

ATTACHMENT E5

**Neighbourhood Character Study Report –
Blackmans Bay**

Kingborough draft Local Provisions Schedule

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Neighbourhood Character Study

Blackmans Bay Bluff Study Area



INTRODUCTION

Recent reform of the Tasmanian planning system has resulted in a set of consistent development standards for residential development in the three Regions of Tasmania. The Municipality of Kingborough is located within the southern Region. As of 1st July, 2015, development within the Municipality was governed by the *Kingborough Interim Planning Scheme 2015* (KIPS 2015) which was the first step toward consistency. Subsequently, a set of State Planning Provisions has been established which will guide development through Local Planning Schedules for the Kingborough Municipality which supersedes the KIPS 2015.

Prior to the Interim Planning Scheme being adopted, State Planning Directive 4.1 - *Standards for Residential Development in the General Residential Zone* was in place to guide residential development consistently across the State. This Planning Directive was subsequently incorporated into the General Residential zone provisions for all Interim Planning Schemes throughout the State. These standards have effectively been carried over into the State Planning Provisions (SPPs), however, with minor modifications.

As a result of a standard suite of development standards, it has become evident that in some instances these standards are not capable of maintaining the character of certain areas. Following public consultation for the KIPS 2015, it was determined that the ongoing ramifications for the Powell, Talone and Blowhole Road, Blackmans Bay area would potentially result in a loss of the existing distinctive character for this locality. These effects will continue to perpetuate under the SPPs. Council has conducted a character survey of the locality to more specifically ascertain the character, which informs this study and is attached as appendix 1.

The Neighbourhood Character Study has identified a number of important elements and issues that contribute to the specific character for this area. The Study seeks to articulate and clearly identify the contributing characteristics and develop a range of development standards specific for this unique locality that will continue to protect, complement and contribute to the existing character through future development.

For the purposes of identifying the particular area that is subject to this study and to differentiate between other areas within Blackmans Bay, the area is referred to as Blackmans Bay Bluff. This is in response to the location along the cliff top area that displays the characteristics of a bluff.

What is Neighbourhood Character?

Neighbourhood character comprises a combination of both the private and public domains and how they both contribute to a locality. In simple terms, it is how a place looks and feels to the beholder, whether attractive and appealing, or not. A relatively distinct character should be evident that sets the locality apart from other areas and is identifiable through the cumulative contribution of a range of both private and public components. These components are not limited to any size but are consistently evident throughout the locality. The key to identifying a certain neighbourhood character is being able to identify and describe a uniform set of components within the locality.

Neighbourhood character is not simply the recognition of heritage within a locality which is often mistakenly considered as such. It is the contribution of a number of elements that are evident throughout the locality that set it apart as having a distinct character.

A number of criteria might contribute to neighbourhood character such as:

- land form
- subdivision pattern
- building stock
- lot size
- setbacks, site coverage and private open space
- views, vistas, scenic value and skylines
- public realm and streetscape, including infrastructure
- housing type and distribution
- front fences
- landscaping, including type of vegetation
- environmental values
- built form – i.e. roof types, materials, location of garages etc; and
- off-street parking

Why is a Neighbourhood Character Study required?

A Neighbourhood Character Study is required to establish the specific elements that contribute to, and maintain the existing character of a locality. Where development standards are applicable to a locality, they should be reviewed and if any shortfalls are established, an additional or alternative set of provisions implemented. Without additional protective measures proposed within the LPSs for certain areas of Kingborough, the existing character has the potential to erode over time.

As part of community consultation leading up to the implementation of the KIPS 2015, residents raised concern about the loss of character for Powell, Talone and Blowhole Roads in Blackmans Bay that would be allowable under that Scheme. In order to ascertain whether a specific character is evident, a survey of all properties in these roads was undertaken by Council Officers. As a result, it was clear that there are a number of elements that are specific to this locality and worthy of protection through future development.

The aim of a Neighbourhood Character Study is not to stifle or prohibit future development, but rather to facilitate appropriate development to complement and respect the existing character. To implement such a strategy, a Specific Area Plan (SAP) would be required for incorporation in the Local Provisions Schedules for Kingborough. A SAP outlines any additional development standards that contribute to what is considered “appropriate development” for a defined area. In view of the location of the study site on a bluff in Blackmans Bay, it is proposed to name the SAP the “Blackmans Bay Bluff Specific Area Plan”.

METHODOLOGY FOR IDENTIFYING CHARACTER

Area of investigation

The area of investigation was triggered by representations received during the public consultation process for the KIPS 2015 and a desktop analysis. As a result, a number of analyses were carried out to determine whether a case existed for protecting the existing character of the locality. The area is defined as below:

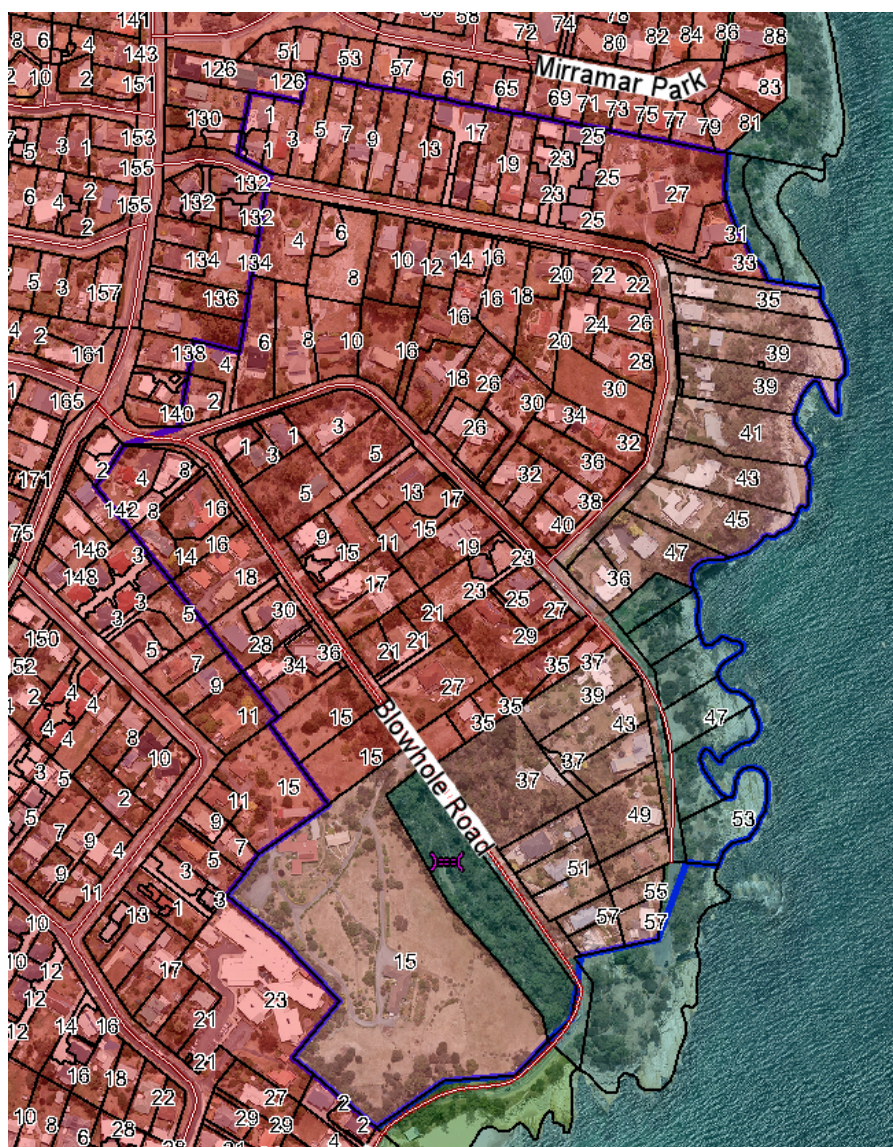


Figure 1: Extent of study area contained within the blue outline

The Neighbourhood Character Assessment was carried out in two stages. Firstly, a desktop analysis was undertaken utilising Council's GIS system. This analysis considered issues such as lot size, density of existing development, location of existing buildings to property boundaries, road/subdivision patterns, spatial pattern of development in comparison to other areas within Blackmans Bay and extent of vegetation. From this desktop analysis, it was clear that there is a noticeable difference between the area in question, to that of surrounding areas in Blackmans Bay. As a result of the first stage assessment, it was considered there was sufficient evidence to warrant further on-site investigations.

Secondly, observations of the locality were made through an on-site survey and assessment. A number of criteria were identified as appropriate upon a general observation of the locality that potentially contributed to the existing character and required further exploration. The criteria are as follows:

- Type of dwellings
- Age of dwellings
- Front fences
- Materials
- Setbacks
- Lot size
- Site coverage
- Garden space and vegetation
- Location of outbuildings
- Off street parking

Some of these criteria were accessible via Council records, whilst others required a site inspection and survey. The information compiled to inform the character assessment is as follows.

Desk-based Analysis – data collection

The methodology behind the desk-top assessment to acquire relevant data is outlined below:

❖ **Landform**



Figure 2 : View of study area depicting contours that identify the area as a headland.

The survey area is located at the northern end of Blackmans Bay Beach and is an elevated headland with some significant cliffs that display the qualities of a bluff. A small blowhole is located in the Reserve at the end of Talone Road which generally presents as a rock arch. The locality provides extensive views of the Derwent River.

❖ **Lot size query**

At first glance of the zoning maps and aerial photography, it is clear that the locality markedly differs in lot size from the immediately surrounding properties and appears as a patch of larger lots (see figures 3,4 & 5).

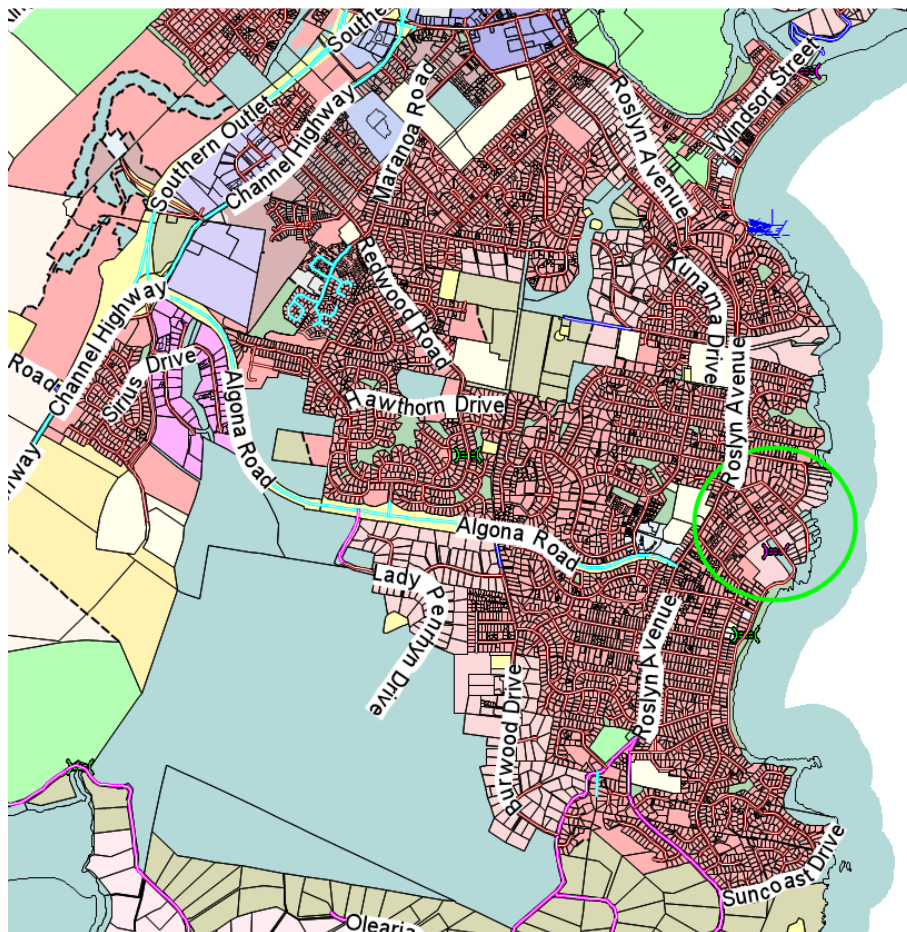


Figure 3: Zone map of Kingston/Blackmans Bay area demonstrating extent of General Residential and Low Density Residential zoning

A number of GIS queries were run to establish the existing pattern of development within Blackmans Bay in general. The first enquiry identified larger lots with an area above 1500 sqm throughout Blackmans Bay (see figures 4 & 5 below). The lot size investigated was based upon the minimum lot size for the Low Density Residential zone under the Tasmanian Planning Scheme of 1500 sqm. This query identified a few localities within the Kingston/Blackmans Bay area that generally consists of these larger lot sizes. The Blackmans Bay bluff area clearly stands out as one of these localities.

Other areas with similar lot sizes are evident in Blackmans Bay and are generally clustered within clearly defined areas, similar to the bluff area, that demonstrate the larger lot

character. Predominantly these are on hilltop locations such as Burwood Drive or Boronia Hill (see figures 4 & 5). Interestingly, the lots within these other areas also demonstrate a prevalent pattern of zoning as Low Density Residential under the KIPS 2015 (see figure 4). The main exception to this zoning pattern is in the vicinity of Diamond Drive and Cider Gum Drive, Blackmans Bay. In this instance, many of these larger properties currently zoned General Residential are quite limited for future development and particularly subdivision, as they have a battle-axe configuration and they have been incorporated within the surrounding zone.

Many of the lots within the survey area were zoned General Residential under the Kingborough Interim Planning Scheme 2015 (KIPS 2015), however, they are reasonably inconsistent with the size of lots adjoining and immediately outside of the study area. Although all of these lots within the study area do not meet the 1500 sqm minimum lot size, they are still evidently larger than the lot sizes of adjoining areas.



Figure 4: Aerial map demonstrating private parcel lot sizes 1500 sqm and greater that are currently zoned General Residential or Low Density Residential.

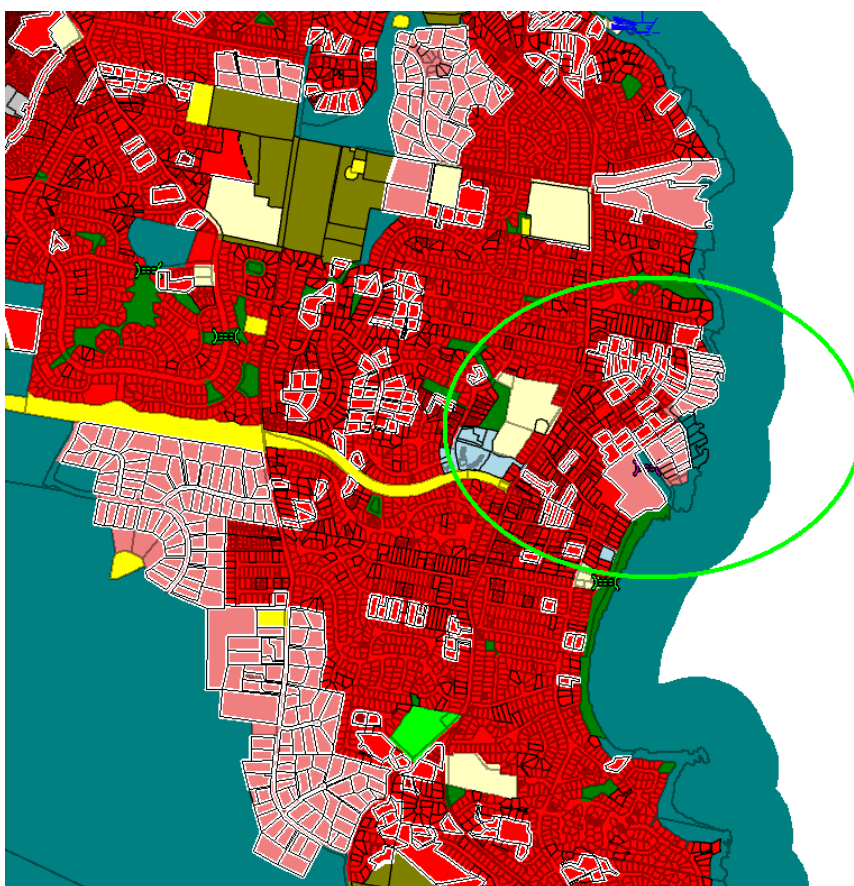


Figure 5: Map demonstrating private parcel lot sizes 1500 sqm and greater in relation to the underlying zoning.

There is evidence from the above information to suggest that those lots currently zoned General Residential within the study area, do not represent the typical pattern of lot sizes to other areas zoned as such within Blackmans Bay. They are more consistent with the minimum lot size under the State Planning Provisions for the Low Density Residential zone of 1,500 sqm than the minimum lot size of 450 sqm allowable under the General Residential zone.

❖ ***Front, side and rear boundary setbacks***

The following statistics were compiled from an interrogation of Council's aerial photography in relation to the front, side and rear boundary setbacks.

Road	Smallest front setback	Largest front setback	Average front setback
Powell Road	4m	40m	16.8m
Talone Road	1m	37m	10.8m
Blowhole Road	3.5m	88.5m	17.5m

From the information above, a large front setback is consistent throughout the study area. The average front setback ranges in measurement from 10.8m to 17.5m. This is considerably larger than the front setbacks required under the SPP's of 4.5 metres for the General Residential and 8 metres for Low Density Residential zone.

❖ **Lot size**

From Council's GIS records, an average lot size was established as per the table below. It should be noted that these measurements were taken from Council's GIS information which has a possibility of varying slightly from the actual measurements contained on the Certificate of Title for each property. The discrepancy however, would be marginal and not influence the results to any large extent.

Road	Smallest lot	Largest lot	Average lot size
Powell Road	539m ²	5960m ²	1627m ²
Talone Road	513m ²	4590m ²	1630m ²
Blowhole Road	503m ²	27810m ²	2001m ²

The average lot size for the study site ranges in size from 1627m² to 2001m². These lots are considerably larger than what would be expected for a General Residential zone and demonstrates the obvious pattern of low density residential development within this locality.

❖ **Site coverage**

A record of existing site coverage was prepared based upon Council's GIS aerial photography that existed as of December, 2015. Whilst there is some possibility that new structures may influence these calculations, again it would be to a marginal extent.

Road	Lowest site coverage	Highest site coverage	Average site coverage
Powell Road	5%	34%	19.5%
Talone Road	3.3%	39.6%	17.2%
Blowhole Road	3.9%	41.3%	22.4%

From this information, the average site coverage ranges from 17.2% to 22.4% which is more consistent with a low density residential pattern. It is noted however, that the average site coverage is still significantly lower than the 30% ratio allowable under the Low Density Residential zone.

On-site survey of study area

❖ **Extent and type of vegetation**

The extent of vegetation was assessed based upon aerial photography and further confirmed as part of the on-site survey of the locality. A rating system was established to identify the extent of existing garden space, large trees and native or exotic vegetation for each property. From the character survey, the following statistics are provided. Data for the internal lots is not recorded due to the locations not being visible during the survey. The ratings are as follows:

Garden space/area

Significant extent of area	=	3
Reasonable extent of area	=	2
Minimal area (consistent with smaller residential lot)	=	1

Road	% of lots with rating 3	% of lots with rating 2	% of lots with rating 1
Powell Road	20	45	35
Talone Road	33	38	29
Blowhole Road	12	31	57

Criteria numbers 2 & 3 identify that generally more vegetation is located on a site within the study area than would be anticipated for land contained within the General Residential zone which in theory should be classified as a rating 1. The table demonstrates that there is a high percentage of lots with considerable levels of garden space area as follows: 65% - Powell Road, 71% - Talone Road and 43% - Blowhole Road.

Large trees

Significant area	=	3
Part	=	2
None	=	1

Road	% of lots with rating 3	% of lots with rating 2	% of lots with rating 1
Powell Road	12	36	52
Talone Road	36	32	62
Blowhole Road	6	43	51

Although the figures suggest that there is a high percentage of lots that do not contain large trees, it is important to note that there are significantly larger parcels of land located within the study area that have a high and medium level of large trees. These trees interspersed throughout the study area have a cumulative effect in representing extensive green areas throughout the area. Again, this pattern of development is different from existing development patterns adjacent, or near to, the study area.

Vegetation type

The predominant vegetation pattern was recorded during the on-site survey, providing the following results:

Native vegetation	=	N
Exotic vegetation	=	E
Mix of exotic and native vegetation	=	E/N

Road	% of lots with rating N	% of lots with rating E	% of lots with rating E/N
Powell Road	18	54	28
Talone Road	19	34	47
Blowhole Road	12	55	33

A similar situation to the extent of large trees is represented through this data. Whilst it appears there is a high percentage of exotic vegetation throughout the study area, there is a similar percentage of mixed exotic and native vegetation with the higher percentage. Again, the expanse of garden/green areas surrounding the dwellings is quite significant.

❖ **Units or single dwellings**

Road	No. of unit developments	No. of single dwellings	No. of vacant lots
Powell Road	6	37	2
Talone Road	1	31	4
Blowhole Road	3	24	8

The incidence of unit developments throughout the study area is quite low, with an established pattern predominantly of single dwellings.

❖ **Age of buildings**

From the site survey, gis desktop analysis and historical aerial photography, the age of buildings in this locality was estimated as per the criteria below. This was made difficult by the later additions and renovations that have occurred over time. Data for the internal lots is not recorded due to the locations not being visible during the survey. A classification was established to identify the approximate age of dwellings as follows:

Pre 1950's	=	4
1950's to 1960's	=	3
1960's to 1980's	=	2
1980's onwards	=	1

Road	% of Dwellings with a rating 4	% of Dwellings with a rating 3	% of Dwellings with a rating 2	% of Dwellings with a rating 1
Powell Road	15	33	24	13
Talone Road	3	34	41	22
Blowhole Road	4	12	23	61

Existing dwellings throughout the study area vary in age with no particular dominant design or age. There was no pattern of development that warranted a heritage assessment. It appears from the data that the area was well-established during the 1950's to 1980's.

❖ **Location of outbuildings**

The incidence of outbuildings being located in front of existing dwellings within the study area was assessed during the visual assessment of the locality. The following statistics indicate the presence of outbuildings located in such a manner is relatively minimal.

Road	Developed Lots	No. of properties with outbuildings located between dwellings and the front boundary
Powell Road	43	7
Talone Road	32	1
Blowhole Road	27	2

Observation based on desktop analysis and site survey

Overall, a mismatch of dwellings was found to exist within the study area. No particular design or era was dominant in its presence which suggests that no specific design elements are required for inclusion in the SAP. In saying this however, a measurable pattern of development is identified through consistency in certain elements throughout the locality. These elements differ markedly from the immediately adjacent locality surrounding the study site to an extent that warrants special consideration. These elements are discussed later in this report.

EXISTING NEIGHBOURHOOD CHARACTER

Historical perspective

Council records indicate that the study site was relatively well established prior to 1958 (see figure 6 below). It is most likely that these dwellings were utilised as shacks at this time.



Figure 6: Aerial view of Blackmans Bay – 1958



Figure 7: Closer aerial view of study area - 1958

By 1990, the locality became more established as a residential area and in particular the general area immediately surrounding the study area. It is worth noting that the study area itself remains generally the same with the informal road enduring.



Figure 8: Aerial view of Blackmans Bay - 1990



Figure 9: Closer aerial view of study area – 1990



Figure 10: Aerial photography - 2015



Figure 11: Study area - Properties in green were present in 1958. Properties in blue were present in 1990.

Existing lot sizes

The lot size pattern of an area has a strong influence on the neighbourhood character. In the case of the surveyed area, there is a strong pattern of larger lot sizes as demonstrated in figure 12 which generally differs from the surrounding lot size pattern.

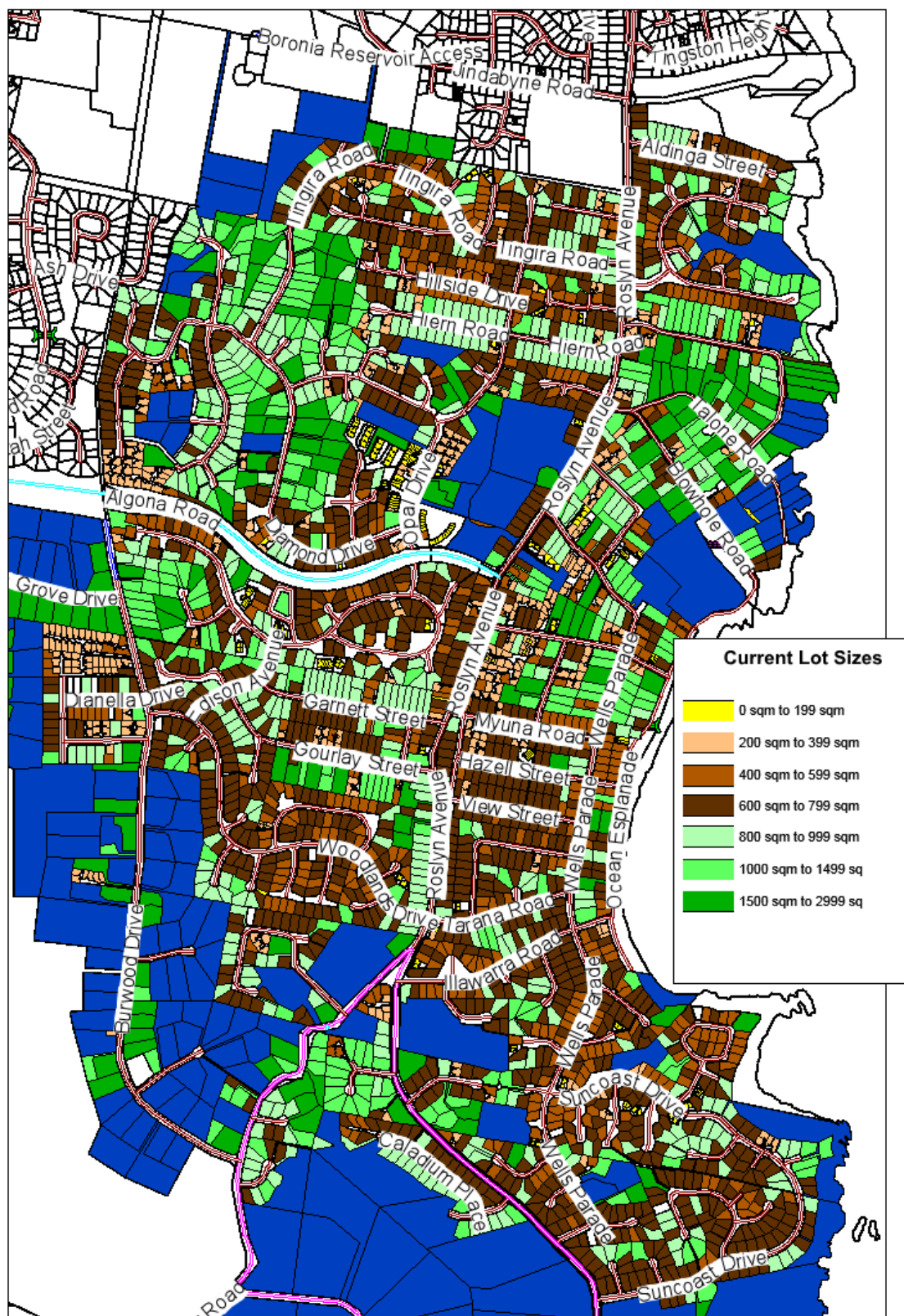


Figure 12: GIS interrogation of lot sizes within study area and surrounds

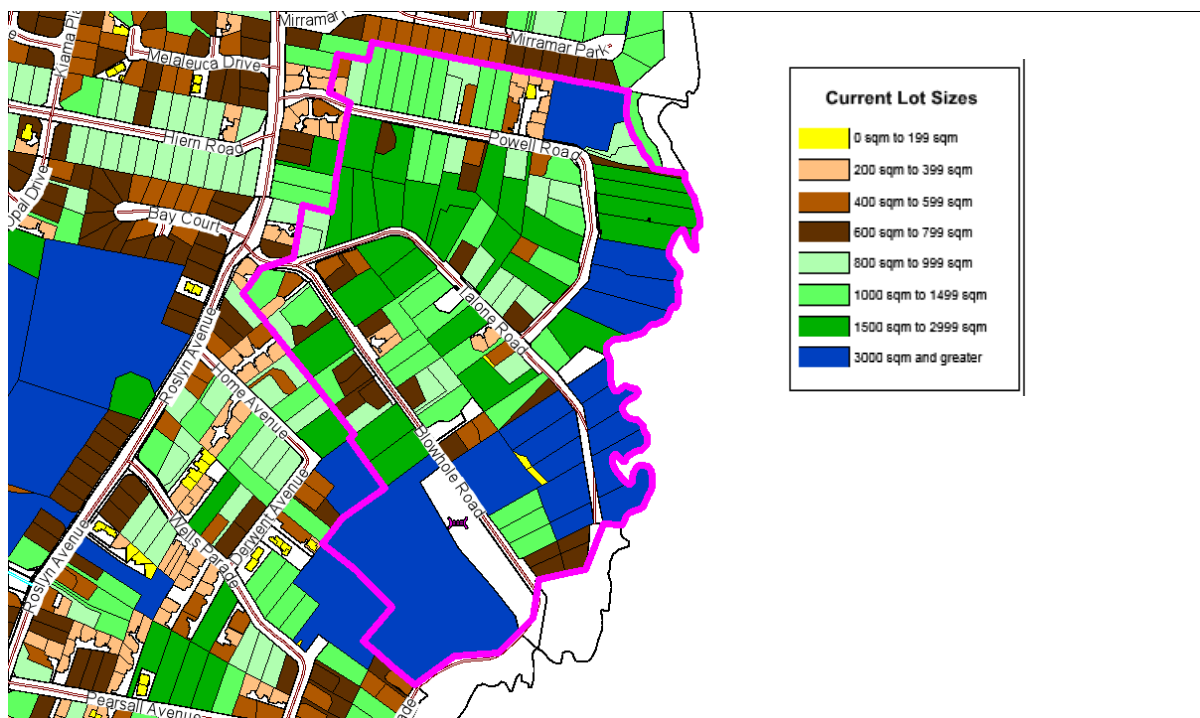


Figure 13: Closer view of lot sizes within study area outlined in purple

Key Characteristics that make the locality distinctive

Based upon the statistical and site survey information, the criteria for assessment on the contribution each property makes toward the existing character is based upon a number of identifiable criteria as follows:

- Age of build
- Site coverage
- Setbacks (particularly in relation to the front boundary setback)
- Extent of vegetation coverage
- Road infrastructure, e.g. road width, lack of gutter and kerbing, lack of formal crossovers etc.
- Driveway formality
- Outbuilding locations
- Front fences – in particular, the type
- Extent of impervious surfaces
- Location on headland (visual aspect)

Contribution to character

Very important	=	3
Important	=	2
Limited	=	1

The classification of “very important” identifies the number of properties that are the most important contributors to the character with a high level of the characteristics outlined above present. Notwithstanding this, the classification of important is still a major contributor to the character that identifies a mix of development from a later era or with modifications. The

properties listed with a rating of 1 do not necessarily contribute to the character but more importantly, most do not detract from the existing character. Data for the internal lots is not recorded due to the locations not being visible during the survey.

An exception to this is the higher density unit developments that have large areas of concrete and are newer additions to the locality. At this stage they are reasonably limited, however, recent unit developments to a high density are the general catalyst for triggering concern over the degradation of existing character. There are also some examples of existing dwellings that have been converted to unit developments with the original dwelling retained to the front of the site. These developments are a little different in that they are still able to provide integration between new and old development, however, they are not preferred options to retain the character.

Road	No. of dwellings meeting criteria 3	No. of dwellings meeting criteria 2	No. of dwellings meeting criteria 1
Powell Road	24	15	7
Talone Road	15	16	4
Blowhole Road	10	6	19

Differences to other areas

Outline the differences – lack of uniformity, What makes up a typical residential area and note these differences.

COMMUNITY CONSULTATION

- Community views – what is liked about the locality – survey/session?
- Identify the valued character and any outcomes
- Possible 2nd consultation – outlining draft PPZ
- Possible 3rd stage – PPZ for community consultation (part of the amendment public notification process?)

157 surveys sent out – occupier and owners

At the time of translation from the former *Kingborough Planning Scheme 2000* to the *Kingborough Interim Planning Scheme 2015*, it was brought to Council's attention as part of the public consultation process, that there was a general consensus the community would like to seek ways to maintain the existing character in the vicinity of the study area. As a result, a desktop analysis and site survey was undertaken to establish the existing pattern of development and to ascertain the extent of the study area.

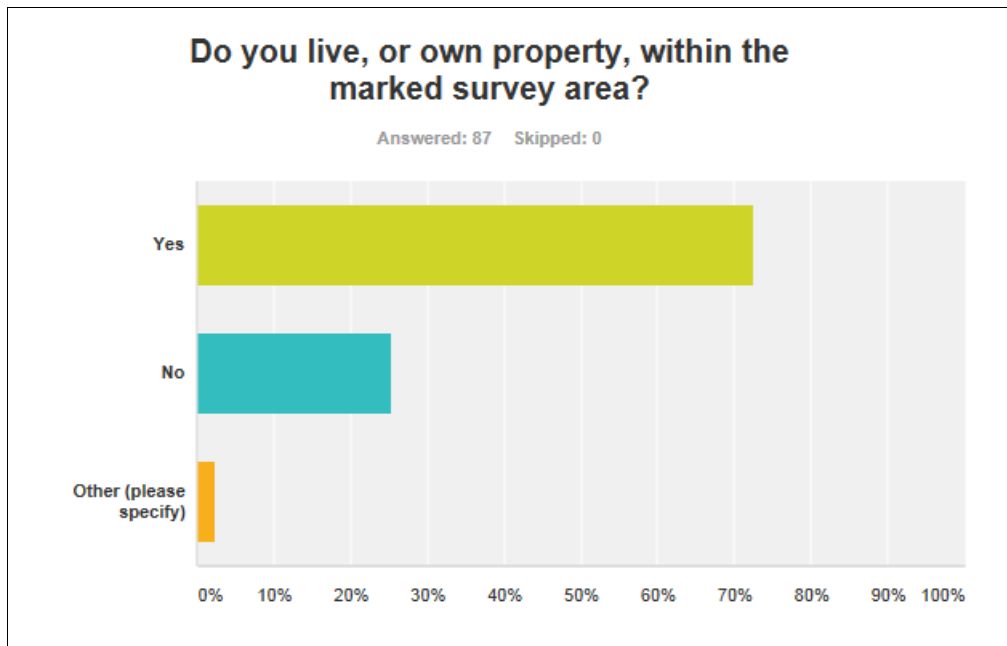
Under the KPS 2000, the study area was zoned entirely Residential, although it is worth noting that under that Scheme, there was only a single residential zone due to the limited suite of zones. Translation to the KIPS 2015 resulted in the study area being zoned a combination of General Residential and Low Density Residential. Although the new zones resembled the residential zoning under the KPS 2000, the planning controls that resulted were significantly different.

Planning Directive 4.1 – Standards for Residential Development in the General Residential Zone, contained the development standards that were mandatorily adopted throughout Tasmania within all Interim Planning Schemes. These standards are generic in nature and not particularly suited to all residential areas as a means of retaining existing character. For Blackmans Bay in general, this has resulted in some crucial changes for example:

A survey questionnaire was sent out to the owners and occupiers of all properties within the study area. From the 157 surveys sent out, a total of

Summary of Blackmans Bay Bluff public consultation


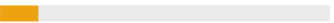
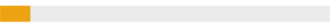
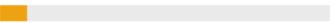
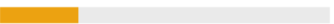
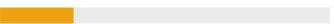
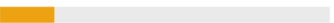
Overall, there were 87 respondents – of which 72% lived or owned land within the study area. There are about 120 dwellings in the study area, so over half of those resident/owners responded to the survey. The following figures are based on a general summary of the responses.



Where do you live and how long have you lived there?



84 people responded to this question. The survey results indicate that 23.81% of people who participated in the study live outside of the study area. 22.62% of the participants have resided in the area for more than 20 years.


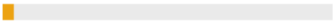
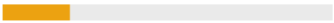


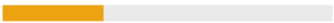
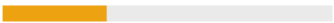
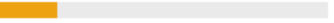
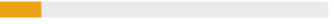
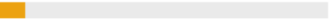

11 to 20 years View all • Edit • Delete		7.14%	6
2 to 5 years View all • Edit • Delete		11.90%	10
6 to 10 years View all • Edit • Delete		9.52%	8
Less than 2 years View all • Edit • Delete		8.33%	7
Lives outside study area View all • Edit • Delete		23.81%	20
More than 20 years View all • Edit • Delete		22.62%	19
No time provided View all • Edit • Delete		16.67%	14

Why do you like living here?

82 people responded to this question. The most frequently made comments were that it is close to the beach (59%), it is a quiet neighbourhood (31%) and they like the natural, bushland character (33%). Other comments were that it has a country feel and character (34%), it still had larger blocks of land (20%), the presence of wildlife (9%), the views (18%), that it is reasonably close to services Kingston and Hobart (15%) and it is a friendly neighbourhood (15%). Many of the responses included a combination of these issues.

Other types of issues raised:

- Unique area that doesn't feel like suburbia
- Low volume of traffic
- Less uniformity in housing style and roads
- Pedestrian use of the streets
- Nice walking tracks
- Off-street carparking

Close to beach View all • Edit • Delete		59.76%	49
Country feel View all • Edit • Delete		3.66%	3
Large blocks View all • Edit • Delete		20.73%	17
Low volume of traffic View all • Edit • Delete		8.54%	7
Natural bushland View all • Edit • Delete		32.93%	27
Character of area View all • Edit • Delete		30.49%	25
Quiet neighbourhood View all • Edit • Delete		31.71%	26
Views View all • Edit • Delete		18.29%	15
Walks View all • Edit • Delete		13.41%	11
Wildlife View all • Edit • Delete		8.54%	7
Uncategorized View all		6.10%	5

What is special about your neighbourhood?



79 people responded to this question. The most frequently made comments were the bushland character (40%), proximity to the beach (35%) and the friendly neighbourhood (25%). Other comments were that it is a good area for walking (20%), it is relatively quiet (20%), there are good views (15%), it is a lower density (15%), has larger gardens (15%) and the older more informal style of development (15%). Some said that there is nothing special about the area (7%). Overall, a high percentage – 93% of participants in the survey, felt the study area was special.

Other types of issues raised:

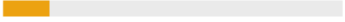




- Informal street structure contributes to the country feel
- Relaxed walking/living and recreation environment
- Wildlife
- Lack of impervious ground cover – better soakage

Do you think it is different to other parts of Blackmans Bay, and if so, why?

80 people responded to this question. The general theme was “yes” in a good way. The most frequently made comments were that it is not too over-developed (45%) and it is more pleasant for walking (25%). Other comments were that there is less through traffic (20%), the local roads and footpaths are more neglected (15%) and that the area in fact isn’t all that different from other parts (10%).

Other types of issues raised:

- Larger lot sizes and more spacious feel
- Houses setback from the road assists with sharing and maintaining views
- No or low front fences
- Less concrete surrounds
- Reflection of original character of Blackmans Bay
- Area looks overgrown and unkempt

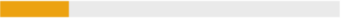





No View all • Edit • Delete		13.75%	11
Response unclear View all • Edit • Delete		5%	4
Yes - in a bad way View all • Edit • Delete		8.75%	7
Yes - in a good way View all • Edit • Delete		71.25%	57
Uncategorized View all		1.25%	1

Is there anything you do not like in this area?

63 people responded to this question. The most frequently made comments were the recent unit developments (40%) and the neglected state of the roads, footpaths and drainage (30%). These two issues dominated, though a few said there was nothing they don’t like about the area (10%).

Other types of issues raised:

- Lots being subdivided smaller
- Large gum trees are dangerous
- No off-street parking for unit developments
- Danger to pedestrians
- Seasonal parking problems
- Building out of views
- No cycling amenity








Increasing traffic View all • Edit • Delete		20.25%	16
Nothing View all • Edit • Delete		8.86%	7
Recent unit developments View all • Edit • Delete		40.51%	32
Road & footpaths View all • Edit • Delete		44.30%	35
Subdivision View all • Edit • Delete		12.66%	10
Uncategorized View all		11.39%	9

How would you like to see your area develop in future?

83 people responded to this question. The most frequently made comments were that the area should be made better for walking (45%), there should be no more infill development (35%) and that the roads, footpaths and drainage all need to be improved (35%). Some other comments related to enhancing the existing bushland (15%), reducing or slowing traffic (10%) and some said not to change anything at all (10%).

Other types of issues raised:


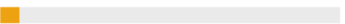
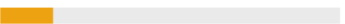
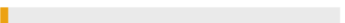
- Minimise subdivision
- Restore 5 metre height maximum along the coast and beach area
- Front fences should be low
- Retain generous setbacks and larger private open space areas
- New dwellings to be sympathetic to the existing streetscape
- More cycling amenities
- Higher fencing along cliffs

Better walking areas View all • Edit • Delete		52.38%	44
Change nothing View all • Edit • Delete		3.57%	3
Enhancing bushland View all • Edit • Delete		10.71%	9
Improve roads etc View all • Edit • Delete		51.19%	43
Minimise subdivision View all • Edit • Delete		10.71%	9
No more infill View all • Edit • Delete		20.24%	17
Slow/reduce traffic View all • Edit • Delete		5.95%	5

Do you think this area could accommodate additional housing, and if so why? What sort of additional housing or development would be appropriate?

82 people responded to this question. About 75% said NO and 21% said YES (of which 15% suggested “with restrictions”). Six of the respondents in support of additional housing were of the view that the land should be developed to higher densities similar to other areas within Blackmans Bay. Those who acknowledged “some” housing should be allowable

suggested restrictions such as requiring quality development complementary to the locality but only at a lower density, on larger lots or for single dwellings on vacant lots.

No View all • Edit • Delete		75.90%	63
Yes - no restriction View all • Edit • Delete		6.02%	5
Yes - with restrictions View all • Edit • Delete		15.66%	13
Uncategorized View all		2.41%	2

Study Conclusion

The results of the survey provide a clear indication that there is considerable community consensus on a number of special characteristics which are evident within the study area. It is considered that sufficient interest and support for a SAP for the study area is warranted. The study will be used to inform the areas of concern and assist with the implementation of overriding controls to reflect these concerns.

As a result of the survey, Council will now endeavour to define which of these characteristics contribute to the “character” of the area that would require an additional or overriding set of planning controls to ensure this character is retained.

IDENTIFICATION OF DESIRED FUTURE CHARACTER

Community values & preferred outcomes

As a result of the community survey, a number of community views were outlined as to the perceived character for the survey area. General consistency in the comments was also demonstrated. Of the suggestions, not all are able to be accommodated by the SPP's. Comments made in relation to the road infrastructure, pedestrian and bicycle pathways for example, are issues that are not able to be generally dealt with under a planning scheme in established areas. These comments however, have been forwarded to Council's Engineering Department for consideration and implementation wherever possible as part of the overall maintenance of the locality.

It is important that the existing character is considered as part of any upgrades to infrastructure to maintain a sympathetic approach to the character. Intensification of road and pedestrian infrastructure places additional pressures on utilising the infrastructure to it's capacity and therefore encourages infill development and the potential for higher levels of on-street parking which is contrary to the existing character.

The suggested outcomes as a result of the community consultation and Council's neighbourhood character assessment, including recognition of the threats on the locality if left entirely under the controls of the SPP's, is outlined below.

Identification of Key Characteristics	Key Threats to the existing character
Large front setbacks	Buildings located too far forward, impacting on street
Low front fences – predominantly semi-transparent that reduce definition between the public and private realms surrounding front boundaries	Loss of openness and green belt Increased definition between private and public realm
Significant green space surrounding dwellings (including private open space)	Lack of sufficient area to maintain green space Lack of larger areas of private open space
Large lot sizes	Increase in density throughout the area
Low incidence of multiple dwellings	Increase in density throughout the area
Outbuildings predominantly located behind dwellings	Buildings located too far forward and in front gardens
Higher level of native vegetation due to larger lot sizes	Loss of vegetation and green areas
Off-street parking	Parking on street Demand for higher level of road infrastructure (beyond the necessary upgrades etc. to service the existing situation)

Table : Key characteristics that contribute to the character of the survey area

Design responses

As part of the neighbourhood character assessment, it was established that the existing character of dwellings was for older dwellings with no particular dominant design. Therefore,

it is considered there is little work to do in retaining a particular character through additional dwelling design requirements.

One particular area of concern raised as a result of the survey was in relation to the height maximum for coastal areas. Under the previous Kingborough Planning Scheme 2000, a height maximum of 5 metres existed for coastal properties. This provided an effective mechanism for controlling the visual landscape character in these sensitive areas. Unfortunately this height maximum was not carried forward under the former Kingborough Interim Planning Scheme 2015 when related to residential development in the General Residential zone.

Consideration has been given to the opportunity to apply such a provision within the study area, however, a strategic justification was difficult to raise for such a limited area. This issue goes well beyond the study area and it is considered inappropriate to place such a restriction on a limited basis without consideration of the entire Blackmans Bay area along the coast.

An assessment against the provisions of the General Residential and Low Density Residential zones is necessary to ensure that the most appropriate zone provisions are applicable in this locality (see below). The provisions should ensure that the characteristics outlined in table above are managed effectively.

CURRENT PLANNING CONTROLS

The Blackmans Bay Bluff study area was previously zoned a combination of General Residential and Low Density Residential under the KIPS 2015. The Low Density Residential zone was utilised to acknowledge the existing lots that demonstrates one or more of the following characteristics (noting that the Biodiversity Code applied within this zone under the KIPS):

- Generally larger lot sizes
- Located adjacent to the coast
- Contains native vegetation

In acknowledging these differences in characteristics, it is also important to note that the majority of remaining properties zoned General Residential within the study area also reflected some of the above criteria and therefore demonstrated different characteristics to the “typical” pattern of residential development outside of the study area. As such, irrespective of the current zoning, they are considered to play an integral role in the existing character of the study area. The more informal road infrastructure also contributes to the character collectively.

The zoning of the study area under the Local Planning Schedules should be modified to reflect the most consistent zone throughout the study area that would provide the most relevant underlying zone provisions to retain the existing character. This is explored later in this report.

From the character assessment and community consultation, it is evident that the particular character within the study area is worthy of protection and as such a Specific Area Plan is

considered warranted. This is due to the fact that the provisions of the General Residential or Low Density Residential zones are not comprehensive enough to address all of the issues. The option for a Specific Area Plan provides opportunity for additional controls to those of the development standards relevant to the underlying zone in the SPPs.

Legislation under the Land Use Planning and Approvals Act sets strong guidelines on how and when a SAP may be utilised. Justification for a SAP is therefore required prior to its approval. Implementation of a SAP for this particular area of land comprising the study area, may include a provision in relation to the area of land where *the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs*” under section 32(4)(b) of the *Land Use Planning and Approvals Act 1993*.

A SAP may include purpose statement that clearly and concisely reflect the intent and function of the SAP. These purpose statements establish the scope and range of uses or use and development standards which are different in scope to the SPPs.

Prior to identifying within a SAP any overriding or additional provisions that would be required to maintain the existing character of a locality, it is necessary to establish the underlying zone within the State Planning Provisions that most closely reflects the desirable pattern of development to be achieved. These are explored further below.

Comparison of zone purpose statements for residential zones	
<p>General Residential Zone:</p> <p>8.1 Zone Purpose</p> <p>8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.</p> <p>8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.</p> <p>8.1.3 To provide for non-residential use that:</p> <ul style="list-style-type: none"> (a) primarily services the local community; and (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts. 	<p>Low Density Residential Zone:</p> <p>10.1 Zone Purpose</p> <p>10.1.1 To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location or form of development.</p> <p>10.1.2 To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off site impacts.</p> <p>10.1.3 To provide for Visitor Accommodation that is compatible with residential character.</p>

8.1.4 To provide for Visitor Accommodation that is compatible with residential character.	
<p>Comment:</p> <p>Following assessment of the key characteristics associated with the study area earlier in this report, the zone purpose statements for the Low Density Residential zone are more clearly aligned with the existing neighbourhood character. The zone purpose statements for the General Residential zone encourage development that is not consistent with the study area by way of increased density and uses that are more appropriate in built-up residential areas.</p> <p>Accordingly, it is recommended that the Low Density Residential zone's purpose statements are more relevant to support the existing land use pattern of the study area and similar or refined statements should be carried forward in the Blackmans Bay Bluff SAP as purpose statements.</p>	

Historically under the Kingborough Interim Planning Scheme 2015 and the Kingborough Planning Scheme 2000, Desired Future Character Statements and Strategies to achieve the characteristics were included in these Schemes. These were generally carried over from the prior Kingborough Planning Scheme 2000.

Under the KIPS 2015, there was a local area objective and implementation strategy specific to Blackmans Bay contained within the General Residential zone chapter as follows:

Local Area Objective	Implementation Strategy
(a) Blackmans Bay should be maintained as an established residential area with a high level of amenity associated with its coastal location, pleasant views and lifestyle.	(a) The natural landscape and setting is an important issue when considering new development proposals.

A desired future character statement and implementation strategy was similarly included as follows:

Desired Future Character Statements	Implementation Strategy
(a) Blackmans Bay should continue as a predominantly low-density residential area with larger lot sizes that enable reasonable setbacks, the retention of native vegetation and gardens.	(a) New development should respect the amenity of surrounding residences and the natural landscape. Multi-unit housing should be encouraged to locate in the area surrounding the Opal Drive commercial precinct.

The Low Density Residential zone chapter also included a local area objective and desired future character statement relevant to Blackmans Bay as follows:

Local Area Objective	Implementation Strategy
(a) Areas within Blackmans Bay that are zoned Low Density Residential are to be developed so that both visual landscape and natural environmental values are protected.	(a) Existing larger lot sizes are to be retained in order that there is sufficient land to accommodate substantial vegetation on site and provide for desired landscape and natural amenity.

Desired Future Character Statements	Implementation Strategy
(a) The existing neighbourhood character that is associated with the area's landscape and environmental values should be protected.	(a) The visual amenity of hillsides and skylines is retained by providing for larger lots that are able to retain sufficient native vegetation. In some cases these areas also provide a buffer or transition between more closely settled urban areas and other areas with high natural values.

Incorporated within the Kingborough Planning Scheme 2000 were a more extensive range of desired future character statements relevant to Blackmans Bay as follows:

Blackmans Bay			
Desired future Character Statement		Strategy	
DFCS1	Blackmans Bay is an established residential suburb with a high level of amenity relating to coastal access, water views and lifestyle.	S1	Residential use is the primary use within the Blackmans Bay area. The amenity afforded to existing residents is to be protected where residential or other forms of use or development are sought.
DFCS2	Blackmans Bay is essentially characterised by larger lot sizes. These allow for adequate setbacks, generous landscaping and the protection of household and neighbour amenity	S2	In order to maintain an overall lower density, future multi-unit housing development will be encouraged to locate in the central area surrounding the Opal Drive commercial precinct. Elsewhere, such unit development should only occur where it is demonstrated to not adversely impact upon the prevailing neighbourhood character. Transitions in intensity of subdivision are more desirable than abrupt variances in lot sizes, site coverage, building mass and scale.
DFCS3	Links to Blackmans Bay's past holiday shack heritage should be retained where practical.	S3	The remaining holiday shacks should be retained or sensitively extended where this is practical.
DFCS4	New development or extensions to existing buildings is to be limited in scale to respect the height and pattern of existing buildings.	S4	New buildings are not to exceed two storeys. In streets with larger setbacks, trees and extensive landscaping (such as Powell Road, the upper end of Jindabyne Road, Burwood Road and the like), new buildings should be of a density that effectively retains this character.
DFCS5	Blackmans Bay has water views from most properties. View corridors are a significant aspect of local residential amenity.	S5	Significant or unnecessary impacts on view corridors are to be avoided where new buildings or extensions are proposed.

	Unnecessary impacts on this amenity should be avoided.		
DFCS7	Effective stormwater management to avoid flooding is critical in some areas.	S7	Future development should not unnecessarily impede natural drainage and on-site detention is to be encouraged where practicable.
DFCS8	Off-street parking should be provided to enable more orderly pedestrian movement, bicycle use and traffic movement.	S8	Off street parking should be provided within all new development. New development should be designed with sufficient parking to meet expected demands.

In addition to the extensive desired future character statements and strategies contained in the KPS 2000, schedule 14 – Area Desired Future Character Statement Schedule existed to further guide development. Table S14.1 of this schedule contained eight (8) additional desired future character statements specific for Blackmans Bay. Character Statements 1-3 and 6 are particularly relevant as follows:

Desired Future Character Statements – Blackmans Bay	
1.	Blackmans Bay is a seaside suburb physically defined by its exposed and open beachfront, Boronia Hill and the headland cliffs to the north and south. The natural landscape and setting is an important issue when considering new development proposals, especially in the more established northern sections of Blackmans Bay.
2.	Historically Blackmans Bay has evolved from a seaside shack community to what is now essentially a dormitory suburb where residential amenity is of high priority. Residential densities are generally low due to the suburban pattern of settlement that has occurred over the last 30 years. This low-density living is a desired character for the area and any significant change to higher densities is to be avoided.
3.	Some housing, particularly in the older parts of Blackmans Bay near the beach, reflects the original settlement of the area. Although these ‘shack’ style dwellings have often been modified to meet different household demands, they still have a local streetscape and heritage significance that should be retained.
6.	Visual amenity is important for both existing residents and for visitors to the beach area. Most houses have water views of the Derwent Estuary and existing housing development is essentially low-key with buildings of limited height and size. Future development should have regard to this existing character and residential amenity.

It is clear from the extent of character statements implemented to retain neighbourhood character and assist with decision making in prior planning schemes, that retention of neighbourhood character has been an ongoing focus for many years in this locality. Extensive community consultation in the past has been the trigger for implementation of these character statements. Whilst there are currently character statements contained in the KIPS 2015, it has come to Councils attention since application of this Scheme, that the provisions contained in the Scheme do not support the attainment of these character statements sufficiently. As such, it is clear there is potential for future development that erodes the existing character. This would mostly be attributed to unit developments at a higher density, the potential for smaller lot sizes that are inconsistent with the existing landuse pattern and a loss of vegetation.

Some mitigation action was undertaken through allocation of the Low Density Residential to some parts of the study area. Following the character assessment that has been completed for this area, it appears that the zoning of the entire study area should be reviewed. As noted earlier in this report, the zone purpose statements contained in the Low Density Residential zone chapter are considered more appropriate for the study area.

No opportunity exists for desired future character statements to be included within a SAP. However, the structure of a SAP provides opportunity for purpose statements to be included that outlines the intent or function of the SAP.

It is recommended that the entire study area be zoned Low Density Residential under the LPS's. Purpose statements that reflect the intent of the SAP should be included within the SAP to clearly articulate the outcomes being sought from the Blackmans Bay Bluff Specific Area Plan.

Comparison of uses –

Each zone chapter within the SPPs includes a Table of Uses that sets out the allowable uses for that zone. The SAP has potential to change the allowable uses for the subject property should it be approved. A comparison of the allowable uses within each zone is outlined below (noting that any prohibited uses in both zones are not listed).

Comparison of uses table			
	General Residential zone	Low Density Residential zone	Most appropriate zone – General Residential or Low Density Residential
No permit required	Natural and Cultural Values Management	Natural and Cultural Values Management	Either zone
	Passive Recreation	Passive Recreation	Either zone
	Residential – if single dwelling	Residential – if single dwelling	Either zone
	Utilities - minor	Utilities - minor	Either zone
Permitted	Residential – if not npr	Residential – if for home based business (likely to be added by way of an amendment to SPPs)	Low Density Residential – (all other residential uses – other than home based business - should be discretionary as is the case for this zone)
	Visitor accommodation	Visitor accommodation	Either zone
Discretionary	Business and professional services – if consulting rooms, medical centre, vet surgery or child health clinic or for residential support services	Business and professional services – if consulting rooms, medical centre, vet surgery or child health clinic or for residential support services	Either zone

	Community meeting and entertainment – if place of worship, art & craft centre, public hall, community centre or neighbourhood centre	Community meeting and entertainment – if for place of worship, art & craft centre or public hall	Low Density Residential (excludes a community or neighbourhood centre)
	Educational and occasional care – if not a tertiary institution	Educational and occasional care – if not a tertiary institution	Either zone
	Emergency services	Emergency services	Either zone
	Food services – if not take away food premises with drive through facility	Food services – if not take away food premises with drive through facility	Either zone
	General retail and hire – if local shop	General retail and hire – if local shop	Either zone
	N/A	Residential – if not npr	Low Density Residential (see Residential use class under permitted use)
	Sports and recreation – if fitness centre, gymnasium, public swimming pool or sports ground	Sports and recreation – if fitness centre, gymnasium, public swimming pool or sports ground	Either zone
	Utilities – if not npr	Utilities – if not npr	Either zone

The above comparison of allowable uses for the General Residential and Low Density Residential zones indicates that potentially either zone would be reasonable based solely on the existing use tables. Whilst a single dwelling is listed as “no permit required” for both the General Residential and Low Density Residential zones, the General Residential zone use table allows for all other residential uses as permitted. In contrast, all other residential uses are listed as a discretionary use for the Low Density Residential zone.

A slight preference therefore exists for the Low Density Residential zone that is further backed up by clause 10.3.1 A4 & P4. This specific clause provides a pathway for assessing the appropriateness of a discretionary use that does not exist within the General Residential zone provisions. An opportunity also exist however, for the clause to be tweaked to more specifically deal with the issues associated with the SAP area.

Given the distinct character that has been established, it is considered reasonable to include a more specific Use Table within the SAP to reduce the level of uncertainty for future development. The use table would limit uses to be consistent with the character.

A snapshot comparison of the main development standards in the State Planning Provisions for the General Residential and Low Density Residential zones is outlined below. These development standards have the ability to affect neighbourhood character to a large extent and should be reflective of the existing character to the closest possible fit.

	Height	Front setbacks	Side/rear setbacks	Site coverage	Multiple dwelling density	Private open space	Minimum lot size
General Residential	8.5 metres	4.5m	To be contained within building envelope – generally 3 metres from side boundary but with an ability to locate up to the side boundary if 9 metres or less	50%	1 dwelling per 325m ²	24m ²	450m ²
Low Density Residential	8.5m	8m	5m	30%	1 dwelling per 1,500m ² in service area	No open space requirement – setbacks and site coverage should ensure sufficient area	1500m ²
Most appropriate zone identified reflective of key characteristics	Low Density Residential	Low Density Residential	Low Density Residential	Low Density Residential	Low Density Residential	Low Density Residential as larger setbacks promote greater open space	Low Density Residential

The comparison snapshot clearly identifies that the Low Density Residential zone provisions are more reflective of the existing pattern of development for setbacks, density and lot sizes. Where a SAP is proposed, it is important to get the underlying zoning correct as a SAP would only need to depart from the relevant zone provisions where they are required to substitute, modify or add to the existing zone provisions. This would be the preferred approach.

As far as the site coverage, dwelling density and open space requirements for the Low Density Residential zone are concerned, these are considered appropriate to maintain and reflect the existing neighbourhood character for the locality. However, the front and rear setback provisions are considered not quite large enough to maintain consistency with the character for the area. As such, overriding provisions would be required to alleviate this inconsistency and provide opportunity for more specific development standards.

An additional element was identified in the character assessment relating to front fences. From the survey undertaken, there was a high incidence of no front fences in the study area. Where front fences were in place, they consistently demonstrated a pattern of low height and high transparency. This is an element that significantly contributes to the existing neighbourhood character and is visually prominent throughout the study area.

Upon assessment of the State Planning Provisions it became evident that a miscellaneous exemption exists in table 4.6 under clause 4.6.3(a). The exemption provides for a certain level of fencing that can be undertaken without the need for a planning permit. The exemption reads:

Table 4.6 Miscellaneous exemptions

4.6.3	Fences within 4.5m of a frontage	<p>Fences (including free-standing walls) within 4.5m of a frontage, if located in:</p> <ul style="list-style-type: none"> (a) The General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone, Commercial Zone or Particular Purpose Zone and if not more than a height of: <ul style="list-style-type: none"> (i) 1.2m above existing ground level if the fence is solid; or (ii) 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights). (b) The Utilities Zone and adjoining property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone and if not more than a height of: <ul style="list-style-type: none"> (i) 1.2m above existing ground level if the fence is solid; or (ii) 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights); or (c) Any other zone, or if located in the Utilities Zone and not adjoining a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone and if not more than a height of: <ul style="list-style-type: none"> (i) 1.8m if adjoining public land; or (ii) 2.1m if not adjoining public land, <p>unless the Local Historic Heritage Code applies and requires a permit for the use or development.</p>
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The implication of this exemption is that a fence would be allowable under the exemption provision that is inconsistent with the existing neighbourhood character within the study area. This occurs as the exemption is activated before any provisions of a Specific Area Plan are assessed. The ramifications of this exemption are discussed in more detail below.

IMPLEMENTATION & PROPOSED PLANNING CONTROLS

From the survey and public consultation information received, it is clear that the provisions of the Low Density Residential zone are more reflective of the existing pattern of development

for the study area. In order to maintain this character, it is recommended that the Low Density Residential zone be applied to all properties within the study area. In addition to these zone provisions, the zone purpose statements are more appropriate to guide future development than those for the General Residential zone.

While the provisions for the Low Density Residential zone would offer some protection of the existing neighbourhood character, there are some additional provisions that will be required to address issues that are not covered by the zone provisions as follows:

- ❖ Large front boundary setback requirements
- ❖ Outbuildings to be located behind dwellings
- ❖ Low and semi-transparent front fences
- ❖ Retention of vegetation

From the assessment undertaken, the site coverage, dwelling density, side setbacks and minimum lot size for the Low Density Residential zone are consistent with the existing character. By implementing a SAP for the study area, a specific set of additional development controls would continue to maintain the existing land-use pattern and significantly reduce opportunity for degradation of that character. A set of purpose statements could also be implemented to guide the type of development that is considered complementary to the locality and provide more certainty for future development.

In particular, the dwelling density has been raised as an area of concern within the study area. Whilst a clear aversion for unit development within the study area has been raised during the public consultation, the prohibition of any unit development is considered a little severe. In effect, the recommended zoning of Low Density Residential provides the most logical answer to this issue through the development standard in clause 10.4.1 which sets the density for multiple dwellings at 1 dwelling per 1500 sqm, with a minimum limit of 1 dwelling per 1200 sqm under the performance criteria. In order to meet this minimum density under the performance criteria however, an assessment against the existing character of the area needs to be established as one of the measures. As such, the density sought under the Low Density Residential zone is considered appropriate for the study area.

Specific Area Plan – Use Table

Opportunity also exists for a Table of Uses being implemented in a SAP to control the type of development. Given the limited extent of land located within the study area, it may be beneficial to utilise the SAP to specifically exclude inappropriate uses from within the area to provide more certainty for future development opportunity.

As outlined earlier in this report, there was little difference between the use table for the General Residential and the Low Density Residential zones. However, in consideration of the existing character of the study area, it is reasonable to conclude that the road infrastructure, in addition to the desire to maintain the lower density of development, indicates that a specific Use Table for the study area is appropriate.

It is recommended that the Blackmans Bay Bluff SAP include a Use Table to reflect the desired types of use and development for the area.

Purpose Statements

There are no purpose statements contained in the Low Density Residential zone provisions that address some of the issues raised in relation to the study area. Opportunity exists for purpose statements to be included in the Blackmans Bay Bluff SAP that support any additional use or development standards that are required to maintain the existing character. Of the issues that would be addressed through the provisions of the SAP, purpose statements can be included that identify the intent and function of the SAP.

It is recommended that a SAP include purpose statements specific to the additional requirements proposed by the SAP.

Front boundary setback provision

The character assessment for the study area, confirmed that there is a predominant pattern of larger front setbacks than is evident in many other areas currently zoned General Residential within Kingborough (see figure below). The location of development on individual lots is significantly more informal than a typical pattern of residential development with the averages for front setbacks being 16.8 metres for Powell Road, 10.8 metres for Talone Road and 17.5 metres for Blowhole Road.

The Low Density Residential zone if applied to the study area would result in an 8 metre front setback requirement. Whilst this goes well toward providing greater consistency in front setbacks for the locality, a setback provision that requires a front setback of 10 metres is more reflective of the average taken across the study site.

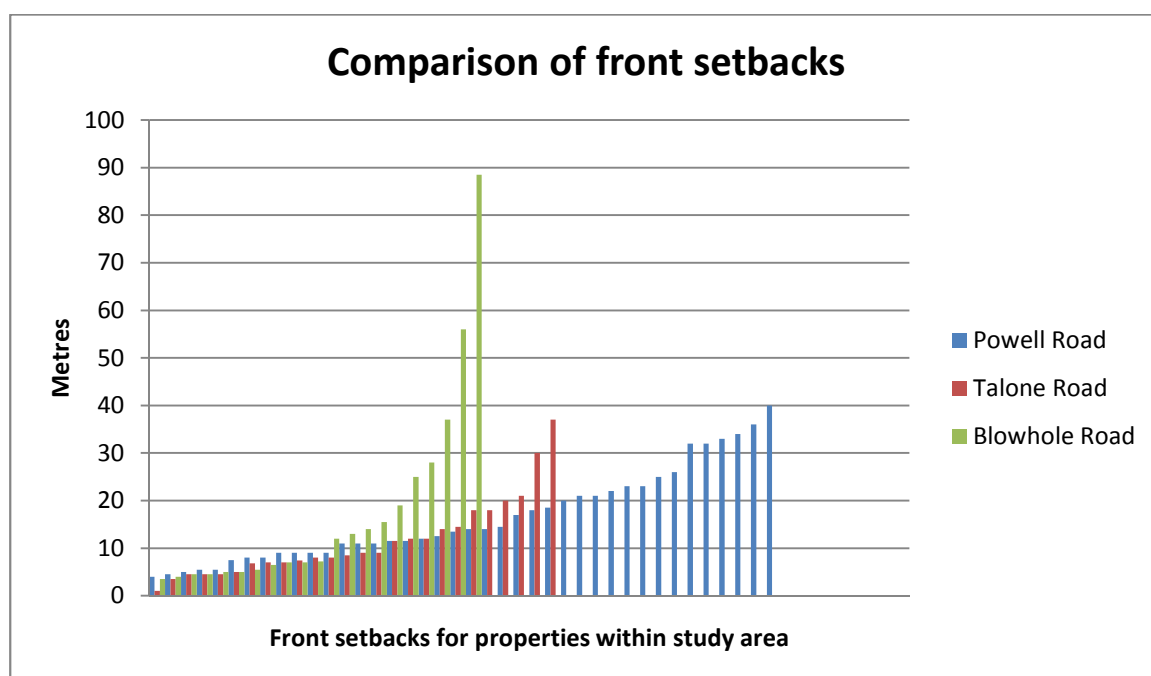


Figure : Existing front setbacks in metres for Powell Road, Talone Road & Blowhole Road (excludes data relating to internal lots)

Location of outbuildings

Statistics obtained from the study identified that there is a pattern of a low number of outbuildings located forward of dwellings within the study area. When combined with the greater front setbacks and significant extent of garden areas, it is considered as a significant contributor to the existing character. Potential exists therefore, for a standard to be included within the Blackmans Bay Bluff SAP to continue to require new outbuildings to be constructed behind the front façade of new and existing dwellings. This assists with retaining the character of larger front gardens.

It is recommended that a provision be included in the SAP that requires outbuildings to be located behind dwellings, with a performance criteria that allows for variations where the existing character is not compromised.

Retention of vegetation

The community survey undertaken to inform this study raised the presence of natural bushland and wildlife as having significant importance. Of the people surveyed, 9% raised the presence of wildlife as important and 32% raised the presence of natural bushland of importance.

Due to the larger lots located within the study area, there is a higher concentration of natural vegetation than exists in areas immediately surrounding the locality. Under the SPP's there will be no ability to protect native vegetation whether the land is zoned General Residential or Low Density Residential. This is because the Natural Assets Code does not apply within either of these zones. Whilst the Low Density Residential zone may have provisions that guide more appropriate development within this area, use of the Low Density Residential zone implies that residential development is the major focus and therefore it is assumed the vegetation is of lesser importance. Accordingly, the SPP's are structured so that the Natural Assets Code is not applicable.

From the survey undertaken with the community and the visual assessment carried out by Council officers, it is evident that the native vegetation plays an important role in the neighbourhood character of the study area. Therefore, it is considered that the study site should be treated differently to a typical low density residential area. Whilst it was the intention in establishing the SPP's that the environmental values are still able to be maintained in the Low Density Residential zone given the minimum lot sizes and setbacks etc, this is in fact not considered to be the case. These standards do not require that development be sited to avoid impact on native vegetation.

Implementation of a SAP for the locality provides opportunity for consideration of the native vegetation by way of a development standard. A standard previously existed within the Kingborough Interim Planning Scheme 2015 (KIPS 2015) and the Planning Scheme prior (Kingborough Planning Scheme 2000) that was effective in protection native vegetation. It is intended that a standard similar to the provisions found in KPS 2015 be accommodated within the SAP.

The standard provides incentive to avoid the removal of priority vegetation through the siting and design of buildings. Where impact is unavoidable, there is opportunity for an offset to be negotiated. As such, the above standard is recommended to be contained within the SAP.

Front fences

As discussed earlier in this report, a strong element making up the character of this area is the lack of front fencing and where it does exist, the predominance of low and transparent fencing. This combined with the lack of kerb, gutter and footpaths, narrow roads and wider green verges provides a blurring of the public and private interface between the streets and privately owned land.

The dilemma being faced under the proposed SAP is that the exemption outlined above, provides a far greater level of fencing allowable without a planning permit than is desirable for this locality. Accordingly, no overriding fence provision can be included within the SAP as the exemption is considered prior to the requirements in any zone or SAP. Whilst there is an obvious conflict between the exemption and the type and height of fencing that would be preferred, it is hoped that the larger lot size requirement, greater front setbacks and resultant greater extent of green space surrounding dwellings discourages the need for non-transparent and a high fencing requirement. Should any amendments be made to the SPP's in future that would provide opportunity for an overriding provision to be contained within the SAP, this should be actively explored.

For applications that seek a front fence that goes beyond the exemption, clause 10.4.5 for the Low Density Residential zone exists that provides a development standard as a discretionary requirement. This standard addresses privacy for residents and consideration of existing fencing within a street. It is considered therefore, that the current fencing standard for the Low Density Residential zone is sufficient to address consistency with the existing neighbourhood character.

The current restrictions on an appropriate fencing standard are noted. No additional fencing standard is required for the Blackmans Bay Bluff SAP as clause 10.4.5 for the Low Density Residential zone is sufficient.

LEGISLATION REQUIREMENTS

A Specific Area Plan provides opportunity for provisions to be applied to a particular area of land defined in a Local Planning Schedule for use or development where it can be demonstrated that sufficient justification can be provided that meets the legislative requirements of section 32(4) as outlined below:

Section 32(4)

An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –

- (a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*
- (b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

In the case of the Blackmans Bay Bluff Specific Area Plan, section 32(4)(b) is to be relied upon as a justification for the SAP. The character assessment and accompanying Neighbourhood Character Study provides sufficient information on which to base a sound decision.

The Land

The land subject to the Blackmans Bay Bluff Specific Area Plan is delineated within the SAP under Figure KIN-S5.1. The land comprises a number of lots within three roads – Powell, Talone and Blowhole Roads, Blackmans Bay. These three roads are narrower in width than a typical residential road with partial kerb & guttering present for Powell Road only. The land generally comprises lot sizes that are not typical of a residential pattern of development reflective of the General Residential zone.

Use or development

Provisions proposed within the SAP are relevant to both use and development. Residential use is the main use within the SAP area, with an allowance for visitor accommodation as well. This is consistent with the existing use of the locality and the pattern of development proposed.

Benefit to part of a municipal area

The area of land included within the SAP comprises a portion of Blackmans Bay and is defined purely by its differing characteristics to other areas zoned General Residential. In order to meet the legislative process, the benefits of implementing a SAP over part of a municipal area are explored below.

❖ Spatial qualities

Implementation of a Specific Area Plan for the Blackmans Bay Bluff study area is predominantly justified on the extent of spatial qualities that exist for the locality. The Neighbourhood Character Study identifies a number of qualities that set this area apart from

others within the Blackmans Bay area. Community participation has also supported this view with the locality displaying a unique set of circumstances not evident throughout Blackmans Bay.

Spatial quality is increased where the landscape, buildings or infrastructure, or a combination, increase the liveability and desirability to live within a certain location. Spatial quality is achieved through effective strategies, policies, designs, planning provisions etc. The Blackmans Bay Bluff Specific Area Plan seeks to bring an additional set of provisions that work in conjunction with the zone provisions of the Low Density Residential zone.

The Study, through spatial analysis, outlines how the SAP area is identifiable as a unique circumstance and recommends a number of provisions that could be included in a SAP in addition to the underlying zone provisions. Without the scope for additional controls under a SAP, the character of the locality has the potential to erode over time and therefore decrease the spatial quality that has been determined.

Accordingly, it is considered that sufficient information and analysis is provided within the Study to demonstrate that the study area does have spatial qualities that should be protected.

❖ Environmental benefit

The Blackmans Bay Bluff contains mature *Eucalyptus globulus* (Blue Gum) and *Eucalyptus ovata* (Black Gum) trees, which provide important foraging habitat for the critically endangered Swift Parrot (*Lathamus discolor*). There are also areas of remnant native vegetation on the larger lots which contain *Eucalyptus ovata* (Black Gum) forest and woodland, which is a threatened native vegetation community under the *Nature Conservation Act 2002* and has been recently listed as a critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999*. There is also the potential habitat for the Chaostola skipper (*Antipodia chaostola*) and Eastern Barred bandicoot (*Perameles gunnii*) associated with this vegetation.

❖ Social benefit

Larger lot sizes and the extensive vegetation within the SAP area is a result of previous desires by the community to maintain the locality which has been reflected in previous planning schemes as a result of community consultation. Future zoning options were investigated as the basis for protecting the existing character. As a result, utilisation of the General Residential Zone in this locality would appear to offer no protection and result in further degradation of the existing character.

As an alternative, the Low Density Residential Zone is proposed for the entire area within the SAP boundaries which addresses some of the concerns, for example minimum lot sizes. Unfortunately, the provisions of the Low Density Residential Zone do not go far enough to offer the level of protection required.

As a result, the only other alternative to meet community expectations is to implement a SAP over the locality.