Kingborough

17 September 2026

Our Ref: 17.228

For attention: Ms Linda Graham

The Executive Commissioner
Tasmanian Planning Commission
GPO Box 1691
HOBART TAS 7001

Dear Linda,

KINGBOROUGH DRAFT LOCAL PROVISIONS SCHEDULE – DIRECTION 63

Please find below the Planning Authority's responses to the above-mentioned direction.

Direction

Following the hearing of Representation 604 by the Department of State Growth, any recommended zone revisions with justifications, to land containing the following mining leases:

- *Mining lease application (MLA) 2147P/M - [redacted], South Bruny (folio of the Register [redacted]); and*
- *Mining lease 1962P/M - [redacted], South Bruny (folio of the Register [redacted]).*

Note 1: [redacted], South Bruny is the subject of Representation 514 made by Kenneth and Karen Marsh.
Note 2: The response to the direction may be given to the panel at the hearing scheduled for the 15 October 2025.

Planning Authority's response

Representation 604 raises concerns regarding the proposed rezoning of land subject to Mining Lease 1962P/M and Mining Lease Application 2147P/M at Wooreddy Road, South Bruny, from the Rural Zone to the Agriculture Zone. The representation notes that extractive industries are a permitted use in the Rural Zone but are discretionary in the Agriculture Zone and that the proposed zoning could adversely affect the future expansion of the existing mining operation.

During the hearing process, the Planning Authority indicated that the Bruny Island Specific Area Plan (SAP) could potentially be utilised to modify the land use table applying to the Agriculture Zone, including accommodating mining industry as a permitted use within the SAP area. However, in its more recent response to Direction 111, the Planning Authority has indicated a preference not to proceed with the Bruny Island SAP.

Having regard to the State-wide agricultural mapping project and the Planning Authority's preference not to proceed with the SAP, there may be merit in considering the Rural Zone as an alternative zoning outcome for the land. While the land is identified as unconstrained in the *Land Potentially Suitable for Agriculture Zone* mapping, section 8A guideline AZ6 recognises circumstances where an alternative zone may be appropriate.

In particular, guideline AZ6 provides that land identified in the *Land Potentially Suitable for Agriculture Zone* layer may be considered for an alternative zoning where there is a need to identify and protect a strategically important naturally occurring resource, to identify, provide for or protect a strategically important use requiring an alternative zone, or where it can otherwise be demonstrated that the Agriculture Zone is not appropriate for the land.

Given the existing mining lease and associated mining lease application affecting the land, it could be argued that guideline AZ6(b) and AZ6(d) are particularly relevant, as they specifically provide for alternative zoning outcomes to identify and protect a strategically important naturally occurring resource or strategically important use. In this regard, the application of the Rural Zone may be justified notwithstanding the agricultural suitability mapping.

Accordingly, the Planning Authority would be open to considering the Rural Zone for the land. However, it is also acknowledged that Representation 514, for which a hearing is yet to occur, may have implications for the preferred zoning outcome. Furthermore, should the Commission support the removal of the Bruny Island SAP, broader consideration of the application of the Agriculture Zone on Bruny Island may be warranted before a final zoning outcome is determined.

If you wish to discuss the above, please contact the Council's Lead Strategic Planner, Adriaan Stander on (03) 6211 8210.

Yours sincerely,

Deleeze Chetcuti
Director – Environment Development and Community