



City of **HOBART**

## APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report:	Committee
Council:	23 April 2018
Expiry Date:	23 April 2018
Application No:	PLN-17-12
Address:	46 FEDERAL STREET , NORTH HOBART
Applicant:	JEFFREY ALLAN DAVIS 46 FEDERAL STREET
Proposal:	Alterations, Extension and Change of Use to Multiple Dwelling
Representations:	Five (5)
Performance criteria:	Inner Residential Zone Development Standards and Parking and Access Code

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### 1. Executive Summary

- 1.1 Planning approval is sought for Alterations, Extension and Change of Use to Multiple Dwelling.
- 1.2 The proposal is for the conversion of an existing 72m<sup>2</sup> garage to a dwelling that is located on the Feltham Street frontage of the site at 46 Federal Street. The proposed alterations to the garage to create the 87m<sup>2</sup> dwelling will include reducing the existing walls to a height of 3m and a non-symmetrical gable roof form with flattened peak. The dwelling will contain a living area on the ground level with direct access to a 12m<sup>2</sup> courtyard. Two bedrooms and a bathroom will be contained entirely within the roof space above. There are to be two partially covered car parking spaces, providing one for each dwelling. The parking area will adjoin a corridor that will facilitate access to the proposed dwelling and the existing dwelling. The extension will feature a 'Colorbond' roof rising from the existing blockwork walls on the boundary, with the ends of the building to be clad in compressed sheet cladding with the inclusion of windows and doors.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
  - 1.3.1 Inner Residential Zone Development Standards - Density, Building Envelope and Private Open Space
  - 1.3.2 Parking and Access Code - Number of Car Parking Spaces

- 1.4 Five (5) representations objecting to the proposal were received within the statutory advertising period between 4 October and the 18 October 2017.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council.

## 2. Site Detail

- 2.1 The narrow 286m<sup>2</sup> dual frontage site contains an existing dwelling fronting Federal Street with a garage fronting Feltham Street. The inner city area contains a diverse mix of small residential properties and commercial businesses featuring larger industrial type buildings. The site is not subject to any heritage controls imposed by the Hobart Interim Planning Scheme 2015 or by Heritage Tasmania.



Figure 1: GIS Map Image 1:2000.



Figure 2: GIS Map Image 1:500.



Figure 3: Federal Street frontage (central building).





Figure 4: Feltham Street frontage with the existing garage proposed to be converted into a dwelling.



Figure 5: Looking north west towards site and the existing red brick building of 51 Feltham Street.



Figure 6: Subject site (left) and rear of 44 Federal Street.



Figure 7: Looking north east down Feltham Street from site.

### 3. Proposal

- 3.1 Planning approval is sought for Alterations, Extension and Change of Use to Multiple Dwelling.



3.2 The proposal is for the conversion of an existing 72m<sup>2</sup> garage to a dwelling that is located on the Feltham Street frontage of the site at 46 Federal Street. The proposed alterations to the garage to create the 87m<sup>2</sup> dwelling will include reducing the existing walls to a height of 3m and a non-symmetrical gable roof form with flattened peak. The dwelling will contain a living area on the ground level with direct access to a 12m<sup>2</sup> courtyard. Two bedrooms and a bathroom will be contained entirely within the roof space above. There are to be two partially covered car parking spaces, providing one for each dwelling. The parking area will adjoin a corridor that will facilitate access to the proposed dwelling and the existing dwelling. The extension will feature a 'Colorbond' roof rising from the existing blockwork walls on the boundary, with the ends of the building to be clad in compressed sheet cladding with the inclusion of windows and doors.

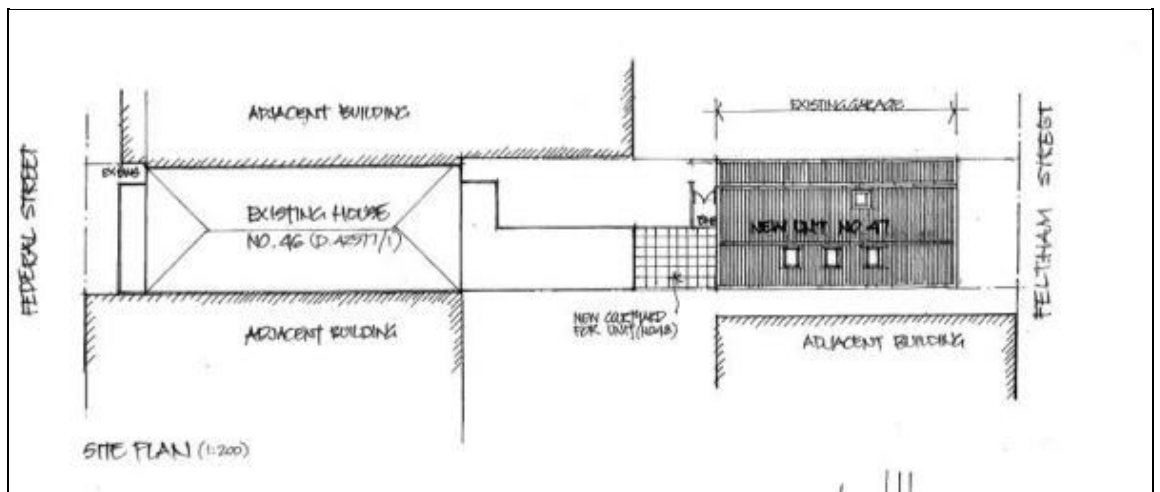


Figure 8: Proposed Site Plan

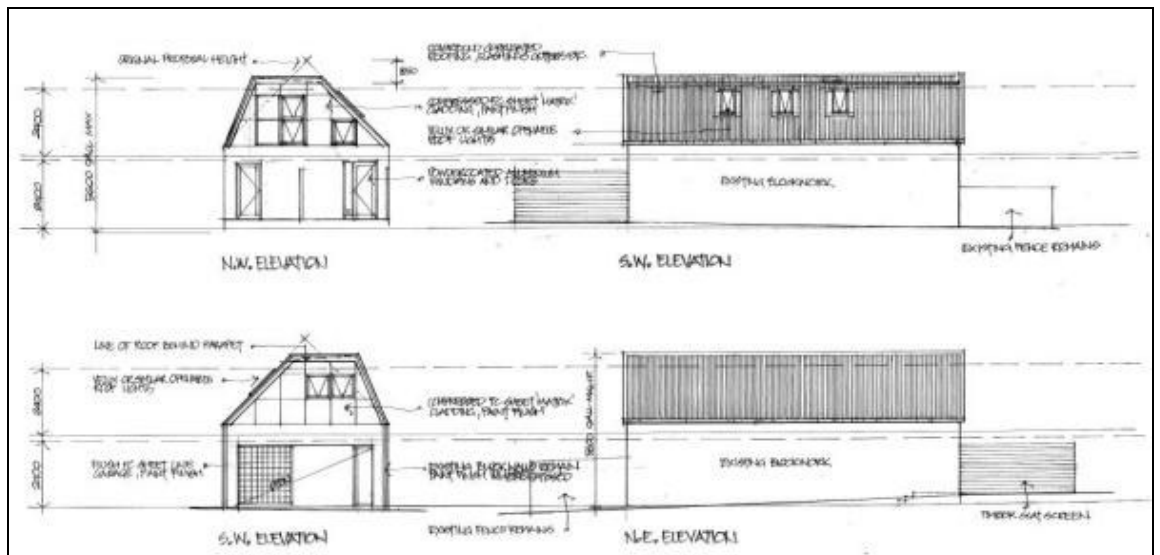


Figure 9: Proposed Elevations

#### 4. Background

4.1 The original proposed design for the dwelling featured the extension of the existing garage structure to the front boundary as shown in the images below. The original proposed design received two representations when advertised in April 2017.

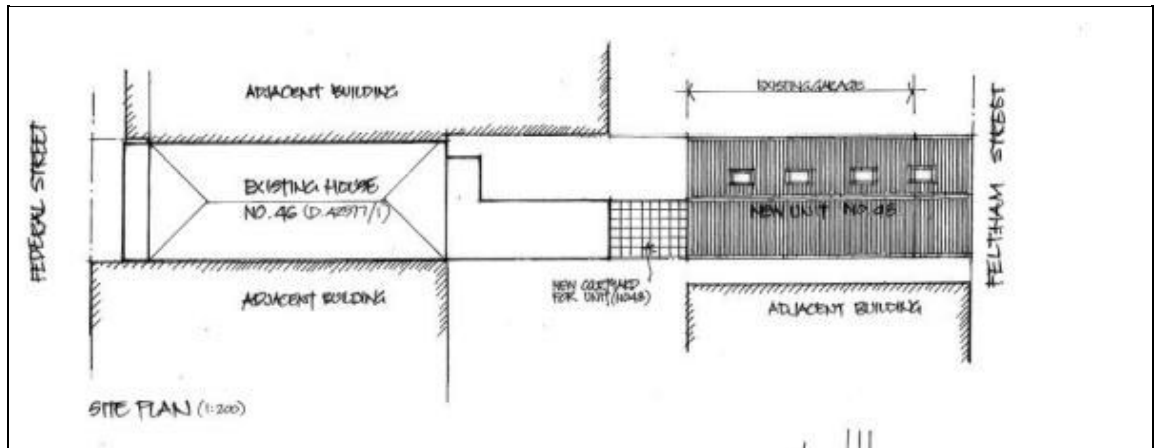


Figure 10: Original Proposed Site Plan.

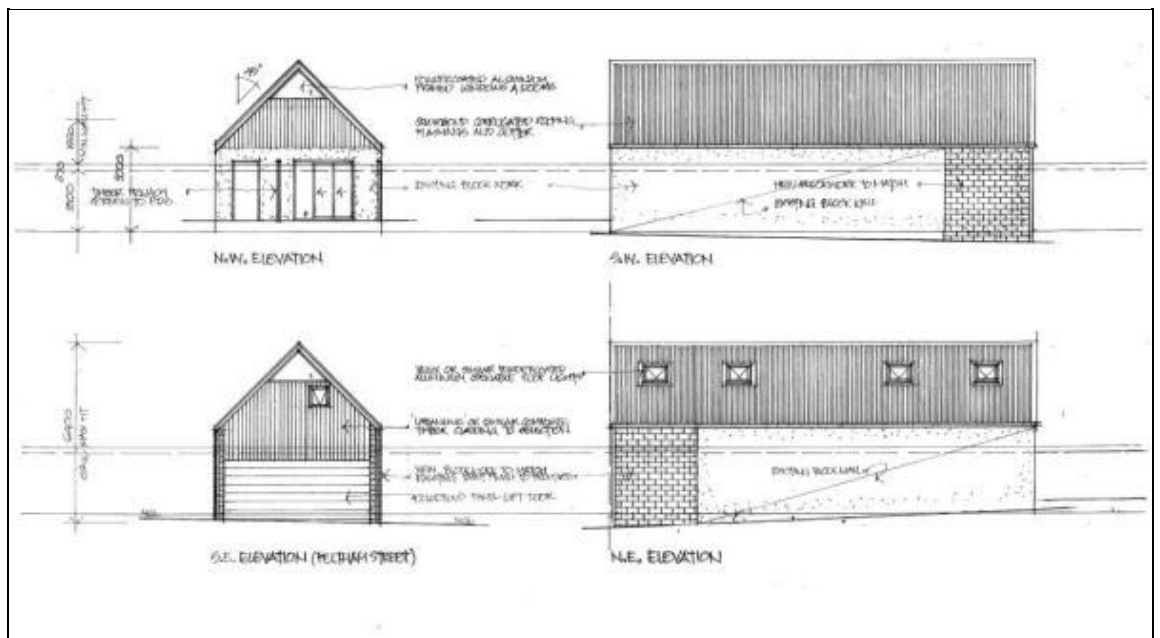


Figure 11: Original Proposed Elevations.

4.2 Council officers raised concerns with the applicant about the impact of the section of the proposed building extending towards the street on the sunlight into the window of the adjoining building at 51 Feltham Street (refer images 4 and 5 above). The applicant was informed that the original proposed design would not be supported by officers.

In response to officer concerns, the applicant submitted an amended design that proposed that the dwelling be contained within the existing footprint of the garage building. The existing garage walls would also be lowered from the 3.3m maximum height to 3m and the roof form altered to remove the peak of the gable allowing greater light penetration to the adjoining property beyond that of the permitted envelope. To allow for habitable space in the roof, the angle of the north eastern side was increased to 67.5 degrees. The amended design is shown below:

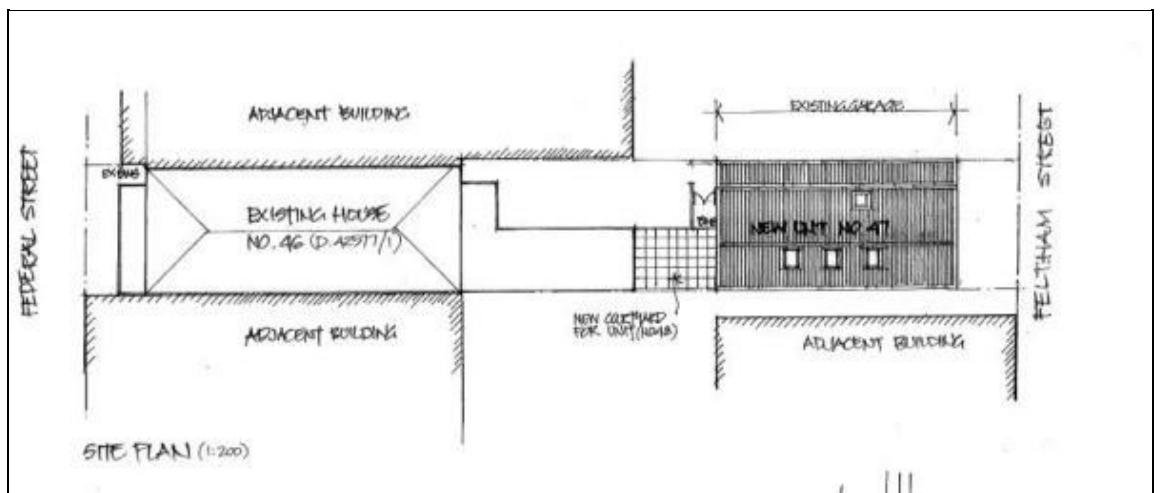


Figure 12: Amended design site plan.

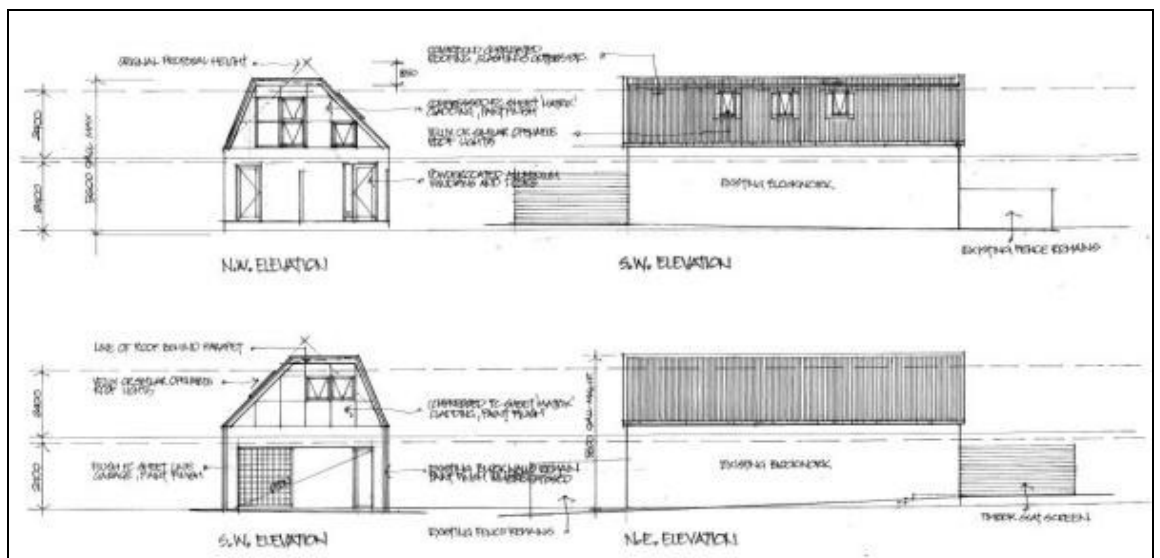


Figure 13: Amended design elevations.

4.3 The amended design was re-advertised in October 2017 and received five (5) objections. The amended design is considered supportable in respect of the planning scheme requirements (refer to assessment below). In an effort to address additional concerns raised by representors, the applicant has offered further amendments to the proposal and provided the following statement:

- *The windows from the upstairs hallway and staircase on the NW elevation will be opaque so as to improve privacy for 48 Federal Street and the existing dwelling on 46 Federal Street.*
- *The proposed roof pitch has been lowered by 5 degrees to 62.5deg on the Northern side. The roof line remains at 850 mm under the maximum height as defined by the building envelope.*
- *The specification for the roof material has been changed to "Matte Colorbond" so that glare can be minimized for surrounding properties.*

The above additional amendments can be required by conditions on the permit. The proposed additional amendment to the roof angle is shown below.



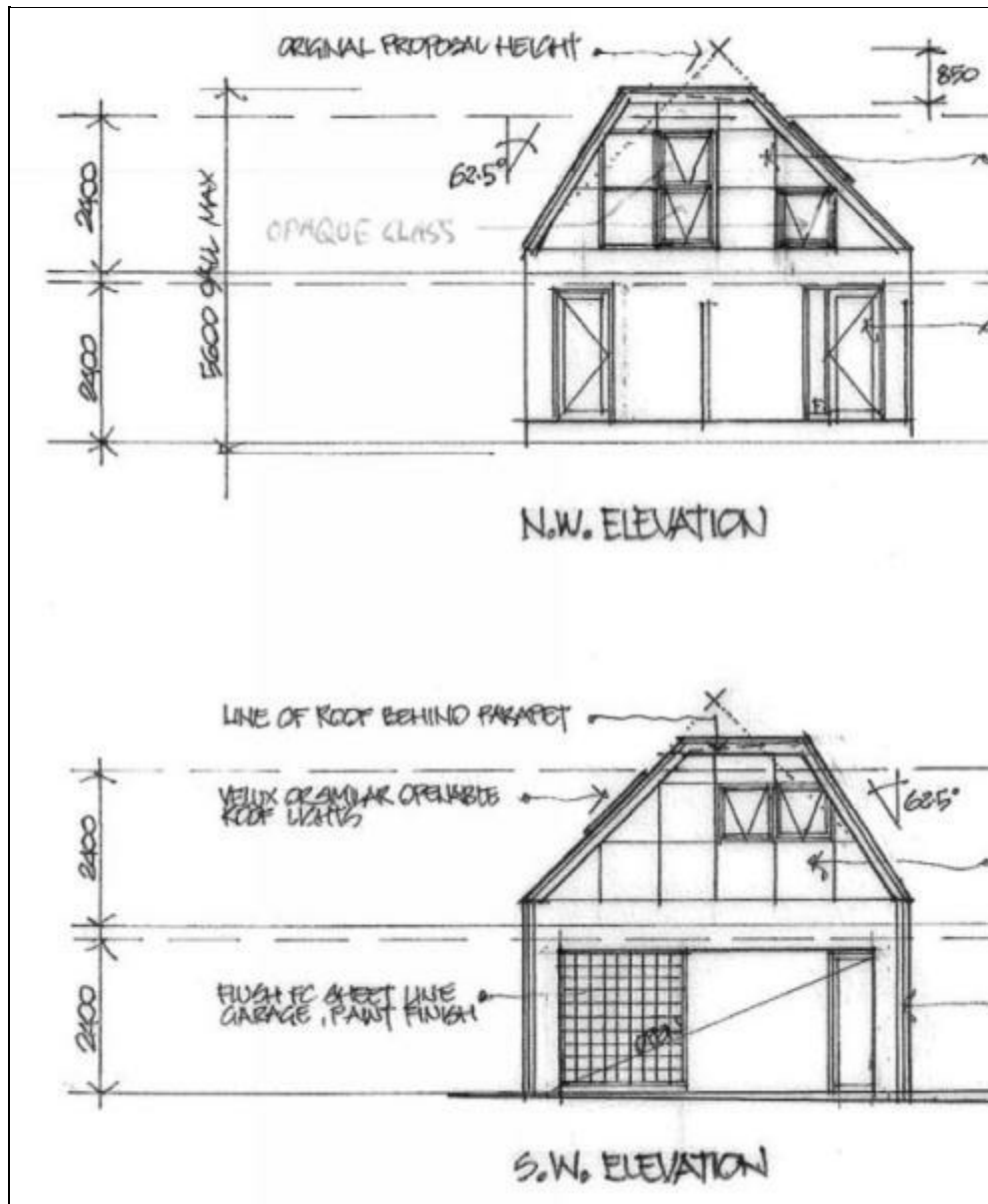


Figure 14: Amended roof angle offered by the applicant and to be required by condition.

- 4.4 It should also be noted that the applicant was going to be away when the application was originally to be determined by Council, and therefore an extension of time was granted to allow it to be determined at a later date.

## 5. Concerns raised by representors

- 5.1 Five (5) representations objecting to the proposal were received within the statutory advertising period between 4 October and the 18 October 2018.

5.2 The following table outlines the concerns raised in the representations received. Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

Out of scale in relation to the plot.
Insufficient off street parking.
Shading of adjacent property.
Overshadowing of windows impacting on light into the living areas.
"The street boasts some well restored houses from the early 1900s and the historic nature of the streetscape should be respected."
Feltham Street parking is already difficult without adding greater density to the area.
Overshadowing of outdoor area.
"The proposed development does not comply with the Acceptable Solution for residential density standards for multiple dwellings. The development is not considered to provide for specific accommodation needs. The existing single dwelling occupies almost half of the lot, and as demonstrated in respect to variations of site coverage and open space, the scale and configuration of the development does not result in dwellings that are appropriate to the locality. Furthermore the extent of development diminishes the ability for the dwellings to be consistent with the purpose of the zone of providing a high standard of residential amenity."
"While the proposal has been altered so that it occupies the existing footprint of the garage, the additional height has the potential to overshadow the windows of the neighbouring property. The extent of development that is already directly on the south west boundary is already substantially greater than the permitted standards, to increase this would exacerbate the impacts on the neighbouring properties, through overshadowing, scale, and bulk."
"The loss of solar access to the private open space as a result of the proposed scale of the extension."

<p>“The new dwelling does not have an area of open space that complies with the minimum requirement. ....the site does not have convenient access to public open spaces within close proximity, does not provide for the recreational needs of the residents, and does not provide sufficient opportunity for gardening and landscaping. The additional dwelling compromises the already very small area of open space for the existing dwelling, and does not provide satisfactory open space for the proposed dwelling.”</p>
<p>“There is insufficient information to determine whether the proposed upper floor results in a loss of privacy to meet with the permitted privacy provisions of 11.4.6 A2. It is clear that it would be unable to meet with the Performance Criteria as the first floor rooms will have direct views into neighbouring yards without any screening.”</p>
<p>“The proposal does not comply with the required number of on-site car parking spaces as per the Parking and Access Code E6.6.1.”</p>
<p>“Alterations to the building plans have resulted in an increased variation to the shortfall in parking, it has also resulted in a further variation to the planning scheme for E6.7.12 Siting of Car Parking. The changes to the Feltham Street frontage of the building does not satisfy the performance criteria for parking in front of the building line.”</p>
<p>“Neither the site or neighbouring buildings are listed in the Historic Heritage Code, and it is not within a heritage precinct, however the qualities of the older buildings in the area contribute to the character of the area.”</p>
<p>The bulk, proportion and dominant visual impact of the amended proposal as a result of the 67.5 angle of the roof.</p>
<p>The existing block wall is already significantly large.</p>
<p>The proposed additional height and pitch of the roof structure would be completely out of proportion and obliterate skyline.</p>
<p>The non-symmetrical design of the roof is out of character with surrounding roof lines.</p>
<p>It will devalue property.</p>
<p>Sun reflection and heat radiating off the 67.5 degree pitch roof.</p>
<p>Additional planting will be required of trees of a greater height to hide the proposal.</p>

The lowering of the wall will not counteract the height and pitch of the roof.
Other structures such as panels, aerals or sides could be added to the roof at a later date adding to the visual impact.
Despite being a non-habitable space, there could be privacy impacts from the upper window from someone descending the stairs.
The design should be kept within the building envelope.
There should be an appropriate set back from the boundary at the 3m level. This could allow materials other than Colorbond to be incorporated into the construction.
Consideration should be given to the use of matte Colorbond to minimise reflection and the upper level window on the north-western elevation be an opaque material.

## 6. Assessment

- 6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.
- 6.2 The site is located within the Inner Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The proposed use (Multiple Dwelling) is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
- 6.4.1 Part D - 11 Inner Residential Zone
  - 6.4.2 E6.0 Parking and Access Code
  - 6.4.3 E7.0 Stormwater Management Code
- 6.5 The proposal relies on the following performance criteria to comply with the applicable standards:



- 6.5.1 Residential Density for Multiple Dwellings - Part D 11.4.1 P1
- 6.5.2 Setbacks and Building Envelope - Part D 11.4.2 P3
- 6.5.3 Site Coverage and Private Open Space - Part D 11.4.3 P1 and P2
- 6.5.4 Number of Car Parking Spaces - Part E6.6.1 P1 Number of Car Parking Spaces
- 6.6 Each performance criterion is assessed below.
- 6.7 Residential Density for Multiple Dwellings Part D 11.4.1 P1
  - 6.7.1 The acceptable solution at clause Part D 11.4.1 A1 requires a site area per dwelling of not less than 200m<sup>2</sup>.
  - 6.7.2 The site has an area of 286m<sup>2</sup> and the proposal will result in a density of two dwellings for the site.
  - 6.7.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.7.4 The performance criterion at clause Part D 11.4.1 P1 (a) provides as follows:

*Site area per dwelling may be less than 200m<sup>2</sup> if any of the following applies:*

    - (i) the development contributes to a range of dwelling types and sizes appropriate to the locality;*
    - (ii) the development provides for a specific accommodation need, such as aged care, special needs or student accommodation;*
  - 6.7.5 The additional dwelling on the site is to be achieved by utilising the existing garage building to create a small dwelling without increasing the footprint of buildings on the site. The use of an unnecessarily large garage structure on the site for an additional dwelling presents an innovative solution to providing additional housing in this higher density inner residential area. The site is within walking distance to services, schools, shops, cafés and restaurants and has convenient access to public transport.

The proposed site area per dwelling of 143m<sup>2</sup> is not inconsistent with the area, with many sites in close proximity to the property such as 35-37 Feltham Street, 33 Feltham and 10 Worley Street, presenting comparable densities. In the broader context, the area between Argyle and Letitia Streets contains a large number of higher density properties. The activation of the Feltham Street frontage of the property for residential use also reflects the dual property frontage character of the area.

The proposed increased density on the site associated with the additional dwelling is not out of character with the area and is considered to appropriately contribute to the range of dwelling types within the locality.

6.7.6 The proposal complies with the performance criterion.

## 6.8 Setback and Building Envelope Part D 11.4.2 P3

6.8.1 The acceptable solution at clause Part D 11.4.2 P3(a) requires buildings to be contained within a prescribed building envelope and under Part D 11.4.2 P3(b) to only have a setback within 1.5m of a side boundary if the buildings do not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).

6.8.2 The proposed roof section on the north eastern side of the dwelling is outside the envelope due to its 67.5 degree angle. Also, due to site containing existing buildings within 1.5m of the side boundary, the proposed new roof sections of the dwelling that are within 1.5m of the side boundary are cumulatively in excess of a total length of 9m.

6.8.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.8.4 The performance criterion at clause Part D 11.4.2 P3 provides as follows:

*The siting and scale of a dwelling must:*

*(a) not cause unreasonable loss of amenity by:*

*(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*

*(ii) overshadowing the private open space of a dwelling on an adjoining lot; or*

*(iii) overshadowing of an adjoining vacant lot; or*

*(iv) visual impacts caused by the apparent scale, bulk or proportions of*

the dwelling when viewed from an adjoining lot; and

(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

6.8.5 There are two aspects to the proposed building envelope discretion - the section of the proposed roof that is within 1.5m of the boundary and the part of the top section of the gable roof that exceeds the prescribed building envelope's 45 degree angle. The image below is indicative of how the prescribed building envelope and the 1.5m setback apply to the building:

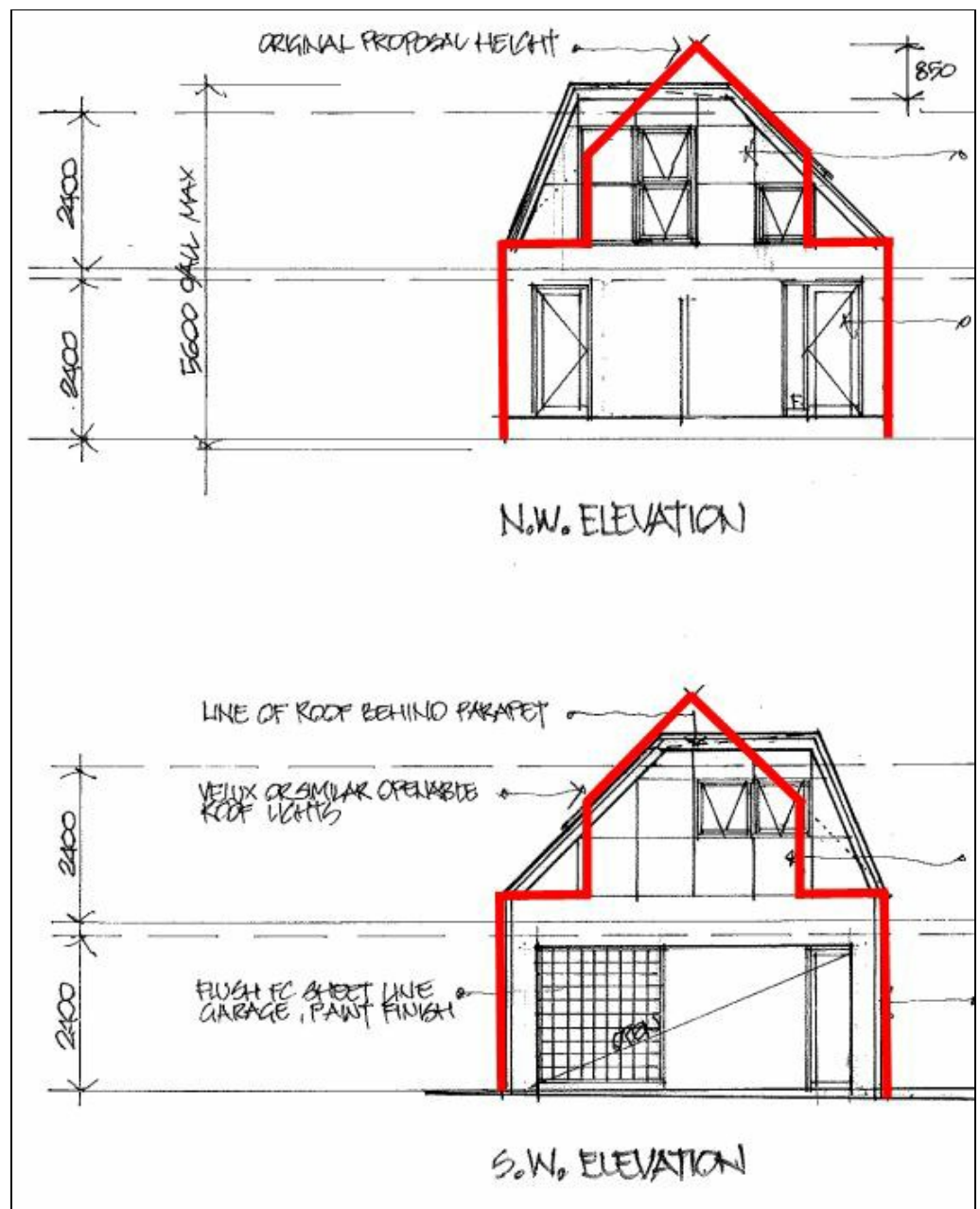


Figure 15: The red line is an indicative representation of the applicable permitted building envelope. Note that up to 3m on each side boundary,

the building is existing. The step at 3m height is the 1.5m side boundary setback requirement (clause 11.4.2 P3(b)). The remaining angled portion of the red line represents the 45 degree component of the prescribed building envelope (11.4.2 P3(a)).

Firstly, the triangle sections created by the 1.5m setback requirement have no tangible impact in terms of shadowing of the property to the south-west at 51 Feltham Street, as they are inset from the upper section of the roof, which is within the envelope. The removal of the gable peak (although within the permitted building envelope) and the lowering to 3m of the existing blockwork walls on the boundary will allow improved solar access. In terms of the visual impact created by these sections of the roof, the proposal will present an improved outcome due to the lowering of the blockwork wall on the boundary, which is currently at the same approximate height as the top of the windows, as seen in the image below:



Figure 16: Existing garage adjoining 51 Feltham Street.

In respect of the encroachment of the roof on the north eastern side, the



applicant has offered a reduced angle of 62.5 degrees which is illustrated below:

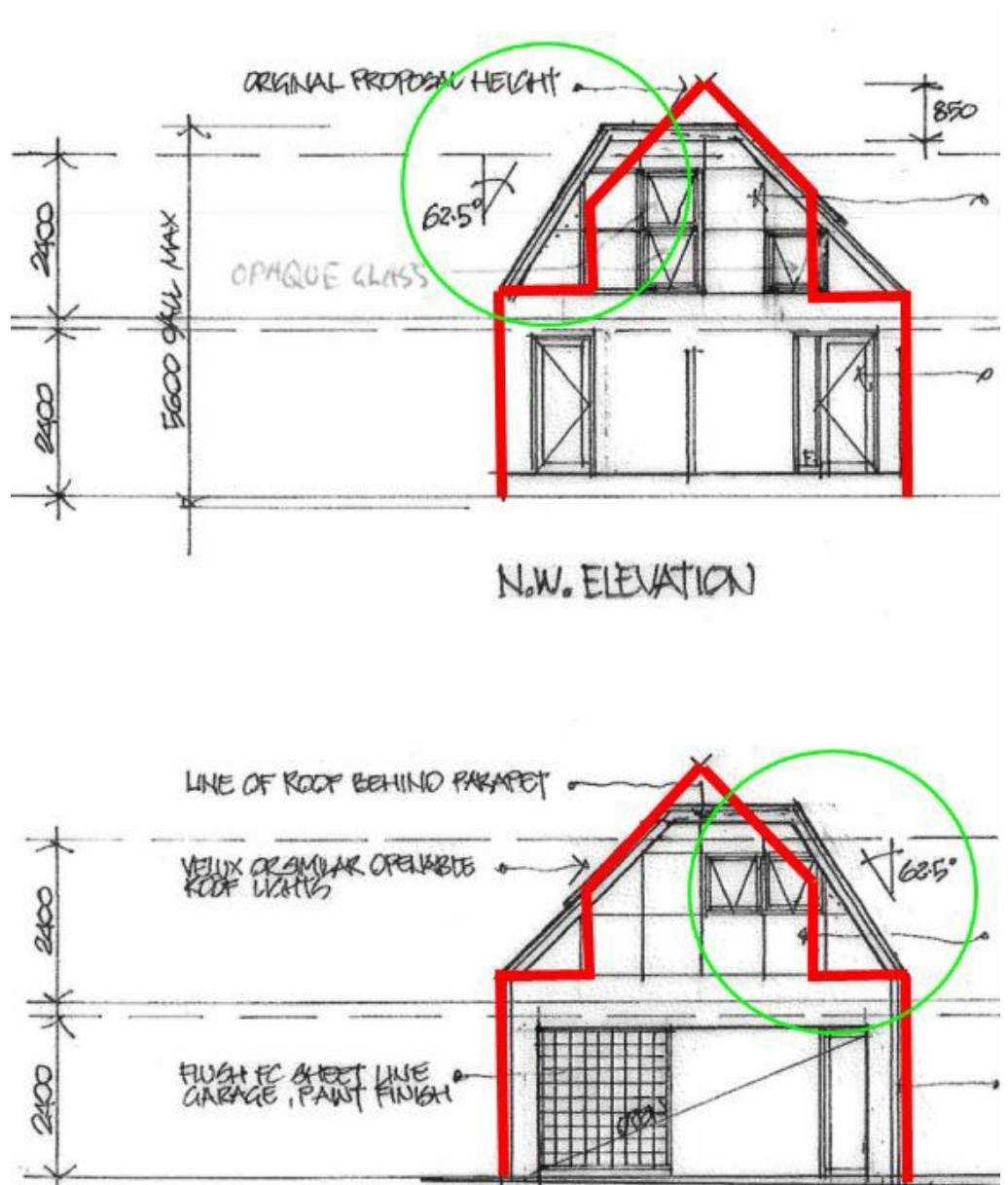


Figure 17: Proposed reduced roof angle by applicant

The proposed reduced roof angle leaves a very narrow sliver of roof outside the envelope and the 1.5m inset triangle sections as demonstrated in Figure 15 above. Irrespective of the encroachments, the majority of the adjoining property at 44 Federal Street is to the north and east of the subject site. Only the late afternoon sun to the rear of this neighbour will be affected, which is already affected by the existing garage wall, and in addition this impact is largely onto the neighbour's parking area. The minor variance of the angle of the roof from the permitted 45 degrees to 62.5 degrees (17.5 degrees) will only result in a brief additional impact to this area before the sun moves behind the

building. The encroachments are not considered to have an unreasonable impact in respect of overshadowing of the adjoining property.

A large part of the area of 44 Federal Street that adjoins the existing garage building is car parking area with medium sized trees as shown in the image below:



Figure 18: Rear of 44 Federal Street

Beyond the area shown above is a courtyard at the rear of the house. The new roof area above the garage will obviously introduce a new highly visible structure viewable from the rear of 44 Federal Street. However, consideration is limited to the potential visual impacts caused by the apparent scale, bulk or proportions of the sections of the roof outside the prescribed building envelope. The most relevant view in terms of potential visual impact from the adjoining property is that from the rear courtyard towards the building, which only adjoins part of the space. The roof by its very nature is angling away from the neighbour's property. At the proposed reduced angle of 62.5 degrees, which could be required by condition on the permit, the narrow section of roof outside the envelope would have a minimal perceivable additional impact in terms of the

apparent scale and bulk of the structure. The reduction in the height of the existing block wall on the boundary down to 3m will also provide additional relief from the intrusiveness of the wall.

6.8.6 The proposal complies with the performance criterion.

## 6.9 Site Coverage and Private Open Space Part D 11.4.3 P1 and P2

6.9.1 The acceptable solution at clause Part D 11.4.3 A1 and A2 requires an area of 50m<sup>2</sup> per dwelling and 24m<sup>2</sup> of directly accessible space.

6.9.2 The existing site has a total of approximately 50m<sup>2</sup> of private open space with 38m<sup>2</sup> to be retained for the existing dwelling and a 12m<sup>2</sup> courtyard to be created for the proposed dwelling.

6.9.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

6.9.4 The performance criterion at clause Part D 11.4.3 P1 and P2 provides as follows:

P1

*Dwellings must have:*

*(a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate:*

*(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and*

*(ii) operational needs, such as clothes drying and storage;*

*unless the projected requirements of the occupants are considered to be satisfied by public open space in close proximity; and*

*(b) reasonable space for the planting of gardens and landscaping.*

P2

*A dwelling must have private open space that:*

*(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play that is:*

- (i) conveniently located in relation to a living area of the dwelling; and*
- (ii) orientated to take advantage of sunlight;*

*unless the projected requirements of the occupants are considered to be satisfied by communal open space or public open space in close proximity.*

- 6.9.5 The existing open space and usable area of the site is not being reduced by the proposal, but will be delineated for use between the dwellings. A small courtyard area of 12m<sup>2</sup> to the rear of the existing dwelling is to be allocated to the proposed dwelling. A directly accessed 38m<sup>2</sup> long strip of land will be retained for the use of the existing dwelling. The removal of the area to the rear of the existing dwelling will still allow adequate private open space area with little reduction in the amenity of the occupants of the existing dwelling. The courtyard provided for the proposed dwelling is to be directly accessed from the living area with good solar access.

There is no avoiding the fact that the site has limited private open space site however the proposal does not seek to reduce this to achieve the additional dwelling. The separation of the space is logical and creates spaces that are useable and private through use of screening. The dwellings are small in size, as is the land area, and the private open spaces are reflective of this. When also taking into account the inner city location and the existence of public open space (Soundy Park) within 500m walking distance, the private open spaces are considered to meet the performance criteria.

- 6.9.6 The proposal complies with with the performance criterion.

#### 6.10 Parking and Access Code – Part E6.6.1 P1 Number of Car Parking Spaces

- 6.10.1 The acceptable solution at clause Part E6.6.1 P1 requires two car parking spaces per dwelling.
- 6.10.2 The proposal includes one car parking spaces per dwelling.
- 6.10.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.10.4 The performance criterion at clause Part E6.6.1 P1 provides as follows:

*The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:*

- (a) car parking demand;*
- (b) the availability of on-street and public car parking in the locality;*
- (c) the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) the availability and likely use of other modes of transport;*
- (e) the availability and suitability of alternative arrangements for car parking provision;*
- (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) any car parking deficiency or surplus associated with the existing use of the land;*
- (h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) any relevant parking plan for the area adopted by Council;*
- (l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.*

6.10.5 The site does not have the capacity to provide for more than that two car parking spaces on site and it is proposed that one space be allocated to each dwelling. The surrounding area in Feltham Street is largely short term parking and restricted parking zones with residential permit parking. This also applies to Federal Street however there is much greater availability of unrestricted parking outside of business hours. Due to the nature of the housing in the area, prospective residents should be aware of the limitations of parking in the area, with many dwellings having no off street parking. This aside, one car parking space for a small dwelling in an inner city location within close proximity to public transport and services is considered acceptable.

6.10.6 The proposal complies with the performance criterion.

## 7. Discussion

7.1 Planning approval is sought for Alterations, Extension and Change of Use to Multiple Dwelling at 46 Federal Street.

7.2 The application was advertised and received five (5) objections. The objections raised concerns largely relating to potential impacts from the proposed roof extension in respect of overshadowing, with visual impact also raised. The suitability of the proposed density, scale relative to the site, non-compliant private open space, overlooking from the upper level window and impact on the existing parking in the area were the other key issues of concern raised in the objections.

In terms of overshadowing, the only relevant section of the building that it is outside the prescribed building envelope is the narrow sliver of the gable on the north-eastern side which is proposed to be reduced by a further five degrees by the applicant. The potential impact from this section of the proposal compared to the prescribed building envelope would be negligible, particularly due to the site being to the south and west of the relevant neighbour.

The windows in the 51 Feltham Street property, with the exception of the first one from the street, are already adjoining the block work wall on the subject site, which extends to the top of the windows. At the existing proximity, the lowering of the wall and the 45 degree angle of the roof is likely to improve light levels into these windows.

The impact on the rear area of 51 Feltham Street and 48 Federal Street would be limited to early morning sun and would also be brief. However, that aside, the height of the roof has been lowered below the permitted height and is also not extending beyond the existing garage's footprint.

The proposed upper level windows comply in respect of privacy, however the applicant has offered to make the northwest-facing glass opaque to protect privacy. This will be required by condition on the permit; however the reference will be changed to translucent as this will protect privacy while still allowing light through which was the intent.

The visual impact in respect of the proposed discretions is also assessed as acceptable subject to the reduced roof angle offered by the applicant. The offering of matte Colorbond as a material for the roof should also assist with the representors' concerns.

Clause 6.7.12 relating to siting of car parking was raised in a representation and refers to parking in front of the building line. The reference to parking also includes

garages or covered parking areas and as there is already existing parking in this location, the proposal is not considered to invoke any discretion in this regard. The proposal will also improve the presentation to the street.

In addition to the above, the proposed density, private open space and car parking discretions are assessed as meeting the relevant performance criteria.

- 7.3 The proposal has been assessed against the relevant provisions of the planning scheme and, subject to conditions, is considered to meet the performance criteria that relate to its discretions in respect of density, building envelope, private open space and car parking.

The proposal presents an innovative use of a large garage structure on the site to create an additional dwelling within an appropriate inner city location. The evolution of the proposal from the original proposed design to the amended design and with the further concessions offered by the applicant, now presents a considered development that seeks to minimise its impact on adjoining properties. The additional concessions offered by the applicant include translucent glazing in the upper level windows of the north-west elevation to prevent overlooking, the use of matte Colorbond as the roof material to limit reflection and reduction in the roof pitch to by five degrees to 62.5 degrees on the north eastern side to reduce visual impact.

- 7.4 The proposal has been assessed by other Council officers, including the Council's Development Engineer. The officers have raised no objection to the proposal, subject to conditions.

- 7.5 The proposal is recommended for approval.

## **8. Conclusion**

- 8.1 The proposed Alterations, Extension and Change of Use to Multiple Dwelling at 46 Federal Street, North Hobart satisfies the relevant provisions of the *Hobart Interim Planning Scheme 2015*, and as such is recommended for approval.



## 9. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Alterations, Extension and Change of Use to Multiple Dwelling at 46 Federal Street, North Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

### **GEN**

**The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-17-12 - 46 FEDERAL STREET NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.**

Reason for condition

To clarify the scope of the permit.

### **PLN s1**

**The angle of the north-eastern side of the proposed roof must be reduced 62.5 degrees.**

**Revised drawings must be submitted and approved prior to the issuing of any consent under the *Building Act 2016*, demonstrating compliance with the above requirement.**

**All work required by this condition must be undertaken in accordance with the approved revised drawings.**

Reason for condition

In the interest of amenity.

### **PLN s2**

**The roof cladding must be of a matte finish.**

**Revised drawings must be submitted and approved prior to the issuing of any consent under the *Building Act 2016*, demonstrating compliance with the above requirement.**

**All work required by this condition must be undertaken in accordance with the approved revised drawings.**

Reason for condition

In the interest of amenity.

#### **PLN s4**

**The upper level windows in the north-western elevation must be translucent.**

**Revised drawings must be submitted and approved prior to the issuing of any consent under the *Building Act 2016*, demonstrating compliance with the above requirement.**

**All work required by this condition must be undertaken in accordance with the approved revised drawings.**

Reason for condition

In the interest of amenity.

#### **ENG sw6**

**All stormwater from the proposed development (including hardstand runoff) must be discharged to the Council's stormwater infrastructure with sufficient receiving capacity prior to first occupation. All costs associated with works required by this condition must be met by the owner.**

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet.

#### **ENG 4**

**The driveway and car parking area approved by this permit must be constructed to a sealed standard and surface drained prior to the commencement of use.**

Reason for condition

To ensure safe access is provided for the use.

## **ENG 11**

**Prior to the commencement of the use, the proposed alteration to the crossover on the Feltham Street highway reservation must be constructed in general accordance with Tasmanian Standard Drawing Urban - TSD-R09-v1 – Urban Roads Driveways and TSD R14-v1 Type KC vehicular crossing.**

Reason for condition

In the interests of vehicle user safety and the amenity of the development.

## **ENG 1**

**The cost of repair of any damage to the Council infrastructure resulting from the implementation of this permit, must be met by the owners within 30 days of the completion of the development or as otherwise determined by the Council.**

**A photographic record of the Council infrastructure adjacent to the subject site must be provided to the Council prior to any commencement of works.**

**A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips, including if any, pre existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council infrastructure found on completion of works will be deemed to be the responsibility of the owner.**

Reason for condition

To ensure that any of the Council infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

## **ENV 1**

**Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to any disturbance of the site. Sediment controls must be maintained until all areas of disturbance have been stabilized or re-vegetated.**

*Advice: For further guidance in preparing a Soil and Water Management Plan – in accordance with Fact sheet 3 Derwent Estuary Program click [here](#).*

#### Reason for condition

To avoid the sedimentation of roads, drains, natural watercourses, Council land that could be caused by erosion and runoff from the development, and to comply with relevant State legislation.

#### **ADVICE**

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's [website](#) for further information.

Prior to any commencement of work on the site or commencement of use the following additional permits/approval may be required from the Hobart City Council.

#### **BUILDING PERMIT**

Building permit in accordance with the *Building Act 2016*. Click [here](#) for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

#### **PLUMBING PERMIT**

Plumbing permit in accordance with the *Building Act 2016, Building Regulations 2016* and the National Construction Code. Click [here](#) for more information.

#### **OCCUPATION OF THE PUBLIC HIGHWAY**

Permit for the occupation of the public highway for construction or special event (e.g. placement of skip bin, crane, scissor lift etc). Click [here](#) for more information.

Road closure permits for construction or special event. Click [here](#) for more information.

Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click [here](#) for more information.

## **STORM WATER**

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Hydraulic Services By law. Click [here](#) for more information.

## **WORK WITHIN THE HIGHWAY RESERVATION**

Please note development must be in accordance with the Hobart City Council's Highways By law. Click [here](#) for more information.

## **DRIVEWAY SURFACING OVER HIGHWAY RESERVATION**

If a coloured or textured surface is used for the driveway access within the Highway Reservation, the Council or other service provider will not match this on any reinstatement of the driveway access within the Highway Reservation required in the future.

## **ACCESS**

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click [here](#) for more information.

## **CROSS OVER CONSTRUCTION**

The construction of the crossover can be undertaken by the Council or by a private contractor, subject to Council approval of the design. Click [here](#) for more information.

## **WORK PLACE HEALTH AND SAFETY**

Appropriate occupational health and safety measures must be employed during the works to minimise direct human exposure to potentially-contaminated soil, water, dust and vapours. Click [here](#) for more information.

## **NOISE REGULATIONS**

Click [here](#) for information with respect to noise nuisances in residential areas.

## **WASTE DISPOSAL**

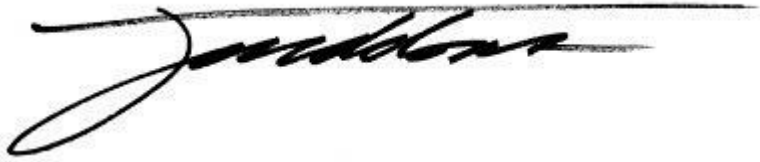
Click [here](#) for information regarding waste disposal.

## **FEES AND CHARGES**

Click [here](#) for information on the Council's fees and charges.


## **DIAL BEFORE YOU DIG**

Click [here](#) for dial before you dig information.



(Tristan Widdowson)

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



(Ben Ikin)

**Senior Statutory Planner**

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*

Date of Report: 9 April 2018

**Attachment(s):**

Attachment B - CPC Agenda Documents