

Kingborough draft LPS

Hearing Day 23

26 May 2026

Kingborough Community Hub

Introduction

Good morning. Welcome to day 23 of the hearings for the assessment of the Kingborough draft Local Provisions Schedule – referred to as the LPS. Thank you for attending.

My name is Nick Heath and I will be chairing the hearings today.

Together with Dan Ford and Rohan Probert, we have a joint and several delegation from the Tasmanian Planning Commission to undertake the assessment.

The Commission Planning Advisers assisting us today are Linda Graham, Sam McCrossen, Tim Robins and Spatial Analyst, Simon Gatenby.

Planning authority introductions.

As I also stated at the Directions Hearing, this hearing is being recorded for the benefit of the delegates. However, the recording is not made generally available and others are not permitted to record any part of the hearing.

Hearing Room

Tasmanian Planning Commission

In the event of an emergency requiring evacuation, please leave through the rear doors and follow the directions of the floor warden.

For anyone requiring the toilets they are to the right from the rear doors.

Please make sure your mobile phones are either turned off or are on silent.

Process

The Law

In terms of the proceedings over the next 6 hearings days, I remind everyone that the hearing is held in accordance with the *Land Use Planning and Approvals Act 1993* (the Act) and *Tasmanian Planning Commission Act 1997* (the TPC Act).

The Act requires the planning authority to report to the Commission giving its opinion of the merits of the representations that have been received and for the Commission to hold a hearing in relation to each representation.

The TPC Act empowers the Commission to regulate its own procedures and to carry out its functions in a manner consistent with principles of natural justice, including affording procedural fairness to affected parties.

In combination, these Acts establish both the obligation to consider representations and hold hearings and the authority and procedural framework to conduct hearings and manage the process for the Commission's hearings into a draft LPS

Submissions

In addition, I want to remind everyone of what I said in my concluding remarks at the hearing on 15 April.

For landowners affected by the planning authority's response to the Commission's Direction 69 (and who did not make a formal representation during public exhibition of the LPS) but who have made a submission to the Commission, the 1,267 letters that were sent out by the Commission were intended to ensure procedural fairness by giving affected landowners an opportunity to participate in this stage of the LPS assessment.

We received 515 submissions through this process, which closed on 4 May.

As I said, making a submission does not necessarily mean that you will be granted a hearing before the Panel as any submission do not convey a legal right to be heard, as they are not part of the formal section 35F report (which as I said does convey a legal right to be heard).

However, by making a submission your views will be made known to the Commission and will certainly be taken into account when we make our final decision.

Please be assured that the Panel has read all the submissions and will, as the hearing proceeds, ask the planning authority and its consultants relevant questions relating to zone application on the matters raised by these submissions.

Depending on the issues raised in the submissions and discussed with the planning authority, the Commission may decide to invite some submitters to come in and talk to their submission but this will only be done through a formal direction.

Locality Approach

In terms of how the hearing will proceed, the matters listed for hearing have been arranged on a locality basis. Today we will hear representation 614 from the Flowerpot area. You will note from the hearing schedule that we have referenced the submissions we received from this area - 9 in total.

Note – we might wish to include a summary here of the themes raised by the submissions

We will begin today with the planning authority giving an overview of the Flowerpot locality and we will then turn to hear representation 614. I will advise you when it is your turn to approach the table

We will use this same process as we move through the next block of hearings.

Concluding Remarks

Finally, as Chair it is my role to ensure the relevant parties have the opportunity to be heard and that the hearings are conducted in a civil and courteous manner. I ask you to respect this.

Planning Authority

Overview of locality

Representor

Do you want to talk to your rep or do you agree with it?