

KINGSTON PARK - PROPOSED SPECIFIC AREA PLAN AMENDMENTS
JMG ENGINEERS & PLANNERS
25 November 2019



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Manager Development Services
Kingborough Council
Via email: kc@kingborough.tas.gov.au

Attention: Tasha Tyler-Moore

Dear Tasha

REPRESENTATION FOR KINGSTON PARK SPECIFIC AREA PLAN AMENDMENT

This letter is intended as a representation for the Kingston Park Specific Area Plan Amendment. The letter is written on behalf of the landowners of property in the Central Business zone adjoining the site at 42 Channel Highway, Kingston. It is understood that the formal period for public exhibition has passed, however it was considered important to provide comment on the impact of rezoning on the Central Business zone in this area. The proposed rezoning will have a significant impact on future development potential in the Central Business zone adjoining the Inner Residential zone of the Kingston Park SAP.

An amendment to the Kingston Park Specific Area Plan of the *Kingborough Interim Planning Scheme 2015* is underway, initiated by the Kingborough Council on 12 August 2019. The proposed amendment includes the rezoning of land from Urban Mixed Use to Inner Residential as demonstrated in the Council Officer's report presented to Council on 12 August 2019 and reproduced below:



Figure 3: Zoning map, Kingborough Interim Planning Scheme 2015 (subject land boundary in yellow)



Figure 7: proposed rezoning which aligns with the Tenders In Purple development proposal and future Council projects

Height and setback of future development on property in the Central Business zone adjoining the proposed Inner Residential zone will be restricted if this area is rezoned Inner Residential. Currently the closest residential zone is opposite the Central Business zone, south of Channel Highway. The rezoning will increase the area of residential zoned land within 50 m of the Central Business zone bringing residential use much closer to adjoining property. The application of the following use standards will be more restrictive as a result of the rezoning in order to protect residential amenity:

- 22.3.1 Hours of Operation
- 22.3.2 Noise
- 22.3.3 External Lighting
- 22.3.4 Commercial Vehicle Movements

The following development standards will be triggered, restricting development on land in the Central Business zone adjoining the Inner Residential zone:

- 22.4.1 Building Height (A2) - Currently, the acceptable solution for building height is 15 m. The amendment will bring a residential zone within 10 m of the affected lots meaning that A2 is triggered. A2 lowers the acceptable building height to 8.5 m within 10 m of the residential zone. There is a performance criteria, however this allows for building height within 10 m of the residential zone that is compatible with the height of existing buildings on adjoining lots in the residential zone. This means that if the residential lots are primarily single storey dwellings, the performance criteria would result in a more restrictive height than the acceptable solution.
 - 22.4.2 Setback (A2) - There is currently no residential zone within 6 m of the affected titles. The rezoning will result in a reduced building envelope for the affected titles adjoining the Inner Residential zone. The acceptable solution for A2 is that buildings must be setback a minimum of 6 m from the residential zone, or half the height of the wall, if the wall is higher than 12 m. The performance criteria would require that the setback prevents unreasonable adverse impacts on residential amenity through overlooking and loss of privacy, and visual impact from adjoining lots.
 - 22.4.3 Design (A2) - Currently A2 is not applicable to new buildings in the Central Business zone on the northern façade. The rezoning would require that walls facing north must be coloured using colours with a light reflectance value no greater than 40%. There is no performance criteria.
 - 22.4.5 Landscaping (A2) - The proposed rezoning will bring the Inner Residential zone to the boundary of the Central Business zone, triggering A2. This clause requires that landscaping be provided for at least 2 m depth along a boundary shared with a residential zone. The performance criterion allows for development to provide landscaping or a building design to avoid unreasonable adverse impact on visual amenity in the residential zone.
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It is considered that rezoning the area to Inner Residential will result in land use conflict through the restriction of development introduced through the triggering of additional development standards as a direct result of the rezoning. It is also possible that by restricting development in the Central Business zone south of the SAP, there will be an impact on the economic capacity of the land.

The Council Officer's report states that *future potential development would be consistent with the surrounding land use pattern and would not create any potential for conflict with regards to zoning or land use.* The discussion of potential land use conflicts in the Officer's report does not consider the additional development controls that are triggered as a result of the rezoning, or the increased restriction of use standards that may occur through the increased density and proximity of residential zoning north of the Central Business zone.

The proposed rezoning is considered to have a negative impact on land within the Central Business zone adjoining the proposed Inner Residential zone under the amended SAP. The amendment will introduce land use conflict between Central Business use and new residential use triggering the restrictive development controls of the Central Business zone that currently do not apply.

Yours sincerely

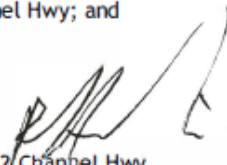
Signed by: KINGSTON (CENTRE) PTY LTD
Owner of 6 Summerleas Road



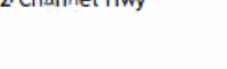
Signed by: HADISAK PTY LTD
Owner of 58 Channel Hwy



Signed by: MARK FLORUSSE
TIENEKE MARGURITE FLORUSSE
Owner of 'Cartridge World' 56 Channel Hwy; and
'Channel Pharmacy' 54 Channel Hwy



Signed by: CHRISTIAN HOMES TASMANIA INC
Owner of 'Channel Medical Centre' 52 Channel Hwy



Signed by: PMMA PTY LTD
48 Channel Hwy



Signed by: LUTGERTJE REBECCA VAN TOL
46 Channel Hwy



Signed by: PETAH ANNE NEWTON
Unit 1, 44 Channel Hwy



Signed by: ACN 155 140 159 PTY LTD
'Glendon Southern Brokers'
Unit 2, 44 Channel Hwy

