

# TASMANIAN PLANNING COMMISSION



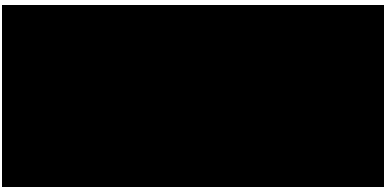
## DECISION

|                           |                                                                                                                                                            |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Planning scheme</b>    | Kingborough Interim Planning Scheme 2015                                                                                                                   |
| <b>Amendment</b>          | PSA-2023-1 - Modification of the Environmental Living Zone Use Table to insert Hotel Industry as a discretionary use class at 360 Lennon Road, North Bruny |
| <b>Permit</b>             | DA-2023-373 - partial change of use to Hotel Industry at 360 Lennon Road, North Bruny                                                                      |
| <b>Planning authority</b> | Kingborough Council                                                                                                                                        |
| <b>Applicant</b>          | e3 planning for Bruny Island House of Whisky                                                                                                               |
| <b>Date of decision</b>   | 20 August 2026                                                                                                                                             |

## Decision

The draft amendment is modified under section 41(ab) of the Land Use Planning and Approvals Act 1993 as set out in Annexure A and is approved under section 42.

The permit is confirmed under section 43H(1)(a) of the Land Use Planning and Approvals Act 1993 as granted by the planning authority.



John Ramsay  
**Executive Commissioner**

### Note:

References to provisions of the *Land Use Planning and Approvals Act 1993* (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The commencement day was 17 December 2015.

## REASONS FOR DECISION

### Background

#### Amendment

The amendment is to insert a qualification in the Environmental Living Zone's use table to allow for Hotel Industry (liquor tasting facility) as discretionary use on part of the land at 360 Lennon Road, North Bruny (folio of the Register volume 25139 folio 1). In the proposed amendment the qualification is referred to a specified departure or SSD.

As the interim planning scheme is in the process of transitioning to the *Tasmanian Planning Scheme – Kingborough* in the remainder of this report the use qualification or SSD is referred to as a site-specific qualification (SSQ), consistent with the terminology used under the incoming Local Provisions Schedule (LPS).

In its supporting report the planning authority noted that under the exhibited draft LPS the property is proposed to be in the Landscape Conservation Zone, which would not allow for Hotel industry. However, the exhibited LPS contained a Bruny Island Specific Area Plan (SAP) that provides for the use and is consistent with the proposed SSQ and, if approved, would enable continuation of the use on site without relying on established use rights.

#### Permit

The Bruny Island House of Whisky leases a portion of the front of the property (north) used for liquor tasting. The use has not been approved and currently prohibited in the Environmental Living Zone. The leased area is the area subject to the proposed amendment and associated permit and intended to legitimise the use. The Bruny Island House of Whisky's leased area contains the tasting building, toilet block, a storage container, parking and coach turning areas. The area is shown in the aerial photography in Figure 1 below. The permit would provide for a partial change of use of the land at 360 Lennon Road, North Bruny to Hotel Industry (liquor tasting facility).

#### Site information

The property is an irregular shaped 6.749ha lot developed with several existing buildings. The land is partially cleared and has areas containing native vegetation. The property frontage is approximately 200m from the coast near Sykes Cove. Existing parking has been provided in the road reserve where the land adjoins Lennons Road at the front of the property (this area is visible in Figure 1).

The property is in the Environmental Living Zone and is subject to the Biodiversity Protection Area and Bushfire Prone Areas Codes. Parts of the property are subject to the Landslide Hazard Area, Scenic Landscape Area and Waterway and Coastal Protection Area Code overlays.

The subject site represents an approximately 5,000m<sup>2</sup> portion of the property and contains an existing unapproved hotel industry (Figure 1) and currently the subject of Council's planning enforcement processes. The combined amendment and permit are proposed to enable the consideration and potential retrospective approval of the

operation.

The proposed use qualification includes restriction of the Hotel Industry use to the tasting house as described in Figure 2 (forming part of the certified amendment).

It is noted that the draft amendment and the associated permit are limited to an area of land at the front of the property and access to the building at the rear of the property is not formalised. However, the planning authority advise that the building is subject to a separate development application and does not form part of this draft amendment or permit application.



Figure 1: Extent of the proposed SSQ

| Use                   | Qualification                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Discretionary         |                                                                                                                                                                                                                                                                                                                                                                                                               |
| <i>Hotel Industry</i> | <i>Only if a liquor tasting facility at 360 Lennon Road, North Bruny (CT25139/1) and only if within area shown in Figure 1.0. For the purposes of this use qualification, a liquor tasting facility means the consumption of liquor for tasting or sampling on the premises, and where the land is so used, food for consumption on premises and sale of bottled liquor for consumption off the premises.</i> |

Figure 2: The proposed site-specific qualification

## Issues raised in representations

TasWater provided a representation stating it had no objection to the draft amendment or permit and did not wish to attend a hearing.

A late submission was received from the Department of State Growth (State Growth) advising that as outlined in their consent, the access to the site is required to be sealed and that Crown consent is required for works in the road reserve.

## Planning authority's response to the representations

The planning authority considered the TasWater representation and recommended no change to the draft amendment or permit.

The planning authority did not consider the late submission from State Growth as it was received outside the exhibition period.

## Consideration of the draft amendment

1. Under section 40 of the *Land Use Planning and Approvals Act 1993* (the Act), the Commission is required to consider the amendment and the representations, statements and recommendations contained in the planning authority's section 39 report.
2. One representation was received during the consultation period and after consultation with that representor under section 40(2A) of the Act, the Commission dispensed with holding a hearing.
3. The amendment has been initiated and certified by the Kingborough Council, in its capacity as planning authority, and further supported in the reports under sections 35 and 39.
4. Under section 32(1), in the opinion of the relevant decision-maker, a draft amendment:
  - (a)-(d) . . .
  - (e) must, as far as practicable, avoid 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 that 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.
5. Under section 32(2), the provisions of section 20(2)-(9) inclusive apply to the amendment of a planning scheme in the same manner as they apply to a planning scheme.
6. Section 30O includes that:
  - (1) An amendment may only be made under Division 2 or 2A to a local provision of a planning scheme, or to insert a

local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker, practicable, consistent with the regional land use strategy for the regional area in which is situated the land to which the scheme applies.

7. Section 30O(2)-(5) inclusive relate to the effect of amending a local provision with respect to common provisions, mandatory common provisions and consistency with planning directives.
8. In this case the format of the certified amendment has borrowed elements from the future Tasmanian Planning Scheme (TPS) and is structurally incompatible with Planning Directive No. 1 - The Format and Structure of Planning Schemes. Accordingly, any approval of the draft amendment must incorporate the modifications discussed below.
9. Under section 32(2), the provisions of section 20(2)-(9) inclusive apply to the amendment of a planning scheme in the same manner as they apply to a planning scheme.
10. Section 20(1) of the Act requires that an amendment must:
  - seek to further the Objectives of the Resource Management and Planning System
  - be in accordance with State Policies
  - have regard to the Council's strategic plan
11. Those matters are addressed below in the context of the proposed amendment.

## **Resource Management and Planning System Objectives**

12. In the GHD report dated 1 November 2024 submitted by the applicant (GHD report) and in the planning authority's supporting report dated 11 May 2026, submissions were made to the effect that the draft amendment seeks to further the objectives of the Resource Management and Planning System as set out in Schedule 1.
13. In its supporting report, regarding Objective 1(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity, the planning authority stated (in part) 'The application enables a use that can be accommodated without adverse impacts on natural or physical resources...'
14. In relation to Objective 1(b) to provide for the fair, orderly and sustainable use and development of air, land and water, the planning authority submitted that an SSQ was a 'targeted mechanism to ensure the scheme accurately reflects the intended use while maintaining overall policy intent.'
15. In its response to Objective 1 (b) the applicant stated the draft amendment would '...allow the existing business to operate legally, maintaining the fair and orderly use. The history of development on the site shows that the proposal is sustainable.'

16. In response to Objective 1(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c), the applicant stated:

The proposal will allow existing economic development to continue and diversify. Due to changing tastes, the focus of the approved café/restaurant business has shifted to whisky tasting. This is fundamentally compatible with the area as demonstrated by its continued operation with no complaints from neighbours.

### **Commission's consideration**

17. The Commission is satisfied that the draft amendment seeks to further the objectives of the Resource Management and Planning System in Schedule 1, particularly regarding orderly use and development.
18. The Commission finds that the draft amendment would approve a use which contributes to the area, by facilitating appropriate tourism-based activities to occur on the site, promoting economic activity on Bruny Island.

### **State Policies**

19. The relevant State Policies are:
- *State Policy on Water Quality Management 1997* (Water Quality Policy)
  - *State Coastal Policy 1996* (Coastal Policy); and
  - *National Environmental Protection Measures* (NEPMs).
20. The applicant stated 'The proposal is for a change of use associated with an existing development and will not alter the management of major ecosystems or natural processes on the site or nearby.' and that 'Standards of the planning scheme and *Urban Drainage Act 2013* have been developed with respect to the policy and controls are appropriately administered in relation to stormwater drainage.'
21. The GHD report submitted that the Council as the stormwater authority would ensure appropriate processes were undertaken, specifically stating 'clause 8.11.3 (a) of the *Kingborough Interim Planning Scheme 2015* which enables the making of planning permit conditions dealing with soil loss and associated sedimentation including of stormwater infrastructure.'
22. The report provided an assessment against the State Coastal Policy and each of the policy outcomes and concluded that the draft amendment and permit would comply with the Coastal Policy.
23. The applicant's report further submitted that the proposal would be consistent with the NEPMs.

### **Commission's consideration**

24. The Commission acknowledges the evidence presented by the applicant and is satisfied that the draft amendment is consistent with the Water Quality and Coastal Policies. The Commission finds that no NEPM is engaged by the proposed amendment.

## **Council Strategic Plan 2020-2025 and Bruny Island Tourism Strategy 2017**

25. The relevant strategic plan is the Kingborough Council Strategic Plan 2020-2025 which was in effect at the time the application was lodged. Both the applicant and the planning authority submitted that the draft amendment is in keeping with the aims of the strategic plan.
26. In the applicant's report commentary was made on Strategic Outcomes 1-3. Of note, the applicant submitted that the draft amendment aligned with 1.1 - 1.5 which were Key Outcomes to 'Encourage and support a safe, health and connected community', would have no impact on 2.1-2.5, which were Key Outcomes to 'Deliver quality infrastructure and services', and were consistent with 3.1-3.5, which were Key Outcomes to 'Sustaining the natural environment whilst facilitating development for our future'.
27. The planning authority submitted that the draft amendment was consistent with the following Strategic Outcomes of Key Priority Area 3.0 Sustaining the natural environment whilst facilitating development for our future:
  - 3.1 - A council that values and prioritises its natural environment, whilst encouraging investment and economic growth.
  - 3.4 - Best practice land use planning systems are in place to manage the current and future impacts of development.
  - 3.5 - Management of environmental assets is based on professional advice and strategic planning.
28. The planning authority stated (in part):

The proposed SSQ for the Hotel industry (liquor tasting facility) on Bruny Island presents a flexible and context-responsive approach to development that supports local economic activity while recognising the island's unique setting and planning considerations. The proposal encourages small-scale business investment that aligns with Bruny Island's role as a visitor destination...
29. In addition, regarding the Bruny Island Tourism Strategy 2017, the applicant submitted that the draft amendment would continue to enable the Bruny House of Whisky to contribute to tourism, enhancing the available experiences on the island.

### **Commission consideration**

30. The Commission finds that the draft amendment is consistent with the objectives of both the strategic plan and tourism strategy which identify economic development, local identity and tourism as a key strategic priorities.

### **Tasmanian Planning Policies (TPPs)**

31. The Commission notes that since the amendment assessment commenced for this matter, the TPPs came into effect. Given the limited application of the proposed amendment, the Commission does not require any further

submissions on the application of the TPPs. The Commission has considered the relevant Strategies in the TPPs, in particular 4.4 Tourism, and finds that the draft amendment is consistent with the TPPs.

## **Southern Regional Land Use Strategy**

32. The relevant regional strategy under section 30O(1) is the Southern Tasmania Regional Land Use Strategy (the regional strategy). The applicant and the planning authority both made various submissions on the relevant parts of the regional strategy.
33. The planning authority concluded that the proposal was consistent with the following policies in its supporting report:
  - 6.7.1 Biodiversity and Geodiversity Policies
  - 6.7.2 Water Resource Policies
  - 6.7.3 Physical Infrastructure Policies
  - 6.7.4 Land Use Transport Integration Policies
  - 6.7.5 Tourism Policies
  - 6.7.6 Strategic Economic Policies
  - 6.7.7 Activity Centre Policies
34. In its supporting report the applicant provided a detailed assessment of the regional strategy policies and concluded that the proposal met the objectives of the regional strategy.

### **Commission consideration**

35. The Commission has considered the information provided by the planning authority and the applicant. The Commission notes that while not all of the provisions of the regional strategy are engaged by the proposed amendment, the Commission is satisfied that the draft amendment is, as far as practicable, consistent with the relevant provisions of the regional strategy.

## **Regional scale impact**

36. Section 32(1)(f) of the Act requires the amendment to have regard to the impact that the proposed amendment will have on the use and development of the region as an entity in environmental, economic and social terms.
37. The applicant addressed section 32(1)(f) and submitted the following:

The proposed amendment will allow a single category in one additional Use and not change the permissible development on the site. The new use is substantially the same in environmental, economic and social terms. It has already been operating for at least seven years without complaint. The impact the use and development permissible under the amendment will have on the region is therefore either negligible or positive.

### **Commission consideration**

38. The Commission finds that the proposed use is currently prohibited and that the draft amendment is necessary to enable consideration of the application for the amendment and permit. The Commission accepts that the draft amendment will not have a detrimental regional impact. Further, the Commission notes that the amendment will legitimise the existing use and provide for its future growth. This will provide economic and social benefits at the local level and contribute to the tourism sector more widely.

### **Zone Purpose**

39. The Environmental Living Zone Purpose Statements are as follows:

- 14.1.1.1 To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.
- 14.1.1.2 To ensure development is reflective and responsive to the natural or landscape values of the land.
- 14.1.1.3 To provide for the management and protection of natural and landscape values, including skylines and ridgelines.
- 14.1.1.4 To protect the privacy and seclusion that residents of this zone enjoy.
- 14.1.1.5 To provide for limited community, tourism and recreational uses that do not impact on natural values or residential amenity.
- 14.1.1.6 To encourage passive recreational opportunities through the inclusion of pedestrian, cycling and horse trail linkages.
- 14.1.1.7 To avoid land use conflict with adjacent Rural Resource or Significant Agriculture zoned land by providing for adequate buffer areas.

### **Commission consideration**

40. The Commission finds that the draft amendment is consistent with zone purpose statements 14.1.1.4 and 5 relating to privacy expectations and residential amenity on the basis that it will provide for tourism at a limited scale and intensity that can be suitably managed through the applicable use standards.
41. Additionally, the Commission finds that the use and development is consistent with purpose statements 14.1.1.2 (natural values) and 14.1.1.7 (agricultural conflict) as it is limited to a portion of the property that is a substantially cleared area and developed with existing buildings.

## **Format of draft amendment**

42. While the proposed amendment is site specific, it identifies the subject site through a qualification in the Use Table. A Site-Specific Qualification (SSQ) is a structural component of the Tasmanian Planning Scheme relying on a unique planning provision identified spatially on an overlay map. This structural format is not available to an Interim Planning Scheme under the former provisions.
43. In recent years Tasmania's conveyancing system has undergone significant reform including the rollout of electronic conveyancing. As part of the final reform to the conveyancing process in Tasmania, generally, from 1 September 2026 hard copy certificates of titles will no longer be required to identify property and demonstrate ownership. Existing hard copies will become redundant and titles will only exist in electronic form. Despite the draft amendment referring specifically to a Certificate of Title (or CT), the amendment should be altered to refer to folio of the Register (volumes and folios).
44. Under section 41(ab) of the Act, the draft amendment is modified to address each of the above matters, as shown at Annexure A.

## **Decision on draft amendment**

45. The Commission finds that the draft amendment (as modified) is in order and gives its approval.

## **Consideration of the permit**

46. The permit is for retrospective approval for a partial change of use of the property to Hotel Industry.
47. Under section 43H, the Commission is required to review the planning authority's decision as reported under section 43F.

## **Permit assessment against the interim scheme**

48. The GHD report provided a detailed assessment of the planning scheme requirements regarding the proposed change of use on the subject site.
49. The applicant submitted that either the standards did not apply to the proposal or alternatively met the relevant Acceptable Solutions except for the following:

### **Parking and Sustainable Transport Code**

#### **E6.6.1 Number of Car Parking Spaces**

The applicant submitted the proposal was consistent with P1.

#### **E6.6.4 Number of Bicycle Parking Spaces**

The applicant submitted the proposal was consistent with P1.

#### **E6.7.6 Surface Treatment of Parking Areas**

The applicant submitted the proposal was consistent with P1.

### **Signs Code**

E17.6.1 Use of Signs A1

The applicant submitted the proposal was consistent with P1.

E17.7.1 Standards for Signs

The applicant submitted the proposal was consistent with P1 and P2.

**Commission's consideration**

50. The Commission accepts the assessment provided by the applicant of clauses E6.6.1, E6.6.4, E6.7.6 and E17.6.1 and E17.7.1 and is satisfied that the proposal meets the relevant performance criteria. The Commission notes that the planning authority is satisfied and has provided a draft permit for the proposal.
51. Additionally, the Commission notes advice has been provided to the planning authority from the former Department of State Growth (renamed Building Tasmania 2 July 2026) on matters relating to access construction and Crown consent as the road authority.
52. The Commission finds that the proposal complies with all the relevant standards of the interim scheme subject to the conditions contained in the draft permit.
53. The Commission notes that the former Department of State Growth is referenced in the draft permit conditions and advises the planning authority to clarify the name reference for the permit with the relevant agency.

**Resource Management and Planning System Objectives**

54. The Commission finds that the permit seeks to further the Objectives of the Resource Management and Planning System in Schedule 1.

**TasWater conditions**

55. The TasWater notice to the planning authority provided in response to the referral required under sections 56P and 56S of the *Water and Sewerage Industry Act 2008* noted the land was not within a TasWater serviced area and as such provided no conditions to be included in any permit.

**Decision on permit**

56. The permit is confirmed under section 43H(1)(a) of the *Land Use Planning and Approvals Act 1993* as granted by the planning authority.

**Attachments**

Annexure A – Modified amendment

Annexure B – Approved permit

## Annexure A

### Modified amendment

1. Insert the Hotel industry use class in the Environmental Living Zone – 14.2 Use Table written provisions of the Kingborough Interim Planning Scheme 2015 as shown below:

| <b>Discretionary</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use Class            | Qualification                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Hotel industry       | <p>Only if a liquor tasting facility at 360 Lennon Road, North Bruny (folio of the Register volume 25139 folio 1) and on that part of the land north of the line extending through a point A (526254.73E, 5222455.56N) and point B (526303.66E, 5222440.90N).</p> <p>For the purposes of this use qualification, a liquor tasting facility means for the consumption of liquor for tasting or sampling on the premises and sale of that bottled liquor for consumption off the premises.</p> |

## Annexure B

Approved Permit and conditions to be issued by the planning authority.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

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 holidays

except 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) (LAm<sub>ax</sub>) 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.
- (e) Providing evidence of satisfactory establishment of the exclusion zone and implementation of any other recommended pre-construction measures to the Manager Development Services prior to the commencement of any on-site works.

B. During Construction:

(a) Laying down crush rock to a depth of 100mm to establish a permeable surface, on the existing driveway to increase the driveway profile and to offset compaction.

(b) Implementing any other during construction mitigation measures identified in the addendum required under condition 8.

C. Post Construction:

Adhering to the following tree management measures post construction for all areas within the tree protection zone but outside the footprint of the approved works:

(a) Maintaining the exclusion zone and mulch.

(b) Maintaining the existing soil level around the tree protection zone of the trees (including the disposal of fill, placement of materials or the scalping of the soil).

(c) Ensuring the tree protection zones are free from the storage of fill, contaminants or other materials.

(d) Excluding machinery and vehicles to access the tree protection zone.

(e) Ensuring no further development and/or associated works unless otherwise approved by Council in writing or otherwise in accordance with the law.

11. To reduce the spread of weeds or pathogens, all machinery must take appropriate hygiene measures prior to entering and leaving the site as per the Weed and Disease Planning and Hygiene Guidelines 2015 produced by the Department of Primary Industries, Parks, Water and Environment.

Any imported materials must be from a weed and pathogen free source to prevent introduction of new weeds and pathogens to the area.

12. The vehicular access must be constructed in accordance with the submitted drawings and be sealed to match the existing road surface in accordance with the requirements of the Department of State Growth. A permit to carry out works within the State Growth road reservation must be obtained prior to any works commencing.

13. Prior to the commencement of any on-site works associated with the private infrastructure to service the approved development, engineering design drawings must be submitted to Council for approval. The engineering plans and specifications must be prepared and certified by a professional Civil Engineer. Plans must be to satisfaction of the Director Engineering Services and comply with:

- Tasmanian Standard Drawings
- Austroads Standards and Australian Standards
- Australian Rainfall and Runoff Guidelines

The Plans must include, but are not limited to:

(a) Detailed internal vehicular and pedestrian access, carparking and manoeuvring areas including:

- (i) minimum of 9 parking spaces including signage.
- (ii) One access space to be included as per AS2890.
- (iii) No parking/keep clear' signage for turning bay areas.
- (iv) Pavement details and stormwater drainage.

Once endorsed the plans will form part of the permit.