

# Kingborough



## COUNCIL MEETING AGENDA

NOTICE is hereby given that an Ordinary meeting of the Kingborough Council will be held in the Kingborough Civic Centre, 15 Channel Highway, Kingston on  
Monday, 4 May 2026 at 5.30pm

# Kingborough Councillors 2022 - 2026



**Mayor**  
**Councillor Paula Wriedt**



**Deputy Mayor**  
**Councillor Clare Glade-Wright**



**Councillor Aldo Antolli**



**Councillor David Bain**



**Councillor Gideon Cordover**



**Councillor Kaspar Deane**



**Councillor Flora Fox**



**Councillor Amanda Midgley**



**Councillor Mark Richardson**



**Councillor Christian Street**

# QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports contained in Council Meeting Agenda No. 8 to be held on Monday, 4 May 2026 contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendations.



Dave Stewart  
CHIEF EXECUTIVE OFFICER  
being the General Manager as appointed by the  
Kingborough Council pursuant to section 61 of the  
*Local Government Act 1993* (TAS)

Tuesday, 28 April 2026

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## GUIDELINES FOR PUBLIC QUESTIONS

### Division 4 of the *Local Government (Meeting Procedures) Regulations 2025*

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This guide helps community members understand how to ask questions during Public Question Time at a Council meeting or sending in questions to be placed on the meeting Agenda, based on the [Local Government \(Meeting Procedures\) Regulations 2025](#), as well as any other determinations made by Council.

Please remember, this time is for asking questions only—there will be no discussion or debate about the questions or the answers.

<b>How to Ask a Question:</b>	<p>You can ask a question either:</p> <ul style="list-style-type: none"><li>• <b>In writing</b> (before the meeting) (see questions on notice below), or</li><li>• <b>In person</b> at a regular Council meeting (see questions without notice below).</li></ul> <p>Your question must be about <b>Council activities only</b>.</p>
<b>Purpose of Question Time:</b>	<ul style="list-style-type: none"><li>• This time is for asking questions, <b>not for debating</b> them.</li><li>• Answers will be given, but there won't be any discussion.</li></ul>
<b>Written Questions (Questions on Notice):</b>	<ul style="list-style-type: none"><li>• Must be sent <b>at least 7 days before</b> the meeting.</li><li>• The 7-day period includes weekends and public holidays, but <b>not</b> the day you submit the question or the day of the meeting.</li><li>• Title your submission clearly as <b>“Question/s on Notice.”</b></li></ul>
<b>Verbal Questions (Questions Without Notice):</b>	<ul style="list-style-type: none"><li>• At least <b>15 minutes</b> will be set aside during the meeting for these.</li><li>• A <b>maximum of three (3) questions</b> will be allowed per person, per meeting.</li><li>• You <b>can't ask about topics already on the meeting agenda</b>.</li><li>• If your question can't be answered right away, it will be answered at the next meeting or as soon as possible.</li></ul>
<b>Rules for Asking Questions:</b>	<p>Your question should:</p> <ul style="list-style-type: none"><li>• Be <b>short and clear</b>;</li><li>• <b>Not be a statement</b>;</li><li>• Have <b>little or no introduction</b>.</li></ul> <p>The Chairperson may <b>reject your question</b> if it:</p> <ul style="list-style-type: none"><li>• Is offensive, defamatory, or illegal;</li><li>• Doesn't relate to Council business;</li><li>• Is unclear, repetitive, or about confidential matters.</li></ul>

**AGENDA of an Ordinary Meeting of Council**  
Kingborough Civic Centre, 15 Channel Highway, Kingston  
Monday, 4 May 2026 at 5.30pm

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**WELCOME**

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The Chairperson will declare the meeting open and welcome all in attendance. The Chairperson will advise all persons attending the meeting that they are to be respectful of, and considerate towards, other persons attending the meeting.

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**AUDIO RECORDING**

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The Chairperson will advise that Council meetings are recorded and made publicly available on its website. In accordance with Council's policy the Chairperson will request confirmation that the audio recording has commenced.

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**1 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

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The Chairperson will acknowledge the traditional custodians of this land, pay respects to elders past and present, and acknowledge today's Tasmanian Aboriginal community.

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**2 ATTENDEES**

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**Councillors:**

Mayor Councillor P Wriedt  
Deputy Mayor Councillor C Glade-Wright  
Councillor A Antolli  
Councillor D Bain  
Councillor G Cordover  
Councillor K Deane  
Councillor F Fox  
Councillor A Midgley  
Councillor M Richardson  
Councillor C Street

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**3 APOLOGIES**

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**4 CONFIRMATION OF MINUTES**

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**RECOMMENDATION**

That the Minutes of the open session of the Council Meeting No. 7 held on 20 April 2026 be confirmed as a true record.

**5 WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

Date	Topic	Detail	Consultant
27 April	Budget	Review of cost saving opportunities for the budget	Nil

**6 DECLARATIONS OF INTEREST**

In accordance with Regulation 10 of the *Local Government (Meeting Procedures) Regulations 2025* and Council’s adopted Code of Conduct, the Mayor requests Councillors to indicate whether they have, or are likely to have, a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

**7 TRANSFER OF AGENDA ITEMS**

Are there any items, which the meeting believes, should be transferred from this agenda to the closed agenda or from the closed agenda to the open agenda, in accordance with the procedures allowed under Section 15 of the *Local Government (Meeting Procedures) Regulations 2025*.

*Council has determined that questions on notice or questions taken on notice from a previous meeting should not contain lengthy preambles or embellishments and should consist of a question only. To this end, Council reserves the right to edit questions for brevity so as to table the question only, with some context if need be, for clarity.*

**8 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

**9 QUESTIONS ON NOTICE FROM THE PUBLIC**

**9.1 Agent of Change**

At the Council meeting on 20 April 2026, **Mr Nick Booth** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

*Would it be possible for Council to receive informal advice or a briefing at some stage on how an Agent of Change approach might work in practice, in planning and its effects?*

**Officer’s Response:**

There is no explicit agent of change principle in either the current planning scheme, the Tasmanian Planning Scheme, or the *Land Use Planning and Approvals Act 1993* (LUPAA). However, outcomes consistent with an agent of change approach can be achieved through the planning scheme provisions and LUPAA’s objectives, which promote orderly and sustainable development and require adverse impacts to be avoided, remedied or mitigated. In practice, this is delivered through the application of amenity, buffer and separation requirements, noise and emissions controls, responsive design measures and the exercise of planning discretion where the scheme provides for special consideration and sets relevant assessment criteria.

A recent example of Council applying the agent of change principle involved a proposed residential development near established industrial land in Margate. Rather than constraining existing or future industrial operations, Council required the new development to manage potential amenity impacts. This was addressed through the introduction of an industrial buffer via a Specific Area Plan, which will, over time, help resolve impacts at the outset and reduce the risk of ongoing land-use conflict or industrial displacement.

*Adriaan Stander, Lead Strategic Planner*

## 9.2 Part 5 Agreements

At the Council meeting on 20 April 2026, **Ms Natisha Knight** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

1. *While Council has previously refused to provide mapping of the Part 5 agreements on locality-based, citing privacy, when the Ireninc report came out, it clearly included some mapped examples and references of extensive use within Kingborough. Will Council now release the full extent of location of these agreements?*
2. *Given Part 5 agreements are described as voluntary, what happens if a landowner refuses, does that mean automatic DA refusal and what is the process to remove and amend part 5 once on title?*
3. *If they refuse, does it mean a DA refusal?*
4. *Can a Part 5 Agreement entered into as an offset be removed or replaced at a later stage (for example, by substituting a financial contribution), and what is the mechanism for doing so?*

### Officer's Response:

1. There appears to be ongoing confusion between Part 5 Agreements under the former provisions of *Land Use Planning and Approvals Act 1993 (Tas)* (LUPAA) and conservation covenants established under Part 5 of the *Nature Conservation Act 2002 (Tas)*. These are separate statutory mechanisms with different purposes and disclosure arrangements.

[Part 5 Agreements under LUPAA](#) may be used for a range of planning related purposes including access, infrastructure, bushfire management and vegetation protection and are most commonly required as a condition of a development permit. They are registered on the title of the land to which they apply and, under section 76(2) of LUPAA, Council must keep a copy of each agreement available for inspection at its office during business hours. It is Council's understanding that access to the full details of an agreement outside this process requires a paid, property-by-property search through Land Information System Tasmania (LIST). There is no statutory requirement in LUPAA for Council to publish mapping of all Part 5 Agreements.

[Part 5 Conservation Covenants under the Nature Conservation Act 2002](#), including those created through the Kingborough Environmental Fund (KEF) may be used to secure land for conservation purposes. Under the KEF, landowners may register an expression of interest to place a conservation covenant on their land. Where the land is assessed to be suitable to offset specified biodiversity values impacted by development, a covenant may be established, with funding received through financial offset contributions received through development approvals supporting establishment and, where applicable, long-term stewardship and management obligations. These covenants are recognised as part of the national reserve network, and a public mapping layer of all registered conservation covenants in Tasmania is available on the LIST map.

The key difference is that Part 5 Agreements under LUPAA are planning-permit-based instruments tied to a specific development approval, whereas conservation covenants under

Part 5 of the Nature Conservation Act are standalone statutory agreements that permanently protect land regardless of whether development occurs.

References to covenants in the Irenelnc report predominantly relate to conservation covenants under Part 5 of the Nature Conservation Act, not Part 5 Agreements under LUPAA. References to Part 5 Agreements under LUPAA arise only where they were cited by representors as part of submissions to the draft Local Provisions Schedule process, which are also publicly available through the Tasmanian Planning Commission.

For context regarding the frequency in which Part 5 Agreements under LUPAA established, as per information provided in the 18 August 2025 agenda, between 2010 and 2024, 57 development applications resulted in a Part 5 Agreement being required to meet offset obligations.

For reasons previously outlined – including privacy legislation, Council does not consider publishing a municipality-wide map identifying the location of Part 5 agreements made under LUPAA is appropriate, and its position remains unchanged. Council considers that it has provided a clear and comprehensive explanation of the matters raised and officers remain available to discuss general questions relating to Part 5 Agreements or conservation covenants, should further clarification be helpful.

2. Under both the Kingborough Interim Planning Scheme and the Tasmanian Planning Scheme, biodiversity offsets are an assessment mechanism for where the Biodiversity Code (KIPS) or Natural Assets Code (TPS) applies and certain categories of vegetation need to be removed for the development. This approach is also reflected in the Tasmanian Planning Policies to be implemented in July 2026.

In assessing an application, the planning officers are required to consider whether impacts to certain native vegetation and habitat are appropriately avoided or minimised in accordance with the relevant performance criteria. Where those impacts cannot be fully avoided or minimised, a biodiversity offset may be considered as a means of demonstrating compliance.

Where a development approval includes a condition requiring entry into a Part 5 Agreement to secure the required offset, the applicant has the option to either comply with that condition or seek independent review of the decision through an appeal to the Tasmanian Civil and Administrative Tribunal (TASCAT).

3. Where a development proposal requires a biodiversity offset to meet the scheme requirements, this is addressed through a condition on the permit and Council's *Biodiversity Offset Policy* provides the framework for determining how the offset requirement is determined. If a permit includes a requirement for a Part 5 Agreement, the permit can still be issued; however, it does not take effect until the agreement is in place, as required under the *Land Use Planning and Approvals Act 1993*. In practical terms, this means the permit cannot be acted on unless the offset requirement is met. It is therefore a matter for the applicant whether they choose to proceed with the permit by entering into the Part 5 Agreement, or to appeal the permit condition.
4. The *Land Use Planning and Approvals Act 1993* provides mechanisms for a Part 5 Agreement to be amended (section 75) or ended (section 74(3)). Any amendment requires the agreement of all parties. An agreement may be ended either by agreement of all parties or with the approval of the Tasmanian Planning Commission. Council would consider requests to amend or end a Part 5 Agreement on a case-by-case basis. Any change would need to demonstrate that the overall outcome continues to align with the intent of the original approval and the relevant planning scheme provisions.

*Deleeze Chetcuti, Director Environment, Development & Community Services*

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**10 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

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**11 QUESTIONS ON NOTICE FROM COUNCILLORS**

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At the time the Agenda was compiled there were no Questions on Notice from Councillors.

Public Copy

**OPEN SESSION ADJOURNS**

**PLANNING AUTHORITY IN SESSION**

**12 OFFICERS REPORTS TO PLANNING AUTHORITY**

**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**

**File Number:** PSA-2023-1  
**Author:** Adriaan Stander, Lead Strategic Planner  
**Authoriser:** Deleeze Chetcuti, Director Environment, Development & Community Services

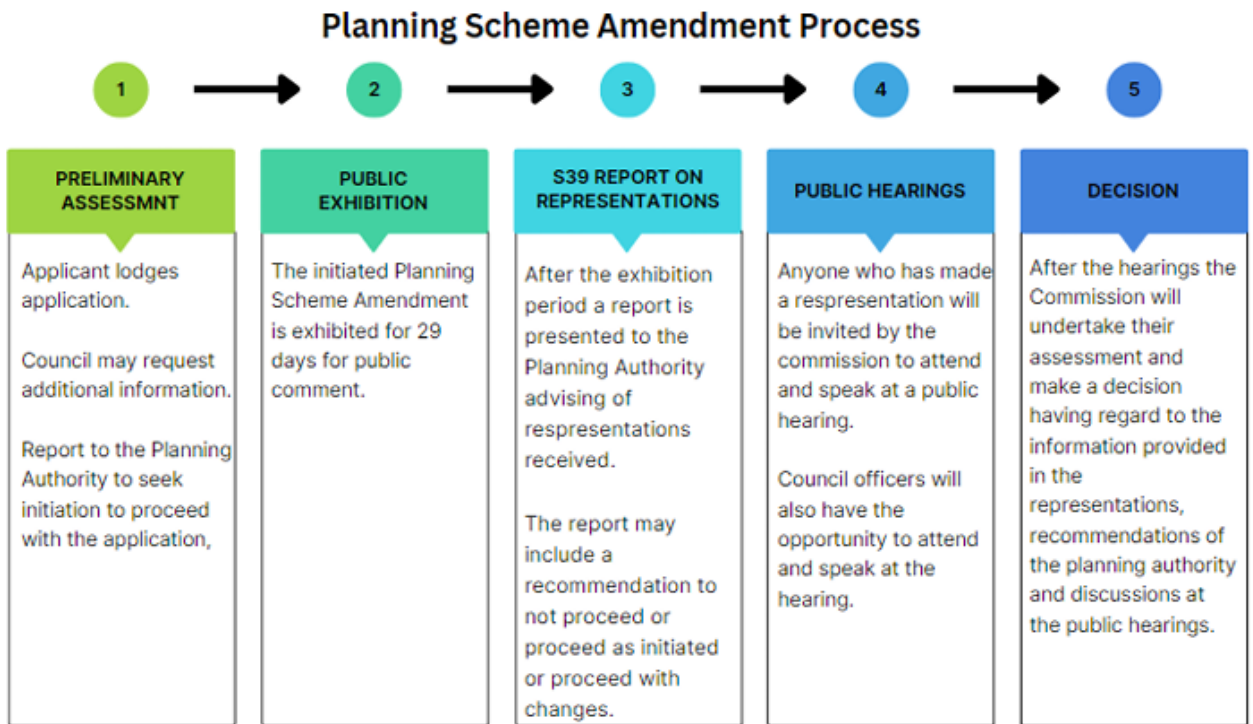
**EXECUTIVE SUMMARY**

<b>Applicant:</b>	E3Planning on behalf of the Bruny Island House of Whisky
<b>Owner:</b>	Mr N J McGrath
<b>Zoning:</b>	Environmental Living Zone (ELZ)
<b>Purpose:</b>	The purpose of this report is to consider a Planning Scheme Amendment application that seeks to introduce a Site-Specific Qualification (SSQ) to allow a Hotel Industry (liquor tasting facility) at 260 Lennon Road, North Bruny.
<b>Representations:</b>	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.
<b>Recommendation:</b>	That the Planning Authority resolves to: <ul style="list-style-type: none"> <li>• initiate and certify Amendment PSA-2023-1,</li> <li>• advise the TPC of this decision and exhibit the initiated planning scheme amendment in accordance with the statutory process.</li> </ul>

**1. INTRODUCTION**

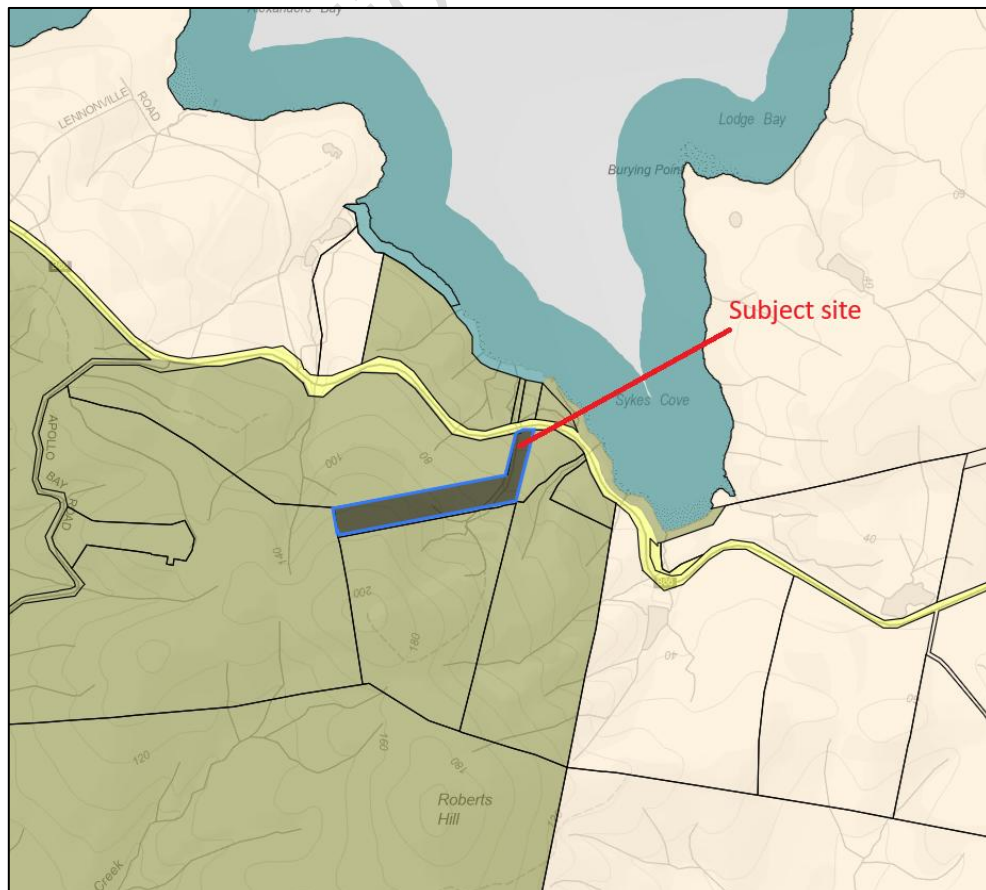
- 1.1 Council is in receipt of an application from seeking an amendment to the Kingborough Interim Planning Scheme 2015 (KIPS 2015) under section 33(1) of the former provisions of the *Land Use Planning and Approvals Act 1993* (LUPAA). The application proposes introducing a Site-Specific Qualification (SSQ) at 306 Lennon Road, North Bruny to allow a Hotel Industry (liquor tasting facility) as an additional discretionary use in the ELZ.
- 1.2 The application was submitted under section 43A of the former provisions of LUPAA, which provides a mechanism for a planning authority to consider a combined development permit and planning scheme amendment where a use or development cannot be approved unless the planning scheme is first amended. In this case, the proposed amendment accompanies development application DA2023-373 (also tabled in this Agenda), which seeks to formalise and legalise the currently unauthorised liquor tasting facility on the site.

1.3 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 subject site is located at 360 Lennon Road, North Bruny and has an area of approximately 6.7 ha.



**Figure 1 - Subject site - 360 Lennon Road, North Bruny**

- 2.2 The site is located within the ELZ under the KIPS2015 and is proposed to transition to the Landscape Conservation Zone (LCZ) under the draft Local Provisions Schedule. It is surrounded by other land also zoned Environmental Living, forming part of a broader area with consistent zoning and land-use expectations, with no nearby commercial or industrial zones.
- 2.3 The Bruny Island House of Whisky leases a small portion of the site at the road frontage for the operation of the liquor tasting facility. This leased area contains the tasting building, toilet block, storage container, parking and a coach-turning areas.



*Figure 2 - Area of the 306 Lennon Road being used by the existing liquor tasting facility*

- 2.4 The site previously operated as a restaurant under a 2005 development permit; however, that permit has since expired due to the use being suspended for an extended period. The current operations are the subject of a compliance matter, and Council has been working with the operator to legalise the use of the site through this application.

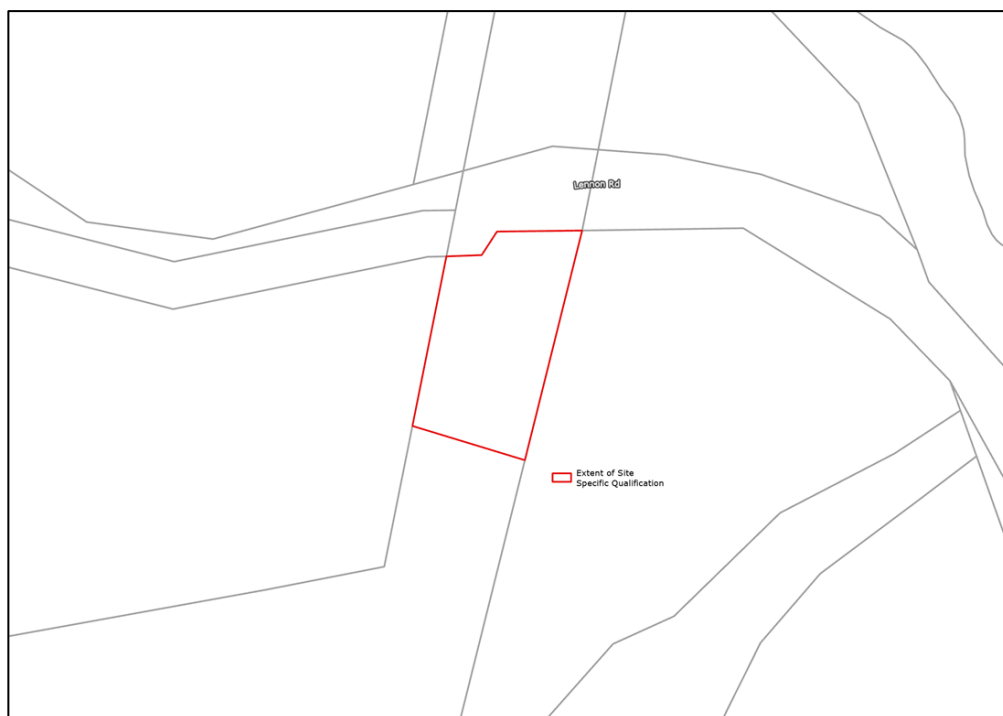
### **3. DESCRIPTION OF THE PROPOSAL**

- 3.1 The proposed liquor tasting facility is most appropriately defined as a Hotel Industry use under the KIPS 2015, which applies to the use of land for selling liquor for consumption on or off the premises. While the broader use class include activities such as providing food, accommodation or entertainment (for example hotels, bars, bottle shops, nightclubs and taverns) the proposed use is limited solely to a liquor tasting facility and subservient uses/activities.

3.2 The proposed SSQ is provided below.

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>

**Table 1 - Proposed amendment to the Land Use Table for the Environmental Living Zone**



**Figure 3 - Extent of the SSQ to be included in the planning scheme (referenced as Figure 1.0 in the text above)**

3.3 Apart from the additional land use proposed under the SSQ, no changes are proposed to the applicable zone or code provisions of the planning scheme. Consequently, any application for these uses and other uses available in the zone will remain subject to the existing provisions within the ELZ and other parts of the planning scheme.

**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 E3Planning.

- 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 subject to a number of changes over time to address a range of planning, layout and operational considerations associated with the proposal.
- 5.2 While the application documentation has been refined over time, some variation remains between the submitted plans, technical reports and the accompanying descriptive material. In addition, there are aspects of the proposal where the emphasis or interpretation differs to some degree from the assessment approach applied in considering the application. These matters are not considered to materially affect the key planning considerations or the ultimate outcome of the assessment. On this basis, and to facilitate the efficient and timely progression of the matter, it is considered appropriate to continue to assess the application on the basis of the information currently available.
- 5.3 The revised application has been considered in relation to the following:
- Scheme Amendment Report by GHD, dated 1 November 2024 (as revised on 11 November 2025);
  - A series of plans submitted by E3Planning, dated 20 January 2025;
  - Traffic Impact Assessment by GHD, dated 16 October 2025 (as revised on 16 October 2025);
  - Response to Council's Information Request by E3Planning, dated 3 April 2025;
  - Arboricultural Assessment Report by Tree Pioneers, dated 18 July 2024;
  - 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 2020-2025*;
  - Infrastructure and service provision;
  - Economic considerations;
  - Environmental impacts; and
  - Statutory compliance with the requirements of the former provisions of LUPAA and state policies.
- 5.4 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

- 6.1 The property is zoned Environmental Living under the KIPS2015. The proposed liquor tasting facility is best described a use that fits into the definition of a Hotel Industry, however that use is Prohibited under the zone.
- 6.2 The application as proposed would provide for the Use Table under section 14.2 of the ELZ to identify the Hotel Industry as a discretionary use on the site as described under section 3.2 of this report.

### Alignment with Draft LPS

- 6.3 Council is currently transitioning to the Tasmanian Planning Scheme. Under the draft LPS, the site is proposed to be zoned Landscape Conservation, a zoning which does not allow the operation of a Hotel Industry.
- 6.4 Notwithstanding the proposed zoning, the draft Bruny Island Specific Area Plan (SAP) identifies an additional discretionary use within the Landscape Conservation Zone, namely Artisan Food and Drink Premises, that is intended to provide a pathway for the use to continue under the new scheme
- 6.5 If the proposed SSQ is supported by Council and approved by the Tasmanian Planning Commission, the transitional provisions under Schedule 6 of LUPAA would apply, effectively enabling the intent of the SSQ to be carried forward into the Tasmanian Planning Scheme regardless of the zoning or SAP.

### Southern Tasmania Regional Land Use Strategy 2010-2035

- 6.6 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.
- 6.7 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.
  - 6.7.1 Biodiversity and geodiversity policies - At a strategic level, the proposal aligns with the intent of BNV 1–6 by avoiding broad vegetation clearance, retaining priority biodiversity values, and ensuring no long-term loss of habitat or compromise to ecosystem resilience. While limited disturbance to existing habitat is acknowledged, impacts have been minimised through the use of existing access arrangements and will be appropriately managed through avoidance, mitigation, and protection measures. With recommended conditions in place, the proposal will not prejudice future conservation outcomes or the ongoing viability of biodiversity values. These matters are addressed in more detail in the associated development assessment report tabled with this agenda.
  - 6.7.2 Water resource policies - The proposal is generally consistent with WR 1 to WR 3, as any impacts on waterways or riparian vegetation are minor, localised, and manageable through appropriate conditions, with no adverse effects on water quality, wetlands, or sustainable water use arrangements, as detailed in the associated development application report tabled in the agenda.
  - 6.7.3 Physical Infrastructure Policies - The proposal is consistent with PI1 and PI 2, as it utilises existing physical infrastructure, does not require new or upgraded servicing, and is of a scale appropriate to current infrastructure capacity on Bruny Island.

Access to the site is via existing arrangements, with the access and parking area proposed to be formalised as part of the associated use and development application discussed elsewhere in this agenda. These works will improve safety and road performance without increasing infrastructure demand or compromising infrastructure corridors or broader regional infrastructure planning objectives.

- 6.7.4 Land Use Transport Integration Policies - The proposal is consistent with LUTI 1, with the submitted traffic assessment confirming that the existing road network can safely accommodate the proposed use without additional transport infrastructure.
- 6.7.5 Tourism Policies - The proposal is consistent with T1, as it supports a use that builds on Bruny Island’s reputation for high-quality local produce and value-added finished goods, reinforcing the island’s role as a distinctive destination within Southern Tasmania. It complements other boutique food and beverage tourism ventures on the island, contributes to the visitor economy, and operates at a scale and intensity that is compatible with the site’s context. The proposal represents sustainable, destination-based tourism that adds to the regional tourism offering without generating adverse land use or amenity impacts.
- 6.7.6 Strategic Economic Policies - The proposal is consistent with SEO 1, as it contributes to Bruny Island’s tourism economy without affecting strategic economic sites or broader regional economic opportunities.
- 6.7.7 Activity Centre Policies - The proposal is consistent with AC 1 to AC 3, as it does not constitute out-of-centre development of a scale or nature that would undermine the Activity Centre hierarchy. While the site is not located within an Activity Centre, the proposal involves the adaptive reuse of an existing building for a destination-based use, rather than new retail or commercial expansion intended to serve daily local needs. The use is specifically oriented to visitors to Bruny Island and relies on the site’s setting, landscape context and association with local production as part of its attraction. These characteristics are not readily replicable within town centres and are fundamental to the tourism experience being offered.

**Kingborough Council Strategic Plan 2020-2025**

- 6.8 Section 20(1)(d) of the former provisions of LUPAA requires the amendment to have regard to the Council’s strategic plan (i.e. the Kingborough Council Strategic Plan 2020-2025). It is acknowledged that a new strategic plan commenced in October 2025, however the application has been considered against the 2020-2025 Strategic Plan, as which was in effect at the time the application as made. This strategic plan provides the direction for the future delivery of services by Kingborough Council, which influence the quality of life for residents and businesses.
- 6.9 The Council’s commitment is to put the community at the heart of our priorities and decisions. The plan focuses on the unique elements of Kingborough and the challenges that it will face in the years to come. The Strategic Plan includes a number of Strategic Outcomes that are listed under Key Priority Areas.

Key Priority Area	3.0	Sustaining the natural environment whilst facilitating development for our future
Strategic Outcomes	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.

- 6.10 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, contributing to increased visitation and local employment without introducing an intensive development outcome. The SSQ process enables consideration of land use compatibility, access and servicing matters so that the proposal can be appropriately shaped and managed in accordance with the provisions of the KIPS2015.

### **Kingborough Land Use Strategy 2019**

- 6.11 The strategy identifies Bruny Island as a key tourism destination and supports small-scale, high-quality tourism and visitor-servicing uses that strengthen the local economy while protecting environmental values and settlement character. While a liquor tasting facility is not strictly a tourism-type use and is not expressly identified within the strategy, the strategy nevertheless promotes quality visitor experiences, local enterprise opportunities and complementary activities that enhance the island's attractiveness, extend visitor dwell time and support economic self-sufficiency, particularly within established tourist locations. In this context, a liquor tasting facility can be regarded as consistent with the strategy's broader intent, as a low-impact, visitor-oriented activity that complements Bruny Island's established tourism profile and contributes to economic vitality.

### **Environmental Impacts**

- 6.12 It is considered that the proposed liquor tasting facility, and the related planning scheme amendment, will not result in unacceptable impacts on environmental or natural values. While limited disturbance to existing habitat associated with access and car parking works is acknowledged, impacts have been minimised and will be appropriately managed through the associated development application. With the implementation of recommended mitigation and tree protection measures, priority biodiversity values will be retained, and long-term environmental outcomes will not be compromised. These matters are addressed in more detail in the associated development application also tabled on the agenda.

### **Economic Considerations**

- 6.13 The application supports economic development objectives through the provision of a small-scale, visitor-oriented commercial activity that contributes to diversification of the local economy. The liquor tasting facility supports local employment and increases discretionary spending within the area, with flow-on benefits for surrounding businesses and services. As a low-impact use that is compatible with existing land uses, the proposal strengthens local economic activity in a manner that supports sustainable growth and enhances the long-term resilience and vitality of the regional economy, without introducing intensive or urban-scale development.

### **Traffic, Infrastructure and Service Considerations**

- 6.14 Traffic, infrastructure and servicing considerations for the proposal are appropriate to the site's location on Lennon Road, which carries a high volume of visitor traffic to and from Bruny Island. The change of use is not expected to result in a material increase in vehicle movements, with access maintained via the existing crossing and no new junctions proposed.
- 6.15 In accordance with the recommendations of the Traffic Impact Assessment, parking within the road reserve is to be removed and replaced with upgraded on-site parking, together with improvements to the access and manoeuvring areas to improve safety and operational efficiency. The site will continue to rely on existing service arrangements, including tank water, on-site wastewater disposal, stormwater drainage to roadside infrastructure, and established electricity and telecommunications connections, all of which are considered adequate for the proposal. More detailed discussion of traffic,

access upgrades, parking design and servicing is provided in the associated development application report presented elsewhere on this agenda.

**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 E3Planning 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 300; 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 Section 32(e) of the former provisions of LUPAA requires that planning scheme amendments must avoid the potential for land use conflicts in adjacent planning scheme areas.
- 7.6 The proposed liquor tasting facility is not expected to give rise to land use conflict. The use is low-intensity, visitor-focused and limited in scale and duration, and can operate without unreasonable impacts on surrounding land uses. Any matters relating to amenity, traffic, hours of operation or noise can be appropriately addressed through the development application process, ensuring the use remains compatible with its surroundings and does not prejudice the ongoing use or development of nearby land.

**Alignment with the Regional Land Use Strategy**

- 7.7 Section 32(ea) of the former provisions of LUPAA requires that planning scheme amendments must not conflict with the requirements of section 300 of the former provisions of LUPAA.
- 7.8 Section 300 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.

7.9 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**

7.10 Section 32(f) of the former provisions of LUPAA also requires that planning scheme amendments 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.

7.11 The proposal has been considered in terms of its environmental, economic and social effects at a regional level. Environmentally, the proposed use can be accommodated without adverse impacts on natural values and without creating unacceptable development pressures. Economically, the proposal supports regional tourism activity and contributes to local business opportunities and visitor expenditure. Socially, the use provides a visitor experience that can operate compatibly with surrounding land uses without adversely affecting amenity. An SSQ is appropriate in this instance to ensure the planning framework accurately reflects the specific use proposed for the site, without altering or broadening the intended land use outcomes for the wider zone or region.

**Sections 30I and 30J of LUPAA**

7.12 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.

7.13 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**

7.14 LUPAA requires that planning scheme amendments must seek to further the objectives of Schedule 1 of the former provisions of LUPAA.

7.15 The objectives of the former provisions of LUPAA require use and development to occur in a fair, orderly and sustainable manner and for the planning process to facilitate economic development in accordance with the other Schedule 1 objectives.

7.16 The following table assess the proposed amendment against the objectives of Schedule 1 of the former provisions of LUPAA.

Part 1 Objectives	Response
<p>(a) <i>to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity</i></p>	<p>The application enables a use that can be accommodated without adverse impacts on natural or physical resources. The proposed liquor tasting facility itself does not require land disturbance or vegetation clearance, and any limited disturbance associated with access and car parking works has been minimised and can be appropriately managed. With the implementation of recommended mitigation and tree protection measures, the proposal will not result in long-term impacts on ecological processes, genetic diversity, or environmental systems.</p>

Part 1 Objectives	Response
(b) <i>to provide for the fair, orderly and sustainable use and development of air, land and water</i>	The proposal utilises the planning scheme as the principal instrument for regulating land use, with the SSQ providing a targeted mechanism to ensure the scheme accurately reflects the intended use while maintaining overall policy intent.
(c) <i>to encourage public involvement in resource management and planning</i>	The proposal, if initiated by the Planning Authority, will be subject to a statutory 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 application will facilitate economic development by supporting a tourism-focused use that generates local employment, encourages visitor spending, and strengthens the regional visitor economy without displacing existing land uses. It also supports diversification of local business activity and contributes to the ongoing viability of tourism-related services in the area.
(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, economic, conservation and resource management policies at State, regional and municipal levels;</i>	The objective is satisfactorily addressed by the proposed amendment.
(e) <i>to provide for the consolidation of approvals for land use or development and related matters and</i>	The objective is satisfactorily addressed by the proposed amendment. The proposal is associated with a development

Part 2 Objectives	Response
<i>to co-ordinate planning approvals with related approvals</i>	application which is also tabled in this agenda.
(f) <i>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.
(g) <i>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.
(h) <i>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**

7.17 LUPAA requires that planning scheme amendments must be prepared in accordance with State Policies.

7.18 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

If supported by the Planning Authority, the above information will also include the Draft Permit for DA2023-373 (also tabled in this Agenda).

- 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 Planning 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 Council'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-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.

## ATTACHMENTS

1. PSA-2023-1 - Draft Amendment to the Kingborough Interim Planning Scheme 2015
2. PSA-2023-1 - Instrument of Certification

# Kingborough

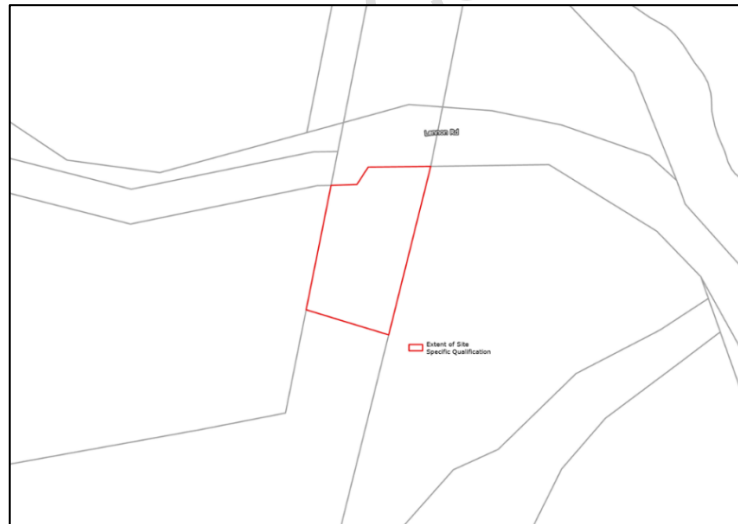
## Kingborough Interim Planning Scheme 2015

### Draft Amendment PSA-2023-1

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

1. Insert a Site-Specific Qualification in the Use Table under section 14.2 of the Environmental Living Zone as per the wording provided below.

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 1.0 - Extent of SSQ in relation to 360 Lennon Road, North Bruny (CT25139/1)**

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**

**PSA2023-1**

It is hereby certified that draft Amendment PSA2023-1, 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

**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**

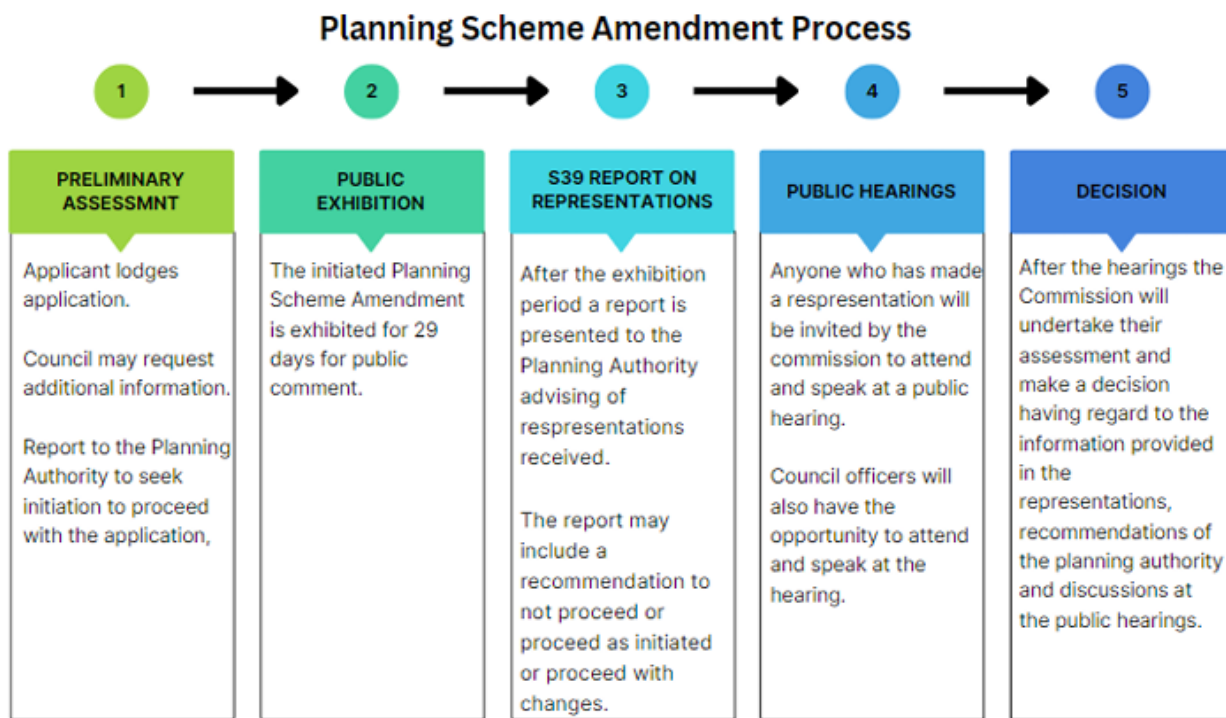
**File Number:** PSA-2025-2  
**Author:** Adriaan Stander, Lead Strategic Planner  
**Authoriser:** Deleeze Chetcuti, Director Environment, Development & Community Services

**EXECUTIVE SUMMARY**

<b>Applicant:</b>	Kingston Spring Farm Pty Ltd
<b>Owner:</b>	Kingston Spring Farm Pty Ltd
<b>Zoning:</b>	Local Business Zone
<b>Purpose:</b>	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.
<b>Representations:</b>	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.
<b>Recommendation:</b>	That the Planning Authority resolves to: <ul style="list-style-type: none"> <li>• initiate and certify Amendment PSA-2025-2,</li> <li>• advise the TPC of this decision and exhibit the initiated planning scheme amendment in accordance with the statutory process.</li> </ul>

**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 2,913m<sup>2</sup> 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.

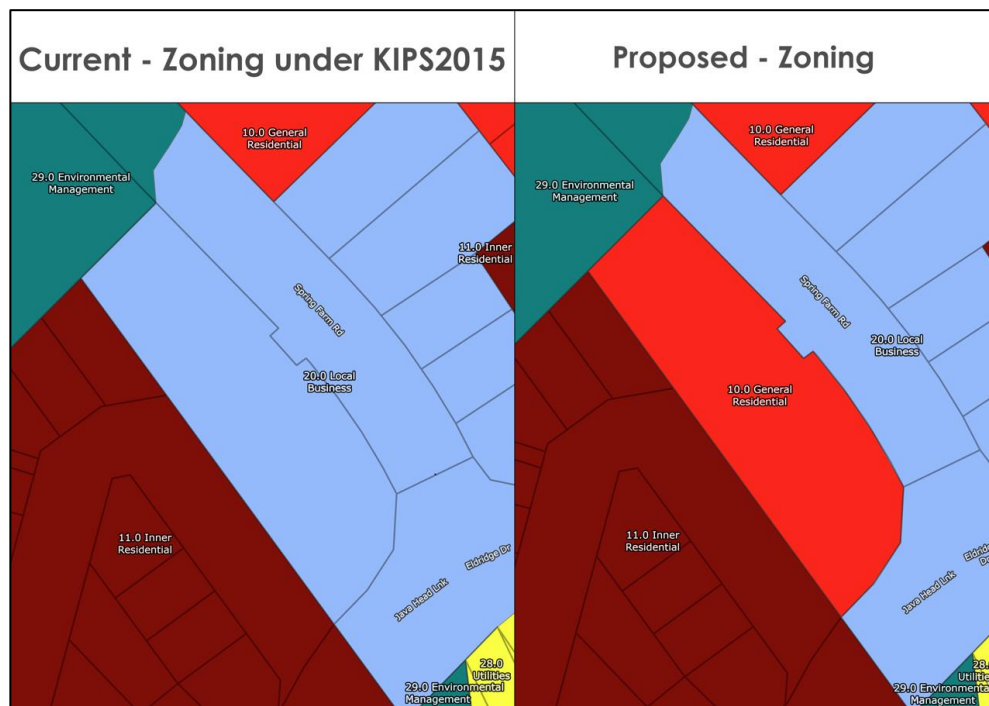
2.3 By way of background, the subject site, together with the larger parent title at 63 Spring Farm Road, was rezoned to General Residential in 2013. The change to the Local

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. DISCRPTION 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.

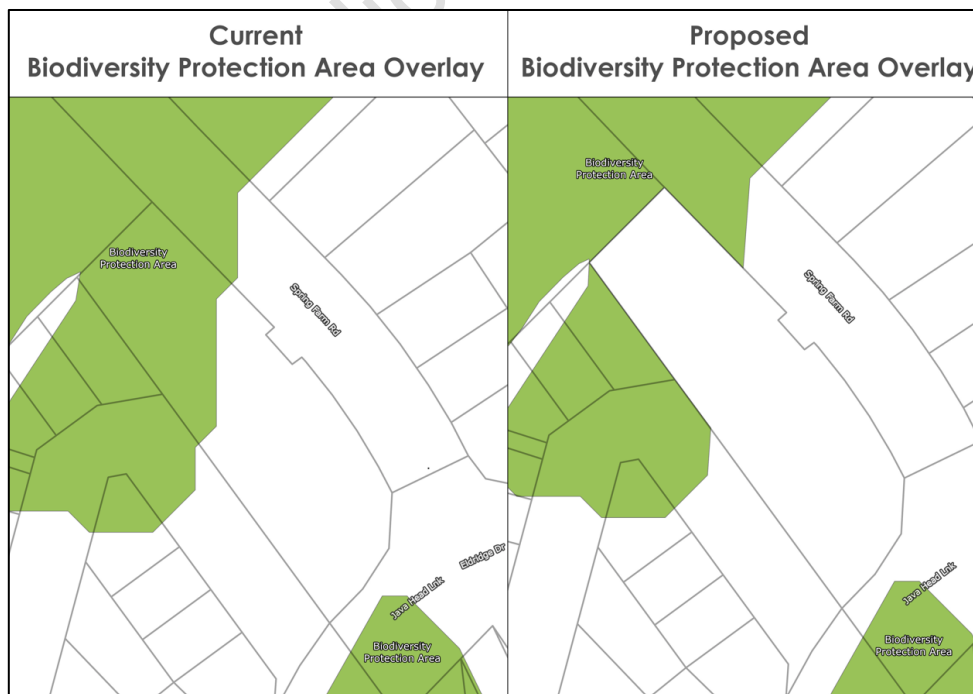


Figure 3 - Proposed change to the Biodiversity Protection Area Overlay

#### 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
<p>(d) <i>to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</i></p>	<p>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.</p> <p>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.</p> <p>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.</p>
<p>(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></p>	<p>The application aligns with this objective by progressing through established planning processes.</p>
Part 2 Objectives	Response
<p>(a) <i>to require sound strategic planning and co-ordinated action by State and Local Government</i></p>	<p>The objective is satisfactorily addressed by the proposed amendment.</p>
<p>(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></p>	<p>The objective is satisfactorily addressed by the proposed amendment.</p>
<p>(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></p>	<p>The objective is satisfactorily addressed by the proposed amendment.</p>
<p>(d) <i>to require land use and development planning and policy to be easily integrated with environmental, social,</i></p>	<p>The objective is satisfactorily addressed by the proposed amendment.</p>

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

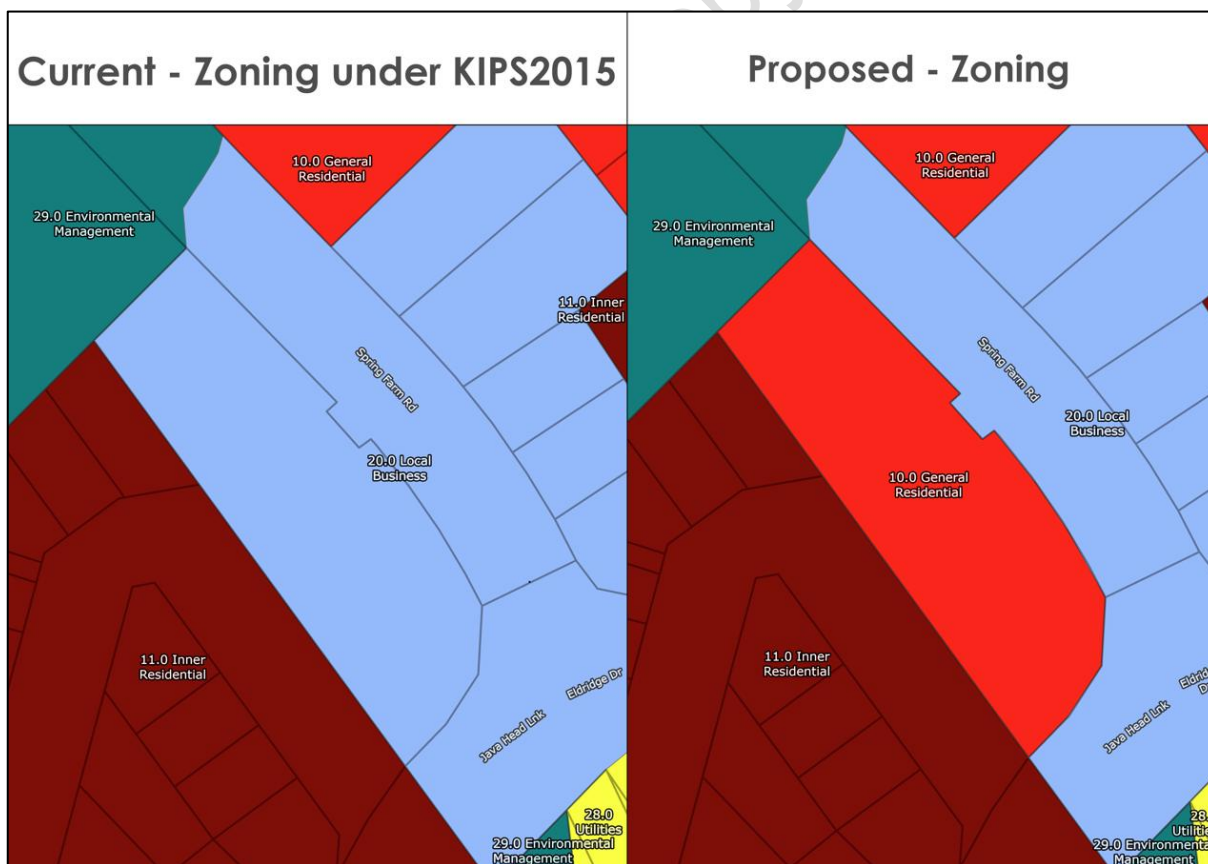
# Kingborough

## 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

## 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

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

**File Number:** DA-2023-373  
**Author:** Brian Huang, Senior Planner  
**Authoriser:** Deleeze Chetcuti, Director Environment, Development & Community Services

<b>Application Number:</b>	DA-2023-373
<b>Applicant:</b>	E3 Planning on behalf of the Bruny Island House of Whisky
<b>Owner:</b>	Mr N J McGrath
<b>Planning Scheme:</b>	Kingborough Interim Planning Scheme 2015 <i>Assessment is based on KIPS2015 and provisions of PD8 (which commenced 22 Feb 2022)</i>
<b>Zoning:</b>	Environmental Living
<b>Codes:</b>	<ul style="list-style-type: none"> <li>- E1 Bushfire-Prone Areas</li> <li>- E3 Landslide</li> <li>- E5 Road and Railway Assets</li> <li>- E6 Parking and Access</li> <li>- E7 Stormwater management</li> <li>- E10 Biodiversity</li> <li>- E11 Waterway and Coastal Protection</li> <li>- E14 Scenic Landscapes</li> <li>- E17 Signs Code</li> <li>- E23 On-site Wastewater Management</li> </ul>
<b>Use Class/Category:</b>	<p>Hotel Industry (Liquor Tasting Facility) use is categorised as a <b>Prohibited use</b> under the Environmental Living Zone Use Table 14.2. The development / use application was submitted as a combined application under section 43A of the former provisions of the <i>Land Use Planning and Approvals Act 1993</i> (LUPAA), which provides a mechanism for a Planning Authority to consider a combined development permit and planning scheme amendment where a use or development cannot be approved unless the planning scheme is first amended.</p> <p>In this case the associated Planning Scheme Amendment, PSA-2023-1 (also tabled in the Council agenda scheduled for 4 May 2026), seeks to provide for 'Hotel Industry (Liquor Tasting Facility)' through the inclusion of a Site-Specific Qualification (SSQ) in the Environmental Living Zone use table.</p> <p>Pursuant to section 43 of former provisions of LUPAA, this planning assessment for use and development of the site for Hotel Industry (Liquor Tasting Facility) is based on this SSQ being approved. Accordingly, for the purpose of this assessment, the use is considered Discretionary under Clause 14.2 of the Environmental Living Zone Use Table.</p>
<b>Discretions:</b>	<ul style="list-style-type: none"> <li>- Clause 14.3.1– Non-residential Use (A1/P1)</li> <li>- Clause 14.4.2 –Setback (A2/P2)</li> </ul>

	<ul style="list-style-type: none"> <li>- Clause 14.4.3 – Design (A2/P2)</li> <li>- Clause 14.4.3 – Design(A3/P3)</li> <li>- Clause 14.4.4 - Outbuildings (A1/P1)</li> <li>- Clause 14.4.5 - Environmental Values (A1/P1)</li> <li>- Clause E5.6.4 - Sight distance at accesses, junctions and level crossings (A1/P1)</li> <li>- Clause E6.6.1 - Number of Car Parking Spaces (A1/P1)</li> <li>- Clause E6.7.6 - Surface treatment of parking areas (A1/P1)</li> <li>- Clause E10.7.1 - Buildings and works (A1/P1)</li> <li>- Clause E11.7.1 - Buildings and works(A1/P1)</li> <li>- Clause E17.6.1 - Use of Signs (A1/P1)</li> <li>- Clause E17.7.1 - Standards for Signs (A1/P1)</li> <li>- Clause E17.7.1 - Standards for Signs (A2/P2)</li> </ul>
<b>Public Notification:</b>	The report is prepared prior to the public exhibition. Following initiation by the Planning Authority, the draft Planning Scheme Amendment and draft permit, if supported by the Planning Authority, will be advertised for public comment for a minimum of 28 days, in accordance with Section 38 of former provisions of LUPAA. 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.
<b>Section 52(1B) Owner consent requirements:</b>	The proposal includes upgrading the existing access point over the road reserve of Lennon Road, which is in Crown ownership and therefore owner's consent under section 52(1B) of the <i>Land Use Planning and Approvals Act 1993</i> was required and was obtained.
<b>Representations:</b>	Not applicable at this time.
<b>Recommendation:</b>	Subject to initiation of PSA-2023-1 to the <i>Kingborough Interim Planning Scheme 2015</i> , issue a draft permit inclusive of conditions of approval.

**1. THE PROPOSAL IN DETAIL**

**1.1 The Proposal**

The proposal seeks retrospective planning approval for a partial change of use a Hotel Industry, specifically a liquor tasting facility, at 360 Lennon Road, North Bruny (CT25139/1).

The existing business is operated by Bruny Island House of Whisky Pty Ltd (BIHW) who lease a small portion of the site at the road frontage for the operation of the liquor tasting facility. The geographical extent of the use subject to this application is approximately 5,000m<sup>2</sup>, as delineated on the submitted site plan. This leased area contains the existing tasting building, toilet block, on-site wastewater disposal area, storage container, parking and a coach-turning areas. The existing building area shown in Figure 1 below.



**Figure 1: Proposed site plan (source: GHD)**

The access and parking area is proposed to be formalised as part of the associated use and development application. The existing unsealed crossing within the Lennon Road reserve will be upgraded and sealed for approximately 10 metres, with the associated Crown consent from the Department of State Growth having been obtained.

The existing formal staff carparking area will remain at the rear of the main building. The customer car parking area is proposed to be relocated from the Lennon Road reserve onto the site itself. The new on-site car parking area, including traffic signage, pedestrian paths and turnaround areas, is depicted on the Access and Car Parking Plan prepared by GHD (January 2025). Refer to Figure 2 below which shows the proposed parking and access arrangement.



**Figure 2: proposed parking and access (source: GHD)**

Other than upgrades to the crossover from Lennon Road, the proposed use will utilise the existing physical infrastructure, does not require new or upgraded servicing, and is of a scale appropriate to current infrastructure capacity on Bruny Island.

Other works include an informal outdoor seating area at the front of the main building (portable tables and chairs on the existing ground) and new 1200 mm x 1200mm signage to be attached to the front boundary fence facing Lennon Road to attract vehicular traffic passing by.

In addition, exclusion fencing is proposed to be erected adjacent to the proposed access and carpark to provide protection to two classified Very High Conservation Value trees (specifically Trees 88 and 89 as indicated in the supporting Arboricultural Assessment Report submitted with the application). Tree 88 is a White Gum (*Eucalyptus viminalis*) and Tree 89 is a Tasmanian Blue Gum (*Eucalyptus globulus*). Both species provide significant habitat for the forty-spotted pardalote.

The exclusion fence and informal outdoor seating area is shown in Figure 3 below. The proposed new signage is shown in Figure 4.



Figure 3: outdoor seating and exclusion fencing (source: GHD)



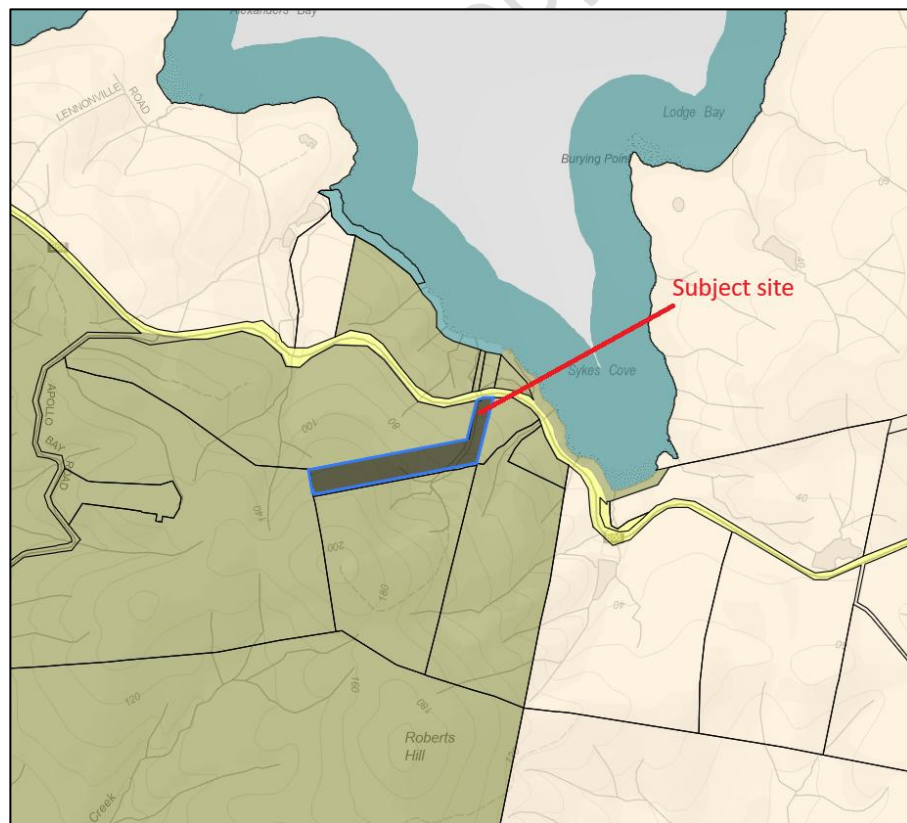
Figure 4: Proposed signage (source: e3 Planning)

The application documents submitted with the application states that the new use will provide customers the opportunity to taste and purchase from a selection of over 150 Tasmanian whiskies and gins. The business model is akin to a cellar door arrangement; customers may taste individual pours with the option to purchase bottled product for off-premises consumption. Limited bar snacks, light food and ancillary retail of non-alcoholic items are also proposed, though these are secondary to the principal tasting activity. No distilling occurs on the site.

Regarding the operation of the site, the use is open every day between 10am – 5pm and no changes are proposed to these hours. A total of three (3) staff members work at the premises daily. Deliveries will be managed by the House of Whisky to ensure that the delivery vehicles arrive either outside of operating hours or when there is likely to be minimal visitors at the site. Delivery vehicles are expected to access the site on an infrequent basis.

**1.2 The Site**

The subject site, CT25139/1, is an L-shaped freehold lot with an area of approximately 6.7 hectares. The site extends from its Lennon Road frontage at the northern tip, rising steeply to the south and west up a hillside. The Bruny Island House of Whisky tasting house building occupies a small portion of the front (northern) part of the lot at approximately 35 metres AHD, with the broader site rising to between 100 and 110 metres AHD towards the west. The majority of the site is used for residential purposes, with the proponent leasing the small front area for commercial purposes (i.e the liquor tasting facility). Refer to Figure 5 and Figure 6 below for site context.



**Figure 5: Subject site - 360 Lennon Road, North Bruny**



**Figure 6: Area of the 306 Lennon Road being used by the existing liquor tasting facility**

Improvements on the front portion of the site include a small colonial-style building approximately 12 metres from the front boundary, 3.5 metres from the eastern side boundary and 30 metres from the western side boundary, used as the tasting house. A separate toilet block is located approximately 9 metres to the rear of the main building. A storage container sits approximately 7.5 metres behind the main building.

A staff car park and a recently constructed coach turning area are located to the rear of the tasting house building. A shed and an unoccupied caravan are located further south, with the latter expected to be removed. A further building constructed from shipping containers, associated with the residential use of the broader lot, is located approximately 350 metres from the tasting house building, well to the south. The site also contains multiple outbuildings. Refer to Figure 7 through to Figure 10 for some site photos.



**Figure 7: View of Bruny Island House of Whisky from the outside (source: TIA prepared by GHD)**



**Figure 8: Inside of Bruny Island House of Whisky (source: TIA prepared by GHD)**



**Figure 9: Existing staff parking area to be retained (source: TIA prepared by GHD)**



**Figure 10: Existing visitor parking area at the northern side of subject site, to be relocated from the road reserve to the private title area (source: TIA prepared by GHD)**

The site is not serviced by reticulated water, sewer or gas. Water is supplied from rainwater tanks and wastewater is managed by on-site disposal systems, with the tasting house and the residential building at the rear of the site on separate systems. Stormwater

drains to a public table drain within the Lennon Road reserve. The site is connected to electricity and communications services.

The surrounding environment is characterised by a mix of rural and natural landscapes, including plantation native forest to the southwest, coastal residential development within native vegetation, and open pasture to the east used for grazing.

**1.3 Background**

The following planning applications are relevant to the subject site.

- DA 094372 Coffee Shop/Café and Orchard (Olive Grove)
- DA 2000-200 Relaxation of Side and Front Setbacks
- DA 2005-433 Reopening of Existing Restaurant as a Smokehouse
- DA 2013-190 Commercial Kitchen
- DA 2024-389 Demolition and Construction of a New Dwelling and Three Visitor Accommodation Units

The site previously operated as a restaurant however, over time, the focus shifted from food to combinations of food and alcohol, to just alcohol. The site has primarily been used as a tasting room for whiskey for several years. As the primary use of the site has changed from Food Services (Restaurant) to Hotel Industry (Liquor Tasting Facility) a new planning application was technically required, noting that to date, a Hotel Industry is a prohibited use in the Environmental Living Zone. Council has been working with the operator to legalise the use of the site by virtue of this current planning application and concurrent planning scheme amendment (PSA2023-1).

**2. PLANNING ASSESSMENT**

**2.1 Statutory Planning**

In accordance with the proposed amendment to the planning scheme (PSA-2023-1), which is associated with this development application, provides for Hotel Industry (liquor tasting facility) as a Discretionary use under the Environmental Living Zone Use Table 14.2.

**2.2 Use and Development Standards**

The proposal satisfies the relevant Acceptable Solutions of the Scheme (see checklist in Attachment 1), with the exception of the following:

**Environmental Living Zone  
Clause 14.3.1 Non-Residential Use**

<b>Acceptable Solution</b>
<p><b>A1</b></p> <p>Hours of operation must be within:</p> <ul style="list-style-type: none"> <li>(a) 8.00 am to 6.00 pm Mondays to Fridays inclusive;</li> <li>(b) 9.00 am to 12.00 noon Saturdays;</li> <li>(c) nil Sundays and Public Holidays;</li> </ul> <p>except for office and administrative tasks or visitor accommodation.</p>
<b>Performance Criteria</b>
<p><b>P1</b></p> <p>Hours of operation must not have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.</p>

<p><b>Proposal</b></p> <p>The proposed hours of use will be 10am – 5pm every day. In addition, deliveries to the site are likely to occur outside of operating hours or when there is likely to be minimal visitors at the site. Delivery vehicles are expected to access the site on an infrequent basis. As the acceptable solution cannot be met, the performance criteria must be considered.</p>
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The proposal can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The site is located within a rural environment where dwellings and properties are widely separated and residential density is low. The building is positioned adjacent to Lennon Road at the northern tip of the lot and is separated from the nearest neighbouring dwelling by at least 130 metres. An existing agricultural outbuilding and intervening topography providing further attenuation of any noise or activity from the nearest neighbour. Beyond the immediate frontage, the surrounding land is predominantly open pasture to the east and native vegetation to the southwest, with no sensitive receivers near the tasting house building. The site's prominent roadside location on the island's principal arterial road, rather than within or adjacent to a residential precinct, further reduces the potential for unreasonable amenity impacts on neighbouring residents.
- The Council has not received any noise complaints to date even though the use has already been established for several years. This provides practical evidence that the use does not unreasonably impact residential amenity.
- It is noted that the previously approved Food Services use on the site was permitted to operate until late on Fridays, further contextualising the proposed hours as reasonable in the circumstances.

**Environmental Living Zone  
Clause 14.4.2 – Setback**

<p><b>Acceptable Solution</b></p> <p><b>A2</b> – Building setback from side and rear boundaries must be no less than 30 m.</p>
<p><b>Performance Criteria</b></p> <p><b>P2</b> – Building setback from side and rear boundaries must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size and shape of the site;</li> <li>(c) the location of existing buildings on the site;</li> <li>(d) the proposed colours and external materials of the building;</li> <li>(e) visual impact on skylines and prominent ridgelines;</li> <li>(f) impact on native vegetation;</li> <li>(g) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:             <ul style="list-style-type: none"> <li>(i) overlooking and loss of privacy;</li> <li>(ii) visual impact, when viewed from adjoining lots, through building bulk and massing.</li> </ul> </li> </ul>
<p><b>Proposal</b></p> <p>The site contains multiple outbuildings, and there is no clear evidence to confirm that all structures have been lawfully established. Some outbuildings are located approximately</p>

20 metres from the western boundary, while another is situated approximately 6 metres from the eastern boundary. The main building has been in existence for more than 20 years.  
 Assessment is therefore required under the Performance Criteria.

The proposal can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The site is an irregularly shaped L-shaped lot of 6.7 hectares, and the front portion, within which the buildings are located, is relatively narrow in configuration. The constrained width of the front section of the lot, combined with the siting of the existing tasting house building close to the eastern boundary, limits the extent to which strict compliance with the 30 metre setback could practically be achieved for associated outbuildings. The topography of the site, which rises steeply to the south and west, further constrains the available building envelope.
- The outbuildings are modest in scale, low in height and utilitarian in character. Their external materials are consistent with rural outbuilding construction typical of the locality. The structures do not impinge upon skylines or ridgelines and are not visible from any prominent vantage point in the wider landscape. No clearing of native vegetation is associated with their siting.
- The adjoining properties are rural in character and sparsely developed, with significant separation between dwellings. Given the modest scale and low visual profile of the outbuildings, their siting does not result in unreasonable overlooking, loss of privacy, or adverse visual impact through building bulk or massing when viewed from adjoining lots. The existing characteristics of the surrounding landscape and the amenity of adjoining properties are maintained. The proposal satisfies the Performance Criteria.

**Environmental Living Zone  
 Clause 14.4.3 Design**

<b>Acceptable Solution</b>
<b>A2</b> – Exterior building surfaces coloured using colours with a light reflectance value not greater than 40 per cent.
<b>Performance Criteria</b>
<b>P2</b> – Exterior building surfaces must avoid adverse impacts on the visual amenity of neighbouring land and detracting from the contribution the site makes to the landscape, views and vistas.
<b>Proposal</b>
The site contains multiple outbuildings, and there is no clear evidence to confirm that all structures have been lawfully established. The buildings are generally finished in a silver colour with a light reflectance value (LRV) greater than 40%. The gable of the main building is painted a conspicuous orange; however, it is unclear when this was applied. Accordingly, the proposal requires assessment against the relevant Performance Criteria.

The proposal can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The outbuildings are modest, low-profile rural structures consistent in appearance with agricultural and rural residential buildings commonly found in the locality. Their silver-coloured finishes, while reflective, are a characteristic material of rural outbuildings throughout the region and are not unusual in the context of the

Environmental Living Zone. The buildings are sited on the northern portion of the lot at approximately 35 metres AHD, well below the ridgeline and broader hillside, and are not prominently visible in views of the wider landscape. Their visual impact on neighbouring land and the broader landscape, views and vistas of the area is accordingly limited.

**Environmental Living Zone**  
**Clause 14.4.3 Design**

<b>Acceptable Solution</b>
<b>A3</b> – The combined gross floor area of buildings must be no more than: 300 m <sup>2</sup> .
<b>Performance Criteria</b>
<b>P3</b> – The combined gross floor area of buildings must satisfy all of the following: (a) there is no unreasonable impact on natural values; (b) there is no unreasonable impact on the landscape; (c) buildings are consistent with the domestic scale of dwellings on the site or in close visual proximity; (d) be consistent with any Desired Future Character Statements provided for the area.
<b>Proposal</b>
The site contains multiple outbuilding and no clear evidence that it has been legally established. As a result, the total floor area, including the outbuildings, is approximately 345m <sup>2</sup> . Assessment is therefore required under the Performance Criteria.

The proposal can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The tasting house and associated structures are confined to the already disturbed front portion of the site adjacent to Lennon Road, well clear of areas of native vegetation, and the adverse effects on natural values of the broader site are minimised.
- The buildings are sited on the lower northern tip of the lot at approximately 35m AHD, set well below the ridgeline and the broader hillside rising to the south and west. The structures are not visually prominent in the wider landscape and do not impinge upon skylines or ridgelines.
- The scale of the buildings, individually and collectively, is consistent with the domestic character of rural residential development in the locality and is commensurate with similar lots in the Environmental Living Zone. There are no Desired Future Character Statements applicable to the zone.

**Environmental Living Zone**  
**Clause 14.4.4 Outbuildings**

<b>Acceptable Solution</b>
<b>A1</b> – Outbuildings (including garages and carports not incorporated within the dwelling) must comply with all of the following: (a) have a combined floor area no more than 80 m <sup>2</sup> ; (b) have a wall height no more than 5.5 m and a building height not more than 6.5 m; (c) have setback from frontage no less than that of the existing or proposed dwelling on the site.

<b>Performance Criteria</b>
<p><b>P1</b> – Outbuildings (including garages and carports not incorporated within the dwelling) must be designed and located to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) be less visually prominent than the existing or proposed dwelling on the site;</li> <li>(b) be consistent with the scale of outbuildings on the site or in close visual proximity;</li> <li>(c) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape.</li> </ul>
<b>Proposal</b>
<p>The site contains multiple outbuildings, and there is no clear evidence to confirm that all structures have been lawfully established. The total area of outbuildings exceeds 80m<sup>2</sup>. Assessment is therefore required under the Performance Criteria.</p>

The proposal can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The outbuildings are modest, low-profile structures that are clearly secondary in scale and visual prominence to both the main tasting house building and the residential building on the site. Their low wall heights and simple roof forms ensure they do not compete visually with the principal buildings when viewed from Lennon Road or adjoining properties.
- The scale and character of the outbuildings is consistent with rural residential and small commercial properties in the locality, where functional outbuildings, storage sheds and ancillary structures are a common feature of the landscape. No outbuilding on the site is of a scale or design that would be considered unusual or out of character in this setting.
- There are no Desired Future Character Statements applicable to the Environmental Living Zone.

**Environmental Living Zone**  
**Clause 14.4.5 Environmental Values**

<b>Acceptable Solution</b>
<p><b>A1</b> – Development must be located within a building area on a plan of subdivision.</p>
<b>Performance Criteria</b>
<p><b>P1</b> – The application is accompanied by an environmental management plan for the whole site, setting out measures to be put in place to protect flora and fauna habitats, riparian areas, any environmental values identified as part of a site analysis, and identify measures to be used to mitigate and offset adverse environmental impacts.</p>
<b>Proposal</b>
<p><b>A1 – Does not comply.</b> There is no building area shown on a plan of subdivision and the application involves development (works). Assessment is therefore required under the Performance Criteria.</p>

The proposal can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The application is accompanied by an Environmental Management Plan (E3 Planning, submitted on 1 December 2025) for the whole site.
- This plan identifies measures to protect flora and fauna habitats and other environmental values and measures to be used to mitigate adverse environmental

impacts. These measures include tree exclusion fencing, planting with local endemic species following construction, implementation of soil and water management measures during construction, weed management, waste management and noise and dust measures. However, this plan does not include all arborist recommendations for mitigating impacts on the two mature trees as identified in the arborist assessment as Trees 88 and 89 (Tree Pioneers, 19 July 2024) or address encroachment into the tree protection zone of the construction of the carpark on these trees. The existing arborist assessment also does not assess the impact of the new carpark works on these trees, as the carpark was proposed to be in a different location at the time of their assessment. Based on the arborist assessment, the trees have a tree protection zone of 15m, with the new carpark involving works within 3-11m of these trees. A further arborist assessment is required to identify the necessary mitigation measures which ensure these trees are not compromised.

- Accordingly, conditions are recommended for inclusion in any permit issued requiring a further arborist assessment of the impact of the new carpark on Trees 88 and 89 and requiring development and implementation of an amended environmental management plan which includes all arborist recommendations in both the existing arborist assessment (Tree Pioneers, 19 July 2024) and the addendum to the arborist assessment.

**E5.0 Road and Railway Assets Code**

**Clause E5.6.4 Sight distance at accesses, junctions and level crossings**

<b>Acceptable Solution</b>
<p><b>A1</b> – Sight distances at:</p> <ul style="list-style-type: none"> <li>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and</li> <li>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</li> </ul>
<b>Performance Criteria</b>
<p><b>P1</b> – The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature and frequency of the traffic generated by the use;</li> <li>(b) the frequency of use of the road or rail network;</li> <li>(c) any alternative access;</li> <li>(d) the need for the access, junction or level crossing;</li> <li>(e) any traffic impact assessment;</li> <li>(f) any measures to improve or maintain sight distance; and</li> <li>(g) any written advice received from the road or rail authority.</li> </ul>
<b>Proposal</b>
<p>As outlined in the Traffic Impact Assessment. The available sight distance of approximately 70m does not comply with Table E5.1 due to the road geometry. Assessment is therefore required under the Performance Criteria.</p>

The proposal can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- The traffic generated by the tasting house is low, with the Traffic Impact Assessment prepared by GHD (October 2025) estimating peak two-way movements of approximately 17 vehicles per hour, comprising up to 12 customer vehicles and

three staff vehicles per hour during peak periods. This is broadly comparable to the traffic previously generated by the approved Food Services use on the site, and the change of use is not expected to increase the number of vehicles using the access. Lennon Road carries an average of approximately 1,263 vehicles per day on a seven-day average, with peak hour volumes of approximately 134 vehicles per hour, equating to approximately one vehicle every 27 seconds. The relatively low volume and the high tourist use of the road are expected to result in prevailing speeds lower than the posted 90 km/hr speed limit.

- No alternative access to the site exists. The level constraints along the site frontage preclude the creation of a new access at an alternative location, and relocating the existing access would not materially improve sight distance given the road geometry. The existing access is the only practical means of entry and egress for the site and also serves the residential building further to the south.
- The access has operated in its current form for the duration of the prior approved use on the site. A review of crash data for Lennon Road between 2019 and 2024 identified only one recorded crash in the vicinity, which occurred on a curve east of the site and was unrelated to the subject access. No crashes have been recorded in association with vehicles entering or exiting the access, providing practical evidence of its safe operation over an extended period.
- The Traffic Impact Assessment concludes that the proposal is appropriate from a traffic engineering perspective and that the access operates satisfactorily for the assessed use. The Department of State Growth, as road authority, has been engaged in relation to the access upgrade, with Crown consent having been obtained for the sealing of approximately 10 metres of the existing accessway. No further measures to improve sight distance are considered practicable given the site constraints.

**E6.0 Parking and Access Code**

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

<b>Acceptable Solution</b>
<p><b>A1</b> – The number of on-site car parking spaces must be:</p> <p>(a) no less than the number specified in Table E6.1; except if:</p> <p>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p>
<b>Performance Criteria</b>
<p><b>P1</b> – The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:</p> <p>(a) car parking demand;</p> <p>(b) the availability of on-street and public car parking in the locality;</p> <p>(c) the availability and frequency of public transport within a 400m walking distance of the site;</p> <p>(d) the availability and likely use of other modes of transport;</p> <p>(e) the availability and suitability of alternative arrangements for car parking provision;</p> <p>(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</p> <p>(g) any car parking deficiency or surplus associated with the existing use of the land;</p> <p>(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;</p>

<p>(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</p> <p>(j) any verified prior payment of a financial contribution in lieu of parking for the land;</p> <p>(k) any relevant parking plan for the area adopted by Council;</p> <p>(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;</p> <p>(m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.</p>
<p><b>Proposal</b></p> <p>The site contains a single building with two or more bedrooms, which requires two parking spaces under Table E6.1, and this requirement can be accommodated on site. However, the proposed “Hotel Industry (tasting house)” use generates a significantly higher parking demand. Based on the applicable rates, the tasting house requires a total of 23 on-site parking spaces, comprising parking for public indoor space, veranda (beer garden equivalent), and a minor allowance for staff accommodation. In comparison, the proposal provides only six visitor spaces, three staff/visitor spaces, and approximately five informal overflow staff spaces; a total of 14 bays and a perceived shortfall of nine bays. Accordingly, the proposal does not comply with the parking requirements of Table E6.1. Assessment is therefore required under the Performance Criteria.</p>

The proposal can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- The standard Hotel Industry parking rate is premised on the intensity of a conventional bar or pub, which typically accommodates a significantly higher density of customers than the tasting house model proposed here. The Bruny Island House of Whisky operates as a cellar door style venue where customers spend an extended period tasting a curated selection, rather than a high-turnover licensed premises. The applicable parking rate does not accurately reflect the actual demand generated by this type of use, and a first principles assessment based on observed parking demand is more appropriate.
- To establish actual demand, Bruny Island House of Whisky undertook car parking surveys over a 10-week period between January and April 2024. The surveys recorded the maximum number of spaces occupied at any given time each day. Over the survey period, the peak demand was nine spaces on three occasions, the median demand was four spaces, and the 85th percentile demand was six spaces. The Traffic Impact Assessment prepared by GHD (October 2025) considers it appropriate to design the car park to accommodate the 85th percentile demand of six spaces, with the informal overflow staff parking at the rear of the site available to absorb demand on busier days, providing up to nine visitor spaces when staff utilise the rear parking area.
- It is also relevant to note that the previous approved Food Services use on the site had a parking requirement of nine spaces based on 26 seats at one space per three seats, which is more closely aligned to the actual parking demand observed at the site. The change of use from Food Services to Hotel Industry has not materially altered the pattern or intensity of customer visitation, and the parking demand data confirms that the proposed supply is consistent with the reasonable needs of users of the tasting house.
- The Traffic Impact Assessment concludes that the provision of six visitor spaces, supplemented by staff overflow parking providing up to nine visitor spaces on peak days, is sufficient to meet the reasonable needs of users of the site. Traffic

generation is not expected to increase from existing conditions, and the relocation of parking from the road reserve onto the site represents an improvement to the current arrangement. The proposal satisfies the Performance Criteria.

**E6.0 Parking and Access Code**

**Clause E6.7.6 Surface treatment of parking areas**

<p><b>Acceptable Solution</b></p> <p><b>A1</b> – Parking spaces and vehicle circulation roadways must be in accordance with all of the following;</p> <p>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</p> <p>(b) drained to an approved stormwater system,</p> <p>unless the road from which access is provided to the property is unsealed.</p>
<p><b>Performance Criteria</b></p> <p><b>P1</b> – Parking spaces and vehicle circulation roadways must not unreasonably detract from the amenity of users, adjoining occupiers or the quality of the environment through dust or mud generation or sediment transport, having regard to all of the following:</p> <p>(a) the suitability of the surface treatment;;</p> <p>(b) the characteristics of the use or development;;</p> <p>(c) measures to mitigate mud or dust generation or sediment transport.;</p>
<p><b>Proposal</b></p> <p>Lennon Road is a sealed carriageway and all parking is within 75m of a property boundary. As such, it is required for all circulation and parking areas to be paved or treated with a durable all-weather pavement. It is proposed for accessways and parking spaces to be unsealed. Assessment is therefore required under the Performance Criteria.</p>

The proposal can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- Compacted gravel is a surface treatment well suited to the rural character and setting of the site. The Environmental Living Zone is characterised by low-density rural residential development where unsealed driveways and parking areas are common and consistent with the amenity expectations of the area. The use of compacted gravel is considered appropriate in this context and does not represent a detraction from the amenity of the area or its users.
- The tasting house generates low traffic volumes, with peak two-way movements of approximately 17 vehicles per hour as established in the Traffic Impact Assessment. At this level of use, the potential for dust generation, mud formation or sediment transport from the car parking area is minimal. The site has operated with an unsealed parking surface in the road reserve for the duration of the prior approved use without recorded complaint or amenity issue, providing practical evidence that the surface treatment is appropriate for the intensity of use.
- Any measures required to manage mud or dust at the access point, including the sealing of approximately 10 metres of the existing accessway, will be implemented in accordance with the requirements of the Department of State Growth as road authority. Beyond this, no additional mitigation measures are considered necessary given the low traffic volumes, the rural setting, and the established history of satisfactory operation with an unsealed surface.

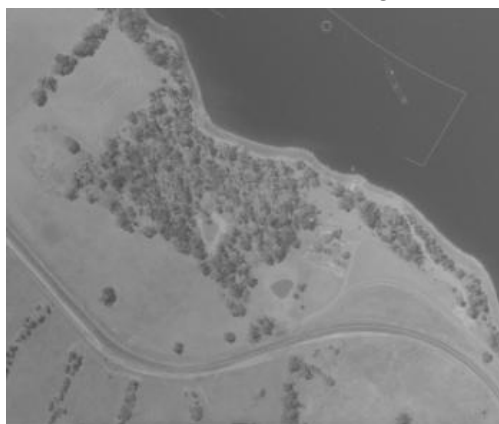
**E10.0 Biodiversity Code**  
**Clause E10.7.1 - Buildings and works**

<p><b>Acceptable Solution</b></p>
<p><b>A1</b> – Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.</p>
<p><b>Performance Criteria</b></p>
<p><b>P1</b> – Clearance and conversion or disturbance must satisfy the following:</p> <ul style="list-style-type: none"> <li>(a) if low priority biodiversity values: <ul style="list-style-type: none"> <li>(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;</li> <li>(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings.</li> </ul> </li> <li>(b) if moderate priority biodiversity values: <ul style="list-style-type: none"> <li>(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;</li> <li>(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;</li> <li>(iii) remaining moderate priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values;</li> <li>(iv) residual adverse impacts on moderate priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the use of Biodiversity Offsets in the local planning approval process, Southern Tasmanian Councils Authority, April 2013 and Kingborough Biodiversity Offset Policy 6.10, November 2016.</li> </ul> </li> <li>(c) if high priority biodiversity values: <ul style="list-style-type: none"> <li>(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;</li> <li>(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;</li> <li>(iii) remaining high priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values;</li> <li>(iv) special circumstances exist;</li> <li>(v) residual adverse impacts on high priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the use of Biodiversity Offsets in the local planning approval process, Southern Tasmanian Councils Authority, April 2013 and Kingborough Biodiversity Offset Policy 6.10, November 2016.</li> <li>(vi) clearance and conversion or disturbance will not substantially detract from the conservation status of the biodiversity value(s) in the vicinity of the development.</li> </ul> </li> </ul>

**Proposal**

The application documentation states that the site does not contain threatened native vegetation communities and the proposal does not include habitat. However, these statements are based on a desktop assessment and do not reflect the natural values present on the site. A site visit confirms that the area subject to the proposed amendment and associated works contains significant habitat for the forty-spotted pardalote, being mature white and blue gums within 500m of a known colony. The broader site contains various native vegetation communities, including a threatened native vegetation community *Eucalyptus globulus* dry forest and woodland (DGL). While the DGL is not impacted by the proposal, the proposed access works, including upgrading the existing access and construction of a new carpark, result in disturbance to two (2) Very High Conservation trees, a White Gum (*Eucalyptus viminalis*) and Blue Gum (*Eucalyptus globulus*), specifically Trees 88 and 89 as indicated in the supporting Arboricultural Assessment Report submitted with the application, which provide significant habitat for the forty-spotted pardalote.

The planning report submitted with the application (GHD, 11 November 2025), the disturbance of mature trees considers that the application is exempt from assessment on the basis that the disturbance is located on previously cleared and converted land. The definition of previously cleared and converted land requires the land did not contain trees over a consecutive period of at least 5 years, since 1985. Historic aerial imagery confirms that the trees were present in 1984-1985. Therefore, this land does not meet the definition of previously cleared and converted land and the disturbance to these trees requires assessment against Clause E10.7.1 A1/P1.



The proposal is unable to meet A1 as there is no building area on the title and the proposal involves the clearance and conversion or disturbance of high priority biodiversity values, significant habitat for the forty spotted pardalote. Therefore, the proposal must be assessed against the Performance Criteria.

The proposal can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- The proposed works are located to minimise impacts on high priority biodiversity values, as they utilise an existing access to the extent feasible and there is no alternative location for this access which would achieve a lesser impact.
- There is no clearance and conversion or disturbance required for bushfire hazard management.
- All priority biodiversity values are proposed to be retained.
- Special circumstances exist as the extent of disturbance is limited and all values are proposed for retention.
- No offsets are required as there is no residual loss of biodiversity values.

- The disturbance will not substantially detract from the conservation status of the biodiversity value(s) in the vicinity of the development, providing recommended mitigation measures are implemented which ensure the ongoing viability of the trees.
- Conditions are recommended for inclusion in any permit issued requiring retention of all native vegetation, a further arborist assessment of the impact of the new carpark on Trees 88 and 89, requiring all arborist recommendations in both the existing arborist assessment (Tree Pioneers, 19 July 2024) and the addendum to the arborist assessment to be implemented and requiring implementation of tree protection measures during construction

**E11.0 Waterway and Coastal Protection Code**

**Clause E11.7.1 Buildings and works**

<b>Acceptable Solution</b>
<b>A1</b> – Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.
<b>Performance Criteria</b>
<p><b>P1</b> – Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) avoid or mitigate impact on natural values;</li> <li>(b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;</li> <li>(c) avoid or mitigate impacts on riparian or littoral vegetation;</li> <li>(d) maintain natural streambank and streambed condition, (where it exists);</li> <li>(e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</li> <li>(f) avoid significantly impeding natural flow and drainage;</li> <li>(g) maintain fish passage (where applicable);</li> <li>(h) avoid landfilling of wetlands;</li> <li>(i) works are undertaken generally in accordance with Waterways and Wetlands Works Manual (DPIWE, 2003) and Tasmanian Coastal Works Manual (DPIPWE, December, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.</li> </ul>
<b>Proposal</b>
<p>The formalisation of the existing access involves works within a Waterway and Coastal Protection Area., which includes increasing the permeability of the driveway surface by adding crushed rock to a depth of 10mm.</p> <p>The works are not located in a building area on a subdivision plan approved under this Scheme and therefore must be assessed against the Performance Criteria.</p>

The proposal can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- Impacts on natural values, including riparian vegetation, are limited to encroachment into the tree protection zone of Tree 88 and sedimentation during construction. These impacts are minimised to the extent feasible and are capable of being mitigated through implementation of the arborist recommendations and implementation of soil and water management measures during construction.
- The works will not impact natural streambank and streambed condition and in-stream habitat is proposed for retention.

- The works will not affect natural flow, fish passage or impact wetlands.
- Providing recommended conditions are included in any permit issued, the works will be undertaken generally in accordance with Waterways and Wetlands Works Manual (DPIWE, 2003).
- Conditions are recommended for inclusion in any permit issued requiring retention of all riparian vegetation, all arborist recommendations in the existing arborist assessment (Tree Pioneers, 19 July 2024) to be implemented and requiring implementation of tree protection and soil and water management measures during construction.

**E17.0 Signs Code**

**Clause E17.6.1 – Use of Signs**

<b>Acceptable Solution</b>
<p><b>A1</b></p> <p>A sign must be a permitted sign in Table E.17.3.</p>
<b>Performance Criteria</b>
<p><b>P1</b></p> <p>A sign must be a discretionary sign in Table E.17.3.</p>
<b>Proposal</b>
<p>Table E.17.3 establishes a wall sign in the Environmental Living Zone, has a discretionary status. A wall signs defined as being:</p> <p><i>means a sign painted on or attached parallel to the wall of a building or fence surrounding a building.</i></p> <p>A 1200 mm x 1200mm wall sign is proposed to be attached to the front boundary fence facing Lennon Road to attract vehicular traffic passing by. The proposal relies on assessment against the performance criteria.</p>

The proposal can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- A wall sign in the Environmental Living Zone is listed in Table E17.3 as a discretionary sign.

**E17.0 Signs Code**

**Clause E17.7.1 - Standards for Signs**

<b>Acceptable Solution</b>
<p><b>A1</b></p> <p>A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3.</p>
<b>Performance Criteria</b>
<p><b>P1</b></p> <p>A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following:</p> <p>(a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;</p>

<p>(b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;</p> <p>(c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;</p> <p>(d) not result in loss of amenity to neighbouring properties;</p> <p>(e) not involve the repetition of messages or information on the same street frontage;</p> <p>(f) not contribute to or exacerbate visual clutter;</p> <p>(g) not cause a safety hazard.</p>
<p><b>Proposal</b></p>
<p>The proposal is a discretionary sign in Table 17.3, it therefore must be assessed under relevant performance criteria</p>

The proposal can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- Only a single 1.44m<sup>2</sup> wall sign is proposed and will be affixed to the front boundary fence to identify the site and attract passers-by. The sign is considered modest in scale does not dominate the site or the broader streetscape. The rural character of the locality, with wide separation between properties and no established urban streetscape, means the threshold for dominance is readily satisfied by signs of this scale and type.
- The sign is of small dimensions. The simple format is capable of being maintained in a satisfactory condition and replaced as required. The signs contain no flashing lights, moving parts or electronic components, and pose no safety hazard to vehicles or pedestrians using Lennon Road.
- The nearest adjoining properties are separated from the tasting house building by significant distances in keeping with the rural character of the area. The wall sign will be oriented towards Lennon Road and does not face adjoining residential properties. No loss of amenity to neighbouring properties is anticipated.
- The wall sign will serve to identify the business and inform passing visitors of the products and services available at the site. It does not involve unnecessary repetition of information and is not considered to contribute to or exacerbate visual clutter in a locality that is otherwise free of signage beyond roadside tourism directional signs.

**E17.0 Signs Code**  
**Clause E17.7.1 - Standards for Signs**

<p><b>Acceptable Solution</b></p>
<p><b>A2</b></p> <p>The number of signs per business per street frontage must comply with all of the following:</p> <p>(a) maximum of 1 of each sign type;</p> <p>(b) maximum of 1 window sign per window;</p> <p>(c) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3;</p> <p>(d) if the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6. except for the following sign types, for which there is no limit;</p>

<ul style="list-style-type: none"> <li>i. Building Site,</li> <li>ii. Name Plate,</li> <li>iii. Newspaper Day Bill,</li> <li>iv. Open/Closed,</li> <li>v. Real Estate,</li> <li>vi. Street Number,</li> <li>vii. Temporary Sign.</li> </ul>
<p><b>Performance Criteria</b></p>
<p><b>P1</b></p> <p><i>The number of signs per business per street frontage must:</i></p> <ul style="list-style-type: none"> <li>(a) minimise any increase in the existing level of visual clutter in the streetscape; and where possible, shall reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs;</li> <li>(b) reduce the existing level of visual clutter in the streetscape by replacing, where practical, existing signs with fewer, more effective signs;</li> <li>(c) not involve the repetition of messages or information.</li> </ul>
<p><b>Proposal</b></p> <p>The proposal involves three wall signs on the single Lennon Road frontage of the tasting house building, therefore it must be assessed under relevant performance criteria.</p>

The proposal can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The site is located in a rural setting on Lennon Road where the existing level of signage in the streetscape is minimal, comprising roadside tourism directional signs installed by the Department of State Growth. The introduction of three wall signs on a single building in this context does not materially increase visual clutter in a streetscape otherwise characterised by open pasture, native vegetation and an absence of commercial signage.
- The three signs are considered appropriate given the changing nature of the products available at the site. It is not considered practical to consolidate the three signs into a single larger sign, as the displays are potentially interchangeable to reflect varying product offerings and each contains unique information beyond consistent branding. The signs do not therefore involve unnecessary repetition of messages or information.
- It is also noted that a wall sign previously existed on the building frontage but has since been removed. The three proposed signs would therefore replace and build upon a previously established signage arrangement on the site, and their introduction does not represent a new or significant imposition of commercial signage in the streetscape.

**2.3 Public Consultation and Representations**

The report is prepared prior to the public exhibition. The application will be advertised concurrently with the combined Planning Scheme Amendment PSA-2023-1 which is also tabled on this agenda. Refer to that report for further information on public exhibition.

## 2.4 Other Matters

### Restrictions on Title

#### *Right of way access easements*

The site is subject to three right-of-way easements over the front portion of the site. The proposal is not expected to adversely affect these existing title restrictions.

### External Referrals

#### *Department of State Growth*

The application was referred to the Department of State Growth by the applicant on 12 November 2024. Crown Consent was subsequently granted on 19 June 2025. The final response to the Council's request for further information was received on 1 December 2025, at which point all requested information had been provided.

### Aboriginal Heritage Tasmania

The Aboriginal Heritage Register indicates that no registered Aboriginal relics have been identified on the site, and there is no apparent risk of impacting any such relics.

## 3. CONCLUSION

The proposal involves development, which is categorised as discretionary under the planning scheme. The proposal is assessed as complying with all other relevant use and development standards in the Environmental Living Zone, as well as the applicable standards of relevant codes.

## 4. RECOMENDATION

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) (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:

- Maintaining the exclusion zone and mulch.
  - 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).
  - Ensuring the tree protection zones are free from the storage of fill, contaminates or other materials.
  - Excluding machinery and vehicles to access the tree protection zone.
  - 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:

- (i) 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.

### ADVICE

- A. In accordance with section 53(5) of the *Land Use Planning and Approvals Act 1993* this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. The approval in this permit is under the *Land Use Planning and Approvals Act 1993* and does not provide any approvals under other Acts including, but not limited to *Building Act 2016*, *Urban Drainage Act 2013*, *Food Act 2003* or Council by-laws.

If your development involves demolition, new buildings or alterations to buildings (including plumbing works or onsite wastewater treatment) it is likely that you will be required to get approvals under the *Building Act 2016*. Change of use, including visitor accommodation, may also require approval under the *Building Act 2016*. Advice should be sought from Council's Building Department or an independent building surveyor to establish any requirements.

### ATTACHMENTS

1. Title Documents
2. Assessment Checklist
3. Application Plans



**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 25139	FOLIO 1
EDITION 16	DATE OF ISSUE 14-Oct-2022

SEARCH DATE : 12-Nov-2024

SEARCH TIME : 11.27 AM

DESCRIPTION OF LAND

Parish of NORTH BRUNY, Land District of BUCKINGHAM  
 Lot 1 on Diagram 25139  
 Derivation : Part of 100 Acres Gtd. to G.L. Lennon  
 Prior CT 4075/46

SCHEDULE 1

M925381 TRANSFER to NICHOLAS JOHN MCGRATH Registered  
 12-Dec-2021 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

A960908 BURDENING EASEMENT: Right of Carriageway [appurtenant to the land in conveyance No. 46/6918) over the right of Way 6.00 wide shown on Diagram No. 25139

B489556 BURDENING EASEMENT: Right of Carriageway [appurtenant to Lot 2 on Diagram No. 25139) over the Right of Way 15.00 wide shown passing through Lot 1 on Diagram No. 25139

C628463 BURDENING EASEMENT:A right of carriageway (appurtenant to Lot 3 on D.25139) over the Right of Way 'A' 6.00 wide shown on the said land within described Registered 31-Aug-2005 at noon

E321376 MORTGAGE to Commonwealth Bank of Australia Registered 14-Oct-2022 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

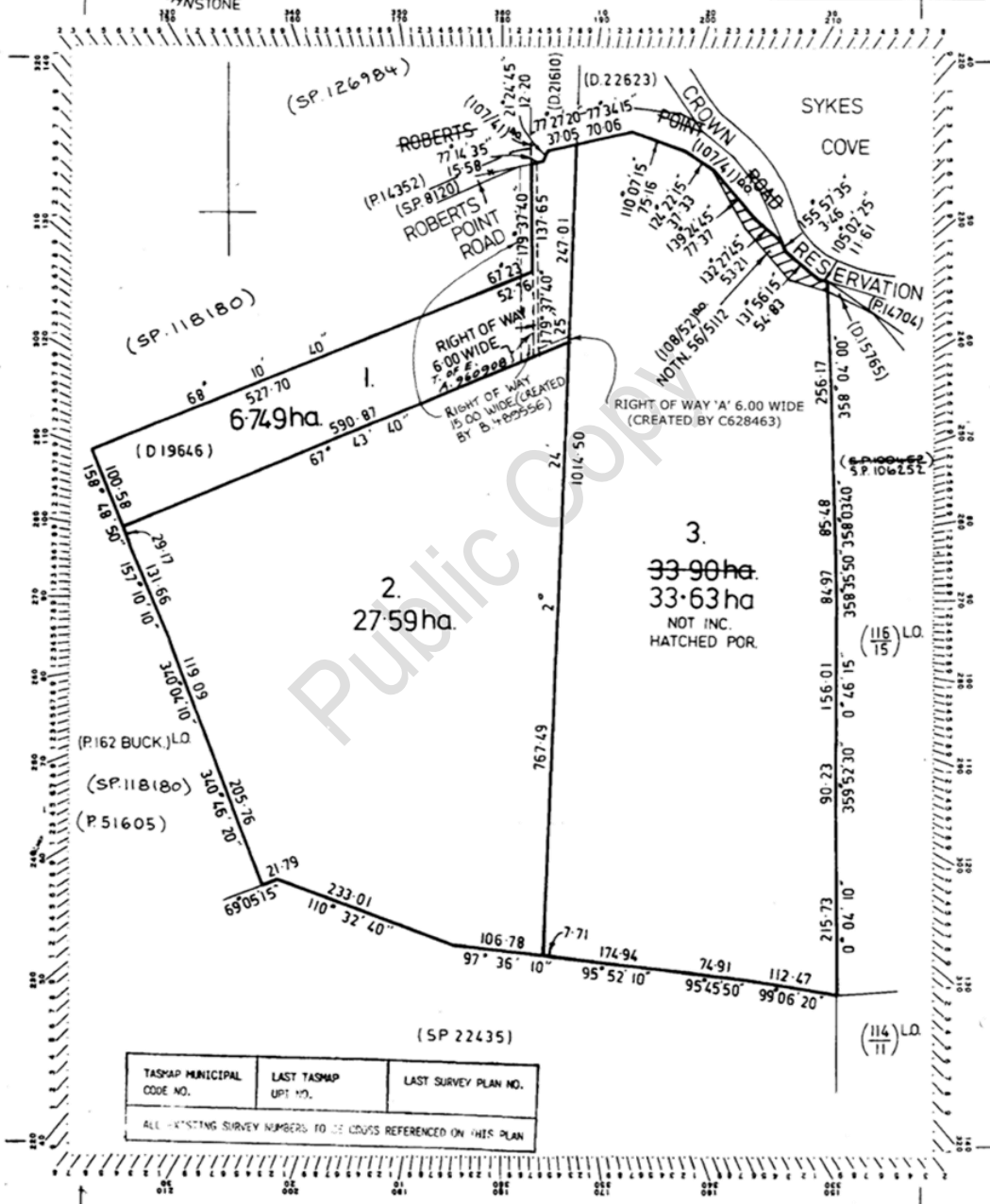
No unregistered dealings or other notations



FOLIO PLAN  
RECORDER OF TITLES  
Issued Pursuant to the Land Titles Act 1980



Owner: A. R. CAMPBELL & ORS.	<b>PLAN OF SURVEY</b> by Surveyor M. E. MORLEY of land situated in the	Registered Number: <b>D25139</b>
Title Reference: C.T. 4075/46 CONV. 46/6918	LAND DISTRICT OF BUCKINGHAM PARISH OF NORTH BRUNY	Approved Effective from: 2 - JUL 1999
Grantee: PART OF LOT 450 640 AC. & 100 AC. CHIBALO GTD. TO A JOHNSTONE & 100 AC. GTD. TO GEORGE & J. LENNON	SCALE 1: 5000 MEASUREMENTS IN METRES	Recorder of Titles <i>E. R. Thompson</i>

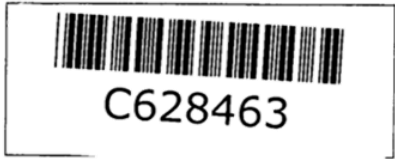


TASKAP MUNICIPAL CODE NO.	LAST TASKAP UP1 NO.	LAST SURVEY PLAN NO.
ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		

TASMANIAN LAND TITLES OFFICE

Transfer

Section 58 Land Titles Act 1980.



THE TRANSFEROR for the consideration specified below (receipt of which from the transferee is hereby acknowledged) HEREBY TRANSFERS to the TRANSFEREE the estate and interest specified in the land described hereunder subject to the mortgages and encumbrances registered thereon including any created by dealings lodged for registration before the lodging of this transfer.

DESCRIPTION OF LAND			
Folio of the Register			
Volume	Folio	Volume	Folio
25139	1		
			If subject to existing mortgages - list here If part of land - describe part If easement created- describe easement
			An easement over portion of the said land as described hereunder and on the annexure page.

Estate and Interest: A right of carriage way appurtenant to the land comprised in folio of the Register Volume 25139 Folio 3 over the "Right of Way 6.00 metres wide" marked A-B on the Annexure Page.

Transferor: Mathew Peter Conboy Sales } 360 Lennon Rd  
Jenene Elizabeth Dates Physiotherapist } North Bruny Island  
Tasmania 7150

Transferee: Campbell John Miller 140 Groombridge Rd, Kettering, Tasmania 7155  
Medical Practitioner  
Virginia Anne Mudie 5 Higgs Place, Hughes, ACT 2605  
Public Servant

Consideration: One dollar

Dated this 21st day of MAY 20.05

Signed by the Transferor in the presence of

Sillian Dates  
"Wanatta" 1514 Princes Highway  
BECA 2550  
TEACHER LIBRARIAN

Land Titles Office Use Only

**T** 31 AUG 2005  
Version 1

TASMANIAN STAMP DUTY  
Stamp Duty \$20  
Lodgment No. FE-000073-0505  
Receipt No. 03015972  
Duty Paid \$20.00  
Date: 12/07/05  
Consideration: \$1.00  
Document TPR

THE BACK OF THIS FORM MUST NOT BE USED



**PRODUCTION SLIP**

(Attach this form in Quadruplicate to the instrument produced)

*CONVEYANCES*

**NOTE**  
**THIS COPY ONLY WILL BE ACCEPTED BY THE LAND TITLES OFFICE AS EVIDENCE OF PRODUCTION OF THE INSTRUMENT MENTIONED IN PANEL A**

This space for L.T.O. use only  
 LAND TITLES OFFICE  
 17 JUN 2005  
 TASMANIA

**PANEL A**

<p>Insert nature and number of instrument produced.</p> <p>NATURE</p> <p><i>CT.</i></p>	<p>NUMBER</p> <p><i>25139/1</i></p>
<p>TITLE AFFECTED</p> <p><i>Asside</i></p>	

To the Recorder of Titles

The instrument mentioned above is produced to enable registration of

Insert the nature of the dealings which are to be registered.

*SCHEDULE OF ENCUMBRANCES*

to be lodged by

Insert the name of the person who is to lodge the dealings.

*CJ MILLER*

and following registration to be RETURNED TO

Insert name and address of person to whom the instrument set out in Panel A is to be sent following registration of the above-mentioned dealing.

*ANZ BANK  
 LG 40 ELIZABETH ST  
 HOBART*



(Signature of person producing instrument)



(2)

FORM 9  
TASMANIA  
Land Titles Act 1980  
**MEMORANDUM OF TRANSFER..**  
(Section 58)



**DESCRIPTION OF LAND**  
The land to be transferred is ALL THAT land comprised in the folio listed opposite unless the contrary is expressed.

Folio of Register		If the land to be transferred is part only of an existing title, describe the part. If the transfer creates an easement, state that fact here <sup>1)</sup> . Note here any Mortgages, Leases etc., to which this Transfer is subject
Vol.	Fol.	
4177	84	

**ESTATE OR INTEREST**  
The estate or interest to be transferred is the transfer of or creation of

Estate in fee simple

**TRANSFEROR**  
(Full name, postal address and occupation)

ANDREW ROBERTSON CAMPBELL (Pastoralist), IAN KENNETH CAMPBELL (Pastoralist)  
and RICHARD ASHTON WARNER (Company Director)

**TRANSFeree**  
(Full name, postal address and occupation) (2)

SIMON JAMES HOOD of 9 Silverley Road, Croyden, Victoria, Computer Consultant

**CONSIDERATION**  
(To be expressed in words)

THIRTY THOUSAND DOLLARS (\$30,000.00)

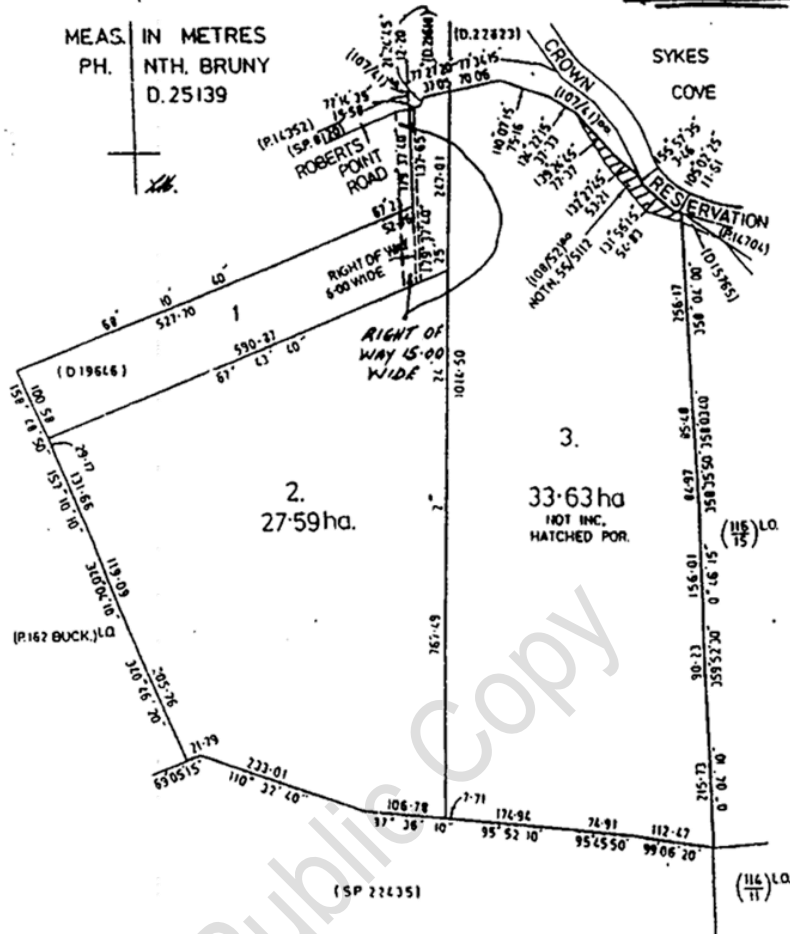
PLEASE FILL IN ALL BLANK SPACES BEFORE SIGNING

Here specify any easements to be appurtenant to the land, or to which it is to be subject, commencing with the words "together with" or "subject to", as the case may require.

Reservations may only be created by a separate instrument.

In a transfer for value, a fencing provision may be included here on the form: The Transferor as vendor shall not be required to fence.

THE TRANSFEROR for the consideration set forth (receipt of which from the Transferee is hereby acknowledged) HEREBY TRANSFERS to the TRANSFEEE/CREATES IN THE TRANSFEEE the estate or interest specified in the land above described TOGETHER WITH a right of carriageway over the right of way 15.00 wide shown passing through the land comprised in Certificate of Title Volume 4075 Folio 46 and shown on the plan hereon, and Certificate of Title Volume 3570 Folio 93. (See C.T. FILE)



DATED this 10<sup>th</sup> day of JANUARY 1992

SIGNED by the Transferor in the presence of:

*[Signature]* Campbell  
*[Signature]* Campbell  
*[Signature]* Robert

*[Signature]* Same

\* Strike out whichever is inapplicable

FILE UP ALL BLANK SPACES BEFORE SIGNING

Transferor  
-----  
Transferee

030B 30900 -  
The duty payable hereon was this day assessed by me at  
\$ 550-00

Date JA 15 72 Assessed by J. Richardson Assessor/Clerk of Stamp Duties

Certified that the within dealing was registered on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_ at \_\_\_\_\_

This is to certify that this instrument was produced to me pursuant to Section 7 of the Stamp Duties Act 1831 on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_ and that upon being so produced the full amount of duty (namely \$ \_\_\_\_\_) was duly denoted thereon.

Date \_\_\_\_\_ Assessor/Clerk of Stamp Duties

(This space for use of L.T.O. only)



RECORDER OF TITLES

- A TRANSFER No. \_\_\_\_\_ was made SUBJECT TO FENCING PROVISION
- B AS TENANTS IN COMMON IN EQUAL SHARES
- C

Comments:  
Marked up on Folio:  
Passed for Regn. New C.T. Drafted *JK*  
Directions re Memorial: E: D1: D2:  
Add:

(E) (Transfer of part memorial/s)  
(C.T. 4177-84) (FIRST SCHEDULE)  
TRANSFER S. 489566 to SIMON JAMES MOOD (of a right of carriage way appurtenant to the said land within described.)

Direct as shown below	By:
<input checked="" type="checkbox"/> Solicitor	Power of Attorney
<input type="checkbox"/> Solicitor	
<input type="checkbox"/> Senior Reg. Clerk	
<input type="checkbox"/> Part dealings	
<input type="checkbox"/> Reg. Clerk	Draft C.T. required
<input type="checkbox"/> Reg. Clerk	Check C.T. Refs C.A. or P/Bate
<input type="checkbox"/>	
<input type="checkbox"/>	

(Second Schedule) \*7  
(C.T. 4075-06) (3570-93)  
Transfer S. 489566 to James Hood of the whole of the land comprised in Certificate of Title Volume 0177 Folio 84 was made subject to a right of carriage way appurtenant to the said land within described.

(\* ON OF 3570-93)  
add (this cr. is cancelled see New Vol *File*)

Government Printer, Tasmania

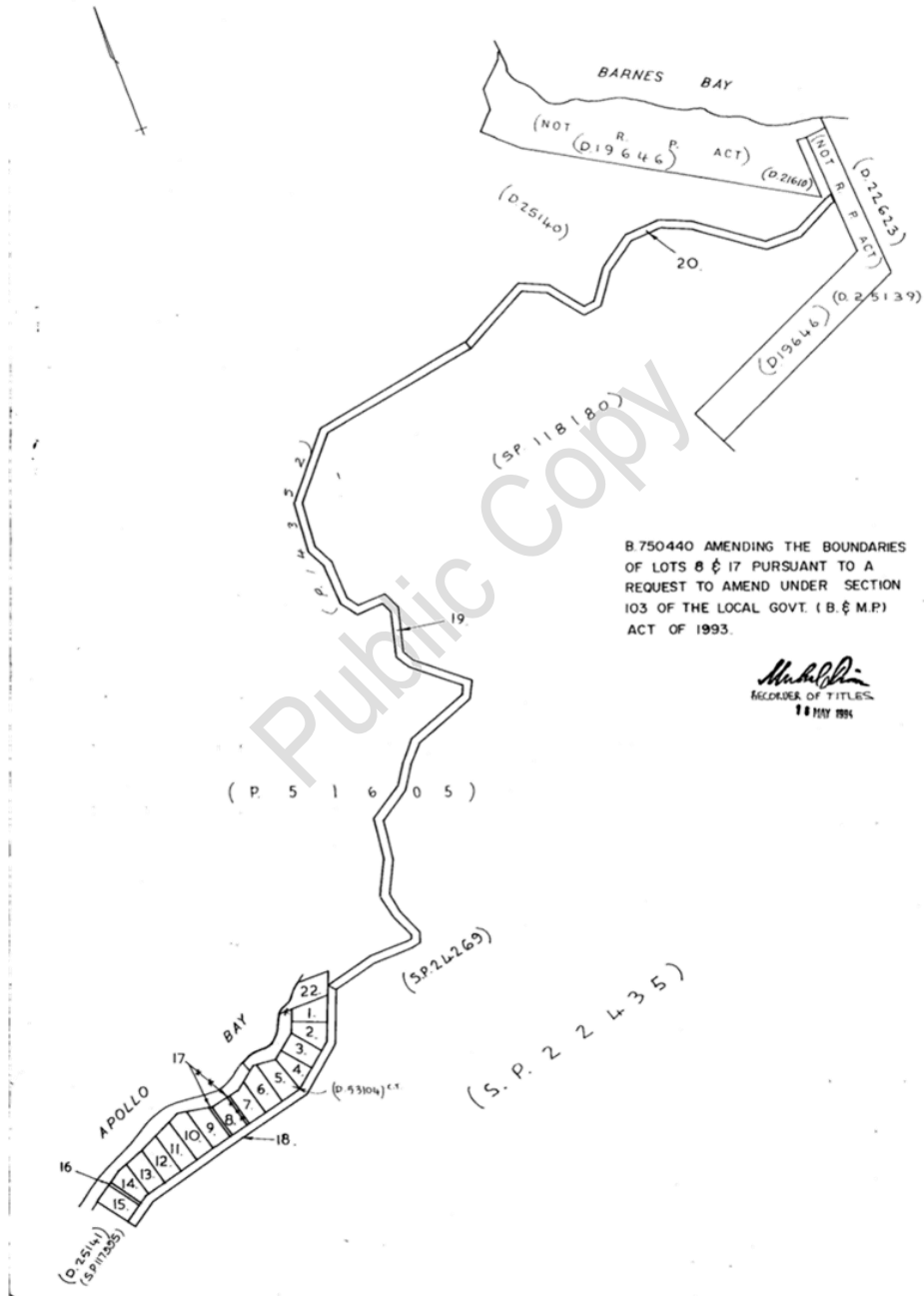


**FOLIO PLAN**  
RECORDER OF TITLES  
Issued Pursuant to the Land Titles Act 1980



Owner: A. R. CAMPBELL & ORS.	PLAN OF SURVEY by Surveyor L. A. SIMPSON of land situated in the	Registered Number: <b>S.P. 8120</b>
Title Reference: C. T. 2307-29	LAND DISTRICT OF BUCKINGHAM	Effective from 12 OCT 1976
Grantee: PART OF LOT 31023, 1997 3-20, GTD TO JESSIE MARY DOUGLAS ALEXANDER	PARISH OF NORTH BRUNY SCALE 1: 8000	<b>P/I</b> <i>M. J. ...</i> Recorder of Titles

INDEX PLAN



B 750440 AMENDING THE BOUNDARIES OF LOTS 8 & 17 PURSUANT TO A REQUEST TO AMEND UNDER SECTION 103 OF THE LOCAL GOVT. (B. & M.P) ACT OF 1993.

*M. J. ...*  
RECORDER OF TITLES  
18 MAY 1994



**FOLIO PLAN**  
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

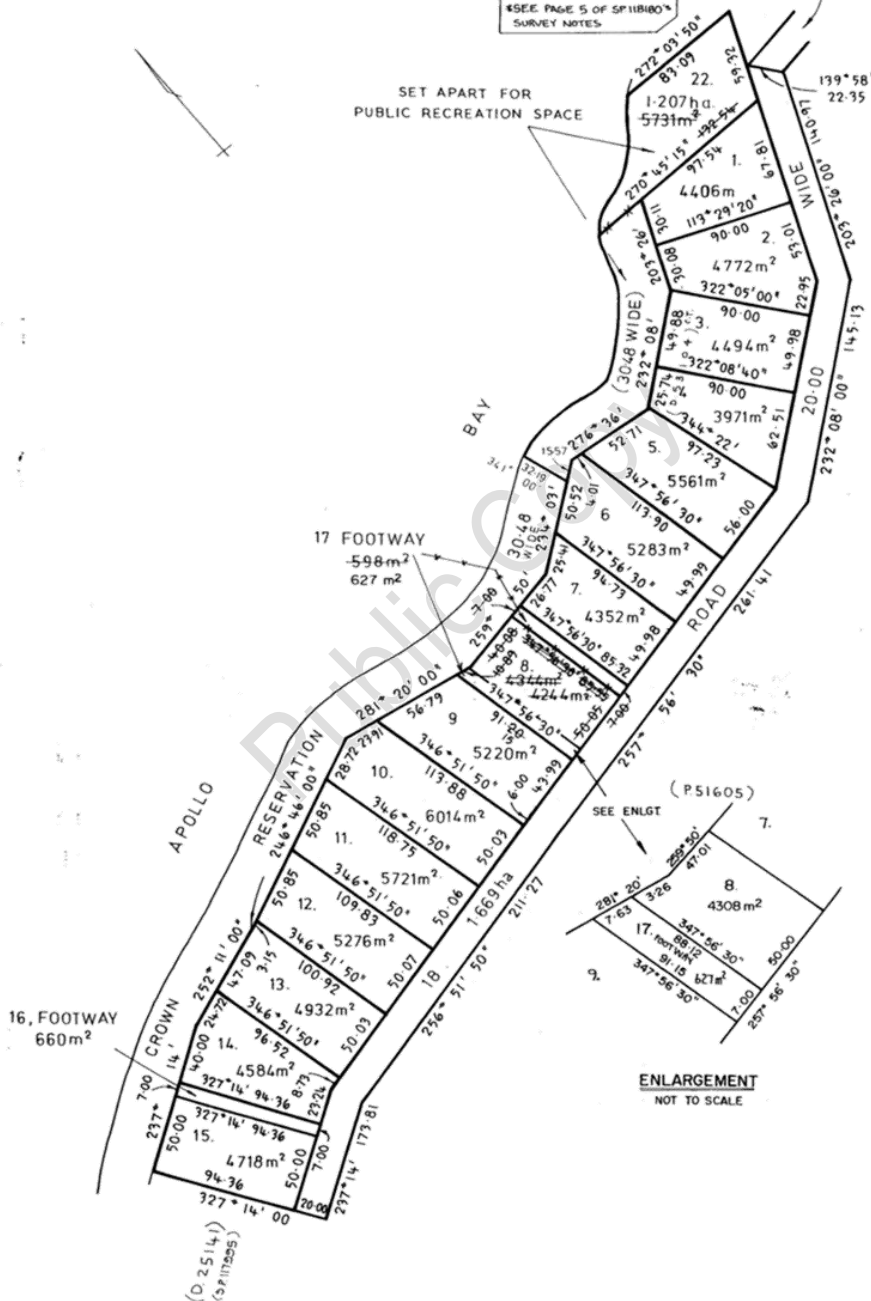


<p><b>ANNEXURE SHEET No. 1</b> (of 3 annexures) to plan by Surveyor</p>	<p>This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated 28-4-76 and that certificate extends to the detail shown on this sheet.</p>	<p>Registered Number: <b>S.P8120</b></p>
<p>Signed for the purposes of identification Council Clerk: <i>[Signature]</i></p>	<p>Surveyor: <i>[Signature]</i> Owner: A.R. CAMPBELL &amp; ORS Title Reference: C.T. 2307-29</p>	<p>SCALE 1:2000</p>

LENGTHS ARE IN METRES

SEE SURVEY NOTES \*  
FOR RE-MARK PLAN  
\*SEE PAGE 5 OF SP118180 \*  
SURVEY NOTES

SEE ANNEXURE SHEET NO 2.



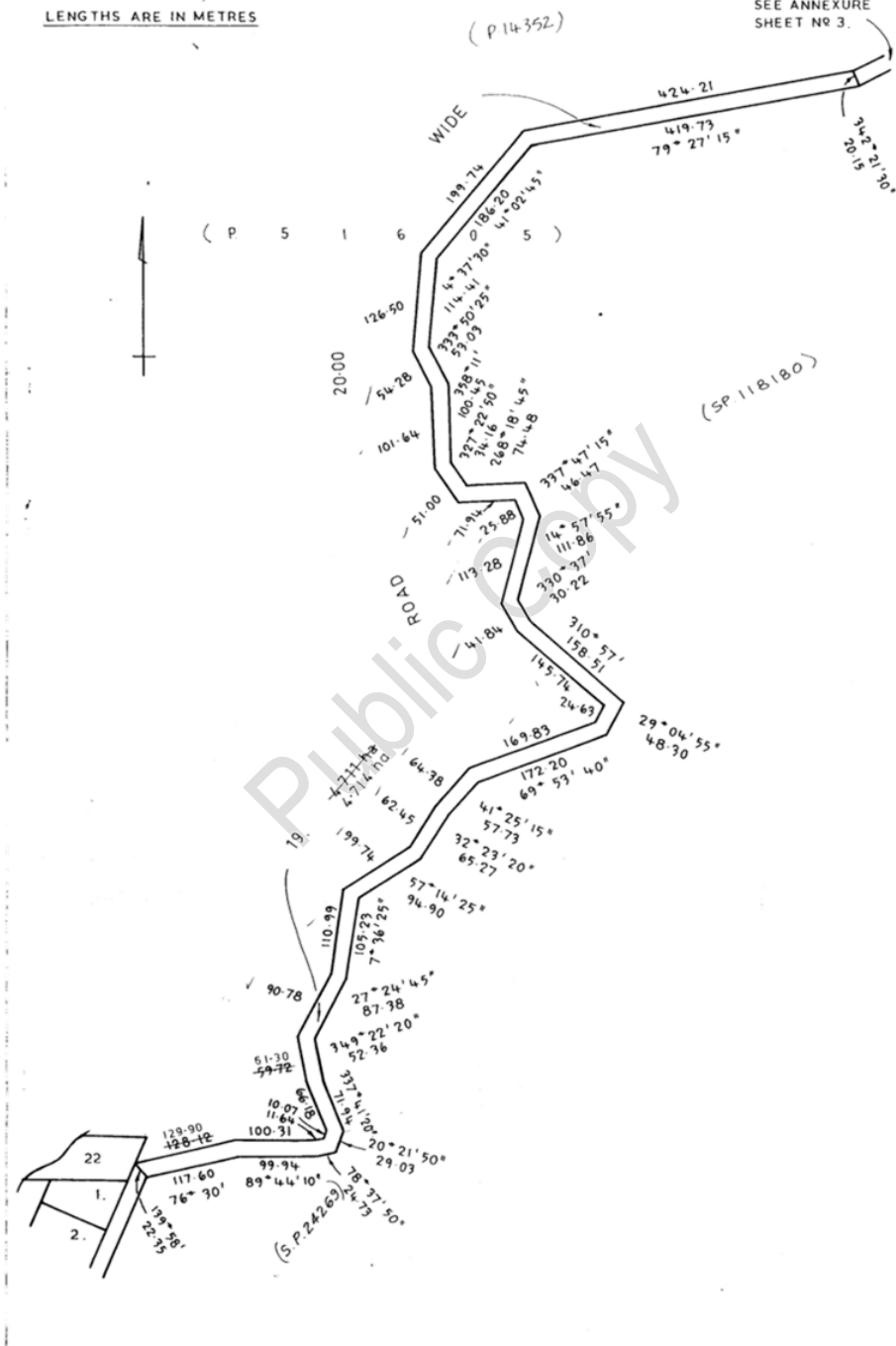


FOLIO PLAN  
RECORDER OF TITLES  
Issued Pursuant to the Land Titles Act 1980



ANNEXURE SHEET No. 2 (of 3 annexures) to plan by Surveyor	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated 8-4-76 and that certificate extends to the detail shown on this sheet.	Registered Number: <b>S.P8120</b>
Signed for the purposes of identification Council Clerk <i>Ala Cooper</i>	Surveyor <i>Lahay</i> Owner: A.R. CAMPBELL & ORS. Title Reference: C.T. 2307 - 29	SCALE 1:4000

LENGTHS ARE IN METRES







## RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



### SEARCH OF TORRENS TITLE

VOLUME 8120	FOLIO 20
EDITION 1	DATE OF ISSUE 29-Sept-1993

SEARCH DATE : 17-Apr-2026

SEARCH TIME : 04.23 pm

### DESCRIPTION OF LAND

Parish of NORTH BRUNY, Land District of BUCKINGHAM  
 Lot 20 on Sealed Plan 8120  
 Derivation : Part of Lot 31032. Gtd. to J.M.D. Alexander.  
 Prior CT 3566/39

### SCHEDULE 1

B216 TRANSFER to ANDREW ROBERTSON CAMPBELL of one undivided 1/2 share and IAN KENNETH CAMPBELL and RICHARD ASHTON WARNER (jointly as between themselves) of one undivided 1/2 share as tenants in common

### SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
 SP 8120 COVENANTS in Schedule of Easements  
 SP 8120 FENCING COVENANT in Schedule of Easements

### UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 14352	FOLIO 4
EDITION 2	DATE OF ISSUE 25-June-1999

SEARCH DATE : 17-Apr-2026

SEARCH TIME : 04.22 pm

DESCRIPTION OF LAND

Parish of NORTH BRUNY, Land District of BUCKINGHAM  
 Lot 4 on Diagram 14352  
 Derivation : Part of Lot 31023 Gtd.to Jessie Mary Douglas  
 Alexander  
 Prior CT 3901/2

SCHEDULE 1

A725681 THE CROWN

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

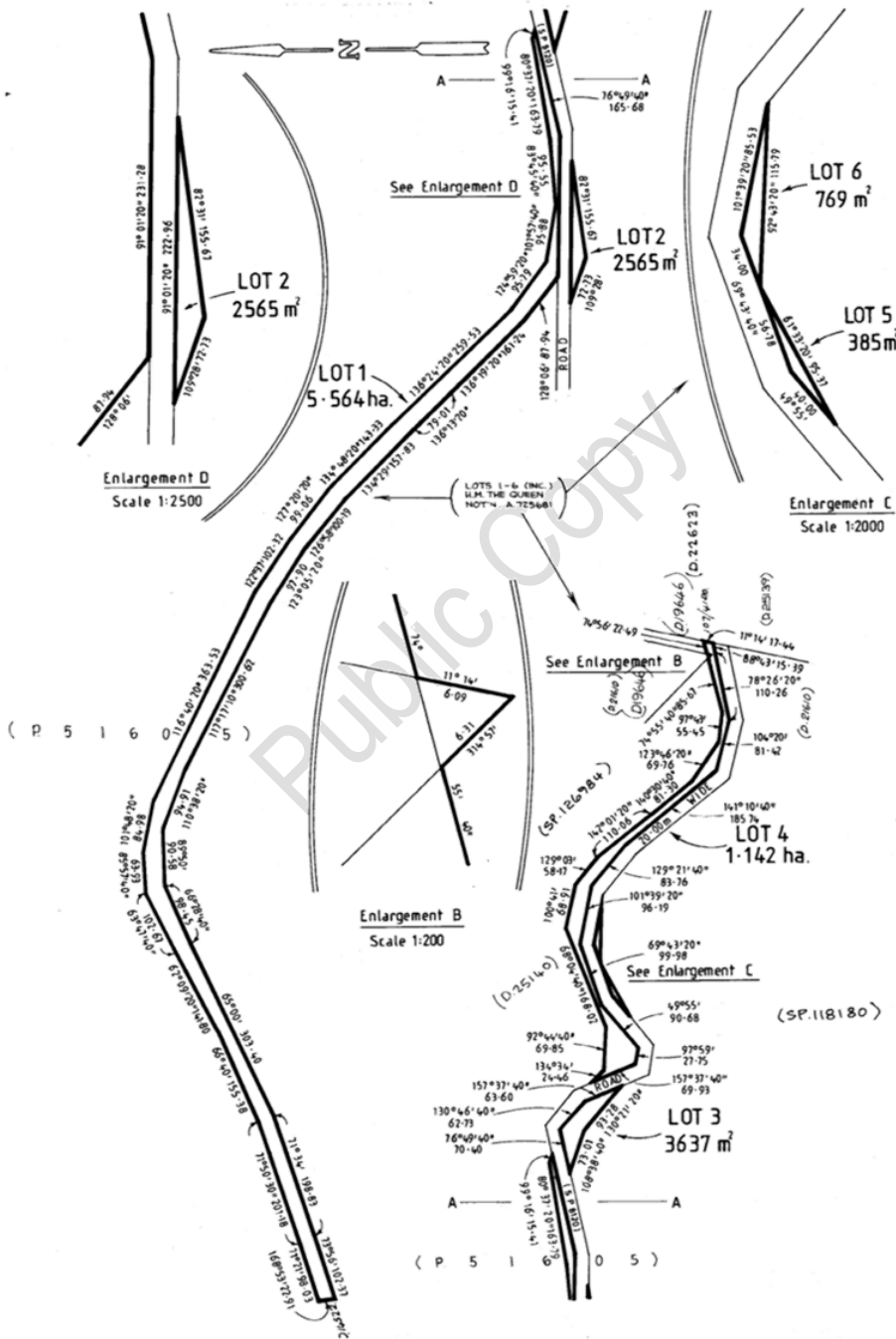
Public Copy



FOLIO PLAN  
RECORDER OF TITLES  
Issued Pursuant to the Land Titles Act 1980



Owner: Andrew Robertson Campbell & Others.	PLAN OF SURVEY by Surveyor G. J. DONNELLY of land situated in the	Registered Number: <b>P14352</b>
Title Reference: C.T. 3570-90-3570-93	LAND DISTRICT OF BUCKINGHAM PARISH OF NORTH BRUNY	APPROVED 27 JUN 1980 <i>J. Soudar</i> ACTING DEPUTY Recorder of Titles
Grantee: Part of 1997 a. 3r. 20 p. J.M.D. Alexander Purchaser.	SCALE 1:5000 MEASUREMENTS IN METRES	





**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 25139	FOLIO 1
EDITION 16	DATE OF ISSUE 14-Oct-2022

SEARCH DATE : 17-Apr-2026

SEARCH TIME : 04.22 pm

DESCRIPTION OF LAND

Parish of NORTH BRUNY, Land District of BUCKINGHAM  
 Lot 1 on Diagram 25139  
 Derivation : Part of 100 Acres Gtd. to G.L. Lennon  
 Prior CT 4075/46

SCHEDULE 1

M925381 TRANSFER to NICHOLAS JOHN MCGRATH Registered  
 12-Dec-2021 at 12.01 pm

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
 A960908 BURDENING EASEMENT: Right of Carriageway [appurtenant  
 to the land in conveyance No. 46/6918) over the right  
 of Way 6.00 wide shown on Diagram No. 25139  
 B489556 BURDENING EASEMENT: Right of Carriageway [appurtenant  
 to Lot 2 on Diagram No. 25139) over the Right of Way  
 15.00 wide shown passing through Lot 1 on Diagram No.  
 25139  
 C628463 BURDENING EASEMENT:A right of carriageway  
 (appurtenant to Lot 3 on D.25139) over the Right of  
 Way 'A' 6.00 wide shown on the said land within  
 described Registered 31-Aug-2005 at noon  
 E321376 MORTGAGE to Commonwealth Bank of Australia  
 Registered 14-Oct-2022 at 12.01 pm

UNREGISTERED DEALINGS AND NOTATIONS

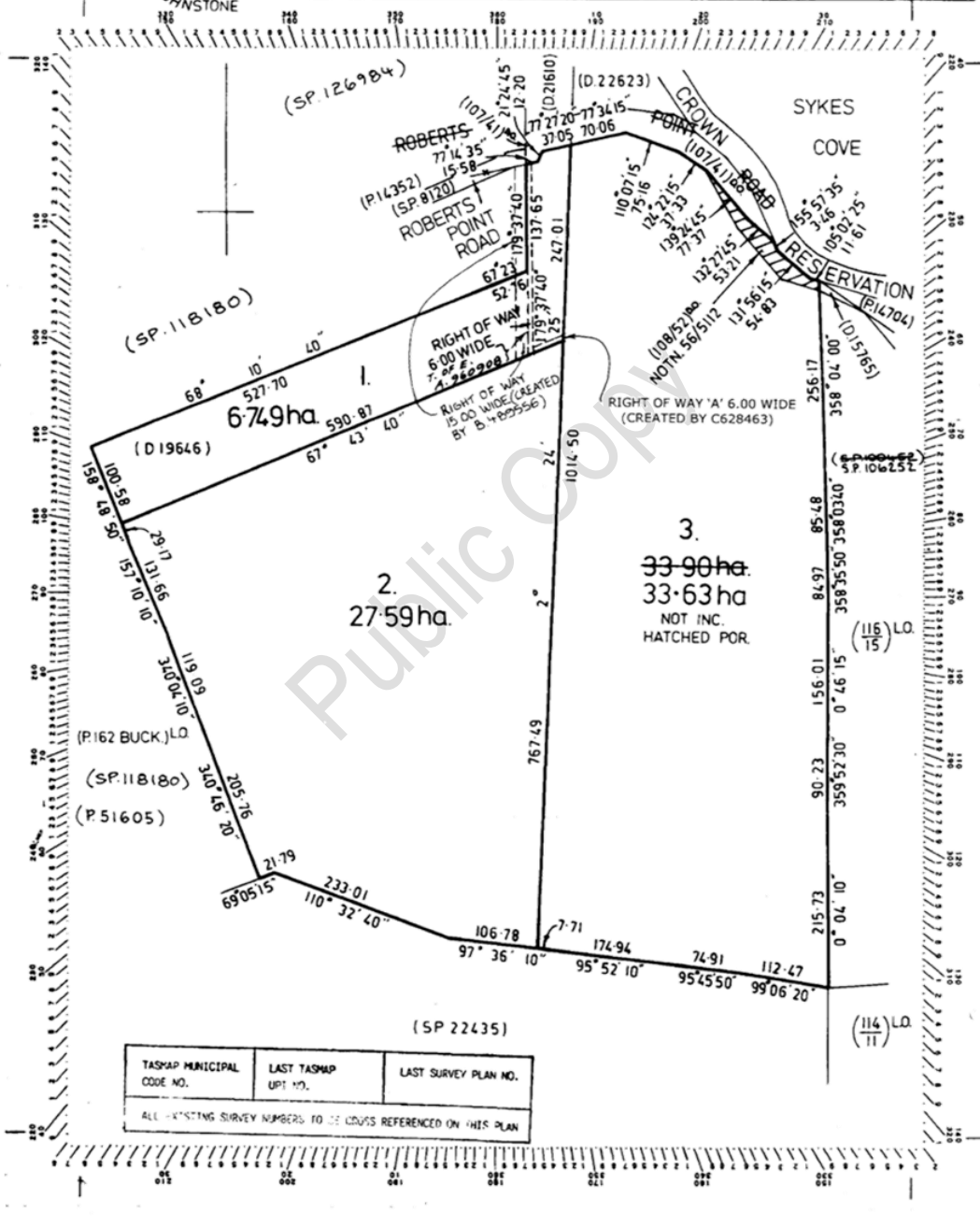
No unregistered dealings or other notations



FOLIO PLAN  
RECORDER OF TITLES  
Issued Pursuant to the Land Titles Act 1980



Owner: A. R. CAMPBELL & ORS.	<b>PLAN OF SURVEY</b> by Surveyor M. E. MORLEY of land situated in the	Registered Number: <b>D25139</b>
Title Reference: C.T. 4075/46 CONV. 46/6918	LAND DISTRICT OF BUCKINGHAM PARISH OF NORTH BRUNY	Approved Effective from: 2 - JUL 1999
Grantee: PART OF LOT 450 640 AC. & 100 AC. CHIBALO GTD. TO A JOHNSTONE & 100 AC. GTD. TO GEORGE & J. LENNON	SCALE 1: 5000 MEASUREMENTS IN METRES	Recorder of Titles <i>E. R. Thompson</i>



**Assessment Checklist for Development Applications for Non-Residential Use and/or Development within the Environmental Living Zone**

<b>Application No:</b> DA-2023-373	<b>Description:</b> Partial change of use to Hotel Industry (tasting house)
<b>Applicant:</b> Bruny Island House of Whisky Pty Ltd	<b>Owner:</b> Mr N J McGrath
<b>Location:</b> 360 Lennon Road, North Bruny	

**Use Status**

<b>Use Class</b>	<b>Hotel Industries</b>
<b>Use Status</b>	<b>Discretionary (combined application under Section 43 for site specific qualification)</b>

**Environmental Living and Utilities Zone Provisions (non-residential use and/or development)**

*Checklist is based on KIPS2015 and provisions of PD8 (which commenced 22 Feb 2022)*

<b>Clause</b>	<b>Compliance/Comments</b>
<b>14.0 Environmental Living Zone</b>	
<b>14.3 Use Standards</b>	
<p><b>Clause 14.3.1 – Non-Residential Use</b></p> <p><b>A1</b> – Hours of operation must be within:</p> <ul style="list-style-type: none"> <li>(a) 8.00 am to 6.00 pm Mondays to Fridays inclusive;</li> <li>(b) 9.00 am to 12.00 noon Saturdays;</li> <li>(c) nil Sundays and Public Holidays;</li> </ul> <p>except for office and administrative tasks or visitor accommodation.</p>	<p><b>A1 – Does not comply.</b></p> <p>The proposed hours of use will be 10am – 5pm on weekdays and weekends. Deliveries may arrive either outside of operating hours or when there is likely to be minimal visitors at the site.</p> <p>The performance criteria must be considered.</p>
<p><b>A2</b> – Noise emissions measured at the boundary of the site must not exceed the following:</p> <ul style="list-style-type: none"> <li>(a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;</li> <li>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am;</li> <li>(c) 65dB(A) (LAm<sub>ax</sub>) at any time.</li> </ul>	<p><b>A2 – Complies.</b></p> <p>Proposal is not anticipated to generate excessive noise. This can be conditioned on any permit issued.</p> <p>A condition will be included in the planning permit</p>
<p><b>Clause 14.3.2 – Visitor Accommodation</b></p> <p><b>A1</b> – Visitor accommodation must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) is accommodated in existing buildings;</li> <li>(b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site;</li> <li>(c) has a floor area of no more than 160m<sup>2</sup>.</li> </ul>	<p><b>A1 – Not applicable.</b></p> <p>Not part of this proposal.</p>

Clause	Compliance/Comments
<b>14.4 Development Standards for Buildings and Works</b>	
<p><b>Clause 14.4.1 – Building Height</b>  <b>A1</b> – Building height must not be more than: 7.5 m.</p>	<p><b>A1 – Not applicable.</b>                      Existing building (7m), no change proposed to the building.</p>
<p><b>Clause 14.4.2 – Setback</b>  <b>A1</b> – Building setback from frontage must be no less than: 30 m.  <b>A2</b> – Building setback from side and rear boundaries must be no less than: 30 m.</p>	<p><b>A1 – Complies</b>                      Existing building (established setback of 12m). All other proposed buildings on site have a minimum setback of 30m from the frontage.</p> <p><b>A2 – Does not Comply</b>                      The site contains multiple outbuildings, and there is no clear evidence to confirm that all structures have been lawfully established. Some outbuildings are located approximately 20 metres from the western boundary, while another is situated approximately 6 metres from the eastern boundary.                      The performance criteria must be considered.</p>
<p><b>Clause 14.4.3 – Design</b>  <b>A1</b> – The location of buildings and works must comply with any of the following:                      (a) be located within a building area, if provided on the title;                      (b) be an addition or alteration to an existing building;                      (c) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline.</p>	<p><b>A1 – Complies</b>                      The proposal seeks approval for outbuildings and a new carpark area within the Environmental Living Zone. While the works are not located within a building area, they do not involve any native vegetation removal and are not located on a skyline or ridgeline. For this reason the proposed buildings / works can comply with A1(b) and (c).</p>
<p><b>A2</b> - Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p><b>A2 – Does not comply.</b>                      The site contains multiple outbuildings, and there is no clear evidence to confirm that all structures have been lawfully established. The buildings are generally finished in a silver colour with a light reflectance value (LRV) greater than 40%. The gable of the main building is painted a conspicuous orange; however, this building is existing. Accordingly, the proposal requires assessment against the relevant Performance Criteria.</p>
<p><b>A3</b> - The combined gross floor area of buildings must be no more than: 300 m<sup>2</sup>.</p>	<p><b>A3 – Does not Comply</b>                      The site contains multiple outbuilding and no clear evidence that it has been legally established. As a result, the total floor area, including the outbuildings, is approximately 345m<sup>2</sup>                      Assessment is therefore required under the Performance Criteria.</p>
<p><b>A4</b> – Fill and excavation must comply with all of the following:</p>	<p><b>A4 – Complies</b>                      The works are limited to establishment of a new</p>

Clause	Compliance/Comments
(a) height of fill and depth of excavation is no more than 1 m from natural ground level, except where required for building foundations; (b) extent is limited to the area required for the construction of buildings and vehicular access.	carpark, with the height of fill and depth of excavation is no more than 1 m from natural ground level. Therefore, the proposal complies with A4 (a) and (b).
<b>Clause 14.4.4 – Outbuildings</b> <b>A1</b> – Outbuildings (including garages and carports not incorporated within the dwelling) must comply with all of the following: (a) have a combined floor area no more than 80 m <sup>2</sup> ; (b) have a wall height no more than 5.5 m and a building height not more than 6.5 m; (c) have setback from frontage no less than that of the existing or proposed dwelling on the site.	<b>A1 – Does not comply.</b> The site contains multiple outbuildings, and there is no clear evidence to confirm that all structures have been lawfully established. The total area of outbuildings exceeds 80m <sup>2</sup> Assessment is therefore required under the Performance Criteria.
<b>Clause 14.4.5 – Environmental Values</b> <b>A1</b> – Development must be located within a building area on a plan of subdivision.	<b>A1 – Does not comply.</b> There is no building area shown on a plan of subdivision and the application involves development (works).

### Code Provisions

Clause	Compliance/Comments
<b>E1.0 Bushfire-Prone Areas Code</b>	
While the proposed development is located within a Bushfire Prone Area, the Bushfire Prone Areas Code (Clause E1.2) does not apply to the hotel industry use class and the application documentation confirms that the quantity of hazardous materials does not exceed the manifest quantities. In addition, no vulnerable use is proposed and there are no bushfire requirements at the building stage as the building is considered to be a Class 6.	
<b>E3.0 Landslide Code</b>	
The subject site is affected by this Code, however it does not occur on the parts of the site that are proposed for works, and the use is neither vulnerable nor hazardous. Therefore, an assessment against the code is not required.	
<b>E5.0 Road and Railway Assets Code</b>	
<b>Clause E5.5.1 – Existing road accesses and junctions</b> <b>A1</b> – The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	<b>A1 – Not Applicable</b>

Clause	Compliance/Comments
<p><b>A2</b> – The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.</p>	<p><b>A2 – Complies.</b> A detailed TIA has been submitted with the application. The number of traffic movements is similar to the previous approved uses as a café and restaurant.</p>
<p><b>Clause E5.6.1 - Development adjacent to roads and railways</b> <b>A1.1</b> – Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.</p>	<p><b>A1.1 – Not Applicable</b></p>
<p><b>A1.2</b> – Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.</p>	<p><b>A1.2 – Not Applicable</b></p>
<p><b>Clause E5.6.2 - Road access and junctions</b> <b>A1</b> – No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</p>	<p><b>A1 – Complies</b> No new access is proposed</p>
<p><b>A2</b> – No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>	<p><b>A2 – Not Applicable</b></p>
<p><b>Clause E5.6.4 - Sight distance at accesses, junctions and level crossings</b> <b>A1</b> – Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</p>	<p><b>A1 – Does not Comply</b>  As outlined in the Traffic Impact Assessment. The available sight distance of approximately 70m does not comply with Table E5.1 due to the road geometry. Assessment is therefore required under the Performance Criteria.</p>
<p><b>E6.0 Parking and Access Code</b></p>	
<p><b>Clause E6.6.1 - Number of car parking spaces</b> <b>A1</b> - The number of on-site car parking spaces must be: (a) no less than the number specified in</p>	<p><b>A1 – Does not Comply</b>  The proposed “Hotel Industry (tasting house)” use generates a significantly higher parking demand. Based on the applicable rates, the tasting house requires a total of 23 on-site</p>


Clause	Compliance/Comments
<p>Table E6.1; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p>	<p>parking spaces, comprising parking for public indoor space, veranda (beer garden equivalent), and a minor allowance for staff accommodation. In comparison, the proposal provides only six visitor spaces, three staff/visitor spaces, and approximately five informal overflow staff spaces; a total of 14 bays and a perceived shortfall of nine bays.. Accordingly, the proposal does not comply with the parking requirements of Table E6.1. Assessment is therefore required under the Performance Criteria.</p>
<p><b>Clause E6.6.2 – Number of Accessible Car Parking Spaces for People with a Disability</b> <b>A1</b> - Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.</p>	<p><b>A1 – Complies</b></p>
<p><b>Clause E6.6.3 – Number of Motorcycle Parking Spaces</b> <b>A1</b> - The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.</p>	<p><b>A1 – Complies</b>  No motorcycle spaces are required</p>
<p><b>Clause E6.6.4 – Number of Bicycle Parking Spaces</b> <b>A1</b> - The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.</p>	<p><b>A1 – Not Applicable</b></p>
<p><b>Clause E6.7.1 - Number of vehicular accesses</b> <b>A1</b> – The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.</p>	<p><b>A1 – Complies. One vehicle access is provided</b></p>
<p><b>Clause E6.7.2 - Design of vehicular accesses</b> <b>A1</b> – Design of vehicle access points must comply with all of the following:</p>	<p><b>A1 – Complies. The vehicle access is required to be sealed as per Dept. State Growth requirements and outlined in the TIA.</b></p>

Clause	Compliance/Comments
<p>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</p> <p>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.</p>	
<p><b>Clause E6.7.3 - Vehicular passing areas along an access</b>  <b>A1 – Vehicular passing areas must:</b></p> <p>(a) be provided if any of the following applies to an access:</p> <ul style="list-style-type: none"> <li>(i) it serves more than 5 car parking spaces;</li> <li>(ii) is more than 30 m long;</li> <li>(iii) it meets a road serving more than 6000 vehicles per day</li> </ul> <p>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</p> <p>(c) it meets a road serving more than 6000 vehicles per day;</p> <p>(d) have the first passing area constructed at the kerb;</p> <p>(e) be at intervals of no more than 30 m along the access.</p>	<p><b>A1 – Complies</b></p>
<p><b>Clause E6.7.4 - On-site turning</b>  <b>A1 – On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</b></p> <p>(a) it serves no more than two dwelling units;</p>	<p><b>A1 – Complies</b></p>
<p><b>Clause E6.7.5 - Layout of parking areas</b>  <b>A1 – The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.</b></p>	<p><b>A1 – Complies</b></p>

Clause	Compliance/Comments
<p><b>Clause E6.7.6 - Surface treatment of parking areas</b></p> <p><b>A1</b> – Parking spaces and vehicle circulation roadways must be in accordance with all of the following;</p> <p>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</p> <p>(b) drained to an approved stormwater system,</p> <p>unless the road from which access is provided to the property is unsealed.</p>	<p><b>A1</b> – Does not Comply</p> <p>Lennon Road is a sealed carriageway and all parking is within 75m of a property boundary. As such, it is required for all circulation and parking areas to be paved or treated with a durable all-weather pavement. It is proposed for accessways and parking spaces to be unsealed. Assessment is therefore required under the Performance Criteria.</p>
<p><b>Clause E6.7.7 - Lighting of parking areas</b></p> <p><b>A1</b> – Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.</p>	<p><b>A1</b> – Not Applicable.</p> <p>The carpark will not be in use outside of daylight hours</p>
<p><b>Clause E6.7.8 - Landscaping of parking areas</b></p> <p><b>A1</b> – Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.</p>	<p><b>A1</b> – Complies</p>
<p><b>Clause E6.7.9 – Design of motorcycle parking areas</b></p> <p><b>A1</b> - The design of motorcycle parking areas must comply with all of the following:</p> <p>(a) be located, designed and constructed to comply with section 2.4.7 “Provision for Motorcycles” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</p> <p>(b) be located within 30 m of the main entrance to the building.</p>	<p><b>A1</b> – Not Applicable</p>
<p><b>Clause E6.7.10 – Design of bicycle parking facilities</b></p> <p><b>A1</b> - The design of bicycle parking facilities must comply with all the following;</p> <p>(a) be provided in accordance with the requirements of Table E6.2;</p> <p>(b) be located within 30 m of the main entrance to the building.</p>	<p><b>A1</b> – Not Applicable</p>
<p><b>A2</b> - The design of bicycle parking spaces must be to the class specified in table 1.1 of</p>	<p><b>A2</b> – Not Applicable</p>

Clause	Compliance/Comments
AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard. R1	
<p><b>Clause E6.7.11 – Bicycle end of trip facilities</b></p> <p><b>A1</b> - For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.</p>	<p><b>A1</b> – Not Applicable</p>
<p><b>Clause E6.7.12 – Siting of car parking</b></p> <p><b>A1</b> - Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.</p>	<p><b>A1</b> – Not Applicable</p>
<p><b>Clause E6.7.13 – Facilities for commercial vehicles</b></p> <p><b>A1</b> - Commercial vehicle facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2: Commercial. Vehicle Facilities AS 2890.2:2002, unless:</p> <p>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50m of the site;</p> <p>(b) the use is not primarily dependent on outward delivery of goods from the site.</p>	<p><b>A1</b> – Complies, as per the assessment in TIA.</p>
<p><b>Clause E6.7.14 - Access to a road</b></p> <p><b>A1</b> – Access to a road must be in accordance with the requirements of the road authority.</p>	<p><b>A1</b> – Complies</p> <p>The vehicle access is required to be sealed as per Dept. State Growth requirements and outlined in the TIA.</p>
<p><b>E7.0 Stormwater Management Code</b></p>	
<p><b>Clause E7.7.1 - Stormwater drainage and disposal</b></p> <p><b>A1</b> – Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p>	<p><b>A1</b> – Complies</p> <p>The existing structures include water tanks for collection and overflows connect to the public roadside drain.</p>
<p><b>A2</b> – A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:</p>	<p><b>A2</b> – Not Applicable</p>

Clause	Compliance/Comments
(a) the size of new impervious area is more than 600 m <sup>2</sup> ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	
<b>A3</b> – A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	<b>A3</b> – Complies
<b>A4</b> – A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	<b>A4</b> – Not Applicable
<b>E10.0 Biodiversity Code</b>	
<b>Clause E10.7.1 - Buildings and works</b> <b>A1</b> – Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.	<b>A1 – Does not comply.</b> The application documentation states that the site does not contain threatened native vegetation communities and the proposal does not include habitat. However, these statements are based on a desktop assessment and do not reflect the natural values present on the site. A site visit confirms that the area subject to the proposed amendment and associated works contains significant habitat for the forty-spotted pardalote, being mature white gums within 500m of a known colony. The broader site contains various native vegetation communities, including a threatened native vegetation community <i>Eucalyptus globulus</i> dry forest and woodland (DGL). While the DGL is not impacted by the proposal, the proposed access works, including upgrading the existing access and construction of a new carpark, result in disturbance to two (2) Ver High Conservation trees which provide significant habitat for the forty-spotted pardalote. The planning report submitted with the application (GHD, 11 November 2025), the disturbance is of mature trees considers that the application is exempt from assessment on the basis that the disturbance is located on previously cleared and converted land. The definition of previously cleared and converted land requires the land did not contain trees over

Clause	Compliance/Comments
	<p>a consecutive period of at least 5 years, since 1985. Historic aerial imagery confirms that the trees were present in 1984-1985. Therefore, this land does not meet the definition of previously cleared and converted land and the disturbance to these trees requires assessment against Clause E10.7.1 A1/P1.</p>  <p>The proposal is unable to meet A1 as there is no building area on the title and the proposal involves the clearance and conversion or disturbance of high priority biodiversity values, significant habitat for the forty spotted pardalote. Therefore, the proposal must be assessed against the Performance Criteria.</p>
<p><b>E11.0 Waterway and Coastal Protection Code</b></p>	
<p><b>Clause E11.7.1 - Buildings and works</b>  <b>A1</b> - Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.</p>	<p><b>A1 – Does not comply.</b>                      The formalisation of the existing access involves works within a Waterway and Coastal Protection Area., which includes increasing the permeability of the driveway surface by adding crushed rock to a depth of 10mm.                      The works are not located in a building area on a subdivision plan approved under this Scheme and therefore must be assessed against the Performance Criteria.</p>
<p><b>Clause E11.7.2 – Buildings and Works Dependent on a Coastal Location</b>  <b>A1</b> - An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.</p>	<p><b>A1 – Not applicable.</b> The proposal does not include development dependent on a coastal location.</p>
<p><b>A2</b> - No Acceptable Solution for dredging and reclamation.</p>	<p><b>A2 – Not Applicable.</b> The proposal does not involve any dredging or reclamation.</p>
<p><b>A3</b> - No Acceptable Solution for coastal protection works initiated by the private sector.</p>	<p><b>A3 – Not Applicable.</b> The proposal does not involve any coastal protection works.</p>
<p><b>E14.0 Scenic Landscapes Code</b></p>	
<p>The subject site is affected by this code, however it does not occur on the parts of the site that are proposed for development or works, therefore an assessment against the code is not required.</p>	

Clause	Compliance/Comments
<b>E17.0 Signs Code</b>	
<p><b>Clause E17.6.1 – Use of Signs</b>  <b>A1</b> – A sign must be a permitted sign in Table E.17.3.</p>	<p><b>A1</b> – Does not Comply                      The proposal includes a wall sign which is Discretionary Sign in Table E17.3 and therefore must be assessed against the Performance Criteria.                      Other proposed signage in the carpark area (give way sign) is exempt pursuant to clause E17.4.2 as it cannot be seen from outside the site.</p>
<p><b>A2</b> - A sign associated with the sale of goods or services must relate directly to the use of the building or site to which it is affixed.</p>	<p><b>A2</b> – Complies                      All signs will be associated with the goods and service on site</p>
<p><b>A3</b> - A sign must not contain flashing lights, moving parts or moving or changing messages or graphics, except if a Statutory Sign</p>	<p><b>A3</b> – Complies                      No flashing lights moving parts or moving or changing messages or graphics are proposed</p>
<p><b>A4</b> - An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign</p>	<p><b>A4</b> – Not Applicable                      There is no 30m residential use nearby within 30m of the site</p>
<p><b>Clause E17.7.1 - Standards for Signs</b>  <b>A1</b> - A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3.</p>	<p><b>A1</b> – Does not Comply                      The proposed sign is discretionary</p>
<p><b>A2</b> - The number of signs per business per street frontage must comply with all of the following:                      (a) maximum of 1 of each sign type;                      (b) maximum of 1 window sign per window;                      (c) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3;                      (d) if the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6.                      except for the following sign types, for which there is no limit;                      (i) Building Site,                      (ii) Name Plate,                      (iii) Newspaper Day Bill,                      (iv) Open/Closed,                      (v) Real Estate,                      (vi) Street Number,                      (vii) Temporary Sign.</p>	<p><b>A2</b> – Does not comply                      There is one wall sign along the frontage proposed.</p>
<p><b>A3</b> - Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.</p>	<p><b>A3</b> – Complies                      Signs are not located to prevent or delay a driver from seeing roadside sign</p>

Clause	Compliance/Comments
<p><b>A4</b> - Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.</p>	<p><b>A4</b> – Complies Signs do not resemble Statutory Signs</p>
<p><b>E23.0 On-Site Wastewater Management Code</b></p>	
<p>The site is subject to the On-Site Water Management Code. However, as no new buildings are proposed and no additional wastewater beyond the existing level will be generated, no further assessment is required.</p>	

*Note: Codes not listed in this Checklist have been assessed as not being relevant to the assessment of this application.*

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Client: Bruny Island House of Whisky Project: 360 Lennon Road Bruny Island

Date: 20 January 2025

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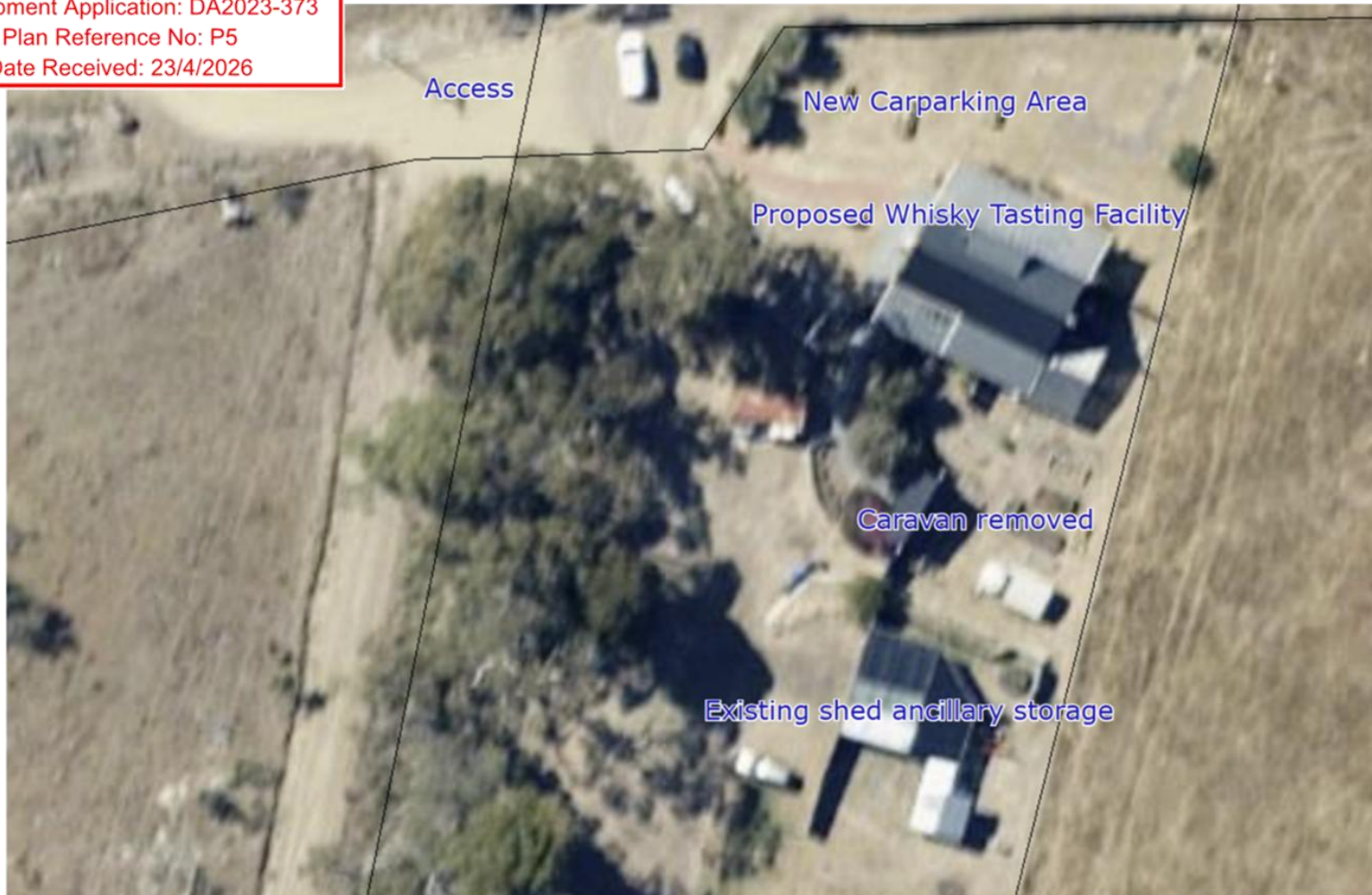
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**Kingborough Council**

Development Application: DA2023-373

Plan Reference No: P5

Date Received: 23/4/2026



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Date: 20 January 2025

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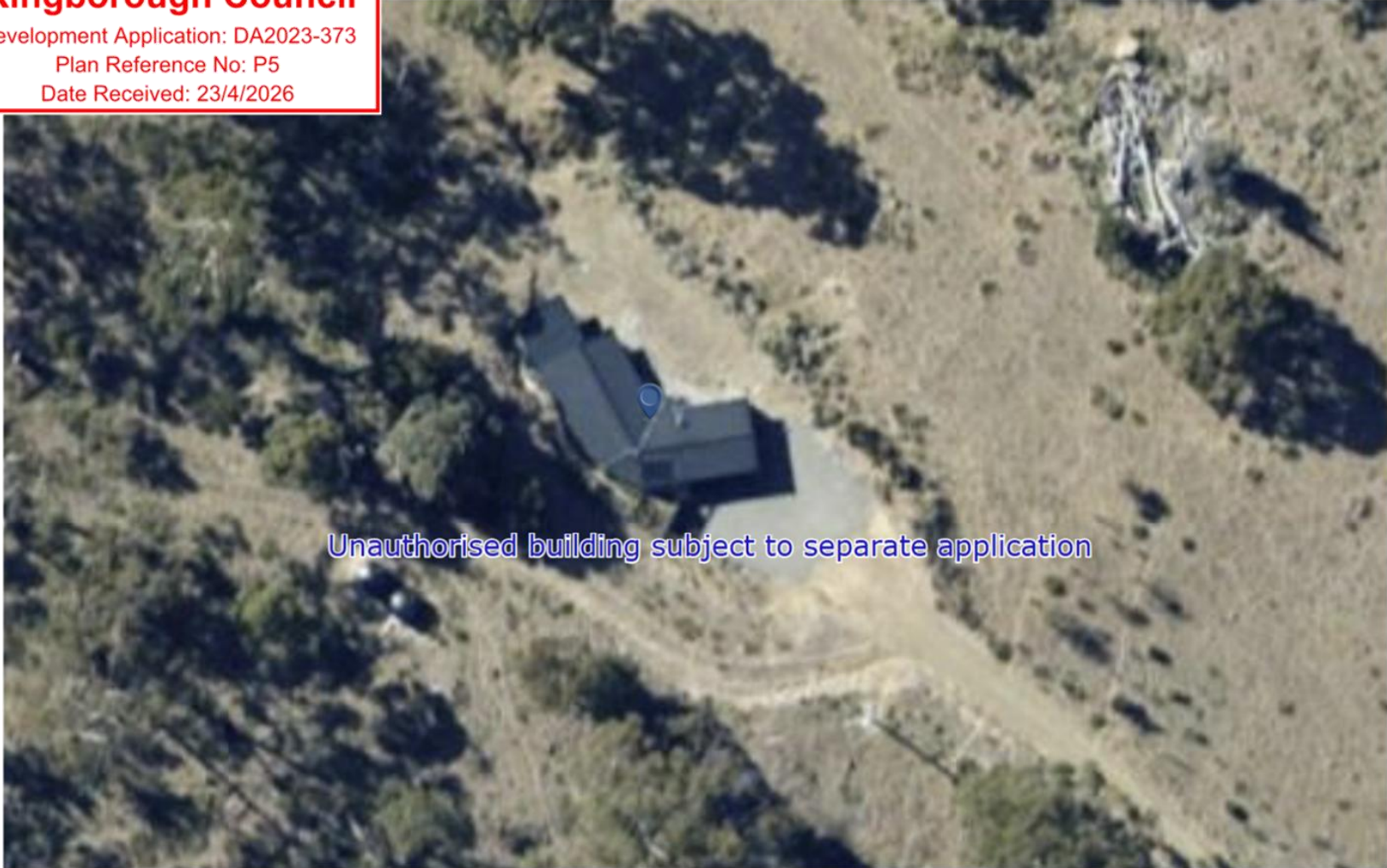
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**Kingborough Council**

Development Application: DA2023-373

Plan Reference No: P5

Date Received: 23/4/2026



Unauthorised building subject to separate application



PO Box 58 SOUTH HOBART, Tasmania 7004

Client: Bruny Island House of Whisky Project: 360 Lennon Road Bruny Island

Date: 20 January 2025

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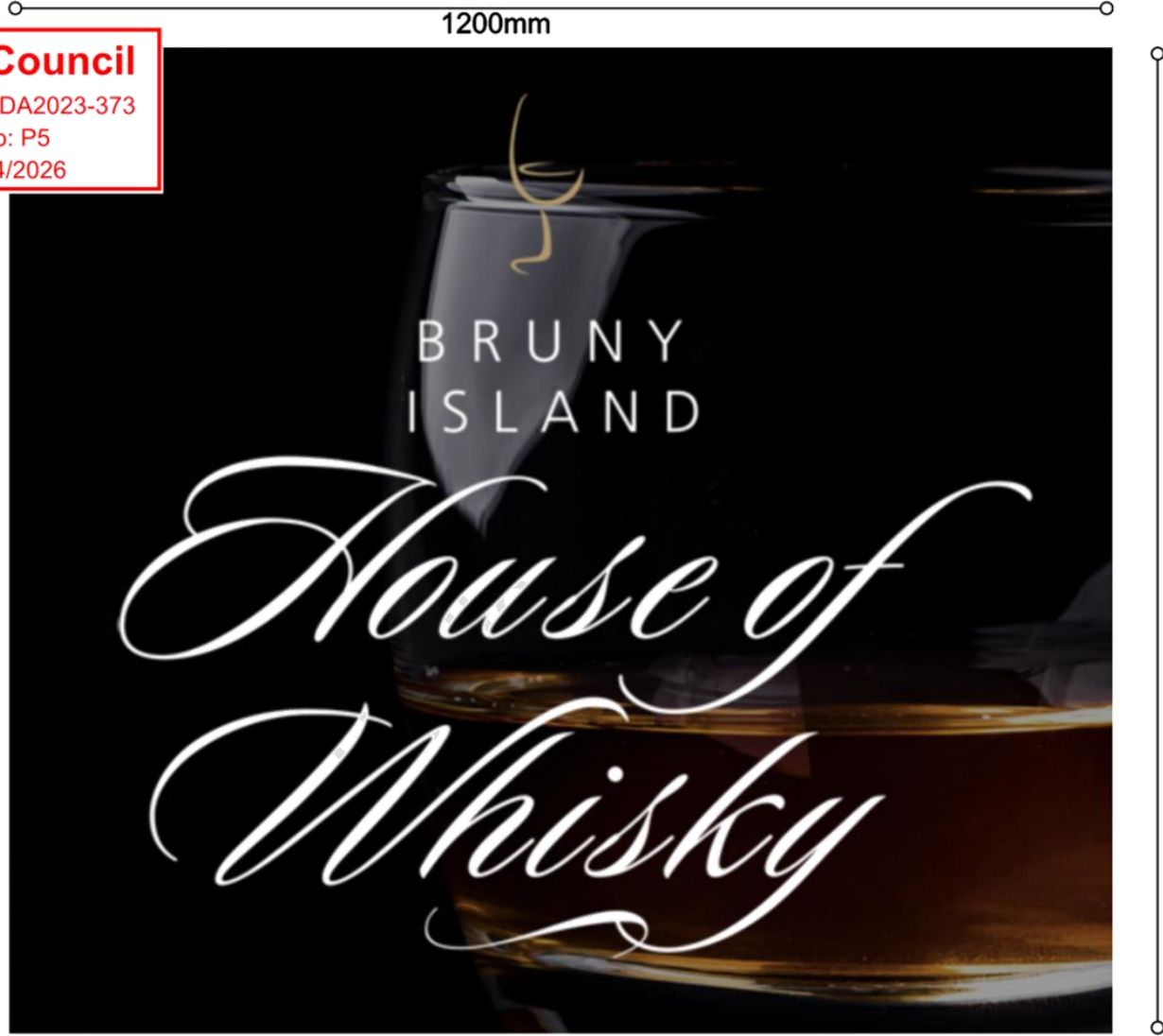
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Access and Carparking Plan

Author GHD

**Kingborough Council**  
Development Application: DA2023-373  
Plan Reference No: P5  
Date Received: 23/4/2026

Proposed signage



PO Box 58 SOUTH HOBART, Tasmania 7004

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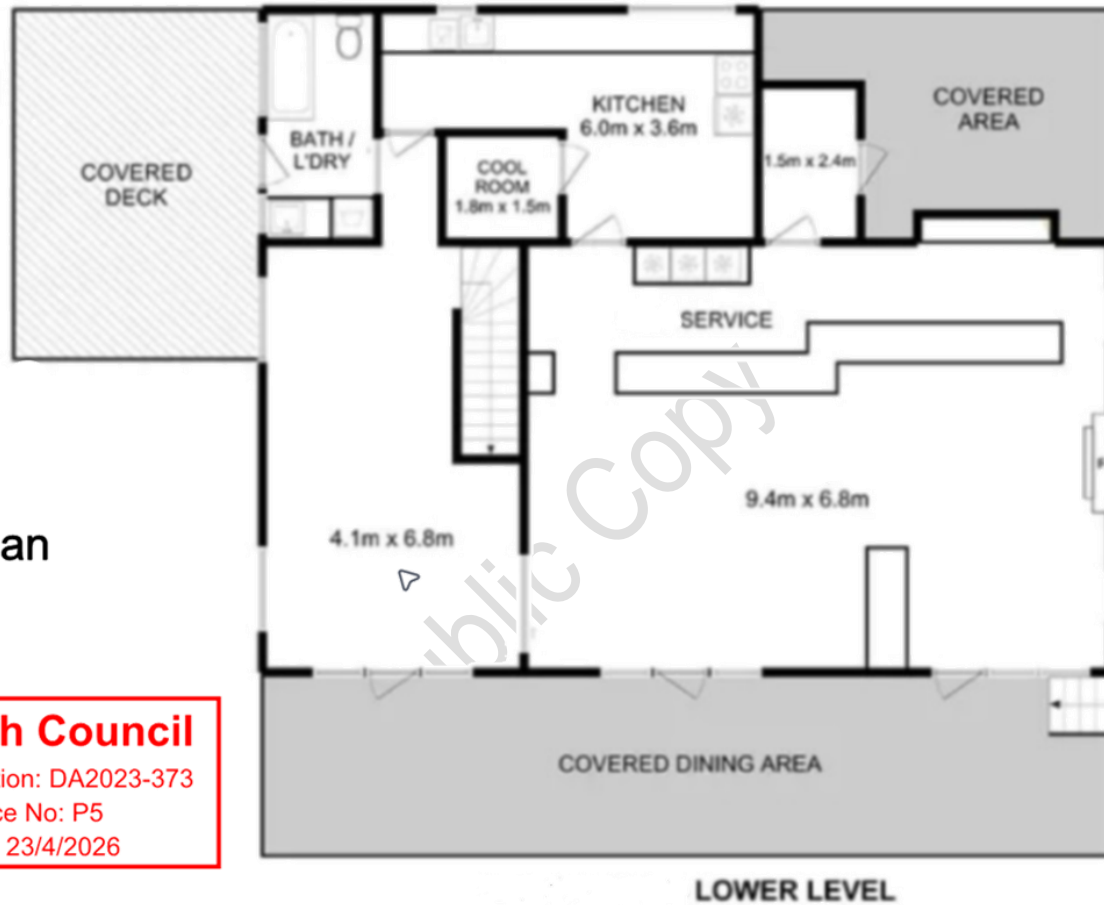


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Client: Bruny Island House of Whisky Project: 360 Lennon Road Bruny Island Date: 20 January 2025

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Floor Plan



**Kingborough Council**

Development Application: DA2023-373  
Plan Reference No: P5  
Date Received: 23/4/2026



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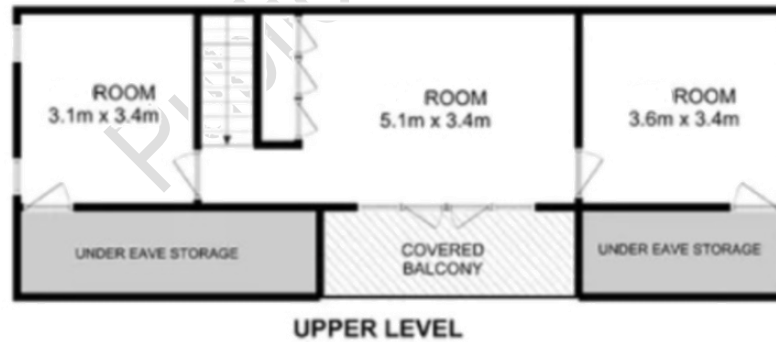
Client: Bruny Island House of Whisky Project: 360 Lennon Road Bruny Island

Date: 20 January 2025

Scale 1:100



Floor Plan



**Kingborough Council**  
Development Application: DA2023-373  
Plan Reference No: P5  
Date Received: 23/4/2026



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Client: Bruny Island House of Whisky Project: 360 Lennon Road Bruny Island

Date: 20 January 2025

Scale 1100

PLANNING AUTHORITY SESSION ADJOURNS

## OPEN SESSION RESUMES

### 13 PETITIONS STILL BEING ACTIONED

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A report headed 'Excessive Noise from the Salty Dog Hotel, Beach Road, Kingston Beach' will be tabled in a future Council meeting Agenda.

### 14 PETITIONS RECEIVED IN LAST PERIOD

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At the time the Agenda was compiled no Petitions had been received.

### 15 OFFICERS REPORTS TO COUNCIL

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#### 15.1 ENDORSEMENT OF COUNCIL SUBMISSION: DISCUSSION PAPER ON CAT MANAGEMENT IN TASMANIA

**File Number:** 8.262

**Author:** Rene Raichert, NAB Coordinator

**Authoriser:** Liz Quinn, Manager Environmental Services

#### Strategic Plan Reference

Key Priority Area: 3. Caring for where we live and preparing for the future.

Strategic Outcome: 3.1 A Council which demonstrates strong environmental stewardship practices.

#### 1. PURPOSE

1.1 Endorsement of Kingborough Council's draft submission to the *Cat Management in Tasmania - Discussion Paper (2026)*.

#### 2. BACKGROUND

2.1 The Tasmanian Government has released the *Cat Management in Tasmania - Discussion Paper (2026)* for public consultation. Submissions are being sought from stakeholders, including local government, to inform the development of a new five-year Tasmanian Cat Management Plan.

2.2 Providing an endorsed submission will ensure Council's position is formally represented in the development of future statewide cat management frameworks.

#### 3. STATUTORY REQUIREMENTS

3.1 The Discussion Paper relates to the future development of the Tasmanian Cat Management Plan and may lead to changes in the *Cat Management Act 2009*, the *Biosecurity Act 2019*, as well as changes to associated regulations.

3.2 These changes may affect Council's role in cat management and associated compliance functions.

#### 4. DISCUSSION

- 4.1 The Tasmanian Cat Management Plan 2017–2022 established a strategic framework for the management of domestic, stray, and feral cats across the State. Since its implementation, a range of initiatives have been delivered by State Government, local government, and community stakeholders.
- 4.2 The Discussion Paper represents the first stage in developing a new Tasmanian Cat Management Plan and seeks feedback on potential policy and management directions relating to legislative and regulatory frameworks, responsible ownership, containment and registration of cats, and the management of stray, feral and colony cats.
- 4.3 Council has demonstrated leadership in cat management through the implementation of targeted, evidence-based initiatives, including the Bruny Island Cat By-Law and the declaration of cat prohibited areas to protect biodiversity values. These initiatives have delivered positive outcomes and provide a practical model for broader application.
- 4.4 Council continues to receive a consistent volume of enquiries and complaints regarding nuisance cats, including issues associated with roaming behaviour, impacts on neighbouring properties, and concerns for native wildlife. This ongoing level of community contact highlights that cat management remains a visible and important issue within the municipality. At the same time, there is evidence of a gradual shift in community expectations, with increasing awareness of responsible cat ownership and growing support for measures that reduce roaming and associated impacts.
- 4.5 The development of a clear, consistent, and well-supported statewide framework will enable Council to deliver cat management effectively, efficiently, and at a scale that aligns with community expectations and environmental outcomes.
- 4.6 Council's submission supports the intent of the Discussion Paper and recognises the progress made under the previous Plan. However, it identifies several key issues to be addressed in the next phase of cat management in Tasmania.
- 4.7 The key points raised in the submission are that Council:
  - 4.7.1 Supports strengthening of the *Cat Management Act 2009*, alongside the statewide cat management framework.
  - 4.7.2 Supports amending the *Cat Management Act 2009* to include compulsory cat containment and to not rely on the ad hoc approach of local laws and other instruments to achieve this objective.
  - 4.7.3 Supports clearer policy direction and implementation beyond education and guidance. This includes the introduction of compulsory registration requirements for cats.
  - 4.7.4 Recognises that cat management is a shared responsibility, with a significant operational burden currently falling on local government. Council advocates for appropriate remuneration and support for local government to provide services such as registration and compliance with the *Cat Management Act*.
- 4.8 Council's submission is provided as an attachment to this report.

#### 5. FINANCE

- 5.1 There are no direct financial implications associated with endorsing the submission. However, the submission highlights that:
  - a) current cat management activities place ongoing resource demands on Council, and
  - b) future changes to the legislative or policy framework may have financial and operational implications depending on the responsibilities assigned to local government.

## 6. ENVIRONMENT

- 6.1 Feral cats are extremely capable and adaptive hunters that have had a devastating impact on Australian wildlife. Feral cats have driven the extinction of at least 20 native Australian animals and continue to be a direct threat to over 200 nationally listed threatened animal species. Under our national environmental law, predation by feral cats is formally listed as a Key Threatening Process that is driving wildlife declines.
- 6.2 Effective cat management is critical to protecting Kingborough's natural values and mitigating environmental risk. Roaming domestic, stray, and feral cats are known predators of native wildlife and can contribute to local population decline, as well as broader ecosystem impacts.
- 6.3 Measures such as containment, targeted trapping, and the declaration of cat prohibited areas help reduce predation pressure and disturbance, supporting the protection and recovery of native species. A strengthened statewide framework would further enhance Council's ability to manage these risks through more consistent and coordinated application of controls.

## 7. COMMUNICATION AND CONSULTATION

- 7.1 Preparation of the submission has been informed by Council's operational experience in cat management, existing Council policies and by-laws, known challenges and community feedback relating to cat management.
- 7.2 Council has promoted the opportunity for the Kingborough community to engage in this consultation on cat management in Tasmania.

## 8. RISK

- 8.1 There is strategic risk that State policy and frameworks are developed without adequately reflecting local government experience and constraints.
- 8.2 There is reputational risk should community expectations regarding cat management increase without corresponding improvements in legislative clarity or resources.
- 8.3 The submission works to mitigate this risk.

## 9. CONCLUSION

- 9.1 The Tasmanian Government has released the *Cat Management in Tasmania - Discussion Paper (2026)* for public consultation.
- 9.2 Council has demonstrated strong leadership in the promotion of responsible cat ownership and the management of the impacts from cats across the municipality.
- 9.3 A draft submission has been prepared for Council consideration in response to the Discussion Paper.

## 10. RECOMMENDATION

That Council endorses the draft submission to the *Cat Management in Tasmania - Discussion Paper (2026)*.

## ATTACHMENTS

1. Draft Council Submission - Cat Management in Tasmania Discussion Paper (2026)
2. Cat Management in Tasmania Discussion Paper - March 2026

# Kingborough Council

## Stakeholder Submission

### Cat Management in Tasmania - Discussion Paper (2026)

Date: 17 April 2026

#### 1. INTRODUCTION

Kingborough Council welcomes the opportunity to provide feedback on the Cat Management in Tasmania - Discussion Paper (2026).

Council has been actively involved in cat management and has implemented targeted, evidence-based approaches to address the impacts of domestic, stray, and feral cats. This includes the Bruny Island Cat By-Law, declaration of cat prohibited areas, and participation in regional and local cat management initiatives.

Council acknowledges the progress made under the Tasmanian Cat Management Plan 2017-2022 and supports the development of a new plan that builds on these achievements. However, Council considers that the next phase of cat management in Tasmania requires a stronger and more consistent framework to address the ongoing challenges faced in cat management programs and reduce the impact of cats to community, industry, and the environment.

#### 2. GENERAL POSITION

Kingborough Council:

- Supports strengthening of the *Cat Management Act 2009*, alongside the statewide cat management framework.
- Supports amending the *Cat Management Act 2009* to include compulsory cat containment and to not rely on local laws and other instruments to achieve this objective.
- Recognises that cat management is a shared responsibility, with a significant operational burden currently falling on local government.
- Supports clearer policy direction and implementation beyond education and guidance. This includes the introduction of compulsory registration requirements for cats.
- Emphasises the need for practical, enforceable, and adequately resourced approaches.

#### 3. LOCAL AND COMMUNITY CONTEXT

Kingborough Council continues to receive a consistent volume of enquiries and complaints from ratepayers regarding nuisance cats. These commonly relate to roaming behaviour, impacts on neighbouring properties, and concerns regarding predation on native wildlife.

This ongoing level of community contact highlights that cat management is not only an environmental issue, but also a significant matter of community amenity and equity. Residents frequently express concern regarding the disparity between the regulation of cats and dogs, particularly where the impacts of roaming cats are managed by neighbours rather than by the owner.

Council has also observed a gradual shift in community expectations, with increasing awareness of responsible cat ownership and growing support for measures that reduce roaming and associated impacts. This local experience reinforces the need for a clear, consistent, and enforceable statewide framework that supports both effective management outcomes and equitable responsibilities across the community.

#### **4. RESPONSES TO DISCUSSION QUESTIONS**

##### **DOMESTIC CATS**

**Question 1: What do you consider are the advantages and/or disadvantages of compulsory registration of cats compared to microchipping?**

Council Response:

Registration can provide improved traceability of cat ownership, support compliance and enforcement activities, and assist in understanding cat populations at both a state and local level.

Registration also establishes a more formal relationship between the cat owner and council, providing an opportunity to clearly communicate the responsibilities of both parties. Importantly, registration can underpin a compliance framework that enables enforcement of non-compliance, including the issuing of penalties where required. While enforcement actions are not always the first or preferred option, they do serve as an important tool where other actions have failed.

Any consideration of registration should ensure it complements existing systems and does not create unnecessary administrative or financial burden for councils.

**Question 2: Do you think cat owners should be required to register their cat, like dog registration?**

Council Response:

Council supports the introduction of registration to improve compliance and support responsible ownership, as outlined in Question 1.

Council also notes that it regularly receives enquiries and complaints from community members regarding the disparity between the regulatory frameworks for dogs and cats, particularly in relation to registration and containment requirements. Unlike dogs, which require registration under the *Dog Control Act 2000*, there is no consistent statewide requirement for cat registration.

This variability contributes to community perceptions that current approaches are inconsistent and, at times, inequitable, given the stricter controls applied to dog ownership. Introducing a consistent and well-designed registration framework would help address these concerns, improve transparency, and support a more balanced approach to animal management.

**Question 3: If yes, should there be a fee/levy charged for registration of a cat?**

Council Response:

If registration, Council would strongly support a registration fee in line with those requirements extended to dog owners, noting that any fee structure should be modest, equitable, and not function as a barrier to compliance. Allowing Council's to set the fee as per the situation for dog registration would allow for cost recovery ensuring that the service is sustainable for local government.

**Question 4: If yes, what should the fee be used for?**

Council Response:

Any revenue beyond covering service provision should be reinvested into cat management activities, including cost recovery for compliance.

While Council notes experiences of other regions in relation to cat registration and the application of fees, as highlighted in previous responses, registration and any associated fee should be viewed beyond the notion of cost recovery. Rather, they should be considered in context of the broader role they play in improving responsible pet ownership and supporting the cultural shift required to reduce the impacts of roaming cats.

**Question 5: What could help ensure that people who breed and sell cats are doing so lawfully?**

Council Response:

Improved traceability, stronger compliance mechanisms, and clearer requirements for advertising and sale would assist in addressing unlawful breeding and selling practices.

**Question 6: Do you think a seller should be required to state in advertisements that the cat meets legal requirements?**

Council Response:

Yes. Requiring sellers to clearly demonstrate compliance with legal requirements would improve transparency, support enforcement, and reduce the prevalence of unlawful sales. By introducing this requirement, it again promotes cultural shifts within the community, helping to facilitate the transition from that which is not common practice, to something that is not only common, but expected by the wider community.

## **CONTAINMENT AND RESPONSIBLE OWNERSHIP**

**Question 7: What role, if any, should cat owners play in reducing impacts on wildlife, neighbours, and the broader community?**

Council Response:

Cat owners have a fundamental role in managing their pets responsibly. This includes desexing, microchipping, and taking steps to prevent roaming and the associated impacts on wildlife, neighbouring properties, community, and industries.

**Question 8: What practical challenges would households face if stronger cat management measures were introduced?**

Council Response:

Challenges may include the cost of containment infrastructure, limitations for renters, and behavioural considerations for existing cats. These challenges highlight the importance of education, support programs, and transitional arrangements.

Challenges, however, should not be viewed as a barrier to implementation. The development and implementation of the Bruny Island cat by-law, alongside high compliance rates, demonstrates that such challenges can be overcome if obligations are introduced with consideration to these issues.

**Question 9: Are there alternative approaches that could achieve responsible ownership outcomes without requiring containment?**

Council Response:

Education, incentives, and targeted management approaches can contribute to improved ownership behaviours. However, these measures alone do not mitigate the impacts of roaming cats on neighbours and the wider community or reduce predation on native wildlife.

**Question 10: If additional cat management approaches were introduced, what monitoring or compliance methods would be workable and fair?**

Council Response:

A complaint-based system supported by targeted compliance and community education is likely to remain the most practical approach. In addition to this, adopting a risk-based approach, ensuring those areas most vulnerable to the effects of roaming cats are addressed as a priority.

It could be expected, however, that over time the necessity for active compliance decreases as containment, desexing, and registration become standard practice, like that seen with dog ownership requirements and behaviours.

**Question 11: Under what circumstances would stronger cat management measures be considered reasonable?**

Council Response:

Stronger measures are appropriate where impacts on biodiversity, public amenity, or animal welfare are evident, particularly in areas adjacent to high-value environmental assets. However, measures should also be transparent and equitable across the community. The impacts of nuisance cats on one community should not be viewed as a greater issue than the impacts experienced by another.

## **STRAY CATS**

**Question 12: Do you think feeding of stray cats should be prohibited?**

Council Response:

Council supports consideration of restrictions on feeding where it contributes to the establishment or persistence of stray cat populations or encourages the movement of cats through areas of high natural values.

In addition, if cat containment were to be introduced, the trapping of roaming cats would be less complex, as pet cats should not be at risk to trapping. This extends to easier discussions with those feeding roaming cats, making welfare, and rehoming key points of discussion.

**Question 13: What are the main challenges or barriers to a prohibition on feeding stray cats?**

Council Response:

Challenges include difficulties in identifying when these behaviours exist, enforcement difficulties, attitudes and perceptions amongst those feeding stray cats, and the absence of clear pathways for managing cats once feeding ceases.

**Question 14: What are some solutions to these challenges?**

Council Response:

A coordinated approach is required, including education, support for individuals, frameworks that empower regulatory agencies, and processes that allow for more efficient management and removal of stray cats.

**Question 15: How do you think colony cats should be managed?**

Council Response:

Colony management requires a coordinated, long-term approach involving clear responsibility, consistent funding, and integration of prevention, trapping, and rehoming strategies.

By providing more efficient pathways to manage stray cats, as discussed in previous questions, local authorities would also be able to address colony management more efficiently and effectively.

## **FERAL CATS**

### ***Question 16: How can rural landowners/managers be supported to better manage feral cats?***

Council Response:

Council acknowledges that rural landowners, particularly those managing commercial agricultural operations, have additional, although still limited, existing legislative pathways to manage cats on their property. However, for the broader rural and peri-urban community, significant practical barriers remain.

A key challenge is access to cat management facilities. Once a cat is trapped, community members are required to transport the animal to a registered facility, which can involve travelling considerable distances for those living in rural areas. This can act as a deterrent to participation in management efforts or result in inconsistent or incomplete outcomes.

In addition, management facility requirements including pre-approval prior to trapping, acceptance of cats by appointment only, and the application of a fee to surrender trapped cats, compounded by the limited number of facilities within the State, work to further constrain timely and effective responses.

Council believes that offering better access to facilities, providing more adaptable intake options, and exploring alternative or decentralised service models are necessary to enhance support for landowners and the community. This could include regional drop-off points and increased support for localised programs. Addressing these barriers is critical to enabling more consistent and effective community participation in cat management and reducing the ongoing impacts of feral and stray cats on environmental and agricultural values.

### ***Question 17: Should the distance for humane euthanasia be reduced to less than 1 km?***

Council Response:

Council does not oppose consideration of a reduced distance threshold; however, any change must be supported by safeguards, and practical implementation measures. The current distance requirement provides an important buffer to reduce the risk of owned cats being mistakenly destroyed, particularly in areas where cat containment is not mandatory and roaming behaviour is common.

If a reduced distance is considered, key factors that should be addressed include:

- Ensuring that any change does not increase the likelihood of pet cats being unintentionally euthanised.
- Improving microchipping and identification rates to support decision-making.
- Considering whether reduced distances are appropriate only in defined circumstances, or distances are applied at different rates for different areas or categories.
- Providing landowners with practical guidance to distinguish between feral, stray, and domestic cats.
- Aligning changes with broader policy settings, including containment and responsible ownership requirements.

Council considers that any reduction in distance should be accompanied by appropriate safeguards to balance animal welfare considerations with the need to manage environmental and agricultural impacts.

**Question 18: If yes, what is an appropriate distance?**

Council Response:

Council considers that any reduction in distance should be applied within a clearly defined and risk-based framework, rather than a broad statewide reduction. Rather than specifying a single reduced distance, a tiered or conditional approach is preferable, ensuring outcomes are improved without creating unintended risks for domestic cats.

**OTHER****Question 19: What types of education, incentives, or support programs would encourage responsible ownership?**

Council Response:

Programs that support affordable desexing and microchipping and provide practical guidance on containment. Education can also include the rights of those landowners who experience impacts of nuisance cats, and the experiences that pet owners impose on others when they allow pets to roam.

**Question 20: Should cat management approaches differ between urban, peri-urban, and rural areas?**

Council Response:

Council considers that the core requirements of responsible pet ownership should be consistent across all areas to ensure fairness, clarity, and equitable expectations for cat owners. This includes principles such as desexing, microchipping, and preventing impacts on wildlife, neighbours, and the broader community.

However, Council recognises that the implementation of cat management, particularly in relation to trapping, compliance, and service delivery, is likely to differ across urban, peri-urban, and rural settings. Rural and remote communities often face additional challenges, including limited access to cat management facilities, greater travel distances, and fewer support services. These factors can create barriers to effective participation in management programs.

Accordingly, Council supports a consistent regulatory framework for ownership, combined with flexible, context-specific approaches for the management of roaming/feral cats. This may include improved access to facilities, alternative service delivery models, and tailored guidance to reflect local conditions and constraints.

**Question 21: Are there any other matters you would like to raise?**

Council Response:

Council considers that a key priority for improving cat management in Tasmania is the establishment of a consistent statewide framework. The current reliance on local government to implement core management measures through by-laws can result in variation between municipalities and lead to confusion regarding cat ownership requirements. Councils could also be viewed as establishing policies that are unfair or lack consistency, placing additional pressures to justify differing approaches despite the unambiguous evidence for the impacts associated with roaming and feral cats have on community, industry and environment.

Council also notes the importance of ensuring greater alignment between the management of cats and dogs, particularly in relation to responsible ownership requirements. The current disparity, where dogs are subject to clear, consistent statewide requirements such as registration and containment, while cat

management varies between jurisdictions, contributes to community perceptions of unfairness and inconsistency in the regulation of companion animals.

Council supports the development of a framework that provides clear, consistent baseline requirements across Tasmania, while still allowing for targeted, localised responses where appropriate. This approach would improve clarity for the community, support more effective compliance, and reduce the risk of councils having to independently address issues that are fundamentally statewide in nature.

## **5. CONCLUSION**

Kingborough Council supports the development of a strengthened Tasmanian Cat Management Plan that is consistent, enforceable, and supported by appropriate resourcing, legislation and infrastructure. The next phase of cat management in Tasmania presents an important opportunity to move beyond fragmented or reactive approaches and establish a clearer, more coordinated framework that supports responsible ownership (including containment and registration), improves biodiversity protection, and responds to community expectations.

A strengthened framework should provide greater consistency across the State, recognise the practical realities faced by local government and the community, and ensure responsibilities are appropriately shared and supported. In particular, reforms should address current gaps relating to containment, registration, stray cat management, access to facilities, and enforceable compliance pathways.

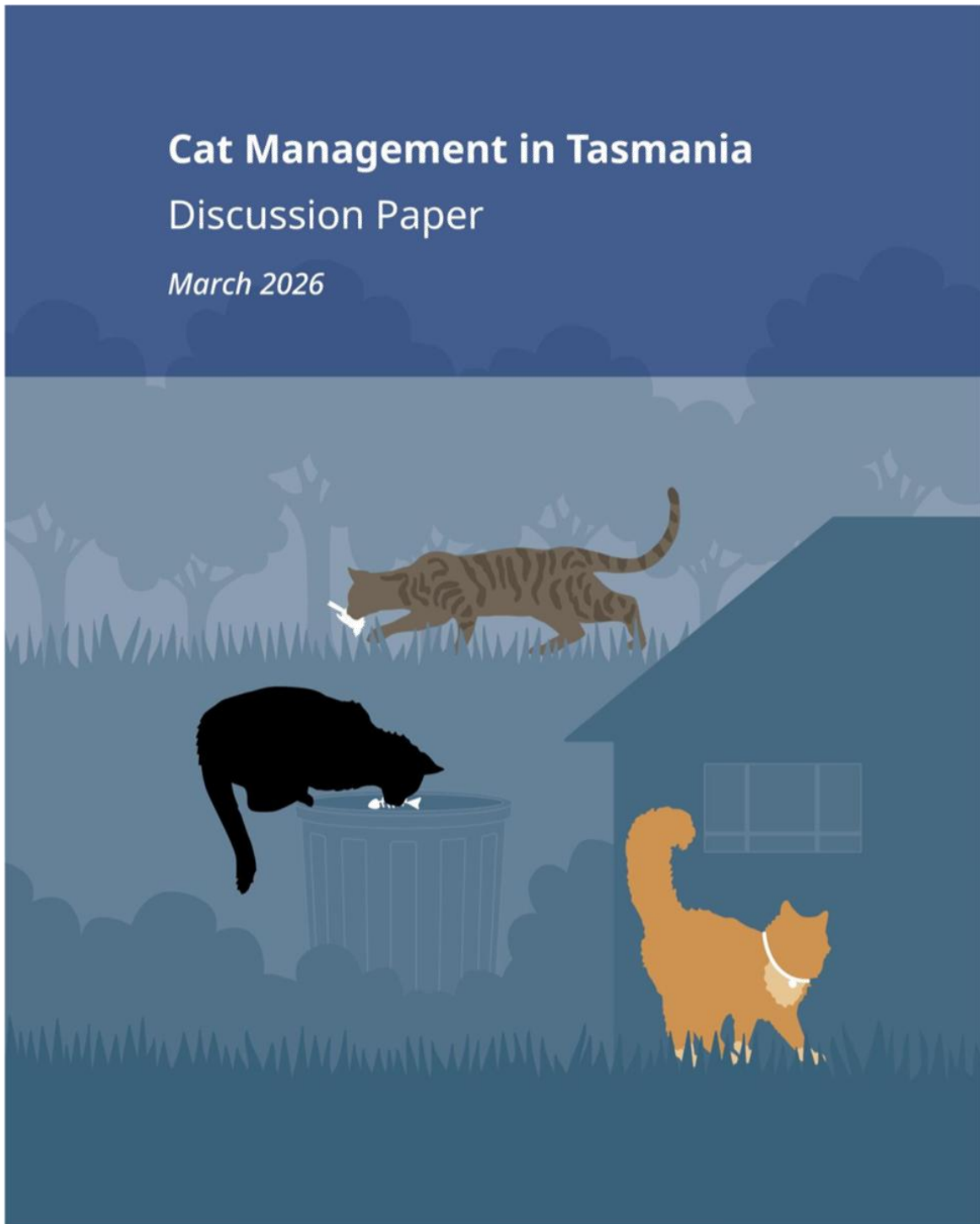
Kingborough has demonstrated leadership in this space through proactive local initiatives and considers that a stronger statewide framework would enhance Council's capacity, and that of other municipalities, to deliver more effective and equitable cat management outcomes.

We look forward to continuing to work collaboratively with the State Government and other stakeholders to improve outcomes for the Tasmanian community, industry, animal welfare, and natural environment.

# Cat Management in Tasmania

## Discussion Paper

*March 2026*



Biosecurity Tasmania  
Department of Natural Resources and Environment Tasmania



**Please cite this document as:**

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## Minister's Foreword

Since 2017, the Tasmanian Liberal Government and stakeholders have been delivering the outcomes of the first Tasmanian Cat Management Plan. These efforts have achieved positive results and led to meaningful improvements in cat management across the state.

However, challenges in managing cats remain and continue to pose risks to public health, agriculture, and Tasmania's unique environment. I am committed to improving cat management and cat welfare in Tasmania by addressing these ongoing challenges.

I believe this Discussion Paper is an important step in that process, and I encourage everyone to have their say.

Feedback received will inform the development of a detailed policy response and a new five-year Tasmanian Cat Management Plan, reflecting the views of stakeholders and the broader Tasmanian community.

Public consultation on this Discussion Paper will be open for ten weeks.



The Hon Gavin Pearce MP  
**Minister for Primary Industries and Water**

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# 1 Introduction

Cats are valued companion animals and popular pets for many Tasmanians. They are also seen as useful animals that control vermin; nuisance animals that disturb public amenity, and pest animals that spread disease and negatively impact native wildlife and agriculture. The polarised view of cats in the community makes cat management a difficult and often emotive issue.

The first [Tasmanian Cat Management Plan \(2017-2022\)](#) provides an important framework for improving how cats are managed to protect the environment, agriculture, and human health, with cat welfare as the central and guiding priority for all actions.

The Plan recognises that addressing the impacts of domestic, stray and feral cats is a shared responsibility and requires long-term commitment and coordinated action by the Tasmanian government, key stakeholders and the community. While significant progress has been made since the Plan's implementation, ongoing challenges highlight the need to consider opportunities for improvement.

A key aim of this discussion paper is to identify key areas for improvement and present potential options that build on the achievements and outcomes of the existing Tasmanian Cat Management Plan.

This discussion paper is the first stage in developing the new Tasmanian Cat Management Plan, which will provide the framework for collaborative cat management action in Tasmania over the next five years.

This discussion paper seeks feedback from stakeholders and the community. Responses to the questions posed in this discussion paper will be analysed and used to inform the development of a new Tasmanian Cat Management Plan.

## 2 Background

### 2.1 LEGISLATIVE FRAMEWORK

The regulatory management of cats in Tasmania occurs through a legislative framework that includes both the [Cat Management Act 2009](#) and the [Biosecurity Act 2019](#) (for feral cats). The purpose of the *Cat Management Act 2009* is to provide for the control and management of cats, in particular:

- promote the responsible ownership and welfare of cats, including the desexing and microchipping of domestic cats
- provide for the effective management of cats, in particular allowing for the humane handling and management of unidentified, stray and feral cats
- reduce the negative effects of cats on the environment.

The biosecurity risk and biosecurity impacts of feral cats can also be managed through biosecurity programs under the *Biosecurity Act 2019*.

Both Acts are administered by the Tasmanian Government and are enforced by authorised officers. Local government officers may be authorised under both the *Cat Management Act 2009* and the *Biosecurity Act 2019* to undertake compliance and enforcement activity.

Other current Tasmanian legislation that relates to cat management activities includes the [Firearms Act 1996](#) regarding the discharge of a firearm for control or euthanasia of an animal on private property, and the [Animal Welfare Act 1993](#) in relation to the welfare and ethical treatment of cats in wild, captive or domestic circumstances.

### 2.2 CATEGORIES OF CATS

While all cats are the same species (*Felis catus*), this paper adopts the definitions in the *Cat Management Act 2009* to categorise cats as **domestic**, **stray**, or **feral**, recognising that individual cats may move between these categories over their lifetime.

- **Domestic cat** means a cat that a person may, on reasonable grounds, believe to be currently owned.

- **Stray cat** means a cat that is not a domestic cat but lives in close proximity to humans and may receive from them some food, water, or shelter and be accustomed to their presence.
- **Feral cat** means a cat that lives largely or entirely removed from humans in the wild and does not depend for its survival on humans intentionally providing food, water, or shelter.

### 2.3 ROLE OF CAT MANAGEMENT FACILITIES

The [Cat Management Act 2009](#) and the [Cat Management Regulations 2022](#) provide for the establishment of cat management facilities in Tasmania for the handling and holding of cats.

Cat management facilities in Tasmania are key, non-government, not-for-profit community resources dedicated to the welfare of unwanted cats and kittens. They offer a wide range of services, including accepting surrendered stray or unwanted cats; facilitating adoption and re-homing of cats; reuniting identifiable cats with their owners; cat boarding facilities and crisis accommodation; and promoting responsible ownership of cats. They also provide veterinary treatment for sick and injured cats, as well as services such as vaccination, desexing and microchipping for cats in their care. They may also offer low-cost desexing and microchipping of pet cats to members of the public.

Cat management facilities also play a fundamental role in enabling the community to comply with the *Cat Management Act 2009*, as a person who traps a cat is required to take the cat to a cat management facility, or a nominee of a cat management facility, or return the cat to its owner. As it not an offence for a cat to roam beyond its owner's property, this requirement to take a trapped cat to a cat management facility is in place to safeguard the welfare of a trapped cat. Any cat that enters a cat management facility must be desexed and microchipped before it is reclaimed by its owner or rehomed by the facility. The Act permits the facility to charge the owner of a cat for the reasonable costs associated with microchipping, desexing and care of their cat.

Cat management facilities only accept a trapped or surrendered cat by appointment, thereby ensuring that they have the appropriate staff and capacity to care for the cat.

A cat taken to a cat management facility is scanned for a microchip as soon as practicable, if safe to do so. If the cat is identifiable, the owner is contacted to reclaim the cat. If the cat is not reclaimed within the holding period (3 to 5 days, depending on whether the cat is microchipped), the facility may rehome or euthanise the cat.

Cat management facilities focus on preventive strategies to reduce the number of cats entering their facilities. They contribute significantly to community education, offering resources and information on responsible cat ownership; provide low-cost cat desexing and microchipping services to the community; and underpin many council-led cat management initiatives.

Cat management facilities do not euthanise cats to manage capacity or reduce costs. These practices do not align with their values or objectives. Decisions about the outcomes of individual cats are made by the operators of the cat management facilities, based on the specific circumstances of each cat and in accordance with evidence-based practice, to ensure the best outcome for the cat. Euthanising socialised, healthy (or treatable) cats is not an effective long-term strategy for controlling the number of cats in our communities or for mitigating the negative impacts of free-roaming cats. Research also shows it can cause serious impacts on the mental health of staff and volunteers in cat management facilities/shelters, and the community<sup>1 2</sup>.

Cat management facilities rely on public donations and fundraising to help cover the costs of their services. They may also request a donation from a person surrendering a cat and charge a service fee for accepting trapped stray and feral cats.

There are two cat management facilities in Tasmania - [Ten Lives](#) in the south and [Just Cats](#) in the north. Just Cats has recently received State Government funding to establish a new cat management facility in the north-west.

The *Cat Management Act 2009* also recognises a council facility designed for handling and holding cats as a cat management facility, but few councils in Tasmania have the dedicated infrastructure and resources to operate such a facility, including access to a vet and/or transfer of cats to one of the larger dedicated cat management facilities for assessment and rehoming of any cats.

With only two currently operational facilities for the whole State (and one more under development), access to a facility for many people and also to municipal councils is challenging, particularly in rural and remote regions, including King and Flinders Islands.

### 3 Building on the first Tasmanian Cat Management Plan

Since the implementation of the Tasmanian Cat Management Plan in 2017, the collective efforts of stakeholders have delivered significant progress toward the Plan's objectives. Over the past eight years, coordinated action across Tasmania has resulted in meaningful improvements in responsible cat ownership, reduced impacts of feral cats, community awareness, and education. These achievements are detailed in the [Tasmanian Cat Management Plan Achievements 2017-2022 report](#).

Despite these achievements, managing cats remains a complex and ongoing challenge. Uncontrolled breeding of stray cats has led to the establishment of large colonies in every municipal council area. These cats often experience poor welfare, create a nuisance, and pose a risk to native wildlife and public health. The majority of the cats entering cat management facilities and rehoming organisations are classified as strays, placing significant pressure on these organisations. Gaps in responsible ownership must be addressed to improve cat welfare, public amenity, and to stamp out illegal breeding and selling practices. More practical, humane, and sustainable approaches to managing feral cats in agricultural and natural environments are also required.

This discussion paper outlines opportunities to build on the achievements and outcomes of the first Tasmanian Cat Management Plan, while also addressing remaining gaps. The discussion is organised into three sections: domestic, stray, and feral cats. Each section has dedicated subsections that discuss specific challenges and management options.

This paper may summarise and paraphrase the legislation to provide an easy-to-understand explanation. The full legislation should be referred to for completeness and any specific details. The [Cat Management Act 2009](#) and the [Cat Management](#)

[Regulations 2022](#) can be accessed from [www.legislation.tas.gov.au](http://www.legislation.tas.gov.au), along with the [Biosecurity Act 2019](#).

## 4 Domestic Cats

### 4.1 COMPULSORY MICROCHIPPING AND DESEXING OF CATS

In Tasmania, the *Cat Management Act 2009* requires cat owners to have their cats microchipped and desexed by the age of 4 months (exceptions may apply). These requirements are key components of responsible cat ownership. Desexing helps prevent unwanted litters of kittens; and microchipping ensures a lost cat can be returned to its owner as microchip details are recorded in a database with the cat owner's contact details. In 2022, amendments to the *Cat Management Act 2009* lowered the compulsory age for desexing and microchipping from 6 months to 4 months, as cats can start breeding as young as 4 months.

To increase the rates of desexing and microchipping of cats, the State Government has worked closely with local government, veterinarians, and animal welfare groups across Tasmania to spread awareness of responsible cat ownership and to promote low-cost desexing and microchipping initiatives in communities where they are needed most.

### 4.2 REGISTRATION OF CATS

Across Australia, registration of pet dogs has long been a requirement by local councils to support effective animal management and to help reunite lost pets with their owners. Registration requirements for cats, however, remain inconsistent at the state/territory and municipal level (see Appendix, Table 1). Where implemented, councils register cats by associating the owner and pet details with the cat's microchip number.

When active compliance with registration requirements and regular renewals are required, registration helps authorities maintain accurate cat-owner contact information. This ensures that the owner of a lost cat can be quickly and effectively found. It also enables a municipal council to track the number of pet cats within its local government area which helps to enforce animal management laws such as desexing, containment, and the number of cats per household<sup>3</sup>.

In Tasmania, there is no requirement under the [Cat Management Act 2009](#) for owners to register a cat, although all cats must be microchipped by the age of 4 months. It was noted in the second reading speech when the Act was being introduced into Parliament that “*The evidence suggests that registration for cats has low compliance rates and high administrative costs.*”

The Tasmanian Government did not propose compulsory cat registration as a legislative amendment to the Act in 2020 as the Act already allowed a municipal council to introduce registration of cats through by-laws, if desired. Kingborough Council, for example, introduced compulsory registration of cats under the [Bruny Island Cat By-law 2018](#), but does not charge a fee.

Councils are permitted to set their own fees for registration of animals under the *Local Government Act 1993*. Because councils have different operational costs and offer specific services, registration fees are likely to vary across the state, as they do for dogs. Some councils may also offer discounts for multiple-year registrations, and whether the animal is desexed, microchipped, or both.

Revenue from the registration of cats has been used by some municipal councils in other jurisdictions to fund key community facilities and services. For example, local councils in Victoria use dog and cat registration fees to fund pounds and shelter facilities, animal management staff, and incentive schemes; and a state government levy is also included to support research into dog and cat welfare.

However, municipal councils in other jurisdictions have reported that the costs of managing cats are estimated to be 7 to 10 times greater than the revenue generated from registration fees<sup>14</sup>. In Queensland, the requirement for cats to be registered with local government was removed in 2013, five years after its introduction, to reduce the regulatory burden on local governments ([Agriculture and Forestry Legislation Amendment Act 2013 \(QLD\)](#)).

Although the registration of cats is required in two-thirds of local government areas across Australia, it is estimated that only a third of pet cats are registered<sup>3</sup>. Low compliance is likely due to limited enforcement measures. Additionally, while most councils offer reduced registration fees to pensioners or concession card holders, the combined costs of microchipping and desexing can be financially burdensome for low-income households.

A summary of domestic animal legislation supporting key management actions for cats in each state/territory of Australia is provided in the Appendix at Figure 1.

### Questions

1. What do you consider are the advantages and/or disadvantages of compulsory registration of cats compared to microchipping?
2. Do you think cat owners should be required to register their cat, like dog registration? **Yes or No**  
**If you answered "No," skip to Question 5.**
3. If yes, should there be a fee/levy charged for registration of a cat? **Yes or No**  
**If you answered "No," skip to Question 5.**
4. If yes, what should the fee be used for? (For example: registering cats, research into cat welfare, the costs of managing cats)

### 4.3 BREEDING AND SELLING OF CATS

Cat breeding in Tasmania is regulated under the *Cat Management Act 2009*. A person may only breed a cat if they are a registered cat breeder or hold a valid Cat Breeding Permit.

To be recognised as a registered cat breeder, a person must be a member of an approved cat organisation. Registered breeders must comply with the requirements of the *Cat Management Act 2009* as well as their organisation's code of ethics, rules, and regulations. Approved cat organisations issue their members who breed cats with a unique breeder identification number, which is included in advertisements. Members of the public may contact the relevant organisation to verify a breeder's legitimacy and confirm that the cats being sold are purebred.

A person who is not a registered breeder and wishes to breed a cat may apply to the State Government or their municipal council for a Cat Breeding Permit. Each permit is issued with a unique number, for one specific cat only, is time-limited, and is subject to strict conditions. These conditions include the requirement for the breeding cat to be desexed after breeding, for any kittens to be desexed and microchipped, and for evidence to be provided to demonstrate compliance.

Despite this regulatory framework, illegal cat breeding practices continue in Tasmania. Education and support are key factors in improving compliance. Some owners lack access to or the financial means to desex their cat. The Tasmanian Government and stakeholders have delivered several low-cost desexing and microchipping initiatives in at-need communities. In addition, desexing programs delivered by cat management facilities, such as 'last litter' programs, seek to address this issue. Under these programs, a pregnant cat is desexed after giving birth on the condition that the owner surrenders the kittens to the facility, helping to disrupt the ongoing cycle of unintended breeding and reduce abandonment of unwanted kittens.

### Sale of cats

A person is not required to be a registered breeder or hold a cat breeding permit to sell, give away, or rehome a cat in Tasmania. However, the *Cat Management Act 2009* requires that any cat sold, given away, or rehomed is to be:

- desexed
- microchipped
- at least eight weeks of age
- free from external parasites
- treated for internal worms at least once
- vaccinated.

For the purposes of this section, a person who sells, gives away, rehomes, or otherwise transfers ownership of a cat is referred to as a *seller*. A person who buys a cat, acquires or obtains ownership of a cat, is referred to as a *buyer*.

There is no requirement under the Act for sellers to include information such as a cat's microchip number, desexing status, or vaccination history in an advertisement selling a cat. The seller is also not required to provide supporting documentation to the buyer on purchase of the cat. Further, many cats that don't meet the requirements of sale are advertised and sold through online platforms, making enforcement challenging due to the anonymity of sellers on online platforms.

There is no legal obligation for the buyer of a cat to ensure the seller is selling a cat that meets the requirements for sale upon transfer of ownership. Therefore, buyers may be enticed to buy cats from illegal sellers or breeders because they appear

cheaper than those obtained from reputable sources. While some buyers may believe they are helping cats by providing responsible ownership after purchase, this approach supports illegal breeding practices, as it continues to reward people who breed and sell cats unlawfully. In addition, the buyer will also inherit responsibility for the costs of compulsory microchipping and desexing the cat if these requirements haven't been met on transfer of ownership of the cat.

In Victoria, cats and kittens may only be sold or given away on the [Pet Exchange Register](#). A person or business that wants to sell a cat must enrol on the register and is issued with a unique source number. The unique source number, as well as each animal's microchip number, must be in all advertisements. A source number is also required when implanting a microchip in a cat to ensure traceability.

**Questions:**

5. What could help ensure that people who breed and sell cats are doing so lawfully?
6. Do you think a seller should be required to state in advertisements for the sale or rehoming of a cat that the cat meets the legal requirements of sale?

#### 4.4 CONTAINMENT OF A CAT TO AN OWNER'S PROPERTY

Cat containment refers to keeping a cat within the boundaries of its owner's property, either indoors or outdoors, through controlled access such as enclosures, cat runs, or cat-proof fencing<sup>5</sup>.

From an animal welfare perspective, keeping cats contained protects them from injuries caused by fights, road accidents, attacks by other animals, and exposure to harmful diseases<sup>5 6 7</sup>. At the same time, containment limits nuisance behaviours, improves public amenity, and reduces the impacts of cats on native wildlife<sup>8 9</sup>. These combined benefits have positioned containment as a central concept in responsible cat ownership and cat management.

In Tasmania, there is no requirement under the *Cat Management Act 2009* for a cat owner to contain their cat to their property. In 2020, when amendments to the Act were being debated, the Greens and an independent proposed amendments to

introduce compulsory containment, but they were not supported by Parliament at the time.

Under the current legislative framework, cat containment can be required through tools such as multiple cat permits, cat breeding permits, municipal council by-laws.

Powers under the Act for municipal councils to enact by-laws for local containment of cats enable decisions to be made at a local level and ensure effective compliance and enforcement. The Kingborough Council, for example, enacted the [Bruny Island Cat By-Law 2018](#), which aims to improve outcomes for native wildlife, livestock, cats and the community and to reduce the number of unwanted and stray cats. The by-law requires, amongst other things, that Bruny Island residents contain their cats 24 hours a day.

Across Australia, municipal councils are responding to the impacts of roaming pet cats by introducing containment measures. Different models of cat containment have been implemented, including night-time curfews, location-specific requirements and 24-hour containment. In Victoria, more than half of municipal councils have introduced cat containment, most commonly overnight curfews<sup>4</sup>. While night-time curfews may help to reduce predation on nocturnal animals, they provide little protection for species that are active during the day, such as birds and reptiles<sup>6,9</sup>. Cats not contained during the day also remain at risk of injury and exposed to disease, and cause nuisance on other properties. These limitations have led some jurisdictions to consider more comprehensive approaches.

The Australian Capital Territory is the only jurisdiction in Australia to implement territory-wide cat containment, legally requiring owners to contain their cats at all times ([Domestic Animals Legislation Amendment Act 2022](#)). However, a grandfathering clause allows pet cats born before 1 July 2022 to continue roaming outside a declared cat containment area.

Where containment laws are in effect, enforcement is typically driven by public complaints, with authorities responding to reports of roaming cats by undertaking trapping and impounding measures where practical<sup>1</sup>. Unlike the capture of dogs, which generally occurs in person by an authorised officer, the capture of cats typically relies on traps being set and left in place. Some councils provide a cat trap hire service for residents to manage cats trespassing on their property (e.g., [Moir](#)

[Shire Council, 2025](#); [South Gippsland Shire Council, 2025](#)), with residents generally responsible for delivering a trapped cat to a council pound or animal management facility<sup>1 2</sup>. If the cat is not reclaimed within the legal holding period (i.e., 3 - 8 days, depending on the jurisdiction), it may be rehomed or euthanised.

Authorities face several challenges when enforcing containment laws. These include difficulty capturing cats that are not contained; unrealistic community expectations regarding enforcement<sup>10</sup> and management; and the challenge of verifying whether a cat was trapped during a nighttime curfew. In addition, over half of the cats in shelters and pounds have no traceable owner (i.e., no microchip, collar, or tag) and enforcement actions such as the issuing fines cannot take place<sup>1</sup>.

Even in jurisdictions with mandatory containment laws, effective outcomes rely heavily on voluntary compliance by cat owners. A range of factors can influence a cat owner's compliance with containment laws<sup>11</sup> (see Appendix, Table 2). These include the cost of cat enclosures or cat-proof fencing, rental tenancy agreements that restrict modifications to prevent the escape of cats<sup>1 10</sup>, social norms, and owner beliefs about their ability to contain their cat, and owner views about the needs of their cats<sup>5 6 11</sup>. In addition, containment measures do not ensure that 'door-dasher' cats won't escape through open doors, windows or garages<sup>1</sup>.

While the adoption of legislation has become a popular strategy to reduce the impacts of roaming cats and improve cat welfare, there have been no evidence-based studies measuring its effectiveness in Australia<sup>1 10</sup>. Further research is needed to address these knowledge gaps.

### Questions

7. What role, if any, should cat owners play in reducing impacts on wildlife, neighbours, and the broader community?
8. What practical challenges would households face if stronger cat management measures were considered in the future?
9. Are there alternative approaches that could achieve responsible cat ownership outcomes without requiring containment?

10. If additional cat management approaches were ever introduced, what monitoring or compliance methods would be workable and fair?
11. Under what circumstances, if any, would stronger cat management measures be considered reasonable?

## 5 Stray cats

### 5.1 FEEDING STRAY CATS AND CAT COLONIES

Stray cats are prevalent in most Australian cities and towns<sup>12</sup>. Feeding stray cats is reported to be relatively common in Australia, with research surveys indicating that 9 - 22% respondents daily fed a stray cat or cat they did not perceive to own<sup>13 14 15</sup>

Providing food increases resource availability in the environment, enabling higher densities of stray cats to be sustained and reproductive successfully<sup>12</sup>. As a result, stray cats may congregate in large numbers, forming colonies. In Tasmania, cat management facilities have reported colonies of up to 150–200 cats in some locations. Cat colonies exist in every local government area; however, there is no one authority, agency or organisation responsible for managing these colonies.

Stray cats can have poor welfare from the lack of safe shelter, regular food, and necessary veterinary care, leaving them vulnerable to diseases, injuries, and hunger<sup>16 17</sup>. This population of cats can negatively impact native wildlife through predation and competition, transmit diseases to animals and humans, and create nuisance in the community<sup>14</sup>. Cats are opportunistic and instinctive hunters, so feeding them does not stop them preying on wildlife<sup>18</sup>.

The *Cat Management Act 2009* does not prohibit the feeding of stray cats. However, municipal councils may address issues relating to health and nuisance in their local government areas under the *Local Government Act 1993* or prohibit feeding of stray cats through municipal by-laws. The Kingborough Council for example introduced a prohibition on the feeding of stray and feral cats under the [Bruny Island Cat By-Law 2018](#) to reduce the feral cat population, the suffering of cats, and impact on native wildlife; and the [Glenorchy City Council Animal Management By-Law 2025](#) requires that a person must not feed, encourage or harbour pest animals, including unowned cats.

While feeding of stray cats is common and widespread in Australia, Queensland is the only jurisdiction where there is statewide legislation prohibiting feeding of feral cats (under the [Biosecurity Act 2014](#)). Where feeding of stray cats is prohibited, enforcement activity by regulators, particularly at the city or local level, is challenging because of the number of individuals feeding stray cats. For example, in Brisbane it is estimated that 60,000 residents fed an average of 1.5 cats they do not own, totalling 90,000 cats <sup>1 15</sup>.

Enforcement can be more effective at the colony level because feeding is concentrated in one location, making it easier to monitor and collect evidence <sup>1 15</sup>. However, experience in Queensland shows that some individuals receive multiple convictions for feeding stray cats, suggesting that fines alone are not a strong deterrent <sup>1</sup>. People will continue to feed stray cats for reasons including emotional satisfaction, companionship, a sense of responsibility, pity and sympathy, and a lack of confidence in animal management by authorities <sup>1 19</sup>.

While penalties aim to deter people from providing food, it does not address the issue of management of the cats themselves. The presence of the cats generally persists - especially if the feeding has occurred for a long period - unless they are trapped and removed from a property or area. Where stray cats are being fed on private property, the responsibility of trapping and surrender should be with the person feeding them. However, in practice many people feeding cats are unwilling to take on the responsibility, either due to the cost, emotional difficulty in surrendering the cats, or because they believe that is not their responsibility to manage the situation.

Some agencies report repeatedly attending the same property to remove large numbers of stray cats that have been attracted by ongoing feeding, creating a cycle that is costly, resource intensive and difficult to sustain without cooperation from the individual feeding the cats. Effective, long-term management of stray populations requires strategic, coordinated, and sustained efforts from multiple organisations and agencies.

### Questions

**12. Do you think feeding of stray cats should be prohibited? Yes or No**

13. What do you consider are the main challenges or barriers to a prohibition on feeding stray cats?
14. What are some solutions to these challenges or barriers?
15. How do you think colony cats should be managed?

## 6 Feral cats

### 6.1 FERAL CAT MANAGEMENT

Feral cats are those that live and reproduce in the wild, largely or entirely removed from humans, and do not depend on humans intentionally providing food, water or shelter for their survival. Feral cats are difficult to detect, and mostly nocturnal – humans are more likely to see evidence of the presence of feral cats rather than the cats themselves.

Feral cats are widespread in Tasmania and their eradication from mainland Tasmania is not considered to be feasible at this time. Consequently, the Tasmanian Government has taken a targeted approach and, with funding from the Australian Government, is focusing activity on offshore islands, such as Three Hummock Island, King Island, Maria Island, Bruny Island and Little Dog Island, where feral cat control can be most effective and where eradication may be possible in the future.

Feral cat projects on these offshore islands are centred around the use of Felixer grooming traps which are cutting-edge technology in feral cat control. Felixer grooming traps are portable, artificial intelligence-equipped field devices that use lasers and cameras to identify target species. If an animal passing in front of the device is identified as a cat, the unit will be triggered to deliver a lethal dose of toxic gel to the animal's flank. The feral cat subsequently dies when it ingests the gel during grooming. Felixer devices are currently only permitted for use on Tasmanian offshore islands where there are no non-target species, such as Tasmanian devils, spotted-tailed quolls and wombats, that could be mistaken for a cat. As the artificial intelligence of these devices improves, it will more accurately identify target species, potentially allowing use of the devices in a broader range of situations.

## 6.2 PARTICIPATION IN NATIONAL APPROACH TO MANAGEMENT OF FERAL CATS

Biosecurity Tasmania represents Tasmania on the National Feral Cat Taskforce which is administered by the Office of the Threatened Species Commissioner and provides an important avenue to share feral cat information, research, and management outcomes with colleagues across the country and overseas.

The Department of Natural Resources and Environment Tasmania also provided input and feedback to the Australian Government Department of Climate Change, Energy, the Environment and Water on the recently made joint Australian Government - State and Territory [Threat abatement plan for predation by feral cats 2024](#). The Threat Abatement Plan establishes a national framework to guide and coordinate Australia's response to the impacts of feral cats on biodiversity. It identifies the research, management and other actions needed to ensure the long-term survival of native species and ecological communities affected by predation by feral cats.

## 6.3 HUMANE DESTRUCTION OF FERAL CATS

Feral cat management and control must be justified, humane, and targeted to specific cat populations, while minimising the risk to non-target animals.

In Tasmania, the *Cat Management Act 2009* permits the humane destruction of cats on:

- primary production land and production premises by persons managing or occupying the land or premises, or persons acting on their behalf; and
- private premises if the location at which the cat is found is more than 1 km from any structure or building used as a place of residence. A cat cannot be trapped and relocated to meet the 1 km distance requirement for humane destruction on private property.

The 1 km distance from a residence requirement for the humane destruction of a cat on private land reflects a balance between addressing the threat posed by feral cats and protecting the welfare of roaming pet cats. Cat owners are not required to contain their cat to their property, and while pet cats have variable home ranges,

research shows they typically do not roam more than 1 km from home<sup>9 20</sup>. Reducing the distance may increase the likelihood that pet cats are mistakenly destroyed.

The threat posed by cats has been recognised by the Tasmanian Government with cats being prohibited in a number of areas in Tasmania including National Parks, Conservation Areas, State Forest, private property with a conservation covenant under the [Nature Conservation Act 2002](#) and areas declared prohibited under the [Cat Management Act 2009](#). Cats found in these areas may be trapped, seized or humanely destroyed by persons authorised to do so.

Municipal councils can also declare prohibited areas and cat management areas where cat management actions can also be undertaken by persons authorised to do so.

### Questions

16. How can rural landowners/managers be supported to better manage feral cats in areas with important conservation values and agricultural assets?

17. Should the distance from the nearest residence for humane euthanasia of cats on private property be reduced to less than 1 km? **Yes or No**

**If you answered "No," skip to Question 19.**

18. If **yes**, what is an appropriate distance?

## 7 Other

### Question

19. What types of education, incentives, or support programs would encourage responsible cat ownership?

20. Should cat management approaches differ between urban, peri-urban, and rural areas? If so, how?

21. Are there any other matters which you would like to raise in relation to improving cat management in Tasmania?

## 8 Next Steps

This discussion paper is the first stage in developing the new Tasmanian Cat Management Plan.

Feedback may be submitted in three ways:

- Via the [online response form](#)
- Email response to discussion questions: [catmanagement@nre.tas.gov.au](mailto:catmanagement@nre.tas.gov.au)
- Mail written responses to discussion questions to:

Biosecurity Tasmania  
Department of Natural Resources and Environment Tasmania  
GPO Box 44  
Hobart TAS 7001

Attn: Cat Management Discussion Paper

Full details are available on the Department of Natural Environment and Resources Tasmania's website [www.nre.tas.gov.au](http://www.nre.tas.gov.au).

Submissions must be received by **5.00 pm on Friday 15 May 2026**.

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## 10 Appendix

The Discussion Paper includes the following questions for your feedback:

### Domestic cats

1. What do you consider are the advantages and/or disadvantages of compulsory registration of cats compared to microchipping?
2. Do you think cat owners should be required to register their cat, like dog registration? **Yes or No.**  
**If you answered "No," skip to Question 5.**
3. If yes, should there be a fee/levy charged for registration of a cat? **Yes or No.**  
**If you answered "No," skip to Question 5.**
4. If yes, what should the fee be used for? (For example: registering cats, research into cat welfare, the costs of managing cats)
5. What could help ensure that people who breed and sell cats are doing so lawfully?
6. Do you think a seller should be required to state that the cat meets the legal requirements of sale in advertisements?
7. What role, if any, should cat owners play in reducing impacts on wildlife, neighbours, and the broader community?
8. What practical challenges would households face if stronger cat management measures were considered in the future?
9. Are there alternative approaches that could achieve responsible cat ownership outcomes without requiring containment?
10. If additional cat management approaches were ever introduced, what monitoring or compliance methods would be workable and fair?
11. Under what circumstances, if any, would stronger cat management measures be considered reasonable?

### Stray cats

12. Do you think feeding of stray cats should be prohibited? **Yes or No**

13. What do you consider are the main challenges or barriers to a prohibition on feeding stray cats?
14. What are some solutions to these challenges or barriers?
15. How do you think colony cats should be managed?

### **Feral cats**

16. How can rural landowners/managers be supported to better manage feral cats in areas with important conservation values and agricultural assets?
17. Should the distance from the nearest residence for humane euthanasia of cats on private property be reduced to less than 1 km? **Yes or No.**

**If you answered “No,” skip to Question 19.**

18. If yes, what is an appropriate distance?

### **Other**

19. What types of education, incentives, or support programs would encourage responsible cat ownership?
20. Should cat management approaches differ between urban, peri-urban, and rural areas? If so, how?
21. Are there any other matters which you would like to raise in relation to improving cat management in Tasmania?

**Table 1** Summary of domestic animal legislation supporting key management actions for cats in each state/territory of Australia

Jurisdiction	Compulsory desexing	Compulsory microchipping	Compulsory registration	Compulsory Containment	Prohibition of feeding stray or feral cats	Legislation
<b>Tasmania</b>	Yes - by the age of 4 months or before the cat is sold	Yes - by the age of 4 months or before the cat is sold	No	No	No ban	<a href="#">Cat Management Act 2009</a> <a href="#">Cat Management Regulations 2022</a>
<b>Victoria</b>	No	Yes – by the age of 3 months or before the cat is sold	Yes – by the age of 3 months	No	No ban	<a href="#">Domestic Animals Act 1994</a> <a href="#">Domestic Animals Regulations 2015</a>
<b>New South Wales</b>	Yes - by the age of 4 months	Yes - by the age of 3 months or before the cat is sold	Yes - by the age of 3 months	No	No ban	<a href="#">Companion Animals Act 1998</a> <a href="#">Companion Animals Regulation 2018</a>

Jurisdiction	Compulsory desexing	Compulsory microchipping	Compulsory registration	Compulsory Containment	Prohibition of feeding stray or feral cats	Legislation
<b>Australian Capital Territory</b>	Yes – by the age of 3 months or before the cat is sold	Yes - by the age of 3 months or before the cat is sold	Yes – by the age of 2 months	Yes	No	<a href="#">Domestic Animals Act 2000</a>  <a href="#">Domestic Animals Regulation 2001</a>
<b>Queensland</b>	No	Yes - by the age of 3 months or before the cat is sold	No	No	Yes, under the <i>Biosecurity Act 2014</i>	<a href="#">Animal Management (Cats and Dogs) Act 2008</a>  <a href="#">Animal Management (Cats and Dogs) Regulation 2019</a>
<b>Western Australia</b>	Yes - by the age of 6 months or before the cat is sold	Yes - by the age of 6 months or before the cat is sold	Yes – by the 6 age of 6 months	No	No	<a href="#">Cat Act 2011</a>  <a href="#">Cat Regulations 2012</a>

Jurisdiction	Compulsory desexing	Compulsory microchipping	Compulsory registration	Compulsory Containment	Prohibition of feeding stray or feral cats	Legislation
South Australia	Yes - by the age of 6 months or within 28 days after being sold	Yes – by the age of 3 months or before the cat is sold	No	No	No	<a href="#">Dog and Cat Management Act 1995</a>  <a href="#">Dog and Cat Management Regulations 2017</a>

NB. In the Northern Territory, companion animal legislation and management rests with local government, so is not included in the table above

Public Copy



Figure 1 Summary of domestic animal legislation supporting key management actions for cats in each state/territory of Australia

**Table 2** Identified barriers to cat containment: categories, sub-categories, and their descriptions.

Barrier	Description
<b>Ability</b>	
Physical	Preventing cat roaming is too difficult.
Psychological	Cat is perceived to be a dominant personality so the cat gets their own way.
<b>External barriers</b>	
Time	Too busy, no time to organise
Cost	Too costly to contain cat/build enclosure
Resource	Lack of resources to contain their cat
<b>Social norms</b>	
History	Historical precedence for letting cats wander
Current norm	Other people do not contain their cats so why should I
Regulation	Not law/not compulsory
<b>Beliefs</b>	
Cat nature	Cats need to wander to be happy/for exercise/natural behaviour and perceived as cruel to lock them up
Roaming	Not necessary as cat does not roam far anyway

Barrier	Description
<b>Beliefs</b>	
Issue	Pet/urban cats not the issue, feral cats cause the problems
Locality	Not important in rural areas as opposed to urban areas
Pest control	Roaming cats are important for controlling rodents
Predation	My cat does not hunt/predate on wildlife
<b>Awareness</b>	
How to	No knowledge as to how to contain a cat
Consequence	Perceived not a threat or problem (wildlife, welfare or disease)
<b>Motivation</b>	
Enthusiasm	Lack of interest/cannot be bothered
Convenience	Inconvenient to clean up litter trays or other mess
Emotional detachment	Lack of emotional attachment to animal, do not care.

Source: McLeod, L.J., Hine, D.W., & Bengsen, A.J. (2015). Born to roam? Surveying cat owners in Tasmania, Australia, to identify the drivers and barriers to cat containment. *Preventative Veterinary Medicine*, 122,





Biosecurity Tasmania

Department of Natural Resources  
and Environment Tasmania

Email: [catmanagement@nre.tas.gov.au](mailto:catmanagement@nre.tas.gov.au)

<http://nre.tas.gov.au/cat-management>

## 15.2 APPENDICES

### RECOMMENDATION

That the Appendices attached to the Agenda be received and noted.

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## 16 NOTICES OF MOTION

### 16.1 Margate to Huntingfield Shared Pathway Project

The following Notice of Motion was submitted by **Cr Midgley**

### RECOMMENDATION

That Council:

1. Recognises the Margate to Huntingfield shared pathway project as a high priority infrastructure project.
2. Advocates to the State Government to finalise the design plans for the project
3. Advocates to the State and Federal Governments for funding support, emphasising its critical role in providing a safe, connected, and sustainable active transport link.
4. Add this project to Councils long-term capital works plan.

### Background

The Margate to Huntingfield off-road shared path project is a key active transport initiative identified in several strategic documents, including the Kingborough Cycling Strategy, the Channel Highway Corridor Study, and the Kingborough Integrated Transport Strategy.

At present, this corridor does not provide a safe or suitable active transport connection for pedestrians or cyclists. Delivery of the proposed shared path would significantly improve safety and accessibility, while providing an important link between existing and planned infrastructure. In particular, the project would connect the Margate–Snug active transport route with the Huntingfield Park and Ride, supporting increased uptake of sustainable transport options across the municipality.

The intent of this motion is not to commit Council to funding the project at this stage, but rather to formally recognise it as a priority project. This would support advocacy to the State and Federal Governments for external funding and encourage the State Government to progress detailed planning, ensuring the project is “shovel-ready” for future grant opportunities.

Inclusion of the project within Council’s long-term capital works planning framework will help ensure it remains a strategic priority and is not overlooked among competing infrastructure demands.

### Officer’s Response

To date, the Margate to Huntingfield Shared Path Project has been led by the Department of State Growth (DSG), with Council contributing funding and providing input into the 2022 feasibility study. The project remains a high-priority active transport initiative for Council and the local community and is identified in multiple strategic planning documents to improve transport choice, accessibility and assist easing demand on the Channel Highway.

During 2024–25, DSG undertook further work to refine a feasible path alignment and develop preliminary design concepts, in liaison with Council staff.

Council staff are currently engaging with DSG to determine potential next steps for the project. Investigations undertaken to date indicate that the project would be significant and require external funding commitments and broader support to progress.

Council remains committed to advocating for the project in recognition of ongoing community support and strategic alignment. Once a clear pathway forward is confirmed with DSG, Council will assess the project's placement within the long-term capital works program.

*Anthony Verdouw, Executive Officer Engineering Services*

## 16.2 Community Garden at Huntingfield

The following Notice of Motion was submitted by **Cr Midgley**:

### RECOMMENDATION

That Council:

1. Write to Homes Tasmania noting that the buffer area adjacent to Tarremah Primary School is identified in the Huntingfield Master Plan as Open Space Zone with potential for community use, that it has been noted that a community garden has been a suggestion for this use. A community garden was raised in initial conversations with State Government during the development of the Master Plan.
2. Seek advice from Homes Tasmania on their current intentions for the site and if there is any process by which community interest in the site in regard to a community garden may be formally registered.
3. Request confirmation from Homes Tasmania as to whether funding has been allocated within their development budget for the establishment of community infrastructure on the site, including a community garden; and
4. Advise Homes Tasmania that multiple community members have expressed interest in the development of a community garden for this area.

### Background

During the Huntingfield master development stage, the inclusion of a community garden was identified as an important piece of infrastructure within the Huntingfield development. This was raised at council workshops and during community consultation meetings. A community garden has been noted in the Huntingfield Master Plan.

However, there is currently limited information available regarding the timing of delivery, costings, and the parties responsible for design and implementation of the community garden.

In addition, Council has received enquiries from community members seeking clarity on the status and delivery of a community garden within the Huntingfield precinct. Community members are also interested in being involved in the design and development.

This motion therefore seeks to clarify the planning, funding, and delivery arrangements for the community garden, to ensure it can be appropriately considered and incorporated into the broader implementation of the Huntingfield development.

### Officer's Response

Council staff are not aware of the details of consultation undertaken at the commencement of the Huntingfield housing estate project. However, the Master Plan submitted with the Stage 1 development application in 2019, which was subsequently publicly advertised, identifies an area of public open space adjacent to Tarremah Steiner School.

The notation on the Master Plan describes this area as “Open Space Zone – potential for a wide range of community uses such as community gardens, men’s shed, recreational uses, and natural and cultural values management.” This area remains retained on the approved Master Plan.

High-level discussions with Homes Tasmania indicate that, due to the need to prioritise other components of the project in order to continue progressing the development and delivering housing outcomes, this area of public open space has not formed part of detailed project planning at this time.

It should also be noted that public open space created as part of a subdivision is typically transferred to Council to manage following completion. Experience also indicates that community gardens, unless advocated for and actively managed by a community group for that purpose, may face challenges to long-term success.

An option for determining the future use of the public open space in question would be to undertake consultation with residents once the estate is established, to better understand the uses that the community would value most.

*Deleeze Chetcuti, Director Environment, Development & Community Services*

## **17 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

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### **RECOMMENDATION**

That in accordance with the *Local Government (Meeting Procedures) Regulations 2025* Council, by absolute majority, move into closed session to consider the following items:

#### **Confirmation of Minutes**

Regulation 40(6) *At the next closed meeting, the minutes of the previous closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.*

#### **Applications for Leave of Absence**

Regulation 17(2)(i) *applications by councillors for a leave of absence*

#### **Kingborough Waste Services Board Appointments**

Regulation 17(2)(h)(i) *information that is of a personal and confidential nature.*

In accordance with the *Council Meetings & Councillor Workshops Audio Recording Guidelines Policy*, recording of the open session of the meeting ceased.

Open Session of Council adjourned at

**OPEN SESSION ADJOURNS**

**OPEN SESSION RESUMES**

**RECOMMENDATION**

The Closed Session of Council having met and dealt with its business resolves to report that it has determined the following:

Item	Decision
Confirmation of Minutes	
Applications for Leave of Absence	
Kingborough Waste Services Board Appointments	

**CLOSURE**

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## APPENDICES

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- A Chief Executive Officer's Activities 6 March 2026 to 24 April 2026
- B Kingborough Bicycle Advisory Committee Minutes - 10 April 2026

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**A CHIEF EXECUTIVE OFFICER'S ACTIVITIES 6 MARCH 2026 TO 24 APRIL 2026**

<b>Date</b>	<b>Description</b>
10 March	Attended Council workshop
11 March	Met with Mr Lincoln Street re: Kingston Beach parking
	Met with the Tasmanian Planning Commission
12 – 13 March	Attended LGAT GM's Workshop
16 March	In company with the Mayor, attended Premier's media event at the JackJumpers Training Facility
	Attended Council Meeting
17 March	Participated in Metropolitan Council GM's/CEO's weekly meeting
19 – 20 March	Attended Local Government Chief Officers Group conference in Hobart
23 March	Met with representatives of DSG re: the Rapid Bus Strategic Business Case
	Met with the new Chair of the Derwent Estuary Program
	Attended Council workshop
24 March	Attended the Greater Hobart and TasNetworks workshop
25 March	Met with representatives of Homes Tasmania
	In company with the Mayor, met with representatives of the JackJumpers and Jewels
	In company with the Mayor, attended the Greater Hobart Strategic Partnership Mayor's Forum
26 March	Met with representatives of the Huon Valley Council to discuss collaboration opportunities
	Attended the Kingborough Community Forum meeting
27 March	Attended the Kingborough Sports Precinct Oversight Group meeting
	Met with LGAT and other councils for a fuel supply briefing
28 March – 11 April	Annual Leave
	<b>Acting CEO</b>
30 March	Attended Round Table briefing by Minister Vincent in relation to fast tracking of planning scheme amendment for housing purposes
1 April	Met with consultants preparing Kingston Park Review
	Attended JackJumpers HPC Training Centre Steering committee meeting
2 April	Attended Future Populations Network meeting
	Attended GH Sport & Rec infrastructure plan steering committee meeting
13 April	<b>CEO returns from leave</b>
	Attended GHSP (Great Hobart Strategic Partnership) Economic Positioning session
	Attended Council workshop

Date	Description
14 April	Attended TPC Hearings held in the Council Chambers
15 April	Attended GHSP Economic Positioning session
16 April	Met with representatives of DSG, Tasmania Football Club and DPAC re: AFL TA Facility Negotiations
17 April	Met with representatives of the Southern Obedience Club
20 April	Attended Council workshop
	Attended Council meeting
21 April	Participated in Metropolitan Council GM's/CEO's weekly meeting
22 April	Attended SETN Board meeting
23 April	Met with Professor Michael Rowan
	Met with Minister Eric Abetz
24 April	Met with representatives of Kingborough Tigers re: update on HPC project
	Attended online AFL HPC & Oval 3 Project Steering Committee Meeting
	Attended Southern Tasmania Council Network Meeting

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**B KINGBOROUGH BICYCLE ADVISORY COMMITTEE MINUTES - 10 APRIL 2026**

**File Number: 28.258**

**Author: Anthony Verdouw, Executive Officer Engineering Services**

**Authoriser: Craig Mackey, Director Engineering Services**

# Minutes

## Kingborough Bicycle Advisory Committee

Meeting No. 2026-2

Friday 10 April 2026

The logo for Kingborough, featuring the word "Kingborough" in a serif font with a green swoosh underneath.

Minutes for a Meeting of the Kingborough Bicycle Advisory Committee held at the Kingborough Council Chambers, Kingston, on Friday 10 April 2026 at 9:00am.

**PRESENT**

		<b>PRESENT</b>	<b>APOLOGY</b>
Chairperson	Cr Amanda Midgley	✓	
Deputy Chairperson	Cr David Bain	✓	
<b>Members:</b>	David Bonny	✓	
	Karen Camino		X
	Damian Devlin	✓	
	Mark Donnellon		X
	Michael Holloway	✓	
	Eddie Jager	✓	
	Kelvin Lewis	✓	
	Rob Sheers		X
Cycling South	Mary McParland	✓	
Bicycle Network	Alison Hetherington	✓	
<b>Council Officers In Attendance:</b>			
Executive Officer	Anthony Verdouw	✓	
Administration Officer	Aleira Chalker	✓	
Recreation Officer	Su Sprott	✓	
Director Engineering Services	Craig Mackey		X
<b>Other Attendees:</b>			

**ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

The Chairperson acknowledged and paid respect to the Tasmanian Aboriginal Community as the traditional and original owners and continuing custodians of the land on which we meet and acknowledged elders past and present.

**LEAVE OF ABSENCE**

**DECLARATIONS OF INTEREST**

**CONFIRMATION OF MINUTES**

MOVED: Kelvin Lewis  
 SECONDED: Michael Holloway

That the Minutes of the Committee meeting held on Friday 6 February 2026, as circulated be confirmed.

**GENERAL BUSINESS**

1. Motion to Council – Channel Hwy Sealed Shoulders

Resolution from Council at the meeting held on 2 March 2026 outlined below:

**15.2 KINGBOROUGH BICYCLE ADVISORY COMMITTEE MINUTES 6 FEBRUARY 2026**

Moved: Cr Amanda Midgley  
 Seconded: Cr Flora Fox

That Council:

- (a) Notes the minutes of the Kingborough Bicycle Advisory Committee.
- (b) Writes to the Minister for Infrastructure and Transport regarding progress on the Channel Highway Corridor Study recommendations and advocates for upgraded sealed shoulders along the highway between Margate and Kingston as recommended in the Study.

**CARRIED**

Committee noted the resolution and the letter sent to the Minister 16 March 2026.

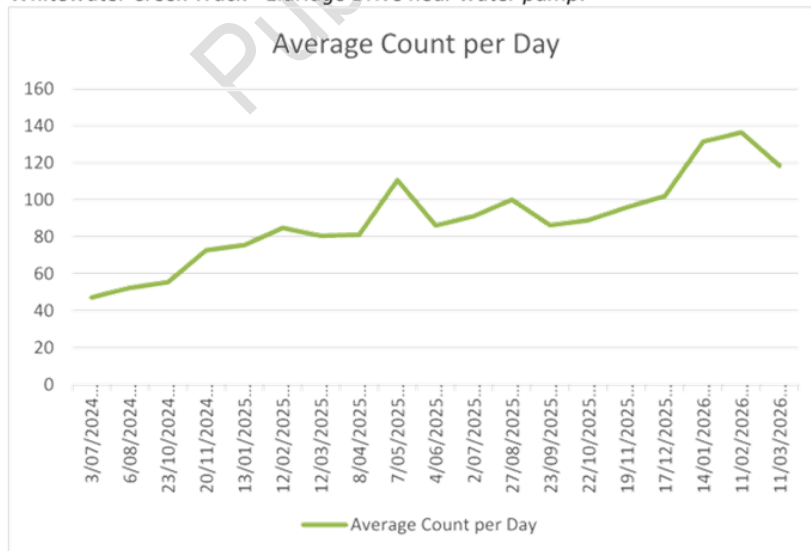
2. Cycling Strategy – Strategic and Advocacy Actions

Review and discussion of Strategic and Advocacy Actions.

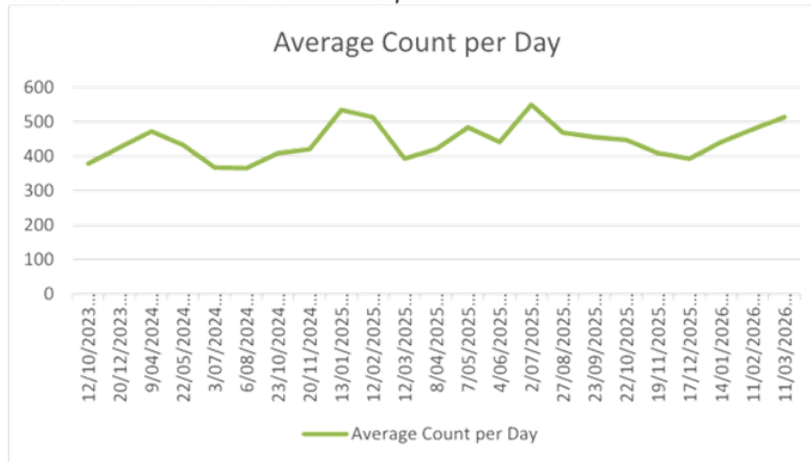
**Action 3 – Track counters:**

- Permanent counter installed on Whitewater Track. The others will be moved around to various tracks regularly.

*Whitewater Creek Track - Eldridge Drive near water pump:*



Whitewater Creek Track – Outlet underpass:



**Action 5 & Action 12** – Road safety audits to eliminate hazards for cycling – maintain existing network.

KBAC members are invited to report on specific issues and can use Snap Send Solve or raise service requests out of session.

**Action 7 & 8** – Promote safe cycling and places to ride in Kingborough.

**Action 10** – Wayfinding strategy – signage and mapping.

Wayfinding signage installed on Margate to Snug Shared path.

3. Cycling Strategy – Infrastructure Actions Review

Review and discussion of Infrastructure Actions.

**DSG Projects:**

Staff have contacted DSG and are setting up further meetings to discuss these matters.

**Action 15** – Channel Hwy Sealed Shoulders (Huntingfield to Margate section)

- Noted by the Committee as a high priority safety issue for commuter and recreational cyclists – continue advocacy.

**Action 17** – Channel Trail – Margate to Huntingfield.

- A consultant was engaged to further define alignment and progress concept design.
- Request project update and if concept design could be shared with the Committee.

**Action 23** – Huntingfield to Kingston CBD – Channel Hwy

*DSG update required on this item noting that concept plans have previously been prepared.*

**Council Projects:****Action 18 – Algona Road Shared Path**

- Feasibility study and route options report complete. Remaining project funds to be used to undertake survey and design on priority section(s). Consultant has been engaged to deliver the design work.
- Scheduled to have some preliminary design available for review at the next KBAC meeting.

**Action 20 – Huntingfield Park & Ride Connections**

- Sirius Drive to Park and Ride connection – design work scheduled
- Hollyhock to Park and Ride path connection – design work scheduled

**Action 21 – Channel Hwy Taroona - bike Lane upgrades**

- Designs are complete. Development Application has been approved. Engaging project manager to deliver project.
- Members suggested that the Project team liaise with TasWater regarding ongoing legacy water maintenance works between Taroona High School and Stewart Crescent.

**Action 24 – Roslyn Ave design**

- Concept plans for uphill bike lanes and cost estimate presented to the Committee. Project has site constraints and a high-cost estimate.
- Committee have requested that the project remains on the 5-year plan as it is a high-priority high-use road cycling link.

**Action 26 – Channel Trail – Snug to Lower Snug**

- Old Station Rd and Davies Rd, Lower Snug – shared path – project nearly complete with fencing to be installed soon.
- Investigating funding options for Ped Refuge on Channel Hwy to improve crossing safety at Old Station Rd end of path.
- Lower Snug parcel land acquisition for future path – no update.

**Action 28 – Sandfly Road Sealed Shoulders**

- Sealed shoulders on Sandfly Road focussing on priority uphill sections.
- Site works underway and progressing with some delays related to road sealing. Site inspection to determine additional section of works to expend grant funding completed with two additional sections nominated.

**4. Cycling South Report**

Update on Cycling South activities:

- City of Hobart bike plan is progressing.
- Annual counts completed pre fuel crisis, data will likely be collated by next KBAC meeting.
- Discussed Tasman Bridge upgrades.

**CORRESPONDENCE****Outgoing:**

Letter to Minister of Infrastructure and Transport – *Channel Highway Corridor Study – Sealed Shoulders* – 16 March 2026

**OTHER BUSINESS**5. **Update from Su Sprott – Tracks and Trails**

- Cottage Road track upgrade has been completed – no upgrades for handrails etc. as it was already existing, was just to improve the surface over the steep section of path. When we have line painters in the area, we will get white lines painted down the middle to remind people to stay left.
- Bicycle Network Recreation Counts Report attached showing increase from previous years.
- Kingston MTB Park to stay open until end of May before closed for HPC oval works.
- Modular pump track proposed as a temporary replacement planned in the FY27 capital program. The modular pump track could be relocated in future years throughout the municipality.
- Noted that Leslie Vale pathway feasibility study underway.

6. **Capital Projects**

- Committee noted Westside Circle and Summerleas Road junction crossing and footpath upgrades as a priority project for consideration in the Capital program 26-27 and the five-year plan.

**MATTERS OF GENERAL INTEREST**

- Damien advised that the Taroona Sightlines Project is kicking off next week with community meeting. Objectives to target areas that obstruct sightlines and target weeds.
- The Committee thanked Mark Donnellon for his advocacy with DSG regarding vegetation growing over the bike lanes in Taroona/Bonnet Hill.
- Discussed Ride to Work Day (14 October 2026) and Bike Week (2027) – Committee suggested Council plan ahead to support events for both occasions.

*ACTION: Cr Midgley to write to Community Services and Events Directorate to request Council support for Ride to Work Day and Bike Week events.*

**NEXT MEETING**

5 June 2026 – 9am at Council Chambers

**CLOSURE**

Meeting closed 10:16am

## **Kingborough Bicycle Advisory Committee**

### **Meeting Dates for 2026**

*Note meetings are held bi-monthly on Fridays at 9:00am  
in the Council Chambers, Kingston*

6 February 2026  
10 April 2026  
5 June 2026  
7 August 2026  
2 October 2026  
4 December 2026

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