

Kingborough



COUNCIL MEETING MINUTES

18 May 2026

Kingborough Councillors 2022 - 2026



**Acting Mayor
Councillor Christian Street**



Councillor Aldo Antolli



Councillor David Bain



Councillor Gideon Cordover



Councillor Kaspar Deane



Councillor Flora Fox



Councillor Amanda Midgley



Councillor Mark Richardson

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MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 18 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:

Mayor Councillor P Wriedt	✓
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
Environmental Health Officer	Mr John Devries
Team Leader – Statutory Planner	Ms Sarah Silva
Environmental Planner	Mr Camillo Miranda
Communications Lead	Ms Sam Adams
Executive Assistant	Mrs Amanda Morton
Senior Customer Service Officer	Ms Portia Jones

3 APOLOGIES

There were no apologies.

C148/9-2026

4 CONFIRMATION OF MINUTES

Moved: Cr Flora Fox
 Seconded: Cr David Bain

That the Minutes of the open session of the Council Meeting No. 8 held on 4 May 2026 be confirmed as a true record.

CARRIED

5 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

Date	Topic	Detail	Consultant
11 May 2026	Budget	Review, questions and discussion of the draft operating budget for FY26/27	Nil

6 DECLARATIONS OF INTEREST

There were no declarations of interest.

7 TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

C149/9-2026

8 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

8.1 Bushfire Risk Management

Mr Charles Biggins asked the following questions without notice:

According to City of Hobart workshop minutes of 11 May, Kingborough staff have been in discussions since December last year with Hobart City and RACT Insurance regarding a memorandum of understanding to conduct detailed bush fire hazard assessments and trial various incentives for land holders of extreme fire risk to reduce bush fire hazards and potentially retain their insurance in the long term. The project will be carried out over 2 years, focusing on 100 to 120 of the most at risk properties, as identified by UTAS fire Centre across the two municipalities. City of Hobart is proposing to contribute \$350,000. How much is Kingborough Council proposing to contribute to the joint project?

Director Environment, Development & Community Services responds:

Yes, that is correct. We have been in discussions with RACT - not in regards to the MOU since the time that you mentioned - more just exploring the potential of the partnership and the project. It hasn't been until very recently that we've been able to, with more certainty, in principle agree that we would be partner in that project, which is why there hasn't been further detail on this just yet. It was mentioned to Councillors a couple of workshops ago, but not in a high level of detail. At this stage, and it would be pending budget approval, we would be contributing resourcing, which would be 1 FTE, that would also be assisting our community resilience team in undertaking their work that we do normally as a Council as well.

Mr Biggins:

The Bush fire impact mapping of Kingborough conducted by UTAS Fire Centre in 2026 and the 2025 Geoneon wildfire exposure mapping have both identified between 50 and 60 of the most at risk buildings across Kingborough. Geoneon classifieds them as being at extremely high wildfire exposure. Geoneon mapping also correlates with the Melbourne University roadside bush fire risk mapping that Kingborough Council commissioned with a \$15,000 grant in 2023. With so many science based reports identifying extreme fire risk to specific properties, why hasn't the CEO already instructed Council staff to issue fire abatement notices to the owners of the extremely high fire risk vegetation as per the Geoneon 2025 report which also bears Kingborough Council's corporate logo?

Director Environment, Development & Community Services:

I think there's some confusion between requirements under abatement notices and fire risk. We would undertake abatement notices if there is somebody on their property who is not maintaining their property or the vegetation on their property to the requisite standard, and it's deemed needing an abatement notice. Because there is mapping showing high risk doesn't necessarily equate to a person or a landowner not maintaining their property as per current guidelines.

Mr Biggins:

Kingborough Council abatement notices are issued by council enforcement officers. Kingborough Council bush fire management officer deals with council land with the exception of roadside verge vegetation and doesn't deal with bush fire risk on private land or abatement notices. Kingborough Council's biodiversity officers deal with biodiversity issues on private and public land whereas City of Hobart has one fire and biodiversity unit, where staff work to mitigate bush fire risk, enhance and monitor biodiversity, and also issue abatement notices to private landholders when needed. Have there been any discussions at Kingborough regarding the incorporation of these three roles into one unit and the upskilling and multitasking of Council officers?

Director Environment, Development & Community Services:

I'm unaware of how Hobart City Council manage that work within their organisation. Our Kingborough Bush Fire officer does sit within the natural areas and biodiversity team. So there is already that alignment and the abatement notice function sits within our Compliance team and those officers are appropriately trained. Abatement notices are really considered a compliance activity, that is our general approach is that we like to work with land owners in terms of education and advice to have their property come into compliance, than get to issuing an abatement notice. It really is more of a compliance function at Kingborough Council, potentially worth a discussion.

8.2 Dog Exercise Area

Ms Jennifer Lawrence asked the following questions without notice:

In answer to some of the questions that we raised at the last meeting and Cr Antolli put a few questions to Mr Smee and Mr Smee has advised that the earliest that the new Maddocks Road dog exercise area could be considered by the Council, is the 1st June. This new area obviously still doesn't have planning approval and therefore no work on the site can be undertaken. My question is why then has the Council or some of its employees deliberately misled the users of the current Kingston View Drive dog exercise area by recently placing relocation signs stating that the Council is working to ensure that the Maddocks Road area is open before the date of closure on the sign of the 31st May, when it's known about the need for Council approval on the 1st June?

Director Governance, Recreation and Property Services responds:

The date 1st June is the date that relates to the next Council meeting when Council needs to consider the development application. The requirement to go to a Council meeting depends on the number of

representations. That's not known until we go to advertising. It has only been recently when we've known about the number of representations received that we've been able to find out that there is a requirement for it to go to the Council meeting on the 1st June. However, I will point out that the project team are in discussions with the contractor. It is our intention as part of those discussions, to ensure that the Kingston View Drive park will be open for a longer period than the 1st June. Whilst I won't give an ironclad guarantee, we are extremely hopeful that we will be able to delay the closure of the Kingston View Drive facility to enable an alignment with the timing for the opening of the new facility at Maddocks Road.

Ms Lawrence:

The Council has known about the need to relocate the dog exercise area if the stadium was approved for probably several years. I believe Mayor Wriedt had stated at one time that the sporting precinct wouldn't go ahead unless the stadium went ahead. Is that correct?

Mayor:

I don't recall saying that.

Ms Lawrence

If you've known about the fact that this sporting precinct was going to require the relocation of the dog exercise area quite early, why didn't the Council consider a preemptive DA once they decided on Maddocks Road?

Director Governance, Recreation and Property Services:

There are a series of approvals that are required in order to make an area a declared off lead dog exercise area and they are sequential and they are dependent on each other. Council did not resolve to proceed with the Maddocks Road site until December. We then needed to go through the process that's required under the *Dog Control Act* for public advertising and submissions of that. Those submissions were strongly in favour in support of that particular site. Council then needed to formally declare that it was going to proceed with that site. It was at that point that we were then able to lodge the requirement for a development application. Whilst it may seem that this has been a lengthy process, there are a number of requirements under legislation that we need to go through and we can't complete one until the previous one has been satisfied and it has certainly been our intent to ensure that the Kingston View Drive facility was not closed until the new one is ready, and as I stated earlier, we are still working to ensure that that initial promise that we made can be delivered.

Ms Lawrence:

If you close the Kingston View Drive area before the new one is open, there is no facility within the Kingborough Council area for greyhounds to be exercised. None of the other fenced in areas have a dedicated greyhound area. The greyhound owners are not going to have anywhere to exercise their greyhounds which is one of the reasons we are pressing for a smooth transition where as soon as one closes the next one opens.

Director Governance, Recreation and Property Services:

We are very conscious of the need for the greyhound exercise area. We have included a dedicated greyhound exercise area in the new facility at Maddocks Road and noting that my previous comments, it remains our intent to ensure that there is an alignment between the closure of one and the open of the other.

8.3 Greyhound Dog Park

Mr Andrew Robinson asked the following questions without notice:

At the previous Council meeting, Council acknowledged that it couldn't give us a guarantee the proposed Maddocks Road facility would be operational prior to the closure of the Kingston View Drive greyhound enclosure due to the planning approval being underway. What is the anticipated completion and opening timeline for the proposed Maddocks Road greyhound exercise facility?

Director Governance, Recreation and Property Services responds:

Council meet on 1 June and we have a contractor lined up, ready to go on 2 June and there is a three week period of works and assuming that all goes fine, it would be around about 21/22 June that that facility would be open.

Mr Robinson:

If the Maddocks Road facility is not operational by 31 May, will Council commit to extending the operation of the current Kingston View Drive greyhound enclosure or temporarily declaring another suitable fenced area until a lawful replacement or facility becomes available?

Director Governance, Recreation and Property Services:

As I've indicated earlier, it is our intention to ensure that the current facility remains open until the Maddocks Road one is available.

8.4 Budget

Mr Mark Donnellon asked the following questions without notice:

Last year Council began public engagement on the financial year budget in March. When will public engagement begin on this year's budget, and can you provide a rough timeline of milestones for this financial year's budget?

Chief Executive Officer responded:

We're doing it a little bit differently this year. Over the last 12 months, we've done a number of pieces of engagement including around the strategic plan and last year's budget. There's been a number of sort of iterative inputs that we've had into the organisation. We feel like we've had a fair amount of community input so far. The budget creation process is well underway at the moment and we intend to come out with some information about considerations of the budget and what the Council is planning on investing in and some public releases coming out over the next couple of weeks.

8.5 Community Consultation

Ms Karen Groves asked the following questions without notice:

Since the AGM motion that I had passed in December, several suggestions have been put forward around some changes that might happen for engagement and communication with all communities in Kingborough, but particularly rural communities. Suggestions included that we have some information in rates notices or emails as to how people are receiving information from Council, that standards for notification might be posted in your own policies rather than TPC's and the community meetings are in different places other than Kingston, and maybe that some other media might be used at events such as posters and QR codes. Can I have an example of one concrete change that has happened in the last seven months or when that might start?

Chief Executive Officer responds:

Sorry, I'm not sure I've quite followed the question. There was the AGM motion that we provided a response to, that has been done. We're working on a number of things, in particular our digital strategy as a key facet for how we reach our community. That's a significant piece of work and a multi-year piece of work that Council will be driving through. There are some really quick wins within there that I think will help us have some better connectivity with our community including using our digital channels more effectively, having a greater degree of flexibility with the emails that we hold. We're currently constrained with the majority of emails that we have around only using them for the purpose that they were required and that being quite narrow. In terms of our overall community engagement approach, I would need to have a chat to the team about specific examples of when and where that might have occurred, but certainly I think you should see over the next little while a number of examples of us being able to engage with all our communities in a more effective way. I'll give you an example, recently I travelled with one of the councillors down to Middleton to meet with a community group to have a face to face conversation with them, to hear the things that are on their mind so that I can bring that back into the organisation and make sure that that's an actionable list of things that we can consider. So that was just last week.

Ms Groves:

Having a look at your website, I noticed some of the ways that you engage through surveys, meetings, forums, online submissions to seek solutions and feedback. The last three or four pieces of feedback or community engagement were all based on surveys and online. How has that included people, for example, who have low literacy for those that don't use social media or the internet, the elderly who may not talk to anyone except for face to face, or people who have limited time, such as young parents or those that work full time?

Director Environment, Development & Community Services:

I've volunteered to answer this one because some of the engagement we've been undertaking relates to work in EDC. For example, we've recently done the youth engagement that will inform part of our community development strategy. We've gone directly to schools, youth groups, events that youth are attending to seek input. A large project that we've also undertaken is consultation with the Snug community about what adaptation is going to look like for them moving forward with the coastal hazards that they may be experiencing. There's been town hall meetings, guided walks, direct engagement with the local groups, for example, Scouts and the Cricket Club, as well as surveys etc. We've also been doing engagement for our Disaster Resilience Strategy and similarly it's been a combination of both online but also engaging directly with our community groups and attending events where we know there's going to be a cross section of the public there and directly engaging verbally to seek that input. So we get more input and we get a better cross section of our community and it also helps those people whose digital literacy isn't their first go to in terms of engaging with Council, so it assists those people being able to provide feedback.

8.6 Rates

Given that rates are a tax on land and not a fee for service, I find it interesting that rates are adjusted according to the value of your land, your home, and what services you do or don't receive. So for example, at my home, I don't receive water, garbage, mail, I don't pay any other fee except for the general rate and so on. For example, my potholes are rarely ever filled on my road right at the end of a road, although I've seen potholes being filled at the beginning of the road and been told that 'our list says the road only goes to here' where you can clearly see my house is further up the road. I'm trying to understand how you do prioritise, for example, potholes. Does that happen based on the cost of the land or the rates I pay or the size of the potholes or the location of the pothole?

Director Engineering Services responds:

I can confirm that your rates or where you live doesn't define where we go and fix potholes. If you've got concerns regarding potholes in your area, please call them through to the service desk and we can register it and we'll get them resolved. Basically, we resolve it on a level of service, so if the pothole is deemed requiring repair, we'll go and repair it and similar to corrugations, we've got a standard around when we intervene. But again, if you've got issues with reoccurring potholes, please ring them through.

Mr Joel Hodson asked the following questions without notice:

8.7 Workshop

Following on from Mr Biggins' earlier question, was it the workshop on 10 February regarding community resilience, that this fire stuff was discussed with Councillors?

Chief Executive Officer responds:

No, that wasn't part of the workshop on that date. It was a subsequent date, I believe it would have been in April when we first foreshadowed the opportunity around the partnership that is currently under consideration.

Mr Hodson:

Talking about community engagement, does Council understand how frustrating it is that we have to find out things like this about what is potentially the biggest risk factor in our community from the City of Hobart?

Chief Executive Officer:

The partnership that we're talking about here was one that we were negotiating in confidence at that point in time. My view is it would still be something that we were talking with Councillors about up to this point. The City of Hobart has a policy around some of their workshops being open which we don't have here, and it was on the open agenda of their workshop. Up until quite recently we had been in conversations that these were still commercial-in-confidence discussions. We were not aware that it was going to be out in the public as a result of the City of Hobart workshop, so when I heard tell of it through other channels, I was quite surprised to hear that. I can't comment on how the City of Hobart does things, but certainly we believe we were upholding commercial-in-confidence in the negotiations and discussions we were having up until that point.

8.8 Roads

I notice that the graders have been around Middleton lately grading some roads. Is there a particular reason that Majors Road was skipped particularly after all the discussions that I've had here and elsewhere about its lack of maintenance and really poor condition? I understand it doesn't have many people use it. It is a Council owned and maintained road. I remember last year there was discussion that it would have some minor maintenance occur over summer. If that's happened, it's negligible and I'd like to see some photo evidence of it, exactly what happened, apart from a few small branches being trimmed. It's still a mess, there's still rubbish.

Director Engineering Services responds:

What specifically is the question?

Mr Hodson:

Why hasn't it been maintained?

Director Engineering Services:

I will take that question on notice, but we do have a grading schedule, but I'd have to take that back to the depot to understand where it is on the grading schedule and whether or not we had done any minor repairs over the summer months.

Ms Alison Rogers asked the following questions without notice:

8.9 Bushfire Preparedness

I'm just circling back to a question that I asked on the 19th January in relation to getting some clarity around what property owners can do in relation to bush fire preparedness. I note that we did get a response on 2nd February and Council officers response was "Council can confirm that no approval was required to collect and remove sticks, leaves, leaf litter or bark that have fallen on the ground on your property for the purpose of reducing bush fire risk. This type of routine property maintenance does not interfere with natural values in a way that requires a permit and it is recognised as appropriate and proactive bush fire risk reduction activity." My question for that is, has that policy changed recently, would that be something that's new or has that been in place for many years?

Director Environment, Development & Community Services responds:

I would have to take that on notice as I haven't been here for many years, but not to my knowledge.

Ms Rogers:

The reason why I asked that question is that there is still a lot of confusion out in the community and we've had some incidences reported to us where Council offices have attended to instruct people to stop removing leaf litter and debris from the ground that has fallen, which also included a tree that had fallen in the wind, and they were specifically told they are not to remove trees that have fallen naturally because it becomes habitat. I circle back to my original question on 19th January because people are a little bit scared of being fined because they're hearing stories out in the community about significant fines that may or may not go through, but the act of having people attend a property to be told that you're doing something wrong is giving people an element of fear. Given that we're a few months down the track from when I asked that question and in a period of time, which I believe is a really optimal time for doing bush fire preparedness in the cooler weather, so that we can mitigate for the coming bush fire season of 26/27. Just wondering how close we are for that fact sheet to arrive?

Manager Environmental Services:

There is a fairly new fact sheet on Council's website that has updated information about what you need to do if you'd like to remove a tree on your property or native vegetation, so that has been updated and we can provide a link potentially to where that is, if people are having trouble finding it. We are going to add to it though. It explains what you need to do if you would like to remove native vegetation from your property, but what we're going to do is do some frequently asked questions to make it even clearer. I am wondering about this idea of a Council officer may have spoken to someone and said not to pick up fallen leaves or limbs. I'm wondering if that may have been in an educational context? I find it unusual that someone would tell someone that, given that it's the planning scheme, that's the head of power in this situation, and that's how we've provided answers previously around these questions is what activities are exempt under the planning scheme, because there is nothing else that is creating that head of power apart from the planning scheme. Any changes that have occurred would be to do with the planning scheme in recent time and the planning scheme, as we know, hasn't yet changed. There is information on the website if people want to see that updated fact sheet, but I do wonder if officers have potentially provided advice or environmental education, so they might be saying 'maybe consider before clearing up a falling tree that it can be habitat for native wildlife'. They're not providing a direction that you can't do that, but they may have done it in an educational sense because we absolutely do that.

Ms Rogers:

I can assure you that it wasn't done in an educational sense. It was done in a telling off sense and then those property owners checked with TasFire in relation to the advice that they received from those officers to which TasFire's eyebrows were raised. But they classified it as a bad experience and a pretty rude experience.

Manager Environmental Services:

I'm really happy to, if they're comfortable, to speak to those land owners because we want to do better. So if that is the case, then I'd like really like that opportunity to reassure them and talk to them about what those guidelines are and give them the fact sheet so we can make sure that people are informed about what they can and can't. So if they are willing to e-mail Council, then I'm really happy to answer those questions

Ms Tamieka Adkins asked the following questions without notice:

8.10 Cyber Incident

Last fortnight during question time I asked around the cyber incident and we were informed that an investigation is happening and there would be some updates at some point in time. It's been a fortnite and it's been the proverbial crickets, so I was just wondering if there is going to be an update, ils there any more information?

Chief Executive Officer responds:

As I mentioned, we would do the update once we had the investigation complete. We have completed the internal investigation, however, we are still waiting on the external agency who we've bought in to do their work as well, so I'm not in a position to provide any further updates at this stage other than to say the information that we've provided up to this point is seeming to be factually accurate in terms of the time frame and the information that was within that cyber incident.

Ms Adkins:

One of the common gripes that we've heard over the last however long is communication. So it's been a fortnight and whilst I appreciate that the internal part has been done and you are now waiting for the external part, from a community perspective, why aren't we at least hearing that? Why do I have to come to a Council question time and ask you questions to find out this for the community?

Chief Executive Officer:

We've communicated that the Council website is the source of truth on this one, and that's where we've been providing updates, especially in that initial phase when we were in the throws of trying to discover the information that was involved, where it had gone, how far it had gone and those types of things. I understand that you're wanting to know more, but the fact remains that the information that we talked about in terms of a data file that had property owner names and addresses is still the substantive information that we have to share. I don't want to make any comments further at this stage until we have all the evidence including the external review to make sure that I don't mislead the community in any way. I'm expecting that we will receive that this week or next week at the latest so we will be in a position to close this incident out at that point.

Cr Antolli left the room at 6.15pm

C150/9-2026

9 QUESTIONS ON NOTICE FROM THE PUBLIC

9.1 Crown Road Access

At the Council meeting on 4 May 2026, **Mr Joel Hodson** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

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?

Officer's Response:

Please refer to previous responses on this matter in Council agendas dated 20 October 2025, 3 November 2025 and 2 February 2026. In addition to those responses, further information is provided below, which was also shared with the President of the Kingborough Land Users Body on 17 March 2026. This information is based on advice received from the State Planning Office (SPO), Natural Resources and Environment Tasmania (NRE), and discussions with other councils managing similar issues. The advice received from NRE was forwarded by Council in January 2026 to the Tasmanian Planning Commission as well as to the State Planning Office for consideration as part of the review of the State Planning Provisions.

Under the Tasmanian Planning Scheme, new dwellings in certain zones (specifically the Rural, Agriculture and Landscape Conservation Zones) must have lawful and permanent access to a public road. This requirement, set out in Sections 20.4.3, 21.4.3 and 22.4.3 of the State Planning Provisions of the Tasmanian Planning Scheme, is intended to ensure that every new dwelling has safe and reliable access.

The simplest way to meet this requirement is for the property to directly front a council-maintained road, which results in automatic compliance. Where this is not possible, access may instead be provided via a right of carriageway (for example, a shared driveway over another property or access across a Crown road reserve).

A key change from the Kingborough Interim Planning Scheme 2015 is the stronger emphasis on permanence. Previously, some developments relied on licences over Crown road reserves, however these arrangements are temporary and do not provide a secure, ongoing right of access. The Tasmanian Planning Scheme now requires access to be permanent, ensuring long-term certainty and functionality.

Council is aware that many potentially affected landowners have concerns about this matter and is keen to better understand how access over Crown roads will be assessed and managed in practice, particularly in relation to ensuring that any such access can meet the requirement for lawful and permanent arrangements under the Tasmanian Planning Scheme. The NRE is responsible for access arrangements over Crown land, and advice from the Department indicates that access over Crown land is generally considered in two ways:

- Licences – These are relatively quick and inexpensive to obtain, but they are temporary and cannot be relied upon to demonstrate permanent access for development approval under the planning scheme.
- Easements (rights of way) – These provide permanent, property-based access, but can be costly and time-consuming.

NRE has advised that applicants are usually referred to Council early to confirm access requirements, so it is clear whether a licence is sufficient (for example where it's not a house that is proposed) or whether a permanent easement is required. Many landowners are not aware of this until well after purchasing land. They have also advised that they will try in all situations to make access available if it is possible.

Whether an easement can be granted over Crown land is assessed by the Crown on a case-by-case basis and is not guaranteed. While NRE will attempt to facilitate access where possible, there are situations where this cannot occur. These include cases where:

- the Crown land tenure does not allow easements (for example, land managed under the *Nature Conservation Act 2002*),
- physical barriers such as rail corridors prevent continuous access, or
- limited corridor widths or competing access demands create constraints.

NRE has also highlighted practical challenges for landowners, including uncertainty around driveway widths due to bushfire requirements, and situations where easements have been purchased to meet planning requirements only for the reserved road to later become a public road.

It is important to note that existing approved development on properties with crown a licensed access that are proposed for these zones will not have the requirement imposed retrospectively.

Council is aware that these issues are not unique and are being experienced by other rural and regional councils across Tasmania, particularly where historical access has relied on Crown Road reserves. Council is required by legislation to assess all development applications against the planning scheme, including the requirement for lawful and permanent access. Where this requirement is not met, Council's discretion is limited. As Council has not yet transitioned to the new Scheme, we have not been able to consider this requirement in practice and are therefore limited in the level of detailed guidance we can currently provide. We can confirm that Council's position will be that, where this issue arises, we will examine all compliant options available to an applicant, with the aim of supporting the most straightforward and least onerous pathway.

In accordance with the applicable guidelines for assessing the draft LPS, it is Council's understanding that specific access requirements under the State Planning Provisions are not a consideration in assessing or determining zoning. However, access constraints may be more appropriately considered through precinct-based zoning decisions. Notwithstanding this, the advice received from NRE, and the concerns raised by landowners have been provided to the Tasmanian Planning Commission by Council to ensure they are understood. Representors will also have the opportunity to raise this matter directly with the Commission at hearings. The above information will also be sent in the Kingborough LPS email newsletter.

For clarity, factors (a)–(h) listed in the performance criteria for access standards in the relevant zone provisions do not relate to whether access is legal, but to its appropriateness for the proposed development and access design requirements. This will need to be assessed on a case-by-case basis. Where relevant and appropriate, supporting advice, standards and guidelines - including those relating to road construction, road widths, and emergency service access requirements - will be considered as part of this assessment.

Council encourages community members to arrange a meeting with a planning officer or to seek independent planning advice for technical planning matters such as this, as these issues are often best explained through discussion where further explanation can be provided at the time if requested.

Deleeze Chetcuti, Director Environment, Development & Community Services

9.2 Statutory Non-Compliance - Abatement Notices

At the Council meeting on 4 May 2026, **Mr Charlie Biggins** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

1. *According to section 200 [of the Local Government Act 1993, 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?*
2. *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?*
3. *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?*

Officer's Response:

Council utilises state endorsed, science-based bushfire risk mapping to guide its bushfire program and inform its decisions. Council accepts that there is widespread fire risk in the region and actively works to reduce that risk through various mechanisms which includes community education, and collaboration with our lead fire agency, Tasmania Fire Service.

Pursuant to the *Local Government Act 1993 (Tas)* (the Act), where a council is satisfied that a nuisance exists, the General Manager is required to serve an abatement notice directing that the nuisance be abated.

The Act adopts an inclusive definition of "nuisance", which extends beyond its ordinary meaning.

A nuisance includes anything that:

- (a) causes, or is likely to cause, danger or harm to the health, safety or welfare of the public;
- (b) causes, or is likely to cause, a risk to public health;
- (c) gives rise to unreasonable or excessive levels of noise or pollution;
- (d) is, or is likely to be, a fire risk; or
- (e) constitutes an unsightly article or rubbish.

As this definition is not exhaustive, the term "nuisance" also retains its ordinary common law meaning, namely, a "*substantial or unreasonable interference with another person's use and enjoyment of land.*"

In determining whether a nuisance exists under the Act, each matter must be assessed on its individual merits. A range of investigative methods may be employed to form an informed view as to the nature, severity, and extent of the alleged nuisance. This assessment should consider all relevant surrounding circumstances, including the frequency and duration of the conduct, its impacts, and the reasonableness of the activity in question.

It is also necessary to consider whether the alleged nuisance constitutes a public nuisance, affecting the community or a section of it, or a private nuisance, impacting only an individual or a limited number of persons in their use and enjoyment of land.

Accordingly, for a council to be required to issue an abatement notice under the Act, it must be satisfied that a nuisance exists. Depending on the nature of the nuisance, this may require a finding that the conduct results in a substantial or unreasonable interference with the use and enjoyment of land.

Where an abatement notice requires the removal, destruction, or lopping of trees, or the removal of vegetation, the Council's *Biodiversity Offset Policy* does not apply. That policy is limited to applications assessed under:

- any by-law made under the Act regulating the removal of vegetation within the Kingborough municipal area; or
- the *Kingborough Planning Scheme 2000*, the *Kingborough Interim Planning Scheme 2015*, or any subsequent planning scheme made under the *Land Use Planning and Approvals Act 1993* applicable to the municipal area.

In determining whether an individual tree constitutes a nuisance, the Council may have regard to a suitably qualified arboricultural assessment. However, the existence of such an assessment alone will not generally be sufficient to meet the statutory threshold required for the service of an abatement notice. The assessment must be considered in conjunction with all other relevant evidence and circumstances.

Scott Basham, Manager Legal & Property

9.3 Blackmans Bay & Bonnet Hill SAP

Mr Brendan Charles submitted the following question on notice:

As part of the Supporting Documentation for the proposed Blackmans Bay and Bonnet Hill Specific Area Plan (SAP), Council has included statements relating to the 'unique' nature of the areas. Without any supporting evidence, both the claim of 'unique scenic amenity' and the comparatively 'low level of development' seem to be very subjective criteria.

Could you please provide information on how the 'uniqueness' of scenic amenity has been judged or established, given that there are many other 'elevated heavily vegetated headlands' (as Bonnet Hill has been described) along the coastline within the municipality and indeed the greater Derwent Estuary.

Similarly the justification provided states that Bonnet Hill has been proposed for inclusion in a SAP "because it has not been developed to the extent to which other areas with such scenic attributes and environmental qualities have been developed". Could you please detail how many and which other areas have been used to establish this comparison?

Officer's Response:

The merit and justification of the SAP are currently subject to an independent review. Should the Planning Authority support the outcome of that review, the findings will be provided to the Tasmanian Planning Commission (TPC) for consideration as part of the formal assessment and decision-making process. For reasons of procedural fairness, it is not considered appropriate to provide additional information on this matter through questions on notice outside the review, formal hearing and assessment process.

Adriaan Stander, Lead Strategic Planner

9.4 Supporting Data for the Proposed Blackmans Bay and Bonnet Hill SAP

Mr Brendan Charles submitted the following question on notice:

As part of the Supporting Documentation for the proposed Blackmans Bay and Bonnet Hill Specific Area Plan (SAP), Council has included factors such as the potential for further sub-division and properties without connections to sewerage as part of the justification to introduce the additional provisions and restrictions of the SAP.

To assist myself and other affected land-owners of the area to understand these risks, could you please provide some basic data used as a basis of the assessment and justification of the SAP?

The data requested includes:

1. *The number of properties inside each of the two SAP areas (Blackmans Bay and Bonnet Hill).*
2. *The number of those properties that already have a dwelling on them.*
3. *The number of vacant properties.*
4. *A description and number of properties within of any other categories that make up the balance of developed vs undeveloped properties e.g. reserves or council controlled land.*
5. *A break down of the number of properties by area into those:*
 - a. *Below 1,500m²*
 - b. *1,500m² – 3,000m²*
 - c. *3,000m² – 5,000m² and*
 - d. *Above 5,000m²*
6. *The number of development applications for new dwellings received and the number approved in each of the two SAP areas in each of the past 5 years (or at least the 5 years in total).*
7. *The number of properties in each of the 2 areas that are unsewered.*
8. *The number of properties captured within the definition of ‘coastal proximity’ within each proposed SAP area.*

Officer’s Response:

The supporting report published with the draft Local Provisions Schedule at the commencement of the exhibition period includes mapping of the SAP areas overlaid on property parcels, together with a detailed explanation of the justification for the proposed SAPs.

The report is available here: [Supporting-LPS-report-2024.pdf](#).

A high-level review indicates that there are approximately 160 parcels of land within the Bonnet Hill SAP area, ranging in size from approximately 1,000m² to 1 hectare, with the majority containing existing dwellings. Properties above the highway are not connected to TasWater sewer services, while properties below the highway are connected. There are also approximately 60 properties within the Blackmans Bay SAP area, ranging in size from approximately 500m² to 5,500m². Most parcels contain an existing dwelling, and the majority are fully serviced by TasWater.

The SAP is currently subject to an independent review, and interested parties will have the opportunity to raise these matters through the formal hearing process. For reasons of procedural fairness, it is preferred that further technical detail relating to the Local Provisions Schedule not be addressed through Questions on Notice outside that formal assessment and hearing process.

Adriaan Stander, Lead Strategic Planner

C151/9-2026**10 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

Cr Midgley asked the following questions without notice:

10.1 Margate to Huntingfield Shared Pathway

Could I please be provided an update regarding the Margate to Huntingfield shared pathway project following the outcome from last Council meetings motion? There's been a lot of community talk and I've been invited to the Margate Bridge in regards to looking at that section of the pathway project and a lot of people have emailed me in regards to wanting an update

Director Engineering Services responds:

Since the Notice of Motion last week and our commitment to advocate for this project, we've set up a meeting with the Minister's office and that's scheduled for next Monday, where we will be exploring the commitment and the schedule and the next steps around that piece of work. We also acknowledge the community feedback around the challenge and safe access from Margate through to the bowls club and the head of the northwest bay trail head. We will be talking about that with the Minister as well to also determine whether or not there can be a staged approach to dealing with some of those important parts of the corridor study.

Cr Antolli returned at 6.17pm

10.2 High Performance Centres

I spent several yesterday at the sports precinct and spoke to a lot of different people around some matters up there. Some of the biggest topics that I heard raised were around parking. People were wondering and are a bit worried if there was going to be enough parking? With the new high performance centres, will those areas be available for parking on weekends and after hours, or will there be boom gates closing those and are we absolutely assured that there will be enough parking in that precinct?

Director Governance, Recreation & Property Services responds:

There will certainly be more parking provided within the precinct as a result of these developments. The JackJumpers High Performance Training Centre brings with it an additional 37 car parks. The AFL High Performance Centre has dedicated parking for players. There will be some 83 car parks for players, and then there will be an additional 65 car parks for staff and visitors in addition to the formalised car parking that we're going to develop through the upgrade of Gormely Drive where there will be additional on street parking as well as the formalisation of the car parking at Gormley Park itself. In relation to whether they will be available for public use on the weekend, those car parks will be, with the exception of the players car park for the high performance centre. That is required, as part of the license condition, to be available for players 24 hours and as a dedicated facility, so that particular car park will be player access only.

Cr Midgley:

Will there be solar panels on any of the high performance center buildings? I know it's not Council's responsibility, but I thought State Growth might have a policy where all new builds included that.

Director Governance, Recreation & Property Services:

Neither of the two high performance centre buildings have within their current design the provision of solar panels. I know that the JackJumpers certainly have a desire to include it as part of their facility

and they are negotiating that with the State Government. I don't know the outcome but it's certainly a desire.

Cr Midgley:

How are we ensuring that all the user groups and all the people who attend that precinct are kept up to date and know what's happening? Have we ever thought about establishing some sort of sports centre precinct user group where all the different athletics and soccer and AFL and basketball and netball and everything that's in the sports centre can come together and be kept up to date because it seems like there's a lot of information and I could ask a lot more questions. Are we kind of looking at that kind of comms?

Director Governance, Recreation & Property Services:

In terms of how we're keeping stakeholders informed, there's a monthly newsletter that goes out that you can sign up to, to get updates in relation to the project. The team hold dedicated community drop in sessions. There was one on the weekend that was with residents in relation to the development of Oval 4. We've held meetings with individual affected stakeholders, there's a Precinct Coordination Group that involves the key stakeholders that are looking at how all of the works are coordinated and the impacts, and there is a plan to form a broader precinct group to include all of the users within the precinct that would meet on a quarterly basis to receive updates. But certainly there's plenty of provision to receive regular updates through our regular newsletter or simply touch base with the Project Team, and they're more than happy to meet with any stakeholder in relation to any issues they may have.

Cr Street left the room at 6.22pm

Cr Bain asked the following questions without notice:

10.3 Spring Farm Village

We have Spring Farm Village shopping centre opening shortly, which I imagine is going to be quite popular and generate a fair bit of additional traffic around that part of the Channel Highway. I'm interested to know if we have any recent updates from the Department of State Growth regarding the Algona Road roundabout upgrade and the Kingston bypass duplication project?

Chief Executive Officer responds:

The last time I enquired about this, it was understood that it was going a bit slower than that hoped because of the EPPC referral, so that's referral to the Federal Government to make sure that there wasn't some risk to the natural environment, endangered flora and fauna, as part of the duplication there. I did write to the State Government today after you foreshadowing this question to see if I could get an update. I haven't had one yet, but we will make that available as soon as I hear.

Cr Bain:

The development included a space for a bus stop at the front of the Channel Highway, which I believe was done at the request of State Growth. It would obviously be a big win for those who rely on public transport to access these services, and also for Spring farm residents who aren't serviced by Metro. Do we have any indications from State Growth when they will have the bus stop outside Spring Farm Village up and running?

Chief Executive Officer:

Likewise to the last question I have written to the Department of State Growth asking for an update on that one about when they'll be activating it and making sure that they are aware of the opening of Spring Farm Village. I will await the response from them on that.

Cr Street returned at 6.23pm

Cr Richardson left the room at 6.23pm

11 QUESTIONS ON NOTICE FROM COUNCILLORS

There were no Questions on Notice from Councillors.

Public Copy

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 6:25pm

12 OFFICERS REPORTS TO PLANNING AUTHORITY

C152/9-2026

12.1 DA-2025-70 - DEVELOPMENT APPLICATION FOR DWELLING AND TWO (2) VISITOR ACCOMMODATIONS AT 40 PARAWEENA ROAD, ALONNAH AND ADJOINING CROWN LAND

Moved: Cr Gideon Cordover

Seconded: Cr Amanda Midgley

Cr Richardson returned at 6.26pm

Cr Deane left the room at 6.37pm

Cr Deane returned at 6.41pm

That the Planning Authority resolves that the development application for dwelling and two (2) visitor accommodations at 40 Paraweena Road, Alonnah, and adjoining Crown land for Mr T Gordon and Ms J Corbett 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. DA-2025-70 and Council Plan Reference No. P4 submitted on 23 March 2026 and No. P5 submitted on 31 March 2026 (from now on referred as Endorsed Plans).

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. Prior to the permit coming into effect, the landowner must enter into a Part 5 Agreement with and to the satisfaction of Council to the effect that the onus is to be upon the owner of the property to take measures to mitigate against noise emissions associated with harvesting of timber within the adjoining Private Timber Reserve (Dealing Number C797431).

This Part 5 Agreement must use Council's template Part 5 Agreement and be executed by all parties prior to commencement of works. The Agreement must then be lodged at the Land Titles Office and be registered on the title of the lot.

All costs associated with drafting and registering the Part 5 Agreement on the title must be borne by the developer. All terms of this Agreement must be complied with once executed.

Please note, planning permits containing a requirement for a Part 5 Agreement are not effective until such time as the Agreement is executed, as specified in s53(6) of the Land Use Planning and Approvals Act 1993. Therefore, the above Agreement must be signed and sealed, and proof of lodgement of the Agreement with the Land Titles Office for registration on the property title provided to Council, prior to the Permit coming into effect and commencement of works. The template, and a checklist for the process of drafting and lodging such an Agreement, may be obtained from Council's planning team.

3. Prior to the removal of any native vegetation and the commencement of on-site works, the loss of 0.0065 hectares of *Eucalyptus ovata* forest and woodland (DOV) and Forty Spotted Pardalote (*Pardalotus quadragintus*) habitat, must be offset by a financial contribution totalling \$532.35. This contribution must be paid to Council's Environmental Fund and used solely for the protection and management of *Eucalyptus ovata* forest and woodland (DOV) and Forty Spotted

Pardalote (*Pardalotus quadragintus*) habitat in the vicinity of Bruny Island or an area that supports equivalent biodiversity values within the municipality.

4. The following vegetation removal and modification is approved for the purposes of the development:
- (a) 0.0065ha of understorey vegetation of *Eucalyptus ovata* forest and woodland (DOV) including saplings <25cm in DSH for the upgrade of the vehicle access within adjoining Crown land included in this application.
 - (b) 0.046ha of understorey vegetation of *Regenerating cleared* land (FRG) for the establishment of the bushfire hazard management area of the holiday cabin and installation of the associated wastewater system in accordance with the Bushfire Hazard Report (Mulcahy Services, February 2025), the Natural Values Assessment (North Baker, November 2025), and the Endorsed Plans.
 - (c) 0.06ha of *Eucalyptus Pulchella* forest (DPU) for the establishment of the bushfire hazard management area for the dwelling in accordance with the Bushfire Hazard Report (Mulcahy Services, February 2025), the Natural Values Assessment (North Baker, November 2025), and the Endorsed Plans.
 - (d) Removal of two (2) individual trees in accordance with the Endorsed Plans, being:
 - i. One (1) *Eucalyptus ovata* with a DSH of 25cm within the Crown land, and
 - ii. One (1) *Eucalyptus pulchella* with DSH of 65cm within the main site.

No further 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.

5. All remaining native vegetation identified for retention in Endorsed Plans must be appropriately protected during and after construction in accordance with the recommendations in the Arboriculture Impact Assessment (Tree Management Services, February 2026) 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 vegetation removal (excluding individual trees), excavations, placement of fill, delivery of building/construction materials and/or temporary buildings):

- (a) Appointing a Project Arborist.
- (b) Conducting a site briefing between the Project Arborist and the project manager and site supervisor or equivalent for the development, to confirm the site-specific requirements for tree protection fencing, temporary TPZ access, and other specific tree protection measures.
- (c) Trees approved for removal must be removed prior to the establishment of the tree protection measures. The removal of these trees must be in accordance with recommendations in the Arboriculture Impact Assessment (Tree Management Services, February 2026)
- (d) Installing tree protection fencing in accordance with Section 6.3 and Appendix 1 of the Arboriculture Impact Assessment (Tree Management Services, February 2026) and condition 6.
- (e) Providing certification by the Project Arborist of satisfactory implementation of these tree protection measures to the Manager Development Services prior to the commencement of any on-site works.

B. During Construction:

- (a) Maintaining tree protection measures required above for the duration of the construction.
- (b) Ensuring the Project Arborist oversee any excavation, machine trenching, compacted fill placement and other designated site-specific activities within the TPZ of all retained trees as per recommendation in the Arboriculture Impact Assessment (Tree Management Services, February 2026).
- (c) Providing written certification by the Project Arborist of satisfactory implementation of these measures to the Manager Development Services upon completion of the site audit/construction.

C. Post Construction:

- (a) 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:
 - (i) the existing soil level must not be altered around the tree protection zone of the trees (including the disposal of fill, placement of materials or the scalping of the soil);
 - (ii) the tree protection zone must be free from the storage of fill, contaminants or other materials;
 - (iii) machinery and vehicles are not permitted to access the tree protection zone; and
 - (iv) development and associated works are not permitted unless otherwise approved by Council in writing or otherwise in accordance with the law.

6. Tree protection fencing required under condition 5 must:

- (a) Be located on the edge of the tree protection zone, unless the outer edge of works as shown on the Endorsed Plan and on the Arboricultural Impact Assessment (Tree Management Services, February 2026) are closer, in which case this tree/vegetation protection fencing may be reduced to the minimum amount necessary to allow the works to be completed.
- (b) Exclude the following from the tree protection zones:
 - (i) Machine excavation including trenching.
 - (ii) Machinery movement.
 - (iii) Excavation of silt fencing.
 - (iv) Cultivation.
 - (v) Storage.
 - (vi) Preparation of chemicals, including preparation of cement products.
 - (vii) Parking of vehicles and plant.
 - (viii) Refuelling.
 - (ix) Dumping waste.
 - (x) Placement of fill.

- (xi) Lighting of fires.
 - (xii) Soil level changes.
 - (xiii) Temporary or permanent installation of utilities and signs.
 - (xiv) Physical damage to the trees.
- (c) Be constructed in accordance with the following requirements:
- (i) Utilise barrier mesh and star pickets fencing unless otherwise approved in writing.
 - (ii) Form a visual and physical barrier.
 - (iii) Be a minimum height of 1.5 metres above ground level.
 - (iv) Include signage clearly marked "Tree Protection Zone - No Entry" on all sides.

7. Prior to the commencement of any on-site works an environmental management plan must be submitted to the satisfaction of the Manager Development Services. This plan must identify how the environmental values on the Crown land will be managed and protected during the upgrade of the vehicular access. At a minimum, measures must include tree protection and vehicle hygiene during construction, protection of native vegetation, threatened species habitat and native fauna habitat outside the area of the works and weed management.

When endorsed, this Plan will form part of the Permit. Ongoing management of the site must be in accordance with this Plan unless otherwise approved in writing by Council.

8. Prior to the commencement of the approved use, a full Visitor Management Plan (VMP) for the operation of the visitor accommodation must be submitted to and approved by the Manager Development Services. The VMP must include measures to limit, manage and mitigate unreasonable impacts upon the amenity of the surrounding area. It must be generally in accordance with the VMP dated 17 April 2026 submitted to Council but updated to include the following requirements:
- (a) To limit, manage and mitigate noise generated as a result of the visitor accommodation;
 - (b) To limit, manage and mitigate behaviour issues caused as a result of the visitor accommodation, including wildlife disturbance;
 - (c) To inform the best way to find the property;
 - (d) To specify the maximum permitted occupancy of the visitor accommodation;
 - (e) To specify the maximum number of vehicles to be parked on the site and detail where the designated parking space is located and how the space is to be accessed. Additionally, at the booking stage, guests should be discouraged from bringing more than one vehicle
 - (f) At the booking stage, guests must be advised that agricultural activities may occur in the surrounding properties including forestry activities;
 - (g) To specify an appropriate waste management protocol.
 - (h) To provide a name and contact phone number of a person (property manager) who will respond to any complaints regarding behaviour of guests to visitors and residents of the surrounding area. If the contact number of the property manager, or another property manager is appointed, or the property is sold the VMP must be updated with new contact details. The property manager should be a resident of Bruny Island, preferably in Alonnah (as per applicant's clarification).

Once approved, the VMP forms part of the permit and must be implemented prior to the commencement of the approved use and maintained for as long as the visitor accommodation use is in operation. A copy of the VMP must be provided to owners and occupiers of properties in the surrounding area (including CT's 114630/3, 238839/1, 8387/1, 154048/3, 154048/2, 154048/1, 39064/4, 39064/5, 39064/6, and 39064/8) at least 14 days prior to the commencement of the visitor accommodation use. In the event that the contact number of the property manager changes, or another property manager is appointed, or the property is sold, the updated VMP (in accordance with (c) above) must be provided to property owners and occupiers of the surrounding area within 10 business days.

9. Prior to commencement of on-site works, engineering design drawings for the proposed vehicular access within the Crown Land 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

Austrroads Standards and Australian Standards

The Plans must include, but are not limited to:

- (i) Longitudinal and cross sections of the driveway/access road
- (ii) Contours, finish levels and gradients of the driveway/access road
- (iii) Surface treatment and stormwater drainage

Once endorsed the plans will form part of the permit.

For Advice: These plans must be provided with the Planning Start of Works Notice required under Condition 10.

10. Prior to the commencement of on-site works, excluding weed management but including vegetation removal or modification, demolition, construction, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings, an 'Application for Approval of Planning Start of Works Notice' must be lodged with Council.

This application must be lodged a minimum of 14 days prior to commencement of on-site works and works must not commence until this notice has been approved by the Manager Development Services.

For Advice: This Planning Start of Works Notice is not the same as the Form 39 Building Start Works Notice. As such, lodgement of a Form 39 will not satisfy this condition and a separate 'Application for Approval of Planning Start of Works Notice' must be lodged with Council's Planning Department. A copy of the application form is available on Council's website.

11. All works within the waterway must be designed and constructed to:
- (a) minimise impacts on existing natural values, including riparian vegetation and in-stream habitat and bank condition;
 - (b) retain existing flow capacity;
 - (c) retain existing waterway bed levels;
 - (d) be consistent with the 'Wetlands and Waterways Works Manual' (DPIPWE, 2003).
12. Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent. Unpainted metal surfaces are not approved. Plans submitted for building approval must indicate the proposed colour and type of the external building materials.

13. Plans submitted for building approval must demonstrate the dwelling, visitor accommodation and associated hazard management areas are in accordance with the Bushfire Hazard Report (Mulcahy Services, February 2025) including:
 - (a) Construction to the specified BALs;
 - (b) Achieving the required separation distances; and
 - (c) Demonstrating the separation distances are no greater than shown in the Bushfire Hazard Report (Mulcahy Services, February 2025).
14. Documentation submitted for plumbing approval must demonstrate the on-site wastewater system, including the absorption trenches, are located outside the tree protection zone of all native trees with a DSH >25cm, including but not limited to those identified for retention in the Endorsed Plans.
15. Due to the subject site being suitable for habitat and foraging of endangered bird species, building plans submitted for approval must be in accordance with the Endorsed Plans and demonstrate the risk of bird collision is minimised by incorporating mitigation measures in accordance with the document "Minimising the swift parrot collision threat – Guidelines and recommendations for parrot-safe building design" to the satisfaction of the Manager Development Services. Windows and glazing doors >2m² are considered to constitute a collision risk.

Buildings will be to the satisfaction of the Manager Development Services if the glazed surfaces do not result in corner windows or sightlines through buildings from window to window and meet any of the following:

- (a) the glazed surface with a total surface area greater than 2m² are treated to include visual markers or muted reflections, the purpose of which must give them the appearance of an impenetrable surface. Such surfaces may include any one of the following types of treatments: the use of low-reflectivity glass (0-10%) as indicated in Endorsed Plans; films; coatings; fritted glass; or permanent screens; or
 - (b) the glazed surface is installed at a minimum of 20 degrees from vertical, angled in at its base to reflect the ground.
16. The use and development must be managed so that the amenity of the area is not detrimentally impacted upon through any of the following:
 - (a) Transport of materials, goods or commodities to or from the land;
 - (b) Appearance of any building, works or materials;
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater or waste products (rubbish).
 17. The visitor accommodation is for short term stay only. Accommodated guests must not stay any longer than a total of three (3) months on any one occasion.
 18. Guests must park within the designated car parking area for the subject site.
 19. 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.

20. The stormwater runoff from all concrete, paved, or otherwise sealed areas must be contained within the property or discharged to a Council approved discharge point. All works in relation to the discharge of stormwater must be completed to the satisfaction and approval of the Director Engineering Services.
21. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Director Engineering Services.

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.

- C. The developer should obtain a Plumbing Permit for the development prior to commencing construction.
- D. A drainage design plan at a scale of 1:200, designed by a qualified Hydraulic Designer, showing the location of the proposed sewer and stormwater house connection drains; including the pipe sizes, pits and driveway drainage, must be submitted with the application for Plumbing Permit.
- E. The proposed development requires onsite disposal of wastewater. Prior to Council issuing a Plumbing Permit, the developer must submit all documents specified in Schedule 2 of the *Director's Specified List* for an onsite wastewater management system.

The onsite wastewater system servicing the dwelling must be designed and installed in accordance with the report by GES dated February 2025. The onsite wastewater system servicing the cabins must be designed and installed in accordance with the report by GES dated January 2026.

- F. This permit does not include approval for any signage to be erected on site. Further approval may be required for the erection of signage on the site.
- G. Food must not be sold or served to guests without prior consent from Council's Environmental Health Officer.

CARRIED

C153/9-2026**12.2 DEVELOPMENT APPLICATION FOR CONSTRUCTION OF JETTY, BOAT SHED AND ASSOCIATED WALKWAY AT 4101 CHANNEL HIGHWAY, FLOWERPOT AND ADJACENT CROWN COASTAL RESERVE**

Moved: Cr Gideon Cordover

Seconded: Cr Amanda Midgley

That the Planning Authority resolves that the development application for construction of jetty, boat shed and associated walkway at 4101 Channel Highway, Flowerpot and adjacent Crown coastal reserve for K Mahendran 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. DA-2025-82 and Council Plan Reference No. P4 submitted on 25 March 2026, endorsed as forming part of this approval.

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. The jetty and boat shed approved by this permit must only be used in conjunction with the approved visitor accommodation use and existing residents at 4101 Channel Highway, Flowerpot (CT20339/1) and then only for the purposes of:
 - (a) Providing for the use of a tender stored in the boat shed for the conveyance of guests of the visitor accommodation use to and from a vessel moored in the adjacent waterway, and for activities associated with that purpose;
 - (b) Providing the use of kayaks stored in the boat shed by guests of the visitor accommodation use, and for activities associated with that purpose; and
 - (c) by the residents of 4101 Channel Highway, Flowerpot (CT20339/1) for personal maritime activities and/or recreation.
3. Materials and finishes used for the boat shed must have a light reflectance value that is not greater than 40%.
4. This permit does not approve any works on the existing pathway located at 4101 Channel Highway (CT20339/1) and the adjoining Crown Public Reserve other than the works indicated on the approved plans.
5. Impacts on vegetation approved by this permit must not exceed disturbance to subtidal and intertidal habitat assemblages within the footprint of the development consistent with the approved plans.

No felling, lopping, ringbarking or otherwise injuring or destroying of terrestrial native vegetation or individual trees is to take place without the prior written approval of the Manager Development Services, or in accordance with a further planning permit or otherwise as provided for in the Planning Scheme or relevant legislation.

6. The coastal protection works approved by this permit are limited to those described in the approved plans and no further expansion of coastal protection works beyond the extent of these works is approved.
7. This permit does not approve any dredging or reclamation works.
8. This permit does not approve the cleaning, servicing or maintenance of any vessels at or on the jetty or at or in the boatshed.

9. Prior to the commencement of works and not more than one (1) year before the commencement of works, a current marine survey must be completed. Evidence of the survey and a copy of the survey results must be submitted for the approval of the Manager Development Services.

Advice: Where the marine survey identifies any adverse environmental impacts based on updated survey information that were not known when this permit was granted, additional approvals may be required prior to the commencement of these works.

10. Prior to the commencement of works, engineering drawings for the jetty, landing, access path upgrade and associated coastal works must be submitted for the approval of the Manager Development Services. These drawings must be:

- (a) Certified by a suitably qualified coastal engineer, and provide confirmation that adverse impacts on coastal processes are appropriately mitigated, including all impacts related to inundation risk, wave action and behaviour, sediment dynamics, and current and tidal flows; and
- (b) Certified by a suitably qualified person in the field of marine natural values; and provide confirmation that impacts on marine coastal values are negligible.

When approved, these drawings shall form part of this permit and must be adhered to throughout construction of the development to the satisfaction of the Manager Development Services.

11. The wharf deck height, excluding the lower landing, must have a finished floor level of +2.5m AHD.
12. All construction works must be undertaken between January and March (inclusive) to mitigate impacts on the southern right whales and other sensitive aquatic species.

Alternatively, construction may occur outside of January to March (inclusive) subject to all of the following:

- (a) A suitably qualified person in marine natural values undertakes an activity assessment immediately prior to the commencement of construction works to determine whether activity is evident and identify any mitigation measures that need to be applied to reduce impacts;
- (b) This assessment confirms that any disturbance to all species is tolerable; and
- (c) The assessment is provided to the Manager Development Services and approval is provided in writing that the commencement of construction may occur, subject to implementation of any mitigation measures identified in the activity assessment.

13. Prior to the commencement of any on-site works a Construction Environmental Management Plan (CEMP) must be submitted to Council for approval. The plan must be to the satisfaction of the Manager Development Services, incorporate the recommendations in the Marine Natural Values Assessment, and updated marine survey, and Coastal Hazard Assessment and demonstrate compliance with the following:

(a) Site Access and Storage

- a. All construction materials, plant, equipment and machinery must be transported to and from the site exclusively by barge.
- b. No vehicles, trailers or mobile plant are permitted to enter or traverse the Reserve by land at any time.
- c. No materials, machinery, tools or equipment are to be stored, stockpiled or staged on land within the Reserve, whether temporarily or permanently.

- d. Lay-down areas, stockpiles or hardstand areas within the Reserve are expressly prohibited.
 - e. No refuelling, servicing or parking of machinery is permitted within the Reserve.
 - f. No waste is to be retained or stored within the Reserve.
 - g. The CEMP must include procedures demonstrating ongoing compliance with these requirements for the duration of construction.
- (b) Construction Hours and Contact information
- a. Detail hours of operation
 - b. Contact details of key construction site staff.
- (c) Soil, Water and Coastal Protection
- a. Details on how construction will be undertaken in accordance with:
 - i. Waterways and Wetlands Works Manual (DPIWE, 2003);
 - ii. NRM South Soil and Water Management of Construction Sites – Guidelines;
 - iii. Tasmanian Standard Drawings (TSD-SW28); and
 - iv. Tasmanian Coastal Works Manual (DPIPWE, Page and Thorp, 2010)
- (d) Noise, Vibration and Construction Methods
- a. Measures to control construction noise.
 - b. Construction methods are pile-supported.
 - c. Details of how vibration will be managed to mitigate potential land instability on adjoining properties.
- (e) Protection of Terrestrial and Marine Natural Values
- a. Ensure a marine survey is undertaken not more than one (1) year prior to the commencement of works.
 - b. Measures to minimise impacts on marine fauna, including:
 - i. consultation with the Wildlife Management Branch of DNRE immediately prior to construction activities to determine whether there have been any recent marine mammal sightings in the proposed work area (24-hour Whale Hotline: 0427 WHALES / 0427 942 537);
 - ii. monitoring of the site footprint for marine mammals prior to and during construction activities;
 - iii. construction activities must not commence, or must immediately cease, if any listed cetacean or pinniped/turtle/penguin species are known to be present within 500 metres of the construction activities;
 - iv. works must not recommence until the fauna has moved beyond the 500-metre exclusion zone;
 - c. Ensure the implementation of a 'soft start' piling technique, including:
 - i. implementation of a 'soft start' technique at the beginning of each pile installation day;

- ii. impact piling must commence at the lowest practicable energy and gradually ramp up to full capacity over a minimum 30-minute period;
 - iii. the soft-start procedure must be repeated following any significant break in piling activities;
- (f) Biosecurity Controls
- a. Use of locally sourced machinery for all phases of development to mitigate the risk of introducing non-native species or releasing toxic contaminants;
 - b. Ensuring machinery and equipment with the potential to transport waterborne viruses or invasive species is disinfected and dried prior to use on site;
 - c. Details on how construction will be undertaken in accordance with Weed and Disease Planning and Hygiene Guidelines 2015 produced by the Department of Primary Industries, Parks, Water and Environment.
- (g) Documenting, Induction and Site Responsibilities
- a. Clear documentation of monitoring procedures, decision-making thresholds for ceasing works, and responsibilities for fauna observation and reporting; and
 - b. induction of all construction personnel on marine fauna protection measures prior to works commencing.

Once endorsed, the Construction Environmental Management Plan will form part of the permit and must be implemented and maintained throughout construction of the development to the satisfaction of the Manager Development Services.

14. Prior to the commencement of any on-site works, including vegetation removal or modification, demolition, construction, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings, an 'Application for Approval of Planning Start of Works Notice' must be lodged with Council's Planning Department.

This application must be lodged a minimum of 14 days prior to commencement of on-site works and works must not commence until this notice has been approved by the Manager Development Services.

For Advice: This Planning Start of Works Notice is not the same as the Form 39 Building Start Works Notice. As such, lodgement of a Form 39 will not satisfy this condition, and a separate 'Application for Approval of Planning Start of Works Notice' must be lodged with Council's Planning Department. A copy of the application form is available on Council's website.

15. 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.

16. To minimise the risk of weed introduction, erosion and wildlife disturbance associated with increased visitor use of the reserve, including visitors arriving by vessel, the ongoing use of the development must be managed in accordance with an approved Visitor Management Plan.

The Visitor Management Plan must include, but not be limited to:

- (a) Weed hygiene and weed management measures for visitors, vessels and equipment;

- (b) Measures to ensure visitors remain on designated tracks and accessways to prevent erosion or vegetation damage;
- (c) Signage and education measures addressing sensitive environments and wildlife protection; and
- (d) Compliance and monitoring measures to ensure the Plan is effectively implemented.

The Visitor Management Plan must be provided to and approved by the Manager Development Services prior to the commencement of the use of the jetty and must be implemented for the duration of its use.

17. Prior to the commencement of use, a Coastal Monitoring Program (CMP) must be prepared and implemented to the satisfaction of the Manager Development Services. The CMP must:
- (a) Monitor potential localised scour and erosion at the toe of the piles, rock armouring and retaining wall following construction;
 - (b) Monitor the rate of shoreline recession;
 - (c) Confirm that the approved infrastructure remains located outside any identified or emerging coastal instability zone; and
 - (d) Specify monitoring frequency, trigger thresholds and appropriate management or remedial responses should unacceptable scour, erosion or shoreline recession be identified.

The results of the CMP must be made available to the Manager Development Services.

ADVICE

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- 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.

In Favour: Crs Paula Wriedt, Aldo Antolli, David Bain, Gideon Cordover, Kaspar Deane, Mark Richardson and Christian Street

Against: Crs Flora Fox and Amanda Midgley

CARRIED 7/2

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

Open session resumed at 7:39pm

Meeting adjourned at 7.39pm

Meeting resumed at 7.51pm

13 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

14 PETITIONS RECEIVED IN LAST PERIOD

No Petitions had been received.

15 OFFICERS REPORTS TO COUNCIL

C154/9-2026

15.1 ELECTION OF DEPUTY MAYOR

Moved: Cr Gideon Cordover

Seconded: Cr Flora Fox

That Council appoint Cr Street as Deputy Mayor for the remainder of the current term of Council.

CARRIED

C155/9-2026

15.2 PETITION RESPONSE - EXCESSIVE NOISE FROM THE SALTY DOG HOTEL

Moved: Cr David Bain

Seconded: Cr Gideon Cordover

That the organiser of the petition be advised that Council is continuing to investigate the complaint of excessive noise emissions from the Salty Dog Hotel in accordance with section 53 of the *Environmental Management and Pollution Control Act 1994*, and that Council will continue to liaise directly with the venue and the relevant complainants as part of that process.

Amendment:

Moved: Cr Kasper Deane

Seconded: Cr Aldo Antolli

That the organiser of the petition be advised that Council has investigated the complaint of excessive noise emissions from the Salty Dog Hotel in accordance with section 53 of the *Environmental Management and Pollution Control Act 1994*. It is satisfied with the actions taken by the Salty Dog Hotel management but will continue to liaise with nearby residents and remains open to further investigations.

In Favour: Crs Aldo Antolli, Kasper Deane, Mark Richardson and Christian Street

Against: Crs Paula Wriedt, David Bain, Gideon Cordover, Flora Fox and Amanda Midgley

LOST 4/5

The original Motion was then put.

In Favour: Crs Paula Wriedt, David Bain, Gideon Cordover, Flora Fox, Amanda Midgley, Mark Richardson and Christian Street

Against: Crs Aldo Antolli and Kaspar Deane

CARRIED 7/2

C156/9-2026

15.3 FEES AND CHARGES 2026/27

Moved: Cr Gideon Cordover

Seconded: Cr Christian Street

That Council adopts the attached Fees and Charges Schedule for the 2026/27 financial year.

CARRIED

C157/9-2026

15.4 AGM NOTICE OF MOTION - PLANNING AND COMPLIANCE REPORTING

Moved: Cr Flora Fox

Seconded: Cr David Bain

That the response to the motion be noted and that Council continue finalising the draft LPS in accordance with the statutory process, progressing improvement initiatives for development assessment processes, and prioritising strategic planning work to commence once the LPS is finalised.

CARRIED

C158/9-2026

15.5 FINANCIAL REPORT - APRIL 2026

Moved: Cr David Bain

Seconded: Cr Gideon Cordover

That Council endorses the attached Financial Report as at 30 April 2026.

CARRIED

C159/9-2026

15.6 APPENDICES

Moved: Cr Amanda Midgley

Seconded: Cr Flora Fox

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

CARRIED

16 NOTICES OF MOTION

There were no Notices of Motion.

C160/9-2026

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*

Raine & Horne Lease

Regulation 17(2)(g) *proposals for the council to acquire land or an interest in land or for the disposal of land.*

CARRIED

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

Open Session of Council adjourned at 9:30pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 9:34pm

C161/9-2026

Moved: Cr Gideon Cordover

Seconded: Cr Flora Fox

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

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Approved
Raine & Horne Lease	Approved

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 9:36pm

.....
(Confirmed)

.....
(Date)