

PLANNING AUTHORITY IN SESSION

12 OFFICERS REPORTS TO PLANNING AUTHORITY

12.1 PSA-2026-1: PROPOSED AMENDMENT TO THE KINGBOROUGH INTERIM PLANNING SCHEME 2015 TO REZONE LAND AND FOR A SITE-SPECIFIC QUALIFICATION AT 11 SPRING FARM LANE, KINGSTON (SPRING FARM VILLAGE SHOPPING CENTRE)

File Number: PSA-2026-1
Author: Adriaan Stander, Lead Strategic Planner
Authoriser: Deleeze Chetcuti, Director Environment, Development & Community Services

EXECUTIVE SUMMARY

Applicant:	ERA Advisory
Owner:	Tipalea Private No.27 Pty Ltd.
Zoning:	Commercial Zone, Environmental Management Zone and Environmental Management Zone
Purpose:	The purpose of this report is to consider a Planning Scheme Amendment at 11 Spring Farm Lane, Kingston (Spring Farm Village Shopping Centre) to: <ol style="list-style-type: none"> 1) rezone land from the Utilities Zone and Environmental Management Zone to the Commercial Zone; and 2) introduce a Site-specific Qualification (SSQ) for a Hotel Industry (bottle shop) as a discretionary use in the Commercial Zone.
Representations:	The report is prepared prior to the public exhibition. Following initiation by the Planning Authority, the draft Planning Scheme Amendment is advertised for public comment for a minimum of 28 days. After the exhibition period, a further report addressing any representations received will be presented to the Planning Authority, providing recommendations for inclusion in its submission to the Tasmanian Planning Commission (TPC) for consideration.
Recommendation:	That the Planning Authority resolves to: <ul style="list-style-type: none"> • initiate and certify Amendment PSA-2026-1, • advise the TPC of this decision and exhibit the initiated planning scheme amendment in accordance with the statutory process.

1. INTRODUCTION

- 1.1 Council is in receipt of an application from ERA Advisory 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).
- 1.2 The application seeks to rezone land at 11 Spring Farm Lane, Kingston (Title reference 189699/1), which will accommodate the Spring Farm Village Centre Shopping Centre, that is currently nearing completion. The proposal seeks to rezone the entirety of the land that forms part of the approved development area to the Commercial Zone, ensuring the shopping centre site is contained within a single zone.

- 1.3 The proposal also includes a request for a SSQ to enable a bottle shop as a discretionary use on the site, noting that this use is otherwise prohibited within the Commercial Zone.
- 1.4 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 11 Spring Farm Lane, Kingston, with title reference 189699/1.



Figure 1- Subject site at 11 Spring Farm Lane, Kingston (Spring Farm Village Shopping Centre)

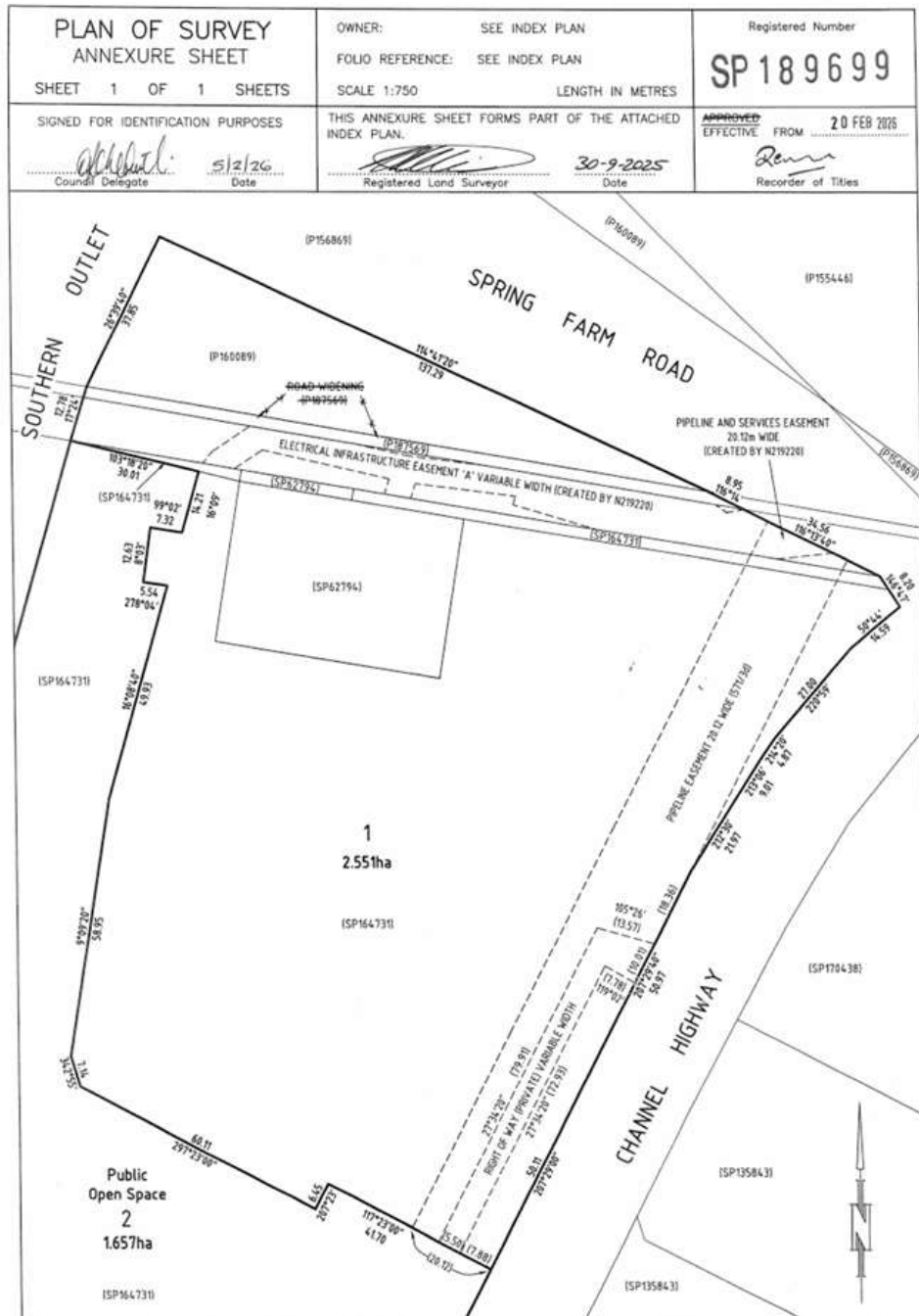


Figure 2 - Plan of Survey

- 2.2 The site contains different zones across its area, namely the Commercial, Utilities and Environmental Management Zones under KIPS2015, and is proposed to transition to the Commercial Zone under the Kingborough draft Local Provisions Schedule (LPS).
- 2.3 The site is surrounded by a mix of urban uses. The immediate locality is predominantly characterised by residential development to the west, while land to the north and south-east includes a range of commercial and community-focused uses. Land directly to the south is used for environmental management purposes.
- 2.4 The site is well connected to the local road network and is intended to serve the daily retail and service needs of the surrounding catchment.

3. DESCRIPTION OF THE PROPOSAL

- 3.1 The site is currently split across the Commercial Zone, Utilities Zone and Environmental Management Zone. The Utilities Zone applies to land that was previously intended for a future road but is now included within the approved development and, under the conditions of the shopping centre permit issued under DA-2024-2/B, will be developed for parking.
- 3.2 Delays in the implementation of the LPS have meant that the intended Commercial zoning outcome has not yet occurred. As a result, the change is requested so the development can proceed as expected under the development approval. The approval was granted on the understanding that the entire site would be zoned Commercial under the Tasmanian Planning Scheme, and the permit conditions were written to reflect a staged outcome. This proposal therefore brings the intended zoning forward, allowing the approved development to proceed.
- 3.3 The proposal also addresses a minor zoning anomaly where the current Commercial Zone boundary does not align with the approved development layout, resulting in a small area remaining within the Environmental Management Zone.



Figure 3 - Areas within the subject site where the zoning change to the Commercial Zone is proposed

- 3.4 The proposal includes a request for a SSQ to enable a bottle shop as a discretionary use on the site. Under the KIPS2015, a bottle shop is classified within the Hotel Industry use class and is prohibited in the Commercial Zone. However, under the State Planning Provisions of the Tasmanian Planning Scheme, a bottle shop is included within the General Retail and Hire use class and is discretionary in the Commercial Zone.
- 3.5 The proposed SSQ therefore brings forward a use that is intended to be discretionary under the Tasmanian Planning Scheme once it becomes in force in Kingborough.
- 3.6 The proposed SSQ is provided below.

Use	Qualification
Discretionary	
Hotel Industry	Only if a bottle shop located at 11 Spring Farm Lane, Kingston (189699/1)

Table 1 - Proposed amendment to the Land Use Table for the Commercial Zone

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 ERA Advisory.
- 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 submitted and considered in relation to the following supporting documents:
- Scheme Amendment Report by ERA, dated February 2026; and
 - A series of approved plans under DA-2024-2/B;
- 5.2 The application has been assessed by having regard to the following:
- 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.
- 5.3 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 subject site is located within 3 different zones under the KIPS2015. The proposed zoning will ensure a consistent zoning across the site consistent with the approved shopping centre under DA-2024-2/B.

- 6.2 The application as proposed would provide for the [Use Table under section 23.2 of the Commercial Zone](#) to identify the Hotel Industry (bottle shop) as a discretionary use on the site.

Alignment with draft LPS

- 6.3 Kingborough is currently transitioning to the Tasmanian Planning Scheme. Under the draft LPS, the site is proposed to be zoned Commercial Zone, a zoning which does not allow the operation of a Hotel Industry.
- 6.4 If the proposed zoning and SSQ are 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

- 6.5 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.
- 6.6 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 already approved for urban development, avoids additional impacts on identified natural values and secures the protection and ongoing management of adjoining biodiversity areas through zoning controls, permit conditions and on-site offsets.
- 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, does not increase development intensity or impervious area beyond what is already approved, and ensures water quality and stormwater impacts are appropriately managed through existing planning controls and permit conditions.
- 6.6.3 Risk and hazard policies - The proposal is consistent with policies RH 1.1 to RH 1.4 as it applies to land with existing planning permit, does not introduce new or intensified exposure to natural hazards such as flooding, bushfire or land instability, and relies on established planning, engineering and permit controls to manage identified risks where appropriate.
- 6.6.4 Physical Infrastructure Policies - The proposal is consistent with policies PI 1.1 to PI 1.3 as it makes efficient use of existing road, servicing and utility infrastructure, does not require additional major infrastructure investment.
- 6.6.5 Land Use Transport Integration Policies - The proposal is consistent with policies LUTI 1.1 to LUTI 1.4 as it consolidates retail and commercial activity within an established neighbourhood activity centre, supports walking, cycling and public transport access, and makes efficient use of the existing road and transport network without generating additional transport demand beyond what has already been approved.
- 6.6.6 Strategic Economic Policies - The proposal is consistent with policies SE 1.1 to SE 1.3 as it supports investment in an established neighbourhood centre, facilitates local employment and service provision, and strengthens the role of

Kingston as a key suburban activity area without undermining the regional activity centre hierarchy.

- 6.6.7 Activity Centre Policies - The proposal is consistent with policies AC 1.1 to AC 1.4 as it reinforces the role of Spring Farm Village as a neighbourhood-level shopping centre, supports the concentration of retail and service uses in an accessible location, and does not increase floorspace or otherwise disrupt the established activity centre hierarchy.

Kingborough Council Strategic Plan 2020-2025

- 6.7 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 facilitating access to local retail and service uses, improving convenience and connectivity for surrounding residential communities.
- *Strategic Outcome 2: Growing together with well-planned spaces and quality infrastructure*
The amendment enables the efficient use of existing commercial land and infrastructure by aligning zoning with an approved development, supporting orderly growth without the need for additional infrastructure investment.
- *Strategic Outcome 3: Caring for where we live and preparing for the future*
The proposal does not increase development impacts beyond those already approved and retains existing environmental protections, supporting sustainable urban development and long-term environmental outcomes.
- *Strategic Outcome 4: Fostering a welcoming, vibrant and thriving Kingborough*
By supporting the completion and operation of Spring Farm Village, the proposal contributes to local employment opportunities, strengthens Kingston’s role as a suburban activity centre, and enhances local economic vitality.

Kingborough Land Use Strategy 2019

- 6.8 The proposal aligns with the strategy by consolidating approved retail development within Kingston’s established urban and neighbourhood activity centre, efficiently using existing infrastructure, resolving split-zoning anomalies, and supporting orderly, sustainable growth without expanding the development footprint or compromising environmental values.

Environmental Impacts

- 6.9 The proposal results in no additional environmental impacts beyond those already approved, as it does not expand the development footprint and retains existing environmental protections and offset arrangements.

Economic considerations

- 6.10 The proposal helps support local jobs and businesses by allowing an approved development to operate as intended, giving confidence to investors and traders. It contributes to a stronger, more resilient local economy by ensuring Kingston continues to meet the everyday needs of its growing community.

Traffic, infrastructure and service considerations

6.11 The proposal does not introduce additional traffic, infrastructure or servicing demands beyond those already approved, and continues to be adequately supported by existing road access, parking provision and reticulated services.

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 ERA Advisory 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(e) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the proposal avoids potential land use conflict by formalising zoning arrangements for an already approved commercial development that is compatible with and anticipated by the surrounding planning scheme areas.

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 300 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, as it enables an already approved local development to operate as intended without affecting environmental, economic or social outcomes at a regional scale.

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 supports sustainability by using land that is already approved for development and keeping existing environmental areas protected, ensuring that natural systems and biodiversity are maintained.
<i>(b) 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.
<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 advertising period during which members of the public will have the opportunity to make representations
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</i>	The proposal facilitates economic development by bringing forward an outcome anticipated by the Tasmanian Planning Scheme, enabling an approved local development to operate as intended and supporting orderly and efficient use of land.
<i>(e) to promote the sharing of responsibility for resource management and</i>	The application aligns with this objective by progressing through established

<p><i>planning between the different spheres of Government, the community and industry in the State</i></p>	<p>planning processes that involve the planning authority, enable community participation through statutory notification, and rely on industry compliance with approval requirements to manage land use and resource outcomes collaboratively.</p>
<p>Part 2 Objectives</p>	<p>Response</p>
<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, economic, conservation and resource management policies at State, regional and municipal levels;</i></p>	<p>The objective is satisfactorily addressed by the proposed amendment.</p>
<p>(e) <i>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></p>	<p>The objective is satisfactorily addressed by the proposed amendment.</p>
<p>(f) <i>to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania</i></p>	<p>The objective is satisfactorily addressed by the proposed amendment.</p>
<p>(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></p>	<p>The objective is satisfactorily addressed by the proposed amendment.</p>
<p>(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></p>	<p>The objective is satisfactorily addressed by the proposed amendment.</p>
<p>(i) <i>to provide a planning framework which fully considers land capability</i></p>	<p>The objective is satisfactorily addressed by the proposed amendment.</p>

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-2026-1 to the *Kingborough Interim Planning Scheme 2015 (KIPS2015)* as per Attachment 1.
- (b) Pursuant to section 35 of the LUPAA, certifies that Amendment PSA-2026-1 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-2026-1 to TasWater; and
- (e) Pursuant to section 38 of LUPAA, places PSA-2026-1 on public exhibition for a period of at least 28 days following certification.

ATTACHMENTS

- 1. **PSA2026-1 - Draft Amendment to the Kingborough Interim Planning Scheme 2015**
- 2. **PSA2026-1 - Instrument of Certification**

Public Copy

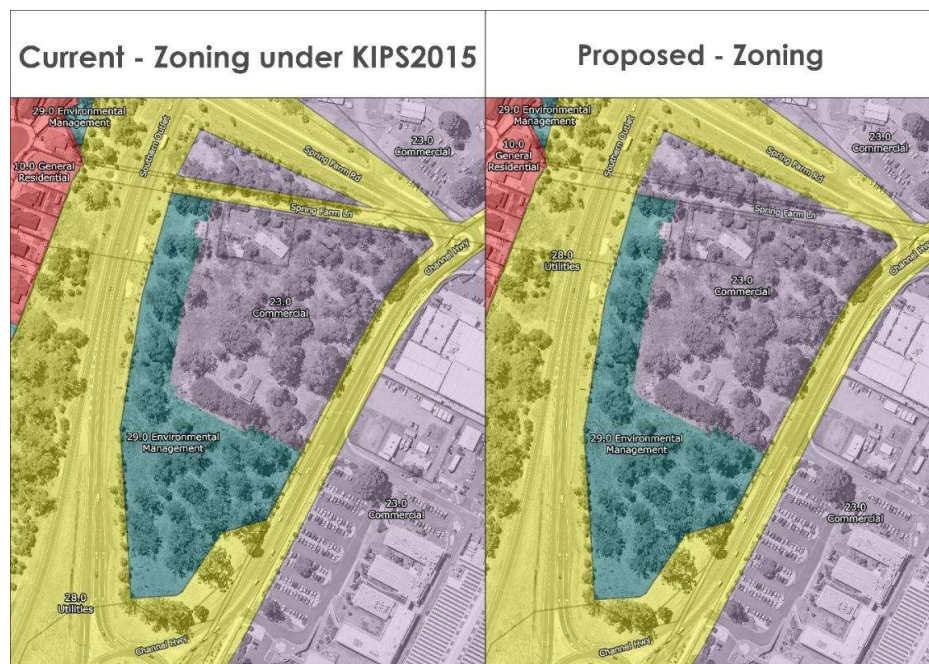
Kingborough

Kingborough Interim Planning Scheme 2015

Draft Amendment PSA-2026-1

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

1. Rezone land at 11 Spring Farm Lane, Kingston (Title reference 189699/1) to the Commercial Zone as per the Figure 1 below.



2. Insert a Site-Specific Qualification in the Use Table under section 23.2 of the Commercial Zone as per the wording provided below.

Use	Qualification
Discretionary	
Hotel Industry	Only if a bottle shop located at 11 Spring Farm Lane, Kingston (Title reference 189699/1)

The Common Seal of the Kingborough Council is affixed hereto, pursuant to the Council's resolution on 20 April 2026, in the presence of:

..... Councillor
 Chief Executive Officer
 Date



Kingborough Interim Planning Scheme 2015

INSTRUMENT OF CERTIFICATION

PSA2026-1

It is hereby certified that draft Amendment PSA2026-1, 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 20 April 2026 in the presence of:

..... Councillor

..... Chief Executive Officer

..... Date

PLANNING AUTHORITY SESSION ADJOURNS