
From: dstewart@kingborough.tas.gov.au
Sent: Friday, 7 August 2026 4:58 PM
To: Ramsay, John
Subject: Response to Direction 76 and 111 (Blackmans Bay Bluff and Bonnet Hill SAP & Bruny Island SAP).
Attachments: Response to Direction 76 and 111 (Blackmans Bay Bluff and Bonnet Hill SAP and Bruny Island SAP).pdf; T-P.25.1552-00-PLA-REP-001-Rev01.pdf

Hi John,

Thanks for the text this morning and sorry for the slow response.

At the meeting on 3 August 2026 the Planning Authority made the following decisions.

Pitt & Sherry Report

That the Planning Authority:

1. *Receives and notes the Pitt & Sherry Review of the Draft Specific Area Plans for Bruny Island, Blackmans Bay Bluff and Bonnett Hill, as amended.*
2. *Endorses the provision of the Pitt & Sherry Report to the Tasmanian Planning Commission in accordance with the Commission's directions and requirements.*
3. *Authorises the CEO to take any administrative actions necessary to facilitate its submission.*

Blackmans Bay Bluff SAP

That the Planning Authority:

1. *Having considered the findings and recommendations of the Pitt & Sherry Report, endorses the removal of the Blackmans Bay Bluff component of the Specific Area Plan from the Draft Local Provisions Schedule.*
2. *Requests that this position be conveyed to the Tasmanian Planning Commission as part of the Planning Authority's response to the Pitt & Sherry Report.*

Bruny Island and Bonnet Hill SAPs

That the Planning Authority:

1. *Notes the revised draft Specific Area Plans for Bruny Island and Bonnet Hill as presented.*
2. *Notes that the current revised draft SAP provisions differ substantially from the versions publicly exhibited during the Local Provisions Schedule exhibition process.*
3. *Determines not to endorse the revised Bruny Island and Bonnet Hill Specific Area Plans as the position of the Planning Authority at this time.*
4. *Determines that, in light of the advice in the Pitt & Sherry Report, the Planning Authority withdraws its support for the exhibited Bruny Island and Bonnett Hill Specific Area Plans.*
5. *Notes the potential planning value of a Specific Area plan to Bruny Island, however considers further community consultation would be required after the implementation of the Local Provision Schedule.*
6. *Requests that this resolution be provided to the Tasmanian Planning Commission for its consideration.*

The formal council minutes will be published on Monday.

I have attached Councils responses to the directions that Adriaan sent through on Tuesday for your reference.

Cheers
Dave

Dave Stewart (He/Him) | **Chief Executive Officer** | **Kingborough Council**

Phone (03) 6211 8274

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Email dstewart@kingborough.tas.gov.au | **Web** www.kingborough.tas.gov.au



Kingborough Council acknowledges and pays respect to the Tasmanian Aboriginal Community as the traditional owners and continuing custodians of this land and acknowledge Elders – past, present, and emerging

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From: Adriaan Stander <astander@kingborough.tas.gov.au>

Sent: Tuesday, 4 August 2026 2:21 PM

To: TPC Enquiry <tpc@planning.tas.gov.au>

Cc: Deleeze Chetcuti <dchetcuti@kingborough.tas.gov.au>

Subject: Response to Direction 76 and 111 (Blackmans Bay Bluff and Bonnet Hill SAP & Bruny Island SAP).

Good afternoon,

Please find attached the Planning Authority's response in relation to the above directions.

Kind regards,

Adriaan Stander | **Lead Strategic Planner** | **Kingborough Council**

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4 August 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 76 AND 111

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

Direction 76

Following the hearing of Representations 274, 364, 448, 524 and 611, on land within the proposed KIN-S7.0 Blackmans Bay Bluff and Bonnet Hill Specific Area Plan, provision of the following:

- *the reconstruction of KIN-S7.0 as two separate draft Specific Area Plans, so as to apply separately to Blackmans Bay Bluff and Bonnet Hill;*
- *revision of KIN-S7.7.8 Collision risk to better clarify the intent; and*

advice on the appropriate inclusion or exclusion of land at Harpers Road, Bonnet Hill as land identified as being within 'coastal proximity' for the operation of the KIN- S7.7.2 Building height in the Low Density Residential Zone and KIN-S7.8.1 Bonnet Hill lot design in coastal proximity.

Direction 111

Following the Kingborough Council resolution of the 20 October 2025 and the commencement of a review of the Bruny Island and Bonnet Hill Specific Area Plans, the provision of the following:

- *A submission outlining the rationale/justification for any recommended revisions to any Specific Area Plan;*
- *A track change word version showing any recommended revisions to any Specific Area Plan; and*
- *Mapping in PDF and GIS form which shows any recommended revision to the spatial extent of any Specific Area Plan.*

Note: The Commission understands that the full name of the Bonnet Hill Specific Area Plan is the Blackmans Bay Bluff and Bonnet Hill Specific Area Plan. The Commission understands further that the Specific Area Plan review being undertaken in accordance with the Council resolution may have implications for other Specific Area Plans which could include the Blackmans Bay Bluff extent of the Blackmans Bay Bluff and Bonnet Hill Specific Area Plan and other Specific Area Plans. This direction provides the opportunity for the Planning Authority to make submissions not only about the Bruny Island and Bonnet Hill Specific Area Plans but also other Specific Areas Plans if that is deemed necessary as a consequence of the current review.

Planning Authority's response

At its meeting on 20 October 2025, Council resolved to appoint an independent planning consultant to review the Bruny Island Specific Area Plan (SAP) and the Blackmans Bay Bluff and Bonnet Hill SAP in response to issues raised during the Local Provisions Schedule (LPS) hearings and Pitt & Sherry was subsequently appointed to undertake the review and their findings were presented to the Planning Authority on 3 August 2026. The report to the Planning Authority also included proposed modification to the Bonnet Hill and Bruny Island SAP.

At the meeting on 3 August 2026 the Planning Authority made the following decisions.

Pitt & Sherry Report

That the Planning Authority:

- 1. Receives and notes the Pitt & Sherry Review of the Draft Specific Area Plans for Bruny Island, Blackmans Bay Bluff and Bonnett Hill, as amended.*
- 2. Endorses the provision of the Pitt & Sherry Report to the Tasmanian Planning Commission in accordance with the Commission's directions and requirements.*
- 3. Authorises the CEO to take any administrative actions necessary to facilitate its submission.*

Blackmans Bay Bluff SAP

That the Planning Authority:

- 1. Having considered the findings and recommendations of the Pitt & Sherry Report, endorses the removal of the Blackmans Bay Bluff component of the Specific Area Plan from the Draft Local Provisions Schedule.*
- 2. Requests that this position be conveyed to the Tasmanian Planning Commission as part of the Planning Authority's response to the Pitt & Sherry Report.*

Bruny Island and Bonnet Hill SAPs

That the Planning Authority:

- 1. Notes the revised draft Specific Area Plans for Bruny Island and Bonnet Hill as presented.*
- 2. Notes that the current revised draft SAP provisions differ substantially from the versions publicly exhibited during the Local Provisions Schedule exhibition process.*
- 3. Determines not to endorse the revised Bruny Island and Bonnet Hill Specific Area Plans as the position of the Planning Authority at this time.*
- 4. Determines that, in light of the advice in the Pitt & Sherry Report, the Planning Authority withdraws its support for the exhibited Bruny Island and Bonnett Hill Specific Area Plans.*
- 5. Notes the potential planning value of a Specific Area plan to Bruny Island, however considers further community consultation would be required after the implementation of the Local Provision Schedule.*
- 6. Requests that this resolution be provided to the Tasmanian Planning Commission for its consideration.*

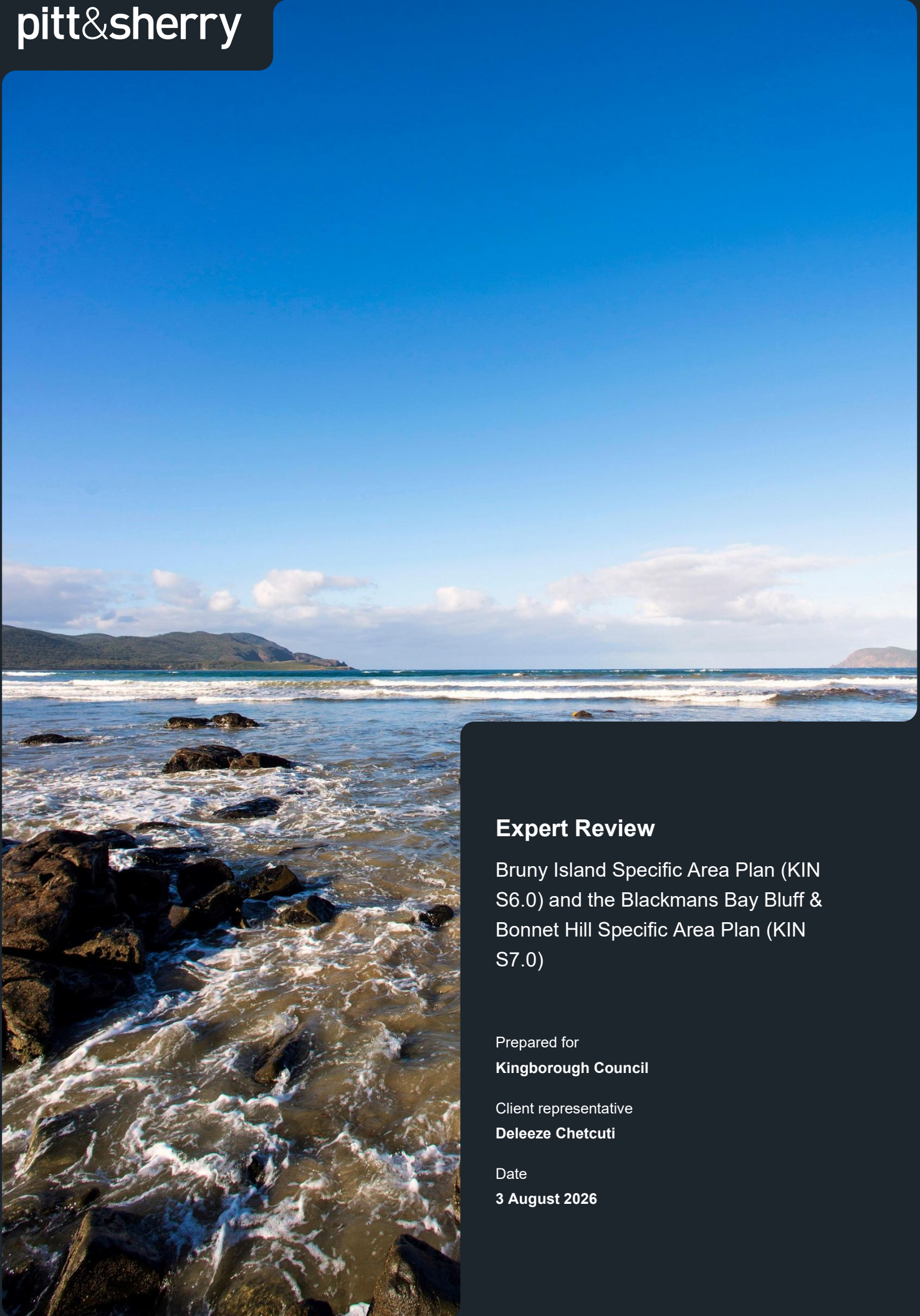
A copy of the Pitt & Sherry Review is attached. We trust that this satisfies the directions issued by the Tasmanian Planning Commission in relation to this matter.

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



Expert Review

Bruny Island Specific Area Plan (KIN S6.0) and the Blackmans Bay Bluff & Bonnet Hill Specific Area Plan (KIN S7.0)

Prepared for
Kingborough Council

Client representative
Deleeze Chetcuti

Date
3 August 2026

Table of Contents

1.	Introduction.....	9
2.	Purpose, Scope, & Methodology.....	9
2.1	Purpose of Report	9
2.2	Review Methodology	13
3.	Function of SAPs explained.....	14
3.1	How a SAP Works.....	14
3.2	Requirements of a SAP	16
3.3	Limits of a SAP and Matters Beyond Their Scope	17
3.4	Kingborough draft LPS & SAPs Background	17
3.5	Emergence of the Bruny Island SAP.....	17
3.6	Evolution of the Blackmans Bay Bluff & Bonnet Hill SAP	18
4.	Consultation - Survey and Representations	18
4.1	Consultation Methods and Timeframes	19
4.2	Statutory Representations versus Other Feedback.....	20
4.3	Overview of Consultation Outcomes.....	20
4.4	Analysis of Representations	20
4.5	How Representations are Considered	22
4.6	Key Representation Themes Relevant to Area Context	23
5.	Area Profiles: local context, values & planning constraints	27
5.1	Bruny Island SAP	27
5.2	Bonnet Hill SAP	36
5.3	Blackmans Bay SAP.....	39
6.	Assessment of SAP Justification and Strategic Merit	41
6.1	SAP Justification	42
6.2	Natural values and assessment methodology.....	43
6.3	Relationship with the SPPs and regional policy	44
6.4	The Concern with Bruny Island SAP	44
7.	Compliance within Policy Frameworks.....	45
7.1	Section 32 of the LUPAA.....	45
7.2	RMPS Assessment	54
8.	Options, scenarios, and risk.....	67
8.1	Option 1: No SAP	69
8.2	Option 2: Narrow SAP Now (Minimal Retention Approach).....	71
8.3	Option 3: Refined and Restructured SAP (Preferred Option – Bruny Island and Bonnet Hill).....	73
8.4	Option 4: Alternative Zoning or Strategic Planning Approach.....	75
8.5	Conclusion	78

List of figures

Figure 1: Bruny Island Specific Area Plan (KINS6.0) Map 1 of 2.....	11
Figure 2: Bruny Island Specific Area Plan (KINS6.0) Map 2 of 2.....	11
Figure 3: Blackmans Bay Bluff & Bonnet Hill Specific Area Plan (KINS7.0) Map 1 of 2.....	12
Figure 4: Blackmans Bay Bluff & Bonnet Hill Specific Area Plan (KINS7.0) Map 2 of 2.....	12
Figure 5: North Bruny flatter terrain with the dominant land use in the landscape being livestock grazing.....	28
Figure 6: Lot size spatial qualities for Low Density Residential Zone at Dennes Point, Great Bay, and Killara. (Source: Kingborough Council).....	31
Figure 7: Lot size spatial qualities for Low Density Residential Zone at Alonnah and Lunawanna. (Source: Kingborough Council).....	31
Figure 8: Lot size spatial qualities for Low Density Residential Zone at Adventure Bay. (Source: Kingborough Council)	32

Figure 9: Bruny Island Visitor's at a glance. (Source: Tourism Tasmania)33

Figure 10: Access to Bruny Island is restricted to the movement of the ferry. (Source: Tourism Tasmania)34

Figure 11: View of Bonnet Hill from Kingston Beach. (Source: T. Henderson)37

Figure 12: Bonnet Hill spatial qualities.....38

Figure 13: Image sourced from Council's Supporting Report; however, development has occurred since the image was taken.39

Figure 14: Blowhole Road. The vacant cleared lot on the left of the image is zoned Low Density Residential and subject to the SAP, whilst the public land on the right contains established native vegetation and is proposed to be zoned Environmental Management but is not subject to the SAP. (Source: T. Henderson)40

List of tables

Table 1: Summary of Representation Themes – Level of Concern and SAP Relevance22

Table 2: Representation Themes Matrix – Summary of Issues Raised by Representors24

Table 3: Key infrastructure constraints and planning implications35

Table 4: Section 32 Compliance Assessment.....46

Table 5: Objectives of the Resource Management and Planning System of Tasmania part 155

Table 6: Objectives of the Resource Management and Planning System of Tasmania part 2.60

Table 7: Risk and Mitigation Matrix – Assessment of SAP Options.....68

Table 8: Overall Risk Assessment78

Appendices

- Appendix A – Technical issues and drafting recommendations
- Appendix B – SAP Survey Results
- Appendix C – Maps
- Appendix D – Bibliography

Prepared by – Trent Henderson		Date – 10 July 2026
Reviewed by – Colin Davis		Date – 23 July 2026
Authorised by – Trent Henderson		Date – 24 July 2026

Revision History					
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RevB	Draft for client release	TH	CD	TH	29.05.26
00	Report issued to client	TH & KH	CD & KH	TH	09.07.26
01	Report Issued to client	TH & KH	CD & KH	TH	23.07.26

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Definitions & Acronyms

Acronym / Term	Definition
BICA	Bruny Island Community Association
BIEN	Bruny Island Environment Network
Cumulative impact	The combined effect of a series of individually minor changes which, over time, may result in a significant planning, environmental or infrastructure outcome
Development intensity	The scale, density or extent of use and development occurring on a site or within an area
Direction 78	Direction issued by the Tasmanian Planning Commission requiring further review and justification of aspects of the Kingborough Local Provisions Schedule
EPBC	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth)
FONB	Friends of North Bruny
Infrastructure Capacity	The ability of physical infrastructure and services, including wastewater, roads, transport and utilities, to accommodate additional development
KINS6.0	Bruny Island Specific Area Plan
KINS7.0	Blackmans Bay Bluff and Bonnet Hill Specific Area Plan
KIPS 2015	Kingborough Interim Planning Scheme 2015
Landscape sensitivity	The degree to which a landscape is susceptible to change arising from use or development without adverse impacts on its character or visual qualities
LIST	Land Information System Tasmania
Local Area Objective	A statement within a Local Provisions Schedule identifying planning outcomes sought for a particular locality
LPS	Local Provisions Schedule
LUPAA	<i>Land Use Planning and Approvals Act 1993</i>
Natural Assets Code	State Planning Code addressing biodiversity, native vegetation, waterways, wetlands and geoconservation values
Natural Values	Environmental features including native vegetation, threatened species habitat, geoconservation values, waterways and wetlands
NVA	Natural Values Atlas - Tasmanian Government database containing records of natural values, threatened species and ecological communities
OIN	Outstanding Issues Notice - notice issued by the Tasmanian Planning Commission identifying matters requiring further consideration before certification of an LPS
Place-based controls	Planning provisions tailored to the specific characteristics, values and constraints of a defined location
Place-based planning	A planning approach that responds to the specific environmental, social, economic and spatial characteristics of a location
Precautionary planning	A planning approach that recognises uncertainty and seeks to avoid environmental degradation where there is a risk of serious or irreversible harm
Precinct-based approach	A planning approach that applies different provisions within identified sub-areas based on differing characteristics, constraints or planning objectives
Proportionality	The principle that planning controls should be commensurate with the planning risk they are intended to manage
RMPS	Resource Management and Planning System of Tasmania
SAP	Specific Area Plan
SETAC	South East Tasmanian Aboriginal Corporation
Spatial differentiation	The application of different planning responses to different locations based on identified characteristics, constraints or planning risks
Spatial targeting	The application of planning controls only where identified planning risks or values occur

SPPs	State Planning Provisions
Strategic merit	The degree to which a planning control is supported by evidence, strategic planning objectives and statutory requirements
STRLUS	Southern Tasmania Regional Land Use Strategy 2010–2035
TASVEG	Tasmania's statewide native vegetation mapping dataset
TPC	Tasmanian Planning Commission
TPS	Tasmanian Planning Scheme
UGB	Urban Growth Boundary
Viewshed	An area that is visible from a particular public location or viewing point
Visual sensitivity	The susceptibility of a location to changes in views or visual character arising from development
Wastewater intensification	An increase in wastewater generation resulting from additional development, increased occupancy or more intensive land use
Working landscape	Rural or agricultural land that continues to support productive activities alongside environmental and scenic values

Executive Summary

pitt&sherry has been engaged by Kingborough Council to provide an independent planning review and assessment of the Bruny Island Specific Area Plan (KINS6.0) and the Blackmans Bay Bluff and Bonnet Hill Specific Area Plan (KINS7.0). Both SAPs form part of the Local Provisions Schedule (LPS) to the Tasmanian Planning Scheme (TPS).

This report has been prepared to assist the Planning Authority in responding to Direction 78 of the Tasmanian Planning Commission and the associated Outstanding Issues Notice (OIN) issued under section 35F of the *Land Use Planning and Approvals Act 1993* (LUPAA). Direction 78 requires the Planning Authority to clarify drafting intent, address deficiencies in mapping, definitions and assessment triggers, and demonstrate that the SAPs operate transparently, proportionately and consistently with the structure and purpose of the TPS.

The review considers whether each SAP remains justified, whether the provisions are sufficiently clear and workable in practice, and whether the controls operate proportionately in response to the planning risks identified. It also considers statutory representations, additional engagement and survey material, not as determinative of the planning outcome, but as relevant evidence of how the SAPs are understood, interpreted and likely to operate in practice.

Key findings

The assessment supports the continued use of SAPs as a planning mechanism where local controls are supported by evidence and proportionate to the planning risk being managed. However, the findings are not uniform across all SAP areas.

Bruny Island SAP

The Bruny Island SAP is supported in principle, subject to refinement. The review identifies a clear and continuing need for local controls due to the interaction of environmental sensitivity, dispersed settlement, infrastructure limitations, wastewater constraints, landscape exposure and cumulative development pressure. These matters are not adequately managed through the SPPs alone.

The SAP should not proceed in its current form. Refinement is required to improve spatial targeting, mapping transparency, drafting clarity, assessment triggers and proportionality. In particular, the controls should be more clearly linked to the specific risks they are intended to manage, recognising that the SAP applies across different settlements, zones and landscape contexts.

Bonnet Hill SAP

The Bonnet Hill component of KINS7.0 is also supported in principle, subject to refinement. The area has identifiable landscape and environmental characteristics, including visual prominence, vegetation values, established low-density settlement patterns and potential pressure for further development intensity.

The review finds that a SAP remains capable of justification for Bonnet Hill because standard zone and code provisions do not provide the same level of localised response to landscape sensitivity, vegetation retention and built form outcomes. Refinement is required to improve mapping transparency, clarify assessment triggers and ensure that controls are closely aligned with the values and risks identified.

Blackmans Bay Bluff SAP

The Blackmans Bay Bluff component of KINS7.0 is not supported in its current extent and form. While parts of the area may warrant further planning consideration, particularly in relation to landscape sensitivity, vegetation retention, built form and development intensity, the evidence presently available does not demonstrate that the SAP as currently drafted and mapped is necessary, proportionate or sufficiently linked to the planning risks relied upon in support of the controls.

If additional controls are to continue for Blackmans Bay Bluff, they should be narrowed to matters and locations that are clearly justified by evidence, or supported by further technical and strategic work. Alternatively, Council should reconsider whether Blackmans Bay Bluff should remain within KINS7.0.

Consultation and representations

The review has considered statutory representations, additional engagement and survey material. These inputs have been used to identify recurring themes, test how the SAPs are understood, and assess whether the issues raised point to planning, drafting or implementation matters requiring refinement.

Community feedback, representations and survey findings informed the assessment undertaken in this report. The below report provides a summary of the key issues raised during consultation and the corresponding assessment response, while Appendix B contains the supporting survey data and respondent feedback. Collectively, these appendices provide the consultation evidence base for the review and demonstrate how community engagement has informed the assessment, findings, recommendations and preferred planning approach contained within this report.

Key themes raised through consultation include:

- uncertainty about how SAP provisions interact with underlying zones and the SPPs
- concern about the breadth and proportionality of controls
- concern regarding mapping accuracy, methodology and evidentiary basis
- uncertainty regarding definitions and assessment triggers
- concern about vegetation management, landscape character and built form outcomes; and
- concern about wastewater, infrastructure capacity and cumulative impacts.

The report distinguishes between matters that properly inform the assessment of SAP provisions and matters more appropriately addressed through broader strategic planning, zoning review, service delivery, communication or implementation processes.

Options assessment

The review considers four options for the future role and form of the SAPs:

1. no SAP;
2. narrow retention of SAP provisions;
3. refinement and restructuring of SAP provisions; and
4. alternative zoning or broader strategic planning approaches.

Each option has been assessed against statutory risk, planning effectiveness, proportionality, implementation and administration, and community confidence.

The assessment finds that removing the SAPs would simplify the planning framework, but would re-expose known gaps in the operation of standard zone and code provisions, particularly for Bruny Island and Bonnet Hill. A narrowly retained SAP may reduce some concerns regarding proportionality but is unlikely to provide a durable response unless supported by clear spatial logic, transparent mapping and a defensible explanation of what controls remain and why.

Alternative zoning or strategic planning may assist in the longer term, particularly where broader questions of settlement pattern, infrastructure capacity or environmental thresholds require further consideration. However, this option is not a complete short-term substitute for SAP refinement, particularly for Bruny Island and Bonnet Hill, where place-based controls remain justified.

Preferred pathway

The preferred pathway differs by SAP area.

For Bruny Island, the preferred pathway is retention and targeted refinement of the SAP. The SAP should be refined to better distinguish between settlement areas, infrastructure constraints, environmental values, landscape sensitivities and locations where standard provisions may be sufficient.

For Bonnet Hill, the preferred pathway is retention and targeted refinement of the SAP. Refinement should focus on mapping transparency, assessment triggers, vegetation and landscape controls, and the relationship between built form, visual sensitivity and development intensity.

For Blackmans Bay Bluff, the preferred pathway is conditional. The SAP should only continue if it is substantially narrowed to clearly justified matters and locations, or if further evidence is provided to demonstrate that additional controls remain necessary and proportionate. In the absence of that further work, reconsideration of its inclusion within KINS7.0 is warranted.

Overall, the refined and restructured SAP pathway provides the most defensible and durable outcome for Bruny Island and Bonnet Hill. It retains local controls where they are justified, addresses deficiencies in drafting and implementation, and improves the transparency and workability of the planning framework. For Blackmans Bay Bluff, the report does not support retention of the current SAP in its present extent and form.

Certification outcome

Subject to the refinements and statutory corrections identified in this report, the Bruny Island SAP and the Bonnet Hill component of KINS7.0 are capable of supporting certification of the LPS.

The Blackmans Bay Bluff component is not supported in its current extent and form. It should either be narrowed to evidence-based controls, supported by further technical and strategic work, or reconsidered as part of the final SAP package.

This approach provides a clear and defensible pathway for the Planning Authority. It retains local controls where they are justified, improves the clarity and proportionality of SAP provisions, responds to legitimate issues raised through consultation and review, and avoids extending SAP controls where the current evidence does not support their continued application.

1. Introduction

pitt&sherry has been engaged by Kingborough Council to provide an independent planning review and assessment of the draft Bruny Island Specific Area Plan (KINS6.0) and the Blackmans Bay Bluff & Bonnet Hill Specific Area Plan (KINS7.0), which form part of the draft Local Provisions Schedule (LPS) to the Tasmanian Planning Scheme (TPS).

Both Specific Area Plans (or SAPs) have been the subject of extensive community interest, statutory representations and scrutiny through the assessment of the draft LPS. Key issues raised during exhibition and subsequent review include the justification for place-based controls, the proportionality of the provisions, the relationship between the SAPs and the State Planning Provisions (known as SPPs), the transparency of mapping methodologies, and the practical operation of the controls in the assessment of use and development. These matters have informed both the Tasmanian Planning Commission's review of the draft LPS and the Planning Authority's subsequent consideration of the SAP framework.

This report has been prepared in response to *Direction 78* of the Tasmanian Planning Commission and the associated OIN issued under section 35F of LUPAA. It provides an independent assessment of the SAPs, including advice and recommendations regarding their strategic justification, statutory defensibility, operational performance and long-term workability, having regard to amendments proposed by the Planning Authority.

Direction 78 requires the Planning Authority to clarify drafting intent, address deficiencies in mapping, definitions and assessment triggers, and demonstrate that the SAPs operate transparently, proportionately and consistently with the structure and purpose of the TPS. The Direction also requires a clear explanation of why local variations to the SPPs are necessary, and whether the SAPs remain the most appropriate planning mechanism for addressing the issues identified within each area.

In response, this report examines the strategic merit of each SAP, the planning issues the controls are intended to address, the relationship between the SAPs and the broader planning framework, and the extent to which the provisions satisfy the statutory requirements applying to local planning controls. The review also considers the issues and themes arising from representations and consultation, assesses alternative planning responses, and identifies a preferred pathway for each SAP area.

The assessment recognises that the circumstances of Bruny Island, Bonnet Hill and Blackmans Bay Bluff are not identical and do not necessarily warrant the same planning outcome. Accordingly, the report evaluates each area on its own merits and distinguishes between locations where a refined SAP remains justified and locations where further evidence, refinement or reconsideration may be required before certification can be supported.

2. Purpose, Scope, & Methodology

2.1 Purpose of Report

As part of Direction 78 dated 16 October 2025, the Tasmanian Planning Commission (TPC) requested Kingborough Council to undertake a comprehensive review of the Bruny Island SAP (KINS6.0), Blackmans Bay Bluff SAP (KINS7.0) and Bonnet Hill SAP (KINS7.0). The review was requested in response to concerns relating to the strategic justification, drafting, mapping, clarity, proportionality and practical operation of the SAP provisions, together with questions regarding their relationship with the broader Tasmanian Planning Scheme (TPS) framework.

This report does not seek to replicate Council's Section 35F Report on Representations dated 23 July 2025, nor does it repeat the background analysis and supporting material contained within Council's Supporting Report prepared in support of the draft LPS. Rather, it provides an independent planning assessment of whether the SAPs remain justified, whether the provisions are appropriately targeted to the planning issues they seek to address, and whether they are capable of operating as clear, proportionate and defensible planning instruments.

The purpose of the review is not to revisit the history of the LPS process or to re-argue individual viewpoints expressed during exhibition. Instead, the review examines whether the SAPs remain the most appropriate planning mechanism having regard to the evidence available, the issues raised through representations, the requirements of LUPAA, the structure and intent of the TPS, and the practical operation of the provisions in the assessment of use and development.

In undertaking this assessment, the report recognises that the three SAP areas are not identical in their environmental, landscape, infrastructure or settlement characteristics and therefore should not necessarily result in the same planning outcome. The review accordingly evaluates each SAP area on its own merits and considers whether retention, refinement, narrowing or alternative planning responses provide the most appropriate pathway forward.

The outcome is intended to assist the Planning Authority and the TPC by providing a transparent, evidence-based assessment of the strategic merit, statutory defensibility and long-term workability of the SAP provisions, together with recommendations regarding the form in which they should proceed, if at all, as part of the final LPS.

In responding to Direction 78, this review focuses on three core questions:

- whether the strategic justification for each SAP remains sound having regard to the SPPs and section 32 of the *Land Use Planning and Approvals Act 1993*
- whether the SAPs are drafted with sufficient clarity, transparency, and internal consistency to enable predictable decision-making; and
- whether the provisions operate proportionately in response to identified planning risks, without duplicating or undermining the broader planning framework.

The assessment therefore examines the SAPs as implementation tools, rather than as expressions of policy intent alone. It considers how the provisions function in practice, how they interact with underlying zones and codes, and whether there is sufficient justification to retain, refine, narrow or discontinue the SAPs, having regard to their strategic merit, statutory basis and practical operation. This approach ensures that the review remains focused on statutory defensibility, workability and long-term effectiveness, consistent with the matters raised by the Tasmanian Planning Commission.

The objective of this Planning Report is to review and bring together four core tasks:

- Summarising and evaluating all public and stakeholder representations received on the SAPs
- Assessing the strategic merit and statutory consistency of each SAP against the TPS, the requirements of LUPAA s34(2), and the justification tests for varying the SPP under s32(4)
- Identifying the implications for underlying zoning and assessment pathways should the SAP not proceed
- Developing clear, justified, and actionable recommendations regarding the retention, amendment, or removal of SAP provisions.

This review examines the SAPs line-by-line to determine whether they satisfy those expectations and has reviewed additional community feedback to identify specific amendments required to ensure statutory defensibility, clarity and consistent interpretation, having regard to formal representations submitted and informal community feedback that formed part of this review process.

The assessment is undertaken within the framework of the Tasmanian Planning Scheme and the requirements applying to SAPs. To assist the reader, Chapter 3 explains the purpose, operation and limitations of SAPs, and provides background to the development of KINS6.0 and KINS7.0 before the detailed assessment commences.

2.1.1 Scope of Area

The scope of this review focuses on two SAPs that cover three locations: Bruny Island (KINS6.0) and the Blackmans Bay Bluff (KINS7.0) and Bonnet Hill (KINS7.0). The subject areas are defined by the following maps, overpage:

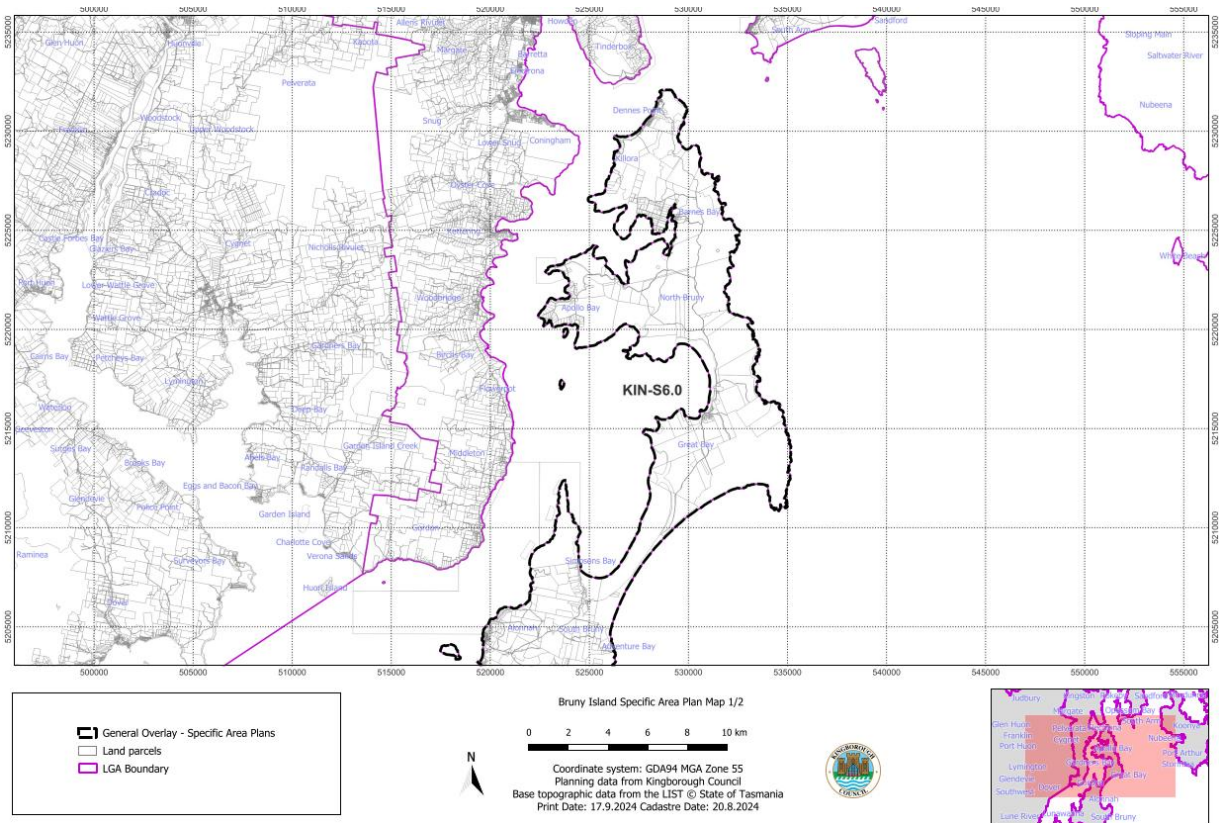


Figure 1: Bruny Island Specific Area Plan (KINS6.0) Map 1 of 2.

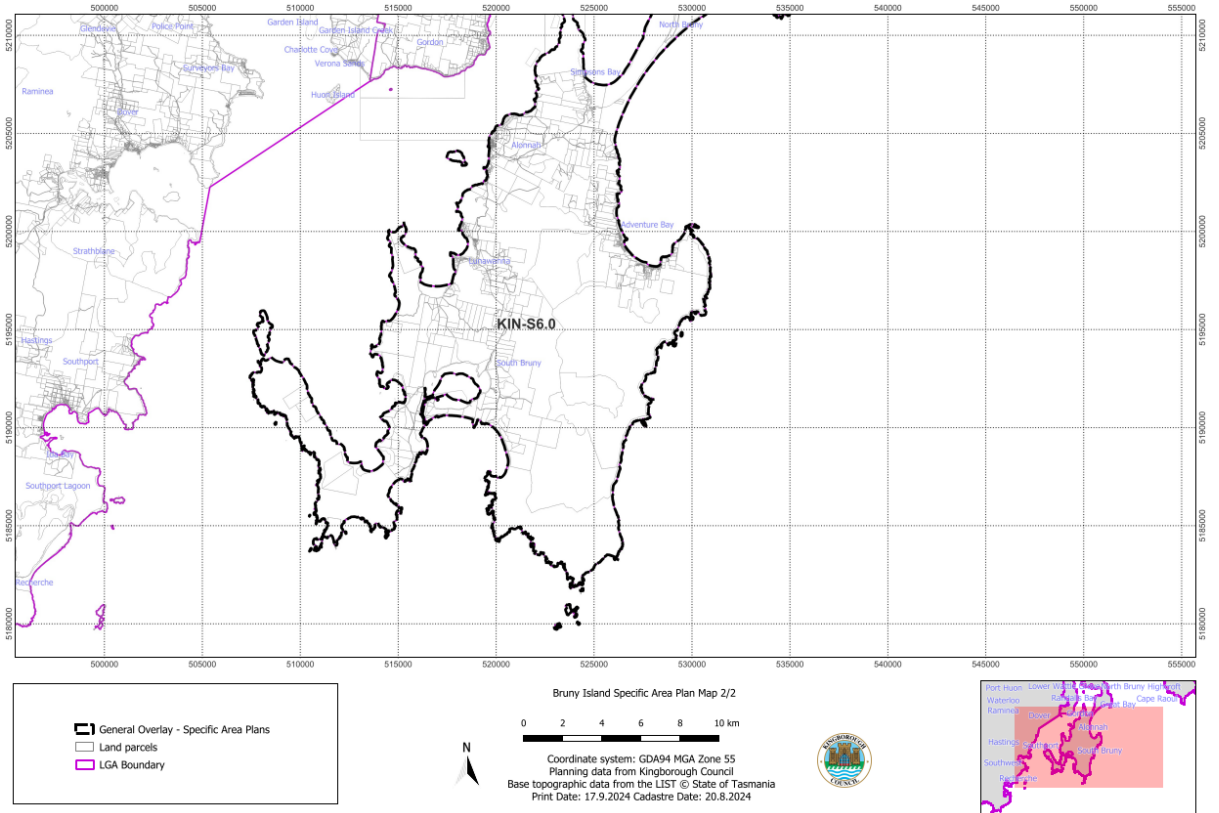


Figure 2: Bruny Island Specific Area Plan (KINS6.0) Map 2 of 2.

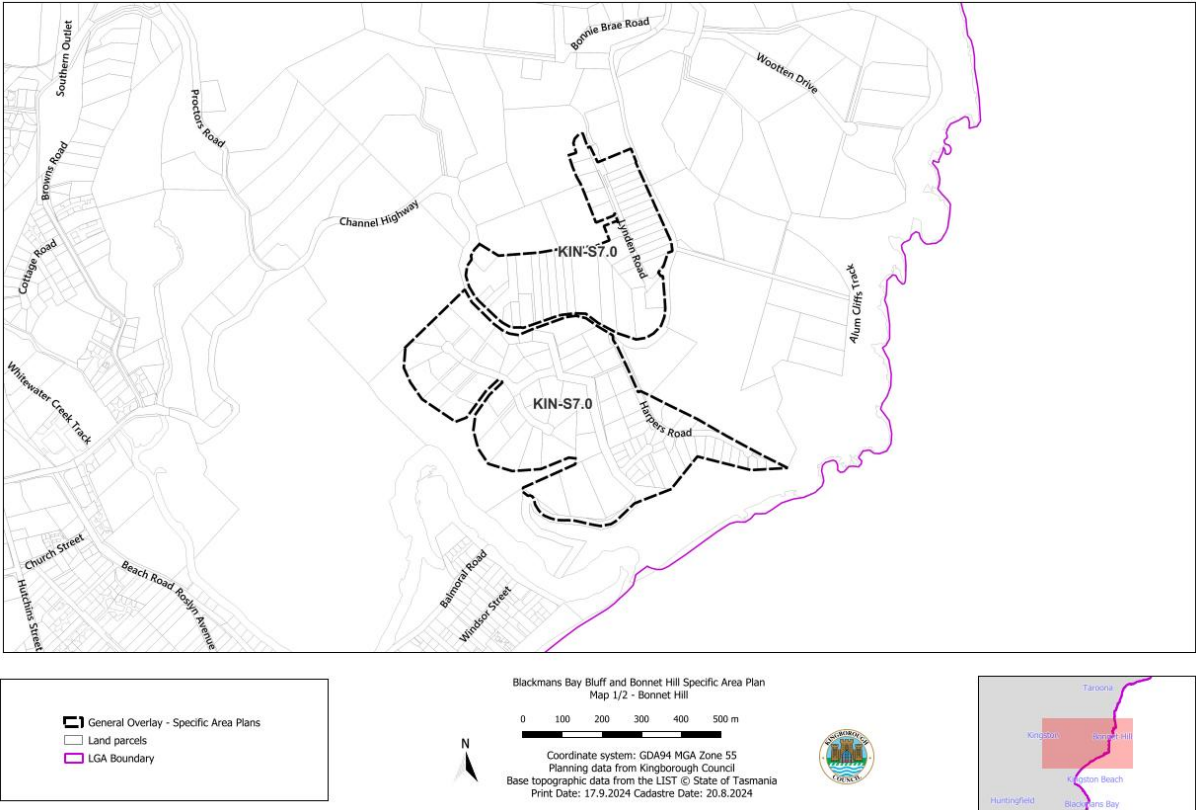


Figure 3: Blackmans Bay Bluff & Bonnet Hill Specific Area Plan (KINS7.0) Map 1 of 2.

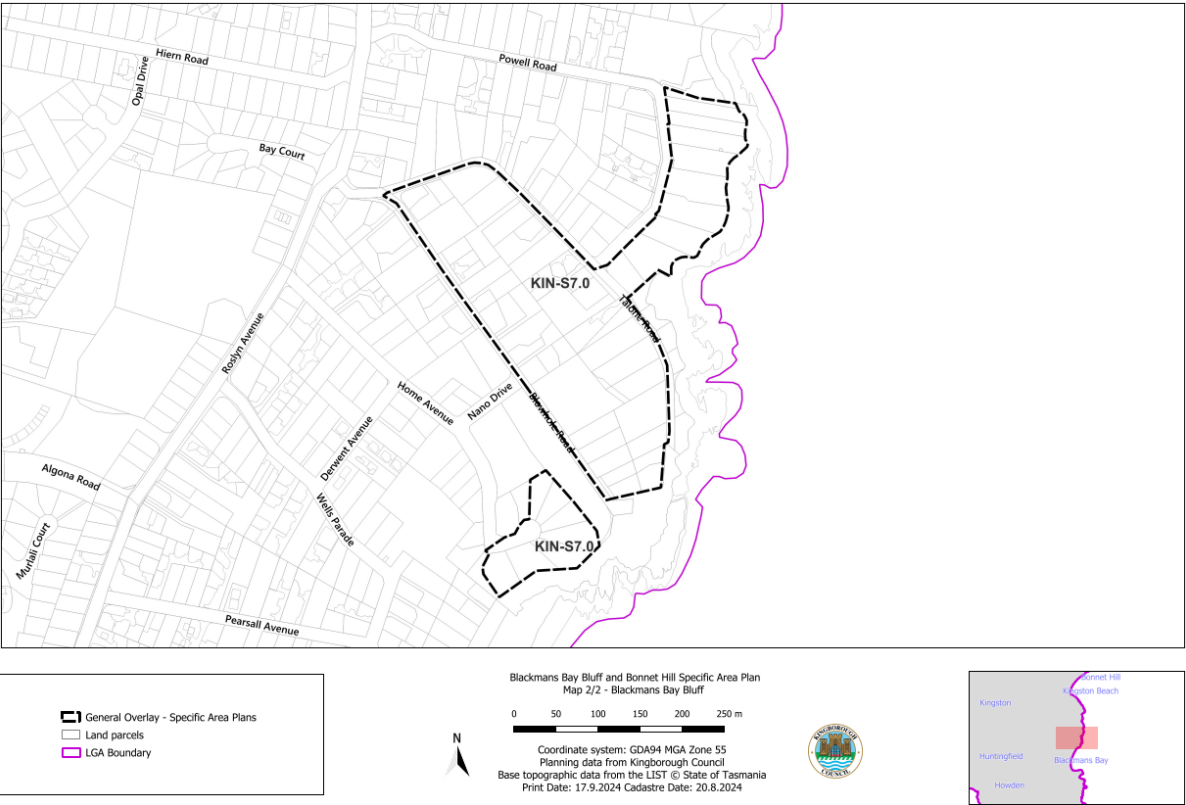


Figure 4: Blackmans Bay Bluff & Bonnet Hill Specific Area Plan (KINS7.0) Map 2 of 2.

2.2 Review Methodology

Clause LP1.5 of the SPPs sets out the requirements for structuring and drafting SAPs within a Local Provisions Schedule. Those requirements form the basis of this review, including consideration of how provisions are expressed, organised and integrated with the broader planning scheme

The scope of review extends beyond a clause-by-clause critique. It examines whether the SAPs, as drafted, operate lawfully, transparently, and proportionately as implementation instruments, having regard to their interaction with underlying zones, SPPs, mapping frameworks, and incorporated documents.

In undertaking this review, the following materials were examined by pitt&sherry:

- The draft Kingborough LPS (including SAP text, maps and overlays as exhibited)
- Post lodgement materials from TPC
- Relevant sections of the TPS, including the SPPs and clause LP1.5
- Public and stakeholder representations received during exhibition
- Council's section 35F report and accompanying correspondence to the Tasmanian Planning Commission
- Directions, notices, and guidance issued by the Tasmanian Planning Commission, including Direction 78
- Additional consultation and summaries
- Supporting technical material referenced by the SAPs (including mapping outputs, background reports, and policy documents where available); and
- Comparative examples of contemporary SAPs and place-based planning tools in Tasmania.

A bibliography of documents reviewed as part of this Report can be found within Appendix D. Focus was on all documents associated with developing both the Bruny Island SAP (KINS6.0) and the Blackmans Bay Bluff & Bonnet Hill SAP (KINS7.0), in addition to information that provided guidance or influence on the underlying zone within the areas.

Representations received during the formal public notice period have been reviewed in conjunction with Council's section 35F Report, subsequently grouped into themes reflecting recurring concerns across multiple submissions. Without repeating Council's 35F Report, a thematic approach allowed for the assessment to distinguish, in a transparent and defensible way, between:

- matters that warrant modification of SAP provisions
- matters arising from misunderstanding or lack of accessible explanatory material
- matters relating to zoning outcomes or broader strategic planning settings rather than the SAPs themselves; and
- matters that sit outside the SAP process but nevertheless require clarification for procedural transparency.

The subsections identify each theme, summarise the concerns raised, evaluate their planning relevance within the statutory framework, and outline recommended responses or amendments where appropriate.

Meetings were held with the key community groups within each SAP area who agreed to take part, being:

- Bruny Island Community Association (BICA)
- Friends of North Bruny (FONB)
- Bruny Island Environment Network (BIEN)
- Weetapoon / Murrayfield Station / Southeast Tasmanian Aboriginal Corporation (SETAC); and
- Bonnet Hill Residents Group.

Additionally, a questionnaire was distributed to landowners in the SAP areas to better understand their relationship to the land and their understanding of the intended purpose and operation of the SAPs. The questionnaire recognised

community members as having local knowledge and insight into the character, values, and constraints of their area, and was used to inform the review by identifying common themes and sources of concern.

The survey sought to clarify community views on what, if anything, makes the SAP areas distinctive, the nature of concerns associated with the SAP provisions, and whether respondents considered those areas to warrant a different planning approach compared to other locations subject to the Kingborough LPS. While the survey does not form part of the statutory assessment process, it provided contextual information to assist in understanding community perceptions and to inform recommendations relating to clarity, transparency, and implementation.

3. Function of SAPs explained

This section explains the statutory role and intended function of SAPs within the TPS. It provides a clear foundation for the assessment that follows by outlining what SAPs are designed to do, how they operate in relation to underlying zones and codes, and the limits of their role as place-based planning tools. The Tasmanian Planning Scheme establishes a consistent statewide planning framework through the SPPs, while allowing local variation through the LPS where this is justified by local circumstances. SAPs are one of the mechanisms available to provide place-based planning controls where standard zone and code provisions are not sufficient to address identified environmental, landscape, settlement or infrastructure issues. Their role is to operate alongside the underlying zoning framework by providing targeted controls that respond to the characteristics of a particular location.

3.1 How a SAP Works

SAPs are not a new planning mechanism. They were used under interim planning schemes and continue to provide a means of addressing local character, environmental values and place-specific issues that may not be fully managed through statewide standards alone.

For context, other southern metropolitan councils (Hobart, Glenorchy, Brighton and Clarence) have between 10 and 21 SAPs within their current Local Provisions Schedules (LPS), while Kingborough is proposing nine SAPs (with five to be carried over from KIPS 2015).

The purpose and scope of SAPs across Tasmania are highly varied. Examples include application to airport precincts, arts and cultural precincts, entire suburbs and coastal areas with purposes such as infrastructure and density management, character and amenity controls, coastal and natural values protection.

The SAP under the TPS is a statutory mechanism that applies customised planning provisions to a defined geographic area. Standards within the SAP are dovetailed with other standards that apply to the underlying zone or code provisions; either replacing or additional, dependent on the local needs.

The TPS sets out the operation of SAPs pursuant to clause 5.3 of the Scheme, which states:

- 5.3.1 *Each Local Provisions Schedule is permitted to include a SAP that is in addition to, modifies, or is in substitution for, a provision in a zone Use Table or a use or development standard in a zone or code.*
- 5.3.2 *The requirements and structure for SAPs in the Local Provisions Schedules are set out in clause LP1.0 and Appendix A.*
- 5.3.3 *... a specific area plan is not permitted to override the administration provisions in clauses 3.0 – 6.0 or general provisions in clause 7.0.*

Therefore, under clause 5.3.1 standards within SAPs can either:

- be in addition to other standards within the zone or codes,
- modify or alter a standard within the zone or codes, or
- substitute or replace a standard within the zone or codes.

In this context, the SAP clause may apply to a matter that is applicable to several zones within an area and can be used to tweak provisions of codes to be more applicable to a particular area.

It is also important to flag that the SAP does not override the administrative provisions of the TPS as cited in clause 5.3.3 of the Scheme. As such, matters relating to the following are not superseded by SAP:

- Interpretation Cl.3.0,
- Exemptions Cl.4.0,
- Scheme Operation Cl.5.0,
- Assessment of an Application Cl.6.0, and
- Matters that fall within General Provisions Cl.7.0,

Therefore, SAPs follow the TPS convention and operation, and whilst providing governance of local matters, they do not introduce a new approach on how an application is assessed against the standards.

The use of SAPs reflects a consistent planning issue: standard zoning and code provisions do not always respond well to local conditions that are more complex, more sensitive, or more constrained than typical locations. In these situations, a more tailored approach is required.

The intent of the SAPs is therefore not to introduce unnecessary restrictions but to provide a framework that is:

- more transparent, by clearly identifying where and why controls apply
- more consistent, by reducing reliance on case-by-case judgement
- more proportionate, by focusing regulation on areas where risk or sensitivity is demonstrably higher

A Specific Area Plan is a mechanism within the Tasmanian Planning Scheme that enables place-based planning provisions to be applied where local circumstances warrant a planning response beyond, or different to, the standard provisions of the scheme. To operate effectively, a SAP should:

- have a clear and well-defined purpose;
- demonstrate logical alignment with the broader planning scheme;
- be proportionate and reasonable in relation to the planning issues it seeks to address;
- be drafted in a manner that supports the clear interpretation and consistent application of its provisions; and
- remain focused and specific in its purpose and application, avoiding unnecessary complexity or duplication.

The purpose of this review is to ensure that SAP provisions remain focused, targeted, justified and capable of being applied fairly and consistently over time.

3.2 Requirements of a SAP

The preparation of a SAP must be consistent with the requirements for a LPS under LUPAA and the structure and operation of the Tasmanian Planning Scheme (TPS). In addition to complying with the relevant provisions of sections 32 and 34 of LUPAA, a SAP must satisfy the statutory justification for varying, supplementing or modifying the SPPs. Section 32(4) provides that this may occur where the SAP delivers a significant social, economic or environmental benefit, or where the area of land exhibits particular environmental, economic, social or spatial qualities that require provisions unique to that area to apply in substitution for, in addition to, or as a modification of the SPPs.

Accordingly, the existence of SAP is not justified simply because an area is distinctive; rather, there must be a clear and demonstrable relationship between the characteristics of the land and the need for localised planning provisions that cannot be adequately addressed through the standard provisions of the TPS.

In addition, clause 5.3.2 of the TPS requires SAPs to be structured in accordance with clause LP1.5 and Appendix A of the SPPs. Clause LP1.5.1A specifies the minimum content and structure of SAP and establishes the framework within which local provisions may be prepared and applied:

- (a) *Plan Purpose; and*
 - (b) *Application, as well as at least one other sub-clause, excluding local area objectives, definition of terms or tables.*
- LP1.5.2 - The provisions of a specific area plan must include each of the headings shown in Appendix A followed by either the substance of the provision, or the words "This sub-clause is not used in this specific area plan", as the case may be.*
- LP1.5.3 - Any defined terms within a specific area plan must be additional to those set out in clause 3.0 and must not change the meaning of an existing defined term.*
- LP1.5.4 - If a specific area plan is included in a LPS it must be shown on an overlay map identifying the area of the specific area plan.*
- LP1.5.5A - specific area plan may include two or more areas, such as precincts, within the area of the specific area plan. A specific area plan with two or more areas may include:*
- (a) additional subclauses to identify the application of the specific area plan to the different areas; and*
 - (b) separate local area objectives, use tables, and use and development standards to reflect the different areas within the area of the specific area plan.*

A SAP must clearly state the planning purpose for applying local provisions and demonstrate the relationship between the characteristics of the land and the need for provisions that add to, modify or substitute the standard TPS provisions.

Clause LP1.5.5A enables a SAP to include two or more areas or precincts within the broader SAP area for example, Bonnet Hill and Blackmans Bay Bluff are two different precincts within the same SAP. Therefore, the provision of SAPs is justified where there is unmistakable evidence that:

- local environmental, landscape, servicing, hazard, or character sensitivities are not sufficiently addressed by generic zone or code standards;
- cumulative impacts pose a material planning risk that cannot be managed through standard discretionary assessment alone; and
- additional local calibration is required to deliver predictable, place-responsive outcomes.

3.3 Limits of a SAP and Matters Beyond Their Scope

SAPs are not intended to resolve all land use, infrastructure or growth management issues affecting an area. Rather, they provide targeted planning provisions where local circumstances are not adequately addressed by the standard provisions of the Tasmanian Planning Scheme. Where a clear and ongoing planning need exists, SAPs can provide a mechanism for addressing specific environmental, landscape, settlement or infrastructure issues through place-based controls that are proportionate, justified and responsive to local conditions.

They are also not used as a substitute for zoning or to address matters more appropriately resolved through strategic planning or rezoning. Rather, they provide a mechanism to refine the application of planning controls within the existing zoning framework where standard provisions are not capable of responding to localised constraints.

In particular, SAPs are not intended to:

- substitute for broader strategic planning processes, such as regional strategies, structure planning, or growth management frameworks
- correct or override underlying zoning decisions where those decisions reflect broader strategic outcomes
- regulate matters that are already comprehensively addressed through SPPs, codes, or other statutory regimes; or
- resolve infrastructure provision, service funding or capacity issues that sit outside the planning scheme's regulatory function.

Where consultation identifies issues that fall outside the intended scope of a SAP, including zoning, infrastructure provision, service delivery or broader policy matters, those issues are more appropriately addressed through separate planning processes or Council programs.

Clarifying the limits of SAPs is critical to maintaining proportionality and statutory coherence. It ensures that SAP provisions remain focused, targeted, and defensible, and do not assume responsibility for issues that cannot be effectively or lawfully managed through place-based planning controls alone.

3.4 Kingborough draft LPS & SAPs Background

Kingborough Council's draft LPS was initially prepared in 2019 as part of the transition to the TPS and publicly exhibited in 2020. That version of the LPS included several SAPs, comprising:

- SAPs carried forward from the Kingborough Interim Planning Scheme 2015 (KIPS 2015); and
- new SAPs introduced to address locations identified as having distinct environmental, landscape or settlement characteristics not adequately managed by standard provisions.

Early SAPs applied to several locations, including Blackmans Bay Bluff, Dennes Point, Conningham, Lower Snug and Kettering. Following lodgement of the draft LPS, the Tasmanian Planning Commission raised concerns regarding the breadth, justification and proportionality of several SAPs and requested that Council reconsider the overall approach to place-based controls. Subsequent engagement with the Commission resulted in a more targeted SAP framework, focused on locations where the need for localised controls could be clearly demonstrated and where SAPs represented a preferable alternative to broader rezoning or overlay approaches.

3.5 Emergence of the Bruny Island SAP

The Bruny Island SAP emerged through post-lodgement refinement of the LPS in response to concerns regarding the operation of standard planning provisions across Bruny Island and the suitability of the Agricultural Zone and Low Density Residential Zone in managing the island's distinctive planning challenges. The evolution of the SAP was influenced by the Tasmanian Planning Commission's assessment of the draft LPS and subsequent discussions regarding the appropriateness of place-based controls within the Tasmanian Planning Scheme.

Earlier iterations of the LPS proposed SAP provisions focused principally on Dennes Point. During the assessment process, questions were raised regarding whether the planning issues identified within Dennes Point, including environmental sensitivity, infrastructure limitations, settlement pattern and cumulative development pressure, were unique to that locality or reflected broader characteristics present across other parts of Bruny Island. This resulted in further investigation of the Island's settlement structure, environmental values and servicing constraints.

In response, Council adopted a broader island-wide approach that sought to provide a more consistent framework for managing identified planning risks across multiple settlements and zones. The resulting SAP was intended to address matters that were not considered to be adequately managed through the SPPs alone, including cumulative wastewater impacts, vegetation management, landscape sensitivity and the interaction between development intensity and infrastructure capacity.

The progression from a Dennes Point-focused SAP to the current Bruny Island SAP reflects a shift from addressing a single locality to addressing planning issues considered to occur across multiple parts of the island. The SAP therefore evolved as a response to the combined influence of environmental, infrastructure, settlement and landscape considerations, rather than as a direct consequence of zoning alone.

The evolution of the SAP also reflects increasing recognition that the issues identified through assessment of the draft LPS were not confined to Dennes Point. Environmental sensitivity, wastewater constraints, dispersed settlement patterns and infrastructure limitations were evident across multiple Bruny Island settlements. As a consequence, the planning response evolved from a locality-specific approach to a broader framework intended to provide a consistent response to recurring planning issues across the island.

3.6 Evolution of the Blackmans Bay Bluff & Bonnet Hill SAP

The Blackmans Bay Bluff SAP has its origins in community-initiated planning work undertaken under earlier planning schemes, including neighbourhood character studies and local area objectives aimed at protecting the area's established low-density character, landscape setting and visual amenity. These studies formed part of the evidentiary basis for the place-based controls subsequently proposed through the Local Provisions Schedule.

In the 2020 draft LPS, parts of Bonnet Hill were initially proposed within the Landscape Conservation Zone. During the post-lodgement assessment process, concerns were raised regarding the interaction between the proposed zoning approach and the underlying pattern of Low Density Residential development. This resulted in further refinement of the planning response and the eventual development of a combined Blackmans Bay Bluff and Bonnet Hill SAP intended to address identified landscape, vegetation and visual sensitivity issues through a place-based framework rather than broader rezoning.

The resulting SAP sought to respond to the shared environmental and landscape characteristics of the two areas whilst recognising their existing residential role. In particular, the SAP was intended to provide a mechanism for managing landscape visibility, vegetation retention and development intensity in locations considered to be environmentally sensitive or visually prominent.

The combined SAP also reflects a gradual shift from relying primarily on zoning responses toward the use of place-specific controls. This approach was intended to retain the underlying residential zoning framework while introducing targeted provisions addressing landscape exposure, vegetation retention and development intensity in locations identified as environmentally sensitive or visually prominent.

4. Consultation - Survey and Representations

Consultation has guided this review in two distinct but complementary ways, through statutory representations received during the formal public exhibition of the draft LPS; and secondly, through additional constituent engagement undertaken to better understand community concerns and perceptions relating to the SAPs.

The purpose of this chapter is not to re-argue or adjudicate individual viewpoints, but to clearly explain:

- what consultation was undertaken
- how different forms of feedback are treated within the statutory framework; and
- how consultation inputs have been used to inform, but not determine, the planning assessment that follows.

This distinction is critical to ensuring transparency, procedural fairness and defensible decision-making.

Appendix B contains the supporting survey data and respondent feedback that informed the review. Together, these appendices provide the consultation evidence base for this report and demonstrate how consultation outcomes have informed the assessment, recommendations and preferred planning approach.

4.1 Consultation Methods and Timeframes

4.1.1 Statutory Exhibition and Representations

The draft LPS, including the Bruny Island SAP (KINS6.0) and the Blackmans Bay Bluff & Bonnet Hill SAP (KINS7.0), was publicly exhibited in accordance with the requirements of the *Land Use Planning and Approvals Act 1993*. During this period, formal representations were invited and received by the Planning Authority.

As cited within the Section 35F Report by Council (Page 8), in accordance with Section 35C of LUPAA, public exhibition of the draft LPS occurred for a period of 60 days from 9 October 2024 to 9 December 2024. Notices were placed within The Hobart Mercury (8 October 2024 & 22 October 2024), with copies available online and in hard copy form at Council's Civic Centre in Kingston and Service Centre in Alonnah, Bruny Island. In addition to the statutory requirements, the Section 25F Report details additional exhibition measures (Page 8 – 9) that included social media posts, a notice in the *Chronical*, direct emails to registered parties, one-on-one meetings, small group presentations and public information sessions including at Alonnah (22 October 2024) and Adventure Bay (8 November 2024).

In accordance with the Section 35F Report, a total of 620 representations were received regarding the draft LPS, which included petitions with multiple signatories.

These statutory representations constitute the primary formal consultation mechanism under the LUPAA. They are afforded specific procedural weight, must be considered by the Planning Authority, and form part of the material before the Tasmanian Planning Commission in its assessment of the draft LPS.

4.1.2 Additional Engagement and Survey Work

In addition to statutory exhibition, Council undertook further engagement activities to assist in understanding the nature and drivers of community concern regarding the SAPs. This included targeted engagement with community groups and the distribution of a questionnaire survey to residents within the SAP areas.

This additional engagement was undertaken to:

- clarify areas of misunderstanding regarding the operation of SAPs
- better understand the values and attributes that communities associate with their local areas; and
- identify recurring themes that may warrant clarification, refinement, or better explanation within the planning framework.

While informative, this material does not have statutory status and is not a substitute for formal representations.

4.2 Statutory Representations versus Other Feedback

It is important to distinguish between statutory representations and other forms of feedback, as each plays a different role in the planning process.

Statutory Representations:

- Are made during the formal exhibition period
- Must be considered under the LUPAA
- Can directly inform assessment of strategic merit, statutory compliance, and drafting adequacy; and
- Are addressed through formal response mechanisms, including section 35F reporting.

Other Feedback (including surveys and meetings):

- Is not part of the statutory assessment process
- Does not carry determinative weight
- Provides contextual insight into community values, expectations, and concerns; and
- Is used to assist interpretation of issues raised, rather than to determine outcomes.

This review has treated statutory representations as the primary evidentiary input for assessment purposes, while using other feedback to provide contextual understanding and to inform recommendations relating to clarity, transparency, and implementation.

4.3 Overview of Consultation Outcomes

Consultation across both SAP areas revealed a high level of community interest and engagement, reflecting the sensitivity of the planning issues involved. While the content and emphasis of feedback varied between locations, several recurring themes were evident.

At a high level, consultation highlighted:

- strong concern regarding perceived over-reach or lack of proportionality of SAP controls
- uncertainty or misunderstanding about how SAP provisions interact with underlying zoning and SPPs
- concern about vegetation management, landscape character, and cumulative impacts of development; and
- apprehension regarding infrastructure capacity, particularly wastewater management in constrained environments.

Importantly, consultation also revealed that many concerns were not directed at the *existence* of planning controls per se, but at their clarity, justification, and perceived fairness of application.

4.4 Analysis of Representations

To enable a structured, transparent, and proportionate assessment of representations, statutory submissions were grouped into thematic categories reflecting recurring issues rather than individual viewpoints. This thematic approach supports a clearer understanding of the matters raised during exhibition and allows the review to:

- identify where concerns point to genuine planning, drafting, or implementation issues
- distinguish those matters and issues arising from misunderstanding of the planning framework or the role of SAPs; and
- respond consistently to similar issues raised across multiple submissions.

A summary of the key themes identified through this process is provided in Table 1, which presents a high-level overview of representation themes, their relative level of concern, and the SAP to which they relate. The table performs an important prioritisation and navigation function by highlighting where concerns were most consistently and prominently raised across the representation set as a whole. To assist in synthesising the issues raised, themes have been categorised according to their overall level of concern (High, Medium, or Low). This categorisation reflects the prevalence, consistency, and prominence of themes across representations, rather than the merits or planning validity of individual submissions.

The classification of themes does not determine statutory weight or planning merit. Those matters are considered separately through detailed analysis in the subsequent sections of this report, commencing at Section 4.6.

The level of concern assigned to each theme is based on the following considerations:

- A theme is classified as *High level of concern* where it:
 - was raised repeatedly across many representations; and/or
 - was raised by multiple representors independently of one another; and/or
 - featured prominently in submissions from professional advisors, community organisations, or organised groups; and/or
 - was identified as a central issue underpinning broader dissatisfaction with the SAPs.

High concern themes typically relate to process, clarity, proportionality, statutory justification, or fundamental operation of the SAPs, rather than to isolated site-specific matters.

A theme is classified as *medium level of concern* where it:

- was raised consistently, but generally in conjunction with broader issues rather than as a stand-alone concern; and/or
- was raised by a more limited subset of representors or was location-specific; and/or
- reflected legitimate planning considerations but did not dominate the overall body of representations.

Medium-concern themes often relate to how controls operate in practice, rather than to whether the SAPs should exist or how they are structured.

- A theme is classified as *Low level of concern* where it:
 - was raised infrequently; and/or
 - primarily reflected individual circumstances or personal impacts; and/or
 - did not typically carry significant weight in statutory planning assessment unless linked to broader drafting or mapping issues.

Low-concern themes are acknowledged as valid matters for representors to raise but were not a dominant feature of the representation set as a whole.

Table 1: Summary of Representation Themes – Level of Concern and SAP Relevance

Representation theme	Level of concern	Relevant SAP(s)
Consultation adequacy and accessibility	High	All SAP areas
Understanding of how SAPs interact with the Planning Scheme	High	All SAP areas
Accuracy of mapping (vegetation, natural values, overlays)	High	All SAP areas
Lack of published methodology / incorporated documents	High	All SAP areas
Scope and proportionality of SAPs (including island-wide application)	High	Bruny Island SAP
Justification for SAPs under s32(4)	High	All SAP areas
Duplication or conflict with SPPs	High	All SAP areas
Zoning alignment and consistency with zone purposes	High	All SAP areas
Vegetation protection approach	High	All SAP areas
Bushfire management conflicts	High	All SAP areas
Definitions and subjective terminology	Medium	All SAP areas
Coastal height, scenic and visual impact controls	Medium	All SAP areas
Amenity, character, and built form outcomes	Medium	Blackmans Bay Bluff & Bonnet Hill SAP
Wastewater and infrastructure triggers	Medium	All SAP areas
Tourism pressure and infrastructure capacity	Medium	Bruny Island SAP
Property value and personal hardship	Low	All SAP areas

4.5 How Representations are Considered

Consultation does not override statutory requirements, strategic policy alignment or the need for defensible, evidence-based planning controls. The number or strength of representations on a particular issue does not, of itself, establish planning merit, nor does it displace the role of the Planning Authority or the Tasmanian Planning Commission in determining appropriate planning outcomes.

However, representations are not merely a record of community opinion. Where representations provide relevant evidence relating to planning merit, environmental impacts, infrastructure constraints, statutory compliance or the practical operation of the SAPs, those matters must be considered as part of the assessment of the issue to which they relate. Representations may therefore assist in identifying matters requiring further investigation, refinement, clarification or justification.

Consultation also provides a useful means of testing how the SAPs are understood, interpreted and likely to operate in practice. When considered alongside the statutory framework, area context and strategic objectives, consultation outcomes can identify where provisions require refinement to improve clarity, proportionality, transparency and long-term workability.

The consultation findings summarised in this chapter inform the strategic, statutory and drafting assessments that follow. Appendix B provides the issues raised during consultation and the way those matters were considered during the review. Detailed consideration of individual issues and representations is incorporated throughout the assessment chapters of this report.

4.5.1 Identification of potential defects or ambiguities

Consultation assists in identifying potential defects, ambiguities, or unintended consequences where representations consistently reveal uncertainty, confusion or inconsistent interpretation arising from SAP drafting, mapping, or assessment triggers. Where similar concerns are raised across multiple submissions, this may indicate issues with clarity, internal consistency, or practical workability, rather than disagreement with the planning intent itself.

Importantly, the identification of such issues does not presume that the concern is valid in planning terms. Rather, it signals the need for further scrutiny to determine whether the issue reflects a genuine defect requiring amendment, or whether it arises from misunderstanding of the planning framework or the role of SAPs within it.

4.5.2 Testing proportionality and clarity

Consultation outcomes also assist in testing whether the SAPs operate proportionately and transparently in practice. Where representations highlight a disconnect between stated planning intent and perceived regulatory effect, this provides an opportunity to examine whether provisions are drafted too broadly, lack sufficient spatial targeting, or rely on subjective or poorly defined concepts.

This testing is particularly relevant where concerns relate to the cumulative impact of controls, the triggering of discretionary assessment for low-impact development, or the interaction between SAP provisions and underlying zones or SPPs. In these cases, consultation helps to identify where refinement may be required to better align the regulatory response with demonstrated planning risk.

Importantly, where representations provide relevant evidence concerning the planning merit of the draft LPS, including evidence relating to environmental values, infrastructure constraints, landscape impacts, statutory justification, mapping accuracy, implementation outcomes or the operation of the SAP provisions, those matters must be properly considered as part of the assessment of the issue to which they relate. The weight given to individual representations will depend on the relevance, quality and evidentiary basis of the information provided, rather than the number of representations raising a particular concern.

4.5.3 Informing implementation and communication improvements

Consultation also informs opportunities to improve implementation, explanation, and transparency without necessitating substantive policy change. In some instances, issues raised through representations relate less to the substance of SAP controls and more to the accessibility of information, clarity of definitions, visibility of mapping methodology or availability of supporting documentation.

Where this is the case, concerns may be addressed through clearer drafting, improved mapping governance, incorporation of technical material, or supplementary explanatory guidance, rather than through alteration of planning controls themselves.

4.6 Key Representation Themes Relevant to Area Context

To support a structured and transparent assessment of representations, all statutory submissions received during exhibition were reviewed and grouped into thematic categories reflecting recurring issues, rather than individual viewpoints. This thematic approach enables patterns, areas of convergence and key points of tension to be identified across submissions and provides a clear framework for assessing the planning relevance of issues raised.

Table 2 summarises the principal themes emerging from representations, identifies their relevance to each SAP, and indicates the primary planning matters to which they relate (such as mapping, drafting clarity, statutory justification, or implementation). The table is intended as a navigational and explanatory tool. It does not assess the merits of individual submissions, allocate weight, or predetermine outcomes.

Detailed evaluation of each theme, including consideration of statutory relevance, evidentiary weight and appropriate planning responses, is provided here and in the subsequent SAP-specific analysis. The table therefore serves as a consolidated reference point linking consultation outcomes to the assessment and recommendations that follow.

Table 2: Representation Themes Matrix – Summary of Issues Raised by Representors

Theme (Grouped)	SAP relevance	Primary locus (what it affects)	Summary of issues raised (neutral)	Planning lens / why it matters	Where addressed in report
Consultation adequacy & accessibility	Both (strongest Bruny)	Process / transparency	Submitters report difficulty locating or understanding SAP material, mapping, and triggers; perception that information was not accessible or “plain English”; some claim limited opportunity for meaningful engagement.	Procedural fairness and public accessibility (clarity expectations under the scheme framework). Impacts social licence and perceived legitimacy even where exhibition requirements were met.	Chapter 3, Chapter 4 and Appendix A
Understanding of scheme / SAP interaction	Both	Communication / interpretation	Confusion about how SAP provisions interact with underlying zones and SPPs (what changes, what remains, and when SAP “overrides”).	Misunderstanding can inflate conflict and create ongoing administration risk. Indicates need for clearer drafting, definitions, and explanatory material.	Chapter 3, Chapter 4 and Appendix A
Mapping accuracy (vegetation / natural values / overlays)	Both	Mapping / methodology	Claims that mapped vegetation or natural values areas do not reflect on-ground conditions; inconsistencies across lots; uncertainty about data sources and criteria; calls for audit and correction.	If mapping is inaccurate or methodology is not transparent, SAP triggers are vulnerable and difficult to administer consistently.	Chapter 5, Chapter 7.1, Chapter 8 and Appendix A
Absence of published mapping methodology / incorporated documents	Both	Governance / evidentiary basis	Submitters question reliance on technical layers or criteria that are not publicly available, not clearly incorporated, or not version-controlled.	Undermines transparency and defensibility; creates non-auditable controls.	Chapter 7.1, Chapter 8 and Appendix A
Overly broad scope / spatial targeting (esp. Bruny Island-wide)	Primarily Bruny	Spatial logic / proportionality	Objection to island-wide application; argument that Bruny contains diverse localities and risks; calls for precinct-based	Proportionality and tailoring: blanket application can weaken justification and increase perceived overreach.	Chapter 5.1, Chapter 6, Chapter 7.1 and Chapter 8

Theme (Grouped)	SAP relevance	Primary locus (what it affects)	Summary of issues raised (neutral)	Planning lens / why it matters	Where addressed in report
			application or narrower controls.		
s32(4) justification / "why SAP at all"	Both	Statutory threshold / justification	Professional and community submissions question whether SAP variations are justified (unique characteristics or significant benefit), and whether SAPs duplicate standard provisions.	Central legal and strategic test for varying SPPs; a key driver of Commission scrutiny.	Chapter 6 and Chapter 7.1
Duplication / conflict with SPP codes (policy creep)	Both	Drafting / scheme integration	Claims SAP provisions repeat or conflict with SPPs or codes (e.g. natural values, hazards), increasing complexity and discretion.	Duplication and/or internal inconsistency can undermine effectiveness and fairness.	Chapter 7.1 and Appendix A
Definitions and subjective terminology	Both	Drafting quality	Concerns about unclear or subjective terms (environmental descriptors, triggers, thresholds) and inconsistent terminology between SAP text and maps.	Clarity and workability: vague terms increase inconsistency and appeal risk.	Definitions & Acronyms, Chapter 7.1 and Appendix A
Wastewater controls / intensification triggers	Both (strong Bruny)	Infrastructure / assessment triggers	Concern that triggers make minor changes discretionary; uncertainty about what constitutes "intensification;" concerns about feasibility and fairness in unsewered areas.	Requires risk-based targeting and enforceable thresholds to avoid over-regulation of low-impact proposals.	Chapter 5.1, Chapter 7.1 and Appendix B
Coastal height / visual exposure logic	Bruny + coastal precincts	Built form / scenic	Concerns about coastal proximity definitions, height limits, visual impact triggers, and consistency with existing character; requests for clearer spatial logic.	Must be evidence-led and mapped or defined to be defensible and avoid arbitrary outcomes.	Chapter 5, Chapter 6, Chapter 7.1 and Appendix B
Vegetation protection approach (incl.	Blackmans Bay /	Natural values / mapping & standards	Questions about vegetation retention requirements, how "vegetation" is defined,	Controls must align with mapping methodology and be	Chapter 5, Chapter 6, Chapter 7.1 and Appendix B

Theme (Grouped)	SAP relevance	Primary locus (what it affects)	Summary of issues raised (neutral)	Planning lens / why it matters	Where addressed in report
garden vs vegetation)	Bonnet Hill + Bruny		and whether distinctions are credible; concerns about lot-scale impacts.	capable of consistent interpretation.	
Bushfire management conflict	Blackmans Bay / Bonnet Hill + Bruny	Code conflict / safety	Concerns that vegetation retention or SAP standards may conflict with bushfire hazard management requirements or practical safety needs.	Conflicts between provisions create statutory and practical risk; requires clear hierarchy and implementation guidance.	Chapter 7.1 and Appendix B
Amenity / character / built form outcomes	Blackmans Bay / Bonnet Hill (strong)	Character / visual	Desire to retain “dwellings in vegetation” character; concerns about bulk, height, and visibility from public viewpoints.	Supports place-based rationale but requires precise and measurable standards.	Chapter 5.2, Chapter 5.3, Chapter 6 and Appendix B
Tourism pressure / carrying capacity (Bruny)	Bruny	Strategic assumptions	Submissions identify a perceived mismatch between strategic framing and observed tourism pressure; concerns about infrastructure and environmental capacity.	Strategic alignment: assumptions must be accurate and consistently reflected in SAP objectives and controls.	Chapter 5.1, Chapter 6 and Chapter 7.1
Zoning alignment / zone purpose concerns (interaction with SAP)	Both	Zoning interface	Submissions argue SAPs are compensating for zoning choices or creating outcomes inconsistent with zone purposes; some seek rezoning rather than SAP controls.	Important to distinguish what SAPs can address versus matters requiring zoning or strategic change; informs options analysis.	Chapter 3.3, Chapter 6, Chapter 7.1 and Chapter 8.4

5. Area Profiles: local context, values & planning constraints

This section provides concise, evidence-based profiles of each area subject to a SAP. Its purpose is to establish a clear and shared understanding of the local context, values, and planning constraints relevant to each SAP, prior to any assessment of strategic merit, statutory compliance, or responses to representations.

The profiles draw on existing background material, including Council-commissioned studies, supporting documentation prepared for the LPS, and relevant strategic and technical sources. The information is presented to identify the distinguishing characteristics, sensitivities, and constraints of each area, and to explain the planning circumstances in which standard zone and code provisions may be insufficient to manage development predictably and proportionately.

Each SAP area profile is presented in a consistent and structured format. This approach ensures that the characteristics, constraints, and planning considerations of each area are described comparably and transparently, and that the assessment which follows is grounded in a clear contextual baseline.

The profiles address the following matters:

- **Local context and distinguishing characteristics**
Including settlement pattern, land use context, and physical setting.
- **Environmental, landscape and infrastructure considerations**
Including environmental values, landscape sensitivity, servicing constraints, and wastewater considerations, where relevant.
- **Current planning framework**
A high-level description of how the area is presently managed under the TPS, including underlying zoning and applicable codes.
- **Planning risks and limitations of standard provisions**
Identification of the key risks that may arise if use and development are managed solely through standard zone and code provisions, without locally tailored controls.

The material informing the profiles is evidence-led and draws on, where relevant:

- population and settlement information
- infrastructure and wastewater constraints
- tourism and visitation pressures
- environmental and landscape values; and
- documented community expectations at a high level.

Detailed analysis of representations, survey results and consultation themes is intentionally excluded from this section and is addressed separately, to maintain a clear distinction between contextual description and evaluative assessment.

5.1 Bruny Island SAP

Bruny Island exhibits a combination of environmental, landscape, infrastructure and settlement characteristics that distinguish it from most other locations within the municipal area. These characteristics form the basis of the proposed SAP and provide the context for the assessment that follows. The detailed consideration of whether these characteristics justify a SAP under section 32(4) of LUPAA is addressed in Chapter 6.

5.1.1 Landscape & Environmental Values

Bruny Island covers approximately 362 square kilometres, and its island setting is central to the planning issues addressed by the SAP. Bruny island encompasses two distinct terrains. North Bruny Island is dryer, has lower landforms and a more open forest type with the understory often grazed by livestock sheep, whilst South Bruny Island consists of a wetter, higher landform¹. The difference in soil dryness is evident within Map – Bruny Island: Soil Dryness Index, showing a stark contrast between the north and the south of the Island, further emphasising concerns of water availability on the Island.

Bruny Island contains regionally and nationally significant environmental values, including extensive coastline, diverse ecosystems and habitat supporting many bird species² that include extensive areas of high-value native vegetation, dry coastal forests, wet eucalypt communities, heathlands, and mature habitat trees³. The Island provides critical habitat for nationally significant fauna such as the Swift Parrot and Forty-spotted Pardalote⁴, as well as over 140 bird species, with approximately 40 threatened species recorded as present. Habitat loss due to land clearing from agriculture and urban areas is regarded as the main threat to the Swift Parrot⁵ and the Forty-spotted Pardalote⁶. The significance of the Swift Parrot and Forty-spotted Pardalote extends beyond their status as threatened species under Commonwealth and State legislation. Both species are the subject of dedicated National Recovery Plans, which identify habitat protection, management and recovery actions intended to support their long-term conservation. These recovery frameworks provide an important strategic context for considering vegetation retention, habitat values and development impacts within areas known to support these species.



Figure 5: North Bruny flatter terrain with the dominant land use in the landscape being livestock grazing.

¹ Appendix C: Map 1c – Bruny Island: Soil Dryness Index.

² Cochran, T. (2003). Managing threatened species and communities on Bruny Island. *Threatened Species Unit, Department of Primary Industries, Water and Environment, Tasmania*.

³ Appendix C: Map 1a – Bruny Island: Vegetation Community Composition.

⁴ Appendix C: Map 4– Bruny Island: Kingborough Threatened Species Observations 2016 to Present.

⁵ DCCEEW 2024, National Recovery Plan for the Swift Parrot (*Lathamus discolor*), Department of Climate Change, Energy, the Environment and Water, Canberra. P-17.

⁶ DCCEEW 2024, National Recovery Plan for the Forty-spotted Pardalote (*Pardalotus quadragintus*), Department of Climate Change, Energy, the Environment and Water, Canberra. P-15.

It is observed that examples of land clearing for agriculture provided within “National Recovery Plan for the Swift Parrot” are not of Bruny Island but sites on mainland Tasmania or mainland States. Although precautionary planning is an underlying objective of the Resource Management and Planning System of Tasmania (RMPS), there does appear to be concern throughout the community feedback that the provisions within the SAP for vegetation management are heavy handed and overbearing.

The Island is recognised regionally as having important understorey ecosystems that are not protected under the Natural Assets Code in Low Density Residential Zoned areas. These values require site-responsive, evidence-based planning controls to avoid incremental loss through small-scale development and vegetation modification.

Environmental and physical constraints intensify the planning risk. Much of the island is characterised by steep topography, shallow and dispersive soils, elevated groundwater levels, and limited capacity for safe on-site wastewater disposal. In unsewered settlements – something that applies across almost the entire island – hydraulic load increases can place cumulative pressure on receiving environments, especially where existing systems are ageing or performing poorly. Standard SPP tools do not manage wastewater intensification outside of subdivision, leaving a regulatory gap the SAP was intended to fill.

Bruny’s visual character also requires specific attention. The island’s settlements are typically low-profile clusters nestled within vegetated coastal slopes and backdrops. Public viewsheds – from beaches, lookouts, foreshore reserves, and coastal approach routes – are extremely sensitive to build form intrusion.

In contrast to the steep forested topography of South Bruny, the low-level terrain of North Bruny facilitates most of the area regarded as “Potentially Unconstrained – Land Potentially Suitable for Agriculture”⁷. The potentially unconstrained agricultural land is across most of the North Island and is dominated by Weetapoon / Murrayfield Station, with the core agricultural use being livestock grazing; although, the farm does not cover the entire area of North Bruny. The mapped “Potentially Unconstrained Land” on South Bruny is contained to predominantly valley floors and historically cleared land. The Agriculture Zone proposed for the Kingborough LPS predominately follows the pattern Potentially Unconstrained Land.

A core justification for the SAP is the fact that whilst there may be significant native vegetation communities and habitat within the land marked for the Agriculture Zone, pursuant to cl. C7.2.1(c) of the Natural Assets Code the Priority Vegetation Area does not apply to land zoned Agriculture. The absence from planning does not mean that the native vegetation is not covered by other legislation, for example, *Forest Practices Act 1985*, *Threatened Species Protection Act 1995*, or the *Environment Protection & Biodiversity Conservation Act 1999* (EPBC). However, need for vegetation management within the SAP is presented on the grounds that not all vegetation management would be associated with the considerations of these Acts.

The environment and landscape values:

- extend across both public and private land
- are sensitive to incremental development; and
- require integrated management beyond standard zoning provisions.

At a regional scale, STRLUS identifies protection of environmental values and limiting inappropriate development as key strategic priorities⁸.

⁷ Appendix C: Map 5 – Land Potentially Suitable for Agriculture.

⁸ Department of State Growth 2025b, STRLUS Response to Consultation Feedback, *Tasmanian Government*

5.1.2 Settlement Pattern

Bruny Island contains significant Aboriginal and European cultural heritage values that continue to contribute to the island's identity, landscape and sense of place. Of particular significance is Murrayfield Station, a 4,100-hectare property owned and managed by the *weetaipoona* Aboriginal Corporation. Murrayfield supports a range of activities including sustainable agriculture, cultural practice, education and environmental stewardship, demonstrating the ongoing relationship between cultural values, community, land management and the protection of natural values on Bruny Island.

The settlement patterns have been reflective of the Islands heritage from onshore whaling stations, timber haulage sites, to historic locations for ferry access. However, as pointed out within community feedback by several submissions implied that Bruny has always been a holiday destination, with the result, settlement patterns reflected shack settlements focused on the island waterfront.

The Island has a permanent population of approximately 800 people, with only around one-third of dwellings occupied on a permanent basis⁹. This results in a population that fluctuates significantly throughout the year, evident with the 2021 census data indicating around a thousand residents on census night; although, it is noted that this picks up visitors residing overnight on the Island. Demographically, the Island has a markedly older profile, with approximately 74% of residents aged over 45 years and around 37% aged over 65 with a median age of approximately 58.8 years¹⁰. This, with a dispersed pattern of villages and rural living areas, combined with limited infrastructure, amplifies the consequences of incremental intensification.

As illustrated in Appendix C Map1d – Bruny Island Population Density & Distribution, development is:

- low density and dispersed,
- frequently arranged as ribbon development along roads,
- interspersed with undeveloped and constrained land.

Bruny Island is outside the Greater Hobart Urban Growth Boundary (UGB) on Map 10 of the *Southern Tasmania Regional Land Use Strategy 2010 - 2035* (STRLUS). The Low Density Residential as noted in the KC Supporting Report "the minimum lot size discrepancy, the Low Density Residential Zone most accurately describes the existing use and development in Dennes Point, Alonnah, Adventure Bay and Lunawanna." Under the KIPS2015, the minimum lot size for (Area A of) the Low Density Residential Zone is 2,500m² and does not allow Multiple Dwellings.

A justification for the Bruny Island SAP has been based on the basis that the residential settlements of the Island are located outside of the UGB and without provisions on the minimum lot size there would be an increase development that is inconsistent with the infrastructure capabilities and the STRLUS. Under the SPPs the minimum lot size requirement will for the Low Density Residential Zone will reduce to a minimum lot size requirement of 1,500m² under the Acceptable Solutions and 1,200m² under the Performance Criteria per dwelling: spatially seen within the maps below.

Additionally, Multiple Dwellings will be possible under the SPPs, although a discretionary use class. As cited within the KC Supporting Report, given the "spatial qualities of the Low Density Residential Settlements, the SPPs would create the opportunity for approximately another 155 lots or Multiple Dwellings over and above the current provisions of KIPS2015" (p.182). The minimum lot size of 2,500m² as proposed by the SAP enables sufficient land within a lot's boundary to effectively manage the local drainage and absorption requirements.

⁹ Kingborough Council 2016a, Bruny Island Destination Action Plan 2016–2018, *Destination Southern Tasmania*. p.182.

¹⁰ Kingborough Council 2017, Bruny Island Tourism Strategy, *Kingborough Council*. p.10.



Figure 6: Lot size spatial qualities for Low Density Residential Zone at Dennes Point, Great Bay, and Killara. (Source: Kingborough Council)

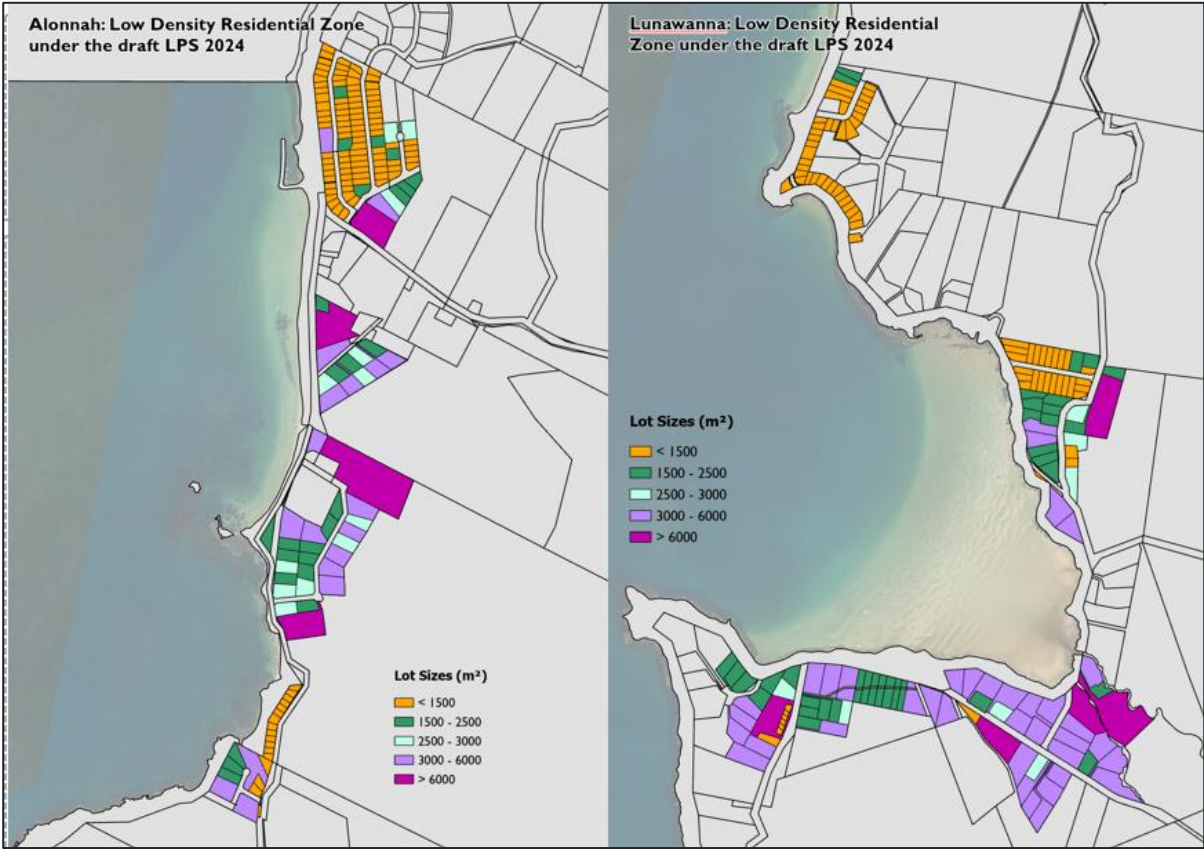


Figure 7: Lot size spatial qualities for Low Density Residential Zone at Alonnah and Lunawanna. (Source: Kingborough Council)



Figure 8: Lot size spatial qualities for Low Density Residential Zone at Adventure Bay. (Source: Kingborough Council)

The combination of a small, permanent population, an ageing demographic, a highly dispersed settlement for the small population over the expanse of the Island, limits the ability to support and improve services, accommodate growth efficiently, and respond to increasing development pressures.

5.1.3 Tourism & Development Pressure

Tourism is a primary economic driver on Bruny Island and a key factor shaping land use and development. The *Bruny Island Tourism Strategy 2017* notes that:

In 2002, Bruny attracted 29,400 interstate/international visitors or 5 percent of all visitors to Tasmania. In 2016/17, 147,807 interstate and overseas visitors came to Bruny Island, a 13.9% increase on the previous year, and representing 11.6% of all visitors to Tasmania – a larger proportion than previous years. In that time, the total number of visitors (aged 14 or over) that stayed overnight grew from 11,246 in 2002 to 45,634 in 2016/17. (p.35)

Kingborough Council's *Bruny Island Destination Action Plan 2016–2018*, cited that the Island receives over 190,000 visitors annually, including approximately:

- 111,000 interstate and international visitors; and
- over 80,000 intrastate visitors.

The Bruny Island Destination Action Plan identified tourism as a significant component of the local economy and noted strong growth in visitor activity across the island (Kingborough Council, 2017). This information formed part of the evidence base relied upon by Council when the original SAP documentation was prepared and submitted to the Tasmanian Planning Commission. While those figures were current at the time of the original submission, more recent visitor and tourism trends have been considered separately through current Tourism Tasmania data, as presented in Figure 9.

Bruny Island continues to experience sustained and high levels of visitation relative to its permanent resident population. Visitation is concentrated along key access routes, ferry services, coastal destinations, and settlement nodes, resulting in disproportionate pressure on infrastructure, services, and the natural environment. While visitation levels fluctuate seasonally, the overall trend identified through Council strategies and supporting material is one of ongoing growth and intensification of tourism activity.

Importantly, the scale of visitation is not reflected by population metrics alone. The temporary and episodic nature of visitor demand places cumulative pressure on wastewater systems, road networks, emergency services, and sensitive environments in a manner that standard planning controls are not well equipped to manage. This disconnect between permanent population, and actual demand is a key planning consideration underpinning the need for locally tailored controls. Critically, visitor numbers significantly exceed the permanent resident population, resulting in a scale of demand on infrastructure and services not reflected by population metrics alone.

Visitor activity is concentrated along key routes and destinations, resulting in:

- pressure on access roads and ferry services
- increased demand for visitor accommodation; and
- cumulative impacts on environmental values and amenity.

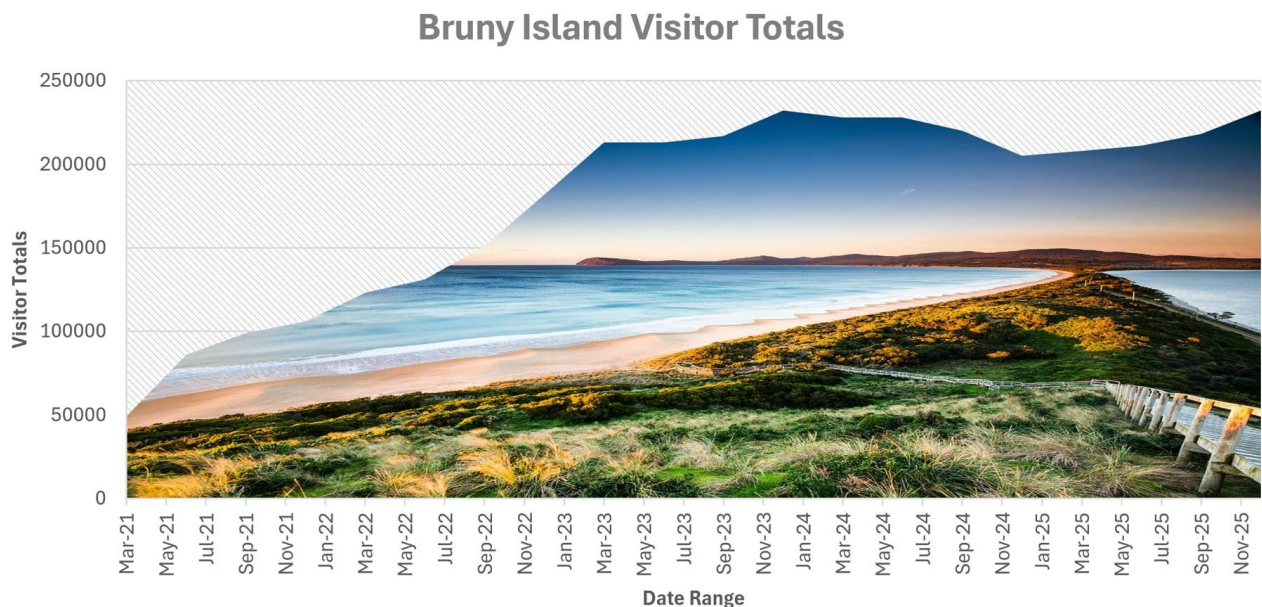


Figure 9: Bruny Island Visitor's at a glance. (Source: Tourism Tasmania)

5.1.4 Infrastructure Capacity

Bruny Island's ability to accommodate development is fundamentally constrained by limited infrastructure and servicing. This includes the absence of reticulated water supply and sewer services, reliance on localised or limited energy systems (including diesel generation), and dependence on a single ferry connection for access.

Table 3 summarises the key infrastructure constraints relevant to Bruny Island and highlights how those constraints translate into planning risks and limitations on development capacity. What this means: Infrastructure operates as a physical limit on development, rather than a constraint that can be easily addressed through individual development proposals



Figure 10: Access to Bruny Island is restricted to the movement of the ferry. (Source: Tourism Tasmania)

Roads, wastewater absorption capacity, and emergency management rely on low-density development remaining the prevailing pattern. Without tailored controls, the combined effect of small-scale dwellings, extensions and tourism conversions risks outpacing the island's infrastructure and environmental capacity. A SAP is therefore an appropriate mechanism to ensure that growth occurs at a scale compatible with the island's constraints.

The ferry system operates as a practical constraint on movement, servicing, and emergency response, effectively limiting the scale and pace of development that can be sustainably accommodated on the Island. This constraint amplifies the consequences of incremental intensification and reinforces the need for planning controls that align development outcomes with physical and operational capacity.

Regional planning policy reinforces that development should align with available infrastructure and service capacity¹¹.

¹¹ Department of State Growth, 2025a

Table 3: Key infrastructure constraints and planning implications

Element	Constraint (local condition)	Planning implication (
Water supply	No reticulated system; reliance on rainwater and on-site storage	Reinforces low-density expectations and limits the scale of additional development; proposals may increase demand beyond reliable on-site supply.
Wastewater / sewer	No reticulated sewerage for most settlements; reliance on on-site disposal	Cumulative hydraulic loading can be a planning risk; intensification may warrant clearer triggers and thresholds beyond subdivision-only controls.
Roads and access	Limited road network and constrained capacity at peak periods; limited redundancy	Incremental growth can generate cumulative safety and access impacts; requires a planning response that better aligns development with network capacity.
Energy supply	Localised/limited supply (including reliance on local generation in parts)	Constrains intensity and expansion; increases need for staging assumptions and design responses that are not always captured by standard provisions.
Emergency management	Island context and reliance on constrained access routes	Development outcomes need to remain compatible with emergency response capacity; cumulative intensification can increase risk exposure.
Transport connection	Single ferry connection for access to/from the island	Acts as a practical “capacity ceiling;” magnifies the consequences of incremental change and seasonal population peaks.

5.1.5 Community Values and Expectations

Community submissions consistently emphasised a desire to protect Bruny Island’s character, maintain its environmental integrity, and ensure that development is proportionate to its infrastructure capacity.

Residents accept and support the need for regulation where it is evidence-based, clearly explained, and transparently targeted at genuine risks. Consistent with the purpose of a SAP, planning controls should remain targeted, proportionate and responsive to clearly identified local circumstances. Strengthening clarity, improving mapping transparency, and ensuring proportionality will help maintain public trust and reinforce confidence in the long-term operation of the SAP

When asked, “what do you value the most about the area where you live or where your property is?” *Privacy and low-density living* were the most popular choice of 35%, followed by *Natural environment and vegetation* equal with *Local character and community feel*, followed by *scenic views and visual amenity*.

Sentiment was expressed that they “value privacy and local characteristics as well as the natural values,” but also “value that it has always been a place for holidays, with people owning modest shacks.”

Increased visitor numbers have the potential to place additional pressure on local infrastructure, transport networks, environmental values and community character. Community feedback identified concerns regarding traffic volumes, ferry capacity, infrastructure constraints, tourism intensity and the cumulative impacts of visitation on the qualities that make Bruny Island attractive to both residents and visitors. Bruny Island’s environmental values, scenic landscapes and biodiversity are central to its appeal as a destination. Maintaining the long-term sustainability of tourism therefore requires careful management of development and land use change to ensure these values are protected and that visitor growth remains compatible with the island’s environmental, infrastructure and community capacity.

5.2 Bonnet Hill SAP

As Bonnet Hill is outside the UGB on Map 10 of the *Southern Tasmania Regional Land Use Strategy 2010 - 2035* (STRLUS), and due to the environmental values attributed to the area, Bonnet Hill was initially proposed as a Landscape Conservation Zone in the 2020 draft LPS. The TPC subsequently raised concerns regarding the interaction between the proposed controls and underlying Low Density Residential zoning, including transitional issues affecting properties that were zoned Environmental Living under the KIPS 2015 but rezoned Low Density Residential under the LPS. The implications of these characteristics for SAP justification and the assessment against section 32(4) of LUPAA are considered in Chapter 6.

In response, Council developed a combined Blackmans Bay Bluff and Bonnet Hill SAP, recognising the shared landscape sensitivity, visual prominence, and settlement characteristics of these areas in the 2024 draft LPS. The combined SAP was intended to address these issues in a targeted manner, whilst avoiding the need for broader rezoning approaches that raised concern during earlier stages of the LPS process.

Subsequently, the purpose of the Bonnet Hill SAP is summarised to:

- maintain visual amenity that Bonnet Hill Precinct provides to Kingston and Kingston Beach
- maintain the local character and amenity of the two precincts that is defined by dwellings nestled within a mix of vegetation including native and non-native species, and
- where on-site wastewater management is required, lots have sufficient land available for on-site wastewater management.

As a result, the strategic basis for the Bonnet Hill SAP is grounded in the distinctive landscape, biodiversity and urban characteristics associated with the coastal headland¹². Council's Supporting Report cites that these attributes cannot be adequately managed through the SPPs alone:

Most of the Bonnet Hill residential area has been zoned as Low Density Residential in the KIPS2015. However, due to the fact that the future Natural Assets and Scenic Protection Codes won't apply to the Low Density Residential Zone, a SAP is required to support development, but in a manner that will maintain the unique scenic attributes and environmental qualities of the area. (p.74)

At present the larger lots along Browns River are separated by a large strip of public land that covers, for the most part, land between the 0m and 40m contour level. The result is a heavily timbered foreshore for Bonnet Hill area that includes over 20 hectares of threatened native vegetation communities, including 14.8 hectares of *Eucalyptus globulus* dry forest and over 6.6 hectares of *Eucalyptus ovata* forest and woodland. Additionally, within this area, Council's Supporting Report cites that known threatened species populations are present, such as double jointed speargrass, and foraging habitat for the swift parrot, the Chaostola skipper, the Tasmanian devil, the eastern barred bandicoot habitat, and the forty-spotted pardalote. These natural values characteristics are evident within the LIST mapping layer TASVEG 5.0 Vegetation Communities (TASVEG) and the Threatened Species sightings since 2016¹³.

¹² Appendix C: Map 3b: Bonnet Hill SAP – Regional Natural Values Characteristics

¹³ Appendix C: Map 3b: Bonnet Hill SAP – Regional Natural Values Characteristics



Figure 11: View of Bonnet Hill from Kingston Beach. (Source: T. Henderson)

The established vegetation communities and landform of Bonnet Hill contribute to a highly visible and valued landscape backdrop when viewed from Kingston Beach (Figure 11), the Derwent Estuary and surrounding public vantage points. These characteristics also form part of the broader visual transition between urban Kingston and the more vegetated and elevated landscapes to the south. However, as pointed out by several submissions, no visual impact assessment has been included to provide evidence that the entire area needs to be included within the SAP area to maintain the landscape amenity for the area.

Access to Bonnets Hill is limited to vehicles via Channel Highway, either south to Kingston or north to Taroona. Pedestrian access is available to the south via a footbridge. However, due to the topography and scale of the area, it is not considered a walkable option for general commuting.

A review of the TasWater infrastructure indicates that the land below Channel Highway is serviced with water and sewer. On the upper side of the Highway, only the smaller lots along Lynden Road are serviced with reticulated water.

There is a distinctive urban form of modest-sized, single dwellings located on lots that predominantly range from 1,500 m² to 6,000 m²; although it is noted that there are several lots outside this range (Figure 4)¹⁴.

The smaller lots are concentrated within the eastern and northern parts of the Bonnet Hill SAP area. Under the State Planning Provisions, the Low Density Residential Zone generally applies a minimum lot size of 1,500 m². In theory, applying the State Planning Provisions lot size standard could increase the number of potential lots and result in a greater level of development intensity within parts of the area. In practice, however, many existing lots are already developed and, in a number of cases, further subdivision would be constrained by existing buildings, site configuration, topography and other development considerations. While much of the area is serviced, it remains outside the Urban Growth Boundary (UGB). Consequently, there is a concern that widespread application of the standard SPP lot size provisions may not be consistent with the settlement objectives of the *Southern Tasmania Regional Land Use Strategy* 2010–2035.

¹⁴ Kingborough Council Attachment 9. s32(4)(b) statement for the Blackmans Bay Bluff and Bonnet Hill SAP – Final, Figure 9

Having regard to the existing pattern of development at Bonnet Hill, most dwellings are centrally located on their lots in response to the setback requirements of the Kingborough Planning Scheme 2000. Consequently, while a 1,500 m² minimum lot size may theoretically increase subdivision potential, the practical ability to achieve additional lots is constrained by the location of existing buildings, lot configuration and other site-specific considerations.

The Bonnet Hill SAP area is outside of the UGB, and in consideration of the potential for intensification described above, there is reasonable planning basis¹⁵. Accordingly, there is a reasonable planning basis for controls that continue to regulate lot yield and residential density within the Bonnet Hill precinct.

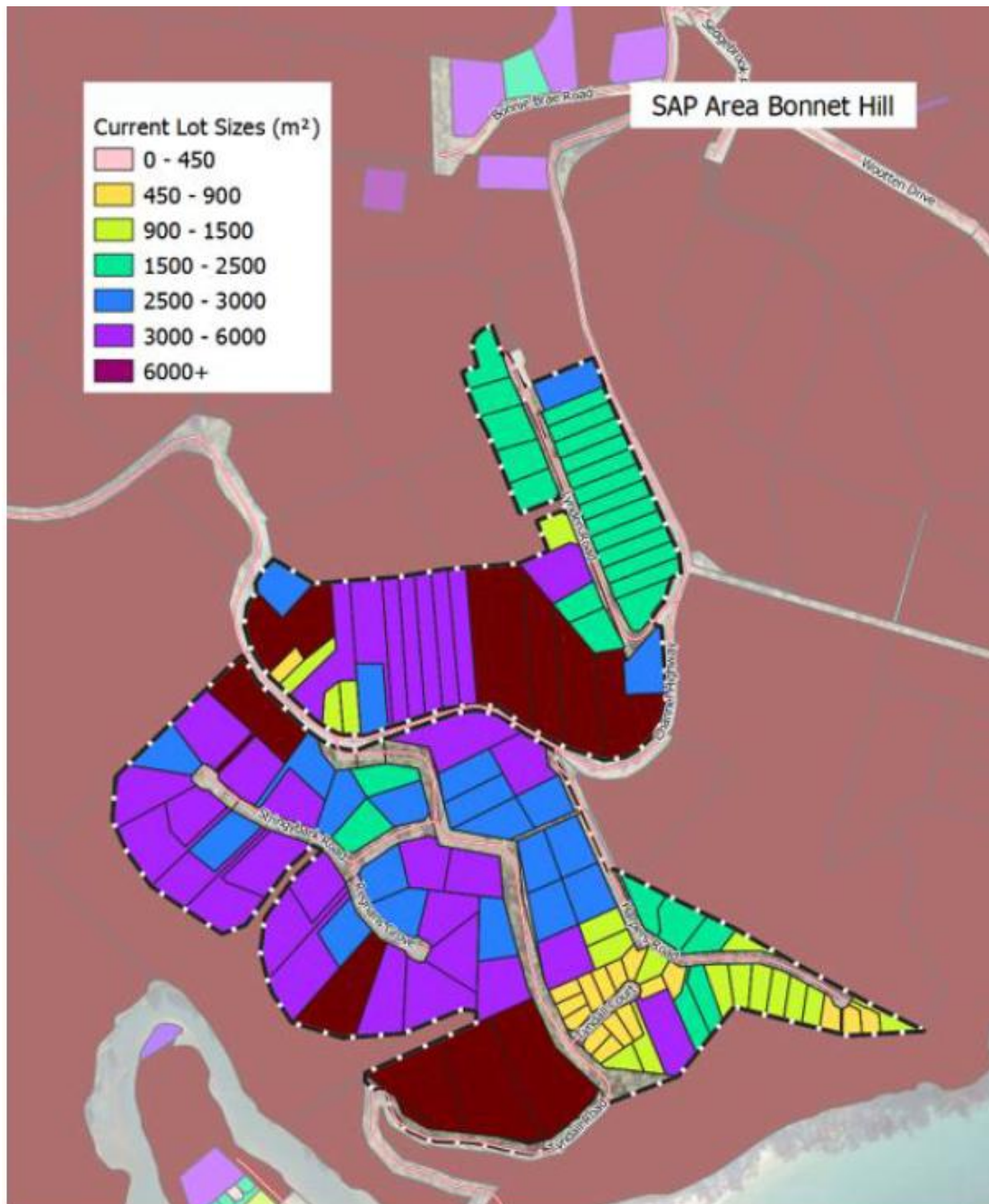


Figure 12: Bonnet Hill spatial qualities.

¹⁵Appendix C: Map 6: Greater Hobart Urban Growth Boundary

5.3 Blackmans Bay SAP

As presented within Council's Supporting Report, the strategic basis for the Blackmans Bay Bluff SAP is grounded in the distinctive landscape, biodiversity and servicing characteristics of these coastal headlands, and historic development pattern. Council cites that the SAP for this area has been developed in consultation with the local community formatting Local Character Statements as part of the Interim Planning Scheme in 2017, due to the position that the SPPs for General Residential or Low Density Residential are outdated or not comprehensive enough to protect the unique characteristics of the area. The extent to which these characteristics justify the SAP in its current form is considered further in Chapter 6 and Chapter 7.

The Supporting Report presents an image in Figure 9 (of that report – presented here as Figure 13) of a heavily timbered or vegetated headland or bluff on the northern end of the beach. Whilst the image may have been applicable during the initial stages of the LPS process, as flagged by several representations, it is dated. The central area highlighted located at the end of Home Avenue has since been subdivided (Planning Permit DAS-2018-15, effective as of 8 January 2020), with subsequent commencement or completion of a significant number of dwellings within the last couple of years. Native vegetation is still present, but it is confined to the publicly owned land or higher on the Bluff.



Figure 13: Image sourced from Council's Supporting Report; however, development has occurred since the image was taken.

Council's LPS Supporting Report states:

This neighbourhood is unique, differing from other neighbourhoods in Kingborough because of its scenic amenity and the fact that there are only a few remaining larger lots in the precinct that can provide the opportunity to further subdivide or to develop with units. The majority of the remaining 'undeveloped' lots in the precinct contain older houses and vegetation reflective of the historical character of the area. (p.73)

The Neighbourhood Character Assessment that formed the base research for the SAP, provides a detailed analysis of the area in terms of spatial quality of uniqueness to Blackmans Bay, the prominence of dwellings that derive from the area originating from being a shack community, specifically several of the current dwelling being identified as being present from 1958. The SAP does not apply to General Residential Zoned land fronting Powell Road. Regarding the reset of the SAP there is no significant historic character that is presented by the built form within land contained by Talone Road and Blowhole Road for General Residential Zoned land. Land closer to the foreshore that is zoned Low Density Residential does have a greater density of older buildings. However, the presence of a building on the same location as within an image in 1958 does not equate to the same or unmodified building present today. Although there are several buildings within the area that have shack origins, this is consistent throughout the older area of Blackmans Bay. There is no distinct urban form or historic appearance that delineates the General Residential Zoned land from the surrounding area that is of the same zone to warrant the application of the SAP for this purpose.

The fact that there are some larger lots and dwellings of historic origin is reflective of a mature urban suburb, that shows diversity in building ages, property sizes, and design. No heritage survey in the form of a Statement of Significance has been undertaken that supports the justification of historic significance to the SAP applies, to provide clear justification pursuant to clause LP1.5 of the SPPs.

Environmental and landscape values in particular the visual amenity to Blackmans Bay Beach are cited as justification for the SAP. A review of threatened species sighting in the last ten years indicates that there is a slightly stronger observation occurrence at the southern end of the Bluff than the surrounding area¹⁶. However, it is also observed that most of the area where priority vegetation occurs is either located on public land or larger lots proposed to be zoned Low Density Residential¹⁷.

Blackmans Bay SAP includes larger lots with vegetation surrounding the established buildings; however, it is noted that these larger lots along the foreshore of the southern end of Talone Road and Blowhole Road are zoned Low Density Residential, significantly limiting the capacity for further development. By default, development is minimised, and space is provided minimising impact on vegetation. The SAP does seek to protect the environmental values of the area, noting that under the application standards for the Natural Assets Code cl. C7.2.1 of the SPP, the priority vegetation overlay does not apply to either the General Residential Zone or the Low Density Residential Zone. The SAP does introduce additional standards on the management of native vegetation within this space for these two zones



Figure 14: Blowhole Road. The vacant cleared lot on the left of the image is zoned Low Density Residential and subject to the SAP, whilst the public land on the right contains established native vegetation and is proposed to be zoned Environmental Management but is not subject to the SAP. (Source: T. Henderson)

¹⁶ Appendix C: Map 2a: Blackmans Bay Bluff SAP Regional Natural Values Characteristics.

¹⁷ Appendix C: Map 2b: Blackmans Bay Bluff SAP Natural Values Characteristics

If vegetation retention is considered integral to maintaining the visual and environmental qualities of Blackmans Bay Bluff, the restriction of SAP controls solely to private land raises questions about the coherence and completeness of the approach, particularly where significant vegetation is also located on adjacent public land. This is particularly relevant in relation to the fact that pursuant to clause 5.3.3 vegetation removal that meets the exemption requirements on private land that is associated with a private garden does not require planning permission.

Within the Low-Density Residential Zone, there is a defensible basis for additional guidance or controls relating to multiple dwellings, having regard to landscape sensitivity, established development patterns and the potential for cumulative visual and environmental impacts.

The review also identifies inconsistencies between the distribution of identified environmental values and the extent of the SAP boundary. In particular, Figure 14 demonstrates that areas containing substantial native vegetation and environmental values may fall outside the SAP area, while cleared and previously developed land remains subject to additional controls. This does not mean that no additional controls are warranted; however, it raises questions regarding the spatial targeting and proportionality of the current SAP extent.

The purpose of the SAP is to delineate a location that is distinctively different from the surrounding area. Having regard to the social, economic, and environmental benefits set out by Section 34(2) of LUPAA, it is considered that insufficient evidence has been presented to support the application of Blackmans Bay Bluff SAP as it is presented.

This does not mean that no additional planning response could ever be justified for Blackmans Bay Bluff. Rather, it indicates that the current SAP extent and drafting are not sufficiently supported by the evidence reviewed. A narrower, issue-specific control may be capable of justification if it is clearly linked to demonstrated landscape, vegetation, built form or development intensity risks.

6. Assessment of SAP Justification and Strategic Merit

This section considers whether a SAP remains the appropriate planning tool for the issues identified in each location, and whether the proposed controls are sufficiently clear, proportionate and supported by evidence. The assessment distinguishes between two related questions. The first is whether SAPs remain a valid planning mechanism within the Tasmanian Planning Scheme framework where standard zone and code provisions do not adequately respond to local conditions. The second is whether each SAP area is sufficiently justified in its current extent and form.

For Bruny Island, the review confirms that a SAP remains justified in principle. The island is subject to a combination of environmental sensitivity, constrained servicing, dispersed settlement, landscape exposure and cumulative development pressure. These issues are not confined to a single site or settlement and are not adequately managed through the SPPs alone. The SAP therefore remains a legitimate mechanism for applying locally tailored controls, provided those controls are refined to improve spatial targeting, drafting clarity and proportionality.

For Bonnet Hill, the review also supports the continued use of a SAP in principle. The area has identifiable landscape and environmental characteristics, including visual prominence, vegetation values, established low-density settlement patterns and potential pressure for further intensification. These matters provide a reasonable planning basis for additional controls beyond the SPPs alone, subject to refinement of mapping, thresholds and assessment triggers.

The position for Blackmans Bay Bluff is different. The review identifies some matters that may warrant further planning guidance, particularly in relation to landscape sensitivity, vegetation retention, built form and development intensity. However, the evidence currently available does not demonstrate that the SAP, in its present extent and form, is a proportionate or sufficiently justified response. Further evidence, spatial narrowing or reconsideration of the current SAP boundary is required before the same level of support can be reached.

The strategic merit assessment therefore supports the SAP mechanism, but not uniformly across all SAP areas. Bruny Island and Bonnet Hill are supported in principle, subject to refinement. Blackmans Bay Bluff is not supported in its current form, although narrower or issue-specific controls may be capable of justification if clearly linked to demonstrated planning risks.

The need for localised controls arises because the relevant planning issues are not always capable of being managed through standard provisions applied on a site-by-site basis. On Bruny Island, incremental vegetation removal, wastewater intensification, dispersed settlement growth and pressure on limited infrastructure can have cumulative effects that are not adequately addressed through individual development assessments. In Bonnet Hill, landscape prominence, vegetation retention and development intensity require more locally calibrated controls than those provided by standard zone provisions. In Blackmans Bay Bluff, the issue is not whether some localised planning response may be justified, but whether the current SAP is sufficiently aligned with the values and risks it seeks to manage.

In practical terms, the limitations of the SPPs arise at the point of application. Development is assessed individually, with limited capacity to account for cumulative or location-specific impacts across a broader settlement or landscape context. Standard provisions are not well equipped to regulate vegetation removal in residential zones and the agricultural zone for Bruny Island, manage visually exposed development, address wastewater intensification in unsewered areas, or respond to the cumulative effect of incremental development over time.

Where justified, a SAP can address this gap by applying controls that are tailored to the environmental capacity, servicing constraints and landscape characteristics of a particular place. The purpose of the SAP framework is not to impose additional regulation for its own sake, but to ensure that development assessment better reflects the planning risks present in each location. For that reason, any retained SAP provisions must remain closely tied to the evidence, spatially targeted, and proportionate to the issue being managed.

6.1 SAP Justification

The findings in this section are not uniform across all SAP areas. The Bruny Island SAP and the Bonnet Hill component of KINS7.0 are supported in principle, subject to refinement. The Blackmans Bay Bluff component is considered separately because the current evidence does not support the SAP in its present extent and form. The area profiles identify the local characteristics and planning constraints relevant to each SAP area. This section then considers whether those characteristics provide a sufficient basis for locally tailored planning controls.

6.1.1 Bruny Island and Bonnet Hill

The Bruny Island SAP and the Bonnet Hill component of KINS7.0 are justified in principle because the application of the SPPs alone is not sufficient to manage the demonstrated characteristics and planning risks of those areas.

For Bruny Island, those risks arise from the interaction of environmental sensitivity, dispersed settlement, constrained infrastructure, wastewater limitations, landscape exposure and cumulative development pressure. These matters are not confined to a single site or settlement and cannot be managed adequately through individual development assessment alone.

For Bonnet Hill, the justification arises from the relationship between landscape prominence, vegetation values, established low-density settlement patterns, visual sensitivity and potential development intensity. The area has identifiable landscape and environmental characteristics that warrant additional local controls, provided those controls are clearly drafted, spatially targeted and supported by transparent mapping.

In both locations, the relevant characteristics of the land are sufficiently connected to the need for provisions that supplement or modify the standard provisions of the TPS. This supports the use of SAP provisions, subject to the refinements identified in this report.

6.1.2 Blackmans Bay Bluff

The Blackmans Bay Bluff component requires a different conclusion. The review identifies some matters that may warrant further planning guidance, particularly in relation to landscape sensitivity, vegetation retention, built form and development intensity. However, the evidence currently available does not demonstrate that the SAP, in its present extent and form, is a proportionate or sufficiently justified response. For that reason, the positive findings in this section should not be read as applying to Blackmans Bay Bluff unless expressly stated. If the SAP is to continue for Blackmans Bay Bluff, it should be narrowed to matters and locations that are clearly justified by evidence or supported by further technical and strategic work.

6.2 Natural values and assessment methodology

Council's supporting material identifies natural values within the SAP areas using publicly available datasets, including TASVEG native vegetation mapping, records from the Natural Values Atlas (NVA), LIST spatial layers identifying waterways, wetlands and geoconservation features, and statutory listings under the *Threatened Species Protection Act 1995* (TSP) and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC). These sources provide an appropriate starting point for identifying environmental values. However, the review also recognises that SAP provisions must be clear about how those datasets are used, how they trigger assessment, and how applicants and decision-makers can verify the relevant values.

During the assessment of the draft LPS, concerns were identified regarding the clarity and operation of earlier natural values provisions. In particular, earlier drafting relied on terminology that was complex or insufficiently defined, did not clearly explain the methodology for identifying values, and did not provide a sufficiently transparent basis for consistent decision-making. The refined approach should therefore define natural values by reference to mapped vegetation communities, listed threatened species and habitat, identified geoconservation values, and mapped waterways and wetlands. This reduces reliance on broad descriptors and assists in ensuring that relevant values can be verified using publicly available information.

The provisions should also distinguish clearly between direct and indirect impacts. Direct impacts should be limited to physical disturbance or modification of identified values. Indirect impacts should only be recognised where they are a foreseeable and substantial consequence of the proposed use or development, and where there is a sufficient connection between the development and the impact identified.

A structured assessment pathway is also required. This should require identification of relevant natural values, assessment of potential direct and indirect impacts, and consideration of avoidance, minimisation and mitigation measures. Where residual impacts remain, any offset or compensatory response should only be relied upon where impacts cannot reasonably be addressed through siting, design or management measures.

As explored by this report, a key justification for the SAPs has been the presence of environmental values that are not otherwise captured by the standard operation of the Tasmanian Planning Scheme (TPS). Conventionally, environmental values are managed through the Priority Vegetation Area provisions within the Natural Assets Code. However, pursuant to Guideline No. 1 (NAC13) and clause C7.2.1 of the TPS, the Priority Vegetation Area does not apply to land in the Agricultural Zone and, within the Low Density Residential Zone, generally only applies in association with subdivision. The justification for the SAP provisions has therefore been that additional controls are required to manage environmental values in circumstances where the Priority Vegetation Area provisions do not apply.

It is important to recognise, however, that clause 5.3.3 of the TPS provides that SAPs do not override the exemption provisions in clause 4.0 of the Scheme. Consequently, vegetation management within a private garden remains exempt under clause 4.4.2. In practice, many developed properties within the Low Density Residential Zone may satisfy the definition of a private garden. Similarly, clause 4.4.1 exempts the harvesting of timber, clearing of trees, clearing or conversion of a threatened native vegetation community, or disturbance undertaken in accordance with a certified Forest Practices Plan under the *Forest Practices Act 1985*. While separate authorisations may still be required, those activities are not assessed against the SAP provisions.

Additional exemptions also apply to activities such as infrastructure works and bushfire hazard management. Consequently, while a SAP may provide an additional layer of environmental protection in some circumstances, its operation remains subject to the broader exemption framework established by the TPS and other statutory approval processes.

6.3 Relationship with the SPPs and regional policy

The SAP provisions are intended to operate alongside the SPPs, including the Natural Assets Code. They should not duplicate the Code or create parallel assessment requirements where existing provisions already operate effectively. Their role is to provide additional localised guidance where the standard provisions do not adequately respond to the particular environmental, landscape, infrastructure or spatial characteristics of the land.

For Bruny Island and Bonnet Hill, the suggested refinements of this report for the provisions provide a practical mechanism for implementing relevant strategic planning outcomes at the local level. They assist in ensuring that development responds to environmental values, identified constraints and cumulative planning risks in a manner that is orderly, sustainable and consistent with the broader planning framework.

On this basis, the Bruny Island SAP and the Bonnet Hill component of KINS7.0 satisfy the relevant strategic justification requirements, subject to the refinements identified in this report. The Blackmans Bay Bluff component does not presently satisfy the same threshold in its current extent and form and should either be narrowed to clearly justified matters or reconsidered as part of the final SAP package.

6.4 The Concern with Bruny Island SAP

A key characteristic of the planning issues within the SAP areas is that individually minor changes, including vegetation removal, incremental built form, and increases in wastewater loading, have the potential to result in cumulative impacts that are disproportionate to the scale of any single development.

SPPs under the zones do not provide a mechanism for managing visibility-based coastal height constraints, scenic exposure, or external finishes. Locally tailored height and siting controls are therefore necessary to maintain the landscape qualities that underpin both community identity and the island's tourism economy. When considered together, the evidence shows that Bruny Island is subject to a unique combination of constraints

There is no consistent relationship between zoning and development capacity, lot size, and suitability, nor location and infrastructure access. Instead, development potential varies significantly across the Island. The implication for planning is that a standard, uniform planning framework does not adequately reflect these conditions.

The SAP framework is therefore required to address these cumulative effects through a coordinated and place-based response, rather than relying on case-by-case discretionary assessment.

A SAP provides an appropriate mechanism to:

- respond to local variations in constraint and capacity
- manage cumulative development impacts
- align development with infrastructure and environmental limits; and
- provide clarity and consistency in decision-making.

Collectively, this evidence demonstrates that the area exhibits distinct environmental, social, and spatial characteristics consistent with the matters contemplated under section 32 of the *Land Use Planning and Approvals Act 1993*.

7. Compliance within Policy Frameworks

This chapter assesses the SAPs against the relevant statutory and policy frameworks that govern the preparation and certification of the LPS. The purpose of this assessment is to confirm that the SAPs, operate lawfully, consistently, and proportionately within the structure of the TPS in their current form; or with suggested achievable refinements.

The assessment focuses on two key layers of the framework:

- compliance with section 32 of the Land Use Planning and Approvals Act 1993, which establishes the statutory basis and justification for including local variations within a LPS; and
- alignment with the objectives of the Resource Management and Planning System of Tasmania (RMPS), which provide a broader, system-level test of whether the planning framework delivers sustainable and balanced land use outcomes.

This chapter does not revisit the strategic need for the SAPs, which has been established in earlier sections. Rather, it examines whether the SAPs, as planning instruments, meet the statutory requirements for inclusion in the planning scheme and whether they can function effectively within that framework.

Importantly, the refinements identified in the following section do not alter the underlying justification for the SAPs, but are directed to improving clarity, proportionality, and workability. These refinements respond to identified deficiencies in drafting, mapping, and application, and are necessary to ensure that the SAPs operate consistently with the requirements of section 32 of the Act. In this context, the need for refinement arises from the form of the provisions, rather than from any deficiency in the underlying strategic or statutory basis for the SAPs.

7.1 Section 32 of the LUPAA

Section 32 of the *Land Use Planning and Approvals Act 1993* establishes the statutory test for including provisions within a LPS that vary, supplement, or refine the SPPs. In the context of SAPs, it provides the primary legal framework for determining whether place-based planning controls are justified, appropriate and capable of certification.

The assessment below considers the SAPs against the key components of section 32, including:

- consistency with the structure and operation of the TPS;
- the proper role and function of SAPs as a planning instrument;
- the justification for variation to the SPPs, including the requirement to demonstrate significant environmental, social, or economic benefit; and
- the necessity, proportionality, and workability of the SAP provisions relative to alternative mechanisms within the planning framework.

The assessment has been undertaken from a practical implementation perspective, concerning how the SAPs operate in the assessment of use and development. This includes consideration of whether the provisions are:

- clearly expressed and capable of consistent interpretation
- supported by an appropriate evidentiary basis
- proportionately targeted to identified planning risks; and
- integrated with underlying zones and SPPs.

The findings are presented in Table 4 as a structured compliance assessment. Where the assessment identifies that compliance is dependent on refinement, this reflects issues of drafting, mapping, or implementation, rather than any fundamental deficiency in the statutory basis for the SAPs.

Importantly, the refinements identified in this report do not alter the underlying strategic rationale for applying additional local planning controls where they are supported by evidence. Rather, the refinements are directed toward improving clarity, proportionality, transparency and operational effectiveness. They respond to identified deficiencies in drafting, mapping and implementation, and are necessary to ensure that any retained SAP provisions operate consistently with the requirements of section 32 of LUPAA.

The section 32 assessment is applied on a differentiated basis. The Bruny Island SAP and the Bonnet Hill component of KINS7.0 are capable of satisfying the relevant section 32 requirements, subject to the refinements identified in this report. In both cases, the assessment indicates that the relevant environmental, landscape, infrastructure and spatial characteristics of the land provide a sufficient basis for additional local planning controls beyond the SPPs.

The position for Blackmans Bay Bluff is different. While some targeted controls may be capable of justification, the evidence presently available does not demonstrate that the SAP, in its current extent and form, is necessary, proportionate or sufficiently linked to the planning risks relied upon in support of the controls. Accordingly, the Blackmans Bay Bluff component is not supported in its current form.

Where Table 4 refers to SAPs generally, those findings should be read as applying to the Bruny Island SAP and the Bonnet Hill component of KINS7.0, unless Blackmans Bay Bluff is expressly identified.

Table 4: Section 32 Compliance Assessment

s.32 Requirement	Test	Response	Evidence	Conclusion
s.32(2) – Consistency with the TPS	Do the SAPs operate within the structure of the TPS and not conflict with administrative provisions?	The SAPs are structured and operate consistently with the Tasmanian Planning Scheme framework. They function as a permitted mechanism within the LPS and do not override or conflict with administrative or general provisions.	This assessment finds that the SAP provisions are framed to operate in conjunction with the underlying zones and codes, consistent with clause 5.3 of the Scheme. They are used to add to, modify or substitute specific use and development standards where necessary, while maintaining the integrity of the Scheme's hierarchy. In this context, the SAPs do not displace or alter administrative provisions, including interpretation, exemptions, scheme operation, or assessment processes, which continue to apply in full. They do not introduce an alternative assessment pathway but instead refine the content of applicable standards within the existing statutory framework.	Compliant at framework level The SAP mechanism is capable of operating within the TPS structure. This does not, of itself, confirm that each SAP area is justified in its current extent or form.
s.32(2) – Proper role and function of SAPs	Are the SAPs used appropriately as targeted place-based planning controls, rather than substituting for zoning or broader strategic planning?	The SAPs are used appropriately as a place-based planning mechanism to refine and calibrate development controls in response to localised conditions. They	This assessment finds that the SAPs have been applied to address clearly identified localised planning constraints, including environmental sensitivity, infrastructure limitations, cumulative development impacts, and landscape exposure, which are not adequately managed through zoning or standard code provisions alone. The underlying zones continue to establish the primary land use intent and strategic framework, while the SAPs operate in conjunction with those zones by introducing	Compliant SAP provisions should remain tightly scoped to localised constraints and avoid expanding into strategic or zoning functions.

s.32 Requirement	Test	Response	Evidence	Conclusion
		do not replace zoning, nor do they perform a broader strategic or policy-making role.	additional or modified standards where necessary to respond to those constraints. The SAPs are not used to correct or override zoning decisions or wider strategic settings, but instead provide targeted, spatially specific controls within defined areas where a higher level of planning response is required. This reflects the intended function of SAPs as a selective and proportionate tool, applied only where standard provisions are demonstrably insufficient.	Ongoing discipline required to ensure provisions are targeted and do not substitute for broader planning frameworks.
s.32(4) (b) – Justification for variation to SPPs	Is there a clear need to vary or supplement SPPs?	A clear, evidence-based need exists to supplement the SPPs, as the standard provisions are not capable of effectively managing the specific planning risks present within the subject areas.	This assessment finds that the SPPs, as a standardised statewide framework, are not designed to address the combined and location-specific planning challenges arising within the SAP areas. In particular, the SPPs do not adequately manage cumulative impacts associated with incremental development, including vegetation removal, landscape degradation, and infrastructure loading, particularly in Low Density Residential and Agriculture zones where key controls do not consistently apply. The provisions also do not provide effective mechanisms to regulate wastewater intensification outside of subdivision in unsewered environments, nor do they adequately address visual exposure, scenic impacts, or built form outcomes in highly visible coastal and landscape settings. These limitations arise from the interaction of multiple factors - including environmental sensitivity, constrained infrastructure capacity, dispersed settlement patterns and high levels of development and visitor pressure - which collectively create planning risks that cannot be resolved through single-issue, code-based assessment. The evidence demonstrates that, in the absence of locally tailored provisions, these risks would be managed through discretionary assessment alone, resulting in inconsistent, uncoordinated,	Satisfied for Bruny Island and Bonnet Hill, subject to refinement. Not presently satisfied for Blackmans Bay Bluff in its current extent and form.

s.32 Requirement	Test	Response	Evidence	Conclusion
			and potentially cumulative adverse outcomes. Accordingly, the SAPs provide a necessary and proportionate mechanism to introduce targeted, place-based planning controls that address these identified gaps in the operation of the SPPs.	
s.32(4) (a) Significant <u>environmental</u> benefit	Does the SAP deliver a significant environmental benefit that justifies variation to, or supplementation of, the SPPs?	The Bruny Island SAP and Bonnet Hill component are capable of delivering a significant environmental benefit by providing a targeted statutory framework to protect sensitive vegetation communities, threatened species habitat, landscape values and environmentally constrained land that are not adequately or consistently managed through the SPPs alone.	This assessment finds that the SAP areas contain extensive native vegetation, including dry coastal forests, wet eucalypt communities, heathlands, mature habitat trees, and other mapped natural values, together with habitat supporting threatened and significant fauna, including the Swift Parrot and the Forty-spotted Pardalote. It also identifies sensitive coastal landforms, visually prominent slopes, geoconservation values, and constrained environments where environmental outcomes are vulnerable to incremental change. In Bruny Island particularly, the report explains that parts of the relevant vegetation and habitat are not sufficiently managed through the Natural Assets Code because the Priority Vegetation Area provisions do not apply consistently across the Agriculture and Low Density Residential zones. This assessment further finds that the standard SPP framework does not adequately address cumulative ecological effects arising from repeated small-scale vegetation removal, disturbance associated with residential and visitor-related development, or wastewater intensification in unsewered environments. The SAPs respond to those gaps by introducing place-based planning controls directed to vegetation removal, ecological disturbance, landscape exposure, and environmentally constrained development, thereby reducing the risk of progressive degradation that would otherwise occur through ad hoc or	Satisfied for Bruny Island and Bonnet Hill, subject to mapping and drafting refinement. For Blackmans Bay Bluff, further evidence or a narrower spatial application is required.

s.32 Requirement	Test	Response	Evidence	Conclusion
			case-by-case assessment under standard provisions alone.	
s.32(4) (a) Significant <u>social</u> benefit	Does the SAP deliver a significant social benefit that justifies variation to, or supplementation of, the SPPs?	The Bruny Island SAP and Bonnet Hill component are capable of delivering a significant social benefit by providing a clearer, more predictable and place-based planning framework aligned with the characteristics of those locations.	This assessment finds that the SAP areas are characterised by established patterns of low-density settlement, strong landscape and environmental attributes, and a high level of community attachment to local character, scenic quality, and amenity. Consultation and representations confirm concern regarding incremental change, vegetation removal, landscape degradation, and the perceived lack of proportionality and clarity in the application of standard planning provisions. The SAPs respond to these issues by introducing spatially targeted controls that better align development outcomes with the existing character and capacity of each area. This includes maintaining low-density development patterns, managing visually prominent built form, and providing clearer direction on vegetation retention and environmental constraints. In doing so, the SAPs reduce reliance on broad discretionary assessment and provide a more predictable and transparent framework for both applicants and the community. Importantly, the social benefit is not limited to reflecting community preference but arises from the improved operation of the planning system itself. For Bruny Island and Bonnet Hill, the SAP framework enhances consistency in decision-making, reduces uncertainty associated with interpretation of standard provisions, and provides a clearer articulation of how development should respond to local context.	Satisfied for Bruny Island and Bonnet Hill, subject to refinement. For Blackmans Bay Bluff, potential social benefit may exist through clearer landscape or character controls but is not sufficiently demonstrated for the SAP as currently drafted.
s.32(4) (a) Significant <u>economic</u> benefit	Does the SAP deliver a significant economic benefit that justifies variation to, or	It is likely that the Bruny Island SAP and the Bonnet Hill component will deliver an economic benefit by supporting sustainable land	This assessment finds that the SAP areas, particularly Bruny Island, are subject to high levels of visitor demand and ongoing development pressure relative to their environmental and infrastructure capacity. These conditions place increasing strain on key economic assets, including	Likely satisfied for Bruny Island and Bonnet Hill, subject to refinement.

s.32 Requirement	Test	Response	Evidence	Conclusion
	supplementation of, the SPPs?	use outcomes that protect environmental, landscape and infrastructure assets.	landscape values, environmental quality, and tourism-dependent amenity, as well as on limited infrastructure systems such as wastewater, access, and servicing. The SAPs respond to these constraints by ensuring that development occurs at a scale and intensity consistent with the capacity of the land and available services. This reduces the risk of overdevelopment that could undermine the environmental and landscape qualities underpinning the visitor economy, while also avoiding inefficient infrastructure outcomes, such as cumulative failure of onsite wastewater systems or the need for reactive and unplanned service upgrades. In addition, the SAPs contribute to more efficient and orderly development by providing clearer guidance on development expectations and constraints. This reduces uncertainty for proponents, supports more predictable investment outcomes, and limits reliance on case-by-case discretionary assessment that can lead to inconsistent or contested decisions. Importantly, the economic benefit arises not only from promoting development opportunity, but from ensuring that development is aligned with long-term environmental and infrastructure capacity. In this way, the SAPs protect the ongoing viability of key economic activities, particularly tourism, while supporting a more coordinated, sustainable, and cost-effective pattern of growth.	Not relied upon as a primary justification for Blackmans Bay Bluff unless further evidence is provided.
Need for SAP vs zoning/codes alone	Are SAPs necessary to achieve the intended planning outcomes, or could those outcomes be achieved through zoning	SAPs are necessary, as the intended planning outcomes cannot be effectively or consistently achieved through zoning and	This assessment finds clear and substantive limitations in the operation of the SPPs when applied to the subject areas. In particular, standard zoning and code provisions do not adequately address cumulative impacts arising from incremental development, including vegetation removal, landscape degradation, and infrastructure loading, as they assess	Justified for Bruny Island and Bonnet Hill. Not presently justified for Blackmans Bay Bluff in its current extent

s.32 Requirement	Test	Response	Evidence	Conclusion
	and standard code provisions alone?	standard code provisions alone.	development on an individual application basis without a mechanism to manage aggregate effects over time. This assessment further finds that existing provisions do not provide sufficient or consistent control over key planning issues, including the intensification of wastewater outside subdivision in unsewered environments, the removal of native vegetation in zones where relevant overlays do not apply, and the management of visually prominent development within sensitive landscape settings. These gaps result in a reliance on discretionary assessment frameworks that are not designed to address combined or location-specific constraints, leading to variability in decision-making and reduced certainty of outcomes. Alternative mechanisms within the TPS, including zoning or code-based responses alone, cannot provide the necessary level of spatial targeting or integrated response to these issues without introducing broader or disproportionate changes to the planning framework. The SAPs, by contrast, provide a targeted and proportionate mechanism to apply locally specific controls within defined areas, enabling consistent, transparent and risk-based decision-making. In the absence of SAPs, development would continue to be assessed under provisions that are not calibrated to the specific environmental, infrastructure and landscape constraints present, increasing the likelihood of inconsistent outcomes and cumulative adverse impacts.	and form, although narrower controls may be capable of justification if supported by further evidence.
Proportionality and targeting	Are the SAP controls proportionate to the identified planning risks and spatially targeted to	The SAPs can achieve a proportionate and spatially targeted response, with the report identifying and implementing	This assessment recognises that earlier iterations of the SAPs gave rise to concerns regarding scope and proportionality, particularly where controls were applied broadly without sufficient spatial differentiation. In response, the assessment undertakes a detailed evaluation of environmental,	Capable of compliance for Bruny Island and Bonnet Hill, subject to refinement.

s.32 Requirement	Test	Response	Evidence	Conclusion
	where those risks arise?	refinements to ensure controls are applied only where justified by demonstrated planning risk.	landscape and infrastructure constraints to identify where additional planning controls are warranted and where standard provisions remain appropriate. The preferred approach adopts a refined and restructured SAP framework that retains controls only in locations where there is a clear nexus between the identified planning risk and the regulatory response. This includes areas of high environmental sensitivity, constrained wastewater capacity, visually prominent landforms, and locations where cumulative impacts are demonstrably likely. This assessment identifies the need for clearer thresholds, definitions, and mapping to ensure that controls are applied consistently and are linked to measurable or identifiable characteristics, rather than broad or subjective criteria. Importantly, the approach reduces reliance on blanket or island-wide application of controls and instead promotes more precise spatial targeting, including the potential use of precincts or differentiated provisions where appropriate. This ensures that regulatory burden is commensurate with risk and avoids unnecessary constraint on development in areas where additional controls are not justified.	Blackmans Bay Bluff requires narrowing or further evidence to demonstrate proportionality.
Clarity, transparency and workability	Are the SAP provisions capable of being applied consistently, transparently and predictably in the assessment of use and development?	The SAPs are capable of compliant and effective operation but require targeted refinement to ensure they are drafted with sufficient clarity, transparency and internal consistency to support	This assessment finds several specific deficiencies in the current form of the SAPs that bear directly on workability and statutory defensibility. These include uncertainty in mapping accuracy, insufficient transparency regarding the methodology and datasets relied on to trigger SAP provisions, the use of unclear or subjective terminology, and areas of duplication or tension with the SPPs. This assessment recognises that these issues can lead to inconsistent interpretation, reduce confidence in how	Capable of compliance, subject to targeted refinement. For Blackmans Bay Bluff, workability alone is not sufficient; the spatial and evidentiary justification

s.32 Requirement	Test	Response	Evidence	Conclusion
		predictable decision-making.	provisions will operate in practice, and increase reliance on subjective planning judgment. In response, the report proposes a clear refinement pathway, including improved drafting discipline, defined terminology, clearer thresholds and triggers, transparent and auditable mapping methodology, and a more coherent structure that aligns the SAPs more closely with the Tasmanian Planning Scheme framework. These measures are directed to ensuring that the SAPs (and in particular the provisions) can be read, understood, and applied consistently by decision-makers, applicants, and the community.	must also be resolved.

The assessment identifies the following key areas for refinement across the SAP framework:

- Improved spatial targeting, including use of mapped areas and precinct-based approaches
- Clearer thresholds and triggers for assessment
- Enhanced mapping transparency and evidentiary clarity
- Refinement of drafting, definitions, and terminology to improve consistency and predictability
- Stronger alignment with infrastructure capacity and environmental constraints
- Removal of duplication or conflict with SPPs; and
- Continued discipline to ensure SAPs remain targeted and proportionate, and do not substitute for broader strategic planning.

7.2 RMPS Assessment

The Resource Management and Planning System of Tasmania (RMPS) establishes the overarching objectives that guide the use, development and protection of land and natural resources throughout the State. The RMPS assessment provides a high-level evaluation of whether the SAPs, as components of the Local Provisions Schedule, support outcomes that are consistent with those objectives. The assessment therefore focuses on whether the SAP provisions are justified, capable of effective administration and appropriately aligned with the planning issues they are intended to address.

Not all RMPS objectives are engaged equally by the SAP framework. SAPs perform a targeted role within the planning system and are directed toward specific planning issues rather than broader strategic planning outcomes. Accordingly, the assessment considers the extent to which the SAPs support the intent of the RMPS within the scope of their statutory function.

The assessment indicates that the Bruny Island SAP and the Bonnet Hill component of KINS7.0 are capable of supporting outcomes consistent with the objectives of the RMPS, subject to the refinements identified in this report. In both instances, the SAP framework responds to planning issues that are not adequately addressed through standard provisions alone, including environmental sensitivity, infrastructure constraints, landscape values and cumulative development impacts.

The position for Blackmans Bay Bluff is different. While the area exhibits some characteristics that may justify additional planning guidance or targeted controls, the evidence currently available does not demonstrate that the SAP, in its present extent and form, is sufficiently justified or proportionate. As such, further evidence, spatial refinement or reconsideration is required before the same conclusion can be reached.

The RMPS assessment is presented in tabular form to provide a transparent evaluation against each relevant objective. The assessment should be read together with the section 32 assessment, the strategic merit assessment in Chapter 6. Where compliance is identified as being subject to refinement, this reflects the need to improve drafting clarity, mapping transparency, proportionality and internal consistency, rather than any inconsistency with the intent of the RMPS itself.

Table 5: Objectives of the Resource Management and Planning System of Tasmania part 1

Objective	Relevance & Test	Response / Assessment	Evidence	Compliance Pathway	Conclusion
Part 1 – 1(a)	This objective is directly relevant. The test is whether the SAP framework provides a planning response that enables development while protecting identified environmental values and ecological systems.	The SAPs are applied in areas where environmental sensitivity, habitat values and cumulative impact risks are not adequately managed through the underlying zones and SPPs. This is particularly evident in locations where incremental development has the potential to erode ecological values over time, even where individual proposals are low impact. The SAP framework responds to this by introducing more targeted and locally specific controls that address how development interacts with vegetation, landform and identified environmental constraints. In doing so, it shifts the assessment from a broad, generalised approach to one that is more closely aligned with the characteristics of the land. The review has identified that the previous form of the SAP provisions did not always achieve this in a clear or proportionate way. In particular, issues with mapping, definitions and the articulation of assessment triggers limited the consistency and defensibility of outcomes.	The SAP areas are characterised by significant environmental values, including native vegetation, habitat areas and landscape systems that are sensitive to incremental change. These areas are also subject to development pressures associated with dispersed settlement patterns, infrastructure limitations, and ongoing demand, all of which contribute to the risk of cumulative impact if not managed through a coordinated framework. The assessment consistently finds that standard provisions do not adequately manage this interaction across all locations, particularly where ecological values fall outside the scope or application of relevant codes.	Compliance with this objective is achieved through refinement of the SAP provisions to ensure they operate as intended. This includes: • clearer identification and mapping of environmental values • improved definitions and removal of ambiguity • assessment triggers aligned to demonstrated environmental risk • controls that specifically address vegetation, siting, and intensity • removal of overlap or inconsistency with SPPs These changes ensure the SAPs are capable of consistent and proportionate application.	Complies (subject to refinement) The SAP framework is consistent with this objective as it provides a mechanism to manage development in environmentally sensitive areas in a way that supports sustainable outcomes and protects ecological processes. This conclusion is dependent on the refinement of provisions to address identified issues of clarity, mapping, and proportionality.

Objective	Relevance & Test	Response / Assessment	Evidence	Compliance Pathway	Conclusion
		The refined SAP approach addresses these issues by improving the clarity of provisions, strengthening the link between controls and demonstrated risk, and ensuring that regulation is more precisely targeted. This supports a more balanced outcome where development can proceed, but not at the expense of ecological processes or environmental capacity.			
Part 1 – 1(b)	This objective is directly relevant. The test is whether the SAP framework results in development being managed in a coordinated and proportionate way, having regard to land capability, infrastructure capacity, and settlement pattern.	The SAPs provide a structured framework for managing development in areas where the underlying zones and standard provisions do not adequately respond to local conditions. This is particularly relevant in locations characterised by dispersed settlement, constrained infrastructure, and varying land capability, where uncoordinated development can lead to inconsistent and unsustainable outcomes. In these contexts, reliance on standard provisions alone creates a risk that development occurs incrementally without sufficient regard to cumulative effects, servicing limitations or the relationship between land use and environmental capacity. The SAP framework addresses this by	The SAP areas are subject to identifiable constraints, including limited or absent reticulated infrastructure, dispersed settlement patterns, and environmental sensitivity. These factors collectively limit the capacity for development to occur in a consistent and sustainable manner without a coordinated framework. The assessment identifies that, in the absence of the SAPs, development would rely more heavily on standard provisions that do not adequately address these combined constraints, increasing the risk of fragmented and inconsistent outcomes.	Compliance with this objective is achieved through the application and refinement of the SAP provisions, including: • spatially targeted application of controls • alignment of development intensity with infrastructure capacity • clearer assessment triggers linked to land capability and servicing constraints • improved consistency between SAP provisions and underlying zones	Complies The SAP framework provides an appropriate and necessary mechanism to ensure that development occurs in a fair, orderly, and sustainable manner in areas where standard provisions are insufficient.

Objective	Relevance & Test	Response / Assessment	Evidence	Compliance Pathway	Conclusion
		introducing more targeted controls that align development outcomes with the characteristics of the land and the capacity of available infrastructure. The refined SAP approach further improves this by narrowing the application of controls, clarifying assessment triggers, and ensuring that provisions are more closely linked to demonstrated planning risk. This supports a more orderly pattern of development and reduces reliance on ad hoc decision-making.		removal of ambiguity and unnecessary discretion These measures ensure that development is managed in a way that is both orderly and proportionate to the constraints of the land.	
Part 1 – 1(c)	This objective is only partially relevant. The test is whether the SAP framework itself facilitates or enables public participation in the planning process.	Public involvement in the planning system is primarily achieved through the statutory processes for preparing and exhibiting planning scheme provisions, rather than through the content of a SAP. In this case, the SAPs have been subject to a comprehensive consultation process, including formal exhibition, statutory representations, and additional engagement with community groups. The outcomes of that consultation have informed both the assessment of the SAPs and	The preparation of the SAPs involved a formal exhibition process supported by a high level of community engagement, including a significant volume of representations and additional consultation activities. This demonstrates that public participation has occurred through the statutory framework, with consultation outcomes directly informing the review and refinement of the SAP provisions.	Compliance with this objective is achieved through: - the statutory exhibition and representation process - consideration of representations within the assessment framework - integration of consultation outcomes into the refinement of SAP provisions - clear explanation of the role and limits of SAPs	Indirectly satisfied / not directly engaged Public participation is achieved through the broader statutory planning framework rather than through the SAP provisions themselves

Objective	Relevance & Test	Response / Assessment	Evidence	Compliance Pathway	Conclusion
		the identification of issues requiring refinement. However, the SAP provisions themselves do not regulate or create mechanisms for public participation. Their role is limited to setting out planning controls and assessment criteria, rather than establishing or governing consultation processes.		within the broader planning system These processes ensure that community input is considered, while maintaining the statutory role of the SAP as a planning instrument.	
Part 1 – 1(d)	This objective is partially relevant. The test is whether the SAP framework enables development to occur in a way that is consistent with environmental constraints and infrastructure capacity, rather than directly promoting economic outcomes.	The SAPs do not act as an economic development tool in their own right. Their role is to establish how development is to occur in areas where environmental sensitivity, infrastructure limitations and cumulative impacts present a constraint to growth. In this context, the SAP framework supports economic activity by providing clearer parameters within which development can proceed. This is particularly relevant in areas subject to ongoing tourism demand, where pressure for development exists but must be carefully managed to avoid undermining the environmental and infrastructure systems that support that activity.	The assessment identifies ongoing development pressure, particularly associated with tourism, in areas that are constrained by limited infrastructure, environmental sensitivity and dispersed settlement patterns. These pressures create a clear need to manage the scale and intensity of development, rather than to promote it, to avoid cumulative impacts on infrastructure, landscape and environmental values.	Compliance with this objective is achieved through: - controls that align development intensity with infrastructure capacity - provisions that respond to environmental constraints and land capability - spatial targeting of controls to areas where risk is demonstrated - refinement of triggers and standards to avoid unnecessary restriction while preventing over-intensification This ensures that development can occur, but within limits that maintain the long-term	Complies (indirectly) The SAP framework facilitates economic activity in a controlled and sustainable manner, consistent with the broader objectives of the planning system.

Objective	Relevance & Test	Response / Assessment	Evidence	Compliance Pathway	Conclusion
		Without this framework, there is a risk that development occurs in an uncoordinated manner, leading to incremental intensification that is not aligned with land capability or servicing capacity. This would undermine both environmental outcomes and the long-term viability of economic activity in those locations. The SAPs therefore facilitate development indirectly by ensuring that it is undertaken in a way that is sustainable, proportionate, and consistent with the broader objectives of the planning system.		sustainability of the resource base.	
Part 1 – 1(e)	This objective is partially relevant. The test is whether the SAP framework contributes to a coordinated approach to planning consistent with the broader statutory system, rather than establishing governance arrangements.	The SAPs operate as part of the Tasmanian Planning Scheme and are implemented through the LPS. In this context, responsibility for planning outcomes is shared across State agencies, the planning authority, and the community through established statutory processes. The SAP framework does not create new governance structures or allocate responsibility between parties. Its role is limited to setting out how use and development is to be assessed in specific locations. However, by providing clearer and more targeted	The SAPs form part of an integrated planning system that includes the SPPs, the LPS and the statutory processes for public exhibition and consultation. Planning outcomes are informed by inputs from multiple stakeholders, including State agencies, the planning authority, and the community, with consultation outcomes directly influencing the refinement of SAP provisions.	Compliance with this objective is achieved through: - operation within the established TPS framework - integration with SPPs and the LPS - reliance on statutory consultation and representation processes - refinement of SAP provisions to support clear and consistent decision-making	Satisfied at framework level The SAP framework supports the sharing of responsibility for planning outcomes at a system level but does not independently establish or regulate that requirement.

Objective	Relevance & Test	Response / Assessment	Evidence	Compliance Pathway	Conclusion
		provisions, the SAPs support more consistent and transparent decision-making within that shared framework. The refinement of the SAPs further contributes to this by improving clarity, reducing ambiguity, and ensuring that responsibilities are exercised within a more structured and predictable planning context.		This ensures that planning responsibilities are exercised within a coordinated and recognised statutory structure.	

Table 6: Objectives of the Resource Management and Planning System of Tasmania part 2.

Objective	Relevance & Test	Response / Assessment	Evidence	Compliance Pathway	Conclusion
Part 2 – (a)	This objective is directly relevant. The test is whether the SAP framework provides a coordinated and strategic response to planning issues that extend beyond the capability of standard provisions.	The SAPs function as a mechanism to implement strategic planning outcomes at a local level where the SPPs do not adequately address site-specific conditions. In this context, they provide a structured response to identified planning risks, including environmental sensitivity, infrastructure constraints, and cumulative impacts. Rather than introducing new strategic policy, the SAPs translate existing strategic intent into a more targeted and locally responsive framework. This supports better coordination between State-level provisions and local planning controls, ensuring that	The SAPs have been applied in areas where standard provisions have been identified as insufficient to manage combined environmental, servicing and settlement constraints in a consistent manner. The assessment demonstrates that, without a coordinated framework, these issues would be addressed on a piecemeal basis through discretionary assessment, increasing the	Compliance is achieved through: - alignment of SAP provisions with the structure and intent of the Tasmanian Planning Scheme - use of SAPs as a recognised statutory mechanism within the LPS - refinement of provisions to remove duplication and improve	Complies The SAPs provide a coordinated and strategically consistent response to local planning issues within the broader framework of the planning scheme.

Objective	Relevance & Test	Response / Assessment	Evidence	Compliance Pathway	Conclusion
		planning outcomes are consistent with the broader objectives of the Tasmanian Planning Scheme. The refined SAP approach strengthens this coordination by improving clarity, removing duplication, and aligning provisions more closely with demonstrated planning issues.	risk of inconsistent outcomes.	integration with SPPs ensuring controls are targeted to identified planning risks	
Part 2 – (b)	This objective is directly relevant. The test is whether the SAPs operate as a proper use of the planning instrument framework, rather than introducing ad hoc or inconsistent controls.	SAPs are an established component of the Tasmanian Planning Scheme and are intended to provide place-specific refinement where standard provisions are not sufficient. Their use in this instance is consistent with that role. The SAPs do not operate outside the planning system or introduce alternative mechanisms. Instead, they function within the LPS, modifying or supplementing existing provisions in a structured and transparent way. The refinement of the SAPs improves their alignment with this objective by ensuring they are clearly expressed, appropriately scoped and consistent with the broader structure of the scheme.	The SAPs are incorporated within the LPS and applied in accordance with established statutory requirements. Their use is limited to areas where additional controls are justified by local conditions, rather than applied broadly or inconsistently.	Compliance is achieved through: - use of SAPs as a recognised statutory planning instrument - consistency with the structure and requirements of the LPS - refinement of provisions to ensure clarity and avoid duplication - adherence to the scheme's framework for use and development controls	Complies The SAPs represent an appropriate and consistent use of the planning instrument system.
Part 2 – (c)	This objective is directly relevant. The test is whether the SAP framework enables a balanced and explicit	The SAP framework provides a structured basis for considering the effects of development beyond what is captured by standard provisions alone. This includes environmental impacts,	The SAP areas are affected by environmental constraints, infrastructure limitations, and strong community expectations, all	Compliance is achieved through: provisions that require	Complies (subject to refinement) The SAP framework supports a

Objective	Relevance & Test	Response / Assessment	Evidence	Compliance Pathway	Conclusion
	consideration of environmental, social, and economic effects.	infrastructure capacity, community expectations, and the cumulative effects of development over time. The assessment demonstrates that these factors are closely interrelated within the SAP areas. As such, a more detailed and place-specific framework is required to ensure that decisions accurately reflect this complexity. The refined SAP provisions improve this outcome by clarifying how impacts are identified and assessed, and by ensuring that controls are proportionate to the risks they are intended to manage.	of which influence the potential effects of development. These factors cannot be adequately considered in isolation and require an integrated assessment approach.	consideration of environmental constraints and impacts - alignment of development intensity with infrastructure capacity - incorporation of community concerns into the refinement process - improved clarity in assessment triggers and definitions	comprehensive consideration of environmental, social, and economic effects.
Part 2 – (d)	This objective is directly relevant. The test is whether the SAPs operate as an integrated component of the broader planning and policy framework.	The SAPs integrate a range of planning considerations, including environmental protection, infrastructure constraints, and settlement patterns, into a single coordinated framework. They do not operate in isolation, but in conjunction with the SPPs, underlying zones, and other applicable codes. This ensures that local controls are applied within the broader policy context, rather than in conflict with it. The refinement process improves this integration by addressing overlap and ensuring clearer alignment between	The SAP areas demonstrate overlapping environmental, social and infrastructure constraints that require a coordinated response. The planning framework reflects this by combining multiple considerations within the SAP provisions.	Compliance is achieved through: - alignment of SAP provisions with the broader structure of the planning scheme - removal of duplication or inconsistency with existing codes - integration of environmental and infrastructure considerations into assessment	Complies The SAPs operate as an integrated component of the broader planning framework.

Objective	Relevance & Test	Response / Assessment	Evidence	Compliance Pathway	Conclusion
		SAP provisions and other components of the scheme.		refinement to improve consistency and clarity	
Part 2 – (e)	This objective is directly relevant. The test is whether the SAPs assist in creating clearer and more coordinated assessment pathways.	The SAPs contribute to coordination of approvals by providing clearer development standards and assessment triggers, reducing uncertainty and reliance on case-by-case discretion. Earlier versions of the SAPs created potential for inconsistent interpretation due to unclear mapping and definitions. The refined provisions address this by establishing clearer thresholds and improving the transparency of the assessment process. This results in a more predictable and consistent framework for assessing proposals.	The review identified issues with clarity, mapping and definitions that affected consistency of assessment. Refinement has focused on resolving these issues to improve coordination of decision-making.	Compliance is achieved through: - clearer and more precise assessment triggers - improved mapping and definitional clarity - alignment between SAP provisions and underlying controls - reduction of ambiguity in the assessment process	Complies (improves with refinement) The SAPs improve coordination and clarity of the approval process, with further benefit gained through refinement.
Part 2 – (f)	This objective is directly relevant. The test is whether the SAP framework supports development outcomes that are safe and appropriate to the constraints of the land.	The SAPs contribute to safe and sustainable environments by ensuring development is consistent with infrastructure capacity, environmental constraints, and emergency management considerations. In areas such as Bruny Island, limitations in access, servicing and emergency response capacity mean that unmanaged intensification presents a clear risk. The SAP framework responds to this by limiting	Infrastructure constraints, including limited servicing and access, are identified as key planning risks within the SAP areas. These constraints directly influence the suitability and safety of development outcomes.	Compliance is achieved through: - controls that align development with infrastructure capacity - provisions addressing wastewater and servicing constraints	Complies The SAPs support the delivery of safe and appropriate development outcomes.

Objective	Relevance & Test	Response / Assessment	Evidence	Compliance Pathway	Conclusion
		development to a scale that can be safely accommodated.		- limits on intensity in constrained locations - consideration of emergency management capacity	
Part 2 – (g)	This objective is only partially relevant. The test is whether the SAPs directly address heritage conservation outcomes.	The primary focus of the SAPs is environmental, landscape and infrastructure-related planning issues. While aspects of character and landscape may overlap with heritage considerations, the SAPs are not designed as a heritage conservation mechanism. Where heritage or cultural values are present, these are more appropriately addressed through other provisions within the planning scheme or through separate statutory processes.	The SAP provisions primarily address environmental and landscape characteristics, rather than identified heritage values. Any reference to character is related to broader landscape and visual outcomes rather than formal heritage conservation.	Compliance is achieved indirectly through: - consideration of landscape and character values - operation within the broader planning framework where heritage is addressed separately	Indirectly satisfied The SAPs do not directly address heritage outcomes but may support them indirectly through related controls.
Part 2 – (h)	This objective is directly relevant. The test is whether the SAP framework ensures development aligns with infrastructure capacity and protects existing systems from cumulative pressure.	The SAPs respond directly to infrastructure constraints, particularly in relation to wastewater, access, and servicing capacity. These constraints are a defining feature of the SAP areas and represent a key planning risk if not managed appropriately. By introducing controls on development intensity and linking assessment to infrastructure capacity, the SAPs ensure that growth does not	The SAP areas are characterised by limited or absent reticulated infrastructure, constrained transport access, and reliance on local servicing solutions. These limitations create a clear need for planning controls that regulate the scale and intensity of development.	Compliance is achieved through: - controls limiting development intensity in constrained areas - alignment of proposals with available infrastructure - provisions addressing	Complies The SAPs provide a clear and necessary response to infrastructure constraints and support coordinated service provision.

Objective	Relevance & Test	Response / Assessment	Evidence	Compliance Pathway	Conclusion
		exceed the ability of existing systems to support it.		wastewater and servicing capacity spatial targeting of controls to areas of greatest constraint	
Part 2 – (i)	This objective is directly relevant. The test is whether the SAP framework responds to the inherent capability and constraints of the land, rather than applying a uniform approach to development.	The SAPs respond to areas where land capability is constrained by a combination of environmental sensitivity, servicing limitations, and physical site conditions. These constraints vary significantly across the SAP areas and are not adequately reflected through the application of standard provisions alone. In these circumstances, a uniform planning response risks allowing development outcomes that are not aligned with the capacity of the land, particularly where cumulative effects arise from incremental intensification. The SAP framework addresses this by introducing controls that are more closely aligned to the characteristics of the land, including how development intensity, siting and land disturbance are managed. This enables assessment to respond to variations in capability, rather than relying solely on zoning or generic standards. The refinement of the SAP provisions further strengthens this approach by improving mapping, clarifying assessment triggers, and ensuring that	The SAP areas are characterised by identifiable constraints affecting land capability, including environmental sensitivity, limited infrastructure and servicing, and variation in topography and physical conditions. These factors influence the suitability and scale of development and require a more tailored planning response than that provided by standard provisions. The assessment confirms that these constraints are a central driver for the application of the SAPs.	Compliance is achieved through: - mapping and identification of areas subject to environmental and physical constraints - controls that align development intensity with land capability - consideration of servicing and infrastructure limitations - refinement of provisions to ensure clarity and proportionality - application of targeted controls rather than blanket regulation This approach ensures that development outcomes reflect the actual capacity of the land.	Complies The SAP framework provides a planning response that appropriately recognises and responds to land capability constraints across the SAP areas.

Objective	Relevance & Test	Response / Assessment	Evidence	Compliance Pathway	Conclusion
		controls are proportionate to the identified constraints. This supports more consistent and defensible consideration of land capability across the SAP areas.			

8. Options, scenarios, and risk

This section examines a range of realistic options for the future of the Bruny Island SAP and the Blackmans Bay Bluff & Bonnet Hill SAP. The purpose is to test each option against planning risk, statutory defensibility, implementation practicality, and community outcomes, and to identify a clear and proportionate pathway forward.

Rather than framing the review as a binary choice between retaining or abandoning the SAPs, this section recognises that refinement, restructuring and alternative mechanisms may deliver more effective and defensible outcomes than either wholesale retention or removal. The options assessed are not theoretical; they reflect pathways available within the existing planning framework and respond directly to the issues identified through consultation, strategic review, and analysis.

Each option has been assessed against a consistent set of risk considerations to ensure that statutory defensibility, planning effectiveness and long-term workability is explicitly tested. Table 7 (Risk and Mitigation Matrix) summarises the key risks associated with each consideration and the mitigation approach applied through this review. For consistency, the option assessment adopts a common risk rating framework comprising High, Moderate and Low risk categories. The option-by-option analysis that follows builds on that framework by examining how those risks arise under each scenario, and the extent to which they are avoided, reduced, or managed.

Accordingly, Sections 8.1 to 8.4 assess four alternative scenarios, moving from complete removal of SAP controls through to refinement, restructuring, and alternative planning mechanisms.

Because the findings differ between the SAP areas, the options are not assessed uniformly. Bruny Island and Bonnet Hill are assessed as locations where a refined SAP remains the preferred planning response. Blackmans Bay Bluff is assessed separately, with options including no SAP, a narrower SAP, or an alternative planning mechanism unless further evidence is provided to justify the current SAP extent and provisions.

Table 7: Risk and Mitigation Matrix – Assessment of SAP Options

Assessment consideration	Key risk if not appropriately addressed	Nature of risk	Mitigation approach applied in this review
Statutory risk	Option may attract further intervention, modification, or rejection by the Tasmanian Planning Commission due to insufficient justification, drafting defects, or inconsistency with the SPPs.	Approval / legal risk	Each option is tested against the statutory role of SAPs, section 32 of the <i>Land Use Planning and Approvals Act 1993</i> , and Direction 78 requirements. Mitigation focuses on clarifying drafting intent, removing duplication, addressing identified defects, and ensuring consistency with the structure and purpose of the Tasmanian Planning Scheme.
Planning effectiveness	Option fails to adequately address the planning issues that gave rise to the SAPs, resulting in unmanaged cumulative impacts, inconsistent outcomes, or reliance on discretionary assessment alone.	Strategic / operational risk	Options are assessed against their capacity to respond to identified local planning risks, including environmental sensitivity, landscape impact, infrastructure constraints, and cumulative development pressure. Mitigation prioritises retention or refinement of controls only where they demonstrably address those risks.
Proportionality	Controls apply too broadly or impose regulatory burden that is not commensurate with demonstrated risk, leading to perceptions of overreach and reduced defensibility.	Policy / fairness risk	Mitigation involves testing spatial targeting, assessment triggers and thresholds to ensure controls are risk-based and locally calibrated. Options that narrow scope, improve spatial logic or refine triggers reduce the risk of disproportionate application.
Implementation and administration	Provisions are difficult to interpret, apply or enforce, resulting in inconsistent decision-making, increased appeal risk and administrative burden.	Implementation / governance risk	Options are reviewed for clarity, internal consistency, and workability. Mitigation focuses on clearer drafting, defined terminology, transparent mapping, and published methodology, reducing reliance on subjective judgement and non-auditable inputs.
Community outcomes and confidence	Continued lack of clarity or perceived unfairness undermines trust in the planning system and the legitimacy of SAP controls, even where statutory requirements are met.	Social licence / reputational risk	Mitigation includes improving transparency, explanation, and communication, distinguishing statutory from non-statutory inputs, and ensuring that SAPs are clearly framed as targeted planning tools rather than blanket restrictions.

8.1 Option 1: No SAP

Description

Under this option, the LPS would rely on the underlying zones and standard SPPs to manage use and development. Against the assessment considerations in Table 7, this option performs differently across the SAP areas.

Assessment

Removing the SAPs would simplify the LPS and respond directly to concerns regarding complexity, duplication and lack of clarity. It would also remove the immediate statutory risks associated with SAP drafting, mapping methodologies and justification.

However, this option does not adequately address the planning issues that originally led to the introduction of the SAPs. It would remove locally tailored mechanisms intended to manage cumulative impacts, landscape sensitivity, vegetation retention, wastewater intensification and development in visually prominent or environmentally constrained locations. Responsibility for these matters would revert to assessment under the underlying zones and SPPs, which were not designed to address them in a comprehensive or place-specific manner.

Bruny Island

For Bruny Island, removal of the SAP would create a high planning effectiveness risk. The assessment has identified that the Island's planning issues arise from the combined effect of dispersed settlement, limited infrastructure capacity, wastewater constraints, environmental sensitivity, landscape exposure and cumulative development pressure. These issues are not adequately managed through standard provisions alone.

Removing the SAP would reduce implementation complexity and remove the immediate drafting and mapping issues associated with the current provisions. However, it would also remove the only place-specific mechanism currently available to manage the cumulative effect of development across multiple settlements and zones.

The principal risks for Bruny Island are:

- loss of place-specific controls in an environmentally and infrastructurally constrained island context
- increased reliance on case-by-case discretionary assessment
- reduced ability to manage cumulative wastewater, vegetation and landscape impacts
- greater potential for inconsistent development outcomes between settlements; and
- renewed pressure for future ad hoc amendments or alternative local controls.

On balance, this option is not preferred for Bruny Island.

Bonnet Hill

For Bonnet Hill, removal of the SAP would create a moderate (to high) planning effectiveness risk. The assessment identifies a reasonable planning basis for additional controls relating to landscape prominence, visual sensitivity, vegetation values, development intensity and the transition between residential land and more environmentally sensitive areas.

Removal would simplify the planning framework, but would leave these matters to be managed through standard zone and code provisions that are not specifically calibrated to the Bonnet Hill context. This would reduce statutory complexity, but would also weaken the ability to manage known landscape and environmental sensitivities in a visually prominent location.

The principal risks for Bonnet Hill are:

- loss of controls directed to visual prominence and landscape sensitivity
- reduced ability to manage vegetation retention and built form outcomes in a highly visible location
- increased reliance on standard Low Density Residential Zone provisions
- potential inconsistency with the strategic intent of managing development outside the UGB; and
- increased likelihood that localised constraints would need to be addressed through future reactive amendments.

On balance, this option is not preferred for Bonnet Hill.

Blackmans Bay Bluff

For Blackmans Bay Bluff, the assessment is different. The removal of the SAP presents a low planning effectiveness risk. The report does not support the SAP in its current extent and form because the evidence does not clearly demonstrate that the mapped SAP area and proposed controls are necessary, proportionate or sufficiently linked to the planning risks identified.

In that context, removal of the SAP may be more defensible than retaining the current provisions without substantial revision. However, removal would also mean that any legitimate landscape, vegetation, built form or development intensity issues would need to be managed through the underlying zones, existing codes, or a future alternative planning response.

The principal risks for Blackmans Bay Bluff are:

- loss of any targeted local control over landscape, vegetation or built form matters that may be justified in parts of the area
- reliance on standard provisions that may not fully address localised visual or character issues
- concern from members of the community who support some form of additional protection; and
- the need for a future narrower SAP or alternative mechanism if further evidence confirms that targeted controls are warranted.

On balance, this option is a viable option for Blackmans Bay Bluff, but only if Council accepts that any remaining localised issues should be addressed through existing provisions, a narrower future SAP, or another planning mechanism.

Overall finding for Option 1

Overall Risk Assessment

- Bruny Island – High Risk
- Bonnet Hill – Moderate Risk
- Blackmans Bay Bluff – Low Risk

Option 1 performs well against implementation simplicity because it removes additional SAP provisions and associated drafting complexity. However, it performs poorly against planning effectiveness for Bruny Island and Bonnet Hill because it would remove the only place-specific mechanism currently available to manage identified cumulative, environmental, infrastructure and landscape risks.

Overall, Option 1 presents a high planning effectiveness risk for Bruny Island, a moderate planning effectiveness risk for Bonnet Hill, and a low planning effectiveness risk for Blackmans Bay Bluff.

For Blackmans Bay Bluff, Option 1 performs more strongly because the current evidence does not support the SAP in its existing extent and form. However, if localised controls are to be retained for Blackmans Bay Bluff, they should be narrowed and supported by clearer evidence rather than retained in their current form.

8.2 Option 2: Narrow SAP Now (Minimal Retention Approach)

Description

This option retains the SAPs but significantly narrows their scope, application and content. Controls would be limited to a small number of clearly defined issues and locations where the need for local variation is strongest and most defensible.

Assessment

This approach directly responds to concerns about overreach and proportionality. By stripping back the SAPs to their essential functions, it reduces statutory and implementation risk while retaining a mechanism to manage genuinely localised planning issues.

However, a minimal retention approach risks becoming reactive rather than strategic. If narrowing is undertaken without a clear spatial and policy framework, the SAPs may remain vulnerable to criticism for lack of coherence or for addressing symptoms rather than causes.

Against the assessment considerations in Table 7, this option performs differently across the SAP areas. It reduces statutory and implementation risk by limiting the scope of SAP controls, but its effectiveness depends on whether the narrowing is supported by a clear spatial logic and a defensible explanation of what risks remain to be managed.

Bruny Island

For Bruny Island, a minimal retention approach would only be appropriate if the retained provisions are clearly linked to the Island's most significant and demonstrable planning risks. These include wastewater intensification, environmental sensitivity, landscape exposure, limited infrastructure capacity and cumulative development pressure across dispersed settlements.

The main risk is that a narrow SAP could become too limited to perform the broader coordinating function required on Bruny Island. If controls are reduced without a clear settlement, infrastructure and environmental framework, the SAP may fail to address the cumulative impacts that justified a place-based response in the first place. The principal risks for Bruny Island are:

- retained controls may be too narrow to manage cumulative wastewater, vegetation and landscape impacts
- narrowing may reduce perceived overreach but leave unresolved gaps in the operation of standard provisions
- controls may become fragmented if not supported by clear spatial mapping or precinct logic
- future amendments may still be required if the narrowed SAP does not adequately address settlement and infrastructure constraints; and
- the planning response may be criticised as reactive rather than strategic.

While this option may reduce immediate statutory and community concern, it carries a moderate risk that the retained provisions would be too limited to address the cumulative environmental, infrastructure and settlement issues that underpin the SAP. The option is therefore not preferred unless supported by a clear spatial framework, mapped triggers and complementary strategic planning.

Bonnet Hill

For Bonnet Hill, a narrowed SAP may be a workable option because the planning issues are more spatially confined and easier to define. The controls could be limited to matters such as landscape prominence, vegetation retention, visual sensitivity, built form and development intensity where those issues are clearly supported by the evidence.

This option would reduce unnecessary regulatory burden while retaining a place-specific tool for matters that are not fully addressed by the standard provisions. It may therefore perform reasonably well against proportionality and implementation practicality, provided the retained controls are clearly mapped and limited to the relevant risks.

The principal risks for Bonnet Hill are:

- narrowing may remove controls that are still needed to manage landscape or visual impacts
- retained provisions may remain vulnerable if the mapping methodology is not transparent
- the reduced SAP may not adequately address the relationship between vegetation, built form and visual prominence
- the basis for retained controls must be clearly explained to avoid perceptions of arbitrary regulation; and
- further amendment may be required if retained controls are not sufficiently precise.

On balance, this option presents a low risk outcome for Bonnet Hill. The planning issues are relatively discrete, the area is capable of being clearly mapped, and a reduced suite of targeted controls could continue to address identified landscape, vegetation and development intensity issues without the complexity of the current SAP framework.

Blackmans Bay Bluff

For Blackmans Bay Bluff, this option may be more appropriate than retaining the SAP in its current form. The report does not support the current SAP extent and drafting because the evidence does not clearly demonstrate that the full mapped area and proposed controls are necessary or proportionate.

A narrowed SAP could allow Council to retain controls for those parts of Blackmans Bay Bluff where there is a clearer relationship between the planning issue and the proposed regulatory response. This may include locations where landscape sensitivity, vegetation retention, built form or development intensity risks are supported by evidence.

The principal risks for Blackmans Bay Bluff are:

- narrowing may still be challenged if the retained area is not supported by clear evidence
- controls may remain vulnerable if they are based on general character or landscape assertions rather than mapped values or identified development risk
- community support for the SAP may not be sufficient to establish statutory justification
- a narrowed SAP may need to be supported by further technical or strategic work; and
- removal or substantial narrowing may create concern for those community members seeking stronger protection.

On balance, this option presents a moderate risk outcome for Blackmans Bay Bluff. It provides a pathway to retain local controls where they can be clearly justified, while reducing the risk associated with retaining the current SAP extent and provisions. Its success, however, depends on the ability to demonstrate a clear relationship between the retained controls, the identified planning issues and the supporting evidence base.

Overall finding for Option 2

Overall Risk Assessment

- Bruny Island – Moderate Risk
- Bonnet Hill – Low Risk
- Blackmans Bay Bluff – Moderate Risk

Option 2 generally performs better than full removal because it retains a mechanism for managing localised planning risks while responding to concerns regarding overreach, complexity and proportionality.

For Bruny Island, minimal retention may be too limited unless supported by a clear spatial framework and future strategic planning. For Bonnet Hill, it may provide a defensible pathway if the retained controls are properly mapped and targeted. For Blackmans Bay Bluff, it is a potentially appropriate option where the current SAP cannot be justified in full but narrower, evidence-based controls may still be warranted.

8.3 Option 3: Refined and Restructured SAP (Preferred Option – Bruny Island and Bonnet Hill)

Description

This option involves retaining the SAPs but refining and restructuring them to improve clarity, proportionality, statutory defensibility and long-term performance. Controls would be targeted, clearly justified, and aligned with identifiable spatial, environmental, infrastructure and landscape characteristics.

Assessment

A refined SAP approach allows the planning scheme to respond to genuine local planning risks while addressing the key criticisms raised through consultation and review. Refinement would include clearer purpose statements, removal of duplication with standard provisions, improved mapping transparency, better alignment with underlying zones, and more explicit thresholds and assessment triggers.

For Bruny Island, this option enables the SAP to operate as a coordinated framework that reflects settlement patterns, infrastructure constraints and environmental sensitivity without relying on poorly calibrated or unexplained controls. For Bonnet Hill, this option supports the continued management of landscape, visual sensitivity, vegetation and development intensity through a clearer and more predictable SAP framework. For Blackmans Bay Bluff, a refined SAP is only supported if the controls are narrowed to matters that are clearly justified by the evidence, or if further evidence is provided to demonstrate why the current extent and form is necessary.

Against the assessment considerations in Table 7, this option performs most strongly for Bruny Island and Bonnet Hill because it retains the benefit of place-specific controls while directly addressing the principal risks identified through the review: statutory defensibility, proportionality, implementation clarity and community confidence.

Bruny Island

For Bruny Island, this option presents a low planning effectiveness risk and provides the most appropriate planning response. The assessment identifies that Bruny Island's planning issues arise from the combined effect of environmental sensitivity, limited infrastructure capacity, wastewater constraints, dispersed settlement, tourism pressure and cumulative development impacts. Removing the SAP would leave those matters to standard provisions that are not well suited to managing them in combination.

A refined and restructured SAP allows the controls to be more clearly linked to the particular risks they are intended to manage. This would improve statutory defensibility by clarifying the relationship between the characteristics of the island and the need for additional local provisions. It would also improve proportionality by ensuring that controls are targeted to mapped values, identified infrastructure limitations and locations where standard provisions are insufficient.

The principal risks for Bruny Island are:

- the SAP will remain vulnerable if controls are not spatially targeted or supported by transparent mapping
- broad controls may continue to be perceived as overreach if the relationship between risk and regulation is not clearly explained
- implementation may remain difficult if definitions, assessment triggers and supporting methodologies are not made clear
- future strategic work may still be required to address broader settlement, infrastructure and growth questions; and

- community confidence may not improve unless the refined provisions are supported by clear explanatory material.

On balance, this option is preferred for Bruny Island because it retains the necessary place-specific planning mechanism while addressing the drafting, mapping and proportionality issues identified through the review.

Bonnet Hill

For Bonnet Hill, this option presents a low planning effectiveness risk and provides the most appropriate planning response. The review identifies a reasonable basis for additional controls due to the area's landscape prominence, visual sensitivity, vegetation values, established low-density character and potential for further development intensity.

Against Table 7, the refined SAP option performs well because it retains controls for matters that are not adequately managed by standard zone provisions, while improving implementation clarity and proportionality. The key requirement is that retained controls must be clearly linked to mapped landscape, vegetation and development intensity risks.

The principal risks for Bonnet Hill are:

- retained controls may remain vulnerable if the mapping methodology is not clear
- visual and landscape controls may be challenged if they are not linked to identifiable public viewpoints or landscape exposure
- vegetation provisions may be difficult to administer if they are not clearly distinguished from standard Natural Assets Code requirements
- development intensity controls may be criticised if their relationship to infrastructure capacity and settlement pattern is not explained; and
- community confidence may remain limited if the purpose of the SAP is not clearly communicated.

On balance, this option is preferred for Bonnet Hill because it maintains targeted local controls while allowing the drafting, mapping and assessment triggers to be refined so they operate more clearly and proportionately.

Blackmans Bay Bluff

For Blackmans Bay Bluff, this option presents a moderate planning effectiveness risk and requires a different conclusion. A refined SAP may be supportable, but only if it is substantially narrowed or supported by further evidence.

Against the assessment considerations in Table 7, this option presents the lowest overall level of planning risk for Bruny Island and Bonnet Hill because it retains place-specific controls while directly addressing the principal issues identified through the review, including statutory defensibility, proportionality, implementation clarity and community confidence.

The principal risks for Blackmans Bay Bluff are:

- the SAP may continue to lack sufficient evidence if retained across its current mapped extent
- controls may remain disproportionate if applied to land where the relevant landscape, vegetation or built form risks are not clearly demonstrated
- community support for additional controls may not be enough to satisfy the statutory justification test
- the SAP may continue to duplicate or overlap with provisions already applying through underlying zones or codes; and
- the report's finding that Blackmans Bay Bluff is not supported in its current form may be undermined if the refinement pathway is not clearly expressed.

On balance, this option is only preferred for Blackmans Bay Bluff if the SAP is narrowed to evidence-based controls or supported by further technical and strategic justification. It should not be read as support for retaining the Blackmans Bay Bluff SAP in its current extent and form.

Overall finding for Option 3

Overall Risk Assessment

- Bruny Island – Low Risk
- Bonnet Hill – Low Risk
- Blackmans Bay Bluff – Moderate Risk

The low risk ratings for Bruny Island and Bonnet Hill reflect the ability of a refined SAP to address identified planning issues while improving proportionality, implementation and statutory defensibility. The moderate risk rating for Blackmans Bay Bluff reflects the continued need for either substantial spatial refinement or additional evidence to support any retained controls.

Option 3 provides the most balanced and defensible pathway for Bruny Island and Bonnet Hill. It retains the benefit of place-specific planning controls while addressing the key risks identified in Table 7, including statutory defensibility, planning effectiveness, proportionality, implementation clarity and community confidence.

For Bruny Island, this option provides a framework for managing cumulative environmental, infrastructure and settlement pressures while improving spatial targeting and workability. For Bonnet Hill, it provides a targeted mechanism for managing landscape, vegetation and development intensity in a visually prominent location. For Blackmans Bay Bluff, the option is only appropriate if refinement involves substantial narrowing or further evidence to justify any retained controls.

Accordingly, Option 3 is the preferred pathway for Bruny Island and Bonnet Hill. For Blackmans Bay Bluff, it is a conditional pathway only.

8.4 Option 4: Alternative Zoning or Strategic Planning Approach

Description

This option would replace or supplement SAP controls with alternative planning mechanisms, such as targeted rezoning, precinct-based zoning, additional overlays, or a future structure plan that informs later amendments to the LPS.

This option does not assume that SAP provisions are the only available planning tool. Rather, it recognises that some matters currently addressed through the SAPs may, over time, be more appropriately managed through zoning, mapped overlays, precinct-based controls or broader strategic planning.

Assessment

Alternative zoning or strategic planning may be appropriate where the issue being managed is not simply a development standard, but a broader question about land use, settlement pattern, environmental capacity or infrastructure constraints.

Potential mechanisms include:

- retaining underlying residential zoning but narrowing SAP controls to specific mapped risks;
- applying more targeted precinct-based provisions where different parts of the SAP area have different characteristics;
- considering whether the Landscape Conservation Zone or Environmental Management Zone is more appropriate for land where the primary planning intent is protection of landscape, environmental or conservation values;
- retaining or applying the Low Density Residential Zone where the established land use and development pattern is residential, but supplementing it with narrower controls where standard provisions are insufficient;
- using future structure planning to determine whether zoning, SAP controls or other mechanisms provide the most appropriate long-term response; and

- applying future LPS amendments once the strategic basis for a different zoning or control framework has been established.

This option is most useful where the current SAP is trying to resolve issues that sit partly outside drafting or assessment standards. It may assist in resolving broader questions about settlement hierarchy, infrastructure capacity, environmental thresholds and long-term growth management. However, zoning and structure planning processes are more resource-intensive and may defer resolution if they are not clearly scoped.

Against the assessment considerations in Table 7, this option performs differently across the SAP areas. It may provide a stronger long-term planning pathway, but it is less effective as an immediate response unless supported by clear interim controls and a defined program for future work.

Bruny Island

For Bruny Island, an alternative zoning or strategic planning approach may be useful in the longer term because the issues extend beyond individual development standards. The island's planning issues include settlement pattern, tourism pressure, limited infrastructure, wastewater capacity, environmental values and cumulative development impacts. These matters are not easily resolved through SAP provisions alone.

A future structure plan could assist Council to identify:

- where growth or consolidation should occur
- where additional controls should apply
- where standard provisions are sufficient
- where infrastructure or wastewater capacity should limit further intensification
- where environmental or landscape constraints warrant stronger protection; and
- whether some existing zoning assumptions should be reviewed.

Potential zoning outcomes for Bruny Island could include retaining the existing residential and rural zoning framework where it reflects existing land use, while considering whether specific areas with stronger environmental, landscape or infrastructure constraints require different zoning or precinct-based controls. For example, areas currently managed through broad SAP controls may ultimately be better dealt with through a combination of retained Low Density Residential zoning, targeted SAP precincts, Environmental Management zoning for conservation land, or other zoning changes supported by future strategic work.

The risk is that this approach would take longer and may not provide an immediate mechanism to manage the planning issues already identified. If the SAP were removed before that work was completed, Bruny Island would rely on standard provisions that the review has found are not sufficient to manage several of the relevant cumulative and place-based risks.

On balance, this option presents a moderate risk outcome for Bruny Island. It may provide a stronger long-term strategic planning framework, but it does not provide an immediate substitute for a functional SAP unless and until more detailed strategic planning, zoning review and infrastructure assessment work is completed.

Bonnet Hill

For Bonnet Hill, alternative zoning may have some merit because the area contains a mix of established residential development, vegetation values, visual prominence and landscape sensitivity. Earlier consideration of Landscape Conservation zoning indicates that zoning has already been part of the planning discussion for this area.

Possible alternative approaches could include:

- retaining Low Density Residential zoning for established residential areas while applying narrower SAP controls to mapped landscape or vegetation risks

- considering Landscape Conservation zoning only where the primary planning intent is clearly landscape or environmental protection rather than residential use
- using precinct-based controls to distinguish between more developed residential land, visually exposed slopes and areas with stronger environmental values; or
- relying on a narrowed SAP supported by clearer mapping and assessment triggers instead of broader rezoning.

The main difficulty is that Bonnet Hill still has an established residential role. A broader zoning change may overcorrect the issue if it does not accurately reflect the existing settlement pattern and development expectations. A refined SAP may therefore remain the more proportionate tool in the short term, because it can sit alongside the residential zoning while managing specific landscape, vegetation and built form risks.

On balance, this option presents a low to moderate risk outcome for Bonnet Hill. While alternative zoning or strategic planning may have merit over the longer term, refinement of the SAP remains the more proportionate and immediately implementable response.

Blackmans Bay Bluff

For Blackmans Bay Bluff, this option is more relevant because the report does not support the current SAP in its existing extent and form. If Council wishes to retain additional controls in this area, the planning response should be more clearly matched to the actual values and risks being managed.

Possible alternative approaches could include:

- removing the SAP and relying on the existing General Residential and Low Density Residential zoning where no additional controls are justified
- retaining a narrower SAP only for locations where landscape, vegetation, built form or development intensity risks are clearly evidenced
- considering whether land with strong environmental or public open space values is better managed through Environmental Management zoning or another more appropriate zoning response
- using precinct-based controls only where distinct landscape or character areas can be clearly defined; or
- undertaking further strategic or technical work before determining whether additional controls are justified.

The key point is that community support for additional protection is not, by itself, enough to justify retaining the SAP in its current form. If Blackmans Bay Bluff is to remain subject to additional controls, those controls need to be spatially targeted and supported by evidence. Alternative zoning or a narrower planning mechanism may therefore be more appropriate than retaining the current SAP boundary and provisions.

On balance, this option presents a low risk outcome for Blackmans Bay Bluff. Alternative zoning, a narrower planning mechanism or removal of the SAP may provide a more defensible response if the current SAP cannot be supported by further evidence.

Overall finding for Option 4

Overall Risk Assessment:

- Bruny Island – Moderate Risk
- Bonnet Hill – Low (to Moderate) Risk
- Blackmans Bay Bluff – Low Risk

Option 4 provides a useful longer-term pathway, particularly where SAP controls are being asked to resolve broader strategic planning questions. It may assist in testing whether particular areas should be managed through zoning, precinct-based controls, narrower SAP provisions or future structure planning.

However, this option is not a complete short-term substitute for SAP refinement. For Bruny Island and Bonnet Hill, a refined SAP remains the more practical immediate response because it retains a place-specific mechanism while improving clarity, proportionality and workability. For Blackmans Bay Bluff, alternative zoning, removal, or a narrower SAP may be appropriate if the current SAP cannot be justified by further evidence. Accordingly, Option 4 should be treated as a complementary pathway rather than the preferred immediate response for all SAP areas.

8.5 Conclusion

Table 8: Overall Risk Assessment

Option	Bruny Island	Bonnet Hill	Blackmans Bay Bluff
Option 1 – No SAP	High Risk	Moderate Risk	Low Risk
Option 2 – Narrow SAP	Moderate Risk	Low Risk	Moderate Risk
Option 3 – Refined SAP	Low Risk	Low Risk	Moderate Risk
Option 4 – Alternative Zoning / Strategic Planning	Moderate Risk	Low-Moderate Risk	Low Risk

The preferred pathway differs between the SAP areas. For Bruny Island and Bonnet Hill, the most defensible response is to retain the SAP framework but refine and restructure the provisions so that controls are clearer, more proportionate and more closely linked to the planning risks identified in the assessment. For Blackmans Bay Bluff, the current SAP is not supported in its present extent and form. The appropriate pathway for that area is either to narrow the SAP to matters and locations that are clearly justified by evidence, or to reconsider whether Blackmans Bay Bluff should remain within KINS7.0.

The removal of SAP controls would simplify the planning framework and remove the immediate drafting, mapping and implementation issues associated with the current provisions. However, it would also re-expose known gaps in the operation of standard zone and code provisions, particularly in relation to cumulative impacts, landscape sensitivity, vegetation management, wastewater intensification and infrastructure constraints. For Bruny Island and Bonnet Hill, that outcome would not provide a durable planning response.

A narrowly retained SAP approach would reduce some concerns about overreach and proportionality. However, if narrowing occurs without a clear spatial framework, transparent mapping and a defensible explanation of why particular controls remain, the SAPs would remain vulnerable to the same criticisms raised through consultation and review. Narrowing alone is therefore unlikely to be sufficient for Bruny Island and Bonnet Hill unless it forms part of a more coherent refinement package. For Blackmans Bay Bluff, a narrowed SAP may be appropriate if the retained provisions are confined to clearly evidenced landscape, vegetation, built form or development intensity risks.

The refined and restructured SAP option performs most strongly for Bruny Island and Bonnet Hill because it retains a place-specific planning mechanism while directly addressing the matters that currently weaken the provisions. It allows the SAPs to be recalibrated through clearer purpose statements, improved spatial targeting, transparent mapping, refined definitions, more explicit assessment triggers and closer alignment with the underlying zones and SPPs.

This pathway also provides the strongest response to the risks identified in Table 7. It improves statutory defensibility by linking controls more clearly to demonstrated planning risks. It improves planning effectiveness by retaining mechanisms to manage cumulative, environmental, landscape and infrastructure issues that are not adequately addressed through standard provisions alone. It improves proportionality by narrowing or refining controls where the current drafting is too broad. It also improves implementation by reducing reliance on subjective judgement and making the provisions easier to administer consistently.

For community outcomes, the refined SAP pathway enables Council to respond to legitimate concerns about clarity, fairness, mapping accuracy and proportionality without abandoning place-based planning altogether. It provides a more transparent basis for explaining why controls are retained in some locations, refined in others, and not supported in their current form for Blackmans Bay Bluff.

Accordingly, the preferred pathway is:

- for Bruny Island, retention of the SAP subject to targeted refinement, improved spatial logic and clearer implementation pathways;
- for Bonnet Hill, retention of the SAP subject to refined mapping, clearer development triggers and better alignment between controls and identified landscape and environmental values; and
- for Blackmans Bay Bluff, either substantial narrowing to evidence-based controls or reconsideration of its inclusion within KINS7.0.

On that basis, the refined and restructured SAP pathway is the preferred option for Bruny Island and Bonnet Hill. For Blackmans Bay Bluff, the preferred pathway is conditional: the SAP should only continue if its extent and provisions are narrowed or supported by further evidence. This approach provides the most balanced and defensible outcome because it retains local controls where justified, removes or narrows controls where the evidence is insufficient, and provides a clearer basis for future strategic planning where broader issues remain unresolved.

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Technical issues and drafting recommendations

Appendix A

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SAP Survey Results

Appendix B

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Maps

Appendix C

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Bibliography

Appendix D

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Expert Review

Bruny Island Specific Area Plan (KIN S6.0) and the
Blackmans Bay Bluff & Bonnet Hill Specific Area Plan (KIN
S7.0)

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