

17 September 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 144

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

Direction

Following the receipt of a response to Direction 134, the provision of the proposed Site-specific Qualification for 41 Alfred Gardens, Kingston in an LPS format which includes the:

- *use of the Site-specific Qualification table; and*
- *preparation of an overlay.*

Note 1: The exhibited draft written document currently contains Site-specific Qualifications. The proposed Site-specific qualification will be an addition to this table.

Note 2: The proposed Site-specific Qualification only contains provisions to height. Consideration should also be given to those other elements in the Kingston Southern Gateway Specific Area Plan which apply to 41 Alfred Gardens, Kingston, for instance height provisions based on proximity to adjoining zoning.

Note 3: The response should also include advice on whether the proposed Site-specific Qualification can be considered as a modification to the draft LPS or is more suitably considered to be a substantial modification.

Planning Authority's response

A draft Site-specific Qualification (SSQ) is provided in Attachment 1 in a format suitable for inclusion in the Tasmanian Planning Scheme.

The proposed SSQ is generally consistent with the provisions exhibited as part of the Kingston Southern Gateway Specific Area Plan and is intended to achieve the same planning outcomes. It incorporates the relevant provisions necessary to give effect to the exhibited controls applying to the site, including provisions relating to building height and associated height outcomes based on proximity to adjoining zones. A copy of the overlay will be made available to the Commission.

The Planning Authority considers that the proposed SSQ represents a modification to the draft LPS rather than a substantial modification does not introduce any new planning outcome or policy position as exhibited.

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

Yours sincerely,



Deleeze Chetcuti
Director – Environment Development and Community

ATTACHMENT 1

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
KIN-x.x	41 Alfred Gardens	176916/502	<p>An increased building height;</p> <p>A1</p> <p>Building height must be not more than 20m.</p> <p>P1</p> <p>Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the height, bulk and form of existing buildings on the site and adjacent properties; (c) the distribution and bulk of proposed buildings across the site; (d) the apparent height when viewed from adjoining roads and public places; and (e) any overshadowing of public places. <p>A2</p> <p>Building height must be:</p> <ul style="list-style-type: none"> (a) not more than 10m within 10m of an Inner Residential Zone; (b) not more than 15m within 20m of an Inner Residential Zone; (c) not more than 10m within 5m of Channel Highway; and (d) not more than 15m within 10m of Channel Highway. <p>P2</p> <p>Building height must not cause an unreasonable loss of amenity to adjoining residential zones, having regard to:</p> <ul style="list-style-type: none"> (a) ensuring an appropriate transition in height graduating up from the boundaries of the site (b) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings in the adjoining Inner Residential Zone; (c) overlooking and reduction of privacy in the adjoining Inner Residential 	Urban Mixed Use Zone – clause 13.4.1 Building Height

			<p>Zone; and</p> <p>(d) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining Inner Residential Zone and Channel Highway.</p>	
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