

Attachment A
PSA-2019-3

Post-exhibition report - copy of submissions
Kingston Park Specific Area Plan



SUBMISSION RE PROPOSED KINGSTON PARK SPECIFIC AREA PLAN
KINGBOROUGH INTERIM PLANNING SCHEME 2015
PSA 2019-3

1. INTRODUCTION

This submission is provided in response to the advertised version of the proposed new Kingston Park Specific Area Plan (SAP). It is an internal submission from within Council and is made on the basis that there is an internal separation between the Kingston Park Project team (who are responsible for the delivery of the project) and the Council's Development Services department (who are responsible for the statutory assessment of applications).

In this case, Development Services prepared the final SAP based on what the Strategic Planning Officer (within that department) regarded as being necessary. While this could have been done together with the Kingston Park Project team, there was a deliberate effort made to allow the final SAP to be prepared without any undue influence being imposed by the "developer" arm of the Council.

Now that the draft SAP has been publicly advertised, the following comments are offered from the perspective of the Kingston Park Project. In doing so, it is important to note the critical importance this project plays in the future sustainable development of the Kingston CBD and the municipality more generally. It is therefore very important that the SAP is able to facilitate the appropriate development within this site and be flexible enough so that market demands can be responded to without compromising public amenity and quality design.

The following comments are made in this context.

2. COMMENTS ON THE PROPOSED SAP

Clause F3.8.1.1 Building setbacks and height – for Central Business Zone

A2 – This requires that the "building height must be no more than 18m"

The State Planning Provisions have a maximum height of 20m. Other comparable councils (Glenorchy and Clarence) also have a maximum height of 20m in their existing Interim Planning Schemes. There is no reason why this should be different for this Zone in Kingston. It is therefore recommended that the maximum building height be amended to be 20m.

P2(g) – This requires that the building height “be no more than 25m”.

The State Planning Provisions do not have a maximum height limit within its Performance Criteria. Other comparable councils (Glenorchy and Clarence) have a maximum height of 30m in their existing Interim Planning Schemes. There is no reason why this should be different for this Zone in Kingston, plus the other provisions within this Performance Criteria provide ample protection against any adverse impact. It is therefore recommended that (g) be deleted.

Clause F3.8.1.2 Building design – housing diversity

A1 – This requires that all residential components must contain variable bedroom numbers (including some studios with no bedrooms) according to predetermined percentages. There are no performance criteria.

This standard would achieve little in guaranteeing housing diversity and would have a severe impact on the economic viability of any residential development. The residential component within this Central Business Zone will be relatively small and it is inappropriate for this to comply with rigid diversity criteria – particularly when there are a wide range of different residential offerings provided throughout the rest of Kingston Park. Residential development within the small Central Business Zone cannot be considered separately from the rest of the residential components of Kingston Park. It is therefore recommended that this provision be deleted.

A2 – This requires that all residential components provide for “adaptable housing”. There are no performance criteria.

Adaptable dwellings is not defined in the SAP but is understood to be that which is specially designed for people with disabilities. Such dwellings would need to satisfy specific performance standards (as included in relevant Australian Standards). While such a requirement is in itself quite admirable it is not appropriate that it be included within a planning scheme. It is unprecedented in Tasmania and there is no reason why Kingston Park should be targeted. The inclusion of such housing should be at the discretion of the developer or the prospective owner. If it was a requirement, there is every likelihood that some of the dwellings provided may not be sold because of their much higher price. It is recommended that this provision be deleted.

Clause F3.8.1.3 Building design – streetscape

A1(g) – This requires that a fixed awning be provided to the building for the full extent of the frontage along Goshawk Way. There are no performance criteria.

This may be desirable in most situations, but this requirement has no discretion and would not be able to accommodate such situations where there is a driveway from the road into a concealed parking station (behind retail frontages for example). It may well be that it is a reasonable requirement but it is imposing a constraint on a building that has not yet been designed. It becomes a question of degree in relation to how much a planning scheme should influence the building design. In the case of Kingston Park, Council

(as the landowner) does have an early influence on the design of buildings (though a requirement in the contract with the developer) and it could be argued that this reduces the need to have so many specific design standards within the planning scheme. In this case, while it is likely that awnings will be usually provided, it is felt that this particular standard goes a little too far and is unnecessary.

Clause F3.8.2.1 Building setbacks and height – for Urban Mixed Use Zone

P2(g) – This requires that the building height “be no more than 25m”.

The State Planning Provisions do not have a maximum height limit within its Performance Criteria. Other comparable councils (Hobart) do not have a maximum height in their existing Interim Planning Schemes. There is no reason why this should be different for this Zone in Kingston, plus the other provisions within this Performance Criteria provide ample protection against any adverse impact. It is therefore recommended that (g) be deleted.

Clause F3.8.2.2 Building design – housing diversity

A1 – This requires that all residential components must contain variable bedroom numbers (including some studios with no bedrooms) according to predetermined percentages. There are no performance criteria.

This standard would achieve little in guaranteeing housing diversity and would have a severe impact on the economic viability of any residential development. For example, to say that 10% of all apartments should be studios (no bedroom) is quite impractical. The developer should be able to build what the market wants or needs. There will be a wide range of different residential offerings provided throughout the whole of Kingston Park. Residential development within the Urban Mixed Use Zone cannot be considered separately from the rest of the residential components of Kingston Park. It is therefore recommended that this provision be deleted.

A2 – This requires that all residential components provide for “adaptable housing”. There are no performance criteria.

Adaptable dwellings are specially designed for people with disabilities and would need to satisfy specific performance standards (as included in relevant Australian Standards). While such a requirement is in itself quite admirable it is not appropriate that it be included within a planning scheme. It is unprecedented in Tasmania and there is no reason why Kingston Park should be targeted. The inclusion of such housing should be at the discretion of the developer or the prospective owner. If it was a requirement, there is every likelihood that some of the dwellings provided (up to 15%) may not be sold because of their much higher price. It is recommended that this provision be deleted.

Clause F3.8.2.3 Building design – streetscape

A1(g) – This requires that a fixed awning be provided to the building for the full extent of the frontage along Goshawk Way or Pardalote Parade. There are no performance criteria.

This may be desirable in most situations, but this requirement has no discretion and would not be able to accommodate such situations where there is a driveway from the road into a concealed parking station (behind retail frontages for example). It may well be that it is a reasonable requirement but it is imposing a constraint on a building that has not yet been designed. It becomes a question of degree in relation to

how much a planning scheme should influence the building design. In the case of Kingston Park, Council (as the landowner) does have an early influence on the design of buildings (though a requirement in the contract with the developer) and it could be argued that this reduces the need to have so many specific design standards within the planning scheme. In this case, while it is likely that awnings will be usually provided, it is felt that this particular standard goes a little too far and is unnecessary.

Clause F3.8.3.2 Building setbacks and height – for Inner Residential Zone

P4(f) – This requires that the building height “be no more than 12m”.

The State Planning Provisions do not have a maximum height limit within its Performance Criteria. Other comparable councils (Hobart, Clarence and Glenorchy) do not have a maximum height in their existing Interim Planning Schemes. There is no reason why this should be different for this Zone in Kingston, plus the other provisions within this Performance Criteria provide ample protection against any adverse impact. It is therefore recommended that (g) be deleted.

Clause F3.8.4.1 Building setbacks and height – for Community Purpose Zone

P2 – This requires that the building height “be no more than 15m”.

The State Planning Provisions do not have a maximum height limit within its Performance Criteria. Other comparable councils (Hobart, Clarence and Glenorchy) do not have a maximum height in their existing Interim Planning Schemes. There is no reason why this should be different for this Zone in Kingston, plus the other provisions within this Performance Criteria provide ample protection against any adverse impact. It is therefore recommended that (g) be deleted.

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