

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

CARRIED

Cr Bain returned at 6.34pm

C137/8-2026

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

Moved: Cr Amanda Midgley

Seconded: Cr Flora Fox

Cr Deane left the room at 6.35pm

Cr Deane returned at 6.36pm

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

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

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

2. Hours of operation must be within:
 - (a) 8.00 am to 6.00 pm Mondays to Fridays inclusive;
 - (b) 9.00 am to 5pm Saturdays, Sundays and public holidaysexcept for office and administrative tasks or visitor accommodation.
3. Noise emissions generated by the use, measured at the boundary of the site, must not exceed the following:
 - (a) 55 dB(A) (LAeq) between the hours of 8:00 am and 6:00 pm;
 - (b) 5 dB(A) above the background (LA90) level or 40 dB(A) (LAeq), whichever is the lower, between the hours of 6:00 pm and 8:00 am; and
 - (c) 65 dB(A) (LAm_{ax}) 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, contaminants 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.

CARRIED

PLANNING AUTHORITY SESSION ADJOURNS