

MINUTES OF THE OPEN SESSION OF THE ORDINARY COUNCIL MEETING OF THE DEVONPORT CITY COUNCIL HELD IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre, 137 ROOKE STREET, DEVONPORT ON MONDAY 18 DECEMBER 2023 COMMENCING AT 5:30 PM

Meeting	From	To	Time Occupied
Open Session	5:30 pm	7:26 pm	116 min
Closed Session	7:35 pm	8:08 pm	33 min
Total			149 min

Present

Cr A Jarman (Mayor)
 Cr S Sheehan (Deputy Mayor)
 Cr G Enniss
 Cr P Hollister
 Cr S Martin
 Cr A Moore
 Cr L Murphy
 Cr D Viney
 Cr J Wilczynski (part)

Council Officers: General Manager, M Atkins
 Deputy General Manager, J Griffith
 Executive Manager, K Lunson
 Executive Manager, M Skirving
 Convention & Arts Centre Manager, Geoff Dobson
 Land Use Planning Coordinator, Alex Mountney
 Finance Manager, Josh Jackson
 Governance Officer, C Delphin

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

1 APOLOGIES

Nil

2 DECLARATIONS OF INTEREST

The following Declarations of Interest were advised:

Councillor	Item No	Reason	Remaining in Meeting? Yes/No	If remaining, reason/s for decision
Cr Murphy	4.1; 4.3; 4.4	I am engaged in the real estate industry and I am known to a number of those proponents	No	
Cr Murphy	4.2	I am currently employed in the real estate industry in my professional capacity	Yes	I am known to the Developer but I have had no previous business dealings with them
Cr Martin	3.2.2	As a resident of Tugrah Road	Yes	Issue is further down Tugrah Road and does not involve my property
Cr Sheehan	4.3	I am currently employed in the real estate industry in my professional capacity	No	
Cr Sheehan	5.4	I have been and will continue to be a sponsor of Paper on Skin	No	
Cr Viney	4.3	I am a direct relative of one of the representations of that development	No	
M Atkins	5.6	Brother is on the Board of the Devonport Football Club – (one of the User Groups)	Yes	

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

23/241 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Viney

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

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan and Cr Viney

AGAINST: Nil

CARRIED 8 / 0

3.2 PUBLIC QUESTION TIME

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

23/242 RESOLUTION

MOVED: Cr Martin
SECONDED: Cr Murphy

That the responses to questions from Ms Petra Wilden be noted.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan and Cr Viney
AGAINST: Nil

CARRIED 8 / 0

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

23/243 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Hollister

That Council in relation to the correspondence received from Sarah Kersey and Vicki Ward endorse the responses proposed and authorise their release.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan and Cr Viney
AGAINST: Nil

CARRIED 8 / 0

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Mr Douglas Janney, 23 Watkinson Street, Devonport, TAS, 7310

Q1 In the beginning of the meeting there is a Welcome to Country for the aboriginals but there is nothing for the people who founded and live in Devonport – why not?

The Mayor responded Mr Janney is welcome to suggest something to Council for consideration.

Q2 Recently I visited the Information Centre in Sheffield. On the wall were photographs of Gustav and Kate Weindorfer. A person I was talking to she said that early next year the remains of Kate would be exhumed from the Cowle grave at the Don Congregational Cemetery and taken to Waldheim and her remains placed next to Gustav's grave.
Is the Council Aware of this?

The General Manager responded that Council is aware of it.

Tharisa Burgess - East Devonport

Q1 Is there a specific protocol or process in place within the council to address properties that have become an eyesore and a potential hazard due to squatting or illegal activities, considering the concerns raised by residents about safety and the impact on the city's image?

The General Manager responded that Council does have some powers to be able to require property owners to make their property safe and address fire hazards and so on depending on the specific circumstances. Council work closely with Tas Police on issues such as squatting, vandalism and so on and Council have a good working relationship with police. Council has a Dilapidated Buildings Policy however it is worth noting that we do need to operate within the powers that council has under legislation and at times that can be somewhat restrictive.

The Mayor advised that the Council would provide a formal response to clarify the issues raised.

3.3 QUESTIONS ON NOTICE FROM COUNCILLORS

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

3.4 NOTICES OF MOTION

3.4.1 NOTICE OF MOTION - EXPLORING OPPORTUNITIES FOR JOINT OWNERSHIP OF THE DEVONPORT AIRPORT WITH KENTISH, LATROBE AND CENTRAL COAST COUNCILS - CR S MARTIN

23/244 RESOLUTION

MOVED: Cr Martin
SECONDED: Cr Murphy

That Council look to partner with Kentish, Latrobe and Central Coast Councils to form a working group to explore all opportunities for joint ownership of the Devonport Airport and in realising its full potential.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy and Cr Viney
AGAINST: Cr Sheehan

CARRIED 7 / 1

4 PLANNING AUTHORITY MATTERS

4.1 PA2023.0150 - 10 SANDWOOD PLACE EAST DEVONPORT - RESIDENTIAL (UNITS X 3)

Cr Murphy left the meeting at 6:02 pm.

Cr Wilczynski joined the meeting at 6.04 pm.

23/245 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Viney

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2023.0150 and grant a Permit to use and develop land identified as 10 Sandwood Place, East Devonport for the following purposes:

- Residential (units x 3)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with, unless otherwise altered to address subsequent conditions, the submitted plans referenced as 0713TP-G dated 16.3.23 by Tim Wilson Design & Drafting, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. No building or plumbing work is to encroach over or within the service easement without the written consent to do so from the person on whose behalf the service easement was created in accordance with section 74 of the *Building Act 2016*. This includes the roof and gutter (refer to note).
3. The frontage fence to unit 1 must be setback 2.5m from the edge of the existing foot path to ensure sufficient sight lines are maintained for pedestrian and road users (refer to note).
4. Stormwater discharge from the proposed development is to be hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 20 -year Average Recurrence Interval (ARI), and for a suitable range of storm durations to identify peak discharge flows. 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 lodgement of any subsequent building permit applications.

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5. Subject to the above, and as part of any subsequent plumbing permit application, the proposed development is to have a suitably sized stormwater connection generally in accordance with the Tasmanian Standard Drawings. The size and location of the proposed stormwater connection is to be designed by a suitably qualified hydraulic engineer.
 6. 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 point.
 7. There is to be no uncontrolled overland flow of stormwater from the proposed development to any of the adjoining properties.
 8. 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.

Regarding condition 2, the western boundary easement is identified as a 'sewerage drainage easement'. However, the easement should be identified as a 'stormwater drainage easement' as it contains council stormwater assets.

Condition 3 is required to satisfy the requirements of AS 2890- *Parking facilities, Parts 1 – 6* as prescribed under C2.6.2 A1.1 of C2.0 Parking and Sustainable Transport Code.

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

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

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

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

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 ensure that all stormwater run-off is managed in accordance with the Environment Protection Authority's "Soil & Water Management on Large (greater than 250m² of ground disturbance)/Standard (less than 250m² of ground disturbance) Building & Construction Sites" recommendations.

Should the property be strata titled the street addresses for the units will be as follows:

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- Unit 1 will become Unit 1, 10 Sandwood Place
 - Unit 2 will become Unit 2, 10 Sandwood Place
 - Unit 3 will become Unit 3, 10 Sandwood Place

This complies with AS/NZS 4819.2011 *Rural and urban addressing*.

The customer or their electrician should contact TasNetworks on 1300 137 008 if they have any questions regarding any upgrades they may require to their electricity supply due to this development.

In regard to condition 8 the applicant should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 4 – 7 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

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

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Sheehan, Cr Viney
and Cr Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

Cr Murphy returned to the meeting at 6:05 pm.

4.2 PA2023.0129 - 29 FENTON WAY DEVONPORT - GENERAL RETAIL AND HIRE, FOOD SERVICES, RESIDENTIAL (MULTIPLE DWELLINGS) AND VISITOR ACCOMMODATION

23/246 RESOLUTION

MOVED: Cr Moore
SECONDED: Cr Sheehan

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2023.0129 and grant a Permit to use and develop land identified as 29 Fenton Way, Devonport for the following purposes:

- General Retail and Hire, Food Services, Residential (multiple dwellings) and Visitor Accommodation

Subject to the following conditions:

1. The Development is to proceed generally in accordance with the submitted plans referenced as Giant Devonport, Project no. J007891, DWG no. A101, A201, A202 & A301, Revision B, dated 19/12/2022 by S Group & Project no. EE435, Sheet C101, dated 20/11/2023 by Exceed Engineering, copies of which are attached and endorsed as documents forming part of this Planning Permit.

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2. Apartments 1-3 as shown on the above plans are approved to be utilised for Residential use.
 3. Apartments 4-7 must not be used for Residential use.
 4. Apartments 1-7 are approved to be utilised for Visitor Accommodation.
 5. A dedicated and secure storage space of not less than 6m³ must be provided for units 1, 2 and 3, either on their deck or in a screened area at ground level (refer to note).
 6. Landscaping is to be installed to screen the parking area from the street (refer to note).
 7. External lighting must be provided to illuminate vehicle parking areas and pathways in accordance with Clause 3.1 "Basis of Design" and Clause 3.6 "Car Parks" in *Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements*.
 8. The surface water from the driveway and/or any paved areas is to be collected and drained to the private stormwater drainage system.
 9. The developer is to ensure that all stormwater run-off is managed in accordance with the Environment Protection Authority's recommendations "Soil & Water Management on Large Building & Construction Sites" (refer to notes).
 10. The developer is to ensure that 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.
 11. Stormwater discharge from the proposed development is to be hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 20-year Average Recurrence Interval (ARI), and for a suitable range of storm durations to identify peak discharge flows. 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 lodgement of any subsequent building permit applications.
 12. Subject to condition 8, and as part of any subsequent plumbing permit application, the proposed development is to have a suitably sized stormwater connection generally in accordance with the Tasmanian Standard Drawings.
 13. The size and location of the proposed stormwater connection is to be designed by a suitably qualified hydraulic engineer.
 14. The new driveway is to be constructed generally in accordance with the Tasmanian Standard Drawing TSD-R09-v3.

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15. All vehicular parking and manoeuvring areas for Light vehicles are to be sealed with an impervious surface seal, such as a standard concrete pavement or a sealed granular pavement, to the satisfaction of Council.
 16. The proposed light vehicle parking and circulation is to comply with AS/NZS 2890.1:2004 Parking Facilities Part 1 - Off-street Carparking. In addition, the requirements of AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities are to be met.
 17. 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 point.
 18. Subject to approval by the city engineer of any proposed modification, removal, or termination of existing stormwater infrastructure on the development site, the developer is required to undertake these works at their sole cost.
 19. 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.

The title documentation associated with subdivision permit PA2023.0053 must be issued by the Recorder of Titles before submitting the building permit application for this project.

In regard to conditions 5 and 6, updated plans must be provided as part of the associated building permit for the development.

Council is the street numbering authority and the developer is to liaise with Council on this matter prior to occupancy of the building.

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

Any illuminated signage will require a separate discretionary planning application.

In regard to condition 6, large building and construction sites are those with greater than 250m² of ground disturbance – refer to the following link.

https://epa.tas.gov.au/Documents/Soil_and%20Water_Management_Fact%20Sheet_1.pdf

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*.

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

In regard to condition 19 the applicant should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 11-18 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

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

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

Cr Murphy, Cr Sheehan and Cr Viney left the meeting at 6:15 pm.

4.3 PA2023.0086 - 84-86 HILLCREST ROAD AND 65 LAWRENCE DRIVE DEVONPORT - MULTIPLE DWELLINGS (34 X ADDITIONAL UNITS)

23/247 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Moore

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2023.0086 and grant a Permit to use and develop land identified as 84-86 Hillcrest Road, Devonport and 65 Lawrence Drive, Devonport for the following purposes:

- Multiple dwellings (34 additional units)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as project no.2178 by MinD Architects, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. In the instance waste collection is to be by Council; prior to occupancy of the development a Part 5 Agreement in accordance with section 71 of the *Land Use Planning and Approvals Act 1993* must be registered on the certificate of title. The Part 5 Agreement is to be between Council and the owners, and all costs associated with making the agreement are to be borne by the Owner/Developer. The scope of the agreement is to include:
 - a. Acknowledgement that Council takes no responsibility for any damage or maintenance as a result of the waste collection vehicle access within the property; and
 - b. In the instance Council ceases waste collection services, a private contract for waste collection will be required.
3. Where the habitable windows of multiple dwelling's are located within 2.5m of the shared driveway, screening or an alternative window selection is to be provided in accordance with 8.4.6 A3 – *Privacy for all dwellings*. Details are to be provided as part of the associated building permit application for the development.

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4. In regard to stormwater, long sections and design calculations prepared by a suitably qualified engineer are to be provided to Council for approval with any subsequent building and plumbing permit applications.
 5. Stormwater discharge from the proposed development is to be hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 20 -year Average Recurrence Interval (ARI), and for a suitable range of storm durations to identify peak discharge flows. 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 lodgement of any subsequent building permit applications.
 6. Subject to the above, and as part of any subsequent plumbing permit application, the proposed development is to have a suitably sized stormwater connection generally in accordance with the Tasmanian Standard Drawings. The size and location of the proposed stormwater connection is to be designed by a suitably qualified hydraulic engineer.
 7. The developer is to demonstrate that the existing pipe has sufficient capacity for the additional inflow from this development (if capacity not sufficient upgrade of the existing pipeline or additional detention storage will be required).
 8. A new driveway is to be constructed generally in accordance with the Tasmanian Standard Drawing TSD-R09-v3. The proposed light vehicle parking and circulation is to comply with AS/NZS 2890.1:2004 Parking Facilities Part 1 - Off-street Carparking. In addition, the requirements of AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities are to be met.
 9. The developer is to remove any redundant driveway crossovers and reinstate with kerb and channel and nature strip to Council's specification.
 10. Certification and details from a suitably qualified civil or structural engineer must be submitted to Council regarding all retaining walls over the height of 1m.
 11. A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.
 12. There is to be no uncontrolled overland flow of stormwater from the proposed development to any of the adjoining properties.
 13. The car parking spaces and turning areas must be clearly delineated by line marking or other means to clearly identify as to which unit it is allocated or for visitor parking.
 14. 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.

The developer is to ensure that all stormwater run-off is managed in accordance with the Environment Protection Authority's "Soil & Water Management on Large (greater than 250m² of ground disturbance)/Standard (less than 250m² of ground disturbance) Building & Construction Sites" recommendations.

It is suggested that the developer speak to neighbouring property owners in regard to fencing.

In regard to condition 14 the developer should contact TasWater – Ph 136992 with any enquiries.

Consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to this development. To understand what these requirements may entail, it is recommended you advise the proponent to contact TasNetworks Early Engagement team at early.engagement@tasnetworks.com.au at their earliest convenience.

Should the property, 84 Hillcrest Road, be strata titled the units identified in endorsed plan **DA02** will be numbered as follows:

*Number on plan				*Unit number / 84 Hillcrest Road									
1	1	6	4	11	24	16	37	21	27	26	17	31	14
2	3	7	6	12	26	17	35	22	25	27	15	32	16
3	5	8	8	13	28	18	33	23	23	28	13	33	18
4	7	9	10	14	41	19	31	24	21	29	11	34	20
5	2	10	12	15	39	20	29	25	19	30	22	35	9

In regard to conditions 4 – 13 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

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

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore and Cr Wilczynski
AGAINST: Nil

CARRIED 6 / 0

Cr Sheehan and Cr Viney returned to the meeting at 6:19 pm.

4.4 PA2023.0167 - 123A RIVER ROAD AMBLESIDE - TWO LOT SUBDIVISION

23/248 RESOLUTION

MOVED: Cr Sheehan

SECONDED: Cr Enniss

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2023.0167 and grant a Permit to subdivide land identified as 123a River Road, Ambleside for the following purposes:

- Two lot subdivision

Subject to the following conditions:

1. The subdivision is to proceed generally in accordance with Drawing No. 223134, dated 12/09/2023 by Michell Hodgetts Surveyors and the recommendations provided within Version 2 of the Bushfire Hazard Report (including the Bushfire Hazard Management Plan) by es&d, dated 4/12/2023, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The subdivider is to install a 150mm stormwater connection point to the council main for lot 1.
3. The subdivider is to reconstruct a minimum 5.5m wide reinforced concrete driveway crossover for the vehicular access between River Road kerb and the property boundary in accordance with Tasmanian Standard Drawing TSD-R09 V3.
4. The developer is to comply with the conditions specified in the Submission to Planning Authority Notice - Reference No. TWDA 2023/01589-DCC 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.

With respect to future street addressing, the following is to apply:

- Lot 1 on the endorsed subdivision plan will become 123A River Road; and
- Lot 2 on the endorsed subdivision plan will become 123B River Road

It is recommended the subdivider include the Bushfire Hazard Report and accompanying Bushfire Hazard Management as part of the future registered title documentation or make the documents readily available for future lot owners. In addition, the subdivider may also include the building envelope shown as part of the approved subdivision plan on the Final Plan and Schedule of Easements.

In regard to condition 4 the subdivider should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 2-3 the subdivider should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

General enquires regarding this permit can be directed to Council's Development Services Department – Ph 6424 0511.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

Cr Murphy returned to the meeting at 6.20 pm.

5 REPORTS

5.1 SPORT AND RECREATION FACILITIES HIRE POLICY

23/249 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Hollister

That Council adopt the:

1. Sport and Recreation Facilities Hire Policy with immediate effect; and
2. Updated Fees and Charges Schedule for 2023/2024 as attached.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

5.2 SAFEGUARDING CHILDREN AND YOUNG PEOPLE POLICY

23/250 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Sheehan

That Council:

1. adopt the Safeguarding Children and Young People Policy with immediate effect; and
2. continue to advocate, through the Local Government Association of Tasmania, for additional State Government support, to implement recommendation 6.12 from the Royal Commission into Institutional Responses to Child Sexual Abuse, and for

standardised resources to be available for all councils to implement the *Child and Youth Safe Organisations Act 2023* uniformly.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

5.3 DULVERTON REGIONAL WASTE MANAGEMENT AUTHORITY RULES

23/251 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Wilczynski

That Council formally approve the amended Dulverton Regional Waste Management Authority Rules.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

Cr Sheehan left the meeting at 6:35 pm.

5.4 PAPER ON SKIN PARTNERSHIP AGREEMENT

23/252 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Wilczynski

That Council approve the 30-month Partnership Agreement proposed between Council and Genre Productions Tasmania LTD and commit to funding and in-kind support for fiscal years 2024/25 and 2026/27 as outlined in the Agreement.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

Cr Sheehan returned to the meeting at 6:41 pm.

5.5 MIGRANT RESOURCE CENTRE - PARTNERSHIP AGREEMENT

23/253 RESOLUTION

MOVED: Cr Sheehan
SECONDED: Cr Murphy

That Council enter into a two-year partnership agreement with the Migrant Resource Centre (Northern Tasmania) Inc. commencing 1 January 2024, including an annual financial contribution from the Devonport City Council of \$20,000 (ex GST) as outlined in the Agreement.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

5.6 TENDER REPORT - DEVONPORT STADIUM SUB-CONSULTANTS

23/254 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Enniss

That Council in relation to Tender CB0129 Devonport Stadium Consultants:

1. Award the contract for Structural & Civil Engineering sub-consultant services to *Creo Consultants Pty Ltd* for the tendered sum of \$396,000.00 (ex GST); and
2. Award the contract for Electrical, Fire, Mechanical & Hydraulic Engineering services to *COVA Thinking Pty Ltd* for the tendered sum of \$212,800 (ex GST).

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

5.7 FINANCIAL MANAGEMENT STRATEGY 2024-2033

23/255 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Wilczynski

That Council adopt the Financial Management Strategy 2024-2033.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

6 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

23/256 RESOLUTION

MOVED: Cr Moore
SECONDED: Cr Viney

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

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

6.2 MAYOR'S MONTHLY REPORT

23/257 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Enniss

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

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

6.3 GENERAL MANAGER'S REPORT

23/258 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Wilczynski

That the report of the General Manager be received, and Council approve the attached response to the managing conflicts of interest of councillors discussion paper.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

6.4 MONTHLY OPERATIONAL REPORT - NOVEMBER 2023

23/259 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Martin

That Council receive and note the Monthly Operational Report for the period ending 30 November 2023.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

7 CLOSED SESSION

23/260 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Viney

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

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
3.1	Confirmation of Closed Minutes – Council Meeting – 27 November 2023	15(2)(g)

3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15(2)(g)
5.1	29 Fenton Way Land Sale	15(2)(f)
5.2	Australia Day Awards 2023	15 (2)(g)
5.3	Request for Rates Remission – 77A River Road	15(2)(c)
5.4	Sale of Land – Wright Street, East Devonport	15(2)(f)

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski

AGAINST: Nil

CARRIED 9 / 0

**The Mayor adjourned the meeting at 7.26 pm to reconvene in Closed Session at 7.35 pm.
The Council moved out of Closed Session at 8.08 pm.**

Council resumed in Open Session at 8.08 pm.

The Closed Session of Council having met and dealt with its business resolved to report that it had determined the following:

Item No	Matter	Outcome
3.1	Confirmation of Closed Minutes – Council Meeting – 27 November 2023	Confirmed
3.2	Application for Leave of Absence	Granted
4.1	Confidential Attachments	Noted
5.1	29 Fenton Way Land Sale	General Manager authorised to execute a Contract for Sale
5.2	Australia Day Awards 2023	Award recipients determined
5.3	Request for Rates Remission – 77A River Road	Resolved not to provide remission
5.4	Sale of Land – Wright Street, East Devonport	General Manager authorised to complete the sale of land.

8 CLOSURE

There being no further business on the Agenda the Mayor declared the meeting closed at 8.08 pm.

Confirmed : MIN Refers 24/1



Chairperson