

Our Ref: H191102

5 June 2020

Peter Fischer
Delegate (Chair)
Tasmanian Planning Commission

Dear Peter

PSA-2019-3 KINGSTON PARK

I provide the following in response to the directions of 22 May 2020.

Clause F3.7.1.1 A1/P1 Retail Impact

Council's strategic planner has provided the following explanation of the strategic rationale of the clause.

- 1. Council's section 35 report states that the proposal "....aims to complement, rather than compete, with the existing main retail area of the Kingston Central Area (e.g. Channel Court and Kingston Plaza)."*
- 2. The provisions under Clause F3.7.1.1 have been introduced to encourage retail (convenience and boutique style shopping) in the SAP but in a manner that will not compete or compromise with other existing retail uses in the Kingston CBD.*
- 3. These provisions under Clause 3.7.11 will contribute and enhance the attractiveness of the Kingborough CBD which in turn will encourage the future investment and development that is consistent with the outcomes sought by the STRLUS.*
- 4. The aim of floor space limitation in the existing SAP is to manage the impact of non-residential uses on residential uses; whereas the floor space limitation in the new SAP is to encourage boutique style shopping in the precinct in a manner that will not compete with existing retail areas in the Kingston CBD.*

The Section 35 report had regard only to retail use. The acceptable solution has regard only to retail use. It is submitted that the intent of the clause is to consider retail use only, but that this intent is not clearly reflected in the draft.

Having regard to the above, and the matters raised by All Urban Planning, it is necessary to clarify and narrow the application of the clause to retail use.

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It is not necessary to modify the gross floor areas. It is further submitted that a retail impact clause would be consistent with the Activity Centre policies of the Southern Tasmanian Regional Land Use Strategy 2010 – 2035 (RLUS) on the basis that:

- The clause applies to one type of activity only;
- The clause applies to one part of the activity centre only and does not distort the role and function of the activity centre when considered as a whole.

The Statewide Planning Provisions (SPPs) provide a useful reference for the appropriate drafting of a retail impact clause, in the Urban Mixed Use Zone, Local Business Zone, General Business Zone and Commercial Zone. It is submitted that F3.7.1.1 should be modified to:

F3.7.1.1 Retail impact

Objective:	
That retail uses do not compromise or distort the functionality of the activity centre.	
Acceptable Solution	Performance Criteria
The gross floor area for General Retail and Hire must be not more than 350m ² per tenancy.	General Retail and Hire must be not more than 500m ² per tenancy and not compromise or distort the functionality of the activity centre, having regard to: <ul style="list-style-type: none"> (a) The degree to which the use improves and broadens the commercial or retail choice within the activity centre; (b) Any relevant local area objective.

To achieve the above, the hours of operation clause needs to be redrafted as:

F3.7.1.2 Non-Residential Use

Objective:	
That uses do not cause unreasonable loss of amenity.	
Acceptable Solution	Performance Criteria
Hours of operation (except for office and administrative tasks) must be within: <ul style="list-style-type: none"> (a) 6.00am to 9.00pm Mondays to Saturdays inclusive; 	Hours of operation must not have an unreasonable impact upon the surrounding residential amenity through commercial/retail vehicle movements, noise or other emissions that are unreasonable in their timing, duration of extent.

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<p>(b) 9.00am to 7.00pm Sundays and Public Holidays;</p> <p>Except for non-residential use that front Goshawk Way or Pardalote Parade where hours of operation must be within:</p> <p>(a) 6.00am to 11.59pm Mondays to Saturdays inclusive;</p> <p>(b) 8.00am to 10.00pm Sundays and Public Holidays; and</p> <p>(c) have no unreasonable impact upon the residential amenity.</p>	
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F3.8.1.2 and F3.8.2.2 Housing Diversity

Council's strategic planner has provided the following explanation of the strategic rational of the clause.

- 1. The Council adopted Site Development Plan for Kingston Park describes different types of dwellings across the precinct ranging from townhouses to apartments. There is contract with Traders in Purple to include a range of different housing types. There is also a commercial imperative for the developer to respond to the market in a manner that ensures there are a range of dwelling types and sizes available.*
- 2. Approximately 400 new dwellings will be provided in the SAP. Of this the majority (approximately 300 dwellings) will be apartments. The rest will be a mix between town houses, small lot homes and seniors/assisted housing.*
- 3. The variety of housing in the SAP will be very different than what is currently available in the rest of the Kingborough. The type of housing provided in the SAP alone will contribute to variety of housing in the municipality irrespective of any planning provisions.*
- 4. At a State/Territory level, regulations for accessible housing exist in four jurisdictions: the Australian Capital Territory (ACT), New South Wales (NSW), South Australia (SA) and Victoria. NSW and Victoria apply their requirements through state-specific measures, for example apartment design guidelines that are applied under planning laws. The ACT's requirements are based on AS4299 and are also applied through planning regulation, but only to 'multi-unit developments'. SA mandates compliance with AS 1428.110 for houses and apartments, but this is also only to a proportion of houses (1 in 20) or apartments in any new development of 20 or more.*

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5. *The bulk of the residential development in the SAP is likely to be assessed against the Apartment Development Code (a draft of which was circulated for comment in March 2020). The draft code requires universal design elements to be incorporated into larger apartment buildings. Interesting to note, is that the draft code recommends that 30% of units within new apartment buildings with 5 or more apartments must be able to be easily adapted over time to include a range of users with different levels of mobility.*
6. *Documentation may be provided demonstrating, through basic adaption plans, that the relevant standards for adaptable housing can be met where required in future. This will also ensure that units can be retrofitted in future to meet particular needs of a resident with a disability.*

These comments demonstrate how diversity in the number of bedrooms will be achieved within the site, and within the municipal area. My supplemental outlined one way in which the certified amendment could be modified, however, based on the above I do not consider that this is necessary.

With respect to adaptable / livable housing, it is important to again note the Apartment Code being developed by the Tasmanian Government. It appears that will address adaptable housing principles. Similar provisions contained within a Specific Area Plan will set-aside and replace provisions in a Code, which is not an appropriate or desirable outcome.

F3.8.1.3 Building Design - Streetscape

It is submitted that the major issue with the certified amendment is the lack of objectively measurable acceptable solutions at F3.8.1.3 A1, F3.8.1.5 A1, F3.8.2.3 A1, F3.8.2.5 A1, F3.8.3.6 A1, F3.8.4.1 A1, F3.8.4.2 A1, and F3.8.4.4 A1.

It is noted that the underlying zones address building design and streetscape. However, Council wishes to set a higher bar in this location. The circumstances of the site, specifically the contractual arrangements with the developer, provide the Council with the ability to achieve this. The certified amendment includes urban design considerations in the purpose and desired future character statements (DFCS). It is considered that the purpose and DFCS will be effective in light of the contractual arrangements.

Council's strategic planner has suggested further modifications for clarity, such that F3.1.1 (f) would read as:

To achieve a diverse and high quality built form which is consistent with good design principles, such as those found in The Apartment Design Guide: Tools for improving the design of residential apartment development and design, WA, and having regard to the following urban design principles:

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- **Character** – respond to and enhances the distinctive characteristics of the precinct contributing to visual interest and a sense of place.
- **Landscape quality** - landscape and buildings operate as an integrated and sustainable system.
- **Functionality and build quality** – meet the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit.
- **Legibility** - provide clear connections and easily identifiable elements to help people find their way around the precinct.
- **Sustainability** - optimises the sustainability of the built environment.
- **Safety** –optimise safety and security, minimising the risk of personal harm and supporting safe behaviour and use.

Urban Mixed Use Zone Use Table

- i. Reference to ‘no permit required’ must be deleted from the permitted and discretionary sections for residential use class.
- ii. The SPPs refer to support services in the definitions of assisted housing and residential support service, which is a Business and Professional Services use class. The amendment is referred to assisted housing, which is defined in the SPPs as:

means housing provided by an organisation for higher needs tenants or residents, including those with physical or intellectual disabilities, and may include associated support services.

Whilst assisted housing is not defined in the interim scheme, the interpretation of the clause would have due regard to the SPPs.

Residential support services should be deleted. It is an error.

- iii. The qualification should be deleted. It is an error.
- iv. Food services should be permitted without qualification. Reference to the use class being discretionary should be deleted as it is an error.
- v. General retail and hire should be permitted with the qualification ‘Except if an adult sex product shop’ and no part of the use class should be discretionary.
- vi. Transport depot and distribution should be deleted from the discretionary section, as it is an error.
- vii. The utilities use class should be no permit required for a minor utility and discretionary for a major utility, consistent with the SPPs.

Inner Residential Zone Use Table

The permitted qualification for residential use should read ‘except if no permit required. The discretionary status for residential use should be deleted.

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Environmental Values

Council's strategic planner has provided the following rationale.

- 1. While some of the high conservation value trees along the western boundary have been approved for removal as part of an existing approval, there remain numerous high conservation value trees and other environmental values within the site. These are predominantly located within the proposed Open Space zoned portion of the site but also occur on the Urban Mixed Use and Inner Residential zoned land. These trees and areas native vegetation provide potential habitat for threatened species and development of Kingston Park should be designed to retain these values to the extent practicable.*
- 2. The SAP overrides the Zone standards to the extent of any inconsistency – by including them in the SAP it is explicit that the provisions are applicable and the SAP cannot override the trees (which has happened to date with the existing approval within the Inner Residential zoned portion of the site).*
- 3. The existing zone provisions for environmental values and high conservation value trees high conservation will cease to exist once the LPS comes into effect and any consideration of these important values will rely entirely on SAPs. Including these provisions in the Kingston Park SAP now will enable the SAP to transition under the LPS. If these provisions are not included now, the SAP will need to be further amended as part of the LPS process to incorporate them.*
- 4. Inclusion of these provisions in the Kingston Park SAP is consistent with the approach being taken for all other SAPs in the LPS.*

Alteration to a substantial degree

This expression is not utilised elsewhere within the planning system.

The decision of the Commission in TASPComm 39 does provide some indication of how the clause has been previously applied. At paragraph 211 and 212, the Commission considers the inclusion of an additional use class into the certified amendment. The Commission accepted submissions that such a change would represent a modification that is not an alteration to a substantial degree on the basis that they “add substance and increase certainty but do not introduce new concepts”.

It is submitted that whether or not modifications introduce a new concept is an appropriate basis. The test requires consideration of whether a modification is substantial. Introduce a new concept would be substantial, whereas modifying existing concepts or considerations of the certified amendment, should not.

The modifications recommended in the section 39 report or sought in the response submissions do not introduce new concepts. The modifications seek to remove, retain, replace or alter provisions addressed in the certified amendment. Accordingly, it is

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submitted that none of the potential modifications to the draft amendment would be classified as an alteration to a substantial degree.

Modified Amendment

Attached is a modified amendment with tracked changes that reflect the above.

If you have any queries please contact me on 0400 336 796.

Yours faithfully



Shane Wells

Senior Town Planner

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F3.0 Kingston Park Specific Area Plan

F3.1 Purpose of Specific Area Plan

F3.1.1 The purpose of this Specific Area Plan is:

- (a) To ensure that the use and development of the Kingston Park area takes advantage of its strategic location within central Kingston.
- (b) To create a dynamic and high-quality built environment that meets the long term needs of the community by:
 - (i) allowing for commercial activity supporting the growth of the Kingston central area;
 - (ii) establishing a hub for community-based facilities and services that will meet the long term needs of the community; and
 - (iii) providing opportunities for different forms of medium to high density residential use and development, broadening housing types available within the Kingston area.
- (c) To encourage activities that will stimulate more private investment throughout central Kingston.
- (d) To encourage high levels of connectivity with the established road network and surrounding open spaces network through new development that creates local roads, laneways, sharedways, through-site links and walkways.
- (e) To promote public spaces that support vibrant and strong street life, high levels of walkability as well as high quality landscaping through water sensitive urban design measures.
- (f) To achieve a diverse and high quality built form which is consistent with good design principles, such as those found in The Apartment Design Guide: Tools for improving the design of residential apartment development and design, WA, and having regard to the following urban design principles including but not limited to:
 - **Character** – respond to and enhances the distinctive characteristics of the precinct contributing to visual interest and a sense of place.
 - **Landscape quality** - landscape and buildings operate as an integrated and sustainable system.
 - **Functionality and build quality** – meet the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit.
 - **Legibility** - provide clear connections and easily identifiable elements to help people find their way around the precinct.

- *Sustainability - optimises the sustainability of the built environment.*
- *Safety –optimise safety and security, minimising the risk of personal harm and supporting safe behaviour and use.*

~~To achieve a diverse and high quality built form which is consistent with good design principles, such as those found in *The Apartment Design Guide: Tools for improving the design of residential apartment development and Design WA Stage One.*~~

- (g) To encourage passive surveillance and is consistent with crime prevention through environmental design principles.
- (h) Within the areas zoned Central Business, Urban Mixed Use and Community Purpose:
 - (i) to provide high levels of visual interest and to reduce wind tunnelling through façade articulation;
 - (ii) to encourage active uses and active frontages at ground level; and
 - (iii) to establish and reinforce a well-defined built edge to roads and public spaces.
- (i) Within the areas zoned Inner Residential, to promote the creation of a medium density community with:
 - ~~(iv)~~ a lot layout that encourages single dwellings on small lots with narrow frontages and access via rear laneways;
 - ~~(v)~~ a compact and visually interesting streetscape with articulation incorporated into front elevations and consistent frontage setbacks defining a strong building line along the road that provides ample room for larger canopy street trees;
 - ~~(vi)~~ lots that have ample private open space at the rear or front of buildings with minimal side separation; and
 - ~~(vii)~~ easy accessibility for pedestrians, a well landscaped streetscape and convenient public open spaces.

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F3.2 Application of Specific Area Plan

F3.2.1 The specific area plan applies to the area of land designated as Kingston Park Specific Area Plan on the Planning Scheme Maps and Figure F3.1. Normal Zone provisions apply unless otherwise stated within this Specific Area Plan.

F3.3 Definition of Terms

F3.3.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definitions
natural values	means landscape values, being skylines, ridgelines or exposed slopes, individual native trees with a diameter >25cm and priority vegetation.
high conservation value trees	<p>means a tree that:</p> <ul style="list-style-type: none"> (a) is a <i>Eucalyptus globulus</i> or <i>Eucalyptus ovata</i> tree with a diameter equal to or greater than 40cm at 1.4m from natural ground level; (b) is a <i>Eucalyptus viminalis</i> tree with a diameter equal to or greater than 25cm at 1.4m from natural ground level; (c) is a native tree located in either dry forest or a cleared setting with visible hollows and/or a diameter equal to or greater than 70cm at 1.4m from natural ground level; (d) is a native tree located in wet forest with visible hollows and/or a diameter equal to or greater than 100cm at 1.4m from natural ground level; (e) is of a species that is listed in the <i>Threatened Species Protection Act 1995</i> or the <i>Biodiversity Conservation Act 1999</i> (Commonwealth); and/or, (f) provides potential or significant habitat for a threatened species listed in either of those acts.
priority vegetation	<p>means native vegetation where any of the following apply:</p> <ul style="list-style-type: none"> (a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the <i>Nature Conservation Act 2002</i>; (b) is a threatened flora species; (c) it forms a significant habitat for a threatened fauna species; or (d) it has been identified as native vegetation of local importance.

tree protection zone (TPZ)	means the combined root area and crown area requiring protection and isolation from disturbance to ensure that the tree remains viable. The radius of the TPZ is calculated by multiplying the diameter of the tree at 1.4 m from natural ground level by 12.
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F3.4 Application Requirements

F3.4.1 In addition to any other application requirements, the planning authority may require any of the following information to determine compliance with development standards:

- (a) a site context and analysis plan;
- (b) photographs, drawings or photomontages necessary to demonstrate the impact of the proposed development on the character values of the wider area, including visual impact of the proposed development on views of kunyani/Mt Wellington and the surrounding vegetated hillsides from the Kingston central area;
- (c) a landscape plan;
- (d) the nature and the types of activities that will be carried out;
- (e) the likely impacts, if any, on adjoining land, including noise levels, traffic, hours of delivery and despatch of goods and materials and hours of operation;
- (f) demonstrate compliance with good urban design principles, ~~such as those found in *The Apartment Design Guide: Tools for improving the design of residential apartment development* and *Design WA Stage One*~~;
- (g) information detailing how the development will contribute to the provision of public infrastructure on the site;
- (h) information detailing how the development will minimise a building's environmental impact.

F3.5 Desired Future Character Statements

Desired Future Character Statements	Implementation Strategy
CENTRAL BUSINESS ZONED LAND	
(a) A high degree of ground level activity and integration should occur between land uses and pedestrian environments and	(a) Commercial and retail development should promote a strong integration with existing uses in central Kingston

<p>this should be supported by attractive public spaces.</p> <p>(b) Building design should be interesting and attractive and promote an active and engaging interface with the adjoining street or pedestrian promenade.</p> <p>(c) Building design should seek to minimise a building's environmental impact.</p>	<p>particularly those between the site and John Street.</p> <p>(b) Design features should enhance the visual appeal of proposed developments. This could include iconic gateway developments on corners and a continuous 2-3 storey built form at the street level in between, with upper levels setback to reduce visual impact.</p> <p>(c) Building design should introduce lanes, shared ways or through-site links and narrow building frontages to limit the length and size of street blocks.</p> <p>(d) Applications for new developments containing office premises with a net lettable area of 1,000m² or more should be submitted with documentation confirming that the building will be capable of supporting a Base Building National Australian Built Environment Rating System (NABERS) Energy Commitment Agreement of 4.5 stars, or an equivalent rating using another building performance tool.</p> <p>(e) <u>Management of stormwater will further the State Stormwater Strategy 2010 and will have regard to:</u></p> <ul style="list-style-type: none"> • <u>Any adopted plan or strategy of the Council;</u> • <u>Potential harvesting and re-use of runoff; and</u> • <u>Potential on-site infiltration, detention and treatment</u> <p>Stormwater should be managed on-site as much as practical, and consider:</p> <p>(i) <u>Management of stormwater will further the State Stormwater Strategy 2010 and will have regard to:</u></p> <ul style="list-style-type: none"> • <u>Any adopted plan or strategy of the Council;</u> • <u>Potential harvesting and re-use of runoff; and</u> • <u>Potential on-site infiltration, detention and treatment</u>
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	<p>roof run-off for internal use for toilet flushing and clothes washing;</p> <p>(ii) — maximising the use of permeable surfaces at ground level to enable groundwater recharge, and minimising impervious areas;</p> <p>(iii) — incorporating on-site infiltration and detention systems such as garden beds, rain gardens, tree pits, infiltration cells and detention tanks;</p> <p>(iv)(i) — minimising the potential for nutrient run-off through appropriate plant species and soil selection in landscaped areas.</p>
<p>URBAN MIXED USE ZONED LAND</p>	
<p>(a) Medium to high density residential development is to should occur within these precincts, especially above the ground level floor, together with a mix of other potential commercial uses, such as retail, small office and visitor accommodation.</p> <p>(b) Opportunities for community interaction should be encouraged by providing streetscapes that provide high public amenity and are well landscaped.</p> <p>(c) Optimize the benefits provided by public open space and available views.</p> <p>(d) Building design should seek to minimise a building's environmental impact.</p>	<p>(a) Development should be designed so that it supports neighbourhood interaction, passive recreation and easy access for pedestrians. The incorporation of larger canopy trees and other appropriate vegetation is to be encouraged.</p> <p>(b) Provide an active and engaging interface to public open space areas through building orientation, as well as activated ground level frontages to buildings.</p> <p>(c) Building design should introduce lanes, shared ways or through-site links and narrow building frontages to limit the length and size of street blocks.</p> <p>(d) Applications for new developments containing office premises with a net lettable area of 1,000m² or more should be submitted with documentation confirming that the building will be capable of supporting a Base Building National Australian Built Environment Rating System (NABERS) Energy Commitment Agreement of 4.5 stars, or an equivalent rating using another building performance tool.</p>

	<p>(e) Stormwater should be managed on-site as much as practical, and consider:</p> <p>(i) harvesting roof run-off for internal use for toilet flushing and clothes washing;</p> <p>(ii) maximising the use of permeable surfaces at ground level to enable groundwater recharge, and minimising impervious areas;</p> <p>(iii) incorporating on-site infiltration and detention systems such as garden beds, rain gardens, tree pits, infiltration cells and detention tanks;</p> <p>(i) minimising the potential for nutrient run-off through appropriate plant species and soil selection in landscaped areas.</p> <p><u>Management of stormwater will further the State Stormwater Strategy 2010 and will have regard to:</u></p> <ul style="list-style-type: none"> <u>• Any adopted plan or strategy of the Council;</u> <u>• Potential harvesting and re-use of runoff; and</u> <u>• Potential on-site infiltration, detention and treatment</u>
<p>COMMUNITY PURPOSE ZONED LAND</p>	
<p>(a) Provide for a range of complementary services and public facilities that meet the needs of the Kingborough community in relation to health, education, recreation, arts, culture and social inclusion.</p> <p>(b) Use and development should integrate closely with the streetscape and provide interesting, attractive and vibrant public spaces.</p> <p>(c) Provide a safe public environment that encourages pedestrian activity, passive surveillance, family activities and a high quality of public amenity.</p>	<p>(a) Encourage the use and development of land so that these services and facilities are provided and that built structures and landscaping is designed to a high standard and is easily accessible.</p> <p>(b) Building and public space design should provide for articulated setbacks, activated ground floor frontages, street furniture and artistic features, views and orientation to capture solar benefits.</p> <p>(c) Promote a mix of uses and development forms that provide interest, fun and enjoyment, and are enable high levels of</p>

	activity to occur during the day and evening.
OPEN SPACE ZONED LAND	
<p>(a) Future use and development should maximise the opportunities for the community to enjoy the public open space within this site.</p> <p>(b) The public open space will provide for a diverse range of passive and active recreational experiences, as well as functional event or performance areas able to be used for public entertainment.</p> <p>(c) The public open space will constitute the municipality's premier urban park and will provide complementary functions that encourage the continued development of central Kingston.</p>	<p>(a) The public open space precinct is to be developed so that a variety of interconnected, aesthetically pleasing and exciting landscaped spaces create a diverse public realm that will meet the needs of a variety of users and age groups.</p> <p>(b) The area is to feature a range of natural features, assist with stormwater management, contain landscaped walkways and amphitheatres that respond to topographic features of the site, as well as featuring children's play and other activity spaces.</p> <p>(c) Kingston's further development opportunities will be enhanced as a result of space being available for public events, children's playgrounds, places to relax, park and ride, markets, opportunities to exercise, meet people and carry out other activities.</p>
INNER RESIDENTIAL ZONED LAND	
<p>(a) Medium to high density residential development is to occur within this site.</p> <p>(b) Opportunities for community interaction should be encouraged by providing streetscapes that provide high public amenity and are well landscaped.</p> <p>(c) Optimise the benefits provided by public open space and available views of kunyani/Mt Wellington and the surrounding vegetated hillsides.</p>	<p>(a) Promote development which provides small lots suitable for a range of housing types (such as town housing, low rise apartments, aged unit accommodation and home offices) within a pedestrian-friendly neighbourhood.</p> <p>(b) Development should be designed so that it supports neighbourhood interaction, passive recreation and easy access for pedestrians. The incorporation of larger canopy trees and other appropriate vegetation is to be encouraged.</p>

	(c) Provide an active and engaging interface to public areas through building orientation, and differing dwelling façades.
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F3.6 Use Table

F3.6.1 Central Business Zoned Land

No Permit Required	
Use Class	Qualification
Utilities	Only if minor utilities
Permitted	
Use Class	Qualification
Business and professional services	
Community meeting and entertainment	
Food services	Except if a take away food premises with a drive through facility
General retail and hire	Except if an adult sex product shop or a supermarket
Hotel industry	Except if adult entertainment venue
Passive recreation	
Vehicle parking	
Visitor accommodation	Except if camping and caravan park or overnight camping area
Discretionary	
Use Class	Qualification
Educational and occasional care	

Residential	Only if located above ground floor
Research and development	
Sports and recreation	
Tourist operation	
Transport depot and distribution	Only for public transport facilities
Utilities	Except if no permit required
Vehicle fuel sales and service	
Prohibited	
Use Class	Qualification
All other uses	

F3.6.2 Urban Mixed Use Zoned Land

No Permit Required	
Use Class	Qualification
Natural and Cultural Values Management	
Passive recreation	
Utilities	Only if minor utilities located underground
Permitted	
Use Class	Qualification
Business and professional services	

Community meeting and entertainment	Only for a public hall or neighbourhood centre
Food Services	
General retail and hire	Except if an adult sex product shop
Residential	Only if: (a) for a home-based business; (b) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and not listed as no permit required (c) <u>For assisted housing, residential support services, respite centre or retirement village.</u>
Transport depot and distribution	Only for public transport facilities
Visitor accommodation	Only if located above ground floor level (excluding pedestrian or vehicular access)
Utilities	Except if no permit required
Discretionary	
Use Class	Qualification
Community meeting and entertainment	If not permitted.
Educational and occasional care	Except if no permit required
Emergency services	
Food services	Except if permitted
General retail and hire	Except if permitted Except if an adult sex product shop
Hotel industry	If not for adult entertainment venue
Residential	Except if no permit required or permitted

Resource processing	Only if for food or beverage production
Service industry	Only if for a laundromat
Tourist operation	
Transport depot and distribution	Only if public transport facilities
Utilities	Except if <u>no permit</u> permitted
Vehicle parking	
Visitor accommodation	Except if camping and caravan park or overnight camping area
Prohibited	
Use Class	Qualification
All other uses	

F3.6.3 Community Purpose Zoned Land

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Utilities	Only if minor utilities located underground
Permitted	
Use Class	Qualification
Business and professional services	Only if for: (a) medical centre; (b) a community-based organisation; or (c) government offices

Community meeting and entertainment	
Educational and occasional care	
Emergency services	
Food services	
General retail and hire	Only if for community market
Hospital services	
Sports and recreation	
Tourist operation	Only if for a visitor centre
Utilities	Except if no permit required
Discretionary	
Use Class	Qualification
Business and professional services	Except if permitted
General retail and hire	Except if adult sex product shop
Residential	Only if for residential aged care or respite centre or assisted housing
Tourist operation	Except if permitted
Transport depot and distribution	Only for public transport facilities
Vehicle parking	
Prohibited	
Use Class	Qualification
All other uses	

F3.6.4 Open Space Zoned Land

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Utilities	Only if minor utilities and underground
Permitted	
Use Class	Qualification
Community meeting and entertainment	
General retail and hire	Only for community market
Utilities	Except if no permit required
Discretionary	
Use Class	Qualification
Food services	Must have a floor area no greater than 60m ² and be related or complementary to a community meeting or entertainment facility
General retail and hire	Except where permitted, and only if related to a public activity within the Open Space
Sports and recreation	
Vehicle parking	Only if associated with an open space use or as part of a developed park and ride facility
Prohibited	

Use Class	Qualification
All other uses	

F3.6.5 Inner Residential Zoned Land

No Permit Required	
Use Class	Qualification
Educational and occasional care	Only if home-based child care in accordance with a licence under the Child Care Act 2001
Natural and cultural values management	
Passive recreation	
Residential	Only if single dwelling Only if home-based business with no more than 1 non-resident worker/employee, no more than 1 commercial vehicle and a floor area no more than 30m ²
Utilities	Only if for minor utilities
Permitted	
Use Class	Qualification
Residential	Except if No Permit Required Only if for home-based business with no more than 1 non-resident worker/employee, no more than 1 commercial vehicle and a floor area no more than 30m²
Discretionary	
Use Class	Qualification
Education and occasional care	Only if for child care centre, day respite facility, employment training centre or kindergarten
Emergency services	

Residential	Except if No Permit Required or Permitted
Sports and recreation	
Utilities	Except if no permit required
Visitor accommodation	
Prohibited	
Use Class	Qualification
All other uses	

F3.7 Use Standards

F3.7.1 Use Standards for Central Business Zoned Land and Urban Mixed Use Zoned Land

F3.7.1.1 Retail impact

<u>Objective:</u>	
<u>That retail uses do not compromise or distort the functionality of the activity centre.</u>	
<u>Acceptable Solution</u>	<u>Performance Criteria</u>
<u>The gross floor area for General Retail and Hire must be not more than 350m² per tenancy.</u>	<u>General Retail and Hire must be not more than 500m² per tenancy and not compromise or distort the functionality of the activity centre, having regard to:</u> <u>(a) The degree to which the use improves and broadens the commercial or retail choice within the activity centre;</u> <u>(b) Any relevant local area objective.</u>

F3.7.1.2 Non-Residential Use

<u>Objective:</u>	
<u>That uses do not cause unreasonable loss of amenity.</u>	
<u>Acceptable Solution</u>	<u>Performance Criteria</u>
<u>Hours of operation (except for office and administrative tasks) must be within:</u> <u>(a) 6.00am to 9.00pm Mondays to Saturdays inclusive;</u>	<u>Hours of operation must not have an unreasonable impact upon the surrounding residential amenity through commercial/retail vehicle movements, noise or other emissions</u>

<p><u>(b) 9.00am to 7.00pm Sundays and Public Holidays;</u></p> <p><u>Except for non-residential use that front Goshawk Way or Pardalote Parade where hours of operation must be within:</u></p> <p><u>(a) 6.00am to 11.59pm Mondays to Saturdays inclusive;</u></p> <p><u>(b) 8.00am to 10.00pm Sundays and Public Holidays; and</u></p> <p><u>(c) have no unreasonable impact upon the residential amenity.</u></p>	<p><u>that are unreasonable in their timing, duration of extent.</u></p>
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F3.7.1.1 Non-Residential Use

<p>Objective:</p>	
<p>That non-residential use creates a vibrant active street life during the day and evening.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A retail use must have a gross floor area not exceeding 350m².</p>	<p>The gross floor area must be no more than 500m² and demonstrate that no impact on the viability of adjacent and similar retail uses will result.</p>
<p>Hours of operation (except for office and administrative tasks) must be within:</p> <p>(a) 6.00am to 9.00pm Mondays to Saturdays inclusive;</p> <p>(b) 9.00am to 7.00pm Sundays and Public Holidays;</p> <p>Except for non-residential use that front Goshawk Way or Pardalote Parade where hours of operation must be within:</p>	<p>Hours of operation must not have an unreasonable impact upon the surrounding residential amenity through commercial/retail vehicle movements, noise or other emissions that are unreasonable in their timing, duration of extent.</p>

<p>(a) 6.00am to 11.59pm Mondays to Saturdays inclusive;</p> <p>(b) 8.00am to 10.00pm Sundays and Public Holidays; and</p> <p>(c) have no unreasonable impact upon the residential amenity.</p>	
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F3.7.2 Use Standards for Open Space Zoned Land

F3.7.2.1 Amenity Impacts of Non-Residential Uses

Objective:	
To avoid the commercialisation and privatisation of open space intended for public use and to ensure that non-residential use does not unreasonably impact on adjacent residential amenity.	
Acceptable Solutions	Performance Criteria
No acceptable solution.	Food services and general retail and hire uses must complement and enhance the use of the land for open space by providing for facilities and services that primarily serve the needs of open space users.
Hours of operation of a use within 50 metres of the Urban Mixed Use Zone or Inner Residential Zone must be within: (a) 6.00am to 10.00pm Mondays to Saturdays inclusive; (b) 8.00am to 9.00pm Sundays and Public Holidays.	Hours of operation of a use must not have an unreasonable impact upon the residential amenity of land in the Urban Mixed Use Zone or Inner Residential Zone must through commercial/retail vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.
Noise emissions measured at the boundary of the nearest residential use within the Urban Mixed Use Zone or Inner Residential Zone must not exceed the following:	Noise emissions measured at the boundary of a Mixed Use Zone or Inner Residential Zone must not impact upon the amenity of residential land use within the Urban Mixed Use Zone or Inner Residential Zone.

<p>(a) 55 dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;</p> <p>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm and 7.00 am; except if otherwise permitted</p> <p>(c) 65dB(A) (LAm_{ax}) at any time.</p> <p>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.</p>	
<p>Lighting must not subject nearby residential lots to obtrusive light, as defined in AS 4282-1997-1.4.7.</p>	<p>No performance criteria.</p>

F3.8 Development Standards

F3.8.1 Development Standards for Central Business Zoned Land

F3.8.1.1 Building setbacks and height

<p>Objective:</p>	
<p>To ensure that buildings are constructed in a compact manner that is best suited to this central location within Kingston.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Building setback from frontage must be:</p>	<p>P1 Building setback from frontage must be sufficient to enhance the streetscape, provide adequate space for</p>

<p>(a) Between 0-3m for frontages to Goshawk Way.</p> <p>(b) 1m from the frontage to Pardalote Parade.</p> <p>(c) 2m from any connecting road from John Street.</p>	<p>landscaping, vehicle access, and parking and satisfy all of the following:</p> <p>(a) Maintain visual sight lines for safe pedestrian and traffic movement;</p> <p>(b) Have sufficient site area and dimensions to accommodate development;</p> <p>(c) Take into consideration the characteristics of the site, essential supporting infrastructure, adjoining lots and the locality;</p> <p>(d) Minimise overshadowing effects of new or majorly refurbished buildings on publicly accessible open space, including streets and areas for footway trading, between the hours of 9am to 3pm on 21 June;</p> <p>(e) Be consistent with urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development</i> and <i>Design WA Stage One</i> and any relevant Desired Future Character Statements;</p> <p>(f) Be no more than 3m from a road.</p>
<p>A2</p> <p>Building height must be no more than 18m<u>20m</u>.</p>	<p>P2</p> <p>Building height must be consistent with the desired streetscape, urban form and character as described in the purpose of this specific area plan, having regard to:</p>

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	<p>(a) potential impacts upon the amenity of adjacent properties through overshadowing and reflectivity;</p> <p>(b) demonstrated good urban design qualities, good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development</i> and <i>Design WA Stage One</i> and any relevant Desired Future Character Statements.</p> <p>(c) the topography of the site;</p> <p>(d) the bulk and form of the proposed buildings;</p> <p>(e) the apparent height when viewed from public spaces within the townscape, especially towards kunyani/Mt Wellington and the surrounding vegetated hillsides; and</p> <p>(f) the purpose of the Specific Area Plan; and</p> <p>(g) be no more than 25m.</p>
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F3.8.1.2 Building design—housing diversity

Objective:	
To ensure that building design provides housing choice and supports equitable housing access.	
Acceptable Solutions	Performance Criteria
A1	P1
Buildings with a residential component must contain a mix of apartments with variable bedroom numbers in accordance with the following rates:	<u>Housing diversity must be provided for across the Specific Area Plan through variability in the number of bedrooms.</u> No performance criteria.

<p>Studio 5-10%</p> <p>1-bedroom 40-30%</p> <p>2-bedroom 40-75%</p> <p>3+ bedroom 40-100%</p>											
<p>A2</p> <p>Buildings with a residential component must provide for adaptable housing by satisfying all of the following:</p> <p>(a) Adaptable dwellings are to be designed as set out in the relevant Australian Standards;</p> <p>(b) Adaptable dwellings are to be spread amongst all unit sizes to accommodate various household sizes;</p> <p>(c) Adaptable dwellings are to be provided in all new development in accordance with the following rates:</p> <table border="1" data-bbox="363 1355 671 1787"> <thead> <tr> <th>Total number of dwellings</th> <th>Number of adaptable dwellings to be provided</th> </tr> </thead> <tbody> <tr> <td>Between 0 and 7</td> <td>Nil</td> </tr> <tr> <td>Between 8 and 14</td> <td>1 dwelling</td> </tr> <tr> <td>Between 15 and 24</td> <td>2 dwellings</td> </tr> <tr> <td>Between 22 and 29</td> <td>3 dwellings</td> </tr> </tbody> </table>	Total number of dwellings	Number of adaptable dwellings to be provided	Between 0 and 7	Nil	Between 8 and 14	1 dwelling	Between 15 and 24	2 dwellings	Between 22 and 29	3 dwellings	<p>P2</p> <p>Principles for adaptable housing are to be adopted where practicable having regard to the type of housing proposed, the economic viability of adaptable housing solutions and the likely requirements of future occupants.</p> <p>No performance criteria.</p>
Total number of dwellings	Number of adaptable dwellings to be provided										
Between 0 and 7	Nil										
Between 8 and 14	1 dwelling										
Between 15 and 24	2 dwellings										
Between 22 and 29	3 dwellings										

30 or more	15% of total dwellings	
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F3.8.1.3 Building design—streetscape

Objective:	
To ensure that building design contributes positively to the streetscape and the amenity and safety of the public.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building design must contribute positively to the streetscape by satisfying all of the following:</p> <p>(a) address the frontage and any other public space, including an internal car park, by the orientation of windows and by public access at ground floor level;</p> <p>(b) make a positive contribution to the activities of the streetscape by:</p> <p>(i) providing direct public access at the ground floor level;</p> <p>(ii) avoiding expanses of blank walls facing a road;</p> <p>(iii) introducing public art to the streetscape, such as murals;</p> <p>(c) minimise visual intrusiveness of roof-top service infrastructure, including service plants and lift structures, by integrating them into the roof design;</p>	<p>P1</p> <p>No performance criteria. If (g) is not achievable then <u>Building design must contribute positively to the streetscape, having regard to the need for provision of awnings over the public footpath.</u></p>

<p>with consideration of greenroofs where possible;</p> <p>(d) provide compatible footpaths with adjoining public footpaths;</p> <p>(e) screen outdoor storage, mechanical plant, and miscellaneous equipment from public view;</p> <p>(f) be consistent with good urban design principles, such as those found in The Apartment Design Guide: Tools for improving the design of residential apartment development and Design WA Stage One and any relevant Desired Future Character Statements;</p> <p>(g) provide fixed awnings over the public footpath, if building fronts Goshawk Way or Pardalote Parade, that:</p> <ul style="list-style-type: none">(i) are along the full extent of the street frontage;(ii) wrap around the corner on corner buildings;(iii) recess lighting fixtures;(iv) conceal all wiring and conduits(v) give minimum setback of 1.5m from the face of the kerb to accommodate street trees.	
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F3.8.1.4-2 Passive surveillance

Objective:	
To ensure that building design contributes positively to the amenity and safety of the public.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Buildings design must provide for surveillance of public spaces, including the street, services and car parking by satisfying the following:</p> <ul style="list-style-type: none"> (a) locate windows to overlook the street and other public spaces; (b) design and locate main entrances to provide high visibility for users; (c) provide clear sight lines between a building and adjacent properties and public land; (d) locate external lighting to illuminate otherwise shaded or dark locations; (e) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (f) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa; (g) provide well-lit car parking areas designed to make use of sight lines to benefit from passive surveillance. 	<p>P1</p> <p>No performance criteria.</p>

F3.8.1.5 Landscaping

Objective:	
To ensure that a safe and attractive landscaping treatment enhances the appearance of the site.	
Acceptable Solutions	Performance Criteria
A1 Landscaping must be provided, unless the building has nil setback to frontage, to satisfy all of the following: (a) enhance the appearance of the development; (b) provide a range of plant height and forms to create diversity, interest and amenity, with an emphasis on local, indigenous species; (c) not create concealment or entrapment spaces; (d) be consistent with good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development</i> and <i>Design WA Stage One</i> and any relevant Desired Future Character Statements.	P1 No performance criteria.

F3.8.1.6-3 Private open space – residential

Objective:
To provide adequate private open space for the residents of multiple dwellings which is easily accessible from living areas and has access to direct sunlight.

Acceptable Solutions	Performance Criteria												
<p>A1</p> <p>Multiple dwellings wholly above ground floor level must provide private open space for each dwelling that:</p> <p>(a) includes one area as per the dimensions below:</p> <table border="1" data-bbox="363 757 659 1093"> <thead> <tr> <th>Dwelling type</th> <th>Minimum area</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Studio & 1 bedroom</td> <td>8m²</td> <td>2m</td> </tr> <tr> <td>2 bedroom</td> <td>10m²</td> <td>2m</td> </tr> <tr> <td>3+ bedroom</td> <td>12m²</td> <td>2.4m</td> </tr> </tbody> </table> <p>(b) is directly accessible from and adjacent to, a habitable room (other than a bedroom);</p> <p>(c) does not contain services and fixtures, including but not limited to air-conditioner units and clothes drying, that are visible from the street;</p> <p>(d) does not have a gradient steeper than 1 in 10; and</p> <p>(e) is not used for vehicle access or parking.</p>	Dwelling type	Minimum area	Minimum depth	Studio & 1 bedroom	8m ²	2m	2 bedroom	10m ²	2m	3+ bedroom	12m ²	2.4m	<p>P1</p> <p>Private open space for multiple dwellings wholly above ground floor level must:</p> <p>(a) be of a size and dimensions to accommodate outdoor recreational space and the operational needs, such as clothes drying and storage, to meet the projected requirements of the occupants of the dwelling taking into account:</p> <p>(i) the useability and accessibility of the private open space; and</p> <p>(ii) the availability and accessibility of public open space or communal open space; and</p> <p>(iii) the orientation of the lot to the street; and</p> <p>(iv) the size and type of dwelling; and</p> <p>(b) include a useable area capable of serving as an extension of the dwelling for relaxation, dining, entertaining and children's play; and</p> <p>(c) be located to take advantage of direct sunlight; and</p> <p>(d) be clearly defined for private use.</p>
Dwelling type	Minimum area	Minimum depth											
Studio & 1 bedroom	8m ²	2m											
2 bedroom	10m ²	2m											
3+ bedroom	12m ²	2.4m											

F3.8.1.7.4 Subdivision - lot size, area and frontage

Objective:

To provide for lots with appropriate area and dimensions to accommodate development consistent with the Zone Purpose.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The size of each lot must be no less than 500m², except where the land is to be used for public open space or public utilities then the size of any new lot is to be designed to suit the proposed purpose and site characteristics.</p>	<p>P1</p> <p>No performance criteria.</p>
<p>A2</p> <p>The frontage for each lot must be no less than 20m except where the land is to be used for public open space or public utilities.</p>	<p>P2</p> <p>No performance criteria</p>

F3.8.1.8-5 Environmental Values

Objective:	
To ensure that the design and location of buildings and works avoids, minimises, mitigates and offsets adverse environmental impacts.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The location of buildings and works must comply with the following:</p> <ul style="list-style-type: none"> (a) be located within a building area, if shown on a sealed plan as approved under this planning scheme; (b) not encroach within the Tree Protection Zone of an individual native tree with a diameter >25cm; and. 	<p>P1</p> <p>Buildings and works must:</p> <ul style="list-style-type: none"> (a) be located and designed to avoid, minimise and mitigate impacts on natural values, having regard to: <ul style="list-style-type: none"> (i) the practical alternatives with respect to the location or design of the development; (ii) minimising and mitigating adverse impacts on natural values; and

(c) not require the clearing of any priority vegetation and/or high conservation value trees.	(b) Offset the loss of native and/or priority vegetation in accordance with Council's <i>Biodiversity Offset Policy</i> (Policy No. 6.10).
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F3.8.2 Development Standards for Urban Mixed Use Zoned Land

F3.8.2.1 Building setbacks and height

Objective:	
To ensure that buildings are constructed in a compact manner that is best suited to this central location within Kingston.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building setback from frontage must be:</p> <p>(a) Between 0-3m for frontages to Goshawk Way.</p> <p>(b) 1m from the frontage to Pardalote Parade.</p> <p>(c) 2m from any connecting road from Goshawk Way.</p>	<p>P1</p> <p>Building setback from frontage must be sufficient to enhance the streetscape, provide adequate space for landscaping, vehicle access, and parking and satisfy all of the following:</p> <p>(a) maintain visual sight lines for safe pedestrian and traffic movement;</p> <p>(b) have sufficient site area and dimensions to accommodate development;</p> <p>(c) take into consideration the characteristics of the site, essential supporting infrastructure, adjoining lots and the locality;</p> <p>(d) minimise overshadowing effects of new buildings on publicly accessible open space, including streets and areas for footway trading, between the hours of 9am to 3pm on 21 June;</p>

	<p>(e) demonstrated good urban design qualities be consistent good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development and Design WA Stage One</i> and any relevant Desired Future Character Statements.</p> <p>(f) be no more than 3m from a road.</p>
<p>A2</p> <p>Building height must be no more than 18 metres.</p>	<p>P2</p> <p>Building height must be consistent with the desired streetscape, urban form and character as described in the purpose of this specific area plan, having regard to all of the following:</p> <p>(a) potential impacts upon the amenity of adjacent properties through overshadowing and reflectivity;</p> <p>(b) demonstrated good urban design qualities good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development and Design WA Stage One</i> and any relevant Desired Future Character Statements.</p> <p>(c) the topography of the site;</p> <p>(d) the bulk and form of the proposed buildings;</p> <p>(e) the apparent height when viewed from public spaces within the townscape, especially towards kunyani/Mt Wellington and the surrounding vegetated hillsides; <u>and</u></p>

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	<p>(f) the purpose of the Specific Area Plan; and</p> <p>(g) be no more than 25m.</p>
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F3.8.2.2 Building design—housing diversity

Objective:									
<p>To ensure that building design provides housing choice and supports equitable housing access.</p>									
Acceptable Solutions	Performance Criteria								
<p>A1</p> <p>Buildings with a residential component must contain a mix of apartments with variable bedroom numbers in accordance with the following rates:</p> <table border="0"> <tr> <td style="padding-right: 20px;">Studio</td> <td>5–10%</td> </tr> <tr> <td>1 bedroom</td> <td>10–30%</td> </tr> <tr> <td>2 bedroom</td> <td>40–75%</td> </tr> <tr> <td>3+ bedroom</td> <td>10–100%</td> </tr> </table>	Studio	5–10%	1 bedroom	10–30%	2 bedroom	40–75%	3+ bedroom	10–100%	<p>P1</p> <p>No performance criteria.</p>
Studio	5–10%								
1 bedroom	10–30%								
2 bedroom	40–75%								
3+ bedroom	10–100%								
<p>A2</p> <p>Buildings with a residential component must provide for adaptable housing by satisfying all of the following:</p> <p>(a) adaptable dwellings are to be designed as set out in the relevant Australian Standards.</p> <p>(b) adaptable dwellings are to be spread amongst all unit sizes to</p>	<p>P2</p> <p>No performance criteria.</p>								

<p>accommodate various household sizes.</p> <p>(c) adaptable dwellings are to be provided in all new development in accordance with the following rates:</p> <table border="1"> <thead> <tr> <th>Total number of dwellings</th> <th>Number of adaptable dwellings to be provided</th> </tr> </thead> <tbody> <tr> <td>Between 0 and 7</td> <td>Nil</td> </tr> <tr> <td>Between 8 and 14</td> <td>1 dwelling</td> </tr> <tr> <td>Between 15 and 24</td> <td>2 dwellings</td> </tr> <tr> <td>Between 22 and 29</td> <td>3 dwellings</td> </tr> <tr> <td>30 or more</td> <td>15% of total dwellings</td> </tr> </tbody> </table>	Total number of dwellings	Number of adaptable dwellings to be provided	Between 0 and 7	Nil	Between 8 and 14	1 dwelling	Between 15 and 24	2 dwellings	Between 22 and 29	3 dwellings	30 or more	15% of total dwellings	
Total number of dwellings	Number of adaptable dwellings to be provided												
Between 0 and 7	Nil												
Between 8 and 14	1 dwelling												
Between 15 and 24	2 dwellings												
Between 22 and 29	3 dwellings												
30 or more	15% of total dwellings												
<p>A3</p> <p>The design of ground and first floor residential units in a mixed use area or mixed use building are to be flexible with multiple configurations and finished floor to finished ceiling heights of at least 3.3m, or floor to floor height of 3.6m, to enable both residential and commercial/retail uses.</p>	<p>P3</p> <p>No performance criteria.</p>												

F3.8.2.3 Building design – streetscape

<p>Objective:</p>
<p>To ensure that building design contributes positively to the streetscape and the amenity and safety of the public.</p>

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building design must contribute positively to the streetscape by satisfying all of the following:</p> <ul style="list-style-type: none"> (a) address the frontage and any other public space, including an internal car park, by the orientation of windows and by public access at ground floor level; (b) make a positive contribution to the activities of the streetscape by: <ul style="list-style-type: none"> (i) providing direct public access at the ground floor level; (ii) avoiding expanses of blank walls facing a road; (iii) introducing public art to the streetscape, such as murals; (c) minimise visual intrusiveness of roof-top service infrastructure, including service plants and lift structures, by integrating them into the roof design, with consideration of greenroofs where appropriate; (d) provide compatible footpaths with adjoining public footpaths; (e) screen outdoor storage, mechanical plant, and miscellaneous equipment from public view; 	<p>P4</p> <p>If (g) is not achievable then Building design must contribute positively to the streetscape, having regard to the need for provision of awnings over the public footpath. No performance criteria.</p>

<p>(f) be consistent with good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development and Design WA Stage One</i> and any relevant Desired Future Character Statements.;</p> <p>(g) provide fixed awnings over the public footpath, if building fronts Goshawk Way or Pardalote Parade, that:</p> <ul style="list-style-type: none"> (i) are along the full extent of the street frontage; (ii) wrap around the corner on corner buildings; (iii) recess lighting fixtures; (iv) conceal all wiring and conduits (v) give minimum setback of 1.5m from the face of the kerb to accommodate street trees. 	
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F3.8.2.4-2 Passive surveillance

Objective:	
To ensure that building design contributes positively to the amenity and safety of the public.	
Acceptable Solutions	Performance Criteria
A1 Buildings design must provide for surveillance of public spaces,	P1 No performance criteria.

<p>including the street, services and car parking by satisfying the following:</p> <ul style="list-style-type: none"> (a) locate windows to overlook the street and other public spaces; (b) design and locate main entrances to provide high visibility for users; (c) provide clear sight lines between a building and adjacent properties and public land; (d) locate external lighting to illuminate otherwise shaded or dark locations; (e) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (f) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa; (g) provide well-lit car parking areas designed to make use of sight lines to benefit from passive surveillance. 	
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F3.8.2.5 Landscaping

<p>Objective:</p>	
<p>To ensure that a safe and attractive landscaping treatment enhances the appearance of the site.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>

<p>A1</p> <p>Landscaping must be provided, unless the building has nil setback to frontage, to satisfy all of the following:</p> <p>(a) enhance the appearance of the development;</p> <p>(b) provide a range of plant height and forms to create diversity, interest and amenity, with an emphasis on local, indigenous species;</p> <p>(c) not create concealment or entrapment spaces;</p> <p>(d) be consistent with good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development</i> and <i>Design WA Stage One</i> and any relevant Desired Future Character Statements.</p>	<p>P1</p> <p>No performance criteria.</p>
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F3.8.2.6-3 Frontage fences

Objective:	
To ensure that the height and design of frontage fences enhance the streetscape and provide adequate privacy for residents, while still allowing for mutual passive surveillance of the road and dwelling.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The maximum height of fences for multiple dwellings and single dwellings at the ground floor on</p>	<p>P1</p> <p>Fences must be designed to:</p> <p>(a) be no more than 1.6 metres in height;</p>

<p>or within 4.5 metres of a frontage must be 1.2 metres.</p>	<p>(b) provide for security and privacy of residents while allowing for mutual passive surveillance of the road;</p> <p>(c) take account of the prevailing height, design and character of neighbouring fences; and</p> <p>(d) provide a minimum 50% transparency above 1.2 metres, unless to attenuate noise from high volume traffic for lots that have frontae to the Southern Outlet; and</p> <p>(e) demonstrated good urban design qualities be consistent with streetscape qualities and urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development and Design WA Stage One.</i></p>
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F3.8.2.7.4 Private open space – residential

<p>Objective:</p>	
<p>To provide adequate private open space for the residents of multiple dwellings and townhouses which is easily accessible from living areas and has access to direct sunlight.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Multiple dwellings and townhouses located at ground level or on a podium or similar structure must provide private open space instead of a balcony that satisfies the following</p>	<p>P1</p> <p>Private open space for multiple dwellings and townhouses at the ground floor must</p> <p>(a) include a usable area capable of serving as an extension of the dwelling for relaxation, dining,</p>

<p>(a) has an area of a minimum of 15m²;</p> <p>(b) has a minimum depth of 3m;</p> <p>(c) is directly accessible from and adjacent to a habitable room (other than a bedroom);</p> <p>(d) does not have a gradient steeper than 1 in 10; and.</p> <p>(e) is not used for vehicle access or parking.</p>	<p>entertaining and children's play;</p> <p>(b) be located to take advantage of direct sunlight.</p>												
<p>A2</p> <p>Multiple dwellings wholly above ground floor level must provide private open space for each dwelling that:</p> <p>(a) includes one area as per the dimensions below:</p> <table border="1" data-bbox="363 1151 663 1487"> <thead> <tr> <th>Dwelling type</th> <th>Minimum area</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Studio & 1 bedroom</td> <td>8m²</td> <td>2m</td> </tr> <tr> <td>2 bedroom</td> <td>10m²</td> <td>2m</td> </tr> <tr> <td>3+ bedroom</td> <td>12m²</td> <td>2.4m</td> </tr> </tbody> </table> <p>(b) is directly accessible from and adjacent to, a habitable room (other than a bedroom);</p> <p>(c) does not contain services and fixtures, including but not limited to air-conditioner units and clothes drying, that are visible from the street;</p>	Dwelling type	Minimum area	Minimum depth	Studio & 1 bedroom	8m ²	2m	2 bedroom	10m ²	2m	3+ bedroom	12m ²	2.4m	<p>P2</p> <p>Private open space for multiple dwellings wholly above ground floor level must:</p> <p>(a) be of a size and dimensions to accommodate outdoor recreational space and the operational needs, such as clothes drying and storage, to meet the projected requirements of the occupants of the dwelling taking into account:</p> <ul style="list-style-type: none"> (i) the useability and accessibility of the private open space; and (ii) the availability and accessibility of public open space or communal open space; and (iii) the orientation of the lot to the street; and (iv) the size and type of dwelling; and <p>(b) include a useable area capable of serving as an extension of the dwelling for relaxation, dining,</p>
Dwelling type	Minimum area	Minimum depth											
Studio & 1 bedroom	8m ²	2m											
2 bedroom	10m ²	2m											
3+ bedroom	12m ²	2.4m											

(d) does not have a gradient steeper than 1 in 10; and	entertaining and children's play; and
(e) is not used for vehicle access or parking.	(c) be located to take advantage of direct sunlight; and (d) be clearly defined for private use.

F3.8.2.8-5 Subdivision - lot size, area and frontage

Objective:	
To provide for lots with appropriate area and dimensions to accommodate development consistent with the Zone Purpose.	
Acceptable Solutions	Performance Criteria
A1 The size of each lot must be no less than 500m ² , except where the land is to be used for public open space or public utilities then the size of any new lot is to be designed to suit the proposed purpose and site characteristics.	P1 No performance criteria.
A2 The frontage for each lot must be no less than 20m except where the land is to be used for public open space or public utilities.	P2 No performance criteria

F3.8.2.9-6 Environmental Values

Objective:	
To ensure that the design and location of buildings and works avoids, minimises, mitigates and offsets adverse environmental impacts.	
Acceptable Solutions	Performance Criteria

<p>A1</p> <p>The location of buildings and works must comply with the following:</p> <ul style="list-style-type: none"> (a) be located within a building area, if shown on a sealed plan as approved under this planning scheme; (b) not encroach within the Tree Protection Zone of an individual native tree with a diameter >25cm; and. (c) not require the clearing of any priority vegetation. 	<p>P1</p> <ul style="list-style-type: none"> (a) be located and designed to avoid, minimise and mitigate impacts on natural values, having regard to: <ul style="list-style-type: none"> (i) the practical alternatives with respect to the location or design of the development; (ii) minimising and mitigating adverse impacts on natural values; and (b) Offset the loss of native and/or priority vegetation in accordance with Council's <i>Biodiversity Offset Policy</i> (Policy No. 6.10).
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F3.8.3 Development Standards for Inner Residential Zoned Land

F3.8.3.1 Residential density for multiple dwellings

<p>Objective:</p> <p>To provide for inner urban densities that:</p> <ul style="list-style-type: none"> (a) increase the number and density of dwellings; and (b) provide a range of dwelling types and sizes appropriate to the location; and (c) encourage efficient utilisation of residential land and services in inner urban areas. 	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Multiple dwellings must have a site area per dwelling of not less than 200m² and not more than 400m².</p>	<p>P1</p> <p>Site area per dwelling may be less than 200m² if the development contributes to a range of dwelling types and sizes appropriate to the locality.</p>

F3.8.3.2 Building setbacks and height

Objective:	
To ensure that buildings are constructed in a compact manner that is best suited to this central location within Kingston.	
Acceptable Solutions	Performance Criteria
A1 Single and multiple dwelling setback from a frontage must: (a) be a minimum of 1.8m from the primary frontage, or, a maximum of 3m from the primary frontage if located on Goshawk Way or Pardalote Parade; (b) provide an articulation zone that allows up to 50% of the frontage to be set forward by up to 1.5m from the primary frontage.	P1 Dwelling setback from a frontage must: (a) provide transitional space between the road and dwelling allowing mutual passive surveillance; and (b) provide measures to ensure that noise generated by traffic will not adversely impact on residential amenity. (c) not be more than 3.5m .
A2 All other buildings setback, other than dwellings, must satisfy the following: (a) be located 0 metres from a frontage; and (b) provide an articulation zone that allows up to 50% of the frontage to be set back by up to 1.5 metres; and	P2 All other buildings setback, other than dwellings, must satisfy the following: (a) be compatible with the relationship of existing buildings to the road in terms of setback or in response to topography or other physical constraints of the site and; (b) demonstrated good urban design qualities be consistent with good urban design principles, such as those found in The Apartment Design Guide: Tools for improving the design of residential apartment development and Design WA Stage One and any relevant

	Desired Future Character Statements.
<p>A3</p> <p>A building for a sensitive use must have a setback from a frontage to the Southern Outlet of not less than 50 metres.</p>	<p>P3</p> <p>A building for a sensitive use must have a setback from the Southern Outlet that is compatible with the streetscape and desired future character and protects the amenity of residents, having regard to all of the following:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the height bulk and form of existing and proposed buildings on the site and adjacent properties; (c) mitigation measures to reduce traffic noise impacts; (d) any recommendations from an acoustics engineer or other suitably qualified person; (e) any written advice received from the road authority; (f) demonstrated good urban design qualities <i>good urban design principles, such as those found in <u>The Apartment Design Guide: Tools for improving the design of residential apartment development and Design WA Stage One</u></i>; (g) any relevant Desired Future Character Statements.
<p>A4</p> <p>Building height must be no more than 10 metres.</p>	<p>P4</p> <p>Building height must be consistent with the desired streetscape, urban form and character having regard to <i><u>Building height must be consistent</u></i></p>

~~with the desired streetscape, urban form and character having regard to:~~

- ~~(a) demonstrated good urban design qualities~~
~~Good urban design principles, such as those found in The Apartment Design Guide: Tools for improving the design of residential apartment development and Design WA Stage 1;~~
- ~~(b) Any relevant Desired Future Character Statements;~~
- ~~(c) The topography of the site;~~
- ~~(d) The bulk and form of the proposed buildings;~~
- ~~(e) The apparent height when viewed from public spaces within the townscape, especially towards kunyani/Mt Wellington and the surrounding vegetated hillsides;~~
- ~~(f) Overshadowing of adjoining dwellings and private open space; and~~
- ~~(g) The purposes of the Specific Area Plan.~~

- (a) all of the following:
 - (a) good urban design principles, such as those found in *The Apartment Design Guide: Tools for improving the design of residential apartment development and Design WA Stage One* and any relevant Desired Future Character Statements;
 - (b) the topography of the site;
 - (c) the bulk and form of the proposed buildings;
 - (d) the apparent height when viewed from public spaces within the townscape, especially towards kunyani/Mt Wellington

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	<p>and the surrounding vegetated hillsides;</p> <p>(e) the purpose of the Specific Area Plan;</p> <p>(f) be no more than 12m.</p>
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F3.8.3.3 Site coverage and private open space

Objective:	
To provide for lots with appropriate area and dimensions to accommodate development consistent with the zone purpose.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 65% (excluding eaves up to 0.6m); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 45m² associated with each dwelling.</p>	<p>P1</p> <p>Private open space for dwellings must:</p> <p>(a) include a usable area capable of serving as an extension of the dwelling for relaxation, dining, entertaining and children’s play; and</p> <p>(b) be located to take advantage of direct sunlight.</p>
<p>A2</p> <p>A single and multiple dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least 20m²; and</p> <p>(c) has a minimum width of 3 metres; and</p> <p>(d) is directly accessible from and adjacent to, a habitable room (other than a bedroom); and</p>	<p>P1</p> <p>Private open space for a single and multiple dwellings must:</p> <p>(a) include a usable area capable of serving as an extension of the dwelling for relaxation, dining, entertaining and children’s play; and</p> <p>(b) be located to take advantage of direct sunlight.</p>

(e) does not have a gradient steeper than 1 in 10; and	
(f) is not used for vehicle access or parking.	

F3.8.3.4 Passive surveillance

Objective:	
To ensure that building design contributes positively to public amenity and safety.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building design must provide for surveillance of public spaces, including the street, services and car parking by satisfying all of the following:</p> <ul style="list-style-type: none"> (a) locate windows to overlook the street, laneway and other public spaces; (b) design and locate main entrances on a street to provide high visibility for users; (c) provide clear sight lines between a building and adjacent properties and public land; (d) locate external lighting to illuminate otherwise shaded or dark locations; (e) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces. 	<p>P1</p> <p>No performance criteria.</p>

F3.8.3.5 Vehicular access and driveways

Objective:	
To ensure that road accesses and communal driveways provide safe and efficient access for all users, and do not unreasonably detract from the amenity of adjacent dwellings or streetscape.	
Acceptable Solutions	Performance Criteria
A1	P1
<p>Accesses must comply with the following:</p> <p>(a) Lots abutting a rear laneway must be accessed via the rear laneway with a width of no less than 6 metres (refer to Figure 3.2); and</p> <p>(b) Lots with a frontage width of greater than 8 metres but less than 15 metres must locate their road access adjacent to the adjoining lot, to allow for a double crossover shared by two properties.</p>	<p><u>Accesses must be located and design to:</u></p> <p><u>(a) Comply with Figure F3.2 if for a lot abutting a rear laneway,</u></p> <p>(a) to not have an unreasonable impact on the streetscape or amenity of adjoining land. No performance criteria.</p>
A2	P2
<p>Communal driveways for villa units and townhouses must include a passing bay which:</p> <p>(a) is a minimum 6 metres long and 5.5 metres wide from the edge of the pavement if the communal driveway is a single lane and:</p> <p>(i) serves more than 5 car parking spaces; or</p> <p>(ii) is more than 30 metres long; or</p>	<p>An assessment must be provided prepared by a suitably qualified person that confirms that a communal driveway for villa units and townhouses is safe, efficient and convenient, that:</p> <p>(a) avoids conflicts between users including vehicles, cyclists and pedestrians; and</p> <p>(b) is suitable for the type and volume of traffic likely to be generated; and</p>

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<p>(iii) meets a road designed to carry more than 600 vehicles per day; and</p> <p>(b) tapers to the width of the remaining communal driveway; and</p> <p>(c) is provided at intervals no greater than 30 metres.</p>	<p>(c) provides ease of access for all regular users.</p>
<p>A3</p> <p>Dwellings with vehicular access via a communal driveway must be provided with on-site turning to enable vehicles to enter and exit a site in a forward direction.</p>	<p>P3</p> <p>An assessment prepared by a suitably qualified person must be provided that demonstrates vehicular access to and from villa units and townhouses via a communal driveway is safe, efficient and convenient that:</p> <p>(a) avoids potential conflicts between users including vehicles, cyclists and pedestrians; and</p> <p>(b) avoids unreasonable interference with the flow of traffic on adjoining roads; and</p> <p>(c) is suitable for the type and volume of traffic likely to be generated; and</p> <p>(d) provides ease of access for all regular users.</p>
<p>A4</p> <p>Communal driveways that serve 10 or more dwellings must have a separate pedestrian path with a minimum width of 1.2 metres.</p>	<p>P4</p> <p>For villa units and townhouses, an assessment prepared by a suitably qualified person must confirm that pedestrian access between roads and individual dwellings is safe and avoids potential conflicts between pedestrians and vehicles.</p>

F3.8.3.6 Landscaping – dwellings

Objective:	
To ensure that residential interfaces provide attractive landscaping treatments that complement the character of the surrounding streetscape.	
Acceptable Solutions	Performance Criteria
A1	P1
<p>Landscaping must be provided to satisfy the following:</p> <ul style="list-style-type: none"> (a) enhance the appearance of the development; and (b) provide for passive surveillance; and (c) provide a range of plant height and forms to create diversity, interest and amenity; and (d) not create concealed entrapment spaces; and (e) be consistent with good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development</i> and <i>Design WA Stage One</i> and any relevant Desired Future Character Statements. 	No performance criteria.

F3.8.3.7.6 Frontage fences

Objective:
To ensure that the height and design of frontage fences enhance the streetscape and provide adequate privacy for residents, while still allowing for mutual passive surveillance of the road and dwelling.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The maximum height of fences on or within 4.5 metres of a frontage must be 1.2 metres.</p>	<p>P1</p> <p>Fences must be designed to:</p> <ul style="list-style-type: none"> (a) be no more than 1.6 metres in height; (b) provide for security and privacy of residents while allowing for mutual passive surveillance of the road; and (c) take account of the prevailing height, design and character of neighbouring fences; and (d) provide a minimum 50% transparency above 1.2 metres, unless to attenuate noise from high volume traffic; and (e) demonstrated good urban design qualities be consistent with streetscape qualities and urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development</i> and <i>Design WA Stage One</i>.

F3.8.3.8-7 Siting and width of garages and carports for dwellings

Objective:	
<p>To ensure that the location and size of garages or carports for dwellings do not dominate the façade of the dwelling or the streetscape; do not restrict mutual passive surveillance of the road and dwelling; and provides for safe vehicular access to and from the site.</p>	
Acceptable Solutions	Performance Criteria

<p>A1</p> <p>Multiple dwellings with a frontage of 8 metres or greater must have a maximum total width of garage or carport openings facing the primary frontage of 6 metres or half the width of the frontage, whichever is the lesser, except for lots with a frontage width of less than 8 metres, where no road access or garage facing the primary road frontage is permitted.</p>	<p>P1</p> <p>No performance criteria.</p>
<p>A2</p> <p>The siting and design of garages and carports for single and multiple dwellings must:</p> <ul style="list-style-type: none"> (a) not dominate the frontage of the lot through location and visual bulk; and (b) retain mutual passive surveillance between the dwelling and road; and (c) provide for safe vehicular movements between the road and site; and (d) demonstrated good urban design qualities be consistent with good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development and Design WA Stage One</i> and any relevant Desired Future Character Statements. 	<p>P2</p> <p>No performance criteria.</p>

F3.8.3.9-8 Residential Density for Multiple Dwellings

Objective:	
To provide for inner urban densities that increase the density of dwellings and encourage the efficient utilisation of residential land and services in an inner urban area that is consistent with the purpose of this Specific Area Plan.	
Acceptable Solutions	Performance Criteria
A1 Multiple dwelling development must have a density of no greater than 1 dwelling per 120m ² .	P1 Dwelling density can be increased where it can be demonstrated that the development can accommodate: (a) the required amount of private open space per dwelling; and (b) a demonstrated ability to meet car parking requirements; and (c) there is negligible impact through overlooking or overshadowing both within and to adjacent sites.

F3.8.3.10-9 Subdivision - lot size, area and frontage

Objective:	
To provide for lots with appropriate area and dimensions to accommodate development consistent with the Zone Purpose.	
Acceptable Solutions	Performance Criteria
A1 The minimum lot size per single dwelling must be 150m ² .	P1 No performance criteria.
A2 The frontage for each lot must be no less than 6.5 metres.	P2 The frontage of each lot must be sufficient to accommodate development consistent with the Zone Purpose, having regard to good urban design principles, such

	<p>as these found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development and Design WA Stage One</i> and any relevant Desired Future Character Statements.</p>
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F3.8.3.14-10 Environmental Values

Objective:	
To ensure that the design and location of buildings and works avoids, minimises, mitigates and offsets adverse environmental impacts.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The location of buildings and works must comply with the following:</p> <ul style="list-style-type: none"> (a) be located within a building area, if shown on a sealed plan as approved under this planning scheme; (b) not encroach within the Tree Protection Zone of an individual native tree with a diameter >25cm; and. (c) not require the clearing of any priority vegetation. 	<p>P1</p> <ul style="list-style-type: none"> (a) Be located and designed to avoid, minimise and mitigate impacts on natural values, having regard to: <ul style="list-style-type: none"> (i) the practical alternatives with respect to the location or design of the development; (ii) minimising and mitigating adverse impacts on natural values; and (b) Offset the loss of native and/or priority vegetation in accordance with Council's <i>Biodiversity Offset Policy</i> (Policy No. 6.10).

F3.8.4 Development Standards for Community Purpose Zoned Land

F3.8.4.1 Building setbacks and height

Objective:
To ensure that buildings are constructed in a compact manner that is best suited to this central location within Kingston

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Buildings must have setbacks from frontages that are sufficient to enhance the streetscape, provide adequate space for landscaping and vehicle access and have regard to the following:</p> <ul style="list-style-type: none"> (a) actively promote integration with adjacent pedestrian town promenade; (b) maintain visual sight lines for safe traffic and pedestrian movement; (c) must be predominantly glazed and avoid blank walls; (d) take into consideration the characteristics of the site, essential supporting infrastructure, adjoining lots and the locality; (e) ensure residential uses at ground level do not face the frontage; and (f) be consistent with good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development and Design WA Stage One</i> and any relevant Desired Future Character Statements. 	<p>P1</p> <p>No performance criteria.</p>
<p>A2</p> <p>Building height must be no more than 10 metres.</p>	<p>P2</p> <p>Building height must be no more than 15 metres and must satisfy the following:</p>

	<p>(a) minimise impacts upon the amenity of adjacent properties through overshadowing and reflectivity; and</p> <p>(b) be consistent good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development</i> and <i>Design WA Stage One</i> and any relevant Desired Future Character Statements; and</p> <p>(c) be no more than 15 metres.</p>
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F3.8.4.2 Building design – streetscape

Objective:	
To ensure that building design contributes positively to the streetscape and the amenity and safety of the public.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building design must contribute positively to the streetscape by satisfying the following:</p> <p>(a) address the frontage and any other public space, including an internal car park, by the orientation of windows and by public access at ground floor level;</p> <p>(b) make a positive contribution to the activities of the streetscape by:</p> <p style="padding-left: 20px;">(i) providing direct public access at the ground floor level;</p>	<p>P1</p> <p>No performance criteria.</p>

<p>(ii) avoiding expanses of blank walls facing a road;</p> <p>(c) minimise visual intrusiveness of roof-top service infrastructure, including service plants and lift structures, by integrating them into the roof design, with consideration of greenroofs where appropriate;</p> <p>(d) provide compatible footpaths with adjoining public footpaths;</p> <p>(e) screen outdoor storage from public view; and</p> <p>(f) be consistent with good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development</i> and <i>Design WA Stage One</i> and any relevant Desired Future Character Statements.</p>	
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F3.8.4.3-2 Passive surveillance

Objective:	
To ensure that building design contributes positively to the amenity and safety of the public.	
Acceptable Solutions	Performance Criteria
A1 Buildings design must provide for surveillance of public spaces, including the street, services and	P1 No performance criteria.

<p>car parking by satisfying the following:</p> <ul style="list-style-type: none"> (a) locate windows to overlook the street and other public spaces; (b) design and locate main entrances to provide high visibility for users; (c) provide clear sight lines between a building and adjacent properties and public land; (d) locate external lighting to illuminate otherwise shaded or dark locations; (e) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (f) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa; (g) provide well lit car parking areas designed to make use of sight lines to benefit from passive surveillance. 	
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F3.8.4.4 Landscaping

<p>Objective:</p>	
<p>To ensure that a safe and attractive landscaping treatment enhances the appearance of the site.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p>	<p>P1</p>

<p>Landscaping must be provided, unless the building has nil setback to frontage, to satisfy the following:</p> <ul style="list-style-type: none"> (a) enhance the appearance of the development; (b) provide a range of plant height and forms to create diversity, interest and amenity; (c) not create concealment or entrapment spaces; (d) be consistent with good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development</i> and <i>Design WA Stage One</i> and any relevant Desired Future Character Statements. 	<p>No performance criteria.</p>
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F3.8.4.5-3 Subdivision - lot size, area and frontage

<p>Objective:</p>	
<p>To provide for lots with appropriate area and dimensions to accommodate development consistent with the Zone Purpose.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>The size of each lot must be no less than 120m² except where the land is to be used for public open space or public utilities then the size of any new lot is to be designed to suit the proposed purpose and site characteristics.</p>	<p>P1</p> <p>No performance criteria.</p>

<p>A2</p> <p>The frontage for each lot must be no less than 5 metres except where the land is to be used for public open space or public utilities.</p>	<p>P2</p> <p>No performance criteria.</p>
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F3.8.5 Development Standards for Open Space Zoned Land

F3.8.5.1 Building setbacks and height

<p>Objective:</p> <p>To ensure that building location and height contributes positively to the streetscape.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Buildings must have setbacks that are:</p> <p>(a) no less than 20 metres from the frontage with Goshawk Way and Huon Highway, and</p> <p>(b) no less than 5 metres from the frontage with any other road, except for land used for car parking.</p>	<p>P1</p> <p>Buildings must have setbacks from frontages that are sufficient to enhance the streetscape, provide adequate space for vehicle access, parking and landscaping having regard to the following:</p> <p>(a) the site's area and dimensions;</p> <p>(b) the characteristics of the site, adjoining lots and the locality;</p> <p>(c) demonstrated good urban design qualities be consistent with good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development</i> and <i>Design WA Stage One</i> and any relevant Desired Future Character Statements.</p>
<p>A2</p>	<p>P2</p>

Building height must be no more than 5 metres.	Building height must satisfy the following: (a) contribute positively to the visual amenity of the area; (b) be compatible with the scale of nearby buildings or vegetation; (c) demonstrated good urban design qualities be consistent with good urban design principles, such as those found in <i>The Apartment Design Guide: Tools for improving the design of residential apartment development</i> and <i>Design WA Stage One</i> and any Desired Future Character Statements provided for the area; (d) be no more than 10 metres.
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Figure F3.1 Kingston Park Specific Area Plan

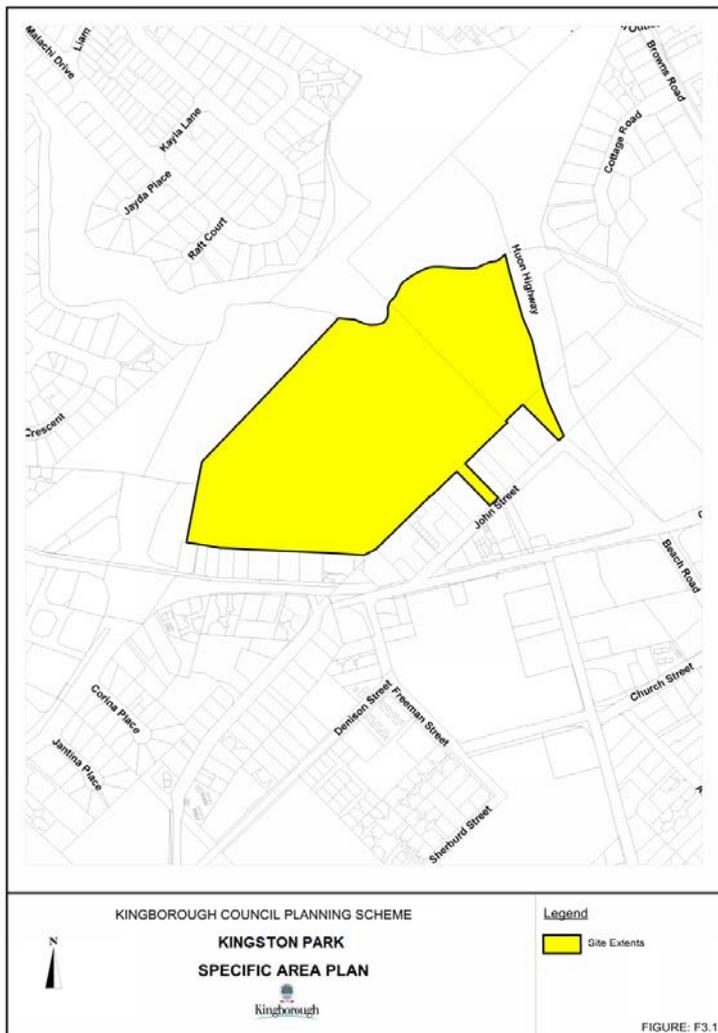
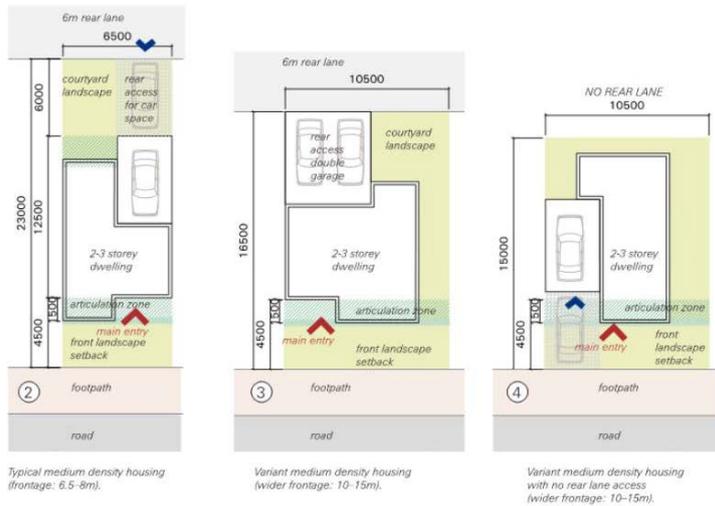


Figure F3.2 Vehicular access and driveways



15.1.3 Desired Future Character Statements

Desired Future Character Statements	Implementation Strategy
KINGSTON	
(a) The future development of Kingston Park should generate increased community activity and business interest within central Kingston.	(a) The development model for this site should be exciting, vibrant and futuristic. It should fit within an overall planning framework that provides for an integrated and coordinated mix of uses.

22.1.3 Desired Future Character Statements

Desired Future Character Statements	Implementation Strategy
KINGSTON	
(a) Central Kingston should be further developed and improved so that it is a pleasant destination, and is characterised	(a) The redevelopment of significant land parcels (such as Kingston Park) and public streetscapes will be based on

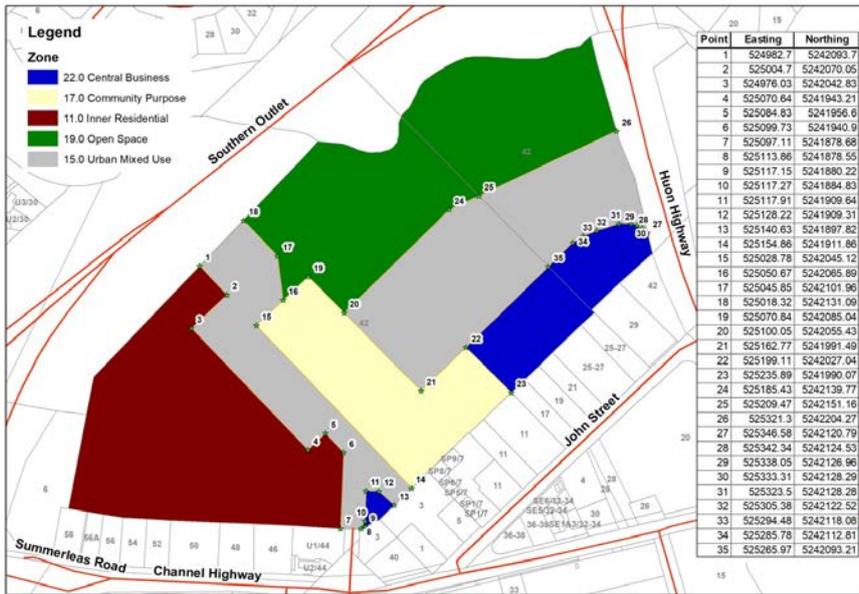
<p>by attractive public spaces and a modern urban design.</p> <p>(b) Central Kingston will be developed so that visitors are able to access the area and move about in a safe and efficient manner.</p> <p>(c) Car parking needs are to be met in a manner that allows for active streetscape functions, pedestrian safety and convenient locations.</p>	<p>contemporary urban planning techniques that meet long term community needs.</p> <p>(b) Traffic modelling will be required to ensure efficient movement and physical infrastructure will be provided to best meet the needs of vehicles, cyclists and pedestrians.</p> <p>(c) Car parking areas are not to face immediately onto streets within central Kingston and should be designed so that common areas are provided behind, under or above buildings facing the street.</p>
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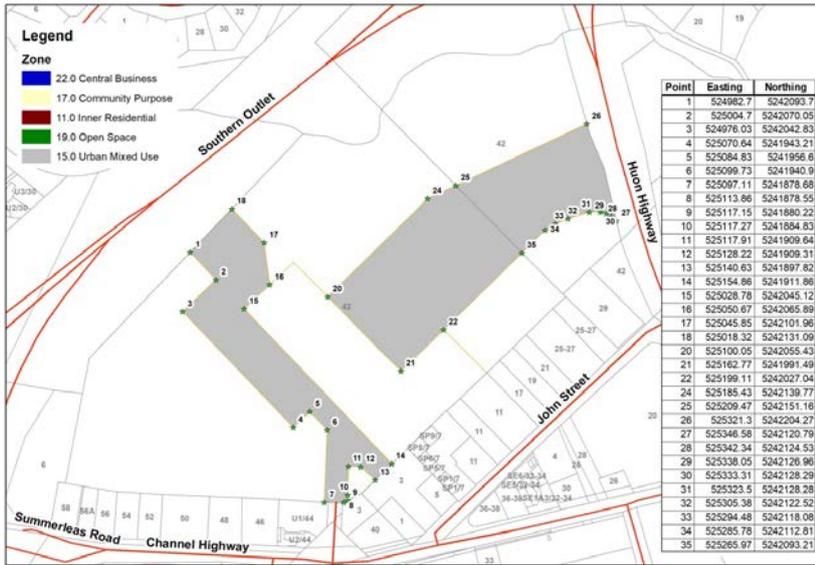
Incorporated Documents

Incorporated Documents		
Document Title	Description	Date
Margate Marina Master Plan	prepared by Smartgrowth, Integrated Architecture & Urban Design	July, 2004
Wellington Park Management Plan 2013	published by Wellington Park Management Trust	December, 2013

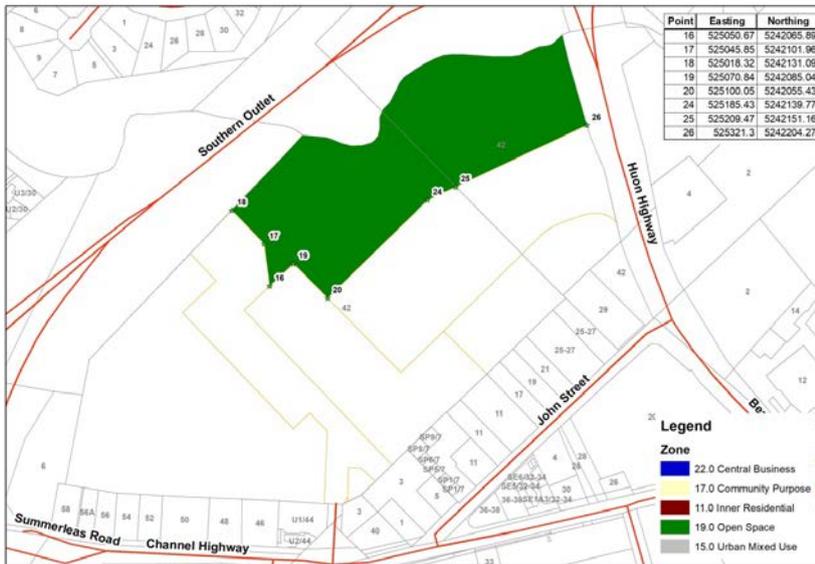
Zone maps

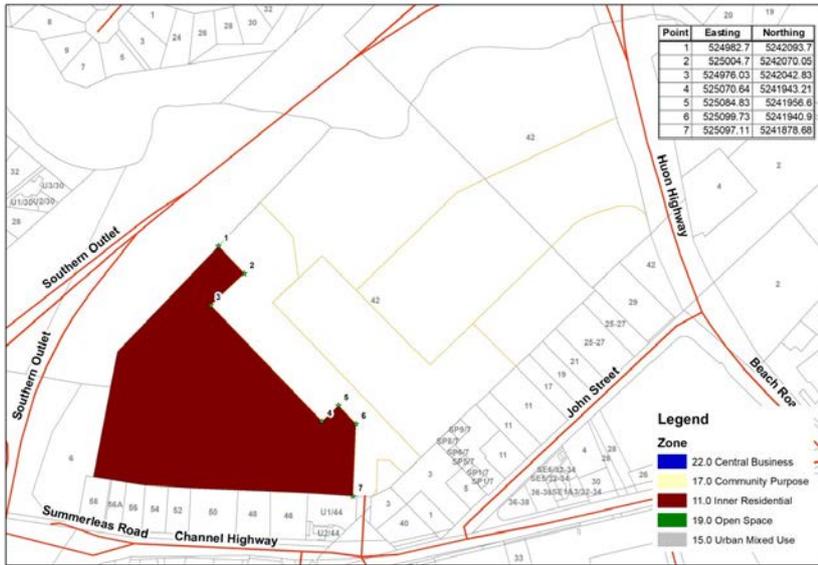
Kingston Park - entirety





Open Space Zone





Central Business Zone

