

PROPOSED DEVELOPMENT:
TEMPORARY CAR PARK

1680 Channel Highway

Margate Tasmania

Kalis Property Pty Ltd

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1. BACKGROUND

- 1.1 In 2013 the Kalis Property Pty Ltd received a planning permit (Albeit as a result of a successful appeal to the then Resource Management and Planning Appeals Tribunal) for a shopping centre comprised of two parts. Firstly, a row of specialty shops and professional office spaces fronting the Channel Highway and secondly a supermarket and carparking at the rear of the site. Stage one of the project, including part of the carparking provision has been completed and the retail and professional spaces are currently in the process of being occupied. Figure 1 below shows the completed retail and office space fronting Channel Highway



FIGURE 1: The completed first stage.

Whilst the second stage hasn't commenced and a new application has been lodged for a supermarket of a larger footprint. The nature of the occupancies of the completed stage has led to the need for car parking above and beyond that constructed in stage one. This application is for a temporary car park to service the existing development whilst the approvals and construction of stage two are completed.

2. PROPOSAL

- 2.1 Kalis Property Pty Ltd propose a temporary car park for one hundred and three (103) spaces made up of 98 spaces and 5 accessible bays. The 5 accessible bays are within the area already approved as a car park adjacent to the completed stage one and within ready access to the medical centre and dentists' practice. The temporary provision will address the shortfall of spaces in Stage one generated by the nature of the occupancies in the newly created stage.
- 2.2 The proposal utilises the existing access point at the southern end of the site off Pin Oak Place. Pedestrian linkages from the Channel Highway through to the area of the new proposal have already been provided through stage one of the complex.
- 2.3 Proposal plans have been prepared by Architects Designhaus. Those plans provide a detailed diagrammatic description of the proposal and no further comment is necessary here.
- 2.4 The proposal is also supported by a Traffic Impact Assessment prepared by Howarth Fisher and Associates and is attached to this application.

3. SITE/EXISTING LAND USE

- 3.1 The site which includes that area over which stage one of the original permit has been constructed is an irregular parcel of some 3.5 hectares. Copies of the Titles are provided with this application. An application to consolidate all of these Titles is currently before the Lands Titles Office.
- 3.2 The area now proposed for development is and relatively flat. Limited site works for access consistent with the existing permit have been carried out. Figure two below shows the site viewed from the south east corner



FIGURE 2: The southern access point

- 3.3 The site sits adjacent to the commercial area of Margate to the east residential areas to the south and north and vacant land to the west. Figure 3 below provides an overview of the site and the surrounding development. Whilst the commercial area of Margate is the predominant neighbour there are a limited number of residences to the north and south of the site and vacant land zoned for residential purposes to the west.



FIGURE 3: Location (courtesy Google Earth)

4. HYDRAULIC AND OTHER INFRASTRUCTURE

- 4.1 The site is currently served by both water supply and effluent disposal services provided by Taswater.
- 4.2 The site has frontages to Pin Oak Place in the south that road is a fully constructed road under the control and maintenance of Kingborough Council.
- 4.3 Power and telecommunications services are provided to the site.

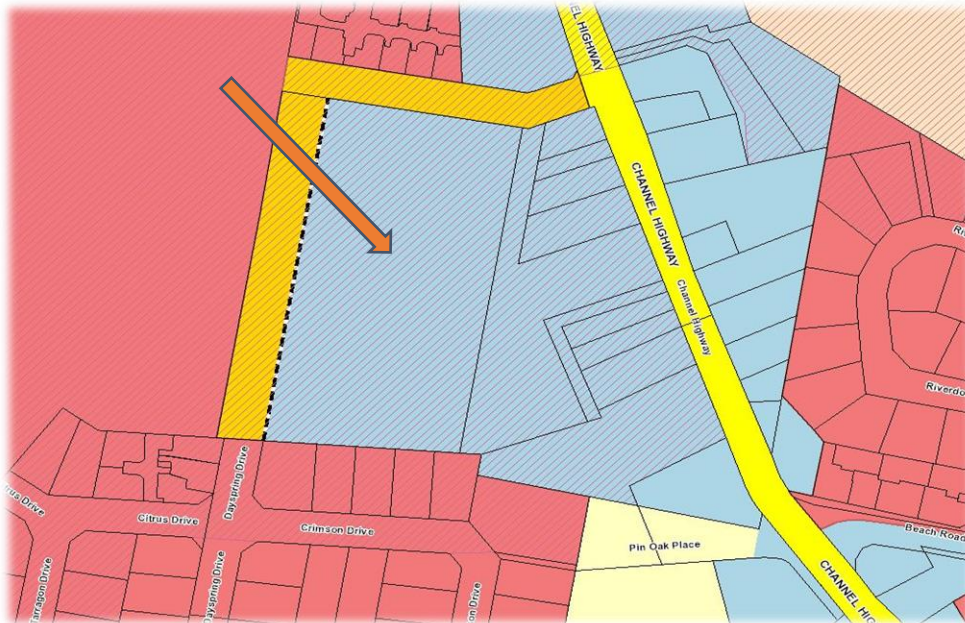


FIGURE 4: Zoning of Subject site: Local Business and Particular Purpose

5. PLANNING CONTROLS

- 5.1 The subject site is zoned **Local Business** (the predominant zone) and **Particular Purpose** under the **Kingborough Interim Planning Scheme 2015** (the Scheme) however the proposed car park is wholly within the Local Business zone.
- 5.2 The site also falls within the area affected by the **Bushfire Prone Area** overlay
- 5.3 **Part 20.1.1** of the Scheme provides the **Zone Purpose Statement** for the Local Business zone as follows

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.

- 5.4 Part 20.1.2 provides the **Local Area Objectives** or **Future Character Statements** relating to Margate as follows.

Margate is to provide a range of retail and community services that effectively fulfil its function within the regional activity centre hierarchy.

Further the part provides the **Implementation Strategy** as

The Margate main street is to be redeveloped in order to provide improved shopping services, access and parking, community facilities and an appealing general appearance.

- 5.5 **Table 8.2** of the Scheme headed **Use Classes** provides the following under the Use Class **Vehicle Parking**

use of land for the parking of motor vehicles. Examples include single and multi-storey car parks.

- 5.6 **Table 20.2** of the Scheme headed **Use Table** provides the Use Class Vehicle Parking in the **Discretionary** section applicable to the Local Business zone.

6. ASSESSMENT AGAINST PLANNING CONTROLS

- 6.1 **Part 20.3** of the Scheme deals with **Use Standards**. The following submissions are made in response to the relevant standards.

It is submitted that the proposed temporary use is exactly the same as that previously approved in the same location albeit with minor modification as to layout. For all intent and purpose, the same use. Notwithstanding the following points are made in respect to the temporary car park.

- 6.2 **20.3.1: Hours of Operation**

The proposed temporary car park is available to service the now completed retail and professional rooms. Its use is likely to reflect the operating hours of those services. The area of the temporary car park is beyond 50 metres from the nearest residential area. Noise from the car park, if any, will be ameliorated by the acoustic screen built along the common boundary with the existing residences at the southern end of the site.

- 6.3 **20.3.2 Noise**

As above noise from the car park is highly unlikely to impact on the adjoining residences being separated by a substantial distance and the acoustic screen.

- 6.4 **20.3.3 External Lighting**

All external lighting within the centre will be inward facing and in compliance with the appropriate Australian Standards. The Acceptable Solution is fulfilled

- 6.5 **20.3.4 Commercial Vehicle Movements**

The temporary car park will not of itself generate any commercial vehicle movements. The parking area is separated from the commercial operations which it will serve.

- 6.6 **20.4.1 Building Height**

The proposed car park and involves no structure above ground.

- 6.7 **20.4.2 Set Back**

The proposed car park has no direct frontage to a road.

- 6.8 **20.4.3 Design**

No building is proposed and this section not considered relevant.

- 6.9 **20.4.4 Passive Surveillance**

Not considered relevant although all areas accessible to pedestrians including the car parking areas will be illuminated as will be the public access points to the structures. All illumination will be to the appropriate Australian Standards.

6.10 **20.4.5 Landscaping**

Not considered relevant as the proposed car park is for a temporary period whilst the full development proposal is completed.

6.11 **20.4.6 Outside Storage**

None proposed or necessary.

6.12 **20.4.7 Fencing**

None proposed or necessary.

6.13 **20.4.8 Environmental Values**

No trees of conservation value are present on the site and no tree removal at all is proposed or necessary.

7. ASSESSMENT AGAINST CODES

7.1.1 **Code E.0 deals with Bushfire Prone Areas.**

Whilst I do not believe a Bushfire Management Plan is necessarily generated by this temporary proposal a statement provided by Castellán Consulting has been prepared and accompanies the application package and no further comment is necessary here.

7.2 **Code E5.0 deals with Road and Railway Assets**

A Traffic Impact Assessment has been prepared by statement provided by Howarth Fisher and Associates.

7.3 **Code. E6.0 deals with Parking and Access**

The Traffic Impact Assessment prepared by Howarth Fisher deals with the carparking and access provisions of the proposal.



FIGURE 5: The northern boundary and alignment of future accessway.

8.0 PLANNING ASSESSMENT and SUMMARY

8.1 A temporary car park is proposed. It is designed to serve the operations now occupying the buildings completed as stage one of a permit previously issued by Council. The temporary car park will be replaced with a permanent car park including a double storey structure as part of the proposed new supermarket proposed to replace that previously approved.

8.2 The car park is well located to serve the tenancies previously approved and is screened both visually and acoustically from adjoining residences.

- 8.3 The proposal is entirely consistent with the zone and local area objectives in that it serves the existing commercial operations adjacent to the car parking area.
- 8.4 The proposal in my opinion fulfills all of the relevant Acceptable Solutions.
- 8.5 I am of the opinion that the proposal fulfills the objectives and requirements of the planning scheme and merits Council using the discretion available to it and therefore approval.