monitoring undertaken at that and other facilities and those noise levels have been provided as part of the development application and as part of that noise assessment are not considered to be unduly excessive in relation to a nuisance to adjoining neighbors.

Ms Shaw:

If noise complaints came in, the Council wouldn't be looking to shutting down the area?

Director Governance, Recreation & Property Services:

If we receive noise complaints, we will need to deal with them in accordance with our legislative obligations under the various Acts that exist. But I can't give an answer in relation to what Council will do because it's speculative, but if we receive complaints then we would monitor and act on them in accordance with the legislation available.

Ms Shaw:

Why is the Council prioritising the needs of a sporting corporation and the group of individuals from Interstate over the needs of its own constituents and ratepayers, whereby you're saying that this park is going to close and you are hopeful that the new park will be available and that there are plenty of other places to go, but the people use this park, as I said, as a social gathering as well as for their dogs and all of a sudden, by the end of this month, we're not going to have anything down there and I would like to just ask when is development work going to start on that area and do we need to vacate that area on the 31st?

Chief Executive Officer:

To answer the first part of your question in terms of the balance of priorities here, Council obviously needs to weigh a number of drivers when we make decisions. Obviously, the development of the AFL Training and Administration Centre is something Council has seen on a balance to be something that's really positive for our community, both in terms of attraction of economic development into our community, the pride that Kingborough can have as being the home of the Tassie Devils, as well as

the the development of aspiration for kids playing sport to seeing high level athletes within our community. We are really aware of some of the impacts that it does have, hence the the development of other facilities to be able to accommodate users such as dog walkers at an alternate location. The Maddocks Road location is seen as somewhere where we can do that work in order to provide similar facilities to enable people to continue to be able to recreate and socially connect and exercise their dogs. In terms of when the work will commence, as has been answered already, there is a development application that's currently advertised. That needs to go through the process, and we need to assess that on its merits. Following on from that, it's planned that, if it is approved, that the work commences really quickly so that we can make sure that we're providing our community with the amenity that they would expect from Kingborough Council. I will also point out that, as has been mentioned, there are 13 other off lead dog exercise areas around Kingborough, so even if there was a lag between the facility closing the at Kingston View Drive and the new one opening on Maddocks Road, that there are alternative locations. I understand that might not be ideal but it would be for a minimum period of time.

Acting Mayor:

Is it really essential that we shut down the existing park at the end of this month? Could it be extended by a week or so?

Chief Executive Officer:

We are continuing to monitor the time frames. I can't make any commitment to that now. Obviously when there's contracts issued, there's penalty clauses if, for example, we would then to delay commencement and there's preparatory work that needs to be done by contractors and things like that, we will continue to monitor the situation. We want a good outcome for our community through this project, so we are continuing to do everything we can to make sure that we deliver that in the best way that we can.

Acting Mayor:

And what about fast tracking the DA? Is that a possibility?

Chief Executive Officer:

I don't think there's any options here to fast track the DA. It's advertised at the moment. Depending on the level of representation that comes through, it will either be approved under delegation if it meets those criteria or it would come to Council as the Planning Authority to make a decision on. I would suggest it will likely be the latter. We need to follow a good process here. I don't think it would be appropriate for Council to follow one process for us and one process for others in our community.

8.3 Crown Road Reserve Access

Mr Joel Hodson asked the following questions without notice:

I don't think anything was ever publicly provided through Council meetings regarding when you received information and then were going to forward it on post the Irenelnc report? I know the stuff went to Klub but I don't think anything ever was answered here to my question regarding that? To do with that I wonder if there is within the performance criteria of the various zones that are affected, the language can be quite vague and uncertain for residents. It suggests having regard to which to me reads quite subjectively. Can Council give some indication of how you will look at this issue upon a development application being handed in to Council?

Lead Strategic Planner responds:

We have been sending out information around access arrangements on some of the proposed new zones. The access arrangements essentially affects three different zones. It's the landscape conservation zone, the agricultural zone and then also the rural zone. In essence, what it is trying to

achieve is a permanent access arrangement for properties. The tricky part of this is in the past some Councils, including Kingborough, dealt with access arrangements in a more flexible way. Under the Tasmanian Planning Scheme the standard provisions are quite explicit, so we have been engaging with both the Tasmanian Planning Commission the State Planning Office and we also spoke with NRE who are responsible for Crown roads. I think the best way to answer your question is to take it on notice and provide a response in the next agenda. And I think it would be appropriate to provide something on our website that can be accessed by all affected land owners.

Mr Hodson:

So you're not sure yet what ...

Lead Strategic Planner:

I do. I can potentially give you the information right here, but it's quite a lengthy response from NRE. I can give you a bit of a summary - there's essentially two ways people can obtain access to the properties, so it's through licenses, these are relatively quick and inexpensive exercise. But unfortunately they're temporary, and so that's the problem with the new Tasmanian Planning Scheme, it seems to obtain a permanent access.

Mr Hodson:

To clarify, I understand the process about how the new licensing that we need to obtain and ownership of the road, it's more the standard that Council will require the road to meet in order to satisfy the performance criteria of, for instance, 20.4.3. Having regard to the length of the access, suitability of the access, topography. The performance criteria doesn't give anything. Are you looking at the bush fire code and how the road access needs to be to meet that, are you looking at other codes? How do we know what we need to do to make a road?

Lead Strategic Planner:

I'm not a development assessment officer, so I'm most probably not the right person to ask that, but the advice that I have received from numerous people, it's a case by case assessment. Unfortunately, I don't think there is going to a straightforward answer, but it might be appropriate for me to take this on notice and provide some feedback that we can not only put in the agenda, but also circulate through our newsletter.

8.4 IT Department

Has Council been looking at or in the process of restructuring their IT department ie outsourcing or changing how it works?

Chief Executive Officer responds:

I'm not going to comment on our relationship with staff, I don't think it's appropriate to talk about it in this context. We are looking to invest in our IT systems for lots of reasons. One, to make sure that we're continually improving our security and those types of things, a topical issue at the moment, albeit this not a security breach. In this case it was data that was unfortunately available through a link at a period of time. We are looking to invest into IT for lots of reasons - to promote efficiency, to improve how we deliver services, to make us smarter and easier for our community to engage with, to improve how processes flow through the organisation. All of are things that we're looking at, at the moment and will be considered through next year's budget.

Mr Hodson:

Investing in or investing out?

Chief Executive Officer:

Investing in systems. Internal IT resources is something that will always be important in an organisation like this.

8.5 Cyber-Security Incident

Mr Will Perry asked the following questions without notice:

Can Council confirm the duration of the data breach and whether it was identified through an internal order process or via external tip off?

Chief Executive Officer responds:

We currently have investigations underway including digital forensic experts who will be going through data logs and things like that. I'm not in a position to give any definitive answer in terms of duration at this point. That will be communicated subsequently once we know more about that. We initially found out about the fact that there was a cyber incident here through an external notification of Council.

Mr Perry:

So it was an external tip off?

Chief Executive Officer:

Correct.

Mr Perry:

I accessed the interactive map mid last week and I couldn't see the attribute table being available earlier in the week. Was it removed prior to notification on Thursday?

Chief Executive Officer:

I don't know what you're looking at ...

Mr Perry interjects:

Sorry, the underlying data is what I mean. It didn't appear to be available at that point in time.

Chief Executive Officer:

I don't know what you were looking at when you were looking at the mapping or the data. When we were notified of the fact that there was data available, we toggled that from public to private data and then have subsequently deleted that file. That happened on the 1st of May.

Mr Perry:

Council asserts there is no immediate evidence of misuse, yet has acknowledged that the data was publicly accessible without authentication and without any mechanism to record access. Given that Council has no visibility over who may have accessed the data or what actions have been taken, how is the conclusion of no misuse supported?

Chief Executive Officer:

We're working through the vendor for the product that is used there to ascertain from logs about how it was accessed. We don't have that as yet to my knowledge, but we're looking to gain that information. In terms of how we can ascertain that it hasn't been used for any untoward purposes, I can't guarantee that. I have heard no reports of that having been used that way and certainly with

established monitoring for the transfer of data through an external Data Security Agency that monitors both the World Wide Web, the Internet, as well as the dark web as well. Additionally, I have notified through the Australian Signals Directorate and the Australian Cybersecurity Center of this incident so have availed ourselves of law enforcement essentially, so that's a federal agency that work with state policing in order to ensure that this data isn't being transferred.

Ms Tamieka Adkins asked the following questions without notice:

I believe there's been some reviewing of change management processes and one would assume the the strengthening of internal governance. Does the Council currently have a formally adopted data governance policy?

Chief Executive Officer responds:

No, we don't have a formally adopted data governance policy. What we do have is process and we have updated that process to include an additional layer of approval before data is published onto any public facing system.

Ms Adkins:

When was that last independently audited?

Chief Executive Officer:

I can't say that I know the answer to that. What I will say is part of our ongoing investments into our IT and systems where we're putting a lot of effort into upgrading, the environment that we operate in, included within that, there are a number of things that we're doing here to make sure that we're keeping data safe, including engaging external expertise in terms of what our systems and processes look like.

Ms Adkins:

In terms of that responsibility, who is ultimately accountable at that senior level for the protection of the ratepayers data? If we don't have a formally adopted data governance policy, but there is, as you said, something in place, who is ultimately responsible for our data and the safety of it?

Chief Executive Officer:

The ultimate accountability sits with me and I take that really seriously. The way I discharge that duty is by working with really competent and skilled people within this organization to make sure that we're putting all the right things in place, that we're engaging with experts to help guide us, we're staying abreast of what latest systems and processes look like and we're putting the appropriate investments into those areas to make sure that we're making firstly Council a good organisation to work with by making sure that our externally facing systems and processes are appropriate, but also that we're upholding our duty in terms of keeping data safe. I would say that in this instance it hasn't been an intrusion or a hack or anything of that sort. It's purely a human error.

Ms Adkins:

Can Council explain why it considers compliance with only the minimum required standards to be acceptable, particularly given its obligation to protect sensitive ratepayer and community data? For instance, I found out about this at 9pm on a Friday night on a Facebook post.

Chief Executive Officer:

I wouldn't say that we aspire to minimum standards. I think we do our very best to make sure that we are providing appropriate levels of service across the board to our community, it's not like we shoot for the minimum. In terms of the communications around this, I will point out that I was made aware that there was a potential information with data at 11:15 on Thursday and didn't receive any information that would guide us about exactly what that was until about 8:00PM on that Thursday

evening. We then stood up an internal process, and it's really important ... sorry, I'd actually stood up the process before midday on the Thursday, but we couldn't go into further detail once we had more information from that evening. What I would say is there's always a process we need to go through. We don't want to deal in conjecture, we want to be sure that we know what we're talking about. When we publicly made a statement on the Friday evening, and that was before I had intended to, and it was because it was being talked about on social media, we had to make a statement at that time. At that point in time, we were still trying to ascertain facts in the situation. We had closed off the immediate risk by removing that file and deleting it. We had closed the risk and then we were in the investigative phase. We moved to make a statement at that time because, like I say, it was being talked about on social media, but in a perfect world, I would have held that back for a little bit longer to make sure that when I did communicate, I could do it in a way that it was fact checked and evidence based rather than responding prior to that. I think that is good governance and I think that is the responsible operation in this case. We have removed the risk and then making sure that we were dealing with the case on its merits that was informed also by external legal advice about the processes we needed to go through. To come back to your original point, I think Council has done everything in our powers to uphold our duties and make sure that we're respecting our people of Kingborough by communicating in the most effective way when we can.

Ms Adkins:

I agree that the the information that was put out by the Council was quite factual and everything in there it just reflected what you said, that it was mitigated, that it was pulled down and so on and so forth. I guess my point is a Facebook post at 9pm on a Friday night because a trigger had been pulled and you guys had to say something as opposed to that was already a pre-prepared statement. You could see that it was done during business hours. You have the e-mail address of every rate payer that you have, that could have been placed into an e-mail as opposed to just the Facebook post. And I just think that it seems minimum again when not everyone's on social media. There are people that would be impacted on that that could have probably used an e-mail as opposed to a Facebook site post.

Chief Executive Officer:

I respectfully disagree that that would have been the appropriate way of managing the incident in that case. It wasn't just a social media post, it was also a information page that we've established on the website and continue to update throughout this incident. In addition, we have engaged with the media through this to make sure that it was out there in the public realm. We intend on writing to everyone whose data was within this file and informing them of this when we have the appropriate information to communicate.

8.6 Statutory Non-Compliance – Abatement Notices

Mr Charlie Biggins asked the following questions without notice:

According to the local government act section 200, if the GM in this case the CEO is satisfied that a nuisance to the public, health and safety exist then he must under the Act, issue an abatement notice to the land holders responsible. Council's logo appears on the geospatial fire risk mapping of this municipality by the Hobart Company GeoNeon. Mapping that classifies as extreme fire risk the property exposure of many dwellings. What further actions have Council taken to satisfy themselves that extreme property exposure to fire risk exists for individual properties in this municipality?

Chief Executive Officer responds:

We will take that on notice.

Mr Biggins:

Once Council is satisfied that certain dwellings within Kingborough are at extreme risk of fire exposure, then the CEO must abate that nuisance and upon a landholder's receipt of a fire abatement

notice, wouldn't all vegetation removal work required to bring the risk of property exposure for dwellings down below extreme be exempt from Council's biodiversity offset payments?

Chief Executive Officer responds:

We will take that on notice.

Mr Biggins:

Likewise, if Council is satisfied that an individual tree presents a nuisance under the definition of nuisance in the Local Government Act, to public health and safety, upon receipt of a qualified arboricultural assessment, then the GM/CEO must issue an abatement notice to the land holder as per section 200 of the Local Government Act. Yes or no?

Chief Executive Officer responds:

We will take that on notice.

8.7 Mapping

Ms Kim Phillips asked the following questions without notice:

Have changes changes been made to the Irenelnc mapping tool deliberately in the last fortnight or so?

Chief Executive Officer responds:

I'm not aware of any changes that have been made to the mapping in regard to the Irenelnc report ...
Ms Phillips interjects.

Ms Phillips:

I don't know if it's related to the data. Sorry, I didn't mean to cut you off. Apologies. When the mapping tool was first released, if you clicked on a property, it would bring up a little property details box, I can't remember what the actual wording is, and it would show you in words what the Irenelnc recommendation is followed by the draft LPS recommendation, followed by what the current zone is. About a fortnight ago it changed. That box wouldn't come up automatically. If I click on another area of the box, I can get the information to display, but the Irenelnc recommendation is no longer displaying in words, the colour is correct but the words are not there and it's making it very difficult to do preparation for submissions. If we could get that information back, I would appreciate it.

Chief Executive Officer:

We'll look into that. I would point out that between the cyber incident and that mapping, I don't believe there's a correlation between those two things.

C134/8-2026

9 QUESTIONS ON NOTICE FROM THE PUBLIC

9.1 Agent of Change

At the Council meeting on 20 April 2026, **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:

Would it be possible for Council to receive informal advice or a briefing at some stage on how an Agent of Change approach might work in practice, in planning and its effects?

Officer's Response:

There is no explicit agent of change principle in either the current planning scheme, the Tasmanian Planning Scheme, or the *Land Use Planning and Approvals Act 1993* (LUPAA). However, outcomes consistent with an agent of change approach can be achieved through the planning scheme provisions and LUPAA's objectives, which promote orderly and sustainable development and require adverse impacts to be avoided, remedied or mitigated. In practice, this is delivered through the application of amenity, buffer and separation requirements, noise and emissions controls, responsive design measures and the exercise of planning discretion where the scheme provides for special consideration and sets relevant assessment criteria.

A recent example of Council applying the agent of change principle involved a proposed residential development near established industrial land in Margate. Rather than constraining existing or future industrial operations, Council required the new development to manage potential amenity impacts. This was addressed through the introduction of an industrial buffer via a Specific Area Plan, which will, over time, help resolve impacts at the outset and reduce the risk of ongoing land-use conflict or industrial displacement.

Adriaan Stander, Lead Strategic Planner

9.2 Part 5 Agreements

At the Council meeting on 20 April 2026, **Ms Natisha Knight** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

1. *While Council has previously refused to provide mapping of the Part 5 agreements on locality-based, citing privacy, when the Ireninc report came out, it clearly included some mapped examples and references of extensive use within Kingborough. Will Council now release the full extent of location of these agreements?*
2. *Given Part 5 agreements are described as voluntary, what happens if a landowner refuses, does that mean automatic DA refusal and what is the process to remove and amend part 5 once on title?*
3. *If they refuse, does it mean a DA refusal?*
4. *Can a Part 5 Agreement entered into as an offset be removed or replaced at a later stage (for example, by substituting a financial contribution), and what is the mechanism for doing so?*

Officer's Response:

1. There appears to be ongoing confusion between Part 5 Agreements under the former provisions of *Land Use Planning and Approvals Act 1993 (Tas)* (LUPAA) and conservation covenants established under Part 5 of the *Nature Conservation Act 2002 (Tas)*. These are separate statutory mechanisms with different purposes and disclosure arrangements.

[Part 5 Agreements under LUPAA](#) may be used for a range of planning related purposes including access, infrastructure, bushfire management and vegetation protection and are most commonly required as a condition of a development permit. They are registered on the title of the land to which they apply and, under section 76(2) of LUPAA, Council must keep a copy of each agreement available for inspection at its office during business hours. It is Council's understanding that access to the full details of an agreement outside this process requires a paid, property-by-property search through Land Information System Tasmania (LIST). There is no statutory requirement in LUPAA for Council to publish mapping of all Part 5 Agreements.

[Part 5 Conservation Covenants under the Nature Conservation Act 2002](#), including those created through the Kingborough Environmental Fund (KEF) may be used to secure land for conservation purposes. Under the KEF, landowners may register an expression of interest to

place a conservation covenant on their land. Where the land is assessed to be suitable to offset specified biodiversity values impacted by development, a covenant may be established, with funding received through financial offset contributions received through development approvals supporting establishment and, where applicable, long-term stewardship and management obligations. These covenants are recognised as part of the national reserve network, and a public mapping layer of all registered conservation covenants in Tasmania is available on the LIST map.

The key difference is that Part 5 Agreements under LUPAA are planning-permit-based instruments tied to a specific development approval, whereas conservation covenants under Part 5 of the Nature Conservation Act are standalone statutory agreements that permanently protect land regardless of whether development occurs.

References to covenants in the Irenelnc report predominantly relate to conservation covenants under Part 5 of the Nature Conservation Act, not Part 5 Agreements under LUPAA. References to Part 5 Agreements under LUPAA arise only where they were cited by representors as part of submissions to the draft Local Provisions Schedule process, which are also publicly available through the Tasmanian Planning Commission.

For context regarding the frequency in which Part 5 Agreements under LUPAA established, as per information provided in the 18 August 2025 agenda, between 2010 and 2024, 57 development applications resulted in a Part 5 Agreement being required to meet offset obligations.

For reasons previously outlined – including privacy legislation, Council does not consider publishing a municipality-wide map identifying the location of Part 5 agreements made under LUPAA is appropriate, and its position remains unchanged. Council considers that it has provided a clear and comprehensive explanation of the matters raised and officers remain available to discuss general questions relating to Part 5 Agreements or conservation covenants, should further clarification be helpful.

2. Under both the Kingborough Interim Planning Scheme and the Tasmanian Planning Scheme, biodiversity offsets are an assessment mechanism for where the Biodiversity Code (KIPS) or Natural Assets Code (TPS) applies and certain categories of vegetation need to be removed for the development. This approach is also reflected in the Tasmanian Planning Policies to be implemented in July 2026.

In assessing an application, the planning officers are required to consider whether impacts to certain native vegetation and habitat are appropriately avoided or minimised in accordance with the relevant performance criteria. Where those impacts cannot be fully avoided or minimised, a biodiversity offset may be considered as a means of demonstrating compliance.

Where a development approval includes a condition requiring entry into a Part 5 Agreement to secure the required offset, the applicant has the option to either comply with that condition or seek independent review of the decision through an appeal to the Tasmanian Civil and Administrative Tribunal (TASCAT).

3. Where a development proposal requires a biodiversity offset to meet the scheme requirements, this is addressed through a condition on the permit and Council's *Biodiversity Offset Policy* provides the framework for determining how the offset requirement is determined. If a permit includes a requirement for a Part 5 Agreement, the permit can still be issued; however, it does not take effect until the agreement is in place, as required under the *Land Use Planning and Approvals Act 1993*. In practical terms, this means the permit cannot be acted on unless the offset requirement is met. It is therefore a matter for the applicant whether they choose to proceed with the permit by entering into the Part 5 Agreement, or to appeal the permit condition.
4. The *Land Use Planning and Approvals Act 1993* provides mechanisms for a Part 5 Agreement to be amended (section 75) or ended (section 74(3)). Any amendment requires the agreement of all parties. An agreement may be ended either by agreement of all parties or with the

approval of the Tasmanian Planning Commission. Council would consider requests to amend or end a Part 5 Agreement on a case-by-case basis. Any change would need to demonstrate that the overall outcome continues to align with the intent of the original approval and the relevant planning scheme provisions.

Deleeze Chetcuti, Director Environment, Development & Community Services

10 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

11 QUESTIONS ON NOTICE FROM COUNCILLORS

There were no Questions on Notice from Councillors.

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 6.20pm

12 OFFICERS REPORTS TO PLANNING AUTHORITY

C135/8-2026

12.1 PSA-2023-1: PROPOSED AMENDMENT TO THE KINGBOROUGH INTERIM PLANNING SCHEME 2015 – SITE SPECIFIC QUALIFICATION FOR A HOTEL INDUSTRY (LIQUOR TASTING FACILITY) AT 360 LENNON ROAD, NORTH BRUNY

Moved: Cr Amanda Midgley

Seconded: Cr Gideon Cordover

That the Planning Authority:

- (a) Pursuant to section 34(1) of the former provisions of the *Land Use Planning and Approvals Act 1993 (LUPAA)*, initiates Amendment PSA-2023-1 to the *Kingborough Interim Planning Scheme 2015 (KIPS2015)* as per Attachment 1.
- (b) Pursuant to section 35 of the LUPAA, certifies that Amendment PSA-2023-1 meets the requirements of section 32 and authorises the Chief Executive Officer to sign the Instrument of Certification provided in Attachment 2.
- (c) Pursuant to section 35(4) of the LUPAA, forwards a copy of the draft amendment and the Instrument of Certification to the Tasmanian Planning Commissions within 7 days of certification;
- (d) Pursuant to section 56S of the Water and Sewer Industry Act 2008, refers PSA-2023-1 to TasWater; and
- (e) Pursuant to section 38 of LUPAA, places PSA-2023-1 on public exhibition for a period of at least 28 days following certification.

CARRIED

Cr Bain left the room at 6.30pm

C136/8-2026

12.2 PSA-2025-2: PROPOSED AMENDMENT TO THE KINGBOROUGH INTERIM PLANNING SCHEME 2015 - REZONING AND REMOVAL OF THE BIODIVERSITY PROTECTION OVERLAY AT LOT 100, SPRING FARM ROAD, KINGSTON

Moved: Cr Gideon Cordover

Seconded: Cr Amanda Midgley

That the Planning Authority:

- (a) Pursuant to section 34(1) of the former provisions of the *Land Use Planning and Approvals Act 1993 (LUPAA)*, initiates Amendment PSA-2025-2 to the *Kingborough Interim Planning Scheme 2015 (KIPS2015)* as per Attachment 1.
- (b) Pursuant to section 35 of the LUPAA, certifies that Amendment PSA-2025-2 meets the requirements of section 32 and authorises the Chief Executive Officer to sign the Instrument of Certification provided in Attachment 2.

- (c) Pursuant to section 35(4) of the LUPAA, forwards a copy of the draft amendment and the Instrument of Certification to the Tasmanian Planning Commissions within 7 days of certification;
- (d) Pursuant to section 56S of the Water and Sewer Industry Act 2008, refers PSA-2025-2 to TasWater; and
- (e) Pursuant to section 38 of LUPAA, places PSA-2025-2 on public exhibition for a period of at least 28 days following certification.

CARRIED

Cr Bain returned at 6.34pm

C137/8-2026

12.3 DEVELOPMENT APPLICATION FOR PARTIAL CHANGE OF USE TO HOTEL INDUSTRY (LIQUOR TASTING FACILITY) AND ASSOCIATED WORKS AT 360 LENNON ROAD, NORTH BRUNY

Moved: Cr Amanda Midgley

Seconded: Cr Flora Fox

Cr Deane left the room at 6.35pm

Cr Deane returned at 6.36pm

If the Planning Authority resolves that the resolves to initiate Amendment PSA-2023-1 to the *Kingborough Interim Planning Scheme 2015*, that the change in use and associated works for Hotel Industry (Liquor Tasting Facility) and associated works at 360 Lennon Road, North Bruny be approved – subject to the following conditions.

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DA2023-373. and Council Plan Reference No. P5 submitted on 23 April 2026.

This Permit relates to the use of land or buildings irrespective of the applicant or subsequent occupants, and whoever acts on it must comply with all conditions in this Permit. Any amendment, variation or extension of this Permit requires further planning consent of Council.

2. Hours of operation must be within:
 - (a) 8.00 am to 6.00 pm Mondays to Fridays inclusive;
 - (b) 9.00 am to 5pm Saturdays, Sundays and public holidays
except for office and administrative tasks or visitor accommodation.
3. Noise emissions generated by the use, measured at the boundary of the site, must not exceed the following:
 - (a) 55 dB(A) (LAeq) between the hours of 8:00 am and 6:00 pm;
 - (b) 5 dB(A) above the background (LA90) level or 40 dB(A) (LAeq), whichever is the lower, between the hours of 6:00 pm and 8:00 am; and
 - (c) 65 dB(A) (LAm_{ax}) at any time.
4. Prior to the commencement of the use, the on-site car parking area, turnaround bay, and pedestrian path must be constructed in general accordance with the Access and Car Parking

Plan prepared by GHD dated January 2025, to the satisfaction of Manager – Development Services.

5. All car parking spaces must be clearly delineated and maintained in a functional condition at all times during the operation of the tasting house, to the satisfaction of the Manager – Development Services.
6. Unless prior written approval is obtained from the Council, no additional signage shall be erected or displayed on the site.
7. No felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is to take place without the prior written permission of Council or in accordance with a further permit or otherwise as provided for in the Planning Scheme or otherwise in accordance with law.
8. Prior to commencement of any on-site works, an addendum to the arborist assessment must be obtained and submitted to the Manager Development Services. This addendum must:
 - A. be by a suitably qualified arborist;
 - B. assess the impact of the carpark works on Trees 88 and 89 as identified in the Arboricultural Impact Assessment (Tree Pioneers, 19 July 2025);
 - C. confirm the trees are capable of retention;
 - D. identify recommended mitigation measures which promote the ongoing health and viability of the trees; and
 - E. be to the satisfaction of the Manager Development Services.
9. Prior to the commencement of any on-site works, an amended environmental management plan (EMP) must be submitted for endorsement to the satisfaction of the Manager Development Services. This EMP must be generally in accordance with the submitted EMP (E3 Planning, submitted on 1 December 2025) but modified to include all arborist recommendations in the existing arborist assessment (Tree Pioneers, 19 July 2024) and the addendum required under condition 8.

Once endorsed this plan forms part of the permit and ongoing management of the site must be in accordance with this Plan unless otherwise approved in writing by Council.

10. All native vegetation must be appropriately protected during and after construction in accordance with all the recommendations in the Arborist Assessment (Tree Pioneers, 19 July 2024), the addendum required under condition 8 and AS 4970-2025. This includes but is not limited to implementation of the following measures:
 - (a) Prior to Construction:

Prior to the commencement of any on-site works (including but not limited to excavations, placement of fill, delivery of construction materials and/or temporary buildings):

 - (a) Appointing a Project Arborist.
 - (b) Establishing an exclusion zone in accordance with the Arborist Assessment (Tree Pioneers, 19 July 2024).
 - (c) Establishing organic mulch of mixed size to a depth of 100mm around the trees inside the exclusion zone where possible.
 - (d) Implementing any other pre-construction recommendations identified in the addendum required under condition 8.

(e) Providing evidence of satisfactory establishment of the exclusion zone and implementation of any other recommended pre-construction measures to the Manager Development Services prior to the commencement of any on-site works.

(b) During Construction:

(a) Laying down crush rock to a depth of 100mm to establish a permeable surface, on the existing driveway to increase the driveway profile and to offset compaction.

(b) Implementing any other during construction mitigation measures identified in the addendum required under condition 8.

(c) Post Construction:

Adhering to the following tree management measures post construction for all areas within the tree protection zone but outside the footprint of the approved works:

- Maintaining the exclusion zone and mulch.
- Maintaining the existing soil level around the tree protection zone of the trees (including the disposal of fill, placement of materials or the scalping of the soil).
- Ensuring the tree protection zones are free from the storage of fill, contaminants or other materials.
- Excluding machinery and vehicles to access the tree protection zone.
- Ensuring no further development and/or associated works unless otherwise approved by Council in writing or otherwise in accordance with the law.

11. To reduce the spread of weeds or pathogens, all machinery must take appropriate hygiene measures prior to entering and leaving the site as per the Weed and Disease Planning and Hygiene Guidelines 2015 produced by the Department of Primary Industries, Parks, Water and Environment.

Any imported materials must be from a weed and pathogen free source to prevent introduction of new weeds and pathogens to the area.

12. The vehicular access must be constructed in accordance with the submitted drawings and be sealed to match the existing road surface in accordance with the requirements of the Department of State Growth. A permit to carry out works within the State Growth road reservation must be obtained prior to any works commencing.

13. Prior to the commencement of any on-site works associated with the private infrastructure to service the approved development, engineering design drawings must be submitted to Council for approval. The engineering plans and specifications must be prepared and certified by a professional Civil Engineer. Plans must be to satisfaction of the Director Engineering Services and comply with:

- Tasmanian Standard Drawings
- Austroads Standards and Australian Standards
- Australian Rainfall and Runoff Guidelines

The Plans must include, but are not limited to:

(i) Detailed internal vehicular and pedestrian access, carparking and manoeuvring areas including:

- (i) minimum of 9 parking spaces including signage.
- (ii) One access space to be included as per AS2890.
- (iii) No parking/keep clear' signage for turning bay areas.
- (iv) Pavement details and stormwater drainage.

Once endorsed the plans will form part of the permit.

ADVICE

- A. In accordance with section 53(5) of the *Land Use Planning and Approvals Act 1993* this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. The approval in this permit is under the *Land Use Planning and Approvals Act 1993* and does not provide any approvals under other Acts including, but not limited to *Building Act 2016*, *Urban Drainage Act 2013*, *Food Act 2003* or Council by-laws.

If your development involves demolition, new buildings or alterations to buildings (including plumbing works or onsite wastewater treatment) it is likely that you will be required to get approvals under the *Building Act 2016*. Change of use, including visitor accommodation, may also require approval under the *Building Act 2016*. Advice should be sought from Council's Building Department or an independent building surveyor to establish any requirements.

CARRIED

OPEN SESSION RESUMES

Open session resumed at 6.47pm

13 PETITIONS STILL BEING ACTIONED

A report headed 'Excessive Noise from the Salty Dog Hotel, Beach Road, Kingston Beach' will be tabled in a future Council meeting Agenda.

14 PETITIONS RECEIVED IN LAST PERIOD

No Petitions had been received.

15 OFFICERS REPORTS TO COUNCIL

C138/8-2026

15.1 ENDORSEMENT OF COUNCIL SUBMISSION: DISCUSSION PAPER ON CAT MANAGEMENT IN TASMANIA

Moved: Cr Gideon Cordover

Seconded: Cr Flora Fox

That:

- (a) Council endorses the draft submission to the *Cat Management in Tasmania - Discussion Paper (2026)*.
- (b) Council advocates to the State Government to reinstate funding for regional cat management officers.

CARRIED

C139/8-2026

15.2 APPENDICES

Moved: Cr Amanda Midgley

Seconded: Cr David Bain

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

CARRIED

16 NOTICES OF MOTION

C140/8-2026

16.1 MARGATE TO HUNTINGFIELD SHARED PATHWAY PROJECT

Moved: Cr Amanda Midgley

Seconded: Cr Gideon Cordover

That Council:

1. Recognises the Margate to Huntingfield shared pathway project as a high priority infrastructure project.

2. Advocates to the State Government to finalise the design plans for the project
3. Advocates to the State and Federal Governments for funding support, emphasising its critical role in providing a safe, connected, and sustainable active transport link.
4. Add this project to Councils of long-term capital works plan subject to confirmation of an external funding pathway and a project cost estimate.

CARRIED

C141/8-2026

16.2 COMMUNITY GARDEN AT HUNTINGFIELD

Moved: Cr Amanda Midgley

Seconded: Cr Gideon Cordover

That Council:

1. Write to Homes Tasmania noting that the buffer area adjacent to Tarremah Primary School is identified in the Huntingfield Master Plan as Open Space Zone with potential for community use, that it has been noted that a community garden has been a suggestion for this use. A community garden was raised in initial conversations with State Government during the development of the Master Plan.
2. Seek advice from Homes Tasmania on their current intentions for the site and if there is any process by which community interest in the site in regard to a community garden may be formally registered.
3. Request confirmation from Homes Tasmania as to whether funding has been allocated within their development budget for the establishment of community infrastructure on the site, including a community garden; and
4. Advise Homes Tasmania that multiple community members have expressed interest in the development of a community garden for this area.

CARRIED

C142/8-2026

17 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

Moved: Cr Amanda Midgley

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*

Kingborough Waste Services Board Appointments

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 7.52pm

Public Copy

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 8.02pm

C143/8-2026

Moved: Cr Flora Fox
 Seconded: Cr Amanda Midgley

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
Kingborough Waste Services Board Appointments	Approved

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 8.03pm

.....
 (Confirmed)

.....
 (Date)