

28 August 2026

Our Ref: 17.228

For attention: Ms Linda Graham

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

Dear Linda,

KINGBOROUGH DRAFT LOCAL PROVISIONS SCHEDULE – DIRECTION 135 (KINGBOROUGH COASTAL SETTLEMENT SAP)

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

Direction

Following the hearing of representations concerning the Kingborough Coastal Settlement Specific Area Plan (SAP), the Planning Authority is to provide advice on whether modifications to the SAP are required. If the advice is that the SAP should be modified, the recommendations are to be accompanied with a track change version of the SAP, any mapping changes and appropriate justification.

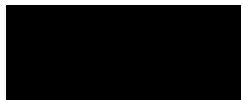
Planning Authority's response

The Planning Authority has reviewed the SAP and proposes to modify the SAP, particularly having regard to the discussion held at the hearings. Please find attached:

- Modified SAP with track changes and final format.
- Table explaining the modifications.
- Revised justification for the SAP.

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

Yours sincerely,

A black rectangular box redacting the signature of Dave Stewart.

DAVE STEWART
CHIEF EXECUTIVE OFFICER

Modifications made to the Kingborough Coastal Settlement SAP	Explanation
<p>KIN-S4.1 Plan Purpose</p> <p>The purpose of the Kingborough Coastal Settlement Specific Area Plan is:</p> <p><u>KIN-S4.1.1 To encourage a low-density, large-lot residential character that is compatible with the amenity and landscape setting of Kingborough's Coastal Settlements at Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon.</u></p> <p><u>KIN-S4.1.2 To provide for development that aligns with and does not exceed the capacity of limited infrastructure and services.</u></p> <p><u>KIN-S4.1.3 To minimise the impact or loss of prominent trees that contribute to the amenity and landscape setting of the coastal settlements.</u></p> <p>KIN-S4.1.1 To encourage use and development that protects and enhances the local character of the coastal settlements of Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon that makes them distinctly different from other more urbanised coastal settlements in Kingborough.</p> <p>KIN-S4.1.2 To provide for use and development in a manner that balances development with landscape character that exists in the coastal settlements and does not cause an unreasonable loss of amenity.</p> <p>KIN-S4.1.3 To provide use and development at a density that can be accommodated by the limited infrastructure and services available in the area.</p> <p>KIN-S4.1.4 To ensure where on-site waste management is required, lots have sufficient land available for on-site waste management.</p> <p>KIN-S4.1.5 To manage stormwater quality and quantity to protect natural assets, infrastructure and property.</p> <p>KIN-S4.1.6 To encourage the retention of native vegetation that adds to the local character of the coastal settlements of Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon and provides unique spatial and environmental qualities.</p> <p>KIN-S4.1.7 To minimise the collision risk to threatened bird species through the appropriate design of new</p>	<p>The SAP has been rationalised with only those provisions that are necessary to address the particular circumstances of the coastal settlements being retained.</p> <p>The purpose statement has been streamlined from a larger number of overlapping objectives to three key outcomes focused on maintaining the low-density, large-lot coastal character, ensuring development does not exceed the capacity of available infrastructure and services, and protecting prominent trees that contribute to landscape amenity.</p>

2b. Explanation of the modifications made to the Kingborough Coastal Settlement Plan

<p>KIN-S4.2.4 In the area of land this plan applies to, in addition to any other application requirements, the planning authority may require any of the following information to determine compliance with the use and development standards:</p> <p>(a) a Vegetation Assessment by a suitably qualified person for buildings and works or subdivision within the Kingborough Coastal Settlement Mapped Vegetation Areas to quantify the impacts of a development and identify management and protection mechanisms which ensure the retention and appropriate management of threatened native vegetation communities and threatened species habitat.</p> <p>(a) an Arboriculture Assessment by a suitably qualified arborist (Certificate V or equivalent and qualified in tree risk assessment) for buildings or works within the tree protection zones of trees within the Kingborough Coastal Settlement Mapped Vegetation Areas.</p> <p>(b) a collision risk assessment by a suitably qualified person to ascertain the potential risk of buildings and structures and identify appropriate mitigation measures, including design changes.</p> <p>(c) a Bushfire Attack Level (BAL) Assessment and accompanying Bushfire Hazard Management Plan by an accredited bushfire practitioner.</p> <p>(d) a photo/design montage to enable assessment of the visual impacts of new development in relation to height and visual appearance.</p>	
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2b. Explanation of the modifications made to the Kingborough Coastal Settlement Plan

KIN-S4.4 Definition of Terms	
KIN-S4.4.1 In this Specific Area Plan, unless the contrary intention appears:	
Terms	Definition
bold or bright colours	means primary, secondary colours that do not recede into the landscape.
coastal proximity	means where a lot: (a) has direct frontage to high or low water mark; or (a) abuts a conservation area or public reserve on the coast; or (a) fronts a road, that had it not existed, would have resulted in either (a) or (b) being met.
intensification	means a substantial and ongoing increase in the number of persons occupying, or capable of occupying, a dwelling or the number of persons visiting or working at a business premises.
Kingborough Coastal Settlement Mapped Vegetation Areas	means areas of land covered by native vegetation that is of local importance, as shown on an overlay map and in Figures KIN-S4.2.1, KIN-S4.2.2, KIN-S4.2.3, KIN-S4.2.4, and KIN-S4.2.5.
land application area	means an area of land used to apply effluent from a waste water treatment unit and reserved for future waste water application.
prominent tree	means any tree with a height greater than 5m and that has a single trunk diameter of 25cm or more measured from a height of 1.4m above existing ground level.
offset	means measures, implemented in accordance with <i>Kingborough Biodiversity Offset Policy 6.10, November 2023</i> that compensate for the residual adverse impacts of an action on the environment, when alternatives and options to avoid those impacts have been exhausted and it is still considered desirable for other economic, social, or
	environmental reasons for the action to proceed.
suitably qualified person (onsite waste water management)	means a person who can adequately demonstrate relevant tertiary qualifications (or equivalent) and experience, knowledge, expertise or practice in undertaking on-site waste water management system design in accordance with AS/NZS 1547.
tree protection zone	means the area surrounding a tree that is required to be protected from disturbance to maintain the tree's health and viability, including protection of both the root system and canopy. The extent of the Tree Protection Zone is to be determined in accordance with <i>Australian Standard AS 4970—2025 Protection of trees on development sites</i> and informed by the Notional Root Zone (NRZ), being the theoretical root protection area calculated as a radius equal to 12 times the tree's diameter at standard height (DSH), subject to a minimum of 2 m and a maximum of 15 m means the combined root area and crown area requiring protection and isolation from disturbance so that the tree remains viable. The radius of the tree protection zone is calculated by multiplying the diameter of the tree trunk at 1.4m from natural ground level by 12.

The definitions within the SAP have been simplified and consolidated to improve clarity and consistency, reflect contemporary planning practice, or to align with terminology used in other approved terms in the Tasmanian Planning Scheme.

For example, *Prominent Tree* is an accepted definition used within the Launceston LPS and *Land application area* is a definition used in the Sorell LPS.

The definition for *Tree protection zone* has been updated to align with the most recent Australian Standards.

The modified SAP proposes the removal of the definition of *Biodiversity Offset* that specifically referenced the *Kingborough Biodiversity Offset Policy*.

This amendment reflects discussions with the Tasmanian Planning Commission during the LPS hearings and recognises that the Policy in its current form cannot be easily integrated with the Tasmanian Planning Scheme.

Under the *Kingborough Biodiversity Offset Policy*, biodiversity offsets are measures that compensate for residual environmental impacts after avoidance

	<p>and mitigation measures have been exhausted, with the objective of avoiding a net loss of biodiversity values. However, the policy operates differently from the Natural Assets Code of the Tasmanian Planning Scheme.</p> <p>The Natural Assets Code only provides for on-site offsets in limited circumstances and does not contemplate broader offset mechanisms such as offsets on other land or monetary contributions, which are allowed under the Policy.</p> <p>Further, the 'Priority Vegetation' provisions apply only to subdivision within the Low Density Residential Zone and do not apply to development. Consequently, any broader vegetation protection or offset framework can only be implemented through a local provision such as a Specific Area Plan. However, extending vegetation controls beyond the intent of the State Planning Provisions requires a strong planning justification to avoid undermining the framework established by the Natural Assets Code.</p> <p>The modified SAP provisions relating to Prominent Trees are primarily directed at protecting the landscape character, scenic qualities and visual amenity of</p>
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	<p>the coastal settlements, rather than the natural values of the vegetation. While prominent trees may provide environmental benefits, these are secondary to their contribution to the area's distinctive landscape setting and neighbourhood character.</p> <p>Consequently, relying on biodiversity offsets to justify the loss of Prominent Trees risks conflating biodiversity outcomes with the landscape and amenity objectives of the SAP. The landscape and visual contribution of a prominent tree is inherently site-specific and cannot be replaced through offsets on another property or by monetary contributions.</p> <p>Notwithstanding this, it is acknowledged that although reference to the <i>Kingborough Offset Policy</i> has been removed from the SAP definitions, there may still be scope to consider whether that policy, or a similar offset-based mechanism, could play a role within the LPS framework in certain circumstances. As such, the appropriateness of incorporating the <i>Kingborough Offset Policy</i>, or an equivalent policy approach, within the LPS warrants further discussion and clarification with the Tasmanian Planning Commission.</p>
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2b. Explanation of the modifications made to the Kingborough Coastal Settlement Plan

<p>KIN-S4.6 Use Standards</p> <p><u>This sub-clause is not used in this specific area plan.</u></p> <p>KIN-S4.6.1 Discretionary uses</p> <p>This clause is in addition to Low Density Residential Zone — clause 10.3 Use Standards, Village Zone — clause 12.3 Use Standards, Port and Marine Zone — clause 25.3 Use Standards, and Community Purpose Zone — clause 27.3 Use Standards.</p> <table border="1"> <tr> <td>Objective:</td><td>That Discretionary uses are compatible with the character, services and infrastructure capacity of the area.</td></tr> <tr> <td>Acceptable Solutions</td><td>Performance Criteria</td></tr> <tr> <td> <p>A1</p> <p>No Acceptable Solution.</p> </td><td> <p>P1</p> <p>A use listed as Discretionary must be compatible with the character, services and infrastructure capacity of the area, having regard to the local area objectives for the relevant precinct.</p> </td></tr> </table> <p>KIN-S4.6.2 Waste water management</p> <p>This clause is in addition to Low Density Residential Zone — clause 10.3 Use Standards and Village Zone — clause 12.3 Use Standards.</p> <table border="1"> <tr> <td>Objective:</td><td>That waste water management is provided for residential and non-residential uses.</td></tr> <tr> <td>Acceptable Solutions</td><td>Performance Criteria</td></tr> <tr> <td> <p>A1</p> <p>(a) No new use or expansion or intensification of an existing use on the site; or</p> <p>(a) the site has connection or is capable of being connected to a reticulated sewerage system.</p> </td><td> <p>P1</p> <p>A new use or expansion or intensification of an existing use on the site must demonstrate that there is sufficient suitable land available for on-site wastewater treatment, having regard to:</p> <p>(a) the extent and nature of the land available on the property to accommodate an on-site waste water management system (including the land application area) for the proposed development;</p> <p>(a) the setback of the land application area being a sufficient distance from watercourses, property boundaries and groundwater;</p> <p>(a) the ability to retain native vegetation within the Kingborough Coastal Settlement Mapped Vegetation Areas, including individual trees with a diameter of more than 25cm; and</p> <p>(a) any relevant local area objectives.</p> </td></tr> </table>	Objective:	That Discretionary uses are compatible with the character, services and infrastructure capacity of the area.	Acceptable Solutions	Performance Criteria	<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>A use listed as Discretionary must be compatible with the character, services and infrastructure capacity of the area, having regard to the local area objectives for the relevant precinct.</p>	Objective:	That waste water management is provided for residential and non-residential uses.	Acceptable Solutions	Performance Criteria	<p>A1</p> <p>(a) No new use or expansion or intensification of an existing use on the site; or</p> <p>(a) the site has connection or is capable of being connected to a reticulated sewerage system.</p>	<p>P1</p> <p>A new use or expansion or intensification of an existing use on the site must demonstrate that there is sufficient suitable land available for on-site wastewater treatment, having regard to:</p> <p>(a) the extent and nature of the land available on the property to accommodate an on-site waste water management system (including the land application area) for the proposed development;</p> <p>(a) the setback of the land application area being a sufficient distance from watercourses, property boundaries and groundwater;</p> <p>(a) the ability to retain native vegetation within the Kingborough Coastal Settlement Mapped Vegetation Areas, including individual trees with a diameter of more than 25cm; and</p> <p>(a) any relevant local area objectives.</p>	<p>The SAP-specific use standards have been removed with the intention to simplify the SAP and reflects a view that the desired planning outcomes can be achieved through the purpose statement of the SAP and development standards without the need for additional SAP-specific use controls.</p>
Objective:	That Discretionary uses are compatible with the character, services and infrastructure capacity of the area.												
Acceptable Solutions	Performance Criteria												
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KIN-S4.7 Development Standards for Buildings and Works		The provisions relating to multiple dwellings have been refined to better reflect existing development patterns. These provisions are no more onerous than those that applied under KIPS 2015 and provide a pathway through the Performance Criteria to achieve outcomes that are more closely aligned with the standard provisions of the Tasmanian Planning Scheme.
KIN-S4.7.1 Residential density for multiple dwellings in the <u>Low Density</u> Residential Zone		
This clause is in substitution for Low Density Residential Zone – clause 10.4.1 Residential density for multiple dwellings.		
Objective:	<u>That the density of multiple dwellings:</u> <u>a. is appropriate for the <u>low density</u> nature of the zone; and</u> <u>b. is consistent with the availability of infrastructure services and any constraints to development.</u> <u>That Multiple Dwellings are provided with an appropriate level of infrastructure.</u>	
Acceptable Solutions	Performance Criteria	
A1 Multiple dwellings must: (a) have a site area per dwelling of not less than 2,500m²; meet the on-site waste water management provisions in KIN-S4.7.5 A1 or are capable of being connected to a reticulated sewerage system; meet the stormwater management provisions in KIN-S4.7.6 A1 or be capable of being connected to a public stormwater system; and (b) be located outside the Kingborough Coastal Settlement Mapped Vegetation Areas.	P1.1 <u>For a site that has a connection or is capable of being connected to a full water supply service, a reticulated sewerage system and the public stormwater system, multiple dwellings must only have a site area per dwelling that is less than 2,500m² if the number of dwellings:</u> <u>(a) is not out of character with the pattern of development existing on established properties in the area;</u> <u>(b) does not exceed the capacity of the current or intended infrastructure services in the area; and</u> <u>(c) the site area per dwelling is not less than 1,500m².</u> <u>having regard to any constraints to development.</u> P1.2 <u>For a site that is not capable of being connected to a full water supply service, a reticulated sewerage system and the public stormwater system, multiple dwellings must only have a site area per dwelling that</u>	

2b. Explanation of the modifications made to the Kingborough Coastal Settlement Plan

	<p><u>is less than 2,500m² if the number of dwellings:</u></p> <p><u>(a) is not out of character with the pattern of development existing on established properties in the area;</u></p> <p><u>(b) can be provided with adequate on-site wastewater disposal and water supply; and</u></p> <p><u>(c) the site area per dwelling is not less than 2,000m²; and</u></p> <p><u>(d) a regulated entity has provided written advice stating that the site is unable to be connected to a full water supply service or a reticulated sewerage system.</u></p> <p><u>having regard to any constraints to development. P4</u> Multiple dwellings must be provided with an appropriate level of infrastructure, having regard to:</p> <p>(a) the consistency of the proposed setback and scale with the character and pattern of development in the area;</p> <p>(b) the provision of on-site waste water management in accordance with KIN-S4.6.1 A1 or P2;</p> <p>(c) the provision of stormwater management in accordance with KIN-S4.7.6 A1 or P2; and</p> <p>(d) the capacity to design and locate development in a manner that maximises retention of native vegetation within the Kingborough Coastal Settlement Mapped Vegetation Areas in accordance with KIN-S4.7.7;</p> <p>and must have a site area per dwelling not less than 2,400m².</p>	
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2b. Explanation of the modifications made to the Kingborough Coastal Settlement Plan

KIN-S4.7.2 Visual impact	
This clause is in addition to Low Density Residential Zone – clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings, Village Zone – clause 12.4.2 Development Standards for Buildings and Works.	
Objective:	That the design of development complements the existing built and landscape character of the land with the Kingborough Coastal Settlement Specific Area Plan.
Acceptable Solutions	Performance Criteria
A1 Exterior building finishes must: (a) be of materials and colours with a light reflectance value not greater than 40%; and (a) not in bold or bright colours.	P1 Exterior building surfaces must not cause significant adverse impact on the visual amenity of the area, having regard to: (a) the level of reflectance when viewed from roads, public places and nearby waters; and (a) dominant colours and character of the area.

KIN-S4.7.3 Building height in coastal proximity	
This clause is in substitution for Low Density Residential Zone – clause 10.4.2 Building height and clause 10.5.1 Non-dwelling development A1 and P1, Village Zone – clause 12.4.2 Building height and Port and Marine Zone – clause 25.4.1 Building height.	
Objective:	To encourage building and structure height that does not adversely impact on the visual landscape qualities or extensive loss of views.
Acceptable Solutions	Performance Criteria

A number of SAP-specific building design controls, including provisions relating to building height, exterior finishes, excavation and fill, stormwater management have been removed as these matters would benefit from further strategic planning and consultation with the communities of these settlements as part of future strategic work.
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2b. Explanation of the modifications made to the Kingborough Coastal Settlement Plan

<p>A1</p> <p>In the Lower Snug, Conningham, Woodbridge, Middleton and Gordon Precincts, buildings in coastal proximity must have a building height of not more than 5m.</p>	<p>P1</p> <p>In the Lower Snug, Conningham, Woodbridge, Middleton and Gordon Precincts, building height must not cause a significant adverse impact on the landscape qualities of the area and backdrop setting, having regard to:</p> <ul style="list-style-type: none">(a) the apparent height when viewed from the adjoining road, public places and nearby waters;(a) the particular shape, contours or slope of the subject land, or of adjoining land;(a) the height of adjoining development; and(a) any local area objectives relevant to the precinct.
<p>A2</p> <p>In the Kettering Precinct, in the Port and Marine Zone, building height and structures such as towers, poles, gantries, cranes or similar, must have a height not more than 9m.</p>	<p>P2</p> <p>In the Kettering Precinct, structures in the Port and Marine Zone such as towers, poles, gantries, cranes or similar, must be compatible with the existing on established properties in the area, having regard to:</p> <ul style="list-style-type: none">(a) the apparent height when viewed from the adjoining road, public places and nearby waters;(a) the particular shape, contours or slope of the subject land, or of adjoining land;(a) the height of adjoining development; and(a) requirements for the functional operation of the marina;(a) any local area objectives relevant to the precinct.

KIN-S4.7.4 Site excavation and fill

This clause is in addition to Low Density Residential Zone — clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings, Village Zone — clause 12.4.2 Development Standards for Buildings and Works.

Objective:	That: <ul style="list-style-type: none">(a) the extent of alterations to the existing land form are minimised;(a) the visual prominence of buildings and structures is reduced;(a) building design responds to the particular shape, contours and slope of the land; and(a) design minimises disturbance to landform.
Acceptable Solutions	Performance Criteria

2b. Explanation of the modifications made to the Kingborough Coastal Settlement Plan

A1 Buildings and works must not include cut and fill more than 1m above or below existing ground level.	P1 Buildings and works must be located to minimise alteration to existing ground level, having regard to: <ul style="list-style-type: none">(a) the topography of the site;(a) the size and shape of the site;(a) any constraints imposed by existing development;(a) location of buildings or works;(a) the extent of any required cut or fill;(a) degree of disturbance to landform;(a) visibility of cut and fill from when viewed from roads, public places and nearby waters;(a) privacy of residents on adjoining lots;(a) land stability; and(a) impact of visibility of location of driveways and access tracks.	
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2b. Explanation of the modifications made to the Kingborough Coastal Settlement Plan

<p>KIN-S4.7.52 On-site waste water management</p> <p>This clause is in addition to Low Density Residential Zone – clause 10.4.2 Development Standards for Dwellings and clause 10.5.4 Development Standards for Non-dwellings. Village Zone – clause 12.4.2 Development Standards for Buildings and Works.</p>		<p>The on-site wastewater provisions have been simplified and refined and is proposed to only apply to the Low Density Residential Zone where on-site waste management is problematic. The modified provisions are not more onerous than those currently applying under the KIPS2015 and are intended to improve development outcomes and reduce the potential for issues arising later in the development process. These provisions are also similar to those in the Sorrell LPS.</p>
Objective:	That where on-site wastewater management is required, the site is suitable and able to accommodate an on-site waste management system.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Where on-site waste water management is required, it must:</p> <ul style="list-style-type: none"> (a) not cover more than 20% of the site; (b) be located on a site with a soil depth of at least 1.5m; (c) be located on a site where the average gradient of the land does not exceed 10%; and (d) for a dwelling, provide 65m² of land for wastewater land application area per bedroom which is located at least 1.5m from an upslope or side slope boundary and 5m from a downslope boundary. 	<p>P1</p> <p>The site must be suitable and provide sufficient area for management of on-site waste water, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the capacity of the site to absorb waste water; (c) the size and shape of the site; (d) the nature and extent of any hazard overlay; (e) the existing buildings and any constraints imposed by existing development; (f) the area of the site to be covered by the proposed development; (g) the provision for landscaping, vehicle parking, driveways and private open space; (h) any adverse impacts on the quality of ground, surface and coastal waters; (i) any adverse environmental impact on surrounding properties and the locality; and (j) any written advice from a suitably qualified person about the adequacy of the on-site waste water management system. 	
<p>A2</p> <p>An outbuilding, driveway or parking area or addition or alteration to a building must not encroach onto an existing land application area.</p>	<p>P2</p> <p>An outbuilding, driveway or parking area or addition or alteration to a building must demonstrate that there is sufficient suitable area of land available for a new onsite waste water management system.</p>	

<p>KIN-S4.7.37 Vegetation Management <u>Prominent trees</u></p> <p>This clause is in addition to the Low Density Residential Zone – clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings, Village Zone – clause 12.4.2 Development Standards for Buildings and Works and Port and Marine Zone – clause 25.4 Development Standards for Buildings and Works.</p>		<p>The vegetation provisions have been substantially refined and simplified. They now apply only to prominent trees that contribute significantly to the amenity and landscape setting of the area.</p> <p>The previous natural values focus has been removed, with the provisions now directed solely towards protecting and managing vegetation for its contribution to landscape and amenity values, which are the primary planning considerations underpinning the SAP.</p> <p>The vegetation provisions have also been modified having regard to recent discussions at the LPS hearings regarding the use of vegetation controls and offsets provisions within Specific Area Plans.</p> <p>The standard vegetation provisions of the Natural Assets Code will still apply to subdivisions in the SAP area (i.e. the prominent tree provisions only relate to new development which is not provided for under the standard provisions of the Tasmanian Planning Scheme.).</p>
Objective:	<p>That the siting of buildings and works minimise the impact or loss of prominent trees That the siting of buildings and works maximise the retention of native vegetation that contributes to the local character of the land in the Kingborough Coastal Settlement Specific Area Plan.</p>	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>The location of buildings and works must not encroach within the tree protection zone of a prominent tree. The location of buildings and works within the Kingborough Coastal Settlement Mapped Vegetation Areas must:</p> <p>(a) be located within a building area, if shown on a sealed plan; or</p> <p>(b) not encroach within the tree protection zone of an individual native tree with a diameter more than 25cm; and</p> <p>(c) not require the clearing of native vegetation.</p>	<p>P1</p> <p>Buildings and works must be located and designed to minimise impacts on prominent trees, having regard to:</p> <p>(a) the practical alternatives with respect to the location or design of the development;</p> <p>(b) the extent of vegetation to be removed;</p> <p>(c) the maturity and landscape contribution;</p> <p>(d) requirements for adequate bushfire protection;</p> <p>(e) any proposed remedial, mitigation or revegetation measures; and</p> <p>(f) the management, landscaping and treatment of the balance of the site.</p> <p>Buildings and works must be located and designed to maximise the retention of native vegetation, including individual trees, having regard to:</p> <p>(a) the extent of vegetation to be impacted, removed and retained;</p> <p>(b) the maturity, landscape contribution and</p>	

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	<div>conservation significance of the vegetation; (a) requirements for adequate bushfire protection; (b) any proposed remedial, mitigation, offsets or revegetation measures; (c) the management and treatment of native vegetation on the balance of the site; and (d) the practical alternatives with respect to the location or design of the development.</div>		
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KIN-S4.7.8 — Collision Risk		<p>The collision risk provisions previously proposed for the SAP have been removed.</p> <p>While such provisions may be justified in locations such as Bruny Island where there is a strong nexus with Swift Parrot habitat and associated collision risks, there is not sufficient justification for the differentiation of SAP area from other areas within the settlements where the controls would not be in place.</p> <p>Broader consideration of collision risk outside Bruny Island is considered more appropriately addressed through the ongoing review of the standard provisions of the Tasmanian Planning Scheme.</p>
This clause is in addition to the Low Density Residential Zone — clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings, Village Zone — clause 12.4.2 Development Standards for Buildings and Works.		
Objective:	That the design of buildings and structures minimises collision risk for threatened bird species.	
Acceptable Solutions	Performance Criteria	
A1 The design of buildings and structures must: (a) not include mesh fences more than 1.2m in height from natural ground level; (b) not include corner windows or the creation of sightlines through glazed surfaces; and (c) use glazing that: (i) has a total surface area of less than 2m²; (ii) uses low reflectivity glass (0-10%); or (iii) is installed at a minimum of 20-degrees from vertical, angled in at its base to reflect the ground.	P1 Building and structure design must minimise the collision risk for threatened birds, having regard to: (a) any likely particular impacts on the swift parrot; (b) any impacts on other threatened bird species; and (c) the advice of a suitably qualified person.	

KIN-S4.8 Development Standards for Subdivision		The Low Density Residential Zone subdivision provisions have been simplified and provide greater recognition of existing settlement patterns. The provisions are not more onerous than those currently applying under the KIPS2015 and include Performance Criteria that allow consideration of subdivision outcomes more closely aligned with the standard minimum lot sizes provided under the Tasmanian Planning Scheme where appropriate.
KIN-S4.8.1 Lot design in the Low Density Residential Zone		
This clause is in substitution for Low Density Residential Zone – clause 10.6.1 A1 and P1 Lot design.		
Objective:	<u>That each lot:</u> <u>(a) has an area and dimensions appropriate for use and development in the zone;</u> <u>(b) is provided with appropriate access to a road; and</u> <u>(c) contains areas which are suitable for residential development.</u>	
Acceptable Solutions	Performance Criteria	
A1 <u>Each lot, or a lot proposed in a plan of subdivision, must:</u> <u>(a) have an area of not less than 2,500m² and:</u> <u>(i) be able to contain a minimum area of</u> <u>10m x 15m with a gradient not steeper than 1 in 5, clear of:</u> <u>a. all setbacks required by clause 10.4.3 A1 and A2; and</u> <u>b. easements or other title restrictions that limit or restrict development; and</u> <u>(ii) existing buildings are consistent with the setback required by clause 10.4.3 A1 and A2;</u> <u>(b) be required for public use by the Crown, a council or a State authority;</u> <u>(c) be required for the provision of Utilities; or be for the consolidation of a lot with another lot provided each lot is within the same zone.</u>	P1 <u>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</u> <u>(a) the relevant requirements for development of</u> <u>buildings on the lots;</u> <u>(b) the intended location of buildings on the lots;</u> <u>(c) the topography of the site;</u> <u>(d) adequate provision of private open space;</u> <u>(e) the pattern of development existing on established properties in the area;</u> <u>(f) any constraints to development;</u> <u>(g) the capacity of the current or intended infrastructure services in the area;</u> <u>and must have an area not less than 1,500m².</u>	

KIN-S4.0 Kingborough Coastal Settlement Specific Area Plan

KIN-S4.1 Plan Purpose

The purpose of the Kingborough Coastal Settlement Specific Area Plan is:

- KIN-S4.1.1 To encourage a low-density, large-lot residential character that is compatible with the amenity and landscape setting of Kingborough's Coastal Settlements at Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon.
- KIN-S4.1.2 To provide for development that aligns with and does not exceed the capacity of limited infrastructure and services.
- KIN-S4.1.3 To minimise the impact or loss of prominent trees that contribute to the amenity and landscape setting of the coastal settlements.
- ~~KIN-S4.1.1 To encourage use and development that protects and enhances the local character of the coastal settlements of Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon that makes them distinctly different from other more urbanised coastal settlements in Kingborough.~~
- ~~KIN-S4.1.2 To provide for use and development in a manner that balances development with landscape character that exists in the coastal settlements and does not cause an unreasonable loss of amenity.~~
- ~~KIN-S4.1.3 To provide use and development at a density that can be accommodated by the limited infrastructure and services available in the area.~~
- ~~KIN-S4.1.4 To ensure where on site waste management is required, lots have sufficient land available for on-site waste management.~~
- ~~KIN-S4.1.5 To manage stormwater quality and quantity to protect natural assets, infrastructure and property.~~
- ~~KIN-S4.1.6 To encourage the retention of native vegetation that adds to the local character of the coastal settlements of Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon and provides unique spatial and environmental qualities.~~
- ~~KIN-S4.1.7 To minimise the collision risk to threatened bird species through the appropriate design of new development.~~

KIN-S4.2 Application of this Plan

- KIN-S4.2.1 The specific area plan applies to the area of land designated as KIN-S4.0 Kingborough Coastal Settlement Specific Area Plan on the overlay maps and in Figure KIN-S4.1.
- KIN-S4.2.2 In the area of land to which this plan applies, the provisions of the specific area plan are in substitution for, and in addition to the provisions of the:
 - (a) Low Density Residential Zone;
 - (b) Village Zone;
 - (c) Port and Marine Zone; and
 - (d) Community Purpose Zone,as specified in the relevant provision.
- KIN-S4.2.3 The specific area plan applies to the following precincts as shown on an overlay map and in Figures KIN-S4.1, KIN-S4.1.1, KIN-S4.1.2, KIN-S4.1.3, KIN-S4.1.4, and KIN-S4.1.5:
 - (a) Lower Snug and Coningham Precinct;
 - (b) Kettering Precinct;
 - (c) Woodbridge Precinct;

- (d) Middleton Precinct; and
- (e) Gordon Precinct.

~~KIN-S4.2.4 In the area of land this plan applies to, in addition to any other application requirements, the planning authority may require any of the following information to determine compliance with the use and development standards:~~

- ~~(a) a Vegetation Assessment by a suitably qualified person for buildings and works or subdivision within the Kingborough Coastal Settlement Mapped Vegetation Areas to quantify the impacts of a development and identify management and protection mechanisms which ensure the retention and appropriate management of threatened native vegetation communities and threatened species habitat.~~
- ~~(a) an Arboriculture Assessment by a suitably qualified arborist (Certificate V or equivalent and qualified in tree risk assessment) for buildings or works within the tree protection zones of trees within the Kingborough Coastal Settlement Mapped Vegetation Areas.~~
- ~~(b) a collision risk assessment by a suitably qualified person to ascertain the potential risk of buildings and structures and identify appropriate mitigation measures, including design changes.~~
- ~~(c) a Bushfire Attack Level (BAL) Assessment and accompanying Bushfire Hazard Management Plan by an accredited bushfire practitioner.~~
- ~~(d) a photo/design montage to enable assessment of the visual impacts of new development in relation to height and visual appearance.~~

KIN-S4.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

~~KIN-S4.3.1 Local Area Objectives – Lower Snug and Conningham Precinct~~

Reference/Sub-clause Number	Area Description	Local Area Objectives
KIN-S4.3.1.1	Lower Snug and Conningham Precinct, shown on an overlay map as KIN-S4.3.1.1	<p>The local area objectives are to:</p> <ul style="list-style-type: none"> (a) provide for use that is compatible with the existing residential coastal bush block character of Lower Conningham and Snug; and (a) provide use at a density that can be accommodated by the limited infrastructure and services available in the area.

~~KIN-S4.3.2 Local Area Objectives – Kettering Precinct~~

Reference/Sub-clause Number	Area Description	Local Area Objectives
KIN-S4.3.2.1	Kettering Precinct, shown on an overlay map as KIN-S4.3.2.1	<p>The local area objectives are to:</p> <ul style="list-style-type: none"> (a) provide for use that is compatible with the fishing village character of Kettering; (a) facilitate use that increases and improves the community-based services for the convenience of local residents and visitors; and (b) provide use at a density that can be accommodated by the limited infrastructure and services available in the area.

~~KIN-S4.3.3 Local Area Objectives – Woodbridge Precinct~~

Reference/Sub-clause Number	Area Description	Local Area Objectives
KIN-S4.3.3.1	Woodbridge Precinct, shown on an overlay map as KIN-S4.3.3.1	<p>The local area objectives are to:</p> <ul style="list-style-type: none"> (a) provide for use that is compatible with the heritage village character of Woodbridge;

		(a) facilitate use that increases and improves community-based services for the convenience of local residents and visitors; and (b) provide use at a density that can be accommodated by the limited infrastructure and services available in the area.
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~~KIN S4.3.4 Local Area Objectives Middleton Precinct~~

Reference/Sub-clause Number	Area Description	Local Area Objectives
KIN S4.3.4.1	Middleton Precinct, shown on an overlay map as KIN-S4.3.4.1	The local area objectives are to: (a) provide for use that is compatible with the predominantly rural settlement character of Middleton; and (a) provide use at a density that can be accommodated by the limited infrastructure and services available in the area.

~~KIN S4.3.5 Local Area Objectives Gordon Precinct~~

Reference/Sub-clause Number	Area Description	Local Area Objectives
KIN S4.3.5.1	Gordon Precinct, shown on an overlay map as KIN-S4.3.5.1	The local area objectives are to: (a) provide for use that is compatible with the predominantly low-key rural settlement character of Gordon; and (a) provide use at a density that can be accommodated by the limited infrastructure and services available in the area.

KIN-S4.4 Definition of Terms

KIN-S4.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition
bold or bright colours	means primary, secondary colours that do not recede into the landscape.
coastal proximity	means where a lot: (a) has direct frontage to high or low water mark; or (a) abuts a conservation area or public reserve on the coast; or (b) fronts a road, that had it not existed, would have resulted in either (a) or (b) being met.
intensification	means a substantial and ongoing increase in the number of persons occupying, or capable of occupying, a dwelling or the number of persons visiting or working at a business premises.
Kingborough Coastal Settlement Mapped Vegetation Areas	means areas of land covered by native vegetation that is of local importance, as shown on an overlay map and in Figures KIN-S4.2.1, KIN-S4.2.2, KIN-S4.2.3, KIN-S4.2.4, and KIN-S4.2.5.
land application area	means an area of land used to apply effluent from a waste water treatment unit and reserved for future waste water application.
<u>prominent tree</u>	<u>means any tree with a height greater than 5m and that has a single trunk diameter of 25cm or more measured from a height of 1.4m above existing ground level.</u>
offset	means measures, implemented in accordance with <i>Kingborough Biodiversity Offset Policy 6.10, November 2023</i> that compensate for the residual adverse impacts of an action on the environment, when alternatives and options to avoid those impacts have been exhausted and it is still considered desirable for other economic, social, or

	environmental reasons for the action to proceed.
suitably qualified person (onsite waste water management)	means a person who can adequately demonstrate relevant tertiary qualifications (or equivalent) and experience, knowledge, expertise or practice in undertaking on-site waste water management system design in accordance with AS/NZS 1547.
tree protection zone	<u>means the area surrounding a tree that is required to be protected from disturbance to maintain the tree's health and viability, including protection of both the root system and canopy. The extent of the Tree Protection Zone is to be determined in accordance with <i>Australian Standard AS 4970—2025 Protection of trees on development sites</i> and informed by the Notional Root Zone (NRZ), being the theoretical root protection area calculated as a radius equal to 12 times the tree's diameter at standard height (DSH), subject to a minimum of 2 m and a maximum of 15 m.</u> means the combined root area and crown area requiring protection and isolation from disturbance so that the tree remains viable. The radius of the tree protection zone is calculated by multiplying the diameter of the tree trunk at 1.4m from natural ground level by 12.

KIN-S4.5 Use Table

This sub-clause is not used in this specific area plan.

KIN-S4.6 Use Standards

This sub-clause is not used in this specific area plan.

~~KIN-S4.6.1 — Discretionary uses~~

~~This clause is in addition to Low Density Residential Zone — clause 10.3 Use Standards, Village Zone — clause 12.3 Use Standards, Port and Marine Zone — clause 25.3 Use Standards, and Community Purpose Zone — clause 27.3 Use Standards.~~

Objective:	That Discretionary uses are compatible with the character, services and infrastructure capacity of the area.	
Acceptable Solutions		Performance Criteria
A1 No Acceptable Solution.		P1 A use listed as Discretionary must be compatible with the character, services and infrastructure capacity of the area, having regard to the local area objectives for the relevant precinct.

~~KIN-S4.6.2 — Waste water management~~

~~This clause is in addition to Low Density Residential Zone — clause 10.3 Use Standards and Village Zone — clause 12.3 Use Standards.~~

Objective:	That waste water management is provided for residential and non-residential uses.	
Acceptable Solutions		Performance Criteria

<p>A1</p> <p>(a) No new use or expansion or intensification of an existing use on the site; or</p> <p>(a) the site has connection or is capable of being connected to a reticulated sewerage system.</p>	<p>P1</p> <p>A new use or expansion or intensification of an existing use on the site must demonstrate that there is sufficient suitable land available for on-site wastewater treatment, having regard to:</p> <p>(a) the extent and nature of the land available on the property to accommodate an on-site waste water management system (including the land application area) for the proposed development;</p> <p>(a) the setback of the land application area being a sufficient distance from watercourses, property boundaries and groundwater;</p> <p>(b) the ability to retain native vegetation within the Kingborough Coastal Settlement Mapped Vegetation Areas, including individual trees with a diameter of more than 25cm; and</p> <p>(c) any relevant local area objectives.</p>
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KIN-S4.7 Development Standards for Buildings and Works

KIN-S4.7.1 Residential density for multiple dwellings in the Low Density Residential Zone

This clause is in substitution for Low Density Residential Zone – clause 10.4.1 Residential density for multiple dwellings.

Objective:	<p><u>That the density of multiple dwellings:</u></p> <p><u>a. is appropriate for the low density nature of the zone; and</u></p> <p><u>b. is consistent with the availability of infrastructure services and any constraints to development.</u></p> <p>That Multiple Dwellings are provided with an appropriate level of infrastructure.</p>
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Multiple dwellings must:</p> <p>(a) have a site area per dwelling of not less than 2,500m²;</p> <p>meet the on-site waste water management provisions in KIN-S4.7.5 A1 or are capable of being connected to a reticulated sewerage system;</p> <p>meet the stormwater management provisions in KIN-S4.7.6 A1 or be capable of being connected to a public stormwater system; and</p> <p>(b) be located outside the Kingborough Coastal Settlement Mapped Vegetation Areas.</p>	<p>P1.1</p> <p><u>For a site that has a connection or is capable of being connected to a full water supply service, a reticulated sewerage system and the public stormwater system, multiple dwellings must only have a site area per dwelling that is less than 2,500m² if the number of dwellings:</u></p> <p><u>(a) is not out of character with the pattern of development existing on established properties in the area;</u></p> <p><u>(b) does not exceed the capacity of the current or intended infrastructure services in the area; and</u></p> <p><u>(c) the site area per dwelling is not less than 1,500m²,</u></p> <p><u>having regard to any constraints to development.</u></p> <p>P1.2</p> <p><u>For a site that is not capable of being connected to a full water supply service, a reticulated sewerage system and the public stormwater system, multiple dwellings must only have a site area per dwelling that</u></p>

	<p>is less than 2,500m² if the number of dwellings:</p> <p>(a) is not out of character with the pattern of development existing on established properties in the area;</p> <p>(b) can be provided with adequate on-site wastewater disposal and water supply; and</p> <p>(c) the site area per dwelling is not less than 2,000m²; and</p> <p>(d) a regulated entity has provided written advice stating that the site is unable to be connected to a full water supply service or a reticulated sewerage system.</p> <p>having regard to any constraints to development. P4 Multiple dwellings must be provided with an appropriate level of infrastructure, having regard to:</p> <p>(a) the consistency of the proposed setback and scale with the character and pattern of development in the area;</p> <p>(b) the provision of on-site waste water management in accordance with KIN-S4.6.1 A1 or P2;</p> <p>(c) the provision of stormwater management in accordance with KIN-S4.7.6 A1 or P2; and</p> <p>(d) the capacity to design and locate development in a manner that maximises retention of native vegetation within the Kingborough Coastal Settlement Mapped Vegetation Areas in accordance with KIN-S4.7.7;</p> <p>and must have a site area per dwelling not less than 2,400m².</p>
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KIN-S4.7.2 ~~Visual impact~~

This clause is in addition to Low Density Residential Zone—clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings, Village Zone—clause 12.4.2 Development Standards for Buildings and Works.

Objective:	That the design of development complements the existing built and landscape character of the land with the Kingborough Coastal Settlement Specific Area Plan.
Acceptable Solutions	Performance Criteria
A1 Exterior building finishes must: (a) be of materials and colours with a light reflectance value not greater than 40%; and (a) not in bold or bright colours.	P4 Exterior building surfaces must not cause significant adverse impact on the visual amenity of the area, having regard to: (a) the level of reflectance when viewed from roads, public places and nearby waters; and (a) dominant colours and character of the area.

KIN-S4.7.3 ~~Building height in coastal proximity~~

This clause is in substitution for Low Density Residential Zone—clause 10.4.2 Building height and clause 10.5.1 Non-dwelling development A1 and P1, Village Zone—clause 12.4.2 Building height and Port and Marine Zone—clause 25.4.1 Building height.

Objective:	To encourage building and structure height that does not adversely impact on the visual landscape qualities or extensive loss of views.
Acceptable Solutions	Performance Criteria

<p>A1</p> <p>In the Lower Snug, Coningham, Woodbridge, Middleton and Gordon Precincts, buildings in coastal proximity must have a building height of not more than 5m.</p>	<p>P1</p> <p>In the Lower Snug, Coningham, Woodbridge, Middleton and Gordon Precincts, building height must not cause a significant adverse impact on the landscape qualities of the area and backdrop setting, having regard to:</p> <ul style="list-style-type: none"> (a) the apparent height when viewed from the adjoining road, public places and nearby waters; (a) the particular shape, contours or slope of the subject land, or of adjoining land; (a) the height of adjoining development; and (a) any local area objectives relevant to the precinct.
<p>A2</p> <p>In the Kettering Precinct, in the Port and Marine Zone, building height and structures such as towers, poles, gantries, cranes or similar, must have a height not more than 9m.</p>	<p>P2</p> <p>In the Kettering Precinct, structures in the Port and Marine Zone such as towers, poles, gantries, cranes or similar, must be compatible with the existing on established properties in the area, having regard to:</p> <ul style="list-style-type: none"> (a) the apparent height when viewed from the adjoining road, public places and nearby waters; (a) the particular shape, contours or slope of the subject land, or of adjoining land; (a) the height of adjoining development; and (a) requirements for the functional operation of the marina; (a) any local area objectives relevant to the precinct.

KIN-S4.7.4 Site excavation and fill

This clause is in addition to Low Density Residential Zone — clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings, Village Zone — clause 12.4.2 Development Standards for Buildings and Works.

<p>Objective:</p>	<p>That:</p> <ul style="list-style-type: none"> (a) the extent of alterations to the existing land form are minimised; (a) the visual prominence of buildings and structures is reduced; (a) building design responds to the particular shape, contours and slope of the land; and (a) design minimises disturbance to landform.
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>

<p>A1</p> <p>Buildings and works must not include cut and fill more than 1m above or below existing ground level.</p>	<p>P1</p> <p>Buildings and works must be located to minimise alteration to existing ground level, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (a) the size and shape of the site; (a) any constraints imposed by existing development; (a) location of buildings or works; (a) the extent of any required cut or fill; (a) degree of disturbance to landform; (a) visibility of cut and fill from when viewed from roads, public places and nearby waters; (a) privacy of residents on adjoining lots; (a) land stability; and (a) impact of visibility of location of driveways and access tracks.
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KIN-S4.7.52 On-site waste water management

This clause is in addition to Low Density Residential Zone – clause 10.4.2 Development Standards for Dwellings and clause 10.5.4 Development Standards for Non-dwellings, ~~Village Zone – clause 12.4.2 Development Standards for Buildings and Works.~~

Objective:	That where on-site wastewater management is required, the site is suitable and able to accommodate an on-site waste management system.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p><u>Where on-site waste water management is required, it must:</u></p> <ul style="list-style-type: none"> <u>(a) not cover more than 20% of the site;</u> <u>(b) be located on a site with a soil depth of at least 1.5m;</u> <u>(c) be located on a site where the average gradient of the land does not exceed 10%; and</u> <u>(d) for a dwelling, provide 65m² of land for wastewater land application area per bedroom which is located at least 1.5m from an upslope or side slope boundary and 5m from a downslope boundary.</u> 	<p>P1</p> <p><u>The site must be suitable and provide sufficient area for management of on-site waste water, having regard to:</u></p> <ul style="list-style-type: none"> <u>(a) the topography of the site;</u> <u>(b) the capacity of the site to absorb waste water;</u> <u>(c) the size and shape of the site;</u> <u>(d) the nature and extent of any hazard overlay;</u> <u>(e) the existing buildings and any constraints imposed by existing development;</u> <u>(f) the area of the site to be covered by the proposed development;</u> <u>(g) the provision for landscaping, vehicle parking, driveways and private open space;</u> <u>(h) any adverse impacts on the quality of ground, surface and coastal waters;</u> <u>(i) any adverse environmental impact on surrounding properties and the locality; and</u> <u>(j) any written advice from a suitably qualified person about the adequacy of the on-site waste water management system.</u>

<u>A2</u> <u>An outbuilding, driveway or parking area or addition or alteration to a building must not encroach onto an existing land application area.</u>	<u>P2</u> <u>An outbuilding, driveway or parking area or addition or alteration to a building must demonstrate that there is sufficient suitable area of land available for a new onsite waste water management system.</u>
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Objective:	That, where on-site waste water management is required, the site is suitable and able to accommodate an on-site waste management system.	
Acceptable Solutions		Performance Criteria
<u>A1</u> Where on-site waste water management is required, it must: <ul style="list-style-type: none"> <u>(a) not cover more than 20% of the site;</u> <u>(a) not be located on land shown on an overlay map, as within:</u> <ul style="list-style-type: none"> <u>(i) a flood-prone hazard area;</u> <u>(i) a landslip hazard area;</u> <u>(i) a coastal erosion hazard area;</u> <u>(i) a waterway and coastal protection area; or</u> <u>(i) a coastal inundation hazard area;</u> <u>(a) be located outside the Kingborough Coastal Settlement Mapped Vegetation Areas;</u> <u>(a) be located on a site with a soil depth of at least 1.5m;</u> <u>(a) be located on a site where the average gradient of the land does not exceed 10%; and</u> <u>(a) in the case of habitable building, provide 65m² of land for wastewater land application area per bedroom which is located not less than 1.5m from an upslope or side slope boundary and 5m from a downslope boundary.</u> 		<u>P1</u> The site must provide sufficient area for management of on-site waste water, having regard to: <ul style="list-style-type: none"> <u>(a) the topography of the site;</u> <u>(b) the capacity of the site to absorb waste water;</u> <u>(c) the size and shape of the site;</u> <u>(d) the existing buildings and any constraints imposed by existing development;</u> <u>(e) the area of the site to be covered by the proposed development;</u> <u>(f) the provision for landscaping, vehicle parking, driveways and private open space;</u> <u>(g) any adverse impacts on the quality of ground, surface and coastal waters;</u> <u>(h) any adverse environmental impact on surrounding properties and the locality;</u> <u>(i) any written advice from a suitably qualified person (onsite waste water management) about the adequacy of the on-site waste water management system; and</u> <u>(j) the retention of vegetation within the Kingborough Coastal Settlement Mapped Vegetation Areas in accordance with KIN-S4.7.7.</u>
<u>A2</u> An outbuilding, driveway or parking area or addition or alteration to a building must not encroach onto an existing land application area.		<u>P2</u> An outbuilding, driveway or parking area or addition or alteration to a building must demonstrate that there is sufficient suitable area of land available for a new onsite waste water management system.

~~KIN S4.7.6 Stormwater Management~~

~~This clause is in addition to Low Density Residential Zone clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings, Village Zone clause 12.4.2 Development Standards for Buildings and Works.~~

Objective:	That development provides for adequate on-site stormwater management.	
Acceptable Solutions		Performance Criteria

<p>A1</p> <p>(a) development must be capable of connecting by gravity to a public stormwater system; or</p> <p>(a) there is no increase to impervious surfaces.</p>	<p>P1</p> <p>Development must be capable of accommodating an on-site stormwater management system adequate for the development, having regard to:</p> <p>(a) topography of the site;</p> <p>(a) the size and shape of the site;</p> <p>(a) soil conditions;</p> <p>(a) any existing buildings and any constraints imposed by existing development on the site;</p> <p>(a) any area of the site covered by impervious surfaces;</p> <p>(a) any watercourses on the land;</p> <p>(a) stormwater quality and quantity management targets identified in the State Stormwater Strategy 2010; and</p> <p>(a) any advice from a suitably qualified person on the seasonal water table at the site, risks of inundation, land instability or coastal erosion.</p>
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KIN-S4.7.37 ~~Vegetation Management~~ Prominent trees

This clause is in addition to the Low Density Residential Zone – clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings, Village Zone – clause 12.4.2 Development Standards for Buildings and Works and Port and Marine Zone – clause 25.4 Development Standards for Buildings and Works.

Objective:	<p>That the siting of buildings and works minimises the impact or loss of prominent trees</p> <p>That the siting of buildings and works maximise the retention of native vegetation that contributes to the local character of the land in the Kingborough Coastal Settlement Specific Area Plan.</p>
Acceptable Solutions	Performance Criteria
<p>A1</p> <p><u>The location of buildings and works must not encroach within the tree protection zone of a prominent tree.</u> The location of buildings and works within the Kingborough Coastal Settlement Mapped Vegetation Areas must:</p> <p>(a) be located within a building area, if shown on a sealed plan; or</p> <p>(b) not encroach within the tree protection zone of an individual native tree with a diameter more than 25cm; and</p> <p>(c) not require the clearing of native vegetation.</p>	<p>P1</p> <p><u>Buildings and works must be located and designed to minimise impacts on prominent trees, having regard to:</u></p> <p><u>(a) the practical alternatives with respect to the location or design of the development;</u></p> <p><u>(b) the extent of vegetation to be removed;</u></p> <p><u>(c) the maturity and landscape contribution;</u></p> <p><u>(d) requirements for adequate bushfire protection;</u></p> <p><u>(e) any proposed remedial, mitigation or revegetation measures; and</u></p> <p><u>(f) the management, landscaping and treatment of the balance of the site.</u></p> <p>Buildings and works must be located and designed to maximise the retention of native vegetation, including individual trees, having regard to:</p> <p>(a) the extent of vegetation to be impacted, removed and retained;</p> <p>(b) the maturity, landscape contribution and</p>

	conservation significance of the vegetation; (a) requirements for adequate bushfire protection; (b) any proposed remedial, mitigation, offsets or revegetation measures; (c) the management and treatment of native vegetation on the balance of the site; and (d) the practical alternatives with respect to the location or design of the development.
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KIN-S4.7.8 Collision Risk

~~This clause is in addition to the Low Density Residential Zone – clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings, Village Zone – clause 12.4.2 Development Standards for Buildings and Works.~~

Objective:	That the design of buildings and structures minimises collision risk for threatened bird species.	
Acceptable Solutions		Performance Criteria
A1 The design of buildings and structures must: (a) not include mesh fences more than 1.2m in height from natural ground level; (b) not include corner windows or the creation of sightlines through glazed surfaces; and (c) use glazing that: (i) has a total surface area of less than 2m²; (ii) uses low reflectivity glass (0-10%); or (iii) is installed at a minimum of 20 degrees from vertical, angled in at its base to reflect the ground.		P1 Building and structure design must minimise the collision risk for threatened birds, having regard to: (a) any likely particular impacts on the swift parrot; (b) any impacts on other threatened bird species; and (c) the advice of a suitably qualified person.

KIN-S4.8 Development Standards for Subdivision**KIN-S4.8.1 Lot design in the Low Density Residential Zone**

This clause is in substitution for Low Density Residential Zone – clause 10.6.1 A1 and P1 Lot design.

Objective:	<u>That each lot:</u> <u>(a) has an area and dimensions appropriate for use and development in the zone;</u> <u>(b) is provided with appropriate access to a road; and</u> <u>(c) contains areas which are suitable for residential development.</u>	
Acceptable Solutions		Performance Criteria
A1 <u>Each lot, or a lot proposed in a plan of subdivision, must:</u> <u>(a) have an area of not less than 2,500m² and:</u> <u>(i) be able to contain a minimum area of</u>		P1 <u>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</u> <u>(a) the relevant requirements for development of</u>

<p><u>10m x 15m with a gradient not steeper than 1 in 5, clear of:</u></p> <p><u>a. all setbacks required by clause 10.4.3 A1 and A2; and</u></p> <p><u>b. easements or other title restrictions that limit or restrict development; and</u></p> <p><u>(ii) existing buildings are consistent with the setback required by clause 10.4.3 A1 and A2;</u></p> <p><u>(b) be required for public use by the Crown, a council or a State authority;</u></p> <p><u>(c) be required for the provision of Utilities; or be for the consolidation of a lot with another lot provided each lot is within the same zone.</u></p>	<p><u>buildings on the lots;</u></p> <p><u>(b) the intended location of buildings on the lots;</u></p> <p><u>(c) the topography of the site;</u></p> <p><u>(d) adequate provision of private open space;</u></p> <p><u>(e) the pattern of development existing on established properties in the area;</u></p> <p><u>(f) any constraints to development;</u></p> <p><u>(g) the capacity of the current or intended infrastructure services in the area;</u></p> <p><u>and must have an area not less than 1,500m².</u></p>
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Objective:	<p>That each lot:</p> <p>(a) has an area and dimensions appropriate for use and development within low density residential areas; and</p> <p>(a) is provided with an appropriate level of infrastructure.</p>	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Each lot, or a lot proposed on a plan of subdivision, must:</p> <p>(a) have an area of not less than 2,500m²;</p> <p>(i) able to contain a minimum area of 20m x 15m with a gradient not steeper than 1 in 5, clear of;</p> <p>a. all setbacks required by clause 10.4.3 A1 and A2;</p> <p>b. easements or other title restrictions that limit or restrict development;</p> <p>c. land shown on an overlay map, as within:</p> <p>i. a flood-prone hazard area;</p> <p>ii. a landslip hazard area;</p> <p>iii. a coastal erosion hazard area;</p> <p>iv. a waterway and coastal protection area;</p> <p>v. a future coastal refugia area; and</p> <p>vi. a coastal inundation hazard area;</p> <p>(ii) existing buildings are consistent with the setback required by the Low Density Zone – clause 10.4.3 Setback A1 and A2;</p> <p>(iii) not impact an individual tree with a diameter more than 25cm or require the removal of native vegetation within the Kingborough Coastal Settlement Mapped</p>	<p>P4</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the maturity, landscape contribution and conservation significance of the vegetation;</p> <p>(b) any practical alternatives with respect to the location or design of the subdivision layout and associated works;</p> <p>(c) requirements for adequate access arrangements, bushfire protection and on-site wastewater;</p> <p>(d) the management, landscaping and treatment of the site;</p> <p>(e) minimising, mitigating and offsetting adverse impacts on native vegetation;</p> <p>(f) the relevant requirements for development of buildings on the lots;</p> <p>(g) the intended location of buildings on the lots;</p> <p>(h) the topography of the site;</p> <p>(a) adequate provision of private open space;</p> <p>(b) adequate provision of drainage and waste water disposal;</p> <p>(c) any constraints to development;</p> <p>(d) the pattern of development existing on established properties in the area; and</p> <p>(e) increasing the long term security, maintenance and management of native vegetation outside the area impacted by subdivision works, the building area and the</p>	

<p>Vegetation Areas;</p> <p>(b) be required for public use by the Crown, a council or State authority;</p> <p>(c) be required for the provision of utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p>area likely impacted by future bushfire hazard management measures through mechanisms on the title;</p> <p>and must have an area not less than 2,400m².</p>
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KIN-S4.9 Tables

This sub-clause is not used in this specific area plan.

Figure KIN-S4.1 – Kingborough Coastal Settlement Specific Area Plan

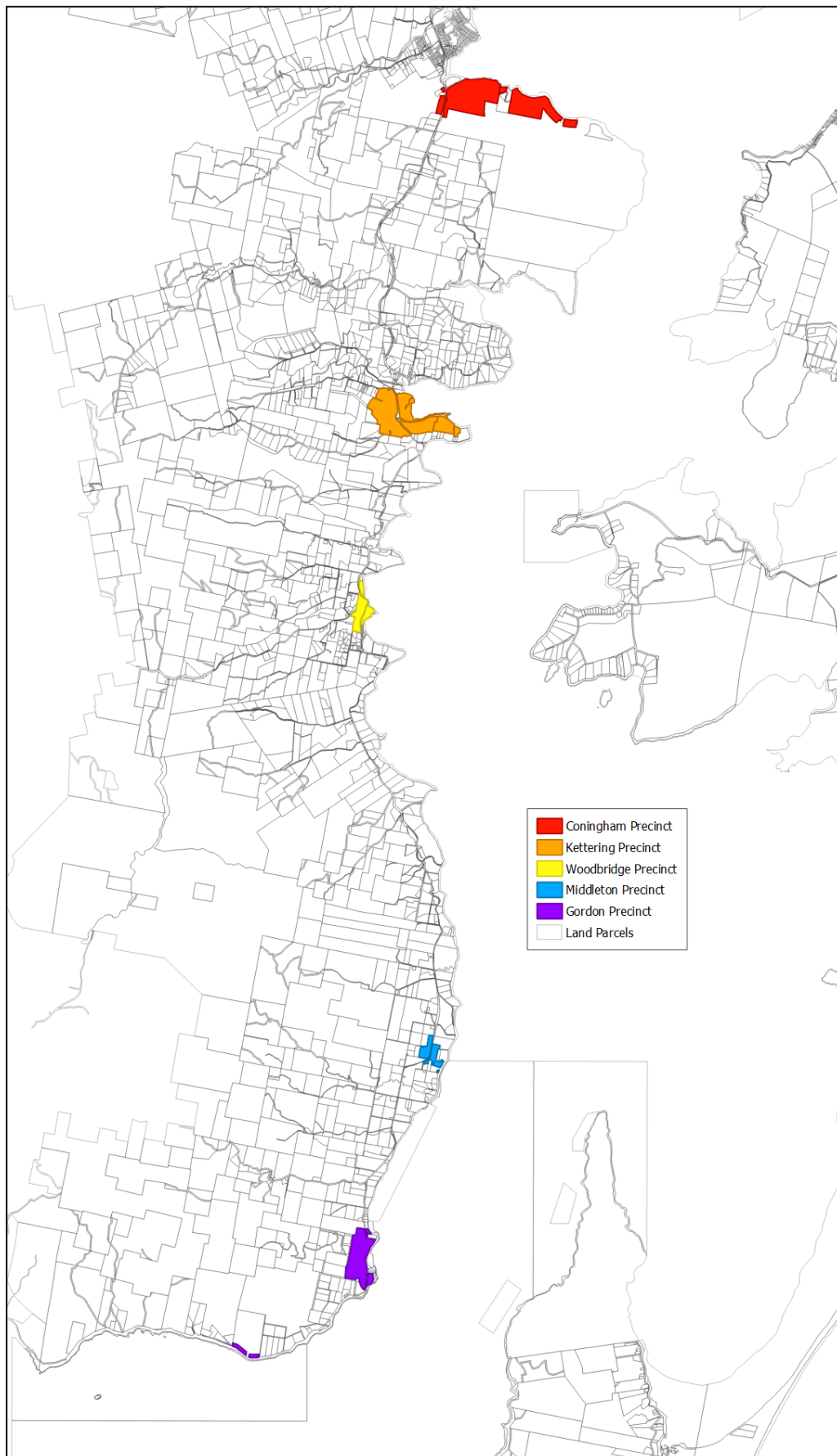
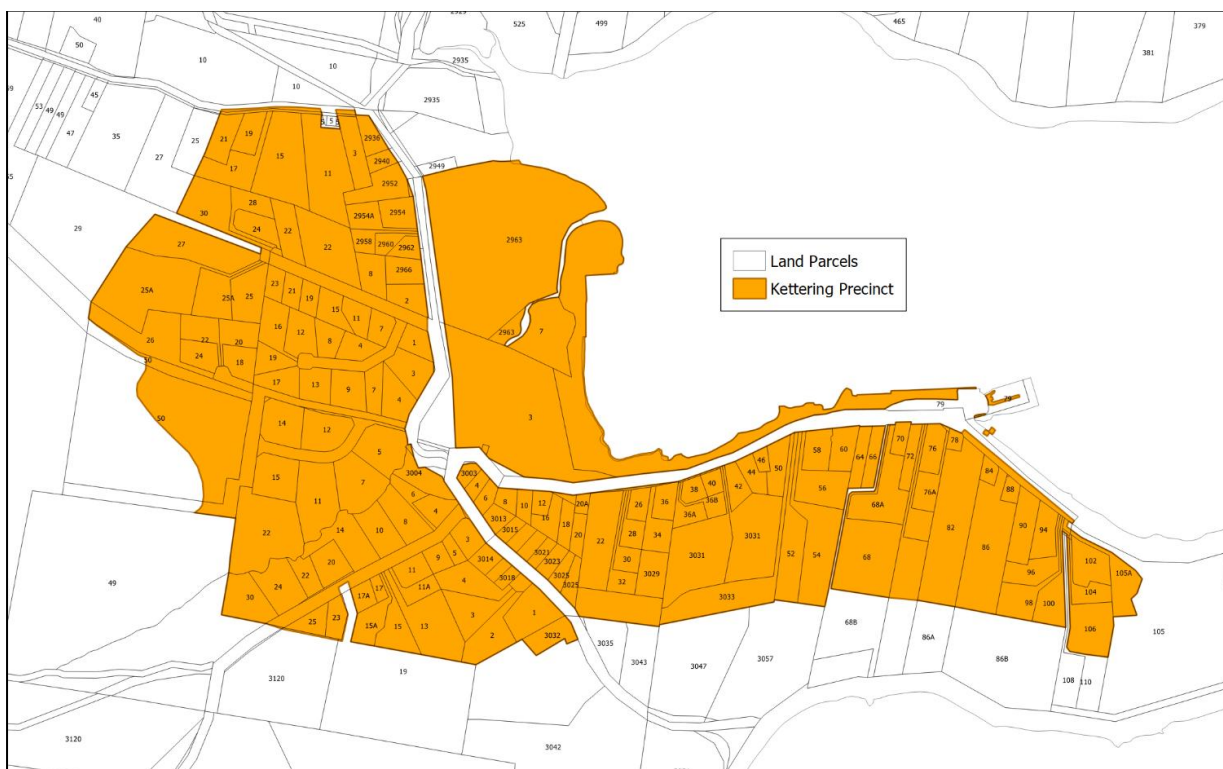


Figure KIN-S4.1.1 - Lower Snug and Conningham Precinct



Figure KIN-S4.1.2 - Kettering Precinct



[illegible]

Figure KIN-S4.1.5 - Gordon Precinct

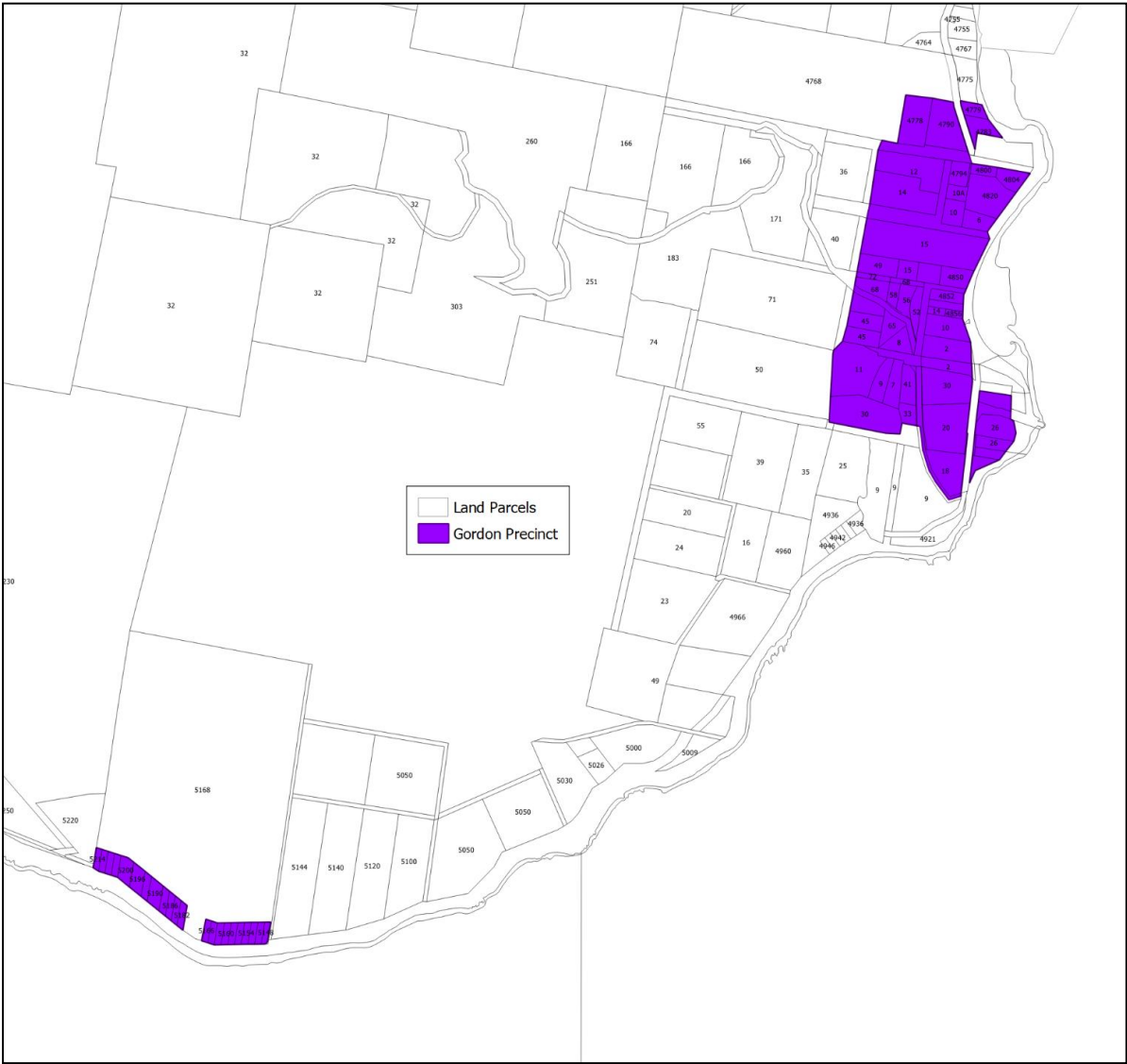


Figure KIN-S4.2.1 – Lower Snug and Conningham Precinct Vegetation Management Areas

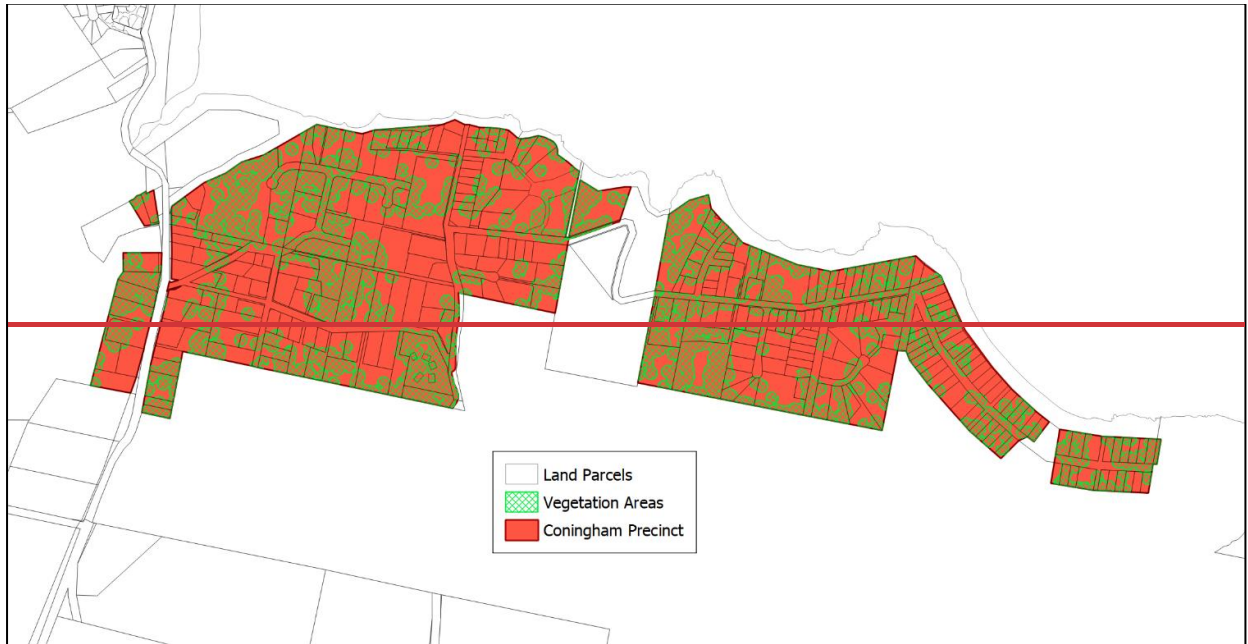


Figure KIN-S4.2.2 – Kettering Precinct Vegetation Management Area

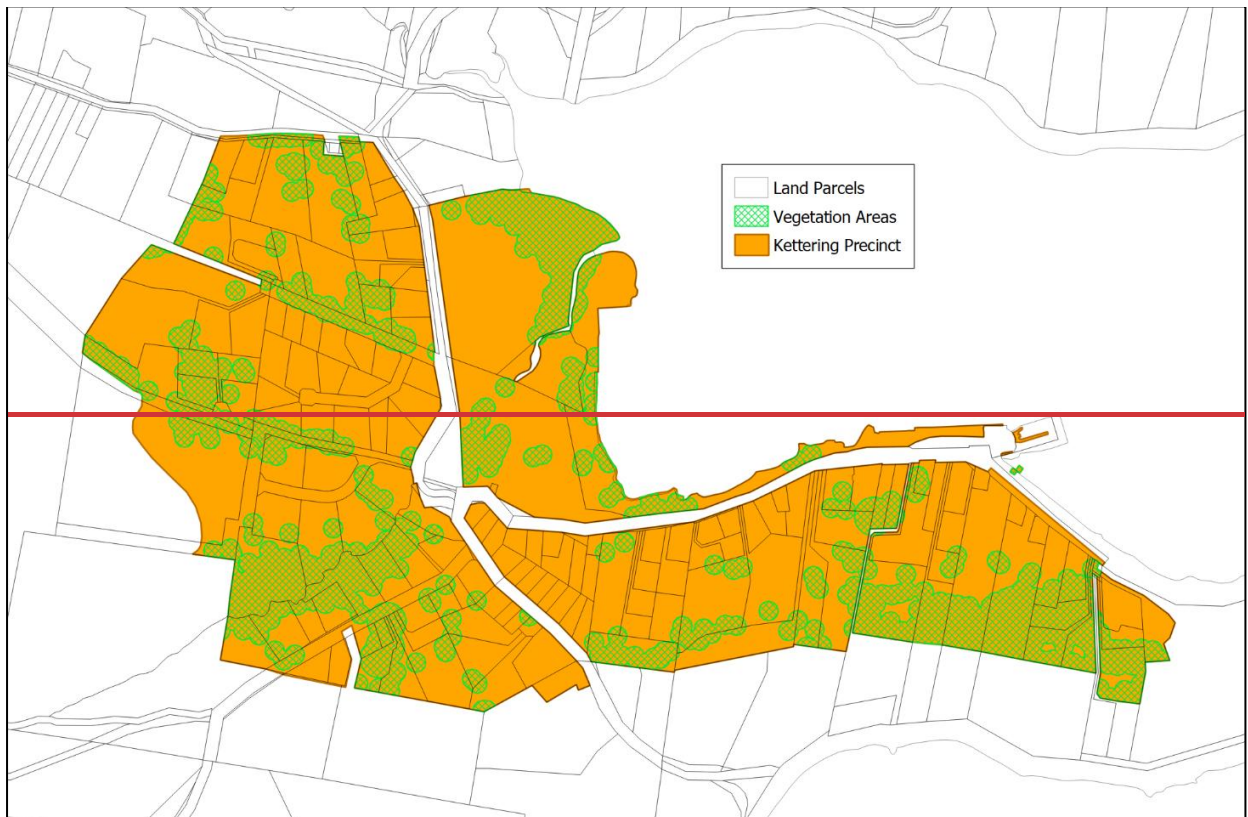


Figure KIN-S4.2.3 – Woodbridge Precinct Vegetation Management Area

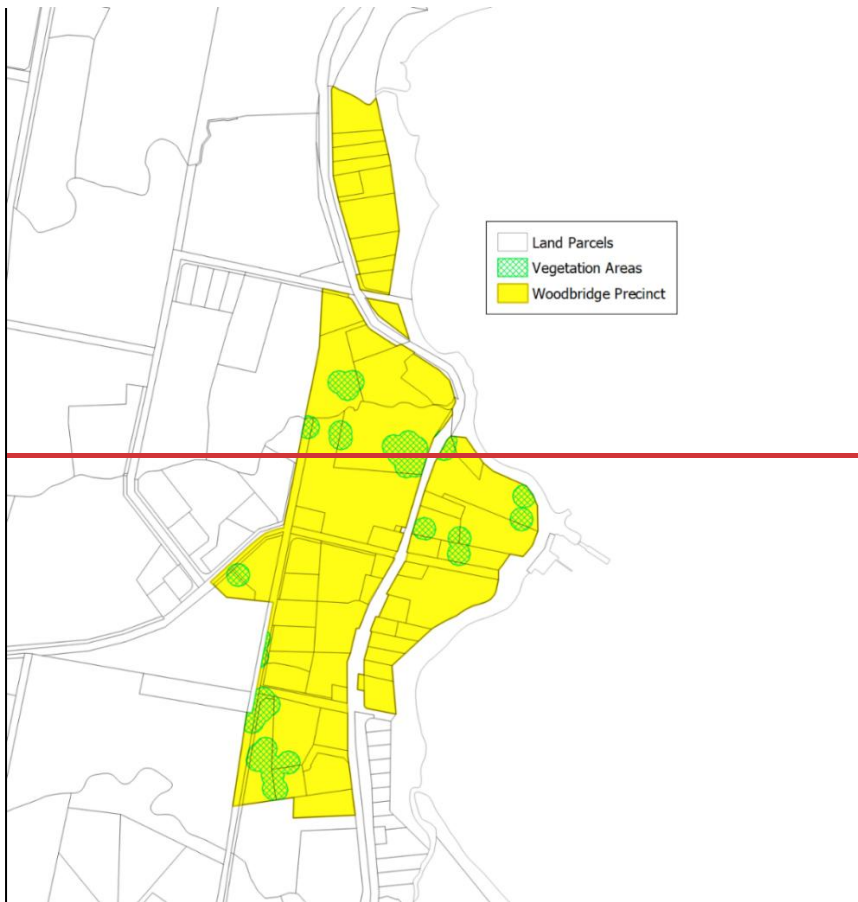
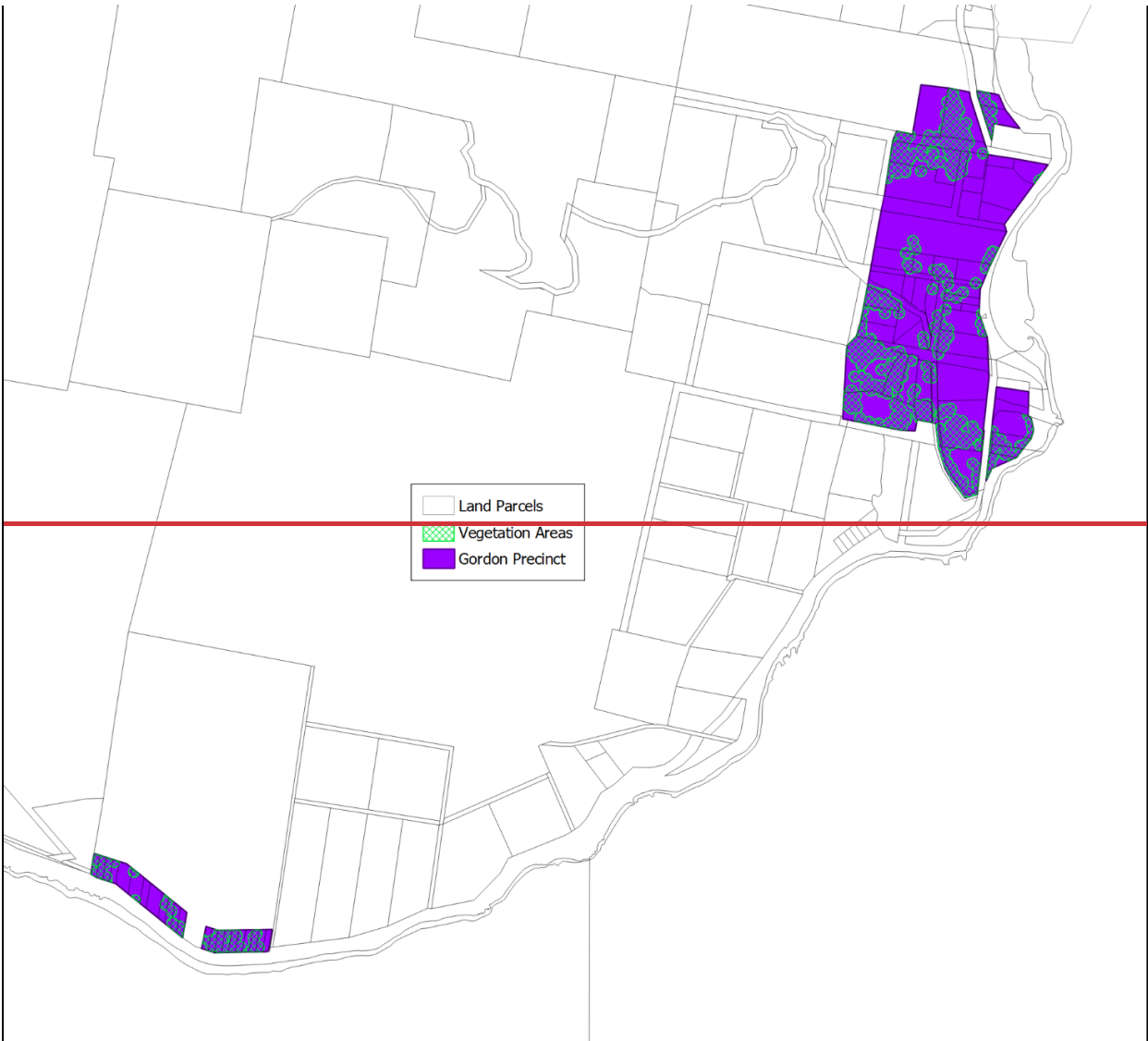


Figure KIN-S4.2.4 – Middleton Precinct Vegetation Management Area



Figure KIN-S4.2.5 – Gordon Precinct Vegetation Management Areas



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KIN-S4.0 Kingborough Coastal Settlement Specific Area Plan

KIN-S4.1 Plan Purpose

The purpose of the Kingborough Coastal Settlement Specific Area Plan is:

- KIN-S4.1.1 To encourage a low-density, large-lot residential character that is compatible with the amenity and landscape setting of Kingborough's Coastal Settlements at Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon.
- KIN-S4.1.2 To provide for development that aligns with and does not exceed the capacity of limited infrastructure and services.
- KIN-S4.1.3 To minimise the impact or loss of prominent trees that contribute to the amenity and landscape setting of the coastal settlements.

KIN-S4.2 Application of this Plan

- KIN-S4.2.1 The specific area plan applies to the area of land designated as KIN-S4.0 Kingborough Coastal Settlement Specific Area Plan on the overlay maps and in Figure KIN-S4.1.
- KIN-S4.2.2 In the area of land to which this plan applies, the provisions of the specific area plan are in substitution for, and in addition to the provisions of the:
- (a) Low Density Residential Zone;
 - (b) Village Zone;
 - (c) Port and Marine Zone; and
 - (d) Community Purpose Zone,
- as specified in the relevant provision.
- KIN-S4.2.3 The specific area plan applies to the following precincts as shown on an overlay map and in Figures KIN-S4.1, KIN-S4.1.1, KIN-S4.1.2, KIN-S4.1.3, KIN-S4.1.4, and KIN-S4.1.5:
- (a) Lower Snug and Coningham Precinct;
 - (b) Kettering Precinct;
 - (c) Woodbridge Precinct;
 - (d) Middleton Precinct; and
 - (e) Gordon Precinct.

KIN-S4.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

KIN-S4.4 Definition of Terms

KIN-S4.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition
land application area	means an area of land used to apply effluent from a waste water treatment unit and reserved for future waste water application.
prominent tree	means any tree with a height greater than 5m and that has a single trunk diameter of 25cm or more measured from a height of 1.4m above existing ground level.

tree protection zone	means the area surrounding a tree that is required to be protected from disturbance to maintain the tree's health and viability, including protection of both the root system and canopy. The extent of the Tree Protection Zone is to be determined in accordance with <i>Australian Standard AS 4970—2025 Protection of trees on development sites</i> and informed by the Notional Root Zone (NRZ), being the theoretical root protection area calculated as a radius equal to 12 times the tree's diameter at standard height (DSH), subject to a minimum of 2 m and a maximum of 15 m.
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KIN-S4.5 Use Table

This sub-clause is not used in this specific area plan.

KIN-S4.6 Use Standards

This sub-clause is not used in this specific area plan.

KIN-S4.7 Development Standards for Buildings and Works

KIN-S4.7.1 Residential density for multiple dwellings in the Low Density Residential Zone

This clause is in substitution for Low Density Residential Zone – clause 10.4.1 Residential density for multiple dwellings.

Objective:	That the density of multiple dwellings: <ul style="list-style-type: none"> a. is appropriate for the low density nature of the zone; and b. is consistent with the availability of infrastructure services and any constraints to development.
Acceptable Solutions	Performance Criteria
A1 Multiple dwellings must have a site area per dwelling of not less than 2,500m ² .	P1.1 For a site that has a connection or is capable of being connected to a full water supply service, a reticulated sewerage system and the public stormwater system, multiple dwellings must only have a site area per dwelling that is less than 2,500m ² if the number of dwellings: <ul style="list-style-type: none"> (a) is not out of character with the pattern of development existing on established properties in the area; (b) does not exceed the capacity of the current or intended infrastructure services in the area; and (c) the site area per dwelling is not less than 1,500m², having regard to any constraints to development. P1.2 For a site that is not capable of being connected to a full water supply service, a reticulated sewerage system and the public stormwater system, multiple dwellings must only have a site area per dwelling that is less than 2,500m ² if the number of dwellings: <ul style="list-style-type: none"> (a) is not out of character with the pattern of development existing on established properties in the area;

	<p>(b) can be provided with adequate on-site wastewater disposal and water supply; and</p> <p>(c) the site area per dwelling is not less than 2,000m²; and</p> <p>(d) a regulated entity has provided written advice stating that the site is unable to be connected to a full water supply service or a reticulated sewerage system.</p> <p>having regard to any constraints to development.</p>
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KIN-S4.7.2 On-site waste water management

This clause is in addition to Low Density Residential Zone – clause 10.4 Development Standards for Dwellings and clause 10.5 Development Standards for Non-dwellings

Objective:	That where on-site wastewater management is required, the site is suitable and able to accommodate an on-site waste management system.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Where on-site waste water management is required, it must:</p> <ul style="list-style-type: none"> (a) not cover more than 20% of the site; (b) be located on a site with a soil depth of at least 1.5m; (c) be located on a site where the average gradient of the land does not exceed 10%; and (d) for a dwelling, provide 65m² of land for wastewater land application area per bedroom which is located at least 1.5m from an upslope or side slope boundary and 5m from a downslope boundary. 	<p>P1</p> <p>The site must be suitable and provide sufficient area for management of on-site waste water, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the capacity of the site to absorb waste water; (c) the size and shape of the site; (d) the nature and extent of any hazard overlay; (e) the existing buildings and any constraints imposed by existing development; (f) the area of the site to be covered by the proposed development; (g) the provision for landscaping, vehicle parking, driveways and private open space; (h) any adverse impacts on the quality of ground, surface and coastal waters; (i) any adverse environmental impact on surrounding properties and the locality; and (j) any written advice from a suitably qualified person about the adequacy of the on-site waste water management system.
<p>A2</p> <p>An outbuilding, driveway or parking area or addition or alteration to a building must not encroach onto an existing land application area.</p>	<p>P2</p> <p>An outbuilding, driveway or parking area or addition or alteration to a building must demonstrate that there is sufficient suitable area of land available for a new onsite waste water management system.</p>

KIN-S4.7.3 Prominent trees

This clause is in addition to the Low Density Residential Zone – clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings, Village Zone – clause 12.4.2 Development Standards for Buildings and Works and Port and Marine Zone – clause 25.4 Development Standards for Buildings and Works.

Objective:	That the siting of buildings and works minimises the impact or loss of prominent trees
Acceptable Solutions	Performance Criteria
A1 The location of buildings and works must not encroach within the tree protection zone of a prominent tree.	P1 Buildings and works must be located and designed to minimise impacts on prominent trees, having regard to: <ul style="list-style-type: none"> (a) the practical alternatives with respect to the location or design of the development; (b) the extent of vegetation to be removed; (c) the maturity and landscape contribution; (d) requirements for adequate bushfire protection; (e) any proposed remedial, mitigation or revegetation measures; and (f) the management, landscaping and treatment of the balance of the site.

KIN-S4.8 Development Standards for Subdivision**KIN-S4.8.1 Lot design in the Low Density Residential Zone**

This clause is in substitution for Low Density Residential Zone – clause 10.6.1 A1 and P1 Lot design.

Objective:	That each lot: <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; and (c) contains areas which are suitable for residential development.
Acceptable Solutions	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> (a) have an area of not less than 2,500m² and: <ul style="list-style-type: none"> (i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> a. all setbacks required by clause 10.4.3 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 10.4.3 A1 and A2; (b) be required for public use by the Crown, a council or a State authority; 	P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> (a) the relevant requirements for development of buildings on the lots; (b) the intended location of buildings on the lots; (c) the topography of the site; (d) adequate provision of private open space; (e) the pattern of development existing on established properties in the area; (f) any constraints to development, (g) the capacity of the current or intended infrastructure services in the area; and must have an area not less than 1,500m ² .

(c) be required for the provision of Utilities; or be for the consolidation of a lot with another lot provided each lot is within the same zone.	
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KIN-S4.9 Tables

This sub-clause is not used in this specific area plan.

Figure KIN-S4.1 – Kingborough Coastal Settlement Specific Area Plan

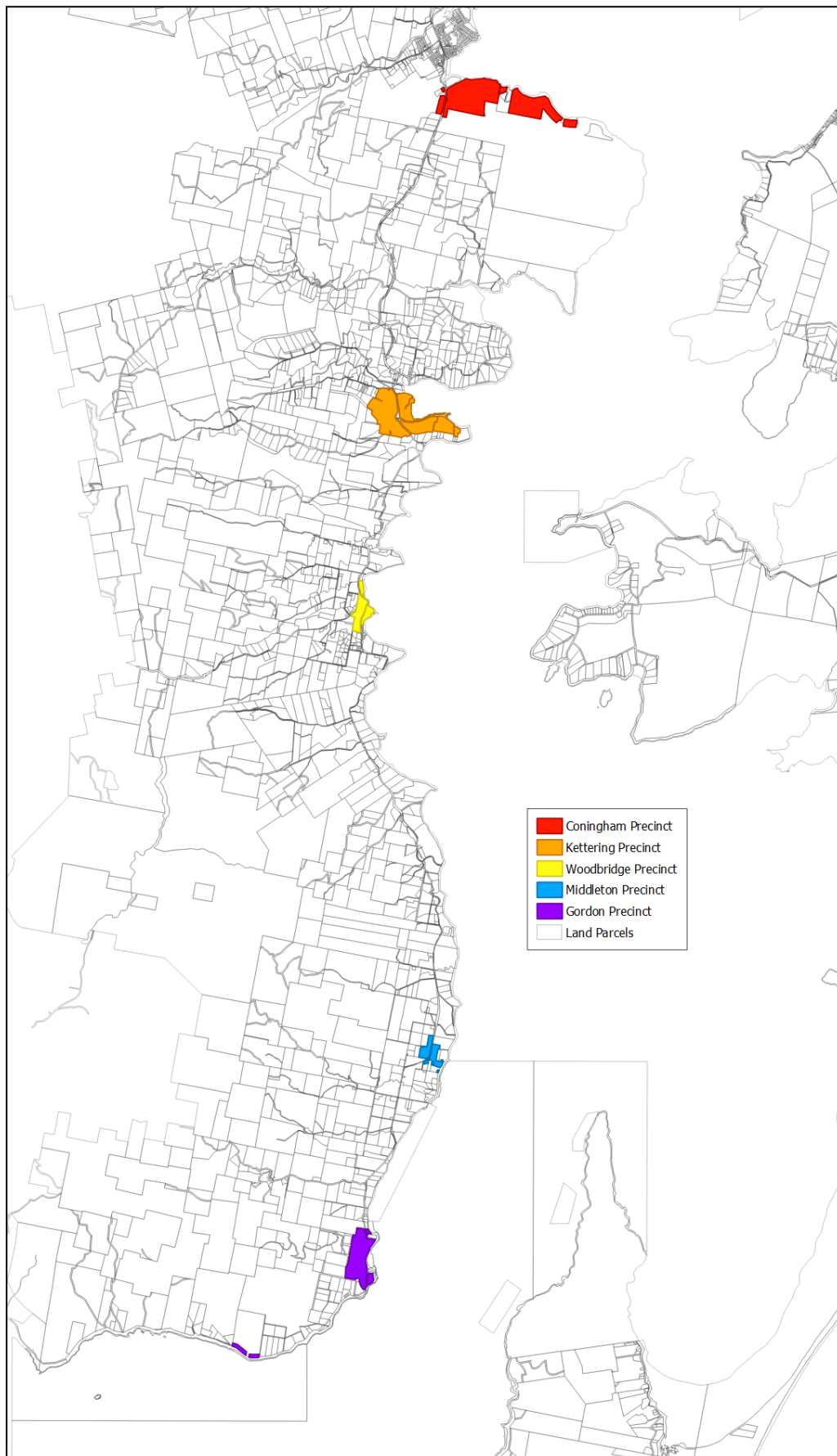


Figure KIN-S4.1.1 - Lower Snug and Conningham Precinct



Figure KIN-S4.1.2 - Kettering Precinct

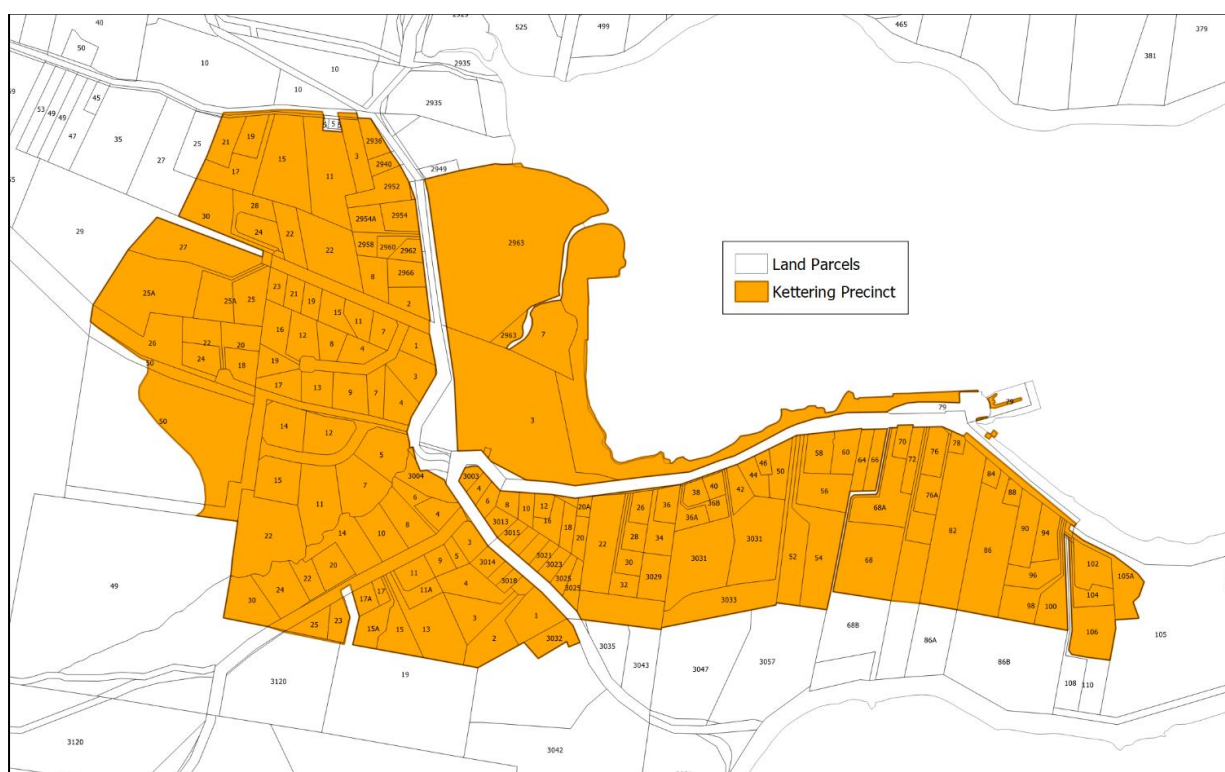


Figure KIN-S4.1.3 – Woodbridge Precinct

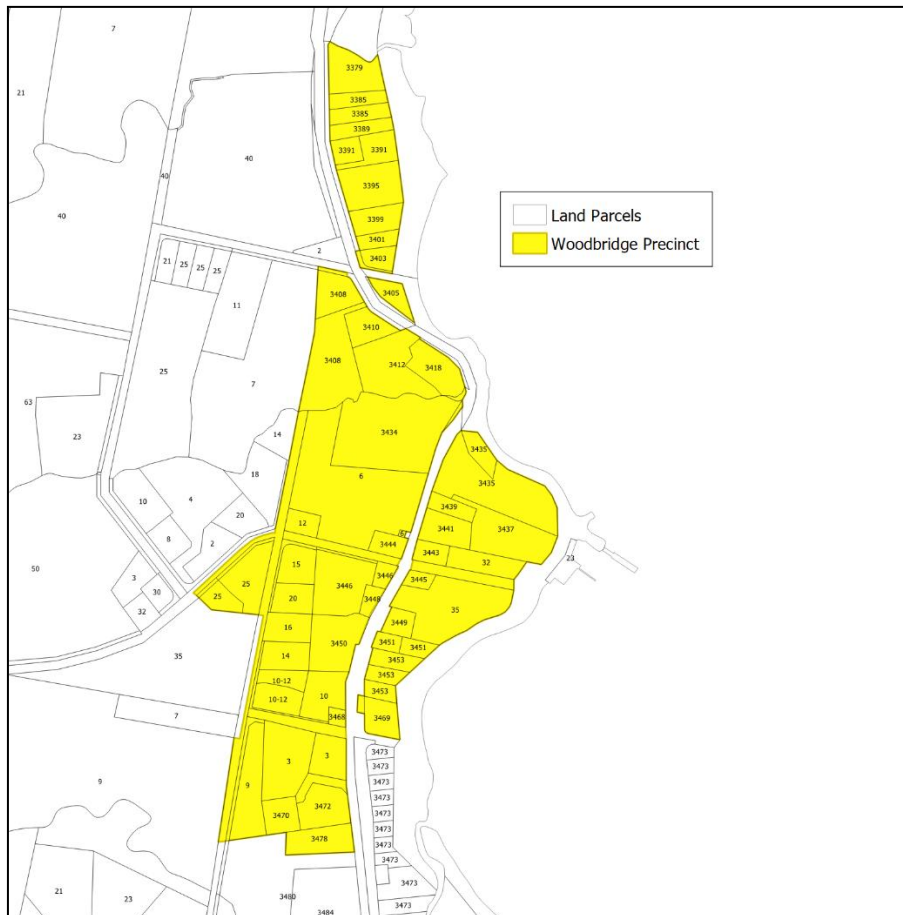
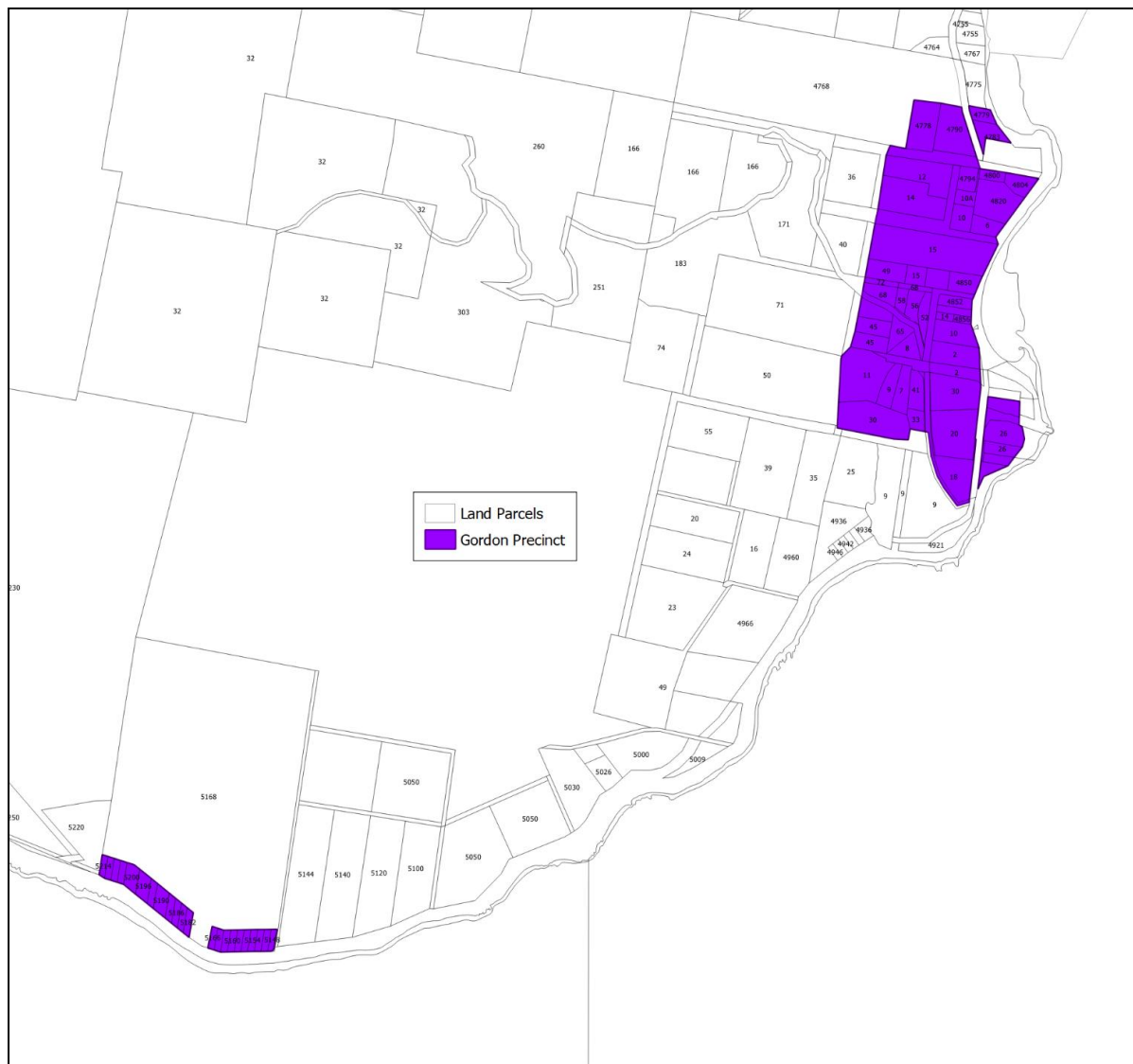


Figure KIN-S4.1.4 - Middleton Precinct



Figure KIN-S4.1.5 - Gordon Precinct



Justification for the Modified Kingborough Coastal Settlement Specific Area Plan

The following assessment demonstrates the extent to which the modified Kingborough Coastal Settlement Specific Area Plan (SAP) is consistent with the requirements of sections 32(4)(b) and 34 of the *Land Use Planning and Approvals Act 1993* (LUPAA), the Schedule 1 Objectives of LUPAA, and the *Southern Tasmania Regional Land Use Strategy* (STRLUS).

Sections 32(4)(b) and 34 of the LUPAA

Section 34 of LUPAA requires the Tasmanian Planning Commission (TPC) to be satisfied that a proposed amendment meets the Local Provisions Schedule (LPS) criteria, including the requirements of section 32 of LUPAA. In the case of a SAP, section 32(4)(b) requires it to be demonstrated that the land possesses particular environmental, economic, social or spatial qualities that necessitate the application of provisions that are unique to the area and apply in substitution for, in addition to, or as a modification of the State Planning Provisions.

The Kingborough Coastal Settlement SAP has been substantially refined from the previous SAP. The modified SAP adopts a targeted and proportionate approach by retaining only those provisions considered necessary to address the particular qualities of the coastal settlements of Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon that are not adequately recognised or managed through the standard provisions of the Tasmanian Planning Scheme (TPS).

The primary justification for the modified SAP rests on the particular spatial qualities of the coastal settlements and the relationship between development intensity and infrastructure capacity. In particular, the SAP retains provisions that respond to:

- the distinctive low-density settlement pattern and landscape setting of the coastal settlements;
- the contribution of prominent trees to coastal settlement amenity and landscape setting;
- the limited availability of reticulated infrastructure services in parts of the SAP area; and
- the importance of ensuring that subdivision and dwelling density remain compatible with the capacity of available infrastructure and servicing systems.

While the SAP is principally justified on the basis of the particular spatial qualities of the coastal settlements, the Planning Authority also considers that there are associated environmental, social and economic considerations that support and reinforce the need for a place-based planning approach.

The coastal settlements are all different in their characteristic but they all have larger residential lots, some with substantial vegetation cover and development that remains visually subordinate to the surrounding bushland, rural and coastal landscapes. These characteristics contribute significantly to the identity and amenity of the settlements and distinguish them from more urbanised areas of Kingborough. The environmental qualities associated with mature vegetation and established settlement patterns are intrinsically linked to the landscape character and visual qualities of the area.

The social value of these qualities is reflected in the long-established character of the settlements and community expectations regarding their low-density form. Similarly, the landscape qualities of the settlements contribute to the attractiveness of the D'Entrecasteaux Channel coast, support residential amenity and help maintain the identity of these settlements as distinct coastal communities.

The following sections explain why these qualities warrant a place-based planning response and why the modified SAP provisions remain necessary notwithstanding the availability of the standard provisions of the TPS.

Spatial Qualities – Settlement Pattern, Landscape Setting and Development Capacity

The coastal settlements of Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon are characterised by relatively large residential lots, some with extensive vegetation cover and a low-density development pattern set within a coastal and rural landscape.

The modified SAP retains provisions relating to residential density for multiple dwellings (KIN-S4.7.1) and lot design in the Low Density Residential Zone (KIN-S4.8.1). The SAP retains a 2,500m² Acceptable Solution for subdivision while allowing consideration of smaller lots through a Performance Criterion where site circumstances demonstrate that an alternative outcome is appropriate. The provisions therefore provide flexibility while continuing to recognise the role that larger lot sizes play in maintaining settlement character and accommodating servicing requirements.

Similarly, the residential density provisions recognise that development intensity can have cumulative impacts on settlement character and infrastructure demand. The SAP provides flexibility where servicing infrastructure is available, while maintaining a more cautious approach in areas that rely on on-site servicing. This ensures that future development remains compatible with both the landscape setting and practical servicing constraints of the settlements.

Without the SAP provisions, development would be assessed solely against the standard provisions of the TPS. While those provisions provide a general framework for development, they do not specifically recognise the distinctive coastal settlement pattern that characterises these localities or the cumulative impact that increasing residential densities may have on settlement character and infrastructure demand.

The Planning Authority considers that this would create a risk of incremental change that is not informed by the established character, landscape setting and servicing characteristics of the settlements. While individual proposals may appear reasonable in isolation, the cumulative effect of ongoing subdivision and increased development intensity could progressively alter the distinctive qualities that justify the continued application of the SAP.

Environmental and Infrastructure Considerations – On-site Wastewater Management

The modified SAP also retains KIN-S4.7.2 *On-site Wastewater Management*. This provision recognises the practical servicing constraints that continue to exist across parts of the SAP area where reticulated sewerage infrastructure is unavailable.

Many properties within the coastal settlements rely on on-site wastewater treatment and disposal systems. Site conditions within parts of the SAP area, including topography, soil characteristics and proximity to sensitive coastal receiving environments, can significantly affect the suitability of land for wastewater disposal and influence its development capacity. The Planning Authority's experience is that wastewater management continues to be a significant development constraint in a number of these settlements.

The wastewater provisions require sufficient suitable land to be available for wastewater management and establish standards relating to land application areas, soil depth, slope and site constraints. A key objective of the provision is to ensure that wastewater constraints are identified and considered at the planning stage rather than emerging later in the development process. This provides greater certainty for applicants and assists in avoiding adverse environmental and public health outcomes.

Importantly, the SAP does not introduce a new policy position in relation to wastewater management. Rather, it provides a mechanism for ensuring that a recognised infrastructure and environmental constraint is appropriately considered as part of the planning assessment process. The provisions support development outcomes that are consistent with infrastructure capacity and help protect groundwater, coastal waters and neighbouring properties from adverse wastewater impacts.

Spatial and Environmental Qualities – Prominent Trees and Landscape Setting

The modified SAP proposes KIN-S4.7.3 *Prominent Trees*. This provision recognises that mature vegetation is a defining characteristic of the coastal settlements and makes a significant contribution to their amenity, landscape setting and visual character.

The settlements are characterised by extensive vegetation cover, with development often visually integrated within bushland and coastal landscapes. Prominent trees play an important role in softening built form, maintaining the visual separation of development, and reinforcing the low-density character of the settlements. They also contribute to the scenic qualities of the coastline when viewed from public roads, surrounding land and the D'Entrecasteaux Channel.

These matters are not specifically addressed under the Tasmanian Planning Scheme. Without additional provisions, the landscape setting of the settlements could gradually deteriorate through the cumulative loss of mature trees and vegetation. The SAP therefore includes provisions requiring buildings and works to be sited and designed to avoid or minimise impacts on prominent trees.

The associated Performance Criterion provides flexibility by allowing consideration of:

- the practical alternatives available with respect to the location or design of the development;
- the extent of vegetation proposed to be removed;
- the maturity, significance and landscape contribution of the tree or trees affected;
- requirements for adequate bushfire protection;
- any proposed remedial, mitigation or revegetation measures; and
- the management, landscaping and treatment of the balance of the site.

The Planning Authority considers that the cumulative loss of prominent and mature trees would progressively erode the landscape character, scenic values and amenity that distinguish these settlements from more urbanised environments. The provision seeks to ensure that development can occur while maintaining the vegetated character and landscape qualities that are fundamental to the identity of the area.

Consistency with Schedule 1 Objectives of LUPAA

The modified Kingborough Coastal Settlement SAP is consistent with the objectives of both the Resource Management and Planning System and the planning process established under Schedule 1 of LUPAA. The SAP provides a targeted, place-based planning framework that responds to the distinctive low-density settlement pattern, landscape setting, vegetation character and infrastructure constraints of the coastal settlements of Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon.

Part 1 – Objectives of the Resource Management and Planning System

Promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.

The SAP supports this objective through provisions that seek to minimise impacts on prominent trees that contribute to the character and landscape setting of the coastal settlements while enabling development that remains compatible with those qualities. The SAP also supports development outcomes that are responsive to the physical capacity of land to accommodate on-site wastewater management.

Provide for the fair, orderly and sustainable use and development of air, land and water.

The SAP manages residential density, subdivision outcomes and wastewater disposal requirements to ensure that future development responds appropriately to settlement character, site conditions and infrastructure constraints. This assists in achieving orderly and sustainable development outcomes across the coastal settlements.

Facilitate economic development in accordance with the above objectives.

The SAP supports the continued attractiveness, amenity and liveability of the coastal settlements by maintaining the qualities that contribute to their identity and desirability as residential communities. The SAP also provides greater certainty regarding development expectations and servicing requirements, which assists landowners and developers in making informed investment decisions.

Part 2 – Objectives of the Planning Process Established by the Act

Require sound strategic planning and coordinated action by State and local government.

The SAP provides a targeted planning response to the particular settlement, landscape and infrastructure characteristics of the coastal settlements and addresses matters that are not adequately recognised through the standard provisions of the TPS.

Ensure that environmental effects are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.

The SAP considers the effects of development on settlement character, vegetation and infrastructure capacity. The retention of prominent trees assists in maintaining the visual character and amenity of the settlements, while the wastewater provisions help ensure that development occurs without adverse impacts on environmental or public health values.

Promote the health and wellbeing of all Tasmanians and visitors by ensuring a pleasant, efficient and safe environment for working, living and recreation.

By maintaining the low-density character of the coastal settlements, managing infrastructure constraints and ensuring appropriate wastewater servicing, the SAP contributes to safe, attractive and functional residential environments. These outcomes support residential amenity, community wellbeing and the enjoyment of the settlements by residents and visitors.

Require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.

The SAP operates alongside the broader provisions of the TPS and complements infrastructure planning, environmental management and settlement planning objectives by ensuring that local development outcomes appropriately respond to the unique circumstances of the coastal settlements.

Provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals.

The SAP incorporates clear and locally relevant planning provisions within the planning scheme framework, enabling wastewater servicing constraints, density outcomes and landscape character considerations to be addressed through an integrated statutory assessment process.

Conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

The SAP supports the conservation of places with recognised landscape and aesthetic value by maintaining the low-density settlement character and recognising the contribution of prominent trees to the visual identity and scenic qualities of the coastal settlements.

Protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.

The SAP directly responds to infrastructure constraints that exist within parts of the coastal settlements, particularly in relation to wastewater servicing. By ensuring that development intensity remains aligned with servicing capacity and site capability, the SAP supports the orderly provision and operation of infrastructure and services.

Provide a planning framework which fully considers land capability.

The SAP responds to the physical characteristics of land within the coastal settlements, including lot size, topography, vegetation and wastewater disposal constraints. The provisions relating to density, subdivision and wastewater management help ensure that development outcomes appropriately reflect the capability of the land and support sustainable long-term settlement outcomes.

Consistency with the Southern Tasmania Regional Land Use Strategy

The modified Kingborough Coastal Settlement SAP is generally consistent with the STRLUS as it seeks to maintain the distinctive low-density character of the coastal settlements, ensure that development responds to infrastructure constraints and support development outcomes that are compatible with the landscape setting and established settlement pattern of the area. These outcomes are consistent with the strategic directions of the STRLUS relating to settlement management, infrastructure-responsive development and the protection of the qualities that contribute to liveable communities.

Settlement Pattern and Residential Development

The regional policies seek to direct development in a manner that reflects local character, supports sustainable settlement patterns and responds to environmental and physical constraints. The SAP is consistent with Regional Policies SRD 1.1, SRD 1.2 and SRD 1.6 by maintaining a development pattern that reflects the established low-density character of the coastal settlements and by ensuring that residential development occurs at a scale compatible with local infrastructure and servicing constraints.

The SAP is also consistent with the settlement objectives of the STRLUS that identify a clear urban growth framework and seek to concentrate higher-density residential development within established urban areas. The coastal settlements subject to the SAP are located outside the principal urban growth areas and have historically been identified as locations for limited residential growth. The SAP assists in ensuring that development outcomes remain consistent with that strategic role.

Landscape Character

The SAP is consistent with Policy CV4.2, which requires that the key values of regionally significant landscapes are not significantly compromised by new development through appropriate provisions within the planning scheme. The prominent trees provisions are an appropriate planning mechanism to give effect to this policy outcome, as they seek to retain mature vegetation that contributes to the distinctive landscape character, scenic values and visual amenity of the coastal settlements

Infrastructure and Servicing

While the Specific Area Plan does not directly respond to Regional Policies PI 1, PI 2.1, PI 2.2 and PI 2.4, its subdivision and on-site wastewater management provisions are consistent with and assist in achieving the policy outcomes sought by these provisions. In particular, they ensure that development occurs on sites capable of accommodating appropriate servicing arrangements, thereby avoiding unreasonable infrastructure constraints.

Liveability

The SAP is consistent with Strategic Direction 10 – Creating Liveable Communities, which recognises that liveable places are characterised by attractive environments, a high standard of amenity, and a distinctive identity derived from their natural landscape and local character.

The SAP supports these objectives by maintaining settlement patterns, landscape qualities and development outcomes that contribute to residential amenity and a strong sense of place. The retention of prominent trees, larger lot sizes and infrastructure-responsive development standards helps preserve the vegetated character, scenic setting and low-density form that residents value and that distinguish the coastal settlements from more urbanised parts of the region.

Conclusion

The Planning Authority considers that the modified Kingborough Coastal Settlement SAP satisfies the requirements of sections 32(4)(b) and 34 of LUPAA by retaining only those provisions necessary to address the particular settlement, landscape and infrastructure characteristics of Lower Snug, Coningham, Kettering, Woodbridge, Middleton and Gordon that are not adequately recognised or managed through the standard provisions of the TPS.

The modified SAP recognises the distinctive low-density settlement pattern of the coastal settlements, the contribution of prominent trees to local character and amenity, and the importance of ensuring that development remains aligned with infrastructure capacity, particularly where on-site wastewater management is required. The provisions provide a targeted and proportionate planning response that enables development while ensuring that the defining qualities of the settlements are appropriately considered.

The Planning Authority further considers that the modified SAP is consistent with the Schedule 1 Objectives of LUPAA and generally aligns with the strategic directions and settlement objectives of the STRLUS. Accordingly, the modified SAP is considered justified and appropriate for inclusion in the Kingborough Local Provisions Schedule.