



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 20 DECEMBER 2018
1.00pm**

City of Launceston

COUNCIL AGENDA

Thursday 20 December 2018

Notice is hereby given that the Ordinary Meeting of the City of Launceston Council will be held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 20 December 2018

Time: 1.00pm

Section 65 Certificate of Qualified Advice

Background

Section 65 of the *Local Government Act 1993* requires the General Manager to certify that any advice, information or recommendation given to Council is provided by a person with appropriate qualifications or experience.

Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the Agenda Items for this Meeting.



Michael Stretton
General Manager

10 December 2018

Mr Michael Stretton
General Manager
City of Launceston
PO Box 396
LAUNCESTON TAS 7250

Dear Michael

COUNCIL MEETING

In accordance with regulation 4 of the *Local Government (Meeting Regulations) 2015* which states:

4. *Convening meeting of council*
 - (1) *The mayor of a council may convene council meeting.*

I request that you make the necessary arrangements for the next Ordinary Meeting of Council to be convened on Monday, 20 December 2018 commencing at 1.00pm in the City of Launceston Council Chambers, Town Hall, St John Street, Launceston.

Yours sincerely



Councillor A M van Zetten
MAYOR

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2 DECLARATIONS OF INTEREST

Local Government Act 1993 - section 48

(A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.)

3 CONFIRMATION OF MINUTES

Local Government (Meeting Procedures) Regulations 2015 - Regulation 35(1)(b)

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 6 December 2018 be confirmed as a true and correct record.

4 DEPUTATIONS

No Deputations have been identified as part of this Agenda

5 PETITIONS

Local Government Act 1993 - sections 57 and 58

No Petitions have been identified as part of this Agenda

6 COMMUNITY REPORTS

(Community Reports allow an opportunity for Community Groups to provide Council with a three minute verbal presentation detailing activities of the group. This report is not intended to be used as the time to speak on Agenda Items; that opportunity exists when that Agenda Item is about to be considered. Speakers are not to request funding or ask questions of Council. Printed documentation may be left for Aldermen.)

**6.1 Ms Denise Delphin - Northern Suburbs Community Centre Inc.
Opening of Men and Community Shed and Community Christmas Carols****7 PUBLIC QUESTION TIME**

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 Public Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(1)

(Questions on Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting. Questions on Notice will be researched by Council Officers and both the Question on Notice (as received) and the response will be provided at the Council Meeting and a reply in writing will also be provided.)

No Public Questions on Notice have been identified as part of this Agenda

7.2 Public Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(2)(b)

(Members of the public who ask Questions Without Notice at a meeting will have both the question and any answer provided recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer cannot be provided at the Meeting, the question will be treated as a Question on Notice. A response will be provided at the next Council Meeting.)

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 8 - Planning Authority.

8 PLANNING AUTHORITY

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers

FILE NO: DA0614/2018

AUTHOR: Catherine Mainsbridge (Senior Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider and determine a development application pursuant to the *Land Use Planning and Approvals Act 1993*.

PLANNING APPLICATION INFORMATION:

Applicant:	Boxx Projects
Property:	2 Brougham Street, West Launceston
Zoning:	General Residential
Receipt Date:	26/10/2018
Validity Date:	6/11/2018
Further Information Request:	06/11/2018
Further Information Received:	08/11/2018
Deemed Approval:	20/12/2018
Representations:	Six

PREVIOUS COUNCIL CONSIDERATION:

DA0275/2018 - Residential - Construction of an additional dwelling

RECOMMENDATION:

In accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0614/2018 Residential - Construction of an additional dwelling and associated crossovers at 2 Brougham Street, Launceston subject to the following conditions:

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

1. ENDORSED PLANS & DOCUMENTS

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Manager City Development unless modified by a condition of the Permit:

- a. Cover page, Prepared by boxx projects, Project No.17004, Revision No. 4, Dated 1/11/2018.
- b. Site plan, Prepared by boxx projects, Project No.17004, Drawing A001, Revision No. 2, Scale 1:200@A3, Dated 1/11/2018.
- c. Ground floor plan, Prepared by boxx projects, Project No.17004, Drawing A002, Revision No. 2, Scale 1:100@A3, Dated 1/11/2018.
- d. First floor plan, Prepared by boxx projects, Project No.17004, Drawing A003, Revision No. 2, Scale 1:100@A3, Dated 1/11/2018.
- e. Site cut plan/open space diagram, Prepared by boxx projects, Project No.17004, Drawing A004, Revision No. 3, Scale 1:200@A3, Dated 1/11/2018.
- f. Existing house floor plan, Prepared by boxx projects, Project No.17004, Drawing A007, Revision No. 1, Scale 1:100@A3, Dated 1/11/2018.
- g. NE Elev/SE Elev, Prepared by boxx projects, Project No.17004, Drawing A101, Revision No. 2, Scale 1:100@A3, Dated 1/11/2018.
- h. NW Elev/SW Elev, Prepared by boxx projects, Project No.17004, Drawing A102, Revision No. 2, Scale 1:100@A3, Dated 1/11/2018.

2. CAR PARKING

Prior to the commencement of the use, areas set aside for parking vehicles and access must be constructed as shown on the endorsed plans. The spaces must be annotated with the numbers of the dwellings (two spaces for each dwelling).

3. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land except construction of access from the street.

4. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of:

7.00am to 6.00pm Monday to Friday

8.00am to 5.00pm Saturday

No works on Sunday or Public Holidays

5. TASWATER

The development must comply with the requirements of TasWater.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

6. SITE LANDSCAPING

The landscaping must be:

- (a) Installed in accordance with the endorsed plan; and
- (b) Completed prior to the use commencing/completed within three months of the use commencing; and
- (c) Maintained as part of non-residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

7. FENCING

Prior to the commencement of the use, all side and rear boundaries must be provided with a solid (ie. no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of:

- a. 1.2m within 4.5m of the frontage; and
- b. 1.8m - 2.1m elsewhere when measured from the highest finished level on either side of the common boundaries.

8. OVERLOOKING AND ACCESS TO SUNLIGHT

Plans lodged for building approval must show the following:

The upper level windows of the south western must be fixed with obscure glass or have a sill height of at least 1.7m above upper floor finished floor level to prevent overlooking to the adjoining property.

9. MULTIPLE DWELLINGS - SERVICE FACILITIES

Prior to the commencement of the use, the following site facilities for multiple dwellings must be installed:

- a. Mail receptacles must be provided and appropriately numbered for each dwelling unit.
- b. Each multiple dwelling must be provided with a minimum 6m³ exterior waterproof, lockable storage area or similar easily accessible area within the dwelling.
- c. Either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Council.

10. ON-SITE DETENTION (TASWATER ADVICE TO DRAINAGE AUTHORITY)

On-site detention storage must be provided to limit the peak rate of piped stormwater discharge and overland flows, from the site to that generated by the site at its current level of development for a 1 in 5 storm event of one hour duration. The volume of the detention structure must be the difference between the above discharge (pre-development) and the discharge from the site post development.

Prior to the commencement of works, the plans and calculations must be submitted to the Director Infrastructure Services for approval. On completion, an "as constructed" plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

11. DAMAGE TO COUNCIL INFRASTRUCTURE

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any bylaw or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

12. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of Technical Services is required prior to undertaking works where the works:

- (a) require a road or lane closure;
- (b) require occupation of the road reserve for more than one week at a particular location;
- (c) are in nominated high traffic locations; or
- (d) involve opening or breaking trafficable surfaces.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

13. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

14. VEHICULAR CROSSINGS

No new vehicular crossing shall be installed, or any existing crossing removed or altered (including but not limited to the alteration of the kerb and channel or the placement of additional concrete segments against the existing apron) without the prior approval of Technical Services.

An application for such work must be lodged electronically via the Council eServices web portal or on the approved hard copy form.

All redundant crossovers and driveways must be removed prior to the occupation of the development.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

All new works must be constructed to Council standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg. TasWater, Telstra and TasNetworks, etc). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

15. SOIL AND WATER MANAGEMENT PLAN

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

16. AMENITY - RESIDENTIAL

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

17. DEMOLITION

- Protect property and services to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary
- Remove all rubbish from the site for disposal at a licensed refuse disposal site
- Disposal of any asbestos found during demolition in accordance with Workplace Tasmania's 'Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (1998)]. Origin: Bldg Reg 26, 27, 27a & 28

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0614/2018. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 6323 3000.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

This permit takes effect after:

- a. *The 14 day appeal period expires; or*
- b. *Any appeal to the Resource Management and Planning Appeal Tribunal is withdrawn or determined; or*
- c. *Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. *Any other required approvals under this or any other Act are granted.*

This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

B. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquires as to whether the proposed development is affected, restricted or prohibited by any such covenant.

If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.

C. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.

A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.

For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au <<http://www.rmpat.tas.gov.au>>

Permit Commencement

If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

All plumbing work is to comply with the Building Act 2016 and the National Construction Code. Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.

D. Occupancy Permit Required for Changed Use

Prior to the occupation of the premises, in the case where building work is not required, the applicant is required to attain an Occupancy Permit for the changed use of the building pursuant to the Building Act 2016 section 55.

All building and demolition work is to comply with the Building Act 2016 and the National Construction Code:

Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.

E. Street addresses for Multiple Dwellings

Residential addressing is undertaken in accordance with Australian Standard AS4819. The development has been assessed according to the standard and the following addresses allocated:

<i>Dwelling No.</i>	<i>Strata Lot No.</i>	<i>Street Address</i>
<i>1 (Existing)</i>	<i>1</i>	<i>1/2 Brougham Street, West Launceston</i>
<i>2 (Proposed)</i>	<i>2</i>	<i>2/2 Brougham Street, West Launceston</i>

The above addresses are to be adhered to when identifying the dwellings and their associated letterboxes.

REPORT:

1. THE PROPOSAL

A second dwelling is proposed to be constructed in the rear north western corner of the subject site. One of two existing outbuildings is to be demolished to assist with the provision of on-site car parking.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

The proposed dwelling has a narrow rectangular shape. The ground floor has a smaller footprint than the upper level with the ground floor accommodation including a laundry, store room, bedroom and toilet. Parking for two cars occupies the remaining space which is below the larger upper level. A deck of approximately 25m² extends off the southern side of the entrance. The upper level proposes a bedroom, bathroom and open plan kitchen and living area. A small 5m² balcony is proposed off the living room facing north east. Cladding is proposed of weatherboards to match the existing dwelling.

Due to the terrain excavation is required in the rear corner to a maximum height of 1.25m. Other earthworks include extending the crossover along Keogh Street and new access off Brougham Street.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The property is located on the face of the West Launceston hillside on the north western corner of Brougham Street and Keogh Street. Current development of the site is a single storey weatherboard clad dwelling facing Brougham Street with access and two sheds to the rear of the dwelling facing Keogh Street.

Other than the Brougham Street IGA just to the west of the site the area is residential in character consisting primarily of single dwellings constructed in the 1920s-1930s. Some sites have been lost to more modern unit developments including a 34 unit development on the southern side of Brougham Street.

The terrain of the area varies over the hillside with the subject site perpendicular to the slope and therefore relatively level but still having a fall of 1.5m diagonally from north west to the front south eastern corner, this being its longer axis.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

10.0 General Residential Zone

10.1.1 Zone Purpose Statements

10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.

10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.

10.1.1.3 Non-residential uses are not to adversely affect residential amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

10.1.1.4 To encourage residential development that respects the existing and desired neighbourhood character.

10.1.1.5 To encourage residential use and development that facilitates solar access,

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

integrated urban landscapes, and utilisation of public transport, walking and cycling networks.
<p>Consistent</p> <p>The proposal meets the zone purpose to provide a housing option upon a serviced site which is approximately 20 minutes' walk from the city centre and services the CBD provides. A supermarket operates over Brougham Street and Metro buses run past the site. It is also close to West Launceston Primary School and the Launceston General Hospital.</p>

10.4 Development Standards

10.4.1 Residential density for multiple dwellings

<p>Objective:</p> <p>To provide for suburban densities for multiple dwellings that:</p> <p>(a) make efficient use of suburban land for housing; and</p> <p>(b) optimise the use of infrastructure and community services.</p>
<p>Consistent</p> <p>The proposed development is considered to be of an appropriate density for the site and the area.</p>
<p>A1 Multiple dwellings must have a site area per dwelling of not less than:</p> <p>(a) 325m² or</p> <p>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.</p>
<p>Relies on Performance Criteria</p> <p>The site has an area of 595m² which results in a density of 297.5m² and must be considered against the performance criteria.</p>
<p>P1 Multiple dwellings must only have a site area per dwelling that is less than 325m², or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:</p> <p>(a) is compatible with the density of the surrounding area; or</p> <p>(b) provides for a significant social or community housing benefit and is in accordance with at least one of the following:</p> <p>(i) the site is wholly or partially within 400m walking distance of a public transport stop;</p> <p>(ii) the site is wholly or partially within 400m walking distance of a business, commercial, urban mixed use, village or inner residential zone.</p>
<p>Complies</p> <p>The proposed density is 297.5m² but is considered to be compatible with the area given that the site has two frontages and will not significantly interfere with development in the no through road of Keogh Street to comply with (a). The proposal also complies with (b) as it has a bus stop 20m to the east and on the same side of the road down Brougham Street, is 30m over the road from the IGA supermarket and is opposite a site in Brougham Street which is zoned Inner residential and is a complex of 34 multiple dwellings upon an area of 6,890m².</p>

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

10.4.2 Setbacks and building envelope for all dwellings

<p>Objective: To control the siting and scale of dwellings to:</p> <ul style="list-style-type: none"> (a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and (b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and (c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and (d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.
<p>Consistent The siting of the additional dwelling is considered to be reasonable in relation to the existing dwelling on the site and neighbouring dwellings. It is adequately setback from Brougham street which will reduce the likely impact of vehicle noise to the occupants. The design is of a scale which is in keeping with other properties in the area.</p>
<p>A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (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 the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.
<p>Relies on Performance Criteria The proposed dwelling will have frontage onto Keogh Street which is the secondary frontage. A setback of only 1.5m is proposed. As the existing dwelling is setback approximately 3m (b) the performance criteria must be addressed.</p>
<p>P1 A dwelling must:</p> <ul style="list-style-type: none"> (a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and (b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

<p>Complies The proposed dwelling will be positioned between a dwelling with a carport that extends to the street frontage at 1 Keogh Street and the existing storage shed on the subject site which is setback 2.5m. As the lower floor is an open car port and the dwelling has a width of only 4.75m it is not considered to be too dominant within the streetscape. This is especially as the street rises from Brougham Street and development in the street is not from seen from the same ground level and is considered to comply with (a). (b) does not apply.</p>
<p>A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5m, or alternatively 1m behind the facade of the dwelling; or (b) the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>
<p>Complies The proposed carport associated with the second dwelling is setback 1.5m off the secondary front below the main upper level.</p>
<p>A3 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: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (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 (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 (b) only have a setback within 1.5m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p>
<p>Relies on Performance Criteria The proposed two storey dwelling is setback 1.5m off both the north western and south western side boundaries. The wall length to the north west is 12.5m and to the south west 6.7m. As a result of the topography a 1.2m deep excavation is proposed in the rear western corner of the site (the height decreasing with distance from the corner). Proposed with a gable roof the proposed dwellings maximum height is 7.15m above ground level at the Keogh Street frontage but reduces, relative to natural ground level at the rear, with the wall height approximately 5.7m at the rear corner and complying at that point. Therefore, part of the building is outside of the envelope and must be considered against the performance criteria.</p>

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<p>It is noted that as the site is located on a corner there is no rear boundary as such.</p>
<p>P3 The siting and scale of a dwelling must:</p> <p>(a) not cause unreasonable loss of amenity by:</p> <ul style="list-style-type: none"> (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 <p>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p>
<p>Complies</p> <p>The siting and scale of a dwelling must:</p> <p>(a) <i>not cause unreasonable loss of amenity by:</i></p> <ul style="list-style-type: none"> (i) <i>reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i> <p>The proposed dwelling is located south of the adjoining dwelling in Keogh Street. That dwelling is only single storey but the floor level is elevated above ground level. While there is a window in the opposing wall it adjoins the rear corner of the proposal where the dwelling is lower in relation to natural ground, and of an orientation that would not receive early morning sunlight on the winter solstice.</p> <p>Next door to the west, at 4 Brougham Street, the development will increase the quantity of overshadowing to the rear of the dwelling on that site in winter in the middle of the day. The level of sunlight prior to around 11.00am and after no later than 2.00pm remains unchanged.</p> <ul style="list-style-type: none"> (ii) <i>overshadowing the private open space of a dwelling on an adjoining lot; or</i> <p>Open space of 4 Brougham Street will be reduced in the middle of winter but at least half of the rear outdoor space will be unshaded.</p> <ul style="list-style-type: none"> (iii) <i>overshadowing of an adjoining vacant lot; or</i> <p>Surrounding land is developed.</p> <ul style="list-style-type: none"> (iv) <i>visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot;</i> <p>As the subject site is being excavated by up to 1.2m in the rear corner to facilitate the development the impact on neighbouring dwellings is reduced. The proposal will have most impact on 4 Brougham Street where the second level will be viewed above a regulatory 1.8m high fence. It is although no higher than the existing dwelling at 1 Keogh Street and has a separation of 12m from the rear of the dwelling.</p>

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

The proximity of the proposal to the adjoining properties is not considered to be incompatible with the area. Older dwellings tend to have been constructed closer to boundaries when there was less regulation to protect privacy.

10.4.3 Site coverage and private open space for all dwellings

Objective:

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.

Consistent

The proposed site cover will maintain suitable open space for recreational and landscaping purposes with suitable access to sunlight.

A1 Dwellings must have:

- (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and
- (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and
- (c) a site area of which at least 25% of the site area is free from impervious surfaces.

Relies on Performance Criteria

Given the site area of 591.45m² and proposed built area of 244m the proposed site cover is 41.2%. The addition of the sealed area of approximately 30m² maintains adequate space free from impervious surfaces. The new dwelling will not have 60m² of private open space and must be addressed against the performance criteria.

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

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Complies

The following considerations are made against this provision:

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; and*

Given the size and design of the proposed dwelling, the provision of the 40m² ground level area and 5m² upper level deck facing Keogh Street, the quantity of open space is considered appropriate. Storage spaces are available beyond this space other than the location of clothes line but the site does have a large laundry and clothes line will be elevated and allow area below to be used as necessary. A condition relating to the provision of services will be applied if a permit is issued.

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

Planter boxes are proposed surrounding the proposed new dwelling and will be comparable with the extent of planting in the general area.

A2 A dwelling must have an area of private open space that:

(a) is in one location and is at least:

(i) 24m²; or

(ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and

(b) has a minimum horizontal dimension of:

(i) 4m; or

(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and

(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 three hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 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.

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<p>Relies on Performance Criteria Both dwellings will have an area of open space which is at least 24m² to comply with (a) (i) and having a minimum dimension of 4m to meet (b) (i). As the living area of the new dwelling is on the second level it does not comply with (c) and must be addressed against the performance criteria.</p>
<p>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 and that is: (i) conveniently located in relation to a living area of the dwelling; and (ii) orientated to take advantage of sunlight.</p>
<p>Complies The proposed open space is considered to meet P2 (a) as it is located off the south western side of the dwelling adjacent to the single access point to the dwelling. Internally, the stairs to the upper level are adjacent to the entry and so the open space is relatively convenient to the space to meet (a) (i). In addition, the upper level has a small deck off its north/north eastern frontage. While the lower level space will be in shade in the early afternoon it will receive sunlight of a morning.</p>

10.4.4 Sunlight and overshadowing for all dwellings

<p>Objective: To provide: (a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and (b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</p>
<p>Consistent Both dwellings are considered able to receive adequate sunlight to living areas and are appropriately separated to meet the needs of future residents.</p>
<p>A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>
<p>Relies on Performance Criteria The dwelling is proposed parallel to the site boundaries and therefore does not have any windows within 30 degrees east or west of north.</p>
<p>P1 A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).</p>
<p>Complies The upper level living areas will receive morning sunlight via a bay type window to the south east and glass facade to the north east and of an afternoon from three skylights in the length of roof to the north west.</p>

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<p>A2 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 10.4.4A), 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 10.4.4B):</p> <ul style="list-style-type: none"> (i) at a distance of 3m from the window; and (ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal. <p>(b) The multiple dwelling does not cause the habitable room to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.
<p>Complies</p> <p>The proposed dwelling is to the north west of the existing dwelling on the site. The existing dwelling has a sunroom off its rear north western corner which will not be overshadowed until 3.00pm. Both the kitchen and living areas of the existing dwelling are located on along the south western elevation.</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 subclause 10.4.3, 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 10.4.4C):</p> <ul style="list-style-type: none"> (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal. <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.
<p>Complies</p> <p>The proposed dwelling is to the north west of the existing dwelling on the site. The existing dwelling has an area of open space adjacent to the sunroom off its rear north western corner which will not be overshadowed until 3.00pm.</p>

10.4.5 Width of openings for garages and carports for all dwellings

<p>Objective: To reduce the potential for garage or carport openings to dominate the primary frontage.</p>
<p>Consistent The application proposes a car space off the primary frontage but there will not be a garage or carport in this location.</p>

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A1 A garage or carport within 12m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).
Complies The application does not have a garage or carport in the primary frontage.

10.4.6 Privacy for all dwellings

Objective: To provide reasonable opportunity for privacy for dwellings.
Consistent The levels of privacy between dwellings should not be compromised.
A1 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 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.
Complies The proposal includes a deck on the upper level but it faces the secondary frontage and is separated from the side boundary by an extension of the wall of the adjoining lounge to comply with (a). The balcony is approximately 16m away from the sunroom of the existing dwelling and separated by 7.5m and shed from the existing dwelling's northern facing open space.
A2 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): <ul style="list-style-type: none"> (a) The window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of at least 3m from a side boundary; and (ii) is to have a setback of at least 4m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site. (b) The window or glazed door:

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- (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or
- (ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or
- (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 1.7m above floor level, with a uniform transparency of not more than 25%.

Relies on Performance Criteria

- (a) *The window or glazed door: (i) is to have a setback of at least 3m from a side boundary; and (ii) is to have a setback of at least 4m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site.*
- (b) *The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level or (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 1.7m above floor level, with a uniform transparency of not more than 25%.*

There is only one upper level window within 3m of a side boundary, that being a highlight window on the upper level bedroom which is adjacent to 4 Brougham Street. The sill height of the window is 1.5m and must be addressed against the performance criteria as the sill height does not comply with (b).

The upper level windows facing south east, and the existing dwelling on the site, are setback at least 16m from the existing ground level sunroom window and 7.5m from the private open space which is also bordered by an existing shed. These windows comply.

P2 A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1 m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views to:

- (a) window or glazed door, to a habitable room of another dwelling; and
- (b) the private open space of another dwelling; and
- (c) an adjoining vacant residential lot.

Complies

Complies by condition:

The upper level south western facing 4 Brougham Street is to be glazed with obscure glass or have the sill height increase to 1.7m above the floor level.

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A3 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:

- (a) 2.5m; or
- (b) 1m if:
 - (i) it is separated by a screen of at least 1.7m in height; or
 - (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.

Complies
There is no shared driveway.

10.4.7 Frontage fences for all dwellings

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

- (a) provide adequate privacy and security for residents; and
- (b) allow the potential for mutual passive surveillance between the road and the dwelling; and
- (c) provide reasonably consistent height and transparency.

Consistent
Front fencing is not proposed.

10.4.8 Waste storage for multiple dwellings

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

Consistent
Storage for waste and recycling bins is proposed.

A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m² per dwelling and is within one of the following locations:

- (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or
- (b) in a communal storage area with an impervious surface that:
 - (i) has a setback of at least 4.5m from a frontage; and
 - (ii) is at least 5.5m from any dwelling; and
 - (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.

Complies
The bin storage area for the existing dwelling is indicated as being existing and is adjacent to the pedestrian gate along the secondary frontage. Storage for the new dwelling is indicated in the rear corner of the lower level carport.

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10.4.9 Site facilities for multiple dwellings

Objective: To provide adequate site and storage facilities for multiple dwellings.
Consistent Site and storage facilities are provided for both dwellings.
A1 Each multiple dwelling must have access to 6m ³ of secure storage space not located between the primary frontage and the facade of a dwelling.
Complies The existing dwelling has an 11m ² shed and a store room is proposed within the proposed dwelling, accessed externally off the deck.
A2 Mailboxes must be provided at the frontage.
Complies The existing dwelling has a mail box off the main pedestrian entry on the front corner of the site and the new dwelling is to have a mailbox adjacent the north end of the Keogh Street frontage.

10.4.10 Common property for multiple dwellings

Objective: To ensure that common areas are easily identified.
Consistent No common areas are proposed.

10.4.11 Outbuildings, swimming pools and fences

Objective: To ensure that: (a) outbuildings, swimming pools and fences: (i) do not detract from the character of the surrounding area; and (ii) are appropriate to the site and respect the amenity of neighbouring lots; (b) dwellings remain the dominant built form.
Consistent No new outbuildings, swimming pools or fences are proposed.

10.4.12 Earthworks and retaining walls

Objective: To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.
Consistent Earthworks are required for the installation of a retaining wall in the rear western corner of the site with minimal impact on adjoining lots.
A1 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must: (a) be located no less than 900mm from each lot boundary; (b) be no higher than 1m (including the height of any batters) above existing ground

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<p>level;</p> <p>(c) not require cut or fill more than 1m below or above existing ground level;</p> <p>(d) not concentrate the flow of surface water onto an adjoining lot; and</p> <p>(e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.</p>
<p>Relies on Performance Criteria</p> <p>A retaining structure is required in the rear western corner of the site to provide a level surface back to the street frontage in Keogh Street. It will have maximum height of 1.2m, decreasing in height along both the north western and south western boundaries. Assessment against the performance criteria is required.</p>
<p>P1 Earthworks and retaining walls must be designed and located so as not to have an unreasonable impact on the amenity of adjoining lots, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the appearance, scale and extent of the works;</p> <p>(c) overlooking and overshadowing of adjoining lots;</p> <p>(d) the type of construction of the works;</p> <p>(e) the need for the works;</p> <p>(f) any impact on adjoining structures;</p> <p>(g) the management of groundwater and stormwater; and</p> <p>(h) the potential for loss of topsoil or soil erosion.</p>
<p>Complies</p> <p>The earthworks serve to reduce the height of the development on the site and decrease the impact of the proposal upon adjoining properties. The site rises across the depth of the site and the excavation levels the site to street level. While the proposed dwelling is two storey in design, it is considered appropriate within the streetscape, given the more elevated construction of the 1920's dwelling next door, assisted by the slight reduction in effective height by the rear excavation to address (a) and (b). Overlooking and overshadowing is also reduced along with a reduction in the amenity impacts to meet (c) and (f). The type of construction of a 'slab on ground' requires the works and will assist in the management of the site.</p>

E4.0 Road and Railway Assets Code

<p>E4.1 The purpose of this provision is to:</p> <p>(a) protect the safety and efficiency of the road and railway networks; and</p> <p>(b) reduce conflicts between sensitive uses and major roads and the rail network.</p>
<p>Consistent</p> <p>The proposed access points are considered to not impact on the safety and efficiency of the road network or residential neighbourhood.</p>

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

<p>Objective:</p> <p>To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.</p>
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<p>Consistent The proposal will not have a significant impact on existing junctions</p>
<p>A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.</p>
<p>Complies The site is not accessed from a category 1 or 2 road.</p>
<p>A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.</p>
<p>Complies The speed limit of surrounding streets is not more than 60km/h.</p>
<p>A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p>
<p>Complies The increase in vehicle movements resulting from the proposed second dwelling is not considered to be greater than nine per day.</p>

E4.5.2 Existing level crossings

<p>Objective: To ensure that the safety and the efficiency of the rail network is not reduced by access across part of the rail network.</p>
<p>Consistent The site is not in the vicinity of a rail network.</p>

E4.6 Development Standards

E4.6.1 Development adjacent to roads and railways

<p>Objective: To ensure that development adjacent to category 1 or category 2 roads or the rail network: (a) ensures the safe and efficient operation of roads and the rail network; (b) allows for future road and rail widening, realignment and upgrading; and (c) is located to minimise adverse effects of noise, vibration, light and air emissions from roads and the rail network.</p>
<p>Consistent The site is not accessed from a category 1 or 2 road.</p>
<p>A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings;</p>

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<p>(b) other road or earth works; and (c) building envelopes on new lots. A1.2 Buildings must be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.</p>
<p>Complies The site is not accessed from a category 1 or 2 road or near a rail network.</p>

E4.6.2 Road accesses and junctions

<p>Objective: To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.</p>
<p>Consistent The proposed access points are not considered to impact on the safety and efficiency of the road network.</p>
<p>A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</p>
<p>Complies The speed limit of surrounding streets is not more than 60km/h.</p>
<p>A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>
<p>Relies on Performance Criteria A second access is proposed off Brougham Street in addition to widening of the existing access off Keogh Street.</p>
<p>P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access to a road; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.</p>

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Complies

The access points are considered able to comply as follows:

- (a) *the nature and frequency of the traffic generated by the use;*
The second access will provide parking for the existing dwelling which fronts Brougham Street and adjoins the access to 4 Brougham Street. This allows the existing access, although to be widened, to still provide for a second space for the existing dwelling and not therefore introduce extra traffic into the no-through street of Keogh Street.
- (b) *the nature of the road;*
Brougham Street is subject to high traffic volumes and it is a major route between the central city and areas to the west of the city. The access has been approved, and further reviewed by, Infrastructure Services and is not considered to impact on the road. Keogh Street is a no-through road, the subject site is the first dwelling in the street so traffic movements to and from the site should have little impact on other residents within the street.
- (c) *the speed limit and traffic flow of the road;*
Both Brougham Street and Keogh Streets have a 50km/h speed limit.
- (d) *any alternative access to a road;*
Access to the site will be split between Keogh and Brougham Streets.
- (e) *the need for the access or junction;*
The proposed access off Brougham Street will serve the existing dwelling and is considered an appropriate means of addressing parking for the site and maximising amenity for the properties.

The widened access off Keogh Street provides an additional car space on site for the existing dwelling along the secondary frontage of the property in addition to the two spaces for the new dwelling. By providing onsite parking it is considered that vehicles will not need to park in the street. Onsite parking is closer to the dwellings themselves, limits damage of passing vehicles and for ease of manoeuvrability, as vehicles would otherwise have to drive to the end of the street to turn.

- (f) *any traffic impact assessment; and*
An assessment was not considered necessary.
- (g) *any written advice received from the road authority.*
The application has been considered by Council's Infrastructure Services Directorate both prior to public notification and in response to the comments raised in the representations. The new access of Brougham Street is not considered to have any significant impact on the function of Brougham Street and is supported. Concerns regarding the exiting of vehicles from Keogh Street onto Brougham Street are acknowledged and are to be reviewed in accordance with the Traffic Act.

The impact on Keogh Street of the three on site car spaces is not considered to impact on the street and is considered to provide a suitable means of parking and turning within the street.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

E4.6.4 Sight distance at accesses, junctions and level crossings

Objective:

To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Consistent

Appropriate site distances can be achieved.

A1 Sight distances at:

- (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and
- (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.

Relies on Performance Criteria

The new access off Brougham Street, with a speed limit of 50km/h, is less than 80m and must be addressed against the performance criteria.

P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:

- (a) the nature and frequency of the traffic generated by the use;
- (b) the frequency of use of the road or rail network;
- (c) any alternative access;
- (d) the need for the access, junction or level crossing;
- (e) any traffic impact assessment;
- (f) any measures to improve or maintain sight distance; and
- (g) any written advice received from the road or rail authority.

Complies

Infrastructure Services is supportive of the access and the proposal is considered to comply with P1:

- (a) *the nature and frequency of the traffic generated by the use;*
The access off Brougham Street is for one on site vehicle space and is further from the junction with Hillside Crescent than Keogh Street.
- (b) *the frequency of use of the road or rail network;*
Brougham Street is subject to high traffic volumes.
- (c) *any alternative access;*
The access will provide for the existing dwelling, the new dwelling is to be accessed via the existing, although widened access off Keogh Street.
- (d) *the need for the access, junction or level crossing;*
The new access will separate access points between both dwellings.
- (e) *any traffic impact assessment;*
Not applicable.
- (f) *any measures to improve or maintain sight distance; and*
No requirements have been imposed by Infrastructure Services.
- (g) *any written advice received from the road or rail authority.*
Council's Infrastructure Services is supportive of the proposal. The proposed access adjoins an existing driveway to 4 Brougham Street and is not considered to impact on the road safety.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

- (a) ensure that an appropriate level of parking facilities are provided to service use and development;
- (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas;
- (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate;
- (d) ensure that parking does not adversely impact on the amenity of a locality;
- (e) ensure that parking spaces and accesses meet appropriate standards; and
- (f) provide for the implementation of parking precinct plans.

Consistent

Suitable parking can be provided on site. In addition, the site is approximately 15 minutes' walk from the centre of the city, is on a bus route and within easy access of the cycle route in Frederick Street.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

To ensure that an appropriate level of car parking is provided to meet the needs of the use.

Consistent

An appropriate level of parking can be provided on site.

A1 The number of car parking spaces must:

- (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or
- (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or
- (c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or
- (d) be in accordance with an acceptable solution contained within a parking precinct plan.

Relies on Performance Criteria

Table E6.1 requires two on site car space per dwelling that contains two or more bedrooms plus one visitor car park for every four vehicles. A total of five spaces are required to meet the acceptable solutions. As only four spaces can be provided on site the application must be assessed against the performance criteria.

P1.1 The number of car parking spaces for other than residential uses, must be provided to meet the reasonable needs of the use, having regard to:

- (a) the availability of off-road public car parking spaces within reasonable walking distance;
- (b) the ability of multiple users to share spaces because of:
 - (i) variations in car parking demand over time; or
 - (ii) efficiencies gained by consolidation of car parking spaces;

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

- (c) the availability and frequency of public transport within reasonable walking distance of the site;
 - (d) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;
 - (e) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;
 - (f) an assessment of the actual car parking demand determined in light of the nature of the use and development;
 - (g) the effect on streetscape; and
 - (h) the recommendations of any traffic impact assessment prepared for the proposal; or
- P1.2 The number of car parking spaces for residential uses must be provided to meet the reasonable needs of the use, having regard to:
- (a) the intensity of the use and car parking required;
 - (b) the size of the dwelling and the number of bedrooms; and
 - (c) the pattern of parking in the locality; or
- P1.3 The number of car parking spaces complies with any relevant parking precinct plan.

Complies

In relation to P1.2 the number of car spaces is considered appropriate:

(a) the intensity of the use and car parking required;

The application proposes two spaces for each dwelling. The existing dwelling will have one space off Brougham Street and a second space via the widened access off Keogh Street. Parking for the new dwelling is proposed by a car port and adjacent car space off Keogh Street.

This is considered adequate given the existing dwelling has only one on-site car space, the site is so close to the CBD and the Brougham Street bus stop just over Keogh Street.

(b) the size of the dwelling and the number of bedrooms; and

While the existing dwelling has a floor area of 156m² it has only two bedrooms. The proposed dwelling has a modern town house style, with a floor area of approximately 84m² and also two bedrooms.

(c) the pattern of parking in the locality; or

The majority of homes in Keogh Street have provision for at least two on-site spaces. Approximately six cars park in the street overnight for whatever reason. A number of residences of Brougham Street have a vehicle parking on the street, with some spaces to the west provided by spaces inset into the nature strip. Approximately four cars on average appear to park on the western side of the street towards the internal end of the street overnight.

The four proposed spaces are considered adequate.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

A2 The number of accessible car parking spaces for use by persons with a disability for uses that require six or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.
Complies Accessible car parking spaces are not required for multiple dwellings.

E6.5.2 Bicycle parking numbers

Objective: To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.
Consistent Bicycle spaces could be provided but are not required for multiple dwellings.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective: To ensure that parking areas are constructed to an appropriate standard.
Consistent Parking will be provided to an appropriate standard.
A1 All parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> (a) have a gradient of 10% or less; (b) be formed and paved; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.
Complies All spaces will have a gradient of less than 10%, will have a concrete surface and be suitably drained.

E6.6.2 Design and layout of parking areas

Objective: To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.
Consistent Parking areas are designed and will be laid out to provide convenient, safe and efficient parking.
A1.1 Car parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces; (b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2;

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

<p>(c) have parking space dimensions in accordance with the requirements in Table E6.3;</p> <p>(d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and</p> <p>(e) have a vertical clearance of not less than 2.1m above the parking surface level.</p> <p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.</p> <p>A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.</p> <p>Complies</p> <p>The proposed car parking meets the necessary criteria:</p> <p>(a) <i>provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces;</i> Not required as only four spaces are provided.</p> <p>(b) <i>have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2;</i> The proposed crossover is wider than 3m but as the spaces are directly off the street this is not considered relevant.</p> <p>(c) <i>have parking space dimensions in accordance with the requirements in Table E6.3;</i> Parking dimensions comply with table E6.3.</p> <p>(d) <i>have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and</i> Each space can be accessed in accordance with Table E6.3, all spaces being directly off the street.</p> <p>(e) <i>have a vertical clearance of not less than 2.1m above the parking surface level.</i> Only one space is fully undercover with this having a clearance of around 2.4m.</p>
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4. REFERRALS

REFERRAL	COMMENTS
	INTERNAL
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

REFERRAL	COMMENTS
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 10 November to 26 November 2018. Six representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

ISSUE	COMMENT
<ul style="list-style-type: none"> • Previous concerns have been addressed in the revised application, in fact now with an additional crossover being added on to Keogh Street, taking the total number to 3 plus 1 on Brougham Street. This is considered to limit vision and safety at the Keogh/Brougham Street intersection. It is the only exit to the street, with a school bus stop on the left close to the corner, and our right side vision commonly blocked with cars parked too close to the corner or over footpaths into their driveways. With another dwelling being proposed on this corner, it is believed these problems will become even worse. 	<ul style="list-style-type: none"> • The concerns have been reviewed by Infrastructure Services. The widening of the crossover and provision of three on site spaces is considered a suitable means of providing on-site parking. On-site parking reduces the need for residents to park on the street as a number of residents in the street currently do. The provision of the crossover will include the installation of a yellow line to prevent parking a distance of approximately 14m from the intersection with Brougham Street.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

ISSUE	COMMENT
<ul style="list-style-type: none"> Does the parking comply with the Local Government Association of Tasmania standards for roads and vision (TSD-RF01)? 	<ul style="list-style-type: none"> Council's Infrastructure Services have approved the access.
<ul style="list-style-type: none"> The owner has been upgrading the existing dwelling and has caused concern in the street by inappropriately having a rubbish skip in the street over the footpath and burning rubbish in an incinerator. 	<ul style="list-style-type: none"> The skip had been inappropriately parked in the street temporarily. If approval is granted permit conditions include a requirement for the applicant to prepare a traffic management plan for any works or use of the street during the works. A further condition prohibits any waste from the development being burned on site.
<ul style="list-style-type: none"> There is no note of storm water detention as required in Launceston's combined sewer and storm water system. If storm water detention is required by TasWater/Launceston City Council then where will this be located? 	<ul style="list-style-type: none"> A condition is proposed on-site detention storage to be provided. The design and location are subject of a future submission to the Infrastructure Services Directorate.
<ul style="list-style-type: none"> The parking spaces are not dimensioned? Are they adequate? Will the vehicles hang out over the boundary onto the street as 4 and 6 Brougham vehicles? 	<ul style="list-style-type: none"> While dimensions are not shown the spaces are all approximately 6m deep and greater than required.
<ul style="list-style-type: none"> Waste storage is taking up some of the parking area which is poorly dimensioned and does not meet the 1.5m² set out in 10.4.8 A1 nor does it meet the intention of P1. 	<ul style="list-style-type: none"> The provision of waste storage is considered appropriate.
<ul style="list-style-type: none"> 10.4.13 Location of car parking - objective C - to minimise visual impact on the streetscape - this is not met - three car spaces and a triple crossover does create visual impact on the streetscape, let alone dramatically reduce street parking. 	<ul style="list-style-type: none"> Two of the proposed spaces will located below the proposed dwelling and third space replaces an existing outbuilding over a portion of the site that is currently blocked by a paling fence. This is not considered to be visually inappropriate along the second frontage. It is considered best to have on-site rather than on-street parking, the latter of which is a requirement of development per se.
<ul style="list-style-type: none"> The plans are not clear on building envelopes as set out in 10.4.2 and should be clarified. 	<ul style="list-style-type: none"> The elevations are dimensioned and compliance with the building envelopes are able to be determined.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

ISSUE	COMMENT
<ul style="list-style-type: none"> E6.6.1 Construction of Parking Areas - requires a gradient of 10% or less - not clearly shown on plans. Also requires area to be drained to storm water system. Plans indicate the parking run off will go straight into the street. Also requires for multiple dwellings to be line marked to show spaces - this is not shown on plans which may result in two cars in the three spaces creating a greater parking problem in the street. 	<ul style="list-style-type: none"> The fall on the site is less than 10% with the drainage able to drain to the kerb. It is uncommon to require parking spaces of two dwelling development to be line marked per sec but a condition is to be imposed to require the parking spaces be annotated with two spaces for each dwelling.
<ul style="list-style-type: none"> Traffic Impact Assessment - is there one? 	<ul style="list-style-type: none"> A traffic impact assessment was not required for the proposal, the intensity of the design not considered necessary to require such a document in this case.
<ul style="list-style-type: none"> Keogh Street cannot cope with additional cars in the street, with no proper turning ability at the square dead end in it. 	<ul style="list-style-type: none"> The application is for one extra dwelling with parking for the existing dwelling to be provided off Brougham Street. Most dwellings in the street have ample on-site parking, two spaces being required by the planning scheme for each dwelling. Some residents appear to park in the street. Residents of the development should not have a need to drive to the end of the street.
<ul style="list-style-type: none"> Extra cars near the intersection of Keogh and Brougham Street will add to the bottle neck/visual that already occur from vehicles parking in both streets including a car at 4 Brougham Street parking along its crossover (between the road and footpath). 	<ul style="list-style-type: none"> Council's Infrastructure Department has been made aware of the concerns raised of this application and will be reassessing the line markings in the street. It is a traffic offence to park on a driveway outside of a property boundary.
<ul style="list-style-type: none"> There seems to be insufficient onsite parking for the number of and size of residents proposed for this site. 	<ul style="list-style-type: none"> The site currently has one outbuilding directly off Keogh Street which could contain a car for the existing dwelling. The current planning scheme requirements for a dwelling under the sites general residential zone is for two car spaces with a visitor space necessary where up to four dwellings are proposed. Therefore, to meet the acceptable solutions five spaces should be provided but this can be varied. Four spaces are proposed as discussed in the report and are considered appropriate.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

ISSUE	COMMENT
<ul style="list-style-type: none"> The proposed unit seems out of character with buildings close by but given the paint colour of the existing dwelling the interpretation of fitting in is questioned. The green paint colour reflects within the existing dwelling at 4 Brougham Street. 	<ul style="list-style-type: none"> The proposal is smaller than other homes in the vicinity although it is a two storey dwelling. Its height is no greater than number 1 Keogh Street and the roof has a pitch similar to those in the vicinity. Given the position in the street and the streets orientation the proposed dwelling will not be visually prominent within its streetscape setting. The colour of the cladding is not able to be conditioned under the provisions applicable to this proposal.
<ul style="list-style-type: none"> The proposed dwelling will overshadow the only window in the adjoining wall of the neighbouring dwelling at 1 Keogh Street. 	<ul style="list-style-type: none"> The proposal is to the south east of the neighbouring dwelling and extends to the eastern half of the window. The proposed dwelling is of a similar height to the adjoining dwelling and will be approximately 3.5m away. As a result of the orientation of the dwellings the proposal is not considered to have a significant impact on the neighbour's window especially in winter when the sun rises later and more to the east of the neighbouring wall.
<ul style="list-style-type: none"> The upper level living room will overlook the dwellings opposite facing Hill Street. 	<ul style="list-style-type: none"> The dwelling is separated by a street width from dwellings opposite and there are no planning controls of this aspect of a dwelling.
<ul style="list-style-type: none"> The proposed parking in Keogh Street will be a safety issue for pedestrians, parking and the drive next door. 	<ul style="list-style-type: none"> The openness of the proposed parking areas should minimise any impediments to site distance for vehicles and pedestrians.
<ul style="list-style-type: none"> An adjoining owner states that they did not receive notification. 	<ul style="list-style-type: none"> Notification was sent in both instances.
<ul style="list-style-type: none"> The proposal will overshadow the adjoining property at 4 Brougham Street, the diagrams inappropriately over emphasising the existing impact of 1 Keogh Street. 	<ul style="list-style-type: none"> The neighbouring dwelling is considered to maintain a sufficient level of sunlight within the rear yard and to the rear of the dwelling on the winter solstice between the hours of 9.00am and 3.00pm no matter which dwelling may be causing any shadow. The proposal is to the north of the neighbour's rear yard when the sun is at its highest point.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

ISSUE	COMMENT
<ul style="list-style-type: none"> • Privacy is a concern due to windows in the upper level in the south western elevation. 	<ul style="list-style-type: none"> • The windows have a sill height of 1.5m. The type of glazing is not stated but would be conditioned to either be fitted with obscure glass or with a 1.7m high sill.
<ul style="list-style-type: none"> • The proposed two storey building represents visual bulk and will negatively impact on the outlook from adjoining dwellings including impacting on mountain views from the rear yard (views per se are acknowledged as not being a consideration). 	<ul style="list-style-type: none"> • The site is to be cut to reduce the height of the dwelling. The dwellings narrowest elevation adjoins 4 Brougham Street and the longer wall is to the east of the kitchen window of 1 Keogh Street.
<ul style="list-style-type: none"> • The owner of the 2 Brougham Street has advised neighbours the dwelling is to be used as AirBnB which will increase the turnover of residents in a quiet street. The area is already impacted by multiple dwellings and the supermarket opposite and heavy traffic. How does this fit with the planning directive introduced 1 August? 	<ul style="list-style-type: none"> • The application has been lodged as and assessed as a second dwelling for long temporary/permanent accommodation. If a change is proposed it will be bound by the requirements of the planning requirements at that date.
<ul style="list-style-type: none"> • The proposal will impact on property values. 	<ul style="list-style-type: none"> • This is not a planning consideration.

A meeting was held with representatives of four of the representations. The main concern is the potential impacts on parking and traffic movements in the street from the additional dwelling. A number of vehicles already are known to park in the street overnight which is considered to be causing difficulties accessing and driving along the street and given Keogh Street is a no-through road, difficulty turning at the end of the street. Visibility with the access onto Brougham Street is also a concern due to vehicles parking to the west in Brougham Street. Council's traffic engineer had provided further confirmation that the proposal is supported but acknowledged that traffic management measures of line marking could assist the situation. This would be managed under the *Traffic Act 1925*.

The traffic engineer has also confirmed that the development and associated parking will not necessarily lead to parking pressure in the street.

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

6. CONCLUSION

Subject to the recommended conditions, it is considered that the proposal complies with the Scheme and it is appropriate to recommend for approval.

ECONOMIC IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

ENVIRONMENTAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

SOCIAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



Leanne Hurst: Director Development Services

8.1 2 Brougham Street, Launceston - Construction of an Additional Dwelling and Associated Crossovers ...(Cont'd)

ATTACHMENTS:

1. Locality Map (distributed electronically)
 2. Plans to be Endorsed (distributed electronically)
 3. Representations (distributed electronically)
-

8.2 Amendment 45 - Bushfire Prone Areas Overlay**FILE NO:** SF6786**AUTHOR:** Iain More (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To decide whether to reject or initiate Amendment 45 to the Launceston Interim Planning Scheme 2015, to insert a Bushfire Prone Areas Overlay Map as referenced in Clause E1.3 of the Bushfire Prone Areas Code.

RECOMMENDATION:

That Council:

1. Pursuant to the former section 34(1)(b) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 45 to the Launceston Interim Planning Scheme 2015 to insert a Bushfire-Prone Areas Overlay Map, applicable by the Bushfire Prone Areas Code, ECM Document Number 4545899.
2. Pursuant to the former section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Director of Development Services its functions under section 35(1) of the *Land Use Planning and Approvals Act 1993*, to certify the draft amendment to the Launceston Interim Planning Scheme 2015, ECM Document Number 3948655
3. Pursuant to the former section 38(1) of the *Land Use Planning and Approvals Act 1993*, determine the period for public exhibition to be 28 days.

Note:

Councillors are advised that under Schedule 6 - Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015* - Parts 2A and 3 of the *former provisions* remain in force until a Local Planning Schedule comes into effect for the municipal area and this application assessment and recommendation has therefore been made under those transitional provisions.

8.2 Amendment 45 - Bushfire Prone Areas Overlay ...(Cont'd)

REPORT:**1.1 Introduction**

The City Development Department, on behalf of the City of Launceston, has decided to initiate a planning scheme amendment under its own motion under the former section 34(1)(b) of the *Land Use Planning and Approvals Act 1993*. The proposal is for the amendment to the current Launceston Interim Planning Scheme 2015 (The Scheme) to endorse and incorporate a bushfire-prone overlay map.

1.2 Background

This report considers the proposal to amend the Launceston Interim Planning Scheme 2015 to inset a Bushfire-Prone Areas Overlay Map as recommended by the Tasmanian Fire Service (TFS). A copy of the submission from the TFS in support of the amendment is provided as Attachment 1.

The mapping of Launceston's bushfire prone areas has been periodically undertaken over the past 10 years. The mapping was completed in mid-late 2018 and is now ready for adoption. The mapping, if adopted, will form a statutory part of the planning scheme and will relate to the definition of bushfire-prone area under E1.0 Bushfire Prone Areas Code.

The mapping will work in conjunction with the existing Bushfire-Prone Areas Code. It will become an overlay accessible by The Land Information System Tasmania (LIST) mapping system and will be publicly available. An owner will be able to determine, without the need for an accredited bushfire practitioner, whether or not a site is within a bushfire-prone area and if it requires assessment under the code. It is noted that the code is not changing, and under the statutory planning framework, only subdivision, vulnerable, or hazardous uses would require assessment against the code. Notwithstanding, it also allows building surveyors to determine whether or not bushfire assessment is required at the building stage.

1.3 Supporting Report

A supporting document, Bushfire-Prone Areas Mapping, Launceston LGA Planning Report, prepared by the Tasmanian Fire Service (TFS), dated April 2018 forms part of the application.

The TFS has been working with local governments across Tasmania to produce the bushfire mapping, which is directly associated with bushfire prone areas within the Bushfire-prone Areas Code. A bushfire-prone area, under section E1.3 of The Scheme is defined as:

Means:

- a. *land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; or*
 - b. *where there is no overlay on a planning scheme map, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1ha.*
-

8.2 Amendment 45 - Bushfire Prone Areas Overlay ...(Cont'd)

The mapping provides an accessible and reliable source that will simplify the assessment of development applications to determine whether or not a site is located within a bushfire prone area. This will benefit landowners, the planning authority, and permit authority to provide certainty with respect to all regulatory controls.

The mapping was developed collaboratively by the Director of Building Control and the TFS. An overlay was created by applying a 100m buffer to all TASVEG 3.0 vegetation communities, excluding those types deemed to be low threat. The mapping provided in TASVEG 3.0 provides high-level guidance with respect to vegetation distribution and as such, its accuracy is limited when applying it to individual properties. The modelled overlay was therefore based on imperfect spatial data and it was important to verify the boundaries that were produced and adjust accordingly. Verification of the condition of specific sites was completed through physical inspection and/or enquiries into the development status and management regime of particular properties where necessary. The approach used is consistent with that used for the existing bushfire-prone areas overlays within the Clarence Interim Planning Scheme 2015 and the Hobart Interim Planning Scheme 2015.

The mapping will need to be reviewed and updated periodically to ensure its accuracy. An initial review will occur during the implementation of the Tasmanian Planning Scheme and it would then be reviewed by Council officers on an annual basis to determine if changes are required.

1.4 Proposed Amendment

It is proposed that Council initiate an amendment to the Launceston Interim Planning Scheme 2015 by inserting a bushfire prone areas overlay map.

Act Requirements

The legislation allows for an amendment to the planning scheme under sections, 32, 34, and 35 of the *Land Use Planning and Approvals Act 1993*.

32.Requirements for preparation of amendments

- 1) *A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A) –*
 - a)
 - b)
 - c)
 - d)
 - e) *must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*
 - (ea) *must not conflict with the requirements of section 300; and*
 - f) *must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.*

8.2 Amendment 45 - Bushfire Prone Areas Overlay ...(Cont'd)

2) *The provisions of section 20 (2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning scheme*

34. Amendment of planning scheme

- 1) *A planning authority may –
 - a) *in response to a request under section 33; or*
 - b) *of its own motion –*
*initiate an amendment of a planning scheme administered by it.**
- 2) *The Commission may, with the approval of the Minister, give a written direction to a planning authority to initiate an amendment of a planning scheme administered by the authority and the authority must initiate the amendment of the planning scheme in accordance with the direction within 10 weeks after receiving the direction or such longer period as the Commission allows.*
- 3) *A planning authority may at any time determine to withdraw an amendment, of a planning scheme administered by it, that it has initiated of its own motion.*
- 4) *The withdrawal of an amendment of a planning scheme comes into effect 7 days after the date on which the planning authority determines to withdraw the amendment.*
- 5) *The planning authority is to –
 - a) *notify the Commission of the withdrawal of the amendment; and*
 - b) *give notice, in a daily newspaper circulating generally in the area, that the amendment has been withdrawn and of the date on which the withdrawal takes effect.**

35. Certification of draft amendments by planning authorities

- 1) *After preparing a draft amendment of a planning scheme, the planning authority must determine whether the draft amendment meets the requirements specified in section 32 and –
 - a) *if satisfied that it does, certify the draft amendment as so meeting those requirements; or*
 - b) *if not so satisfied, proceed to modify the draft amendment until it does meet those requirements and then certify the modified draft amendment as so meeting those requirements.**
 - 2) *For the purposes of subsection (1), the planning authority must certify the draft amendment by instrument in writing affixed with the common seal of the planning authority.*
 - 3) *.*
 - 4) *Within 7 days after certifying under subsection (1) that the draft amendment of a planning scheme meets the requirements specified in section 32, the planning authority must give a copy of the draft amendment and the instrument containing that certification to the Commission.*
-

8.2 Amendment 45 - Bushfire Prone Areas Overlay ...(Cont'd)

2. Affected Areas

The study area for the purpose of the mapping is the Launceston Local Government Area (LGA), as following in Figure 1:



Figure 1 - Launceston LGA (Source: TFS)

The Launceston LGA is located in Northern Tasmania and adjoins George Town, Dorset, Break O'Day, Northern Midlands, Meander Valley and West Tamar. The study area includes Tasmania's second largest activity centre – Launceston City – and a number of smaller rural townships. The study area includes extensive tracts of native bushland and grassland.

3. Considerations for an Amendment

3.1 Schedule 1:

The *Land Use Planning and Approvals Act 1993* requires that scheme amendments must seek to further the objectives of Schedule 1 of the Act. An assessment of Schedule 1 has been undertaken by the supporting document *Bushfire-Prone Areas Mapping, Launceston LGA Planning Report*, prepared by the Tasmanian Fire Service, and dated April 2018. The assessment concludes that the mapping is able to meet the objectives of Schedule 1.

8.2 Amendment 45 - Bushfire Prone Areas Overlay ...(Cont'd)

3.2 Section 32 & 35:

Section 35 of LUPAA requires that prior to certifying a draft amendment, the planning authority must be satisfied that it meets the requirements of section 32 and subsequently sections 300, and 35.

An assessment of sections 32 and 35 has been undertaken by the supporting document Bushfire-Prone Areas Mapping, Launceston LGA Planning Report, prepared by the Tasmanian Fire Service, and dated April 2018. The assessment concludes that the mapping is able to meet all relevant sections, including avoiding land use conflicts, consistency with the regional land use strategy, and conflicts between local and common provisions. It has also been determined that the overlay mapping has had regard to the environmental, economic, and social impacts.

Section 32 requires amendments must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms. The introduction of the proposed overlay will clarify the application of existing planning and building requirements, with no new requirements will be introduced. Accordingly, a draft amendment that introduces the overlay will not create any new land use conflict issues.

The proposed amendment is part of a state wide approach to the mapping of bushfire prone areas. Its implementations will not result in any adverse impact on use and development in the region.

3.3 Section 300

Section 300 of LUPAA requires that an amendment to an interim planning scheme is as far as practicable, consistent with the regional land use strategy. An assessment of Section 300 has been undertaken by the supporting document Bushfire-Prone Areas Mapping, Launceston LGA Planning Report, prepared by the Tasmanian Fire Service, and dated April 2018. The report has considered the NRLUS and where it has been determined that the mapping is consistent with the goals of this strategy.

As outlined in section 5.3 of the TFS Report (Attachment 1) the proposed amendment is consistent with the NRLUS policy:

3.4 State Policies

Current state policies include:

- State Policy on the Protection of Agricultural Land 2009
- State Coastal Policy 1996; and
- State Policy on Water Quality Management 1997

The amendment is for the introduction of overlay mapping and does not introduce any new development standards. The amendment will accordingly not facilitate the loss of productive agricultural land, nor the degradation of coastal land or water resources.

8.2 Amendment 45 - Bushfire Prone Areas Overlay ...(Cont'd)

National Environmental Protection Measures (NEPMs) are automatically adopted as State Policies. They outline common environmental objectives for managing the environment.

Current NEPMs include:

- National Environmental Protection (Used Packaging Materials) Measure;
- National Environmental Protection (Ambient Air Quality) Measure;
- National Environmental Protection (Movement of Controlled Waste Between States and Territories) Measure;
- National Environmental Protection (National Pollutant Inventory) Measure;
- National Environmental Protection (Assessment of Site Contamination) Measure;
- National Environmental Protection (Diesel Vehicle Emissions) Measure; and
- National Environmental Protection (Air Toxics) Measure.

In this situation, the NEPMs are either not applicable, or will not be impacted upon by the proposed amendment.

The scheme amendment is accordingly not considered to be in conflict with any of the existing State Policies.

5. Gas Pipelines Act 2000

Not applicable.

6. Planning Strategies and Framework

Local and regional policies include:

- Regional Land Use Strategy of Northern Tasmania
- Launceston Residential Strategy (LRS) 2009-2029
- City of Launceston Strategic Plan 2014-2024

The supporting document Bushfire-Prone Areas Mapping, Launceston LGA Planning Report, prepared by the Tasmanian Fire Service, and dated April 2018 have addressed these policies. It was concluded that the implementation of the mapping will achieve the key direction and goals of these strategies.

7. Referral Agencies

Under section 56S(1) of the *Water and Sewerage Industry Act 2008*, a planning authority must refer a draft amendment to the relevant regulated entity. The proposed amendment was referred to TasWater for comment on 22 November 2018. Under section 56S(2) the relevant regulated entity may provide comment during the public notification period.

8.2 Amendment 45 - Bushfire Prone Areas Overlay ...(Cont'd)

14. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Assets	N/A
Environmental Health	N/A
Natural Environment	N/A
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	Referred on 22 November 2018
DIER	N/A
TasFire	Discussions with the Tasmanian Fire Service have been ongoing.
Tasmanian Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

15. Conclusion

The application to implement Bushfire-Prone Areas Overlay Mapping into the *Launceston Interim Planning Scheme 2015* through an amendment will ensure reliability, certainty and simplicity of process, and will be to the benefit of landowners, designers, the planning authority the permit authority and the wider community.

The proposed amendment has been assessed as being supportive of the objectives of the Act, NRLUS and the Scheme.

ECONOMIC IMPACT:

No significant economic impacts have been identified.

ENVIRONMENTAL IMPACT:

No significant environmental impacts have been identified.

SOCIAL IMPACT:

No significant social impacts have been identified.

8.2 Amendment 45 - Bushfire Prone Areas Overlay ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015
Land Use Planning and Approvals Act 1993
Local Government Act 1993 (Tas)

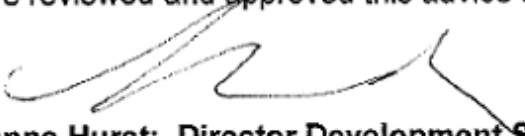
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Bushfire Prone Areas Mapping, Launceston LGA Planning Report, prepared by the Tasmanian Fire Service, and dated April 2018 (including Appendix A) (electronically distributed)
 2. Instrument for Certification - Amendment 45 (electronically distributed)
-

9 ANNOUNCEMENTS BY THE MAYOR**9.1 Mayor's Announcements****FILE NO:** SF2375

Saturday 8 December 2018

- Attended City of Launceston Vox Harmony Choir and Greater Launceston Youth Singers at St John Church

Sunday 9 December 2018

- Officiated at the unveiling of the plaque in Kings Park for Polish Pioneers Foundation Trust

Monday 10 December 2018

- Attended Country Club General Manager's Cocktail Party Under the Marquee

Tuesday 11 December 2018

- Officiated at grand opening of the Mens and Community Shed at Rocherlea
- Attended the National Seniors' Australia Christmas dinner
- Attended Scotch Oakburn College school presentation at Albert Hall

Wednesday 12 December 2018

- Attended annual Christmas celebration at Design Tasmania
- Attended Norwood Primary School grade six presentation at Norwood Primary School

Thursday 13 December 2018

- Officiated at Brisbane Street Mall opening
- Attended Royal Flying Doctors 90th Anniversary Christmas Cocktail Party at The Launceston Club
- Presented awards at the Youngtown Primary School Presentation Evening at Punchbowl Christian Centre

Friday 14 December 2018

- Presented awards at Brooks High School Presentation Evening at Brooks High School Gymnasium
 - Attended Summer Show at Gallery Pejean
-

9.1 Mayor's Announcements ...(Cont'd)

Saturday 15 December 2018

- Officiated at the University of Tasmania Town and Gown procession and Graduation Ceremony at Albert Hall
- Attended City Park Radio Christmas barbeque at City Park Cottage

Sunday 16 December 2018

- Attend Veggie Garden project launch at Gateway Baptist Church, Launceston

Monday 17 December 2018

- Attended Kings Meadows High School Presentation Day Assembly at Kings Meadows High School
- Attended Premier and Treasurer's End of Year Cocktail Party at the Watergarden Rooftop, Country Club Casino

Tuesday 18 December 2018

- Attended Mowbray Heights Primary School Assembly at Performing Arts Centre, Mowbray
- Attended Lilydale District School Primary Awards at Lilydale School Gymnasium
- Officiated at Ravenswood ABCDE Learning Site Celebration at Starting Point Neighbourhood House, Ravenswood.
- Attended Christmas function with QVMAG Museum Governance Advisory Board and Aboriginal Reference Group at QVMAG Inveresk

Wednesday 19 December 2018

- Attended Ravenswood Heights Primary School grade 6 Leavers' Celebration at Ravenswood Heights gymnasium
 - Attended S.Group festive season celebrations at S.Group
-

10 COUNCILLOR'S REPORTS

(This item provides an opportunity for Councillors to briefly report on the activities that have been undertaken in their capacity as a representative of the Council. It is not necessary to list social functions that have been attended.)

11 QUESTIONS BY COUNCILLORS**11.1 Questions on Notice**

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

(A councillor, at least seven days before an ordinary Council Meeting or a Council Committee Meeting, may give written notice to the General Manager of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be in writing.)

11.1.1 Councillor's Questions on Notice - Councillor P S Spencer - Council Meeting - 6 December 2018**FILE NO:** SF2375**AUTHOR:** Tracy Puklowski (Director Creative Arts and Cultural Services)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTION and RESPONSE:

The following question was asked by Alderman P S Spencer at the Council Meeting of 6 December 2018 and a response has been provided by Ms Tracy Puklowski (Creative Arts and Cultural Services).

Question:

What is the Council doing in order to retrieve the reported missing paintings?

Response:

The location of the Whiteley sketch is currently unknown and a strategic approach to conduct an audit of the collections is currently under development.

To clarify the question's reference to 'missing paintings', as misreported in *The Mercury*, there is only one mislaid work. The Whiteley drawing is missing from the fine art store but it may be in another store or location on QVMAG property. QVMAG are not currently aware of any other mislaid works from the collection.

Collection audits can take in the region of 10 years to complete and require significant resourcing. Being mindful of these resources, a structured plan, procurement process and framework will be implemented. This is an ongoing piece of work, but is vital to the eventual outcome of fully digitised collections which will create unprecedented access to our cultural treasures.

QVMAG staff are alert and aware of the mislaid work and have been instructed to look for the red Brett Whiteley seal on the work.

Work undertaken so far:

- Thorough physical search of the fine art store.
 - Digital search for references to the work being acquired, displayed or loaned.
 - Physical file search (hard copy folders) of evidence of acquisition, loan or display.
 - Strategic contact with previous staff members who were employed when the work was acquired or since to see whether they recall the work. Only one staff member remembers seeing it, the curator who acquired it in 1976.
 - Contact has been made with the Art Gallery of New South Wales where the work was displayed a few months prior to acquisition.
-

11.1.1 Councillor's Questions on Notice - Councillor P S Spencer - Council Meeting - 6 December 2018 ...(Cont'd)

- Conservation have confirmed that the work is not in the laboratory nor are there any files to indicate the work was ever with QVMAG Conservation.
 - A QVMAG Collections Officer specialising in history, has searched the QVMAG archives in his care and located further evidence it was receipted in 1976. No further files or information have been located in the archive yet.
 - TasPolice were alerted to the missing work, but are unable to activate an investigation at this stage due to QVMAG being unable to confirm with certainty that it is not on QVMAG premises.
-

11.1.2 Councillor's Questions on Notice - Councillor D C Gibson - 6 December 2018**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Mr Michael Stretton (General Manager)

QUESTION and RESPONSE:

Alderman D C Gibson submitted the following question in writing:

1. *What is the status of the Launceston Show Society and its ongoing debt with the City of Launceston?*

Response:

(Mr Bruce MacIsaac - Director Facilities Management)

As at the 30 November 2018 the Royal National Agricultural and Pastoral Society of Tasmania Limited (RNAPS) remains a debtor to the City of Launceston.

Account statements are sent to RNAPS each month outlining the outstanding debt.

11.2 Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

(Questions Without Notice, and any answers to those questions, are not required to be recorded in the Minutes of the Meeting.)

12 COMMITTEE REPORTS**12.1 Northern Youth Coordinating Committee Meeting - 1 November 2018****FILE NO:** SF0136**AUTHOR:** Claudia Garwood (Youth Development Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To receive and consider a report from the Northern Youth Coordinating Committee's regular meeting held on 1 November 2018.

RECOMMENDATION:

That Council receives the report from the Northern Youth Coordinating Committee Meeting held on 1 November 2018.

REPORT:

The Northern Youth Coordinating Committee (NYCC) met on Thursday, 1 November 2018 and the following business was conducted:

A presentation from Mission Australia about their new program, available for ages 14 to retirement age, intended to help people gain employment or go on to higher education. The program is aimed at people with a disability, primarily those with mental health conditions.

A presentation from Mish Youth Services, City Mission. The youth service model is to empower young people with hope for the future and to support them to with education and employment. Some of the programs available are mentoring, art, music, media, hospitality, self-management and recovery training at Ashley Youth Detention Centre as well as school holiday activities. Details were provided about a new program named Mish Makers, which is due to open above the Hunta Gatha store on St John Street in 2019. The program will contribute to a vibrant makers' community, pursue further education and assist in launching a small craft business.

An update from Youth Network of Tasmania (YNOT) on The Tasmanian Youth Forum Health and Wellbeing Report which was launched at the Annual General Meeting. YNOT also responded to the draft Tasmanian Child and Youth Wellbeing Outcomes Framework and worked with committee members for input into the Department of Treasury and Finance 2019/2020 Budget Submission.

**12.1 Northern Youth Coordinating Committee Meeting - 1 November 2018
...(Cont'd)**

At the Meeting, members agreed to:

- Submit an application for the Youth Week Tasmania Grant on behalf of NYCC. Members agreed to host an after school event at Tatlers Arcade. A decision on the grant will be received in January 2019.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Consideration contained in report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 4 - A diverse and welcoming City of Launceston

Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities

Key Direction -

4. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community

Youth Engagement Framework 2016-2019

BUDGET & FINANCIAL ASPECTS:

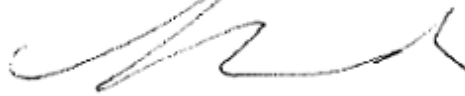
Not considered relevant to this report.

12.1 Northern Youth Coordinating Committee Meeting - 1 November 2018
...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



Leanne Hurst: Director Development Services

12.2 Municipal Emergency Management Committee Meeting - 27 November 2018**FILE NO:** SF3177/SF0031**AUTHOR:** Bev Allen (Emergency Management Coordinator)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To receive a report from the Municipal Emergency Management Committee.

RECOMMENDATION:

That Council receives the report from the Municipal Emergency Management Committee Meeting held on 27 November 2018.

REPORT:

The Meeting of the Municipal Emergency Management Committee held on 27 November 2018 discussed the following:

- **Members' Reports**
Members provided a verbal update.
- **The State Emergency Service reported on their current activities**
- **Flood Siren Testing**
Once repairs are carried out to the trailer and generator the siren will be tested in the Invermay community
- **Launceston Flood Evacuation Plan**
The plan is due for update and review

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

**12.2 Municipal Emergency Management Committee Meeting - 27 November 2018
...(Cont'd)**

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 5 - A city that values its environment

Ten-year goal - To reduce the impacts on our natural environment and to build resilience to the changing intensity of natural hazards

Key Directions -

1. To contribute to air and river quality in Launceston by liaising with the community, business and other stakeholders
2. To manage the risks of climate-related events, particularly in the area of stormwater management
3. To enhance community awareness and resilience to uncertain weather patterns
4. To implement floodplain management plans in the Invermay area
5. To reduce our and the community's impact on the natural environment

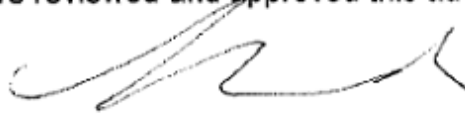
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



Leanne Hurst: Director Development Services

13 COUNCIL WORKSHOPS

Council Workshops conducted on 13 December 2018 were:

- Budget Parameters and Draft Annual Plan 2019/2020
- Event Sponsorship Policy
- Invermay Traffic Masterplan - Update
- Tasmanian Planning Scheme
- Bushfire Prone Areas Mapping

14 NOTICES OF MOTION

Local Government (Meeting Procedures) Regulations 2015 - Regulation 16(5)

No Notices of Motion have been identified as part of this Agenda

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

17 CREATIVE ARTS AND CULTURAL SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

19 CORPORATE SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

20 GENERAL MANAGER'S DIRECTORATE ITEMS**20.1 Report on Council's 2018 Annual General Meeting****FILE NO:** SF0098**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

DECISION STATEMENT:

To report on the Council's 2018 Annual General Meeting, held in compliance with section 72B of the *Local Government Act 1993* (Tas) on Thursday, 6 December 2018 at 5.30pm in the Council Chambers, Town Hall.

RECOMMENDATION:

That Council, in respect of the Annual General Meeting held on Thursday, 6 December 2018 at 5.30pm in the Council Chambers, Town Hall, notes the following motions passed at that Meeting:

- (i) That the Minutes of the Annual General Meeting of the City of Launceston Council held on 4 December 2017 be confirmed as a true and correct record.
 - (ii) That the City of Launceston Annual Report for the year ended 30 June 2018 be adopted, together with the Annual Report for the Queen Victoria Museum and Art Gallery.
 - (iii) That the City of Launceston receives the draft Annual Report for the Launceston Flood Authority and notes that Council will be asked to adopt this Annual Report after it is approved by the Launceston Flood Authority.
-

REPORT:

In compliance with section 72B(1) of the *Local Government Act 1993* (Tas) (the Act), the Annual General Meeting (AGM) of the City of Launceston was held in the Council Chambers, Town Hall, on Thursday, 6 December 2018.

Notices of the Meeting were published in *The Examiner* on Saturday, 17 November 2018 and Saturday, 1 December 2018.

No submissions in respect of the 2107-2018 Annual Report, motions for consideration or questions on notice were received.

20.1 Report on Council's 2018 Annual General Meeting ...(Cont'd)

A quorum of Council was present at the AGM, consisting of the Mayor, Councillor A M van Zetten, Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor D H McKenzie, Councillor R I Soward, Councillor P S Spencer and Councillor A G Harris. The attendance of Council officers and electors was recorded.

Section 72B(6) of the Act requires that a motion passed at the AGM is considered at the next Meeting of the Council. The motions passed at the AGM were:

- (i) That the Minutes of the Annual General Meeting of the City of Launceston Council held on 4 December 2017 be confirmed as a true and correct record (moved Councillor D H McKenzie, seconded Councillor J Finlay).
- (ii) That the City of Launceston Annual Report for the year ended 30 June 2018 be adopted, together with the Annual Report for the Queen Victoria Museum and Art Gallery.
- (iii) That the City of Launceston receives the draft Annual Report for the Launceston Flood Authority and notes that Council will be asked to adopt this Annual Report after it is approved by the Launceston Flood Authority (moved Councillor J Finlay and Councillor R I Soward).

Section 72B(7) of the Act requires the General Manager to keep minutes of the AGM. The Minutes of the AGM will be published at www.launceston.tas.gov.au.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

20.1 Report on Council's 2018 Annual General Meeting ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders
Key Directions -
1. To develop and consistently use community engagement processes

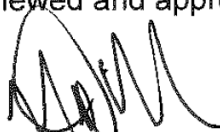
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



Michael Stretton: General Manager

21 URGENT BUSINESS

Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2015, states that a council, by absolute majority at an ordinary council meeting, may decide to deal with a matter that is not on the Agenda.

22 CLOSED COUNCIL

Local Government (Meeting Procedures) Regulations 2015 - Regulation 15(2)

No Closed Items have been identified as part of this Agenda

23 MEETING CLOSURE
