

From: [Adriaan Stander](#)
To: [TPC Enquiry](#)
Cc: [Graham, Linda](#)
Subject: Response to Direction 134 - Kingborough Draft LPS
Date: Thursday, 25 June 2026 12:27:31 PM
Attachments: [image001.jpg](#)
[Response to Direction 134.pdf](#)
[KINGBOROUGH DRAFT LOCAL PROVISIONS SCHEDULE - DIRECTION 134 .pdf](#)

Good morning,

Please find attached the Planning Authority's response in relation to the above direction as well as a response from the landowner of 42 Alfred Gardens, Kingston, indicating support for the proposed SSQ.

Kind regards,

Adriaan Stander|Lead Strategic Planner|Kingborough Council

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Kingborough Council acknowledges and pays respect to the Tasmanian Aboriginal Community as the traditional owners and continuing custodians of this land and acknowledge Elders – past, present, and emerging

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26 June 2026

Our Ref: 17.228

For attention: Ms Linda Graham

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

Dear Linda,

KINGBOROUGH DRAFT LOCAL PROVISIONS SCHEDULE – DIRECTION 134

Please find below the Planning Authority's responses to the above-mentioned direction.

Direction

Following the hearing of Representation 415 concerning the Kingston Southern Gateway Specific Area Plan (SAP), the

Planning Authority is to:

- *provide confirmation that it no longer wishes to proceed with the implementation of the SAP; and*
- *any further recommendations as a consequence of not proceeding with the SAP.*

Planning Authority's response

During the hearing of Representation 415 concerning the Kingston Southern Gateway SAP, detailed consideration was given to its ongoing necessity, proportionality, and strategic value within the current planning context. It was acknowledged that the SAP was developed at a point in time when there was a high degree of uncertainty regarding the extent and form of development that might occur within the precinct, particularly given the identified environmental values and the important role that vegetation plays in contributing to the character of the Kingston gateway.

The discussions centred on whether a precinct-based planning instrument of this nature remains appropriate in the current context, having regard to the level of development that has since been realised or approved, the effectiveness of the State Planning Provisions (SPPs) of the Tasmanian Planning Scheme in managing development outcomes and delivering higher-order policy intent, and the strategic and economic function of the land at both the municipal and regional level. A central issue explored during the hearing was whether the SAP would result in unnecessary duplication of controls or constrain outcomes that are already being achieved through existing planning provisions or other statutory mechanisms.

Particular attention was given to the role of the Australian Antarctic Division (AAD), which was acknowledged as a major and regionally significant employment generator. It was recognised that the ongoing operation, potential expansion, and functional requirements of the AAD necessitate a degree of planning flexibility and that the introduction of controls as proposed through the SAP could inadvertently constrain this strategically important use.

In response to the matters raised through the hearing, the Planning Authority confirms that it no longer intends to proceed with the Kingston Southern Gateway SAP. This position reflects a considered conclusion that a substantial proportion of the SAP's intended outcomes have already been realised through development permit conditions, that effective alternative statutory mechanisms are in place, and that the continued application of a precinct-wide instrument would introduce unnecessary duplication and complexity into the planning framework.

Notwithstanding this position, the Planning Authority considers that there remains a need for a targeted planning response to address specific development outcomes sought within the precinct. In particular, there is a need to facilitate increased development intensity and optimise the use of strategically located land at 42 Alfred Gardens, Kingston.

To achieve this, the Planning Authority proposes the application of a Site-Specific Qualification (SSQ) to this land, limited to increasing the maximum permissible building height from 10m to 20 metres. This approach represents a more proportionate and efficient mechanism for delivering one of the key strategic outcomes originally sought through the SAP.

Justification for the proposed SSQ

Section 32(4)(b) of the *Land Use Planning and Approvals Act 1993* provides that a local provision (for example, a SSQ) may be applied where land exhibits particular spatial, economic, environmental, or social qualities that warrant a tailored planning response.

The subject site at 42 Alfred Gardens, Kingston exhibits a combination of spatial characteristics and economic attributes that clearly distinguish it from conventional Urban Mixed Use land. The site occupies a prominent gateway position to the Kingston Central Business District, has direct frontage to the Channel Highway as a key transport corridor and is located within an established context of larger-scale commercial, industrial, institutional and residential development.

These characteristics confirm a distinct functional and visual role within the broader urban structure. As a gateway location, it is appropriate that the built form reflects a higher level of intensity and urban presence than would typically be anticipated under the standard provisions of the planning scheme.

Furthermore, the site represents one of the last remaining underutilised parcels within the precinct capable of accommodating meaningful development uplift. This includes the potential for mixed-use development that complements the surrounding area while delivering increased economic activity, employment generation and higher-density accommodation, including both residential and visitor accommodation.

The proposed maximum building height of 20 metres is therefore considered appropriate to optimise the use of the land. It aligns with the emerging intensity and scale of development within the locality and supports a logical transition toward a more consolidated and urbanised activity centre.

Importantly, development at this scale can be achieved while maintaining acceptable amenity outcomes. Matters such as interface management particularly in relation to adjoining residential uses can be effectively addressed through the existing provisions of the Tasmanian Planning Scheme. For example, the SPPs require appropriate transition in building height to sensitive interfaces, meaning that the full 20-metre building height would not be uniformly achievable across the site. Instead, the standard provisions require an appropriate built form outcome while still allowing for site-responsive and context-sensitive design.

Although performance criteria may enable variations in height, they lack the clarity and strategic precision required for a site of this importance. SSQ establishes a necessary level of certainty in relation to development capacity that is not achievable through performance-based provisions of the SPPs alone.

It should also be noted that the proposed 20-metre building height, as exhibited through the SAP during the Local Provisions Schedule exhibition process, did not attract any representations opposing this aspect of the proposal.

Economic Considerations

The economic justification for the proposed SSQ is directly aligned with the directions and intent of the Southern Tasmania Regional Land Use Strategy (STRLUS).

The STRLUS identifies Kingston as a Principal Activity Centre, with a clear strategic role in accommodating a significant proportion of regional commercial activity, employment growth and higher-density mixed-use development. This designation reflects the importance of Kingston within the broader settlement hierarchy and establishes a clear expectation that land within and around the centre will be utilised efficiently and intensively.

Within this framework, the subject site plays an important functional role due to its location, accessibility, and relationship to existing large-scale uses. Its position on a major transport corridor and at the gateway to the CBD makes it particularly well suited to accommodating development that supports economic activity and contributes to the vitality of the centre.

The STRLUS promotes several key economic planning directions, including the consolidation and intensification of activity centres, the efficient utilisation of strategically located land, and the alignment of land use with infrastructure and accessibility. The proposed SSQ gives practical effect to these directions by enabling development at a scale that is compatible with the site's strategic importance.

From an economic perspective, the SSQ will facilitate increased employment opportunities by enabling more intensive commercial and mixed-use development. It will also enhance the productivity of the land by allowing it to be utilised more efficiently, thereby avoiding underdevelopment of a highly accessible and strategically significant site.

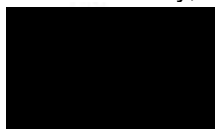
In addition, the SSQ supports the ongoing development of Kingston as a Principal Activity Centre by reinforcing its capacity to accommodate growth and by improving its attractiveness for investment. It also provides the flexibility necessary to respond to changing market conditions and emerging development trends.

The proposed SSQ is provided in Attachment A.

The Planning Authority seeks the opportunity, should the Commission consider it appropriate, to further discuss the proposed approach with both the Commission and the landowner, who has also made a representation in relation to the proposed zoning and SAP.

If you wish to discuss the above, please contact the Council's Lead Strategic Planner, Adriaan Stander on (03) 6211 8210.

Yours sincerely,



Deleeze Chetcuti
Director – Environment Development and Community

ATTACHMENT 1

KIN-29.1 Development Standards for Buildings and Works

This clause is in substitution for [Urban Mixed Use Zone](#) – clause 13.4.1 A1 Building height.

Objective:	That building height: (a) Is compatible withy the streetscape; and (b) Does not cause an unreasonable loss of amenity to adjoining residential zones.	
Acceptable Solutions		Performance Criteria
A1 Building height must be not more than 10m. For the land at 41 Alfred Gardens (CT 176916/502), building height must be not more than 20m.		P1 Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: (a) the topography of the site; (b) the height, bulk and form of existing buildings on the site and adjacent properties; (c) the bulk and form of proposed buildings; (d) the apparent height when viewed from adjoining road and public places; and (e) any overshadowing of public places.

24 June 2026

Ms Linda Graham
Executive Commissioner
Tasmanian Planning Commission
GPO Box 1691
Hobart TAS 7001

Dear Ms Graham,

KINGBOROUGH DRAFT LOCAL PROVISIONS SCHEDULE – DIRECTION 134
Support for Proposed Site-Specific Qualification – 42 Alfred Gardens, Kingston

I write in support of the Planning Authority's response to Direction 134 and the proposed Site-Specific Qualification (SSQ) relating to 42 Alfred Gardens, Kingston.

As the landowner, I agree with the Planning Authority's conclusion that the Kingston Southern Gateway Specific Area Plan is no longer required in its previous form. The rationale provided is clear and reflects the current planning context, the level of development already realised in the precinct, and the effectiveness of the State Planning Provisions in managing key development outcomes.

I also support the proposed SSQ to increase the maximum building height on the site from 10 metres to 20 metres. This is an appropriate and proportionate mechanism to achieve one of the key strategic outcomes originally contemplated under the SAP. The site's gateway position, its relationship to the Channel Highway, and its role within the Kingston Principal Activity Centre all support a higher level of development intensity.

The uplift enabled by the SSQ will support a mixed-use outcome that includes both commercial and residential uses. The site forms part of the broader Kingston Common precinct, where a coordinated commercial offering is being planned to strengthen the activity centre and support employment growth. Allowing additional height ensures the site can accommodate the commercial floor space required to meet demand while still delivering higher-density housing outcomes that align with the expectations for a Principal Activity Centre.

The ability to achieve viable residential yields is important for housing diversity and supply in Kingborough, and the SSQ provides the development capacity needed to deliver this alongside complementary commercial uses. This represents an efficient and strategic use of well-located land with excellent access to services, transport and employment.

I am satisfied that matters relating to amenity and interface can be appropriately managed through the existing provisions of the Tasmanian Planning Scheme. The SSQ provides the clarity and certainty required to plan for a balanced mixed-use precinct that contributes to economic activity, employment and housing supply.

I appreciate the opportunity to provide this letter of support and would welcome further engagement with the Commission as required.

Yours sincerely,



KAMTONE



Kingston Common-Mixed-Tenure Development

