

11 May 2026

Our Ref: PSA-2025-2

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

Dear Sir/Madam

**DRAFT AMENDMENT TO THE KINGBOROUGH INTERIM PLANNING SCHEME 2015 FOR
PSA-2025-2 - REZONE LAND AT LOT 1000, SPRING FARM ROAD, KINGSTON
(CT185669/1000) FROM LOCAL BUSINESS TO GENERAL RESIDENTIAL**

Council has certified the above-mentioned amendment to the Kingborough Interim Planning Scheme 2015.

Copies of the draft amendment, report explaining the reasons for the draft amendment and the Instrument of Certification are attached. A copy of the newspaper advert, neighbour notification will be uploaded over the next couple of days.

A cheque for the prescribed fee will be forwarded under a separate cover.

If you wish to discuss the application or seek clarification in relation to the above, please contact Council's Lead Strategic Planner, Adriaan Stander on (03) 6211 8200.

Yours sincerely



DELEEZE CHETCUTI
DIRECTOR ENVIRONMENT, DEVELOPMENT AND COMMUNITY

12.2 PSA-2025-2: PROPOSED AMENDMENT TO THE KINGBOROUGH INTERIM PLANNING SCHEME 2015 - REZONING AND REMOVAL OF THE BIODIVERSITY PROTECTION OVERLAY AT LOT 100, SPRING FARM ROAD, KINGSTON

File Number: PSA-2025-2

Author: Adriaan Stander, Lead Strategic Planner

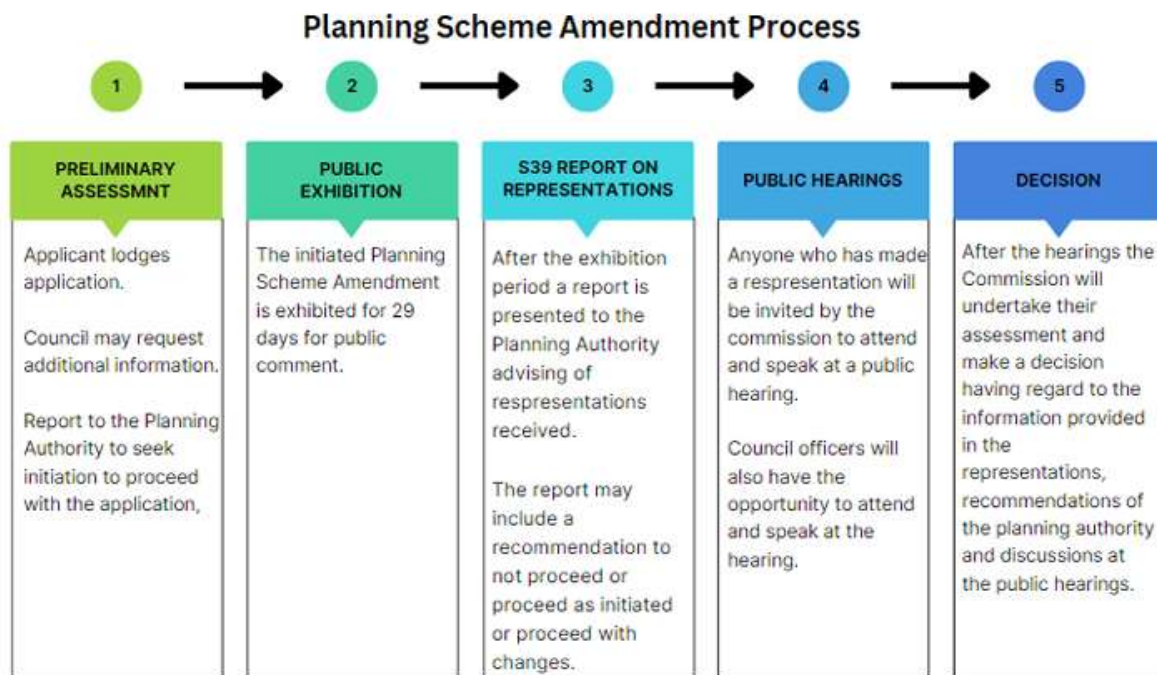
Authoriser: Deleeze Chetcuti, Director Environment, Development & Community Services

EXECUTIVE SUMMARY

Applicant:	Kingston Spring Farm Pty Ltd
Owner:	Kingston Spring Farm Pty Ltd
Zoning:	Local Business Zone
Purpose:	The purpose of this report is to consider a Planning Scheme Amendment at Lot 1000, Spring Farm Road, Kingston to rezone land from the Local Business to General Residential. The proposal is also to remove the Biodiversity Protection Area Overlay that applies to the land.
Representations:	The report is prepared prior to the public exhibition. Following initiation by the Planning Authority, the draft Planning Scheme Amendment is advertised for public comment for a minimum of 28 days. After the exhibition period, a further report addressing any representations received will be presented to the Planning Authority, providing recommendations for inclusion in its submission to the Tasmanian Planning Commission (TPC) for consideration.
Recommendation:	That the Planning Authority resolves to: - initiate and certify Amendment PSA-2025-2, - advise the TPC of this decision and exhibit the initiated planning scheme amendment in accordance with the statutory process.

1. INTRODUCTION

- 1.1 Council is in receipt of an application from Kingston Spring Farm Pty Ltd seeking an amendment to the Kingborough Interim Planning Scheme 2015 (KIPS 2015) under section 33(1) of the former provisions of the *Land Use Planning and Approvals Act 1993* (LUPAA). The application seeks to:
- rezone land at Lot 1000, Spring Farm Road, Kingston (CT185669/1000) from Local Business to General Residential; and
 - remove the Biodiversity Protection Area Overlay that applies to the land.
- 1.2 This application is at the first phase of the planning scheme amendment process. An overview of the statutory process is provided below.



2. SITE AND CONTEXT

- 2.1 The draft amendment relates to land at Lot 1000, Spring Farm Road, Kingston (CT185669/1000) as depicted below.



Figure 1 - Subject site

- 2.2 The site has an area of 2,913m² and is located adjacent to Whitewater Creek, with frontage to Spring Farm Road. Land to the north, opposite Spring Farm Road, is zoned Local Business. Land to the east is zoned Environmental Management, while land to the south is zoned Inner Residential, with land opposite Java Head Link, also zoned Environmental Management.
- 2.3 By way of background, the subject site, together with the larger parent title at 63 Spring Farm Road, was rezoned to General Residential in 2013. The change to the Local

Business zoning occurred as part of the introduction of the Kingborough Interim Planning Scheme in 2015.

- 2.4 The Local Business Zone was applied to the site to play an important role in the local urban structure of the Spring Farm Estate. The zoning was intended to provide conveniently located goods, services, and employment opportunities to support the surrounding residential community. In doing so, the zone was intended to improve accessibility, encourage pedestrian movement, support public transport use, and contribute to an active and vibrant street-level environment along Spring Farm Road. When supported by appropriate residential densities, the zone was envisaged as having the potential to function as a mixed-use node, reinforcing neighbourhood self-sufficiency and contributing positively to the overall structure and activation of the estate.
- 2.5 The site was cleared of native vegetation in accordance with a subdivision permit issued under DAS-2013-42.

3. DISCRIPTION OF THE PROPOSAL

- 3.1 The proposal seeks to rezone the subject site from the Local Business Zone to the General Residential Zone as depicted in Figure 2.

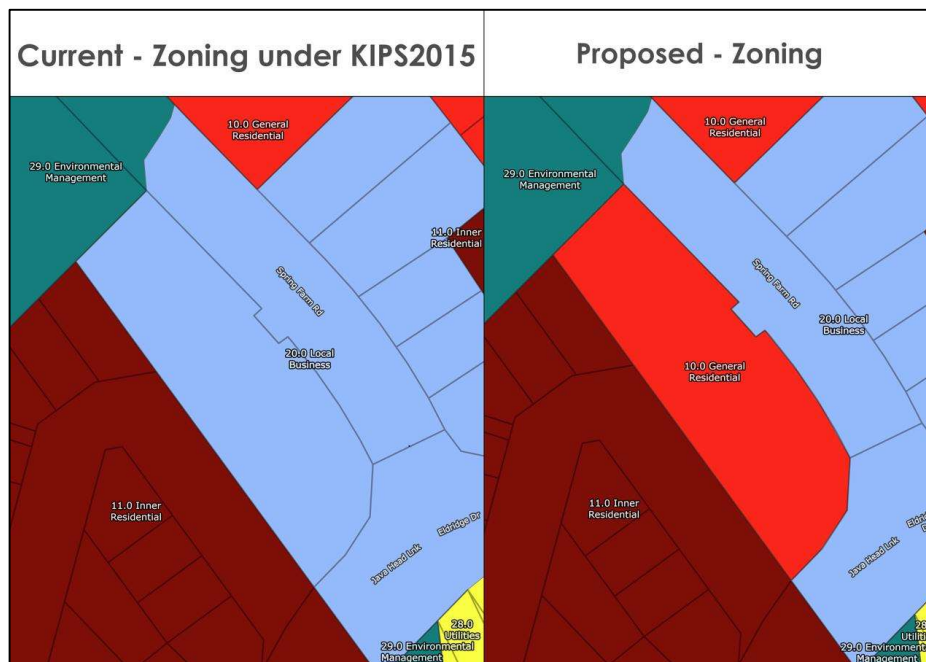


Figure 2 – Proposed General Residential zoning

- 3.2 The justification for the zoning change is as follows:

- 3.2.1 The proposed rezoning is primarily informed by recent changes to the surrounding commercial context, most notably the approval and commencement of construction of the Spring Farm Village Centre at 202 Channel Highway, approximately 500 metres from the subject site. This development represents a substantial concentration of commercial, retail and service-based uses, including specialty retail tenancies and medical services at a scale and location intended to serve the broader Spring Farm and Whitewater Park communities.
- 3.2.2 Given the scale, diversity, and close proximity of this centre, it is expected to accommodate the foreseeable day-to-day retail and service needs of the surrounding residential catchment. In this context, the strategic role originally envisaged for the subject land as a Local Business site has been materially reduced. The presence of a larger, consolidated commercial centre nearby

significantly limits the demand for additional or competing local business development on the subject site.

- 3.2.3 A recent analysis by SGS Economics and Planning on retail and office demand and supply in Kingston has identified that there is currently sufficient appropriately zoned land to accommodate the needs of the Kingston's growing population. Although the subject site was not specifically examined in that analysis, the findings indicate that the overall supply of business-zoned land remains adequate. In this context, the rezoning of a single, small Local Business site is not expected to materially affect the availability of land to support business or retail opportunities at a local scale.
- 3.2.4 This position is further supported by the site's prolonged exposure to the market. Despite being offered for sale since 2017, the land has not attracted commercial development interest, indicating limited demand for business or retail uses consistent with the Local Business zoning. This sustained lack of market response suggests that the site is no longer well aligned with contemporary commercial requirements and is unlikely to perform the function originally anticipated under the Local Business Zone. In contrast, a change to the General Residential Zone would better reflect prevailing land-use patterns, demonstrated demand and the evolving role of the site within its surrounding residential context.
- 3.2.5 The General Residential Zone provides flexibility by allowing a range of non-residential uses where appropriate. This includes, but is not limited to, a local shop, consulting rooms, a medical centre or a health clinic, allowing the site to adapt to evolving community needs and local service demands over time.
- 3.3 The proposal also seeks to remove the Biodiversity Protection Area Overlay that applies to the land. The site was cleared of native vegetation in accordance with a subdivision permit issued under DAS-2013-42 and as such there is no need for the overlay to apply anymore.



Figure 3 - Proposed change to the Biodiversity Protection Area Overlay

4. STATUTORY REQUIREMENTS

- 4.1 Section 3(2)(b) of Schedule 6 of LUPAA provides for a planning scheme amendment application to the planning instrument (i.e. KIPS 2015) to be considered under the former provisions of LUPAA.

- 4.2 Pursuant to section 33(1) of the former provisions of LUPAA, a person may request a planning authority to amend a planning scheme administered by it. This report considers the proposed amendment application as lodged by Kingston Spring Farm Pty Ltd.
- 4.3 Pursuant to section 33(2B) of the former provisions of LUPAA, before making a decision as to whether or not to initiate an amendment of the planning scheme, the planning authority must consider –
- (a) *whether the requested amendment is consistent with the requirements of section 32; and*
 - (ab) *any representation made under s30I, and any statements in any report under section 30J as to the merit of the representation, that may be relevant to the amendment; and*
 - (b) *any advice referred to in section 65 of the Local Government Act 1993 received by it.*
- 4.4 A detailed assessment of the proposed planning scheme amendment against section 32(1) of the former provisions of LUPAA is provided under section 7 of this report.

5. ASSESSMENT OVERVIEW

- 5.1 The application has been considered in relation to the following:
- Scheme Amendment Report by the applicant, dated 1 July 2025.
 - Strategic alignment, with particular reference to the consistency of the proposal with *the Southern Tasmania Regional Land Use Strategy 2010 - 2035*, *Kingborough Land Use Strategy 2019* and *Council's Strategic Plan 2025-2030*;
 - Infrastructure and service provision;
 - Economic considerations;
 - Environmental impacts; and
 - Statutory compliance with the requirements of the former provisions of LUPAA and state policies.
- 5.2 The above is discussed in more detail in the following sections of this report. In short, an assessment of the application has concluded that the application can proceed.

6. STRATEGIC ALIGNMENT

Existing situation under the KIPS2015 and Alignment with the draft LPS

- 6.1 Kingborough is currently transitioning to the Tasmanian Planning Scheme. Under the draft Local Provisions Schedule, the site is proposed to be undergo a direct translation to the Local Business Zone. In terms of the Biodiversity Protection Area Overlay, it will be replaced by the Priority Vegetation Overlay that would not apply to the site.
- 6.2 If the proposed planning scheme amendment is supported by the Planning Authority and approved by the Tasmanian Planning Commission, the transitional provisions under Schedule 6 of the LUPAA would apply. These provisions would allow for the carry-over of the approval into the Tasmanian Planning Scheme.

Southern Tasmania Regional Land Use Strategy 2010-2035

- 6.3 The *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS) has been implemented to provide guidance and direction for future development and use in the southern region. The strategy represents the agreed and approved strategic directions for

the southern region and provides certainty to the broader community, infrastructure providers and governments for medium and long-term investment decisions.

- 6.4 The STRLUS contains a wide range of regional policies applicable to land use and development. While all policies have been considered, the discussion below focuses on those of greatest relevance to the proposed amendment.
- 6.6.1 Biodiversity and geodiversity policies - The proposal is consistent with policies BNV 1.1 to 1.5 and BNV 2.1 to 2.4 as it applies to land within the urban area that has been lawfully cleared and no longer supports native vegetation. The rezoning will not result in additional biodiversity impacts.
- 6.6.2 Water resource policies - The proposal is consistent with policies WR 1.1 to WR 1.3 as it applies to fully serviced urban land within an established drainage catchment adjoining Whitewater Creek. The rezoning does not authorise development and will not introduce land uses that adversely affect water quality or hydrological function. Any potential stormwater and water quality impacts from future development can be managed through the Waterway and Coastal Protection Area overlay and other relevant planning scheme controls.
- 6.6.3 Risk and hazard policies - The proposal is consistent with policies RH 1.1 to RH 1.4 as it does not authorise development. Any natural hazard impacts will be appropriately considered and managed at the future development stage in accordance with the planning scheme requirements.
- 6.6.4 Physical Infrastructure Policies - The proposal is consistent with policies PI 1.1 to PI 1.3 as it applies to land within an established urban area with existing road, servicing and utility infrastructure. The rezoning does not, of itself, necessitate additional major infrastructure works, with any detailed infrastructure requirements to be considered as part of future development proposals.
- 6.6.5 Land Use Transport Integration Policies - The proposal is consistent with policies LUTI 1.1 to LUTI 1.4 as it supports an efficient and coherent land-use pattern in Kingston by reinforcing the established commercial hierarchy and the role of existing centres for retail and commercial activity. When considered in conjunction with the proximity of the Spring Farm Village Centre and existing and other Local Business sites within the Spring Farm area, the rezoning of this single, small site is unlikely to materially affect the availability of land for business or retail purposes in the area. In this way, the proposal also avoids the dispersal of commercial activity and is consistent with the strategic integration of land use and transport planning outcomes envisaged by the STRLUS.
- 6.6.6 Strategic Economic Policies - The proposal is consistent with policies SE 1.1 to SE 1.3 by supporting a planned commercial hierarchy, focusing business activity within established centres and enabling the efficient use of urban land without materially diminishing employment or business land capacity within the Kingston catchment.
- 6.6.7 Activity Centre Policies - The proposal is consistent with policies AC 1.1 to AC 1.4 by reinforcing the primacy of established activity centres for retail and commercial functions and ensuring that the rezoning of this Local Business site does not undermine the viability, hierarchy or service function of Kingston as a Principle Activity Centre in the Greater Hobart area.
- 6.6.8 Settlement Policies - The proposed rezoning aligns with the Settlement policies of the Southern Tasmanian Regional Land Use Strategy, particularly SRD 1.1, SRD 1.2 and SRD 2.1 by facilitating infill development within an established urban area of Kingston, consolidating growth within the existing settlement footprint, making efficient use of serviced land and infrastructure.

Kingborough Council Strategic Plan 2025-2025

6.5 The proposal has been assessed against the Key Strategic Outcomes of the Kingborough Council Strategic Plan 2025–2030 and is considered to align with the Plan’s objectives as outlined below.

- *Strategic Outcome 1: Helping our community stay safe, healthy and well connected*

The proposal supports this outcome by enabling additional residential development within an established, serviced urban area that is close to existing retail, service and employment opportunities, including the Spring Farm Village Centre. Locating housing near everyday services promotes walkability, reduces reliance on longer car trips, and supports stronger social connectivity within the neighbourhood, contributing to community health and wellbeing. If the need arises, the General Residential Zone also provides strategic flexibility by allowing an appropriate range of non-residential uses. These include, but are not limited to, a local shop, consulting rooms, a medical centre, or a health clinic, enabling the site to adapt over time to evolving community needs and local service demand

- *Strategic Outcome 2: Growing together with well-planned spaces and quality infrastructure*

The amendment facilitates orderly and well-planned growth by aligning zoning with demonstrated demand and existing land-use patterns. Rezoning the site to General Residential allows efficient use of existing road, servicing and utility infrastructure within the urban footprint, without requiring additional major infrastructure investment.

- *Strategic Outcome 3: Caring for where we live and preparing for the future*

The proposal supports sustainable long-term outcomes by directing residential development to land that has already been cleared and integrated into the urban environment, rather than placing pressure on peripheral or environmentally sensitive areas. The rezoning does not, of itself, increase development impacts, with environmental and hazard considerations to be addressed through future development applications in accordance with planning scheme controls. This approach supports responsible urban consolidation and long-term environmental resilience.

- *Strategic Outcome 4: Fostering a welcoming, vibrant and thriving Kingborough*

The proposal facilitates additional residential use within a well-serviced urban area, improving access to existing retail and services while allowing flexibility to respond to future community needs and supporting a vibrant Kingborough community.

Kingborough Land Use Strategy 2019

6.6 The proposed rezoning aligns with the Kingborough Land Use Strategy 2019 by supporting infill development within the established urban area of Kingston, making efficient use of serviced land and reinforcing the strategy’s intent to concentrate commercial activity within designated centres while enabling underutilised land to contribute to housing supply and orderly urban consolidation.

Environmental Impacts

6.7 The proposed rezoning and removal of the Biodiversity Protection Area overlay are unlikely to result in adverse environmental impacts, as the amendment does not authorise development, reflects the site’s already cleared and disturbed condition, retains protections for adjacent environmental assets such as Whitewater Creek and ensures that

any potential impacts will be assessed and managed through future development applications under the planning scheme.

Economic considerations

- 6.8 From an economic perspective, the rezoning enables the site to contribute more effectively to Kingston's housing supply and local economy by facilitating residential development in a location where commercial use has proven unviable, supporting population growth to underpin nearby centres and services, and promoting more efficient utilisation of urban land without displacing viable employment-generating activity elsewhere in the area.

Traffic, infrastructure and service considerations

- 6.9 Future residential development able to be accommodated by the existing road network and established water, sewerage, stormwater and utility services. Detailed traffic, servicing and infrastructure requirements will be assessed and managed through subsequent permit applications in accordance with planning scheme requirements and engineering standards.

7. STATUTORY ASSESSMENT

Ability to amend the planning scheme

- 7.1 Pursuant to section 33(1) of the former provisions of LUPAA, a person may request a planning authority to amend a planning scheme administered by it.
- 7.2 This report considers the proposed amendment application as lodged by Kingston Spring Farm Pty Ltd and pursuant to section 35(1)(b) of the former provisions of LUPAA.

Compliance with section 32(1) of the former provisions of LUPAA

- 7.3 Pursuant to section 32(1) of the former provisions of LUPAA, a draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A) -

(a)

(b)

(c)

(d)

(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and

(ea) must not conflict with the requirements of section 30O; and

(f) must have regard to the impact the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

- 7.4 The following provides a detail assessment of the proposal under the provisions of section 32(1) (e); (ea) and (f) of LUPAA.

Potential land use conflicts

- 7.5 In accordance with section 32(1)(e) of the former provisions of the LUPAA, the proposal avoids the potential for land-use conflict. Any future development facilitated by the rezoning is unlikely to result in land-use conflicts, as the site is surrounded by residential

development and the General Residential Zone is more compatible with adjoining uses than the existing Local Business zoning. Any potential interface issues can be appropriately considered and managed through future development applications.

Alignment with the regional land use strategy

- 7.6 Section 32(ea) of the former provisions of LUPAA requires that planning scheme amendments must not conflict with the requirements of section 30O of the former provisions of LUPAA.
- 7.7 Section 30O of the former provisions of LUPAA requires that an amendment to an interim planning scheme is as far as practicable, consistent with the regional land use strategy. Strategic alignment with the STRLUS is addressed in section 6 of this report.
- 7.8 It is considered that the proposed amendment is consistent with the regional land use strategy and local land use strategy and therefore meets the requirements of section 30O and therefore Section 32(ea) of the former provisions of LUPAA.

Impact on the use and development in the area

- 7.9 In accordance with section 32(f) of the former provisions of LUPAA, the proposal has no adverse regional impact.

Sections 30I and 30J of LUPAA

- 7.10 Section 33(2B)(ab) of the former provisions of LUPAA requires that any representations made under section 30I of the former provisions of LUPAA, and any statements in a report under section 30J of the former provisions of LUPAA as to the merit of a representation, that may be relevant to the amendment application, must be considered.
- 7.11 No representations were received during the exhibition of the Scheme which are relevant to the proposed amendment, therefore sections 30I and 30J of the former provisions of LUPAA have been satisfied.

Objectives of Schedule 1 of LUPAA

- 7.12 LUPAA requires that planning scheme amendments must seek to further the objectives of Schedule 1 of the former provisions of LUPAA.
- 7.13 The following table assess the proposed amendment against the objectives of Schedule 1 of the former provisions of LUPAA.

Part 1 Objectives	Response
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity</i>	The proposal meets this objective by directing development potential to land that has already been cleared and integrated into the urban area.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water</i>	The proposal meets this objective by facilitating development on serviced land within the existing urban area, ensuring the orderly and sustainable use of with detailed management of stormwater and other environmental considerations to be addressed through future development applications.
<i>(c) to encourage public involvement in resource management and planning</i>	The proposal, if initiated by the Planning Authority, will be subject to a statutory

Part 1 Objectives	Response
	advertising period during which members of the public will have the opportunity to make representations
(d) <i>to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</i>	The proposal meets this objective by facilitating economic development that supports increased housing supply within an established urban area. By enabling residential use in close proximity to existing retail, services and employment in Kingston, the proposal helps sustain local businesses, encourages day-to-day economic activity, and makes efficient use of existing infrastructure. Over time, this contributes to a stronger residential customer base and reinforces Kingston's role as a key urban and commercial centre. The rezoning will not have a significant impact on the availability of appropriately zoned land for retail purposes, as there are sufficient Local Business and commercial land within Kingston to meet the needs of projected population growth. If the need arises, the General Residential Zone also provides flexibility by allowing an appropriate range of non-residential uses that can contribute to the economy.
(e) <i>to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State</i>	The application aligns with this objective by progressing through established planning processes.
Part 2 Objectives	Response
(a) <i>to require sound strategic planning and co-ordinated action by State and Local Government</i>	The objective is satisfactorily addressed by the proposed amendment.
(b) <i>to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land</i>	The objective is satisfactorily addressed by the proposed amendment.
(c) <i>to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land</i>	The objective is satisfactorily addressed by the proposed amendment.
(d) <i>to require land use and development planning and policy to be easily integrated with environmental, social,</i>	The objective is satisfactorily addressed by the proposed amendment.

Part 2 Objectives	Response
<i>economic, conservation and resource management policies at State, regional and municipal levels;</i>	
<i>(e) to provide for the consolidation of approvals for land use or development and related matters and to co-ordinate planning approvals with related approvals</i>	The objective is satisfactorily addressed by the proposed amendment.
<i>(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania</i>	The objective is satisfactorily addressed by the proposed amendment.
<i>(g) to conserve those buildings, areas or other places which are scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value</i>	The objective is satisfactorily addressed by the proposed amendment.
<i>(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community</i>	The objective is satisfactorily addressed by the proposed amendment.
<i>(i) to provide a planning framework which fully considers land capability</i>	The objective is satisfactorily addressed by the proposed amendment.

State Policies

- 7.14 LUPAA requires that planning scheme amendments must be prepared in accordance with State Policies.
- 7.15 The applicant has addressed the proposal's alignment with the *State Coastal Policy 1996*, *State Policy on Water Quality Management 1997* and *State Policy on the Protection of Agricultural Land 2009* and the National Environmental Protection Measures. The proposal is not inconsistent with the outcomes sought by the relevant state policies.

8. PUBLIC CONSULTATION

- 8.1 If the Planning Authority initiates the proposed amendment, it must also certify the draft amendment in accordance with section 35 of the former provisions of LUPAA.
- 8.2 It is proposed to publicly exhibit the planning scheme amendment for a minimum period of 28 days with notification:
- a) on the Kingborough Council website;
 - b) twice in a newspaper circulating in the area, with one notice to be on a Saturday; and
 - c) a site notice during the public exhibition period;
 - d) in writing to owners and occupiers for the property and adjoining properties.
- 8.3 A full package of exhibition material will be made available for viewing on the Kingborough Council website and at Customer Service at the Civic Centre in Kingston. This package will include:

- Application proposed by applicant
- Planning Authority Initiation Report
- Instrument of Certification; and
- Draft Amendment to Kingborough Interim Planning Scheme 2015

8.4 A report must be prepared on any representations received after the exhibition period and provided to the TPC, outlining the planning authority's assessment of the merit of each representation, whether the amendment should be modified and the impact of representations on the amendment. That report may be considered under officer delegation where no public representations are received, or by Council where public representations are made.

9. CRITICAL DATES / TIME FRAMES

- 9.1 If the Planning Authority supports the amendment and initiates and certifies the amendment for public exhibition, it must advise the TPC within seven days.
- 9.2 Post-public exhibition, the Public Authority has 35 days from the close of the notification period to forward its report to the TPC. The Commission may grant an extension of time if requested.
- 9.3 The TPC must complete its consideration and decision process within three months of receiving the Planning Authority's report on the representations, unless an extension of time has been agreed by the Minister.
- 9.4 If the TPC approves the amendment, the amendment takes effect seven days after being signed by the Commission, unless a date is specified.

10. RECOMMENDATION

That the Planning Authority:

- (a) Pursuant to section 34(1) of the former provisions of the *Land Use Planning and Approvals Act 1993* (LUPAA), initiates Amendment PSA-2025-2 to the Kingborough Interim Planning Scheme 2015 (KIPS2015) as per Attachment 1.
- (b) Pursuant to section 35 of the LUPAA, certifies that Amendment PSA-2025-2 meets the requirements of section 32 and authorises the Chief Executive Officer to sign the Instrument of Certification provided in Attachment 2.
- (c) Pursuant to section 35(4) of the LUPAA, forwards a copy of the draft amendment and the Instrument of Certification to the Tasmanian Planning Commissions within 7 days of certification;
- (d) Pursuant to section 56S of the Water and Sewer Industry Act 2008, refers PSA-2025-2 to TasWater; and
- (e) Pursuant to section 38 of LUPAA, places PSA-2025-2 on public exhibition for a period of at least 28 days following certification.

ATTACHMENTS

1. PSA-2025-2 - Planning Scheme Amendment
2. PSA-2025-2- Instrument of Certification

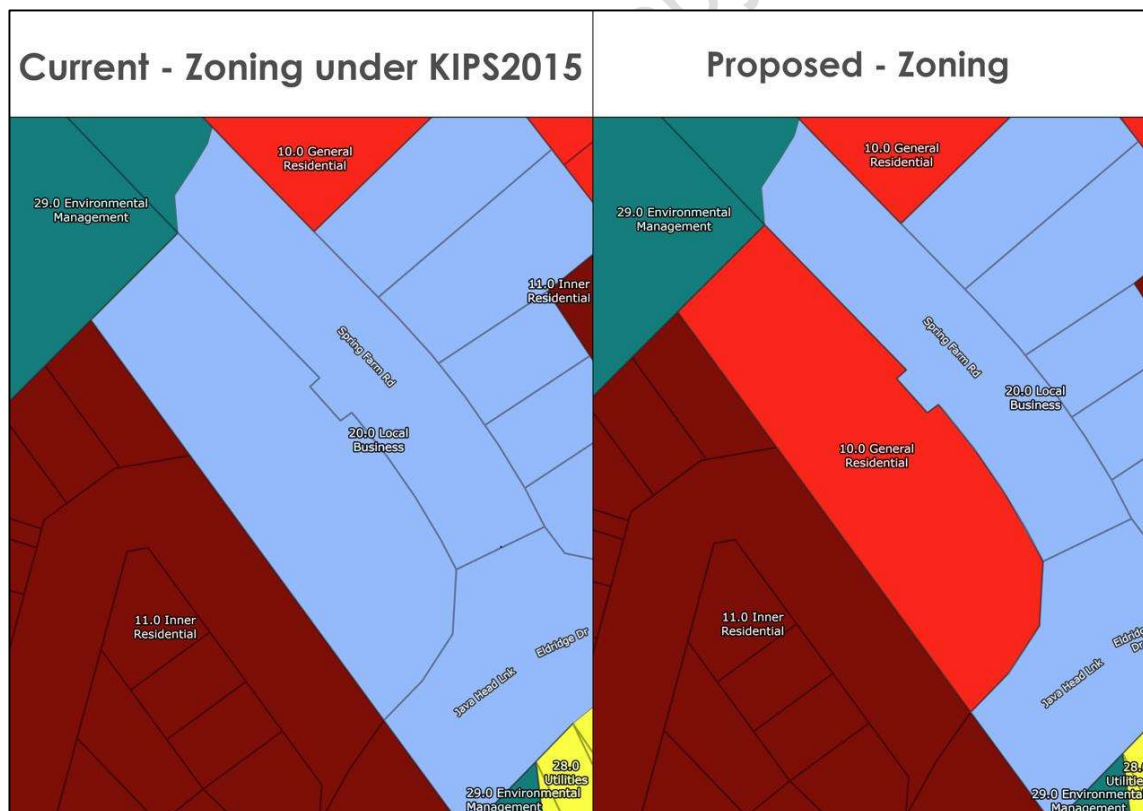
Kingborough

Kingborough Interim Planning Scheme 2015

Draft Amendment PSA-2025-2

The *Kingborough Interim Planning Scheme 2015* is amended as follows:

1. Rezone land at Lot 1000, Spring Farm Road, Kingston (CT185669/1000) from Local Business to General Residential.



2. Remove the Biodiversity Protection Area Overlay that applies to the land.



The Common Seal of the Kingborough Council is affixed hereto, pursuant to the Council's resolution on 4 May 2026, in the presence of:

..... Councillor

..... Chief Executive Officer

..... Date



Kingborough Interim Planning Scheme 2015

INSTRUMENT OF CERTIFICATION

PSA2025-2

It is hereby certified that draft Amendment PSA2025-2, as modified, to the *Kingborough Interim Planning Scheme 2015* meets the requirements in section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993*.

Public Copy

The Common Seal of the Kingborough Council is affixed hereto, pursuant to the Council's resolution on 4 May 2026 in the presence of:

..... Councillor

..... Chief Executive Officer

..... Date

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 6.20pm

12 OFFICERS REPORTS TO PLANNING AUTHORITY

C135/8-2026

12.1 PSA-2023-1: PROPOSED AMENDMENT TO THE KINGBOROUGH INTERIM PLANNING SCHEME 2015 – SITE SPECIFIC QUALIFICATION FOR A HOTEL INDUSTRY (LIQUOR TASTING FACILITY) AT 360 LENNON ROAD, NORTH BRUNY

Moved: Cr Amanda Midgley

Seconded: Cr Gideon Cordover

That the Planning Authority:

- (a) Pursuant to section 34(1) of the former provisions of the *Land Use Planning and Approvals Act 1993 (LUPAA)*, initiates Amendment PSA-2023-1 to the *Kingborough Interim Planning Scheme 2015 (KIPS2015)* as per Attachment 1.
- (b) Pursuant to section 35 of the LUPAA, certifies that Amendment PSA-2023-1 meets the requirements of section 32 and authorises the Chief Executive Officer to sign the Instrument of Certification provided in Attachment 2.
- (c) Pursuant to section 35(4) of the LUPAA, forwards a copy of the draft amendment and the Instrument of Certification to the Tasmanian Planning Commissions within 7 days of certification;
- (d) Pursuant to section 56S of the Water and Sewer Industry Act 2008, refers PSA-2023-1 to TasWater; and
- (e) Pursuant to section 38 of LUPAA, places PSA-2023-1 on public exhibition for a period of at least 28 days following certification.

CARRIED

Cr Bain left the room at 6.30pm

C136/8-2026

12.2 PSA-2025-2: PROPOSED AMENDMENT TO THE KINGBOROUGH INTERIM PLANNING SCHEME 2015 - REZONING AND REMOVAL OF THE BIODIVERSITY PROTECTION OVERLAY AT LOT 100, SPRING FARM ROAD, KINGSTON

Moved: Cr Gideon Cordover

Seconded: Cr Amanda Midgley

That the Planning Authority:

- (a) Pursuant to section 34(1) of the former provisions of the *Land Use Planning and Approvals Act 1993 (LUPAA)*, initiates Amendment PSA-2025-2 to the *Kingborough Interim Planning Scheme 2015 (KIPS2015)* as per Attachment 1.
- (b) Pursuant to section 35 of the LUPAA, certifies that Amendment PSA-2025-2 meets the requirements of section 32 and authorises the Chief Executive Officer to sign the Instrument of Certification provided in Attachment 2.

- (c) Pursuant to section 35(4) of the LUPAA, forwards a copy of the draft amendment and the Instrument of Certification to the Tasmanian Planning Commissions within 7 days of certification;
- (d) Pursuant to section 56S of the Water and Sewer Industry Act 2008, refers PSA-2025-2 to TasWater; and
- (e) Pursuant to section 38 of LUPAA, places PSA-2025-2 on public exhibition for a period of at least 28 days following certification.

CARRIED

Cr Bain returned at 6.34pm

C137/8-2026

12.3 DEVELOPMENT APPLICATION FOR PARTIAL CHANGE OF USE TO HOTEL INDUSTRY (LIQUOR TASTING FACILITY) AND ASSOCIATED WORKS AT 360 LENNON ROAD, NORTH BRUNY

Moved: Cr Amanda Midgley

Seconded: Cr Flora Fox

Cr Deane left the room at 6.35pm

Cr Deane returned at 6.36pm

If the Planning Authority resolves that the resolves to initiate Amendment PSA-2023-1 to the *Kingborough Interim Planning Scheme 2015*, that the change in use and associated works for Hotel Industry (Liquor Tasting Facility) and associated works at 360 Lennon Road, North Bruny be approved – subject to the following conditions.

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DA2023-373. and Council Plan Reference No. P5 submitted on 23 April 2026.

This Permit relates to the use of land or buildings irrespective of the applicant or subsequent occupants, and whoever acts on it must comply with all conditions in this Permit. Any amendment, variation or extension of this Permit requires further planning consent of Council.

2. Hours of operation must be within:
 - (a) 8.00 am to 6.00 pm Mondays to Fridays inclusive;
 - (b) 9.00 am to 5pm Saturdays, Sundays and public holidaysexcept for office and administrative tasks or visitor accommodation.
3. Noise emissions generated by the use, measured at the boundary of the site, must not exceed the following:
 - (a) 55 dB(A) (LAeq) between the hours of 8:00 am and 6:00 pm;
 - (b) 5 dB(A) above the background (LA90) level or 40 dB(A) (LAeq), whichever is the lower, between the hours of 6:00 pm and 8:00 am; and
 - (c) 65 dB(A) (LAmix) at any time.
4. Prior to the commencement of the use, the on-site car parking area, turnaround bay, and pedestrian path must be constructed in general accordance with the Access and Car Parking

Plan prepared by GHD dated January 2025, to the satisfaction of Manager – Development Services.

5. All car parking spaces must be clearly delineated and maintained in a functional condition at all times during the operation of the tasting house, to the satisfaction of the Manager – Development Services.
6. Unless prior written approval is obtained from the Council, no additional signage shall be erected or displayed on the site.
7. No felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is to take place without the prior written permission of Council or in accordance with a further permit or otherwise as provided for in the Planning Scheme or otherwise in accordance with law.
8. Prior to commencement of any on-site works, an addendum to the arborist assessment must be obtained and submitted to the Manager Development Services. This addendum must:
 - A. be by a suitably qualified arborist;
 - B. assess the impact of the carpark works on Trees 88 and 89 as identified in the Arboricultural Impact Assessment (Tree Pioneers, 19 July 2025);
 - C. confirm the trees are capable of retention;
 - D. identify recommended mitigation measures which promote the ongoing health and viability of the trees; and
 - E. be to the satisfaction of the Manager Development Services.
9. Prior to the commencement of any on-site works, an amended environmental management plan (EMP) must be submitted for endorsement to the satisfaction of the Manager Development Services. This EMP must be generally in accordance with the submitted EMP (E3 Planning, submitted on 1 December 2025) but modified to include all arborist recommendations in the existing arborist assessment (Tree Pioneers, 19 July 2024) and the addendum required under condition 8.

Once endorsed this plan forms part of the permit and ongoing management of the site must be in accordance with this Plan unless otherwise approved in writing by Council.
10. All native vegetation must be appropriately protected during and after construction in accordance with all the recommendations in the Arborist Assessment (Tree Pioneers, 19 July 2024), the addendum required under condition 8 and AS 4970-2025. This includes but is not limited to implementation of the following measures:

(a) Prior to Construction:

Prior to the commencement of any on-site works (including but not limited to excavations, placement of fill, delivery of construction materials and/or temporary buildings):

- (a) Appointing a Project Arborist.
- (b) Establishing an exclusion zone in accordance with the Arborist Assessment (Tree Pioneers, 19 July 2024).
- (c) Establishing organic mulch of mixed size to a depth of 100mm around the trees inside the exclusion zone where possible.
- (d) Implementing any other pre-construction recommendations identified in the addendum required under condition 8.