

Planning Submission

Proposed Childcare Centre



1686 Channel Highway, Margate

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1. Executive Summary

1.1 Proposal Overview

This submission is prepared for Falcon Building Group on behalf of Adventure Patch Margate Childcare, in support of a proposal seeking the approval of the use and development for a childcare centre at 1686 Channel Highway, Margate.

The owner of the subject land is Adventure Patch (transfer completed 25 January 2026). This application is made with the knowledge and consent of the landowners, as required under section 52 (1)(b) of the *Land Use Planning and Approvals Act 1993*.

The development will include provision of a channelised right-turn (CHR) treatment on Channel Highway. Written permission to the making of the application is provided by the Department of State Growth (under separate cover), in accordance with section 52 (1B) of the *Land Use Planning and Approvals Act 1993*.

This application is made under the *Land Use Planning and Approvals Act 1993*, in accordance with Section 57 for a discretionary planning application. The proposal has been prepared in accordance with the provisions of the *Kingborough Interim Planning Scheme 2015* and the objectives of the *Land Use Planning and Approvals Act 1993*.

The proposal is summarised as:

- Use and Development for Childcare Centre and is illustrated in plans, provided at Appendix B.

2. Subject Land and Locality

2.1 Subject Land Description

The subject site is comprised in Certificate of Title Volume 182312 Folio 1. A copy of the titles is contained in Appendix A.

The registered owner of the site is Adventure Patch. The subject site has a total area of 2400m² across a single title, and is located on the western side of Channel Highway and to the northeast of the township of Margate. No easements burden the site.

The site is occupied by a two-storey building currently operating as Channel Construction & Joinery. The site is situated immediately north of the Margate shopping precinct, along the township's primary commercial strip.

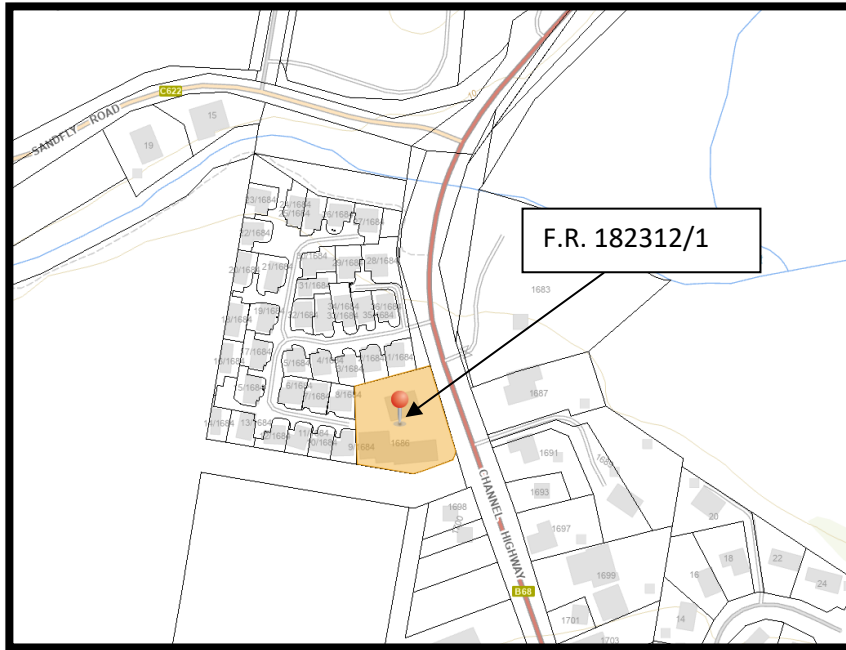


Figure 1: Locality Map 1686 Channel Highway, Margate

(Source: *LISTmap - Land Information System Tasmania (thelist.tas.gov.au)*)

The site is surrounded by a mix of land uses. To the north, east and west is residential use and development, and to the south are commercial uses, in an area forming the primary activity centre for Margate.

2.2 Access and Movement

The site is serviced by two existing vehicular access points to Channel Highway. Channel Highway forms part of the State Road network and is classified as a Category 3 Regional Access Road. The proposal will utilise only the northern access crossover to Channel Highway. The southern access will be removed, with concrete kerb and channel to be reinstated. The development will provide a channelised right-turn (CHR) treatment on Channel Highway to create a sheltered area for vehicles turning right into the site.

2.3 Services

The subject site is located within the township of Margate; it is provided with reticulated sewerage, water and stormwater as well as electricity and telecommunications.

2.4 Heritage

The subject site is not identified to be of heritage significance.

2.5 Flora and Fauna

The site is located within the township of Margate. A search of the Natural Values Atlas has revealed no recorded species on the subject site. A Pin Oak located near the front boundary is present, a

tree contained within Council's Significant Tree Register. Further consideration of this Pin Oak is contained within an Arboricultural Impact Assessment, contained at Appendix H to this submission.

3. Proposal

3.1 Development Proposal

The application seeks approval for use and development of the site at 1686 Channel Highway, Margate for a childcare centre. The proposed childcare centre will cater for a maximum of 74 places and operate between 7.00am and 6.30pm, Monday to Friday.

The facility will also provide care for children aged between 6 weeks and 5 years. No after school or before school care is to be provided at this site.

Up to 15 staff members may be on site at any one time, including childcare educators, reception staff and administrative personnel. Staff movements will occur across staggered shifts.

The office component of the use is anticipated to operate between 8.00am and 6.30am, Monday to Friday.

Development proposed comprises the re-use of the existing two-storey building on the site as well as a single storey addition to the south. A total gross floor area of 868m² will be used for the childcare facility. The childcare centre will accommodate 4 activity rooms, bathrooms, kitchenettes, storerooms, sleep rooms in Activity Rooms 1 and 2, as well as reception and staff amenities and offices on the ground floor level. Additional store rooms and offices will be provided on the first floor level. An external bin store structure and bike store is proposed to the south of the main facility. Plant and equipment is proposed to the west of Activity Room 4. Three separate play areas, external services area and carparking accommodating a total of 24 on-site car parking spaces will be provided as part of the development, including one accessible space. One motorcycle parking spaces is proposed. One of the existing vehicular accesses to Channel Highway will be retained, with the second access removed to improve site layout, and vehicle circulation.

Fencing proposed comprises of a combination of external 1800mm high acoustic fence to the perimeter of the outdoor play areas, with 1200mm high vertical tubular fencing internal to the play areas to provide separate spaces. The building will have a maximum height of 6.2m.

Two 2.66m x 1.32m wall signs are proposed on the existing two-storey section of the building, one located on the eastern façade, and the second to be located on the southern façade.

All plans and details of the proposal are provided at Appendix B to this submission.

4. Planning Assessment

4.1 Kingborough Interim Planning Scheme 2015

The subject site is zoned Local Business within the *Kingborough Interim Planning Scheme 2015*, version 68, effective 28th March 2024. The whole of the site is with a bushfire prone area.

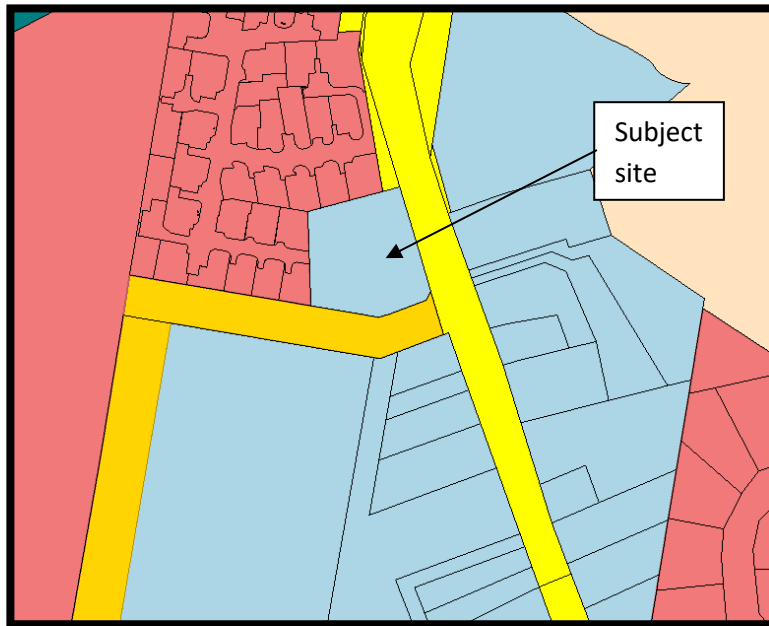


Figure 2: Zoning Map

(Blue = Local Business Zone, Pink = Low Density Residential Zone)

(Source: *LISTmap - Land Information System Tasmania (thelist.tas.gov.au)*)

SPECIAL PROVISIONS		
9.1	Changes to an Existing Non-conforming Use	Not applicable
9.2	Development for Existing Discretionary Uses	Not applicable
9.3	Adjustment of a Boundary	Not applicable
9.4	Demolition	Proposed demolition works proposed as part of another development
9.5	Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	Not applicable
9.6	Change of Use	Not applicable
9.7	Access and Provision of Infrastructure Across Land in Another Zone	Not applicable
9.8	Building Projecting onto Land in a Different Zone	Not applicable
9.9	Port and Shipping in Proclaimed Wharf Areas	Not applicable
9.10	Subdivision	Not applicable
9.11	Accretions	Not applicable

20.0 Local Business Zone

20.2 Use Table

The proposed use fits the use class of **Educational and Occasional Care (Childcare Centre)** which is a Discretionary Use in accordance with Table 20.2.

Use Class

Educational and Occasional Care

“use of land for educational or short-term care purposes. Examples include a childcare centre, day respite centre, employment training centre, kindergarten, primary school, secondary school and tertiary institution.”

20.0 Local Business Zone

20.1 Zone Purpose

20.1.1 Zone Purpose Statements

20.1.1.1 To provide for business, professional and retail services which meet the convenience needs of a local area.

20.1.1.2 To ensure that facilities are accessible by public transport and by walking and cycling.

20.1.1.3 To allow for small scale dining and entertainment activities at night provided that residential amenity of adjoining residential zoned land is protected.

20.1.1.4 To encourage residential use provided that it supports the viability of the activity centres and an active street frontage is maintained.

20.1.1.5 To ensure that building design and use is compatible with surrounding development and use, particularly on land in residential zones.

20.1.1.6 To allow for small shopping centres that might include a supermarket and specialty shops.

20.1.1.7 To allow for limited office based employment provided that it supports the viability of the activity centre and maintains an active street frontage.

20.1.1.8 To allow for dining and entertainment activities at night within food premises or local hotel.

Comment

The proposal is for non-residential use that would service the local area. The use of the land would not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

20.3 Use Standards

20.3.1 Hours of Operation

Objective:

To ensure that hours of operation do not have unreasonable impact on residential amenity on land within a residential zone.

Acceptable Solutions

A1

Hours of operation of a use within 50m of a residential zone must be within:

- (a) 7.00am to 9.00pm Mondays to Saturdays inclusive;
- (b) 9.00am to 5.00pm Sundays and Public Holidays.

Performance Criteria

P1

Hours of operation of a use within 50m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, during or extent.

except for office and administrative tasks.	
Comment	
The intended hours of operation will be within the hours of 7.00am to 6.30pm Monday to Friday. The proposal meets the Acceptable Solution.	

20.3.2 Noise	
Objective: To ensure that noise emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solutions	Performance Criteria
A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: <ul style="list-style-type: none"> (a) 55dB(A) (LAeq) between the hours of 7.00am to 7.00pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00pm to 7.00am; (c) 65dB(A) (LAmax) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, second edition, July 2008, issued by the Director of Environment Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	P1 Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.
Comment	
A Noise Assessment is contained at Appendix I to this submission. It is envisaged that compliance with the Cancer Council Tasmania ‘Sunsmart’ policy, children would be utilising the outdoor play areas for approximately 2 hours in the morning and 2 hours in the afternoon for a total of 4 hours per day. The play areas 2 and 3 have the potential to exceed the recommended 10dB above background during outdoor play periods, exceedance varies between 9.2bD and 15.2dB depending upon the age ranges of the children. The proposal relies on performance criteria. The maximum exceedance of 15.2dB is the ‘worst case’ scenario and has been used to inform recommendations for noise control to reduce annoyance to surrounding residential premises (sensitive uses). An acoustic barrier is required and proposed to the western boundary and northwest corner of play area 3. An acoustic barrier with a sound transmission loss of at least 15.2dB and 1800mm in height is proposed. With the implementation of the acoustic barrier as proposed, noise emissions at the boundary of a residential zone will not cause environmental harm within the residential zone. The proposal complies with the Performance Criteria.	

20.3.3 External Lighting	
Objective: To ensure that external lighting does not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solutions	Performance Criteria
A1	P1

<p>External lighting within 50m of a residential zone must comply with all of the following:</p> <ul style="list-style-type: none"> (a) Be turned off between 10.00pm and 6.00am, except for security lighting; (b) Security lighting must be baffled to ensure they do not cause emission of light outside the zone. 	<p>External lighting within 50m of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to all of the following:</p> <ul style="list-style-type: none"> (a) Level of illumination and duration of lighting; (b) Distance to habitable rooms in an adjacent dwellings.
<p>Comment Acceptable Solution met. External lighting will not be used after hours of operation, with the exception for security lighting and this will be baffled as required.</p>	

<p>20.3.4 Commercial Vehicle Movements</p>	
<p>Objective: To ensure that commercial vehicle movements not have unreasonable impact on residential amenity on land within a residential zone.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50m of a residential zone must be within the hours of:</p> <ul style="list-style-type: none"> (a) 7.00am to 5.00pm Mondays to Fridays inclusive; (b) 9.00am to 5.00pm Saturdays; (c) 10.00am to 12 noon Sundays and public holidays. 	<p>P1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50m of a residential zone must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:</p> <ul style="list-style-type: none"> (a) The time and duration of commercial vehicle movements; (b) The number and frequency of commercial vehicle movements; (c) The size of commercial vehicles involved; (d) The ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise); (e) Noise reducing structures between vehicle movement areas and dwellings; (f) The level of traffic on the road; (g) The potential for conflicts with other traffic.
<p>Comment Acceptable Solution met. There is anticipated to be minimal commercial vehicle movements, restricted to receipt of deliveries by postal services and couriers aside from any other infrequent deliveries of goods purchased. These deliveries would be within the hours of 7.00am to 5.00pm Monday to Friday.</p>	

20.4 Development Standards for Buildings and Works

<p>20.4.1 Building Height</p>
<p>Objective: To ensure that building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.</p>

Acceptable Solutions	Performance Criteria
<p>A1 Building height must be no more than: 9m.</p>	<p>P1 Building height must satisfy all of the following: (a) Be consistent with any Desired Future Character Statements provided for the area; (b) Be compatible with the scale of nearby buildings; (c) Not unreasonably overshadow adjacent public space; (d) Allow for a transition in height between adjoining buildings, where appropriate; (e) Be no more than 12m.</p>
<p>Comment Complies with the Acceptable Solution. Maximum building height will be 6.2m.</p>	
<p>A2 Building height within 10m of a residential zone must be no more than 8.5m.</p>	<p>P2 Building height within 10m of a residential zone must be compatible with the building height of existing buildings on adjoining lots in the residential zone.</p>
<p>Comment Complies with the Acceptable Solution. Maximum building height will be 6.2m.</p>	

20.4.2 Setback	
<p>Objective: To ensure that building setback contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Building setback from frontage must be parallel to the frontage and must be no more than: 5m, if fronting Channel Highway. 2m, if fronting any other street.</p>	<p>P1 Building setback from frontage must satisfy all of the following: (a) Be consistent with any Desired Future Character Statements provided for the area; (b) Be compatible with the setback of adjoining buildings, generally maintaining a continuous building line if evident in the streetscape; (c) Enhance the characteristics of the site, adjoining lots and the streetscape; (d) Provide for small variations in building alignment only where appropriate to break up long building facades, provided that no potential concealment or entrapment opportunity is created; (e) Provide for large variations in building alignment only where appropriate to provide for a forecourt for space for public use, such as outdoor dining or landscaping, provided the that no</p>

	potential concealment or entrapment opportunity is created and the forecourt is afforded very good passive surveillance.
<p>Comment</p> <p>The existing two-storey building to be retained as part of the proposal is located 7.82m from the frontage with Channel Highway. The proposed additions will be further setback from this frontage. The proposal meets the Acceptable Solution.</p>	
<p>A2</p> <p>Building setback from a residential zone must be no less than:</p> <ul style="list-style-type: none"> (a) 3m; (b) Half the height of the wall, whichever is the greater. 	<p>P2</p> <p>Building setback from a residential zone must be sufficient to prevent unreasonable adverse impacts on residential amenity by:</p> <ul style="list-style-type: none"> (a) Overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining lots to less than 3 hours between 9.00am and 5.00pm on June 21 or further decrease sunlight hours if already less than 3 hours; (b) Overlooking and loss of privacy; (c) Visual impact when viewed from adjoining lots, <p>taking into account aspect and slope.</p>
<p>Comment</p> <p>The existing two-storey building to be retained as part of the proposal is located 2.957m from a boundary with a residential zone. This building is existing; no further development is located within 3.0m of a residential zone. Acceptable Solution met.</p>	

20.4.3 Design	
<p>Objective:</p> <p>To ensure that building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building design must comply with all of the following:</p> <ul style="list-style-type: none"> (a) Provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) For new building or alterations to an existing façade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level façade; (c) For new building or alterations to an existing façade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 30% of 	<p>P1</p> <p>Building design must enhance the streetscape by satisfying all of the following:</p> <ul style="list-style-type: none"> (a) Provide the main access to the building in a way that addresses the street or other public space boundary; (b) Provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces; (c) Treat large expanses of blank wall in the front façade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space; (d) Ensure the visual impact of mechanical plant and miscellaneous equipment,

<p>the length of the façade;</p> <p>(d) Screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces;</p> <p>(e) Incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof;</p> <p>(f) Provide awning over the public footpath if existing on the site or on adjoining lots;</p> <p>(g) Not include security shutters over windows or doors with a frontage to a street or public place.</p>	<p>such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street;</p> <p>(e) Ensure roof-top service infrastructure including service plants and lift structures, is screened so as to have insignificant visual impact;</p> <p>(f) Not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints;</p> <p>(g) Only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;</p> <p>(h) Be consistent with any Desired Future Character Statements provided for the area.</p>
<p>Comment</p> <p>The proposed development relies on performance criteria as the percentage of the front façade on the ground level of windows and doors is 37.89% glazing. This is due to the nature of the use of the building, as a childcare centre glazing to a public space is to be minimised to provide safety and security to the children within the care of the facility.</p> <p>(a) The building design does enhance the streetscape by providing for the main access to the building clearly visible from the road.</p> <p>(b) Glazing is provided within the eastern elevation providing for passive surveillance, with larger areas of glazing adjacent to the reception area and the hallway transitioning space between Activity rooms 1 to 3, as well as a number of office spaces used for administrative purposes.</p> <p>(c) The eastern elevation is well articulated with a combination of glazing insertions and wall cladding materials.</p> <p>(d) No mechanical plant or equipment will be located on the eastern façade of the building.</p> <p>(e) It is not anticipated to have any roof-top service infrastructure, however during detailed design should this be necessary, screening will be implemented to ensure that such infrastructure would have an insignificant visual impact.</p> <p>(f) No awnings over the public footpath proposed.</p> <p>(g) No shutters are proposed.</p> <p>(h) The proposal is consistent with the Desired Future Character Statement for Margate, in that the central business area should be further developed in a manner that provides for public amenity, convenience, functionality, safety and social or recreational opportunities.</p> <p>The proposal complies with the Performance Criteria.</p>	
<p>A2</p> <p>Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p>P2</p> <p>No Performance Criteria.</p>
<p>Comment</p> <p>Walls of the building facing the residential zone to the west and to the north will be coloured using colours with a light reflectance value not greater than 40 percent. A finishes schedule is contained at Sheet 21 of the proposal plans. External cladding will have a light reflectance value between 8% and 40%. The proposal meets the Acceptable Solution.</p>	

20.4.4 Passive Surveillance	
<p>Objective: To ensure that building design provides for the safety of the public.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Building design must comply with all of the following:</p> <ul style="list-style-type: none"> (a) Provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas of the site; (b) For new buildings or alterations to an existing façade provide windows and door openings at ground floor level in the front façade which amount to no less than 40% of the surface area of the ground floor level façade; (c) For new buildings or alterations to an existing façade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30% of the surface area of the ground floor level façade; (d) Avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) Provide external lighting to illuminate car parking areas and pathways; (f) Provide well-lit public access at the ground floor level from any external car park. 	<p>P1 Building design must provide for passive surveillance of public spaces by satisfying all of the following:</p> <ul style="list-style-type: none"> (a) Provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces; (b) Locate windows to adequately overlook the street and adjoining public spaces; (c) Incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa; (d) Locate external lighting to illuminate any entrapment spaces around the building site; (e) Provide external lighting to illuminate car parking areas and pathways; (f) Design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces; (g) Provide for sight lines to other buildings and public spaces.
Comment	
<p>The proposed development relies on performance criteria as the percentage of the front façade on the ground level of windows and doors is 37.89% glazing. This is due to the nature of the use of the building, as a childcare centre glazing to a public space is to be minimised to provide safety and security to the children within the care of the facility.</p> <ul style="list-style-type: none"> (a) The building design provide for passive surveillance of public spaces by providing for the main access to the building clearly visible from the road. (b) Glazing is provided within the eastern elevation providing for passive surveillance, with larger areas of glazing adjacent to the reception area and the hallway transitioning space between Activity rooms 1 to 3, as well as a number of office spaces used for administrative purposes. (c) A number of office windows are incorporated on the ground floor level so that pedestrians can see into the building and vice versa, as appropriate for the nature of the childcare centre use. (d) External lighting including security lighting will illuminate any entrapment spaces around the building site. (e) External lighting will be located where appropriate to illuminate car parking areas and 	

<p>pathways, including security style lighting.</p> <p>(f) The main access has been designed and located to provide high visibility for users from public spaces.</p> <p>(g) The stepped back nature of the front façade provides for sight lines to other buildings and public spaces.</p> <p>The proposal complies with the Performance Criteria.</p>

20.4.5 Landscaping	
<p>Objective: To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Landscaping along the frontage of a site is not required if all of the following apply:</p> <ul style="list-style-type: none"> (a) The building extends across the width of the frontage, (except for vehicular access ways); (b) The building has a setback from the frontage of no more than 1 m. 	<p>P1 Landscaping must be provided to satisfy all of the following”</p> <ul style="list-style-type: none"> (a) Enhance the appearance of the development; (b) Provide a range of plant height and forms to create diversity, interest and amenity; (c) Not create concealed entrapment spaces; (d) Be consistent with any Desired Future Character Statements provided for the area.
<p>Comment Landscaping is proposed along the frontage and will enhance the appearance of the development, as indicated by the 3D render montages provided within the plans at Appendix B to this submission. The landscaping, although indicative at this stage will provide for a range of plant height and forms to create diversity, interest and amenity. Due to the nature of the use, the landscaping will not create concealed entrapment spaces. The proposed landscaping is consistent with the Desired Future Character Statements for Margate. Landscaping can be conditioned upon any approval to be further detailed and designed. The landscaping meets the Performance Criteria.</p>	
<p>A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 2m</p>	<p>P2 Along a boundary with a residential zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to the characteristics of the site and the characteristics of the adjoining residentially-zones land.</p>
<p>Comment Landscaping along a boundary with a residential zone will be a depth no less than 2m. It is noted that an acoustic barrier is to be constructed on the western and northwestern corner of the site, any landscaping in this area will only be visible to the childcare centre and part of the outdoor play areas. Landscaping is shown within plans provided at Appendix B to this submission, and further landscaping details can be conditioned as part of any approval. The proposal meets the Acceptable Solution.</p>	

20.4.6 Outdoor Storage Areas	
<p>Objective: To ensure that outdoor storage areas for non-residential use do not detract from the appearance of the site or the locality.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Outdoor storage areas for non-residential uses must comply with all of the following:</p> <ul style="list-style-type: none"> (a) Be located behind the building line; (b) All goods and materials stored must be screened from public view; (c) Not encroach upon car parking areas, driveways or landscaped areas. 	<p>P1 Outdoor storage areas for non-residential uses must satisfy all of the following:</p> <ul style="list-style-type: none"> (a) Be located, treated or screened to avoid unreasonable adverse impact on the visual amenity of the locality; (b) Not encroach upon car parking areas, driveways or landscaped area.
<p>Comment All outdoor storage areas will be located behind the building line and screened from public view. Outdoor storage areas will not encroach upon car parking areas, driveways or landscaped areas. The proposal meets the Acceptable Solution.</p>	

20.4.7 Fencing	
<p>Objective: To ensure that fencing does not detract from the appearance of the site or the locality and provides for passive surveillance.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Fencing must comply with all of the following:</p> <ul style="list-style-type: none"> (a) Fences, walls and gates of greater height than 1.5m must not be erected within 4.5m of the frontage; (b) Fences along a frontage must be at least 50% transparent above a height of 1.2m; (c) Height of fences along a common boundary with land in a residential zone must be no more than 2.1m and must not contain barbed wire. 	<p>P1 Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a residential zone which lies opposite or shares a common boundary with a site, having regard to all of the following:</p> <ul style="list-style-type: none"> (a) The height of the fence; (b) The degree of transparency of the fence; (c) The location and extent of the fence; (d) The design of the fence; (e) The fence materials and construction; (f) The nature of the use; (g) The characteristics of the site, the streetscape and the locality, including fences; (h) Any Desired Future Character Statements provided for the area.
<p>Comment No fencing is to be erected within 4.5m of the frontage. Fencing along a common boundary with land in a residential zone will be 1800mm in height. Further fencing details are shown on Sheet 8, Site Plan as contained at Appendix B to this submission. The proposal meets the Acceptable Solution.</p>	

20.4.8 Environmental Values
<p>Objective: To ensure that the design and location of buildings and works avoids and minimises adverse</p>

environmental impacts.	
Acceptable Solutions	Performance Criteria
A1 No trees of high conservation value will be impacted.	P1 Buildings and works area designed and located to avoid, minimise, mitigate and offset impacts on trees of high conservation value.
Comment No trees of high conservation value will be impacted. The proposal meets the Acceptable Solution.	

20.5 Development Standards for Subdivision
20.5.1 Subdivision
Not applicable.

CODES	
E1.0 Bushfire-Prone Areas Code	See code assessment below.
E2.0 Potentially Contaminated Land Code	See code assessment below.
E3.0 Landslide Code	Not applicable.
E4.0 This code number is not used in this planning scheme	Not applicable.
E5.0 Road and Railway Assets Code	See code assessment below.
E6.0 Parking and Access Code	See code assessment below.
E7.0 Stormwater Management Code	See code assessment below.
E8.0 Electricity Transmission Infrastructure Protection Code	Not applicable.
E9.0 Attenuation Code	Not applicable.
E10.0 Biodiversity Code	Not applicable.
E11.0 Waterway and Coastal Protection Code	Not applicable.
E12.0 This code number is not used in this planning scheme	Not applicable.
E13.0 Historic Heritage Code	Not applicable.
E14.0 Scenic Landscapes Code	Not applicable.
E15.0 Inundation Prone Areas Code	Not applicable.
E16.0 Coastal Erosion Hazard Code	Not applicable.

E17.0 Signs Code	See code assessment below.
E18.0 Wind and Solar Energy Code	Not applicable.
E19.0 Telecommunications Code	Not applicable.
E20.0 Acid Sulfate Soils Code	Not applicable.
E21.0 Dispersive Soils Code	Not applicable.
E22.0 This code number is not used in this planning scheme	Not applicable.
E23.0 On-Site Wastewater Management Code	Not applicable.
E24.0 Significant Trees Code	See code assessment below.
E25.0 Local Development Code	Not applicable.

E1.0 Bushfire Prone Areas Code

E1.5 Use Standards

E1.5.1 Vulnerable Uses

P1 – The location and scale of the proposed childcare centre presents a benefit to the community as it is located within a rapidly growing residential and commercial area. The requirements of the hazard management plan, as contained at Appendix C to this submission, and compliance with specification SC43 of the National Construction Code results in a tolerable risk. A Bushfire Hazard Report prepared by Bruce Harpley BFP-140 is contained at Appendix C and a Concept Fire Safety Strategy is contained at Appendix D, both reports demonstrate that the proposed vulnerable use is located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the vulnerable use and the bushfire hazard. The proposed use meets the Performance Criteria.

A2 – An Emergency Management Strategy endorsed by Tasmania Fire Service is contained at appendix D to the Bushfire Hazard Report, refer to Appendix C of this submission.

A3 – A Bushfire Hazard Management Plan, certified by an accredited person is contained within the Bushfire Hazard Report, refer to Appendix C of this submission.

E2.0 Potentially Contaminated Land Code

E2.5 Use Standards

A1 – Due to the previous use on the site as a construction and joinery premises, an Environmental Site Assessment, prepared by Elgin Associates is contained at Appendix E to this submission. The Assessment is authorised by a Site Contamination Specialist (CEnvP SC (SC41173) – Andrew Roberts. Joineries are considered a potentially contaminating activity and the proposed use as a childcare centre would constitute a sensitive land use. The investigation undertaken did not identify contamination that would limit or preclude the proposed use of the site as a childcare facility.

As a precautionary measure, for a particular area of the site which contained trace concentrations of perfluorooctanesulfonic acid (PFOS), a surface soil cover is to be used in this area, artificial turf, as shown on Sheet 9 of the proposal plans, to prevent direct contact with existing soils. Acceptable Solution A1 (a) met.

E5.0 Road and Railway Assets Code

E5.5 Use Standards

E5.5.1 Existing road accesses and junctions

A1 – Not applicable. Channel Highway is classified as a Category 3 Regional Access Road.

A2 – Not applicable, the speed limit of Channel Highway at the location of the proposed use and development is not more than 60km/h (50km/h).

P3 – As the proposed use will increase the use of the existing access on Channel Highway by more than 20%, the proposal relies on the performance criteria. A Traffic Impact Assessment, prepared by Hubble Traffic is contained at Appendix G to this submission, and demonstrates compliance with the Performance Criteria.

A4 – Not applicable.

E5.6 Development Standards

E5.6.1 Development adjacent to roads and railways

A1.1 – Not applicable. Channel Highway is classified as a Category 3 Regional Access Road.

A1.2 – Not applicable, the speed limit of Channel Highway at the location of the proposed use and development is not more than 60km/h (50km/h).

E5.6.2 Road accesses and junctions

A1 -Not applicable, the speed limit of Channel Highway is not more than 60km/h. No new access or junction proposed.

A2 – The proposal complies. The use and development will operate with the existing vehicular access onto the highway, which is of sufficient width to accommodate two-way flow.

E5.6.3 New level crossings – not applicable.

E5.6.4 Sight distance at accesses, junctions and level crossings

A1 – The proposal complies. The available sight distance at the existing vehicular access onto the highway exceeds the Safe Intersection Sight Distance shown in Table E5.1.

E6.0 Parking and Access Code

E6.6 Use Standards

E6.6.1 Number of Car Parking Spaces

A1 – The proposal complies with all applicable acceptable solution. The proposal provides for 24 on-site car parking spaces.

E6.6.2 Number of Accessible Parking Spaces for People with a Disability

A1 – One accessible parking spaces, supported with a shared zone, will be provided as close to the front entrance as possible. Acceptable Solution met.

E6.6.3 Number of Motorcycle Parking Spaces

A1 – One dedicated motorcycle parking space will be provided. Acceptable Solution met.

E6.6.4 Number of Bicycle Parking Spaces

A1 – A total of eight (8) bicycle parking spaces will be provided, exceeding the five (5) spaces required under Table E6.2. Acceptable Solution met.

E6.7 Development Standards

E6.7.1 Number of Vehicular Accesses

A1 – The southern existing access is to be removed, and the northern access onto the highway retained. Acceptable Solution met.

E6.7.2 Design of Vehicular Accesses

A1 – The existing northern assess measures 9.2 metres wide and is suitable to accommodate two-way traffic flow. Acceptable Solution met.

E6.7.3 Vehicular Passing Areas Along an Access

A1 – The access, driveway and parking aisles will be of sufficient width to allow for two-way internal traffic movements. Acceptable Solution met.

E6.7.4 On-Site Turning

A1 – The design allows all vehicles to enter, circulate and leave the site in a forward-driving direction. Acceptable Solution met.

E6.7.5 Layout of Parking Areas

A1 – The layout of all on-site parking spaces has been designed to comply with AS2890.1:2004, ensuring that vehicles can enter and leave in a safe and efficient manner. Acceptable Solution met.

E6.7.6 Surface Treatment of Parking Areas

A1 – The internal driveway and parking areas will be constructed with a concrete surface, incorporating appropriate cambers to direct surface water toward kerbing and into an approved stormwater drainage system. Acceptable Solution met.

E6.7.7 Lighting of Parking Areas

A1 – Sufficient lighting will be provided. Acceptable Solution met.

E6.7.8 Landscaping of Parking Areas

A1 – Suitable landscaping will be provided. Acceptable Solution met.

E6.7.9 Design of Motorcycle Parking Areas

A1 – One dedicated motorcycle parking space will be provided and designed to comply with section 2.4.7 Provision for Motorcycles of the Standard AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking. Acceptable Solution met.

E6.7.10 Design of Bicycle Parking Facilities

A1 – A secure bicycle storage facility will be provided to accommodate six bicycles, and two wheel frames provided within close proximity to the entrance. Acceptable Solution met.

A2 – Complies. Acceptable Solution met.

E6.7.11 Bicycle End of Trip Facilities

A1 – Not applicable for a development requiring five bicycle parking spaces.

E6.7.12 Siting of Car Parking

A1 – Not applicable.

E6.7.13 Facilities for Commercial Vehicles

A1 – Not applicable.

E6.7.14 Access to a Road

A1 – The site will have direct access onto the highway. Acceptable Solution met.

E7.0 Stormwater Management Code

E7.7 Development Standards

E7.7.1 Stormwater Drainage and Disposal

A1 – All stormwater from new impervious surfaces will be disposed of by gravity to public stormwater infrastructure. The proposal complies with the Acceptable Solution.

A2/P2 – The stormwater design will incorporate a stormwater treatment device (Ocean Protect Jellyfish or similar) to ensure stormwater is treated to the quality targets specified in the State Stormwater Strategy. Should Council not classify a mechanical treatment device as aligning to 'WSUD principles', the Performance Criteria is met otherwise.

A3 – The minor stormwater drainage system has been designed to meet the updated requirements provided by Kingborough Council on the Stormwater Guidance page of their website, which is a 10% AEP storm with SSP2-4.5 2100 climate factors applied (this supersedes the 20 yr ARI requirement as stated in the Interim Planning Scheme). The Concept Design, contained at Appendix F to this submission, incorporates onsite detention to ensure that there is no increase in stormwater discharged from the site for up to the minor design storm. Acceptable Solution met.

A4 – Not applicable.

E17.0 Signs Code

E17.6 Use Standards

E17.6.1 Use of Signs

P1 – Wall signs are Permitted within the Local Business Zone, as per Table E17.3. Two wall signs, 2.66m wide by 1.32m high (3.98m²) to be illuminated are proposed. The signs will not dominate the building or streetscape, as evidenced by the proposed elevations and 3D montages. The signage will be constructed in materials which are able to be maintained in a satisfactory manner. Due to the location on the eastern and southern façade, the signage will not result in loss of amenity to neighbouring properties. The signage will not contribute to or exacerbate visual clutter, nor cause a safety hazard due to the location and size. Performance Criteria met.

A2 – One wall sign will face the frontage. The second wall sign will be located on the southern façade, facing internally of the site, toward the car park. Acceptable Solution met.

A3 – Complies, the signs will not obscure or prevent or delay a driveway from seeing a Statutory Sign or a Tourist Information Sign.

A4 – Complies, the signs proposed will not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.

E24.0 Significant Trees Code

E24.6 Development Standards

E24.6.1 Lopping, pruning, removal or destruction of significant trees

P1 – A Pin Oak is located within the front boundary of the subject site. An Arboricultural Impact Assessment is contained at Appendix H to this submission. The proposed works near the tree include construction of a new footpath and car parking spaces. The proposed works have potential

for moderate impact on the tree. Design suggestions and tree protection recommendations have been incorporated into the proposal. With implementations the proposal will meet the Performance Criteria.

4.2 State Policies

4.2.1 State Coastal Policy 1996

The State Coastal Policy was created under the *State Policies and Projects Act 1993*. This Policy applies to the Coastal Zone, which is defined as the area within State waters and all areas within one kilometre of the coast.

Proposal Response

The subject site is located within one kilometre from the coast, meaning that the provisions of the State Coastal Policy 1996 apply. Stormwater runoff from the development will be collected and discharged to the reticulated stormwater network. The proposal is consistent with the Policy.

4.2.2 State Policy on Water Quality Management 1997

This Policy applies to all surface waters, including coastal waters, and ground waters, other than:

- i. Privately owned waters that are not accessible to the public and are not connected to, or flow directly into, waters that are accessible to the public; or
- ii. Waters in any tank, pipe or cistern.

The purpose of the Policy is to achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System (Schedule 1 of the *State Policies and Projects Act 1993*).

The objectives of this Policy are to:

1. *Focus water quality management on the achievement of water quality objectives which will maintain or enhance water quality and further the objectives of Tasmania's Resource Management and Planning System;*
2. *Ensure that diffuse source and point source pollution does not prejudice the achievement of water quality objectives and that pollutants discharged to waterways are reduced as far as is reasonable and practical by the use of best practice environmental management;*
3. *Ensure that efficient and effective water quality monitoring programs are carried out and that the responsibility for monitoring is shared by those who use and benefit from the resource, including polluters, who should bear an appropriate share of the costs arising from their activities, water resource managers and the community;*
4. *Facilitate and promote integrated catchment management through the achievement of objectives (1) to (3) above; and*

5. *Apply the precautionary principle to Part 4 of this Policy.*

Proposal Response

The proposal involves collection and discharge of stormwater to the reticulated network. The objectives of this Policy will therefore be managed in this urban environment.

The proposal is consistent with the policy.

4.2.3 State Policy on Protection of Agricultural Land 2009

There is no prime agricultural land directly associated with the location of the proposed development.

The proposal is unlikely to impact on any nearby agricultural use. As such, the proposal does not conflict with the objectives of this Policy.

4.3 Land Use Planning and Approvals Act 1993

The *Land Use Planning and Approvals Act 1993* provides objectives for all development considered under this Act. The proposal has been considered against the objectives of this Act. The proposal has been prepared to be consistent with the provisions of the *Kingborough Interim Planning Scheme 2015*. The proposal is therefore considered to be consistent with the objectives of the Act.

5. Conclusion

The proposal is for the approval of the use and development of a childcare centre at 1686 Channel Highway, Margate. The proposal is illustrated in plans, provided at Appendix B.

The proposal complies with the development standards prescribed by the Scheme, and can be approved under the *Kingborough Interim Planning Scheme 2015*. This application is made under the *Land Use Planning and Approvals Act 1993*, Section 57 which provides for the submission of a discretionary application.

The proposal is consistent with the relevant State and local policies, Planning Scheme objectives and considerations and objectives of the *Land Use Planning and Approvals Act 1993*. It is therefore recommended that the proposal be considered for planning approval.

Author	Version	Date
Rebecca Green	1	21 March 2026

Appendix A: Certificate of Title

Appendix B: Plans and Details

Appendix C: Bushfire Hazard Report

Appendix D: Concept Fire Safety Strategy

Appendix E: Environmental Site Assessment

Appendix F: Site Stormwater Concept

Appendix G: Traffic Impact Assessment

Appendix H: Arboricultural Impact Assessment

Appendix I: Noise Assessment Report