

KIN-S8.0 Baretta Specific Area Plan

KIN-S8.1 Plan Purpose

The purpose of the Baretta Specific Area Plan is:

- KIN-S8.1.1 To provide for use at a density that can be accommodated by the limited infrastructure and services available in the area.
- KIN-S8.1.2 To provide the ability to subdivide land, but at a density appropriate to the infrastructure and service constraints that exist in the area.
- KIN-S8.1.3 To ensure where on-site waste water management is required, lots have sufficient land available for on-site waste water management.
- KIN-S8.1.4 To manage stormwater quality and quantity to protect natural assets, infrastructure and property.
- KIN-S8.1.5 To encourage the retention of native vegetation as part of landscape design.
- KIN-S8.1.6 To minimise the collision risk to threatened bird species through the appropriate design of new development.

KIN-S8.2 Application of this Plan

- KIN-S8.2.1 The specific area plan applies to the area of land designated as KIN-S8.0 Baretta Specific Area Plan on the overlay maps and in Figure KIN-S8.1.
- KIN-S8.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for and in addition to the provisions of the Low Density Residential Zone, as specified in the relevant provision.

KIN-S8.3 Local Area Objectives

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

KIN-S8.4 Definition of Terms

KIN-S8.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition
Baretta Mapped Vegetation Areas	means areas of land covered by native vegetation that is of local importance, as shown on an overlay map and in Figure KIN-S8.2.
intensification	means a substantial and ongoing increase in the number of persons occupying, or capable of occupying, a dwelling or the number of persons visiting or working at a business premises.
land application area	means an area of land used to apply effluent from a waste water treatment unit and reserved for future waste water application.
offset	means measures, implemented in accordance with <i>Kingborough Biodiversity Offset Policy 6.10, November 2023</i> that compensate for the residual adverse impacts of an action on the environment, when alternatives and options to avoid those impacts have been exhausted and it is still considered desirable for other economic, social, or environmental reasons for the action to proceed.
suitably qualified person (onsite waste water management)	means a person who can adequately demonstrate relevant tertiary qualifications (or equivalent) and experience, knowledge, expertise or practice in undertaking on-site waste water management system design in accordance with AS/NZS 1547.

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tree protection zone	means the combined root area and crown area requiring protection and isolation from disturbance so that the tree remains viable. The radius of the tree protection zone is calculated by multiplying the diameter of the tree at 1.4m from natural ground level by 12.
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KIN-S8.5 Use Table

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

KIN-S8.6 Use Standards

KIN-S8.6.1 Waste water management

This clause is in addition to Low Density Residential Zone – clause 10.3 Use Standards.

Objective:	That waste water management is provided for residential and non-residential uses.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>(a) No new use or expansion or intensification of an existing use on the site; or</p> <p>(b) the site has connection or is capable of being connected to a reticulated sewerage system.</p>	<p>P1</p> <p>A new use, or expansion or intensification of an existing use, on the site must demonstrate that there is sufficient suitable land available for on-site wastewater treatment, having regard to:</p> <p>(a) the extent and nature of the land available on the property to accommodate an on-site waste water management system (including the land application area) for the proposed development;</p> <p>(b) the sufficient setback of the land application area from watercourses, property boundaries and groundwater; and</p> <p>(c) the ability to retain native vegetation within the Baretta Mapped Vegetation Areas, including individual trees with a diameter more than 25cm.</p>	

KIN-S8.7 Development Standards for Buildings and Works

KIN-S8.7.1 Residential density for multiple dwellings in the Low Density Residential Zone

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

Objective:	That multiple dwellings are provided with an appropriate level of infrastructure.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Multiple dwellings must:</p> <p>(a) have a site area per dwelling of not less than 2,500m²;</p> <p>(b) meet the on-site waste water management provisions in KIN-S8.7.2 A1 or capable of being connected to a reticulated sewerage system;</p> <p>(c) meet the stormwater management provisions in KIN-S8.7.3 A1 or be capable of being connected to a public stormwater system or be capable of being connected to a public stormwater system; and</p>	<p>P1</p> <p>Multiple dwellings must be provided with an appropriate level of infrastructure, having regard to:</p> <p>(a) compatibility with the character and pattern of development in the area;</p> <p>(b) the provision of on-site waste water management in accordance with KIN S8.7.2 A1 or P1;</p> <p>(c) the provision of stormwater management in accordance with S8.7.3 A1 or P1;</p>	

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(d) be located outside the Baretta Mapped Vegetation Areas.	(d) the capacity to design and locate development in a manner that will retain vegetation Baretta Mapped Vegetation Areas in accordance with KIN-S8.7.4; and must have a site area per dwelling not less than 2,400m ² .
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KIN-S8.7.2 On-site waste water treatment

This clause is in addition to Low Density Residential Zone – clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings.

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

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KIN-S8.7.3 Stormwater Management

This clause is in addition to Low Density Residential Zone – clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings.

Objective:	That development provides for adequate on-site stormwater management.	
Acceptable Solutions	Performance Criteria	
A1	P1	
<p>(a) Development must be capable of connecting by gravity to a public stormwater system; or</p> <p>(b) there is no need for stormwater water management.</p>	<p>Development must be capable of accommodating an on-site stormwater management system adequate for the development, having regard to:</p> <p>(a) topography of the site;</p> <p>(b) the size and shape of the site;</p> <p>(c) soil conditions;</p> <p>(d) any existing buildings and any constraints imposed by existing development on the site;</p> <p>(e) any area of the site covered by impervious surfaces;</p> <p>(f) any watercourses on the land;</p> <p>(g) stormwater quality and quantity management targets identified in the <i>State Stormwater Strategy 2010</i>; and</p> <p>(h) any advice from a suitably qualified person on the seasonal water table at the site, risks of inundation, land instability or coastal erosion.</p>	

KIN-S8.7.4 Vegetation Management

This clause is in addition to Low Density Residential Zone – clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings.

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

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KIN-S8.7.5 Collision Risk

This clause is in addition to Low Density Residential Zone – clause 10.4.2 Development Standards for Dwellings and clause 10.5.1 Development Standards for Non-dwellings.

Objective:	That the design of buildings and structures minimises collision risk for threatened bird species.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>The design of buildings and structures must:</p> <ul style="list-style-type: none"> (a) not include mesh fences more than 1.2m in height from natural ground level; (b) not include corner windows or the creation of sightlines through glazed surfaces; and (c) use glazing that: <ul style="list-style-type: none"> (i) has a total surface area of less than 2m²; (ii) uses low-reflectivity glass (0-10%); or (iii) is installed at a minimum of 20 degrees from vertical, angled in at its base to reflect the ground. 	<p>P1</p> <p>Building and structure design must minimise the collision risk for threatened birds, having regard to:</p> <ul style="list-style-type: none"> (a) any likely particular impacts on the swift parrot; (b) any impacts on other threatened bird species; and (c) the advice of a suitably qualified person. 	

KIN-S8.8 Development Standards for Subdivision

KIN-S8.8.1 Lot design in the Low Residential Zone

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

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Objective:	That each lot: (a) has an area and dimensions appropriate for use and development within low density residential areas; and (b) is provided with an appropriate level of infrastructure.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed on a plan of subdivision, must:</p> <p>(a) have an area of not less than 2,500m².</p> <p>(i) able to contain a minimum area of 20m x 15m with a gradient not steeper than 1 in 5, clear of;</p> <p>a. all setbacks required by clause 10.4.3 A1 and A1 and A2;</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>c. land shown on an overlay map, as within:</p> <p>i. a flood-prone hazard area;</p> <p>ii. a landslip hazard area;</p> <p>iii. a coastal erosion hazard area;</p> <p>iv. a waterway and coastal protection area;</p> <p>v. a future coastal refugia area; and</p> <p>vi. a coastal inundation hazard area;</p> <p>(ii) existing buildings are consistent with the setback required by the Low Density Zone – clause 10.4.3 Setback A1 and A2;</p> <p>(iii) not impact an individual tree with a diameter more than 25cm or require the removal of native vegetation within the Baretta Mapped Vegetation Areas;</p> <p>(b) be required for public use by the Crown, a council or State authority;</p> <p>(c) be required for the provision of utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the maturity, landscape contribution and conservation significance of the vegetation;</p> <p>(b) any practical alternatives with respect to the location or design of the subdivision layout and associated works;</p> <p>(c) requirements for adequate access arrangements, bushfire protection and on- site wastewater;</p> <p>(d) the management, landscaping and treatment of the site;</p> <p>(e) minimising, mitigating and offsetting adverse impacts on vegetation;</p> <p>(f) the relevant requirements for development of buildings on the lots;</p> <p>(g) the intended location of buildings on the lots;</p> <p>(h) the topography of the site;</p> <p>(i) adequate provision of private open space;</p> <p>(j) adequate provision of drainage and sewerage;</p> <p>(k) any constraints to development; and</p> <p>(l) the pattern of development existing on established properties in the area;</p> <p>and must have an area not less than 2,400m².</p>

KIN-S8.9 Tables

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

Figure KIN-S8.1 – Baretta Specific Area Plan

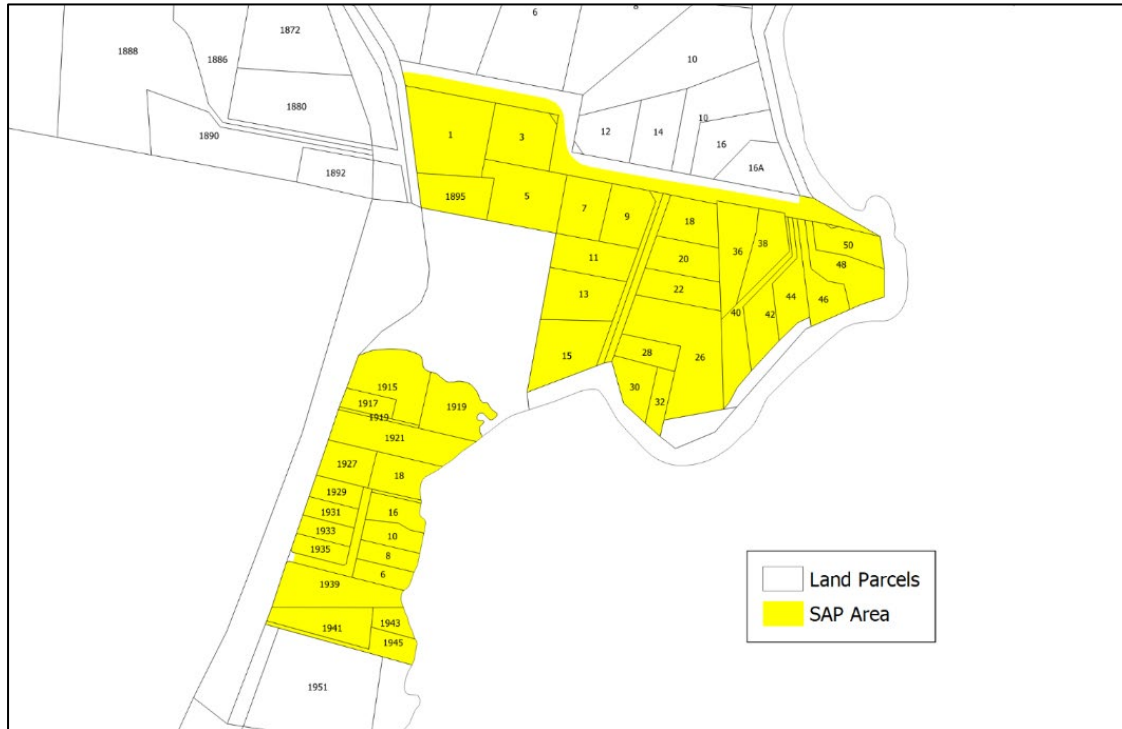


Figure KIN-S8.2 – Baretta Mapped Vegetation Areas

