



**Town Planning compliance advice – proposed Dwelling,
change of use of existing dwelling to Ancillary Dwelling
and associated works (wastewater system, water tanks,
deck) in the Environmental Living zone**

For S Owen and R Hamilton

**230 Apollo Bay Road, Apollo Bay (Bruny Island)
CT-8120/1**

28 April 2026

Version 1.0



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244

Danielle Gray, Principal Consultant
Gray Planning
224 Warwick Street
West Hobart TAS 7000

28 April 2026

Ms Sarah Owen
c/- 230 Apollo Bay Road
Apollo Bay TAS 7150

Dear Sarah,

Thank you for considering Gray Planning to assist you with town planning enquiries you have in relation to your property at 230 Apollo Bay Road, Apollo Bay on Bruny Island (title reference CT-8120/1).

I refer to recent discussions with you in relation to a proposed development which requires professional planning advice and assistance regarding the proposed development for a single dwelling at the subject site 230 Apollo Bay Road.

Please find attached a town planning report addressing compliance with the triggered use and development standards under the Kingborough Interim Planning Scheme for the proposed development.

It is intended that the information contained therein will assist in determining compliance of the proposed development.

Should you have any questions about the content of the report, please do not hesitate to contact me on 0439 342 696.

Yours faithfully



Danielle Gray B.Env.Des. MTP. MPIA
Principal Consultant, Gray Planning



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1 Introduction

1.1 Purpose

The purpose of this report is to provide planning responses to triggered use and development standards to confirm compliance of the proposed development of the subject site at 230 Apollo Bay Road at Apollo Bay ('the subject site') with respect to a proposed Single Dwelling development and change of use to Ancillary Dwelling at the subject site.

This assessment has been undertaken against the *Kingborough Interim Planning Scheme 2015* with proposal plans dated 21 April 2026 by architect Ms Karen Abernethy.

1.2 Copyright

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Last updated: 28 April 2026, Version 1.0

Report Author: Danielle Gray



2 The proposed development

2.1 The proposed dwelling

The proposal seeks approval for a Single Dwelling, directly adjacent to an existing single dwelling that was approved by Council on 3 December 2020 (permit reference DA-2020-545).

The proposal also seeks approval for the existing dwelling approved under DA-2020-545 to change of use to an Ancillary Dwelling. The gross floor area (enclosed area measured wall to wall) of this existing dwelling is 6m x 6m (36sqm) with a total floor area including open decks of 60sqm, as approved under DA-2020-545. This dwelling is proposed to become an Ancillary Dwelling as part of this development.

The proposed dwelling for which approval is sought under this application measures 16.5m x 7m in footprint and is double storey.

The downstairs floor area measures 96 sqm while the upstairs floor area measures 81 sqm.

The location of the proposed dwelling has been determined by the location of existing trees to avoid vegetation removal and impact. This location is directly adjacent to the existing dwelling which was approved under DA-2020-545.

The proposed dwelling has the following setbacks:

- 16.885m from northern side boundary to adjacent Council reserve;
- 57.460m from western frontage boundary with a Crown waterfront reserve;
- 22.850m from the southern side boundary shared with 232 Apollo Bay Road; and
- 15.80m from the frontage boundary with Apollo Bay Road.

The external cladding of the proposed dwelling is a mix of zincalume (intended to dull to a matt mid grey non reflective finish) and powder coated metal finishing to provide a 'rusted' appearance.

The proposed zincalume external cladding is proposed to be applied to the north and south facades. The treated rusted matte brown powder coated metal external cladding is to be applied to the west (Crown reserve) and east (Apollo Bay Road) facing facades.

The architect has prepared a design statement discussing the proposed materials in detail and providing photographic examples of the proposed materials to enable Council planning staff to reassure themselves that the proposed external cladding has been carefully selected to blend well into the site and not present any unreasonable visual impact within the surrounding landscape.

The proposal also includes associated works including a roofed area with stone paving as shown as a covered walkway and terrace on the plans as well as hard landscaping in the form of steps from the existing gravel driveway area to the proposed dwelling. The proposed covered walkway and terrace area to be paved with stone are located at excavated ground level as shown in the submitted elevation drawings. The degree of excavation is less than 1m in depth at any point with a maximum excavation depth of



0.900m as shown in the submitted elevation drawings (see north and south elevation drawings).

The form of the proposed dwelling is an articulated wedge form with the highest part of the building located at the edge of the west facing elevation.

The highest part of the proposed dwelling above natural ground level is 7.2m above NGL (7.5m to excavated ground level).

On the ground level of the dwelling is an open plan living and kitchen, mud room (entrance), three bedrooms and a combined bathroom and WC.

On the first floor is master bedroom and ensuite and home study 'studio' area with a balcony.

The proposed dwelling is intended for the owners of the subject site who are currently residing in the existing tiny 6m x 6m existing dwelling on the subject site which is now too small to accommodate their growing family.

This existing dwelling will be used as an Ancillary Dwelling instead with no proposed physical works to this building.

The proposal also includes two water tanks to the north facing elevation of the dwelling.

2.2 Architect's plans for the proposed dwelling and associated works

Overleaf are copies of the plans submitted to Council. These are dated 21 April 2026.



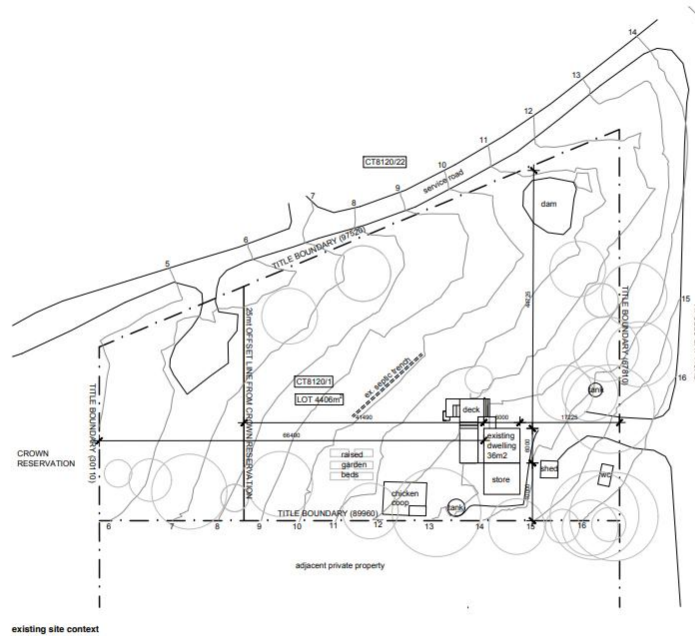
NEW HOUSE
230 Apollo Bay Road,
Apollo Bay TAS

21st April 2026
for Sarah Owen & Rory Hamilton

DA01	existing site context plan	1:500
DA02	proposed site context plan	1:500
DA03	proposed site/roof plan	1:250
DA04	proposed ground floor plan	1:100
DA05	proposed first floor plan	1:100
DA06	proposed elevations	1:150
DA07	proposed sections	1:100
DA08	3D model images & materials	NTS

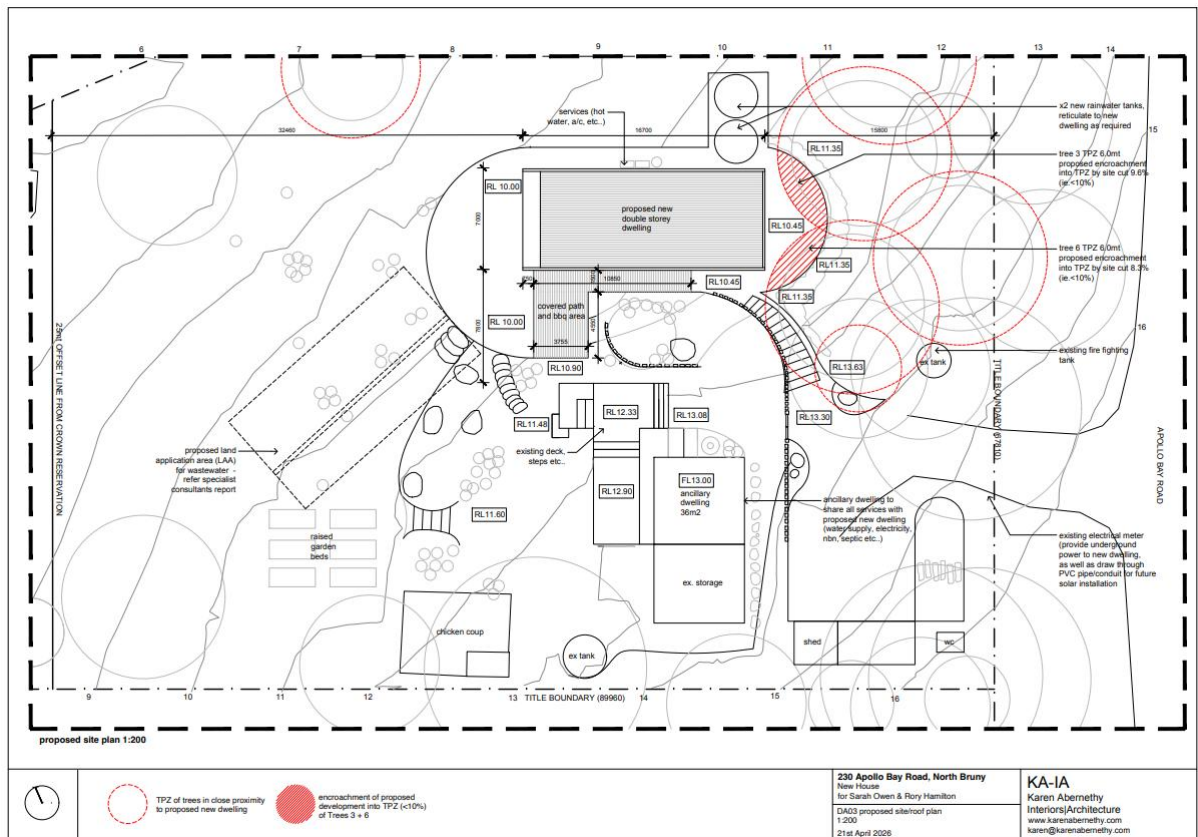
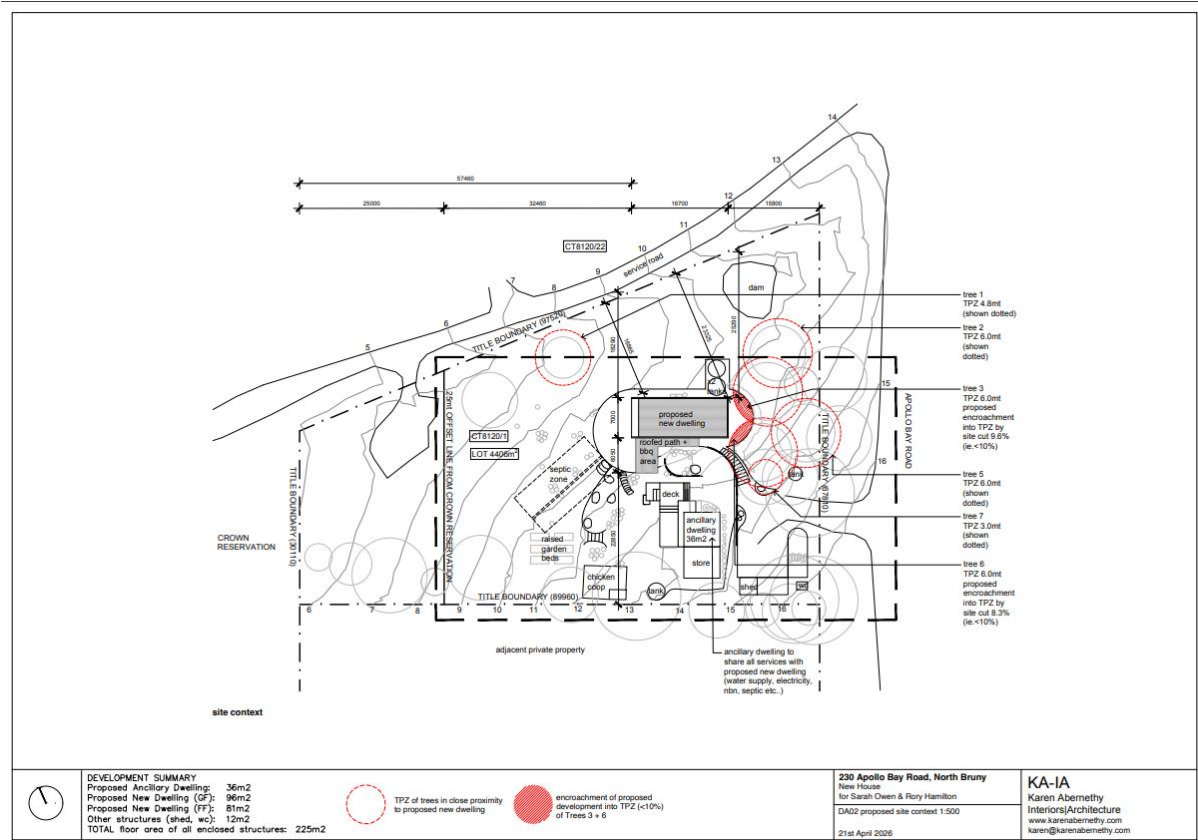


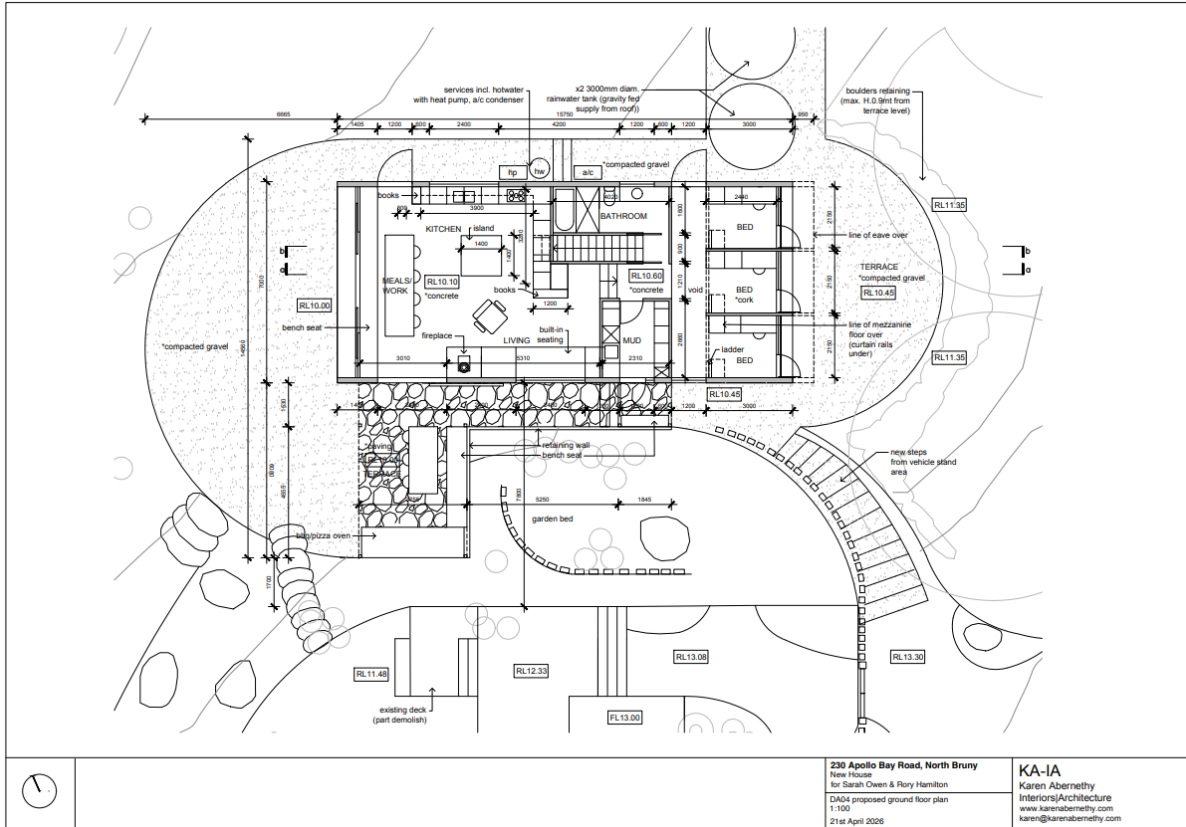
KA-IA
Karen Abernethy
Interiors/Architecture
www.karenabernethy.com
karen@karenabernethy.com



230 Apollo Bay Road, North Bruny
New House
for Sarah Owen & Rory Hamilton
DA01 existing site context plan
1:500
21st April 2026

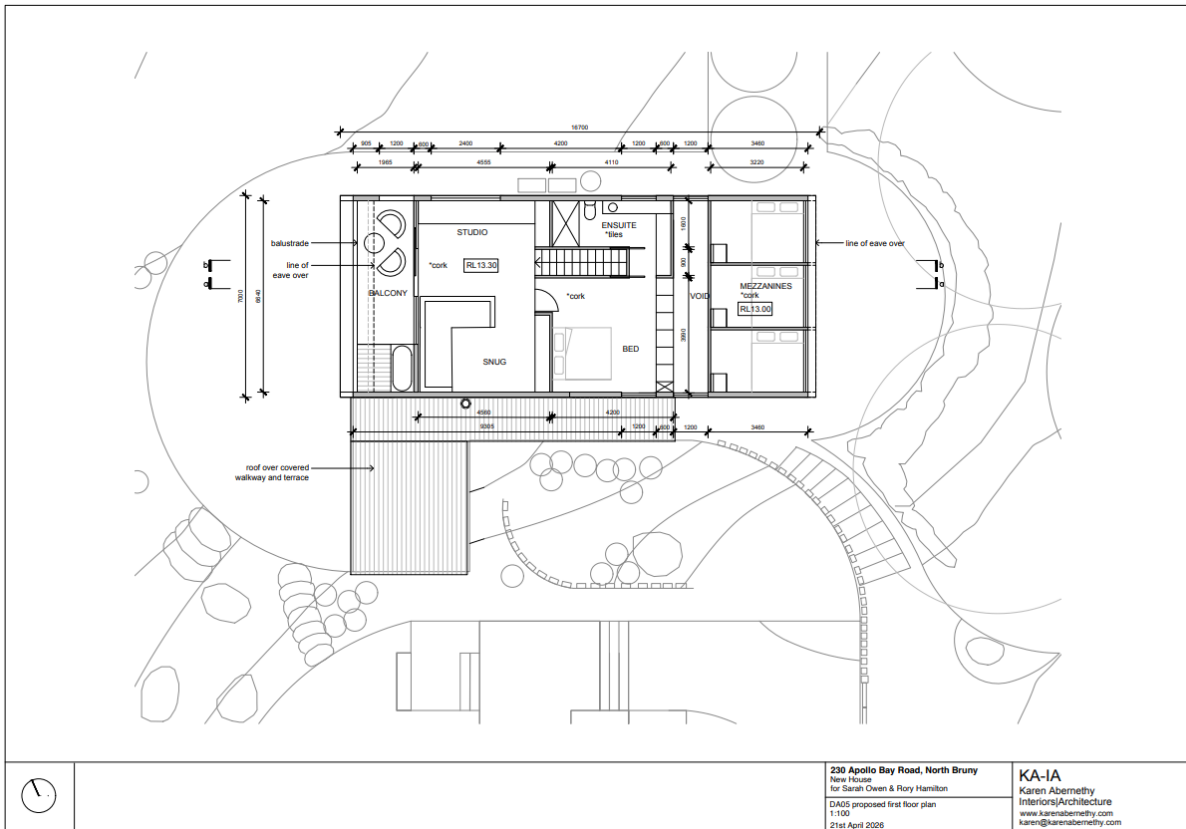
KA-IA
Karen Abernethy
Interiors/Architecture
www.karenabernethy.com
karen@karenabernethy.com





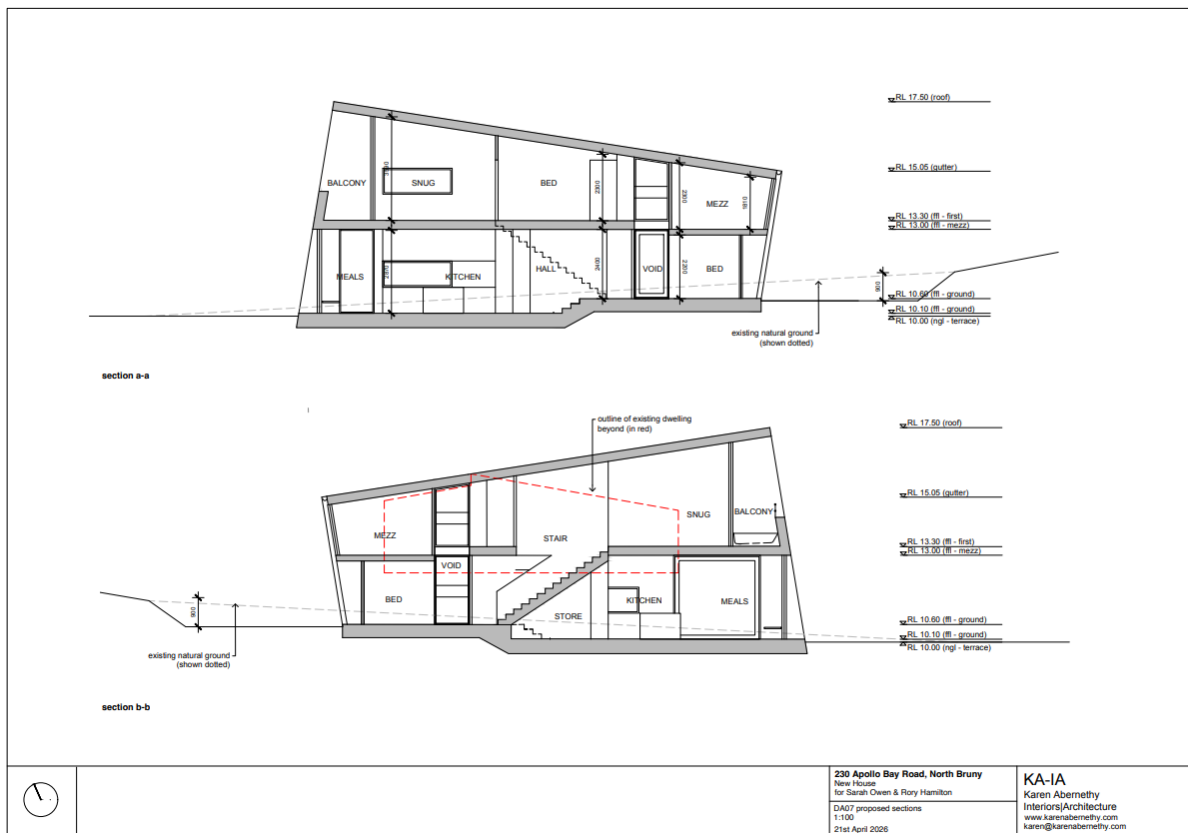
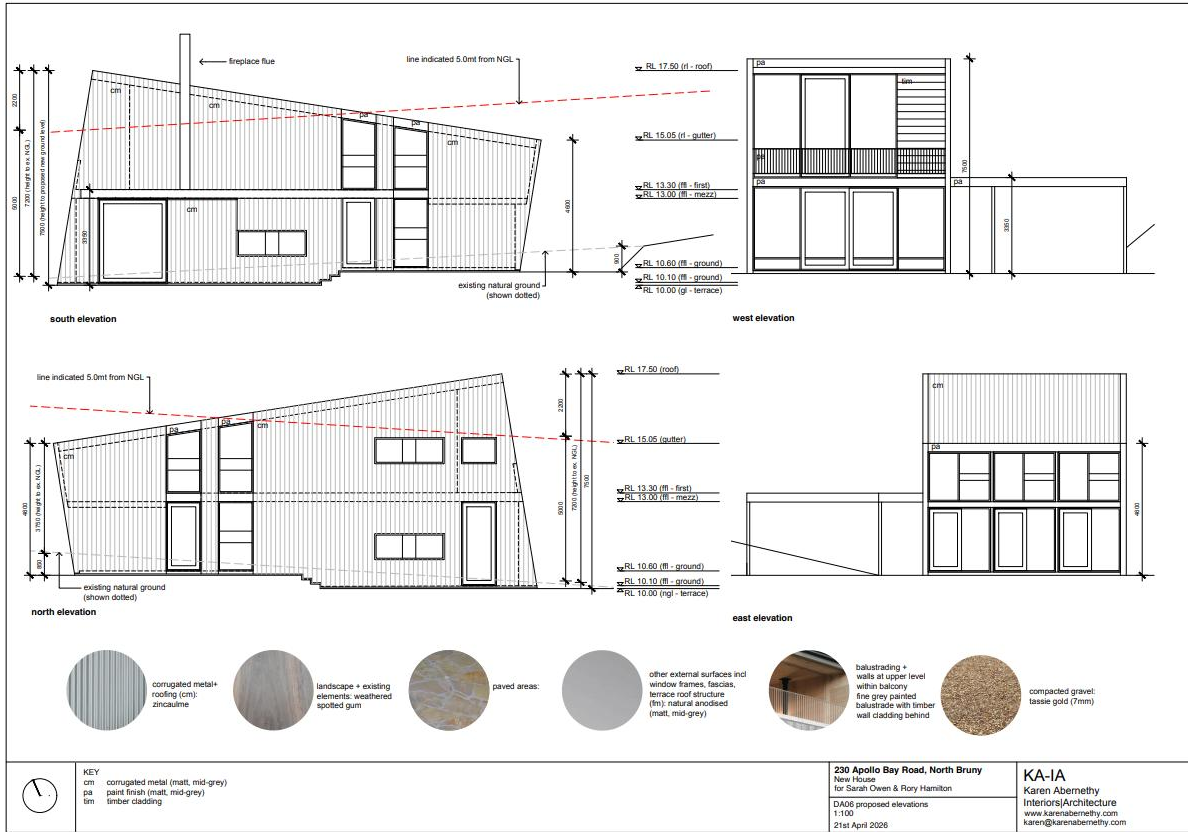
230 Apollo Bay Road, North Bruny
 New House
 for Sarah Owen & Rory Hamilton
 DA04 proposed ground floor plan
 1:100
 21st April 2026

KA-IA
 Karen Abernethy
 InteriorsArchitecture
 www.karenabernethy.com
 karen@karenabernethy.com



230 Apollo Bay Road, North Bruny
 New House
 for Sarah Owen & Rory Hamilton
 DA05 proposed first floor plan
 1:100
 21st April 2026

KA-IA
 Karen Abernethy
 InteriorsArchitecture
 www.karenabernethy.com
 karen@karenabernethy.com



03 6288 8449
 0439 342 696



danielle@grayplanning.com.au
 224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
 ABN 99148920244



2.3 Architect's design statement for the proposed dwelling and associated works

Overleaf is the project's design statement for the proposed development, including detail on the external cladding materials chosen.

The external palette of materials, colours and finishes has been specifically chosen to complement and visually blend into the dry Eucalyptus setting of the subject site which has a natural palette of silver Eucalyptus trunks, light and mid green understorey and beige soil, understorey and Eucalyptus bark.

While it is common planning position to argue that dark colours (such as black Colorbond) visually 'recede' into settings, a matte black clad building within the setting of the subject site would not be considered to visually recede or blend into the setting but rather would be a visually prominent colour in the natural silver, beige and lighter green palette of the subject site and surrounding area.

The proposed development has been very carefully designed to avoid reflective finishes with the zincalume type selected being one that has a matte mid grey finish. The application includes a detailed architect's design statement which described all external colours and finishes proposed and provides photographic examples of these materials and finishes.



KA-IA

KAREN ABERNETHY
INTERIORS | ARCHITECTURE

230 Apollo Bay Road, Apollo Bay, Bruny Island

Proposed new dwelling

Architect's statement on external material selection

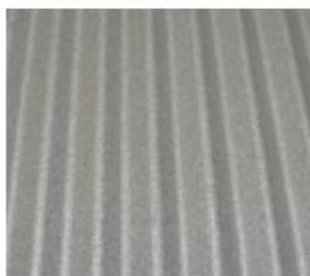
01 Dwelling design + siting

The proposed development is a new double-storey dwelling, articulated as a single rectangular volume with a roof that pitches up along the long length from east to west. The ground floor is split-level, stepping with the natural contours of the site. The narrow elevations address the road and the water and the roof pitches down toward the Apollo Bay Road frontage, keeping the built form low and recessive where it meets the street.

The dwelling sits within an established stand of native eucalypts and will be read predominantly beneath and between the existing tree canopy. This close relationship — canopy above, trunks alongside — has been the starting point for the external material palette, which has been selected as a quiet, tonally matched response to the surrounding bush.

02 Primary external material — Lysaght Zinalume®

The principal external material for both walls and roof is Lysaght Zinalume® in a corrugated profile (Custom Orb). It has been chosen for the strength of its fit with both the natural and man-made character of the site, and for the soft, recessive quality it carries when read against a bushland and coastal backdrop.



Zinalume — off the shelf



Zinalume — in situ



Zinalume colour when weathered



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244

03 Natural context — tonal and rhythmic alignment with the bush

The dominant tree species on and around the site are *Eucalyptus pulchella* (White Peppermint) and *Eucalyptus ovata* (Swamp Gum). Both carry light, matte grey trunks — the mid-to-pale grey that is characteristic of North Bruny's bushland. The Zincalume Custom Orb cladding has been chosen to hold this same tonal register: a soft, matte grey that reads as continuous with the colouring of the surrounding trunks, rather than as a distinct built element set against them. The aim is for the built form to recede visually within the landscape rather than assert itself against it. The pale, grey of weathered Zincalume is directly analogous to the bark colouring of the surrounding eucalypts – a considered, site-responsive choice that will assist the dwelling in reading as an integrated element of the woodland rather than a contrasting object within it.



Eucalyptus pulchella.

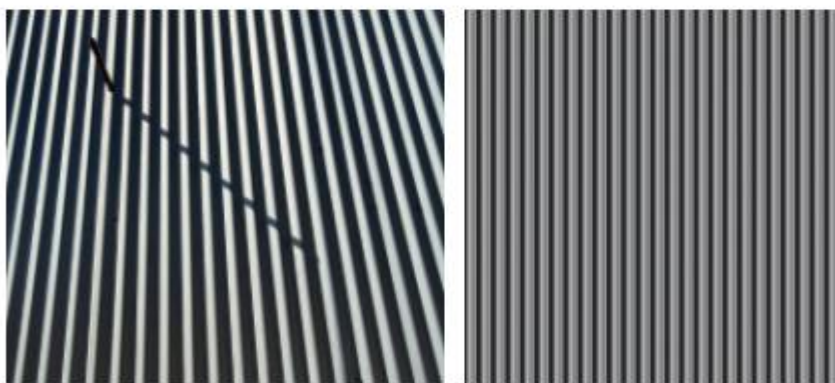


Trees on subject site



Tree trunk detail

The corrugated profile is equally deliberate. Its strong vertical rhythm echoes the verticality of the surrounding eucalypt trunks, reinforcing the visual continuity between building and landscape. Seen through and between the trees, the fluted cladding reads as a further grouping of slender, upright elements rather than as a single smooth plane — the dwelling is intended to recede into, rather than announce itself against, the bush. The corrugations also break the external surfaces into fine, shadow-striped vertical bands. Under the dappled light that reaches the site beneath the canopy, this micro-articulation dissipates any perception of surface glare, keeping the building's overall reading soft and low-contrast.



Light and shadow of Zincalume Custom Orb



04 Local context — the island's rural vernacular

The proposed cladding also draws on the broader agricultural vernacular of Bruny Island, where modest corrugated outbuildings are a familiar part of the rural landscape. These structures sit comfortably in their settings precisely because their surfaces have softened over decades into the quiet palette of paddock, scrub and coastal light. The new dwelling is intended to inherit this same quality of understated, weathered-in presence — contemporary in form, but continuous with the built texture of the island.



Corrugated metal-clad rural outbuilding, Bruny Island



Weathered corrugated cladding in a bush setting

05 Weathering and finish

New Zinalume is produced with a matte aluminium-zinc coating. It is not a polished or coated surface: off the shelf it reads as a soft, uniform grey, and it dulls further over time into a muted, matte, light-grey patina. In the exposed coastal conditions of North Bruny — with prevailing salt-laden air, sun and rain — this weathering typically occurs within the first one to two years of completion.

The patina is not a degradation; it is an intentional part of how the material performs. It forms a stable, self-protective surface that deepens the soft, matte grey tone described above, and the finish is carried consistently across walls and roof so the building reads as a single, calm volume rather than a composition of contrasting surfaces.

A key consideration in the selection of Zinalume was its low-reflectivity performance in this weathered condition. The aged material presents as a flat, diffuse, pale grey tone — consistent with the colour palette of the surrounding eucalypt landscape. Unlike painted metal or polished finishes, weathered Zinalume absorbs and scatters light rather than reflecting it. The corrugated profile further reduces any directional reflectance, as the curved surface breaks up any specular light response across its face. The material is distinctly different in character from coated or mirror-finish metals and should not be considered in the same category for the purposes of reflectivity assessment.



New Zinalume



Weathered Zinalume — matte, uniform grey



06 Screening from public views

The site is generously treed, with established native vegetation along the road-facing (eastern) and northern boundaries. These established eucalypts and their understorey will continue to substantially screen the dwelling from public views along Apollo Bay Road and the adjacent service road.

The building's own composition reinforces this. The short, narrow elevation addresses the street, and the roof pitches down toward Apollo Bay Road, so the publicly visible face of the dwelling is deliberately the lowest and smallest. The longer, taller elevations sit parallel to the road and are therefore seen obliquely, through layers of trunks and canopy, rather than presented frontally to passers-by.

07 Landscaping

The landscaping proposed around the dwelling will be constructed predominantly from natural materials – principally timber and stone. This treatment will further integrate the built form into its setting, softening the building's edges and grounding it within the existing vegetation. The use of natural, textured landscape materials reinforces the low-key, site-responsive character that underpins the overall design approach.

08 Supporting material palette

The Zinalume Custom Orb cladding and roofing is complemented by a consistently muted supporting palette, selected to reinforce the quiet, tonal reading of the building:

- Window frames in natural anodised aluminium (light, matte grey), sitting quietly within the cladding plane.
- Balustrades and minor external building surfaces in a light grey paint finish, chosen to tie in with the weathered Zinalume tone.
- Many of the interior faces of the exterior walls and ceiling surfaces are proposed in timber. These warm internal surfaces will be visible through the expansive glazing at both the road-facing and water-facing ends of the building, softening the overall impression of the dwelling when viewed from outside.
- Landscape and paved elements in weathered spotted gum (timber) and local stone
- Compacted gravel paths and vehicle stand in Tassie Gold (7mm)



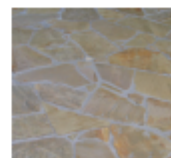
Zinalume Custom Orb



Balustrade + timber walls



Landscaping elements



Paving



09 Summary

Taken together, the external material strategy produces a dwelling that is tonally matched to the trunks of the surrounding gums, rhythmically aligned with their verticality, drawn from the understated vernacular of the island's rural outbuildings, and substantially screened from public view by the established bush. The result is a contemporary form that is designed to sit quietly within its setting — a calm, matte, grey volume that settles into the landscape rather than contrasting with it.

2.4 Change of use for the existing dwelling into an Ancillary Dwelling

The existing dwelling at the subject site was approved by Council in December 2020 under planning permit DA-2020-545.

This dwelling has a very small enclosed gross floor area of 36sqm and adjacent open undercover decks. There is a total area of 60sqm of roofed area associated with this dwelling between the roofed decks and the enclosed dwelling itself.

The definition of an Ancillary Dwelling under the Kingborough Interim Planning Scheme 2015 confirms the following requirements for an Ancillary Dwelling:

ancillary dwelling	<p>means an additional dwelling:</p> <ul style="list-style-type: none"> (a) with a floor area not greater than 60m²; (b) that is appurtenant to a single dwelling; and (c) that shares with that single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters.
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The Planning Scheme defines floor area as the measurement of an external wall to an external wall: *means the total floor area of the building measured from the outside of the external walls or the centre of a common wall.*

The existing dwelling measures 36sqm in gross floor area and has adjacent deck areas which are open on three sides and therefore do not count as 'gross floor area' which in any case (if measuring roofed areas) measures at 60sqm total.

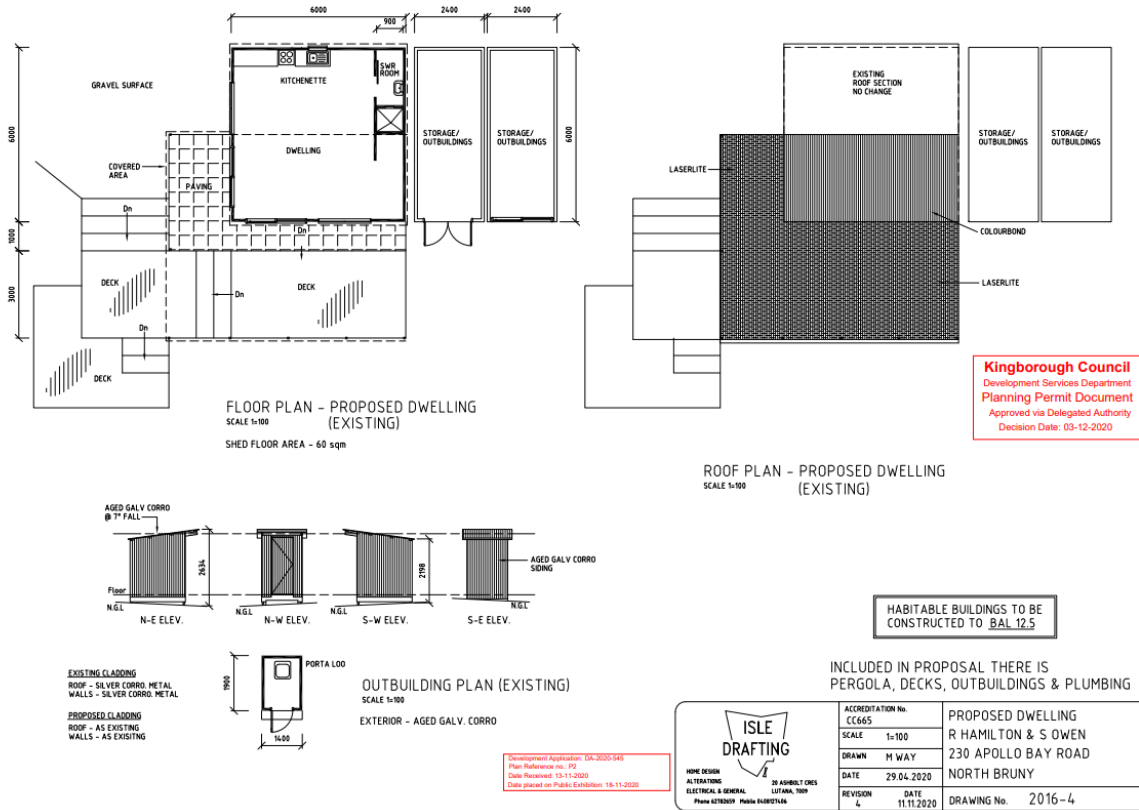
This existing dwelling will be maintained in its current approved condition with no alterations proposed.

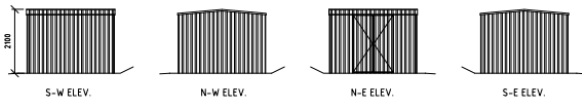
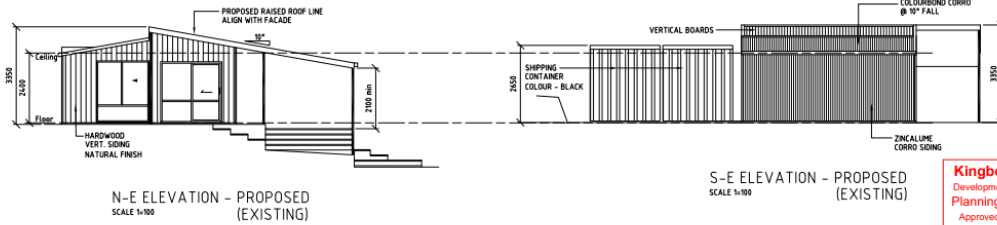
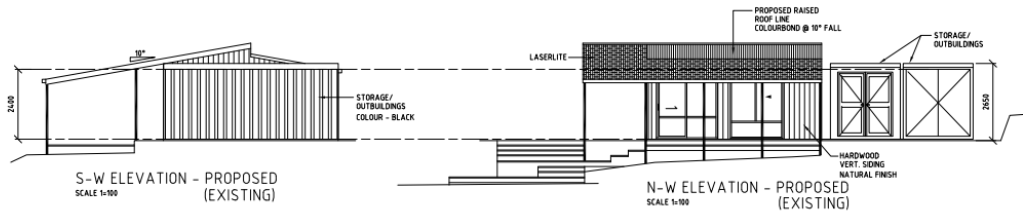
This existing dwelling shares all services with the proposed dwelling and is adjacent to the proposed dwelling. The sharing of services is noted on the submitted architect's plans.



It is therefore considered to meet the above definition of an Ancillary Dwelling.

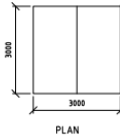
Below and overleaf are the approved plans for the existing dwelling proposed to change in use to an Ancillary Dwelling as part of this application.





EXISTING CLADDING
ROOF - ZINCALUME
WALLS - ZINCALUME

PROPOSED CLADDING
ROOF - WOODLAND GREY
WALLS - WOODLAND GREY



GARDEN SHED PROPOSED (EXISTING)
SCALE 1:100
BUILDING COLOUR - 'WOODLAND GREY'

Development Application: DA-2020-548
Plan Reference no: P2
Date Received: 13-11-2020
Date placed on Public Exhibition: 18-11-2020

DWELLING
EXISTING CLADDING
ROOF - ZINCALUME
WALLS - ZINCALUME & VERT. BOARD (NATURAL FINISH)
PROPOSED CLADDING
ROOF - AS EXISTING
WALLS - AS EXISTING

HABITABLE BUILDINGS TO BE CONSTRUCTED TO BAL 12.5

INCLUDED IN PROPOSAL THERE IS PERGOLA, DECKS, OUTBUILDINGS & PLUMBING

<p>ISLE DRAFTING HOME DESIGN ALTERATIONS ELECTRICAL & GENERAL PHOTOGRAPHY PHOTO SURVEILLANCE</p>	ACCREDITATION No. CC645	PROPOSED DWELLING/SITE MODS R HAMILTON & S OWEN 230 APOLLO BAY ROAD NORTH BRUNY DRAWING No. 2016-5
	SCALE 1:100	
	DRAWN M WAY	
	DATE 29.04.2020	
REVISION 4	DATE 11.11.2020	

Kingborough Council
Development Services Department
Planning Permit Document
Approved via Delegated Authority
Decision Date: 03-12-2020

3 The subject site

3.1 Existing Site Development at the subject site

The subject site at 230 Apollo Bay Road, Bruny Island is contained within Certificate of Title CT-8120/1 (lot 1 of folio number 8120).

The title also includes a Schedule of Easements this is further discussed below under title investigations.

The subject site has a site area according to the title plan as 4406sqm

The subject site is not serviced (in terms of access onto a sealed public road, sewerage, water, stormwater, footpaths etc) and has direct frontage onto Apollo Bay Road, to which it has legal frontage and access.

The property is rated as containing a dwelling with the following rating information provided in the Property report retrieved as part of title documents:

PREMIUM PROPERTY Information Report		
PROPERTY DETAILS - 230 APOLLO BAY RD APOLLO BAY		
Property Name:		
Land Use:	Residential - DWELLING (valuation purposes only)	
Improvements:	DWELLING	
Improvement Sizes (Top 3 by Size):	Improvement:	Area:
	DECK	53.0 square metres
	DWELLING	36.0 square metres
	COVERED AREA	14.0 square metres
Number of Bedrooms:	1	
Construction Year of Main Building:	2021	
Roof Material:	Galvanised Iron	
Wall Material:	Metal Cladding	
Land Area:	0.4406 hectares	
Title References:	8120/1	
Municipality:	KINGBOROUGH View Municipality Information Report	
Title owner:	8120/1 : SARAH DIANNE OWEN, RORY WILLIAM LINDSAY HAMILTON	
Interested parties:	RORY WILLIAM LINDSAY HAMILTON, SARAH DIANNE OWEN	
Postal address:	230 APOLLO BAY RD	
(Interested Parties)	APOLLO BAY TAS 7150	

Image.1. Property report valuation details for the subject site noting the subject site contains a dwelling constructed in 2021. Source: theLIST, sourced April 2026.

The subject site has no heritage listings at either state or local level.

The dwelling on site was retrospectively approved by Council in December 2020, Council permit reference number DA-2020-545.

Land to the immediate north and west of the subject site is owned by Kingborough Council and is shaded green on the below Image, while land directly adjoining highwater mark is Crown land (light grey on the below Image).





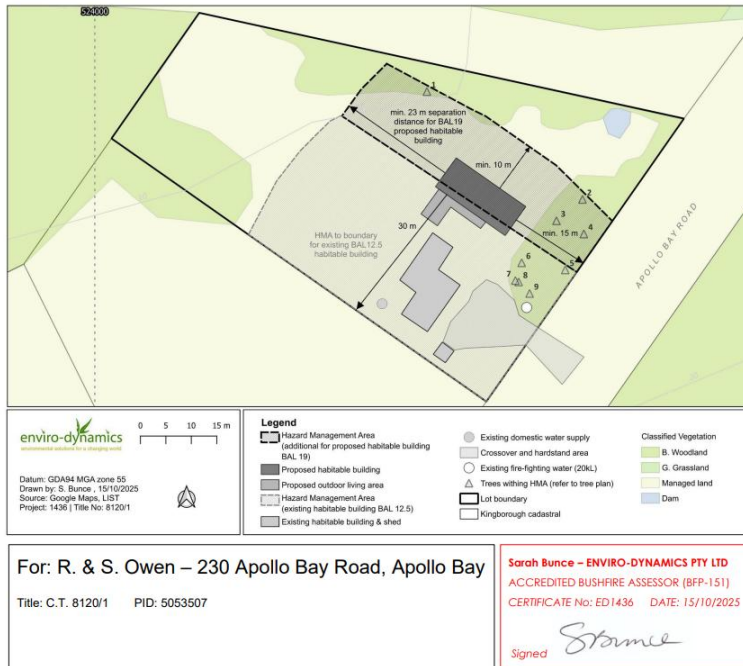
Image.2. Adjoining land ownership with green Council land and grey Crown land. Source: theLIST, sourced April 2026. No nominated scale or image modification.

There are no proposed works including hazard management areas outside of the title boundaries of the subject site.

The submitted bushfire hazard management report dated October 2025 by Enviro Dynamics does not indicate a HMA outside title boundaries and has been provided against the final set of plans and specifically seeks to avoid any part of the HMA extending outside title boundaries of the subject site.



ATTACHMENT 1 – Bushfire Hazard Management Plan – October 2025



NOTES

Hazard Management Area

- HMA to be established to distances indicated in this plan and as set out in Table 1 of Bushfire Attack Level Assessment for BAL 19.
- Vegetation in the HMA needs to be strategically modified and then maintained in a low fuel state to protect buildings from direct flame contact and intense radiant heat. An annual inspection and maintenance of the HMA should be conducted prior to the bushfire season. All grasses or pastures must be kept short (<100 mm). Fine fuel loads at ground level such as leaves, litter and wood piles must be minimal to reduce the quantity of windborne sparks and embers reaching buildings, and to halt or check direct flame attack.
- Some trees can be retained (or planted) provided there is horizontal separation between the canopies and low branches are removed to create vertical separation between the ground and the canopy. Small clumps of established trees and/or shrubs may act to trap embers and reduce wind speeds.
- No trees to overhang habitable building to prevent branches or leaves from falling on the building.
- Non-combustible elements including driveways, paths and short cropped lawns are recommended within the HMA.
- Fine fuels (leaves bark, twigs) should be removed from the ground periodically (pre-fire season) and all grasses or pastures must be kept short (<100 mm).

Construction Standards

- Class 1 building must be constructed to comply with BAL 19 (north, east, south and west elevations) as per AS3959-2018 (Sections 3 and 6).

Access Requirements

- Specified requirements for design and construction of access to firefighting water supply as per Table 4.3. Access is less than 30 m long.

Water Supply Requirements

- Must meet requirements of Table 4.3 B of the Director's Determination to ensure an adequate, accessible and reliable static water supply for firefighting is supplied.

This plan is to be printed at A3 and read in conjunction with the Bushfire Hazard Report for proposed habitable building at 230 Apollo Bay Road, Apollo Bay (Enviro-dynamics, October 2025).



Image.3. The proposed BHMP proposed by EnviroDynamics. Source: theLIST, sourced April 2026. No nominated scale or image modification.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Image.4. The subject site at 230 Apollo Bay Road shown outlined. The primary building is a single dwelling approved in December 2020 (permit DA-2020-545). Source: theLIST, sourced April 2026. No nominated scale or image modification.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Image.5. The subject site at 230 Apollo Bay Road shown outlined against the wider Apollo Bay settlement.
Source: theLIST, sourced April 2026. No nominated scale or image modification.



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0439 342 696




danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000




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3.2 Title for the subject site


The subject site has the following covenants on the Schedule of Easements:



SCHEDULE OF EASEMENTS
RECORDER OF TITLES
Issued Pursuant to the Land Titles Act 1980



SP 8120



SCHEDULE OF EASEMENTS Plan No.

S.P8120

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

No easements or profits a prender are created to benefit or burden any Lots shown on the plan.

The owners of Lots 1-20 inclusive and Lot 22 Covenant

FIRSTLY with the Vendors ANDREW ROBERTSON CAMPBELL, IAN KENNETH CAMPBELL and GEOFFREY JOHN JAMES that the Vendors "shall not be required to fence";

SECONDLY with the Vendors ANDREW ROBERTSON CAMPBELL, IAN KENNETH CAMPBELL and GEOFFREY JOHN JAMES and the owners for the time being of every other Lot on the plan to the intent that the burden of this covenant shall run with and bind the covenantors Lot and every part thereof and that the benefit thereof may be annexed to and devolve with each and every part of every other Lot shown on the plan to observe the following stipulations :

1. Not to erect or cause to be erected on the said Lot any buildings other than a dwelling house.
2. Not to erect, cause or permit to be erected any outbuildings on the said Lot unless plans and specifications thereof shall have been previously approved by the Vendors in writing.
3. Not to erect any building whatsoever within twenty five (25) metres of the Crown Reservation 30.48 metres wide shown on the plan.
4. Not to subdivide the said Lot.
5. Not to set up or carry on upon the said Lot any trade or business or manufacturing of any kind whatsoever without the previous consent of the Vendors in writing first had and obtained.

SIGNED by ANDREW ROBERTSON CAMPBELL, IAN KENNETH CAMPBELL and GEOFFREY JOHN JAMES the registered proprietors of the land comprised in Certificate of Title Volume 2307 Folio 29 in the presence of:

A. Campbell
Ian Campbell
Geoffrey John James

Michael Holmboe Hogart

SIGNED by LYALL JOHN COLLICOTT REYNOLDS the registered proprietor of Mortgage No. A456027 in the presence of :-

L. J. Reynolds
Lyall John Collicott Reynolds

Covenant 1 is not problematic in terms of the planning application to be submitted to Council. The proposal will seek approval for a dwelling in addition to the existing dwelling which is intended to become an 'Ancillary Dwelling'.

Covenant 2 requires that the vendors/subdividers (Andrew Robertson Campbell, Ian Kenneth Campbell and Geoffrey Jon James) provide written consent for any outbuildings. No outbuildings are proposed as part of this application, only a single dwelling and conversion of the existing dwelling into an Ancillary dwelling neither of which are defined as an 'outbuilding'. Therefore, this covenant is not problematic for the proposal.

Covenant 3 relates to the siting of development on the subject site and requires a 25m setback from the Crown reservation (which is now in Council's ownership according to TheLIST). The setback distance of 25m is shown below. This covenant is not problematic as development and works for which approval is sought is located well outside this 25m buffer area, with a setback of more than 50m sought.



Image.6. The subject site at 230 Apollo Bay Road with a 25m setback measured from the coastal reservation which is actually Council land not Crown. The setback in the covenant was originally intended to be from this land. Source: theLIST, sourced April 2026. No nominated scale or image modification.

The proposal plans show the 25m dimension from the Crown reserve (see submitted site plan).



Covenant 4 is not problematic as this relates to subdivision and no subdivision is either required or proposed.

Covenant 5 is not problematic as no use is proposal or approval sought other than private residential.

The title plan overleaf shows the subject site (lot 1) is free from building areas or easements.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244

ANNEXURE SHEET No. 1 of 3 annexures to plan by Surveyor	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated 27-04-2026, and that certificate extends to the detail shown on this sheet.	Registered Number: S.P.8120
Signed for the purposes of identification <i>[Signature]</i>	Surveyor: <i>[Signature]</i>	SCALE 1:2000
Control Clerk: <i>[Signature]</i>	Drawn: A.R. CAMPBELL & ORS Title Reference: C.T. 2307-29	

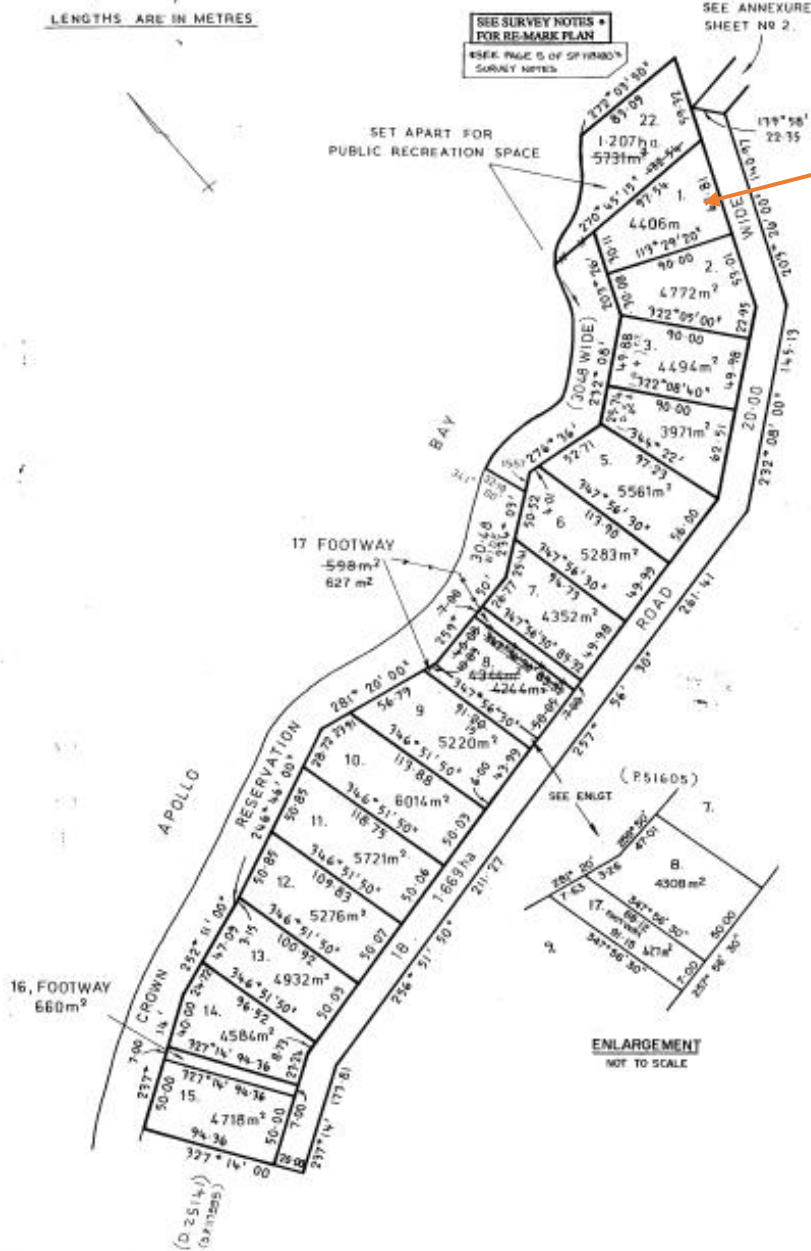


Image.7. Title plan for the subject site (arrowed) at 230 Apollo Bay Road. Source: theLIST, sourced April 2026.

4 Photographs of the subject site

The following images were taken of the subject site in April 2026 and show a bushland setting adjacent to the coast with substantial tree cover and understorey.



Photo.1. View of the subject site looking south-east and toward the coast. Source: Gray Planning, taken April 2026. No image modification.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Photo.2. View of the proposed building site for the proposed dwelling looking north toward the Council Reserve, showing the on site vegetation screening views. Source: Gray Planning, taken April 2026. No image modification.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Photo.3. View toward the coast and the Council Reserve, showing on site screening. Source: Gray Planning, taken April 2026. No image modification.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Photo.4. View of the subject site looking south-east from within Apollo Bay Road, showing extensive existing vegetation screening of the subject site. Source: Gray Planning, taken April 2026. No image modification.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Photo.5. View of the subject site looking east from within Apollo Bay Road, showing extensive existing vegetation screening of the subject site. Source: Gray Planning, taken April 2026. No image modification.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Photo.6. View of the subject site looking east from within Apollo Bay Road, showing extensive existing vegetation screening of the subject site. Source: Gray Planning, taken April 2026. No image modification.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Photo.7. View within the subject site showing the typical on site vegetation in the northern portion of the subject site adjacent to the Council Reserve. None of this vegetation will be removed or lopped. Source: Gray Planning, taken April 2026. No image modification.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Photo.8. View within the subject site toward the cleared building site area (centre right of image). Source: Gray Planning, taken April 2026. No image modification.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Photo.9. Vegetation within the subject site showing a palette of lighter greens, beige and silver. Source: Gray Planning, taken April 2026. No image modification.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244



Photo.10. View of the existing pond within the subject site, located in the northern portion of the site, adjacent to the Council Reserve. Source: Gray Planning, taken April 2026. No image modification.



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
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grayplanning.com.au
ABN 99148920244

5 Environmental Living zone under the current Interim Planning Scheme

5.1 Zoning of the subject site under the Interim Planning Scheme

The subject site 230 Apollo Bay Road is currently zoned Environmental Living under the *Kingborough Interim Planning Scheme 2015*.



Image.8. Zone map for 230 Apollo Bay Road showing the land wholly zoned Environmental Living (green).
Source: theLIST, sourced April 2026.

5.2 Classification of use in the zone

Classification of land use is covered in Table 14.2 of the Planning Scheme.

This table notes that a Dwelling is a Permitted use in the Environmental Living zone.



Permitted	
Use Class	Qualification
Residential	Only if single dwelling or home-based business
Visitor accommodation	

A single dwelling is defined in the Planning Scheme as:

single dwelling	means a dwelling on a lot on which no other dwelling is situated, or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.
------------------------	--

The definition of a single dwelling does include an ancillary dwelling:

ancillary dwelling	means an additional dwelling: <ul style="list-style-type: none"> (a) with a floor area not greater than 60m²; (b) that is appurtenant to a single dwelling; and (c) that shares with that single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters.
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The existing dwelling on site is proposed to become an 'ancillary dwelling' as part of the application while the proposed new dwelling will be the single dwelling.

The existing dwelling complies with the above definition in full.

5.3 Zone Purpose Statements for the zone

The Zone Purposes Statements for the Environmental Living zone are covered under Clause 14.1 and outline objectives for any use or development in the zone.

These are:

14.1.1 Zone Purpose Statements

14.1.1.1

To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.

14.1.1.2

To ensure development is reflective and responsive to the natural or landscape values of the land.



14.1.1.3

To provide for the management and protection of natural and landscape values, including skylines and ridgelines.

14.1.1.4

To protect the privacy and seclusion that residents of this zone enjoy.

14.1.1.5

To provide for limited community, tourism and recreational uses that do not impact on natural values or residential amenity.

14.1.1.6

To encourage passive recreational opportunities through the inclusion of pedestrian, cycling and horse trail linkages.

14.1.1.7

To avoid land use conflict with adjacent Rural Resource or Significant Agriculture zoned land by providing for adequate buffer areas.

The above Zone Purpose Statements prioritise protection of native vegetation, privacy and amenity of residents already living in the zone and avoidance of development that will impact detrimentally on natural and landscape values.

The proposal for a proposed new dwelling and conversion of the existing dwelling into an Ancillary Dwelling is not considered problematic under any of the above Statements.

The proposed dwelling has been designed and located to minimise impact on environmental values and to avoid tree removal or impact as far as possible.

5.4 Use Standards for the zone – Visitor Accommodation & PD6

Not relevant as no Visitor Accommodation is proposed.



5.5 Use Standards for the zone

There are other use standards applicable in the zone.

These are summarised:

Clause 14.3.1 Non Residential use

A1

Hours of operation must be within:

- (a) 8.00 am to 6.00 pm Mondays to Fridays inclusive;*
 - (b) 9.00 am to 12.00 noon Saturdays;*
 - (c) nil Sundays and Public Holidays;*
- except for office and administrative tasks or visitor accommodation.*

Planning Comment:

This clause does not apply as it relates to non residential use.

Clause 14.3.1 Non Residential use

A2

Noise emissions measured at the boundary of the site must not exceed the following:

- (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;*
- (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am;*
- (c) 65dB(A) (LAm_{ax}) at any time.*

Planning Comment:

This clause does not apply as it relates to non residential use.



5.6 Development Standards for the zone

In terms of development standards, the following would apply to the development which would include the construction of the dwelling building.

Clause 14.4.1 Building Height

A1

The maximum building height above Natural Ground Level (NGL) 7.5m.

Planning Comment:

This is measured to natural ground level, not excavated or filled ground level. This height easily enables the construction of a two storey building.

The proposed dwelling measures 7.2m above natural ground level as shown on the submitted elevation drawings and 7.5m above excavated level. The proposal therefore complies with the Acceptable Solution.

The P1 Performance Criteria for clause 14.4.1 are therefore not triggered.

Clause 14.4.2 Setback

A1

Building setback from frontage must be no less than:

30 m.

Planning Comment:

Setback is measured to a part of the subject site that fronts a 'road'. Apollo Bay Road is legally defined as a 'road' by Council as a 'road' is land over which the general public has a permanent right of passage. The Council reserve to the north would also meet this definition.

The subject site is of a relatively small size and meeting both would be very difficult. The proposal plans show 18.2m to the Council reserve and 15.5m to Apollo Bay Road.

The following P1 Performance apply to the proposal:

P1

Building setback from frontages must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following: (a) the topography of the site; (b) the prevailing setbacks of existing buildings on nearby lots; (c) the size and shape of the site; (d) the location of existing buildings on the



site; (e) the proposed colours and external materials of the building; (f) the visual impact of the building when viewed from an adjoining road; (g) retention of vegetation.

On this basis, the planning application is therefore be assessed under the P2 Performance Criteria:

P2

Building setback from side and rear boundaries must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:

- (a) the topography of the site;*
- (b) the size and shape of the site;*
- (c) the location of existing buildings on the site;*
- (d) the proposed colours and external materials of the building;*
- (e) visual impact on skylines and prominent ridgelines;*
- (f) impact on native vegetation;*
- (g) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:*
 - (i) overlooking and loss of privacy;*
 - (ii) visual impact, when viewed from adjoining lots, through building bulk and massing.*

Comments are made against each of these Performance Criteria with respect to these buildings as follows:

- (a) the topography of the site;*

Planning Comment:

The proposed dwelling and associated works have been located in the most level area of the subject site in terms of site gradients and topography. This location is approximately central and in a generally cleared area. As shown in the elevation drawings, only minimal excavation less than 1m is required for



the proposed dwelling and adjoining covered terrace area.

(b) the size and shape of the site;

Planning Comment:

The relatively small area of the subject site (4406sqm) results in compliant 30m boundary setbacks being unrealistic for most development. Complying with a 30m side/rear boundary setback would result in development being located close to a natural watercourse on the subject site and also result in the removal of native vegetation whilst also not complying with frontage setback requirements. At its widest, the subject site is only 67m in width which is the boundary closest to the Apollo Bay Road frontage. The site then tapers to a width of 30.11m at the coastal reserve frontage. As a result, the size and shape of the subject site does not readily facilitate compliance from boundary setbacks for development. Non compliance with setbacks from boundaries is to be expected given the shape, relatively small site area and dimensions of the subject site.

(c) the location of existing buildings on the site;

Planning Comment:

Existing buildings are clustered in the south east portion of the subject site and that is where the proposed dwelling has been located immediately adjacent to. This is due to this part of the site being relatively level and comprising a cleared setting where an existing building (the 1996 approved outbuilding since approved in 2020 as a dwelling) is located.



(d) *the proposed colours and external materials of the building;*

Planning Comment:

The proposed dwelling has two facades of Lysagh Zinalume on the northern and southern facades and a powder coated muted brown metal cladding on the western and eastern facades that face the Crown reserve and Apollo Bay Road.

Traditional zinalume while initially of a reflective finish, rapidly converts to a dull matte grey as a result of galvanic corrosion which happens when untreated zinalume is left exposed to the elements. The zinalume cladding (Lysaght Zinalume) proposed for the development instead has a matte non reflective finish of a mid grey tone, as described and photographed in the submitted architect's design statement.

The proposed cladding will closely resemble the Colorbond colour 'Southerly':



Southerly*
Classic finish
SA = 0.40

This resulting soft mid grey is a matte colour and finish that is similar to traditional farm outbuildings and is considered acceptable cladding and finish on the subject site which contains dry Eucalyptus forest and understorey, with an absence of strong shades of green in the landscape.



(e) *visual impact on skylines and prominent ridgelines;*

Planning Comment:

The subject site is not on a skyline or prominent ridgeline and therefore this clause is not relevant.

(f) *impact on native vegetation;*

Planning Comment:

The submitted Bushfire Assessment and tree plan confirm no vegetation is required to be removed as part of the proposed development. Less than 10% encroachment into the TPZ of trees on site is shown on the submitted plans.

(g) *be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:*

(i) *overlooking and loss of privacy;*

(ii) *visual impact, when viewed from adjoining lots, through building bulk and massing.*

Planning Comment:

The nearest dwelling to the subject site is that at 232 Apollo Bay Road and this dwelling at its closest is located approximately 55m from the proposed dwelling. This is a significant distance in terms of privacy and visual impact, particularly when considering the tree cover between the neighbouring dwelling and development at the subject site and also the fact that the neighbouring dwelling does not face the subject site, but rather in a westerly orientation toward the coast. Likewise, the proposed new dwelling faces west toward the Crown Reserve and has minimised the extent of windows on glazing on northern and southern elevations.

The proposed dwelling is a compact dwelling form that is sited adjacent to existing buildings and the small dwelling approved in 2020. When viewed from 232 Apollo Bay Road, it is considered there is substantial vegetation screening to provide landscape screening between the neighbouring dwelling and the proposed new dwelling. Likewise, the proposal does not seek any tree removal and provides substantial screening in the form of existing trees and understorey from all boundaries as evident in the below aerial image.





Image.9. The subject site at 230 Apollo Bay Road shown outlined with the neighbouring dwelling at 232 Apollo Bay Road arrowed. Thick vegetation cover is shown on all boundaries of the subject site which will remain entirely intact as part of the proposed development and will therefore provide landscape screening from all boundaries to assist in shrouding the development from public and private views. Source: theLIST, sourced April 2026.

Clause 14.4.2 Setback

A2

Building setback from side and rear boundaries must be no less than:

30 m.

Planning Comment:

Setback from side and rear boundaries is measured from any building (which includes works like retaining walls) to the title boundary of a development site.

The proposal does not comply and seeks a setback of 22.850 to the southern side boundary which is the only side boundary. The other boundaries are frontage boundaries.

The following P2 Performance Criteria will therefore apply to the proposal:

P2



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244

Building setback from side and rear boundaries must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following: (a) the topography of the site; (b) the size and shape of the site; (c) the location of existing buildings on the site; (d) the proposed colours and external materials of the building; (e) visual impact on skylines and prominent ridgelines; (f) impact on native vegetation; (g) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by: (i) overlooking and loss of privacy; (ii) visual impact, when viewed from adjoining lots, through building bulk and massing.

The subject site is not on a prominent ridgeline or skyline area.

Comments are made against each of these Performance Criteria with respect to these buildings as follows:

P1

Building setback from frontages must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:

(a) *the topography of the site;*

Planning Comment:

The topography of the site is predominantly level in the vicinity where the proposed dwelling and works are located.

This portion of the site, as well as being the most level, is located away from the coastal reserve and away from the dam on the site which fills after rain periods. Inspection of the site reveals the site falls down toward north and the Council reserve located adjacent to the northern frontage.

The proposed dwelling has been located within the subject site in level areas to avoid vegetation removal, minimise encroachment into TPZ of on site trees and to be clustered closely to existing buildings approved in 2020.

It is considered that the placement of buildings has responded to the site topography. As the proposed dwelling and associated works have sought to avoid being located in undulating and more vegetated areas of the site.

(b) *the prevailing setbacks of existing buildings on nearby lots;*

Planning Comment:

Properties from 330 Apollo Bay Road to the subject site were inspected in person from Apollo Bay Road and also from aerial photography. These properties show a huge variation in frontage setbacks from boundaries that are defined as 'frontages'. Frontages (in accordance with the Planning Scheme definition of 'frontage') from these properties



are defined as the Apollo Bay Road frontage boundary as well as the Crown and Council coastal reserve frontage boundaries.

Setbacks of buildings and structures including dwellings, outbuildings, water tanks and other structures vary considerable to 1-2m to 25m+.

There is not considered to be any prevailing or characteristic frontage setback when it comes to the existing frontage setbacks of buildings on nearby lots along Apollo Bay Road.

The pattern of development on the subject site and the placement of the proposed dwelling in a generally central location is not considered to be out of character with the placement of buildings from frontages on other nearby lots, which have varied and divergent setbacks.

(c) the size and shape of the site;

Planning Comment:

The size and shape of the subject site is not considered to be particularly large when it comes to the application of a 30m setback from all boundaries, including frontages.

The vast majority of development placed on the subject site will require a setback variation from at least one boundary given the size and shape of the subject site which measures 67m at its widest and the tapers down to 30.11m. This size and dimensions make a boundary setback discretion unavoidable.

(d) the location of existing buildings on the site;

Planning Comment:

Buildings at the subject site (existing and those approved in 2020 and 1996) have been clustered together in the predominantly cleared and level south east portion of the subject site.

(e) the proposed colours and external materials of the building;

Planning Comment:

Currently several of the buildings (garden shed and toilet outbuilding) are lighter and unpainted metal materials including corrugated iron and zinalume.

The 2.66sqm toilet outbuilding existing on site (and approved in 2020) is finished in a dull non-reflective grey corrugated iron. This shed is very small is size and is not considered



necessary to paint to reduce its visual appearance which is already minimal and is an insignificant building in terms of its size. This building could be located 1m from any boundary and would have been exempt if it were not located in front of the dwelling.

Other existing structures on site previously approved in 2020 include a pergola and shipping containers painted in dark colours.

It is considered the west and east facing elevations fronting the Crown Reserve and Apollo Bay Road are to be finished in a powder coated mid brown finish to give the effect of a dark rusted appearance.

The north and south facing elevations are to be finished in a type of zincalume called Lysaght Zincalume that has a muted matte mid grey finish which is considered an appropriate non reflective finish that takes inspiration from traditional metal farm outbuildings in the manner of Glenn Murcutt.

The proposed muted matte grey finish has been selected to blend well in the dry Eucalyptus setting of the subject site. The proposed materials and finishes have been described in detail in the accompanying architect's design statement.

(f) the visual impact of the building when viewed from an adjoining road;

Planning Comment:

The proposed dwelling is to be located immediately adjacent to the existing dwelling, garden shed, pergola, shipping containers and toilet outbuilding.

In an of themselves, it is considered that these buildings do not present as visually jarring or out of character with the surrounding area where some nearby lots have similar outbuildings close to frontages and roads. Given the size of the buildings proposed and their location clustered with other buildings, it is considered that they do not present as a significant or unreasonable degree of visual impact when viewed from the road or from reserve areas.

The east facing elevation of the proposed dwelling that faces Apollo Bay Road is the smallest façade elevation in terms of area and has been designed to be as visually inconspicuous as possible when presenting building form to the road.

The subject site being largely shrouded in native vegetation and the primary public views of the development site from Apollo Bay Road will reveal that the proposed dwelling will not result in a highly visible built form being proposed in the landscape.

The development owing to its compact form and relatively minimal height (which has been further reduced by the tapering roof form) will constitute a largely visually inconspicuous form that is predominantly shrouded by site vegetation which largely screens the dwelling from wider public views.



The soft matte mid grey cladding has been selected to blend in with the natural dry Eucalyptus setting of the subject site.

Because of the tapered height of the proposed dwelling, the form of the proposed dwelling will not rise above the treeline and will not result in views opening up of the subject site in the absence of tree removal (none if required or proposed).

The proposal plans show how much of the building is above the 5m height limit for coastal sites – this is considered to be a minimal encroachment.

The proposed development will well screened from within the Crown road access to the subject site west of the house site which screened with vegetation, as well as being located a substantial distance to the Reserve itself.

Mature Eucalypts with understorey which surround the development site on all boundaries will remain unaffected by the proposed development and will provide for effective screening of the proposed dwelling when viewed from any adjoining property. This vegetation cover is clearly evident in aerial photography included within this report.

(g) retention of vegetation.

Planning Comment:

No vegetation is required to be removed to make way for the proposed dwelling. The owners selected the site specifically for its bushland setting and associated natural landscape values and have therefore specifically located all development in existing cleared areas, with all buildings to be clustered closely together.

The owners have also undertaken an ongoing program of rehabilitation of the subject site, removing exotic and weed species and replanting with endemic native species as noted in the previous planning application DA-2020-545. Weeds at the site have been eradicated as noted in the EMP prepared by Enviro Dynamics as part of this application.



Clause 14.4.3 Design:**A1**

The location of buildings and works must comply with any of the following:

- (a) be located within a building area, if provided on the title;*
- (b) be an addition or alteration to an existing building;*
- (c) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline.*

Planning Comment:

Comment is provided against each of the three above Acceptable Solution criteria:

(a) – there is no building area on the title for the subject site and therefore a proposal would not comply with (a).

(b) – there are buildings on the subject site but the proposal would not be able to be considered as either additions or alterations to an existing building. Therefore, the proposal cannot comply with (b).

(c) – the subject site has a single large cleared area where the proposed dwelling will be located.

The subject site is not on a skyline or ridgeline.

A proposal would partially comply with (c) as the subject site is not on a skyline and is not on a ridgeline.

The Minister's Urban Skylines and Hillfaces Committee (2000) defines the skyline as "the silhouettes of hills and ridge lines against the sky" and hillfaces as "the sides of hills and include those ridgelines below the skyline".

As a proposed development would be unable to fully comply with any of the A1 Acceptable Solution criteria (a), (b) or (c), the proposal unavoidably requires assessment under the P1 Performance Criteria.

The P1 Performance Criteria for clause 14.4.3 is as follows:

P1

The location of buildings and works must satisfy all of the following:

(a) be located in an area requiring the clearing of native vegetation only if:

- (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope;*



- (ii) *the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures;*
 - (iii) *the location of clearing has the least environmental impact;*
- (b) *be located on a skyline or ridgeline only if:*
- (i) *there are no other sites suitable for development due to access difficulties or excessive slope;*
 - (ii) *there is no significant impact on the rural landscape;*
 - (iii) *building height is minimised;*
 - (iv) *any screening vegetation is maintained.*
- (c) *be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape.*

In terms of (c), there are no Desired Future Character Statements provided for the Environmental Living zone.

In terms of having a 'regard for the landscape', the surrounding landscape has a mixed character comprising historically cleared settings as well as more contemporary residential development placed within cleared sites to provide for bushfire hazard management.

It is considered that a proposed development in the existing cleared area would not be out of character with the pattern of development in the surrounding area.

No vegetation removal is proposed or required.

In terms of (b), this clause is only applicable where a proposed development is to be located on a skyline or ridgeline. As the subject site is not located on a skyline or ridgeline anywhere within the site, this criteria is not applicable to the proposed development or the subject site.

In terms of (a), there are three separate criteria, all of which must be complied with:

- (i) *there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope;*
- (ii) *the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures;*
- (iii) *the location of clearing has the least environmental impact;*



The proposal complies with all three because the proposed development site is the sole cleared area within the subject site and no tree removal is required as a result of the design, location and materials of construction for the proposed dwelling (BAL 19).

The chosen building site is the one of least environmental impact owing to the site being already cleared and no trees being required to be removed.

Clause 14.3.4 Design

A2

Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.

Planning Comment:

The proposal plans nominate the proposed materials and finishes and these have an LRV equivalent to 40%. Nonetheless, the proposal needs to be assessed against the following P2 Performance Criteria:

P2

Exterior building surfaces must avoid adverse impacts on the visual amenity of neighbouring land and detracting from the contribution the site makes to the landscape, views and vistas.

Planning Comment:

Despite the subject site being relatively shrouded in native vegetation, it is considered that very dark or reflective materials are avoided as these are not considered to blend into the bushland setting.

As previously noted in this report, the project architect has carefully selected a palette of external cladding materials, finishes and colours to blend, rather than contrast with the setting.

The selected Lysaght Zinalume is a non reflective mid grey colour with a matte finish that has been chosen to blend in with the dry bushland setting which has a natural palette of light to mid shades of silver, green and beige.



Clause 14.3.4 Design**A3**

The combined gross floor area of buildings must be no more than:

300 m².

Planning Comment:

The plans show a total gross floor area of 225sqm for all proposed and existing development. This measurement has been taken to the outside of external walls as per the definition of 'gross floor area' in the Planning Scheme.

As the proposal does not exceed 300sqm, the P3 Performance Criteria are not applicable.

Clause 14.3.4 Design**A4**

Fill and excavation must comply with all of the following:

- (a) height of fill and depth of excavation is no more than 1 m from natural ground level, except where required for building foundations;*
- (b) extent is limited to the area required for the construction of buildings and vehicular access.*

Planning Comment:

The proposed development proposed excavation which is less than 1m (proposed maximum excavation is 0.900m) and therefore the proposal complies with the Acceptable Solution.

Clause 14.4.4 Outbuildings**A1**

Outbuildings (including garages and carports not incorporated within the dwelling) must comply with all of the following:

- (a) have a combined floor area no more than 80 m²;*
- (b) have a wall height no more than 5.5 m and a building height not more than 6.5 m;*



(c) *have setback from frontage no less than that of the existing or proposed dwelling on the site.*

Planning Comment:

The above requirement states a maximum area for outbuildings. None are proposed as part of the development and therefore this clause is not triggered.

Clause 14.4.5 Environmental Values

A1

Development must be located within a building area on a plan of subdivision.

Planning Comment:

The title for the subject site does not have a building area and therefore would have to comply with the following P1 Performance Criteria:

P1

The application is accompanied by an environmental management plan for the whole site, setting out measures to be put in place to protect flora and fauna habitats, riparian areas, any environmental values identified as part of a site analysis, and identify measures to be used to mitigate and offset adverse environmental impacts.

Planning Comment:

The application includes an Environmental Management Plan prepared by Enviro Dynamics undertaken against the proposal plans.



6 Planning Scheme overlays that apply to the subject site

The subject site was checked for Planning Scheme overlays.

The below Figure 10 shows that the site is subject to multiple overlays.

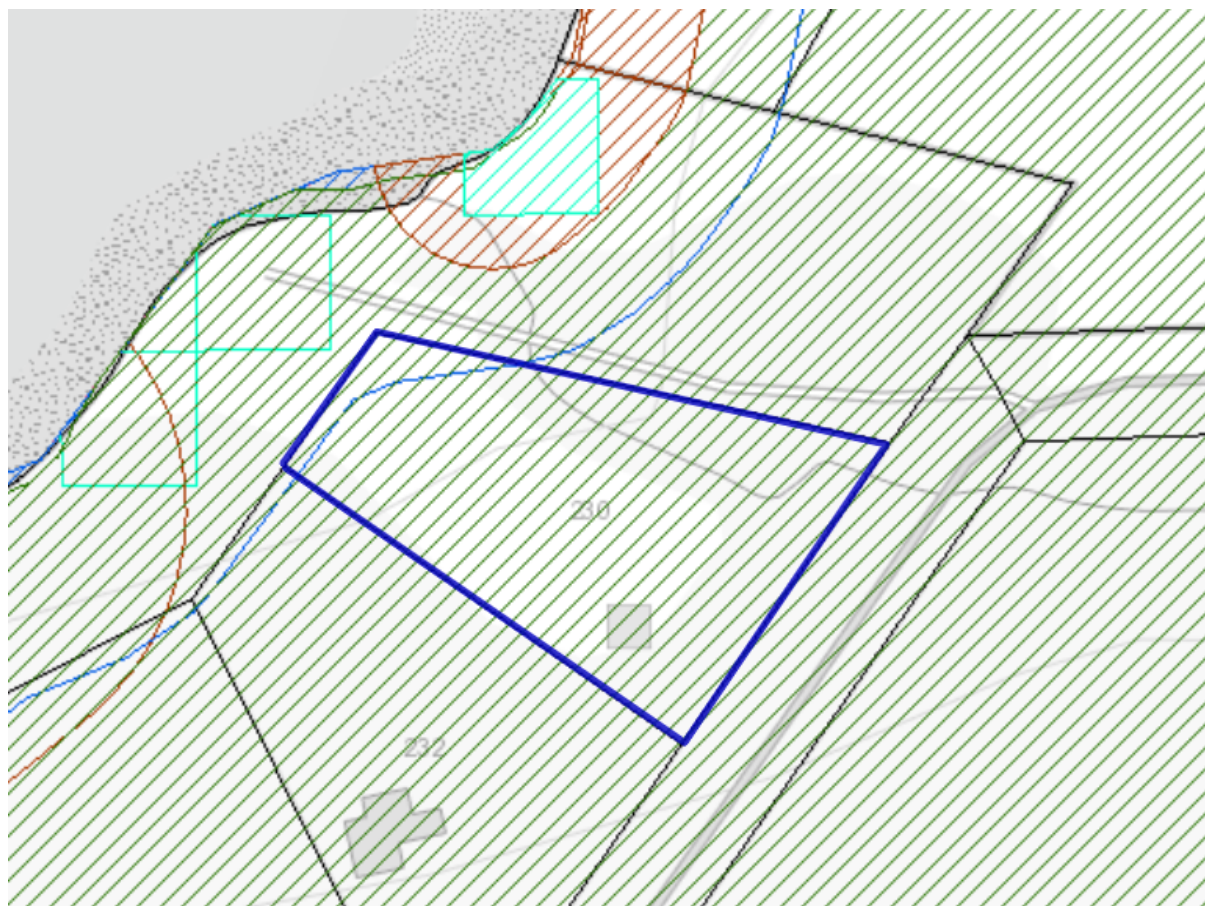


Image.10. Code overlay map for 230 Apollo Bay Road (shown outlined). Source: theLIST, sourced April 2026.

These overlays include:

- Waterway and Coastal Protection Area overlay (blue diagonal lines): Located entirely in the upper northern portion. The proposed development area does not include this overlay area and therefore this Code will not be triggered.
- Bushfire Prone Area overlay that covers the entire site and surrounding area.
- Biodiversity Protection Area overlay that covers the entire site and surrounding area.



7 Applicable Planning Scheme Codes

Comment has been provided under each Planning Scheme Code in the Interim Planning Scheme:

Code E1.0 Bushfire Code:

The proposal for a Dwelling would be technically exempt under this Code as while the site is bushfire prone and the use proposed (Dwelling) is not classed as vulnerable or hazardous, Council still require a bushfire report to be submitted to show the extent of vegetation removal so they can make an assessment under the Biodiversity Code E10.0.

This assessment and plan have been provided by an accredited bushfire practitioner against the set of proposal plans.

Code E2.0 Potentially Contaminated Land Code:

The subject site has no overlay. The proposal would therefore be exempt under this Code.

Code E3.0 Landslide Code

The site has no overlay and therefore this Code is not triggered.

Code E4.0 Not used in the *Kingborough Interim Planning Scheme 2015*

Code E5.0 Road and Railway Assets Code

The proposal will not involve a new access and would not involve any new junction and does not involve a 'sensitive use' within 50m of a Utilities zone that involves a rail network or a category 1 or 2 road.



The proposal will not intensify the use of an existing access as the proposed dwelling is to be occupied by the owners who currently reside in the existing small dwelling on site.

Code E6.0 Parking and Access Code

Most uses require parking to be provided. This Code outlines the number of parking spaces required for use classes.

Clause E6.6.1 Number of car parking spaces

Under clause E6.6.1, Table E6.1 sets out the number of parking spaces required.

Parking spaces are not required for disabled spaces or motorcycle parking. But bicycle parking spaces are also not required.

In terms of car parking spaces, a dwelling use requires the following:

- *for 2 or more bedroom dwelling 2 spaces are required.*

No additional spaces are required for the ancillary.

The proposed development requires total of two (2) parking spaces that are easily accommodated in the existing level gravel area accessed from the entrance onto the subject site.

Clause E6.6.2 Disabled Parking Spaces

Under clause E6.6.2, Disabled parking spaces would not be required to be provided as part of the proposal.

Clause E6.6.3 Motorcycle Spaces

This clause is not relevant as motorcycle spaces would not be required to be provided.

Clause E6.6.4 Bicycle Spaces

This clause is not relevant as bicycle spaces would not be required to be provided.

Clauses E6.6.5 to E6.6.9 inclusive

None of these clauses are relevant as they refer to parking in commercial zones.

Clause E6.6.10 Car parking in a residential zone

This clause is not relevant as it refers to parking for commercial uses in a residential zone.



Clauses E6.7.1 Access

Clause E6.7.1 refers to a site having a single vehicle access in order to comply. The subject site has a single access and would comply.

Clause E6.7.2 Access

This clause requires the following:

in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking

It is considered that this clause will not be relevant for the proposal.

Clause E6.7.3 Access

This clause requires the following:

Vehicular passing areas must:

- (a) be provided if any of the following applies to an access:*
 - (i) it serves more than 5 car parking spaces;*
 - (ii) is more than 30 m long;*
 - (iii) it meets a road serving more than 6000 vehicles per day*
- (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;*
- (c) it meets a road serving more than 6000 vehicles per day;*
- (d) have the first passing area constructed at the kerb;*
- (e) be at intervals of no more than 30 m along the access.*

This clause is not considered triggered as none of the above apply to the proposal or the subject site.

Clause E6.7.4 On site turning

This clause requires on site turning so that vehicles are all able to leave the site in a forward direction. This does not apply as the proposal would not have more than 5 spaces required at the subject site.



Clause E6.7.5 Carparking layout areas

This clause requires:

The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.

It is considered that this clause is not relevant.

Clause E6.7.6 Surfacing of Parking Areas

Under this clause, the following is required:

A1

Parking spaces and vehicle circulation roadways must be in accordance with all of the following;

- (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;*
- (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.*

Based on the above, no sealing or drainage to a stormwater system is required as the road (Apollo Bay Road) is unsealed.

Clause E6.7.7 Lighting of Parking Areas

This clause requires the following:

A1

Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.

This would not apply as the proposal would not require more than 5 parking spaces.

Clause E6.7.8 Landscaping of Parking Areas

This clause requires the following:

A1

Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.



As the site is not within the Central Business zone and will not require more than 5 spaces, landscaping would not have to be provided.

Clauses E6.7.9, E6.7.10, E6.7.11

These clauses are not relevant as these refer to bicycle and motorcycle parking, neither of which would be required to be provided.

E6.7.12 Location of Parking Spaces

This clause does not apply as the site is not located in the zones noted (Inner Residential, Village and Business zones).

Clause E6.7.13 Facilities for Commercial Deliveries

This clause is not relevant as it applies to commercial uses.

Code E7.0 Stormwater Management Code

This Code applies to any development. The proposed development would be required to have all buildings, roofed areas and hard stand parking and vehicular access areas drained to a nominated area within the subject site.

Stormwater will be managed into the two proposed rainwater tanks that are shown on the plans.

Code E8.0 Electricity Transmission Infrastructure Protection Code

This Code is not relevant as the proposed change of use is not within 65m of a substation or transmission corridor.

E9.0 Attenuation Code

This Code is not relevant as the proposed use is not a use in Table E9.1.



E10.0 Biodiversity Code

This Code is relevant as the subject site has vegetation that is mapped in an overlay.

The application documentation includes a bushfire assessment and BHMP, tree plan and tree table that confirms no tree removal is required.

The extent of impact on trees is also shown on the architect's plans with no more than 10% encroachment into the TPZ of Eucalyptus trees adjacent to the proposed development.

Advice provided by Enviro Dynamics in 2020 for the proposed dwelling located immediate adjacent to the dwelling in this application stated:

The land is classified as moderate priority biodiversity value on account of potential threatened fauna habitat.

Therefore, the relevant performance criteria are:

(b) if moderate priority biodiversity values:

(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;

(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;

(iii) remaining moderate priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values;

(iv) residual adverse impacts on moderate priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the Use of Biodiversity Offsets in the Local Planning Approval Process, Southern Tasmanian Councils Authority 2013 and Council Policy 6.10.

The development satisfies (i) by being located in an area comprising cleared and modified vegetation. Potential collision risk for swift parrots is minimized by the building design, with all windows in the dwelling being below canopy level and therefore not in typical parrot flight paths.

With regards to (ii) the HMA avoids impacts on intact native vegetation communities and largely affects treeless areas, although some clearing of remnant native trees in modified vegetation will be required. The three high conservation value trees, as defined under the Kingborough planning scheme, which occur within the HMA will be retained. Up to five other trees near the southern boundary of the property will be removed to achieve crown spacing as per the Bushfire Hazard Report. The understorey vegetation within the HMA is already managed in a modified condition and some further modification will be required to manage fuel loads and canopy spacing.

The Environmental Management Plan for 230 Apollo Bay Rd, Apollo Bay (Enviro-dynamics, July 2020) addresses retention and improvement (iii) of moderate priority biodiversity values (i.e. threatened fauna habitat).

There are no residual adverse impacts on moderate priority biodiversity values (iv).



The proposed development seeks a similar outcome in terms of impact with no trees of high conservation value impacted.

The HMA noted above by Enviro Dynamics is substantially the same HMA being proposed in this application for the new proposed dwelling.

E11.0 Waterways and Coastal Protection Code

This Code does not apply to use as the proposed development location within the subject site is not mapped with an overlay.

E12.0 Not used in the *Kingborough Interim Planning Scheme 2015*

E13.0 Historic Heritage Code

This Code does not apply as the subject site is not located within a Heritage Precinct.

E14.0 Scenic landscape Code

This Code will not apply as the subject site is not mapped with any overlay confirming it is in a scenic protection area.

E15.0 Inundation Prone Areas Code

This Code does not apply as the site is not in a mapped area.



E16.0 Coastal Erosion Hazard Area

This Code does not apply as the site is not in a mapped area.

E17.0 Signs Code

This Code would not apply as it applies only for commercial signage and other 'signage' including murals.

E18.0 Wind and Solar Energy Code

This Code would only apply where a proposal seeks approval for any development involving solar energy.

None are proposed and therefore this Code is not triggered.

E19.0 Telecommunications Code

This Code is not relevant as this Code applies to telecommunications developments.

E20.0 Acid Sulphate Soils Code

This Code is not relevant as the site is not mapped with an overlay.

E21.0 Dispersive Soils Code

This Code is not relevant as the site is not mapped with an overlay.



E22.0 Not used in the Kingborough Interim Planning Scheme 2015

E23.0 On Site Wastewater Management Code

This Code would be relevant as the site is within a wastewater (septic) serviced area.

The submitted proposal plans and associated wastewater report prepared by Bill Cromer confirms the location of the wastewater system and that it has been designed and located to avoid any vegetation removal or impact on such vegetation.

E24.0 Significant Trees Code

This Code is not relevant as the site does not contain any vegetation formally listed as 'significant trees'.

E25.0 Local Development Code

This Code is relevant to the subject site as the site is in proximity to the coast.

This Code sets a maximum Permitted height of 5m on development.

This Code is provided in full:

E25.0 Local Development Code

E25.1 Purpose

The purpose of this provision is to:

- (a) protect the visual amenity and established character near the coast; and
- (b) maintain the existing low density character of outer lying residential land.



E25.2 Application

This code applies to:

- (a) Building height of residential development on lots in the coastal proximity area, except for the General Residential Zone.

E25.3 Definition of Terms

In this Code, unless the contrary intention appears:

Coastal Proximity	<ul style="list-style-type: none"> (a) Where the lot has direct frontage to high or low water mark; or (b) Where the lot abuts a conservation area or public reserve on the coast; or (c) Where the lot fronts a road, where had it not existed, would have resulted in either (i) or (ii) being met.
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E25.4 Development Exempt from this Code

There are no exemptions to this Code.

E25.5 Application Requirements

In addition to any other application requirements, the Planning Authority may require the applicant to provide any of the following information if considered necessary to determine compliance with performance criteria.

- (a) shadow diagrams.
- (b) existing view corridors.
- (c) visual impact assessment

E25.6 Use Standards

There are no use standards for this Code.

E25.7 Development Standards

E25.7.1 Building Height in the coastal proximity

Objective:	
To ensure that building height within the coastal proximity contributes positively to the streetscape and does not result in unreasonable impact on adjoining development or visual landscape qualities or extensive loss of views.	
Acceptable Solutions	Performance Criteria



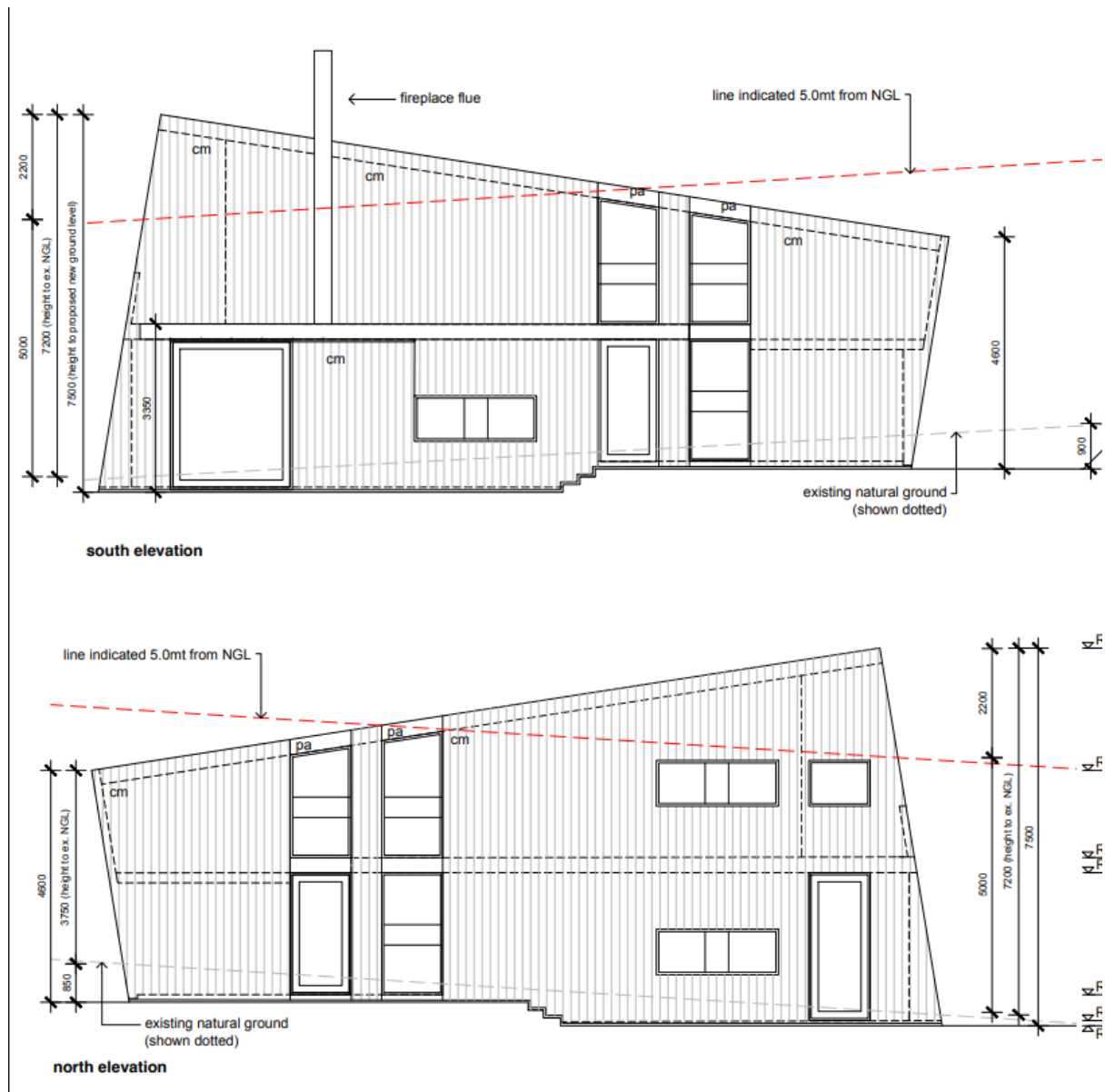
<p>A1</p> <p>Building height must be no more than 5 metres.</p>	<p>P1</p> <p>Building height must satisfy all of the following:</p> <p>(a) ensure there is no unreasonable loss of amenity on adjoining lots by:</p> <ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or (ii) overshadowing the private open space of a dwelling on an adjoining lot; or (iii) overshadowing of an adjoining vacant lot; or (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling; and <p>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p>
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The proposed dwelling will exceed the A1 Acceptable Solution in terms of a maximum 5m height limit.

It should be noted that only a small portion (a triangular wedge) of the proposed dwelling exceeds 5m due to the tapering roof form, with most of the bulk of the dwelling under 5m. The building has been designed to limit the footprint of the development while reduce the overall height, bulk and mass of the dwelling form. The roof form has been tapered to take advantage of an internal mezzanine to instead provide a wedge shaped form rather than a more bulky boxy form.

This degree of encroachment above 5m is shown on the submitted elevation drawings as follows:





The above extent of encroachment is considered minimal.

In terms of P1(a)(i),(ii) and (iii), no overshadowing onto an adjacent property will occur, due to the size of the subject site and the separation of the proposed development to title boundaries.

In terms of P1(a)(iv) visual impacts of the proposed development upon both public and private property will be neither unreasonable or result in any loss of amenity.

The proposed development has been designed and located to be as compact a form as possible that has a degree of excavation to reduce the overall height of the building.

The tapering roof form breaks up the mass of the building while the soft matte external cladding materials and palette have been selected to blend rather than contrast with the natural setting of the subject site.

Finally, the proposed dwelling will be effectively screened on all boundaries by existing native Eucalyptus trees and understorey which will provide a largely screened appearance of the development when viewed from the Crown or Council Reserves, Apollo Bay Road or



232 Apollo Bay Road. None of the existing trees are proposed to be removed or lopped to accommodate the proposed development.

The proposed dwelling has a small footprint less than 100sqm in area and is considered a small and compact building.

In terms of P1(b), the location of the proposed dwelling is central within the subject site and in excess of 22m to the southern side boundary.

Existing neighbouring dwellings along Apollo Bay Road have setbacks from side boundaries ranging from approximately 1m to 25m+.

The proposed setbacks of the dwelling at the subject site is compatible with the setbacks and separation of existing dwellings in the surrounding area which are generally centrally located and at least 20-30m separation between dwellings.



Image.11. The subject site 230 Apollo Bay Road arrowed. This aerial image shows the generally regular spacing of dwellings along Apollo Bay Road with typically at least 20-30m separation between neighbouring dwellings. Source: theLIST, sourced April 2026.

Part F Specific Area Plans

None of these apply as the site is not located in an area covered by a Specific Area Plan.

