



*The City with Spirit*

## NOTICE OF MEETING

Notice is hereby given that an **Ordinary Council** meeting of the Devonport City Council will be held in the Aberdeen Room, Level 2, paranaple centre, 137 Rooke Street, Devonport on Monday 24 April 2023, commencing at 5:30 PM.

The meeting will be open to the public and live streamed from 5:30 PM on Council's [YouTube channel](#).

## QUALIFIED PERSONS

In accordance with section 65 of the *Local Government Act 1993*, I confirm that the reports in this agenda contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

Matthew Atkins  
GENERAL MANAGER

**19 04 2023**

### May 2023

Meeting	Date	Commencement Time
Council Meeting	22 May 2023	5:30pm

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**AGENDA FOR AN ORDINARY COUNCIL MEETING OF DEVONPORT CITY COUNCIL  
HELD ON MONDAY 24 APRIL 2023, IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre, 137  
ROOKE STREET, DEVONPORT AT 5:30 PM**

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## ATTENDEES

		<b>Apology</b>
Chair	Cr A Jarman (Mayor)	
	Cr S Sheehan (Deputy Mayor)	
	Cr G Enniss	
	Cr P Hollister	
	Cr S Martin	
	Cr A Moore	
	Cr L Murphy	
	Cr D Viney	
	Cr J Wilczynski	

## ACKNOWLEDGEMENT OF COUNTRY

Devonport City Council acknowledges and pays respect to the palawa-pakana people as the traditional and original owners of lutrawita and continuing custodians of this land on which we gather.

We also acknowledge and pay our respects to the Tasmanian Aboriginal elders past and present.

## IN ATTENDANCE

All persons in attendance are advised that it is Council policy to record Council Meetings, in accordance with Council's Digital Recording Policy. The digital recording of this meeting will be made available to the public on Council's website for a minimum period of six months. The meeting will also be live streamed on Council's YouTube channel.

## 1 APOLOGIES

## 2 DECLARATIONS OF INTEREST

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## **3 PROCEDURAL**

### **3.1 CONFIRMATION OF MINUTES**

#### **RECOMMENDATION**

That the minutes of the Council meeting held on 27 March 2023 as previously circulated be confirmed.

### **3.2 PUBLIC QUESTION TIME**

#### **PUBLIC QUESTION TIME**

Members of the public are invited to ask questions in accordance with Council's Public Question Time Policy (Min No 20/90 refers):

1. Public participation shall take place at Council meetings in accordance with Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015*.
2. Public participation will be the first agenda item following the formal motions: Apologies, Minutes and Declarations of Interest.
3. Questions without notice will be dependent on available time at the meeting (with a period of 30 minutes set aside at each meeting).
4. A member of the public who wishes to ask a question at the meeting is to state their name and address prior to asking their question.
5. A maximum of 3 questions per person are permitted.
6. A maximum period of 5 minutes will be allowed per person.
7. Questions are to be succinct and not contain lengthy preamble.
8. To allow opportunity, where necessary to research answers and limit questions taken on notice, a copy of any questions without notice, where possible, are to be provided by email or in person to Council by 12 noon on the day of the meeting.
9. A question by any member of the public and an answer to that question are not to be debated.
10. Questions without notice and their answers will be recorded in the minutes.
11. The Chairperson may take a question on notice in cases where the questions raised at the meeting require further research or clarification, or where a written response is specifically requested.
12. Protection of parliamentary privilege does not apply to local government and any statements or discussion in the Council Chambers, or any document produced, are subject to the laws of defamation.
13. The Chairperson may refuse to accept a question. If the Chairperson refuses to accept a question, the Chairperson is to give reason for doing so in accordance with the Public Question Time Policy.

### **3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS**

There were no written responses to questions without notice raised at the March 2023 Council meeting.

## 3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

Author: **Matthew Atkins, General Manager**

### RECOMMENDATION

That Council in relation to the correspondence received from Mr Bob Vellacott endorse the responses proposed and authorise their release.

#### **Mr Bob Vellacott – 11 Cocker Place, Devonport**

A letter containing questions on notice received from Mr Bob Vellacott on 16 April 2023 is **reproduced as attachment 1**.

**Q1** Ref- DCC Meeting Agenda 23rd January 2023 My Questions on Notice and the responses.

My questions were - In regard to the proposed disposal of, ratepayer's properties, being the CBD parkland NE corner Fenton Way and Oldaker St also the very convenient street level car park in Edward Street and about the lease of the kiosk situated in the Paranaple Centre. (a) Has council made a final decision about the future of the properties? (b) if a decision has been made when will ratepayers be notified and given details? (c) if no decision has been made when is it expected a decision will be made?

The response was >

"Response - As previously advised Council has been considering a number of proposals as a result of the EOI process which was undertaken for these properties. A contract is close to being finalised for the Fenton Way site. This development will be announced in the near future and will be subject to the usual, publicly advertised Development Permit Approval processes. Council has not made any decision in relation to the land located in Edward Street."

New Question 1:- I now ask Re the sale of ratepayer's property, being the CBD parkland NE corner Fenton Way and Oldaker St- if the contract of sale has not been finalized then what is the the expected date that ratepayers will be extended the courtesy to know the fate of their parkland /i.e. what has been proposed to be developed on the site.

And-

New Question 2:- Has any decision been made regarding the Edward Street car park?

New Question 3 - My question 3 asked on notice 23rd January was -Now that (as reported in the Advocate) the paranaple cafe formerly occupied by Hudsons has been relet: (a) will council reveal to ratepayers what will be the guaranteed amount of annual rental income to be received? (b) is the amount to be received in accord / consistent with the original business plan? And (c) and if the amount is not in accord what percentage of the original amount will be received?

The response was:-

"Response Council have accepted a new leasing proposal for the café tenancy within the paranaple centre. Council's consideration of this lease was made with

regard to an open expression of interest process and a Market Valuation undertaken by an independent, licensed property valuer. The lease utilises Council's standard lease template which has previously been made publicly available. The rental amount and key lease terms remain commercial in confidence."

Noting that my question 3 (b),, was not answered separately, and it was stated in the response that "The rental amount and key lease terms remain commercial in confidence "is council therefore implying that my question 3 (b) the amount to be received in accord / consistent with the original business plan is regarded as a key lease term and therefore cannot be answered ? And if this so, will it be necessary for me to make a Right to Information (RTI) request to obtain a simple yes or no answer for that question?

### **Response**

The response provided in January relating to the land on the corner of Fenton Way and Oldaker Street remains current with a contract close to execution.

Council is not proceeding with any of the submissions received as part of the expression of interest process for the Edward Street carpark site.

In relation to the paranapple café rent, the 2016 paranapple centre business plan was not a consideration, but rather as advised previously, the rental amount was determined from an open expression of interest process and a current independent market valuation.

### **Mr Bob Vellacott – 11 Cocker Place, Devonport**

A letter containing questions on notice received from Mr Bob Vellacott on 16 April 2023 is **reproduced as attachment 2.**

**Q2** Subject - The unsatisfactory condition of the property on the corner of Best and Rooke Street, commonly known as Day's Building and other derelict buildings.

Reference - My Questions without notice - 24 Oct 2022 and response: Also my Question on notice for 28th Nov 2022 and response.

As of this date 15th April 2023 it appears no action has been taken by those responsible to rectify, what can only now be described as a derelict vermin ridden, building, situated in a prime position in the CBD.

In regard to a question asked - as to whether the building, corner of Best and Rooke Street complies with health and building regulations.

The General Manager informed (Ref his letter 4th Nov 2022) "The Building Act 2016 (the Act) regulates requirements for property owners to maintain their properties. Council as the Permit Authority can initiate compliance action under the Act if the premise is considered unfit for use or occupancy or is considered a danger to the public. Council does have the authority under the Act to perform any required works if the property owner fails to do so and in certain circumstances. - Recently there have been some incidents on site and Council have been in contact with the property manager to discuss maintaining the property. Those discussions are ongoing. "

Also I asked - Has council, before or since the 24th October 2022, requested and or received a written report about the status of the condition of the property in regard as to its compliance or otherwise of health and building regulations?

"Response - No, Council has not received a written report about the status of the condition of the property."

Will council now, because it appears nothing has been done to this eyesore of a building, inform -

a) why, if at this point in time ,it has not done so, give good reason as to why it has not sought a health and building report ?

And

b) when will council declare the building as being derelict and a health hazard, and perform the required works as permitted in the relevant act?

Question 2:- Subject – Other derelict buildings -

Given that Council has authority to declare buildings unfit for use, when will council declare the following buildings derelict and have the necessary work done so as to ensure Devonport does not have a repeat saga of the old hospital site and become known as slum city -

(a) the old derelict building ,adjacent to the East Devonport Post Office 16a Murray St

NB the building is opposite to the Gateway to Tasmania?

And -

(b) the derelict heritage listed property 8-10 Oldaker Street Devonport?

### **Response**

Council is aware of concerns in relation to all the properties mentioned and continue to pursue any issues within its legal jurisdiction.

### **ATTACHMENTS**

1. QsoN RBV for 24 April 2023 sale of land Kiosk lease etc o send [**3.2.2.1** - 4 pages]
2. QsoN RBV for 24 April 2023 derelict buildings to send [**3.2.2.2** - 2 pages]



### **3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

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### **3.3 QUESTIONS ON NOTICE FROM COUNCILLORS**

At the time of compilation of the agenda, no questions had been received from Councillors.

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### 3.4 NOTICES OF MOTION

Nil

## 4 PLANNING AUTHORITY MATTERS

**The Mayor will now announce that Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for the consideration of Agenda Items 4.1 & 4.2.**

Council is required by Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015* to deal with items as a Planning Authority under the LUPAA 1993 in a sequential manner.

The following items are to be dealt with at the meeting of Council in its capacity as a Planning Authority.

## **4.1 PA2023.0007 - 3-11 JILOA WAY DON - EDUCATIONAL AND OCCASIONAL CARE (ADDITIONAL CLASSROOM BUILDING)**

Author: **Emma Pieniak, Planning Officer**

Endorser: **Matthew Atkins, General Manager**

### **RECOMMENDATION**

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2023.0007 and grant a Permit to use and develop land identified as 3-11 Jiloa Way, Don for the following purposes:

- Educational and occasional care (additional classroom building and associated outbuilding)

subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as:
  - a. Project #J007334 revision B dated 22/2/23 by sgroup; and
  - b. Bushfire Assessment Report: Devonport Christian School dated 3 March 2023 by RMCG, including Bushfire Hazard Management Plan and Emergency Management Strategy,copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. Stormwater from the development is to be discharged in accordance with the National Construction Code.
3. Any air extraction, pumping, refrigeration systems, compressors or generators associated with the development must be located at least 10m from adjoining General Residential zone properties.

Note: The following is provided for information purposes.

The development is to comply with the requirements of the current National Construction Code. The developer is to obtain the necessary building and plumbing approvals and provide the required notifications in accordance with the *Building Act 2016* prior to commencing building or plumbing work.

Permitted hours of demolition/construction work are Monday to Friday from 7am - 6pm, Saturday from 9am - 6pm and Sunday and statutory holidays from 10am - 6pm.

The amenity of the area must not be detrimentally affected by the use or development through the:

- a) Transport of materials, goods or commodities to or from the land; or the
- b) Emission of noise, dust, odour, artificial light, vibration, fumes, smoke, vapour, steam, soot, ash, wastewater or any waste products.

No burning of any waste materials (including cleared vegetation) is to be undertaken on site. Any waste material is to be removed and disposed of at a licensed refuse waste disposal facility.

In regard to condition 2 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

Enquiries regarding other conditions can be directed to Council's Development Services Department – Ph 6424 0511.

### **RELEVANCE TO COUNCIL'S PLANS & POLICIES**

Council's Strategic Plan 2009-2030:

- Strategy 2.1.1     Apply and review the Planning Scheme as required, to ensure it delivers local community character and appropriate land use
- Strategy 2.1.2     Provide consistent and responsive development assessment and compliance processes

### **SUMMARY**

The purpose of this report is to enable Council, acting as a Planning Authority to make a decision regarding planning application PA2023.0007.

### **BACKGROUND**

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Address:	3-11 Jiloa Way, Don
Applicant:	S. Group
Owner:	Devonport Christian School Inc.
Proposal:	Educational and Occasional Care (additional classroom building and associated outbuilding)
Existing Use:	Educational and Occasional Care
Zoning:	Community Purpose
Decision Due:	26/04/2023

### **SITE DESCRIPTION**

The subject site comprises 3.823ha situated west of Jiloa Way with additional vehicle access from Lapthorne Close. The Devonport Christian School operates within several clusters of buildings towards the southern end of the site. Vehicle access and parking are located from the Lapthorne Close entrance traversing to Jiloa Way. The subject site adjoins the Council owned cricket and rugby ground along the western boundary while other boundaries adjoin established residential development. The subject site and surrounding development are illustrated in Figure 1.



Figure 1 – Aerial view (LISTmap)

#### APPLICATION DETAILS

The applicant is seeking approval to develop the site with an additional classroom building and an associated outbuilding. The proposed classroom building will have a floor area of 513m<sup>2</sup> with minimum setbacks of 4m from the north boundary and 6m from the east boundary. The proposed classroom building will have a maximum height of 5.7m. The proposed outbuilding will be located west of the proposed classroom building with a minimum 8m setback from the northern boundary. The proposed development is illustrated in Figures 2 – 6. A full copy of the **application is appended to this report**.

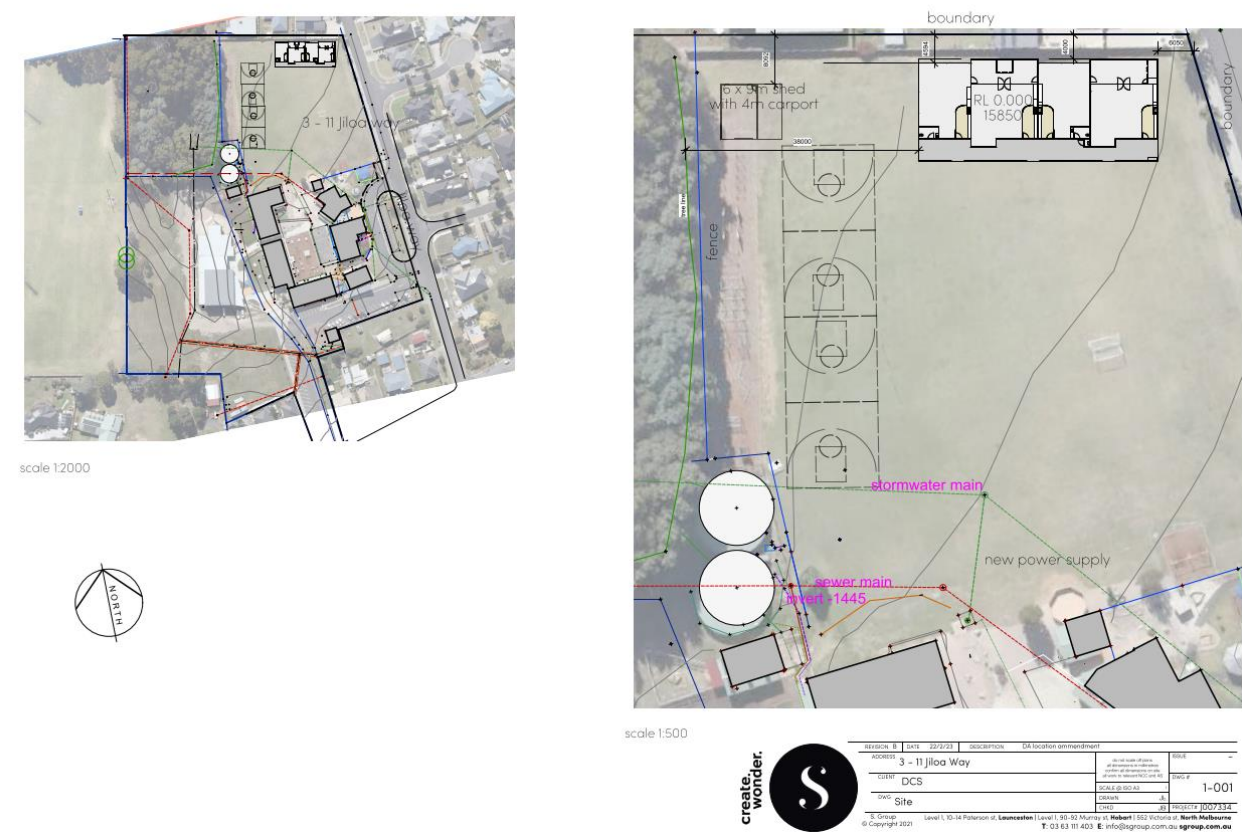


Figure 2 – Site plan and location detail

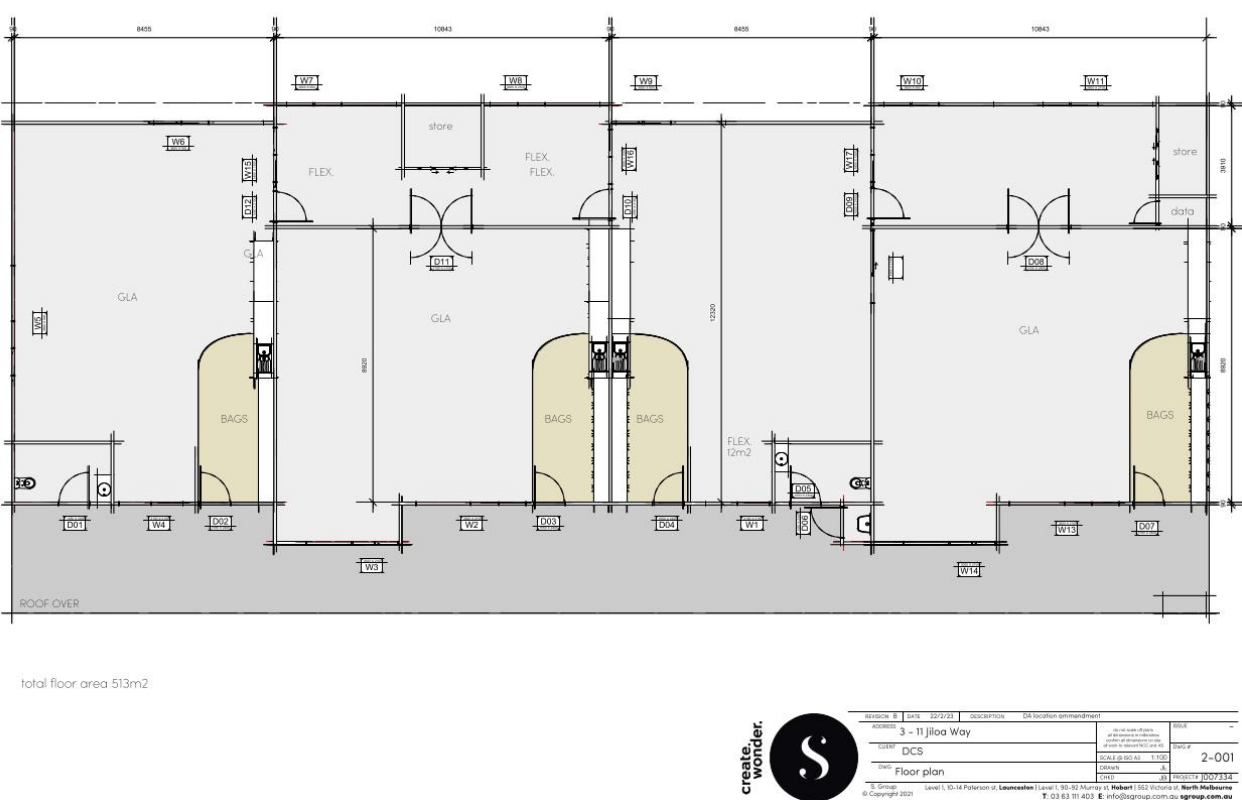
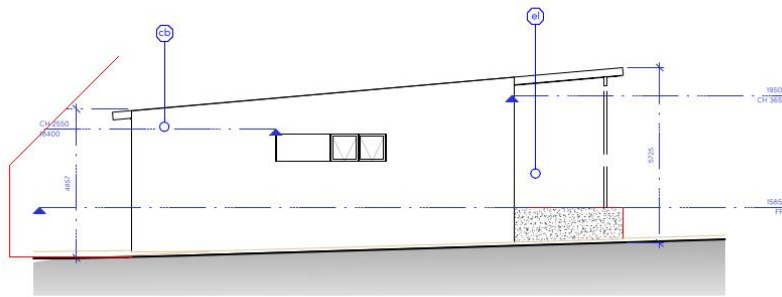
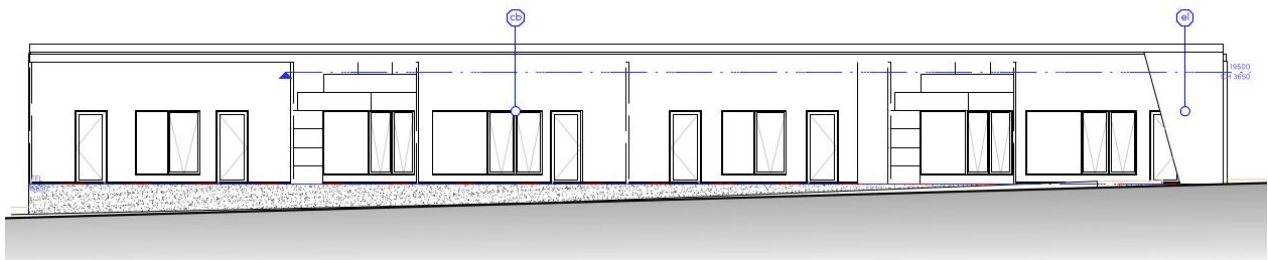


Figure 3 – Classroom building: floor plan





west elevation



south elevation

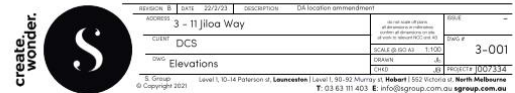
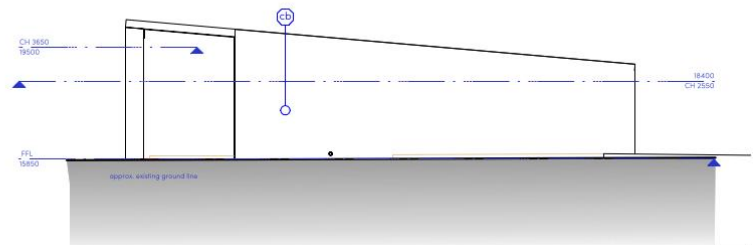
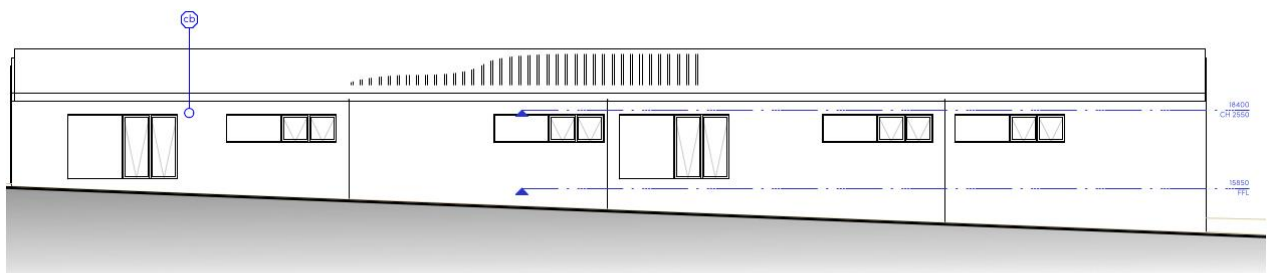


Figure 4 – Classroom building: elevations 1 of 2



east elevation



north elevation

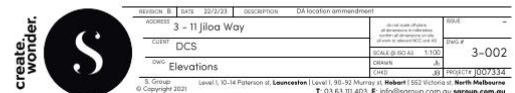
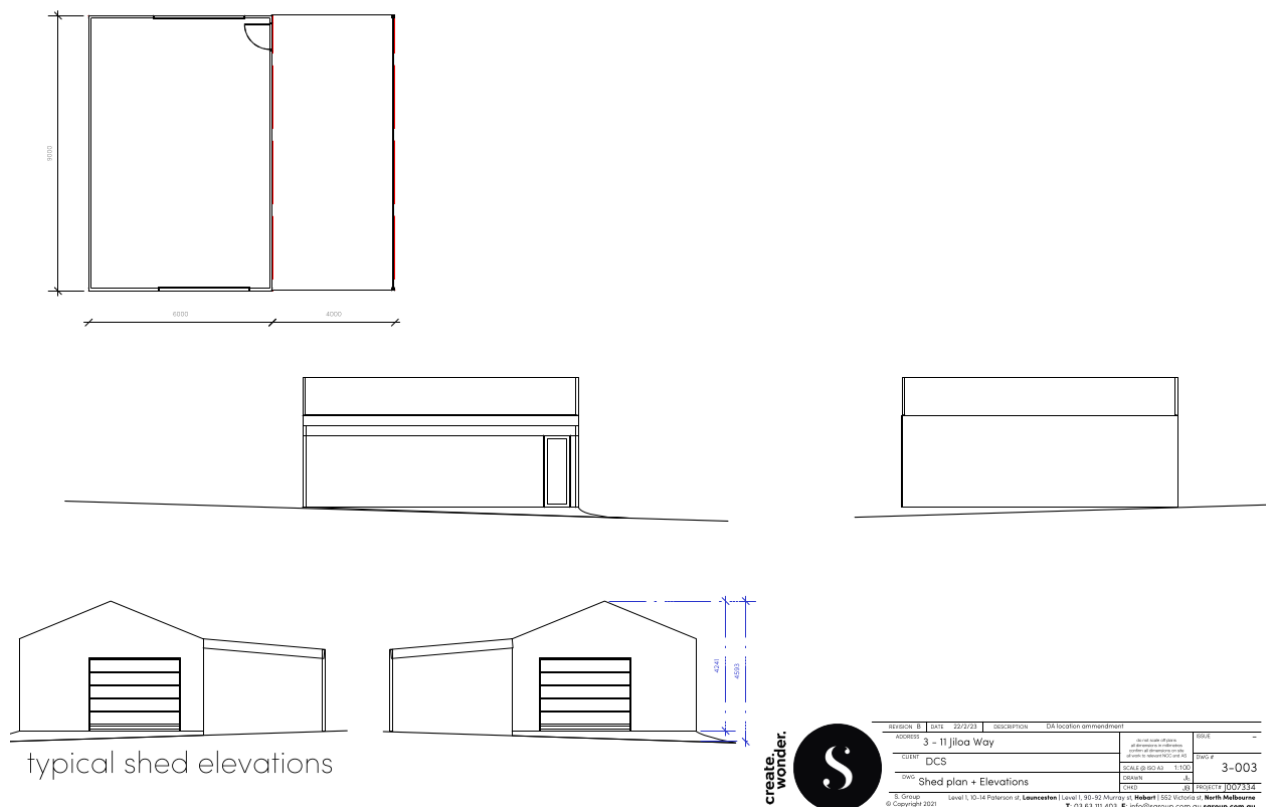


Figure 5 – Classroom building: elevations 2 of 2





**Figure 6 – Outbuilding: floor plan and elevations**

## PLANNING ISSUES

The land is zoned Community Purpose under the *Tasmanian Planning Scheme - Devonport 2020*. The purpose of the Community Purpose Zone is:

- 27.1.1 To provide for key community facilities and services including health, educational, government, cultural and social facilities.
- 27.1.2 To encourage multi-purpose, flexible and adaptable social infrastructure.

Within the Community Purpose zone an Educational and Occasional Care use is permitted. The proposed use satisfies the acceptable solutions of 27.3.1 for a non-residential use hours of operation, external lighting and commercial vehicle movements for a site within 50m of a General Residential zone. The proposed development satisfies the development standards of 27.4.1 building height being less than 10m.

The proposed development satisfies the setbacks of 27.4.2 listed in the acceptable solutions, however the full clause is provided below in relation to the representation.

The proposal requires discretion under Section 57 of LUPAA under C13.0 Bushfire Prone Areas Code, as discussed below.

### 27.4.2 Setback

#### Objective:

- (a) is compatible with the streetscape; and

(b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.	
Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings must have a setback from a frontage of: <ul style="list-style-type: none"> <li>(a) not less than 5m; or</li> <li>(b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties, whichever is the lesser.</li> </ul>	<b>P2</b> Buildings must have a setback from a frontage that is compatible with the streetscape, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the setbacks of buildings on adjacent properties;</li> <li>(c) the height, bulk and form of existing and proposed buildings; and</li> <li>(d) the safety of road users.</li> </ul>
<b>A2</b> Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than: <ul style="list-style-type: none"> <li>(e) 3m; or</li> <li>(f) half the wall height of the building, whichever is the greater.</li> </ul>	<b>P2</b> Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to: <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy to adjoining properties; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>
<b>A3</b> Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone.	<b>P3</b> Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of adjoining sensitive uses; and</li> <li>(d) any proposed mitigation measures.</li> </ul>

A1 – the proposed classroom building has been located a minimum 6.05m from the Jiloa Way front boundary, 1m more than the minimum 5m. The acceptable solution is met.

A2 – the proposed classroom building has been located a minimum 4m from the northern boundary, which is under the General Residential zone. The highest wall height along this side is 4.857m, therefore the 3m minimum setback is the greater distance applicable, and the proposed setback is 1m greater than this requirement. The acceptable solution is met.

A3 – the applicant has advised any air extraction, pumping, refrigeration systems, compressors or generators associated with the development will be located at least 10m from adjoining General Residential zone properties. The acceptable solution is met, and a condition on the permit will ensure this requirement is adhered to.

### **C13.0 Bushfire-Prone Areas Code**

The purpose of the Bushfire-Prone Areas Code is:

- 13.1.1 To ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

This code applies to a vulnerable use, being an Education and Occasional Care use.

#### **C13.5.1 Vulnerable uses**

<b>Objective:</b> That vulnerable uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the vulnerable use and the bushfire hazard.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> No Acceptable Solution.	<b>P1</b> A vulnerable use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to: <ul style="list-style-type: none"> <li>a) the location, characteristics, nature and scale of the use;</li> <li>b) whether there is an overriding benefit to the community;</li> <li>c) whether there is no suitable alternative lower-risk site;</li> <li>d) the emergency management strategy (vulnerable use) and bushfire hazard management plan; and</li> <li>e) other advice, if any, from the TFS.</li> </ul>
<b>A2</b> An emergency management strategy (vulnerable use) is endorsed by the TFS or accredited person.	<b>P2</b> No Performance Criterion.
<b>A3</b> A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.	<b>P3</b> No Performance Criterion.

P1 – there is no acceptable solution available under this part of the use standards. The use is existing on the site with the development constituting an increase to the number of

persons accommodated on the site. In consultation with the accredited bushfire hazard assessor the location of the classroom building was located further from the vegetation which represents greatest risk to life. The bushfire hazard management plan and emergency strategy all identify that the risk to life can be managed to a tolerable risk. A condition on the permit will endorse the bushfire hazard management plan and emergency strategy along with any requirements or recommendations to form part of the planning permit. The performance criteria are satisfied.

A2 – an emergency management strategy endorsed by the TFS has been supplied. The acceptable solution is met.

A3 – a bushfire hazard management plan endorsed by the TFS has been supplied. The acceptable solution is met.

In accordance with Section 51 (2) (d) (i) of LUPAA the Planning Authority must accept any relevant bushfire hazard management plan that has been certified as acceptable by a State Service Agency.

### COMMUNITY ENGAGEMENT

On 24/01/2023, Council received an application for the above development. Under section 57(3) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority must give notice of an application for a permit. As prescribed at section 9(1) of the *Land Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 18/03/2023;
- (b) Making a copy of the proposal available in Council Offices from the 18/03/2023;
- (c) Notifying adjoining property owners by mail on 16/03/2023; and
- (d) Erecting a Site Notice for display from the 19/03/2023.

The period for representations to be received by Council closed on 31/03/2023.

### REPRESENTATIONS

One representation was received within the prescribed 14 day public scrutiny period required by the *Land Use Planning and Approvals Act 1993*.

The representation was received by an adjacent property owner concerned with the setback of the proposed classroom building resulting in loss of views, affect to the aesthetics of Jiloa Way and decreased property value. The representor sought consideration for the conditional approval with increased setback of the proposed classroom building from Jiloa Way. A full copy of the **representation is appended to this report**.

- The location of the new building will obstruct views of the oval and bushland and feel intrusive to the aesthetics of Jiloa Way.

*Comment: The Tasmanian Planning Scheme and LUPAA do not require consideration of individual views to or from a property. Furthermore, consideration for streetscape impacts are also not a requirement as the proposed building is setback more than the acceptable solution of 5m applicable under the Community Purposes zone.*

- Potential to decrease value of property.

*Comment: The Tasmanian Planning Scheme and LUPAA do not require consideration of property values, loss or otherwise, due to nearby development.*

- *Request consideration to amending location of proposed classroom to be closer to the bush and provide higher BAL rated construction materials.*

*Comment: The location of the proposed classroom building has been determined by a qualified bushfire hazard assessor and endorsed by the Chief Officer of Tasmania Fire Service. If the Planning Authority changed the development so it no longer met the recommendations contained within the Bushfire Hazard Management Plan and Emergency Management Strategy, they would be in breach of section 51 (2) (d) (i) of the Land Use Planning and Approvals Act 1993.*

## **DISCUSSION**

When determining an application for a planning permit the Planning Authority must consider the matters outlined in clause 6.10.1 of the *Tasmanian Planning Scheme*, including any representations, but only insofar as each matter is relevant to the particular discretion being sought. The discretion sought in this instance relates solely to the requirements for a vulnerable use as identified in the Bushfire-Prone Area Code. The proposal satisfies all other acceptable solutions of the applicable standards.

The proposal has been reviewed by internal departments and TasWater, and where relevant have provided conditions to be included in the planning permit.

## **FINANCIAL IMPLICATIONS**

No financial implications are predicted, unless an appeal is made against the Council's decision to the Tasmanian Civil and Administrative Tribunal. In such instance, legal counsel will likely be required to represent Council. The opportunity for such an appeal exists as a result of the Council determining to either approve or refuse the permit application.

## **RISK IMPLICATIONS**

In its capacity as a planning authority under the *Land Use Planning and Approvals Act 1993* (LUPAA), Council is required to make a determination on this application for a discretionary planning permit. Due diligence has been exercised in the preparation of this report and there are no predicted risks associated with a determination of this application.

## **CONCLUSION**

The proposed development for an additional classroom building and associated outbuilding is consistent with the intention of the zone and will benefit the established use on the subject site without resulting in detrimental impacts to adjoining properties. The concerns raised by the representor have been addressed and do not justify variation to the proposal. A planning permit can be issued subject to conditions.

## **ATTACHMENTS**

1. Application PA2023.0007 - 3-11 Jilola Way [**4.1.1** - 49 pages]
2. Representation PA2023.0007 - 3-11 Jilola Way [**4.1.2** - 1 page]

## **4.2 AM2023.01 & PA2023.0002 - REZONE PART OF 158 CAROLINE STREET, EAST DEVONPORT (CT 174766/1) FROM RURAL LIVING TO GENERAL RESIDENTIAL**

Author: **Carolyn Milnes, Senior Town Planner**

Endorser: **Matthew Atkins, General Manager**

### **RECOMMENDATION**

That Council:

- agree to certify amendment AM2023.01 to the Devonport Local Provisions Schedule for the land at 158 Caroline Street, East Devonport (CT 174766/1) to:
  - a. rezone part of 158 Caroline Street, East Devonport (CT 174766/1) from Rural Living to General Residential;
  - b. advise the Tasmanian Planning Commission that the Planning Authority is satisfied that the draft amendment meets the Local Provisions Schedule criteria in accordance with section 34(2) of the *Land Use Planning and Approvals Act 1993*;
  - c. place Amendment AM2023.01 and application PA2023.0002 on public exhibition for 28 days in accordance with sections 40G and 40Z of the *Land Use Planning and Approvals Act 1993*; and
  - d. approve application PA2023.0002 for a 32 lot subdivision with the following conditions:
    - 1. Unless altered by subsequent conditions, the subdivision is to proceed generally in accordance with the submitted plans and documentation:
      - a. Subdivision plans referenced as Job No. 48254, Sheets 01 & 02, Revision 07 dated 21/11/2022 by PDA Surveyors;
      - b. Bushfire Hazard Management Plan SRL22/34S, by Scott Livingston of Livingston Natural Resource Services, dated 28/6/ 2022; andcopies of which are attached and endorsed as documents forming part of this Planning Permit.
  - 2. A future road connection is to be provided to the land to the east of the subdivision. Amended plans showing the connection are to be approved by Council prior to acceptance of any final plan.
  - 3. Street trees are to be provided, as such a landscape plan showing the location and species of trees to be planted within the nature strip must be submitted in accordance with the Tasmanian Subdivisional Guidelines and approved by the Executive Manager as documents forming part of this Planning Permit. Planting within nature strip areas is to be completed to the Planning Authority's satisfaction before acceptance of any final plan.
  - 4. The developer is to submit detailed design drawings prepared by a suitably qualified engineer detailing road and stormwater design compliance with current Tasmanian

Standard Drawings (TSD-v3), version 3, and Tasmanian Subdivisional Guidelines. These are to demonstrate:

- a. Stormwater discharge from the subdivision is to be adequately hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 100-year Average Recurrence Interval (ARI), and for a suitable range of storm durations, to adequately identify peak discharge, for the piped and overland flows. All design calculations and drawings are to be submitted for approval by the City Engineer prior to commencing construction on site;
  - b. How the proposed road formation, pavement and associated features as well as the proposed reserve width is maintained throughout the development and conforms with the Tasmanian Subdivisional Guidelines
  - c. How each lot is provided with a concrete vehicular access from the proposed new road in accordance with current Tasmanian Standard Drawings and Tasmanian Subdivisional Guidelines;
  - d. Appropriate road longitudinal and cross-sectional grades;
  - e. Appropriate intersection design, line marking and signage;
  - f. Appropriate footpath alignments and grades including ramps and the connectivity from the development to existing;
  - g. Subsoil drains;
  - h. Pipeline cover in accordance with Tasmanian Standard Drawings;
  - i. All kerb and driveway crossovers to be Type KC as per Tasmanian Standard Drawing TSD-R14-v3 and Tasmanian Subdivisional Guidelines; and
  - j. New driveways are to be constructed as per the Tasmanian Standard Drawing, TSD-R09-V3, for the crossover and the driveway up to the property boundary.
5. Erosion and sediment control measures are to be implemented and maintained during development to minimise downstream sediment transfer, particularly with respect to watercourses, stormwater outlets and disturbed ground, to the satisfaction of the City Engineer.
  6. The developer is to acknowledge that at satisfactory completion of the works, all infrastructure intended to become a council asset will be placed on a minimum 6

month defect liability period and that there will be a bond charged to govern this period in accordance with Council's Subdivision Maintenance Bond Policy.

7. The subdivider is to provide 2 sets of drawings (As cons) in an electronic format one in coordinated .dwg format and one in .pdf at the completion off the works, detailing final road alignments, stormwater assets, invert levels and finished surface levels.
8. In accordance with the Tasmanian Subdivision Guidelines the developer is to appoint a supervising engineer to arrange for joint audit inspections and to certify the works at practical completion.
9. The developer must ensure the construction management plan includes owner notification and alternative access arrangements where necessary for the existing properties which have legal access over the subject site.
10. The developer is to ensure that all stormwater run-off is managed in accordance with the Environment Protection Authority's recommendations "*Soil & Water Management on Large Building & Construction Sites*" (refer to notes).
11. The developer must transfer the road lot to council after the sealing of the final plan. The developer is to cover all costs associated with the transfer of the road title to council.
12. A public open space contribution of 5% of the unimproved value of the land is to be provided to Council prior to sealing the initial final plan. The value of the land is to be determined by a registered valuer or based upon the current Valuer General's assessment.
13. The developer is to comply with the conditions specified in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit pursuant to section 56P(1) of the *Water and Sewerage Industry Act 2008*. A copy of this notice is attached.

Note: The following is provided for information purposes.

The development is to comply with the requirements of the current National Construction Code. The developer is to obtain the necessary building and plumbing approvals and provide the required notifications in accordance with the *Building Act 2016* prior to commencing building or plumbing work.

Hours of Construction shall be: Monday to Friday Between 7am - 6pm, Saturday between 9am -6pm and Sunday and statutory holidays 10am - 6pm.

During the construction or use of these facilities all measures are to be taken to prevent nuisance. Air, noise and water pollution matters are subject to provisions of the *Building Regulations 2016* or the *Environmental Management and Pollution Control Act 1994*.

No burning of any waste materials (including cleared vegetation) is to be undertaken on site. Any waste material is to be removed and disposed of at a licensed refuse waste disposal facility.

In regard to condition 10, large building and construction sites are those with greater than 250m<sup>2</sup> of ground disturbance – refer to the following link:

[https://epa.tas.gov.au/Documents/Soil\\_and%20 Water\\_Management\\_Fact%20 Sheet\\_1.pdf](https://epa.tas.gov.au/Documents/Soil_and%20Water_Management_Fact%20Sheet_1.pdf)

In regard to condition 13 the applicant/developer should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 4-10 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.



Enquiries regarding other conditions can be directed to Council's Development Services Department – Ph 6424 0511.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.1.1 Apply and review the Planning Scheme as required, to ensure it delivers local community character and appropriate land use
- Strategy 2.1.2 Provide consistent and responsive development assessment and compliance processes

### SUMMARY

The purpose of this report is to enable Council, acting as a Planning Authority, to determine whether to certify an amendment to the Devonport Local Provisions Schedule in accordance with section 40T of the *Land Use Planning and Approvals Act 1993* in regard to the following matters:

- rezone part of 158 Caroline Street, East Devonport (CT 174766/1) from Rural Living to General Residential; and
- concurrent approval of a 32 Lot subdivision.

### BACKGROUND

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Address:	158 Caroline Street, East Devonport
Applicant:	PDA Surveyors, Engineers and Planners
Owner:	Vos Construction and Joinery Pty Ltd
Proposal:	Removal of the Rural Living Zone, Introduction of the General Residential Zone and 32 Lot Subdivision
Existing Use:	Vacant
Zoning:	Rural Living, General Residential and Agriculture
Decision Due:	13 March, 2023 extension provided by the Tasmanian Planning Commission until 24 April, 2023

### SITE DESCRIPTION

The subject site is situated at the southernmost end of Caroline Street running parallel to Marine Street and along the outlet to the Bass Highway. The 12.02ha lot generally falls from the north-eastern side to the southern side. Properties adjoining the northern boundary are established residential lots, while eastern adjoining properties are actively managed cropping land. Figure 1 shows the title plan for the lot. The subject site and surrounding area are illustrated in Figure 2. A 47 lot subdivision was approved in December 2022 for the north western corner of the site.

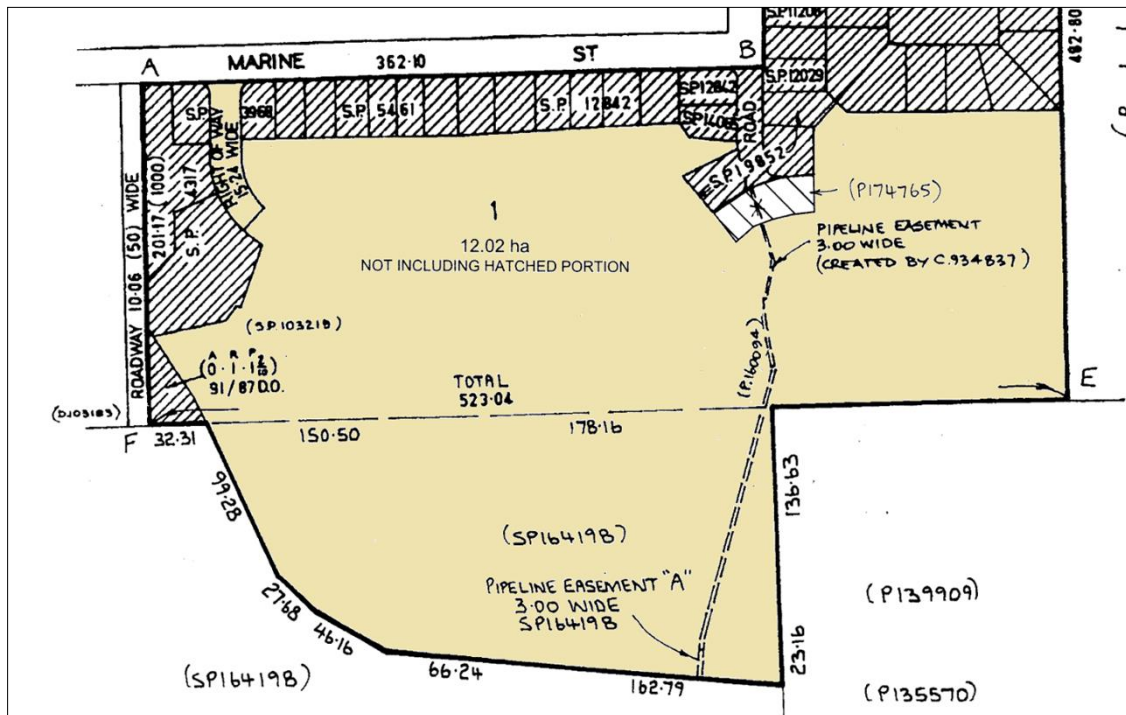


Figure 1 - Title Plan - CT174766/1 (Source: ListMap)



Figure 2 - Aerial view of subject site and surrounding area (Source: DCC)

### CURRENT ZONING

The site is currently zoned General Residential, Agriculture and Rural Living, as shown in Figure 3. It is proposed the area currently zoned Rural Living be rezoned to General Residential. This consists of an area of approximately 3.3ha.

The zone purpose and use table for each zone are reproduced below.

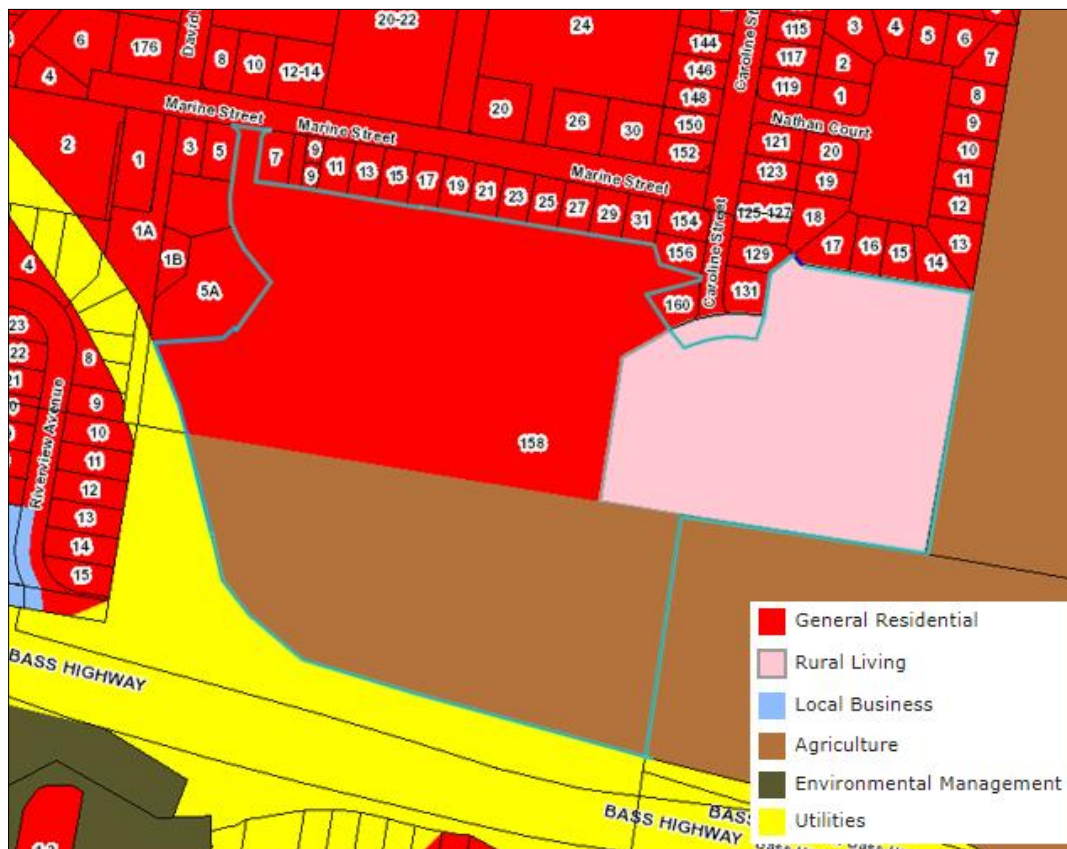


Figure 3 - Zoning Map (Source: ListMap)

#### 8.0 GENERAL RESIDENTIAL ZONE

The intent of the General Residential Zone is to provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided, to provide for the efficient utilisation of available social, transport and other service infrastructure, to provide for non-residential use that primarily serves the local community and does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts and to provide for visitor accommodation that is compatible with residential character.

The use table for the zone is as follows:

#### 8.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling.
Utilities	If for minor utilities.
<b>Permitted</b>	
Residential	If not listed as No Permit Required.
Visitor Accommodation	

<b>Discretionary</b>	
Business and Professional Services	If for a consulting room, medical centre, veterinary centre, child health clinic, or for the provision of residential support services.
Community Meeting and Entertainment	If for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre.
Educational and Occasional Care	If not for a tertiary institution.
Emergency Services	
Food Services	If not for a takeaway food premises with a drive through facility.
General Retail and Hire	If for a local shop.
Sports and Recreation	If for a fitness centre, gymnasium, public swimming pool or sports ground.
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

#### 11.0 RURAL LIVING ZONE

The intent of the Rural Living Zone is:

11.1.1 To provide for residential use or development in a rural setting where:

- (a) services are limited; or
- (b) existing natural and landscape values are to be retained.

11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.

11.1.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.

11.1.4 To provide for Visitor Accommodation that is compatible with residential character.

The use table for the zone is as follows:

#### 11.2 Use Table

<b>Use Class</b>	<b>Qualification</b>
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling.
Resource Development	If for grazing.
Utilities	If for minor utilities.

<b>Permitted</b>	
Residential	If for a home-based business.
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	If for a veterinary centre.
Community Meeting and Entertainment	If for a place of worship, art and craft centre or public hall.
Domestic Animal Breeding, Boarding or Training	
Education and Occasional Care	If for: (a) a childcare centre or primary school; or (b) an existing respite centre.
Emergency Services	
Food Services	If for a gross floor area of not more than 200m <sup>2</sup> .
General Retail and Hire	If for: (a) primary produce sales; (b) sales related to Resource Development; or (c) a local shop.
Manufacturing and Processing	If for alterations or extensions to existing Manufacturing and Processing.
Resource Development	If: (a) not for intensive animal husbandry or plantation forestry; or (b) not listed as No Permit Required.
Resource Processing	If not for an abattoir, animal saleyards or sawmilling.
Sports and Recreation	If for an outdoor recreation facility.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
<b>Prohibited</b>	
All other uses	

## 21.0 AGRICULTURE ZONE

The purpose of the Agriculture zone is:

21.1.1 To provide for the use or development of land for agricultural use.

21.1.2 To protect land for the use or development of agricultural use by minimising:

- (a) conflict with or interference from non-agricultural uses;
- (b) non-agricultural use or development that precludes the return of the land to agricultural use; and
- (c) use of land for non-agricultural use in irrigation districts.

21.1.3 To provide for use or development that supports the use of the land for agricultural use.

The use table for the zone is as follows:

## 21.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Resource Development	If: <ul style="list-style-type: none"> <li>(a) on land other than prime agricultural land; or</li> <li>(b) an agricultural use, excluding plantation forestry, on prime agricultural land if it is dependent on the soil as the growth medium or conducted in a manner which does not alter, disturb or damage the existing soil profile or preclude it from future use as a growth medium.</li> </ul>
Utilities	If for minor utilities.
<b>Permitted</b>	
Food Services	If associated with Resource Development or Resource Processing.
General Retail and Hire	If associated with Resource Development or Resource Processing.
Pleasure Boat Facility	If for a boat ramp.
Residential	<ul style="list-style-type: none"> <li>(a) a home-based business in an existing dwelling; or</li> <li>(b) alterations or extensions to an existing dwelling.</li> </ul>
<b>Discretionary</b>	
Bulky Goods Sales If:	If: <ul style="list-style-type: none"> <li>(a) a supplier for Extractive Industry, Resource Development or Resource Processing;</li> <li>(b) a garden and landscape supplier; or</li> <li>(c) a timber yard.</li> </ul>
Domestic Animal Breeding, Boarding or Training	

Educational and Occasional Care	
Emergency Services	
Extractive Industry	
Food Services	If not listed as Permitted.
General Retail and Hire	If not listed as Permitted.
Manufacturing and Processing	If for: (a) the manufacturing of agricultural equipment; or (b) the processing of materials from Extractive Industry.
Research and Development	
Residential	If: (a) not restricted by an existing agreement under section 71 of the Act; and (b) not listed as Permitted.
Resource Development	If not listed as No Permit Required.
Resource Processing	
Storage	If for: (a) a contractors yard; (b) freezing and cooling storage; (c) grain storage; (d) a liquid, solid or gas fuel depot; or (e) a woodyard.
Tourist Operation	
Transport Depot and Distribution	If for the transport and distribution of agricultural produce and equipment.
Utilities	If not listed as No Permit Required.
Visitor Accommodation	
<b>Prohibited</b>	
All other uses	

In addition to the zoning, several overlays are applicable to the site, the Bushfire-Prone Areas Code, Landslip Hazard Code and the Safeguarding of Airports Code.

#### C13.0 BUSHFIRE-PRONE AREAS CODE

The Bushfire-Prone Areas Code applies to the whole site, as shown in Figure 4, hatched in brown. The intent of the code is:



- C13.1.1 To ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.



**Figure 4 - Bushfire-Prone Area (Source: [www. https://gisportal.devonport.tas.gov.au](https://gisportal.devonport.tas.gov.au))**

#### C15.0 LANDSLIP HAZARD CODE

The landslide hazard Code applies to the southern section of the lot which slopes steeply towards the highway, along with small areas of low landslide hazard bands to the west and east of the site as shown in Figure 5. The purpose of the Code is:

- C15.1.1 To ensure that a tolerable risk can be achieved and maintained for the type, scale and intensity and intended life of use or development on land within a landslide hazard area.



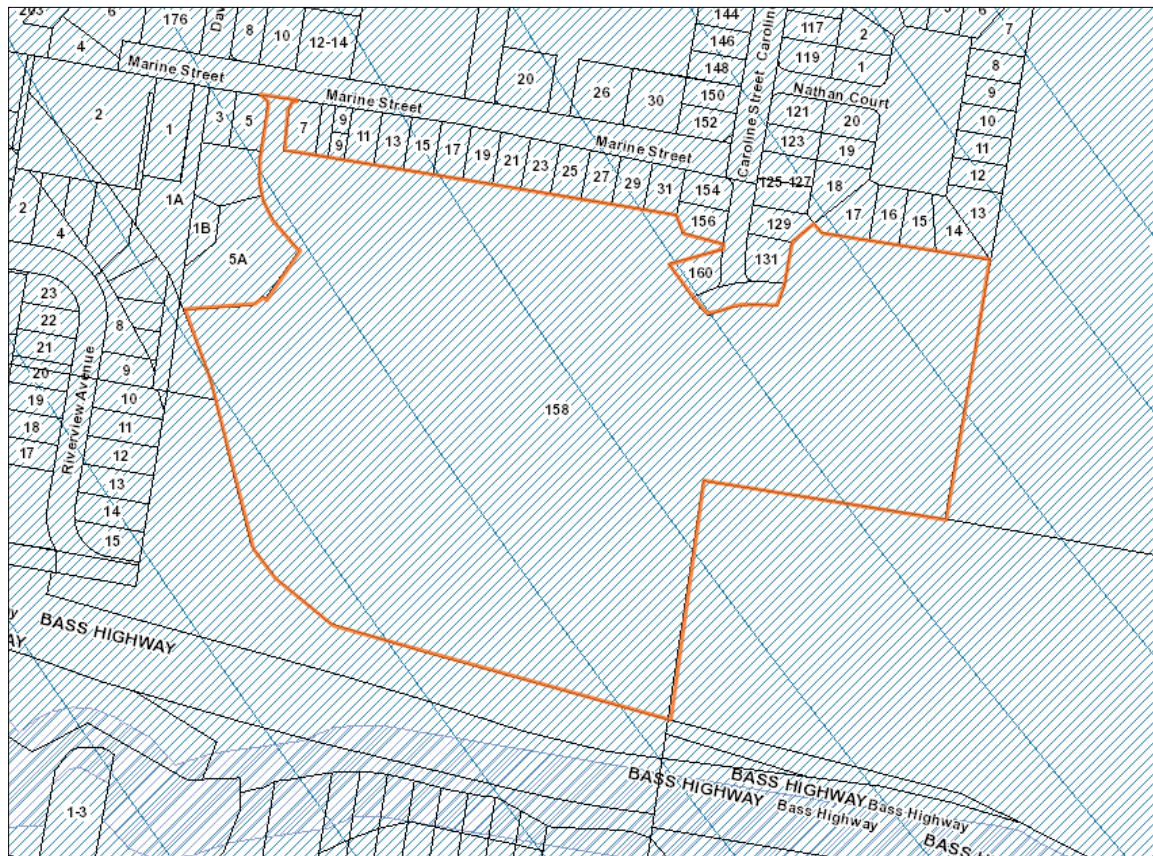


**Figure 5 – Landslip Hazard Area (Source: [www. https://gisportal.devonport.tas.gov.au](https://gisportal.devonport.tas.gov.au))**

#### C16.0 SAFEGUARDING OF AIRPORTS CODE

Figure 6 shows the application of the Airport obstacle limitation area to the whole site. The application of the area triggers the Code, the purpose of which is:

- C16.1.1 To safeguard the operation of airports from incompatible use or development.
- C16.1.2 To provide for use and development that is compatible with the operation of airports in accordance with the appropriate future airport noise exposure patterns and with safe air navigation for aircraft approaching and departing an airport.



**Figure 6 - Airport obstacle limitation area (Source: ListMap)**

## PROPOSED AMENDMENT

The applicant proposes to amend the Devonport Local Provisions Schedule (LPS) maps by rezoning the Rural Living area of the site to General Residential.

Should the above be adopted the applicant also proposes a 32 lot subdivision. Figures 7 & 8 show the proposed zoning and lot layout respectively.

The amended zoning map is appended as **Attachment 1** and the full application can be viewed as **Attachment 3**.



Figure 7 - Proposed zoning map showing the Rural Living Zone replaced by the General Residential Zone (Source: Modified from ListMap)



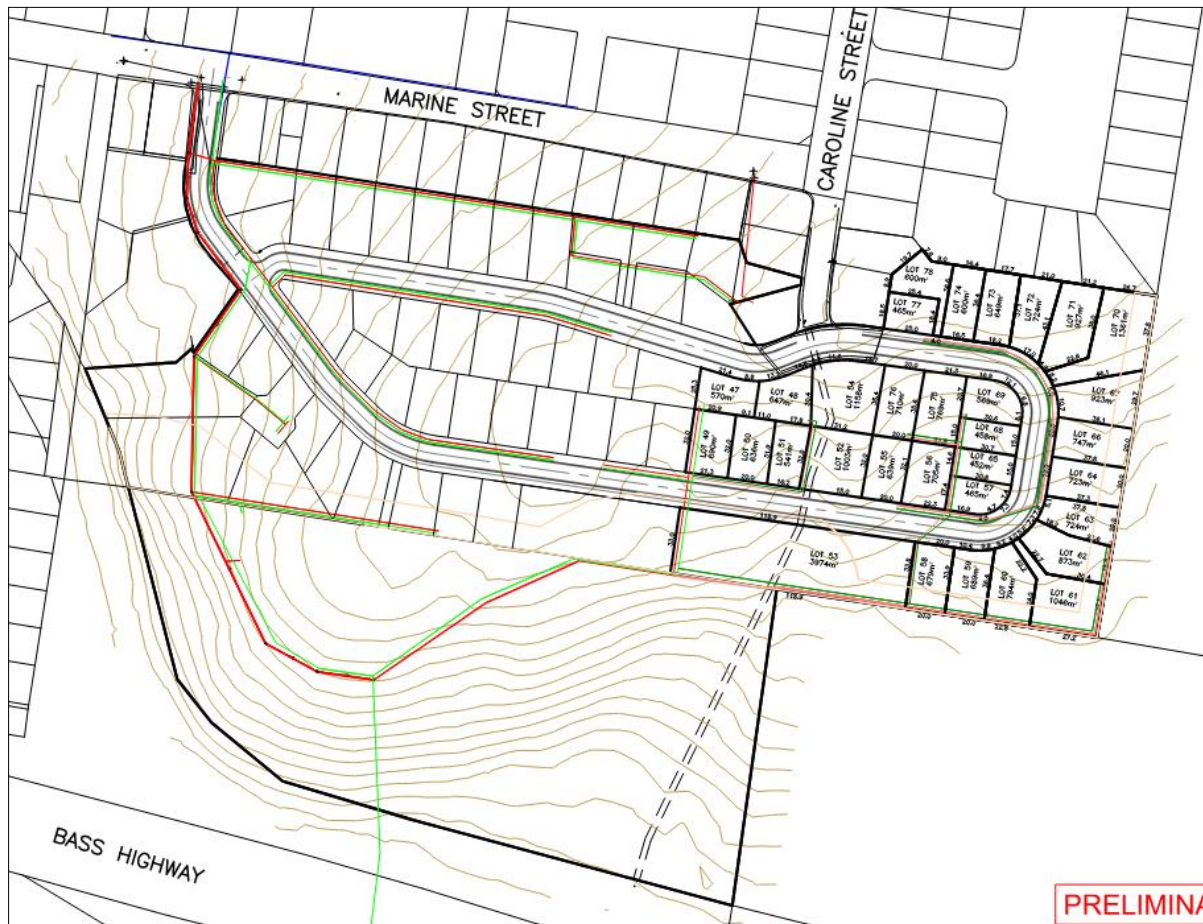


Figure 8 - Proposed lot layout (Source: PDA)

### STATUTORY REQUIREMENTS

In accordance with section 38 of the *Land Use Planning and Approvals Act, 1993 (LUPAA)*, before deciding whether to prepare a draft amendment to a Local Provision Schedule (LPS) the Planning Authority must be satisfied that such a draft amendment of an LPS will meet the LPS criteria, as outlined in section 34 of LUPAA.

A detailed assessment against the LPS criteria is appended to this report as **Attachment 2**.

It is noted that the proposed amendment relates only to alterations to the mapping of the LPS and therefore does not diminish the appropriateness of the provisions which have been shown to meet the criteria through their adoption in October 2020.

In addition to the assessment of the LUPAA requirements the draft amendment requires consistency with the Section 8A Guidelines for LPS zone and code application. The guidelines for application of the General Residential Zone are reproduced below.

## GENERAL RESIDENTIAL ZONE

Zone Application Guidelines	
GRZ 1	<p>The General Residential Zone should be applied to the main urban residential areas within each municipal area which:</p> <ul style="list-style-type: none"> <li>(a) are not targeted for higher densities (see Inner Residential Zone); and</li> <li>(b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system.</li> </ul>
GRZ 2	<p>The General Residential Zone may be applied to green-field, brown-field or grey-field areas that have been identified for future urban residential use and development if:</p> <ul style="list-style-type: none"> <li>(a) within the General Residential Zone in an interim planning scheme;</li> <li>(b) within an equivalent zone under a section 29 planning scheme; or</li> <li>(c) justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; and</li> <li>(d) is currently connected, or the intention is for the future lots to be connected, to a reticulated water supply service and a reticulated sewerage system,</li> </ul>
<b>Note:</b>	<p><i>The Future Urban Zone may be used for future urban land for residential use and development where the intention is to prepare detailed structure/precinct plans to guide future development.</i></p>
GRZ 3	<p>The General Residential Zone should not be applied to land that is highly constrained by hazards, natural values (i.e. threatened vegetation communities) or other impediments to developing the land consistent with the zone purpose of the General Residential Zone, except where those issues have been taken into account and appropriate management put into place during the rezoning process.</p>

The area proposed to be zoned General Residential is currently zoned Rural Living as a result of an inability to service the land in the past. The accompanying 32 lot subdivision application demonstrates that the land is now able to be serviced. The land is not targeted for higher densities, therefore the Inner Residential Zone is not deemed appropriate. The land is capable of connecting to reticulated water, and sewerage systems.

The *Cradle Coast Regional Land Use Strategy (CCRLUS)* supports the change in zoning in that supply within the municipality is well below the 10 years supply stipulated at clause 4.7 of the CCRLUS and should be increased. The CCRLUS also 'promotes higher dwelling densities to optimise use of land'. Under the current zoning no more than 4 residential lots could be developed. The General Residential Zone would allow for a much higher density. While 32 lots are proposed many of these will be able to accommodate multiple dwellings, thus increasing the density.

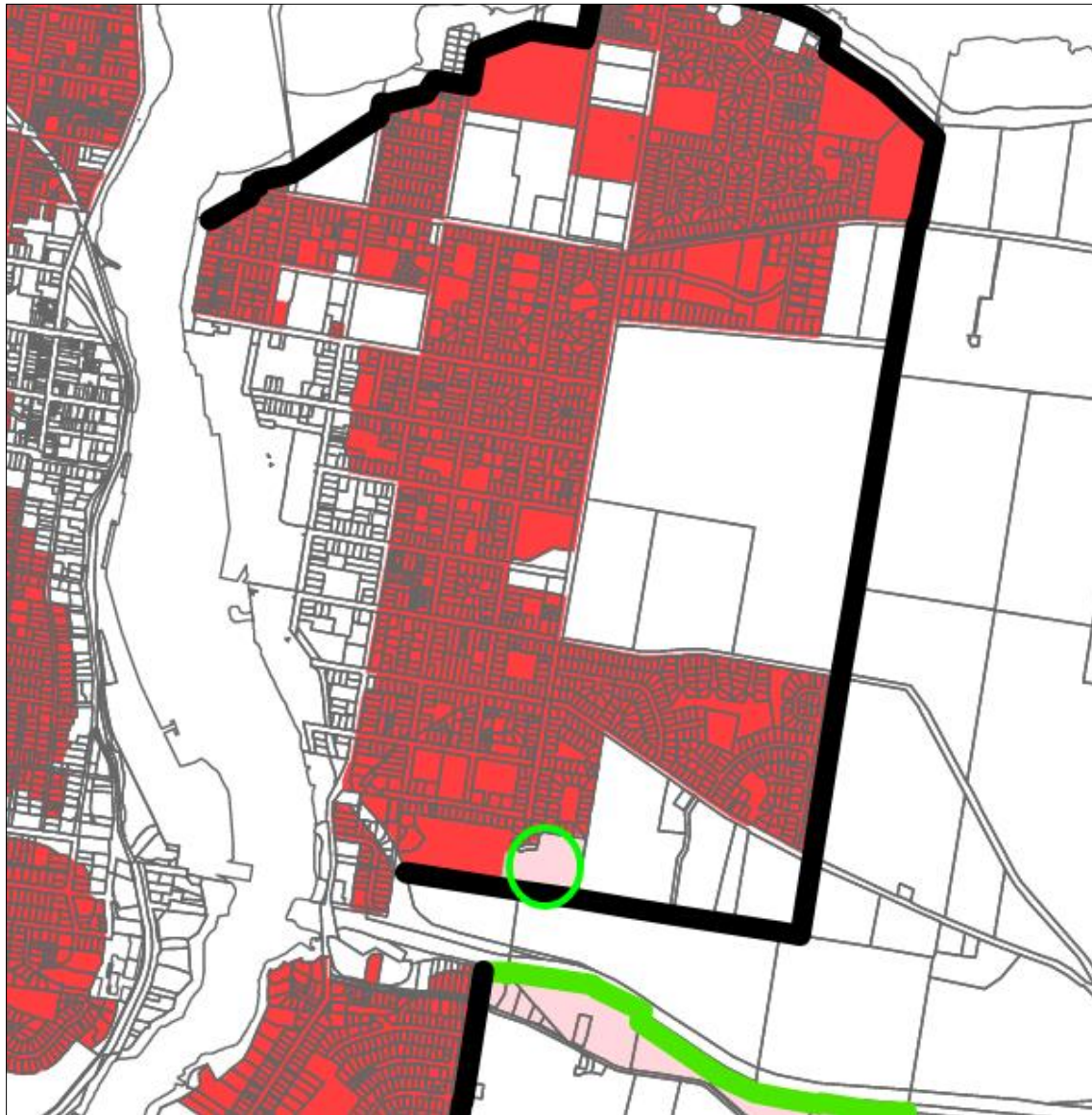
Both the CCRLUS and *Greater Devonport Residential Growth Strategy 2021-2041* (Residential Growth Strategy) support increasing General Residential land supply through infill development. The subject site is located within the Urban Growth Boundary adopted by the Residential Growth Strategy and therefore its conversion to the General Residential Zone is deemed appropriate.

The land to be rezoned is abutted by the General Residential Zone to the north and west. The adjacent Agriculture Zone is compromised by the existing Rural Living Zone along with the General Residential Zone north of the subject site. The change from Rural Living to



General Residential will result in little change to the existing conflicts. Figure 2 shows the extent of residential development surrounding the farmland.

Figure 9 shows the Urban Growth Boundary as adopted by the Residential Growth Strategy. The subject site is circled in green.



**Figure 9 – Urban Growth Boundary shown as thick black line. Site circled in green  
(Source: Devonport Residential Growth Strategy, 2021-2041)**

### **COMMUNITY ENGAGEMENT**

The draft amendment must be placed on public exhibition for a period of 28 days in accordance with section 40G of the *Act*. During this time, people will have the opportunity to comment via representation made to Council. In accordance with section 40K of the *Act*, should any representations be received, a report must be provided to the Planning Commission regarding the merit of the representations and including any recommendations the Planning Authority sees fit.

### **FINANCIAL IMPLICATIONS**

No negative financial implications are anticipated as a result of the proposed rezoning.

## CONCLUSION

The proposed changes to the Devonport Local Provisions Schedule mapping will allow for an increase to appropriately zoned General Residential land within the municipality, reallocating residential land that currently allows for very low densities to land suitable for higher densities which are in keeping with the surrounding area.

## PERMIT APPLICATION

### APPLICATION DETAILS

In assessing the application, it is assumed that the proposed amendment has been approved and the land is zoned General Residential. Referral to TasWater has been made and a condition will be placed on the permit in reference to TasWater's conditions.

The applicant is seeking approval for a 32 lot subdivision as shown in Figure 10 below. The proposal is stage 2 of the subdivision of the site, with stage 1 having been approved in December 2022. Figure 11 shows the subdivision as a whole.

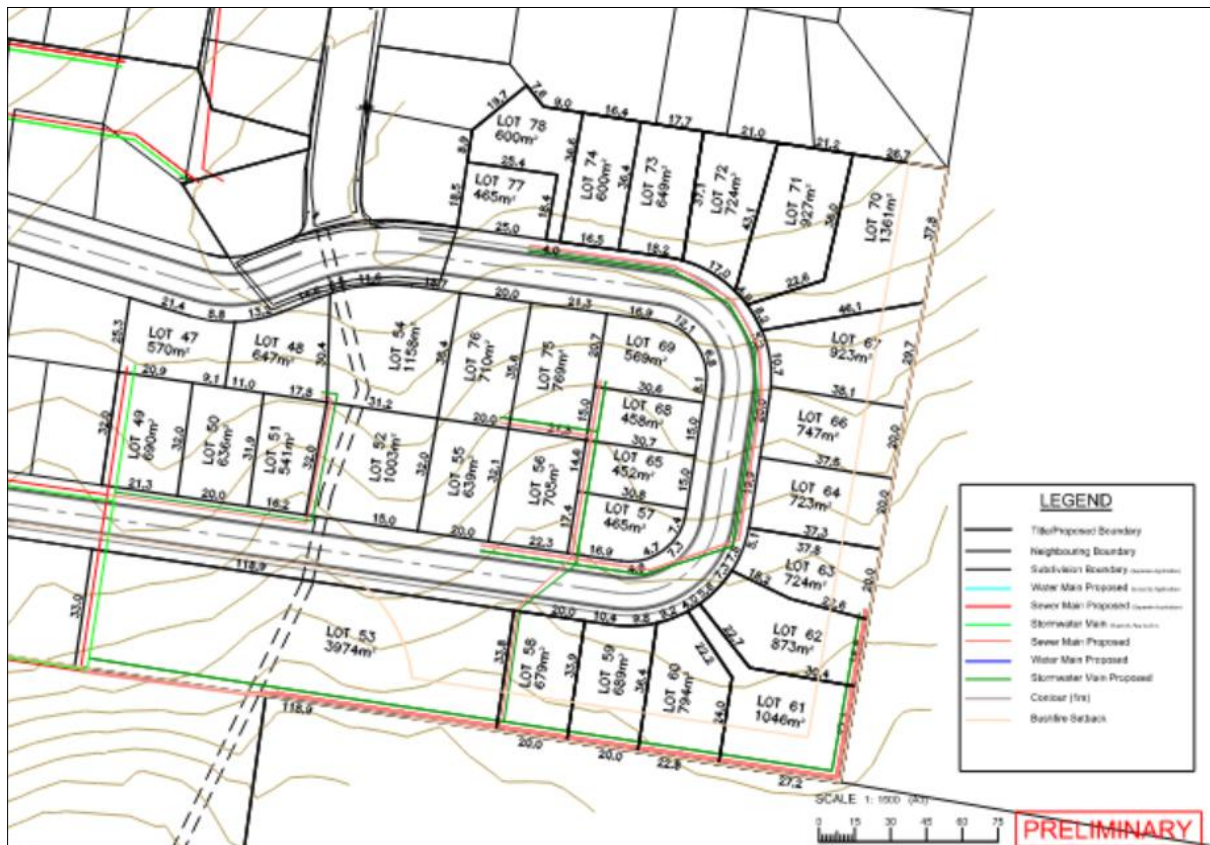


Figure 10 - Proposed 32 Lot Subdivision (Source: PDA)



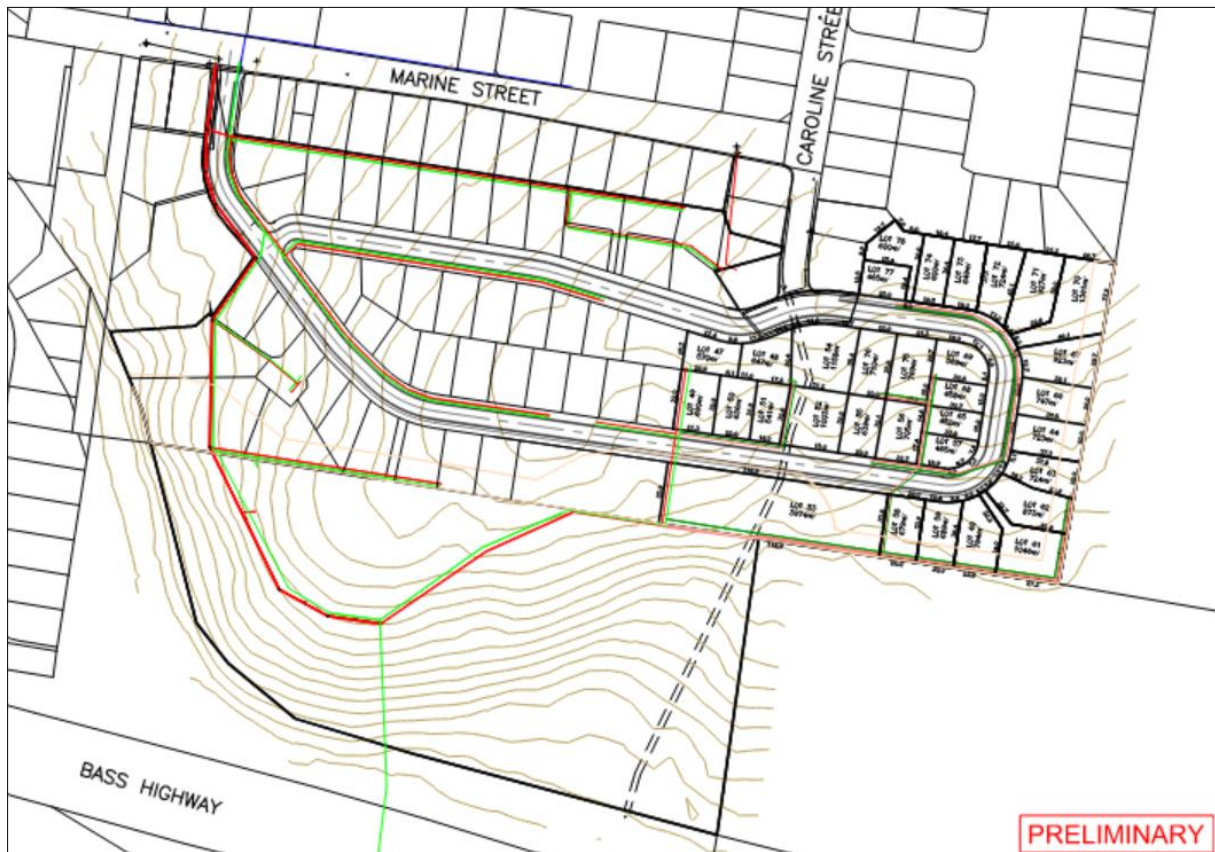


Figure 9 - Overall subdivision layout (Source: PDA)

## PLANNING ISSUES

The subject site contains the General Residential and Agriculture Zones. In addition, the site is subject to a bushfire-prone area, airport obstacle limitation area ranging from 55m to 65m AHD and a low landslip hazard band. A zoning map is shown in Figure 12.

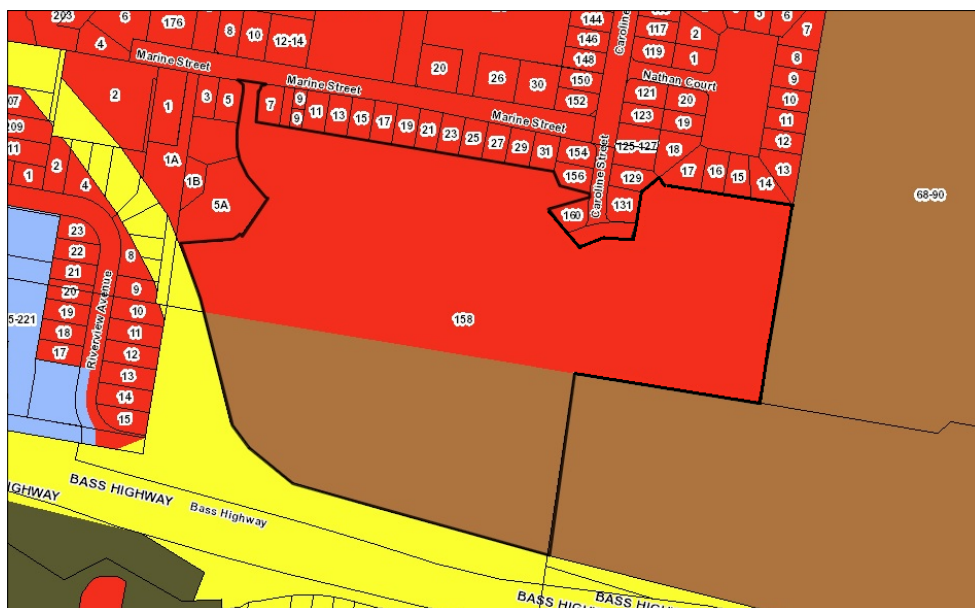


Figure 10 – Zoning Map (Source: DCC/ListMap)



Subdivision does not require categorisation into a Use Class, in accordance with clause 6.2.6 of the planning scheme, however must be assessed against the subdivision standards contained in the relevant zone. In addition, all applicable codes must be addressed.

The relevant sections of the planning scheme are assessed below.

## 8.0 General Residential Zone

### 8.6 Development Standards for Subdivision

#### 8.6.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; (c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and (d) is orientated to provide solar access for future dwellings.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 450m<sup>2</sup> and:</p> <p>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the relevant requirements for development of buildings on the lots;</p> <p>(b) the intended location of buildings on the lots;</p> <p>(c) the topography of the site;</p> <p>(d) the presence of any natural hazards;</p> <p>(e) adequate provision of private open space; and</p> <p>(f) the pattern of development existing on established properties in the area.</p>

Comment – Each lot meets the acceptable solution.

<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the width of frontage proposed, if any;</li> <li>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(c) the topography of the site;</li> <li>(d) the functionality and useability of the frontage;</li> <li>(e) the ability to manoeuvre vehicles on the site; and</li> <li>(f) the pattern of development existing on established properties in the area,</li> </ul> <p>and is not less than 3.6m wide.</p>
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Comment – Six lots have a frontage less than 12m wide. Each lot has sufficient area for residential use and will allow for vehicles to manoeuvre on the site. A number of lots in the surrounding area have frontages of a similar width. Each frontage exceeds the 3.6m wide minimum.

The performance criteria is satisfied.

<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic;</li> <li>(d) the anticipated nature of vehicles likely to access the site; and</li> <li>(e) the ability for emergency services to access the site.</li> </ul>
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Comment – Each lot will have vehicular access from the boundary of the lot to the road. The acceptable solution is met.

<b>A4</b>  Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.	<b>P4</b>  Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to:  (a) the size, shape and orientation of the lots; (b) the topography of the site; (c) the extent of overshadowing from adjoining properties; (d) any development on the site; (e) the location of roads and access to lots; and (f) the existing pattern of subdivision in the area.
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Comment – While not all lots have the long axis of the lot between 30 degrees west of north and 30 degrees east of north all are of sufficient size and orientation to allow for adequate solar access.

The performance criteria is met.

## 8.6.2 Roads

<b>Objective:</b>	That the arrangement of new roads within a subdivision provides for: <ul style="list-style-type: none"> <li>(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</li> <li>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>  The subdivision includes no new roads.	<b>P1</b>  The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to: <ul style="list-style-type: none"> <li>(a) any road network plan adopted by the council;</li> <li>(b) the existing and proposed road hierarchy;</li> <li>(c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;</li> <li>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</li> </ul>
	<ul style="list-style-type: none"> <li>(e) minimising the travel distance between key destinations such as shops and services and public transport routes;</li> <li>(f) access to public transport;</li> <li>(g) the efficient and safe movement of pedestrians, cyclists and public transport;</li> <li>(h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the <i>Guide to Road Design Part 6A: Paths for Walking and Cycling 2016</i>;</li> <li>(i) the topography of the site; and</li> <li>(j) the future subdivision potential of any balance lots on adjoining or adjacent land.</li> </ul>

Comment – The proposed road will be accessible from both Caroline Street and Marine Street and provide an appropriate level of access, connectivity, safety and convenience for all road users. Footpaths will be provided for pedestrian access.

In order to ensure future connectivity to the east, given the location of the urban growth boundary, a connection to the land to the east is required. A condition will be placed on the permit on this regard.

The performance criteria is satisfied.

### 8.6.3 Services

<b>Objective:</b>	That the subdivision of land provides services for the future use and development of the land.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.		<b>P1</b>  A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to: <ul style="list-style-type: none"> <li>(a) flow rates;</li> <li>(b) the quality of potable water;</li> <li>(c) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(d) the topography of the site; and</li> <li>(e) any advice from a regulated entity.</li> </ul>
<b>A2</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.		<b>P2</b>  No Performance Criterion.
<b>A3</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.		<b>P3</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to: <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> </ul>

	<ul style="list-style-type: none"><li>(b) topography of the site;</li><li>(c) soil conditions;</li><li>(d) any existing buildings on the site;</li><li>(e) any area of the site covered by impervious surfaces; and</li><li>(f) any watercourse on the land.</li></ul>
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Comment – Each new lot, is capable of connecting to stormwater, water and sewer infrastructure.

The acceptable solution is met.

## C3.0 ROAD AND RAILWAY ASSETS CODE

### C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

Objective:	To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.
Acceptable Solutions	Performance Criteria
<p><b>A1.1</b></p> <p>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> <li>(a) a new junction;</li> <li>(b) a new vehicle crossing; or</li> <li>(c) a new level crossing.</li> </ul> <p><b>A1.2</b></p> <p>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p><b>A1.3</b></p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p><b>A1.4</b></p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> <li>(a) the amounts in Table C3.1; or</li> <li>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</li> </ul> <p><b>A1.5</b></p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p><b>P1</b></p> <p>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any increase in traffic caused by the use;</li> <li>(b) the nature of the traffic generated by the use;</li> <li>(c) the nature of the road;</li> <li>(d) the speed limit and traffic flow of the road;</li> <li>(e) any alternative access to a road;</li> <li>(f) the need for the use;</li> <li>(g) any traffic impact assessment; and</li> <li>(h) any advice received from the rail or road authority.</li> </ul>

Comment – Clauses A1.1, A1.3, A1.4 and A1.5 are not applicable. The proposal will include a new junction with Caroline Street which is subject to A1.2. While the road authority (Council) had not provided written consent to be submitted as part of the

application consent is given through issuing a permit for the proposal. The acceptable solution is met.

**C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area**

<b>Objective:</b>	To minimise the effects of noise, vibration, light and air emissions on lots for sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.</p>	<p><b>P1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, intended for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise the effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) any buffers created by natural or other features;</li> <li>(c) the location of existing or proposed buildings on the site;</li> <li>(d) the frequency of use of the rail network;</li> <li>(e) the speed limit and traffic volume of the road;</li> <li>(f) any noise, vibration, light and air emissions from the rail network or road;</li> <li>(g) the nature of the road;</li> <li>(h) the nature of the intended uses;</li> <li>(i) the layout of the subdivision;</li> <li>(j) the need for the subdivision;</li> <li>(k) any traffic impact assessment;</li> <li>(l) any mitigating measures proposed;</li> <li>(m) any recommendations from a suitably qualified person for mitigation of noise; and</li> <li>(n) any advice received from the rail or road authority.</li> </ul>

Comment – The subject site is not within a road or rail attenuation area. The acceptable solution is met.



### C13.0 BUSHFIRE-PRONE AREAS CODE

The applicant has provided a Bushfire Hazard Management Report which satisfactorily addresses the requirements of the planning scheme.

### C15.0 LANDSLIP HAZARD CODE

Figure 5 earlier in the report, highlights that a small section of the subdivision site is mapped within a low landslip hazard band.

Clause C15.4.1 lists the exemptions of the Code. Part (e) of this Code states that subdivision is exempt on a low landslip hazard band if it does not involve significant works. In this case, significant works are not anticipated from the subdivision and the exemption can be satisfied.

### C16.0 SAFEGUARDING OF AIRPORTS CODE

The proposed subdivision is exempt from the code as the development will not extend into the AHD height specified of 55m.

### Public Open Space

Council has determined that a contribution of land in regard to public open space is not warranted in the area given the proximity to Girdlestone Park, Mary Binks Wetlands and the Mersey River. In light of this a monetary contribution in lieu of public open space will be requested.

## **PUBLIC ENGAGEMENT**

The proposal differs to other discretionary applications in that it is made in conjunction with an amendment to the Devonport Local Provisions Schedule. As such a decision must be made on the application, assuming the draft amendment has been adopted, prior to advertising of the application. Both the draft amendment and application will be subject to a 28-day public notification period during which members of the public may comment on the proposal. Any representations will be assessed by Council and a report submitted to the Tasmanian Planning Commission containing any recommendations proposed as a result of the representations.

## **CONCLUSION**

The proposal has been assessed against the requirements of the planning scheme, as amended, and can be approved with conditions.

## **ATTACHMENTS**

1. 158 Caroline Street Rezoning Map [**4.2.1** - 1 page]
2. LUPAA assessment - section 34 - AM2023.01 - 158 Caroline Street, East Devonport [**4.2.2** - 2 pages]
3. Application - PA2023.0002 & AM2023.01 - 158 Caroline Street, East Devonport [**4.2.3** - 135 pages]

## 5 REPORTS

### 5.1 URBAN ART FREE WALL

Author: **Geoff Dobson, Convention & Arts Centre Manager**

Endorser: **Matthew Skirving, Executive Manager**

#### RECOMMENDATION

That Council endorse the use of the western wall of Market Square pavilion as a free urban art wall in the Devonport CBD following the guidelines of the Devonport City Council Public Art Strategy 2022 – 2025.

#### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.2.3 Develop and implement an integrated approach to public art

#### SUMMARY

This report provides Council with information regarding the development of a free urban art wall in the Devonport CBD. This project is an action in Council's Public Art Strategy 2022 – 2025 which states: *Develop a free wall mural project within the CBD for local and emerging street artists.*

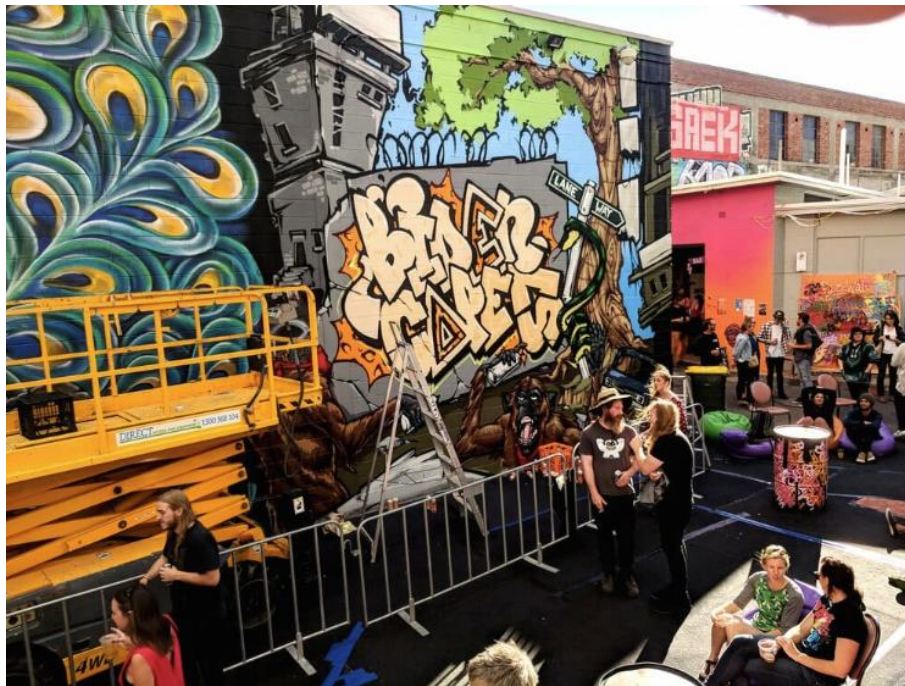
#### BACKGROUND

Council adopted a new public art strategy in June 2022. The strategy provides Council with a cohesive vision and aims for meaningful public art outcomes. The vision for Devonport is to be a leading regional city for diverse and original public art that expresses the city's individuality.

The strategy includes a number of actions, one being to develop a free wall mural project within the CBD for local and emerging street artists (action item 2).

A free wall is defined as space for permitted street art. Free walls are often located in public spaces and are becoming increasingly popular throughout Australia. The resulting artwork can enhance otherwise dreary and uninviting public spaces. Free walls are also used to promote cultural tourism. Hosier Lane, a well-known permitted street art laneway in Melbourne, is listed by the travel website, TripAdvisor in the top 5% of 'Things to Do in Melbourne'. It is ranked at 32 overall, ahead of Sea Life Melbourne Aquarium, 33, and the Arts Centre Melbourne at 39.

The City of Hobart launched its first legal street art wall in 2018. Bidendopes Lane includes a designated wall that can be painted by an artist who submits an online application for a permit. Incidentally, Bidendopes Lane was a finalist in the 2022 Australian Street Art Awards, established to recognise excellence and innovation in art tourism. (Banna Lane in Griffith NSW was awarded Best Street Art Laneway in 2022). The awards are used to showcase Australian destinations alerting tourists to world-class street art that is accessible and enjoyable all year round. [Public Art | Australian Street Art Awards](#)



*Bideacopes Lane, Hobart*

Rooke Lane is the closest example of a free wall in Devonport. However, most of the urban art within Rooke Lane was commissioned as part of Youth Week initiatives, such as Reclaim the Lane. In addition, several commissions in Rooke Lane were initiated by the Devonport Regional Gallery, due to the lane's proximity to the Gallery prior to its relocation in 2018.

Aside from the car park, Stewart Street toilet block, and the heritage listed premises of RANT Arts, Council does not own any property in Rooke Lane suitable for a free urban art wall. In addition, Rooke Lane is a one-way street for vehicles, and has often been subject to a road closure permit to allow artists to work safely in the laneway.



*Reclaim the Lane, 2012*

Importantly, there is a distinction between permitted street art and what is commonly referred to as graffiti. Permitted street art is intended to enhance a sense of community by developing pride-of-place, and as a result reduce unwanted graffiti.

The Western Australia State Graffiti Taskforce defines urban art as:

*Urban Art is not graffiti. It legal artwork where permission to mark the surface has been granted by the owner of the property.*

*Urban Art projects are often done through local councils, schools, businesses and not-for-profit organisations.... When done properly, urban art can play an important role in our community.*

*Urban Art projects can be used to prevent graffiti, often at "hotspot" places that are regularly graffitied. There is strong evidence that urban art prevents graffiti throughout WA metropolitan local councils...*

<https://www.goodbyegraffiti.wa.gov.au/Prevent-graffiti/Urban-Art>

Council currently has a graffiti management program, which states:

*Graffiti is removed by Council in public areas and from Council owned property.*

*Devonport City Council's graffiti management program includes:*

- *Removal of reported offensive graffiti within 48 hours.*
- *Scheduled cleaning of specified sites and Council buildings.*
- *Regular patrols and removal of graffiti from Council owned property and public spaces.*

## **STATUTORY REQUIREMENTS**

Graffiti is illegal under the *Police Offences Act 1935*, stating it is illegal to:

- distribute, sell or supply graffiti equipment (such as aerosol paint containers) to a person who is under 18 years;
- Mark graffiti (such as marking, drawing, writing or otherwise defacing property);
- Possess, carry or use graffiti equipment (such as aerosol paint containers) in a public place; without a lawful excuse.

If you are in a public place, police can stop, detain and search you or your vehicle if they have a reasonable belief that you possess or carry graffiti equipment without a lawful excuse. Police do not need a warrant to do this.

This report seeks to provide a permitted (lawful) place for street art to be undertaken and displayed within the Devonport CBD.

## **DISCUSSION**

This report proposes the western wall of Market Square pavilion, as a location for a free urban art wall in the Devonport CBD.





The wall provides for six (6) separated 'canvases', as defined by the expansion joints of the concrete tilt-up panels. It is proposed each panel will represent a permitted space for an artist to install an urban artwork.

The aspect of the wall will be seen by people walking towards Market Square from the western pathway, and from vehicles entering the multi-level carpark. Furthermore, the proximity to Devonport Indie School has the potential to increase youth engagement.

Council owns Market Square pavilion, and unlike nearby laneways, the Market Square location does not require traffic or pedestrian management procedures. The surface of the concrete panels provides a suitable surface for urban art and can be recoated with a solid grey paint if required. The location serves the purpose of enhancing an otherwise uninviting, dreary public space.

The proposed guidelines will include a requirement for artists to register and receive a permit, and artists will be required to provide a copy of Public Liability Insurance. Artists will be made aware that artwork deemed to be offensive, threatening or violent will be removed.

Artists that work outside the parameters of the permitted space, leave the space untidy, act in an unsafe manner, or cause a disturbance, will not be granted permission for future permits, and may have their artwork removed.

Council will issue permits for a set period, likely 4-6 weeks per panel, however artists will be encouraged to negotiate how they will use the wall among themselves, respecting other people's artwork and their right to use the space.

Council will reserve the right to change the status of the free wall at any time.

### **COMMUNITY ENGAGEMENT**

No community engagement has not been undertaken as part of this report.

### **FINANCIAL IMPLICATIONS**

The establishment of a free urban art wall will result in an increased administration overhead to manage a registration and permit system. A modest operational expense may be required to cover or remove artwork that breaches the guidelines.

### **RISK IMPLICATIONS**

There is a risk that a free urban art wall will lead to increased unwanted street art (graffiti).

Whilst this is a consideration, there is evidence to suggest that permitted urban art reduces unwanted street art.

Obscene or offensive material will be removed by Council.

### **CONCLUSION**

This report recommends that the western wall of Market Square pavilion be designated as a free urban art wall in the Devonport CBD. This project is an action in Council's Public Art Strategy 2022 – 2025, which states: *Develop a free wall mural project within the CBD for local and emerging street artists.*

The recommendation seeks to enhance the location, increase cultural tourism, and develop pride-of-place amongst the community.

### **ATTACHMENTS**

Nil

## 5.2 MURAL COLLABORATION WITH VIBRANCE

Author: **Geoff Dobson, Convention & Arts Centre Manager**

Endorser: **Matthew Skirving, Executive Manager**

### RECOMMENDATION

That Council accept the invitation to collaborate with Vibrance to commission a large urban artwork in the paranapple precinct, to be located on the northern lift-shaft to the multi-level car park in Market Square.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.2.3 Develop and implement an integrated approach to public art

### SUMMARY

This report provides Council with information regarding a collaboration with Vibrance to commission a significant urban artwork in the paranapple precinct.

### BACKGROUND

Devonport City Council's Public Art Strategy 2022-2025 provides a vision for Devonport to be a leading regional city for diverse and original public art that expresses Devonport's individuality.

Vibrance has approached Council to collaborate on a significant artwork for the city.

Vibrance is a Tasmanian based urban/street art organisation and is experienced working with the local government sector and businesses to commission and install street art and wall murals in various locations throughout Tasmania. Recent examples include the Corridor of Modern Art, a joint project between Vibrance and Glenorchy City Council, and East Mode with Clarence City Council and Bayfield Street Laneway business owners.

The Corridor of Modern Art project resulted in the installation of ten murals across seven sites along the Intercity Cycleway between Moonah to Mona. The East Mode Project resulted in five new murals in the Rosny CBD. [Projects - Vibrance \(vibranceprojects.com\)](https://vibranceprojects.com)



Jamin – Northgate, King George Ave (Corridor of Modern Art), and Jasper Kelly - Behind Care Forward - 6 Bayfield St, Rosny Park (East Side)

Vibrance has received RISE (Restart Investment to Sustain and Expand) funding from the Australia Council for the Arts, to 'paint 25 large scale murals across Tasmania with an accompanying online street art map application to promote art tourism in Tasmania'.

Vibrance has requested a collaboration with Council that includes an equal co-funding arrangement to commission a large urban artwork for the paranapple precinct. Council's contribution to the project would be \$10,000, however Vibrance will manage the project absorbing the administration overhead.

A location, or wall, owned by Council would be most appropriate for the project. This report proposes three sites for consideration:

Site 1 - the Lift Shaft of the multi-level carpark:



Site 2 - the North-East Corner of the Multi-Level Carpark:





### Site 3 - the Town Hall Theatre loading bay:



Each location is a prominent position within the precinct, and suitable for a large urban artwork however, Council Officers recommend Site 1 as providing a unique and prominent location for this commission.

### STATUTORY REQUIREMENTS

There are no statutory requirements associated with this report. Public Art is a defined term under the Tasmanian Planning Scheme, and generally does not require formal Planning Approval.

### DISCUSSION

Vibrance is experienced in working with local government to deliver successful urban art outcomes that enhance the environment in which artworks are located. Beyond an aesthetic benefit, high-quality urban artworks can empower a community through pride of place, improved safety, and provide economic benefit through increased tourism.

A collaboration with Vibrance provides a cost-effective pathway for Council to achieve a high-quality, large-scale commission for Devonport.

Vibrance will be required to adhere to Council's Public Art Policy. Under the Policy the project would be regarded as an external proposal. Council's Public Art Committee would need to be consulted on the selection of artist/s, and assess the concept provided by the artist/s to ensure it meets the Policy's criteria:

#### **Devonport City Council Public Art Policy Criteria**

*All public art proposals, submissions, gifts and donations will adhere to the Council's public art aims and objectives as outlined in the Devonport City Council Public Art Strategy 2022 - 2025, and will be assessed against the following criteria:*

- 4.1 *The artist identifies as Tasmanian by either birth, or by having demonstrated a strong and ongoing association with Tasmania for no less than two years, or the artist can adequately demonstrate a strong connection to Tasmania.*
- 4.2 *The artist demonstrates a history in visual arts or design practice, or in the case of emerging artist status, possesses the realistic potential for establishing a career as a recognised visual arts practitioner.  
Council reserves the right to endorse an emerging artist and request a mentor is appointed to oversee the project.*
- 4.3 *The proposal (concept or artwork):*
  - a. *is of a high standard, supported by being considered a work of quality by peers in terms of design, technical and structural execution;*

- b. *is relevant to the location;*
- c. *does not require onerous maintenance;*
- d. *best meets the requirements outlined in the project brief and Council's broader objectives (if Project Brief addressed);*
- e. *meets relevant building and safety standards;*
- f. *does not pose any long-term conservation concerns;*
- g. *meets the requirements of the project budget or available funds;*
- h. *will be achieved in the required timeframe, or in a timely manner.*

4.4 *Has been assessed based on the guidelines outlined in this policy document.*

*If a proposal does not meet the criteria, it may still be recommended to Council by the Public Art Committee, if it can be demonstrated that there would be significant value in acquiring a certain artwork due to the outstanding quality of the work, or the artwork has substantial cultural relevance. In this instance the Public Art Committee would be required to justify significant benefit to the city of Devonport.*

The three sites proposed are all positioned on Council owned or maintained property. All sites would require safety actions to ensure pedestrians remain safe, and Site 2 may require additional traffic management procedures. None of the proposed sites are likely to create onerous access issues, and each site can be easily reached by plant and equipment.

### **COMMUNITY ENGAGEMENT**

No community engagement has been undertaken as part of this report.

### **FINANCIAL IMPLICATIONS**

Vibrance has requested Council co-fund the proposed project. This represents a cost to Council of \$10,000. The total project would be \$20,000 and Vibrance will manage the project, therefore absorbing any administration overhead.

An existing funding allocation for public artworks in the 2022-23 Operational Budget has sufficient capacity to fund this contribution.

### **RISK IMPLICATIONS**

Council will require Vibrance appropriately mitigate risks associated with the project.

There is a risk that urban artworks will lead to increased unwanted street art (graffiti). Whilst this is a consideration, there is evidence to suggest that permitted, high quality urban artwork reduces unwanted street art.

### **CONCLUSION**

Given the strong alignment with the objectives of Council's Public Art Strategy 2022-2025, it is recommended that Council accept the invitation to participate in this project with Vibrance.

Subject to Council consideration of the preferred location, being the northern lift-shaft of the multi-level carpark, and required funding allocation, this project will make a significant contribution towards the continued growth and expansion of Devonport as a leading regional city supporting the artistic and cultural expression of our unique identity.

### **ATTACHMENTS**

Nil

## 5.3 TENDER REPORT CONTRACT CB0120 THEATRE SEATING REPLACEMENT

Author: **Shannon Eade, Technical Support Coordinator**

Endorser: **Jeffrey Griffith, Deputy General Manager**

### RECOMMENDATION

That Council in relation to Contract CB0120 parnaple arts centre Theatre Seating Replacement award the contract to Hadley Australia Pty Ltd for the revised tendered sum of \$293,653 (ex GST) and note:

- a. project design, management and administration costs for the project are estimated at \$6,000 (ex GST);
- b. the removal and disposal of original seating is estimated at \$12,000;
- c. a construction contingency of \$4000 (ex GST) is included for the project; and
- d. other internal theatre maintenance will require a further budget allocation in the 2023/24 financial year.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 2.3.4 Provide and maintain Council buildings, facilities and amenities to appropriate standards

### SUMMARY

This report seeks Council's approval to award contract CB0120 parnaple arts centre Theatre Seating Replacement to Hadley Australia Pt Ltd.

### BACKGROUND

This report considers tenders received for seating for "PAC Projects 22-23" listed within the 2022/23 capital expenditure budget.

An EOI was released through Tenderlink for open submissions and two submissions were received. The tender documents were then released through Tenderlink to the two organisations and only one submitted a response, the second organisation declined to quote.

### STATUTORY REQUIREMENTS

Council is required to comply with section 333A of the *Local Government Act 1993* and its adopted Code for Tenders and Contracts when considering awarding tenders over the prescribed amount.

### DISCUSSION

A Tender Planning and Evaluation Committee was formed to evaluate all tenders received.

The Tender Planning and Evaluation Committee minutes are available for viewing by Councillors upon request.

A tender was received from one company as summarised in Table 1 below:

**TABLE 1**

No.	Tender	Total Price (ex GST)
1	Hadley Australia Pty Ltd	\$369,500
2	Camatic	declined

The Tender Planning and Evaluation Committee has considered each of the selection criteria and Hadley Australia Pty Ltd has met the criteria and provided a conforming tender.

### COMMUNITY ENGAGEMENT

A public advertisement calling for Expressions of interest was placed in The Advocate Newspaper on 08 October 2022 and tenders were also advertised on Council's website.

The Tenderlink portal database provides national reach across registered suppliers.

### FINANCIAL IMPLICATIONS

The 22/23 Capital expenditure budget includes an allocation of \$316,000 for "pac projects" which primarily involved the paranple arts centre theatre seating replacement".

Following the close of tender, negotiations commenced with the lowest (and only) tenderer, to identify potential cost savings.

As a result of these negotiations savings were identified including an alternative freight method, changes to the configuration of removable seating, elimination of some quoted seats not required and alternative seat back panels. In total these changes have resulted in a new revised tender sum of \$ 293,653.

The revised tender sum will ensure the replacement of seating can be achieved within the budget allocation in the 2022-23 financial year.

The breakdown of the forecast expenditure for this project is shown below in Table 2.

**TABLE 2**

No.	Tender	Budget
1	Contract CB0120	\$ 293,653
2	Project management/administration	\$6,000
3	Removal & Disposal of original seating (estimated)	\$12,000
4	Construction contingency	\$4,000
	<b>TOTAL (ex GST)</b>	<b>\$315,653</b>

Planning for seating replacement has been underway for some time and currently programmed to occur during a Theatre shutdown between January and April 2024. Once the seats are removed it will be an opportune time to undertake other internal theatre maintenance including carpet, lighting replacement and internal painting.

In recent weeks some preliminary investigations have been undertaken in relation to issues with the ceiling. This investigation is ongoing; however it is likely a new ceiling will be required and a budget is being prepared to incorporate this work along with painting, lighting and

carpet for consideration as a part of the 2023/24 budget deliberations. This is suspected to be a substantial but necessary project and should occur whilst the seats are removed and the Theatre in shutdown. Council has been discussing the need for major maintenance within the Theatre for the last 4-5 years understanding this was a pending future project.

**RISK IMPLICATIONS**

To minimise risk, the tender administration processes related to this contract complies with Council's Code for Tenders and Contracts which was developed to ensure compliance with section 333A of the *Local Government Act 1993*.

**CONCLUSION**

Considering the assessment by the Tender Planning and Evaluation Committee and the negotiated tender sum, it is recommended that Hadley Australia Pty Ltd be awarded Contract CB0120 paranaple arts centre Theatre Seating Replacement.

**ATTACHMENTS**

Nil

## 5.4 MERSEY RIVER EASTERN PONTOON ACQUISITION

Author: **Jason Bellchambers, Infrastructure Manager**

Endorser: **Jeffrey Griffith, Deputy General Manager**

### RECOMMENDATION

That Council:

#### **Option 1**

having considered the offer from Kinetic to gift the Eastern Ferry Pontoon for Council ownership decline the offer due to the high cost implications.

OR

#### **Option 2**

receive and note the report on the condition and refurbishment costs associated with the Eastern Ferry Pontoon and continue to work with key stakeholders to prove up costs for further consideration as part of the 2023/24 budget deliberations, prior to any decision to accept ownership.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 3.2.1 Support tourism through the provision of well-designed and managed infrastructure and facilities
- Strategy 3.3.1 Improve the City's physical access and connectivity focusing on linkages to and from key access points

### SUMMARY

The purpose of this report is to formally consider discussions which have occurred in recent months with Kedge Pty Ltd regarding Council's acquisition of the Mersey River Eastern Pontoon, from Kinetic, which would enable Kedge Pty Ltd to reintroduce operation of the Torquay Ferry.

### BACKGROUND

Kinetic - MerseyLink currently own the Mersey River Eastern Pontoon, which has serviced the Torquay Ferry from the East Devonport to the Devonport City CBD. In August 2022, Kinetic ceased operation of the ferry service due to a decline in passenger numbers over time. The Torquay Ferry was approaching end of life and needing significant investment in refurbishment to improve the condition and compliance with modern day ferry standards. Kinetic sought to donate the Ferry and Pontoon assets to a future operator.

In November 2022, Kedge Pty Ltd wrote to Council introducing their intention, to take over the ferry and requesting that Council consider taking over responsibility for the Eastern Pontoon.

To determine the current state and condition of the Eastern Pontoon, Council Officers engaged AusSpan, a local engineering consultancy who specialises in bridge and pontoon structures, to complete a condition assessment. The report identifies significant deterioration of pontoon structural components, with an assessed remaining life of 2-4 years before a full renewal would be required. There were several other safety and

compliance issues raised, such as renewal of the anti-slip surfacing, installation of a safety access ladder and fender system along the ferry berthing area of the structure. The full AusSpan pontoon assessment is attached to this report.

Council invited Adam Brancher from Kedge Pty Ltd to present at the 23 March 2023 Council Workshop on their proposal. The presentation included the following key points:

- To re-introduce and operate the Torquay Ferry across the Mersey River, primarily to service community/ commuter access 7 days a week, with the intention of also operating a tour up and down the river twice a day during the summer months.
- Kedge Pty Ltd have acquired the Torquay Ferry and it is currently undergoing upgrades and the fitting of a Hybrid electric/ hydrogen powered engine. The new zero-emissions powered vessel will serve as a technology demonstrator and learning platform. Also, suggesting to promote Devonport as the home to the first hydrogen powered vessel in operation within Australia.
- Access to power at the Eastern Pontoon is required to facilitate a ferry charging station for overnight charging.
- Facilitate adequate storage area for a Hydrogen Fuel Cell and re-fuelling equipment for the ferry at the Eastern Pontoon. This is still to be explored by Kedge with TasPorts.
- Council consider the relocation of the Western Pontoon to directly align with the Eastern Pontoon to improve the ferry service and direct river crossing line.

Kedge have commented that the inclusion of charging facilities on one or both pontoons along with the relocation of the Western Pontoon would be required to give confidence in the ongoing financial viability of the Kedge operated ferry.

Council committed, at the workshop, to consider the proposal and advise Kedge Pty Ltd of the outcome.

#### **STATUTORY REQUIREMENTS**

Should Council choose to acquire the Eastern Pontoon, there is a duty of care to maintain the structure in a condition that is safe to the public and compliant to relevant marine and port structure standards.

#### **DISCUSSION**

The following options are presented to Council for consideration.

Option	Description	Detail
<b>1</b>	<b>No Council Involvement</b>	Council choose to not get involved with the Kedge Pty Ltd proposal and not acquire the Eastern Pontoon. The Western Pontoon would remain in Council ownership and be available for access and utilisation of a Mersey River ferry, or should the ferry cease to operate the pontoon could be re-purposed for other uses such as a fishing platform.
<b>2</b>	<b>Council acquire the Eastern Pontoon and leave the Western Pontoon in it's current location</b>	Essential maintenance will need to be completed following acquisition and prior to commissioning the new ferry operation. A full renewal of the Eastern Pontoon will need to be investigated and potentially budgeted in 4-5 years.
<b>3</b>	<b>Council acquire the Eastern Pontoon and relocate the Western Pontoon</b>	Essential maintenance will need to be completed following acquisition and prior to commissioning the new ferry operation. A full renewal of the Eastern Pontoon will need to be budgeted in 4-5 years. The relocation of the existing Western Pontoon structure to a suitable location situated directly opposite the Eastern Pontoon.

If Council choose to progress with the acquisition of the Eastern Pontoon, it is recommended that the essential maintenance is completed as per the recommendations in the AusSpan Report and detailed in **Option 2** in the table below. Subject to further dive inspections and likely deterioration of the pontoon substructure, Council may also then need to budget in 4-5 years the full replacement of the pontoon components as part of **Option 2**.

The relocation of the Western Pontoon to be directly opposite the Eastern Pontoon is a possibility using the existing structure as per **Option 3** first estimate, which is subject to further investigation by AusSpan. The existing pontoon structure has a remaining useful life of 35 years and considered to be in reasonable condition to warrant investment in relocation.

Although should there be demand to keep the pontoon in its current location and repurpose for recreational boating or angular access for fishing, or an unforeseen issue preventing it's relocation, the second estimate in **Option 3** indicates the cost to construct a new pontoon (estimate based on a recent new pontoon installation at Gravelly Beach).

Below is the Capital Expenditure Estimate table.



Option	Description	Component	Items	Cost	Total
1	<b>No Council involvement</b>				\$ -
2	<b>Eastern Pontoon - essential maintenance</b>	Refurbish Pontoon	Dismantle & Crane	\$ 20,000	\$ 150,000
			Barge & crew	\$ 5,000	
			Transport	\$ 5,000	
			Repairs	\$ 10,000	
			Strip & recoat	\$ 10,000	
		Repair Piles	Remove corrosion & recoat	\$ 30,000	
		Ferry	Install power for ferry charging station	\$ 10,000	
		Other	New anti-slip surfacing	\$ 15,000	
			New/ repair handrail	\$ 15,000	
			Install safety access ladder	\$ 5,000	
			Install fender system along Ferry berthing area of pontoon	\$ 15,000	
		Inspections	Coating inspection	\$ 5,000	
			Underwater diving inspection of sacrificial anodes	\$ 5,000	
	<b>Eastern Pontoon - full replacement</b>	All components	Abutment piles		\$ 450,000
			Approach concrete path & rail		
			Gangway		
			Pontoon		
			Piles & truss structure		
3	<b>Western Pontoon - relocation of existing structure</b>	All components			\$ 225,000
	<b>Western Pontoon - new structure</b>	All components			\$ 450,000

Whilst the Kedge proposal is an attractive idea to ensure the continuity of the Torquay Ferry on the Mersey River, it would be very difficult to guarantee the ongoing continuation of the service indefinitely by Kedge or any other operator.

Ultimately, Council must decide if it wishes to own further pontoon infrastructure in the Mersey River and balance the cost and risk implications with the opportunities that may be leveraged from this infrastructure.

### COMMUNITY ENGAGEMENT

There has been no community engagement to date.

### FINANCIAL IMPLICATIONS

The following table contains estimates for Capital Expenditure (CAPEX) and Operational Expenditure (OPEX) for Years 1, 5,10 and a total 10-year accumulative expenditure on the three options.

Option	Description	Year 1		Year 5		Year 10		Total 10 year Expenditure	
		CAPEX	OPEX	CAPEX	OPEX	CAPEX	OPEX	CAPEX	OPEX
1	No Council Involvement	\$ -	\$ 500	\$ -	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ 15,000
2	Council acquire the Eastern Pontoon and leave the Western Pontoon in it's current location	\$ 150,000	\$ 1,000	\$ 450,000	\$ 5,000	\$ -	\$ 10,000	\$ 600,000	\$ 25,000
3	Council acquire the Eastern Pontoon and relocate the Western Pontoon	\$ 375,000	\$ 1,000	\$ 450,000	\$ 5,000	\$ -	\$ 10,000	\$ 825,000	\$ 25,000

In **Option 1**, The Western Pontoon currently costs Council approximately \$500/yr to maintain. Based on the AusSpan report, there should be an allocation every 5yrs to perform underwater dive inspections to assess the structural condition and proactive maintenance requirements.

In **Option 2**, the annual and five yearly costs are doubled to allow for the addition of the Eastern Pontoon, plus the Capital costs for essential maintenance in Year 1 and then fully replace in Year 5.

**Option 3** includes all costs from **Option 2** and adds the additional CAPEX to relocate the Western Pontoon. The relocation of the Western Pontoon could be delayed occurring in Year 2, or subsequent years.

The demise of Mersey River slipways has resulted in the inability to perform inspections and maintenance on marine assets from a local slip with the pontoon out of the water. Pontoons are now advised to have underwater dive inspections every 5 years at an approximate cost of \$5,000, to identify condition and maintenance. Performing maintenance will require the removal of the pontoon from the water using a crane and transported offsite to perform the work. This is a significant impact on marine assets and Council need to be aware of the consequences if choosing to take responsibility for additional pontoons.

### RISK IMPLICATIONS

If Council take responsibility for the Eastern Pontoon, being another marine asset in a highly corrosive environment with likely significant future asset maintenance and management costs, resources will need to be made available to support the assets.

If Kedge Pty Ltd fail to operate the ferry service to the community, Council will be left with two pontoon assets with limited community benefit. There may be a demand then to re-purpose the pontoons for fishing angler access and/ or recreational boat utilisation. These assets are high-value and require significant ongoing maintenance to maintain in the marine environment, for minimum use/ benefit to the wider community.

If Council decides that ownership of marine assets and pontoons are not a core management responsibility of Council, there could be future difficulties gifting the marine assets to another party. In the case the assets cannot be gifted, there will be a significant cost to decommission and dispose of the pontoon assets, then reasonably restore the foreshore environment.

Kedge will have a requirement to work with TasPorts to plan the use of the hydrogen cell in the Mersey. As of this report, those conversations have not commenced.

### **CONCLUSION**

There is some benefit to Council owning and having control of the Eastern and Western Pontoons for public and commuter access across the Mersey River. However, the benefit comes with risks and a significant upfront capital cost to the Devonport ratepayers.

Without significant capital investment from Kedge Pty Ltd or external grant funding towards the Year 1 estimated costs, Council would have to make a significant allocation in its 2023/24 budget if it accepts the offer from Kinetic to take ownership of the Eastern Pontoon.

### **ATTACHMENTS**

1. KEDGE PTY LTD LETTER TO DEVONPORT CITY COUNCIL DATED 17 NOVEMBER 2022
2. AUSSPAN - KINETIC EAST DEVONPORT FERRY PONTOON - CONDITION ASSESSMENT REPORT DATED 16 DECEMBER 2022

## 5.5 CULTURAL COLLECTIONS STORAGE

Author: **Geoff Dobson, Convention & Arts Centre Manager**

Endorser: **Matthew Skirving, Executive Manager**

### RECOMMENDATION

That Council receive and note:

1. the report in relation to the storage of cultural assets owned by Council;
2. that the Annexe facility is not suitable for the safe, long-term storage of items within Council's collection; and
3. a project to undertake an extension to the existing collection storage facility at Lawrence Drive will be presented for Council's consideration as part of the 2023/24 budget deliberations.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.3.1 Develop and implement initiatives to preserve and maintain heritage buildings, items and places of interest

### SUMMARY

This report informs Council of the inadequate storage of cultural assets at 6 Gloucester Avenue and recommends an extension to the Lawrence Drive storage facility at Stoney Rise.

### BACKGROUND

This report has been developed in response to the 2022/23 Annual Plan Action 4.3.1.1: *Investigate storage options for Council's cultural assets.*

The Devonport City Council owns a significant collection of cultural assets. For this report, cultural assets refer to movable objects including artefacts, artworks, models, cultural heritage items, works on paper and ephemera. Many of Council's cultural assets are unique, irreplaceable and have significance to Devonport.

The collection consists of approximately 4,580 individual objects, 100,000 historic photographic negatives, and an estimated 250,000 (catalogued and uncatalogued) works on paper and paper records. The collection was audited and revalued throughout 2020 and 2021 with a total estimated value of \$3.7M.

Most of the collection is managed by either the Devonport Regional Gallery or Bass Strait Maritime Centre, depending on the object type and provenance.

Council utilises several storage locations. The largest of which, is a purpose-built art storage facility at 44 Lawrence Drive, Devonport. This facility houses a visual art collection managed by the Gallery, as well as the Sister City and Davis collections, and a small proportion of items managed by the Bass Strait Maritime Centre.

The remaining collection items managed by the Maritime Centre are stored in a building at 6 Gloucester Avenue adjacent to the Maritime Centre. This building is referred to as the Annexe. The Annexe is a former residential property that was previously owned by the Port

of Devonport Corporation used for accommodating staff and corporate guests, and later was used as an office space despite retaining its domestic floorplan.

Subsequently, Council acquired the Annexe and used it to store its visual art collection.

However, due to the damp, poor temperature control, poor security, and inadequate working space, the facilities at the Annexe were deemed insufficient and unsuitable for the on-going care of the visual art collection. In response to this, in 2012 Council successfully sought grant funding to support the construction of a purpose-built art storage facility at Lawrence Drive, and the visual art collection was relocated.

Around the same time, Council redeveloped the Devonport Maritime Museum at the Gloucester Avenue site, relaunching as the Bass Strait Maritime Centre (BSMC) in April 2013.

The Maritime Centre had an urgent need for collection storage. Therefore, the Annexe was utilised as collection storage, noting that the only improvement made to the site was the installation of four domestic dehumidifiers. This solution requires staff to empty the four dehumidifiers daily.

Ultimately the Annexe remains an unsuitable facility to house valuable collection items because it lacks the basic environmental and functional requirements for collection storage, including but not limited to:

- a) Temperature & humidity Controls; to provide a stable environment for long-term storage of sensitive objects.
- b) Improved Site Access; to replace narrow, domestic doors, that restrict entry.
- c) Loading Area; for safe loading and unloading of items and display fixtures.
- d) Quarantine and Sorting Area; for preliminary curatorial work prior to storage.
- e) Repair Area; for conservation and repair work.
- f) Adequate Lighting; to inspect collection items, undertake repairs, and restoration.
- g) Site Circulation; to allow safe staff movement when monitoring and handling collection items.
- h) Storage Furniture; sufficient and appropriate racking for objects.
- i) Fire Protection Systems; to adequately protect collection items.
- j) Security Systems; to adequately secure collection items.
- k) Pest Controls; to mitigate damage caused by rodents and insects.
- l) Stable Interior and Exterior Surfaces; to eliminate exposure to plaster dust and mould.



Inside the Annexe, showing cracking interior walls, and water damage around chimney.



Inside the Annexe, showing dusty collection items and cluttered

Items of high value and significance currently in storage at the Annexe include:

- Original maps and plans of Torquay, Mersey, Devonport and surrounds.
- Lloyd's Registers pertaining to early port activity.
- Holyman and Sons objects and ephemera pertaining to the White Star Line and Bass Strait airline (initially Australian National Airways and later Ansett).
- Rare textiles, including naval uniforms.
- Sealing/Whaling artifacts and tools dating to the 19th Century.
- Scientific radio and technological equipment.
- Rare and fragile ship models.
- A Huon Pine memorial seat.
- A large donation relating to the Spirit of Tasmania (TT Lines), including ship model and Bass Strait seafloor diorama.
- Paper records of social history significance.

Storing collection items in the Annexe does not currently meet an acceptable standard to provide a safe repository for items that have been either donated to, and/or collected on behalf of the people of Devonport and Tasmania. Furthermore, storing collection items in the Annexe falls well short of best-practice conservation principles, and poses a risk to the integrity and values of the items stored.

The National Standards for Australian Museums and Galleries, Version 1.5, Sept. 2016 states:

*Best practice conservation principles dictate that collection items be stored:*

- *Off the floor, in appropriate storage infrastructure*
- *In a clean, dry environment with a stable humidity between 45-55% and a temperature between 19-22 degrees Celsius*
- *In a secure environment with working fire protection*

*With regards to obligations for facilities maintenance and the provision of a safe working environment for staff, the following benchmarks are outlined in the Standards:*

- **BENCHMARK A2.6.2**  
*Take all necessary steps to ensure that working conditions for museum workers are not unsafe, hazardous, or inadequate.*
- **BENCHMARK A4.3.3**  
*The museum draws on appropriate advice about its sites, gardens, buildings, fixtures and in situ collections of heritage significance, and develops and maintains these places according to conservation principles.*
- **BENCHMARK A4.3.4**  
*The museum meets fire safety standards.*

## **STATUTORY REQUIREMENTS**

There are no statutory requirements associated with this report.

## **DISCUSSION**

Currently the Bass Strait Maritime Centre's collection is stored across three venues - within the Maritime Centre, the Annexe, and the Lawrence Drive facility. The Annexe in its current state, is not an appropriate location for the storage of cultural assets. To improve the storage of the collection stored at the Annexe options could include:

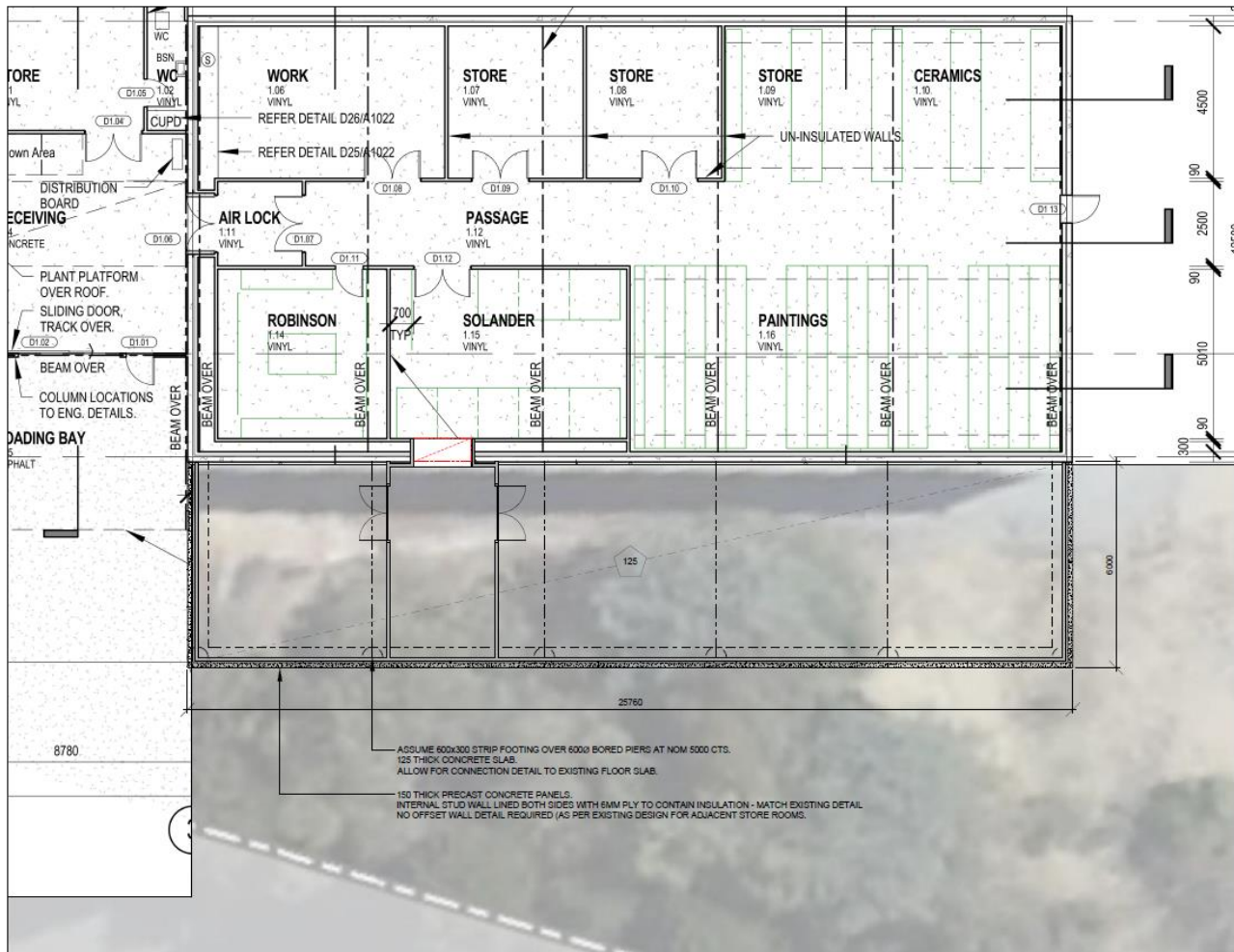
- a) Renovating the Annexe to reach acceptable standards. This option is unfeasible due to the high cost of the major structural, environmental and floor plan changes required.
- b) Moving collection items to the Lawrence Drive facility. However, the facility is close to capacity with existing collection items.
- c) Extending, or creating a new building at the Maritime Centre site. This option has advantages, however there are site challenges including proximity to residential areas, and the heritage value of the site and original Harbour Masters House.
- d) Extending the current facility at Lawrence Drive to accommodate Maritime Centre's entire stored collection. This option has several advantages. Storing a collection at a single facility ensures a consistency of care, ease of access and record keeping. It likely results in staff resourcing benefits. Additionally, this solution would allow for alternate options for the Annexe to be restored and repurposed as an attractive and valuable property, able to deliver community, cultural and social benefits. As example: residencies for visiting arts/cultural practitioners; community workshops, meeting rooms and/or gardens; accommodation for Council guests; additional public programming space of the Maritime Centre.





Inside the Lawrence Drive facility.

The site at Lawrence Drive has available land on the eastern side that would accommodate an extension, approximately 25.7m wide by 6.0m deep. This would result in 150m<sup>2</sup> of internal, usable floor space.



Proposed extension to Lawrence Drive storage facility.

There is a significant administration benefit from locating all of Council's cultural assets in a single location as it provides for improved collection management and enables greater collaboration between the staff from the Gallery and the Maritime Centre.

The additional benefit of vacating the Annexe is the potential adaptive reuse of the building. Notwithstanding some necessary repairs and upgrades, the location and layout of the property would be appropriate for several community benefit initiatives and require far less capital upgrade works than are necessary to enhance this building to a suitable standard for cultural collections storage.

Council is currently developing an Engagement Strategy for the Bass Strait Maritime Centre, and potential complementary activities and uses for the Annex building will be considered as part of this strategy development.

### **COMMUNITY ENGAGEMENT**

No community consultation has been undertaken as part of this report.

### **FINANCIAL IMPLICATIONS**

This report proposes an extension to the Lawrence Drive Art Storage facility. The proposed development would be regarded as a capital project requiring funding from the Capital Budget.

Renovating the Annexe to suit community and social benefit outcomes identified in this report, would also require capital and additional operation funding. However, the adaptive reuse of the property is likely to be more cost effective than modifying the property to meet the necessary standards for collections storage. Furthermore, the cost of building an extension at Lawrence Drive is likely to be more cost effective and operationally more affordable than modifying the Annexe.

### **RISK IMPLICATIONS**

The management of cultural items stored at the Annexe presents several risks as detailed throughout this report. The items themselves are at risk of deterioration, to a point of being permanently damaged. This risk is particularly relevant for works on paper.

A reputational risk is present, relating to the loss or damage of items, as many of the items have been donated to Council and entrusted to the Bass Strait Maritime Centre in perpetuity.

A personal injury risk exists by continuing to undertake collection management work in the Annexe building.

### **CONCLUSION**

The substandard conditions at the Annexe building pose a significant risk of causing damage to items from Council's cultural collection. Items stored there are exposed to a range of environmental risks, and the building is simply not appropriate for the storage of such items. This was made evident by Council's decision in 2012 to build a purpose-built art storage facility at Lawrence Drive. The aim at the time was to save the visual art collection being stored in the Annexe from deteriorating beyond repair.

The items currently stored at the Annexe have been entrusted to the Council to keep for perpetuity as a social and cultural reference for the region. These items should be stored in an improved environment to meet the minimum standards for cultural and heritage assets, as described in the *National Standards for Australian Museums and Galleries*.

Unfortunately, Council does not have sufficient storage capacity at existing alternative locations. Extending the Lawrence Drive storage facility represents the most practical and efficient option to be able to relocate items from the Annexe.

A project proposal to undertake this extension will be included in the draft 2023/24 Capital Works program for consideration by Council.

Furthermore, the adaptive reuse of the Annexe could produce significant community and social benefits as the building layout is more suited to community activities than collections storage.

### **ATTACHMENTS**

Nil

## 5.6 HEALTH AND WELLBEING STRATEGY

Author: **Carol Bryant, Community Services Manager**

Endorser: **Matthew Skirving, Executive Manager**

### RECOMMENDATION

That Council:

1. note the feedback received during the 30-day public consultation period on the Living Well: Devonport's health and well-being strategy 2023-2033;
2. endorse the Living Well: Devonport's health and well-being strategy 2023-2033 as presented by the Strategy Reference Group; and,
3. provide administration and facilitation support to the Strategy Reference Group to guide strategy implementation.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.6.4    Develop partnerships between all levels of government, the private and not for profit sectors that deliver innovative solutions

### SUMMARY

This report presents the 'Living Well: Devonport's health and well-being strategy 2023-2033' to Council following a 30-day public consultation period.

### BACKGROUND

In 2020/21, the CAPITOL project, delivered by University of Tasmania's School of Health Sciences, worked with stakeholders in Devonport to advance collaborative discussion and planning relating to health and wellbeing promotion. In response, Council endorsed a motion to develop a health and wellbeing strategic plan and included this as an action in the 2022/23 Annual Plan.

The services of Groupwork Pty Ltd (trading as the noagroup), were contracted by Council to support strategy development. The following activities informed the development of the draft Living Well Plan:

- Establishment of the System Reference group to guide the process and development of the plan, comprising representatives from education, community, Devonport Community House, East Devonport Child and Family Learning Centre, Devonport Library, University of Tasmania, Youth, Family and Community Connections and Devonport City Council.
- An analysis of the present situation using data and information from the census, ID profile, Primary Health Tasmania, and the University of Tasmania, resulting in the 'How WELL are we living?' document (Attachment A in the Plan).
- Interviews with System Reference Group Members to gain 'lived experience' insights to add to the qualitative data profile.
- A co-design workshop involving over 60 people representative of the health and well-being system.
- Workshops with Devonport City Council elected members and relevant officers.

This work shaped the plan's vision around six focus areas: Eating Well, Working Well, Being Well, Learning Well, Connecting Well and Belonging. Each focus area includes a description of the present issues, future aspirations, strategic outcomes, indicators to measure progress, and suggested initiatives for partners to work on to make progress.

Further detail is available in the attached plan.

At the meeting held 27 February 2023, Council resolved (Min No. 23/43 refers) to note the draft 'Living Well: Devonport's health and well-being strategy 2023-2033' and release the plan for a 30-day public consultation period.

### STATUTORY REQUIREMENTS

There are no statutory requirements in relation to this report.

### DISCUSSION

#### Community Feedback

The draft Strategy was released for public consultation during March 2023 with two comments received online through Council's website. The Reference Group recommend that no amendments to the document are required.

Unedited Comment Received	Reference Group Comment
<p>1. Plan looks ok, however allowing so many fast food outlets in a small town is a no brainer as they produce rubbish often left on beaches seen on early morning walks, also fed to wildlife or imprinting on wildlife that learn to eat this rubbish food and it is easy to see the effects on the human population. It is a myth that fresh food costs more. Caring about impacts on communities, human and flora/ fauna. Coming from another state it is very obvious there is a lack of nutrition awareness and the chain of impacts.</p> <p>Have you noticed an increase of dentists in Devonport? High fatty , sugar loaded food outlets increase their business. Something I've seen in another similar town. We are in a food bowl and yet majority line up in drive throughs waiting to fill their bodies with complete empty nutrients.</p>	<p>Noted. Comments align with focus area: Eating Well.</p> <p>Recommendation: No amendment required.</p>
<p>2. The 6 key principles of a Trauma Informed Approach are:</p> <ul style="list-style-type: none"> <li>• Safety</li> <li>• Trustworthiness &amp; Transparency</li> <li>• Peer Support</li> <li>• Collaboration &amp; Mutuality</li> <li>• Empowerment; Voice and Choice.</li> <li>• Cultural, Historical &amp; Gender issues.</li> </ul> <p>Trauma Informed services are:</p> <ul style="list-style-type: none"> <li>• Respectful of a survivor's choices and control over their recovery</li> <li>• Based on a partnership with the survivor, recognising and minimising the power imbalance between advocate and/or service and the survivor</li> <li>• Intended to emphasise the survivors strengths</li> <li>• Focussed on trust and safety</li> <li>• Collaborations with non-traditional and expanded community supports (e.g. faith communities, indigenous groups, friends and families)</li> <li>• Culturally competent and sensitive.</li> </ul> <p>A trauma informed program's 4 R's</p> <ul style="list-style-type: none"> <li>• REALISES widespread impact of trauma and understands potential paths to recovery.</li> <li>• RECOGNISES signs and symptoms of trauma in clients, families, staff and others involved with the system.</li> </ul>	<p>Noted.</p> <p>The Strategy is a framework that will guide the development of a range of initiatives that will include a wider degree of community members in the design and delivery. Community involvement in strategy development has been diverse and includes people with "lived experience". This will continue</p>

<ul style="list-style-type: none"> <li>• RESPONDS by fully integrating knowledge about trauma into policies, procedures and practices.</li> <li>• Seeks to actively RESIST re-traumatisation.</li> </ul> <p>Source: <a href="https://www.traumainformedcare.chcs.org/what-is-trauma-informed-care/">https://www.traumainformedcare.chcs.org/what-is-trauma-informed-care/</a></p> <p>This means including those with trauma (or in this case those with poor physical &amp; mental health) in the decision-making process when devising strategies and programs that will directly affect them.</p> <p>Whilst having System Reference Group members involved who deliver programs and services is needed, not including representation of the demographic who have the "lived experience" in the consultation process needs to be addressed, especially when an outcome in the Council's own Disability Inclusion Plan is to have more people with a disability or lived experience of poor mental health directly involved in the decision making process.</p> <p>So far it seems the strategy has been developed with a "top down" approach. Taking the draft strategy to the community it seeks to reach, taking a "bottom up" more collaborative approach should be the next step before finalising the strategy. Holding a workshop for the general community could be one way to empower the community to be involved in the strategy.</p> <p>For me personally, it also highlights how council as a whole has yet to imbed a truly trauma informed approach to all of it's systems, policies and procedures. If we want to lead by example, making Devonport Council a trauma informed organisation would be one way to show the community it is serious about health and wellbeing.</p>	<p>during strategy implementation.</p> <p>The focus area Being Well contains the aspiration: <i>A trauma-informed lens has increased our understanding and empathy for others.</i></p> <p>The importance of a trauma informed approach has been recognised in the Strategy.</p> <p>Recommendation: No amendment required.</p>
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### Strategy Activation

Living Well is a community-led strategy where collaboration between a diverse range of people and organisations will be required to make progress on the community's health and well-being.

Council's key role is to facilitate and support the vision and outcomes of the Plan by bringing stakeholders together to:

- collaborate around initiatives,
- manage relevant data and information,
- communicate progress against indicators,
- promote ways to get involved,
- advocate for policy changes and responses and
- build strategic relationships around funding and investment.

It is recommended that Council continues to provide facilitation and administration support to the System Reference Group to guide the implementation of the Strategy. Group membership includes Devonport City Council (Mayor and support staff), Tasmanian Government (through the Department of Education, Children and Young People), University of Tasmania, Youth Family and Community Connections, Devonport Community House, East Devonport Child and Family Learning Centre and health/disability community advocate. The Group will engage with a variety of other organisations and individuals in the design and delivery of programs and invite members to participate in the Reference Group as required. Strategy progress will be reported to Council through existing reporting systems.

## **COMMUNITY ENGAGEMENT**

Strategy development has been a community-led process with the outcome shaped by existing data as well as the combined knowledge and experience of Devonport's health and well-being system. Several community members and the following organisations have been engaged in the Plan's development:

- 24 Carrots/East Devonport Primary School
- A.P. Horizon
- Anglicare
- Belgravia Leisure
- Care2Serve
- Department of Education – Learning Services Northern Region
- Devonport Access and Inclusion Working Group
- Devonport Christian School
- Devonport Community House
- Devonport Youth Advisory Group
- Down Syndrome Tasmania
- East Devonport Child and Family Learning Centre
- East Devonport Neighbourhood House
- Headspace
- Housing Choices Australia
- International Café
- Kinship care
- Libraries Tasmania
- LifeLine Tasmania
- Lifeway Baptist Church
- Loaves and Fishes
- Mersey Community Care
- Munnew Day Centre
- Pathway Shed
- PhysioTas
- Relationships Australia
- Rural Health Tasmania
- School Food Matters
- Trauma Awareness Network Tasmania
- The Village People
- University of Tasmania School of Health Sciences
- Volunteering Tasmania
- West North West Working
- Youth, Family and Community Connections

Two community members provided input on the draft Strategy, as contained herein.

Council's role is to facilitate and support the implementation of the Plan including ongoing support for community engagement and partnership development.

## **FINANCIAL IMPLICATIONS**

Administration support for the Strategy's implementation will be provided through Council's existing operational budget. Specific initiatives may require a range of financial and other support from a diversity of sources. Requests for additional operational funds will be considered as part of Council's annual budget process.



### **RISK IMPLICATIONS**

- Consultation and/or Communication  
Given the high levels of engagement by representatives of the Living Well system there is an expectation by those stakeholders that Council delivers a plan reflective of shared concerns and ideas for change. There is a low reputational risk that not having a plan may signal to interested community members and organisations that investment in community health and wellbeing is a low priority of Council.

### **CONCLUSION**

The Health and Well-being Strategy 2023-2033: 'Living Well' provides a community-led framework to achieve positive health and wellbeing outcomes for the entire Devonport community.

Over sixty individuals and organisations have collaborated to inform the plan's visions, aspirations, outcomes, progress indicators and suggested initiatives.

The draft Strategy attracted two comments from the broader community. Based on the feedback received, the Strategy Reference Group recommend that Council endorses the 'Living Well' Plan without amendment.

Council's role is to facilitate and support the implementation of the Plan by collaborating around initiatives, managing relevant data and information, communicating progress against indicators, promoting engagement, advocacy and fostering strategic relationships around resourcing and investment. It is recommended that Council continue to provide facilitation and administration support to the Strategy Reference Group to support the plan's implementation.

### **ATTACHMENTS**

1. Devonport Health and Wellbeing Strategy 2022-2033 FINAL [5.6.1 - 53 pages]

## 5.7 BLUFF BEACH OCEAN POOL

Author: **Matthew Skirving, Executive Manager**

Endorser: **Matthew Atkins, General Manager**

### RECOMMENDATION

That Council receive and note this report in relation to the feasibility of an Ocean Pool at Bluff Beach and resolve to not progress with any further development of the concept at this time due to the high design, construction and operational cost.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 2.3.4 Provide and maintain Council buildings, facilities and amenities to appropriate standards

### SUMMARY

This report provides an overview of the analysis and options considered in considering the feasibility of constructing an Ocean Pool at Bluff Beach.

### BACKGROUND

Following a Notice of Motion from Cr Ennis to investigate design options for an Ocean Pool at Bluff Beach, Council included an action in its 2022/23 Annual Plan to undertake further analysis of this project proposal.

In March 2023, a presentation was provided to Councillors to review the feasibility analysis and design options for the development of an Ocean Pool at Bluff Beach, with Councillors providing feedback that the likely further project development, construction, and operational costs were unviable to progress, and that the project was not a priority for Council at this time.

### STATUTORY REQUIREMENTS

There are no statutory requirements in relation to this report.

### DISCUSSION

Approximately 90 Ocean and Estuary Pools exists across Australia, with the majority located within New South Wales. "Beachside" pools have previously existed at both Devonport and Burnie, prior to the development of municipal Olympic-sized swimming pools at both locations. As a part of the investigation into the feasibility and design considerations for a salt water Ocean Pool to be constructed at Bluff Beach, Council Officers have identified a number of recent proposals for similar new developments in other states however, the last new facility actually constructed appears to be completed in the 1960's (excluding treated salt water pools such as the Lagoon located in Cairns, Queensland).

### Demand & Project Drivers

Demand for Ocean Pool infrastructure is generally driven by water safety considerations such as high swell/current locations, or marine animal risks (shark/stinger presence). The Bluff Beach is a relatively low risk beach environment, with good water access, and relatively protected waters. Anecdotally, a number of regular ocean swimmers utilise both

Bluff and Coles Beach however, these numbers are relatively low with most beach users being recreational or ocean-sports participants, and on a highly seasonal basis.

While existing utilisation demands and safety concerns are not considered as strong drivers for the development of an Ocean Pool in this location, a project of this type would certainly provide enhanced amenity for beachgoers and provide an additional tourism and visitor attractors for the locations.

### Location and Design Options

To inform this initial feasibility study, Council have investigated suitable locations and pool types for consideration. Options analysis considered integration with the existing infrastructure and character of Bluff Beach, along with appropriate scale and functional requirements. Two preferred options have been developed, with each representing different design characteristics but sharing the same functional design elements, being:

- A dedicated lap swimming zone comprising 4-6 lanes of approximately 25m in length.
- A recreational swimming area for general use.
- A safe children's swimming area, with shallow-entry access.

The following images detail the concept designs for the two preferred locations:



**Location Option 01** – Western location, integrated with existing natural features and characteristics of Bluff Beach.





**Location Option 02** – Eastern location, integrated into the existing constructed seawall edge to Bluff Beach, and adjacent to the existing amenities at the Surf Club complex.

Additional detail in relation to the design response to the two preferred locations is included in the attachments to this report.

### **Project Development Requirements**

While the scope of this study enabled consideration of design and locations options, and analysis of other existing project proposals, further detailed development would require specialist consultant input (beyond a typical construction project), including:

- Coastal/Marine engineering (hydrodynamic modelling).
- Environmental Impact Assessment.
- Threatened Species Impact Assessment.
- Cultural Heritage Impact Assessment.

In order to progress detailed project design and options analysis, based on the estimated project value and initial fee guidance from specialist consultants, it is estimated that a funding allocation \$350,000 to \$400,000 would be required to fully develop a project scope to a sufficient degree of confidence to determine the final design and construction cost for the project. A dedicated funding allocation from Council would be required to resource these activities.

### **Operational Considerations**

Most other Ocean Pool facilities that are not directly associated with a surf or aquatic club or association, are typically free to access and unsupervised. While safety fencing or other access controls are required, no lifeguarding or supervision is provided. It would be likely that this arrangement would be most feasible for the Bluff location.

The majority of remaining operational considerations then relate to the management of "sea wrack". In all other existing locations analysis, this results in a minimum weekly deep clean of the ocean pool enclosure to remove the Wrack (seaweed, other organic materials etc.) and accumulated rock and sand. High swell and storm events generally require a specific operational response to return the pools to service for community use. The proliferation of shingle rock accumulation from local river catchments at Bluff Beach would require specific design and operational considerations for this location.

### **Capital Investment**

Council Officers have reviewed two proposals that have recently been investigated into two other locations nationally, to assist with determining the likely funding required to develop a project at Bluff Beach. Once current proposal in New South Wales has an estimated project value of \$4.5m, while a recent proposal in Western Australia had an estimated construction cost of \$9m.

Both projects are larger in scale than the options considered as being suitable for the Bluff Beach location. However, the estimated construction cost is likely to be in the order of \$3-3.5million, with significant risk of project cost escalation due to specific design, engineering, and construction environment characteristics. This cost estimate is based on the relative scale of the example projects, and unit-rate estimation of these project budgets compared to the size and functional design of the options considered appropriate for Bluff Beach.

Given the likely development and construction costs, and the lack of alignment this project represents with existing Council strategies, it is recommended that Council do not progress with the further development of this project at this time.

### **COMMUNITY ENGAGEMENT**

No specific community engagement has been undertaken in relation to the design options considered as a part of the feasibility study. Based on the direction provided by Councillors following the Workshop review of the feasibility study findings in March 2023, it was agreed not to commence further key stakeholder and broader community consultation processes given the unlikely progression of the project by Council due to the estimated project costs.

### **FINANCIAL IMPLICATIONS**

The estimated financial costs associated with progressing this project are outlined in the report.

### **RISK IMPLICATIONS**

There are no risk implications in relation to this report.

### **CONCLUSION**

While the construction of an Ocean Pool at Bluff Beach would provide enhanced amenity to Bluff Beach, the estimated development and operational costs are not considered viable for Council to progress with the further development of this project.

### **ATTACHMENTS**

1. Bluff Ocean Pool Design Feasibility Study [**5.7.1** - 20 pages]
2. LS K-01 POOL LOCATION OPTION 1 [**5.7.2** - 3 pages]
3. LS K-02 POOL LOCATION OPTION 2 [**5.7.3** - 3 pages]

## 6 INFORMATION

### 6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

Author: **Claire Jordan, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

### RECOMMENDATION

That the report advising of Workshop Sessions held since the last Council meeting be received and the information noted.

Council is required by Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015* to include in the Agenda the date and purpose of any Council Workshop held since the last meeting.

Date	Description	Purpose
1 April 2023	Planning Workshop	Review Council's Strategic Plan 2009-2030, and determine Council's current short-medium term strategic actions and goals
3 April 2023	Gavin Pearce MP	General discussion with Councillors
	Don River Railway	Presentation of business case and status update on infrastructure in preparation for access to the main line
	Mayor Brendan Blomeley	Introduction to Councillors
	Qantas	Discussions with State Manager for Qantas on Council's objectives for aviation in the region
	<i>Local Government Act 1993</i> reforms – Discussion papers	Review of discussion papers relating to Addressing councillor misconduct and Merit-based recruitment in councils

## 6.2 MAYOR'S MONTHLY REPORT

### RECOMMENDATION

That the Mayor's monthly report be received and noted.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

### SUMMARY

This report details meetings and functions attended by the Mayor.

### BACKGROUND

This report is provided regularly to Council, listing the meetings and functions attended by the Mayor.

### STATUTORY REQUIREMENTS

There are no statutory requirements which relate to this report.

### DISCUSSION

In her capacity as Mayor, Councillor Alison Jarman attended the following meetings and functions between 22 March and 18 April 2023:

- Radio interviews with 7AD and SeaFM
- Met with local school principals including Devonport Christian School and Devonport Primary School
- Attended the Leading Australia's Resilient Communities ceremony
- Met with Councillors and Council staff as required
- Meetings with ratepayers as required
- Attended the Forth Primary School Twilight Fair
- Attended the Devonport Football Club season launch
- Attended Council general meeting
- Joined DCCI representative for DCCI and DCC Business meet and greet
- Attended DEVYAG Meeting
- Met with Nathan Tucker from RANT Arts
- Met with General Manager and President of Don River Railway
- With the General Manager, met with TasWater CEO and Community and Stakeholder Engagement Specialist
- Met with John Briggs
- Attended the East Devonport Community Easter BBQ at Pioneer Park
- Attended the North Western Football League Season launch
- Attended the Spreyton Apple Festival
- Participated in Council's strategic planning workshop
- Attended Quaylink Schools Signage unveiling
- Tour of Quaylink with Premier and Deputy Premier
- Attended Council Workshops
- Interviews in respect of fire at Don River Railway
- Met with Scott Ennis and Graeme Heald from Brumby Hill Aboriginal Corporation
- Attended Easter in the Park at the Devonport Community House
- Attended Access and Inclusion Working Group Meeting



- Department of State Growth tour
- With the General Manager, met with Senator Anne Urquhart & Bronwyn Taylor
- Attended Devonport Churches Easter Together Event
- Attended the All-abilities playground opening YES
- Met with the Mersey Valley Tourism Group

#### **ATTACHMENTS**

Nil

## **6.3 GENERAL MANAGER'S REPORT - APRIL 2023**

Author: **Matthew Atkins, General Manager**

### **RECOMMENDATION**

That the report of the General Manager be received and Council endorse submissions, as attached, in response to the following State Government consultation processes:

1. Discussion Paper – merit-based recruitment;
2. Discussion Paper – Councillor misconduct;
3. North-West Support School Relocation.

### **RELEVANCE TO COUNCIL'S PLANS & POLICIES**

Council's Strategic Plan 2009-2030:

Strategy 5.8.2 Ensure access to Council information that meets user demands

### **SUMMARY**

This report provides a summary of the activities undertaken by the General Manager, between 22 March and 18 April 2023. It also provides information on matters that may be of interest to Councillors and the community.

### **BACKGROUND**

A monthly report provided by the General Manager to highlight management and strategic issues that are being addressed by Council. The report also provides regular updates in relation to National, Regional and State based local government matters as well as State and Federal Government programs.

### **STATUTORY REQUIREMENTS**

Council is required to comply with the provisions of the *Local Government Act 1993* and other legislation. The General Manager is appointed by the Council in accordance with the provisions of the Act.

### **DISCUSSION**

#### **1. COUNCIL MANAGEMENT**

- 1.1. Attended and participated in regular scheduled internal staff and management meetings.
- 1.2. Attended Workshops and Council Meetings as required.
- 1.3. Attended the Council Audit Panel meeting as required under the terms of reference.
- 1.4. Along with key staff met with the Peddle Thorpe architectural team at their offices in Melbourne to commence the engagement for the design of a new Devonport Stadium. The trip included visiting several of their recently completed projects throughout Victoria, including stadiums in Bendigo, Ballarat, Bacchus Marsh and Gippsland.

2. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 2.1. Along with Mayor, met with representatives from the Brumby Hill Aboriginal Corporation.
- 2.2. Met with a concerned stakeholder in relation to the proposed closure of the Devonport Special Support School.

3. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

- 3.1. Along with the Mayor, met with new TasWater CEO George Theo and Community Engagement Officer Nikita Heazlewood for an introduction and general update on their business.
- 3.2. As State Director, attended a National Board Meeting of Local Government Professionals Australia.

4. STATE AND FEDERAL GOVERNMENT PROGRAMS

- 4.1. Accompanied the Mayor to the launch by the Premier, Hon. Jeremy Rockliff and Deputy Premier Hon. Michael Ferguson of artwork by East Devonport Primary School students as part of the Quaylink port redevelopment. The launch was followed by a site tour, with TasPorts CEO Anthony Donald of the construction work currently underway.
- 4.2. Along with the Mayor met with Elspeth Moroni, State Growth Director of Network Management to discuss traffic issues across Devonport. As part of this visit, Elspeth was provided with a tour to key areas of concern across the city.
- 4.3. Along with the Mayor met with Senator Anne Urquhart to discuss progress on Federal Government funded projects in Devonport and highlight future opportunities for Government support.

5. OTHER

- 5.1. The Local Government Division recently released two discussion papers for comment, on merit-based recruitment and Councillor misconduct. Following discussion at a workshop, a Devonport City Council submission was provided in response to both papers and a copy of both are provided as attachments and for Council's endorsement.
- 5.2. The State Government recently undertook a community engagement process in relation to the planned closure of the Devonport Campus of the North West Support School. Following representation to Council from a number of concerned parents, a submission was drafted with feedback sought from Councillors. A copy of the submission made by Devonport City Council prior to the consultation close on 20<sup>th</sup> April is attached for endorsement. The submission raises the significant concerns that Council has in relation to the proposed closure and offers to work with the Government to identify a suitable site in Devonport for a new School.
- 5.3. Council recently adopted a management level Policy, the "Diversity and Inclusion Policy", which establishes Council's commitment to diversity and inclusion in the workplace. This new Policy incorporates the key elements of Council's Equal Employment Opportunity (EEO) and Diversity Policy, and

therefore this Council Policy, adopted on 23 August 2021 (Res. No. 21/173), is rescinded as it is no longer required.

### **COMMUNITY ENGAGEMENT**

The information included above details any issues relating to community engagement.

### **FINANCIAL IMPLICATIONS**

There is not expected to be any impact on the Council's operating budget as a result of this recommendation.

### **RISK IMPLICATIONS**

Any specific risk implications will be outlined in the commentary above. Any specific risk that may result in an issue for Council is likely to be subject of a separate report to Council.

### **CONCLUSION**

This report is provided for information purposes only and to allow Council to be updated on matters of interest.

### **ATTACHMENTS**

1. DCC Comments - Councils Discussion Paper - Addressing councillor misconduct [6.3.1 - 2 pages]
2. DCC Comments - Merit Based Recruitment in Councils Discussion Paper [6.3.2 - 2 pages]
3. Support School consultation [6.3.3 - 3 pages]
4. Current & Previous Minutes Resolution - March 2023 [6.3.4 - 2 pages]

## 6.4 MONTHLY OPERATIONAL REPORT - MARCH 2023

Author: **Claire Jordan, Executive Coordinator**  
Endorser: **Matthew Atkins, General Manager**

### RECOMMENDATION

That Council receive and note the Monthly Operational Report for the period ending 31 March 2023.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.1    Review and amend structures, policies and procedures to adapt to changing circumstances

### SUMMARY

This report provides a summary of council performance and general matters of interest during the month of March 2023.

### BACKGROUND

This report is provided to update Councillors and the community on council's performance over the previous month and includes:

- monthly financial performance reports;
- progress on annual plan actions;
- information on matters relating to operational activities of the Council;
- general council matters that maybe of interest to the community; and
- tabling of minutes received relating to Council Committees, Authorities and related External Organisations.

Further operational information can be obtained by viewing Council dashboards at Council's website: [Your Council Dashboards | Devonport City Council](#)

### STATUTORY REQUIREMENTS

In undertaking its operational activities, Council is required to comply with the *Local Government Act 1993* and various other legislation.

### DISCUSSION

The following information is provided as an update on operational activity undertaken by Council during the month of March 2023:

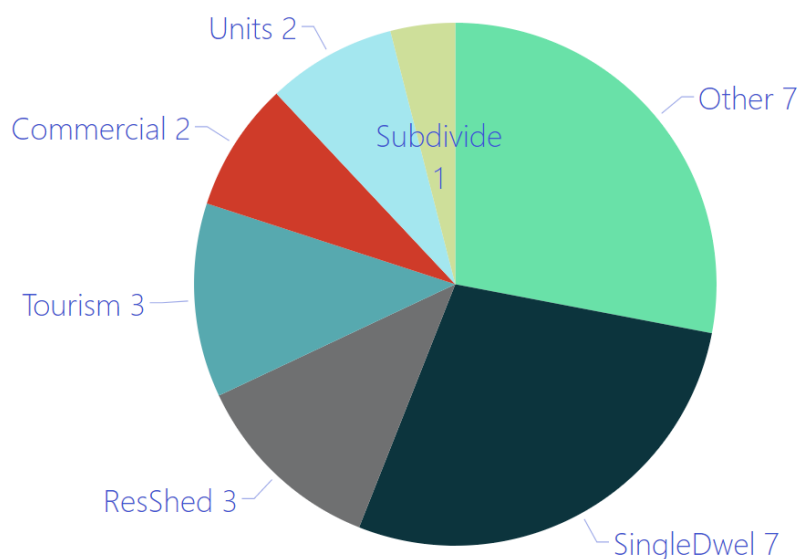
#### 1. DEVELOPMENT SERVICES:

##### 1.1. Planning:

- 1.1.1. The following graph details the breakdown of planning applications received during March:

## Planning Applications Received Monthly Breakdown

1/03/2023 31/03/2023

Definitions:

- Single Dwellings – means single residential dwelling on a single lot.
- Residential Shed – means shed on a residential lot.
- Units – means two or more dwellings on a site.
- Subdivision – means the division of a single lot into multiple lots giving separate rights of occupation, excluding boundary adjustments.
- Commercial – means bulky goods sales, business and professional services, community meeting and entertainment, educational and occasional care, equipment and machinery sales and hire, food services, general retail and hire, hotel industry, research and development.
- Tourism – means tourist operations and visitor accommodation.
- Industrial and Utilities – means extractive industry, manufacturing and processing, port and shipping, recycling and waste disposal. Resource processing, service industry, storage, transport depot and distribution, utilities, vehicle fuel sales and service.
- Other – means all other use classes.

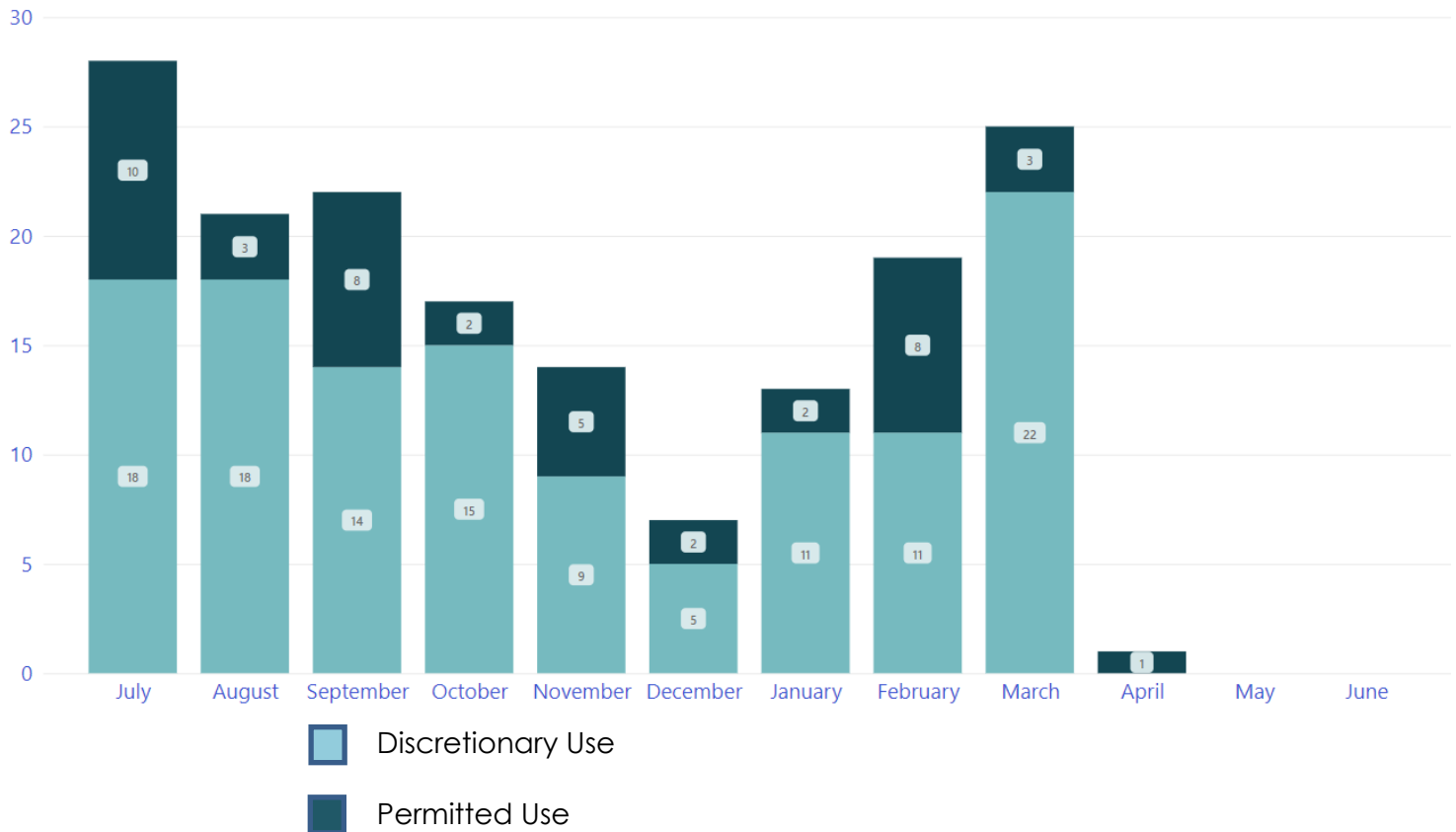
- 1.1.2. The following graph details the number of Planning Applications received in March (permitted/discretionary):

## Planning Applications Received - Permitted &amp; Discretionary

1/07/2022

30/06/2023

Primary Category Discretion Permitted



## 1.1.3. Planning Applications approved under delegation:

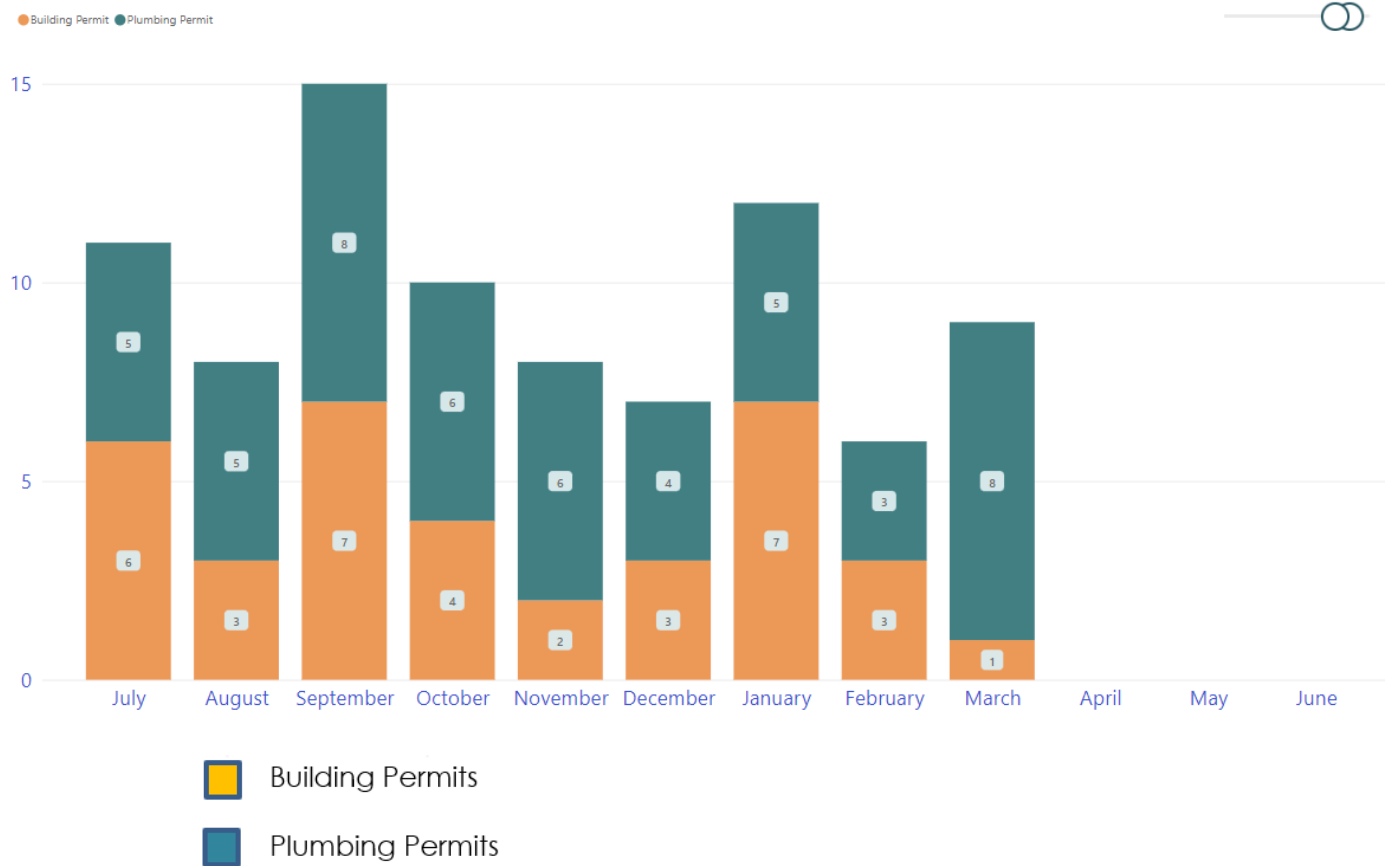
Application ID	Primary Category	Primary Property	Full Details	Approved
PA2023.0009	Permitted	636 MELROSE RD, MELROSE	Residential (shed)	2/03/2023
PA2023.0013	Permitted	158 JAMES ST, DEVONPORT	Visitor Accommodation	8/03/2023
PA2023.0014	Permitted	5 FORMBY RD, DEVONPORT	Wall Sign	9/03/2023
PA2023.0017	Permitted	5 NICHOLLS ST, DEVONPORT	Residential (garage)	13/03/2023
PA2023.0006	Discretion	1/40 ROOKE ST, DEVONPORT	Signage	14/03/2023
PA2023.0008	Discretion	68 BEL-AIR CRESCENT, EAST DEVONPORT	Residential (single dwelling)	14/03/2023
PA2023.0010	Discretion	20 JARROD COURT, DEVONPORT	Residential (dwelling alterations and additions)	14/03/2023
PA2023.0019	Permitted	21 PARKER ST, DEVONPORT	Visitor Accommodation	15/03/2023
PA2023.0021	Permitted	8 MONASH COURT, DEVONPORT	Visitor Accommodation	16/03/2023
PA2023.0015	Discretion	8 DONVISTA DRIVE, DON	Residential (secondary residence)	24/03/2023
PA2023.0011	Discretion	131 STEELE ST, DEVONPORT	General retail, consulting rooms and signage	27/03/2023
PA2023.0028	Permitted	8 SANDWOOD PLACE, EAST DEVONPORT	Residential (multiple dwellings x 2)	27/03/2023
PA2023.0022	Discretion	31 DEVONPORT RD, QUOIBA	Residential (dwelling alterations and additions)	28/03/2023
PA2023.0016	Discretion	150 CUTTS RD, DON	Residential (shed)	28/03/2023
PA2023.0032	Permitted	1 MERSEY MAIN RD, SPREYTON	Demolition of Building No. 7	29/03/2023
PA2023.0023	Permitted	1 JILOA WAY, DON	Demolition of dwelling	29/03/2023

## 1.2. Building &amp; Plumbing:

1.2.1. The following graph details the Building and Plumbing Applications received this financial year:

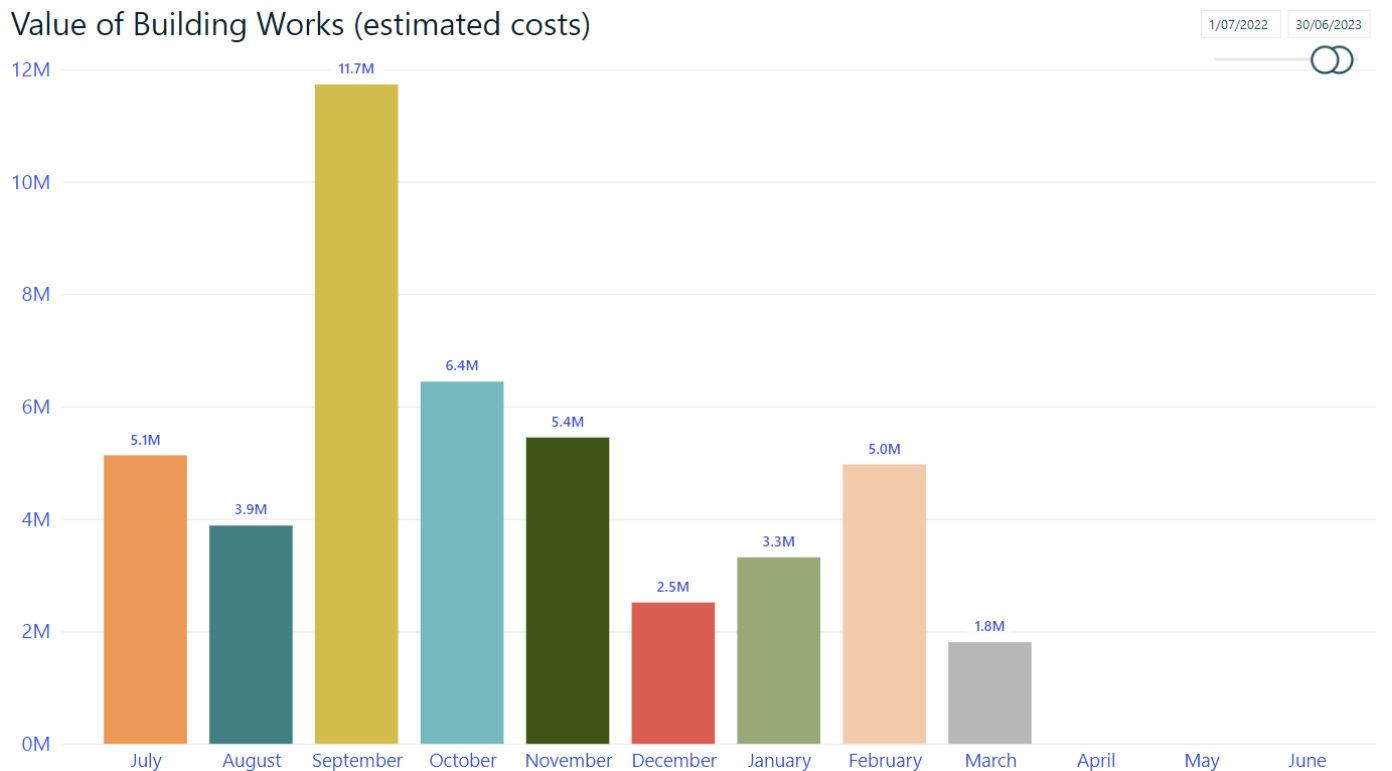


## Building &amp; Plumbing Applications Received



1.2.2. The following graph details the value of building works received this financial year:

## Value of Building Works (estimated costs)

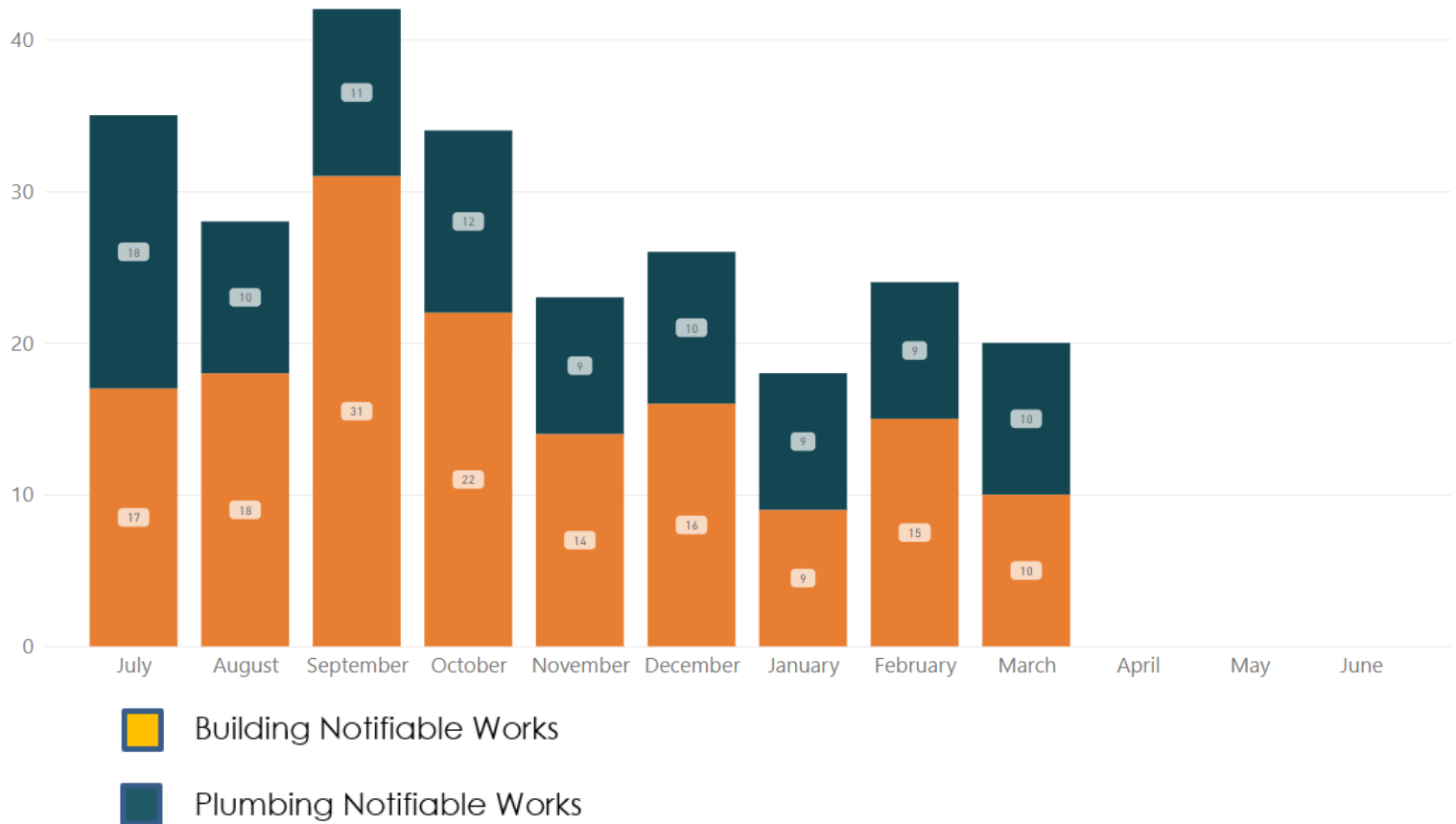


1.2.3. The following graph details the notifiable works received for building and plumbing that have been issued this financial year:

### Notifiable Works Received - Building & Plumbing

1/07/2022 30/06/2023

● Building NW ● Plumbing NW



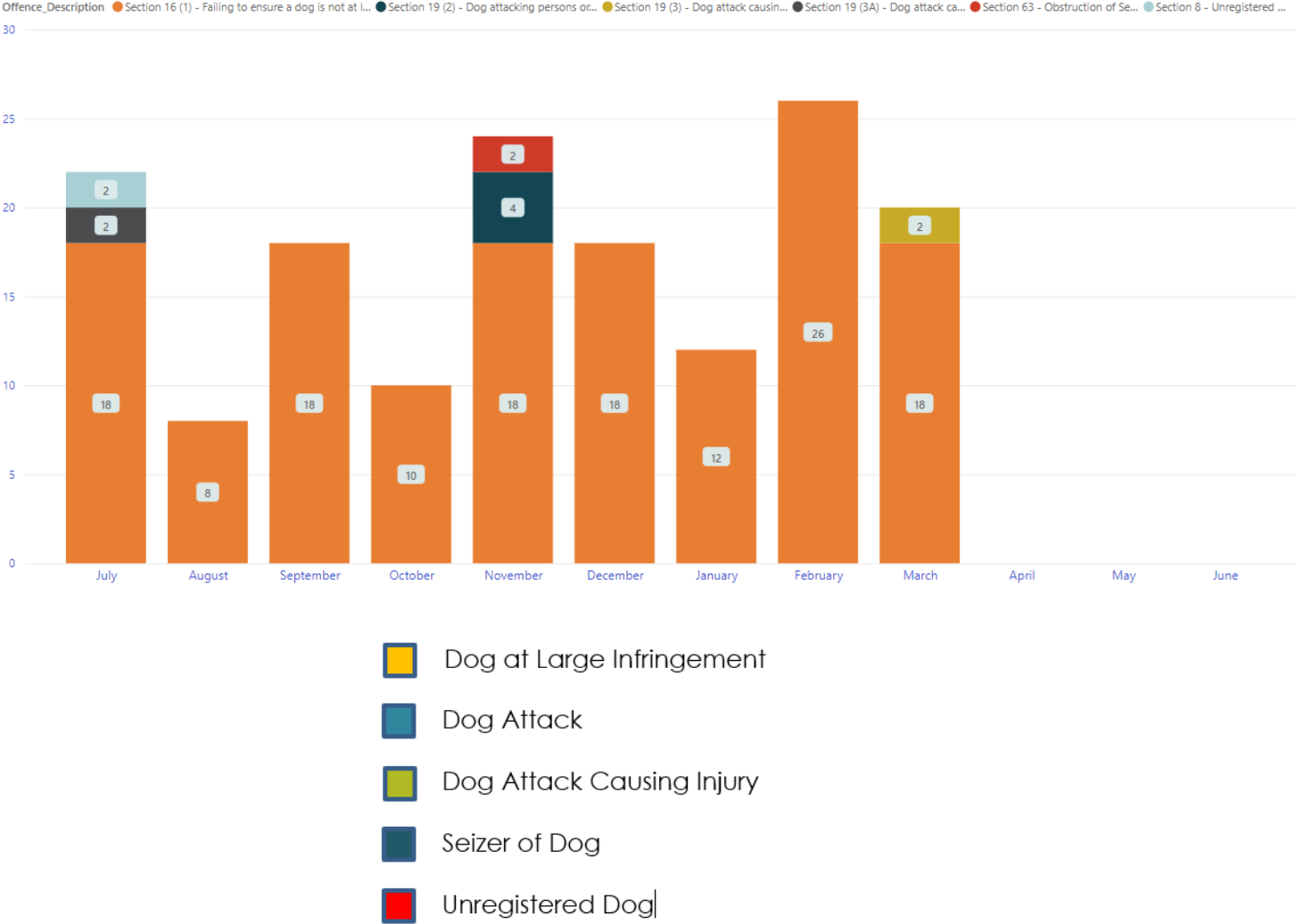
1.3. Environmental Health:  
1.3.1. Food Business Registrations:



1.4. Animal Control:

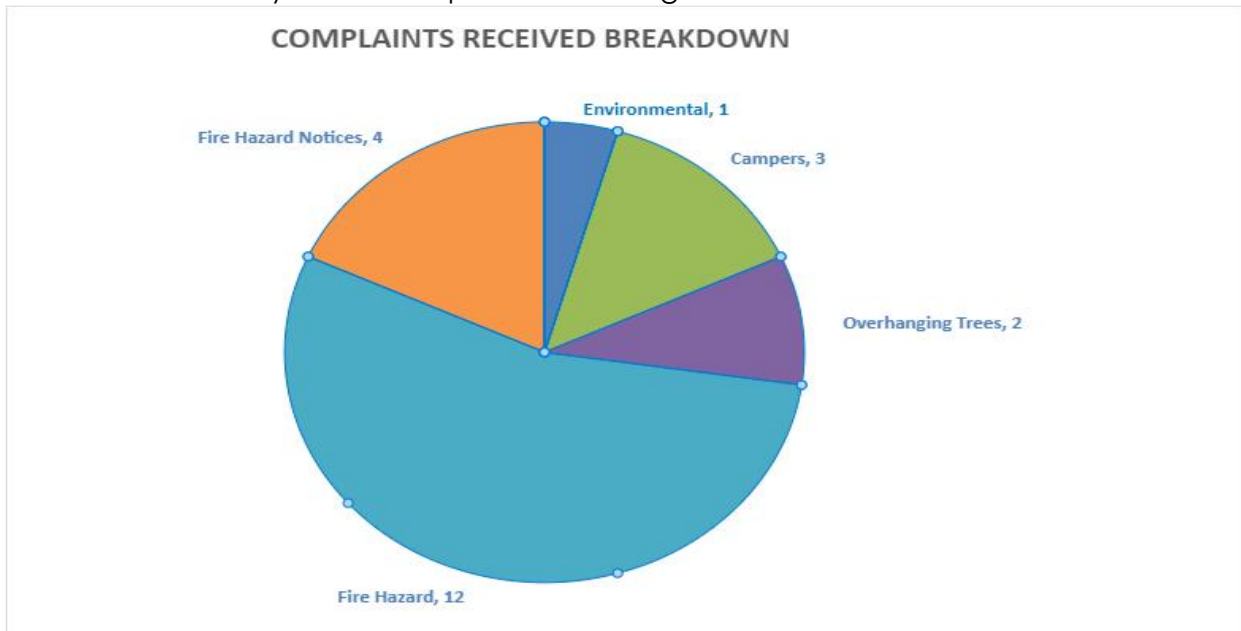
1.4.1. The following graph details the number of animal complaints for this financial year:

Animal Control Complaints and Infringement Notices



**1.5. Risk & Compliance:**

1.5.1. The following graph details the breakdown of the complaints received by the Risk Department during March:



1.5.2. The following table details the types of incidents reported in March:

Council/Public	Number Reported
<input type="checkbox"/> Council	<b>14</b>
<input type="checkbox"/> Hazard	6
<input type="checkbox"/> Property Damage	3
<input type="checkbox"/> General	2
<input type="checkbox"/> Personal	2
<input type="checkbox"/> Near Hit	1
<input type="checkbox"/> Public	<b>9</b>
<input type="checkbox"/> Personal	3
<input type="checkbox"/> Property Damage	3
<input type="checkbox"/> General	2
<input type="checkbox"/> Near Hit	1
	<b>23</b>

## 2. INFRASTRUCTURE & WORKS:

### 2.1. Capital Works:

2.1.1. Forthside Road open drain cleaning and gravel resheeting:



2.1.2. Middle Road Bass Highway lifting stormwater headwall:



### 2.1.3. East Devonport Missing Footpath Links:



## 2.2. Asset Maintenance:

2.2.1. Home Hill external painting on weather worn sections. Ensuring high visual and structural integrity.

2.2.2. Install irrigation node Victoria Parade – Continuing to align all our sprinkler systems. Blue tooth allows individual sprinkler heads settings to be set up digitally providing efficient water usage through movement and timing of settings

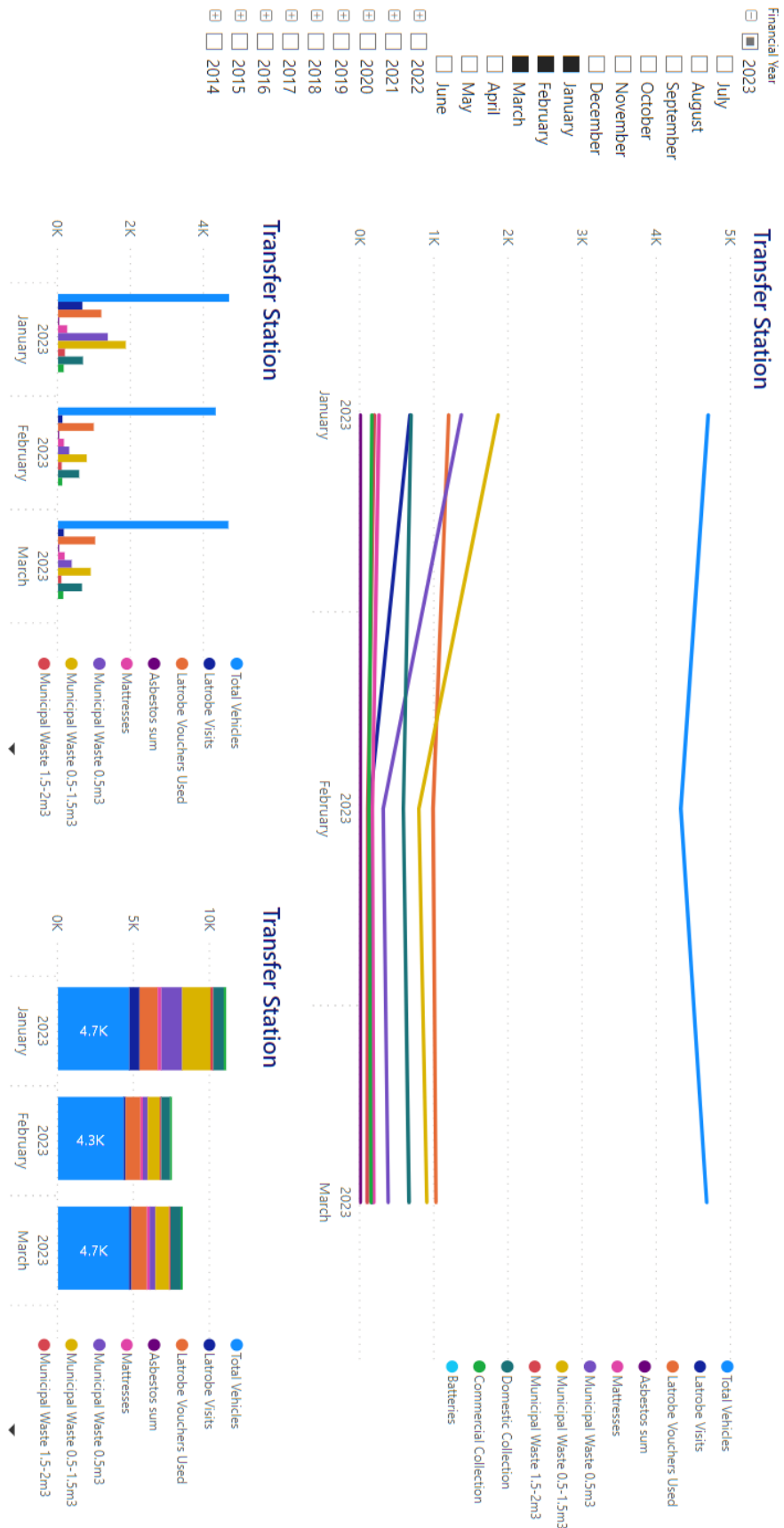
2.2.3. Taps, including pipe and steel support posts have been renewed at the cemetery.

2.2.4. Changeover of sports - Sporting grounds have had concrete cricket pitches covered and the oval cricket pitch grassed. Goal posts for rugby and Aussie Rules have been completed.

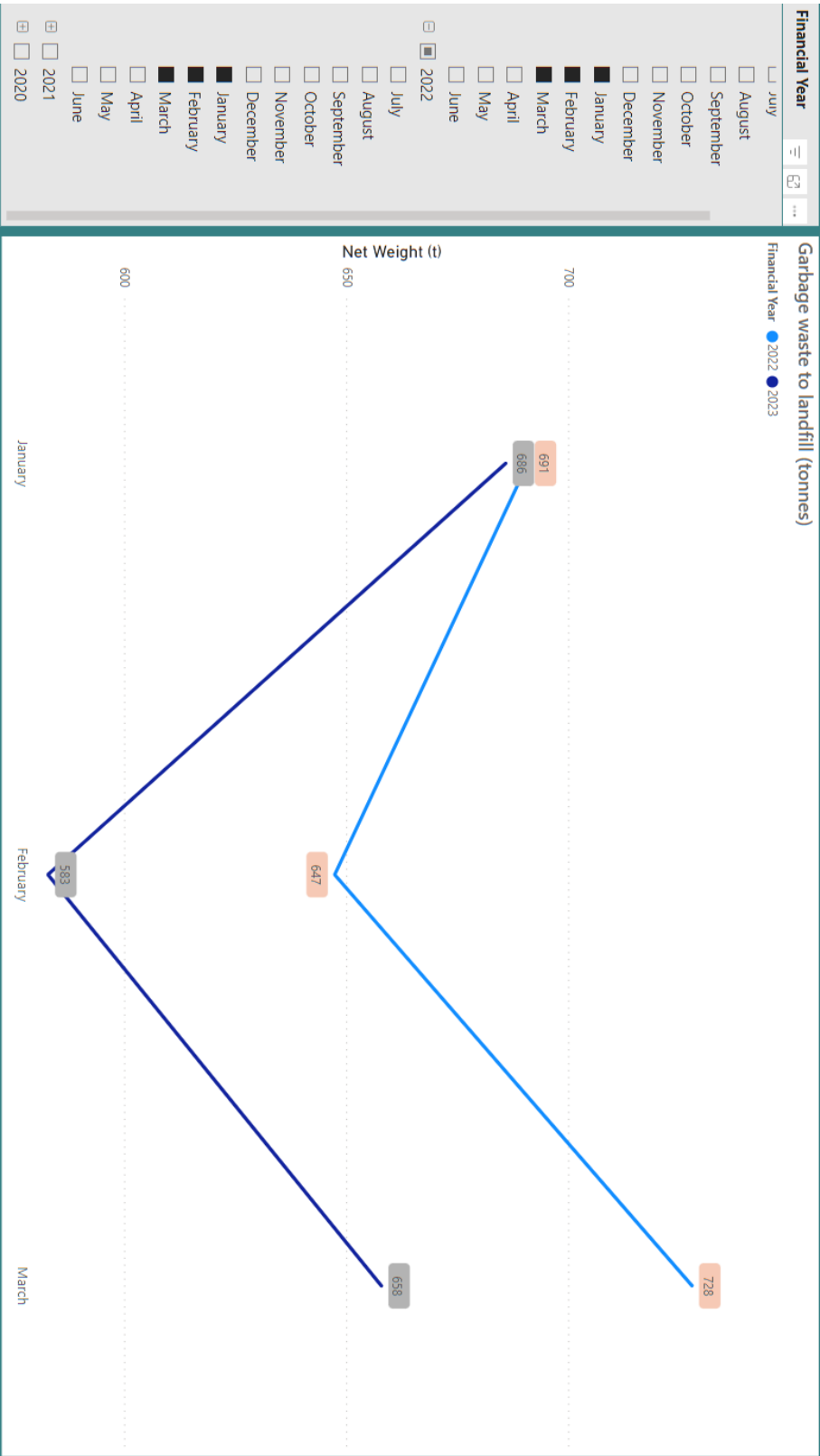
## 2.3. Waste Management:



## Summary Waste Transfer Station

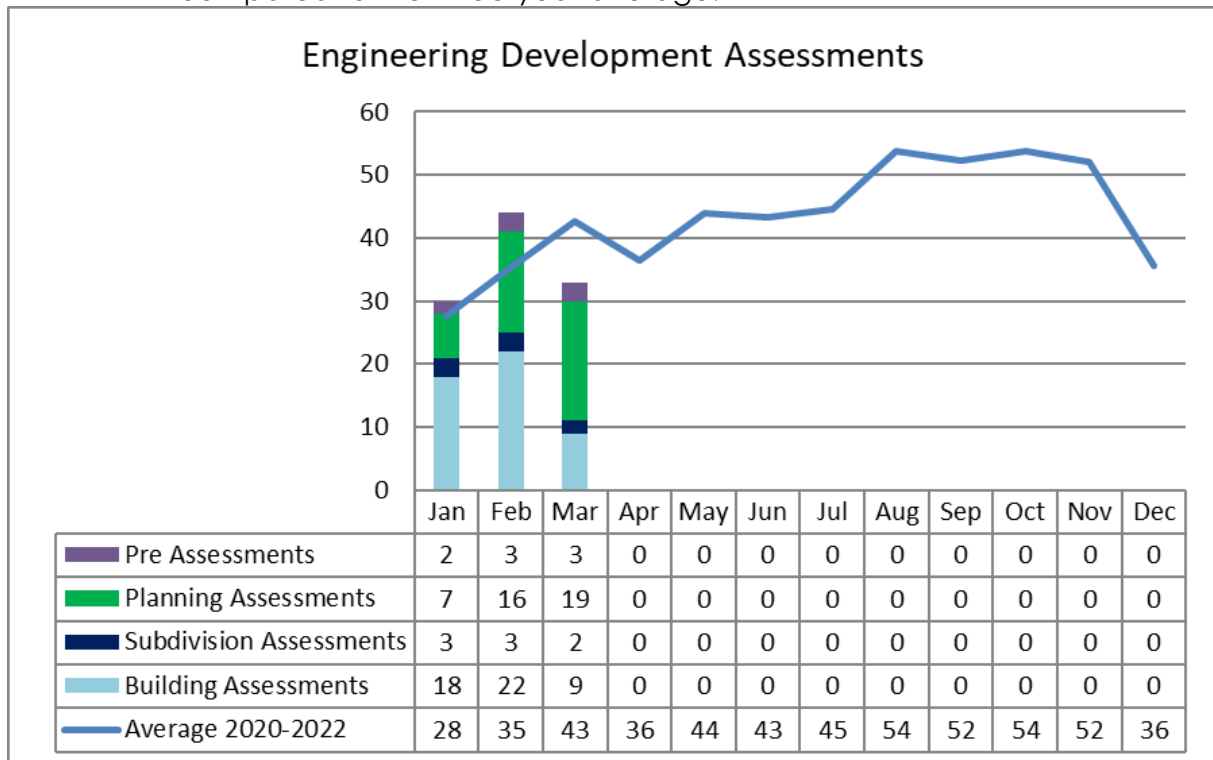




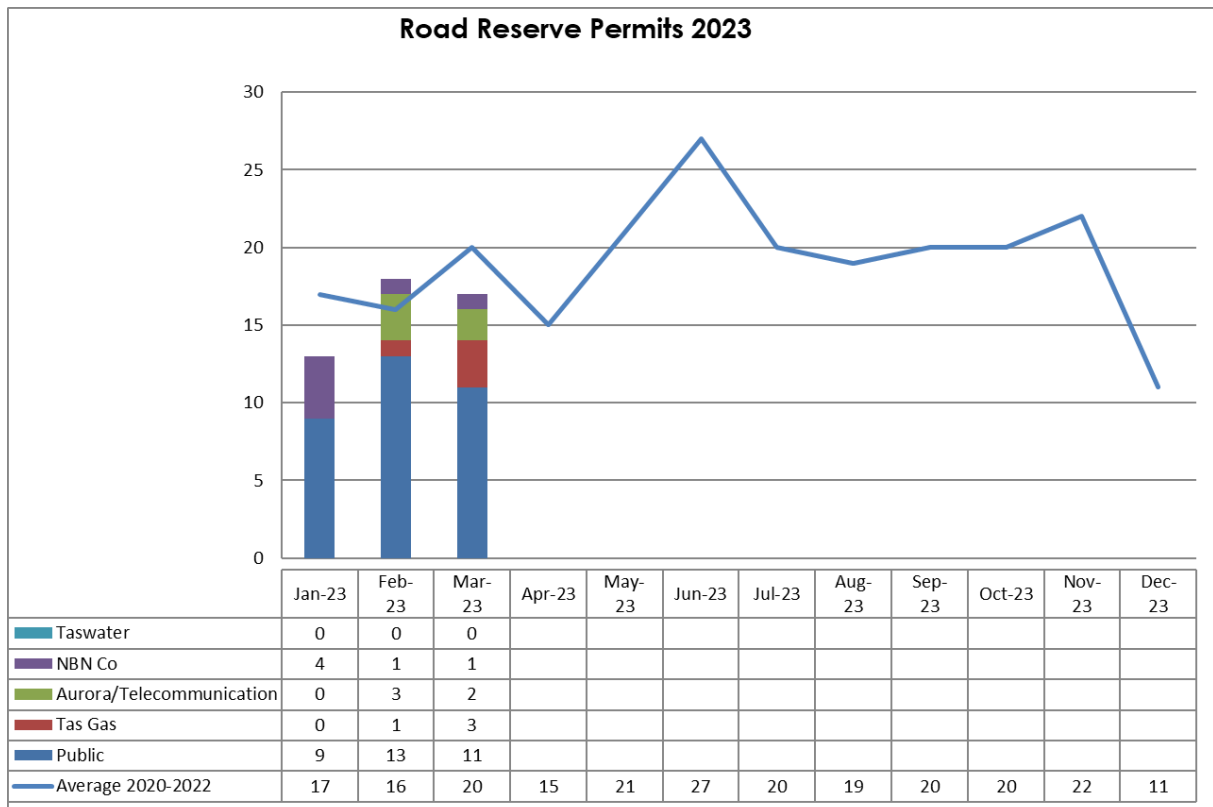


## 2.4. General Infrastructure Matters:

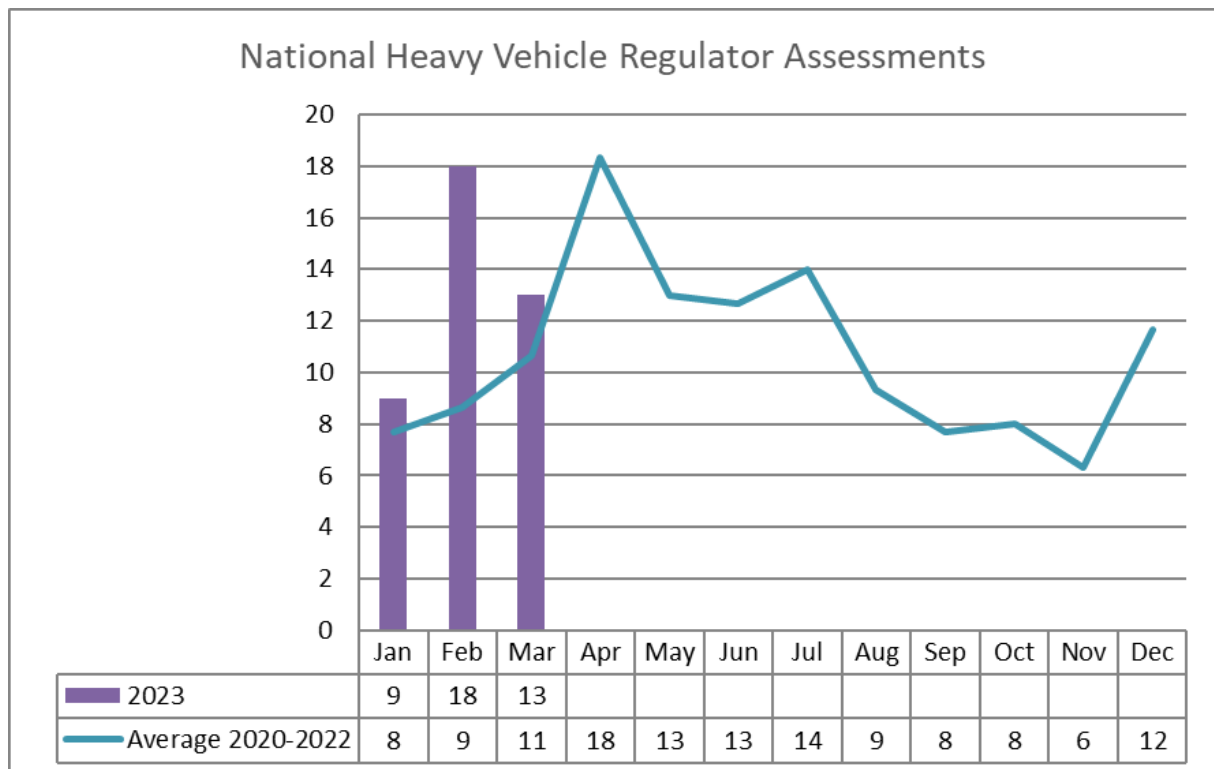
2.4.1. The following graph details the Engineering Assessments for Development Applications that have been completed to date and compared to the three-year average.



2.4.2. The following graph details the Road Reserve Permit Assessments that have been completed to date and compared to the three-year average.



2.4.3. The following graph details the National Heavy Vehicle Regulator Assessments that have been processed to date and compared to the three-year average.



### 3. COMMUNITY SERVICES:

#### 3.1. Community Development:

##### 3.1.1. International Women's Day Conversation

Council staff and the Devonport Library arranged a speakers panel to discuss the 2023 International Women's Day theme #EmbraceEquity. The event started with an Acknowledgement to Country by Tasmanian Aboriginal Centre in Market Square. The 36 participants then moved to the Aberdeen Meeting Room where they listened to discussions by:

- Mel Blake – MC (Volunteering Tas)
- Dr Stephanie Ritchey (UTAS)
- Sharon Corvinus-Jones (Kentish Regional Clinic) and
- Ella Dixon (Migrant Resource Centre).

The discussion was followed up with Krystelle Jordan (Tasmanian Aboriginal Centre) talking about her experiences and sharing the story of her ancestor Walya.

Participants gathered to talk afterwards and Council staff received the following feedback:

- *I'm so glad I joined, I was blown away by the speakers and the community who came tonight to learn.*
- *Thank you so much for this event! I am new to Devonport, new to Australia, it's given me the opportunity to connect with other women, to hear stories and reflect on my own, and the stories of my new friends.*

- *Thank you for this wonderful collection of speakers, so diverse! Can we please have more conversations like this – more opportunities to have these important conversations?*
- *I could have listened for another hour; I would love to attend more events like this!*



*International Women's Day Conversation 3 March 2023*

### 3.1.2. **Diamonds of Devonport**

Diamonds of Devonport was held on 8 March – International Women's Day with over 120 in attendance and 28 new Diamonds of Devonport acknowledged. The Ambassador for the event was Annette Rockliff.

A posthumous award was given to Mary Binks OAM, and Annette Rockliff was also nominated as a Diamond of Devonport.

Entertainment for the night was led by Jada-Li Crossey and Jet Spicer, Jet is a member council's Devonport Youth Advisory Group - DEVYAG. Two DEVYAG members assisted with the event throughout the evening.



*Diamonds of Devonport 2023*

### 3.1.3. **Activate Inclusion Sports Day – Devonport**

Disability Sports Australia ran their second Activate Inclusion Day at Devonport Recreation Centre Wednesday 15 March 2023. For this session participants of all ages were welcome, and it attracted about 54 participants from North West Support School, and young adults. Participants enjoyed learning and practising bowling, tennis, little athletics, AFL and wheelchair basketball.





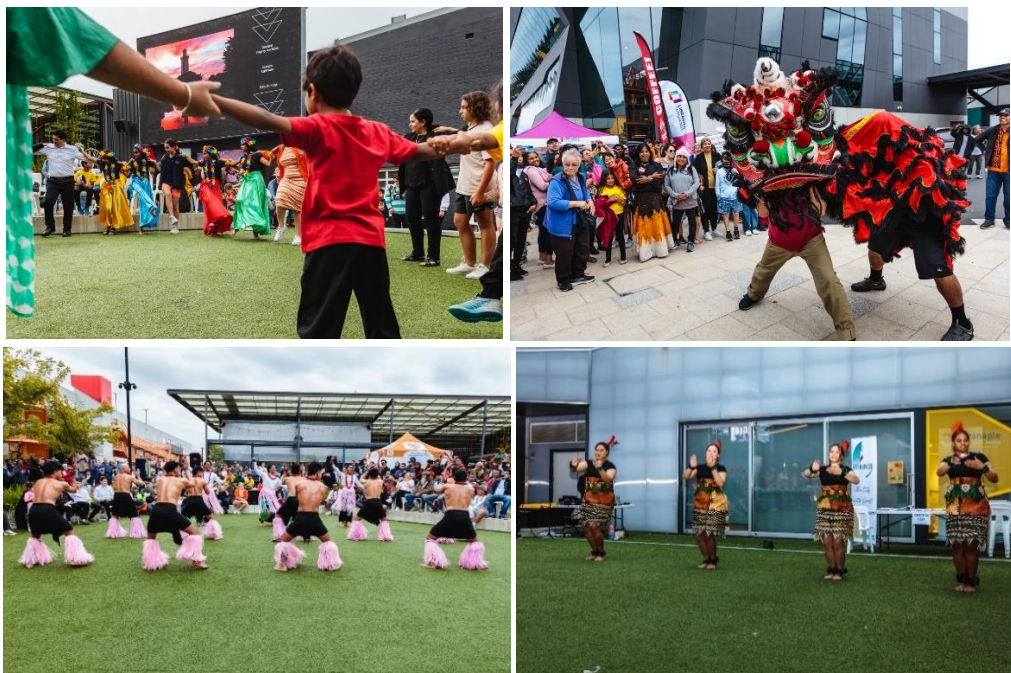
*Activate Inclusion Sports Day 15 March 2023*

#### 3.1.4. **Harmony Day**

Harmony Week is the celebration that recognises our diversity and brings together Australians from all different backgrounds.

It's about inclusiveness, respect, and a sense of belonging for everyone. Council hosted an event in Market Square bringing together Devonport performers from Ireland, Cambodia, China, Sri Lanka, Greece, Samoa, Tonga, and Kiribati.

Youth Family and Community Connections, headspace, Devonport Sister Cities Association, and Devonport Library held activities with face painting, henna tattooing, food vans and children's activities also attracting the crowd.



*Harmony Day 2023*



### 3.1.5. **Citizenship Ceremony Harmony Day**

Eight residents became new citizens at the Devonport Harmony Day event Tuesday 21 March.

The citizens originating from India, South Korea and United Kingdom made their pledges in a ceremony held in Market Square.



*New Citizens Harmony Day 21 March 2023*

### 3.1.6. **Full Gear Motorcycle Safety Program**

16 young Devonport residents have been selected from 30 applicants to participate in the Full Gear Motorcycle Safety Program.

The young people will participate in four two-hour interactive road safety sessions (one a week over four weeks) hosted at the East Devonport Neighbourhood House and the Devonport Community House.

Each participant will be provided personal safety gear and will undertake the two-day pre-learner motorcycle course as part of the program.

The Full Gear program aims to empower pre-learner riders from lower socio-economic backgrounds to obtain a Learner's motorcycle licence, and also addresses unsafe, unlicensed and illegal motorcycle riding.

### 3.1.7. **Working Groups**

The Access and Inclusion Working Group met with Scott Spanton from Tipalea to hear about Stony Rise Village inclusion initiatives and provide feedback.

The group reviewed draft Event Guidelines and provided feedback.

### 3.1.8. **Grants**

Community Wellbeing Small Grants: The second and final round of applications closed late February and were assessed by a Working Group in March.

Major and Minor Grants: The second 2022-2023 round of applications closed late February and were assessed by a Working Group in March.

Letters of Offer were sent to successful applicants after the 27 March Council Meeting.

### 3.2. Natural Resource Management:

- 3.2.1. The Friends of Don Reserve met once in March and joined by two Joey Scouts from the Mersey Scout Group. The Joey's assisted to further their milestone achievements in scouting.

### 3.3. Sport and Recreation Development:

- 3.3.1. Recreation Centre participation data:

Facility	Customers through the Door
	March 2023
East Devonport Recreation and Function Centre	N/A
Devonport Recreation Centre	<b>27,752</b>

- 3.3.2. Special events held at the Devonport Recreation Centre for March 2023 are listed in the table below:

Sporting Event	Date
ParaQuad	4 March
Devonport Table Tennis Association Tournament	11 March
Activate Inclusion Sports Day	15 March
Tasmania Junior Basketball League Grading	18-19 March
2023 Tasmanian Masters Squash, NW Tournament	25-26 March
Basketball Tasmania Tri Series	25 March

- 3.3.3. Group bookings for the Recreation Centres are detailed in the following table:

Facility	Room/Ground	Number of Bookings March
Devonport Recreation Centre (DRC)	Judo Room	28
	Meeting Room	9
	Sauna	136
	Squash	32
	Stadium	147
	Table Tennis Building	53
	Youth Centre	144
<b>Total Devonport Recreation Centre</b>		<b>549</b>
East Devonport Recreation and Function Centre (EDRFC)	Community Room	4
	Stadium	54
<b>Total EDRFC</b>		<b>58</b>

### 3.4. Events:

- 3.4.1. March Events:

Event Date	Event	Venue	Lead Organisation
5 March	Devonport Regatta	Devonport Foreshore	Devonport Regatta Association
15 March	Activate Inclusion Day	Devonport Recreation Centre	Disability Sports Australia

15-19 March	Devonport Triathlon and World Triathlon Para Series	Bluff Precinct	Tri Events Tasmania
19 March	Bluff to Boat Ramp (formerly Run Devonport)	Bluff Precinct to Horsehead Creek Boat Ramp	Everyday Lions
19 March	Mapali	Victoria Parade Boat Ramp	Ten Days on the Island
21 March	Harmony Day Street Eats	Market Square Pavilion	Devonport City Council
21-22 March	Challenge Tasmania	Launceston to Devonport/Devonport to Launceston	Mater – smiling for Smiddy
25 March	Soroptimists Celebration Women	Devonport City Football Centre	Soroptimists International
25-26 March	Jewellery, Gin & Mineral Fair	East Devonport Primary School Gymnasium	Devonport Lapidary Club
25 March	Broughton Cup Rugby Festival	Meercroft Park	Devonport Rugby Club
26 March	Devonport Motor Show	Aikenhead Point	Rotary of Devonport North

#### 4. CURRENT FACILITIES:

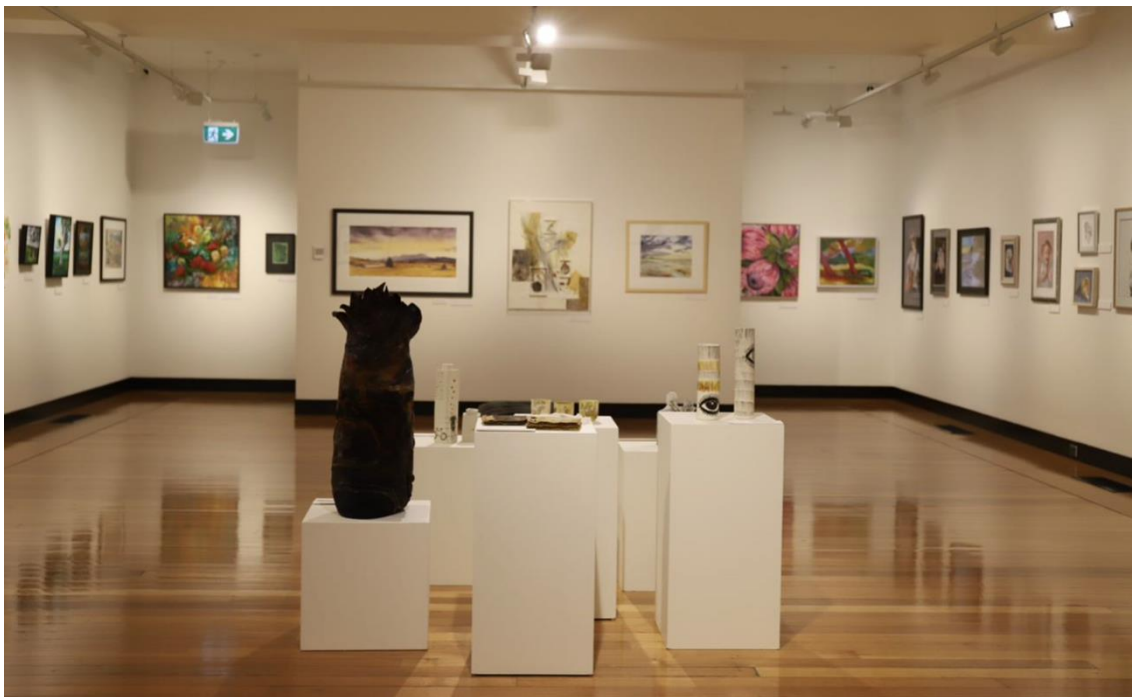
##### 4.1. Devonport Regional Gallery:

###### 4.1.1. Gallery Program:

Exhibition	Date
Jim Nelson: A Life with Pots	28 Jan – 11 March
TERMS: An Exhibition curated by Dave mangenner Gough and Louise Daniels	4 Feb – 18 March
River Inception by Kelly Slater	1 March – 31 March
Dear Dahlia – Celebrating the Dahlia Festival 1955-1999	11 Feb – 20 May
Remnants by Chloe Bonney: Little Gallery Emerging Artist Program	18 March – 29 April
North-West Art Circle: Annual Community Art Exhibition	25 March – 29 April
Something Old Something New Devonport Regional Gallery 50 Years of Collecting	6 May – 17 June



*River Inception by Kelly Slater*



*North West Art Circle Annual Community Art Exhibition and Awards*

4.1.2. Education Program activities and participation data:

Event	Participation	Date
Create & Make Wednesday session 1	14	1-Mar
Create & Make Thursday session 1	21	2-Mar
Create & Make Wednesday session 2	19	8-Mar
Create & Make Thursday session 2	9	9-Mar
Create & Make Wednesday session 3	25	15-Mar

Event	Participation	Date
Northern Suburbs Community Centre group visit	38	16-Mar
Create & Make Thursday session 3	18	16-Mar
Friends of the Gallery monthly meeting	7	16-Mar
Meet & Greet the Artist: Chloe Bonney	17	18-Mar
Books + Art	5	20-Mar
Drop-In Craft Session During Harmony Day	0	21-Mar
Create & Make Wednesday session 4	19	22-Mar
Create & Make Thursday session 4	Cancelled	23-Mar
Main Gallery NWAC Annual Award Exhibition Opening	62	24-Mar
Create & Make Wednesday session 5	9	29-Mar
Create & Make Thursday session 4	9	30-Mar
Leighland Christian School Y11 & Y12 Exhibition tour	20	30-Mar
<b>TOTAL</b>	<b>292</b>	

#### 4.2. Bass Strait Maritime Centre:

##### 4.2.1. Exhibition Program:

Current Exhibition	Opening Date
Ice in the Rigging	Feb 2023
Upcoming Exhibitions	
Strata: Metals, Minerals, and Mining on the Northwest Coast	April 2023
Shipwreck! The Sinking of the Sanyo Maru	July 2023
BSMC 50 <sup>th</sup> Anniversary Exhibition (working title)	Oct 2023

##### 4.2.2. Education and public program activities and participation data:

Event	Participation	Date
John Calvin School	15	7-Mar
Expanding Horizons	33	9-Mar
Giant Steps School	11	10 Mar
Cruise Ship	39	14 Mar
Pukekohe Travel	25	15 Mar
Devonport Men's Shed	10	16 Mar
Tablelands Coaches	27	25 Mar
Coastal Residential Care	16	30 Mar
<b>TOTAL</b>	<b>176</b>	

##### 4.2.3. Events Impacting Operation (Including Road Closures):

Event	Duration	Date
Devonport Regatta	1 Day	5 Mar
Devonport Triathlon	5 Days	15-19 Mar
Devonport Motor Show	1 Day	26 Mar

**4.3. paranaple arts centre**

## 4.3.1. Performance and production program:

Production	Patrons	Date
Darren Coggin, Poems Prays and Promises of John Denver	337	3 Mar
Anh Do	405	15 Mar
The Winner Is...	66	25 Mar
Upcoming		
Prima Facie	TBC	13 April
A Taste of Ireland	TBC	19 April
Sparrows of Kabul	TBC	20 April
Shake Rattle 'n' Roll	TBC	29 April



## 4.3.2. Visitor number data:

Facility	Visitors March
Paranaple arts centre	4,298
Bass Strait Maritime Centre	847
<b>TOTAL</b>	<b>5,145</b>

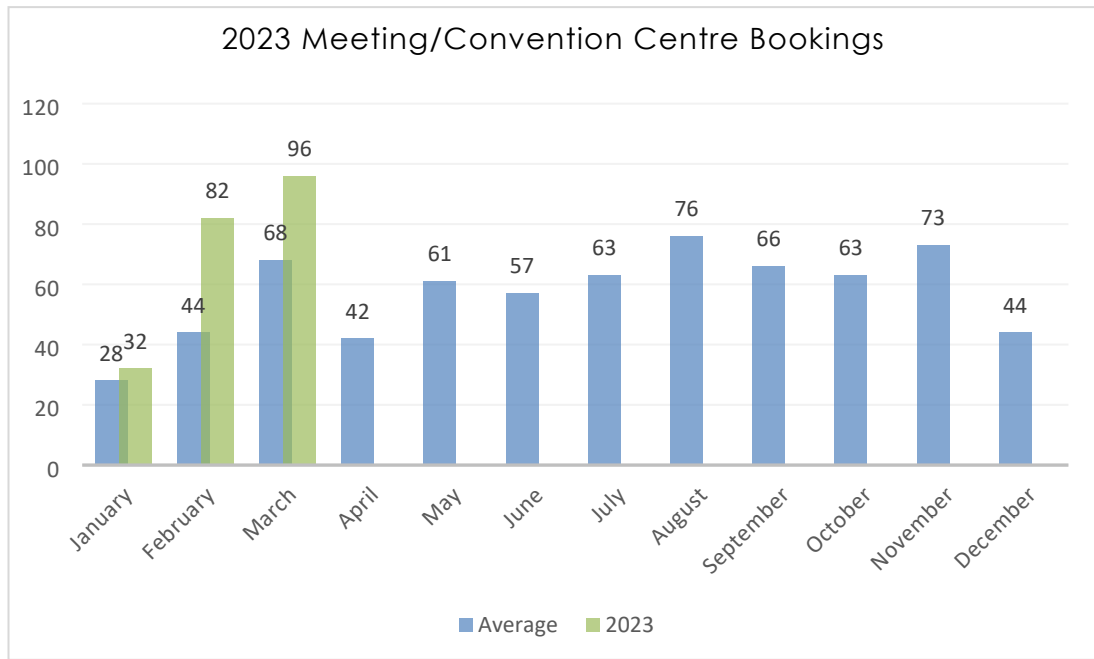
**4.4. Convention Centre & Market Square:**

## 4.4.1. Events, including attendee numbers and utilisation trends:

Event	Presented by	Attendance
DHS Matric Reunion	Private	140
International Women's Day Breakfast	Devonport Chamber of Commerce	84
Diamonds of Devonport	Devonport City Council	108
School Sports Australia Championships Presentation	Tri Events Tasmania	294
World Para & Oceania Athlete Registrations and Briefing	Tri Events Tasmania	100
Marinus Link Breakfast	Marinus Link	70
Principals Forum	Real Estate Industry of Tasmania	35
Master Builders Forum	Master Builders Association	25



Leading Australian Resilient Communities	Tasmanian Leaders	30
The Good Boss	Northwest Film Society	70
IGA Awards of Excellence	Leishman Associates	208
Property Management Forum	Real Estate Industry of Tasmania	35
Principals PDP Workshop	DECYP	90
Northwest Tasmania Carers Expo	Care2serve	100



IGA Awards for Excellence





DCCI – International Women's Day Breakfast

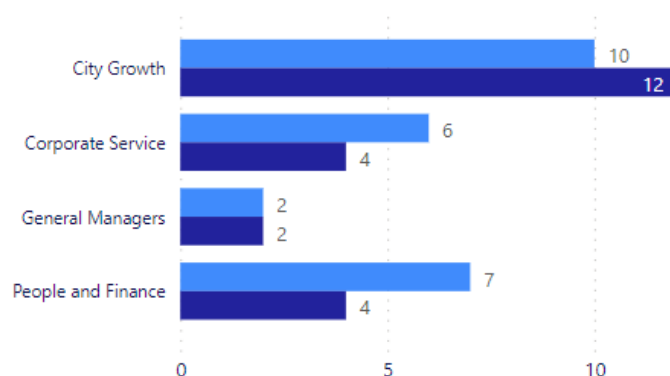
## 5. CORPORATE SERVICES:

### 5.1. Human Resources:

5.1.1. Staff departures and Recruitment (advertised positions and staff appointments) this financial year:

#### Turnover by Department

● New Hires ● Num Departed



### 5.2. Communications:

5.2.1. Website and social media statistics and data:

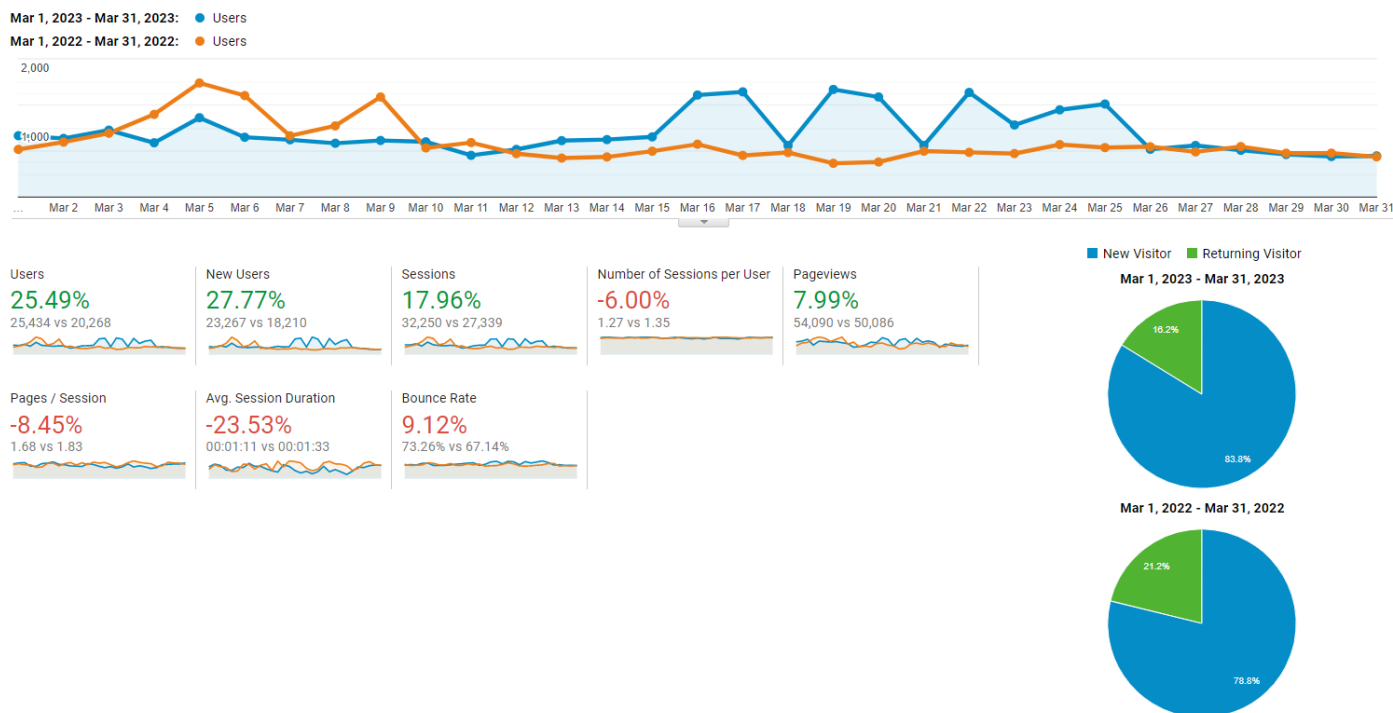
#### Devonport City Council Website

Devonport City Council website content is refreshed on an on-going basis, by updating information and the addition of new public notices, planning applications, news stories and events.

Top 10 Website Pages	March 2023
1. News and Media	

2. Waste Transfer Station
3. Advertised Planning Permit Applications
4. Employment opportunities
5. Employment Opportunity - Customer Service Officer
6. What's On Devonport
7. Contact Us
8. Forms and payments
9. Cemetery Search
10. Weekly Rubbish Collection

Note: Most visitors to the website begin at the home page, but this is not listed in the top 10 pages, as it would be a normal starting point for most website visits.



### Website statistics taken from Google Analytics

March (Verse 2022), Website Statistics

### Community Consultation

Council's online engagement platform [www.speakupdevonport.com.au](http://www.speakupdevonport.com.au) is utilised for all of Council's community consultation.

During the reporting period, Council sought feedback on the Health and Well-Being Strategy and Waste Strategy.

### Social Media

Council currently utilises Facebook, Twitter and LinkedIn as social media tools to engage with the community and local media.

Followers at the end of March 2023:

Facebook	11,368 – up by 29
LinkedIn	1141 – up by 8
Twitter	693 – down by 3

The Devonport City Council Corporate Facebook page is well utilised by the community, with high engagement regarding capital works projects, media releases, Council events, emergency updates, community initiatives and road works. Several other Facebook pages and Instagram accounts are administered by Council's Events Team, and the paranapple arts and convention centre. Each represent a targeted marketing opportunity, with content planned specific to each page's audience.

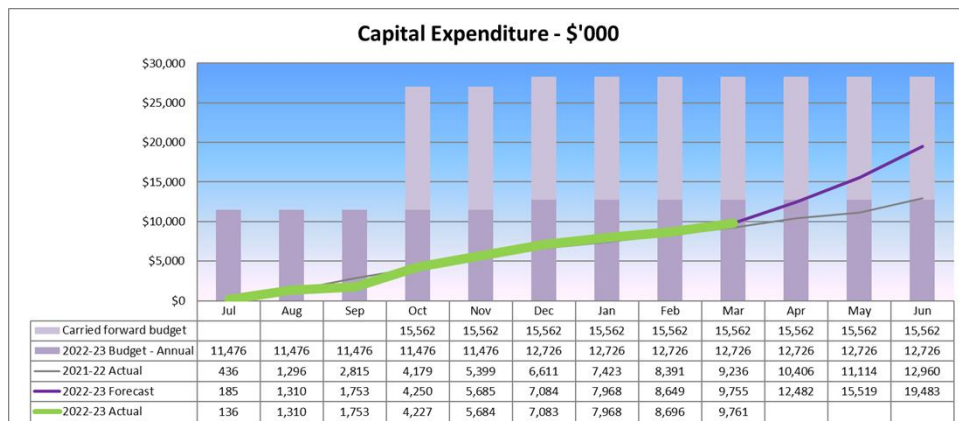
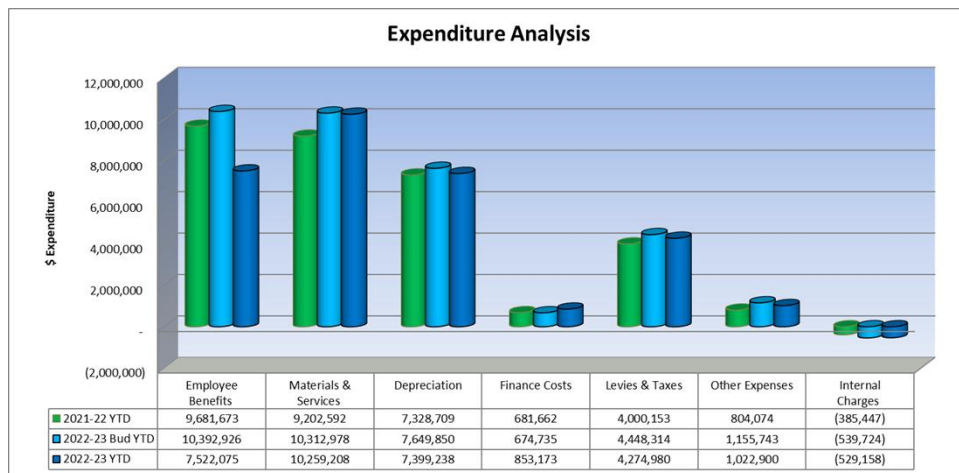
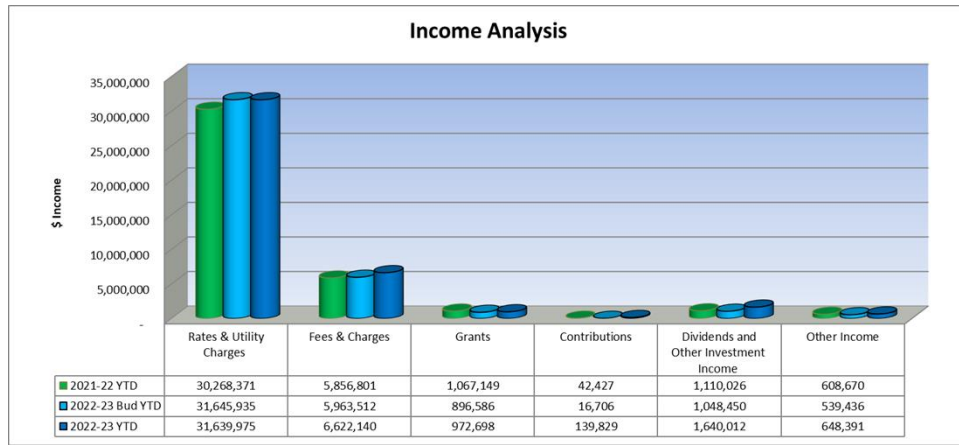
<b>DCC Corporate Facebook Page Statistics</b>	<b>March 2023</b>
<b>Facebook Average Monthly Reach:</b> Number of Facebook users who have seen content associated with the page during the period (individual users can be 'reached' numerous times per month).	44,031TY (43,312LY)

During February, the top 10 Facebook posts in terms of audience reach were:

<b>March 2023</b>	
1.	Road works – Tarleton Street, 16/03/2023, 20.8k
2.	Diamonds of Devonport 2023 - Photos, 14/03/2023, 17.5K
3.	Road Closure – Bluff 2 Boat Ramp Fun Run, 14/03/2023, 12.6K
4.	Road Closure – Devonport Triathlon, 15/03/2023, 12.6K
5.	Diamonds of Devonport 2023, 9/03/2023, 8.1K
6.	Beekeeper registration reminder, 21/03/2023, 3.9K
7.	Road Closure – Victoria Parade, 16/03/2023, 3.2K
8.	Employment Opportunity – Safety & Compliance Officer, 31/03/2023, 2.8K
9.	Employment opportunity – Technical Support Coordinator, 3/03/2023, 2.7K
10.	Media Release, Ice in the Rigging - Voyage to the Antarctic, 3/03/2023, 2.4K

### 5.3. Finance:

The operating result for the financial year to the end of March 2023 is favourable with actual revenue being higher than budget by \$1.49M and actual expenses being lower than budget by \$621K, resulting in an overall favourable variance of \$2.1M. The forecast operating surplus for the financial year is \$3.76M, which includes share of profit of associates (Dulverton) of \$3.1M. The forecast underlying surplus for the year after taking into account net loss on disposal of assets is \$2.6M.



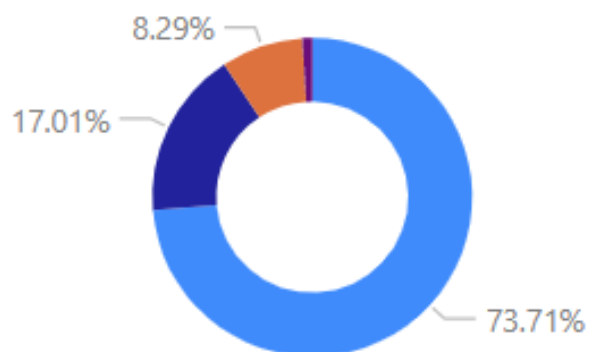
Please refer to the attached finance report for further information.

#### 5.4. Customer Service:

5.4.1. The following graph shows the breakdown of customer sentiment for inbound and outbound calls to Council's Customer Service during March:

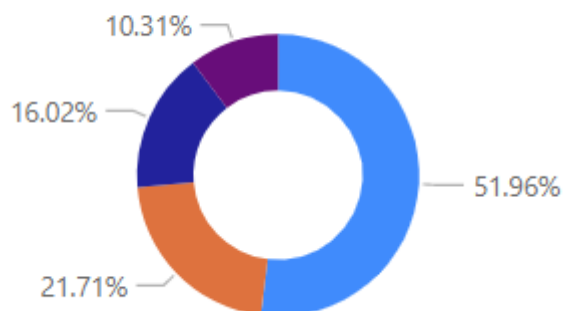
### Sentiment Inbound%

Sentiment ● neutral ● positive ● (Blank) ● negative



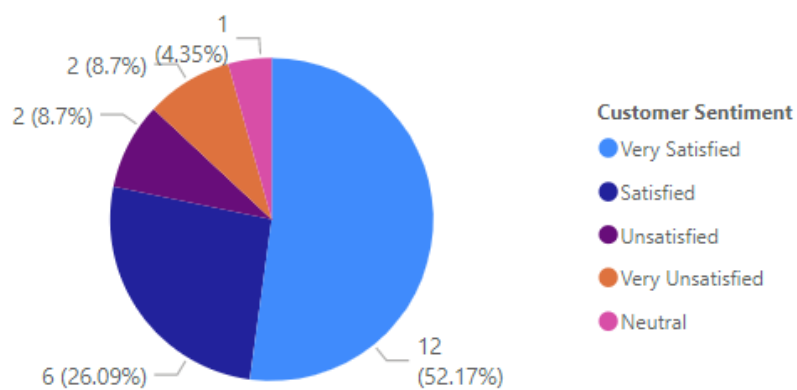
### Sentiment Outbound%

Sentiment ● neutral ● (Blank) ● positive ● negative



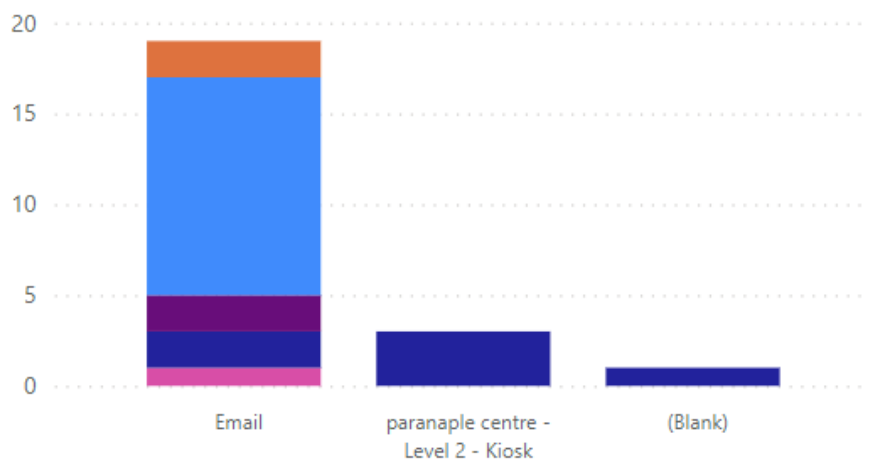
The following graph details the customer feedback received by Council during March:

### Customer Sentiment

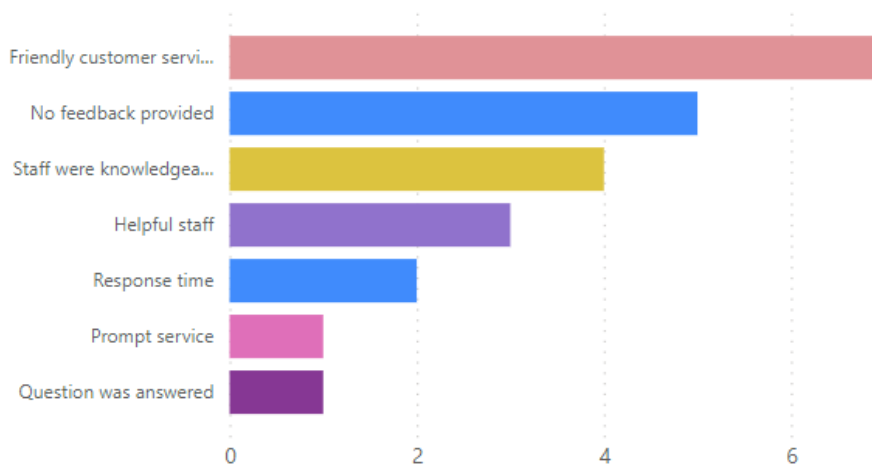


### Customer Sentiment by Location

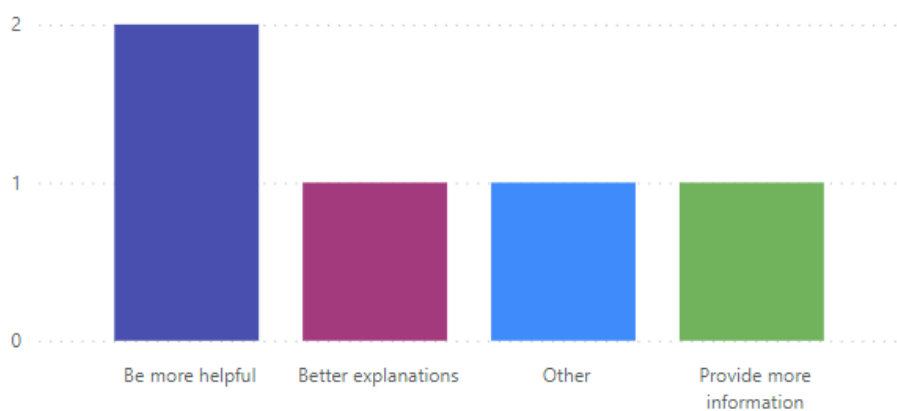
**Customer Sentiment** ● Neutral ● Satisfied ● Unsatisfied ● Very Sati... ● Very Uns...



### What we did well

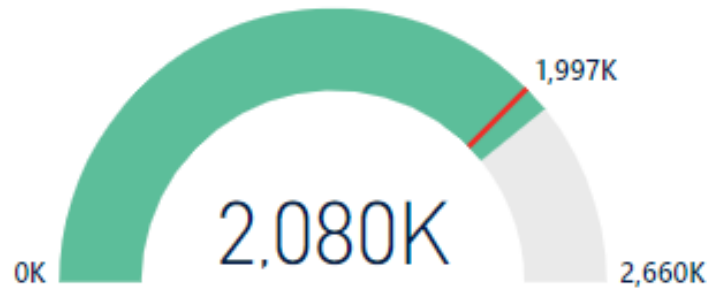


### How can we improve

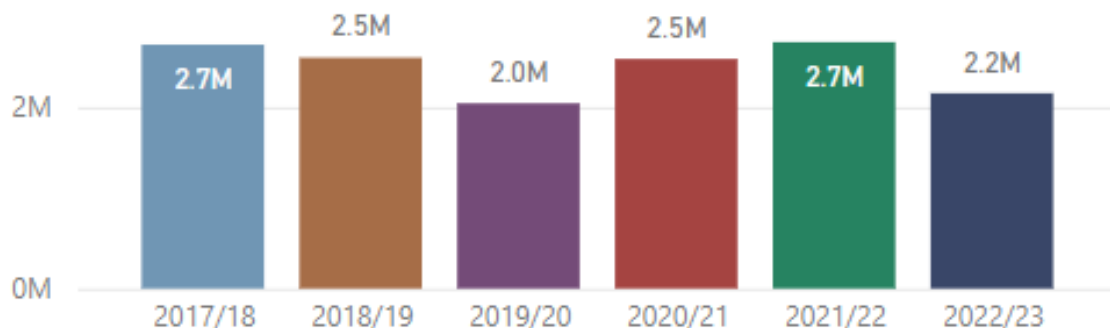


**5.5. Parking:**

## 5.5.1. Parking statistics:

**Budget v Revenue Period to Date****Revenue/Budget Period to Date**

Description	Budget \$	Revenue \$	Variance \$	Variance %
Fines Received	\$455,812.45	\$514,264.31	\$58,451.86	13%
Parking Meters	\$513,825.05	\$486,555.72	(\$27,269.33)	-5%
Multi Storey CP	\$165,750.03	\$213,439.34	\$47,689.31	29%
Formby Rd CP	\$194,756.22	\$191,995.35	(\$2,760.87)	-1%
Other - MPES	\$165,750.03	\$152,852.91	(\$12,897.12)	-8%
Parking Permits	\$117,806.22	\$134,218.89	\$16,412.67	14%
Payne Ave CP	\$78,731.28	\$79,610.10	\$878.82	1%
Edward St CP	\$78,731.28	\$78,594.54	(\$136.74)	-0%
Fourways CP	\$74,587.50	\$76,007.07	\$1,419.57	2%
Wenvoe St CP	\$78,731.28	\$74,656.48	(\$4,074.80)	-5%
Steele St CP	\$58,012.47	\$61,541.12	\$3,528.65	6%
Fenton Way CP	\$14,088.78	\$15,783.17	\$1,694.39	12%
<b>Total</b>	<b>\$1,996,582.59</b>	<b>\$2,079,519.00</b>	<b>\$82,936.41</b>	<b>4%</b>

**Previous Years Revenue**

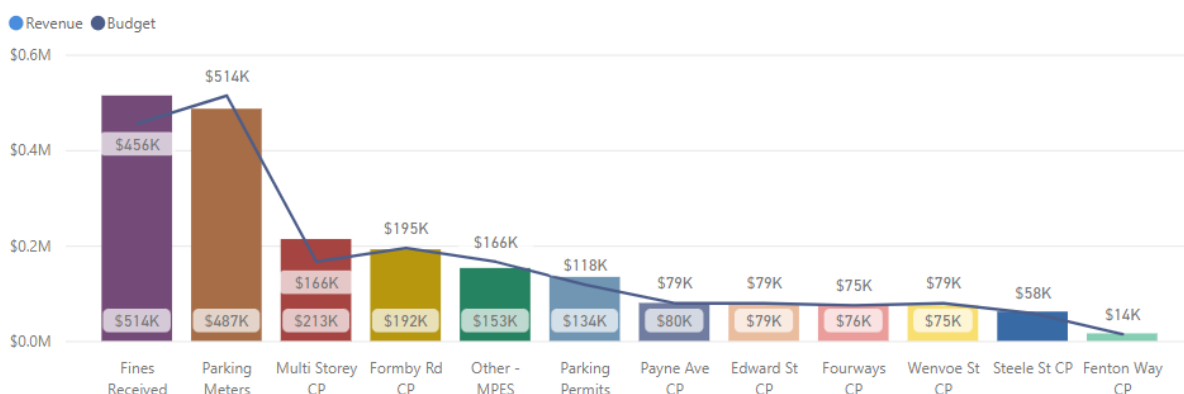
## 5.5.2. Revenue (Revenue v Budget – type breakdown; location breakdown):



### Grouped Natural Account - Revenue v Budget Year to Date



### Natural Account - Revenue v Budget Year to Date

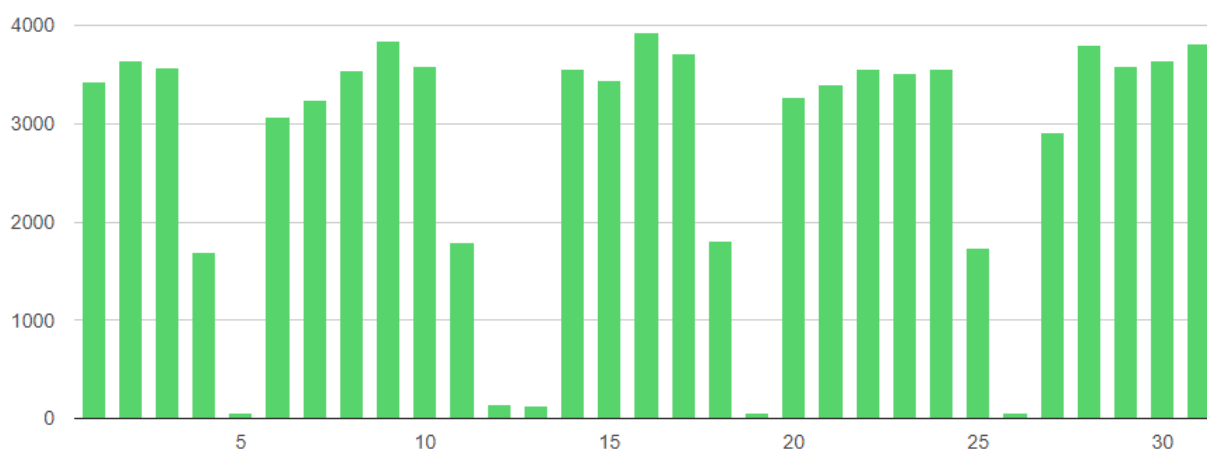


5.5.3. EasyPark statistics. EasyPark utilisation has increased 39% compared to March 2022.

### REVENUE (incl. VAT)

CSV

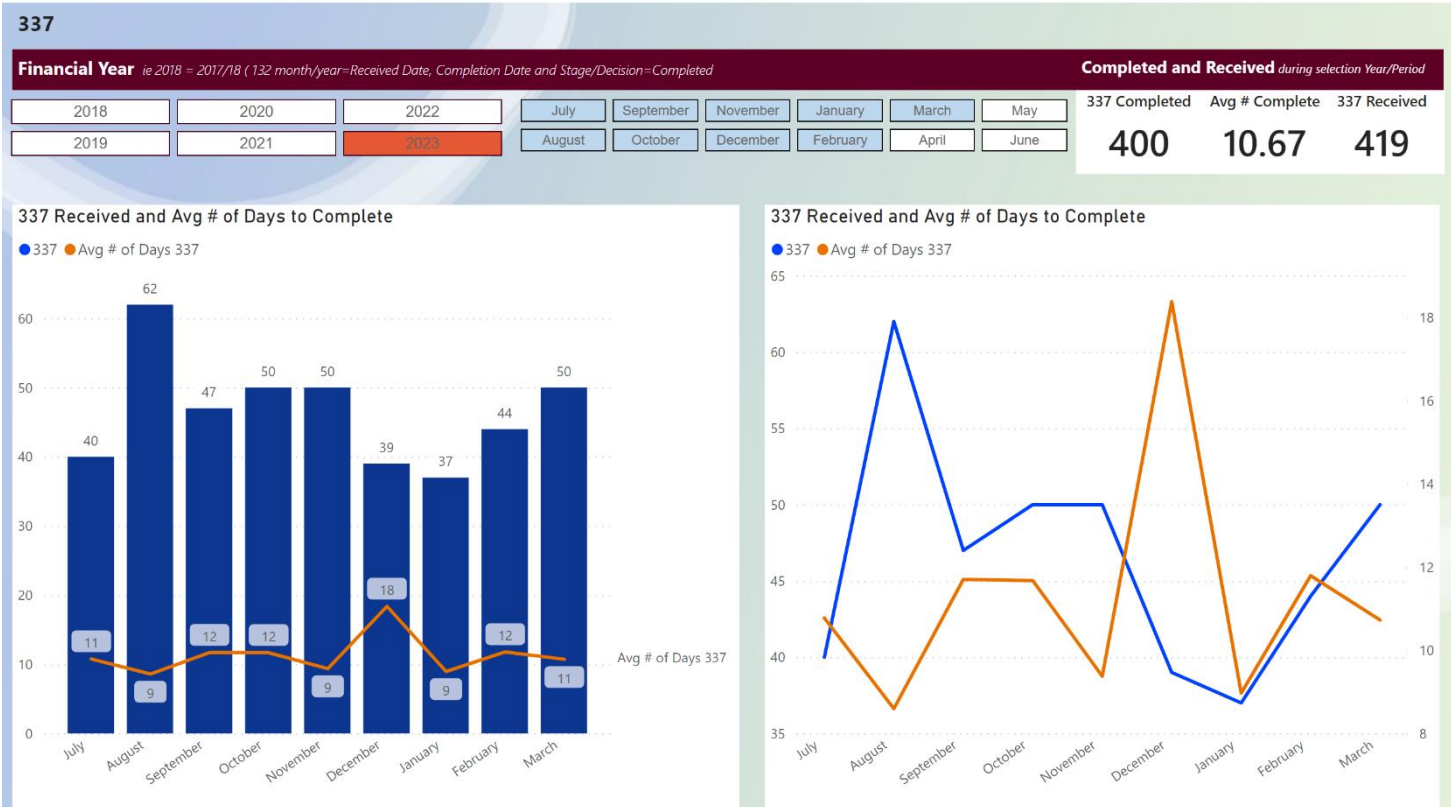
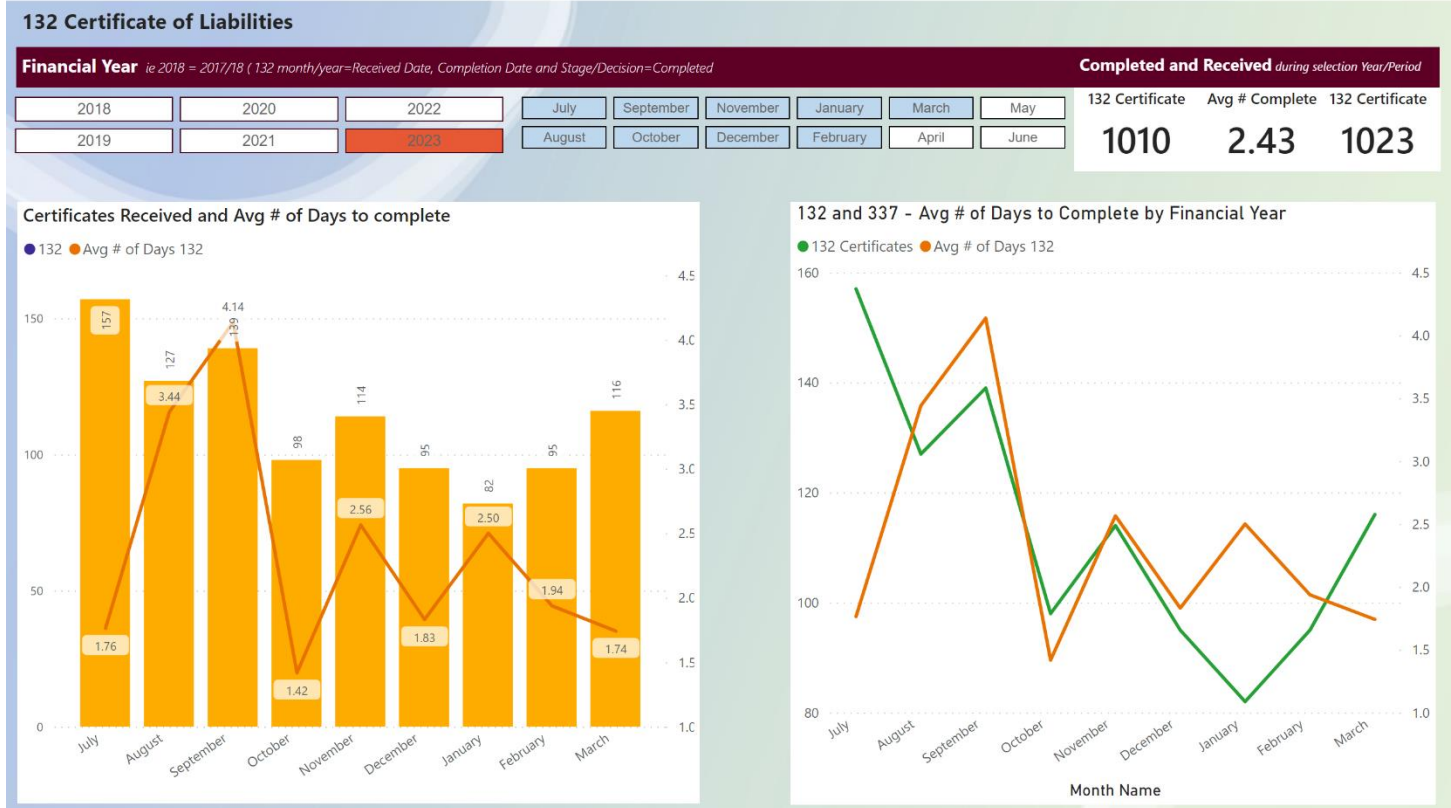
March 2023



Total 85 096 AUD

### Section 132 & 337 Certificates:

5.5.4. Statistics on completed certificates:



## 5.6. Digital Transformation:

5.6.1. A trial of Live Chat commenced in March. Live Chat is an additional feature of Council's Chatbot named Rose, that allows a conversation to be handed over to a Council customer service officer in the event Rose

is unable to answer the question. The trial has proven to be successful and quite popular with those using the Chatbot on Council's website. Live Chat will be made available to Council's customer service officers to help facilitate faster responses to customer queries that were initiated with Rose the Chatbot.

### 5.7. Annual Plan Action Update:

5.7.1. Current Status as at 31 March 2023:



5.7.2. Action Highlights:

#### **Complete planning for selected priority projects via the Sports Infrastructure Master Plan process**

Following a two-stage tender process, Council appointed the Principal Design Consultant for the Devonport Stadium Project at its meeting in March 2023. This project has now progressed to implementation stage, with design and investigation works now underway on this priority project. A Development Application for new lighting at Byard Park will be lodged with Council during April to progress this project to implementation stage also.

#### **Increase service delivery on digital platforms, including implementation of a Live Chat handover function and Develop a Digitisation Plan for Council Legacy Records**

Live Chat trial concluded confirming the solution adds substantial benefit in the delivery of service to customer seeking support from Council's website. Live Chat has transitioned into production and will be used by Customer Service ongoing. The Cemetery Management System will go into production in May and be available for access by Funeral Homes for online bookings.

## **6. COMMITTEES, AUTHORITIES & EXTERNAL ORGANISATIONS:**

### **6.1. Minutes:**

There are no minutes from Committees, Authorities or External Organisations to report for the month of March 2023.

### **COMMUNITY ENGAGEMENT**

This report includes information that relates to community engagement undertaken in relation to operational activity.

### **FINANCIAL IMPLICATIONS**

Any financial or budgetary implications related to matters included in this report will be separately reported to Council.

There is not expected to be any impact on Council's operating budget as a result of this report.

### **RISK IMPLICATIONS**

Any specific risk implications have been outlined in the commentary included as part of this report. Any specific risk that is identified as an issue for Council would result in a separate report to Council.

### **CONCLUSION**

This report is provided for information purposes only and to allow Council and the community to be updated on matters of interest.

### **ATTACHMENTS**

1. 20230331 Consolidated Financial Report - Council Meeting [**6.4.1** - 10 pages]

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## 6.5 UNCONFIRMED MINUTES DEVONPORT CITY COUNCIL AUDIT PANEL

Author: **Chris Delphin, Governance Officer**

Endorser: **Matthew Atkins, General Manager**

### RECOMMENDATION

That Council receive and note the unconfirmed minutes of the Audit Panel meeting held on 27 March 2023.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.6.3 Provide internal and external audit functions to review Council's performance

### SUMMARY

This is a report of the unconfirmed minutes of the Audit Panel meeting held on 27 March 2023.

### BACKGROUND

The Audit Panel is in place to assist Council in fulfilling its oversight responsibilities by providing independent advice and assurance regarding the Council's financial management, risk management, internal control and compliance framework.

The Audit Panel comprises two elected members and two independent members. One of the independent members is appointed as Chair of the Audit Panel.

### STATUTORY REQUIREMENTS

All councils must have Audit Panels that operate in accordance with Part 8 of Division 4 of the *Local Government Act 1993* (the Act) and the *Local Government (Audit Panels) Order 2014*.

### DISCUSSION

The unconfirmed minutes of the Devonport City Council Audit Panel meeting held on 27 March 2023 are included as a confidential attachment. Matters discussed at the meeting include:

- Draft internal audit plan prepared including process review of leases, contractor management, asset management and fraud control;
- An overview of the budget, annual plan and long-term planning process;
- Valuation of stormwater assets;
- A review of infringement management and procurement and expenditure practices; and
- Presentation of the 2022 Audit Panel Evaluation to the Panel by the Chair.

### COMMUNITY ENGAGEMENT

Community engagement was not required for the preparation of this report.

### FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

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## **RISK IMPLICATIONS**

- **Political/Governance**

The Audit Panel plays a key oversight role in Council's risk management activities providing elected members with an extra level of comfort that the systems in place are adequate. Within its charter, the primary objectives of the Audit Panel are to consider whether:

- the annual financial statements of the Council accurately represent the financial position of the Council;
- the Strategic Plan, Annual Plan, Long Term Financial Management Plan and the Long-Term Strategic Asset Management Plans of the Council are integrated and the processes by which, and assumptions under which, those plans were prepared are sound and justified;
- the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that the Council has in relation to safeguarding its long-term financial position are appropriate;
- the Council is complying with the provisions of the Act and any other relevant legislation;
- all strategic and business risks affecting the Council are identified and assessed, and the effectiveness of mitigation controls evaluated; and
- the Council has taken any action in relation to previous recommendations provided by the Audit Panel to the Council.

## **CONCLUSION**

The information contained in the report and the unconfirmed minutes of the Audit Panel meeting held on 27 March 2023 (confidential attachment) are presented to Council.

## **ATTACHMENTS**

Audit Panel Unconfirmed Minutes – 27 March 2023 (confidential attachment)

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## **7 SECTION 23 COMMITTEES**

No Section 23 Committee meetings have been held since the last Council meeting.



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## 8 CLOSED SESSION

The General Manager advises that in his opinion, the agenda items listed below are prescribed items in accordance with Clause 15 of the *Local Government (Meeting Procedures) Regulations 2015* (ie confidential matters), and therefore Council may by absolute majority determine to close the meeting to the general public.

### RECOMMENDATION

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, the following be dealt with in Closed Session.

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
3.1	Confirmation of Closed Minutes – Council Meeting – 27 March 2023	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15(2)(g)
5.1	2022 Audit Panel Evaluation Report	15(2)(g)

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## **9 CLOSURE**