

TASMANIAN PLANNING COMMISSION

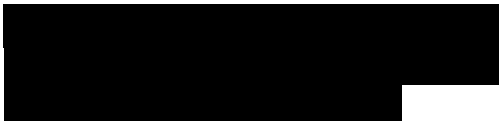


Our ref: DOC/26/99141
Officer: Linda Graham
Phone: 6165 6826
Email: tpc@planning.tas.gov.au

27 August 2026

Mr Dave Stewart
Chief Executive Officer
Kingborough Council
Civic Centre, 15 Channel Highway
KINGSTON TAS 7050

By email:



Dear Mr Stewart

Kingborough Local Provisions Schedule (LPS) Participation at Resumed Hearings

I refer to your letter dated 14 August 2026 regarding the above matter. Council's request to reduce its participation in the hearing process moving forward is noted.

The Panel has considered the request, taking into account the need for the Panel to have clarity on the planning authority's position and advice on the application of zones and codes to particular areas of land, and the views of representors and submitters in relation to land in which they have an interest.

The Commission has noted that in your request you indicate that the planning authority will respond to Panel directions, requests for information and invitations to attend hearings, when the Panel considers that it would be beneficial to do so.

An updated hearing schedule for the remainder of 2026 will be finalised in the coming weeks. It is anticipated that this schedule will conclude consideration of all currently outstanding mainland Kingborough matters. This will include zone and code application and consideration of split zones.

The invitation for the planning authority to actively participate in any scheduled hearing remains open. However, having regard to Council's request, should the planning authority elect not to attend future hearings, the Commission directs as follows:

1. Ireneinc Localities and Miscellaneous Matters

In relation to the above matters, the Commission directs the planning authority as follows:

- a) At least 14 days prior to the scheduled hearing for each day, the planning authority must:

- i. Provide the documents upon which it relies in support of its position on the properties within the Ireneinc localities and any other listed matter, including any material relating to zone application, natural values or any other information which the planning authority wishes the Panel to consider; and
- ii. Confirm the zone application for those properties identified in the Ireneinc report for which there was not a zoning recommendation, including any rationale for zoning and any additional information which should be relied upon in the hearing.

The above information will be:

- designated as planning authority written submissions and admitted into the evidence before the Commission accordingly; and
 - published on the Commission website so that any interested party may consider it prior to their attendance at the hearing.
- b) To ensure that the Commission understands the planning authority's position and the rationale behind it, a representative of the planning authority must be available to provide any clarification sought. While reasonable notice will be provided where possible, the Commission directs the planning authority to be available to attend any scheduled hearing at short notice. When required the planning authority is expected to be able to respond to questions from the Panel in relation to relevant issues and recommendations. As a result, the planning authority will need to monitor the progression of the hearings on a daily basis. The Panel will not be available to provide updates on progress.

2. Ireneinc Split-Zone Recommendations

The updated hearing schedule will allocate a number of hearing days to the consideration of properties identified as proposed split-zoned areas in the Ireneinc Report.

For these hearings, the planning authority is to make available an appropriately qualified representative to address each recommendation and confirm the planning authority's position at the hearing.

The Panel wishes to avoid the need for post-hearing directions in relation to split-zone matters. Accordingly, the planning authority's representative will be expected to confirm whether each proposed split-zone remains supported, and:

- If so, identify the attributes that the zone alignment ought to be attributed to; or
- If not, identify the preferred zoning outcome and provide the rationale for departing from the recommendations contained in the adopted Ireneinc Report.

Attendance may be in person or via Microsoft Teams. The planning authority is requested to confirm its attendance arrangements at least 7 days prior to the scheduled hearing.

3. Special Considerations - Natural Values

Natural values issues may be associated with the assessment of outstanding localities and split zoning issues.

The planning authority is advised that the Panel will accord significant weight to positions on natural values that are supported by expert evidence. Whether the planning authority elects to provide any further submissions is a matter for Council. Any submissions may be made at the hearing and/or provided at least 14 days prior to the hearing in accordance with the directions outlined above.

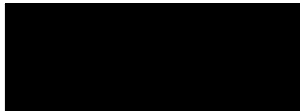
Where a representation is not supported by expert evidence, the Panel will assess the matter having regard to aerial imagery, information provided by the representor, and any other relevant material before it. Where necessary, the Panel may seek further information or clarification by post-hearing direction. In the absence of any persuasive evidence, weight will be placed on the exhibited scheme.

4. Bruny Island

The draft LPS as it applies to Bruny Island has become increasingly complex and will require active participation from the planning authority and its representatives to complete the assessment. Further directions relating to Bruny Island will be issued in due course.

If you require further information please contact Linda Graham, Planning Adviser, on 6165 6826 or at Linda.Graham@planning.tas.gov.au.

Yours sincerely



Nick Heath
Delegate (Chair)