



*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 22 May 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

**17 05 2023**

### June 2023

Meeting	Date	Commencement Time
Council Meeting	26 June 2023	5.30 pm

**AGENDA FOR AN ORDINARY COUNCIL MEETING OF DEVONPORT CITY COUNCIL  
HELD ON MONDAY 22 MAY 2023, IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre, 137  
ROOKE STREET, DEVONPORT AT 5.30 PM**

Item	Page No.
<b>1 APOLOGIES .....</b>	<b>3</b>
<b>2 DECLARATIONS OF INTEREST .....</b>	<b>3</b>
<b>3 PROCEDURAL .....</b>	<b>4</b>
3.1 CONFIRMATION OF MINUTES .....	4
3.2 PUBLIC QUESTION TIME .....	5
3.2.1 Responses to Questions Raised at Prior Meetings .....	6
3.2.2 Questions on Notice from the Public .....	7
3.2.3 Questions Without Notice from the Public .....	9
3.3 QUESTIONS ON NOTICE FROM COUNCILLORS .....	10
3.4 NOTICES OF MOTION .....	11
3.4.1 Request for 2023/24 Budget allocation - Devonport City Soccer Club .....	11
<b>4 PLANNING AUTHORITY MATTERS .....</b>	<b>12</b>
4.1 AM2022.05 & PA2022.0134 - REZONE 171 STEELE STREET FROM GENERAL RESIDENTIAL TO COMMERCIAL & CONCURRENT PERMIT FOR VEHICLE FUEL SALES AND SERVICE AT 171 STEELE STREET AND 2-8 DON ROAD, DEVONPORT .....	13
<b>5 REPORTS .....</b>	<b>57</b>
5.1 PUBLIC LAND REGISTER - BIENNIAL REVIEW .....	57
5.2 PETITION - SPEED LIMITS - PALOONA ROAD .....	60
5.3 RE-APPOINTMENT OF MUNICIPAL RECOVERY COORDINATOR .....	65
5.4 DISABILITY INCLUSION PLAN 2020-2025 YEAR THREE STATUS .....	68
5.5 ROAD NETWORK STRATEGY 2023-2028 .....	71
5.6 FOOD ORGANICS GARDEN ORGANICS (FOGO) & WASTE COLLECTION .....	73
5.7 WASTE STRATEGY 2023-2028 .....	79
<b>6 INFORMATION .....</b>	<b>82</b>
6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING .....	82
6.2 MAYOR'S MONTHLY REPORT .....	83
6.3 GENERAL MANAGER'S REPORT .....	85
6.4 MONTHLY OPERATIONAL REPORT - APRIL 2023 .....	87
<b>7 SECTION 23 COMMITTEES .....</b>	<b>126</b>
<b>8 CLOSED SESSION .....</b>	<b>126</b>
<b>9 CLOSURE .....</b>	<b>127</b>

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## 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.

## ATTENDEES

		Apology
Chair	Cr A Jarman (Mayor)	
	Cr S Sheehan (Deputy Mayor)	
	Cr G Ennis	
	Cr P Hollister	
	Cr S Martin	
	Cr A Moore	
	Cr L Murphy	
	Cr D Viney	✓
	Cr J Wilczynski	

## 1 APOLOGIES

An apology for the meeting was received by Councillor Viney.

## 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 24 April 2023 as previously circulated be confirmed.

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## 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**

Nil

## 3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

Author: **Matthew Atkins, General Manager**

### RECOMMENDATION

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

#### **Ms Denise Pretty – address not provided**

A letter containing a question on notice received from Ms Denise Pretty on 12 May 2023 is **reproduced as attachment 1**.

**Q1** I request being able to attend Council Meeting on Monday 22<sup>nd</sup> May 5:30pm Level 11, 137 Rooke Street, Devonport.

I handed in a handwritten complaint Monday 8<sup>th</sup> May 2023 regarding hooning up at the Bluff Road Coast Reserve, Mersey Lighthouse lower tier carpark opposite Tiagarra Aboriginal Cultural Centre.

Hoons tear up the ground while they drive recklessly and dangerously across the reserve running down Pademelon and Wallaby in appalling, senseless, deliberate acts of cruelty. Over a 4-week period, predominantly weekends in which 5 Pademelon/Wallaby have been killed. The Pademelon/Wallaby on Sunday 7<sup>th</sup> May had been disembowelled, entrails laid horizontally in a straight line across the ground in display.

My question to which I seek a response is

Will the Devonport City Council place bollards and or carefully placed boulders to prevent vehicles accessing the open grassed reserve. In doing so it will immediately bring an end to a disgraceful, unacceptable situation and protect the wildlife.

#### **Response**

Council share your disappointment when random acts of vandalism occur such as that which you describe. If this behaviour is witnessed council would ask that you immediately contact Tas Police, as this is the most likely action to identify those responsible.

There is currently a boom gate which council open and close each evening to eliminate vehicles accessing the Bluff headland at night.

In addition, council will be considering during its upcoming budget deliberations, the options to install physical barriers such as you suggest.

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

A letter containing a question on notice received from Mr Bob Vellacott on 14 May 2023 is **reproduced as attachment 2**.

**Q1** I note that it was reported in The Advocate 29 April 2023 that only one Burnie councilor had finished the induction training program ;will the Mayor please inform, as of this date 12 /04/23 , how many of the Devonport Councilors have attended and completed the program ?

### **Response**

Since the election of a new council in October 2022, an extensive induction program has been undertaken by all Councillors. This has involved over 14 hours of face-to-face training and induction sessions conducted by staff and an external presenter from legal firm, Simons Wolfhagen. The content of these sessions included information and content similar to that used in other induction opportunities provided within the sector.

In addition to this tailored Devonport City Council induction process, Councillors have had access to online modules developed by the Local Government Division and were invited to the LGAT one day induction workshop.

### **ATTACHMENTS**

1. Questions on Notice - Denise Pretty [**3.2.2.1** - 1 page]
2. QsoN RBV 22 May 2022 to send [**3.2.2.2** - 1 page]



### **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

### 3.4.1 REQUEST FOR 2023/24 BUDGET ALLOCATION - DEVONPORT CITY SOCCER CLUB

Author: **Councillor Steve Martin**  
Endorser: **Matthew Atkins, General Manager**

In accordance with Regulation 16(5) of the *Local Government (Meeting Procedures) Regulations 2015*, a notice of motion has been received from Councillor Steve Martin.

#### MOTION

That Council:

- allocate in its 2023/24 Budget \$1.5m as requested by the Devonport City Soccer Club to upgrade their facilities and furthermore;
- quarantine \$3m from the federal sports infrastructure grant for allocation for the Devonport City Soccer Club's Master Plan.

#### SUPPORT

A number of attachments have been provided as support documents.

#### OFFICER'S COMMENTS

Council has been in discussion with the Devonport City Soccer Club and Football Tasmania regarding proposed upgrades to the existing facilities at Valley Road for some time. Initially, this was in relation to the 2023 FIFA Women's World Cup, and the potential for Valley Road to host an international team as a pre-tournament training facility.

While the site was unfortunately not successful in being shortlisted to participate in this event, the Club's focus has now moved towards further development at the site in order to position the facility as the primary centre for Football in our region.

Council Officers have previously confirmed with the Club that their proposal would be considered by Council as a part of the budget deliberations process for the 2023-2024 Financial Year.

It is not recommended that Council make this decision in isolation, but rather that it is considered within the context of the budget to fully understand the implications.

On this basis an alternative resolution is provided below for consideration.

#### Alternative Officer Recommendation

That Council as part of its 2023/24 budget deliberations consider a request by the Devonport City Soccer Club for \$1.5 million in funding and the redirection of \$3 million from the Federal sports infrastructure grant to upgrade their facilities.

#### ATTACHMENTS

1. 220908 Letter of Support for Valley Road upgrades [3.4.1.1 - 1 page]
2. WUFC Devonport- Valley Road Support Lt 061022 [3.4.1.2 - 1 page]
3. DJSA Support Letter Nov 22 [3.4.1.3 - 1 page]
4. Valley Road Regional Centre [3.4.1.4 - 39 pages]
5. J 008409 Valley Road One Page V 1 [3.4.1.5 - 1 page]

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## 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 Item 4.1.**

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 item is to be dealt with at the meeting of Council in its capacity as a Planning Authority.

#### **4.1 AM2022.05 & PA2022.0134 - REZONE 171 STEELE STREET FROM GENERAL RESIDENTIAL TO COMMERCIAL & CONCURRENT PERMIT FOR VEHICLE FUEL SALES AND SERVICE AT 171 STEELE STREET AND 2-8 DON ROAD, DEVONPORT**

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

Endorser: **Kylie Lunson, Executive Manager**

### **RECOMMENDATION**

That Council:

- agree to certify amendment AM2022.05 to the Devonport Local Provisions Schedule for the land at 171 Steele Street, Devonport to:
  - rezone 171 Steele Street, Devonport from General Residential to Commercial;
  - 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;
  - place Amendment AM2022.05 and application PA2022.0134 on public exhibition for 28 days in accordance with sections 40G and 40Z of the *Land Use Planning and Approvals Act 1993*; and
  - approve application PA2022.0134 for Vehicle Fuel Sales and Service with the following conditions:
    1. Unless altered by subsequent conditions, the use and development is to proceed generally in accordance with the submitted plans and documentation referenced as:
      - a. Proposed OTR Service Station, Project ID 2237, Drawing No. DA01-DA07, dated 6/04/2023 by Oramatis Studio;
      - b. Planning RFI response letter dated 8 December, 2022 by Ratio Consultants Pty Ltd;
      - c. Planning Report – Section 40T Submission – 2-8 Don Road and 171 Steele Street, Devonport, reference: 19127PR001, dated December 2022 by Ratio Consultants Pty Ltd;
      - d. Traffic RFI response letter, dated 8 December, 2022 by Ratio Consultants Pty Ltd;
      - e. Landscaping plan, reference 15.047.105.101 dated 13.07.22 by Oxygen Pty Ltd
      - f. Environmental Noise Assessment, Report No. Rp 012 20200693, dated 13 July 2022 by Marshall Day Acoustics;

- g. Traffic Impact Assessment, 19127T Rep01 F02, dated 3/10/22 by Ratio Consultants Pty Ltd; and
- h. Environmental Site Assessment, Client Ref: 81320-1 Rev 0, dated 15 July, 2022 by Fyfe Pty Ltd

copies of which are attached and endorsed as documents forming part of this Planning Permit.

- 2. Hours of operation must be between 7.00am to 9.00pm Monday to Saturday and 8.00am to 9.00pm Sunday and public holidays.
- 3. Commercial vehicle movements are to take place between 7.00am to 9.00pm Monday to Saturday and 8.00am to 9.00pm Sunday and public holidays.
- 4. The vacuum is to operate between the hours of 7.00am to 9.00pm Monday to Friday, 9.00am to 9.00pm Saturday and 10.00am to 6.00pm Sundays and Public Holidays.
- 5. The proposal is to comply with the Noise Mitigation Measures contained at Section 5 of the Marshall Day Acoustics report dated 13 July 2022.
- 6. The proposal plans are to be amended to show bicycle parking.
- 7. A right turn slot is required heading west on Don Road due to it being an arterial road with a 60km/h speed limit. The design must be approved to council's specifications prior to any building permits being issued.
- 8. The proposed retaining wall is to be designed by a suitably qualified engineer.
- 9. The three lots are to be adhered prior to submission of any building permits.
- 10. Signage is to be amended to remove references to 24 hour operation.
- 11. The developer is to ensure illuminated signs do not create the effect of flashing, animation or movement.
- 12. 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, vapour, steam, overspray from car wash, wastewater or any waste products.
- 13. All plant and machinery associated with the car wash is to be located, enclosed or otherwise attenuated to ensure noise measured at the boundary does not exceed 5dB(A) above the background noise levels.
- 14. Potential soil contamination may be present at levels lower than 2.5m below ground level.
  - o Any soil or ground water removed from these depths will need to be cleared by an appropriately qualified person prior to removal off site to an appropriate facility.
  - o Construction at these depths may encounter contaminated groundwater or soil. Care is to be taken and appropriate OH&S precautions taken to minimise risk on and off-site.

15. In regard to food storage/preparation or selling the developer is to engage a Building Surveyor to submit a Form 42 and associated paperwork (including proposed menu type) as part of the Building application process.
16. The developer is to ensure that the food preparation and food storage areas comply with the National Construction Code of Australia Tas H102 and AS4676:2004 Design, Construction and Fit-out of a Food Premises.
17. Any underground petroleum storage system installed must comply with the requirements specified in the *Environmental Management and Pollution Control (Underground Petroleum Storage Systems) Regulations 2020*.
18. The fuel pumping area is to be bunded and graded to direct wastewater to appropriate interceptor trap/s or pits ensuring all wastewater is contained on site.
19. The car wash is to be bunded and graded to direct wastewater to sewer.
20. Full perimeter screening of all mechanical services installed on the roof of the convenience store (packaged air conditioning units, refrigeration condenser units and exhaust cowls etc) is to be installed. The screening is required to extend a minimum of 1 m above the highest point on any given unit. The construction of the screening may vary but must meet a minimum surface density requirement of 12 kg/m<sup>2</sup>. The inside of the screening should be lined the full length with a suitable weatherproof sound absorbing material.
21. Mechanical services installed on the roof of the convenience store are to be located as far as practical away from the nearest residences.
22. The driveways are designed so as to minimise the likelihood of any wheel impact noise from irregularities on the driveway itself or from any service opening cover plates etc.
23. Lighting is to be baffled to prevent spillage onto adjoining properties.
24. Surface stormwater from all paved areas is to be collected & drained to the private stormwater drainage system.
25. Stormwater discharge from the proposed development is to be hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events and for a suitable range of storm durations to identify peak discharge flows up to 20-year ARI only. As part of their design the hydraulic engineer is to limit stormwater discharge from the proposed development, by utilising a combination of pipe sizing and/or on-site detention, to that equivalent to only 50% of the development site being impervious. There is to be no uncontrolled overland flow discharge from the proposed development to any of the adjoining properties, for all the above nominated storm events. All design calculations are to be submitted for approval by the City Engineer prior to any subsequent building permit applications.
26. Driveways are to be industrial strength concrete as per the Tasmanian Standard Drawing, TSD-R16, for both the crossover and the driveway up to the property boundary.
27. The developer is to ensure that building, driveway, and car parking areas are set at suitable levels to ensure that stormwater site drainage can be piped at

suitable gradients to the required service connection points (or to the existing service connection point).

28. The developer is to remove the redundant driveway crossovers and reinstate with kerb and channel and nature strip to Council's specification.
29. 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.

A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.

The developer is to manage any asbestos found during demolition in accordance with the *How to Safely Remove Asbestos Code of Practice* issued by Safe Work Australia (October 2018).

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*.

In regard to condition 29 the applicant/developer should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 7 and 25-28 the developer 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 and approve a concurrent application in accordance with section 40T of the *Land Use Planning and Approvals Act 1993* in regard to the following matters:

- rezone 171 Steele Street, Devonport from General Residential to Commercial; and



- concurrent approval of planning application PA2022.0134 for Vehicle Fuel Sales and Service being for a service station, carwash and drive through takeaway at 171 Steele Street and 2-8 Don Road, Devonport.

## BACKGROUND

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Address:	171 Steele Street & 2-8 Don Road, Devonport
Applicant:	PC Infrastructure Pty Ltd
Owner:	Cooper Family Assets Pty Ltd & Dunham Investments Pty Ltd
Proposal:	Rezone General Residential Zone to Commercial Zone and concurrent application for Vehicle Fuel Sales and Service
Existing Use:	Residential and vacant land
Zoning:	General Residential & Commercial
Decision Due:	24/05/2023 (extension granted)

## SITE DESCRIPTION

The site is located to the west of the Steele Street and Don Road intersection and consists of 3 lots. Number 171 Steele Street is a residential lot fronting Steele Street and contains an existing house. The lot has an area of 741m<sup>2</sup> and falls from south to north. Number 2-8 Don Road consists of two titles, CT72228/3 is the westernmost title and has an area of 781m<sup>2</sup>. CT77497/1 is located to the east and has an area of 1010m<sup>2</sup>. Both of these lots are vacant. The three lots were originally part of the one property, being separated into their current configuration in 2017. The easternmost title previously housed a service station, bottle shop and newsagency. Approval for the demolition of the commercial buildings was granted in April 2020. Issues including site contamination from the underground storage tanks contributed to closure of the operation in 2000.

Figure 1 shows an aerial view of the subject site and surrounding area.



Figure 1 - Aerial view of subject site and surrounding area (Source: ListMap)

## CURRENT ZONING

Number 171 Steele Street is currently zoned General Residential, as shown in Figure 2. It is proposed the lot be rezoned to Commercial to allow for the development of a service station and car wash along with a drive through takeaway on the whole site.

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

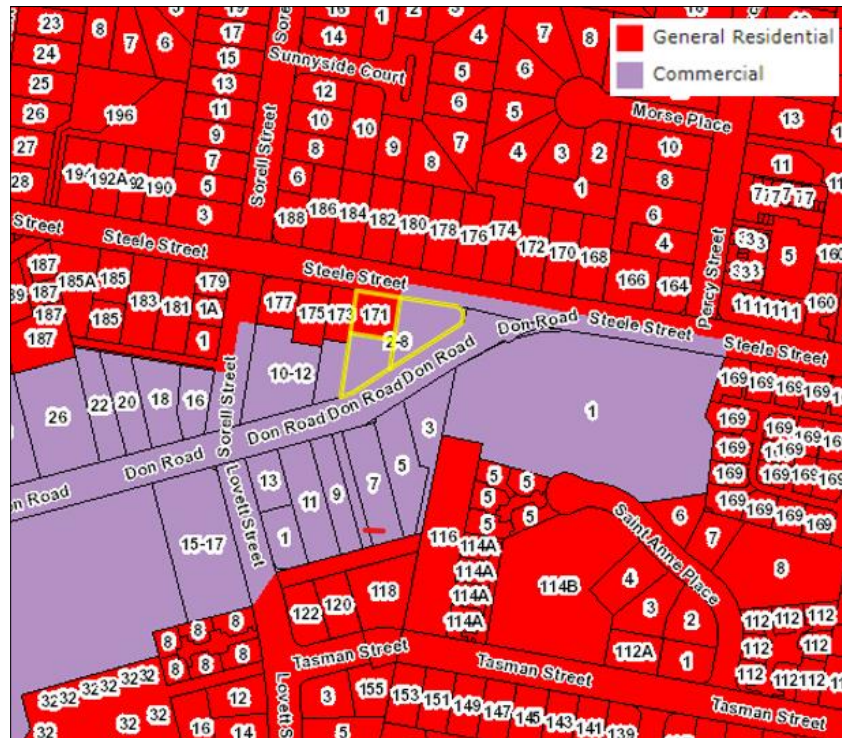


Figure 2 - Zoning Map (Source: ListMap)

## 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	

## 17.0 COMMERCIAL ZONE

The intent of the Commercial zone is:

17.1.1 To provide for retailing, service industries, storage and warehousing that require:

- a) large floor or outdoor areas for the sale of goods or operational requirements; and
- b) high levels of vehicle access and parking for customers.

17.1.2 To provide for a mix of use and development that supports and does not compromise or distort the role of other activity centres in the activity centre hierarchy.

The use table for the zone is as follows:

### 17.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	

Emergency Services	
Equipment and Machinery Sales and Hire	
Service Industry	
Storage	
<b>Discretionary</b>	
Business and Professional Services	
Community Meeting and Entertainment	
Educational and Occasional Care	
Food Services	
General Retail and Hire	
Hotel Industry	If for alterations or extensions to an existing Hotel Industry.
Manufacturing and Processing	
Research and Development	
Resource Processing	If for food or beverage production.
Sports and Recreation	
Transport Depot and Distribution	
Tourist Operation	
Utilities	
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation	If for alterations or extensions to existing Visitor Accommodation.
<b>Prohibited</b>	
All other uses	

In addition to the zoning, the Priority Vegetation Area overlay and Airport Obstacle Limitation Area overlay are applicable to the site. These overlays trigger the Natural Assets Code and Safeguarding of Airports Code respectively.

#### C7.0 NATURAL ASSETS CODE

Figure 3 shows the Priority Vegetation Area overlay and its application to a very small portion of the west of the lot. The purpose of the code is:

- C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.
- C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.



- C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.
- C7.1.4 To minimise impacts on identified priority vegetation.
- C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.

Although the overlay affects the site there is no vegetation to consider. In addition, the Natural Assets Code does not apply to the Commercial Zone, therefore should the zone be altered the overlay would be removed.



Figure 3 - Priority Vegetation Area Overlay shown hatched (Source: ListMap)

#### C16.0 SAFEGUARDING OF AIRPORTS CODE

Figure 4 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.

A height limit of 140m AHD is applicable to the site. All development must be below that height.





Figure 4 - Airport Obstacle Limitation Area shown hatched (Source: ListMap)

### PROPOSED AMENDMENT

The applicant proposes to amend the Devonport Local Provisions Schedule (LPS) maps by rezoning 171 Steele Street from General Residential to Commercial.

Should the above be adopted the applicant also proposes a Vehicle Fuel Sales and Service use, including a service station, ancillary carwash and drive through takeaway. Figures 5 & 6 show the proposed zoning and proposed site plan respectively.

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

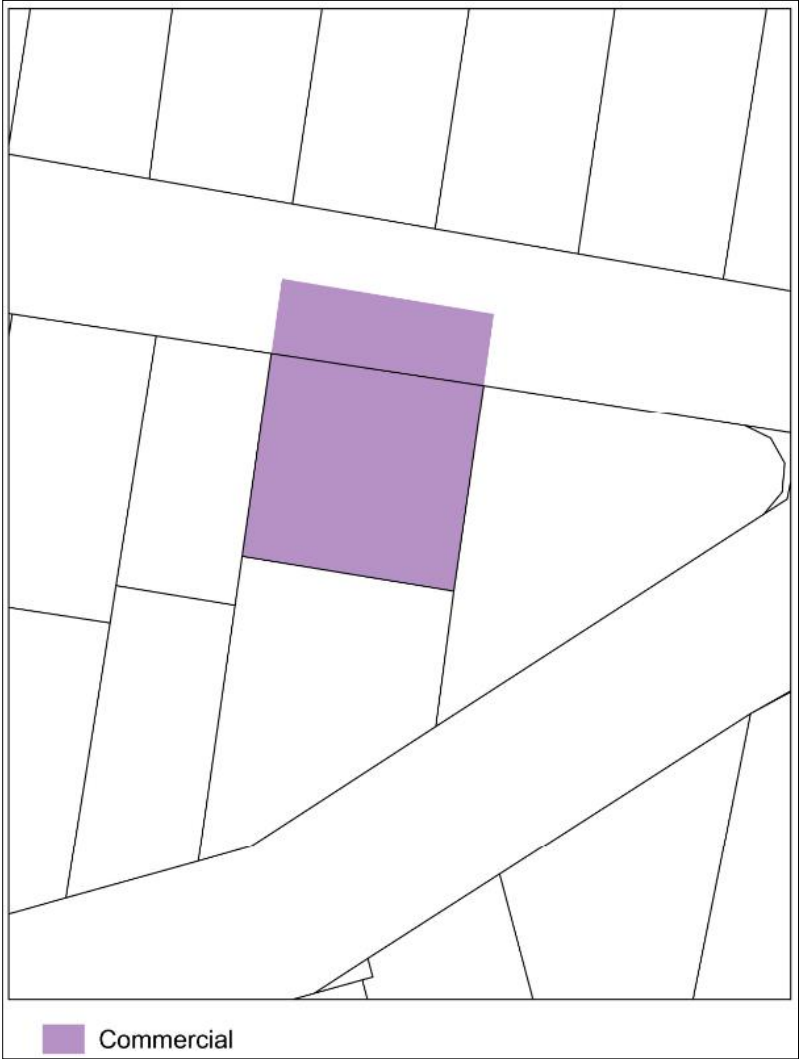


Figure 5 - Proposed zoning map (Source: DCC)



## STATUTORY REQUIREMENTS

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

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 Commercial Zone are reproduced below.

<b>Zone Application Guidelines</b>	
<b>CZ 1</b>	The Commercial Zone should be applied to land within urban settlements that provides, or is intended to provide, for large floor area retailing (such as Bulky Goods Sales and Equipment and Machinery Sales and Service), service industry, low impact storage and warehousing, or other commercial use needs of the community that demand: <ul style="list-style-type: none"> <li>(a) large floor or outdoor areas; and</li> <li>(b) high levels of vehicle access and car parking for customers.</li> </ul>
<b>CZ 2</b>	The spatial application of the Commercial Zone must ensure that it does not compromise the viability of the other retail and business centres located within the three business zones.
<b>CZ 3</b>	The Commercial Zone should not be applied to land: <ul style="list-style-type: none"> <li>(a) where the primary purpose is to provide for industrial purposes (see industrial zones); or</li> <li>(b) where the primary purpose is to provide for General Retail and Hire uses such as supermarkets, department stores or other variety stores (see business zones).</li> </ul>

The land to the south and east of the site is zoned Commercial. The change to the zone boundary will see the Commercial Zone move further west, retaining the interface between the General Residential and Commercial Zones.

The proposed rezoning is in keeping with the guidelines in that it allows for commercial use needs for the community. The application of the Commercial Zone will not compromise the viability of the other retail and business centres located within other business zones and will increase the existing Commercial Zone in Don Road by a mere 741m<sup>2</sup>.

The land's primary purpose will not be to allow for industrial uses or General Retail and Hire uses, which are better suited to the industrial and business zones respectively.

Conformity with the Cradle Coast Regional Land Use Strategy (CCRLUS) is also required. The CCRLUS deals with economic activity and appropriate areas for economic zones through clause 3.3.9 – Business and Commercial Activity. The strategy states that land use planning processes for business and commercial activity facilitates convenient access in each settlement area to food and convenience goods retailers and services and maintains the integrity, viability and vitality of established centres by locating new business and commercial development onto land within or immediately contiguous with existing town centres and commercial zones.

The proposed rezoning will further consolidate the existing Commercial Zone in Don Road and allow for development on a larger site, servicing the western side of Devonport. It will allow for an increase in the services provided to the western side of the city, providing convenient access for this area.

As stated previously, it is proposed the site be used for a service station. Such a service is not currently available in the area since the closure of the previous business located on the site and the service station in Don. Although a service station previously operated from the site it was the eastern lot only that was utilised for this purpose. Changes to traffic volumes have impacted the site which no longer provides sufficient room for vehicle manoeuvring if developed in isolation. The ability to utilise the three lots will allow for development of a service station and ancillary uses in a manner that will not negatively impact the safety of the road network.

Should the proposed development not proceed the introduction of the Commercial Zone to 171 Steele Street will not negatively impact the area, with the planning scheme controls able to ensure any future use would be appropriate for the area.

#### Natural Assets Code

In accordance with the Guidelines the Priority Vegetation Area overlay should not be shown on the overlay map for land that is within the Commercial Zone. In light of this it must be removed from 171 Steele Street should the rezoning be approved. Given there are no threatened native vegetation communities on the site removal of the PVA will not cause any negative impacts. Figure 7 shows the revised mapping for the PVA specific to 171 Steele Street.

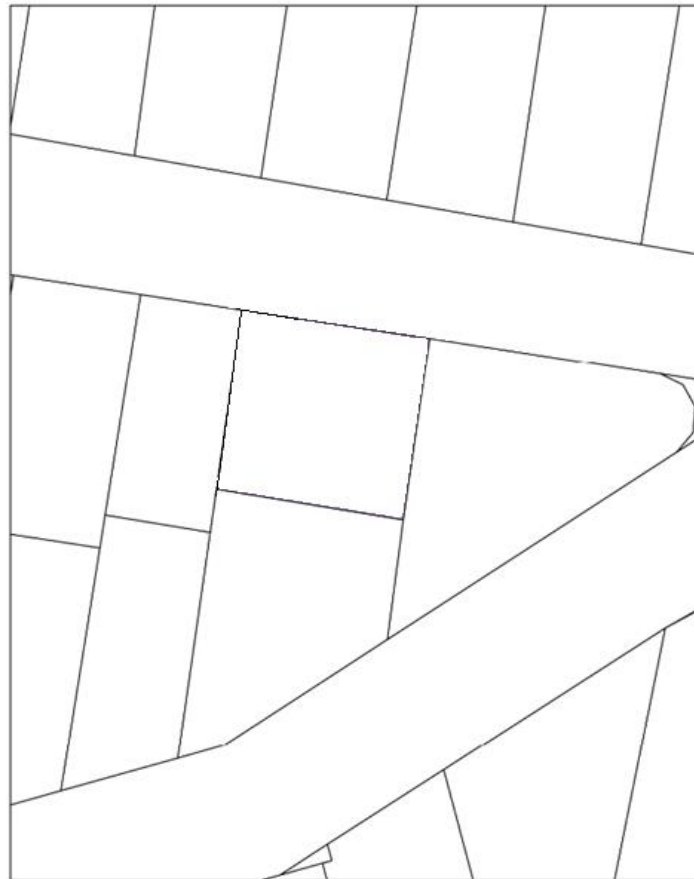


Figure 7 - Priority Vegetation Area Overlay to be removed from the site (Source: DCC)

#### 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 the Commercial Zone to provide for a service station, car wash and drive

through takeaway. The change will have minimal impact on the surrounding General Residential Zone which already has an interface with the Commercial Zone.

## **PERMIT APPLICATION**

### **APPLICATION DETAILS**

In assessing the application, it is assumed that the proposed amendment has been approved and the land is zoned Commercial. 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 Vehicle Fuel Sales and Service in the form of a service station, ancillary carwash and drive through takeaway. The takeaway will supply coffee, sandwiches and similar goods. It is proposed the use operates 24 hours per day.

A control building where payment is made, and the drive through component of the site occurs, will be located in the north-western portion of the lot, where the dwelling currently stands. The fuel bowsers, vacuum bays and electric vehicle charging stations will be located east of the control building, with the carwash being located to the south.

The carwash will be fully enclosed when in use, with doors on both the front and back of the building.

Signage is also proposed for the site.

Figures 8-12 show the proposal plans.



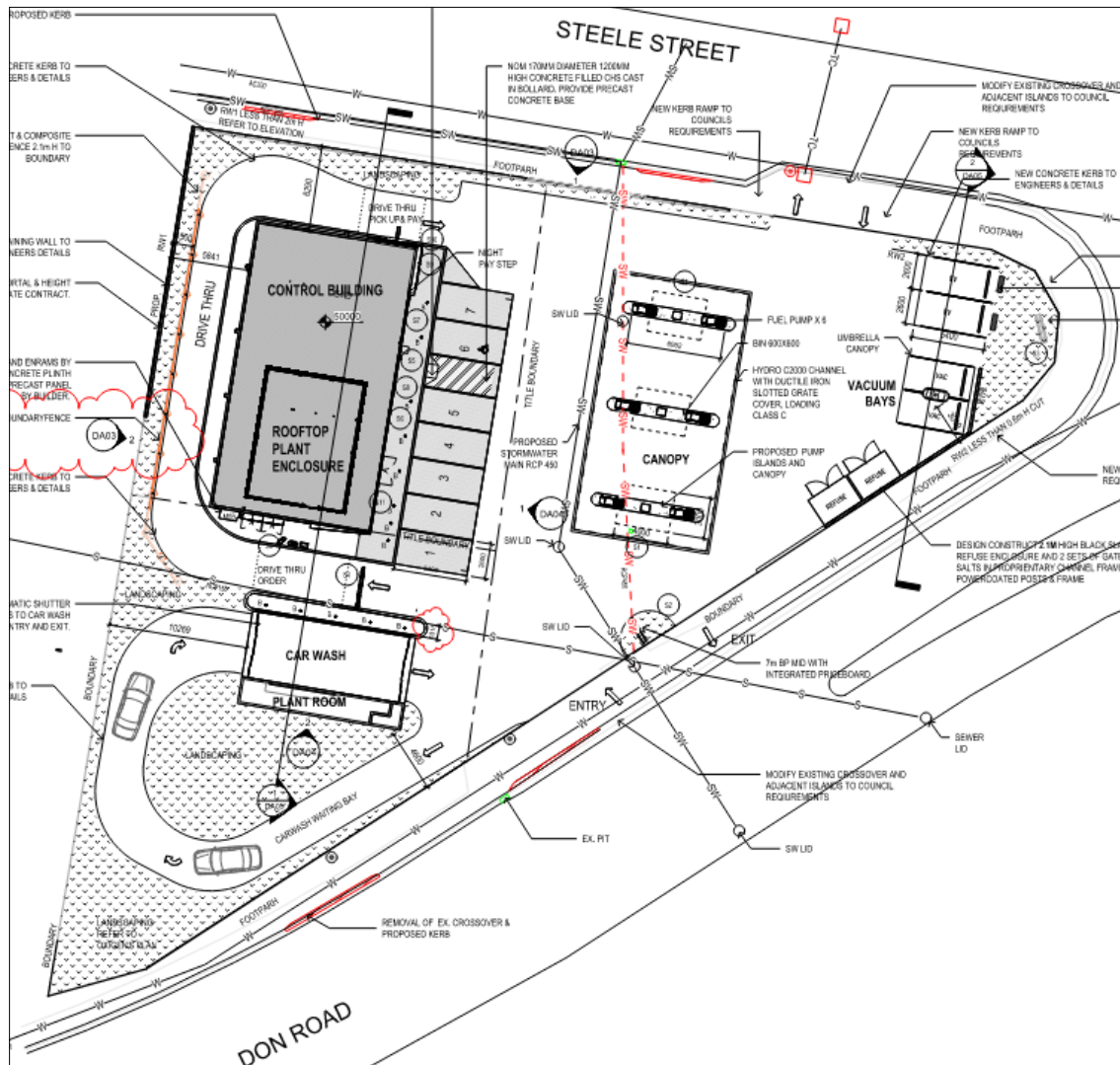


Figure 8 - Proposed site plan (Source: Ratio)

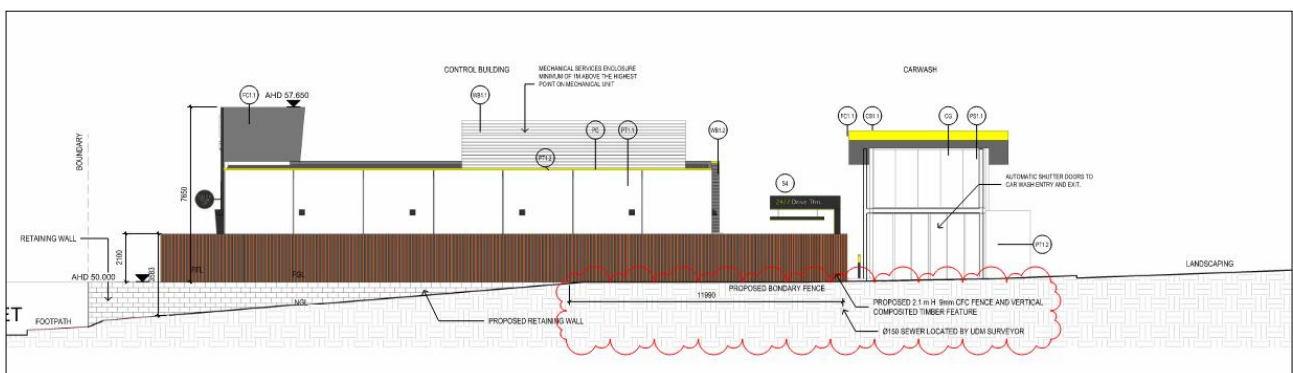


Figure 9 - Western elevation (Source: Ratio)

Architectural elevation drawing of the 'TR Drive Thru' structure. The drawing includes the following labels and components:

- TRUPELON
- UMBRELLA
- REFUSE ENCLOSURE
- BLACK STEEL RUBBER-GOODRICH TALL PRESS-ON CONCRETE CLADDING SYSTEM
- WIDE CONCRETE CLAVE PAINTED OVER 1-FINISH TRAIL EXPANDED POLY. BLACK COLORED
- CROSSOVER
- ALUMINUM COMPOSITE CLADDING WITH KAPLOR CORE PANEL CLADDING ON TOP RAILS OVER SUPPORT TRUSS TENSILE METAL
- KAPLOR ROOF CLADDING AT TENTS
- KAPLOR CORE PANEL CLADDING ON TOP RAILS OVER SUPPORT TRUSS TENSILE METAL
- COLOR-BLENDED STRUTTING BRACING AND BRACE STRUTS METAL COATING FINISH POLY-CLAY ENVELOPE POLY-CLAY WIND DISPERSION SYSTEM
- FINISH GROUND LEVEL
- RETAINING WALL
- SURFACE MOUNTED BACK ILLUMINATED SIGNAGE FINISH BY SEPARATE CONTRACTOR
- MECHANICAL SERVICES ENCLOSURE BRIDGE OF 10 METERS THE HIGHEST POINT OF MECHANICAL UNIT
- TR Drive Thru

[illegible]

The architectural drawings show the OTR building from two perspectives. The left drawing is a section view showing the building's profile, including the roof structure and internal components. Labels include 'MECHANICAL SERVICES ENCLOSURE MINIMIZED TO REDUCE THE HIGHEST POINT ON MECHANICAL UNIT', 'BOULDER', 'FENCE TO MEET BRAND SHEET TO IT'S CUSTOM ONE TO SITE FENCE', and various callouts (P1, P1.1, M1, M1.1, M2, M2.1, M2.2, M2.3, M2.4, M2.5, M2.6, M2.7, M2.8, M2.9, M2.10, M2.11, M2.12, M2.13, M2.14, M2.15, M2.16, M2.17, M2.18, M2.19, M2.20, M2.21, M2.22, M2.23, M2.24, M2.25, M2.26, M2.27, M2.28, M2.29, M2.30, M2.31, M2.32, M2.33, M2.34, M2.35, M2.36, M2.37, M2.38, M2.39, M2.40, M2.41, M2.42, M2.43, M2.44, M2.45, M2.46, M2.47, M2.48, M2.49, M2.50, M2.51, M2.52, M2.53, M2.54, M2.55, M2.56, M2.57, M2.58, M2.59, M2.60, M2.61, M2.62, M2.63, M2.64, M2.65, M2.66, M2.67, M2.68, M2.69, M2.70, M2.71, M2.72, M2.73, M2.74, M2.75, M2.76, M2.77, M2.78, M2.79, M2.80, M2.81, M2.82, M2.83, M2.84, M2.85, M2.86, M2.87, M2.88, M2.89, M2.90, M2.91, M2.92, M2.93, M2.94, M2.95, M2.96, M2.97, M2.98, M2.99, M2.100). The right drawing is a perspective view showing the building's exterior, including the 'OTR' logo, 'AMH 57.336', 'TRIPYON', 'REFUGEE ENCLOSURE', 'VACUUM BAY', 'UMBRELLA', and 'STALLED BY SEPARATE CONTRACT'. A scale bar indicates 1:177.

PAGE 30

### 17.3 Use Standards

#### 17.3.1 All uses

Objective: That uses do not cause an unreasonable loss of residential amenity to residential zones.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p>P1</p> <p>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <p>(a) the timing, duration or extent of vehicle movements; and</p> <p>(b) noise, lighting or other emissions.</p>

Assessment – The subject site is located adjacent to the General Residential Zone. The proposal is for 24 hour operation, 7 days per week, which does not meet the acceptable solution of 7.00am to 9.00pm Monday to Saturday and 8.00am to 9.00pm Sunday and public holidays for a site within 50m of a General Residential Zone. As such the performance criteria must be addressed.

The planning scheme contains acceptable solutions for limited hours within 50m of the General Residential Zone as 24 hour operation is not deemed appropriate without consideration of the impact on the amenity of the area.

The performance criteria states that the hours of operation must not cause an unreasonable loss of amenity to nearby residential zones. In making this assessment the timing, duration or extent of vehicle movements may be taken into account, as may noise, lighting or other emissions.

The applicant has supplied an Environmental Noise Assessment produced by Marshall Day Acoustics. The report recommends a number of measures to mitigate noise impacts on neighbouring properties including fencing, screening around mechanical plant and service infrastructure and design of the pavement to prevent wheel noise caused by vehicles manoeuvring within the site.

The report also states that the expected noise levels at 3 of the residential properties considered in their assessment may exceed the acceptable levels in regard to sleep disturbance. It is suggested that, 'managerial controls are implemented such as signage for patrons to consider neighbours and leave the premises as quietly as possible'.

Noise mitigation in the form of suggestions that customers leave quietly is not deemed appropriate and demonstrates that there is an obvious issue.

The drive-through component of the proposal will be placed adjacent to the residential dwelling immediately to the west of the site. This will result in traffic driving past the residence at a distance of approximately 5m. A 2.1m high timber fence is proposed to mitigate noise. It is estimated seven vehicles per hour will use the drive through between

10pm and 7am. Traffic driving past the property on a 24 hour basis is not deemed appropriate.

The applicant's submission notes that there are numerous instances throughout Devonport where the Commercial Zone abuts properties within the General Residential Zone. While this is true there are no instances where a 24 hour operation within the Commercial Zone exists within 50m of a residential property.

The performance criteria cannot be satisfied as the residential amenity of the area will be unreasonably impacted. In light of this approval should be granted for hours of operation in compliance with the acceptable solutions which are:

Monday – Saturday - 7.00am to 9.00pm

Sunday and public holidays – 8.00am to 9.00pm

<b>A2</b> External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must:  (a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and  (b) if for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones.	<b>P2</b> External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:  (a) the level of illumination and duration of lighting; and  (b) the distance to habitable rooms of an adjacent dwelling.
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Assessment – Lighting will be required on the site. Any lighting will be required to be baffled to prevent it extending into adjoining properties.

The acceptable solution is met.

<b>A3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of:  (a) 7.00am to 9.00pm Monday to Saturday; and  (b) 8.00am to 9.00pm Sunday and public holidays.	<b>P3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:  (a) the time and duration of commercial vehicle movements;  (b) the number and frequency of commercial vehicle movements;
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	<p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and the adjoining residential area; and</p> <p>(f) potential conflicts with other traffic.</p>
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Assessment – Commercial vehicle movements are to take place within the hours listed under the acceptable solution.

The acceptable solution is met.

#### 17.3.2 Discretionary uses

<p>Objective:</p> <p>That uses listed as Discretionary do not compromise or distort the activity centre hierarchy.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the size and scale of the proposed use;</p> <p>(c) the functions of the activity centre and the surrounding activity centres; and</p> <p>(d) the extent that the proposed use impacts on other activity centres.</p>

Assessment – The proposed service station and food services will not distort the activity centre hierarchy as the uses are permissible in a number of zones. Allowing such uses to operate within the zone does not limit the potential for them to operate in other areas.

The performance criteria is satisfied.

#### 17.3.3 Retail impact

<p>Objective:</p> <p>That Bulky Goods Sales do not compromise or distort the activity centre hierarchy.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p>	<p><b>P1</b></p>

<p>The gross floor area for Bulky Goods Sales must be not less than 250m<sup>2</sup> per tenancy, unless the use relies on more than 50% of the site area for outdoor display of goods for sale.</p>	<p>Bulky Goods Sales must not compromise or distort the activity centre hierarchy, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the extent that the proposed use improves and broadens the commercial or retail choice within the area;</li> <li>(b) the extent that the proposed use impacts on surrounding activity centres; and</li> <li>(c) any relevant local area objectives contained within the relevant Local Provisions Schedule.</li> </ul>
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Assessment – Not applicable. Bulky Goods Sales is not proposed.

#### 17.4.1 Building height

<p>Objective:</p> <p>That building height:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the streetscape; and</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential zones.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must be not more than 12m.</p>	<p><b>P1</b></p> <p>Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing building on the site and adjacent properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) the apparent height when viewed from the adjoining road and public places; and</li> <li>(e) any overshadowing of public places.</li> </ul>

Assessment – The proposed control building has a height of 7.65m and the canopy a height of 7.30m.

The acceptable solution is met.

<b>A2</b>	<b>P2</b>
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<p>Building height:</p> <p>(a) within 10m of a General Residential Zone, Low Density Residential Zone or Rural Living Zone must be not more than 8.5m; or</p> <p>(b) within 10m of an Inner Residential Zone must be not more than 9.5m.</p>	<p>Building height within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone must be consistent with building height on adjoining properties and not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</p> <p>(b) overlooking and reduction of privacy; and</p> <p>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>
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Assessment – All building heights are less than 8.5m.

The acceptable solution is met.

#### 17.4.2 Setbacks

<p>Objective:</p> <p>That building setback:</p> <p>(a) is compatible with the streetscape; and</p> <p>(b) does not cause an unreasonable loss of amenity to adjoining residential zones.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must have a setback from a frontage of:</p> <p>(a) not less than 5.5m;</p> <p>(b) not less than existing buildings on the site; or</p> <p>(c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</p>	<p><b>P1</b></p> <p>Buildings must have a setback from a frontage that provides adequate space for vehicle access, parking and landscaping, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the setback of buildings on adjacent properties; and</p> <p>(c) the safety of road users</p>

Assessment – The setback of the proposed canopy over the fuel pumps is 3.3m to Don Road. The proposed car wash building has a setback of 4.6m to Don Road. Neither setback meets the requirement of being not less 5.5m to a frontage. The Performance Criteria must be assessed.

The proposed setback will allow for adequate space for vehicle access, parking and landscaping. The setbacks are of sufficient width to allow cars to pass by the buildings and parking will not be provided within these setback areas as other areas are available. There is sufficient room for landscaping, for which a landscape plan has been provided.

The performance criteria is satisfied.

<p><b>A2</b></p> <p>Buildings must have setback from an adjoining property within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone of not less than:</p> <ul style="list-style-type: none"> <li>(a) 4m; or</li> <li>(b) half the wall height of the building, whichever is the greater.</li> </ul>	<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, having regard to:</p> <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 the adjoining property; 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>
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Assessment - A setback of 4m is required to the western boundary as the adjacent property is zoned General Residential. The setback proposed to the control building is 5.8m which meets the requirements however, a retaining wall is proposed to be built on the boundary and a 2.1m high fence will be constructed above the retaining wall, at a distance 1.5m from the boundary. The retaining wall will taper to nothing with its highest point being on the northern side of the lot. The fence will have a height of 3.6m above natural ground level at its highest point.

Although the required setback is not met the wall and fence will not cause an unreasonable loss of residential amenity to the adjacent property. The wall will be constructed of brick and the fence will be timber, with a setback 1.5m from the boundary. The relief offered by the differing materials and setbacks will reduce visual impacts when viewed from the neighbouring property. The combined heights and setbacks would satisfy those of the General Residential Zone.

The fence will assist with overlooking from the subject site and increase privacy. Overshadowing caused by the fence will not negatively impact the neighbouring property.

The performance criteria is satisfied.

<p><b>A3</b></p> <p>Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone.<sup>1</sup></p> <p><sup>1</sup> An exemption for air conditioners and heat pumps applies in this zone – see clause 4.6.</p>	<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential zones, having regard to:</p> <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 the sensitive use; and</li> <li>(d) any proposed mitigation measures.</li> </ul>
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Assessment – Rooftop infrastructure will be located approximately 8.5m from the General Residential Zone which does not meet the 10m setback.

The infrastructure will be located within an enclosure. The enclosure will be a minimum of 1m above the highest point on the mechanical unit in accordance with the recommendations of the acoustic report.

The performance criteria is satisfied.

#### 17.4.3 Design

<p>Objective:</p> <p>That building design is compatible with the streetscape.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must be designed to satisfy all the following:</p> <ul style="list-style-type: none"> <li>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</li> <li>(b) mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places;</li> <li>(c) roof-top mechanical plant and service infrastructure, excluding lift structures, must be contained within</li> </ul>	<p><b>P1</b></p> <p>Buildings must be designed to be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) how the main pedestrian access to the building addresses the street or other public places;</li> <li>(b) minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</li> </ul>

<p>the roof or screened from public spaces and adjoining properties;</p> <p>(d) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places;</p> <p>(e) provide awnings over a public footpath if existing on the site or on adjoining properties; and</p> <p>(f) provide external lighting to illuminate external vehicle parking areas and pathways.</p>	<p>(c) minimising the visual impact of roof-top service infrastructure, excluding lift structures;</p> <p>(d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and other alternatives are not practical;</p> <p>(e) the need for provision of awnings over a public footpath; and</p> <p>(f) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.</p>
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Assessment - A visible pedestrian entrance will be provided, mechanical plant and service infrastructure will be screened and there are no security shutters or grilles proposed. There are no public footpaths on the site and external lighting will be provided to illuminate parking areas and paths.

The acceptable solution is met.

#### 17.4.4 Fencing

<p>Objective:</p> <p>That fencing:</p> <p>(a) is compatible with the streetscape; and</p> <p>(b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.<sup>2</sup></p> <p><sup>2</sup> An exemption applies for fences in this zone – see Table 4.6.</p>	<p><b>P1</b></p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must be compatible with the streetscape, having regard to:</p> <p>(a) its height, design, location and extent;</p> <p>(b) its degree of transparency; and</p> <p>(c) the proposed materials and construction.</p>

Assessment - The fence proposed for the western boundary will be located approximately 3.5m from the Steele Street frontage and does not meet the exemption.

This setback will allow sufficient sight distances for vehicles exiting the site. The fence will be compatible with the surrounding area as a number of properties have high fences within 4.5m of the frontage.

The performance criteria is satisfied.

<p><b>A2</b></p> <p>Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, if not within 4.5m of a frontage, must:</p> <p>(a) have a height above existing ground level of not more than 2.1m; and</p> <p>(b) not contain barbed wire.<sup>2</sup></p>	<p><b>P2</b></p> <p>Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, if not within 4.5m of a frontage, must not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) their height, design, location and extent; and</p> <p>(b) the proposed materials and construction.</p>
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Assessment - The proposed fence will have a setback of 1.5m from the common boundary with 173 Steele Street which is zoned General Residential.

The acceptable solution is met.

#### 17.4.5 Outdoor storage areas

<p>Objective:</p> <p>That outdoor storage areas do not detract from the appearance of the site or surrounding area.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p><b>P1</b></p> <p>Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>

Assessment – An outdoor storage area, in the form of the waste disposal area, will be visible from the street. The area will be screened.

The performance criteria is satisfied.

#### 17.4.6 Landscaping

<p>Objective:</p> <p>That landscaping enhances the amenity and appearance of the streetscape where buildings are setback from the frontage.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>If a building is set back from a road, landscaping treatment must be provided along the frontage of the site:</p> <p>(a) to a depth of not less than 5.5m; or</p>	<p><b>P1</b></p> <p>If a building is setback from a road, landscaping treatment must be provided along the frontage of the site, having regard to:</p>

(b) not less than the frontage of an existing building if it is a lesser distance.	(a) the width of the setback; (b) the width of the frontage; (c) the topography of the site; (d) existing vegetation on the site; (e) the location, type and growth of the proposed vegetation; and (f) the character of the streetscape and surrounding area.
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Assessment – Although landscaping will be provided it will not be to a depth of 5.5m. The proposed landscaping will improve amenity of the area and the site, with the most substantial plantings being in the south-western corner of the lot. A variety of vegetation will be planted on the site.

The performance criteria is satisfied.

#### Demolition

Demolition of the dwelling at 171 Steele Street is required to allow for the proposed development to go ahead. There are no criteria against which to assess the demolition which can be approved as part of the development, in accordance with clause 7.9.1 of the planning scheme.

#### Retaining wall

The proposed retaining walls do not meet the exemptions provided in clause 4.6.8 of the planning scheme as they are less than 1.5m from the boundaries and more than 1m in height.

Retaining walls do not require categorisation into a use class. In light of this clause 7.10 must be considered.

### **7.10 Development Not Required to be Categorised into a Use Class**

- 7.10.1 An application for development that is not required to be categorised into one of the Use Classes under sub-clause 6.2.6 of this planning scheme and to which 6.8.2 applies, excluding adjustment of a boundary under sub-clause 7.3.1, may be approved at the discretion of the planning authority.
- 7.10.2 An application must only be approved under sub-clause 7.10.1 if there is no unreasonable detrimental impact on adjoining uses or the amenity of the surrounding area.
- 7.10.3 In exercising its discretion under sub-clauses 7.10.1 and 7.10.2 of this planning scheme, the planning authority must have regard to:
  - (a) the purpose of the applicable zone;
  - (b) the purpose of any applicable code;
  - (c) any relevant local area objectives; and
  - (d) the purpose of any applicable specific area plan.

Clause 6.8.2, referred to above, states the following:



6.8.2 The planning authority has a discretion under clause 7.10 to refuse or permit a development that is not required to be categorised under sub-clause 6.2.6 of this planning scheme if:

- there are no applicable standards that apply to the development; or
- the use or development relies on any Performance Criteria to demonstrate compliance with an applicable standard; and
- the development is not Prohibited under any other provision of this planning scheme.

In light of the above the retaining wall must be assessed as being discretionary, however there are not applicable standards that apply to the development. The planning authority must have regard to the purpose of the Commercial Zone in determining the proposal.

The zone purpose is to provide for retailing, service industries, storage and warehousing, along with a mix of use and development that supports the role of other activity centres.

The proposed retaining wall will allow for the construction of a service station which is in keeping with the purposed of the zone. A condition will be placed on the permit to ensure the retaining wall is designed by a suitably qualified engineer.

### Signs Code

Placement of signage is shown on the site plan below in Figure 13 and elevations for the signs are shown in Figure 14.

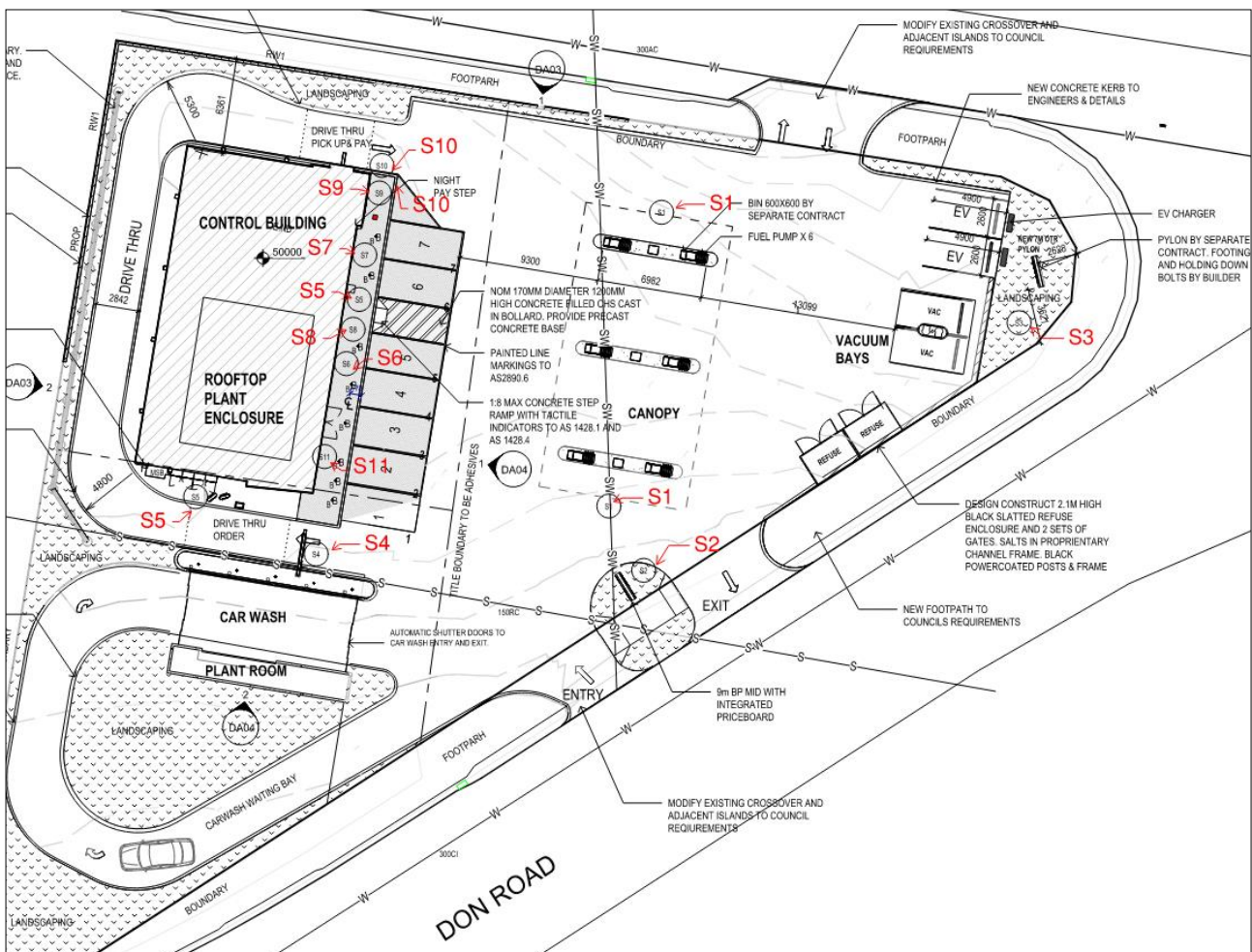


Figure 13 - Location of signs (Source: Ratio)

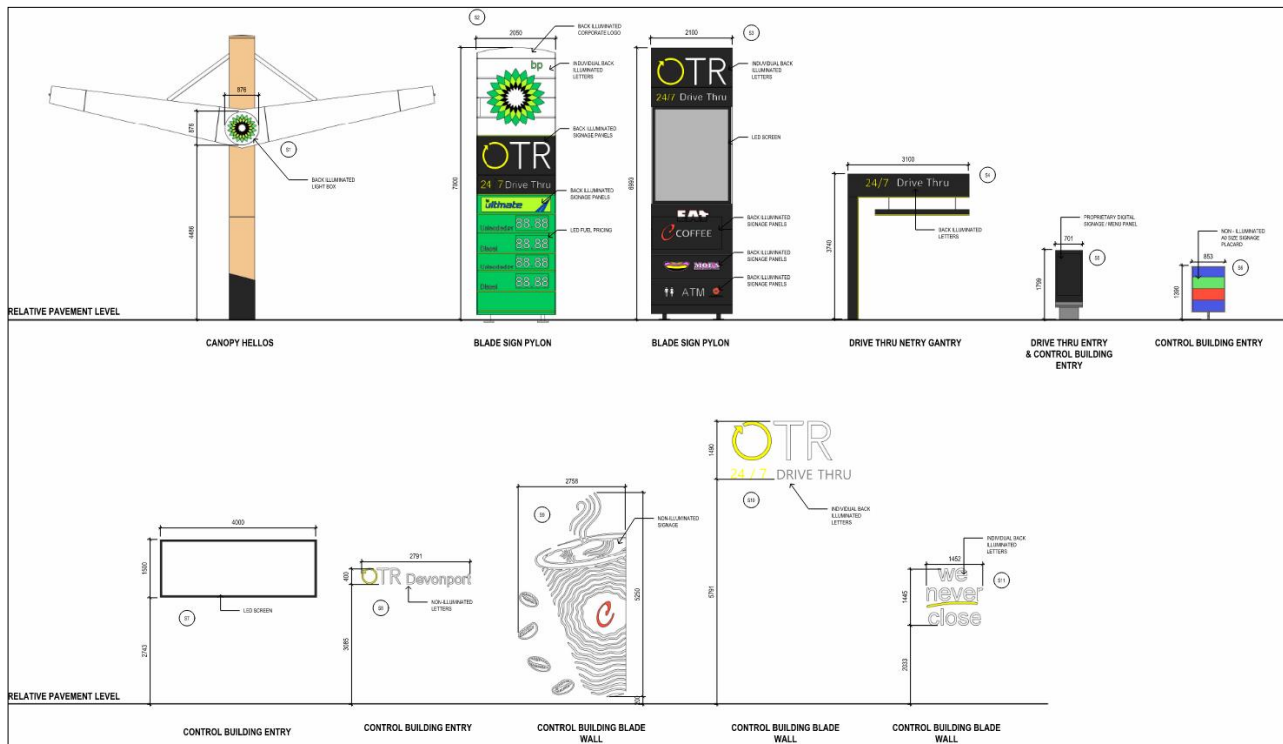


Figure 14 - Signs (Source: Ratio)

Signs that are intended to be viewed from within the site itself do not require assessment against the code, however those that are meant to be viewed from the street must be assessed.

#### C1.6.1 Design and siting of signs

<p>Objective:</p> <p>That:</p> <p>(a) signage is well designed and sited; and</p> <p>(b) signs do not contribute to visual clutter or cause an unreasonable loss of visual amenity to the surrounding area.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A sign must:</p> <p>(a) be located within the applicable zone for the relevant sign type set out in Table C1.6; and</p> <p>(b) meet the sign standards for the relevant sign type set out in Table C1.6, excluding for the following sign types, for which there is no Acceptable Solution:</p> <p>(i) roof sign;</p> <p>(ii) sky sign; and</p>	<p><b>P1.1</b></p> <p>A sign must:</p> <p>(a) be located within an applicable zone for the relevant sign type as set out in Table C1.6; and</p> <p>(b) be compatible with the streetscape or landscape, having regard to:</p> <p>i. the size and dimensions of the sign;</p> <p>ii. the size and scale of the building upon which the sign is proposed;</p>

(iii) billboard.	<ul style="list-style-type: none"> <li>iii. the amenity of surrounding properties;</li> <li>iv. the repetition of messages or information;</li> <li>v. the number and density of signs on the site and on adjacent properties; and</li> <li>vi. the impact on the safe and efficient movement of vehicles and pedestrians.</li> </ul>
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Assessment – Each sign is addressed below:

S1 is an illuminated sign to be located on the northern and southern sides of the canopy above the bowers and classed as a canopy sign. It meets the requirements of Table C1.6.

S2 and S3 are illuminated blade signs. S2 will be placed on the southern side of the site with S3 to be placed on the eastern side. Both signs will have a height of approximately 7m and a width of approximately 2m. Blade signs should have dimensions of 1.2m by 3.6m in accordance with Table C1.6. The performance criteria must be considered.

The signs are appropriate for the zone and in keeping with the streetscape. A number of other signs are located on Don Road with similar dimensions.

S4-S9 & S11 are intended to be viewed from within the site and do not require assessment.

S10 consists of two illuminated wall signs with dimensions of 1.49m x 3.2m approx. and an area of 4.77m<sup>2</sup>. The signs will be located on the north-eastern corner of the control building, one on each side of the wall, at a height approximately 5.8m above ground level.

As the signs exceed 4.5m<sup>2</sup> P1.1 must be satisfied. The signs are located within an appropriate zone and are compatible with the streetscape which includes a number of signs. The amenity of surrounding properties will not be negatively impacted.

The performance criteria are satisfied where required.

<p><b>A2</b></p> <p>A sign must be not less than 2m from the boundary of any lot in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone or Landscape Conservation Zone.</p>	<p><b>P2</b></p> <p>A sign must not cause an unreasonable loss of amenity to adjoining residential properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) topography of the site and the surrounding area;</li> <li>(b) the relative location of buildings, habitable rooms of dwellings and private open space;</li> <li>(c) any overshadowing; and</li> <li>(d) the nature and type of the sign.</li> </ul>
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Assessment – There are no signs proposed within 2m of the boundary of any lot in the General Residential Zone.

The acceptable solution is met.



<p><b>A3</b></p> <p>The number of signs for each business or tenancy on a road frontage of a building must be no more than:</p> <ul style="list-style-type: none"> <li>(a) 1 of each sign type, unless otherwise stated in Table C1.6;</li> <li>(b) 1 window sign for each window;</li> <li>(c) 3 if the street frontage is less than 20m in length; and</li> <li>(d) 6 if the street frontage is 20m or more, excluding the following sign types, for which there is no limit: <ul style="list-style-type: none"> <li>i. name plate; and</li> <li>ii. temporary sign.</li> </ul> </li> </ul>	<p><b>P3</b></p> <p>The number of signs for each business or tenancy on a street frontage must:</p> <ul style="list-style-type: none"> <li>(a) not unreasonably increase in the existing level of visual clutter in the streetscape, and where possible, reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs; and</li> <li>(b) not involve the repetition of messages or information.</li> </ul>
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Assessment – One of each type of sign is proposed for each frontage.

The acceptable solution is met.

#### C1.6.2 Illuminated signs

<p>Objective:</p> <p>That:</p> <ul style="list-style-type: none"> <li>(a) illuminated signs are compatible with the streetscape;</li> <li>(b) the cumulative impact of illuminated signs on the character of the area is managed, including the need to avoid visual disorder or clutter of signs; and</li> <li>(c) any potential negative impacts of illuminated signs on road safety and pedestrian movement are minimised.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>An illuminated sign must not cause an unreasonable loss of amenity to adjacent properties or have an unreasonable effect on the safety, appearance or efficiency of a road, and must be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the location of the sign;</li> <li>(b) the size of the sign;</li> <li>(c) the intensity of the lighting;</li> <li>(d) the hours of operation of the sign;</li> <li>(e) the purpose of the sign;</li> <li>(f) the sensitivity of the area in terms of view corridors, the natural</li> </ul>

	<p>environment and adjacent residential amenity;</p> <p>(g) the intended purpose of the changing message of the sign;</p> <p>(h) the percentage of the sign that is illuminated with changing messages;</p> <p>(i) proposed dwell time; and</p> <p>(j) whether the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device.</p>
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Assessment – All of the signs intended to be visible from outside the site are illuminated and must be assessed against the performance criteria.

As illuminated signs must not cause an unreasonable loss of amenity to adjacent properties the intensity of the lighting must be considered by the applicants.

Once established any negative impacts can be considered in accordance with the requirements of the *Environmental Management and Pollution Control Act 1993*.

The nearest traffic lights are approximately 70m to the west and will not be impacted by the signs.

The illuminated signs will not have an unreasonable effect on the safety, appearance or efficiency of the road network and are compatible with the streetscape.

The performance criteria is satisfied.

<p><b>A2</b></p> <p>An illuminated sign visible from public places in adjacent roads must not create the effect of flashing, animation or movement, unless it is providing direction or safety information.</p>	<p><b>P2</b></p> <p>No Performance Criterion.</p>
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Assessment – The illuminated signs will be visible from adjacent roads. A condition will be placed on the permit to ensure they do not create the effect of flashing, animation or movement.

The acceptable solution is met.

### Parking and Sustainable Transport Code

The relevant clauses of the Code have been reproduced below. Clauses that deal with other zones or design aspects that are not required have been omitted.

#### C2.5.1 Car parking numbers

<p>Objective:</p> <p>That an appropriate level of car parking spaces are provided to meet the needs of the use</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>

<p><b>A1</b></p> <p>The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <ul style="list-style-type: none"> <li>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</li> <li>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</li> <li>(c) the site is subject to Clause C2.5.5; or</li> <li>(d) it relates to an intensification of an existing use or development or a change of use where: <ul style="list-style-type: none"> <li>i. the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</li> <li>ii. the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: <math display="block">N = A + (C - B)</math> <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> </li> </ul> </li> </ul>	<p><b>P1.1</b></p> <p>The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</li> <li>(b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> <li>i. variations in car parking demand over time; or</li> <li>ii. efficiencies gained by consolidation of car parking spaces;</li> </ul> </li> <li>(c) the availability and frequency of public transport within reasonable walking distance of the site;</li> <li>(d) the availability and frequency of other transport alternatives;</li> <li>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</li> <li>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</li> <li>(g) the effect on streetscape; and</li> <li>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</li> </ul>
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C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1	
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Assessment – The planning scheme stipulates that 4 parking spaces per service bay are required. These requirements seem to disregard the fact that many service stations no longer service vehicles, however, the majority of vehicles only park at the bowser and do not park elsewhere on site. Staff parking does not appear to have been considered. As no service bays are proposed no parking spaces are required however 7 are proposed, which the applicant has deemed sufficient.

There are also two parking spaces provided for electric vehicle charging and two for use of the vacuums.

The acceptable solution is met.

#### C2.5.2 Bicycle parking numbers

Objective: That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria
<b>A1</b> Bicycle parking spaces must: <ul style="list-style-type: none"> <li>(a) be provided on the site or within 50m of the site; and</li> <li>(b) be no less than the number specified in Table C2.1.</li> </ul>	<b>P1</b> Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: <ul style="list-style-type: none"> <li>(a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and</li> <li>(b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.</li> </ul>

Assessment – 1 bicycle parking space is required per 5 employees. Two bicycle parking spaces are proposed, as mentioned in the Traffic Impact Assessment (TIA) provided with the application, however these are not visible on the plans. A condition will be placed on the permit to ensure bicycle parking is provided.

The acceptable solution is met.

#### C2.5.3 Motorcycle parking numbers

Objective: That the appropriate level of motorcycle parking is provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria
<b>A1</b>	<b>P1</b>



<p>The number of on-site motorcycle parking spaces for all uses must:</p> <ul style="list-style-type: none"> <li>(a) be no less than the number specified in Table C2.4; and</li> <li>(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.</li> </ul>	<p>Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the proposed use and development;</li> <li>(b) the topography of the site;</li> <li>(c) the location of existing buildings on the site;</li> <li>(d) any constraints imposed by existing development; and</li> <li>(e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.</li> </ul>
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Assessment – Clause 2.2.2 states that C2.5.3 is only applicable to a list of use classes that does not include Vehicle Fuel Sales and Service.

The acceptable solution is met.

#### C2.5.4 Loading Bays

<p><b>Objective:</b></p> <p>That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A loading bay must be provided for uses with a floor area of more than 1000m<sup>2</sup> in a single occupancy.</p>	<p><b>P1</b></p> <p>Adequate space for loading and unloading of vehicles must be provided, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the type of vehicles associated with the use;</li> <li>(b) the nature of the use;</li> <li>(c) the frequency of loading and unloading;</li> <li>(d) the location of the site;</li> <li>(e) the nature of traffic in the surrounding area;</li> <li>(f) the area and dimensions of the site; and</li> <li>(g) the topography of the site;</li> <li>(h) the location of existing buildings on the site; and</li> <li>(i) any constraints imposed by existing development.</li> </ul>

Assessment – Not applicable. The floor area is less than 1000m<sup>2</sup>.

### C2.6.1 Construction of parking areas

Objective: That parking areas are constructed to an appropriate standard.	
Acceptable Solutions	Performance Criteria
<b>A1</b> All parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> <li>(a) be constructed with a durable all weather pavement;</li> <li>(b) be drained to the public stormwater system, or contain stormwater on the site; and</li> <li>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</li> </ul>	<b>P1</b> All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to: <ul style="list-style-type: none"> <li>(a) the nature of the use;</li> <li>(b) the topography of the land;</li> <li>(c) the drainage system available;</li> <li>(d) the likelihood of transporting sediment or debris from the site onto a road or public place;</li> <li>(e) the likelihood of generating dust; and</li> <li>(f) the nature of the proposed surfacing.</li> </ul>

Assessment – The parking areas, access ways etc will be constructed with a durable all weather pavement to which will restrict abrasion from traffic and minimise entry of water to the pavement. Such areas will also be drained to the reticulated stormwater system.

The acceptable solution is met.

### C2.6.2 Design and layout of parking areas

Objective: That parking areas are designed and laid out to provide convenient, safe and efficient parking.	
Acceptable Solutions	Performance Criteria
<b>A1.1</b> Parking, access ways, manoeuvring and circulation spaces must either: <ul style="list-style-type: none"> <li>(a) comply with the following: <ul style="list-style-type: none"> <li>i. have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;</li> <li>ii. provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</li> </ul> </li> </ul>	<b>P1</b> All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the proposed slope, dimensions and layout;</li> <li>(c) useability in all weather conditions;</li> <li>(d) vehicle and pedestrian traffic safety;</li> </ul>

<ul style="list-style-type: none"> <li>iii. have an access width not less than the requirements in Table C2.2;</li> <li>iv. have car parking space dimensions which satisfy the requirements in Table C2.3;</li> <li>v. have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</li> <li>vi. have a vertical clearance of not less than 2.1m above the parking surface level; and</li> <li>vii. excluding a single dwelling, be delineated by line marking or other clear physical means; or</li> </ul> <p>(b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.</p> <p><b>A1.2</b></p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <ul style="list-style-type: none"> <li>(a) be located as close as practicable to the main entry point to the building;</li> <li>(b) be incorporated into the overall car park design; and</li> <li>(c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.1</li> </ul>	<ul style="list-style-type: none"> <li>(e) the nature and use of the development;</li> <li>(f) the expected number and type of vehicles;</li> <li>(g) the likely use of the parking areas by persons with a disability;</li> <li>(h) the nature of traffic in the surrounding area;</li> </ul>
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Assessment – The proposal meets the requirements of the Australian Standards.

The acceptable solution is met.

#### C2.6.3 Number of accesses for vehicles

<p>Objective:</p> <p>That:</p> <ul style="list-style-type: none"> <li>(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;</li> <li>(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and</li> </ul>
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(c) the number of accesses minimise impacts on the streetscape.

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The number of accesses provided for each frontage must:</p> <ul style="list-style-type: none"> <li>(a) be no more than 1; or</li> <li>(b) no more than the existing number of accesses, whichever is the greater.</li> </ul>	<p><b>P1</b></p> <p>The number of accesses for each frontage must be minimised, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any loss of on-street parking; and</li> <li>(b) pedestrian safety and amenity;</li> <li>(c) traffic safety;</li> <li>(d) residential amenity on adjoining land; and</li> <li>(e) the impact on the streetscape.</li> </ul>

Assessment – One access is proposed for each frontage.

The acceptable solution is met.

#### C2.6.5 Pedestrian access

<p>Objective:</p> <p>That pedestrian access within parking areas is provided in a safe and convenient manner.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1.1</b></p> <p>Uses that require 10 or more car parking spaces must:</p> <ul style="list-style-type: none"> <li>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: <ul style="list-style-type: none"> <li>i. a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</li> <li>ii. protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</li> </ul> </li> <li>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</li> </ul> <p><b>A1.2</b></p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less</p>	<p><b>P1</b></p> <p>Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the nature of the use;</li> <li>(c) the number of parking spaces;</li> <li>(d) the frequency of vehicle movements;</li> <li>(e) the needs of persons with a disability;</li> <li>(f) the location and number of footpath crossings;</li> <li>(g) vehicle and pedestrian traffic safety;</li> <li>(h) the location of any access ways or parking aisles; and</li> <li>(i) any protective devices proposed for pedestrian safety.</li> </ul>

than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.

Assessment – 7 parking spaces will be provided. A1.1 is not applicable.

A footpath is located adjacent to the parking space for people with a disability.

The acceptable solutions are met.

### Road and Railway Assets Code

<p>Objective:</p> <p>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.</p>	
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 <i>the Roads and Jetties Act 1935</i> in respect to a limited access road.</li> </ul> <p><b>A1.5</b></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>

Vehicular traffic must be able to enter and leave a major road in a forward direction.	
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Assessment – The subject site is not a limited access road nor a category 1 road.

There are existing crossovers on both Don Road and Steele Street.

Vehicular traffic will be able to enter and exit the site in a forward direction.

In regard to increases in vehicular traffic to and from the site the amounts permissible in Table C3.1 are as follows:

**Table C3.1 Acceptable increase in annual average daily traffic to and from the site (total of ingress and egress)**

Location of vehicular traffic	Amount of acceptable increase in annual average daily traffic to and from the site (total of ingress and egress)	
	Vehicles up to 5.5m long	Vehicles longer than 5.5m long
Vehicle crossing on major roads and private level crossings	10% or 10 vehicle movements per day, whichever is the greater	10%
Vehicle crossings on other roads	20% or 40 vehicle movements per day, whichever is the greater	20% or 5 vehicle movements per day, whichever is the greater

Given no use has occurred on the site for approximately 20 years, save for the residential use at 171 Steele Street, it is deemed that the proposal will increase the annual average daily traffic to and from the site by more than 40 vehicle movements per day.

It is estimated that the traffic generation at each crossover will be 60 vehicles per peak hour. This equates to 120 vehicles across the site per peak hour. An increase from no vehicle movements per day to 120 per hour exceeds the limits of Table C3.1.

The TIA states that it considers six movements to be new. Given there have not been any vehicle movements across the majority of the site for approximately 20 years all vehicle movements are considered to be 'new'.

As a result of the increase in traffic the performance criteria must be addressed.

Council has informed the applicants that a right turn slot heading west on Don Road is required due to it being an arterial road with a speed limit of 60 kms per hour. The applicant has disregarded this advice stating that there is insufficient width in the roadway. Council does not agree that this is the case and requires the installation of a right turn slot. A condition will be placed on the permit in this regard.

The installation of a right turn slot will minimise any adverse effects on the safety and efficiency of the road network.

The performance criteria is satisfied.

### **Potentially Contaminated Land Code**

The Potentially Contaminated Land Code applies to development on land that the planning authority knows to have been used for a potentially contaminating activity. Petroleum product or oil storage is listed as a potentially contaminating activity, therefore the use of the site as a service station means it is a potentially contaminated site. In addition

it is known there was contamination of the site, which ceased operation in 2000 and for which voluntary remediation was undertaken. Contamination also extended to the north-west of the site.

The following clause of the planning scheme must be addressed.

C14.6.1 Excavation works, excluding land subject to the *Macquarie Point Development Corporation Act 2012*

Objective: That works involving excavation of potentially contaminated land, excluding on land subject to the <i>Macquarie Point Development Corporation Act 2012</i> , do not adversely impact on human health or the environment.	
Acceptable solutions	Performance Criteria
<p><b>A1</b></p> <p>Excavation, excluding on land subject to the <i>Macquarie Point Development Corporation Act 2012</i>, must involve less than 250m<sup>3</sup> of site disturbance.</p>	<p><b>P1</b></p> <p>Excavation, excluding on land subject to the <i>Macquarie Point Development Corporation Act 2012</i>, must not have an adverse impact on human health or the environment, having regard to:</p> <ul style="list-style-type: none"> <li>(a) an environmental site assessment that demonstrates there is no evidence the land is contaminated;</li> <li>(b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or</li> <li>(c) an environmental site assessment, including a plan to manage contamination and associated risk to human health and the environment, that includes: <ul style="list-style-type: none"> <li>i. any specific remediation and protection measures required to be implemented before excavation commences; and</li> <li>ii. a statement that the excavation does not adversely impact on human health or the environment.</li> </ul> </li> </ul>

Assessment – The applicant has provided an environmental site assessment which states that there are no indications that there is any significant contamination remaining and the site does not present a risk to human health or the environment. It is suitable for its proposed commercial use without the need for any further assessment or remediation.

The report also states that, 'some routine classification of soils would be required if they are to be disposed of off-site during the redevelopment works.' A condition will be placed on the permit to address this.

The performance criteria is satisfied.

### **Safeguarding of Airports Code**

The proposal is exempt from the above code as the proposed buildings are less than 110m high.

### **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 proposed service station, carwash and drive through takeaway are deemed to be appropriate for the site, having been assessed against the relevant clauses of the planning scheme. However, the 24 hour operation proposed for the site is not seen as appropriate, given the proximity to existing residential dwellings and the potential noise issues identified.

It is recommended that the hours of operation be limited to comply with the acceptable solutions contained within clause 17.3.1 A1 of the *Tasmanian Planning Scheme – Devonport*.

### **ATTACHMENTS**

1. Zoning Maps - 171 Steele, Devonport [**4.1.1** - 2 pages]
2. Assessment against the requirements of the Land Use Planning and Approvals Act 1993 [**4.1.2** - 2 pages]
3. Application detail - AM2022.05 & PA2022.0134 - 171 Steele Street and 2-8 Don Road, Devonport [**4.1.3** - 563 pages]



## 5 REPORTS

### 5.1 PUBLIC LAND REGISTER - BIENNIAL REVIEW

Author: **Chris Delphin, Governance Officer**

Endorser: **Matthew Atkins, General Manager**

#### RECOMMENDATION

That Council:

- a) update its Public Land Register following its biennial review to include:
  - 6A Woodland Grove Tugrah;
  - Lot 100 Coles Beach Road Devonport;
  - 135 Greenwood Lane Tugrah;
  - Haines Park – 74 Rooke Street Devonport.
- b) amend the following existing property entry:
  - 10A Langslow Drive – amend name to W J Turner Reserve;
  - Don Memorial Hall Reserve – amend name to John Luck Park;
- c) remove 108 Tarleton Street, East Devonport;
- d) make an updated copy of the Register publicly available on Council's website and at the Council Offices.

#### 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 is provided to Council to advise of proposed updates and amendment to the Public Land Register following its biennial review.

#### BACKGROUND

In accordance with the *Local Government Act 1993*, Council is required to maintain a Public Land Register, and to make it available for public inspection.

The Public Land Register was formally adopted in May 2015, and last reviewed in March 2021. The most recent review has identified a number of additional properties for inclusion in the Register, a minor naming amendment to an existing property and removal of a donated property.

#### STATUTORY REQUIREMENTS

Section 177A of the *Local Government Act 1993* (the Act) states:

- (1) *The following land owned by a council is public land:*
  - a) *a public pier or public jetty;*
  - b) *any land that provides health, recreation, amusement or sporting facilities for public use;*

- c) any public park or garden;
- d) any land occupied under section 176 for the purposes of establishing or extending public land;
- e) any land shown on a subdivision plan as public open space that is acquired by a council under the Local Government (Building and Miscellaneous Provisions) Act 1993;
- f) any other land that the council determines is public land;
- g) any other prescribed land or class of land.

(2) The general manager is to:

- a) keep lists of all public land within the municipal area; and
- b) make the lists available for public inspection at any time during normal business hours.

## DISCUSSION

A scheduled review of Council's public land identified parcels that require inclusion on the Public Land Register. The following public land is deemed to be public land and therefore should be added to Council's Public Land Register:

Land	PID	Improvement/Land Description	Statutory reason for inclusion
6A Woodland Grove Tugrah	9965607	Public Open Space	(e) Land transferred via subdivision process.
Lot 100 Coles Beach Road Devonport	2740475	Recreation Area	(e) Set apart for public recreation space
135 Greenwood Lane Tugrah	1972979	Vacant Land	(e) Land transferred via subdivision process
Haines Park – 74 Rooke Street	9424922	Park Reserve	(c) Any public park or garden

Renamed and deleted properties:

Don Memorial Hall Reserve	1727770	Public Service	Renamed John Luck Reserve in honour of John Luck being appointed Devonport's first Warden
10 A Langslow Drive, Miandetta	2285118	Public Open Space	Amend name to W J Turner Reserve (As per original name);
108 Tarleton Street, East Devonport	3203102	Park, Recreation	Land donated to third party for purpose of social & community housing

### **COMMUNITY ENGAGEMENT**

No community engagement has been undertaken in respect of this report. However, members of the community may object, in writing, to the General Manager, in respect of an omission or inclusion of land on the Register.

### **FINANCIAL IMPLICATIONS**

There are no financial implications for Council in reviewing and updating the Public Land Register.

### **RISK IMPLICATIONS**

There are no risks identified pertaining to Council updating its Public Land Register.

### **CONCLUSION**

It is recommended that the Public Land Register be updated to include additional properties, removal of a donated property and naming amendment as detailed in this report.

### **ATTACHMENTS**

1. DCC Public Land Register - as at May 2023 [**5.1.1** - 14 pages]
2. Public Land Register May 2023 - updated maps [**5.1.2** - 19 pages]

## 5.2 PETITION - SPEED LIMITS - PALOONA ROAD

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

### RECOMMENDATION

That Council:

1. receive and note the petition dated 11 April 2023 in respect of "hazardous road speeds" on Paloona Road;
2. provide the petitioner with a copy of this report; and
3. endorse the recommendations as detailed in this report to not support a speed limit reduction, however install additional signage and guideposts.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 2.3.2 Provide and maintain roads, bridges, paths and car parks to appropriate standards

### SUMMARY

This report is to present Council with a petition requesting Council to review speed limits on Paloona Road and Lower Barrington Road and introduce line markings to denote "all blind corners".

### BACKGROUND

Mr Edmund Stewart of 264 Paloona Road, Paloona has submitted the attached petition for Council's consideration. The petition has 17 signatories and was received by Council on 14 April 2023.

The request of the petition is as follows:

*"The resident ratepayers of the Paloona area urge the City of Devonport to examine and take action in remedying the hazardous condition of the intersection of Paloona Road and Lower Barrington Road, reduce the 100km. per hour speed limit on this section of the road to 70km per hour and mark all blind corners with a single white line. In addition, change the 'suggested speed' of 45km to the mandatory speed of 45km in this section of the road".*

### STATUTORY REQUIREMENTS

Sections 57 and 58 of the Local Government Act 1993 refer to the tabling of petitions to Council, specifically:

#### "57. Petitions

- (1) A person may lodge a petition with a council by presenting it to a councillor or the general manager.
- (2) A person lodging a petition is to ensure that the petition contains –
  - (a) a clear and concise statement identifying the subject matter and the action requested; and
  - (b) in the case of a paper petition, a heading on each page indicating the subject matter; and

- (c) *in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and*
- (d) *a statement specifying the number of signatories; and*
- (e) *at the end of the petition –*
  - i. *in the case of a paper petition, the full name, address and signature of the person lodging the petition...."*

**"58. Tabling Petition**

- (1) *A councillor who has been presented with a petition is to –*
  - (a) *.....*
  - (b) *forward it to the general manager within 7 days after receiving it.*
- (2) *A general manager who has been presented with a petition or receives a petition under subsection (1) (b) is to table the petition at the next ordinary meeting of the council.*
- (3) *A petition is not to be tabled if –*
  - (a) *it does not comply with section 57; or*
  - (b) *it is defamatory; or*
  - (c) *any action it purposes is unlawful.*
- (4) *The general manager is to advise the lodger of a petition that is not tabled the reason for not tabling it within 21 days after lodgement."*

The petition does not contain a statement specifying the total number of signatories (section 57(2)(d)), nor the signature of the person lodging the petition (other than as a signatory to the petition) (section 57(2)(e)(i)). Despite these administrative oversights, the document has been accepted as a petition for the purposes of section 57 of the *Local Government Act 1993*.

Further, Council is to adhere to the provisions of section 20 of the *Local Government Act 1993*, insofar as it is obligated to provide for the health, safety and welfare of the community, to represent and promote the interests of the community and in the performing of its functions, consult, involve and be accountable to the community.

Speed limits on Tasmanian roads are in accordance with the *Traffic Act 1925, Road Rules 2019*, are to be approved by the Transport Commission and are set in line with the Tasmanian Speed Zoning Guidelines.

**DISCUSSION**

The petition received calls for Council to:

*"...to examine and take action in remedying the hazardous condition of the intersection of Paloona Road and Lower Barrington Road, reduce the 100km. per hour speed limit on this section of the road to 70km per hour and mark all blind corners with a single white line. In addition, change the 'suggested speed' of 45km to the mandatory speed of 45km in this section of the road".*

Factors Council may consider when assessing whether to proceed with a request to lower the speed limit in this area include:

### Strategic Alignment

Ensuring that the road network becomes safer, efficient and well-connected are objectives of Council's Road Network Strategy (RNS) 2023-2028.

Sight distance is a factor in determining the safety for drivers at an intersection. Drivers travelling west on Paloona Road have visibility for 130m to observe a vehicle at the Lower Barrington Road intersection, eastbound the sight distance is impacted by a small crest. Based on the prevailing vehicle speeds the sight distances are substandard however compliance with these guidelines is difficult to achieve across the rural road network due to the undulating topography of Tasmania.

Both Paloona Road and Lower Barrington Road are minor roads in Council's RNS and line-marking of a centreline is not required for roads in those classifications. A set of holding lines is currently in place at the intersection, to reinforce that through traffic on Paloona Road has priority.

### Risk

The traffic volume on Paloona Road is estimated at around 300 vehicles per day, putting it in the low volume road category. The speed of motorists is governed by the alignment of the road, with speeds being progressively reduced by a series of curves on the western approach culminating in a 90-degree bend 180m west of the intersection referred to in the petition. The advisory speed for this bend is signposted at 35km/h. To the east the speed is not so governed by the alignment with only a solitary sweeping curve on this approach.



No speed limit signage is in place as the rural default speed limit applies. This treatment is consistent with most rural roads in Tasmania.

A speed limit assessment was conducted using Australian Standard 1742.4, Manual of Uniform Traffic Control Devices, Speed Controls. Various traffic and environmental factors are taken into consideration for this assessment. Factors include roadside development, road characteristics, lineal road length and road hazards.

According to Australian standards and the Tasmanian Speed Zoning Guidelines speed limits should not be reduced for isolated hazards, such as a specific intersection or a tight bend. Isolated hazards should be addressed with physical works or the installation of warning signs. The sharp bend has been treated with an appropriate warning sign however the intersection lacks a warning sign on the westbound approach.



Crash History for Paloona Road for the past five years showed one reported crash at the intersection which involved property damage only and three other reported crashes remote from the intersection. This history is consistent with similar rural roads.

Additional delineation of the curves to assist drivers would reduce the likelihood of run-off road crashes. This could be done with additional guideposts or markings on curves.



### **Equity**

The Department of State Growth regulates the speed limits in Tasmania which assists in keeping limits consistent throughout the state, the Department also requires councils to provide justification when submitting a change request. From the speed limit assessment and the state's guidelines the existing rural default limit is appropriate.

### **COMMUNITY ENGAGEMENT**

There has not been any community engagement undertaken in respect of this report.

### **FINANCIAL IMPLICATIONS**

The cost of additional guideposts or markings on curves could be accommodated within exiting operational budgets.

### **RISK IMPLICATIONS**

- Legal Compliance  
Council has a requirement to meet its obligations under the *Local Government Act 1993* in respect of the receipt and tabling of petitions.
- Consultation and/or Communication  
Council has received a petition which would indicate local support for the lowering of the speed limit and other safety measures in the vicinity of Paloona Road and Lower Barrington Road. If Council does not support the change of the speed limit in this area, residents and road users of Paloona and Lower Barrington Road may be critical of Council in not addressing their concerns.

### **CONCLUSION**

The Tasmanian Speed Zoning Guidelines and the speed limit assessment do not support a change to the limit for isolated hazards such as at intersections or tight bends. The bend has been treated with an appropriate warning sign, however an intersection warning sign should be installed on the approach in accordance with the guidelines.

Additional delineation of the curves to assist drivers would reduce the likelihood of run-off road crashes. This could be done with additional guideposts or markings on curves. The findings of this investigation should be provided to the petitioners.

**ATTACHMENTS**

1. Hazardous Road Speeds on Paloona Road - Edmond Stewart [**5.2.1** - 4 pages]



## 5.3 RE-APPOINTMENT OF MUNICIPAL RECOVERY COORDINATOR

Author: **Claire Jordan, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

### RECOMMENDATION

That Council:

1. note the appointment of the Community Services Manager, Karen Hampton, to the position of Municipal Recovery Coordinator for the Devonport City Council area until March 2026; and
2. advise the Regional Emergency Management Planner – North-West, State Emergency Services, of Council's Emergency Management appointment.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.4.1 Support the community in emergency management response and recovery

### SUMMARY

This report is required in accordance with the *Emergency Management Act 2006* for the appointment of a Municipal Recovery Coordinator for the Devonport municipal area.

### BACKGROUND

Appointments to the roles of Municipal Emergency Management Coordinator and Deputy Municipal Emergency Management Coordinator were the subject of a Council report in February 2022. The Acting Community Services Manager of the time was nominated to the role of Municipal Recovery Coordinator for a 12 month period, due to the secondment of the Community Services Manager to the State Government. As the Community Services Manager has returned from secondment, Council is re-appointing the Community Services Manager to the role of Municipal Recovery Coordinator.

The Devonport City Council supports Emergency Management through participation in the Mersey Leven Emergency Management Committee made up of the Central Coast, Latrobe, Kentish and Devonport Councils. It also participates in the North-West Regional Emergency Management Committee made up of all nine councils in the Cradle Coast region. Both committees have a number of agencies represented including - but not limited to - Tasmania Police, Fire and Ambulance, Tasmanian Health, Tas Networks etc.

### STATUTORY REQUIREMENTS

Section 24G and section 24H of the *Emergency Management Act 2006* applies as follows:

- (1) *In this section –  
general manager has the same meaning as in the Local Government Act 1993.*
- (2) *A general manager of a council may appoint a Municipal Recovery Coordinator for the municipal area governed by the council.*
- (3) *A Municipal Recovery Coordinator may hold that office in conjunction with any other appointment, position or office.*

- (4) A Municipal Recovery Coordinator holds office for the period, and on the terms and conditions, specified in his or her instrument of appointment.
- (5) If no Municipal Recovery Coordinator is appointed under this section, the Municipal Coordinator for the municipal area is to perform the functions and exercise the powers of a Municipal Recovery Coordinator as specified in section 24H.

*24H. Functions and powers of Municipal Recovery Coordinator*

- (1) A Municipal Recovery Coordinator has the following functions, for the purposes of the planning, review and implementation of recovery processes, in respect of the municipal area for which he or she is the Municipal Recovery Coordinator:
  - (a) prior to, during or subsequent to the occurrence of an emergency within the municipal area, to ensure that –
    - (i) arrangements are in place to implement recovery processes, including the establishment and coordination of evacuation centres and recovery centres; and
    - (ii) his or her instructions and decisions and the instructions and decisions of the Municipal Committee, Municipal Chairperson and Regional Controller are transmitted to, and adequately carried out by, persons to whom they are directed or relate;
  - (b) to advise the Regional Controller of any powers or declarations under this Act that are to be used, or made, for the purposes of recovery within the municipal area;
  - (c) to request resources of another municipal area if the Municipal Recovery Coordinator considers that those resources are necessary to implement recovery processes within the municipal area;
  - (d) to assist a recovery committee established under section 24E within the municipal area or a combined area;
  - (e) to assist and advise the Municipal Chairperson, the Municipal Committee or the relevant council on all matters with respect to recovery within the municipal area or a combined area;
  - (f) other functions in respect of recovery imposed on the Municipal Recovery Coordinator by the Municipal Committee or the Municipal Coordinator;
  - (g) other functions imposed on the Municipal Recovery Coordinator by this or any other Act;
  - (h) other functions imposed on the Municipal Recovery Coordinator by a Municipal Emergency Management Plan;
  - (i) prescribed functions.
- (2) A Municipal Recovery Coordinator has the following powers:
  - (a) prescribed powers;
  - (b) the power to do all things necessary or convenient to perform his or her functions.
- (3) If a Municipal Recovery Coordinator of a municipal area performs a function under subsection (1)(a), he or she is to notify the Municipal Coordinator for the

*municipal area of the performance of that function as soon as possible after he or she performs the function.*

## **DISCUSSION**

The *Emergency Management Act 2006* has also included a Municipal Recovery Coordinator role since late 2018. Although, unlike the Emergency Management Coordinator, this role is not appointed by the Minister, it is considered good practice for Council to formalise an appointment to this role. The role of Municipal Recovery Coordinator was held by Karen Hampton since early 2020, until her secondment to the State Government. This re-appointment is in line with the Community Services Manager's return to Council from secondment.

## **COMMUNITY ENGAGEMENT**

No community consultation has been undertaken as a result of this report.

## **FINANCIAL IMPLICATIONS**

An annual allocation for Emergency Management is included as part of the Annual Plan and Estimates of Council.

## **RISK IMPLICATIONS**

- Legal Compliance  
As described in subsection (5) of section 24G of the *Emergency Management Act 2006*, if Council fails to appoint a person to fill the role of Municipal Recovery Coordinator the position defaults to the Municipal Coordinator.

## **CONCLUSION**

In accordance with section 24G of the *Emergency Management Act 2006*, it is proposed that the Community Services Manager be re-appointed to the role of Municipal Recovery Coordinator.

## **ATTACHMENTS**

Nil

## 5.4 DISABILITY INCLUSION PLAN 2020-2025 YEAR THREE STATUS

Author: **Karen Hampton, Community Services Manager**

Endorser: **Matthew Skirving, Executive Manager**

### RECOMMENDATION

That Council receive this progress report and note the status of actions listed in the Disability Inclusion Plan 2020-2025.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.7.4 Advocate for and provide access to quality services, facilities, information and activities that celebrate and promote diversity and harmony which supports engagement, participation and inclusivity

### SUMMARY

To report progress on the actions in the Disability Inclusion Plan 2020-2025 to Council.

### BACKGROUND

The Disability Inclusion Plan 2020-2025 provides a framework for Council to advocate for and provide access to quality services, facilities, information, and activities that celebrate and promote diversity, participation, and inclusivity within our community.

The Plan focuses on actions identified by people with lived experience of disability, community stakeholders, and the Devonport City Council, grouped into four focus areas.

These are:

1. Participation and Inclusion
2. Communication and Awareness
3. Buildings and Facilities
4. Parking and Mobility

Council adopted the Plan at the meeting held 24 February 2020 (Min No 23/20 refers).

### STATUTORY REQUIREMENTS

There are no statutory requirements in relation to this report.

### DISCUSSION

Achievements for the third year of implementation of the Plan are outlined in the attached document. Seven of the 36 actions over the five-year plan have been completed to date; nine are in progress; sixteen are ongoing actions across the life of the plan; two have not commenced; and two do not require any further action. Key progress under each focus area includes:

1. Participation and Inclusion
  - Delivery of events supporting diversity - Council supported International Day of People with Disability 2022 compiling a calendar of events and Harmony Day 2023 celebrated in Market Square attracting 400 attendees.

- More people with disability engaged in decision-making processes – Access and Inclusion Working Group established; disability representation is included on the Living Well Health and Wellbeing Strategy Reference Group.
  - Advocate for accessible education and training opportunities for people with disability - Council has made a submission to the formal consultation process regarding closure and relocation of the NW Support School Devonport campus and is continuing to advocate for the retention and redevelopment of these facilities locally within the Devonport municipality.
2. Communication and Awareness
- Improve Council staff capacity to engage with all community members - Several Council staff have participated in Deaf Blind Awareness training; customer service staff trained and actively using the National Relay Service in phone services for hearing or speech impaired.
  - Council information more readily available in accessible formats through Council's website.
  - Advocate for the rights of people with a disability through any consultation mechanism - Consultation held with Stoney Rise Village developer and Kinetic; formal submission made by the Access and Inclusion Working Group to the Australian Government on the National Transport Standards.
3. Buildings and Facilities
- Universal design principles applied in upgrades of buildings, toilets, streetscapes, parks, play spaces, fitness equipment stations, signage, and public spaces.
4. Parking and Mobility
- Improve accessibility of parking - pricing has been aligned with State Government recommendations that parking for accessible bays is the same as all parking bays; accessible parking bays considered with any new road/car park upgrades.
  - Public transport and mobility options expanded – All Access All Weather Bus Stop Upgrade Grant Program in progress; improvements to kerbside ramps and pathways in numerous locations.

### **COMMUNITY ENGAGEMENT**

Implementation of the Disability Inclusion Plan is supported by the advice of the Access and Inclusion Working Group. The Group meets monthly and comprises:

- Two Councillors – Mayor Alison Jarman and Councillor Steve Martin.
- Stakeholders with knowledge and experience across the main categories of disability, that is, physical, sensory, psychiatric, neurological, cognitive, and intellectual impairment. This includes up to four Devonport residents with disability or their immediate carer/support person and up to four members of recognised advocacy organisations representing Devonport residents. Current members include Naomi Ralph, Belinda Donovan, Stacey Jackson (Down Syndrome Tasmania), Jodi Prentice (VisAbility), Andrew Moore (A.P Horizon), Leanne Wease (Mission Australia).

### **FINANCIAL IMPLICATIONS**

Several actions in the Plan are undertaken as part of usual business operations and are budgeted for in the annual operational budget process. Some actions may require a specific allocation in future capital budgets and will be considered on an annual basis as part of Council's budgetary and Annual Plan process.

### **RISK IMPLICATIONS**

- Consultation and/or Communication  
Ensuring actions remain aligned with community needs and priorities across the life of a multi-year Plan does present some risk to achieving meaningful community benefit. The formation of the Access and Inclusion Working Group provides a stronger level of accountability to ensure the Plan meets its intended outcome, and adequately addresses this identified risk.

### **CONCLUSION**

The Disability Inclusion Plan 2020-2025 includes actions developed in partnership with stakeholders and community members that aim to shift community attitudes and practice to support the full participation of people with disability in civic life. Good progress has been made during the first three years of the Plan's implementation, delivering positive outcomes for our community as a whole.

### **ATTACHMENTS**

1. Disability Inclusion Plan Actions Year Three Status [**5.4.1** - 7 pages]

## 5.5 ROAD NETWORK STRATEGY 2023-2028

Author: **Randell Stott, Engineering Coordinator**  
Endorser: **Jeffrey Griffith, Deputy General Manager**

### RECOMMENDATION

That Council adopt the Road Network Strategy 2023-2028.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- |                |  |
|----------------|--|
| Strategy 1.4.3 | Lead and actively promote emissions minimisation   |
| Strategy 2.3.2 | Provide and maintain roads, bridges, paths and car parks to appropriate standards                      |
| 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

To present the Road Network Strategy 2023-2028 to Council for adoption, following a period of public consultation.

### BACKGROUND

Council endorsed a draft Road Network Strategy for public consultation in January 2023 (Min 23/12 refers).

The Road Network Strategy (RNS) identifies three objectives for Council's road network and the communities transport needs. The three objectives are:

1. The road network becomes safer.
2. The road network is efficient and well connected for all modes.
3. Sustainable transport use increases.

The RNS is attached to this report and has 22 deliverable actions that address important issues that were identified through network analysis and key stakeholder consultation.

### STATUTORY REQUIREMENTS

There are no specific statutory requirements relating to this report.

### DISCUSSION

The draft Strategy was published for consultation purposes on Council's online engagement portal from 1 February to 2 March 2023 inclusive. The consultation period was promoted on Council's social media channels and website.

Thirteen submissions were received with sixteen items raised, many with positive ideas that support the strategic objectives of the RNS. The items have been aligned with the strategic objectives with a brief description of key themes in the table below.

Strategy Objective	Items Raised	Brief Description of Feedback
<b>Safety</b>	7	CBD & main road speed limits Intersection control devices Walk & ride to school improvements
<b>Efficient</b>	3	Improvement of link & ring roads Access on/ off Bass Highway into City
<b>Sustainable</b>	5	EV parking & charging Improvement of pedestrian & bike linkages
<b>Other</b>	1	Maintenance request
<b>Total</b>	<b>16</b>	

None of the items raised were outside the existing objectives or actions that warranted any changes to the Draft Strategy.

### COMMUNITY ENGAGEMENT

The community engagement undertaken is outlined in the discussion contained in this report.

### FINANCIAL IMPLICATIONS

The adoption of the Road Network Strategy does not have any immediate financial implications. The action plan includes items that require capital and operational budget allocations. These can be considered during respective budget deliberations by Council each year. External funding for items may be available, with Council previously obtaining road safety funding for Black Spot and Vulnerable Road User projects.

### RISK IMPLICATIONS

- Corporate and Business  
The Strategy and action plan strongly aligns with Council's Strategic Plan 2009-2030.
- Asset & Property Infrastructure  
The Strategy provides a prioritised action plan delivering new and renewed road assets. These actions will need to be delivered within the constraints of the relevant Asset Management Plans.

### CONCLUSION

Council endorsed a draft Road Network Strategy for public consultation in January 2023 (Min 23/12 refers).

Thirteen submissions were received during the public consultation period, which were positive and supportive of the strategic objectives and actions contained within the draft Strategy. No changes to the draft Strategy were required as a result of the consultation.

Adoption of the Strategy and achievement of the three identified objectives strongly aligns with Council's Strategic Plan 2009-2030.

### ATTACHMENTS

1. RNS Submissions Summary [5.5.1 - 2 pages]
2. Road-network-strategy-2023-2028-draft (3) [5.5.2 - 42 pages]



## **5.6 FOOD ORGANICS GARDEN ORGANICS (FOGO) & WASTE COLLECTION**

Author: **Jason Bellchambers, Infrastructure Manager**

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

### **RECOMMENDATION**

That Council:

1. advise Dulverton Waste Management Authority of Devonport's participation in the regional FOGO kerbside collection contract to commence as soon as the processing facility is operational; and
2. provide in-principle support to transition to a fortnightly MSW (waste) kerbside collection to be implemented once FOGO is introduced.

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

Council's Strategic Plan 2009-2030:

- |                |   |
|----------------|---|
| Strategy 1.4.1 | Promote reduction, re-use and recycling options to minimise waste materials within Council, the community and businesses        |
| Strategy 1.4.2 | Facilitate, and where appropriate, undertake improvements in waste and recycling collection, processing services and facilities |

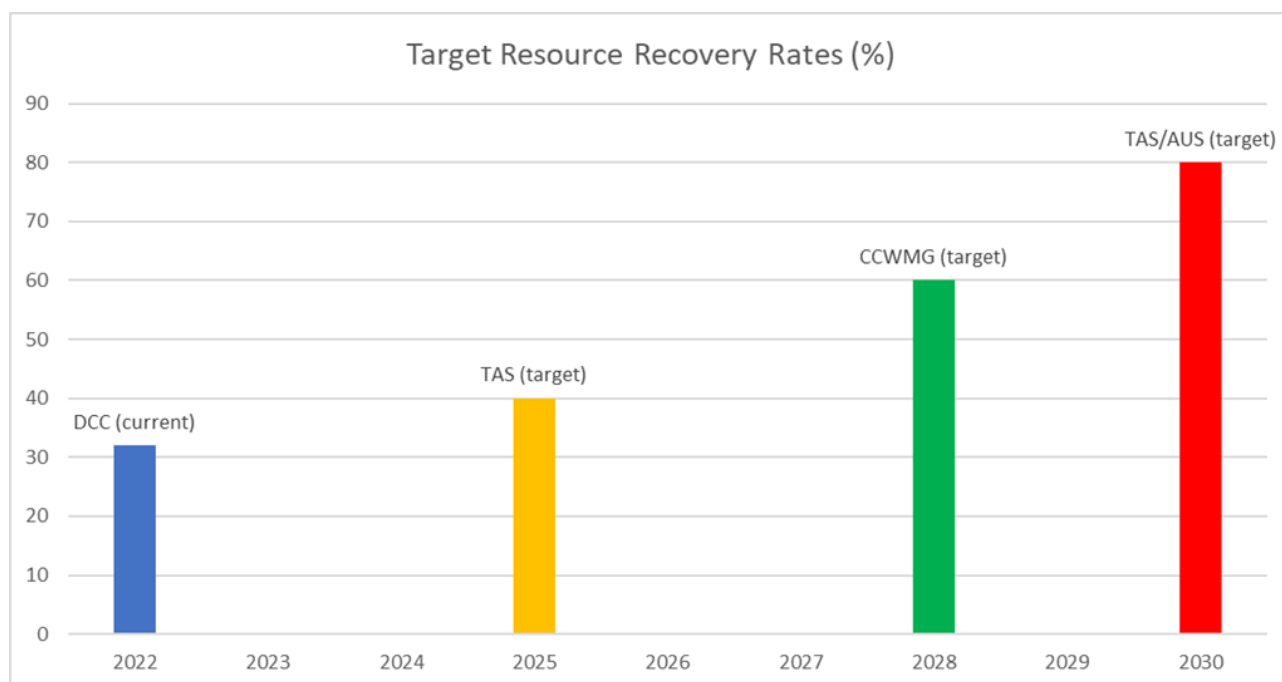
### **SUMMARY**

The purpose of this report is for Council to formally consider the opportunity to be a part of the Regional Food Organics Garden Organics (FOGO) Tender provided by Cradle Coast Waste Management Group (CCWMG) and to consider possible changes to the kerbside waste collection.

### **BACKGROUND**

The collection and treatment of FOGO will reduce the amount of organic waste disposed to landfill and thereby will lead to a reduction of greenhouse gas emissions. Treating the organic material turns it into a recoverable product that can be re-used commercially or on domestic gardens as compost. Approximately 40-50% of the domestic collected Municipal Solid Waste (MSW) is made up of organics and currently going to landfill.

The State Waste Levy, introduced in July 2022 at \$20/tonne and due to increase again in July 2024 to \$40/tonne, is aimed to increase the incentive to divert waste from landfill. The Levy funds are intended to be used to support improvements in resource recovery and waste education. To drive improvement, regional, state and national strategic targets have been adopted for recovered resources and are shown below.



The CCWMG have been working towards introducing FOGO into the Northwest region for some time, with construction of a new Organics Processing Facility now underway and due to be under operation by mid-2024. The introduction of FOGO will become a viable option with the new organics facility being located in Dulverton, significantly reducing the cost of transporting FOGO for processing out of area.

MRA Consulting were commissioned by CCWMG to investigate and provide a FOGO Waste Projection Model during 2022 to help guide the Region on the likely impact of a FOGO collection stream. The report analysed Mainland Councils and their implementation process of FOGO, with detail on the composition of Municipal Solid Waste (MSW) and FOGO from domestic households. This detail has formed the basis for the projections contained within this report for the Devonport City Council area.

In May 2022, CCWMG entered a multi-stage procurement process for regional waste management services, including recyclables and a proposed FOGO collection service. The projected collection quantities and tenements (households) for each Council across the Northwest regions were outlined, and tenders received for operating the service regionally. The rates from the rates from the regional tender are applied in Option 3 through this report.

### STATUTORY REQUIREMENTS

The Waste and Resource Recovery Act & Regulations 2022 sets out the establishment of the Waste and Resource Recovery Board with the intent of providing strategic oversight. The legislation also introduced the state-wide levy on waste disposed to landfill, both as a disincentive to landfilling and as a mechanism to fund strategic investment into Tasmania's waste and resource recovery sectors. Council has an obligation to follow the intent of the legislation on improving waste management and resource recovery in our area.

### DISCUSSION

There are three main Options which Council can consider moving forward:

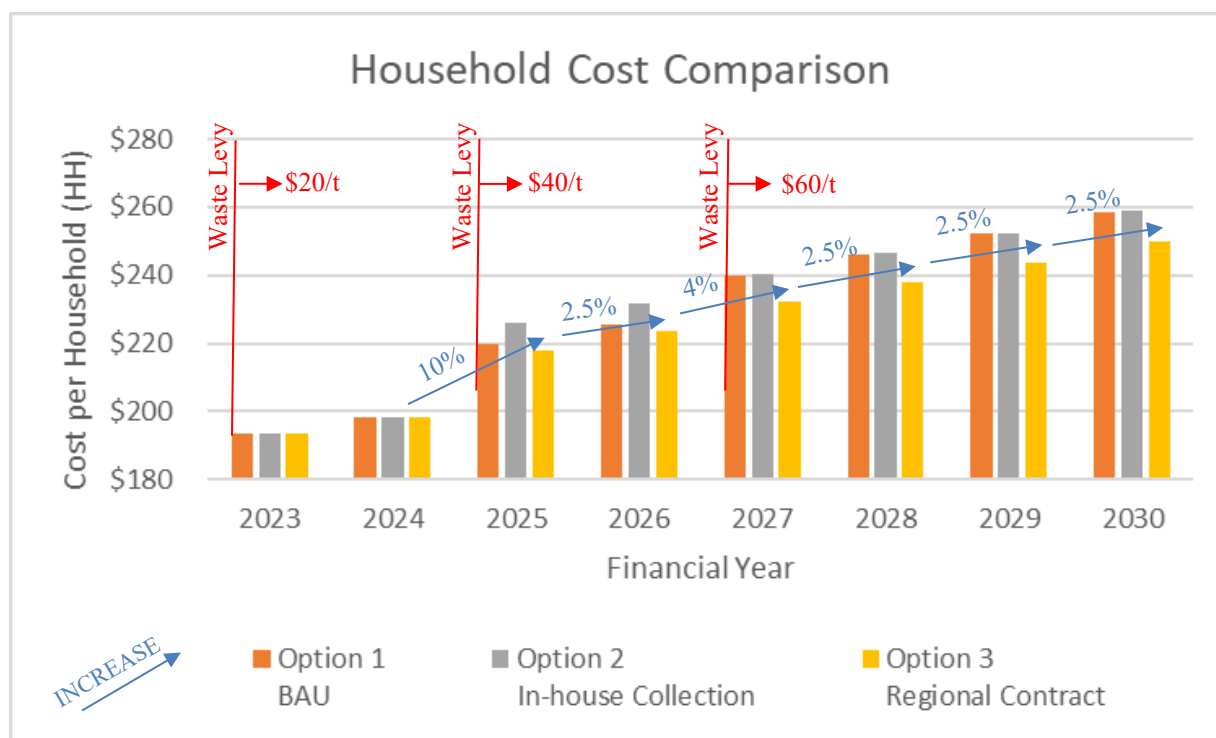
1. Business As Usual (BAU) – maintain weekly collection of MSW and fortnightly Recycling and leave the implementation of FOGO to a later date.

2. Council Collect MSW & FOGO – reduce the collection frequency of the MSW from weekly to fortnightly, then use the Council staff and trucks to collect FOGO using the spare capacity. With this option Council would need to purchase the bins and distribute them to Households, also be responsible for the handling of the FOGO material and contamination levels through our trucks. The handling of the FOGO material and cleaning of the trucks is a key operational factor to achieving low contamination levels upon disposal to the Dulverton processing facility.
3. CCWMG Contract to Collect FOGO – the FOGO collection service would be kept consistent across the Northwest region, at a greater scale to ensure quality and cost effectiveness. There would be a common contracted service provider for both the collection of FOGO and Recycling. With the reduction in operation of the MSW collection by Council in-house staff and trucks, this service would be reviewed over the next 12 months and the external market tested for costs effectiveness. Investigation suggests the MSW collection would also result in savings if outsourced.

The table below details the three options showing the modelled distribution of collected material across the three collection streams.

Option	1			2			3		
Description	Business As Usual (BAU)			Council Collect MSW & FOGO			Contractor Collect All Streams		
Type	Domestic Collection								
Collection Stream	MSW	Recycling	FOGO	MSW	Recycling	FOGO	MSW	Recycling	FOGO
Operation (Council/ Contract)	Council	Contract	Nil	Council	Contract	Council	Contract		
HouseHolds (HH)	11455	11455		11455	11455	11455	11455	11455	11455
Bin Size (L)	240	240		240	240	240	240	240	240
Collection Frequency	Weekly	Fortnightly		Fortnightly			Fortnightly		
Collections per year	52	26		26	26	26	26	26	26
Volume/yr (t/yr)	8310	1920		4986	1920	3941	4986	1920	3941
Volume/HH/Yr (kg/hh/yr)	725	168		435	168	344	435	168	344
Volume/ bin flip (kg/HH/flip)	14	6		17	6	13	17	6	13

The Household Cost Comparison for each Option through to the 2030 financial year is detailed below.



The percentage increases between years are shown in the graph above for **Option 3**, which is the most cost effective. This indicates a projected 10% increase from 2024 to 2025 financial year that includes another \$20 increase in the State Waste Levy to \$40/t.

The FOGO implementation model contains the following assumptions:

- Council and CCWMG will be ready to launch the FOGO service in July 2024.
- The diversion of MSW to FOGO is 40%, reducing the annual total MSW by more than 3,000 tonnes. This is likely to increase after implementation and with ongoing education. To achieve 40% diversion of MSW requires the servicing frequency of the MSW Collection to become fortnightly. If the MSW Collection were to remain weekly, the diversion of material to FOGO is expected to be closer to 20% and would not achieve the full results anticipated from the introduction of FOGO.
- There will be some diversion of green waste disposed through the Waste Transfer Station and into FOGO, which is assumed to be 20% initially and is based on results obtained by other Councils.
- The services are for Domestic collection at this stage. Commercial collection of FOGO will undergo a trial of different bin configurations to control quantity and odour with servicing models catering for a higher collection frequency.
- Inflation costs and quantities of waste across previous years does fluctuate, with projections into future years assuming constant increases (aside from waste levy increment increases).
- The model assumes a straight transition from weekly MSW collection to fortnightly, as the fortnightly FOGO service is introduced from July 2024. Although, a transition period and extension of the Weekly MSW collection while FOGO service is being rolled out and people become familiar with the new service, can be incorporated into the implementation process. As an example, a one-month extension of the MSW weekly service could be achieved with Option 3 and would have an estimated additional cost of \$70,000 (two additional collections for the month).

## COMMUNITY ENGAGEMENT

The Draft Council Waste Strategy was presented to Council at the 27<sup>th</sup> February 2023 meeting, with the first Action listed being the implementation of FOGO. The strategy was advertised during March/April 2023 period for community consultation and submissions. The consultation revealed via submissions received support for implementing FOGO.

If Council were to implement FOGO, a proposed high-level timeline is detailed below.



Building awareness through advertisement and education will be critical to the success of implementing FOGO. CCWMG are proposing to support Councils across the Northwest with the community education and rollout.

## FINANCIAL IMPLICATIONS

The table below outlines the three options indicating the projected 2025 annual cost of all the domestic collection services per Household (HH) and the overall service cost.

Option		1	2	3
Description		Business As Usual (BAU)	Council Collect MSW & FOGO	Contractor Collect All Streams
Total	(\$/HH/yr)	\$220	\$226	\$218
	(\$/yr)	\$2,520,100	\$2,588,830	\$2,497,190

Significant financial impacts are outlined below:

- **The State-wide Waste Levy** - will increase from \$20/t to \$40/t by July 2024, which will impact Option 1 (BAU) significantly and 8,000t of domestic collected waste to landfill. The diversion of organic waste into FOGO will avoid the waste levy.
- **Diversion of 3,000t of waste from landfill** – introducing the FOGO service will divert more than 3,000t of organic waste from landfill, reducing the amount paid to the waste levy.
- **Contract out the FOGO collection service** – the Regional Contract rate provides a 20% lower cost service than estimated to implement an in-house service.
- **Purchase of new FOGO bins** – the Regional Contract allows for the upfront purchase of the bins to be paid over the 7-year life of the contract. If the service were to be collected in-house, the bins would be an upfront cost to Council of approximately \$900,000 to supply & deliver to all households, with the cost recovered in the service charge across 7 years.

## **RISK IMPLICATIONS**

The following risk issues are considerations within this report:

- **Legal Compliance**  
Council has a legal obligation to follow the Waste and Resource Recovery Act & Regulations 2022, including State and Regional strategies to improve waste management and resource recovery.
- **Consultation and/or Communication**  
Implementing a new waste management system can be challenging and gaining public acceptance may require significant outreach and education efforts.
- **Workplace Health & Safety**  
Handling organic waste can pose health and safety risks for workers, including exposure to pathogens and chemical contaminants. Proper training, personal protective equipment, and equipment maintenance can help to reduce these risks.

Additional risks include the following:

- **FOGO Contamination** - Contamination of organic waste with non-organic materials can reduce the quality of the compost produced and cause contamination of the environment. Effective communication and education campaigns can help to reduce contamination.
- **Odour & pests/ vermin** - Organic waste can produce odours, which can cause problems for nearby residents. Proper site selection and management can minimise the potential for odours. Organic waste can attract pests and vermin, which may spread disease and could cause damage to nearby properties. This risk is likely to be a greater concern for high quantities of collected organic material, such as commercial collection for restaurants and the like.

## **CONCLUSION**

To achieve the resource recovery targets in 2025 and 2028, Council will need to implement FOGO to redirect 3,000t of waste from landfill and increase the total resource recovery from 32% to 50% in 2025. The change from weekly collection of MSW to fortnightly is critical to achieve the target of 40% redirection of organic waste into the FOGO bin. The fortnight collection of MSW is also likely to improve the current amount of fortnightly recyclables collected, which is 65% of households (7,500) currently using the service.

The CCWMG Regional Contract option for the collection of FOGO offers consistency across the coast with the same service provider, quality control systems to suit the new organics processing facility at Dulverton and cost effectiveness. The collection of FOGO from commercial businesses, that generate significantly more material than Domestic households, will undergo a trial across the region in the coming months and likely to provide additional servicing options.

The regional contract is likely to extend into MSW collection service within the next 12 months. This provides an opportunity to review the current in-house service and investigate the possibility of outsourcing the service with costs and benefits analysed.

The regional approach to managing waste and resource recovery will continue to improve the cost and benefits through larger scale delivery of services.

## **ATTACHMENTS**

Nil

## 5.7 WASTE STRATEGY 2023-2028

Author: **Jason Bellchambers, Infrastructure Manager**

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

### RECOMMENDATION

That Council adopt the Waste Strategy 2023-2028.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- |                |   |
|----------------|---|
| Strategy 1.4.1 | Promote reduction, re-use and recycling options to minimise waste materials within Council, the community and businesses        |
| Strategy 1.4.2 | Facilitate, and where appropriate, undertake improvements in waste and recycling collection, processing services and facilities |

### SUMMARY

To present the Waste Strategy 2023-2028 to Council for adoption, following a period of public consultation.

### BACKGROUND

Council endorsed a draft Strategy for public consultation in February 2023 (Min 23/44 refers).

The Waste Strategy 2023-2028 identifies four objectives for Council's waste management facilities and operations in support of the community waste services needs. The four objectives are:

1. Achieve 60% resource recovery.
2. Eliminate use of priority single use plastic from Council operations.
3. Increase range and quantity of recycled and recovered materials into its operations.
4. Contribute to regionally consistent and effective waste management practice.

The Strategy describes the status of waste management in Devonport and identifies opportunities and 14 actions that can be delivered to achieve the four objectives. The Strategy is attached to this report.

### STATUTORY REQUIREMENTS

There are no specific statutory requirements relating to this report.

### DISCUSSION

The draft Strategy was published for consultation purposes on Council's on-line engagement portal, Speak Up Devonport, from 28 February to 30 March 2023 inclusive. The consultation period was promoted on Council's social media channels and website.

Three submissions were received with twelve items raised, many with positive ideas that support the strategic objectives of the Waste Strategy. The items have been aligned with the strategic objectives with a brief description of key themes in the table below.

Strategy Objective	Items Raised	Brief description of Feedback
<b>Achieve 60% resource recovery</b>	10	Introduction of FOGO Facilitate more recovery items Resource Recovery Centre Waste reduction incentives for businesses
<b>Eliminate use of priority single use plastic from Council operations</b>	0	
<b>Increase range and quantity of recycled and recovered materials into its operations</b>	0	
<b>Contribute to regionally consistent and effective waste management practices</b>	0	
<b>Other</b>	2	Feedback on targets Waste discharge into Mersey River
<b>Total</b>	<b>12</b>	

None of the items raised were outside the existing objectives or actions that warranted a change to the Draft Strategy.

### COMMUNITY ENGAGEMENT

The community engagement undertaken is outlined in the discussion contained in this report.

### FINANCIAL IMPLICATIONS

The adoption of the Waste Strategy does not have any immediate financial implications. The action plan includes activities that require capital and operational budget allocations. These can be considered during respective budget deliberations by Council each year. External funding may be available for some actions.

### RISK IMPLICATIONS

- Corporate and Business  
The Strategy and action plan strongly aligns with Council's Strategic Plan 2009-2030.
- Asset & Property Infrastructure  
The Strategy provides a prioritised action plan delivering new and upgraded facilities and equipment to support operational changes to managing waste streams. These actions will need to be delivered within the constraints of the relevant Asset Management Plans.

### CONCLUSION

Council endorsed a draft Signage Strategy for public consultation in February 2023 (Min 23/44 refers).



Three submissions were received during the public consultation period. No changes to the draft Strategy were required as a result of the consultation.

Adoption of the Strategy and achievement of the four identified objectives strongly aligns with Council's Strategic Plan 2009-2030.

#### **ATTACHMENTS**

1. Waste Submissions Summary [**5.7.1** - 1 page]
2. Draft- Waste- Strategy-2023-2028 [**5.7.2** - 22 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.

<b>Date</b>	<b>Description</b>	<b>Purpose</b>
8 May 2023	Cradle Coast Authority	Update to Councillors on CCA activities
	Stadium Update	Update on progress of new Devonport stadium
	Food Organics and Garden Organics (FOGO) Collection	Presentation regarding introduction of residential FOGO service
	Ferry Pontoon Discussion	Discussion around further investigation into ownership of the ferry pontoon

## **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 19 April and 16 May 2023:

- DCCI's 'Breakfast with Labor'
- Met with General Manager & Council staff as required
- With the General Manager met with Coles Area Manager and Devonport Store manager to discuss trolley issues
- Met with concerned parent re NW Support School relocation
- Attended North West Coast Volunteer Emergency Service Awards 2023
- Met with Councillors as required
- Met with Dave mangenner Gough, Manager Tasmanian Aboriginal Cultural Services
- Radio interviews, including with ABC Radio Statewide, ABC Radio Northern Tasmania, Sea FM, & 7AD
- Officiated at Soroptimist International Devonport's 70th anniversary plaque unveiling
- Attended Devonport Football Club Women's Game
- Attended Devonport Football Club ANZAC Ceremony
- Attended Devonport City Council meeting
- Attended Devonport Basketball ANZAC Ceremony
- Met with LCDR Pracy from the HMAS Stuart
- Officiated at Devonport RSL ANZAC Day Ceremony
- Attended North-West Flood Recovery Advisory Group (FRAG) Meeting
- Attended Dame Enid Lyons Trust meeting
- Met with Mayor Blackie of King Island Council
- Met with Victoria Padman from Action against Homelessness
- With the General Manager, met with Devonport Woolworths Store Manager to discuss trolley issues
- Attended Urban Provocation 3 - Cultivating Community Meeting
- Attended DCCI Executive Meeting
- Attended LGAT Planning Authority & Managing Growth North event

- Met with Principals of Nixon Street Primary School, Our Lady of Lourdes and Spreyton Primary School
- With the General Manager met with Royce Fairbrother
- Judged the Reclaim 2023 Photography Competition
- Met with Central Coast Council Mayor Cheryl Fuller and Burnie Mayor Teeny Brumby
- Attended the Access and Inclusion Working Group Workshop
- Attended TasPorts Film Screening in Market Square
- Attended the LGAT Presidential Candidates online meeting
- Attended Youth Week event RANT Arts Market Square Gamers
- Met with Sue Smith in online meeting – Council Reform
- Attended the North West Candlelight Vigil
- Spoke at RANT Arts RECLAIM 2023 event
- Attended and chaired Planning Authority Committee Meeting
- Attended Council Workshop
- DCCI Meet and Greet each Tuesday morning with John Alexiou
- With the General Manager, hosted a Community Leaders Meeting
- Attended Market Square Market
- Attended Something Old Something New - Devonport Regional Gallery 50 Years of Collecting
- As Patron of Devonport Choral Society, spoke at opening night of 'Freaky Friday'
- Attended the Volunteer Luncheon for Meercroft Care
- Presented Volunteer Certificates at Devonport Community House

## **ATTACHMENTS**

Nil

## 6.3 GENERAL MANAGER'S REPORT

Author: **Matthew Atkins, General Manager**

### RECOMMENDATION

That the report of the General Manager be received.

### 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 19 April and 16 May 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

#### COUNCIL MANAGEMENT

1. Attended and participated in regular scheduled internal staff and management meetings.
2. Attended Workshops, Planning Authority Committee Meetings and Council Meetings as required.
3. Met with a potential software provider to review a solution designed to measure and report on Council's carbon emissions.
4. Met with the Director of Policy and Planning from the newly created, Homes Tasmania regarding future opportunities in Devonport.
5. Attended the Local Government client information session presented by the Auditor-General and the Tasmanian Audit Office.
6. Along with the Mayor, met with Royce Fairbrother, Chair of Action Against Homelessness for an update and discussion on general matters affecting the City.
7. Met with TasRail CEO, Stephen Dietrich regarding outstanding pedestrian crossings at the Waterfront Park.
8. Met with a developer regarding potential future opportunities in Devonport. The meeting included providing explanation in regard to Council's unsolicited bid process.

9. Attended the online launch of the National JLT Local Government Risk Report, by CEO of JLT Public Sector, Gary Okley.

#### COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

1. Along with the Mayor, met, in two separate meetings with representatives from Coles and Woolworths supermarkets regarding abandoned shopping trolleys.
2. Attended the ANZAC Day Dawn Service at the Devonport Cenotaph. Both the dawn and morning services were well attended with large crowds.
3. Attended the launch of Youth Week at RANT Arts by the Minister for the Arts, Hon. Elise Archer and Minister for Young People, Hon. Roger Jaensch.
4. Along with the Mayor attended a breakfast with a small group of community leaders.

#### NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

1. Attended the Cradle Coast General Managers meeting.
2. As a Board Director attended a meeting of Local Government Professionals Tasmania.
3. Attended a meeting of the Cradle Coast Waste Management Group.
4. As an Owners Representative participated in a small committee established to review and update the Dulverton Waste Management Authority Rules.
5. As State Director attended a Board Meeting of Local Government Professionals Australia.
6. Attended an online briefing by, Chair of the Future of Local Government Review Board, Sue Smith regarding an overview of their Stage 2 interim report.

#### OTHER

1. Draft documents are currently being finalised for the 2023/24 budget deliberations. A series of video briefings will be distributed to Councillors prior to an extra workshop scheduled for 29 May.

#### **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 report.

#### **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. Ordinary Council Current & Previous Minutes Resolution - April 2023 [**6.3.1** - 2 pages]

## 6.4 MONTHLY OPERATIONAL REPORT - APRIL 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 30 April 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 April 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

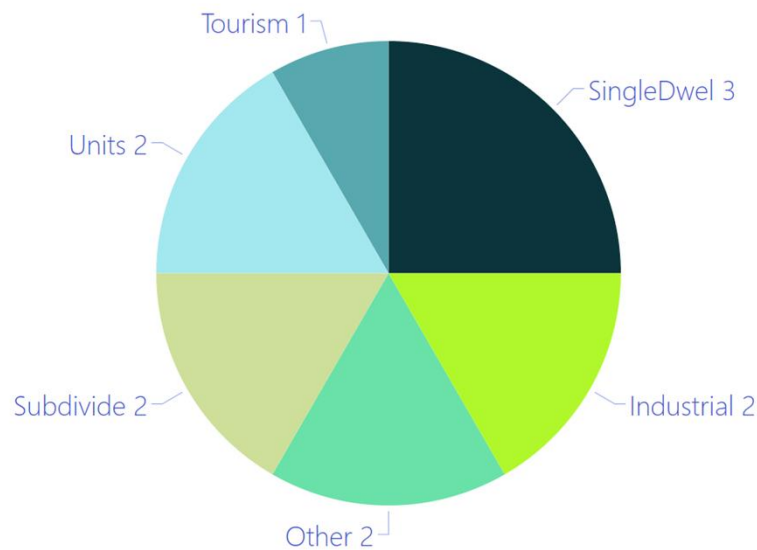
The following information is provided as an update on operational activity undertaken by Council during the month of April 2023:

#### 1. DEVELOPMENT SERVICES:

##### 1.1. Planning:

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

#### Planning Applications Received Monthly Breakdown



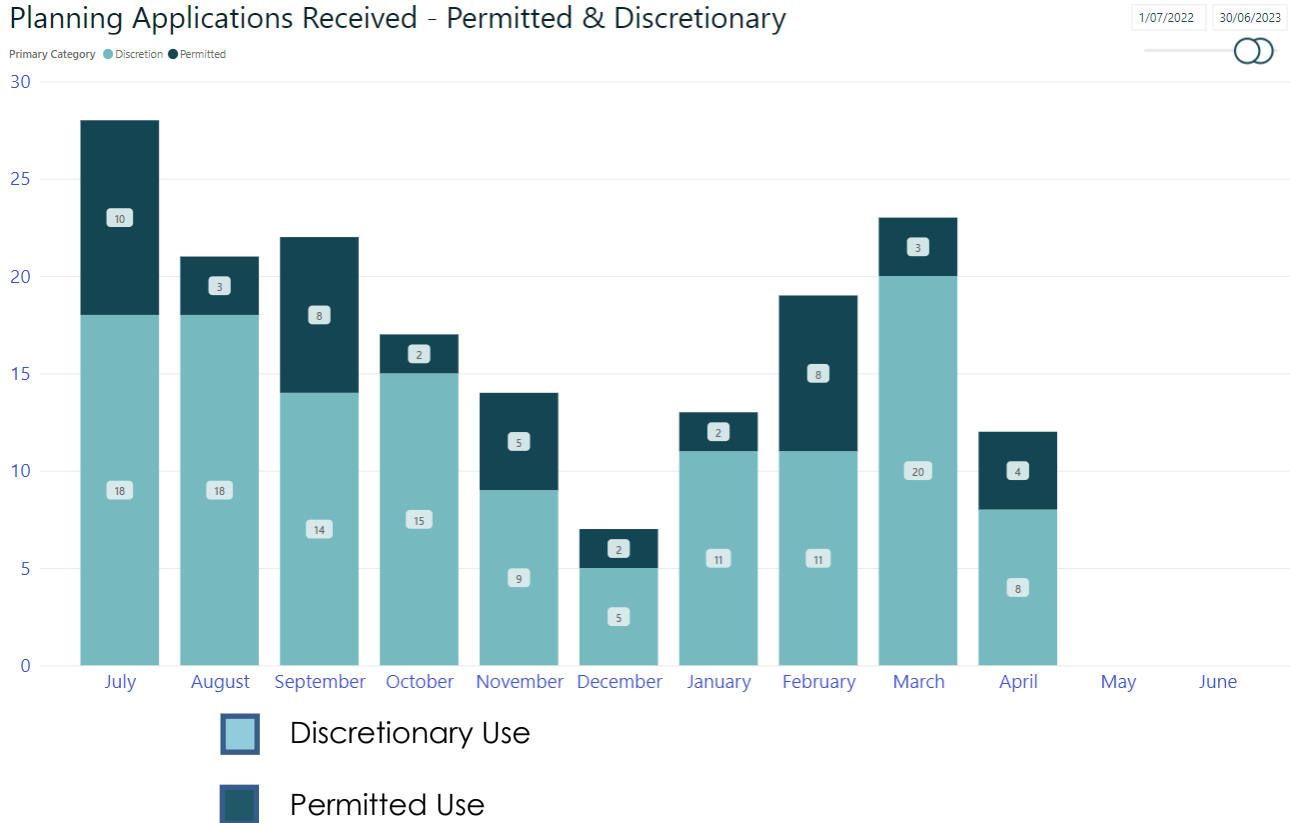
#### Definitions:

- 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 April (permitted/discretionary):

Planning Applications Received - Permitted & Discretionary

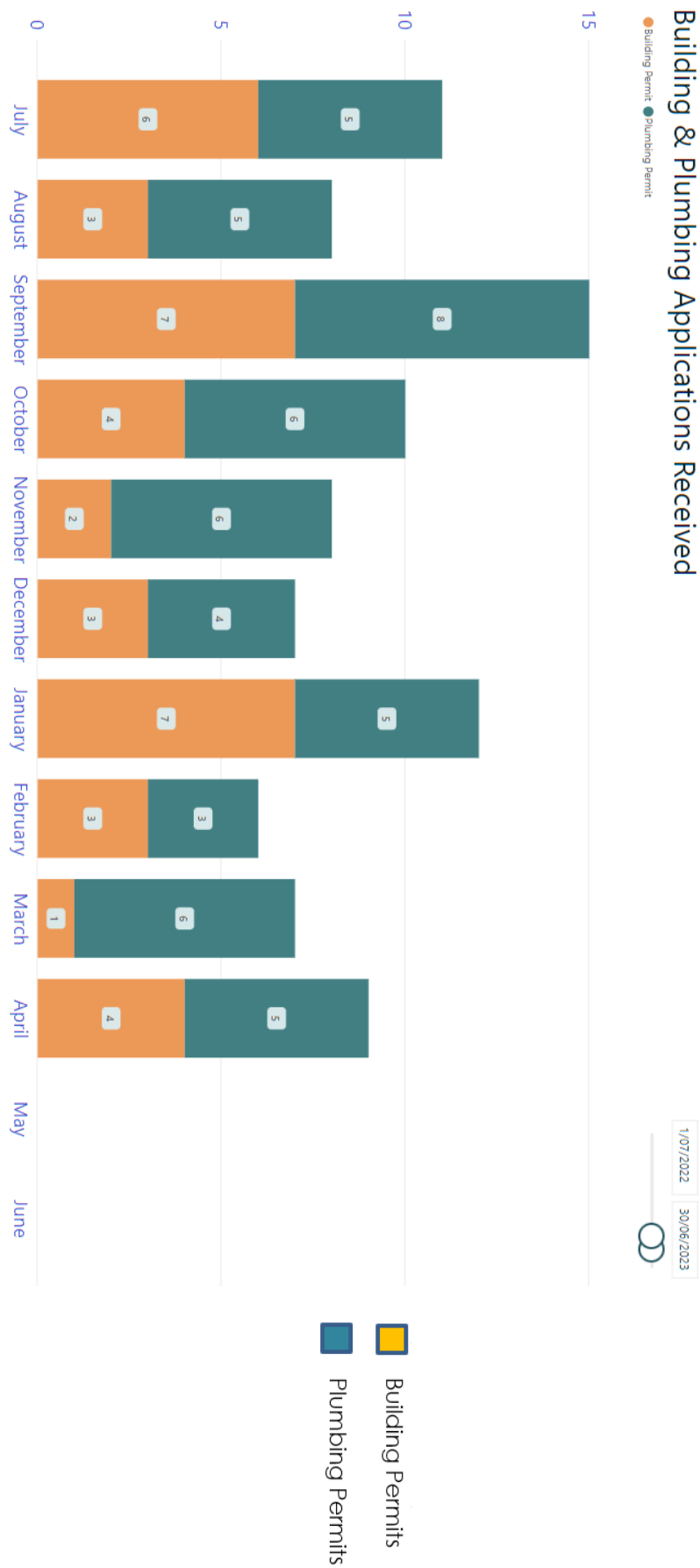


1.1.3. Planning Applications approved under delegation:

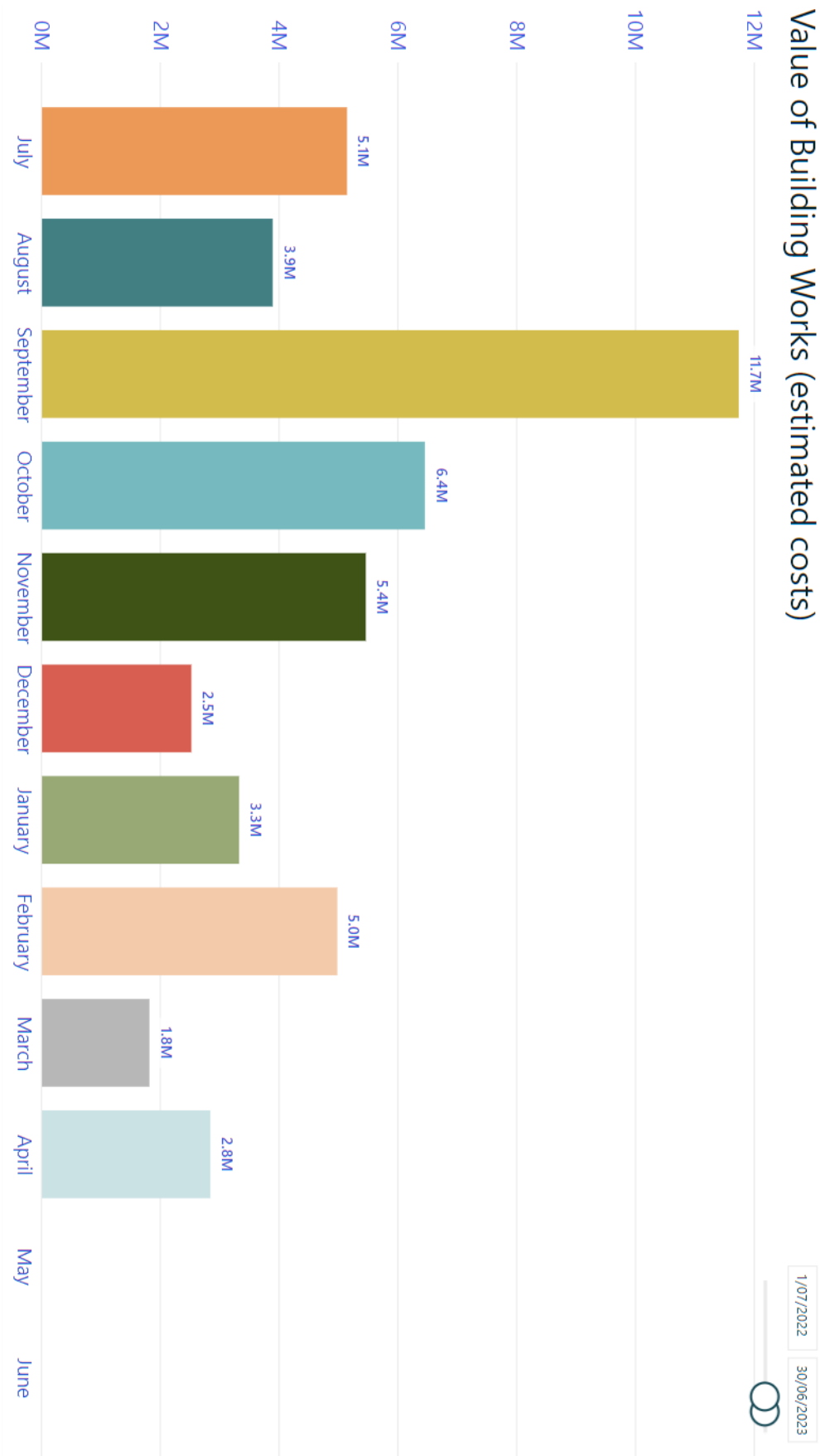
Application ID	Primary Category	Primary Property	Full Details	Approved
PA2023.0024	Discretion	50 Ronald Street Devonport	Residential (additional dwelling)	5/04/2023
PA2023.0025	Discretion	46 Wenvoe Street Devonport	Residential (additions and secondary residence)	6/04/2023
PA2023.0026	Discretion	42 Old Coast Road Don	Residential (single dwelling and outbuilding)	6/04/2023
PA2023.0027	Discretion	139 Waverley Road Don	Residential (single dwelling)	6/04/2023
PA2023.0018	Discretion	31-49 Mersey Main Road Spreyton	Community meeting and entertainment (scout hall)	6/04/2023
PA2023.0038	Permitted	3 Anchor Drive East Devonport	Signage	6/04/2023
PA2023.0030	Discretion	18 Ashburner Street Devonport	Residential (retaining walls)	14/04/2023
PA2023.0031	Discretion	6 Washington Drive Stony Rise	Residential (multiple dwellings x 2)	14/04/2023
PA2023.0044	Discretion	9 Hedstrom Drive Stony Rise	Retaining wall	19/04/2023
PA2023.0035	Discretion	115 Nixon Street Devonport	Residential (shed)	19/04/2023
PA2023.0034	Discretion	11 Orchard Crescent Spreyton	Storage	20/04/2023
PA2023.0036	Discretion	7 Linden Heights Don	Residential (outbuilding)	20/04/2023
PA2023.0007	Discretion	3-11 Jiloa Way Don	Educational and occasional care (additional classroom building)	24/04/2023
PA2023.0002	Discretion	158 Caroline Street East Devonport	Subdivision (32 lots)	28/04/2023

1.2. Building & Plumbing:

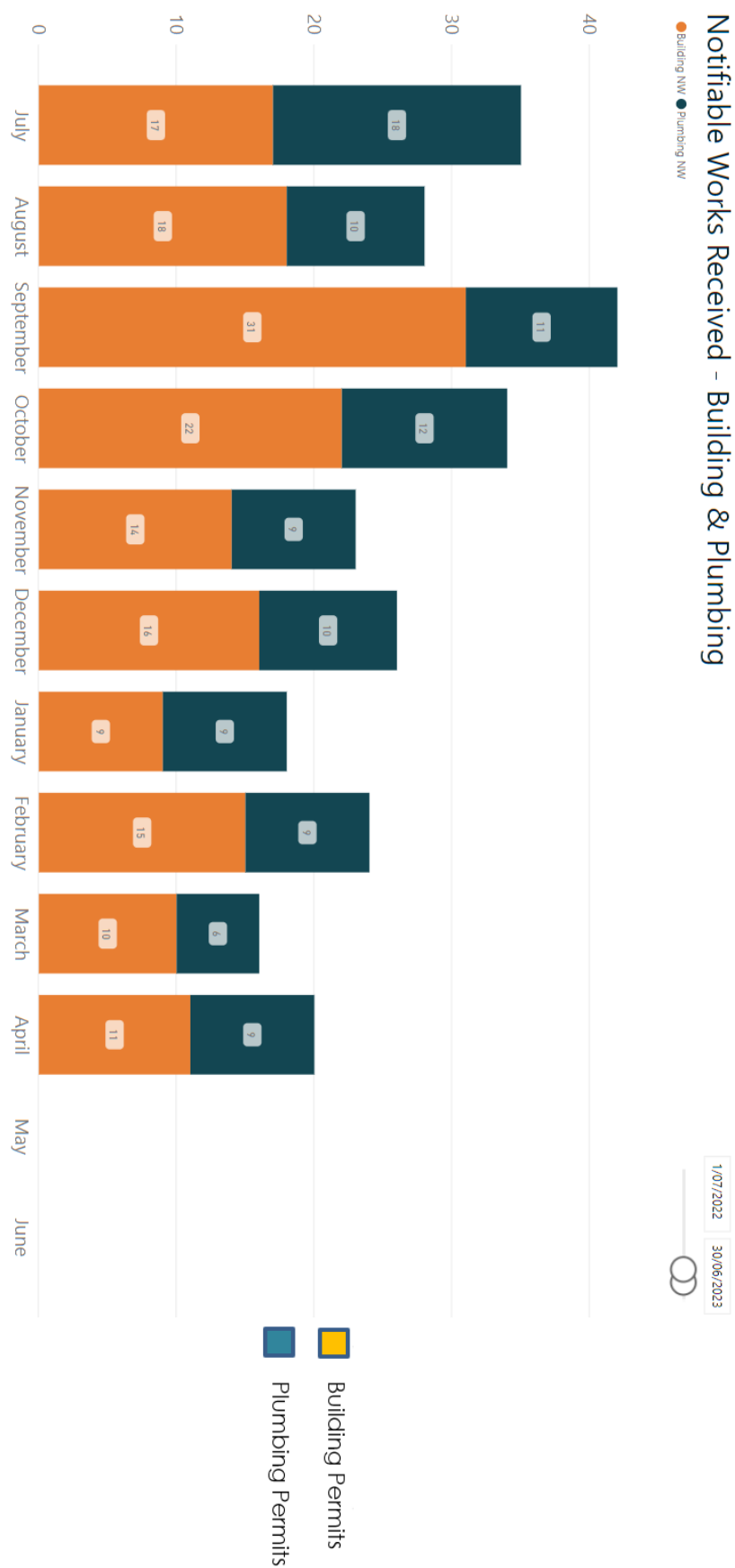
1.2.1. The following graph details the Building and Plumbing Applications received this financial year:



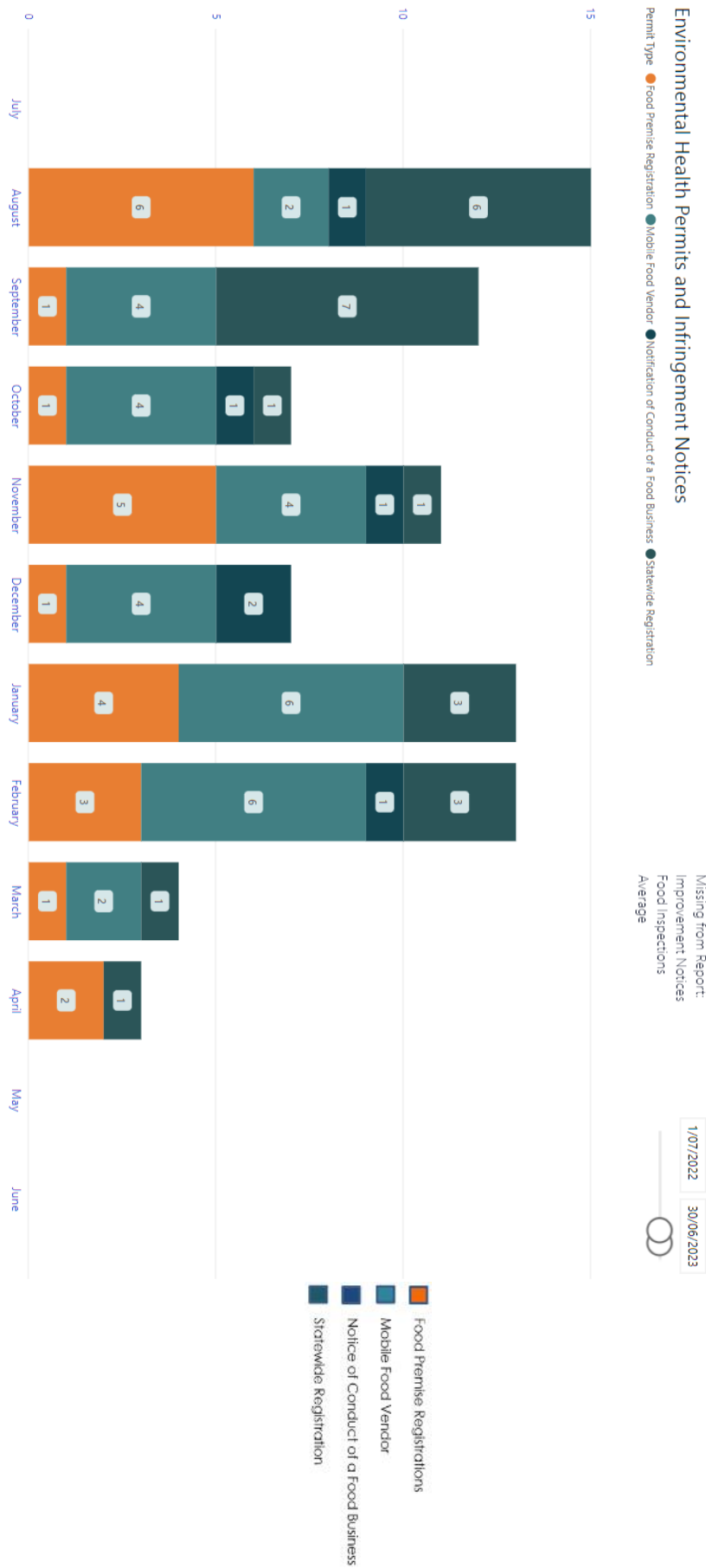
1.2.2. The following graph details the value of building works received this financial year:



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

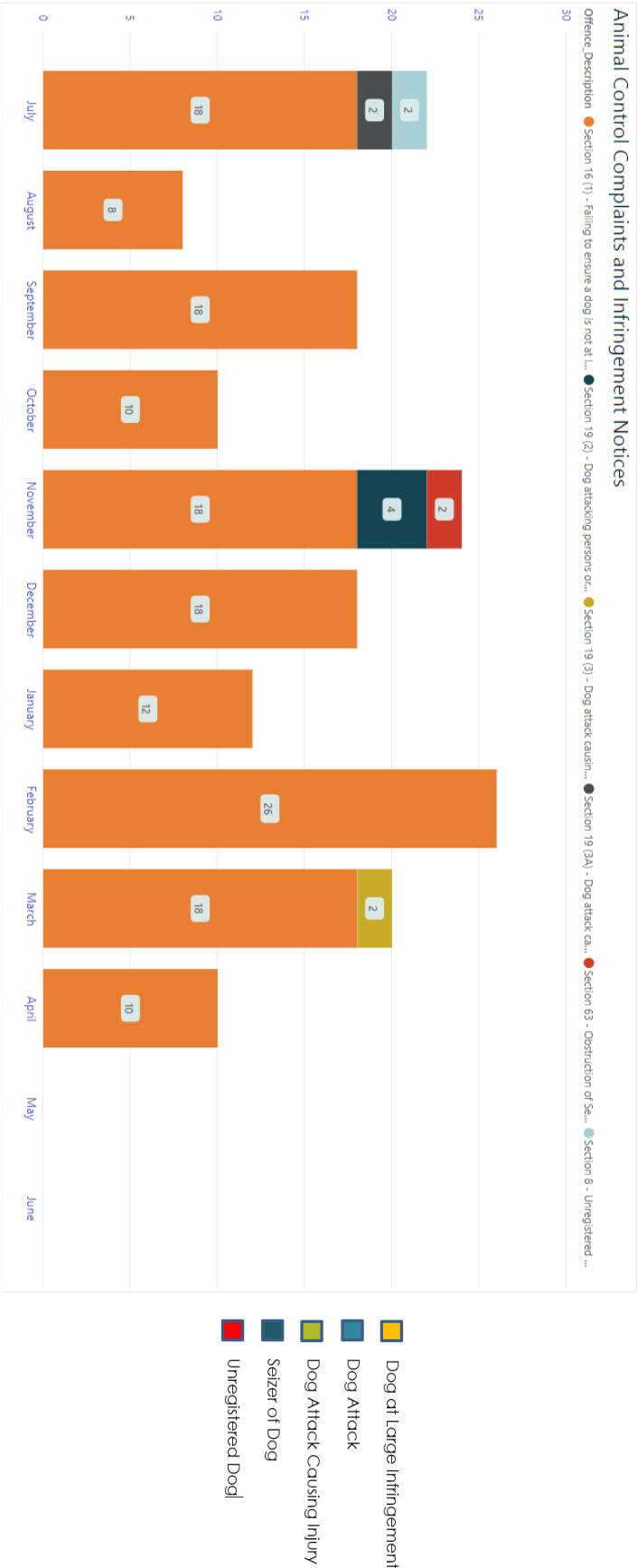


1.3. Environmental Health:  
1.3.1. Food Business Registrations:



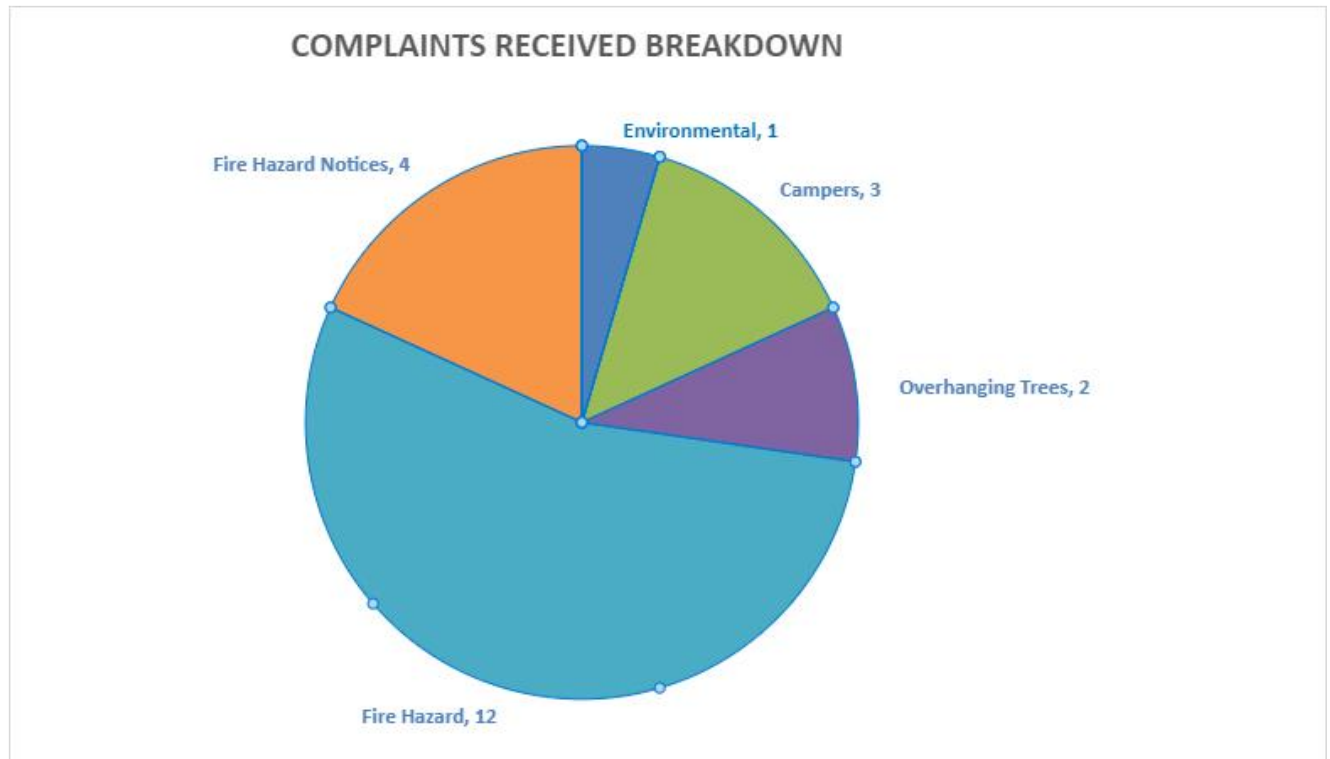
1.4. Animal Control:

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



**1.5. Risk & Compliance:**

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



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

Council/Public	Number Reported
Public	10
General Public	4
Hazard	2
Property Damage	2
Near Hit	1
Personal Injury	1
Council	8
Property Damage	5
Near Hit	1
Personal Injury	1
Property Theft	1
	18

## **2. INFRASTRUCTURE & WORKS:**

### **2.1. Capital Works:**

2.1.1. East Devonport Foreshore Park Furniture Installation both slab and furniture:





2.1.2. Ramsay Street East Devonport missing footpath link:



**2.2. Asset Maintenance:**

2.2.1. ANZAC Day – Pressure cleaning of paths around Cenotaph and garden preparation:





### 2.2.2.Paint Pioneer Park toilets internal and external:

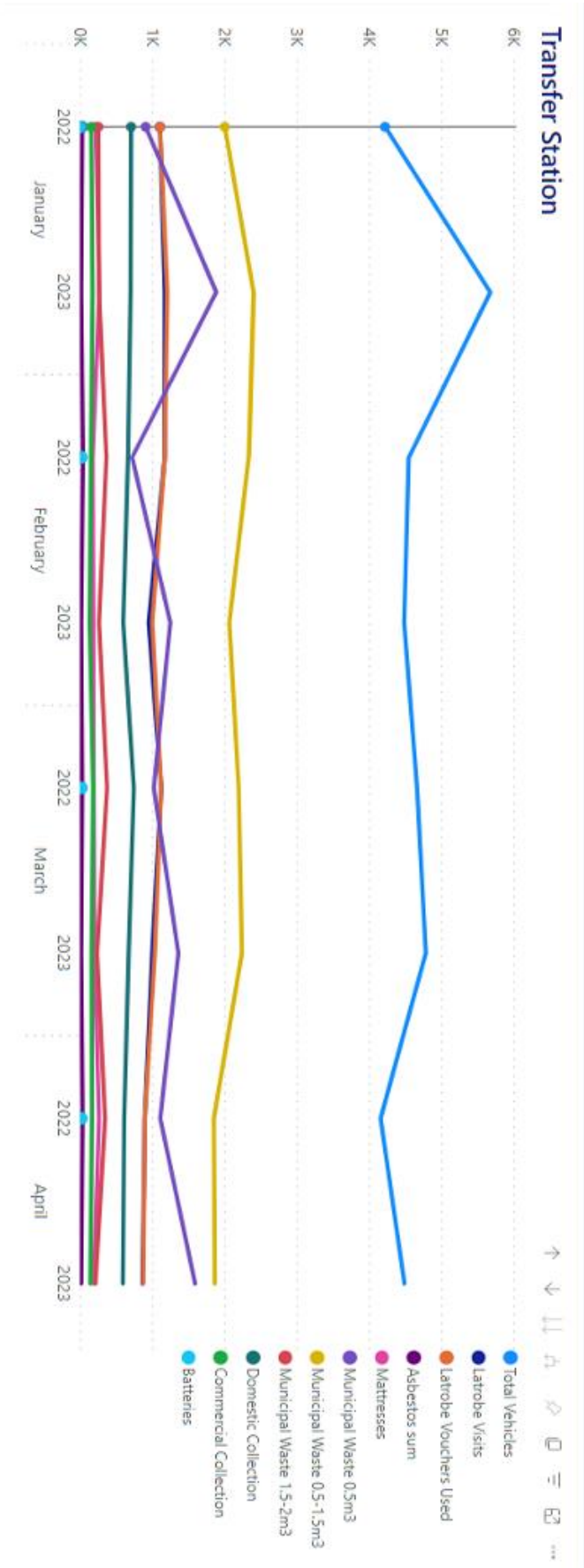


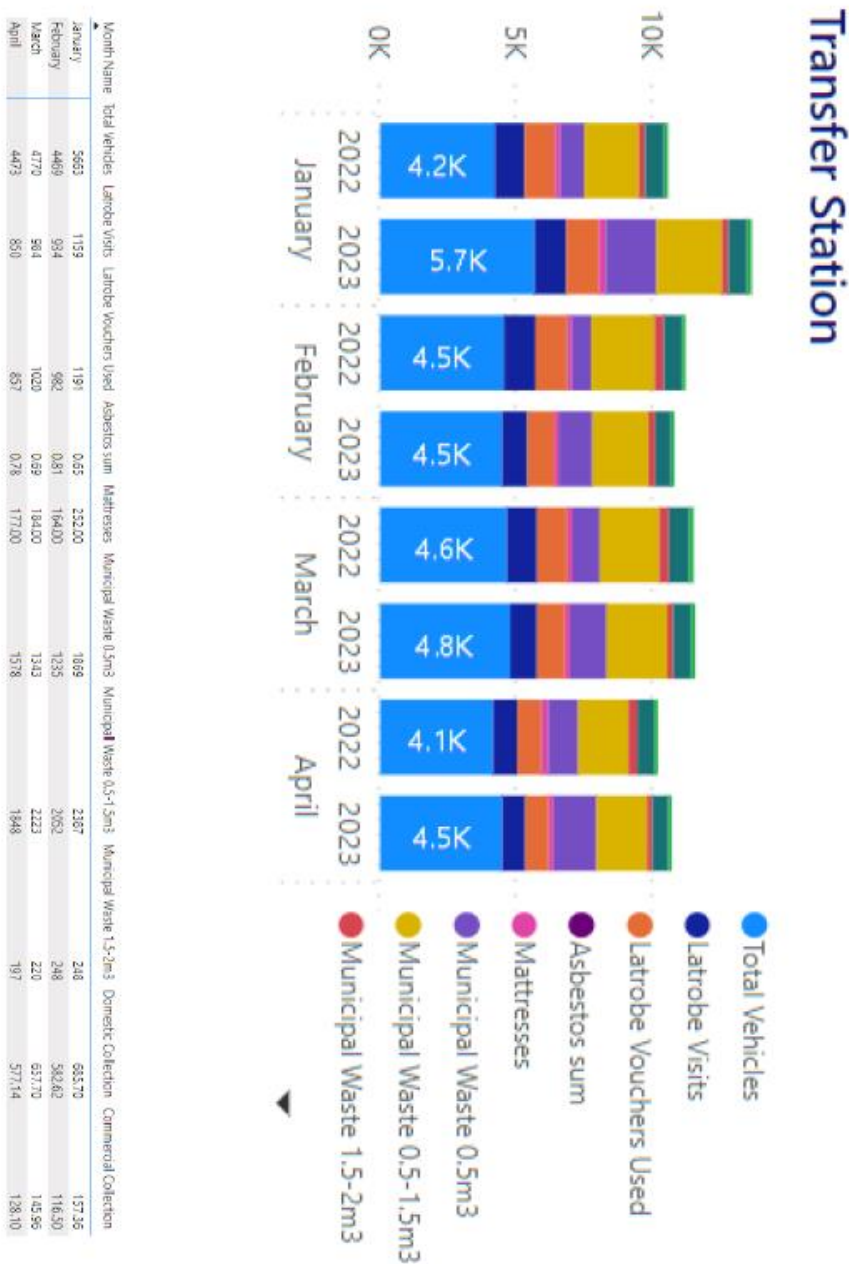
### 2.2.3 Devonport Cemetery reseeding and leveling:





2.3. Waste Management:

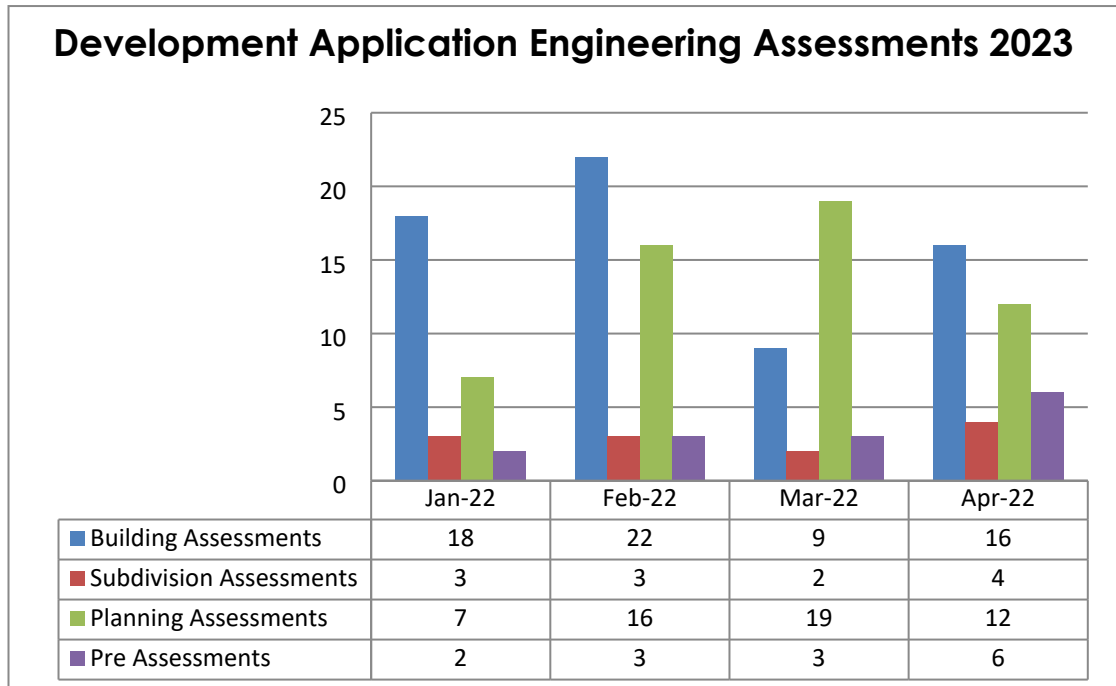




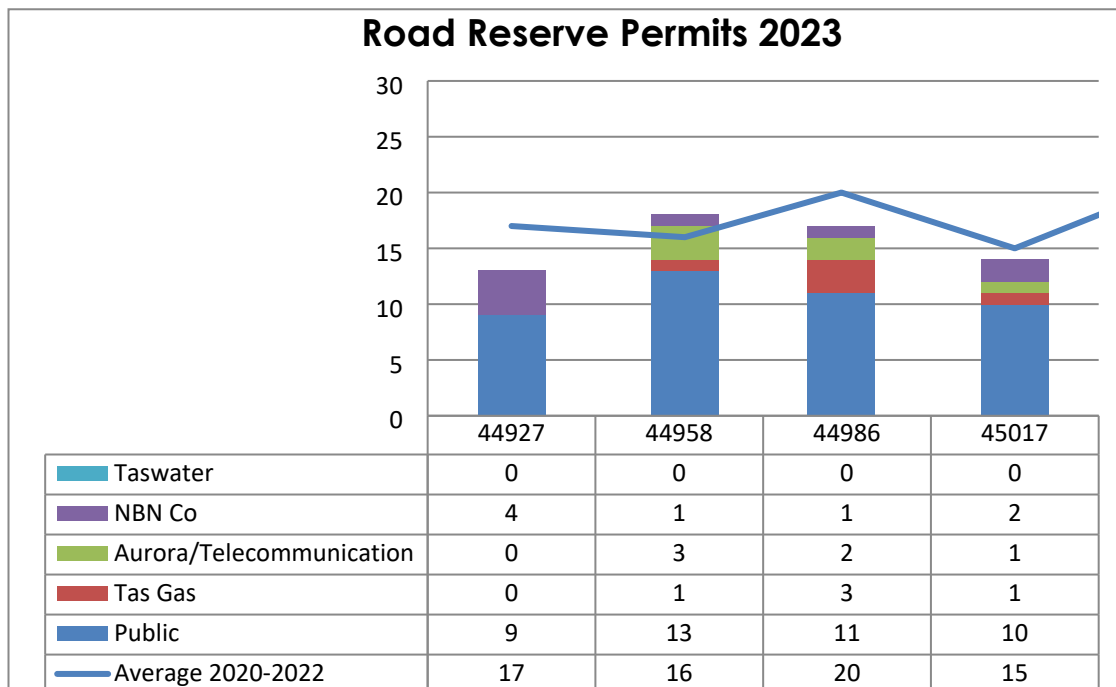
Data: January 2023 to April 2023

**2.4. General Infrastructure Matters:**

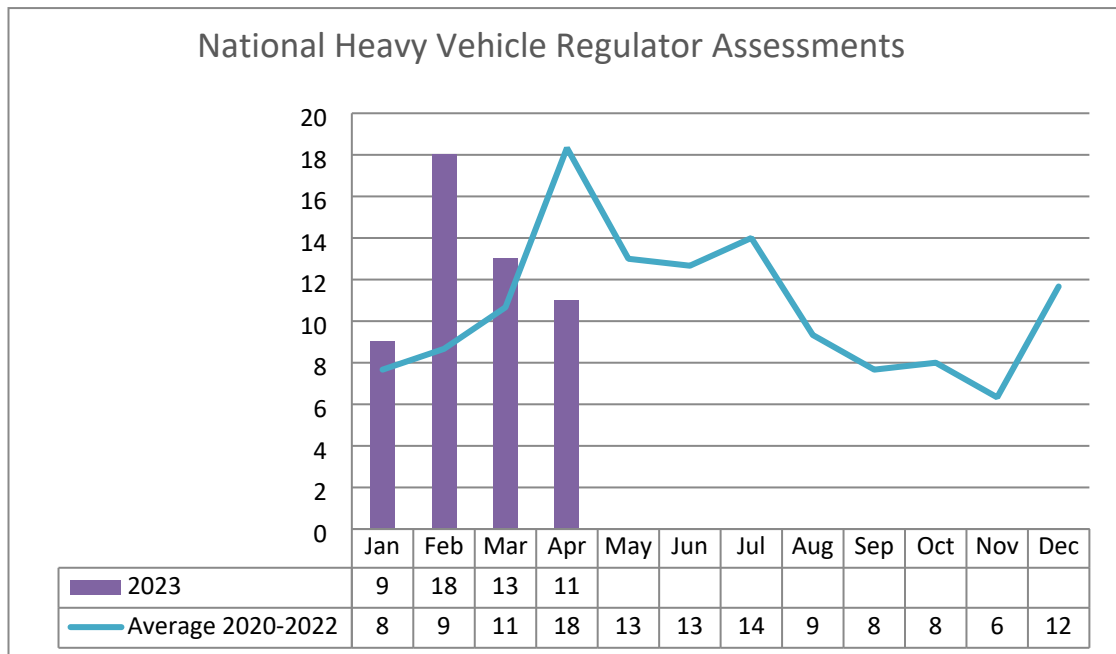
2.4.1. The following graph details the Engineering Assessments for Development Applications that have been completed to date and compared to the three-year average.



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. Sister Cities

##### Through each other's eyes

During 2021-2022 the Devonport and Minamata communities worked on a collaborative art exchange project, an *International Show and Tell* about our cities.

Images submitted for this project were on display in the paranapple arts centre foyer during April 2023.



*Through each other's eyes exhibition*

##### Swift Parrot Racers Workshops

Council and Gallery staff hosted two well attended workshops in the Gallery during the Easter Holidays.

Families were welcome to explore the *Through Each Other's Eyes* exhibition, learn about Swift Parrots and create their own Swift Parrots to race on fishing wire in the paranapple art centre.



Some participants also chose to make additional Swift Parrots to be sent to our Sister City, Minamata. They will be sent to our representative in Minamata Town Hall, with fact sheets on these special winged visitors to our Reserves to be shared with local school children.



*Swift Parrot Racer Workshops*

### 3.1.2. **Working Groups**

#### Access and Inclusion Working Group

The Group met with Chris Neil from Kinetic statewide bus line to discuss the points mentioned in the groups June 2022 submission to the Transport Standards Review.

#### East Devonport Working Group

The Group commenced planning for the "Belonging Project". East Devonport Neighbourhood House, Pathway Shed and East Devonport Child and Family Learning Centre will each work on an event aiming to improve self-esteem and strengthen East Devonport families, friendship groups and individuals. More information will be provided once the planning is further progressed.

## 3.2. **Natural Resource Management:**

### 3.2.1. Bat Discovery Sessions

After the success of the 2022 Bat Discovery sessions, Council staff hosted another two sessions with Tasmanian Bat expert, Lisa Cawthen.

Twenty three (23) people attended on 17 April at the William Street Reservoir in Kelcey Tier for the event. Thirty seven (37) participants attended on the Tuesday night 18 April at Don Reserve.

Participants learnt about bats in Tasmania and the signs to look out for before searching the nearby Reserve using a Bat sound detector.

Many participants commented on the bat's ability to catch insects, and the importance of keeping large, hollow-bearing trees, not only for tree living mammals and birds, but for bats too.



Promotion for Bat Discovery Session, and participants learning before the search

### 3.3. Sport and Recreation Development:

#### 3.3.1. Recreation Centre participation data:

Facility	Customers through the Door April 2023
Devonport Recreation Centre	11,972

#### 3.3.2. Special events held at the Devonport Recreation Centres for April 2023 are listed in the table below:

Sporting Event	Date
Shamjang Taekwondo - April 1	1 April
Basketball TAS Clinics	12 & 14 April
North West Therapy Services	17,18,20,21 April
Basketball TAS Development Program	18-20 April
JackJumpers Clinic	13 April
Patchwork & Quilters	29 April

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

Facility	Room/Ground	Number of Bookings April
Devonport Recreation Centre (DRC)	Judo Room	28
	Meeting Room	2
	Sauna	118
	Squash	30
	Stadium	119
	Table Tennis Building	48
	Youth Centre	123
<b>Total Devonport Recreation Centre</b>		<b>468</b>
East Devonport Recreation and Function Centre (EDRFC)	Community Room	7
	Stadium	42
<b>Total EDRFC</b>		<b>49</b>

### 3.4. Events:

#### 3.4.1. Anzac Day

ANZAC Day commemorations were held at the Victoria Parade Cenotaph this year with substantial planning between Council and the



Devonport RSL Sub-branch. The number of participants both at the Dawn Service and in the morning were strong.

Council assisted with road closures, infrastructure, and the coordination of readers, sound, wreath layers coordination and music elements of the ceremony.



ANZAC Day 2023

#### 3.4.2. April Events:

Event Date	Event	Venue	Lead Organisation
1 April	The Mo Flow	Kelcey Tier	The Mersey Mountain Bike Club
4 April	Easter in the Park	Highfield Park	Devonport Community House
16 April	The Great Train Race	Don Reserve	Everyday Lions Events
25 April	ANZAC Day	Devonport Cenotaph	RSL and Devonport City Council



Easter in the Park Devonport Community House

## 4. CURRENT FACILITIES:

### 4.1. Devonport Regional Gallery:

#### 4.1.1. Gallery Program:

Exhibition	Date
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

Xiyue (CiCi) Zhang: Little Gallery Emerging Artist Program	6 May – 10 June
Seve de Angelis: Little Gallery Emerging Artist Program	17 June – 29 July
To Companion a Companion: Fernando de Campo	24 June – 5 August

## 4.1.2. Education Program activities and participation data:

Event	Participation	Date
Library: English language learners' group	8	4-Apr
YFCC Meet & Greet	5	4-Apr
Create & Make Wednesday session 6	10	5-Apr
Create & Make Thursday session 5	11	6-Apr
Swift parrot racers	22	12-Apr
Drop in Create & Make	6	13-Apr
Swift parrot racers	19	17-Apr
Books + Art	5	17-Apr
Children's University School Holiday Scavenger Hunt and workshop activity	64	18-Apr
YFCC workshop	19	19-Apr
Create & Make drop-in session	3	20-Apr
Friends of the Gallery monthly meeting	5	20-Apr
<b>TOTAL</b>	<b>177</b>	

## 4.2. Bass Strait Maritime Centre:

## 4.2.1. Exhibition Program:

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

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

Event	Participation	Date
Public Talk: Dr. Ben Arthur	24	13 April
<b>TOTAL</b>	<b>24</b>	



*Public Talk with Dr. Ben Arthur of the CSIRO*

#### 4.3. paranable arts centre

##### 4.3.1. Performance and production program:

<b>Production</b>	<b>Patrons</b>	<b>Date</b>
Prima Facie	138	13 April
A Taste of Ireland	409	19 April
Sparrows of Kabul	83	20 April
Shake Rattle 'n' Roll	402	29 April
<b>Upcoming</b>		
Elvis: Hollywood to Las Vegas	TBC	11 May
Freaky Friday: Devonport Choral Society	TBC	12-27 May
Adam Harvey and Beccy Cole: The Great Country Songbook Volume 3	TBC	19 May
Wilfrid Gordon McDonald Partridge	TBC	30 May



## 4.3.2. Visitor number data:

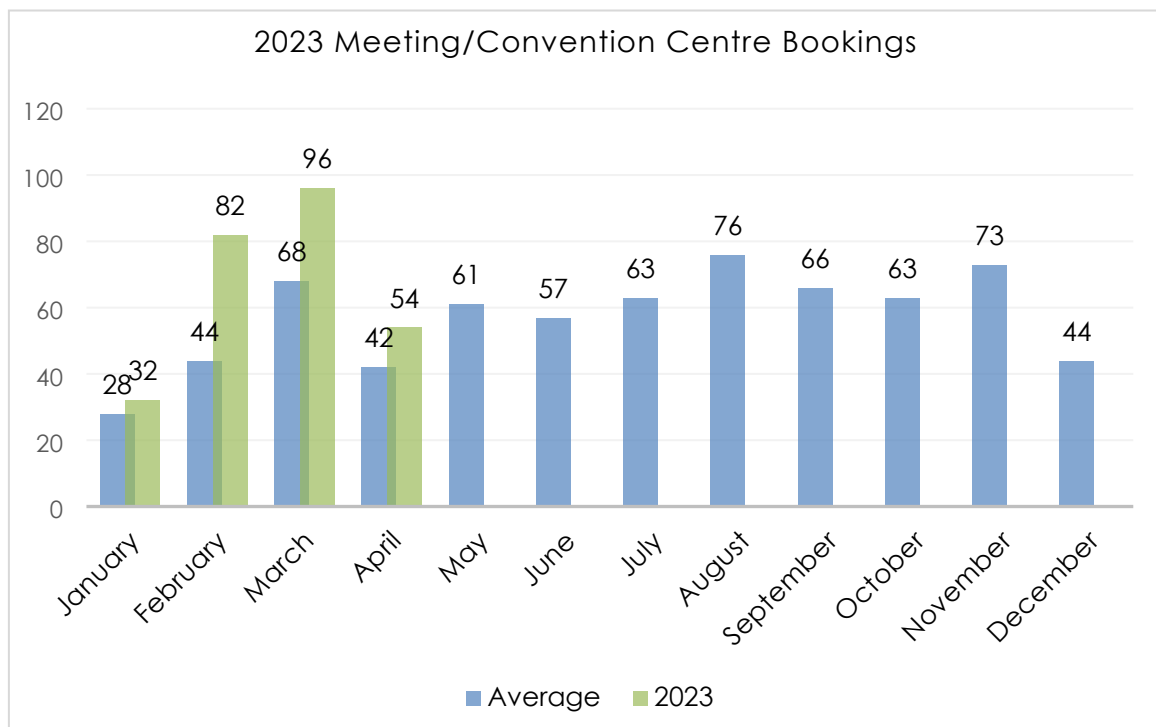
Facility	Visitors March
Paranple arts centre	3,202
Bass Strait Maritime Centre	696
<b>TOTAL</b>	<b>3,898</b>

## 4.4. Convention Centre &amp; Market Square:

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

Event	Presented by	Attendance
Churches Together for Easter	Devonport Chaplaincy	600
Client Appreciation Event	Shadforth's	75
Kompromat Film Screening	Northwest Film Society	70
Skillship Training	Shiploads	60
Ready for Growth Forum	Local Government Association	65

For April 2023, the DCC meeting rooms held 49 events and 5 events in the convention centre. Total attendance of 1,456 patrons.



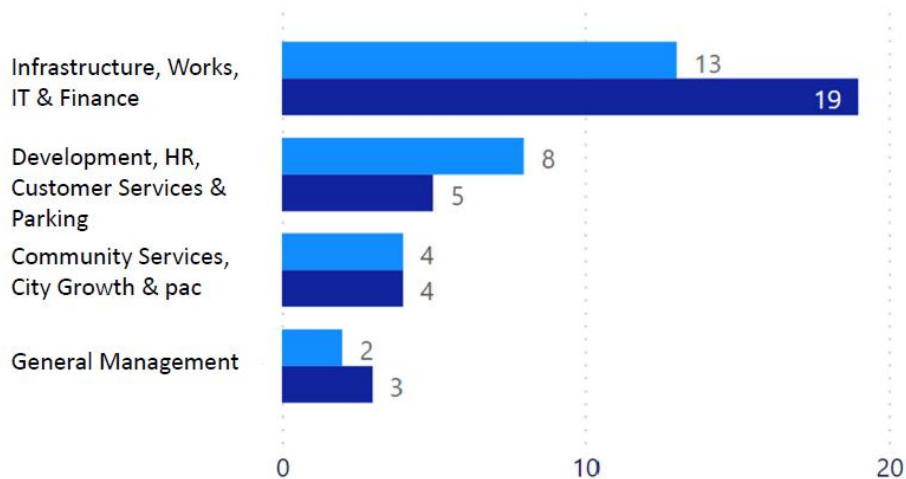
## 5. CORPORATE SERVICES:

### 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



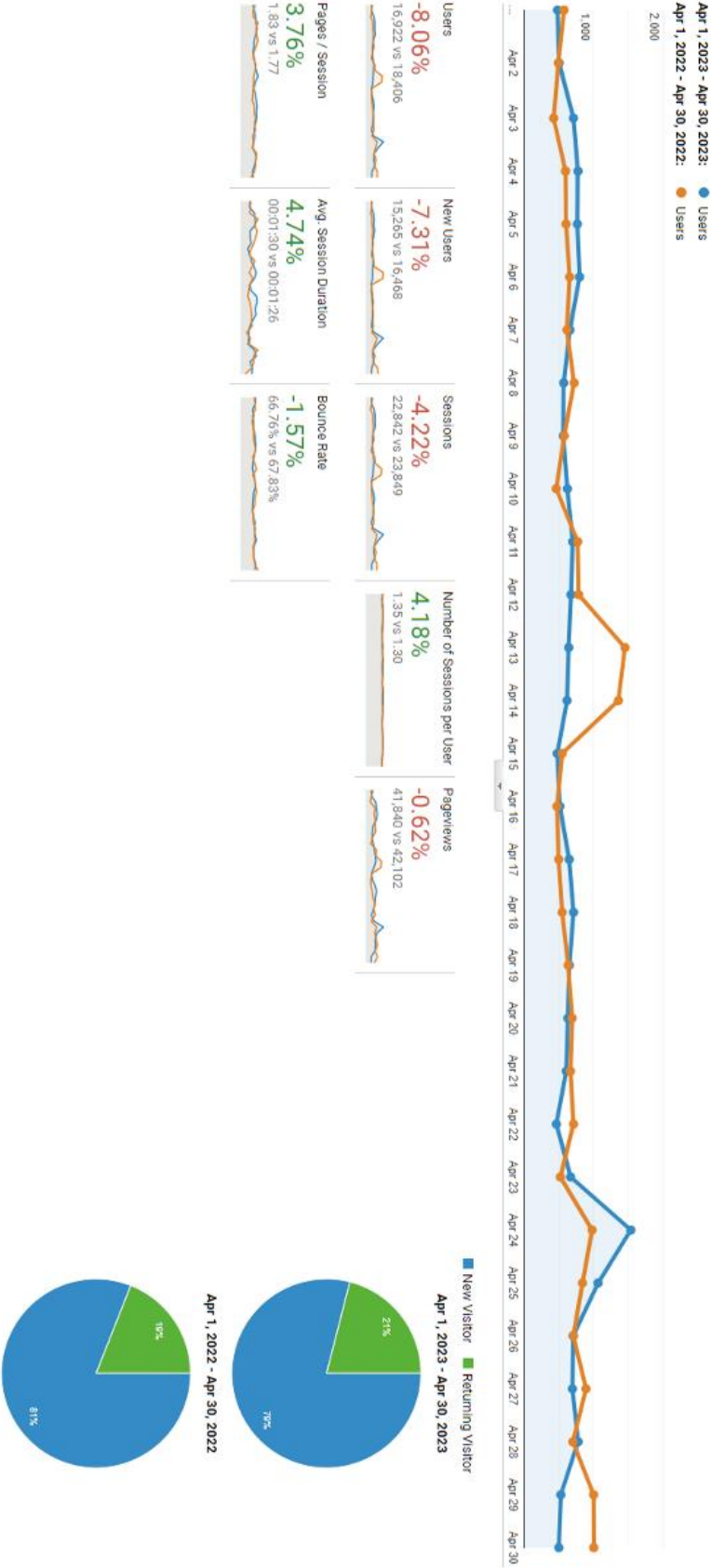
### 5.2. Communications:

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	April 2023
1. News and media	
2. ANZAC Day Commemorations	
3. Advertised planning permit applications	
4. Waste Transfer Station	
5. Employment Opportunities	
6. Contact Us	
7. Forms and Payments	
8. What's On Devonport	
9. Cemetery Search	
10. Weekly Rubbish Collection	
<b>Note:</b> 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  
April (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.

### 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 April 2023:

Facebook	11,445 - up by 77
LinkedIn	1146 – up by 5
Twitter	691 – down by 2

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 paranple arts and convention centre. Each represent a targeted marketing opportunity, with content planned specific to each page's audience.

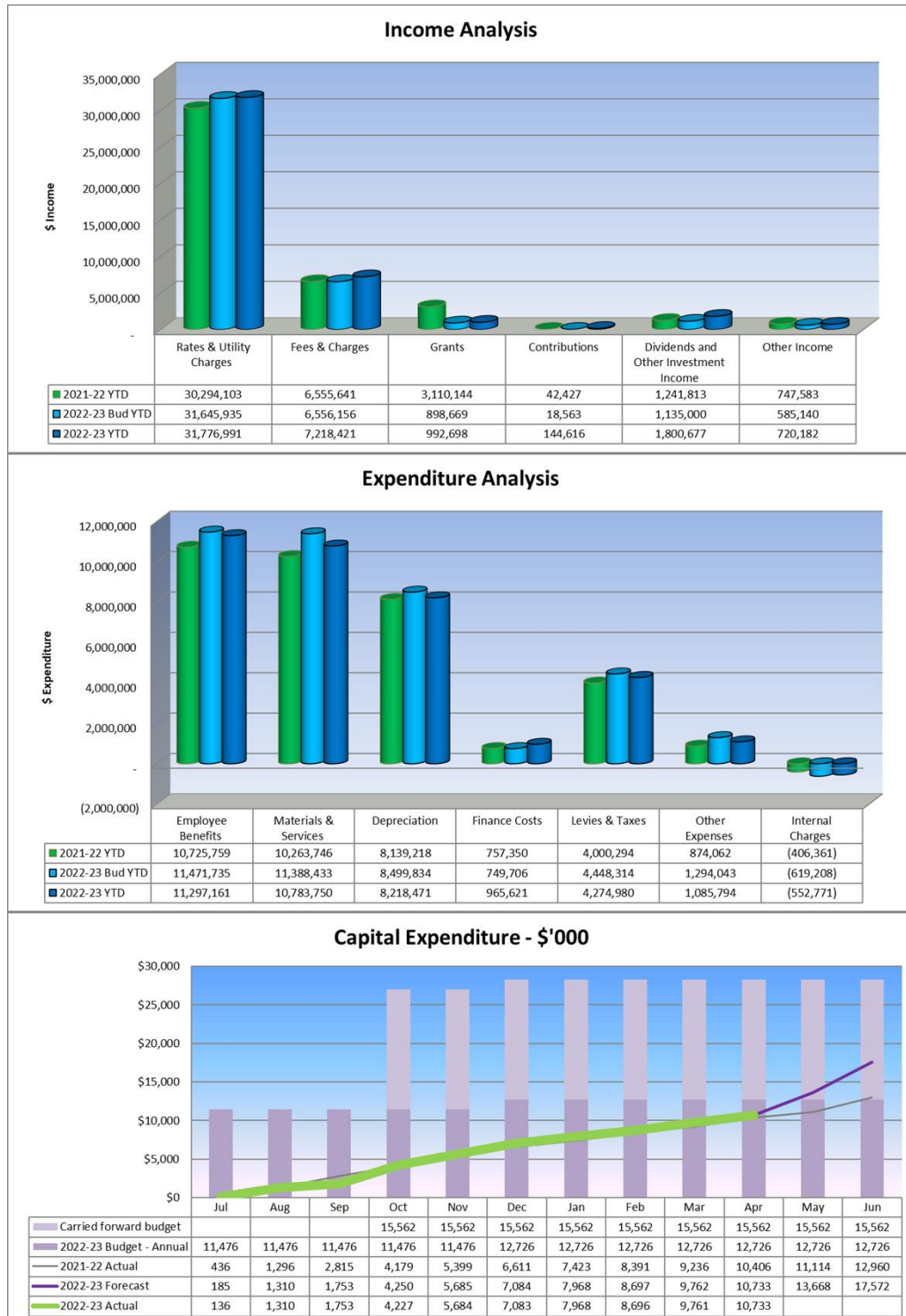
DCC Corporate Facebook Page Statistics	April 2023
<b>Facebook Average Monthly Reach:</b> Number of Facebook users who have seen content associated with the page during the period (individual users can be 'reached' numerous times per month).	44,010TY (26,693LY)

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

April 2023	
1.	Mayor Jarman – Full Gear motorcycle safety program, 28/04/2023, 38.2k
2.	Employment Opportunity - Customer Service Officer and Parking & Information Officer 06/04/2023, 6.5k
3.	paranple convention centre wins MEA Tasmanian state award, 19/04/2023, 4.9k
4.	Variety Kids Sports Days, 27/04/2023, 4k
5.	ANZAC Day service, 26/04/2023, 3.4k
6.	Mayor Jarman – Volunteer Week certificates, 20/04/2023, 3.4k
7.	Employment Opportunity – Technical Officer, 28/04/2023, 3.1k
8.	Soroptimist International Devonport 70 Years of Service, 24/04/2023, 2.7k
9.	ANZAC Day, 24/04/2023, 2.5k
10.	ANZAC Day Opening Hours, 20/04/2023, 2.3k

### 5.3. Finance:

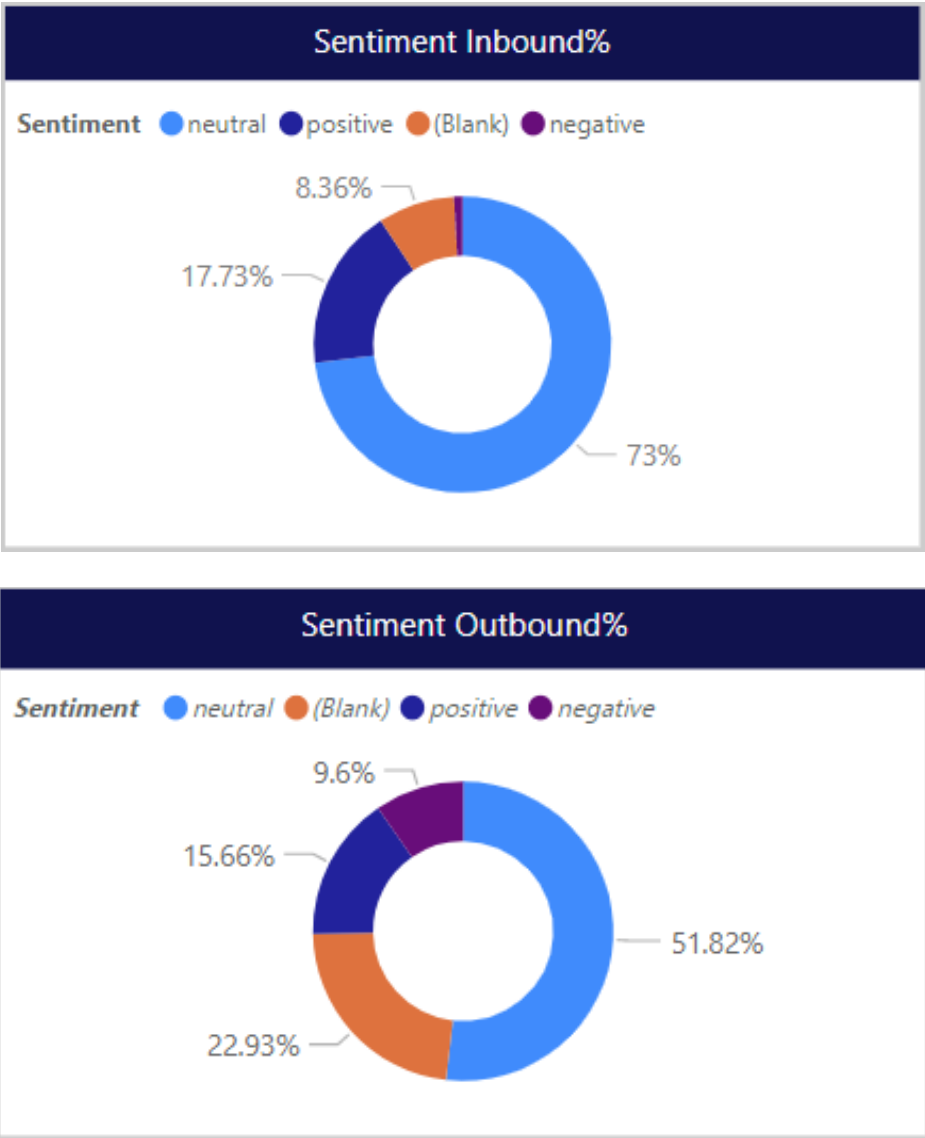
The operating result for the financial year to the end of April 2023 is favourable with actual revenue being higher than budget by \$1.8 M and actual expenses being lower than budget by \$1.2K, resulting in an overall favourable variance of \$3M. The forecast operating surplus for the financial year is \$4.7M, 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 \$2.7M.



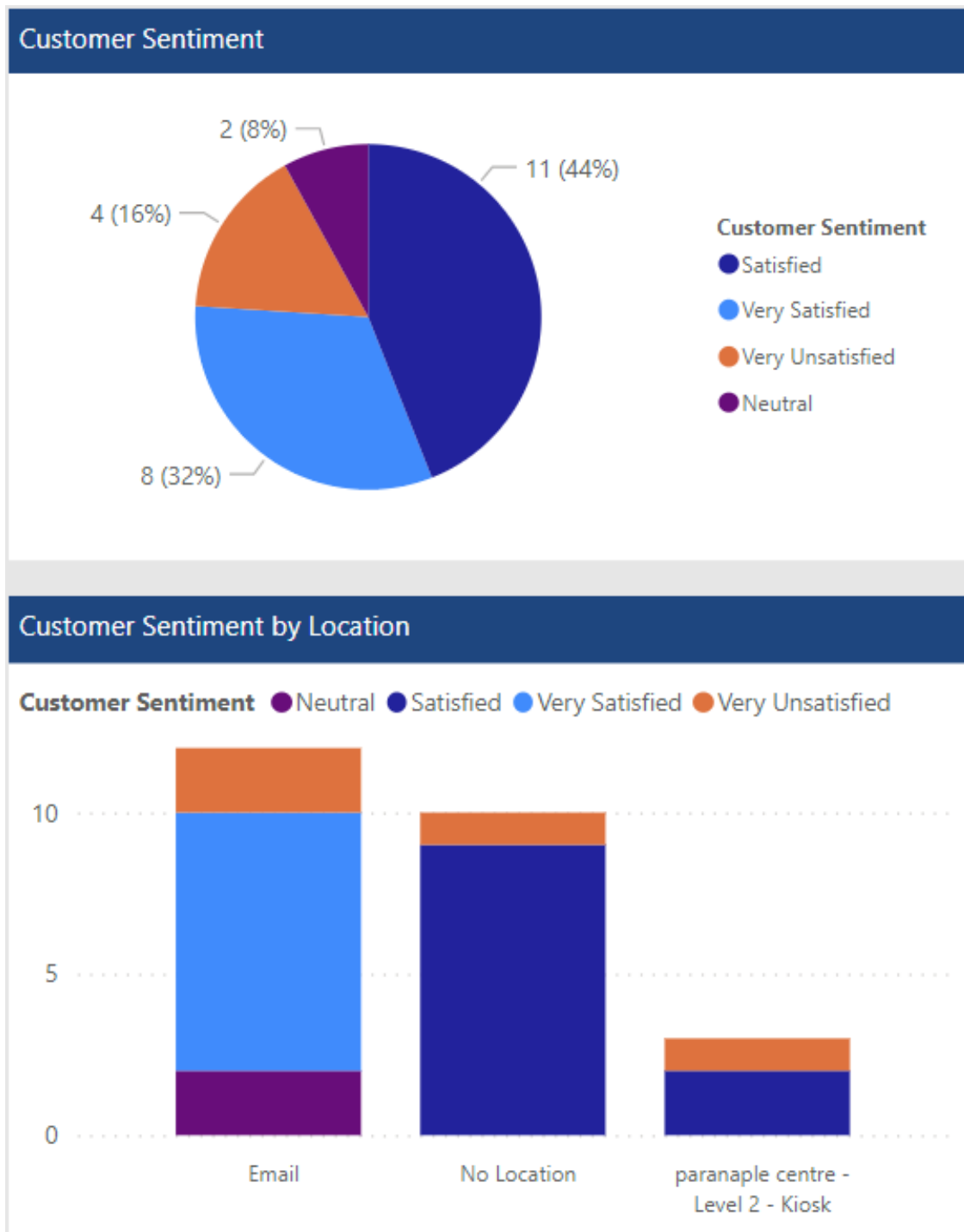
Please refer to the attached finance report for further information.

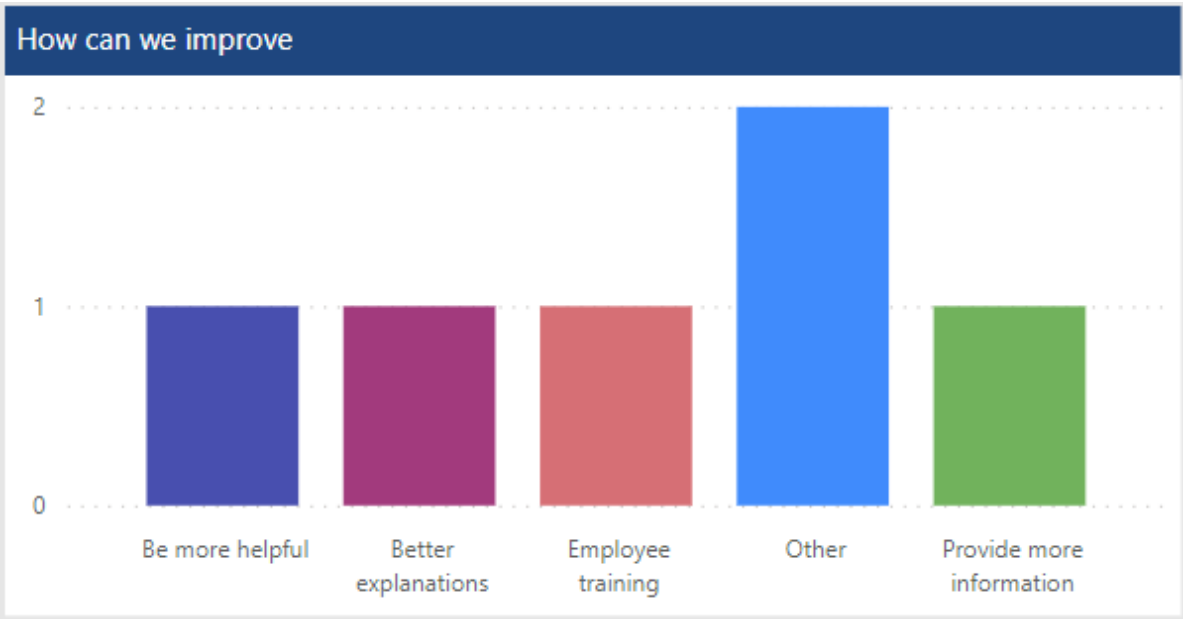
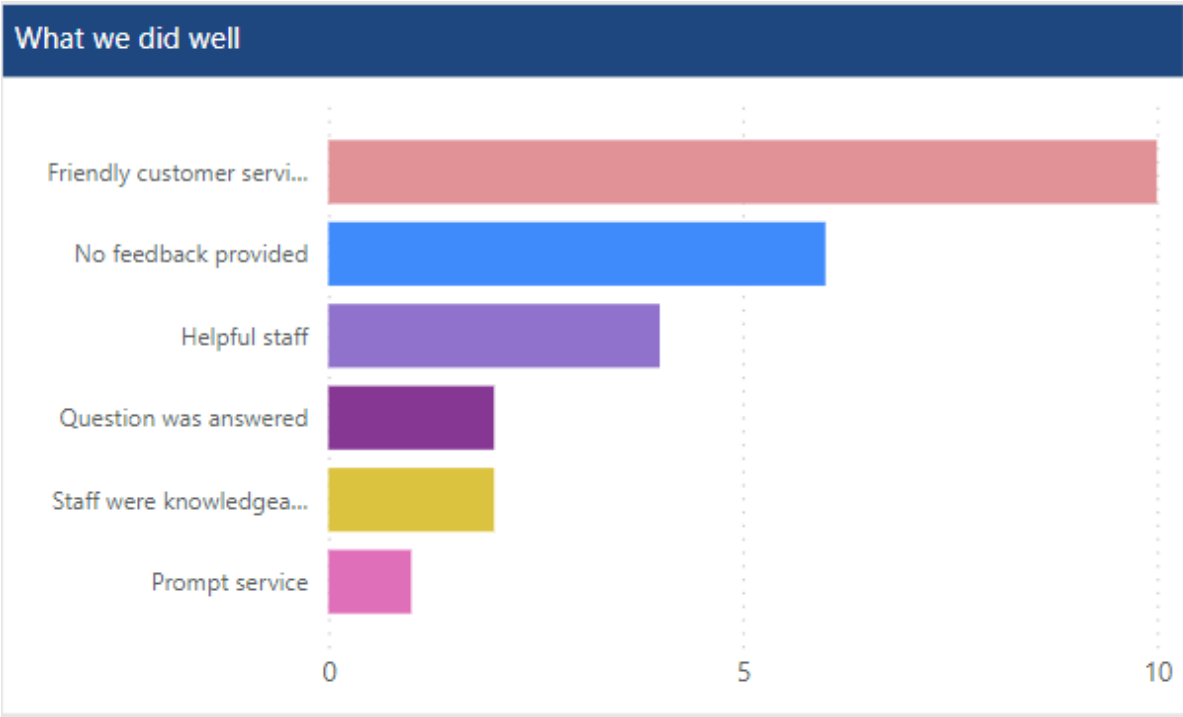
5.4. Customer Service:

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



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



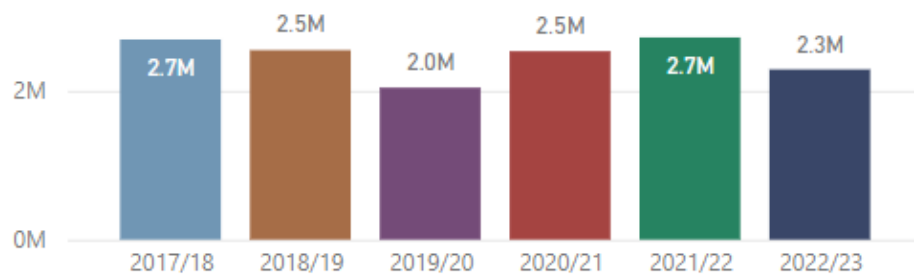


**5.5. Parking:**

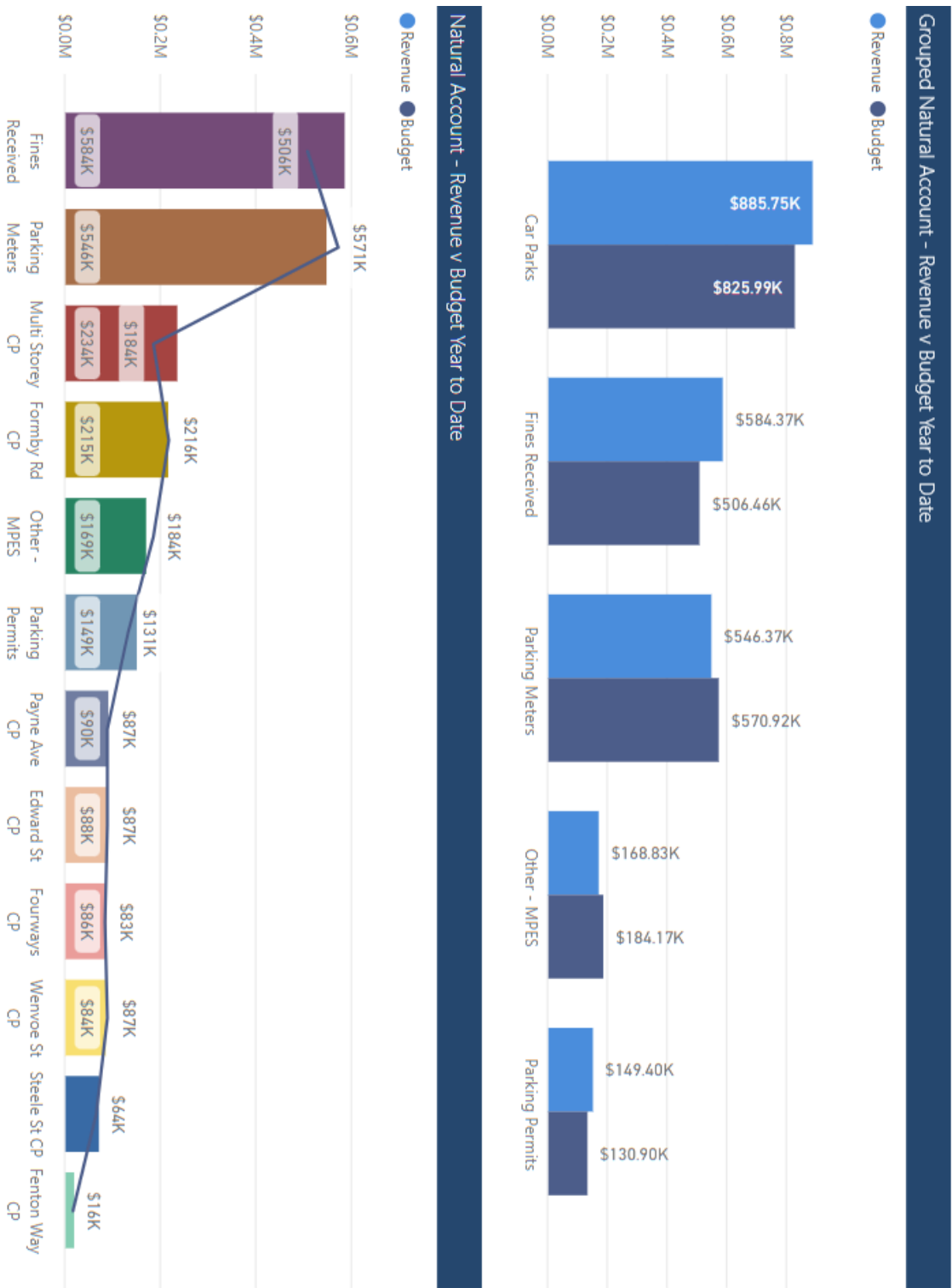
## 5.5.1. Parking statistics:

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

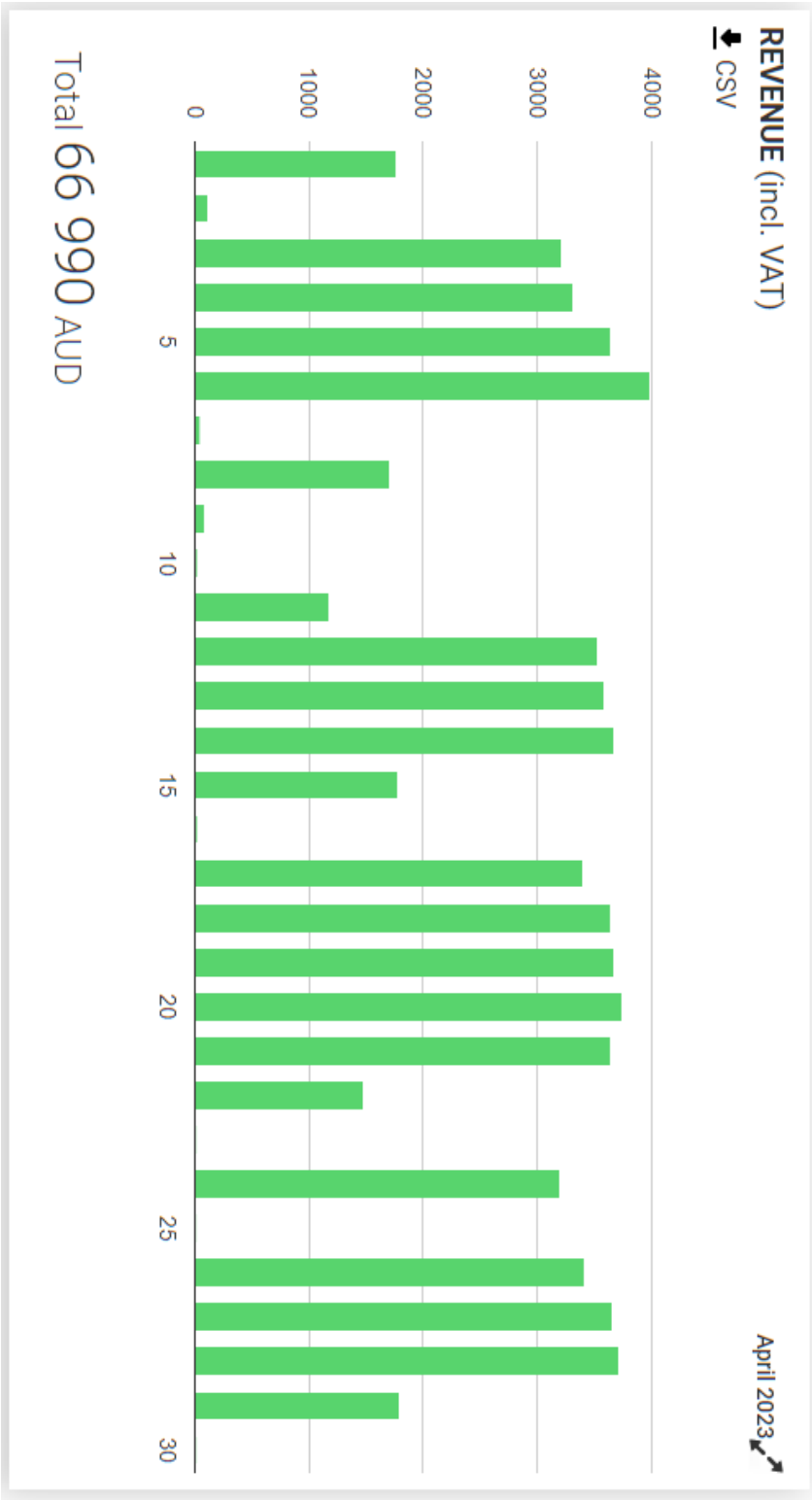
Description	Budget \$	Revenue \$	Variance \$	Variance %
Fines Received	\$506,458.28	\$584,369.91	\$77,911.63	15%
Parking Meters	\$570,916.72	\$546,367.73	(\$24,548.99)	-4%
Multi Storey CP	\$184,166.70	\$234,083.48	\$49,916.78	27%
Formby Rd CP	\$216,395.80	\$215,125.17	(\$1,270.63)	-1%
Other - MPES	\$184,166.70	\$168,829.80	(\$15,336.90)	-8%
Parking Permits	\$130,895.80	\$149,402.14	\$18,506.34	14%
Payne Ave CP	\$87,479.20	\$89,701.28	\$2,222.08	3%
Edward St CP	\$87,479.20	\$88,433.14	\$953.94	1%
Fourways CP	\$82,875.00	\$85,888.27	\$3,013.27	4%
Wenvoe St CP	\$87,479.20	\$84,309.20	(\$3,170.00)	-4%
Steele St CP	\$64,458.30	\$70,084.79	\$5,626.49	9%
Fenton Way CP	\$15,654.20	\$18,124.39	\$2,470.19	16%
<b>Total</b>	<b>\$2,218,425.10</b>	<b>\$2,334,719.30</b>	<b>\$116,294.20</b>	<b>5%</b>

**Previous Years Revenue**

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



5.5.3. EasyPark statistics.





Section 132 & 337 Certificates:

5.5.4. Statistics on completed certificates:





## 5.6. Digital Transformation:

5.6.1. Phase 2 of Council's Smart City project has concluded with the addition of IoT (Internet of Things) devices to capture data for the following purposes:

- Vaccine Fridge temperature monitoring and alerting
- Don River flood level monitoring and alerting
- Plant GPS and utilisation tracking
- Rooke Street Mall pedestrian traffic flow monitoring

Progress has been made to integrate IoT device data through to TechnologyOne. The first application includes the bins at the Bluff triggering a work order in TechnologyOne when the level reaches 75% full.



**Example only** - Bluff bin level monitoring dashboard

**5.7. Annual Plan Action Update:**

5.7.1. Current Status as at 30 April 2023:



## 5.7.2. Action Highlights:

**Develop and publish Plumbing Inspection Guidelines**

Council's website has been updated to include information from the Director's Determination relating to plumbing inspections.

**Progress the development planning of the LIVING CITY precinct to the west of Market Square.**

Design investigation and options analysis work for the future development of this area has now been completed. Consultation with existing stakeholders has commenced with the results of this design work to be presented to Councillors for review at an upcoming Workshop.

**Investigate storage options for Council's cultural assets.**

A report has been developed following an investigation of the housing of a vast collection of cultural assets including artefacts, artworks, models, cultural heritage items, works on paper and ephemera, many of which are unique, irreplaceable and have significance to Devonport. The report has been tabled at the April meeting. A report has been prepared and tabled at the April meeting and a recommendation made.

**Reduce parking meter infrastructure by increasing EasyPark utilisation**

EasyPark utilisation continues to increase at a steady percentage each month. This natural attrition will allow for a continued reduction of parking meter infrastructure saving Council reasonable infrastructure costs.

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

### **6.1. Minutes:**

The following minutes are provided as attachments to this report:

- 6.1.1. Planning Authority Committee Meeting – 8 May 2023;
- 6.1.2. Draft Minutes from the Mersey-Leven Municipal Emergency Committee Meeting – Meeting No 1/2023.

### **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. 20230430 Consolidated Financial Report [**6.4.1** - 10 pages]
- 2. Minutes- Planning- Authority- Committee-8- May-2023 [**6.4.2** - 7 pages]
- 3. 8 March 2023 Mersey- Leven Municipal Emergency Management Committee Meeting - Draft Minutes [**6.4.3** - 13 pages]

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## 7 SECTION 23 COMMITTEES

A Planning Authority Committee Meeting was held on the 8<sup>th</sup> May 2023. The minutes of this meeting are attached to the Monthly Operational Report (Item 6.4).

## 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 – 24 April 2023	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments - Nil	N/A
5.1	Local Government Association of Tasmania – Election of President & GMC Member 2023	15(2)(g)

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## **9 CLOSURE**