

**19 Hyssop Road, Margate**  
**26 Multiple Dwellings**  
**Planning Report**



Date 20 October 2025

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# 1. Introduction

All Urban Planning Pty Ltd has been engaged by SJM Property Developments to prepare a planning assessment in relation to a proposal for 29 multiple dwellings at 19 Hyssop Road, Margate (CT 188765/1).

This report provides an assessment of the proposal against the relevant provisions of the Kingborough Interim Planning Scheme 2015 (the Planning Scheme). In particular, it addresses the applicable standards of the Low Density Residential Zone and the relevant planning codes, including the Bushfire-Prone Areas Code, Biodiversity Protection Code, and Parking and Access Code.

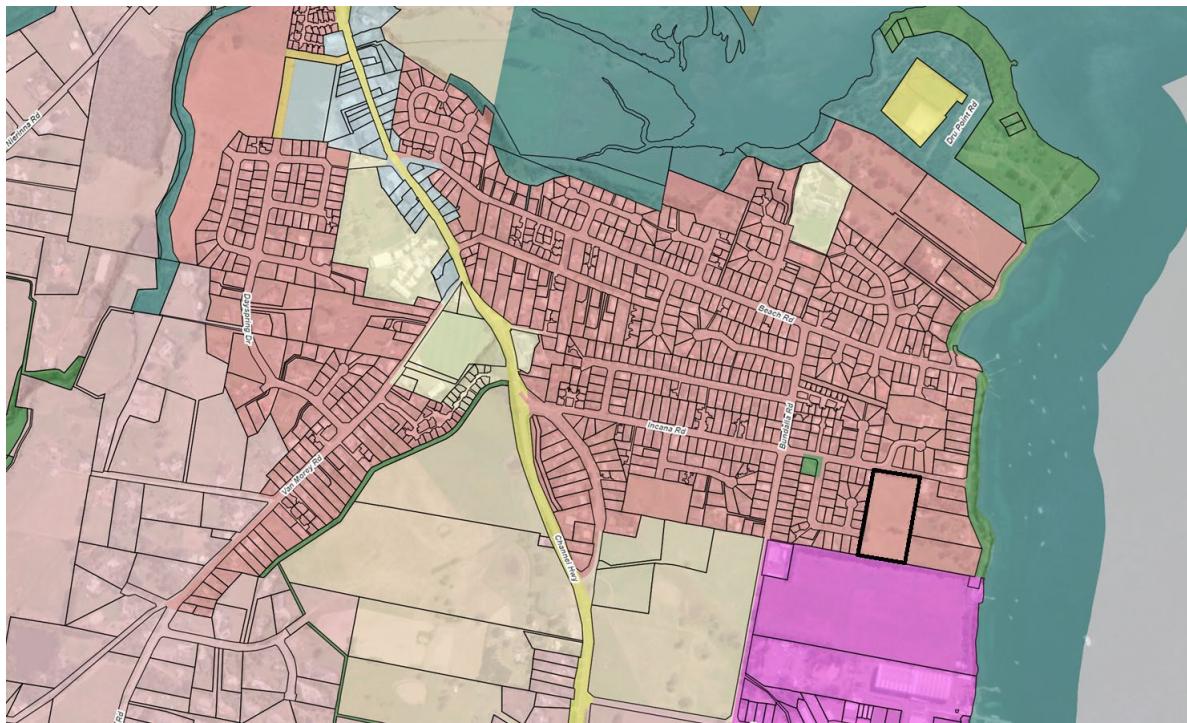
The proposal is supported by architectural and civil engineering documentation, which details the siting, design, servicing, and staging of the development.

## 1.1 Background

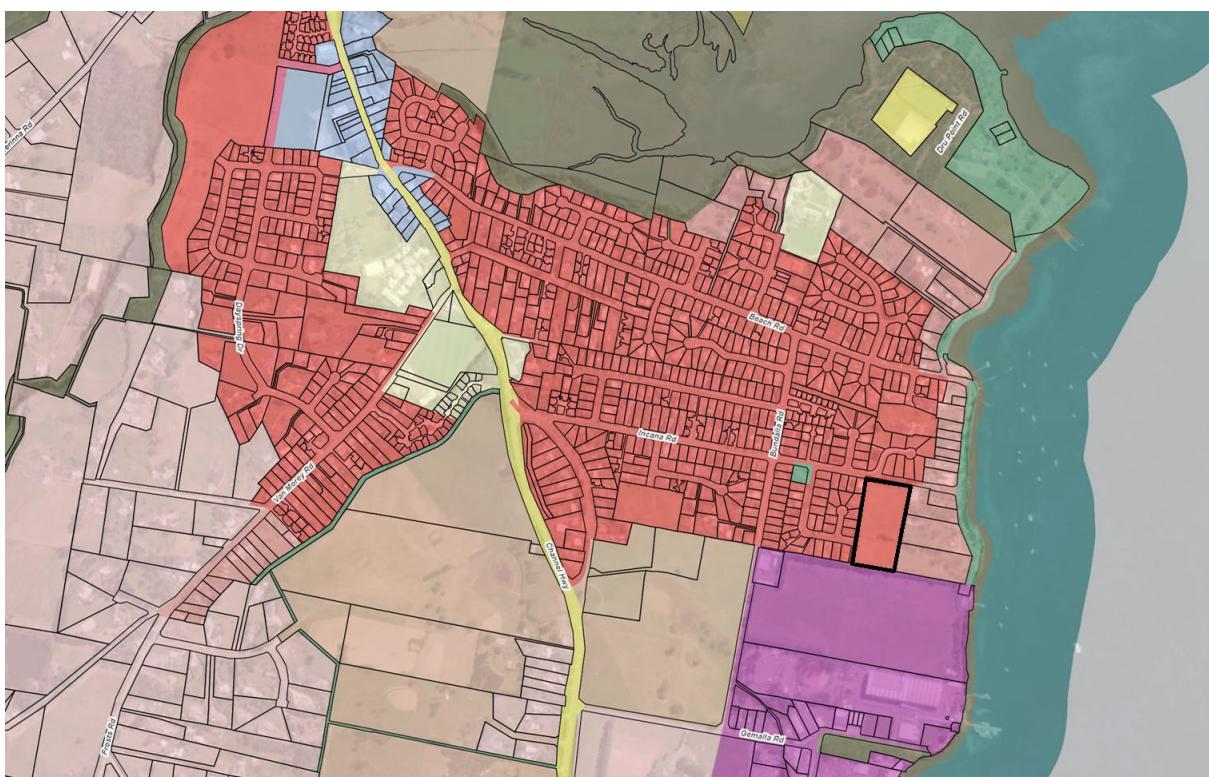
The site at 19 Hyssop Road is zoned Low Density Residential under the planning scheme. The property is, however, located within TasWater serviced land and is capable of being connected to both the reticulated water supply and sewerage network.

As part of the transition to the Tasmanian Planning Scheme, Council has proposed to rezone the majority of the existing Low Density Residential land in Margate including this site to the General Residential Zone under the draft Kingborough Local Provisions Schedule (LPS). This proposed rezoning reflects the availability of reticulated services and the strategic intent to accommodate residential growth in established settlements.

While the current application must be assessed against the provisions of the existing Interim Planning Scheme, it is of interest that the foreshadowed change in zoning would facilitate increased density on the land. This broader strategic direction is not irrelevant to Council's assessment of the proposal.



**Figure 1 - Existing Low Density Residential Zoning (Source: Kingborough Interim Planning Scheme)**

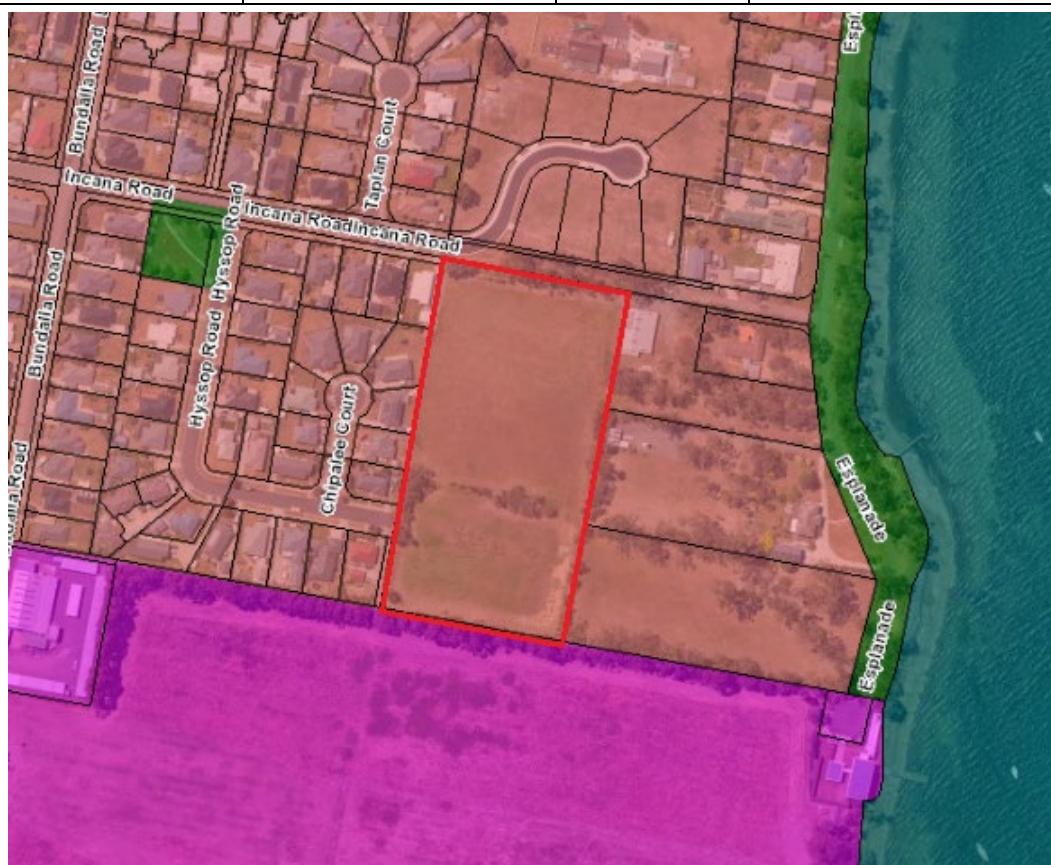


**Figure 2 - Proposed General Residential Zoning Draft Kingborough Local Provisions Schedule**

## 1.2 Title Information

The proposal relates to the following land as shown in Figure 3 below.

Address	Title	Area	Owner
19 Hyssop Road, Margate	CT188765/1	1.922ha	76 Esplanade Pty Ltd
Hyssop Road Casement	158862/100		Westwood Properties, managed as Road Authority by Council.
Incana Road Casement	No Title		Council



**Figure 3 The Site (Source: annotated aerial photo and cadastre from theList)**

Consent from Council's Chief Executive Officer is required for the making of the application pursuant to Section 52(1B) of the Act.

All bushfire hazard management areas are to be contained within the lot.

## 1.3 The proposal

The proposed use and development for 26 multiple dwellings is shown in Figure 4 below and includes:

Construction of 26 dwellings in a mix of single and two-storey forms, comprising:

- 2 x two storey (3 bedrooms)
- 6 x two-storey dwellings (4 bedrooms);
- 18 x single-storey dwellings (3 bedrooms);
- Each dwelling is to be provided with two car parking spaces plus a total of 7 visitor carparks
- Internal circulation via a ring road layout providing access to all dwellings, with connections to Hyssop Road and Incana Road;
- Provision of reticulated water, sewer, and stormwater services, with infrastructure designed to TasWater and Council standards;
- Staging and strata titling of the development as shown on the accompanying plans to allow for a coordinated and orderly delivery of dwellings and infrastructure.

The proposal will be strata titled following construction, as indicated in the supporting civil engineering documentation. A further Stage (Stage 3) may follow as a separate application for a planning permit, most likely after the introduction of the new planning scheme.



**Figure 4** *Proposal Plan prepared by G Tilly*

## 2. The Planning Scheme

### 2.1 Zoning

The land is zoned Low Density Residential.

The Purpose of the Low Density Residential Zone, Local Area Objectives and Desired Future Character Statements for Margate are as follows:

#### **Zone Purpose (12.1.1)**

*12.1.1.1 To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.*

*12.1.1.2 To provide for non-residential uses that are compatible with residential amenity.*

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

*12.1.1.4 To provide for existing low density residential areas that usually do not have reticulated services and have limited further subdivision potential.*

*The proposal is consistent with the purposes of the Low Density Residential Zone as follows:*

- The proposal provides for residential use and development within a fully serviced area (water, sewer and stormwater connections are available to the site). The scale of development is appropriate to the infrastructure capacity of the site and surrounding area.
- The use is solely residential and does not involve non-residential activity; therefore it does not create amenity conflicts.
- The site is not located adjacent to Rural Resource or Significant Agricultural zoned land and therefore does not create land use conflict.
- The site is serviced and suitable for multiple dwelling development.

#### **Local Area Objectives (12.1.2)**

##### **Margate**

<b>Local Area Objectives</b>	<b>Implementation Strategy</b>
<i>(a) Other than those areas that are in close proximity to the town's commercial centre, Margate should be maintained as a residential community with a relatively lower housing density.</i>	<i>(a) Future residential development is to be directed towards suitable new areas, rather than encouraging the infill of existing suburban areas at higher densities, except where this infill is in close proximity to the town's commercial centre.</i>
<i>(b) Margate is zoned Low Density Residential in order to reflect existing settlement patterns and to retain existing coastal and/or visual landscape and natural environmental values.</i>	<i>(b) Existing larger lot sizes are to be retained in order that to reflect existing settlement patterns and in some cases to retain coastal/landscape amenity.</i>
<i>(c) Local residential roads, junctions and verges should be designed and provided for in a manner</i>	<i>(c) Both new and existing roads should be designed to meet this objective, as well as there</i>

<p><i>that facilitates the free flow of traffic and encourages bicycle and pedestrian access.</i></p>	<p><i>being a particular need to extend Dayspring Drive so that it extends north and connects on to the Channel Highway.</i></p>
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**Assessment:**

Objective (a): The site is located within 1km of the Margate commercial centre. The introduction of multiple dwellings in this location is consistent with the strategy of allowing more compact residential infill closer to the commercial centre, while maintaining lower densities elsewhere.

Objective (b): The development maintains the existing coastal settlement pattern in this area of Margate that is characterised by residential development at a suburban density.

Objective (c): The proposal includes a new internal access road, ring-road configuration, pedestrian paths and footpath links, which facilitate safe vehicle circulation and encourage bicycle and pedestrian access.

**Desired Future Character Statements (12.1.3)**

Desired Future Character Statements	Implementation Strategy
<p><i>(a) There should be a mix of housing choice within Margate, while still retaining the residential amenity afforded by off-street parking, ample gardens and street setbacks.</i></p> <p><i>(b) The existing neighbourhood character that is associated with the area's settlement pattern, landscape and environmental values should be protected.</i></p>	<p><i>(a) Multi-unit housing and aged care facilities should be limited to suitable areas closer to the town's main commercial area, with good access provided to local services.</i></p> <p><i>(b) The larger lots within this zone enable the existing local character of the area to be retained. Some coastal areas are serviced, but this zone will enable the protection of existing coastal, landscape and environmental values.</i></p>

**Assessment:**

Statement (a): The proposal provides housing choice through a mix of 3 and 4-bedroom dwellings, while maintaining amenity via off-street parking, landscaped setbacks, and garden areas.

Statement (b): The development respects the existing neighbourhood character by maintaining a low rise (two storey) built form, landscaped buffers, and a design that integrates with the surrounding residential context.

**Implementation Strategies:** The site's proximity within 1km of the commercial centre makes it a suitable location for multi-unit housing, consistent with the strategy that encourages such development near services, while larger lots and landscape values are retained in outlying parts of Margate including along the foreshore.

**Use**

Multiple Dwellings are a Discretionary Use in this Area C of the Low Density Residential Zone.

In determining an application for a discretionary use under Clause 8.10.2, the planning authority must have regard to the above purposes of the applicable zone, any relevant local area objectives or desired future character statements, and the purpose of any applicable code or specific area plan.

Having regard to the above, the proposal for multiple dwellings is considered an appropriate discretionary use within the Low Density Residential Zone. It is consistent with the purpose of the zone, supports the local area objectives and desired future character statements for Margate, and as set out below satisfies the purpose of all applicable codes. There is no applicable specific area plan. The proposal is therefore considered to meet the requirements of Clause 8.10.2 and is an appropriate use of the land.

There are no applicable Use Standards for the proposed residential use under Clause 12.3 of the Low Density Residential Zone.

#### **12.4 Development Standards for Residential Buildings and Works**

##### **12.4.2 Setbacks and building envelope**

*To control the siting and scale of dwellings to:*

- (a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and*
- (b) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and*
- (c) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.*
- (d) maintain the neighbourhood character and natural landscape*

<b>Development Standard</b>	<b>Assessment</b>
<p><b>A1</b></p> <p><i>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:</i></p> <p><i>(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</i></p> <p><i>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</i></p> <p><i>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for</i></p>	<p>The primary frontage of this site<sup>1</sup> is to Hyssop Road. There are no buildings within 4.5m of this frontage and the proposal therefore complies with A1a).</p> <p>Units 1,2 and 3 fronting Incana Road are setback at least 3m and the proposal therefore complies with A1b).</p> <p>The proposal complies with A1a) and b) and therefore does not need to comply with A1c).</p> <p>The proposal complies with A1.</p>

<sup>1</sup> 'primary frontage' means, where there are 2 or more frontages, the frontage with the shortest dimensions measured parallel to the road irrespective of minor deviations and corner truncations.

<p><i>the equivalent frontage of the dwellings on the adjoining sites on the same street.</i></p>	
<p><b>A2</b></p> <p><i>A garage or carport must have a setback from a frontage of at least:</i></p> <p><i>(a) 5.5 m, or alternatively 1m behind the façade of the dwelling; or</i></p> <p><i>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</i></p> <p><i>(c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</i></p>	<p>The proposal does not involve a garage or carport within 5.5m of a frontage and therefore complies with A2.</p>
<p><b>A3</b></p> <p><i>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</i></p> <p><i>(a) be contained within a building envelope (refer to diagrams 12.4.2A, 12.4.2B, 12.4.2C and 12.4.2D) determined by:</i></p> <p><i>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</i></p> <p><i>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</i></p> <p><i>(b) only have a setback within 1.5m of a side boundary if the dwelling:</i></p> <p><i>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or</i></p> <p><i>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</i></p>	<p>The site has two frontages and is not an internal lot.</p> <p>The proposed dwellings fit within the permitted building envelope including frontage setbacks, side and rear boundaries and the 45degree envelope up to maximum height of 8.5m.</p> <p>The proposal complies with A3.</p>

A4  <i>No trees of high conservation value will be impacted.</i>	Review of the arborists report indicates that A4 will be satisfied in that no trees of high conservation values will be impacted.
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#### **12.4.3 Site coverage and private open space**

To provide:

- (a) for outdoor recreation and the operational needs of the residents; and
- (b) opportunities for the planting of gardens and landscaping; and
- (c) private open space that is integrated with the living areas of the dwelling; and
- (d) private open space that has access to sunlight; and
- (e) for development that is compatible with the existing built and natural environment of the area.

<b>Development Standard</b>	<b>Assessment</b>
A1  <i>Dwellings must have:</i>  (a) a site coverage of not more than 25% (excluding eaves up to 0.6m); and  (b) a site area of which at least 25% of the site area is free from impervious surfaces;  (c) for multiple dwellings, a total area of private open space of not less than 60 m <sup>2</sup> associated with each dwelling.	<p>The proposal involves:</p> <ul style="list-style-type: none"> <li>a) a total roofed area of 3537m<sup>2</sup> on the 1.922 ha site which equates to a proposed site cover of 18% and therefore complies with A1a).</li> <li>b) 68% of the site free from impervious surfaces and therefore complies with A1b).</li> <li>c) At least 60m<sup>2</sup> private open space for each dwelling.</li> </ul> <p>The proposal therefore complies with A1.</p>
A2  <i>A dwelling must have an area of private open space that:</i>  (a) is in one location and is at least:  (i) 24 m <sup>2</sup> ; or  (ii) 12 m <sup>2</sup> , if the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and  (b) has a minimum horizontal dimension of:  (i) 4 m; or  (ii) 2 m, if the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and	<p>The green rectangles on the accompanying plans confirm that each dwelling will have a private open space area:</p> <ul style="list-style-type: none"> <li>- of at least 24m<sup>2</sup></li> <li>- with a minimum dimension of 4m,</li> <li>- that is not located to the SE or SW of the dwelling</li> <li>- is directly accessible for a habitable room (other than a bedroom)</li> <li>- has a gradient less than 1:10</li> <li>- is not use for vehicle parking; and</li> <li>- the POS of Units 1-3 located between the building line and the frontage relate to a north facing frontage.</li> </ul> <p>The proposal therefore complies with A2.</p>

(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and

(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and

(e) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and

(f) has a gradient not steeper than 1 in 10; and

(g) is not used for vehicle access or parking.

#### **12.4.4 Sunlight and overshadowing**

To provide:

(a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings;

(b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.

<b>Development Standard</b>	<b>Assessment</b>
<p><b>A1</b></p> <p><i>A dwelling must have at least one habitable room (other than a bedroom) window that faces between 30 degrees west of north and 30 degrees east of north (see diagram 12.4.4A).</i></p>	All dwellings will have north facing windows to habitable rooms other than a bedroom and comply with A1.
<p><b>A2</b></p> <p><i>A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see diagram 12.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</i></p> <p><i>(a) The multiple dwelling is contained within a line projecting (see diagram 12.4.4B):</i></p> <p><i>(i) at a distance of 3 m from the window; and</i></p> <p><i>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</i></p>	All dwellings are sited to comply with A2.

<p>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <p>(i) an outbuilding with a building height no more than 2.4 m; or</p> <p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</p>	
<p>A3</p> <p>A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of 12.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see diagram 12.4.4C): P3 A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of 12.4.3.</p> <p>(i) at a distance of 3 m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</p> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <p>(i) an outbuilding with a building height no more than 2.4 m; or</p> <p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</p>	<p>All dwellings are sited to comply with A3.</p>

#### **12.4.5 Width of openings for garages and carports**

The proposal does not include garages and carports on the road frontages and this Standard does not apply.

#### 12.4.6 Privacy for all dwellings

*Objective:*

*To provide reasonable opportunity for privacy for dwellings.*

<b>Development Standard</b>	<b>Assessment</b>
<p><b>A1</b></p> <p><i>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</i></p> <p><i>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary;</i></p> <p><i>(b) rear boundary, unless the balcony, deck, roof terrace, parking space or carport has a setback of at least 4m from the rear boundary;</i></p> <p><i>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:</i></p> <p><i>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</i></p> <p><i>(ii) from a balcony, deck, roof terrace or the private open space, or the other dwelling on the same site.</i></p>	<p>The upper level decks to Units 4,10, 11,12,13,14 and 15 are orientated, sited and screened where necessary to comply with A1.</p>
<p><b>A2</b></p> <p><i>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</i></p> <p><i>(a) The window or glazed door:</i></p> <p><i>(i) is to have a setback of at least 3 m from a side boundary;</i></p> <p><i>(ii) is to have a setback of at least 4 m from a rear boundary;</i></p> <p><i>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a</i></p>	<p>The upper level windows of Units 4,10, 11,12,13,14 and 15 are positioned, orientated, sited and have high sill heights where necessary to comply with A2.</p>

<p><i>habitable room, of another dwelling on the same site;</i></p> <p><i>(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.</i></p> <p><i>(b) The window or glazed door:</i></p> <p><i>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</i></p> <p><i>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</i></p> <p><i>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</i></p>	
<p><b>A3</b></p> <p><i>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</i></p> <p><i>(a) 2.5m; or</i></p> <p><i>(b) 1m if:</i></p> <p><i>(i) it is separated by a screen of at least 1.7 m in height; or</i></p> <p><i>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</i></p>	<p>All parking spaces other than those private to each dwelling are separated at least 2.5m from another dwelling.</p>

#### **12.4.7 Frontage fences**

##### *Objective*

*To control the height and transparency of frontage fences to:*

- (a) allow the potential for mutual passive surveillance between the road and the dwelling; and*
- (b) provide reasonably consistent height and transparency*

<b>Development Standard</b>	<b>Assessment</b>
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<p><b>A1</b></p> <p><i>A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:</i></p> <p><i>(a) 1.2 m if the fence is solid; or</i></p> <p><i>(b) 1.5 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</i></p>	<p>A front fence is not included as part of this proposal. This standard does not apply.</p>
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#### **12.4.8 Waste storage for multiple dwellings**

##### *Objective*

*To provide for the storage of waste and recycling bins for multiple dwellings.*

Development Standard	Assessment
<p><b>A1</b></p> <p><i>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m<sup>2</sup> per dwelling and is within one of the following locations:</i></p> <p><i>(a) in an area for the exclusive use of each dwelling, excluding the area between the dwelling and the frontage; or</i></p> <p><i>(b) in a communal storage area with an impervious surface that:</i></p> <p><i>(i) has a setback of at least 4.5 m from a frontage; and</i></p> <p><i>(ii) is at least 5.5 m from any dwelling; and</i></p> <p><i>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.</i></p>	<p>Each dwelling will accommodate a separate bin storage area of at least 1.5m<sup>2</sup> and satisfy A1a).</p>

#### **12.4.9 Residential density for multiple dwellings**

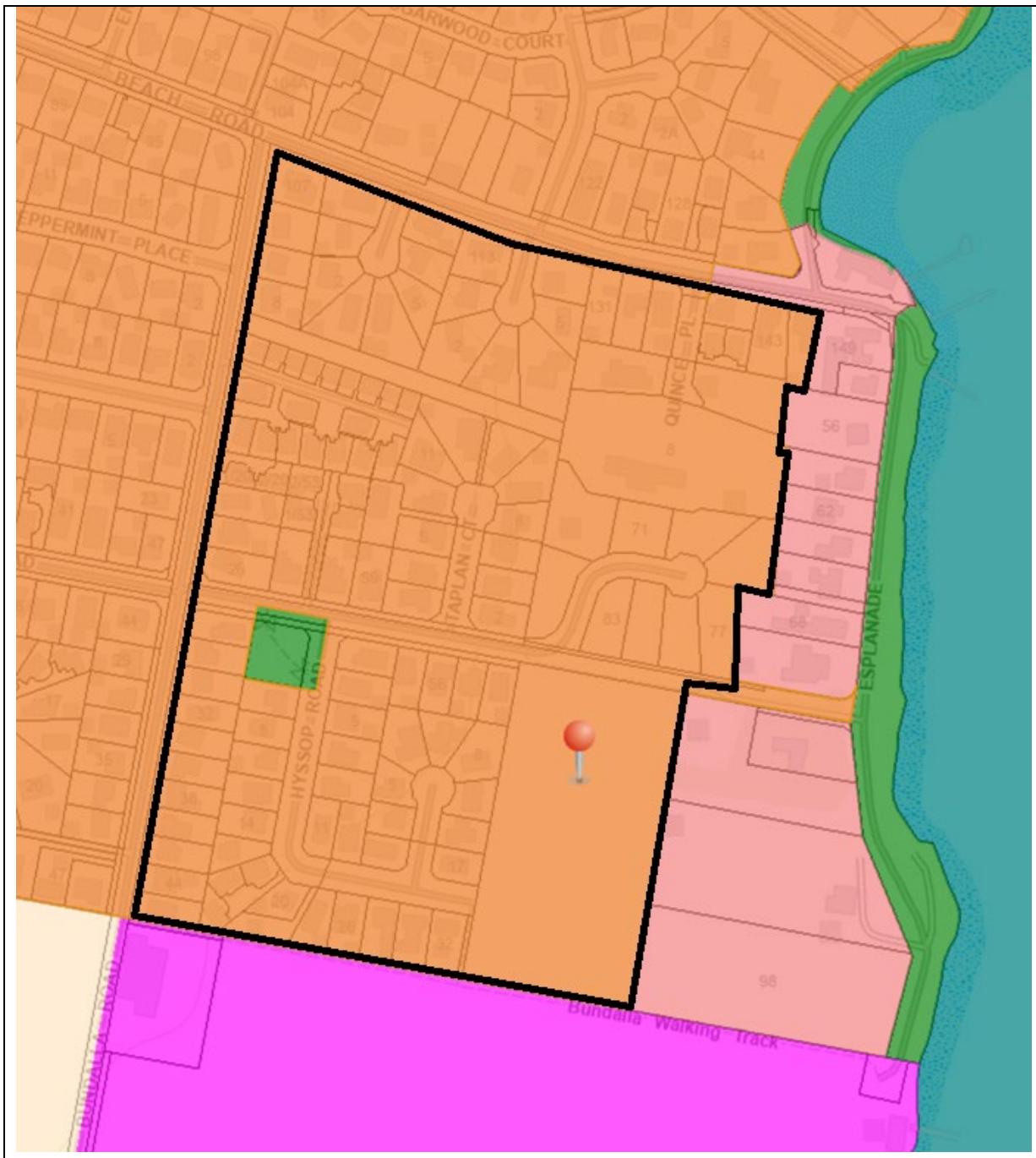
##### *Objective:*

*To provide for densities for multiple dwellings that are compatible with the existing built and natural environment of the area and do not exceed the capacity of infrastructure services.*

Development Standard	Assessment
<p><b>A1</b></p> <p><i>Multiple dwellings must have a site area per dwelling of not less than 1000m<sup>2</sup>.</i></p>	<p>The proposed 26 dwellings equate to a density per dwelling of 739m<sup>2</sup>. The proposal is therefore to be assessed under P1.</p>

<p><b>P1</b></p> <p><i>Multiple dwellings may only have a site area per dwelling of less than 1000m<sup>2</sup> if the number of dwellings:</i></p> <p><i>(a) is not out of character with the pattern of development in the surrounding area; and</i></p> <p><i>(b) does not result in an unreasonable loss of natural or landscape values; and</i></p> <p><i>(c) does not exceed the capacity of the current or intended infrastructure services in the area.</i></p>	<p>P1 allows multiple dwellings to have a site area per dwelling less than 1000m<sup>2</sup> providing the number of dwellings satisfies parts a-c).</p> <p><b>Criterion b) Natural or landscape values</b></p> <p>In this case the proposal involves the development of a flat and generally cleared site. The area exists with suburban residential character with no particular landscape values.</p> <p>The accompanying Natural Values Assessment confirms that native vegetation is not present on the site.</p> <p><b>Criterion c) Capacity of infrastructure</b></p> <p>The proposal is accompanied by concept civil plans that confirm that the proposal can be serviced by existing infrastructure.</p> <p><b>Criterion a) Character with the pattern of development in the surrounding area</b></p> <p>The planning scheme does not define 'surrounding area' for the purpose of this clause. I approach this term on the basis that the surrounding area should be determined using the following criteria:</p> <ul style="list-style-type: none"> <li>- the surround area is more than the adjoining and adjacent lots;</li> <li>- the surrounding area is broader than the streetscape;</li> <li>- the surrounding area should, where possible, comprise lots predominately within the same zone and same density area C of the Low Density Residential Zone which assists to provide continuity of character;</li> <li>- the surrounding area will include distinct and similar characteristics and qualities which may form a prevailing character; and</li> <li>- the surrounding area will include common vehicle and pedestrian linkages, enabling density to be readily perceived within the context of the area.</li> <li>- There is a mixture of developed land to the west of the site and undeveloped land to the east of the site.</li> </ul> <p>Guided by this approach I identify the surrounding area bounded by Beach Road to the north and Bundalla Road to the west, the boundary between the Low Density Residential A and C Areas to the east</p>
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	<p>an the boundary with the Light Industrial Zone to the south as shown in Figure 5 below.</p> <p>The attached density calculations in Appendix A indicate that the median density in this area (excluding some outlying larger and undeveloped lots) is 674m<sup>2</sup>.</p> <p>I consider that the proposed detached residential development with a proposed density per dwelling of 739m<sup>2</sup> is less than the median density in the surrounding area (674m<sup>2</sup>) and therefore not out of character with the pattern of development in the area.</p> <p>Having regard to the above I consider that the proposed density satisfies P1.</p>
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### 3. Planning Scheme Codes

The site is subject to the following mapped planning scheme code overlays:

- Bushfire-Prone Areas Code
- Biodiversity Protection Area Code

The site is also subject to the provisions of the Road and Railway Assets Code, Parking and Access Code, Stormwater Management Code, Attenuation Code and Biodiversity Protection Code as discussed below.

### 3.1 Bushfire Prone Areas Code

The requirements of this Code do not apply to the proposed development that does not involve subdivision or a vulnerable or hazardous use.

BAL setbacks are shown on the site plan and confirm that the required hazard management areas will be accommodated within the site.

### 3.2 Road and Railway Assets Code

The traffic and access requirements of this Code are addressed in Section 8.1 of the accompanying Traffic Impact Assessment and assessed to comply.

### 3.3 Parking and Access Code

The parking and access requirements of this Code are addressed in Section 8.2 of the accompanying Traffic Impact Assessment and assessed to comply.

### 3.4 Stormwater Management Code

The proposed stormwater solution is shown on the accompanying civil engineering drawings.

### 3.5 Attenuation Code

There is a self storage site at 54 Bundalla Road Margate, approximately 150m west of the site and the Haywards, metal fabrication site, approximately 200m, south of the site at 30 Waterworth Drive. The self storage use is not a listed activity under Table 9.1 of the Code but the metal fabrication activity imposes a 500m attenuation area. This Code is therefore triggered and the proposal requires assessment under Clause E.9.7.2.

#### ***E9.7.2 Development for Sensitive Use in Proximity to Use with Potential to Cause Environmental Harm***

*Objective:*

*To ensure that new sensitive use does not conflict with, interfere with or constrain uses with potential to cause environmental harm.*

<b>Development Standard</b>	<b>Assessment</b>
<p><b>P1</b></p> <p><i>Development for sensitive use, including subdivision of lots within a sensitive zone, must not result in potential to be impacted by environmental harm from use with potential to cause environmental harm, having regard to all of the following:</i></p>	<p>The applicant has commissioned a noise assessment to address this standard.</p>

<p><i>(a) the nature of the use with potential to cause environmental harm; including:</i></p> <p><i>(i) operational characteristics;</i></p> <p><i>(ii) scale and intensity;</i></p> <p><i>(iii) degree of hazard or pollution that may be emitted from the activity;</i></p> <p><i>(b) the degree of encroachment by the sensitive use into the Attenuation Area or the attenuation distance;</i></p> <p><i>(c) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions</i></p>	
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### 3.6 Biodiversity Code

The requirements of this Code have been addressed in the accompanying Natural Values Assessment.

### 3.7 Other Codes

The other Codes are not assessed as relevant to this proposal.

## 4. Conclusion

The proposed development for 26 multiple dwellings at 19 Hyssop Road, Margate represents the efficient and strategic use of fully serviced residential land within close proximity to the Margate commercial centre. The development provides a high-quality, contemporary form of infill housing that is consistent with both the intent of the Low Density Residential Zone and the strategic direction of the draft Kingborough Local Provisions Schedule, which identifies the site for future inclusion in the General Residential Zone.

The assessment confirms that the proposal satisfies all relevant development standards of the Kingborough Interim Planning Scheme 2015, including those relating to setbacks, building envelopes, private open space, sunlight access, privacy, and residential density. The proposed density of 739m<sup>2</sup> per dwelling is compatible with the established pattern of development in the surrounding area and does not exceed the capacity of existing infrastructure.

Supporting reports including civil engineering, bushfire hazard management, biodiversity assessment, and traffic impact assessment have informed the proposal and demonstrate that the site is capable of accommodating the proposed development without adverse impacts on environmental values, amenity, or infrastructure networks. The design provides for safe and efficient internal circulation, appropriate parking provision, and functional private open spaces.

Overall, the proposal represents a well-considered and orderly residential infill development that contributes positively to housing diversity in Margate and aligns with Council's broader planning objectives for consolidated growth within existing serviced settlements.

A noise assessment has been commissioned to address the requirements of the Attenuation Code in relation to the assessment of potential impacts from the nearby light industrial uses to the south.

Subject to this advice, the proposal is considered to satisfy all relevant provisions of the Planning Scheme and is suitable for approval subject to standard conditions.

**Frazer Read**

**Principal**

**20 October 2025**

**Appendix A**  
**Density Calculations**

<b>Address</b>	<b>Lot area</b>	<b>Number of dwellings</b>	<b>Site area per dwelling</b>
12 Bundalla	6740	19	354.7
20 Bundalla	784.4	2	393.2
53 Incana Rd	750.6	2	375.3
55 Incana Rd	731	2	365.5
1 Quince Pl	723	2	361
18 Hyssop Rd	1299	3	433
107 BEACH RD	803	1	803
109 BEACH RD	828	1	828
111 BEACH RD	696	1	696
113 BEACH RD	957	1	957
115 BEACH RD	838	1	838
131 BEACH RD	822	1	822
133 BEACH RD	805	1	805
135 BEACH RD	791	1	791
139 BEACH RD	600	1	600
143 BEACH RD	954	1	954
145 BEACH RD	758	1	758
4 BUNDALLA RD	787	1	787
6 BUNDALLA RD	650	1	650
8 BUNDALLA RD	742	1	742
22 BUNDALLA RD	798	1	798
24 BUNDALLA RD	798	1	798
26 BUNDALLA RD	814	1	814
28 BUNDALLA RD	647	1	647
30 BUNDALLA RD	647	1	647
32 BUNDALLA RD	647	1	647
34 BUNDALLA RD	647	1	647
36 BUNDALLA RD	647	1	647
38 BUNDALLA RD	647	1	647
40 BUNDALLA RD	647	1	647
42 BUNDALLA RD	647	1	647
44 BUNDALLA RD	647	1	647
46 BUNDALLA RD	647	1	647
1 QUIBERON CT	652	1	652
2 QUIBERON CT	856	1	856
3 QUIBERON CT	983	1	983
4 QUIBERON CT	1253	1	1253
5 QUIBERON CT	695	1	695

6 QUIBERON CT	659	1	659
1 ANGWIN CT	716	1	716
2 ANGWIN CT	1311	1	1311
3 ANGWIN CT	1049	1	1049
4 ANGWIN CT	1484	1	1484
5 ANGWIN CT	719	1	719
4 QUINCE PL	1433	1	1433
3 QUINCE PL	1543	1	1543
46 INCANA RD	639	1	639
52 INCANA RD	666	1	666
54 INCANA RD	628	1	628
56 INCANA RD	640	1	640
58 INCANA RD	617	1	617
60 INCANA RD	646	1	646
51 INCANA RD	776	1	776
57 INCANA RD	775	1	775
59 INCANA RD	775	1	775
61 INCANA RD	666	1	666
69 INCANA RD	1689	1	1689
3 TAPLAN CT	659	1	659
5 TAPLAN CT	695	1	695
7 TAPLAN CT	899	1	899
9 TAPLAN CT	738	1	738
11 TAPLAN CT	800	1	800
13 TAPLAN CT	1133	1	1133
12 TAPLAN CT	802	1	802
10 TAPLAN CT	940	1	940
8 TAPLAN CT	675	1	675
6 TAPLAN CT	668	1	668
4 TAPLAN CT	665	1	665
2 TAPLAN CT	671	1	671
6 HYSSOP RD	634	1	634
8 HYSSOP RD	634	1	634
10 HYSSOP RD	634	1	634
12 HYSSOP RD	634	1	634
14 HYSSOP RD	634	1	634
16 HYSSOP RD	536	1	536
20 HYSSOP RD	541	1	541
22 HYSSOP RD	711	1	711
24 HYSSOP RD	665	1	665

26 HYSSOP RD	744	1	744
28 HYSSOP RD	731	1	731
30 HYSSOP RD	760	1	760
32 HYSSOP RD	780	1	780
17 HYSSOP RD	565	1	565
15 HYSSOP RD	519	1	519
13 HYSSOP RD	613	1	613
11 HYSSOP RD	618	1	618
9 HYSSOP RD	674	1	674
7 HYSSOP RD	674	1	674
5 HYSSOP RD	674	1	674
3 HYSSOP RD	674	1	674
3 CHIPALEE CT	530	1	530
5 CHIPALEE CT	563	1	563
7 CHIPALEE CT	854	1	854
9 CHIPALEE CT	682	1	682
8 CHIPALEE CT	925	1	925
6 CHIPALEE CT	590	1	590
4 CHIPALEE CT	570	1	570
<b>Median</b>			<b>674</b>