

# **Proposed Development**

## **27 Multiple Dwellings**

5-13,15 and 17 Maxwell Drive Bridgewater Tasmania

**Cuze Pty Ltd**

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## 1. PROPOSAL

- 1.1 Cuze Pty Ltd propose the development of the property known as 5 to 13 15 and 17 Maxwell Drive Bridgewater.
- 1.2 The proposed development provides for twenty seven (27) one and three bedroom residential units. The estimated development costs are in excess of seven million dollars.
- 1.3 The proposal includes an internal driveway system providing access to carparking for each unit and visitor parking spaces although units 1 and 2 are provided with access and carparking directly off Maxwell Drive
- 1.4 Proposal plans prepared by Architects Archidea Group are included as Attachment 1.
- 1.5 A development Application has been lodged with Council (DA 2020/00354) that application under the then existing interim planning scheme was withdrawn and this new application is made under the provisions of the Tasmanian Planning Scheme Brighton (the Scheme).



**FIGURE 1:** Location

## 2. SITE/EXISTING LAND USE

- 2.1 The subject site is a vacant irregular shaped parcel comprised of three (3) existing titles fronting Maxwell Drive and Council's waterfront reserve along the shore of the Derwent River. The location and an overview of the site and surrounding area are shown in Figure 1 above.
- 2.2 The site also known as lot 1 on Plan 157339, lot 873 and lot 874 on SP 6708 (copies of which are included as Attachment 2) has an area of 6911m<sup>2</sup>. There are no easements or other matters on the titles that impact upon the proposal although a matter of encroachment onto the subject site is discussed below.
- 2.3 The site slopes in a south westerly direction down from the Maxwell Drive frontage to the Council reserve and Derwent River beyond.

2.4 The site abuts land to the north and east zoned and developed for residential purposes including unit developments on the adjoining land to the east. It is understood that unit developments have been approved by Council on blocks 1 and 3 Maxwell Drive to the west. The land to the south and west is zoned Open Space. The open Space zone abutting the site is maintained by Council and contains the foreshore walkway. The Council constructed foreshore walkway has in part intruded into the subject site. The area of the walkway is the subject of negotiations with Council as it would appear the realignment of the walkway onto Council's foreshore reserve is impractical.

2.5 It is apparent that in the current vacant state the site is a regular waste dumping ground.

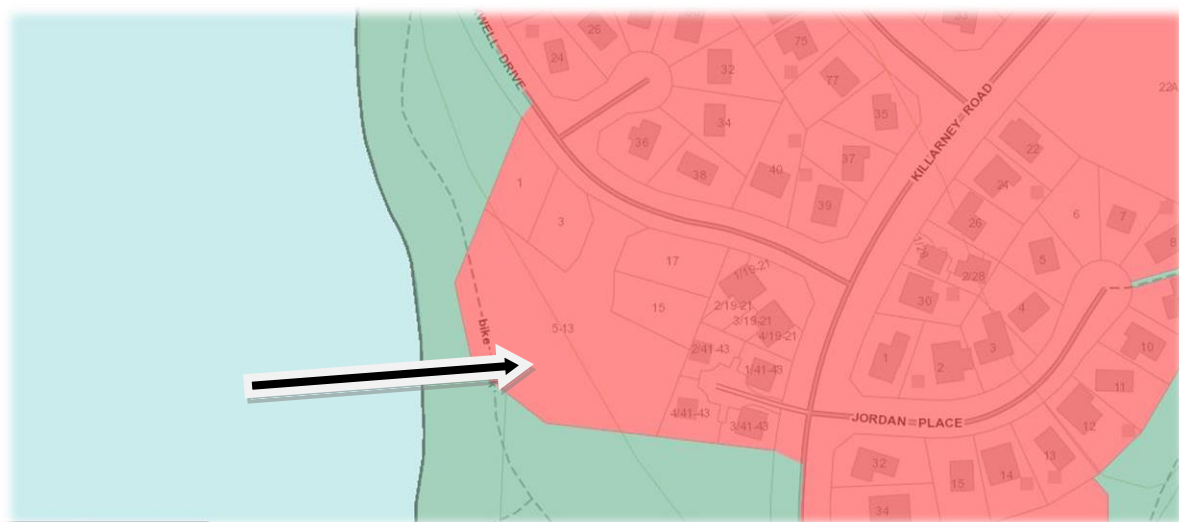
### 3. HYDRAULIC AND OTHER INFRASTRUCTURE

3.1 The site is fully serviced by water and effluent disposal systems under the control of TasWater. It is understood that the proposal is within the capacity of infrastructure under their control although an upgrade to a local pump station has been necessitated by development on adjoining lands. That new pump station will provide for the current proposal and the proponent has agreed to contribute to the upgrade.

3.2 Stormwater disposal from the proposed building and hardstand areas will be discharged into the existing Brighton Council's stormwater system.

3.3 The site is served by Maxwell Drive under the control and maintenance of the Brighton Council.

3.4 Power and telecommunications services are provided to the site.



**FIGURE 2. Zoning of Property General Residential**

### 4. PLANNING DIRECTIONS AND CONTROLS

4.1 The site is zoned **General Residential** under the provisions of the **Tasmanian Planning Scheme Brighton** (the Scheme)

4.2 The site is not affected by any overlay.

4.3 Part 8.1 of the Scheme provides the zone purpose as follows

*The purpose of the General Residential Zone is:*

*8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.*

- 8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure*
- 8.1.3 To provide for non-residential use that:*
- (a) primarily serves the local community; and*
  - (b) does 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.*
- 8.1.4 To provide for Visitor Accommodation that is compatible with residential character.*

- 4.4 The proposed use interpreted as **Residential** is provide for as a **Permitted Use** under **Table 8.2** headed **Use Table**. There are no relevant **Use Standards** under **Part 8.3** of the Scheme.



**FIGURE 3** Development site looking west

## **5. ASSESSMENT OF THE PROPOSED DEVELOPMENT AGAINST THE DEVELOPMENT STANDARDS FOR DWELLINGS.**

- 5.1 Part 8.4 of the Scheme provides development standards for dwellings. Assessment of the project against those standards is provided as follows.

- 5.1.1 **Part 8.4.1** headed **Residential Density for Multiple Dwellings** provides an objective as follows.

*That the density of multiple dwellings:*

- (a) makes efficient use of land for housing; and*
- (b) optimises the use of infrastructure and community services.*

- 5.1.2 The proposal provides for one unit per 256m<sup>2</sup> and as such is reliant on the **Performance Criteria** under this part. In support of the application of those criteria the following points are made

- (a) The proposed development will not exceed the capacity of infrastructure services in the area. It is understood that a recent upgrade of sewerage infrastructure has been made providing for the unit developments adjoining the subject site. The proponent has agreed to contribute to the cost of that upgrade upon approval of this development.



(b) It is submitted that the proposal is compatible with densities of surrounding residential development. As mentioned earlier unit developments have been approved and constructed on lots immediately adjoining the subject site.

(c) The proposal provides for a range of housing types that are in my opinion of significant social benefit addressing the current shortfall of housing availability.

(d) Part 2.3 of the Traffic Impact Assessment accompanying this application details accessibility to public transport. The subject site is less than 400 metres walking distance from a well serviced public bus route.

It is submitted that the proposal fulfills the objective of this part and the relevant Performance Criteria.

5.1.3 **Part 8.4.2** headed **Setbacks and building envelope for all dwellings** has the objectives of  
*(a) provides reasonably consistent separation between dwellings and their frontage within a street;*

*(b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;*

*(c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and*

*(d) provides reasonable access to sunlight for existing solar energy installations.*

5.1.4 It is submitted that the proposal fulfills the **Acceptable Solutions A1** and **A2** under this part. Units 1 and 2 are setback more than 4.5 metres from the Maxwell Drive frontage and the garages in both instances the garages share the same building lines the upper storey in each case being partially above the garage.

5.1.5 Whilst the proposal generally fulfills **A3** under this part units 23 to 27 rely on the relevant **Performance Criteria** as they are just less than 4.5 metres from the rear boundary of a property with an adjoining frontage. In support of the application of the relevant Performance Criteria it is submitted

(a) The siting and scale of units 23 to 27 will not unreasonably reduce the amenity of adjoining properties. The reduction in setback from the Acceptable Solution of 4.5 metres is only some 0.4 of a metre.

(b) There will be little to no impact on access to sunlight to the adjoining property.

(c) Shadow diagrams provided show little to no effect on the adjoining properties.

(d) As mentioned above the reduction in setback is only some 0.4 of a metre. It is submitted that the visual impact will be no greater than if the setback of 4.5 metres was fulfilled.

(e) The separation between dwellings is in my opinion consistent with building separations in the area generally.

(f) There will be no impact on access to light for any solar array.

5.1.6 Units 21 and 22 abut the area of land that has had council's foreshore walkway constructed upon it. (It is intended upon approval of the current project that area will be transferred to Council ownership. The subdivision of this area and subsequent transfer will be completed at Councils cost.). Both dwellings have roof top private open space. These dwellings slightly exceed the Acceptable height of 8.5 metres and as such rely on the Performance criteria. In support of the application of the relevant criteria it is submitted

(a) There is no impact on any habitable room as the adjoining lands are Public Open Space

(b) Whilst there will be some overshadowing of the adjoining open space it is minimal considering the extent of that open space.

(c). Whilst there will be some visual impact when viewed from the open space it is again not unreasonable considering the extent of the open space and that the walkway is in fact on the subject site and the true setback cannot be achieved.

(d) There is no dwelling on the adjoining property and therefore no solar array to be impacted upon.

It is submitted that the proposal fulfills the objective of this part and the relevant Acceptable solutions and Performance Criteria.



**FIGURE 4** Maxwell Drive frontage. Note new development adjacent

5.1.6 **Part 8.4.3** of the Scheme headed **Site coverage and private open space for all dwellings** has an objective as follows

*That dwellings are compatible with the amenity and character of the area and provide:*

*(a) for outdoor recreation and the operational needs of the residents;*

*(b) opportunities for the planting of gardens and landscaping; and*

*(c) private open space that is conveniently located and has access to sunlight.*

5.1.7 The proposed development has a site coverage of 32% well under the **Acceptable Solution A1(a)**. Whilst in the main open space for each dwelling is in excess of the Acceptable Solution of 60m<sup>2</sup>. Where there is less than the Acceptable Solution it is submitted that the private open space provided is of sizes and dimensions that are appropriate for the projected requirements for the occupants and certainly capable of providing space for the drying of clothes and landscaping generally. It is further submitted that the site is immediately adjacent to a substantial area of public open space directly accessible by future residents in the development.

5.1.8 It is apparent that the proposal relies on Performance Criteria P2. It is submitted that the available open space is conveniently located in relation to the living areas of all of the dwellings and that the available open space does receive sunlight through the course of the day.

5.1.9 **Part 8.4.4** headed **Sunlight to private open space of multiple dwellings** deals with solar access. It provides the objective

*That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.*

The proposal relies on Performance Criteria P1 under this part. The shadow diagrams provided with the application show the inevitable overshadowing of open space during the course of the day however all of the private open space receives sunshine whether it be morning or afternoon sunshine.



**FIGURE 5.** Northwest view. Note location of footway which is currently on the development site.

- 5.1.10 Part **8.4.5** headed **Width of openings for garages and carports for all dwellings** Deals with garage openings onto the street. Only proposed units 1 and 2 are affected by this provision. In both instances the garage width of 5.5m is with the Acceptable Solution.
- 5.1.11 Part **8.4.6** headed **Privacy for all dwellings** has the objective of *To provide a reasonable opportunity for privacy for dwellings.* There are a limited number of proposed dwellings with balconies or roof top open space areas., these are the dwellings with an outlook across the Derwent River. None of these directly overlook the private open space of a dwelling on the same site but never the less rely of the Performance Criteria under this part. The design is such that windows and glazed doors to habitable rooms do not have direct lines of site into adjoining dwellings habitable rooms or the private open space of that adjoining dwelling. Dwellings 1 and 2 have habitable rooms within 2.5 metres of a shared driveway. The opportunity for screening is limited and as such double glazing will be provided to those habitable room with frontage to the internal driveway. A condition to this effect should be included in any forthcoming permit.
- 5.1.12 Part **8.4.7** deals with front fences. No street front fences are proposed.
- 5.1.13 Part **8.4.8** deals with waste and recycling bin storage for multiple dwellings. In this instance each proposed dwelling is provided with a bin storage area and a common area for bin

collection is provided. A private collection service is proposed after discussion with Council. It is submitted that the proposed waste storage and collection facilities fulfills the Performance Criteria under this part.



**FIGURE 6:** Northeast view. Note the units to the right with balconies facing the river.

5.1.14 **Part C2** of the scheme headed **Parking and Sustainable Transport code** has the following purpose

*C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.*

*C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.*

*C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.*

*C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.*

*C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.*

*C2.1.6 To provide for parking precincts and pedestrian priority streets.*

A Traffic impact Assessment has been carried out by Apex Engineers and is included in this application as Attachment 3. That report addresses the onsite parking and manoeuvring issues under part C2 6 of the Scheme and no further comment is necessary here. It is noted under 2.1 of that report the surrounding area is described as Low Density Residential. I disagree with that statement. Site inspection reveals that surrounding development ranges from general residential through to medium residential densities. The latter at similar densities to that now proposed.



## **6. PLANNING COMMENT**

- 6.1 The proposal provides for the development of 27 dwellings on a currently vacant between Maxwell Drive and the Derwent River foreshore. The dwellings proposed range from single to three bedroom dwellings. The proposal includes onsite parking and associated infrastructure for both future residents and visitors.
- 6.2 The proposal is clearly consistent with the purpose of the General Residential zone and on a broader basis addresses the current shortfall in availability of dwellings in the greater Hobart area. Further it is well located in respect to existing transport routes and public transport services.
- 6.4 The proposed dwellings are architect designed in forms and of materials that will enhance the currently underutilised site. Whilst abutting an existing residential development the design is respectful of those dwellings and looks to minimise impacts on them. The proposal is in the main consistent with the use standards applicable to development in the General Residential zone and more particularly the objectives of each of the relevant standards.
- 6.5 Whilst there is some reliance on relevant Performance Criteria I believe the use of those criteria is justified and rationale is provided.
- 6.6 A recommendation is provided for a minor amendment ensuring double glazing is provided to the habitable rooms of units 1 and 2 those rooms being less than 2.5 metres from a shared driveway. That modification any noise impact from vehicle movements.
- 6.7 It is proposed that the development be staged for construction purposes. A copy of the staging plan is included as Attachment 4.
- 6.8 Overall the proposed use is considered appropriate to the site and merits Council's approval.