



*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, parnaple centre, 137 Rooke Street, Devonport on Monday 25 March 2024, 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

**20 03 2024**

### March 2024

Next Meeting	Date	Commencement Time
Ordinary	22 April 2024	5:30 PM

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**AGENDA FOR AN ORDINARY COUNCIL MEETING OF DEVONPORT CITY COUNCIL  
HELD ON MONDAY 25 MARCH 2024, IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre,  
137 ROOKE STREET, DEVONPORT AT 5:30 PM**

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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 Enniss	
	Cr P Hollister	
	Cr S Martin	
	Cr A Moore	
	Cr L Murphy	
	Cr D Viney	
	Cr J Wilczynski	

## 1 APOLOGIES

## 2 DECLARATIONS OF INTEREST

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## **3 PROCEDURAL**

### **3.1 CONFIRMATION OF MINUTES**

#### **RECOMMENDATION**

That the minutes of the Council meeting held on 26 February 2024 as previously circulated be confirmed.

### **3.2 PUBLIC QUESTION TIME**

#### **PUBLIC QUESTION TIME**

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

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

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

Nil

### **3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC**

There were no Questions on Notice from the Public received for the March 2024 meeting.

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

### **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 - WORKING WITH VULNERABLE PEOPLE CARD - REQUIREMENT FOR COUNCILLORS - CR S MARTIN**

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 require Councillors to obtain and maintain a Working with Vulnerable People Card and that such is included in Council's Safeguarding Children and Young People Policy, as a Councillor's responsibility.

#### **SUPPORT**

Nil

#### **OFFICER'S COMMENTS**

As per a Notice of Motion tabled by Councillor Leigh Murphy, and adopted by Council at its February 2024 meeting, Council has submitted a motion, for tabling at the next available meeting of the Local Government Association of Tasmania (LGAT), for LGAT to request the State Government legislate that eligibility for nomination as a councillor requires a person to hold a Working with Vulnerable People Card.

Whilst Council could make this a policy position of the organisation, compliance would be at the discretion of each individual councillor with no current legislative powers to enforce compliance.

#### **ATTACHMENTS**

Nil

## **4 PLANNING AUTHORITY MATTERS**

**The Mayor will now announce that Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for the consideration of Agenda Items 4.1 - 4.4.**

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

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

## **4.1 PA2022.0105 - 31 GUNN STREET DEVONPORT - RESIDENTIAL (ALTERATIONS AND ADDITIONS TO EXISTING DWELLING AND CONSTRUCTION OF MULTIPLE DWELLINGS X 2)**

Author: **Alex Mountney, Land-Use Planning Coordinator**

Endorser: **Kylie Lunson, Executive Manager**

### **RECOMMENDATION**

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2022.0105 and grant a Permit to use and develop land identified as 31 Gunn Street, Devonport for the following purposes:

- Residential (alterations and additions to existing dwelling and the construction of two additional dwellings)

Subject to the following conditions:

1. Unless requiring alteration by subsequent condition(s), the Use and Development is to proceed generally in accordance with the submitted plans referenced as Proposed Two Unit Development & A Extension & Renovation to the Existing Dwelling – Project No. 6822 (Sheet Nos. 0-11), dated 9/11/2023 by Weeda Drafting and Building Consultants, a copy of which is attached and endorsed as documents forming part of this Planning Permit.
2. The alterations and additions to the existing dwelling are to be undertaken in accordance with the Heritage Fabric Assessment + Statement of Heritage Impact by carste Studio pty ltd – project no. 22-49, June 2023. The existing front fence is not to be modified unless further planning approval is sought and granted.
3. The developer is to provide amended plans showing a suitable screening method for all habitable room windows within 2.5m of the shared driveway and the visitor parking space (refer to note). The plans are to be provided at the time of lodgement of the building permit/notification and must be to the satisfaction of the Planning Authority.
4. The developer is to be responsible for making good and/or cleaning any footpaths, road surfaces or other element damaged or soiled because of the project.
5. The contractor is to ensure the proposed access shall not cause any undue disturbance to neighbouring properties or the regular vehicular movement of traffic within the road reserve during the demolition process.
6. Any receptacle placed on the foot path, nature strip or road reserve for the demolition process must be made safe for all traffic by means of appropriate safety measures. Prior to placement within said areas, the developer will need to obtain a 'Working within the road reserve permit' from Council's Infrastructure Department.
7. The developer is to dispose of stormwater from the site to the satisfaction of Council. This includes but is not limited or confined to:
  - (a) Upgrading with a new or renewed stormwater connection as required.
  - (b) Collecting runoff from driveway areas via grated drains or pits and draining collected water from the site.

8. 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.
9. The existing driveway must be upgraded, and the works are to be constructed generally in accordance with the Tasmanian Standard Drawing TSD-R09 V3.
10. The visitor parking space is to be appropriately line marked. It is to be shown within common land on any forthcoming Strata Title application.
11. 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 future street addressing, the following is to apply to the development:

- The existing dwelling will be 1/31 Gunn Street;
- The middle dwelling will be 2/31 Gunn Street; and
- The rear dwelling will be 3/31 Gunn Street.

The above street allocation complies with AS/NZS 4819.2011 *Rural and urban addressing*.

In regard to condition 3, not all habitable rooms within 2.5m of the shared driveway or visitor parking space have been shown on the plans with screening mitigation i.e one way glass.

Any new side boundary fencing within 4.5m of the property frontage is to have a maximum height of 1.8m, with any section above 1.2m providing 30% visual transparency.

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 Australian (October 2018).

No burning of any waste materials (including cleared vegetation) is to be undertaken on site. Any such 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.

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

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

In regard to condition 11 the developer should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 4-9 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

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

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

Council's Strategic Plan 2009-2030:

2.1 Council's Planning Scheme facilitates appropriate property use and development

### **SUMMARY**

The purpose of this report is to enable Council, acting as a Planning Authority to make a decision regarding planning application PA2022.0105.

### **BACKGROUND**

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Address:	31 Gunn Street, Devonport
Applicant:	Mr Christopher Spillane
Owner:	Mr Christopher Spillane
Proposal:	Residential (alterations and additions to the existing dwelling and construction of two additional dwellings)
Existing Use:	Residential (single dwelling)
Zoning:	General Residential
Decision Due:	25/03/2024 *Extension of time granted by applicant – initial decision due 29/02/2024

### **SITE DESCRIPTION**

The site is located on the western side of Gunn Street between Steele Street and Tasman Street. The site has an area of 1012m<sup>2</sup> and is rectangular in shape. Located on the site is an existing dwelling which was constructed in the early 1900s and has been subject to numerous additions and alterations since its initial construction. The site adjoins existing residential development in the form of both single and multiple dwellings.

Figure 1 is a recent aerial image of the site and the surrounding locality. Figure 2 is a copy of the property title and Figure 3 is a recent image of the property looking from the Gunn Street frontage.



Figure 1 - Aerial image of the site outlined in blue and surrounding locality (DCC, 2023)

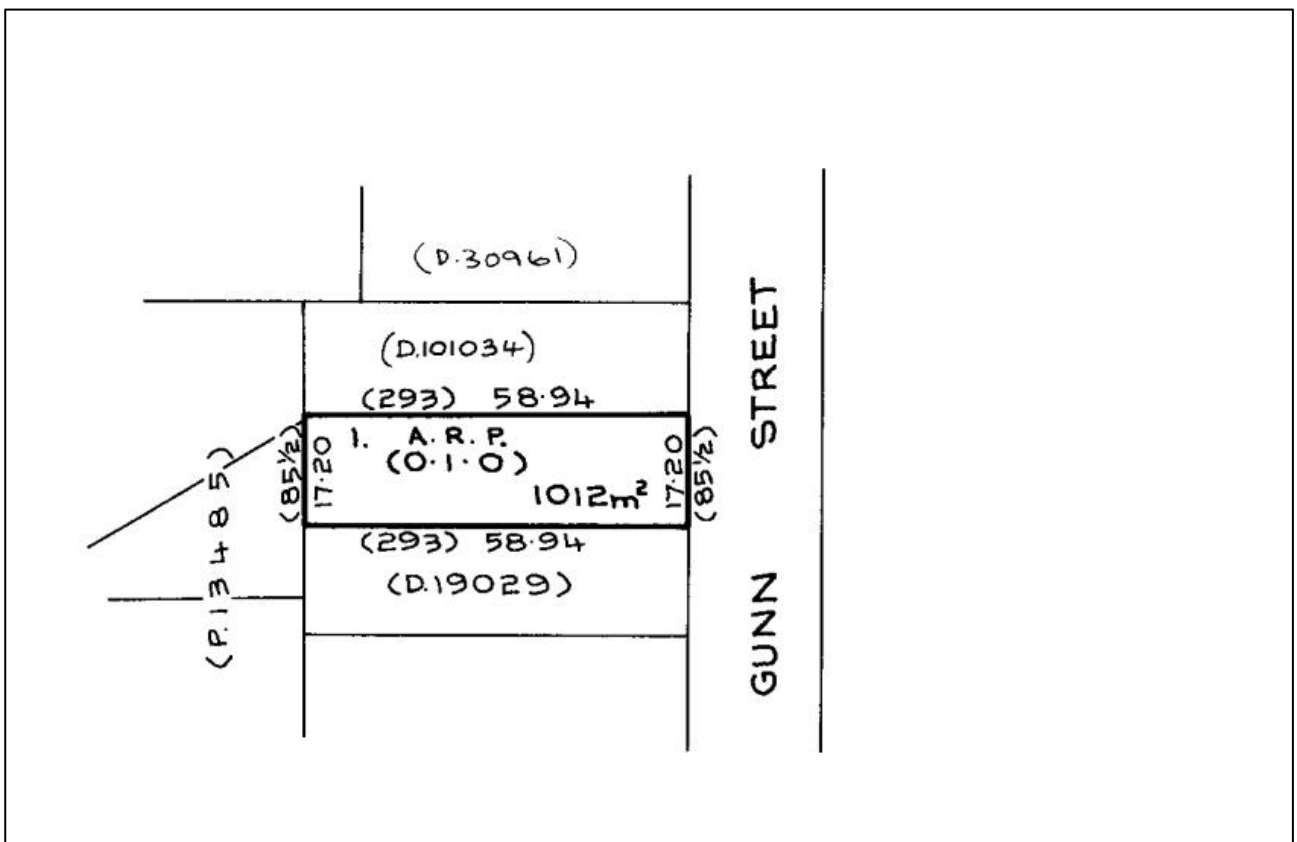


Figure 2 – Title Plan of the site CT 22249/1 (The LIST, 1984)



**Figure 3 – Image of the property (carste Studio Pty Ltd, 2023)**

#### **APPLICATION DETAILS**

The applicant is seeking approval to undertake alterations and additions to the existing dwelling and construct two additional dwellings on the site.

Works to the existing dwelling (unit 1) include demolishing the rear part of the dwelling and constructing a new kitchen and dining area, plus a single car garage. The existing outbuildings attached to the dwelling are proposed to be demolished.

The middle dwelling (unit 2) is proposed to be conjoined with the existing dwelling. This dwelling will contain two bedrooms and a single car garage and will be constructed from brick with a steel roof.

The dwelling at the rear (unit 3) will have three bedrooms and a double garage. It will also be constructed from brick and have a steel roof.

A copy of the site plan and visual depictions of the proposal are shown below in Figures 4 - 7. A full copy of the development application, including a statement of heritage impact is appended as **Attachment 1** to this report.

\*Included in the Attachment are superseded plans for the Planning Authority's reference. These plans proposed the demolition of the existing dwelling and the construction of 3 new dwellings. However, after the Planning Authority requested the applicant address the Local Historic Heritage Code of the planning scheme via a request for additional information under s.54 of the *Land Use Planning and Approvals Act 1993*, a heritage assessment was provided, recommending the initial dwelling on the site remain, and subsequently, amended plans were received.

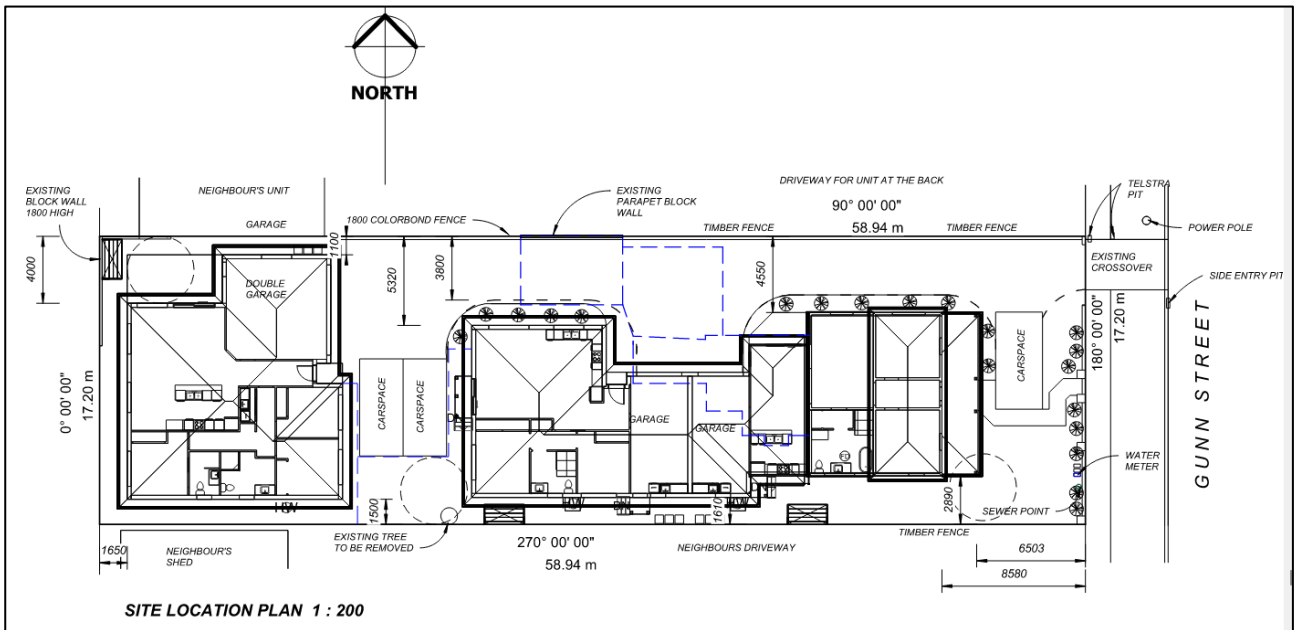


Figure 4 – Site plan (Weed Drafting & Building Consultants Pty Ltd, 2023)



Figure 5 – North east depiction (Weed Drafting & Building Consultants Pty Ltd, 2023)



Figure 6 – North west depiction (Weed Drafting & Building Consultants Pty Ltd, 2023)

## PLANNING ISSUES

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

- 8.1.1 *To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.*
- 8.1.2 *To provide for the efficient utilisation of available social, transport and other service infrastructure.*
- 8.1.3 *To provide for non-residential use that:*
  - a) *primarily serves the local community; and*
  - b) *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.*
- 8.1.4 *To provide for Visitor Accommodation that is compatible with residential character.*

Residential use for multiple dwellings is categorised as Permitted in the General Residential Zone. In instances where the acceptable solutions cannot be met, the application must satisfy the corresponding performance criteria. The latter process invokes a Discretionary planning permit process where the Planning Authority can approve or refuse the application. The relevant clauses of the planning scheme are reproduced below, followed by assessment.

## General Residential Zone

### 8.4.1 Residential density for multiple dwellings

<b>Objective:</b> That the density of multiple dwellings: <ul style="list-style-type: none"> <li>a) makes efficient use of land for housing; and</li> <li>b) optimises the use of infrastructures and community services.</li> </ul>	
Acceptable Solutions	Performance Criteria
<b>A1</b> Multiple dwellings must have a site area per dwelling of not less than 325m <sup>2</sup> .	<b>P1</b> Multiple dwellings must only have a site area per dwelling that is less than 325m <sup>2</sup> , if the development will not exceed the capacity of infrastructure services and; <ul style="list-style-type: none"> <li>a) is compatible with the density of existing development of established properties in the area; or</li> <li>b) provides for a significant social or community benefit that is: <ul style="list-style-type: none"> <li>i. wholly or partly within 400m walking distance of a public transport stop; or</li> <li>ii. wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local</li> </ul> </li> </ul>

	Business Zone, General Business Zone, Central Business Zone or Commercial Zone.
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**A1** – the site has an area of 1012m<sup>2</sup> and 3 multiple dwellings equates to a density of 337m<sup>2</sup>. The acceptable solution is met.

#### 8.4.2 Setbacks and building envelope for all dwellings

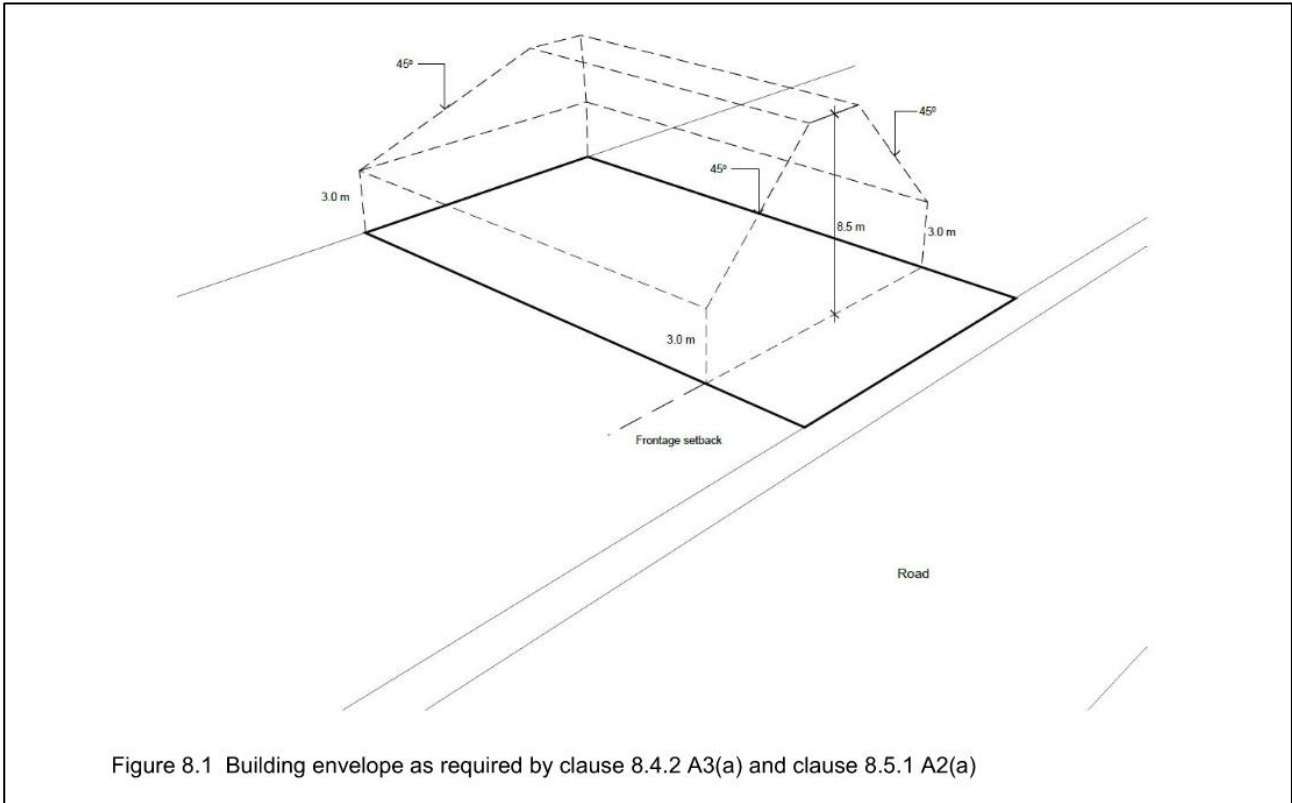
<b>Objective:</b> The siting and scale of dwellings: <ul style="list-style-type: none"> <li>(a) provides reasonably consistent separation between dwellings and their frontage within a street;</li> <li>(b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;</li> <li>(c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and</li> <li>(d) provides reasonable access to sunlight for existing solar energy installations.</li> </ul>	
Acceptable Solutions	Performance Criteria
<b>A1</b> Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</li> <li>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</li> <li>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</li> <li>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</li> </ul>	<b>P1</b> A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.

<p><b>A2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> <li>(a) 5.5m, or alternatively 1m behind the building line;</li> <li>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</li> </ul>	<p><b>P2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p>
<p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: <ul style="list-style-type: none"> <li>i. a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</li> <li>ii. projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</li> </ul> </li> <li>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: <ul style="list-style-type: none"> <li>i. does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>ii. does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</li> </ul> </li> </ul>	<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> <li>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> <li>i. reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</li> <li>ii. overshadowing the private open space of a dwelling on an adjoining property;</li> <li>iii. overshadowing of an adjoining vacant property; or</li> <li>iv. visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</li> </ul> </li> <li>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</li> <li>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on: <ul style="list-style-type: none"> <li>i. an adjoining property; or</li> <li>ii. another dwelling on the same site.</li> </ul> </li> </ul>

**A1** – the existing dwelling will remain, and no alterations or additions are proposed within 4.5m of the frontage. The acceptable solution is met.

**A2** – there are no garages or carports within 5.5m of the frontage. The acceptable solution is met.

**A3** – The proposed dwellings are generally setback 1.5m or greater to the side and rear boundaries. The only exception is the northern wall of the double garage for unit 3, which has a side setback of 1.1m. However, as its cumulative length is less than 9m (approximately 6.5m), it can satisfy A3 (b) ii. In addition, due to the single storey profile of the development, compliance within the building envelope (shown below) is achieved.



**8.4.3 Site coverage and open space for all dwellings**

<b>Objective:</b> That dwellings are compatible with the amenity and character of the area and provide: (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 60m <sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).	<b>P1</b> Dwellings must have: (a) site coverage consistent with that existing on established properties in the area; (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate; i. outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take

	<p>into account any common open space provided for this purpose within the development; and</p> <p>ii. operational needs, such as clothes drying and storage; and</p> <p>(c) reasonable space for the planting of gardens and landscaping.</p>
<p><b>A2</b></p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <ol style="list-style-type: none"> <li>24m<sup>2</sup>; or</li> <li>12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</li> </ol> <p>(b) has a minimum horizontal dimension of not less than:</p> <ol style="list-style-type: none"> <li>4m; or</li> <li>2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</li> </ol> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	<p><b>P2</b></p> <p>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <ol style="list-style-type: none"> <li>conveniently located in relation to a living area of the dwelling; and</li> <li>orientated to take advantage of sunlight.</li> </ol>

**A1** – the proposed development has a site coverage (roofed area of buildings) of 43.4%. In addition, each multiple dwelling has an allocation of private open space of 60m<sup>2</sup>. The acceptable solution is met.

**A2 & P2** – each multiple dwelling has an allocated private open space area measuring 4m by 6m. Units 2 and 3 are not near the property frontage and satisfy A2. However, the location of unit 1's private open space adjacent to the Gunn Street frontage does not have an orientation in accordance with A2 (c) and, therefore, requires assessment against the performance criteria. The private open space of unit 1 will have an area capable of serving as an extension of the dwelling for outdoor activities. A fence and landscaping along the frontage will screen the allocated private open space area for the dwelling's occupants. P2 can be satisfied for unit 1's private open space.

#### 8.4.4 Sunlight to private open space of multiple dwellings

<b>Objective:</b> That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.	
Acceptable Solutions	Performance Criteria
<b>A1</b> A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting: i. at a distance of 3m from the northern edge of the private open space; and ii. vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9:00am and 3:00pm on 21 <sup>st</sup> June; and (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: i. an outbuilding with a building height not more than 2.4m; or ii. protrusions that extend not more than 0.9m horizontally from the multiple dwelling.	<b>P1</b> A multiple dwelling must be designed and sited to not cause an unreasonable loss off amenity by overshadowing the private open space of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 8.4.3 of this planning scheme.

**A1** - no multiple dwelling is located to the north of private open space of another dwelling on the site.

#### 8.4.6 Privacy for all dwellings

<b>Objective</b> To provide a reasonable opportunity for privacy for dwellings.	
Acceptable Solutions	Performance Criteria
<b>A1</b> A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more	<b>P1</b> A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more

<p>than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <ul style="list-style-type: none"> <li>i. from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>ii. from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.</li> </ul> </li> </ul>	<p>than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <ul style="list-style-type: none"> <li>(a) a dwelling on an adjoining property or its private open space; or</li> <li>(b) another dwelling on the same site or its private open space.</li> </ul>
<p><b>A2</b></p> <p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <ul style="list-style-type: none"> <li>(a) the window or glazed door: <ul style="list-style-type: none"> <li>i. is to have a setback of not less than 3m from a side boundary;</li> <li>ii. is to have a setback of not less than 4m from a rear boundary;</li> <li>iii. if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>iv. if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</li> </ul> </li> <li>(b) the window or glazed door: <ul style="list-style-type: none"> <li>i. is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</li> <li>ii. is to have a sill height of not less</li> </ul> </li> </ul>	<p><b>P2</b></p> <p>A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> <li>(a) a window or glazed door, to a habitable room of another dwelling; and</li> <li>(b) the private open space of another dwelling.</li> </ul>

<p>than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</p> <p>iii. is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	
<p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>i. it is separated by a screen of not less than 1.7m in height; or</p> <p>ii. the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p><b>P3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>

**A1** – no deck or parking space proposed for the development has a finished floor level greater than 1m above the existing ground level. Compliance with this standard can be satisfied.

**A2** – all habitable rooms associated with the proposal have a finished floor level less than 1m above the existing ground level. Therefore, this standard can be satisfied.

**P3** - the proposed development does not, in all instances, provide either 2.5m setback, screening, sill heights or obscured glazing to a number of windows to habitable rooms along the shared driveway to satisfy A3 of this clause. The applicant's designer has nominated that most habitable windows within the 2.5m setback threshold have one way glass facing the shared access to a height of 1.7m. This requirement is considered necessary for all habitable room windows facing the shared access and this will be ratified as a permit condition. In addition, it is assumed the windows will be double glazed to prevent noise impacts, as is typically required to achieve minimum energy efficiency ratings in accordance with the *Building Act 2016*. Lastly, the visitor parking space is not separated by 2.5m to unit 3 and a condition requiring screening as proposed by the developer for the windows facing the shared access will be included on the permit. The performance criteria for this standard can be reasonably met with the inclusion of a permit condition.

#### 8.4.8 Waste storage for multiple dwellings

<b>Objective:</b> To provide for the storage of waste and recycling bins for multiple dwellings.	
Acceptable Solutions	Performance Criteria
<b>A1</b> A multiple dwelling must have storage area for waste and recycling bins, that is not less than 1.5m <sup>2</sup> per dwelling and is within one of the following locations: <ul style="list-style-type: none"> <li>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) a common storage area with an impervious surface that:             <ul style="list-style-type: none"> <li>i. has a setback of not less than 4.5m from a frontage;</li> <li>ii. is not less than 5.5m from any dwelling; and</li> <li>iii. is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</li> </ul> </li> </ul>	<b>P1</b> A multiple dwelling must have storage for waste and recycling bins that is: <ul style="list-style-type: none"> <li>(a) capable of storing the number of bins required for the site;</li> <li>(b) screened from the frontage and any dwellings; and</li> <li>(c) if the storage area is common area, separated from any dwellings to minimise impacts cause by odours and noise.</li> </ul>

**A1** - waste storage for each multiple dwelling is provided in accordance with A1 (a). The acceptable solution is met.

## C2.0 Parking and Sustainable Transport Code

### C2.5.1 Car parking numbers

<b>Objectives:</b> That an appropriate level of car parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria
<b>A1</b> The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: <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> </ul>	<b>P1.1</b> The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to: <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> </ul> </li> </ul>

<p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>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</p> <p>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:</p> <p><math>N = A + (C - B)</math></p> <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> <p>C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>ii. efficiencies gained by consolidation of car parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(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;</p> <p>(g) the effect on streetscape; and</p> <p>(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.</p> <p><b>P1.2</b></p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature and intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the surrounding area.</p>
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**A1** - under Table C2.1, a dwelling with 2 or more bedrooms requires 2 spaces. In addition, 1 visitor space is required for every 4 multiple dwellings (rounded up to the nearest whole number). The development requires 7 on-site parking spaces to comply, which the site accommodates. The acceptable solution is met.

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

<p><b>Objective:</b></p> <p>That parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>	
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1.1</b></p>	<p><b>P1</b></p>

<p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <ul style="list-style-type: none"> <li>i. have a gradient in accordance with <i>Australia Standard AS2890 – Parking facilities, Parts 1-6</i>;</li> <li>ii. provide for vehicles to enter and exit the site in a forward direction where providing for 4 or more parking spaces;</li> <li>iii. have an access width not less than requirements of Table C2.2;</li> <li>iv. have car parking space dimensions which satisfy the dimensions of Table C2.3;</li> <li>v. have a combined and access 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 level surface; or</li> </ul> <p>(b) comply with <i>Australian Standard AS2890 – Parking Facilities Parts 1-6</i></p>	<p>All access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <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) Usability in all weather conditions;</li> <li>(d) The nature and use of the development;</li> <li>(e) The expected number and type of vehicles;</li> <li>(f) The likely use of the parking areas of person with a disability;</li> <li>(g) The nature of traffic in the surrounding area;</li> <li>(h) The proposed means of parking delineation; and</li> <li>(i) The provision of <i>Australia Standard AS2890.1:2004 – Parking facilities, Part 1-off-street parking, and AS2890.2:2002 Parking facilities, Part 2-off-street commercial vehicles facilities.</i></li> </ul>
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**A1.1 & P1.1-** Generally the design of the on-site parking can satisfy the acceptable solution. However, under Table C2.3 (shown below), an access width of 4.5m is required for the first 7m for a development that serves between 6 and 20 parking spaces.

**Table C2.2 Internal Access Way Widths for Vehicles**

<b>Number of parking spaces served</b>	<b>Internal access way widths</b>	<b>Passing bay dimensions for two-way traffic in addition to the access way width</b>
1 to 5	A width not less than 3m.	2m wide by 5m long, plus entry and exit tapers, every 30m, unless on land within the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone or Open Space Zone.
6 to 20	<p>(a) A width not less than 4.5m for the first 7m from the road carriageway and 3m thereafter, and</p> <p>(b) At changes of direction or intersections have:</p> <p>(i) an internal radius of not less than 4m, or</p> <p>(ii) a width more than 4.2m.</p>	2m wide by 5m long, plus entry and exit tapers, every 30m.
21 and over	A width not less than 5.5m.	Not applicable

In this case, the existing single-width access will remain, so the development does not impact the fence, which is identified as a key heritage attribute of the property in the Heritage Impact Statement. A small lay-by area is located after the front fence, which will have dimensions of 7m x 4.5m, which is shown below in Figure 7. The proposed design can be supported, as the dwellings will have a low turnover of vehicles, and motorists entering the site are likely to be familiar with the site and the single access constraint. P1.1 can be reasonably met.

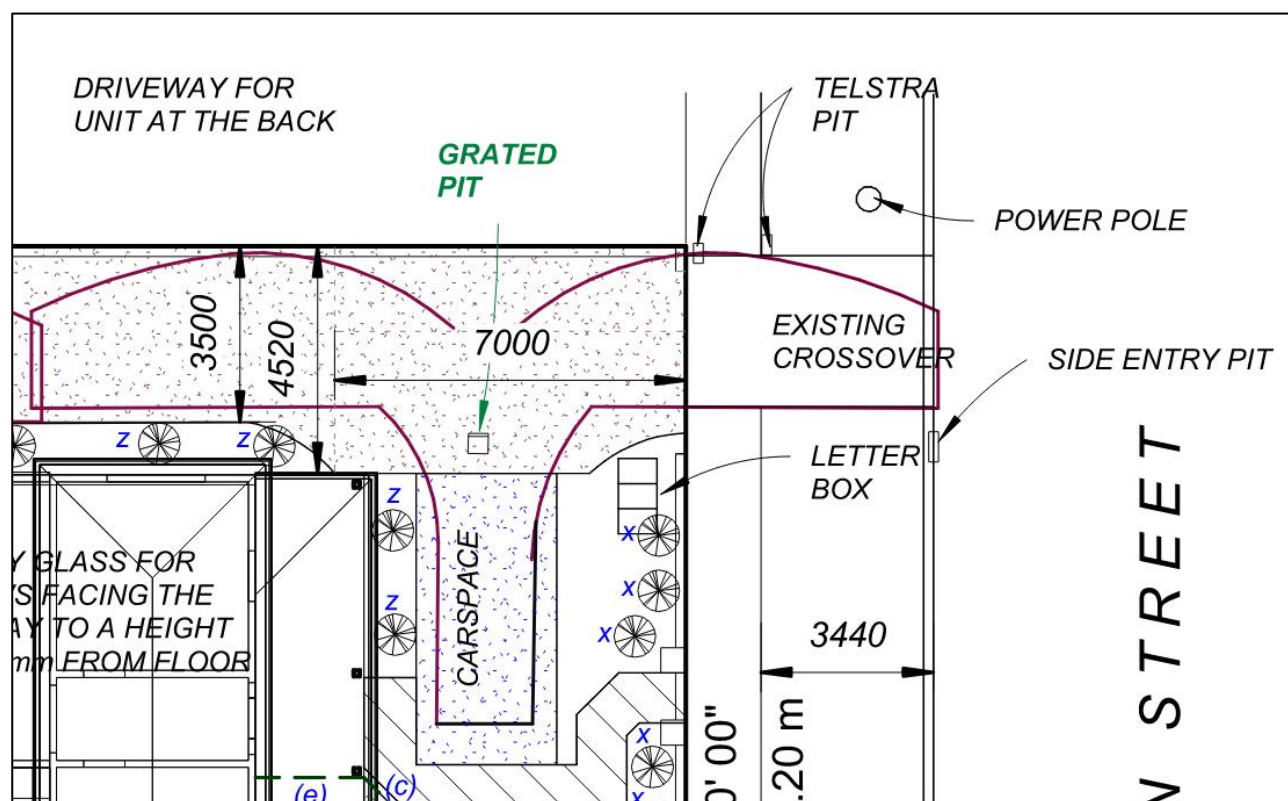


Figure 7 – Site access and access width (Weed Drafting & Building Consultants Pty Ltd, 2023)

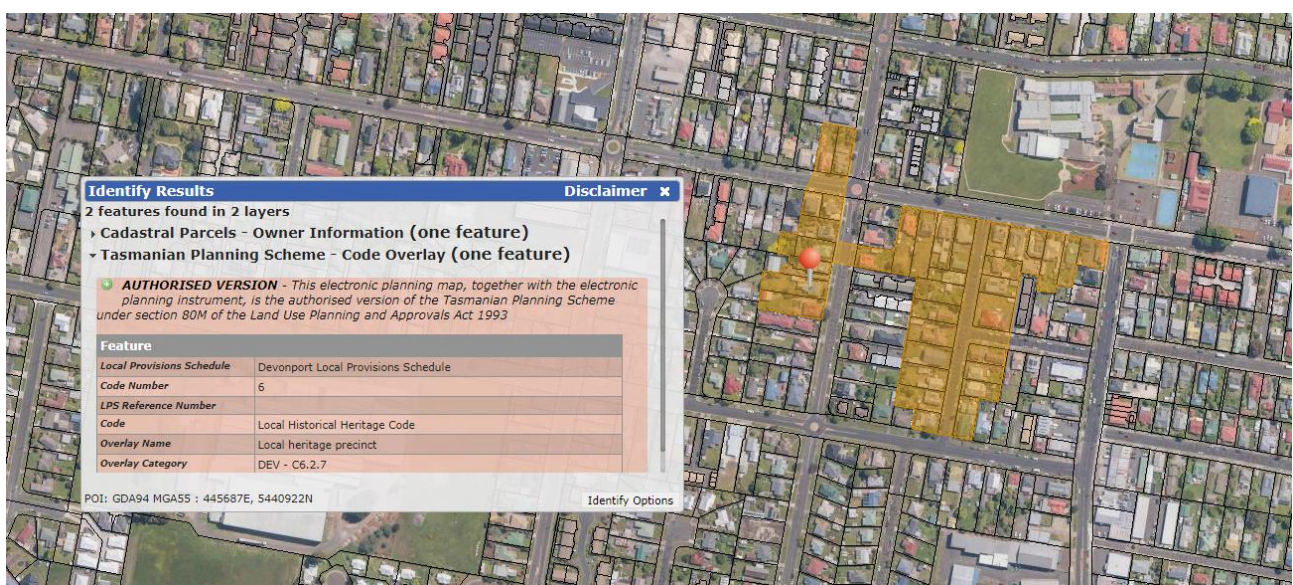
## C6.0 Local Historic Heritage Code

The site is identified within the Steet Street Local Heritage Precinct – Reference Number: DEV-6.2.7. An extract regarding this precinct from the scheme is reproduced in Table 1 below. In addition, Figure 8 is a map showing the spatial extent of this precinct.

Reference Number	Town/Locality	Name of the Precinct	Description, Statement of Local Historic Heritage Values and Design Criteria/Conservation Policy
DEV-C6.2.7	Devonport	Steele Street Local Heritage Precinct	<p><b>Description</b></p> <p>This precinct is located close to the Wenvoe and Hiller Street Local Heritage Precinct and in many respects is similar in character.</p> <p><b>Statement of Local Historic Heritage Significance</b></p> <p>The principal streetscape is Steele Street which contains a number of fine early residences. The area extends into Gunn Street, which also contains a fine group of buildings from a range of periods on its western side.</p> <p>The area also includes Sumberg Street. This is an unpretentious streetscape with several good examples on the corners of</p>

			<p>Tasman and Symbister Streets and the balance of the street providing a typical intact early twentieth century development. While the balance of housing in this area is not highly distinctive, collectively it provides a very fine streetscape of consistent elements.</p> <p><b>Design Criteria / Conservation Policy</b></p> <p>There are no design criteria or conservation policies for this precinct.</p>
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**Table 1: Overview of the Wenvoe and Hiller Street Local Heritage Precinct (Tasmanian Planning Scheme Devonport, 2020)**



**Figure 8 – Map of the Steele Street Local Heritage Precinct highlighted in orange with the site location pinned (LISTmap, 2023)**

The development is required to be assessed against the applicable provisions prescribed within clause C6.7 – *Development Standards for Local Heritage Precincts and Local Historic Landscape Precincts*. These are reproduced below followed by comment.

#### C6.7.1 Demolition within a local heritage precinct

<p><b>Objective:</b></p> <p>That demolition within a local heritage precinct does not have an unacceptable impact on the local historic heritage significance of the precinct.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and</p>	<p><b>P1</b></p> <p>Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings, must not cause an</p>

<p>outbuildings must:</p> <p>(a) not be on a local heritage place;</p> <p>(b) not be visible from any road or public open space; and</p> <p>(c) not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule.</p>	<p>unacceptable impact on the local historic heritage significance of the local heritage precinct as identified in the relevant Local Provisions Schedule, having regard to:</p> <p>(a) the physical condition of the building, works, structure or trees;</p> <p>(b) the extent and rate of deterioration of the building, works, structure or trees;</p> <p>(c) the safety of the building, works, structure or trees;</p> <p>(d) the streetscape in which the building, works, structure or trees is located;</p> <p>(e) the special or unique contribution that the building, works, structure or trees makes to the streetscape or townscape values of the local heritage precinct identified in the relevant Local Provisions Schedule;</p> <p>(f) any options to reduce or mitigate deterioration;</p> <p>(g) whether demolition is a reasonable option to secure the long-term future of a building, works or structure; and</p> <p>(h) any economic considerations.</p>
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**P1** – demolition work is proposed at the rear of the existing dwelling, including removing the current kitchen/dining area, bathroom, laundry, and outbuildings. As mentioned earlier in the report, a Statement of Heritage Impact was provided by Carste Studio Pty Ltd (2023). The report did not support demolishing the entire dwelling as initially proposed. However, it could support the demolition of the areas currently proposed as they were later additions and do not contribute to the heritage value of the existing dwelling. The demolition work associated with the existing dwelling has merit to be supported against P1.

#### C6.7.3 Buildings and works, excluding demolition

<p>Objective:</p> <p>That development within a local heritage precinct or a local historic landscape precinct is sympathetic to the character of that particular precinct.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must:</p>	<p><b>P1.1</b></p> <p>Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible</p>

<p>(a) not be on a local heritage place;</p> <p>(b) not be visible from any road or public open space; and</p> <p>(c) not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule.</p>	<p>with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area;</p> <p>(d) the setbacks of other buildings in the surrounding area; and</p> <p>(e) any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule.</p> <p><b>P1.2</b></p> <p>Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area;</p> <p>(d) the setbacks of other buildings in the surrounding area; and</p> <p>(e) any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule.</p>
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**P1.1 & P1.2** – the applicant has demonstrated the proposed design is generally in accordance with the recommendations discussed within the Heritage Impact Statement.

Importantly, the identified heritage elements of the existing dwelling will be retained whilst the additions to this building will integrate and further enhance the dwelling's heritage value.

The Heritage Impact Statement discusses that the two new dwellings will not distract from the character of the Steele Street Heritage Precinct as they will be setback behind the existing heritage dwelling and the existing driveway and front fence will be retained. Compliance with P1.1 & P1.2 has been satisfactorily demonstrated.

**A2** – no new front fence is proposed and A2 is satisfied.

## **COMMUNITY ENGAGEMENT**

On 01/07/2022, Council received an application for the above development. Under Section 57(3) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority must give notice of an application for a permit. As prescribed at Section 9(1) of the *Land Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 07/02/2024;
- (b) Making a copy of the proposal available in Council Offices from the 07/02/2024;
- (c) Notifying adjoining property owners by mail on 05/02/2024; and
- (d) Erecting a Site Notice for display from the 06/02/2024.

The period for representations to be received by Council closed on 20/02/2024.

## **REPRESENTATIONS**

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

The representation was received from the residents of the property to the immediate south – 29 Gunn Street and is reproduced below as Figures 9 & 10. A full copy of the representation is appended as an **Attachment 2** to this report.

#### **Details of representation**

Having reviewed the application, as the owners of the adjacent property (29 Gunn St) we wish to object to this proposed development (PA2022.0105) on the following grounds:

- 1) loss of local heritage atmosphere - despite retaining the street facing part of the original house, the remainder of the development looks to be of regular commercial brick which is viewable from neighboring property and looking a lot less heritage and out of step with age and architecture of the few remaining houses of that period in Gunn St.
- 2) reduced "green spaces" - why build out the entire block from fence to fence?
- 3) erosion of block sizes/medium density - this sets a precedent and soon we will lose all of these heritage style blocks as they are converted into medium density housing - wheres the heritage protection?
- 4) increased traffic/vehicular movements - parking for what looks like 8 cars in a single block. Increased noise and vehicle movements
- 5) increase noise due to housing density (moving 3 families into where there was previously 1)
- 6) reduced privacy for our property - the existing fence is too low to provide privacy/screening between the proposed development and the yard at 29 Gunn St.
- 7) reduced scenic impact - instead of enjoying an open yard, we will now be looking at brick wall along entire north side of our property - refer to the attached picture of the yard from the rear deck.
- 8) increased shading over our property during the most important times of day for sun/heating - especially in winter. Based on the 1:300 shadow drawing, nearly half of our yard will be subject to shading in the mornings and afternoons
- 9) proposed placement of bins is adjacent our rear deck - subjecting us to unpleasant odours in a place where we use the BBQ and outside dining area.

We have no issue with a typical "granny flat" development/addition but this McMansion-style development goes way beyond what is reasonable in a heritage precinct and severely negatively impacts the amenity of our property.

**Figure 9 – Representation (Glenn & Clair Waters, 2024)**



**Figure 10 – Image of the rear of 29 Gunn Street, which accompanied the representation (Glenn & Clair Waters, 2024)**

Each point of the representation is addressed below by the Planning Authority.

1. The development has been assessed against the requirements of the Local Historic Heritage Code and has been assessed as satisfying the performance criteria. It is noted the Steele Street Heritage Precinct contains no specified design outcomes or design policy criteria and the proposal is in accordance with the Heritage Impact Statement by carste Studio pty Ltd.
2. The development can satisfy the acceptable site coverage requirements prescribed under development standard 8.4.3 – *Site coverage and open space for all dwellings*.
3. The multiple dwelling development complies with the acceptable density requirement for the General Residential Zone – 1 dwelling per 325m<sup>2</sup> of site area, prescribed under 8.4.1 – *Residential density for multiple dwellings*. The Steele Street Heritage Precinct does not preclude multiple dwelling development.
4. Increased vehicle movements are to be expected from such a development. The number of on-site parking spaces accommodated for the development satisfies the acceptable solutions for C2.5.1 - *Car parking numbers* prescribed under the Parking and Sustainable Transport Code.
5. Noise nuisance is regulated under the *Environmental Management and Pollution Control Act 1994*.
6. The proposal can satisfy the privacy consideration prescribed within the planning scheme. Fencing between neighbours is up to property owners to manage, noting a

boundary fence up to 2.1m can be constructed without the need for further planning approval.

7. The visual aesthetic impact is noted. However, the multiple dwellings can satisfy the building setbacks and envelope requirement in the planning scheme – 8.4.2 – *Setbacks and building envelope for all dwellings*.
8. Refer to above commentary regarding compliance with the acceptable solutions for 8.4.2 – *Setbacks and building envelope for all dwellings*.
9. Odour nuisance is regulated under the *Environmental Management and Pollution Control Act 1994*.

The issues raised by the representors do not warrant refusal or alteration of the proposal.

### **DISCUSSION**

the application has been referred to TasWater and Council Departments with an interest in development applications. Feedback received has been included as conditions or notes where appropriate.

### **FINANCIAL IMPLICATIONS**

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

### **RISK IMPLICATIONS**

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

### **CONCLUSION**

The proposal has been assessed and deemed to meet the requirements of the *Tasmanian Planning Scheme – Devonport* and can therefore be approved, with conditions.

### **ATTACHMENTS**

1. Application PA2022.0105 - 31 Gunn Street [**4.1.1** - 63 pages]
2. Representation PA2022.0105 - 31 Gunn Street [**4.1.2** - 3 pages]
3. TasWater SPAN - PA2022.0105 - 31 Gunn Street [**4.1.3** - 2 pages]

## **4.2 PA2023.0067 & AM2023.02 - 200 STONY RISE ROAD STONY RISE & 1 LAPTHORNE CLOSE DON - SUBDIVISION (BOUNDARY ADJUSTMENT) AND REZONE PART OF 200 STONY RISE ROAD (ST OLAVE'S CHURCH) FROM THE COMMUNITY PURPOSE ZONE TO THE GENERAL RESIDENTIAL ZONE**

Author: **Alex Mountney, Land Use Planning Coordinator**

Endorser: **Kylie Lunson, Executive Manager**

### **RECOMMENDATION**

That Council:

- agree to certify draft amendment AM2023.02 to the Devonport Local Provisions Schedule for part of land at 200 Stony Rise Road, Stony Rise (CT 163007/2) to:
  - a. Remove the Community Purpose Zone; and
  - b. Assign the General Residential Zone.
- 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 AM2023.02 and application PA2023.0067 on public exhibition for 28 days in accordance with sections 40G and 40Z of the *Land Use Planning and Approvals Act 1993*; and
- approve draft permit PA2023.0067 for a boundary adjustment involving 200 Stony Rise Road, Stony Rise and 1 Lapthorne Close, Don with the following conditions:

#### Planning Condition

1. The boundary adjustment is to proceed generally in accordance with the endorsed plan and documentation referenced as:
  - Boundary Adjustment - Drawing No. 220076, dated 10/10/2023 by Michell Hodgetts Surveyors;
  - Application Report, dated 11/04/2023 (Version 1) by Terra Firma Town Planning; and
  - Attenuation Code Assessment Report, Project No. 8477, dated 12/09/2022 (Final Version) by es&d.

copies of which is attached as documents forming part of this planning permit.
2. If during any excavation work any human remains or associated burial material is unearthed all work is to cease immediately and Devonport City Council's Environmental Health Department is to be contacted.

#### Tasmanian Heritage Council (THC Works Reference: 8175)

3. The new boundary fence between lots 1 and 2 must be constructed of vertical hardwood palings (unpainted) 1.8 metres in height, with posts and rails to be on east face (i.e, not visible from church) - refer to the note.

Infrastructure Conditions (roads and stormwater)

4. A concrete vehicular access from Lapthorne Close must be provided for 200 Stony Rise Road (lot 1), constructed in accordance with current Tasmanian Standard Drawings and Tasmanian Subdivisional Guidelines (TSD-R09-v3).
5. A DN150 stormwater connection must be provided for 1 Lapthorne Close (lots 2 and 3) to Council's reticulated stormwater system.

TasWater Condition (water and sewerage)

6. 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 developer must apply for a Permit to Work Within the Road Reserve prior to construction of the vehicular access.

Should any changes be sought to the existing access for 1 Lapthorne Close (lots 2 and 3), the developer must liaise with Council's Infrastructure Department.

In regard to the Tasmanian Heritage Council condition, a copy of their decision is attached. The applicant is to note that the area entered in the Tasmanian Heritage Register will not change as a result of this subdivision. Works within the registered area will require heritage approval pursuant to Part 6 of the *Historic Cultural Heritage Act 1995*. The developer is to contact Heritage Tasmania with any queries regarding their decision.

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

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

In regard to condition 5 the developer should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 3-4, the developer should contact Council's Infrastructure Department – Ph 6424 0511 with any enquiries.

Enquiries regarding condition 1 and general notes can be directed to Council's Development Services Department – Ph 6424 0511.

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

Council's Strategic Plan 2009-2030:

- 2.1 Council's Planning Scheme facilitates appropriate property use and development

**SUMMARY**

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

- Removal of the Community Purpose Zone from part of 200 Stony Rise Road, Stony (CT 163007/2);
- Introduction of the General Residential Zone to 200 Stony Rise Road (CT 163007/2); and
- The concurrent approval of a boundary adjustment between 200 Stony Rise Road, Stony Rise and 1 Lapthorne Close, Don.

#### BACKGROUND

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Property Address:	200 Stony Rise Road, Stony Rise & 1 Lapthorne Close, Don
Title Reference:	CT 163007/2 & CT 163007/1
Landowner(s):	200 Stony Rise Road – God Squad CMC Nth West Tas Inc. 1 Lapthorne Close – Driftwood Sands Tasmania Pty Ltd.
Applicant:	Terra Firma Town Planning obo Anglican Diocese Tasmania
Proposal Description:	Draft Amendment and Permit - Rezoning part of 200 Stony Rise Road from the Community Purpose Zone to the General Residential Zone and Boundary adjustment between 200 Stony Rise Road and 1 Lapthorne Close, Stony Rise
Current Zoning:	200 Stony Rise Road – Community Purpose 1 Lapthorne Close – General Residential
Existing Use	200 Stony Rise Road – church 1 Lapthorne Close – vacant land
Decision Due	26 March, 2024

#### SITE DESCRIPTION

The site is located on the south-eastern corner of the Stony Rise Road and Lapthorne Close intersection. Two properties, 200 Stony Rise Road (CT 163007/2) and 1 Lapthorne Close (CT 163007/1), overlay the site. A recent aerial image of the site showing the two properties is reproduced below as Figure 1. Figure 2 is the respective title plan of each property.

200 Stony Rise Road contains St Olave's Church and cemetery. This property, which has an area of 2403m<sup>2</sup>, is listed on the Tasmanian Heritage Register.

1 Lapthorne Close is currently vacant and has an area of 2134m<sup>2</sup>. This property was subdivided from the St Olave's property in 2011.

The site has a gentle slope falling towards the north-east and is surrounded by residential and industrial development. Figures 3 and 4 are recent images of the property from Stony Rise Road and Lapthorne Close.



**Figure 1 – Aerial image of the site and surrounding locality. The yellow dashed line is the approximate location of the shared boundary between the two properties (DCC, 2023)**

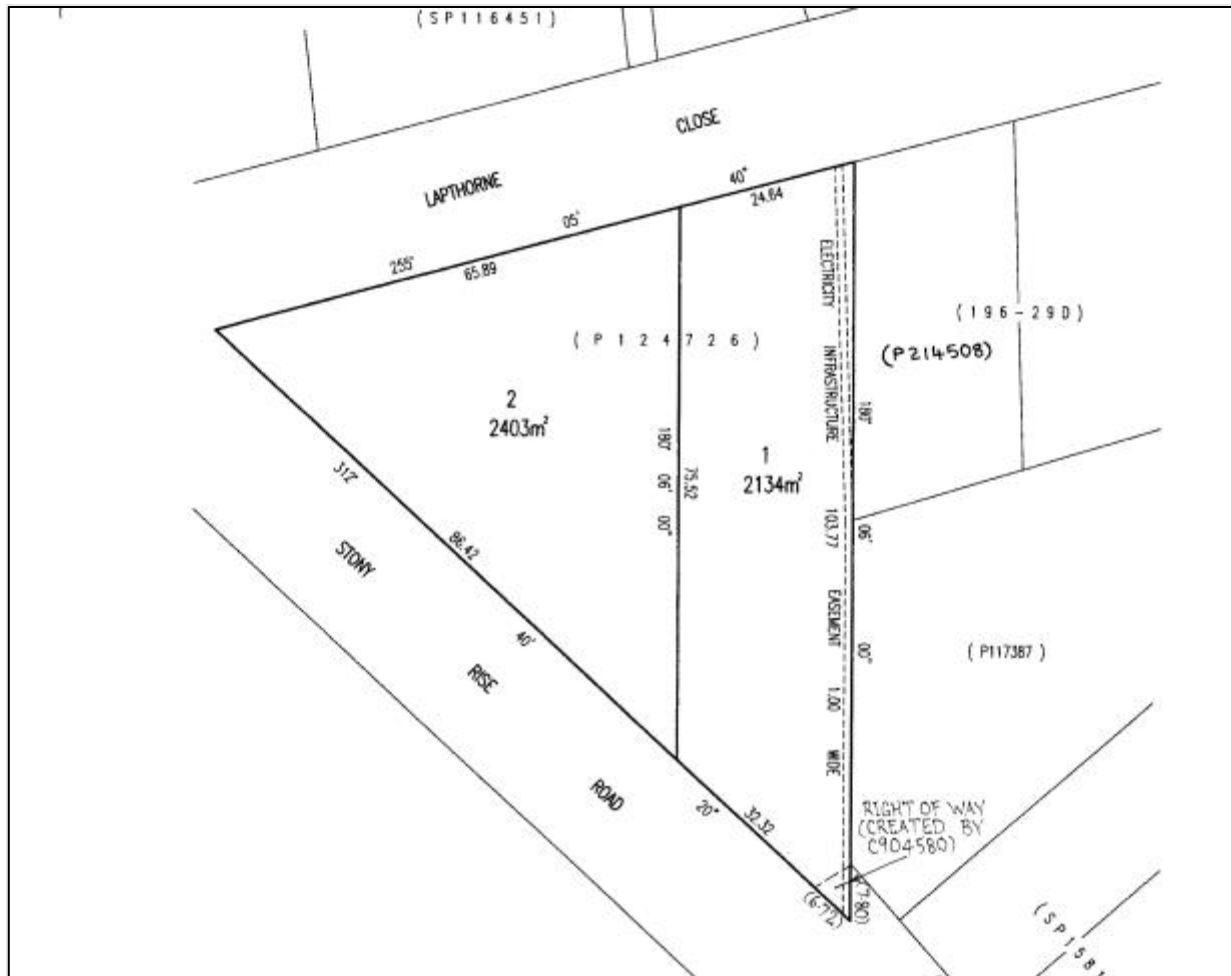


Figure 2 – Title plan for 200 Stony Rise Road (lot 2) and 1 Lapthorne Close (lot 1) (LIST, 2011)



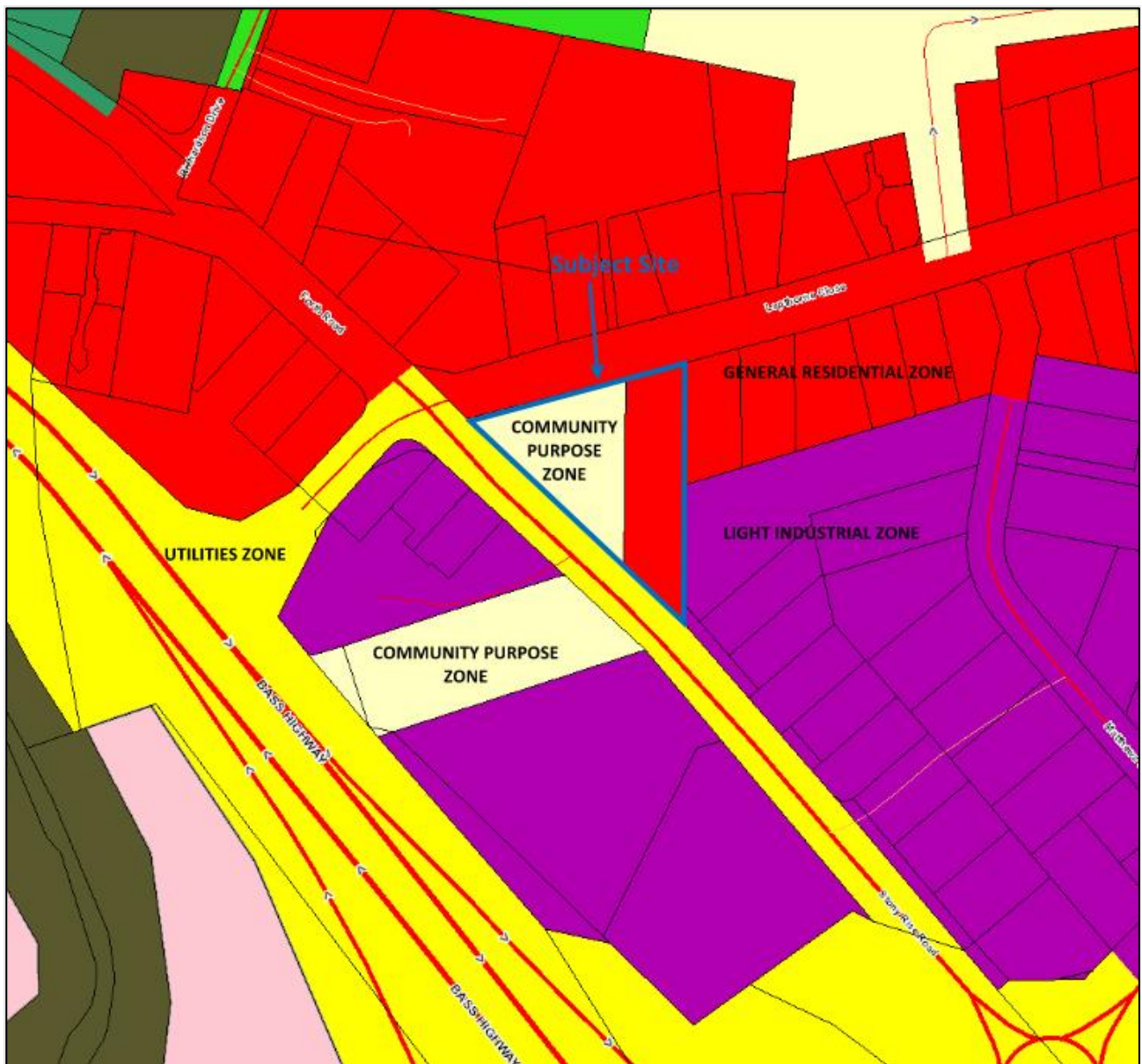
**Figure 3 – Image of the site looking north from Stony Rise Road (DCC, 2024)**



**Figure 4 – Image of the site looking south from Lapthorne Close (DCC, 2024)**

### **CURRENT LAND USE ZONING & OVERLAY CONTROLS**

The site is subject to two land-use zones. The Community Purpose Zone applies to 200 Stony Rise Road, and the General Residential Zone applies to 1 Lapthorne Close. Figure 5 below is a zoning map of the site and surrounding locality. An overview of each of the abovementioned zones follows.



**Figure 5 – Zoning map of the site (outlined in blue) and surrounds (Terra Firm Town Planning, 2023)**

#### 27.0 Community Purpose Zone

The purpose of the Community Purpose Zone is:

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

The Use Table for the zone is as follows:

## 27.2 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
Permitted	
Business and Professional Services	If for: (a) medical centre; (b) a community-based organisation; (c) government offices; or (d) funeral parlour.
Community Meeting and Entertainment	If for a cemetery.
Crematoria and Cemeteries	
Educational and Occasional Care	
Emergency Services	
Hospital Services	
Residential	If for: (a) a residential care facility, respite centre, retirement village or assisted housing; or (b) accommodation for staff or students of a use on the site.
Tourist Operation	If for a visitor centre.
Discretionary	
Business and Professional Services	If not listed as Permitted.
Custodial Facility	If for alterations or extensions to an existing Custodial Facility.
Food Services	
General Retail and Hire	If for a market.
Recycling and Waste Depot	If for alterations or extension to an existing Recycling and Waste Depot.
Sports and Recreation	
Tourist Operation	If not listed as Permitted.
Utilities	If not listed as No Permit Required.

Vehicle Parking	
Prohibited	
All other uses	

## 8.0 General Residential Zone

The purpose of the General Residential Zone is:

- 8.1.1 *To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.*
- 8.1.2 *To provide for the efficient utilisation of available social, transport and other service infrastructure.*
- 8.1.3 *To provide for non-residential use that:*
  - a) *primarily serves the local community; and*
  - b) *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.*
- 8.1.4 *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
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling.
Utilities	If for minor utilities.
Permitted	
Residential	If not listed as No Permit Required.
Visitor Accommodation	
Discretionary	
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 take away 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.
Prohibited	
All other uses	

In addition to the site's land-use zoning, the site is subject to various mapped overlays that form part of the codes under the scheme. The overlays are identified and discussed in further detail below.

#### C7.0 Natural Assets Code

The entire site is mapped within a priority vegetation area (PVA). 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.*

Priority vegetation is defined within the Code as:

*"native vegetation where any of the following apply:*

- (a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the Nature Conservation Act 2002;*
- (b) is a threatened flora species;*
- (c) it forms a significant habitat for a threatened fauna species; or*
- (d) it has been identified as native vegetation of local importance"*

PVA is further defined as *"means land shown on an overlay map in the relevant Local Provisions Schedule, as within a priority vegetation area."*

#### 16.0 Safeguarding of Airports Code

The entire site is mapped within an airport obstacle limitation area (AOLA) of 51.5m AHD. The purpose of the Code 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.*

### **PROPOSED AMENDMENT**

The applicant proposes to amend the Devonport Local Provisions Schedule (LPS) zoning map to:

- (a) Remove the Community Purpose Zone from part of 200 Stony Rise, Stony Rise (CT 163007/2); and
- (b) Assign the General Residential Zone to part of 200 Stony Rise Road, Stony Rise (CT 163007/2).

Terra Firma Town Planning has sought the draft amendment on behalf of the Anglican Diocese of Tasmania. The amendment proposes to rezone 850m<sup>2</sup> of land. Should the draft amendment be certified, a boundary adjustment between 200 Stony Rise and 1 Lapthorne Close is sought, which will align the title boundary with the zone boundary. A full copy of the applicant's draft amendment and permit application is appended as **Attachment 1** to this report.



**Figure 6 – Overview of proposed amendment and boundary adjustment  
(Terra Firma Town Planning, 2023)**

## STATUTORY REQUIREMENTS

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

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

Further to satisfying the LUPAA requirements, the draft amendment requires consistency with the Section 8A Guidelines for LPS zone and code application. The guidelines for the relevant zones and codes are reproduced below in Figures 7 & 8 along with further commentary.

### 27.0 Community Purpose Zone

Zone Application Guidelines	
CPZ 1	<p>The Community Purpose Zone should be applied to land that provides, or is intended to provide, for key community facilities and services, including:</p> <ul style="list-style-type: none"> <li>(a) schools, tertiary institutions or other education facilities;</li> <li>(b) medical centres, hospital services or other care-based facilities;</li> <li>(c) emergency services facilities; or</li> <li>(d) large community halls, places of worship or other key community or cultural facilities.</li> </ul>
CPZ 2	<p>Some community facilities and services may be zoned the same as the surrounding zone, such as a residential or business zone, if the zone is appropriate for the nature or scale of the intended use, such as a small scale place of worship, public hall, community centre or neighbourhood centre.</p>
<i>Note:</i>	<p><i>Major community facilities and services, such as tertiary educational facilities and hospital services, with unique characteristics may be more appropriately located within a Particular Purpose Zone.</i></p>

**Figure 7 – Zone Application Guidelines – Community Purpose Zone  
(Tasmanian Planning Commission, 2018)**

**Response:** The allocation of the Community Purpose Zone will remain over the St. Olave's property, which serves as a place of worship for the God's Squad Motorcycle Club. The proposed area to be retained for St Olave's is 1550m<sup>2</sup>, allowing for sufficient curtilage around the church and cemetery, as well as designated spaces for vehicular access and parking. The area to be retained within the Community Purpose Zone aligns with the above zone application guidelines.

## 8.0 General Residential Zone

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

**Figure 8 – Zone Application Guidelines – General Residential Zone  
(Tasmanian Planning Commission, 2018)**

**Response:** The area proposed to be allocated to the General Residential Zone is 850m<sup>2</sup>. The rezoning adjoins an existing General Residential Zone to the east along Lapthorne Close, with the zone also extending to the north along Forth Road. The site can connect to reticulated services as it is already located in a developed area of Stony Rise/Don. The allocation of the zone is in accordance with the Council's *Greater Devonport Residential Growth Strategy 2021-2041*, as it will encourage residential infill development (refer to **Attachment 2**). The proposed zoning assignment of the General Residential Zone is seen to be consistent with the above zone application guidelines.

A draft zoning map is appended as **Attachment 3** to this report. No changes are proposed to the PVA or AOLA mapping.

### COMMUNITY ENGAGEMENT

Should the draft amendment be approved by the Planning Authority it must be placed on public exhibition for a period of 28 days in accordance with section 40G of LUPAA. During this time, people will have the opportunity to comment via representation made to

Council. In accordance with sections 40K & 42 of the Act, should any representations be received, a report must be provided to the Tasmanian Planning Commission regarding the merit of the representations and including any recommendations the Planning Authority sees fit.

### PERMIT APPLICATION

As mentioned earlier in the report, the applicant is also seeking approval for a concurrent boundary adjustment. The boundary adjustment proposes reducing the 200 Stony Rise Road to 1550m<sup>2</sup> and increasing the area of 1 Lapthorne Close to 2984m<sup>2</sup>. The applicant, Terra Firma Town Planning, states that the boundary adjustment is proposed as the St Olave's property has been sold as part of the Anglican Diocese redress scheme and the portion of the title that is subject to the amendment and boundary adjustment was agreed between the Diocese and the purchasers of St Olave's, God's Squad Motorcycle Club, and the owner of 1 Lapthorne Close, Driftwood Sands Tasmania Pty Ltd.

A copy of the boundary adjustment plan is reproduced below as Figure 9.

The assessment of the boundary adjustment is undertaken on the understanding that the draft amendment to the General Residential Zone is approved pursuant to section 40Y (4) of the LUPAA.

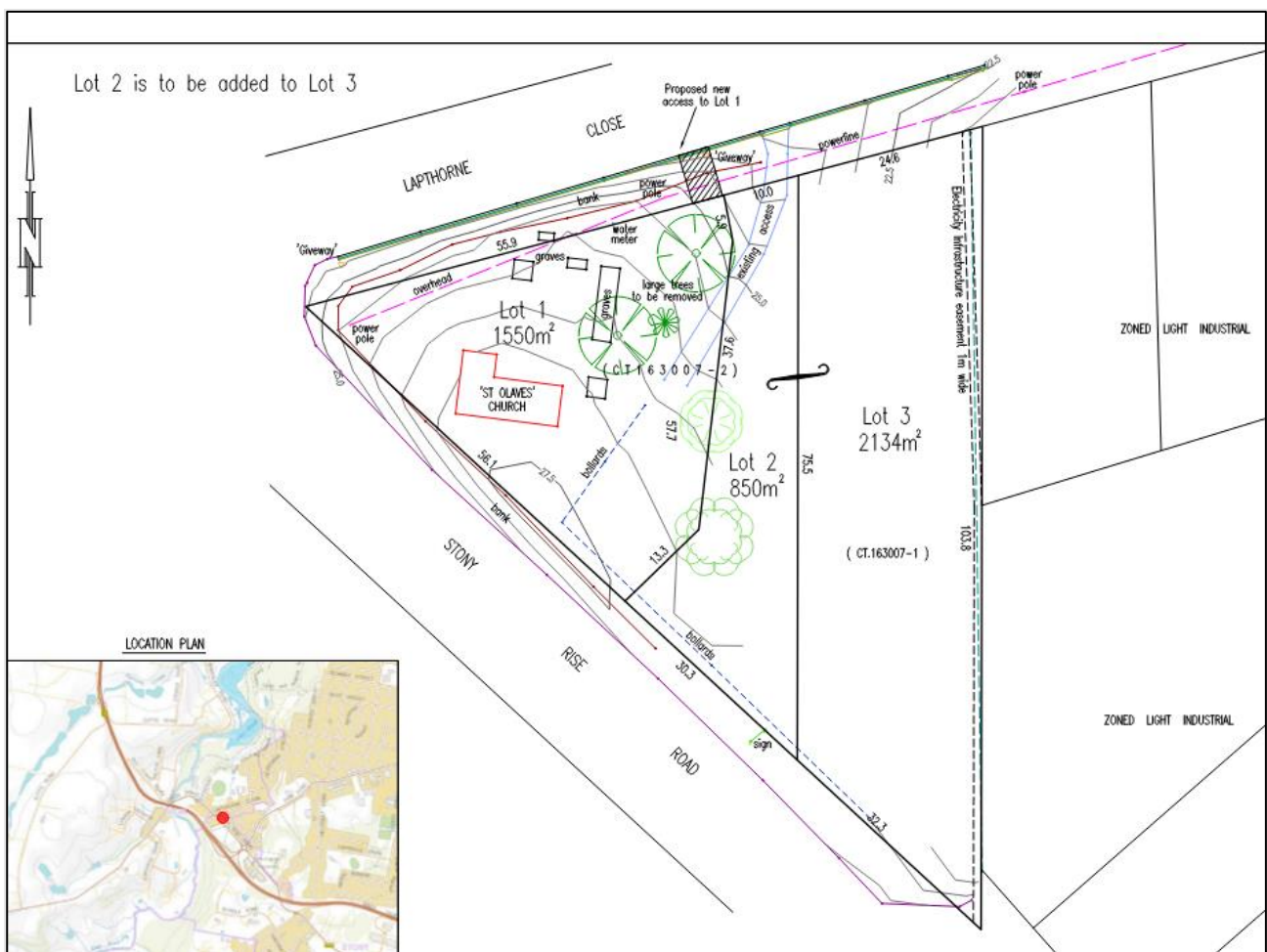


Figure 9 – Boundary adjustment plan (Michell Hodgetts Surveyors, 2022)

## PLANNING ISSUES

The land subject to the boundary adjustment is zoned Community Purpose (lot 1) and General Residential (lots 2 & 3) under the *Tasmanian Planning Scheme – Devonport 2020* (the scheme). An overview of the zones is discussed earlier in the report. The boundary adjustment cannot meet the tests to be considered under section 7.3 – *Adjustment of a Boundary* of the scheme as it involves the adjustment of land to different zones.

In accordance with section 6.2.6 of the scheme, subdivision does not require categorisation into a Use Class. The relevant subdivision standards for each zone and applicable codes are reproduced and assessed below.

### 27.0 Community Purpose Zone (lot 1)

## 27.5 Development Standards for Subdivision

### 27.5.1 Lot design

<b>Objective:</b> That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate access to a road.	
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: (a) have an area of not less than 600m <sup>2</sup> and:  (i) be able to contain a minimum area of 10m x 15m, with a gradient not steeper than 1 in 5, clear of:  a. all setbacks required by clause 27.4.2 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 27.4.2 A1 and A2;  (b) be required for public use by the Crown, a council or a State authority;  (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with	<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: (a) the relevant requirements for development of buildings on the lots; (b) the intended location of buildings on the lots; (c) the topography of the site; (d) the presence of any natural hazards; (e) adequate provision of private open space; and (f) the pattern of development existing on established properties in the area.

another lot provided each lot is within the same zone.	
<b>A2</b> Each lot, or a lot proposed in a plan of subdivision, must have a frontage or legal connection to a road by a right of carriageway of not less than 10m.	<b>P2</b> Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area,</li> </ul>
<b>A3</b> Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority	<b>P3</b> Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the length of the access;</li> <li>(c) the distance between the lot or building area and the carriageway;</li> <li>(d) the nature of the road and the traffic;</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>

A1 – lot 1 will have an area of 1550m<sup>2</sup> and has an area more than 15m x 20m with a gradient not steeper than 1 in 5 and is clear of the zone setbacks. A1 is satisfied.

A2 – lot 1 will have a frontage of 55.9m to Lapthorne Close. A2 is satisfied.

A3 – a new access is proposed for this lot, with its location assessed and approved by the road authority. A condition will be included on the permit to ensure the driveway is constructed in accordance with accepted engineering standards. A3 is met.

## 27.5.2 Services

<b>Objective:</b> That the subdivision of land provides for services for the future use and development of the land.	
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must: <ul style="list-style-type: none"> <li>(a) be connected to a full water supply service if the frontage of the lot is within 30m of a full water supply service: or</li> <li>(b) be connected to a limited water supply service if the frontage of the lot is within 30m of a limited water supply service, unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service. unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.</li> </ul>	<b>P1</b> No Performance Criterion
<b>A2</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	<b>P2</b> Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.
<b>A3</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.	<b>P3</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to: <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> </ul>

	<p>(e) any area of the site covered by impervious surfaces; and</p> <p>(f) any watercourse on the land.</p>
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A1 – lot 1 has connection to a full water supply service. A1 is met.

A2 – lot 1 has connection to a reticulated sewerage system. A2 is met.

A3 – the lot is capable of connection to the public stormwater system. A3 is met.

#### 8.0 General Residential Zone (lots 2 & 3 to be consolidated)

### **8.6 Development Standards for Subdivision**

#### **8.6.1 Lot design**

<p><b>Objective:</b></p> <p>That each lot:</p> <p>(a) has an area and dimensions appropriate for use and development in the zone;</p> <p>(b) is provided with appropriate access to a road;</p> <p>(c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and</p> <p>(d) is orientated to provide solar access for future dwellings.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(e) have an area of not less than 450m<sup>2</sup> and:</p> <ol style="list-style-type: none"> <li>i. be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: <ol style="list-style-type: none"> <li>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ol> </li> <li>ii. existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</li> </ol> <p>(f) be required for public use by the Crown, a council or a State authority;</p> <p>(g) be required for the provision of Utilities; or</p> <p>(h) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ol style="list-style-type: none"> <li>(g) the relevant requirements for development of buildings on the lots;</li> <li>(h) the intended location of buildings on the lots;</li> <li>(i) the topography of the site;</li> <li>(j) the presence of any natural hazards;</li> <li>(k) adequate provision of private open space; and</li> <li>(l) the pattern of development existing on established properties in the area.</li> </ol>
<b>A2</b>	<b>P2</b>

<p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.</p>	<p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the width of frontage proposed, if any;</li> <li>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(c) the topography of the site;</li> <li>(d) the topography of the site;</li> <li>(e) the ability to manoeuvre vehicles on the site; and</li> <li>(f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.</li> </ul>
<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(f) the topography of the site;</li> <li>(g) the distance between the lot or building area and the carriageway;</li> <li>(h) the nature of the road and the traffic;</li> <li>(i) the anticipated nature of vehicles likely to access the site; and</li> <li>(j) the ability for emergency services to access the site.</li> </ul>
<p><b>A4</b></p> <p>Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</p>	<p><b>P4</b></p> <p>Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size, shape and orientation of the lots;</li> <li>(b) the topography of the site;</li> <li>(c) the extent of overshadowing from adjoining properties;</li> <li>(d) any development on the site;</li> <li>(e) the location of roads and access to lots; and</li> </ul>

	(f) the existing pattern of subdivision in the area.
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A1 – the consolidated lot will have an area of 2984m<sup>2</sup> and provides for an area in excess of 15m x 20m that is clear of required setbacks and the Aurora Energy easement on the eastern boundary. A1 is met.

A2 – the lot will have a frontage of 34.6m. A2 is met.

A3 – the site already has a vehicular access and no upgrades are required by the road authority. A3 is met.

A4 – no new roads are created by the boundary adjustment. A4 is met.

### 8.5.2 Roads

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

	<p>transport;</p> <p>(h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the <i>Guide to Road Design Part 6A: Paths for Walking and Cycling 2016</i>;</p> <p>(i) the topography of the site; and</p> <p>(j) the future subdivision potential of any balance lots on adjoining or adjacent land.</p>
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A1 – no new roads are created by the boundary adjustment. A1 is met.

### 8.5.3 Services

<b>Objective:</b> That the subdivision of land provides for services for the future use and development of the land.	
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.	<b>P1</b> A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to: (a) flow rates; (b) the quality of potable water; (c) any existing or proposed infrastructure to provide the water service and its location; (d) the topography of the site; and (e) any advice from a regulated entity.
<b>A2</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	<b>P2</b> No Performance Criterion
<b>A3</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.	<b>P3</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to: (g) the size of the lot; (h) topography of the site; (i) soil conditions; (j) any existing buildings on the site; (k) any area of the site covered by impervious surfaces; and (l) any watercourse on the land.

A1 – the consolidated lot has connection to a full water supply service. A1 is met.

A2 – the consolidated lot has a connection to a reticulated sewerage system. A2 is met.

A3 – the lot is capable of a connection to the public stormwater system. A3 is met.

## Code Assessment

### C3.0 Road and Railway Assets Code

The code applies to use or development that:

- (a) *will increase the amount of vehicular traffic or the number of movements of vehicles longer than 5.5m using an existing vehicle crossing or private level crossing;*
- (b) *will require a new vehicle crossing, junction or level crossing; or*
- (c) *involves a subdivision or habitable building within a road or railway attenuation area if for a sensitive use.*

The boundary adjustment requires the construction of a new vehicle crossing to serve lot 1, the St Olave's property. The applicable provisions of the code are addressed below:

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

<b>Objective:</b> To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.	
Acceptable Solutions	Performance Criteria
<b>A1.1</b> For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: <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>	<b>P1</b> 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: <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>
<b>A1.2</b> 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.	
<b>A1.3</b> 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.	
<b>A1.4</b> Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: <ul style="list-style-type: none"> <li>(a) the amounts in Table C3.1; or</li> <li>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</li> </ul>	
<b>A1.5</b> Vehicular traffic must be able to enter and leave a major road in a forward direction.	

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

Location of vehicular access	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

A1.1 – Lapthorne Close is not a category 1 road. A1.1 is met.

A1.2 – the road authority has consented to the new access location for lot 1. A1.2 is met.

A1.3 – not applicable.

A1.4 – vehicular traffic for the site will not change as a result of the boundary adjustment. A1.4 is met.

A1.5 – no access is onto a major road. A1.5 is met.

#### C7.0 Natural Assets Code

The site is subject to a PVA overlay. A small amount of native vegetation is proposed to be removed to facilitate a new access to St Olave's, which invokes assessment under this Code. The area of vegetation to be removed is shown in Figure 10 along with a copy of the applicable standards.



**Figure 10 – Image with the dotted yellow area showing the vegetation to be removed for a new access to St Olave's (Terra Firma Town Planning, 2023)**

#### C7.6.2 Clearance within a priority vegetation area

##### **Objective:**

That clearance of native vegetation within a priority vegetation area:

- (a) does not result in unreasonable loss of priority vegetation;
- (b) is appropriately managed to adequately protect identified priority vegetation; and
- (c) minimises and appropriately manages impacts from construction and development activities

Acceptable Solution	Performance Criteria
<b>A1</b> Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme	<b>P1.1</b> Clearance of native vegetation within a priority vegetation area must be for: <ul style="list-style-type: none"> <li>(a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmanian Fire Service or an accredited person;</li> <li>(b) buildings and works associated with the construction of a single dwelling</li> </ul>

	<p>or an associated outbuilding;</p> <p>(c) subdivision in the General Residential Zone or Low Density Residential Zone;</p> <p>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</p> <p>(e) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or</p> <p>(f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</p> <p><b>P1.2</b></p> <p>Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <p>(a) the design and location of buildings and works and any constraints such as topography or land hazards;</p> <p>(b) any particular requirements for the buildings and works;</p> <p>(c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;</p> <p>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</p>
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	<p>(e) any on-site biodiversity offsets; and</p> <p>(f) any existing cleared areas on the site.</p>
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P1.1 & P1.2 – the impacts on priority vegetation are negligible, given that the vegetation to be removed for the driveway is not significant habitat but lone, remnant saplings. The retention of existing vegetation will maintain the amenity of St Olave's frontage to Lapthorne Close.

#### C7.7.2 Subdivision within a priority vegetation area

##### Objective:

That clearance of native vegetation within a priority vegetation area:

- (a) does not result in unreasonable loss of priority vegetation;
- (b) is appropriately managed to adequately protect identified priority vegetation; and
- (c) minimises and appropriately manages impacts from construction and development activities

Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:</p> <ul style="list-style-type: none"> <li>(a) be for the purposes of creating separate lots for existing buildings;</li> <li>(b) be required for public use by the Crown, a council, or a State authority;</li> <li>(c) be required for the provision of Utilities;</li> <li>(d) be for the consolidation of a lot; or</li> <li>(e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.</li> </ul>	<p><b>P1.1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:</p> <ul style="list-style-type: none"> <li>(a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmanian Fire Service or an accredited person;</li> <li>(b) subdivision for the construction of a single dwelling or an associated outbuilding;</li> <li>(c) subdivision in the General Residential Zone or Low Density Residential Zone;</li> <li>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</li> </ul>

	<p>(e) subdivision involving clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or</p> <p>(f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</p> <p><b>P1.2</b></p> <p>Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <p>(a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards;</p> <p>(b) any particular requirements for the works and future development likely to be facilitated by the subdivision;</p> <p>(c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;</p> <p>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</p> <p>(e) any on-site biodiversity offsets; and</p> <p>(f) any existing cleared areas on the site.</p>
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A1 - the subdivision is for the consolidation of land with 1 Lapthorne Close, with the balance lot being a separate lot for the existing St Olave's building and associated infrastructure.

### C9.0 Attenuation Code

This code applies as 1 Lapthorne Close (future sensitive use) is subject to an attenuation area for the metal fabrication and abrasive blasting business located at 209 Stony Rise Road (opposite the site). The business trades as AL & SM Richardson Pty Ltd. Figure 11 highlights the location of the business in relation to the subject site. Through the application of Table C9.1 – *Attenuation Distances*, the metal fabrication business has an attenuation distance of 500m and abrasive blasting of 300m, if not enclosed.

The applicant engaged es&d to undertake an environmental impact assessment and assess the applicable standards of this code – found within **Attachment 1**.



**Figure 11 – Location of attenuated activity relative to the subject site  
(Terra Firma Town Planning, 2023)**

In summary, the environmental impact assessment prepared by es&d finds that the fabrication and sand blasting activities at 209 Stony Rise Road are located at the back of the property, and they are not expected to cause any problems to future residential use

due to the amount of traffic and associated ambient noise on Stony Rise Road. In addition, it is noted that no other industrial uses do not have prescribed attenuation distances that extend to the subject site.

#### 16.0 Safeguarding of Airports Code

Terra Firma Town Planning has provided the following supporting rationale in relation to the application of this code:

*"The site is located within the Devonport Airport Obstacle Limitation Area overlay. The overlay map is shown in Figure 12 above. The designated AHD of the obstacle limitation surface over the site is 155.1 metres. The elevation of the site is not higher than 27.5 metres AHD. The maximum height of development allowable under acceptable solution in the General Residential Zone is 8.5 metres.*

*The height of permitted development in the zone is 127.6 metres below the AHD of the obstacle limitation area and compliant development will be exempt from the code under section C16.4.1.*

*Whilst the provisions relate to development for the subdivision which, of itself does not propose works above ground level, the potential for any future development proposal on this site that would require a height greater than 136.1 metres and intrude into the Obstacle Limitation Area, is negligible to non-existent.*

*By way of comparison, communications towers, the most common form of high development in suburban areas, generally require heights in the order of 30 to 40 metres.*

*The subdivision is therefore exempt from the Code."*

The planning authority supports the view that the boundary adjustment is exempt for the reasons provided within the above rationale.

#### **TASMANIAN HERITAGE COUNCIL (THC)**

St Olave's is listed on the Tasmanian Heritage Register (THR No. 1358). In accordance with the requirements of the *Historic Cultural Heritage Act 1995*, the draft amendment and permit were referred to the THC.

The THC advised the planning authority of its intent to be involved in determining the combined permit application (THC Works Ref: 8175). The THC has provided a draft condition for the boundary adjustment, which will be included as a permit condition. Furthermore, they have agreed to the draft amendment as sought. Subject to the draft amendment and permit being endorsed, the planning authority will advise the THC if any representations are received during the public exhibition process.

A copy of their decision is appended as **Attachment 4**.

#### **COMMUNITY ENGAGEMENT**

The boundary adjustment differs to other discretionary applications in that it is part of an amendment to the Devonport Local Provisions Schedule. As such a decision must be made regarding the application assuming the draft amendment has been adopted, prior to advertising of the application. The 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 with any recommendations proposed as a result.

### **FINANCIAL IMPLICATIONS**

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

### **RISK IMPLICATIONS**

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

### **CONCLUSION**

The proposed rezoning of 850m<sup>2</sup> from the Community Purpose Zone to the General Residential Zone and the subsequent boundary adjustment of the site to merge the rezoned land with 1 Lapthorne Close represent an efficient and sustainable solution to address the current shortage of 'development-ready' residential land.

Consolidating the land into a larger residential parcel facilitates more streamlined development for multiple dwellings in the future, aligning directly with regional and local policies to promote housing diversity.

The proposed amendment and development of the site have undergone thorough assessment against the relevant provisions of the *Land Use Planning and Approvals Act 1993* (LUPAA) and the *Tasmanian Planning Scheme—Devonport*. It has been demonstrated to be a valuable addition to the municipality's residential land supply.

### **ATTACHMENTS**

1. Application PA2023.0067 & AM2023.02 - 200 Stony Rise Road & 1 Lapthorne Close [4.2.1 - 99 pages]
2. Assessment against section 34 of LUPAA - A M 2023.02 - 200 Stony Rise Road [4.2.2 - 6 pages]
3. Draft Zoning Map - A M 2023.02 - 200 Stony Rise Road [4.2.3 - 1 page]
4. Notice of Heritage Decision WA8175 - PA2023.0067 & AM2023.02 - 200 Stony Rise Road & 1 Lapthorne Close [4.2.4 - 1 page]
5. TasWater Submission to Planning Authority Notice PA2023.0067 & AM2023.02 - 200 Stony Rise Road & 1 Lapthorne Close [4.2.5 - 6 pages]

## **4.3 PA2023.0184 - 51A JOHN STREET EAST DEVONPORT - RESIDENTIAL (MULTIPLE DWELLINGS X 13)**

Author: **Emma Pieniak, Planning Officer**  
Endorser: **Kylie Lunson, Executive Manager**

### **RECOMMENDATION**

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2023.0184 and grant a Permit to use and develop land identified as 51a John Street, East Devonport for the following purposes:

- Residential (multiple dwellings x 13)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as JOB No. SPEC-JOHN ST UNITS Rev: A and B by RFS Projects, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The stormwater is to be discharged in accordance with the National Construction Code.
3. 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.
4. 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.
5. A new driveway is to be constructed generally in accordance with the Tasmanian Standard Drawing TSD-R09-v3, and at that location must include the side entry pit as a V Gate.
6. A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.
7. 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.
8. There is to be no uncontrolled overland flow of stormwater from the proposed development to any of the adjoining properties.

9. The new stormwater extension/connection to the main in Mary Street must be submitted to Council for approval by the City Engineer prior to any applications being made under the *Building Act 2016*.
10. The developer is to verify and demonstrate that the surface of the land can be drained to Council's stormwater drainage infrastructure in accordance with section 70 of the *Building Act 2016*.
11. The car parking spaces are to comply with *AS 2890-Parking facilities* and must be clearly delineated by line marking or similar means to clearly identify units and visitor parking spaces. The car parking spaces allocated to units must be sign posted as such and should prohibit any unauthorised use by other residents or visitors to the site.
12. The developer is to update unit numbering on any subsequent applications under the *Building Act 2016*, to reflect those required to meet *AS/NZS 4819.2011 Rural and urban addressing*, as detailed in the notes to this permit.
13. Any habitable room windows setback less than 2.5m of the shared driveway, are to be provided with screening or alternative window solution to prevent vehicle light intrusion impacts. Details showing compliance are to be provided as part of any applications under the *Building Act 2016*.
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.

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.

The street addresses for the units will be as follows:

- Dwelling 1 will become **2/51A** John Street
- Dwelling 2 will become **4/51A** John Street
- Dwelling 3 will become **6/51A** John Street
- Dwelling 4 will become **8/51A** John Street
- Dwelling 5 will become **10/51A** John Street
- Dwelling 6 will become **12/51A** John Street
- Dwelling 7 will become **11/51A** John Street

- Dwelling 8 will become **9/51A** John Street
- Dwelling 9 will become **7/51A** John Street
- Dwelling 10 will become **5/51A** John Street
- Dwelling 11 will become **3/51A** John Street
- Dwelling 12 will become **1/51A** John Street
- Dwelling 13 will become **13/51A** John Street

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

Consideration should be given to reallocating unit parking spaces with common areas so that they are closer to respective units and interspersed with visitor parking spaces.

In regard to condition 12 the applicant/developer should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 2-8 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

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

## RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

2.1 Council's Planning Scheme facilitates appropriate property use and development

## SUMMARY

The purpose of this report is to enable Council, acting as a Planning Authority to make a decision regarding planning application PA2023.0184.

## BACKGROUND

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Address:	51a John Street, East Devonport
Applicant:	RFS Projects Pty Ltd
Owner:	Estate of ML Gleeson
Proposal:	Residential (multiple dwellings x 13)
Existing Use:	Vacant
Zoning:	General Residential
Decision Due:	25/03/2024 *Extension of time granted by applicant – initial decision due 14/03/24

## SITE DESCRIPTION

The 4293m<sup>2</sup> vacant lot is situated on the northern of John Street, mostly internal to existing smaller lots, and is accessed over a 20m wide frontage. Adjoining properties comprise established residential development on smaller lot arrangements. The subject site and surrounding development are illustrated in Figure 1.



Figure 1 – Aerial view (LISTmap)

APPLICATION DETAILS

The applicant is seeking approval for a staged multiple dwelling development comprising thirteen two and three bedroom dwellings with attached garages. The proposed development is indicated in Figures 2 – 4. A full copy of the development application is appended as **Attachment 1** to this report.

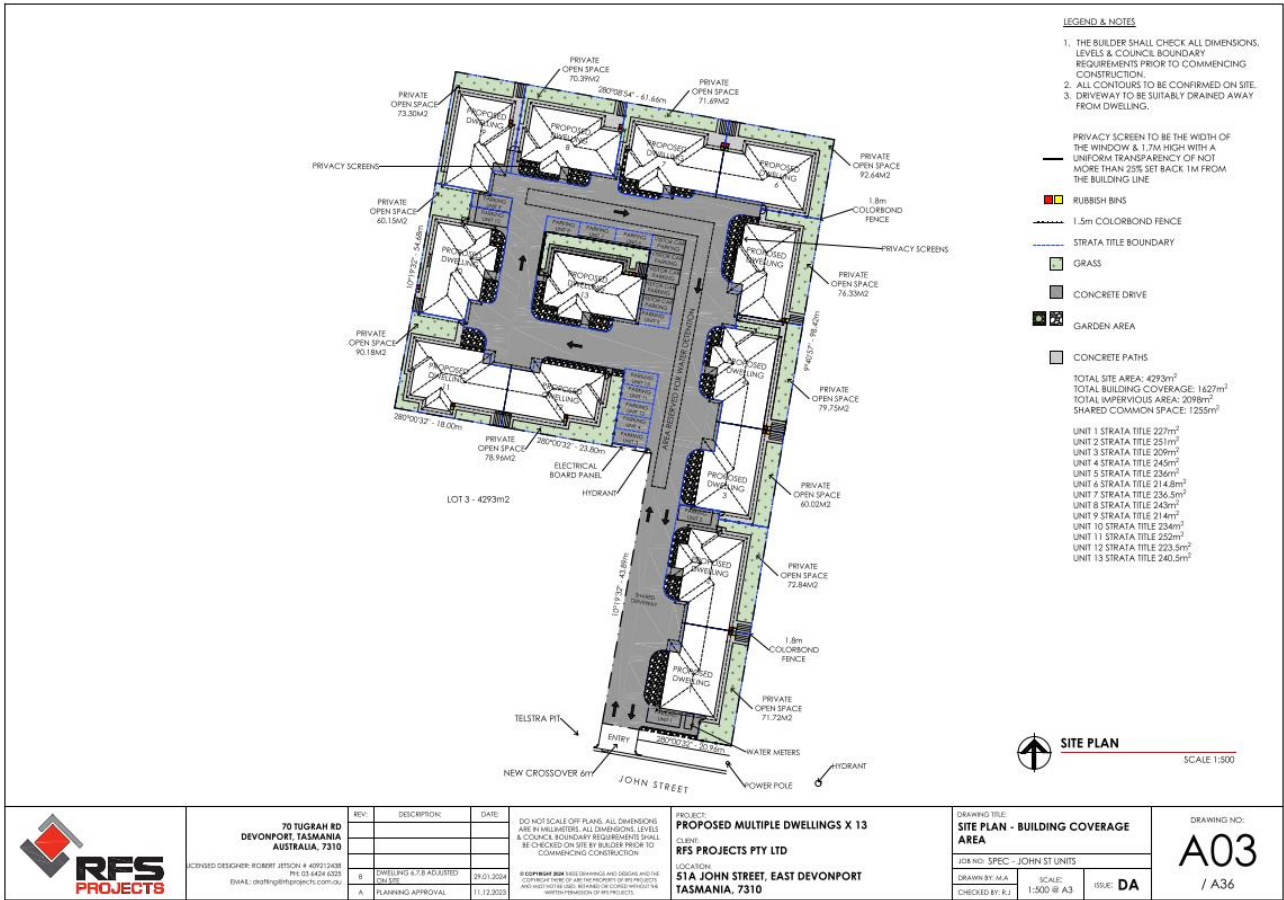


Figure 2 – Site plan (RFS Projects, 2024)



Figure 3 – Elevations: 1 of 2 (RFS Projects, 2023)



Figure 4– Elevations: 2 of 2 (RFS Projects, 2023)

## PLANNING ISSUES

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

- 8.1.1 *To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.*
- 8.1.2 *To provide for the efficient utilisation of available social, transport and other service infrastructure.*
- 8.1.3 *To provide for non-residential use that:*
  - a) *primarily serves the local community; and*
  - b) *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.*
- 8.1.4 *To provide for Visitor Accommodation that is compatible with residential character.*

Residential use associated with multiple dwellings is a permitted use class in the General Residential zone. An assessment of the applicable performance criteria of the Development Standards under the General Residential zone follows. Where development cannot meet the relevant acceptable solutions for the design standards, a planning permit can be sought under section 57 of the Act.

### 8.4.2 Setbacks and building envelope for all dwellings

#### Objective:

The siting and scale of dwellings:

- (a) provides reasonably consistent separation between dwellings and their frontage within a street;
- (b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;
- (c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and
- (d) provides reasonable access to sunlight for existing solar energy installations.

Acceptable Solutions	Performance Criteria
<b>A1</b> Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</li> <li>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than</li> </ul>	<b>P1</b> A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.

<p>3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>	
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**P1** – the proposed unit 1 will have a 4m setback from the frontage. The variation to the acceptable solution in this instance will be minimal and will not impact the streetscape. The performance criteria are satisfied.

#### 8.4.3 Site coverage and open space for all dwellings

<p><b>Objective:</b></p> <p>That dwellings are compatible with the amenity and character of the area and provide:</p> <p>(a) for outdoor recreation and the operational needs of the residents;</p> <p>(b) opportunities for the planting of gardens and landscaping; and</p> <p>(c) private open space that is conveniently located and has access to sunlight.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A2</b></p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <ol style="list-style-type: none"> <li>24m<sup>2</sup>; or</li> <li>12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</li> </ol> <p>(b) has a minimum horizontal dimension of not less than:</p> <ol style="list-style-type: none"> <li>4m; or</li> <li>2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</li> </ol> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of</p>	<p><b>P2</b></p> <p>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <ol style="list-style-type: none"> <li>conveniently located in relation to a living area of the dwelling; and</li> <li>orientated to take advantage of sunlight.</li> </ol>

<p>true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	
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**P2** – proposed units are not provided with a minimum dimension of 4m. The areas of private open space have been located to serve as an extension of the living areas of the dwelling and generally have good solar access. The proposal satisfies P2 (a) and (b).

#### 8.4.4 Sunlight to private open space of multiple dwellings

<p><b>Objective:</b></p> <p>That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting:</p> <ol style="list-style-type: none"> <li>at a distance of 3m from the edge of the private open space; and</li> <li>vertically to a height of 3m above existing natural ground level then at an angle of 45 degrees from the horizontal;</li> </ol> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9:00am and 3:00pm on the 21<sup>st</sup> of June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <ol style="list-style-type: none"> <li>an outbuilding with a building height of not more than 2.4m; or</li> <li>protrusions that extend horizontally not more than 0.9m from the multiple dwelling.</li> </ol>	<p><b>P1</b></p> <p>A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 8.4.3 of this planning scheme.</p>

**P1** – the proposed units 9 and 10 do not have a setback from units 10 and 11 to satisfy part (a) or (b) of the acceptable solution. The extent of shadowing the POS is illustrated in Figure 5. The duration of overshadowing does not satisfy part (b) of the acceptable solution, however solar access is reasonable from mid to late afternoon given the extent of open space provided to these dwellings, for the winter solstice. The performance criteria are satisfied.



Figure 5 – Shadow diagram (RFS Projects, 2023)

#### 8.4.6 Privacy for all dwellings

##### Objective:

To provide a reasonable opportunity for privacy for dwellings.

Acceptable Solutions	Performance Criteria
<p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <ul style="list-style-type: none"> <li>(a) 2.5m; or</li> <li>(b) 1m if: <ul style="list-style-type: none"> <li>i. it is separated by a screen of not less than 1.7m in height; or</li> <li>ii. the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</li> </ul> </li> </ul>	<p><b>P3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>

**P3** – the proposed development has instances where a 2.5m setback to the shared driveway has not been achieved. Some screening has been shown, however, a condition on the permit will require habitable room windows setback less than 2.5m of the shared driveway, are to be provided with screening or an alternative window solution to prevent vehicle light intrusion impacts. The performance criteria are satisfied.

## **C2.0 Parking and Sustainable Transport Code**

The proposed development provides more than the number of parking spaces specified in Table C2.1 and is designed to comply with the relevant Australian standards. The proposal meets all but one relevant acceptable solution of the Parking and Sustainable Transport Code.

### **C2.6.5 Pedestrian access**

<b>Objective:</b> That pedestrian access within parking areas is provided in a safe and convenient manner	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<b>A1.1</b> Uses that require 10 or more car parking spaces must: <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>	<b>P1</b> Safe and convenient pedestrian access must be provided within parking areas, having regard to: <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>
<b>A1.2</b> In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less 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.	

**P1** – the proposed development requires more than 10 car parking spaces. Pedestrian access has not been provided through the site in accordance with the acceptable solution A1.1. It is noted the development allocates car parking spaces for each dwelling within an attached garage, and banks of car parking spaces close to dwellings, which will reduce pedestrian traffic through the site. It is considered a dedicated pedestrian pathway is not necessary for the proposed residential development. The proposal satisfies the performance criteria.

## COMMUNITY ENGAGEMENT

On 20/12/2023, Council received an application for the above development. Under Section 57(3) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority must give notice of an application for a permit. As prescribed at Section 9(1) of the *Land Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 21/02/2024;
- (b) Making a copy of the proposal available in Council Offices from the 21/02/2024;
- (c) Notifying adjoining property owners by mail on 20/02/2024; and
- (d) Erecting a Site Notice for display from the 20/02/2024.

The period for representations to be received by Council closed on 05/03/2024.

## REPRESENTATIONS

Two representations were received within the prescribed 14 day public scrutiny period required by the *Land Use Planning and Approvals Act 1993*. One representation received was supportive of the proposed development, the other representation received is concerned with the potential amenity impact from certain potential residents of the development. Full copies of the representations are appended as **Attachment 2** to this report.

A summary of the representation not in favour of the application is that future occupants of the dwellings (other than older persons, without dogs) will cause undue noise and impact the representor's quality of life further.

*Comment:*

*The application has been made for multiple dwelling development to facilitate a broad residential use. The planning scheme does not stipulate the type of residents that can be housed within a multiple dwelling development, nor does it prohibit the keeping of any domestic animals. There are no planning scheme standards applicable for this concern.*

*Noise nuisance within a residential area is managed by Council under the Environmental Management and Pollution Control Act 1994.*

## DISCUSSION

When determining an application for a planning permit the planning authority must consider the matters outlined in clause 6.10.1 of the Tasmanian Planning Scheme, including any representations, but only insofar as each matter is relevant to the particular discretion being sought. An assessment of the performance criteria against the discretionary matters identifies how the variations to the acceptable solution will have minimal to no impact upon adjoining properties.

The proposal has been reviewed by internal departments and State Authorities and have provided standard conditions to be included in the planning permit.

## FINANCIAL IMPLICATIONS

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

### **RISK IMPLICATIONS**

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

### **CONCLUSION**

The proposed development for thirteen multiple dwellings provides needed residential development with minimal discretion as discussed earlier in this report. The representors' concerns have been addressed and do not justify variation to the proposal. A planning permit can be issued subject to standard conditions.

### **ATTACHMENTS**

1. Application PA2023.0184 - 51a John Street [**4.3.1** - 57 pages]
2. Representations PA2023.0184 - 51a John Street [**4.3.2** - 6 pages]
3. TasWater SPAN PA2023.0184 - 51a John Street [**4.3.3** - 3 pages]

## **4.4 PA2024.0016 - 10300 BASS HIGHWAY DON - VISITOR ACCOMMODATION (5 CABINS AND FACILITIES BUILDING)**

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

Endorser: **Kylie Lunson, Executive Manager**

### **RECOMMENDATION**

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2024.0016 and grant a Permit to use and develop land identified as 10300 Bass Highway, Don for the following purposes:

- Visitor Accommodation (5 cabins and facilities building)

Subject to the following conditions:

1. Unless altered by subsequent conditions the Use and Development is to proceed generally in accordance with the submitted plans referenced as Proposed Two Facilities Buildings, Five Accommodation Suites & Garage, Job No. The Cove, Drawing No. A02, A03 & A07-A15, Rev A, dated 14/02/2024 by RFS Projects, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. Amended plans must be submitted and approved by the Planning Authority, prior to submission of any application or notification under the *Building Act 2016*, which show the following:
  - a. the covered walkway is to be roofed only, no walls are permitted; and
  - b. a landscaping plan which shows vegetation located to obscure the covered walkway from view from areas outside the site. The landscaping plan must show the location and type of vegetation.
3. Landscaping as shown on the abovementioned landscaping plan must be maintained for the life of the buildings.
4. Facilities building #2 must only be available to overnight guests and staff.
5. No consent is given, or implied, for the site or facilities to be utilised as a Function Centre (refer to notes).
6. Construction vehicles must not enter the site outside the following hours:

Monday to Friday 7am - 6pm;  
Saturday 9am -6pm; and  
Sunday and statutory holidays 10am - 6pm.
7. Internal access roads are to be increased to 5.5m wide as shown on the plans and previously approved in accordance with Amended Planning Permit PA2023.0001.
8. Parking bays must be delineated by line marking or other clear physical means.
9. 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 250m<sup>2</sup> of ground disturbance) Building & Construction Sites" recommendations (refer to notes).

10. If water from a non-reticulated water supply is provided to patrons Registration as a Private Water Supplier must be granted. The water supply must be tested for both microbiological and chemical parameters to ensure drinking water complies with the requirements of the *Australian Drinking Water Guidelines*.
11. The developer is not to position any structures on, over or in a location which may potentially affect the operation of the existing on-site wastewater system.
12. All stormwater collected from the development, including surface water from the driveway and/or any paved areas, is to be directed into the existing property stormwater pipe in accordance with the National Construction Code.

Note: The following is provided for information purposes.

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

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

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

In regard to condition 2 the change is required in order to satisfy the requirements of the Local Historic Heritage Code.

In regard to condition 5 a Function Centre is defined in the Tasmanian Planning Scheme - Devonport as, '... use of land, by arrangement, to cater for functions, and in which food and drink may be served. It may include entertainment and dancing.' Occasional use for infrequent or irregular social events may be exempt at the discretion of the Planning Authority.

In regard to condition 9, large building and construction sites are those with greater than 250m<sup>2</sup> of ground disturbance – refer to the following link:

[https://epa.tas.gov.au/Documents/Soil\\_and%20 Water Management Fact%20 Sheet 1.pdf](https://epa.tas.gov.au/Documents/Soil_and%20Water_Management_Fact%20Sheet_1.pdf)

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

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

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

Council's Strategic Plan 2009-2030:

- 2.1 Council's Planning Scheme facilitates appropriate property use and development.

### **SUMMARY**

The purpose of this report is to enable Council, acting as a Planning Authority to make a decision regarding planning application PA2024.0016.

**BACKGROUND**

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Address:	10300 Bass Highway, Don
Applicant:	BA Robinson and K Robinson
Owner:	BA Robinson
Proposal:	Visitor Accommodation (5 cabins and facilities building)
Existing Use:	Visitor Accommodation, Residential and Resource Development
Zoning:	Agriculture zone
Decision Due:	05/04/2024

**SITE DESCRIPTION**

The subject site is situated on the eastern end of Lillico Strait on a land title of 24.13ha. The undulating lot is used for grazing and also contains an established house and 12 visitor accommodation units and associated buildings, housing amenities and communal areas. The site is bound by farmland in the same ownership to the east, the Bass Highway to the west and Crown reservation and Bass Strait to the north. Figure 1 shows an aerial view of the subject site with the visitor accommodation shown circled in red and Figure 2 shows a closer aerial view of the existing visitor accommodation.



**Figure 1 - Aerial view of subject site (Source: DCC)**



**Figure 2 - Aerial view of existing accommodation units (Source: DCC)**

#### **APPLICATION DETAILS**

The applicants previously sought and gained approval for 2 cabins and a facilities building containing 3 treatment rooms and a large spa room along with an office and private dining room. After costing the project the plans have been altered and the applicants are now seeking approval for 5 cabins, each with their own spa and ensuite, and a facilities building which contains two offices for staff, a board room and treatment room for guests and a toilet. The proposed development will be located in the same position as that originally approved.

As part of the 2023 application approval was also granted for a restaurant, the plans for which have not changed.

Figure 3 shows the proposed site plan with the most recently approved aspects circled in pink and the development subject to this application circled in orange.

Figures 4-6 show the plans for Facilities Building #2, Figures 7 & 8 show the plans for the covered walkway, Figures 9 & 10 show Unit 1 and Figures 11 & 12 show the plans for units 2-5.

The application detail is appended in full as **Attachment 1**.

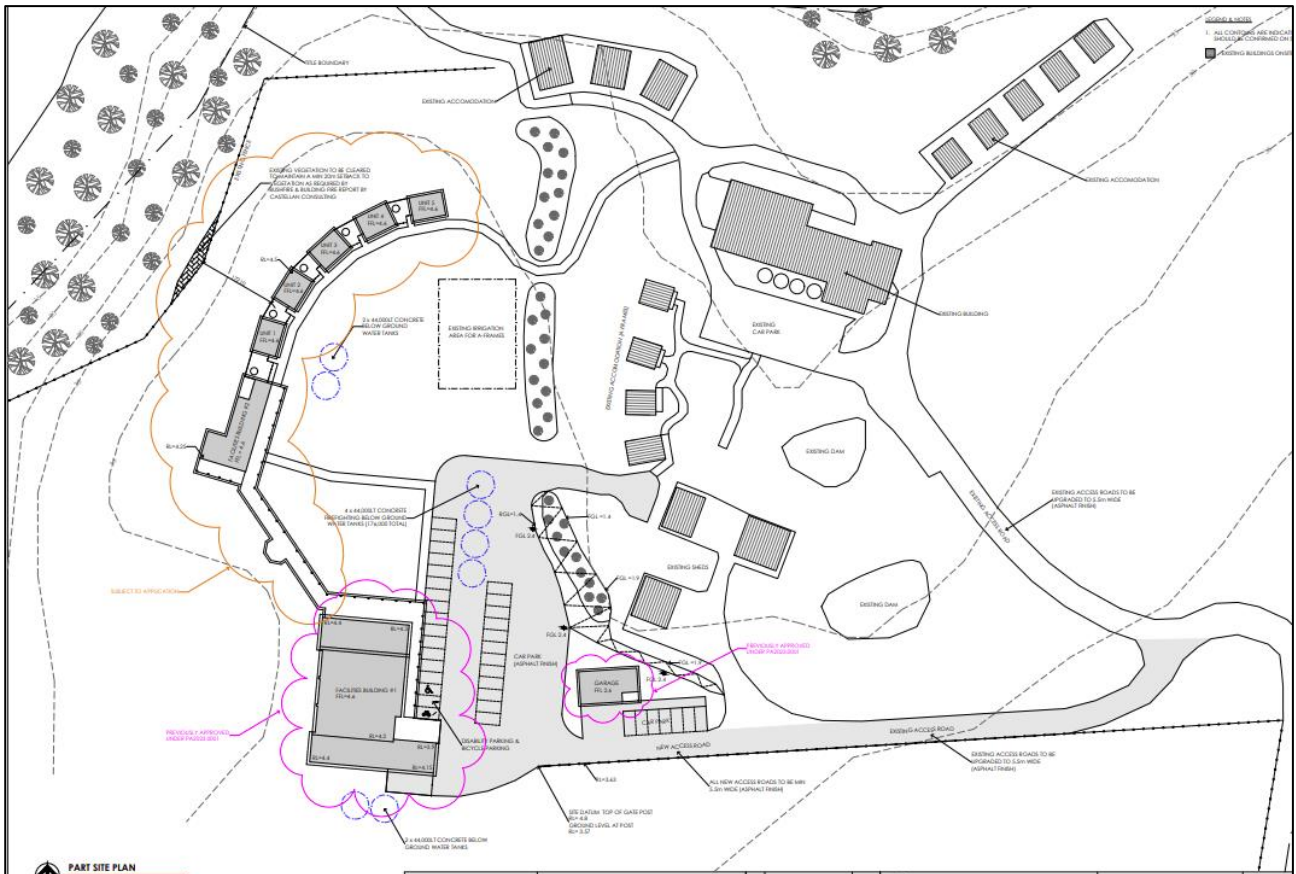


Figure 3 - Partial site plan - approval sought for section circled in orange (Source: RFS Projects)

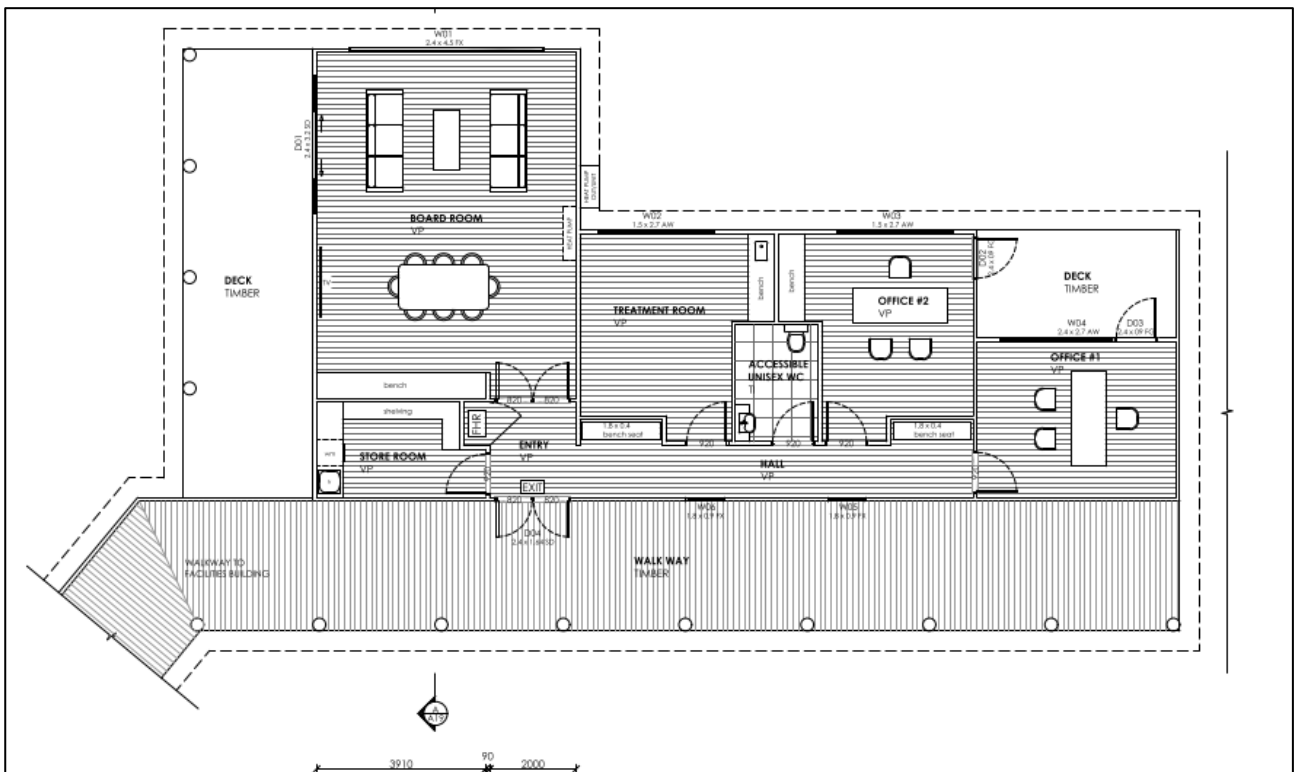


Figure 4 - Facilities Building #2 - floor plan (Source: RFS Projects)

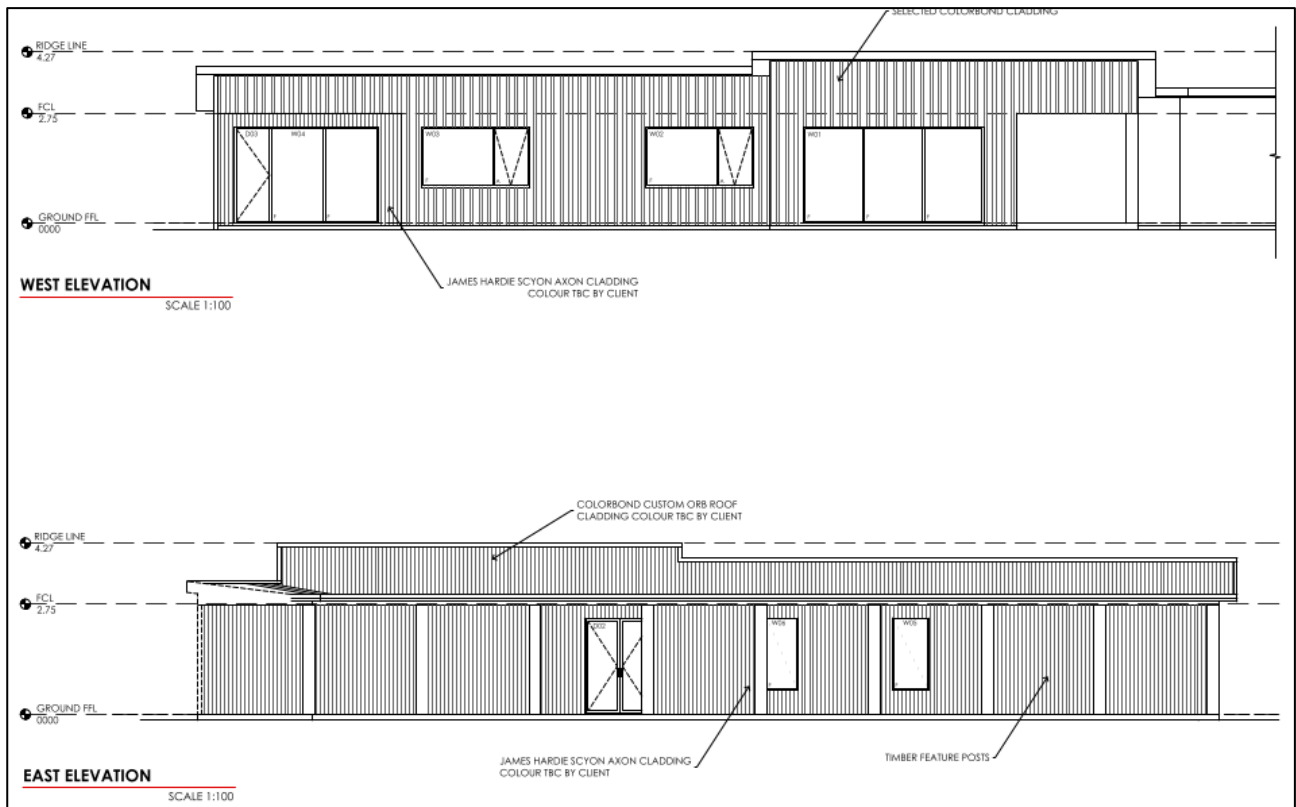


Figure 5 - Facilities Building #2 - Western and Eastern elevations (Source: RFS Projects)

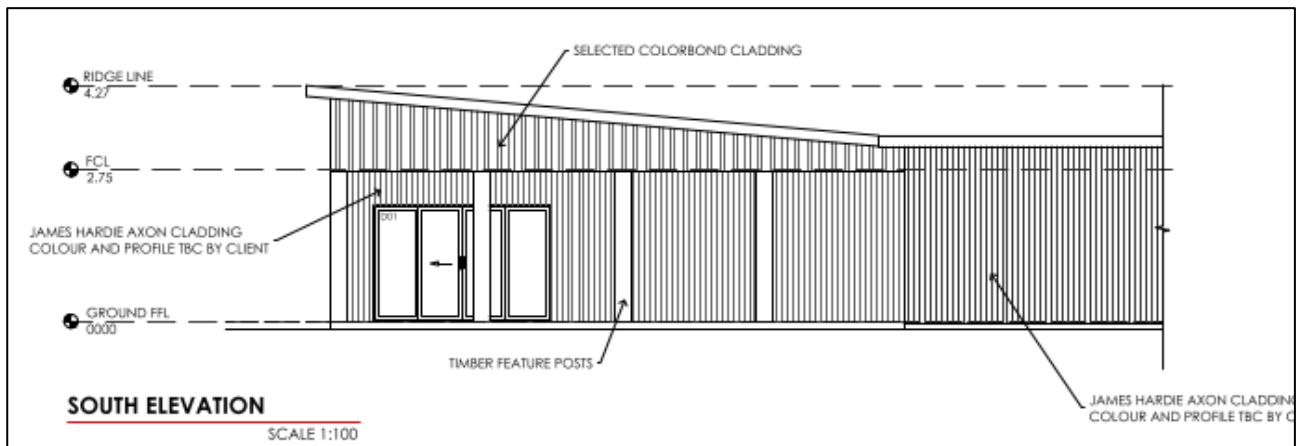


Figure 6 - Facilities Building #2 - Southern and Northern elevations (Source: RFS Projects)

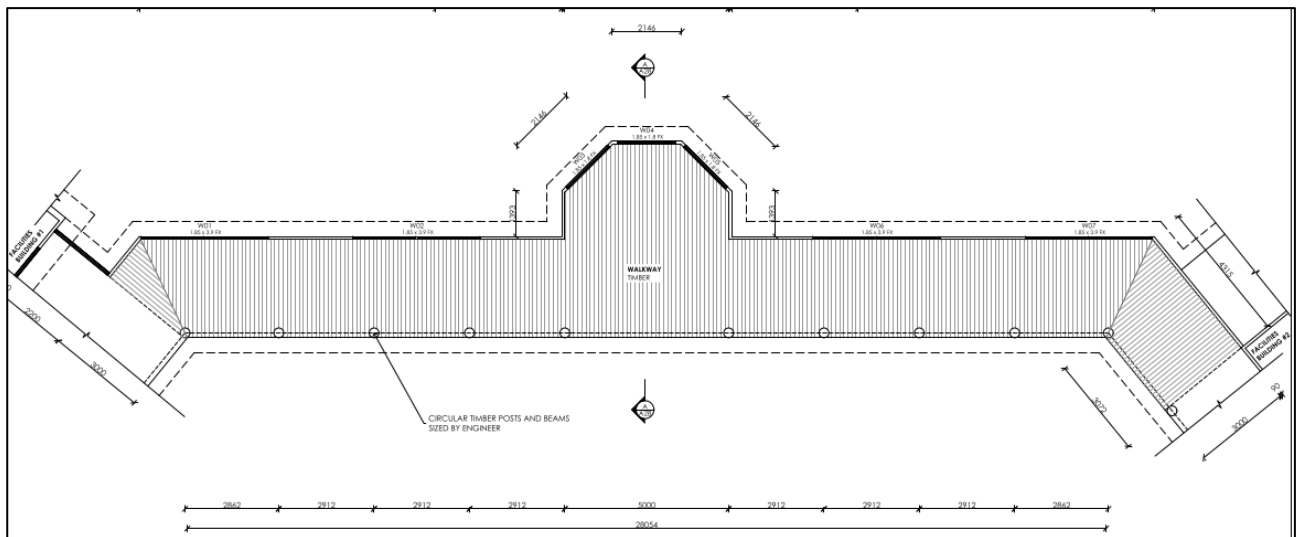


Figure 7 - Covered walkway - floor plan (Source: RFS Projects)

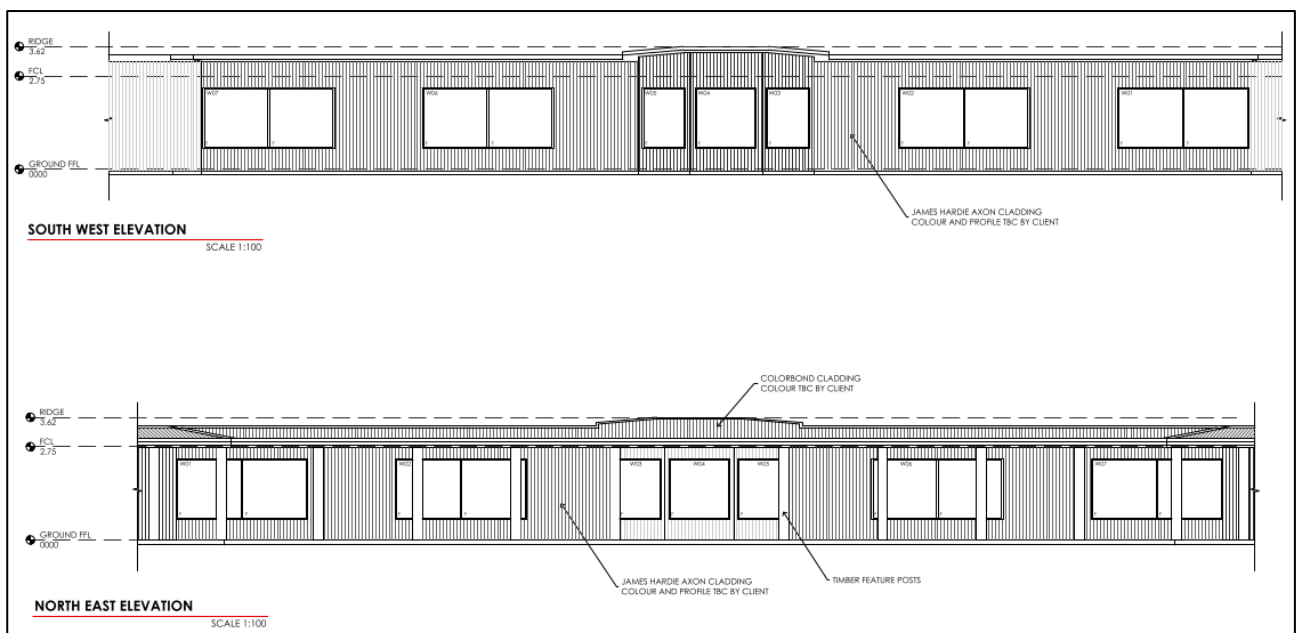


Figure 8 - Covered walkway - elevations (Source: RFS Projects)

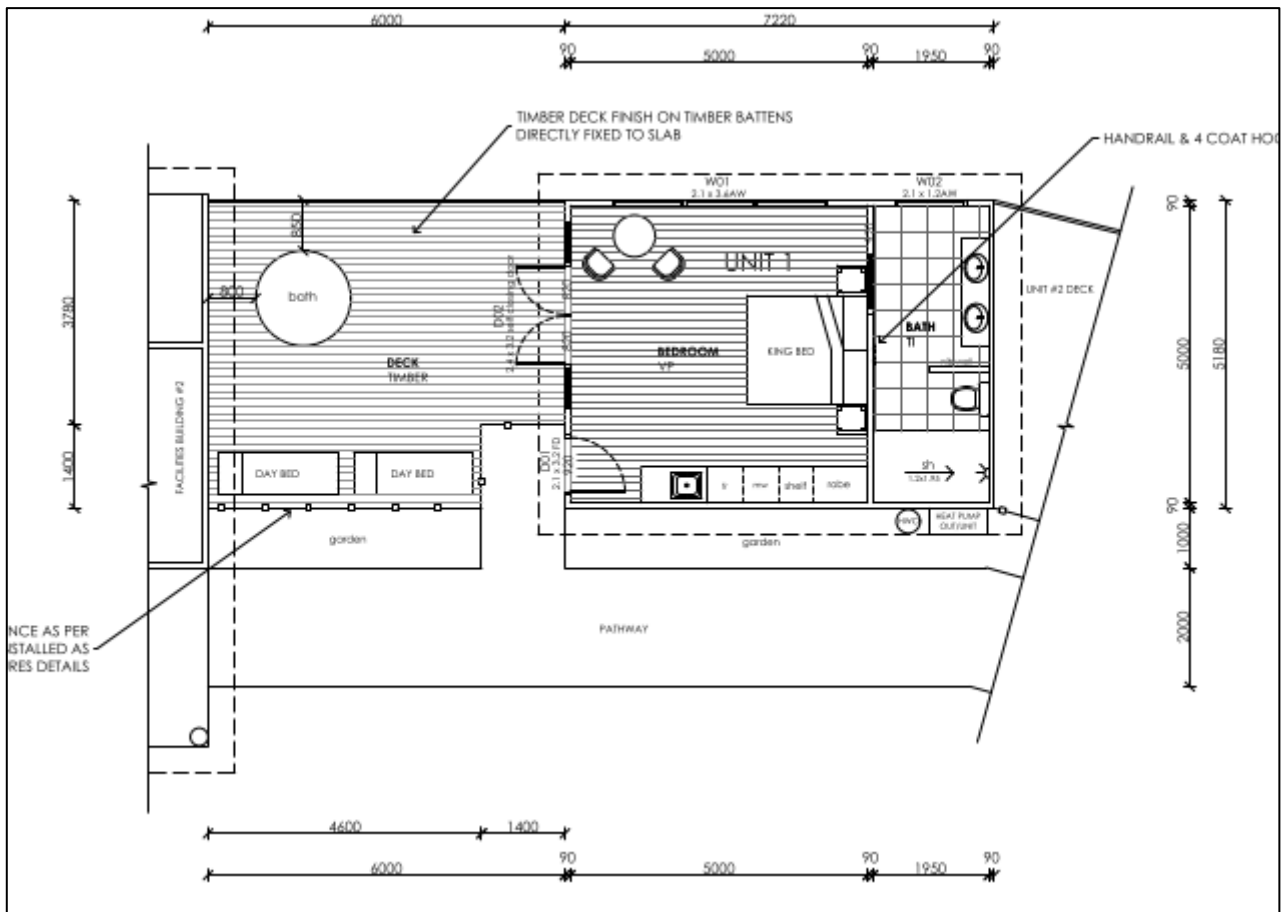


Figure 9 - Unit 1 - floor plan (Source: RFS Projects)

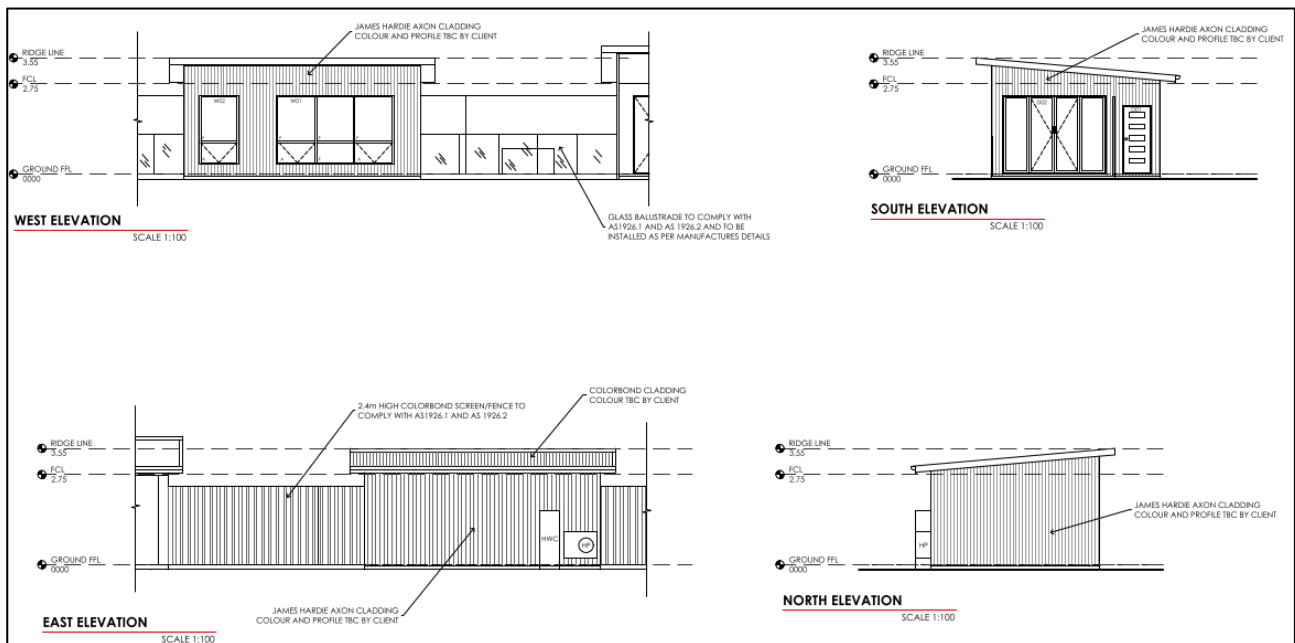


Figure 10 - Unit 1 - elevations (Source: RFS Projects)

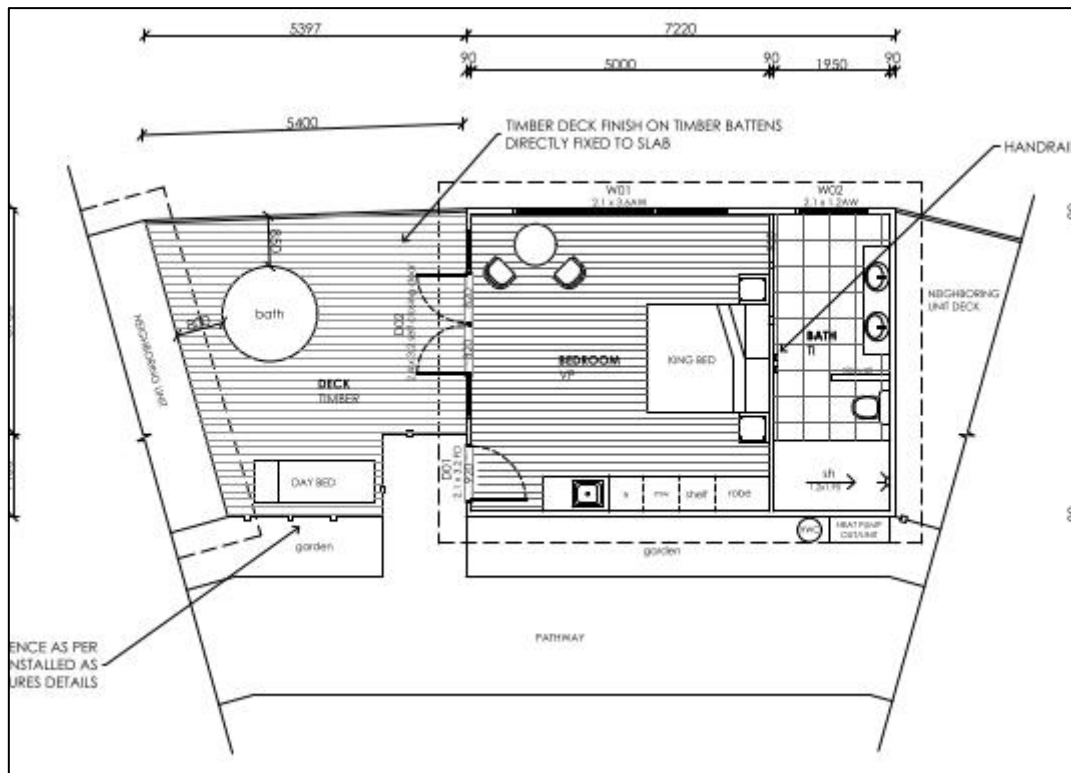


Figure 11 - Units 2-5 - floor plan (Source: RFS Projects)

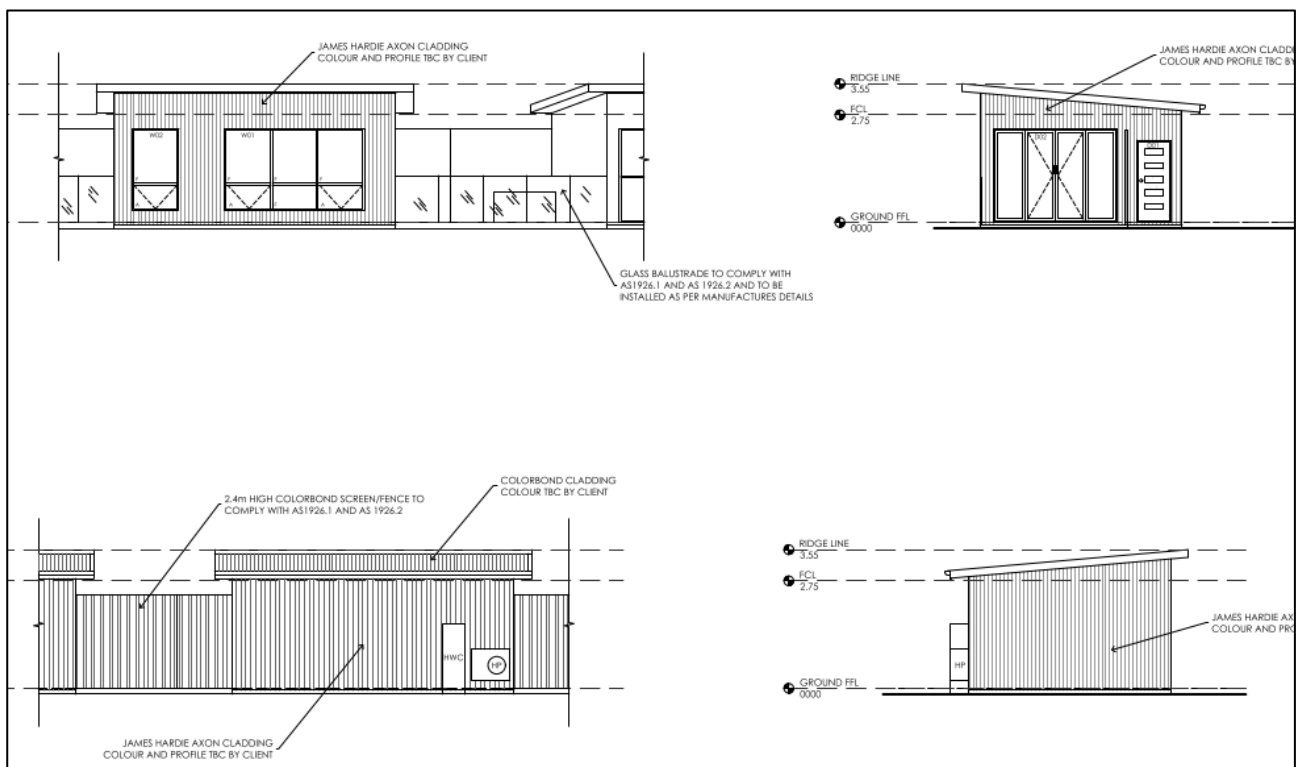


Figure 12 - Units 2-5 - elevations (Source: RFS Projects)

## PLANNING ISSUES

The land is zoned Agriculture under the *Tasmanian Planning Scheme - Devonport 2020*. The intent of the zone is as follows:

- 21.1.1 To provide for the use or development of land for agricultural use.
- 21.1.2 To protect land for the use or development of agricultural use by minimising:
  - (a) conflict with or interference from non-agricultural uses;
  - (b) non-agricultural use or development that precludes the return of the land to agricultural use; and
  - (c) use of land for non-agricultural use in irrigation districts.
- 21.1.3 To provide for use or development that supports the use of the land for agricultural use.

Visitor Accommodation is a discretionary use in the zone, however, it must be assessed as permitted if the use has been approved previously, provided the use is not substantially intensified.

In this case the use is not substantially intensified as only three additional accommodation units are proposed in addition to the fourteen previously approved, as such the use can be considered to be permitted, pursuant to clause 7.1.2 of the *Tasmanian Planning Scheme – Devonport 2020*.

The proposal complies with all relevant development standards for buildings and works contained within the Agriculture Zone, these are concerned with building height and setbacks.

Along with the requirements of the zone, the Parking and Sustainable Transport Code and Local Historic Heritage Code are also applicable.

As footpaths have not been provided in the carparks and the building will be visible from the road the proposal does not meet the required acceptable solutions and must be assessed against the corresponding performance criteria which are reproduced below, followed by assessment.

### C2.0 Parking and Sustainable Transport Code

The total number of carparking spaces required on the site is 17 for Visitor Accommodation and 27 for Food Services, a total of 44 spaces. There are 20 parking spaces existing and 25 proposed which exceeds the requirement.

Given more than 21 parking spaces will be provided on the site the internal access way does not meet the required width of 5.5m and the corresponding performance criteria must be addressed.

In addition, footpaths are required for carparks containing more than 10 parking spaces. Clauses C2.6.2 and C2.6.5 are reproduced below.

## 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
<p><b>A1.1</b></p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <ul style="list-style-type: none"> <li>(i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>;</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> <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 <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>.</p>	<p><b>P1</b></p> <p>All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <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> <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> <li>(i) the proposed means of parking delineation; and</li> <li>(j) the provisions of <i>Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking</i> and <i>AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities</i>.</li> </ul>

**A1.2**

Parking spaces provided for use by persons with a disability must satisfy the following:

- (a) be located as close as practicable to the main entry point to the building;
- (b) be incorporated into the overall car park design; and
- (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*.<sup>1</sup>

Assessment – Table C2.2 stipulates that uses with more than 21 parking spaces require an internal access width of 5.5m. The access width is generally shown on the plans as being at least 5.5m wide however there are several points where the access is proposed to be 4m wide to encourage vehicles to drive slowly. A condition will be placed on the permit to ensure compliance with the access way widening.

The performance criteria is satisfied.

## C2.6.5 Pedestrian access

Objective:	That pedestrian access within parking areas is provided in a safe and convenient manner.	
Acceptable Solutions		Performance Criteria
<b>A1.1</b>  Uses that require 10 or more car parking spaces must:  (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:  (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or  (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and  (b) be signed and line marked at points where pedestrians cross access ways or parking aisles.  <b>A1.2</b>  In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less 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.		<b>P1</b>  Safe and convenient pedestrian access must be provided within parking areas, having regard to:  (a) the characteristics of the site;  (b) the nature of the use;  (c) the number of parking spaces;  (d) the frequency of vehicle movements;  (e) the needs of persons with a disability;  (f) the location and number of footpath crossings;  (g) vehicle and pedestrian traffic safety;  (h) the location of any access ways or parking aisles; and  (i) any protective devices proposed for pedestrian safety.

Assessment – It is deemed that footpaths are not required within the carparks. The parking spaces are separated into 4 separate carparks and vehicle movements will be infrequent given the nature of the use. The restaurant will be the busiest area at any one time and the layout of the car park and visibility within the site means pedestrians will be able to move safely throughout the carpark. The performance criteria is satisfied.

C6.0 Local Historic Heritage Code

## C6.7.3 Buildings and works, excluding demolition

Objective:	That development within a local heritage precinct or a local historic landscape precinct is sympathetic to the character of that particular precinct.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must: <ul style="list-style-type: none"> <li>(a) not be on a local heritage place;</li> <li>(b) not be visible from any road or public open space; and</li> <li>(c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.</li> </ul>		<b>P1.1</b>  Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to: <ul style="list-style-type: none"> <li>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</li> <li>(b) the character and appearance of the surrounding area;</li> <li>(c) the height and bulk of other buildings in the surrounding area;</li> <li>(d) the setbacks of other buildings in the surrounding area; and</li> <li>(e) any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule.</li> </ul> <b>P1.2</b>  Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to: <ul style="list-style-type: none"> <li>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</li> <li>(b) the character and appearance of the surrounding area;</li> <li>(c) the height and bulk of other buildings in the surrounding area;</li> <li>(d) the setbacks of other buildings in the surrounding area; and</li> </ul>

	<p>(e) any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule.</p> <p><b>P1.3</b></p> <p>Within a local historic landscape precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local historic landscape precinct, having regard to:</p> <p>(a) the landscape values identified in the statement of local historic heritage significance for the local historic landscape precinct, as identified in the relevant Local Provisions Schedule; and</p> <p>(b) any relevant design criteria or conservation policies for the local historic landscape precinct, as identified in the relevant Local Provisions Schedule.</p>
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Assessment – The site is located within the Don/Lillico Straight Local Historic Landscape Precinct. As the proposal will be visible from the Bass Highway performance criteria P1.3 must be addressed.

The precinct is described in the planning scheme as *including the rural landscape (including various plantings) around the western side of the Don River and including Don Heads*.

The planning scheme also contains a Statement of Local Historic Heritage Significance which states the following:

*The Don Heads are viewed from many parts of Devonport, from the highway both descending to Lillico Beach from the east and approaching Devonport from the west. It is also overviewed from parts of Devonport's residential areas. It is a landmark landscape within the region.*

It is proposed that the previously approved restaurant and the facilities building be linked via an enclosed walkway. The combination results in a solid building, approximately 90m in width, being visible from the west. The impact of this is seen as being too great, therefore it is proposed that the design be altered to reduce the impact. A condition will be placed on the permit requiring amended plans be submitted showing changes to the covered walkway through removal of the walls and a requirement for landscaping to obscure the building from view. With the buildings appearing to be separated the impact on the rural landscape will be greatly reduced and the proposal can be considered to be in keeping with the local historic landscape precinct which contains a variety of building types and forms.

The performance criteria can be satisfied.

### COMMUNITY ENGAGEMENT

On 23/02/2024, Council received an application for the above development. Under Section 57(3) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority must give notice of an application for a permit. As prescribed at Section 9(1) of the *Land*

*Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 02/03/2024;
- (b) Making a copy of the proposal available in Council Offices from the 02/03/2024;
- (c) Notifying adjoining property owners by mail on 29/02/2024; and
- (d) Erecting a Site Notice for display from the 01/03/2024.

The period for representations to be received by Council closed on 18/03/2024.

### **REPRESENTATIONS**

One representation was received within the prescribed 14 day public scrutiny period required by the *Land Use Planning and Approvals Act 1993*. The representation was received from the adjoining property owners who gain access to their property via a right of way over the subject site (see Attachment 2). Their concern is regarding the increased use of the right of way by guests/patrons and construction staff. Given the right of way is owned by the proponents they are able to intensify its use provided the representors' access over the right of way is not impeded. Nothing is proposed that will prevent the representors from using the right of way to access their property.

However, a condition will be placed on the permit limiting the hours construction vehicles can enter the site, in accordance with the Environment Protection Authority's hours of operation.

TasRail also submitted a representation however it was received outside the timeframes and cannot be considered. Although the representation raised questions around the increase in vehicle numbers generally it was confirmed that TasRail has no objection to the proposal. Essentially only three additional holiday units are proposed therefore the increase in vehicle movements to those previously approved are minimal.

TasRail requested their general notes be included on the permit. They will be added to the permit and are appended to the report as Attachment 3.

### **FINANCIAL IMPLICATIONS**

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

### **RISK IMPLICATIONS**

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

### **CONCLUSION**

The proposal has been assessed by Council's Development and Infrastructure staff and can be approved with conditions.

### **ATTACHMENTS**

- 1. Application Detail - PA2024.0016 - 10300 Bass Highway [**4.4.1** - 22 pages]
- 2. Representation - D & R Robinson PA2024.0016 - 10300 Bass Highway [**4.4.2** - 1 page]
- 3. TasRail Standard Notes - PA2024.0016 - 10300 Bass Highway [**4.4.3** - 1 page]

## 5 REPORTS

### 5.1 DEVONPORT EVENTS STRATEGY 2024-2030

Author: **Carol Bryant, Executive Officer**

Endorser: **Matthew Skirving, Executive Manager**

#### RECOMMENDATION

That Council:

1. note the feedback received during the consultation period on the draft *Devonport Events Strategy 2024-2030*; and
2. adopt the *Devonport Events Strategy 2024-2030*.

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

Council's Strategic Plan 2009-2030:

- 4.2 A vibrant City is created through the provision of cultural activities, events and facilities

#### SUMMARY

This report presents the *Devonport Events Strategy 2024-2030* to Council following a minimum 30-day public consultation period.

#### BACKGROUND

The *Devonport Events Strategy* presents a framework for Council to guide decisions around attracting, supporting, and producing events to enhance community liveability.

Council resolved to note and release the Plan for a minimum 30-day public consultation period at the January 2024 meeting (Min 24/7 refers).

#### STATUTORY REQUIREMENTS

There are no statutory requirements in relation to this report.

#### DISCUSSION

The *Events Strategy* includes Aspirations, Guiding Principles, Goals and Strategies as listed below. A further 21 actions are described in the attached strategy document.

#### Aspirations 2030

By 2030:

- An appealing diverse events portfolio engages local and visitor audiences.
- Devonport is home to at least one destination event held biennially that is uniquely Devonport.
- Arts, music & cultural events, and sporting & active leisure events feature prominently in events calendar.
- Council's event investment is aligned with Strategy and City goals and delivers strong social and economic outcomes.
- Infrastructure and assets are maximised to enrichen the event stakeholder experience.
- There is a strong local and regional events network committed to working together

- Working with Council to plan, execute and evaluate an event is a seamless process. Even organisers confidently bring events to our City.
- We know and understand the value that events bring to our community and continually innovate to expand the benefits.
- Events reinforce Devonport's reputation as a desirable place to live, work, visit and invest.

### **Guiding Principles**

To meet the 2030 aspirations, the following principles are to be embedded in decision making and across the event management cycle. These are reflective of themes grounded in research, data analysis, and stakeholder input. We will:

- Embrace our community diversity, be accessible and inclusive in event planning.
- Create or leverage event opportunities to stimulate the local economy and enhance wellbeing.
- Maximise the potential of Devonport's infrastructure, assets, and local places.
- Demonstrate best practice in environmental management.
- Collaborate and inspire community, organisations, and the private sector to lead, partner and support events.
- Take the courage to innovate, seek out new concepts, test different approaches.
- Target investment to meet community and Strategy priorities.
- Raise the profile of Devonport as a highly desirable place to live, work, visit and invest.

### **Goals and Strategies**

The following goals and strategies recommended to reach the aspirational 2030 vision are as follows:

Goal 1: Grow Devonport's identity and appeal as an event destination.

Strategies:

- Establish an Event Acquisition and Sponsorship Fund to attract new events and nurture retained events.
- Build Devonport's profile as a leading regional events destination.
- Activate infrastructure and spaces.

Goal 2: Establish a balanced events portfolio and build capacity to generate greater benefits for Devonport's community and businesses.

Strategies:

- Revitalise events that showcase Devonport's unique qualities, reflect community values, utilise city precincts and resonate with target audiences.
- Increase capacity to support and deliver quality events.
- Embed evaluation and learning to understand the social, economic and environmental impact on investment.

### **COMMUNITY ENGAGEMENT**

The Strategy has been informed by event sector stakeholders who were invited to complete an online survey during November 2023.

Further consultation with industry stakeholders and the broader community was sought through an online survey conducted 24 January – 26 February 2024, which attracted 20 responses.

Upon review of the survey feedback, it is recommended that no alterations are made to the draft Plan content.

The unedited survey results are attached. In summary;

- 90.4% of all respondents on average agreed with each Aspiration (55.8% 'strongly agreed', 34.6% 'agreed')
- 87.4% of all respondents on average agreed with each Guiding Principle (58.2% 'strongly agreed', 29.2% 'agreed')
- 77.8% of 18 respondents agreed with the actions recommended under the Strategy: Establish an Event Acquisition and Sponsorship Fund to attract new events and nurture retained events (46.3% 'strongly agreed', 31.5% 'agreed')
- 88.9% of 18 respondents agreed with the actions recommended under the Strategy: Build Devonport's profile as a leading regional events destination (61.1% 'strongly agreed', 27.8% 'agreed')
- 85.2% of 18 respondents agreed with the actions recommended under the Strategy: Activate infrastructure and spaces (61.1% 'strongly agreed', 24.1% 'agreed')
- 85.9% of 16 respondents agreed with the actions recommended under the Strategy: Revitalise events that showcase Devonport's unique qualities, reflect community values, utilise city precincts and resonate with target audiences (62.5% 'strongly agreed', 23.4% 'agreed')
- 87.5% of 16 respondents agreed with the actions recommended under the Strategy: Increase capacity to support and deliver quality events (59.4% 'strongly agreed', 28.1% 'agreed')
- 89.6% of 16 respondents agreed with the actions recommended under the Strategy: Embed evaluation and learning to understand the social, economic, and environmental impact of investment (52.1% 'strongly agreed', 37.5% 'agreed').

33 comments were further received as part of the survey. Unedited responses and Council officer comments are listed in the table below.

Topic	No.	Unedited Response	Officer Comment
Aspirations	1.	Passion	No comment required
	2.	Make sure that if Devonport is going to do all of the above that there are enough toilets.  Every event I have been to in Devonport there has never been enough.  Also if you are going to use areas like Atkein Head point police need to stop the traffic better and better parking arrangements. At NYE cars were turning up the closed road at speed and people were nearly run over.	Comments considered under Action 1.9 <i>Undertake audit of venues and spaces</i>
	3.	Attract more 10 days on the island events to the city	Aligns with several actions under Goal 2
	4.	You need to have a livability [sic] reputation first, in order to reinforce it.	Events can be a tool to improve liveability and thus create and reinforce Devonport's liveability reputation
	5.	Often events are not promoted effectively. Signs on the road aren't enough to bring people or develop	Aligns with actions that aim to increase capacity (Actions 2.5-2.8)

Topic	No.	Unedited Response	Officer Comment
		economic opportunities. Need to invest to get results. I've hardly heard anything about what's coming up this year and not everyone reads Facebook.  Need to let younger people manage significant events like Jazz or food festival which have gotten tired.	
	6.	When it comes to events think more of majority not minority negative groups	No comment required
Guiding Principles	7.	Passion	No comment required
	8.	I would like to see the Council prioritise environmental issues more.	Stated in guiding principles for decision making and across the event management cycle: <i>Demonstrate best practice in environmental management.</i>
	9.	So many Launceston and Hobart events being advertised in Devonport. We need more events catering to younger families rather than retirees. We miss massive economic opportunities when everyone goes south for summer events.	Strategy aims to establish a balanced and appealing events portfolio that engages Devonport's diverse demographic profile
Strategy: Establish an Event Acquisition and Sponsorship Fund	10.	Passion	No comment required
	11.	I really don't think that people are coming to Devonport for events. For example, I know the medical community selects conferences based on where they want to go on holidays. Hobart will always win out over Devonport, especially given how early all the restaurants close in Devonport. I think some of the money would be better spent on environmental issues. For example, the millions of dollars allocated to the light show is very disappointing when compared to how little is allocated to maintaining and rejuvenating natural biodiversity, which is a bigger drawcard for mainlanders and tourists. People come here for the wild life, not a lights show - they would go to Sydney vivid for a light show.	Events can deliver a range of social, economic and environmental benefits for the community, with the direct return on investment difficult to quantify. Strategy actions aim to improve our understanding of the importance of events, in turn assist Council decision around resource allocation.
	12.	I'm sure there are already staff employed that the above is part of their job. I don't believe in employing panels to do this as well and waste more money. Get a good group of staff working hard to organise and actively promote events. The best the council organised events were ever organised and promoted was when Tracy Bruce was doing it.	The Event Acquisition and Sponsorship Fund aims to build stronger capacity beyond Council to deliver high quality events. No additional funds are required to establish and govern the Fund.
Strategy: Build Devonport's profile as a	13.	Passion	No comment required
	14.	Council will need to be sure any increase in workload to achieve these	Any additional resources required are considered by

Topic	No.	Unedited Response	Officer Comment
leading events destination		actions is matched by increase in staffing	Council annually.
	15.	Hard to disagree with any of these recommendations.	No comment required
Strategy: Activate infrastructure and spaces	16.	Passion	No comment required
	17.	I would hate to see more sporting and automobile events in Devonport.	The initial stakeholder survey of 169 respondents suggested that Devonport should increase the range of arts, music, culture and sporting, active leisure events with a regional or state reach (attract 1,000+ attendees). Goal 2 aims to establish a balanced portfolio of events with varied content to engage a range of audiences.
	18.	The online venue guide would be good as long as the venue doesn't have to pay council hidden costs and have other costs	Event fees may be incurred for venue hire and health requirements and are set out annually in Council's Fees and Charges Schedule. The venue guide is to demonstrate assets available in Council venues with no fees to view this information.
Strategy: Revitalise events	19.	Passion	No comment required
	20.	Couldn't argue with any of these aims.	No comment required
Strategy: Increase capacity to support and deliver quality events	21.	Passion	No comment required
	22.	The event approval process is not too bad as it currently is, and the admin/events team are generally easily accessible and helpful	Noted. The events approval process is continually refined to increase efficiency for applicants and Council staff.
	23.	Streamline into digital is a terrible idea. what it translates to is poor communication buried in Facebook or obscure websites. This is not accessible to everyone and will lead to a decline in engagement and regular attendance. Not everyone is on Facebook.	Action 2.6 <i>Streamline event promotion using digital platforms, including clarifying responsibilities for promotion of Council and non-Council events</i> , refers to improving the diversity of existing online channels for promotion. The action does not suggest that non-digital forms of promotion will cease.
Strategy: Embed evaluation and learning to understand the social, economic, and	24.	Passion	No comment required
	25.	Council and rate payers need to see value for money.  Collecting exit satisfaction surveys are not easy, but are essential to gaining a true indication of the worth of the event.	Comments align with Actions 2.9-2.11
	26.	Any evaluation expectation on external	Consider under Action 2.9

Topic	No.	Unedited Response	Officer Comment
environmental impact of investment		event organisers needs to be very simple and relevant. If event organisers are receiving council funding or in-kind support, they need to provide reports anyway, so any extra evaluation tools must only collect useful, relevant info, and not be overly demanding.	<i>Develop and communicate procedures, tools, and templates for Council and non-Council event organisers to measure event outcomes in a consistent purposeful manner</i>
	27.	I would expect most of these ideas are already being implemented.	Actions 2.9-2.11 are not undertaken to the extent as intended.
Further comments	28.	Niche events that reflect the character of place are important. What grows around Devonport? What makes Devonport unique. Build on the strengths of Devonport.	Noted.
	29.	Passion	No comment required.
	30.	Can the ratepayers have a choice about having Australia Day ceremonies on Jan 26th.  2 major events that could use council support that I know of is the Devonport Cup (Devonport Junior Soccer) and Regatta.  I hope we have an official opening when the spirit terminal opens  Good luck	The event strategy provides a framework for making decisions about how Council attracts, supports and in some cases delivers events rather than specific events. Council currently supports the Devonport Junior Soccer Cup and Regatta. The Event Acquisition and Sponsorship fund will develop processes for assessing future support.  Dates for civic ceremonies such as citizenship ceremonies are determined by Council based on a variety of factors including venue, staff and other resource availability as well as community sentiment.
	31.	Build on fantastic existing events and work with professional organisations such as Devonport Jazz, TSO, Ten days on the island, etc... instead of trying to create new committees and new content.	Noted, several strategy actions discuss importance of collaborating to nurture existing events but also where resources are available encourage new events to keep audiences engaged.
	32.	It is quite vague. It doesn't tell us much about what will change moving forward or speak to the direction of things.	Council aims to promote the outputs and outcomes of Strategy implementation on a regular basis to address this
	33.	I would like to see Devonport promote a writers' festival to promote the work of local writers, young and old, bringing in some established authors to encourage discussion and learning.	Idea noted, no comment required

### **FINANCIAL IMPLICATIONS**

To reach the overall 2030 vision, multistakeholder collaboration and investment will be required. Council resources to implement the strategy are to be considered each year as part of the annual planning and budgetary process. No additional operational or capital allocations are required for 2023/24. It is expected that the operational funds and resources committed in 2023/24 towards external event investment and Council produced events are maintained and potentially increased in coming years.

### **RISK IMPLICATIONS**

- Consultation and/or Communication  
Given the strong levels of engagement in the industry survey and general community interest in events, the community would have an expectation that Council delivers a plan reflective of shared issues and ideas for improvement. There is a low reputational risk that not having a strategy may signal to interested parties that investment in events as a way to enhance liveability is a low priority of Council.

### **CONCLUSION**

The Events Strategy 2024-2030 provides Council with a framework to guide decisions around attracting, supporting, and producing events that enhance community liveability.

Twenty-one recommendations for action over the next six years have been identified, informed by stakeholder and employee consultation.

Release of the draft Plan and survey attracted 20 respondents. Based on the feedback received, it is recommended that Council adopts the Devonport Events Strategy 2024-2030 without amendment.

### **ATTACHMENTS**

1. Devonport Events Strategy 2024-2030 [**5.1.1** - 26 pages]
2. Devonport Events Strategy Community Survey Responses [**5.1.2** - 23 pages]

## 5.2 MEMORANDUM OF UNDERSTANDING - UNIVERSITY OF TASMANIA

Author: **Carol Bryant, Executive Officer**

Endorser: **Matthew Skirving, Executive Manager**

### RECOMMENDATION

That Council:

1. Enter into a five-year Memorandum of Understanding with the University of Tasmania to establish a student-assisted allied health training site in Devonport; and
2. Enter into to a five-year licence agreement with a five-year option with the University of Tasmania to operate the student-assisted allied health training site from the East Devonport Recreation & Function Centre.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

4.6 Integrated health and well-being services and facilities are accessible

### SUMMARY

To consider entering into a Memorandum of Understanding and Licence Agreement with the University of Tasmania to establish a student-assisted allied health training site in Devonport. The proposed location for its operation is the East Devonport Recreation and Function Centre.

### BACKGROUND

For several years, the University of Tasmania has been engaged in research and collaborative efforts with the Council, community organisations, healthcare professionals, and residents to understand the health promotion and disease prevention needs of Devonport. Throughout 2023, UTAS has been in discussions with the Council and stakeholders to explore the potential establishment of a student-assisted allied health training site in Devonport. This report proposes the formalisation of a partnership between the Council and UTAS through the creation of a Memorandum of Understanding (MOU) and a venue license agreement. The aim is to establish a training site to advance community health and wellbeing improvements as outlined in the Devonport Living Well: Health and Wellbeing Strategy 2023-2033.

### STATUTORY REQUIREMENTS

There are no statutory requirements in relation to this report.

### DISCUSSION

As identified in the Devonport's *Living Well: Health and Wellbeing Strategy 2023 -2033* our community is characterised by a high prevalence of chronic disease and ill-health, along with significant workforce recruitment and retention challenges in the allied health sector.

The establishment of the training site in Devonport will provide opportunities to strengthen and build rural allied health education and training pathways. Additionally, residents will have the opportunity to be involved in a range of health promotion activities. Students from nursing and different allied health disciplines shall work together as they learn how to identify and respond to community health and wellbeing needs.

Under the MOU and associated licence agreement, UTAS School of Health Sciences staff and students shall occupy parts of the EDR&FC during normal business hours. Various programs will be delivered from the Centre in partnership with community organisations. Sporting and other community groups will continue to operate from the Centre. The operational details of the Devonport rural health training site are expected to be finalised in the second half of this year. UTAS are planning to operate the training site beyond the initial five-year period.

This initiative also meets the vision, as outlined in the Devonport Sports Infrastructure Master Plan, for Girdlestone Park and the EDR&FC to become an important community hub where people can be involved in a host of integrated sporting, recreation, social and learning activities, aimed at strengthening individual and overall community health and wellbeing.

### **COMMUNITY ENGAGEMENT**

UTAS have undertaken a series of engagement activities, including focus groups with residents, allied health providers, and wellbeing service providers in designing the training site delivery model. UTAS also played a significant role in community engagement regarding the development of the Living Well: Health and Wellbeing Strategy 2023-2033. Through this engagement, UTAS have added to their understanding of the health and wellbeing challenges encountered by the Devonport community.

### **FINANCIAL IMPLICATIONS**

The establishment of the MOU will not require any additional expenditure. Initiatives that fall under the scope of the MOU, in terms of delivery of community activities as part of the training site, may require additional operational expenditure that will be considered annually by Council. Any such activities would align with meeting the outcomes of the Living Well: Health and Wellbeing Strategy.

The physical establishment of the training site will require minor modifications to the EDR&FC that will be funded wholly by UTAS with support from the Commonwealth Government.

Licence terms and conditions are outlined in detail in the attachment, however, broadly the facility is to be provided free of charge by Council with operating costs (utilities, etc.) the responsibility of UTAS.

### **RISK IMPLICATIONS**

- Asset & Property Infrastructure  
Responsibilities for assets and infrastructure are defined in the licence agreement.
- Legal Compliance  
The MOU and licence agreement establish the legal elements of the partnership and venue usage with UTAS.

### **CONCLUSION**

The establishment of a student-assisted allied health training site in Devonport meets several needs and aspirations as identified by the community in the Devonport Living Well: Health and Wellbeing Strategy 2023 -2033 and the Devonport Sports Infrastructure Master Plan. This report suggests forming a partnership with UTAS to set up the site using a Memorandum of Understanding and a venue license agreement.

### **ATTACHMENTS**

1. Licence Agreement (confidential attachment)
2. Memorandum of Understanding (confidential attachment)

## 5.3 CS0126 TORQUAY RD- WRIGHT ST SW UPGRADE

Author: **Jeff Sharman, Building Asset & Project Officer**

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

### RECOMMENDATION

That Council, in relation to Contract CS0126 Torquay Road to Wright Street Stormwater Upgrade:

- a) award the contract to Walters Contracting for the tendered sum of \$512,790 (ex GST);
- b) note the project design, management and administration costs for the project are estimated at \$60,900 (ex GST);
- c) note a construction contingency of \$76,920 (ex GST); and
- d) note the purchase of pipes separate to the tender contract, at a cost of \$100,000 (ex GST).

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

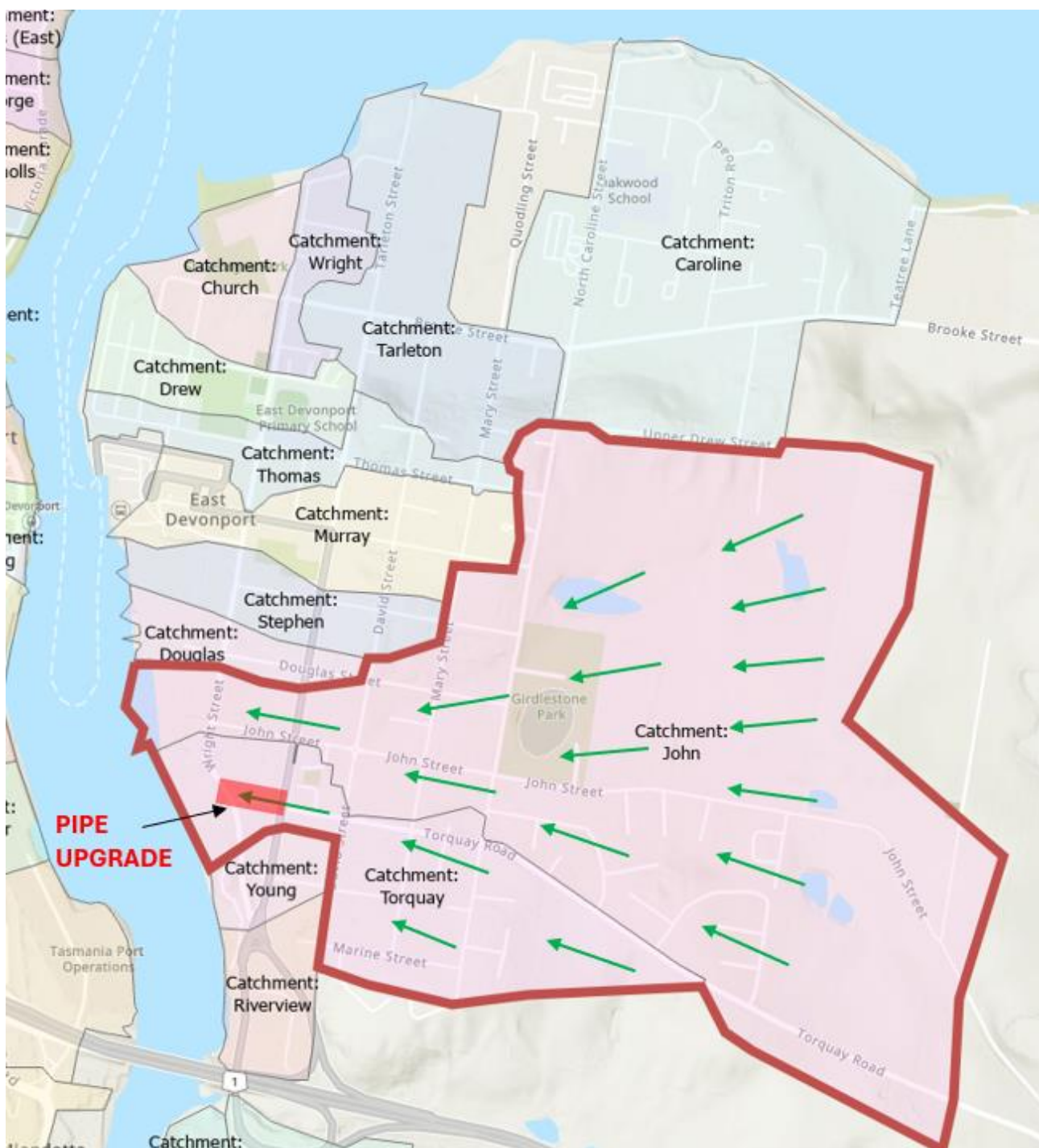
2.3 Active asset renewal program and clear infrastructure priorities for funding

### SUMMARY

This report considers tenders received for Contract CS0126 *Torquay Road to Wright Street Stormwater Upgrade* listed in the 2023/24 Capital Program and seeks Council's approval to award the contract to Walters Contracting.

### BACKGROUND

The John Street stormwater catchment area covers a large proportion of the East Devonport residential area including the Recreation Centre, Football Ground and some rural properties in the upper catchment. The adjacent Torquay Road catchment influences the performance of the John St Catchment, and during significant rainfall events the system surcharges causing localised flooding in both catchments. The map below indicates the extent of both stormwater catchments and the general flow paths through to the Mersey River.



Both catchments combined make up almost 50% of the total Urban Drainage Network within the East Devonport area, which is serviced via two major pipes in the lower catchment that discharge into the Mersey River. The extent of the pipe upgrade is between Wright and Tarleton Streets and is highlighted red on the map.

This lower catchment area has a history of flooding with known overflow and surcharge from the Torquay Road catchment into the John Street catchment. Upgrade of the major pipe in the lower catchment of Torquay Road will reduce the probability of flooding, substantially increasing the piped network capacity.

A further upgrade of the pipeline from Wright Street through to the Mersey River discharge point will be undertaken separately as part of the QuayLink Port Development works currently underway.

**STATUTORY REQUIREMENTS**

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

**DISCUSSION**

Tender submissions were received from three companies, with all submissions assessed to be conforming with the tender specifications and are summarised in Table 1 below:

**Table 1**

No.	Tenderer	Total Price (ex GST)
1	Walters Contracting	\$512,790
2	Harding's Hotmix	\$570,810
3	Treloar Transport	\$575,913

The Tender Planning and Evaluation Committee has considered each of the selection criteria and Walters Contracting ranked the highest overall and therefore offers Council the best value for money. The selection criteria included:

- Relevant experience
- Quality, Safety and Environmental management
- Methodology
- Price

**COMMUNITY ENGAGEMENT**

A public advertisement calling for tenders was placed in The Advocate Newspaper on 10<sup>th</sup> February 2024 and tenders were also advertised on Council's website and via Tenderlink. During the tender period 23 businesses downloaded the tender documents via the Tenderlink portal.

**FINANCIAL IMPLICATIONS**

The 2023/24 capital expenditure budget includes an allocation for project *CS0126 Torquay Road to Wright Street SW Upgrade* of \$800,000. The forecast expenditure is shown in Table 2 below.

**Table 2**

No.	Tender	Budget (ex GST)
1	CS0126 – Construction Contract	\$512,790
2	Pipe Supply (purchased separately)	\$100,000
3	Project design, management, administration	\$60,900
4	Construction Contingency (15%)	\$76,920
	<b>TOTAL</b>	<b>\$750,610</b>

Current manufacture and pipe lead times was extensive, therefore to minimise the risk of supply delays and possibility of encountering adverse weather the pipes were ordered separately to allow works to commence within an acceptable timeframe.

### **RISK IMPLICATIONS**

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

A contingency of 15% of the contract value has been included as the risk of unforeseen variations on this project is assessed as being a moderate risk. Key risks including:

- Possibility for extended manufacturing and pipe supply lead times which could delay construction.
- Moderate probability of encountering soil contamination and the need to treat and correctly dispose. An Environmental Consultancy has been engaged to monitor ground conditions and provide soil testing for the project.

### **CONCLUSION**

Considering the assessment by the Tender Planning and Evaluation Committee and the tendered rates, it is determined that Walters Contracting will offer the best value for money in relation to Contract *CS0126 Torquay Road to Wright Street Stormwater Upgrades*.

### **ATTACHMENTS**

Nil

## 5.4 FINANCIAL ASSISTANCE SCHEME ROUND TWO 2023 2024

Author: **Danielle O'Brien, Administration & Project Officer**

Endorser: **Matthew Skirving, Executive Manager**

### RECOMMENDATION

That Council:

- a) receive and note the Round Two Financial Assistance - Community Grants 2023/24 report; and
- b) approve the Major and Minor Grants for Round Two of the 2023/24 Community Grants Program, as follows:

#### Major Grants

Devonport Choral Society	\$8,000.00
North West Pistol Club of Tasmania Inc	\$12,500.00
Devonport Tenpin Bowling Association	\$5,491.05

#### Minor Grants

Devonport Anglers Club Inc North-West Junior Anglers Club	\$1,500.00
Exhale Community Choir	\$3,300.00
East Devonport Bowls Sporting and Community Club	\$3,242.25

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

5.3 Council looks to employ best practice governance, risk and financial management

### SUMMARY

This report presents the recommendations of the Community Financial Assistance Working Group's assessment of submissions for Round Two of the 2023/24 Community Grants Program for consideration by Council.

### BACKGROUND

Through the provision of its Financial Assistance Scheme Council supports projects, programs, and activities for the benefit of Devonport's residents and visitors.

This financial year, five (5) areas of assistance are available as follows:

- Major Grants – grants of \$5,000 - \$25,000 to support for Health and wellbeing, Our culture, Our environment, Festivals and Events.
- Minor Grants – grants of up to \$5,000 to organisations to deliver programs that enhance Health and wellbeing, Our culture, Our environment, Festivals and Events.
- Rate Remissions – granting of a full or partial remittance of the general rate for non-profit organisations delivering benefits to Devonport residents.

- Donations – aid for groups, organisations or individuals within the City who are not eligible for sponsorship under any other Financial Assistance Program.
- Individual Development Grants – grants to support individuals, groups or teams who are performing, competing, or presenting at national or international competitions, conferences, or events.

The Financial Assistance Working Group (FAWG) assess applications under the Scheme. Members include:

- Councillor Peter Hollister
- Councillor Steve Martin
- Councillor Leigh Murphy
- Community Services Manager
- Convention and Arts Centre Manager

This report presents the FAWG recommendations to Council to consider granting of funds under Round Two of the Community Grants Program, Major and Minor Grants.

### **STATUTORY REQUIREMENTS**

Section 77 of the *Local Government Act 1993* outlines Council's requirements regarding grants and benefits:

1. *A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.*
  - (1A) *A benefit provided under subsection (1) may include –*
    - a) *In-kind assistance; and*
    - b) *Fully or partially reduced fees, rates, or charges; and*
    - c) *Remission of rates or charges under Part 9.*
2. *The details of any grant made or benefit provided are to be included in the annual report of the council.*

The details of awarded grants will be reported in Council's 2023/2024 Annual Report.

### **DISCUSSION**

The Financial Assistance Working Group (FAWG) met on 12 March 2024 to assess major and minor grant submissions, utilising a weighted evaluation matrix, against the following criteria:

1. Demonstrate need and benefit.
2. Alignment to Council's priorities as outlined in each grant category (Health and wellbeing, Our culture, Our environment, Festivals and Events).
3. Evidence of community support, partnership, or consultation.
4. Increasing self-sufficiency of organisations and/or project outcomes.
5. Demonstrate good value for money which shows the contribution of the organisation (and/or others) applying to the project or activity through cash and/or in-kind; and purchase of goods and services from local businesses.
6. Capacity of the applicant (and/or partners) to complete the project.
7. Evidence that the organisation and/or the project supports inclusive participation and/or promotes equality.
8. Evidence that the organisation (and/or the project) demonstrates sound environmental practices.

Present at the FAWG meeting were:

- Councillor Peter Hollister

- Councillor Steve Martin
- Councillor Leigh Murphy
- Executive Manager Matthew Skirving (on behalf of the Community Services Manager)
- Convention and Arts Centre Manager, Geoff Dobson
- Community Services Administration and Project Officer – Minute taker

### Major Grants

Five applications were received under the Major Grants category, requesting \$77,591.05 grant funding support from Council in total.

A summary of all applications assessed are included in the below table, noting the successful applications recommended by the FAWG to receive grant funds (subject to any conditions as outlined):

Organisation	Project Description	Total Value of Project	Amount Requested	Amount Recommended
The Nappy Collective	Local area growth	\$40,000.00	\$20,000.00	Nil
Devonport Choral Society	Improvement plan and asset update	\$17,168.35	\$8,000.00	\$8,000.00
North West Pistol Club of Tasmania Inc	Spreyton air pistol indoor range	\$50,000.00	\$25,000.00	\$12,500.00 *Subject to further information being provided.
Devonport Tenpin Bowling Association	Adapt and Include	\$12,091.00	\$9,591.05	\$5,491.05 *Subject to further information being provided.
Van Diemen's Band	Vivaldi's "Gloria" featuring Crescendo Choirs, Van Diemen's Band and international artists	\$49,485.00	\$15,000.00	Nil
	Totals	\$168,744.35	\$77,591.05	<b>\$25,991.05</b>

### Minor Grants

Ten applications were received under the Minor Grants category requesting \$51,236.50 grant funding support from Council in total.

A summary of all applications assessed are included in the below table, noting the successful applications recommended by the FAWG to receive grant funds (subject to any conditions as outlined):

Organisation	Project Description	Total Value of Project	Amount Requested	Amount Recommended
Mr Perfect Incorporated	Mr Perfect Incorporated	\$9,000.00	\$5,000.00	Nil

Spreyton Primary School Association/Twilight Festival Committee	Spreyton Primary School Twilight Festival	\$5,875.00	\$5,000.00	N/A *Application referred to Community Donation Scheme.
Devonport RSL Sub Branch Incorporated	Community Welfare and Connection Program	\$20,125.00	\$5,000.00	Nil
Devonport Anglers Club Inc. North-West Junior	Fish Stock	\$3,000.00	\$3,000.00	\$1,500.00
RSPCA Tasmania	The Million Paws Walk	\$12,300.00	\$5,000.00	Nil *Application referred to Community Donation Scheme.
Exhale Community Choir	Devonport Big Sing 2024	\$8,652.00	\$3,300.00	\$3,300.00
East Devonport Bowls Sporting & Community Club	Dining room refurbishment – Replacing chairs	\$5,681.50	\$5,681.50	\$3,242.25
Devonport Community Landcare	Seed funding for equipment.	\$5,955.00	\$5,955.00	Nil *Application referred to Community Services Department.
CareFlight	Trauma Care Program for First Responders	\$11,300.00	\$7,300.00	Nil
Cancer Patients Foundation	Look Good, Feel Better program	\$28,320.00	\$6,000.00	Nil
	Totals	\$110,208.50	\$51,236.50	<b>\$8,042.25</b>

Unsuccessful applications across both the Minor and Major grant categories have been assessed by the FAWG as either being ineligible to apply for funding (in accordance with the program guidelines), or have scored below the minimum threshold to qualify for funding against the weighted assessment criteria.

### COMMUNITY ENGAGEMENT

Details of the Financial Assistance Scheme – Community Grants Program, including the application process are available on Council's website.

A media release was issued. Council's social media and community newsletter were used to advise of the opening of the Community Grants Program. Links to the website page were emailed to:

- Past and present DCC Committee members.
- Individuals and organisations who had registered (via the Council website) to receive information on Council's Financial Assistance Scheme; and
- 2015-2023 grant recipients

### FINANCIAL IMPLICATIONS

The approved grants will be funded through the 2023/2024 Community Financial Assistance budget allocation.

The 2023/2024 Financial Assistance Major Grants allocation is \$75,000 with Round One expenditure amounting to \$43,850, and Round Two expenditure amounting to \$25,991.05, leaving a balance of \$5,158.95.

The 2023/2024 Financial Assistance Minor Grants allocation is \$65,000 with the Round One expenditure totalling \$2,962.50, and Round Two expenditure amounting to \$8,042.25 leaving a balance of \$53,995.25.

#### **RISK IMPLICATIONS**

There is a risk that organisations that have applied and have been unsuccessful may be critical of Council's decision in relation to the allocation of the funds. It is noted that the allocation of funds is based on an assessment across a set of guidelines and eligibility in keeping with Council's policies and strategies. Each application is scored using a weighted matrix. Feedback is provided to all applicants on request.

#### **CONCLUSION**

A total of 16 submissions were received under round two of the 2023/24 Community Grants Program totalling \$128,827.55.

The Financial Assistance Working Group recommends that Council approve the Round Two Major and Minor Grants to the value of \$34,033.30.

#### **ATTACHMENTS**

Nil

## 5.5 2024/25 BUDGET CONSULTATION

Author: **Claire Jordan, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

### RECOMMENDATION

That Council receive and note the Budget Consultation 2024/25 report and refer submissions to its budget deliberations.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

5.2 Promote active and purposeful community engagement and participation

### SUMMARY

This report presents the outcomes from the community budget consultation undertaken for the 2024/25 financial year.

### BACKGROUND

Council has sought community input through structured community engagement as part of its annual budget preparation for several years. Community consultation provides an opportunity for Devonport ratepayers and residents to provide input and suggestions to Councillors for their consideration as part of the budget process.

Council's Community Engagement Policy and feedback from previous consultations were considered in planning this budget consultation process.

Objectives for the community engagement were defined as follows:

- Seek community input regarding key priorities for the 2024/25 budget, to assist Council and management in the budget making process;
- Involve the community in the decision-making process for the 2024/25 operating and capital budgets; and
- Help ensure a better match between community expectations and actual expenditure and delivery of services and projects.

### STATUTORY REQUIREMENTS

There are no statutory requirements which relate to this report.

### DISCUSSION

The 2024/25 Council budget consultation invited community members to contribute their ideas for projects and initiatives which they felt would benefit the community and was hosted at [www.speakupdevonport.com.au](http://www.speakupdevonport.com.au) and through Council's Customer Service Centre.

The consultation received 76 submissions, compared to 58 last year. Submissions were received via Speak Up Devonport and in writing. A summary of the feedback received is shown below. Full details of each submission will be provided to Councillors as a confidential attachment for their consideration as part of the budget process.

Consultation Tool	Number of responses
Submissions received – via Speak Up Devonport and other means	76 (from 38 individual submitters)

Topic	Number of times raised
Increase stationary rubbish bin cleans	1
Increase scheduled footpath inspections	1
Provision of assistance for resident lawn management	1
Seal walkway through the Vietnam Veterans Memorial	1
Tourism festival 'RV Destination Festival' to showcase Penguin/Bird protection and biodiversity in the region	1
Continuation of footpath lighting between Bluff Beach and the Lighthouse	1
Tree lights along Victoria Parade, Roundhouse Park, Aikenhead Point walking track	1
PA system suitable for outdoor events	1
Improvements to Mersey River break wall for fishing	1
Employ additional NRM Officer(s)	6
Employ a Weed Management Officer	4
Budget Dedicated to Weed Removal	4
Re-establishment of a Police and Community Youth Centres (PCYC)	1
Additional Native Plants throughout the City	1
School based educational programme for climate change awareness	1
Basketball Court at the Bluff	8
Additional footpaths in Miandetta (West Miandetta and Appledore Street)	2
Playground at Coles beach	1
Vegetation clearing along Waverley Road	3
Ocean Pool at the Bluff	1
Address Mersey Main Road traffic concerns	1
Additional Bus Stops and Shelters	1
Safety improvements at intersections	1
Swing set under elevated walkway at Haines Park	1
Footpath link between Middle Road and Homemaker Centre	1
More Footpaths	1
Rooke Street Mall Improvements	2
More Events	1
Greyhound Off-Leash Exercise Park	2
Improvements to Footpath link between Sorrell Street and North Street	1
Spirit of Devonport Operation/Funding	1
Cat Management	1
Large Playground along Victoria Parade or Bluff Road	1
Pump Track adjacent to Bluff Skatepark	1
3D pavement art installations	1
Increased Budget for Conservation	1
Additional staff dedicated to monitoring and enforcing of the	1

natural assets code of private developments in priority vegetation areas and health of natural ecosystems	
Climate Change and Sustainability Initiatives particularly funding for a Climate Change/ Sustainability Officer	1
Prioritise investing in Environmental jobs	1
Produce educational materials for distribution to residents	1
Enhancements to Open Spaces: acquiring and rezoning land for conservation, expanding and improving parks, improve access to green spaces, and establishing policies for public open space contributions and acquisitions.	1
Policy and Planning Improvements: Become informed about climate emergencies and to assess decisions for sustainability, enforce policies to prevent significant tree loss, increase native tree coverage, and maintain a 'Significant Trees Register' to protect significant trees.	1
Remove roof from rotunda	1
Additional seating at the Bluff	1
Installation of ceiling fans at Devonport Surf Club	1
More attention to the maintenance of public spaces	1
Don Heads As A Nature-Based Attraction	1
Caravan/RV parking within CBD	1
Large scale imagery within the Visitor Centre	1
Wildlife Park	1
Employ Covenant Enforcement Officer	1
Establish Devonfield Reserve	1
Memory Lane Nature Walk	1
Plant-growing initiative / Program	1

### COMMUNITY ENGAGEMENT

Community engagement was planned, developed and implemented in accordance with Council's Community Engagement Policy.

Community engagement was undertaken between 7 February and 28 February 2024.

The consultation was promoted through:

- Council's website – promotion was featured on the home page and news pages and re-directed users to the consultation tool at [speakupdevonport.com.au](https://speakupdevonport.com.au);
- A media release was distributed to Tasmanian media;
- Council's Facebook page, Twitter and LinkedIn accounts were used to announce the consultation period;
- Reminders were provided through social media and in the Community Services Newsletter.

### FINANCIAL IMPLICATIONS

The consultation was planned, developed, managed and delivered by Council staff. The design and development for the consultation material was developed and printed in-house, with associated costs part of Council's annual operating expenses.

### RISK IMPLICATIONS

Consultation and/or Communication

The positive sentiment created for Council through the consultation process needs to be maintained. Council must ensure that the public are kept informed of the budget decisions.

### **CONCLUSION**

The feedback received through the budget consultation process provides Council with a high level of community input and will be taken into consideration in the budget decision making process.

### **ATTACHMENTS**

1. Budget suggestions 2024 (Confidential Attachment)

## 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 the Workshop Session held since the last Council meeting be received and the information noted.

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

Date	Description	Purpose
4 March 2024	CBD property development	Discussion of unsolicited proposal to purchase (in accordance with Council's Unsolicited Proposals Policy)
	LGAT General Meeting	Discussion of motions tabled for meeting
	Julie Burgess	Presentation relating to partnership request
	Home Hill	Overview of business case in relation to future development opportunities

Apologies from previous Workshop:

- Cr S Martin

Declarations of Interest received for previous Workshop:

Councillor	Item No	Reason	Remained in Workshop? Yes/No	If remaining, reason/s for decision
Cr L Murphy	1	Has been engaged by the proponent in professional capacity	Yes	Discussion only – no formal decision can be made in this forum
Cr P Hollister	3	Board Member of Julie Burgess Inc	Yes	No pecuniary advantage in the matter

## **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:

5.3 Council looks to employ best practice governance, risk and financial management

### **SUMMARY**

This report details meetings and functions attended by the Mayor.

### **BACKGROUND**

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

### **STATUTORY REQUIREMENTS**

There are no statutory requirements which relate to this report.

### **DISCUSSION**

In her capacity as Mayor, Councillor Alison Jarman attended the following meetings and functions between 22 February and 20 March 2024:

- Radio interviews including SeaFM, ABC Radio and 7AD
- Attended DCCI meetings
- Grace Tame Video Call
- Attended Zonta Dress for Success Working Party Zoom Meetings
- Attended Splash Aquatic Centre 10<sup>th</sup> Anniversary cake cutting
- Prepared video for International Women's Day
- Attended Devonport Regional Gallery Advisory Committee Meeting
- Attended launch of the Sports Infrastructure Investment Plan
- Gave Opening Address at the Devonport Regatta
- Met with owners of Devonport Tenpin Bowling
- Attended launch of NAYBA Impact Audit report and received local report for Devonport
- Attended Central Coast Authority Representative Meeting
- Media interview regarding Sound and Light Show
- Attended DCC pre-event private function and welcomed guests to 'Reclaiming our Power'
- Opened International Women's Day Keynote Event and Q&A Panellist
- Attended Mersey Leven Municipal Emergency Management Committee MLMEMC (Ulverstone)
- Attended East Devonport Neighbourhood House – 'Because we Can'
- Met with Migrant Resource Centre to discuss State budget priorities
- Attended meeting - IR Information & Engagement Session – Child and Youth Safe Framework
- Attended International Women's Day Event hosted by Soroptimist International Devonport
- Attended a Dulverton Site Tour prior to Dulverton Owner Representatives Meeting

- Attended FOGO Launch Event
- Attended DCCI International Women's Day Breakfast
- Presented awards at the Diamonds of Devonport 2024 event at the paranapple centre
- Met with Dean Winter MP, Labor regarding Tas Racing Track Announcement
- Met with Felix Ellis MP
- Attended LGAT Mayors and Deputy Mayors Workshop
- Attended LGAT General Meeting
- Attended and performed the Welcome at the Worth Triathlon Para Opening Ceremony
- Gave Welcome speech to graduating students at the UTAS Gown & Town Parade
- Attended Escape Devonport Murder Mystery Room
- Attended Spreyton Primary Twilight Festival
- Presented medals at the Oceania Elite & U/23 Devonport Triathlon
- Attended the Sports Priority Investment Plan – Community Drop In Session
- Attended TAS AFL Launch, Devonport
- Met with Rob Phillips, GM Devonport Airport
- With the General Manager, met with JLN – Braddon Candidates Miriam Beswick and Craig Cutts
- Attended Zonta Dress 4 Success launch – Market Square

## **ATTACHMENTS**

Nil

## 6.3 GENERAL MANAGER'S REPORT

Author: **Matthew Atkins, General Manager**

### RECOMMENDATION

That the report of the General Manager be received and noted.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

5.3 Council looks to employ best practice governance, risk and financial management

### SUMMARY

This report provides a summary of the activities undertaken by the General Manager, between 21 February and 19 March 2024. It also provides information on matters that may be of interest to Councillors and the community.

### BACKGROUND

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

### STATUTORY REQUIREMENTS

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

### DISCUSSION

#### 1. COUNCIL MANAGEMENT

- 1.1. Attended and participated in regular scheduled internal staff and management meetings.
- 1.2. Attended Workshops, Planning Authority Committee Meetings and Council Meetings as required.
- 1.3. Attended the launch of Council's Sports Infrastructure Priority Investment Plan.
- 1.4. Undertook a radio interview on ABC Northern Tasmania regarding Council's Sports Infrastructure Priority Investment Plan.
- 1.5. Along with Council's Management Team participated in a Devonport City Council business continuity desktop exercise conducted by the State Emergency Services Regional Coordinator.
- 1.6. Met with Commissioners from the State Grants Commission to discuss next year's Federal Assistance Grant allocation and proposed methodology changes.

2. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 2.1. Attended the pre-event welcome function for Council's International Women's Day event – Reclaiming our Power.
- 2.2. Attended the DCCI International Women's Day Breakfast at the paranapple centre.
- 2.3. Met with Stadiums Tasmania CEO, James Avery to provide an update on Council's Sports Infrastructure Priority Investment Plan.
- 2.4. Met with a Victoria Parade resident regarding concerns with the potential for a surf shelter at Aikenhead Point.
- 2.5. Attended the community drop-in session regarding Council's Sports Infrastructure Priority Investment Plan.
- 2.6. Attended the Devonport launch of the Tasmanian AFL team at the paranapple centre.
- 2.7. Along with the Mayor, met with Rob Phillips the newly appointed TasPorts General Manager of the Devonport Airport.

3. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

- 3.1. Attended the Cradle Coast General Managers meeting.
- 3.2. As a Board Director, attended a meeting of Local Government Professionals Tasmania.
- 3.3. Attended the launch of the regional FOGO collection service at the Dulverton Waste Management Landfill site.
- 3.4. Attended a meeting of the Cradle Coast Waste Management Group.
- 3.5. As an Owners Representative, attended the Representatives meeting of the Cradle Coast Authority.
- 3.6. As an Owners Representative attended the Representatives meeting of the Dulverton Waste Management Authority.
- 3.7. Attended a General Meeting of the Local Government Association of Tasmania.
- 3.8. Attended a meeting of TasWater Owners Representatives to discuss governance and communication process between owner councils and the corporation's board of directors.
- 3.9. Attended a briefing session with Department of Premier and Cabinet Deputy Secretary, Mat Healy regarding the proposed MOU for the development of a new Cradle Coast Regional Land Use Strategy.

4. STATE AND FEDERAL GOVERNMENT PROGRAMS

- 4.1. Assisted in organising and attended the announcement at the Devonport Oval by the State Labor Party to fund Council's Priority Investment Plan.
- 4.2. Assisted in organising and attended the announcement at the Devonport Oval by the State Liberal Party to fund Council's Priority Investment Plan.
- 4.3. Met with a representative of the State Planning Office to provide input into the draft MOU for the development of a new Cradle Coast Regional Land Use Strategy.

5. OTHER

5.1. Nil

**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. Current & Previous Minutes Resolution - February 2024 [**6.3.1** - 1 page]

## 6.4 MONTHLY OPERATIONAL REPORT - FEBRUARY 2024

Author: **Claire Jordan, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

### RECOMMENDATION

That Council receive and note the Monthly Operational Report for the period ending 29 February 2024.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

5.3 Council looks to employ best practice governance, risk and financial management

### SUMMARY

This report provides a summary of council performance and general matters of interest during the month of February 2024.

### 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

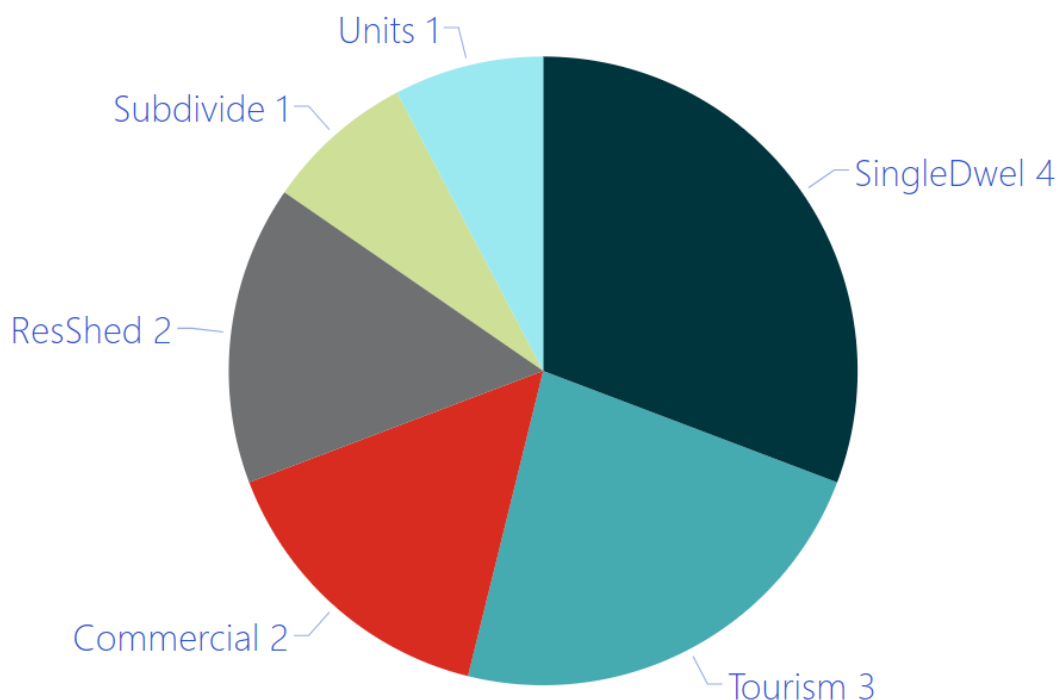
The following information is provided as an update on operational activity undertaken by Council during the month of February 2024:

## 1. DEVELOPMENT SERVICES:

### 1.1. Planning:

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

Planning Applications Received Monthly Breakdown

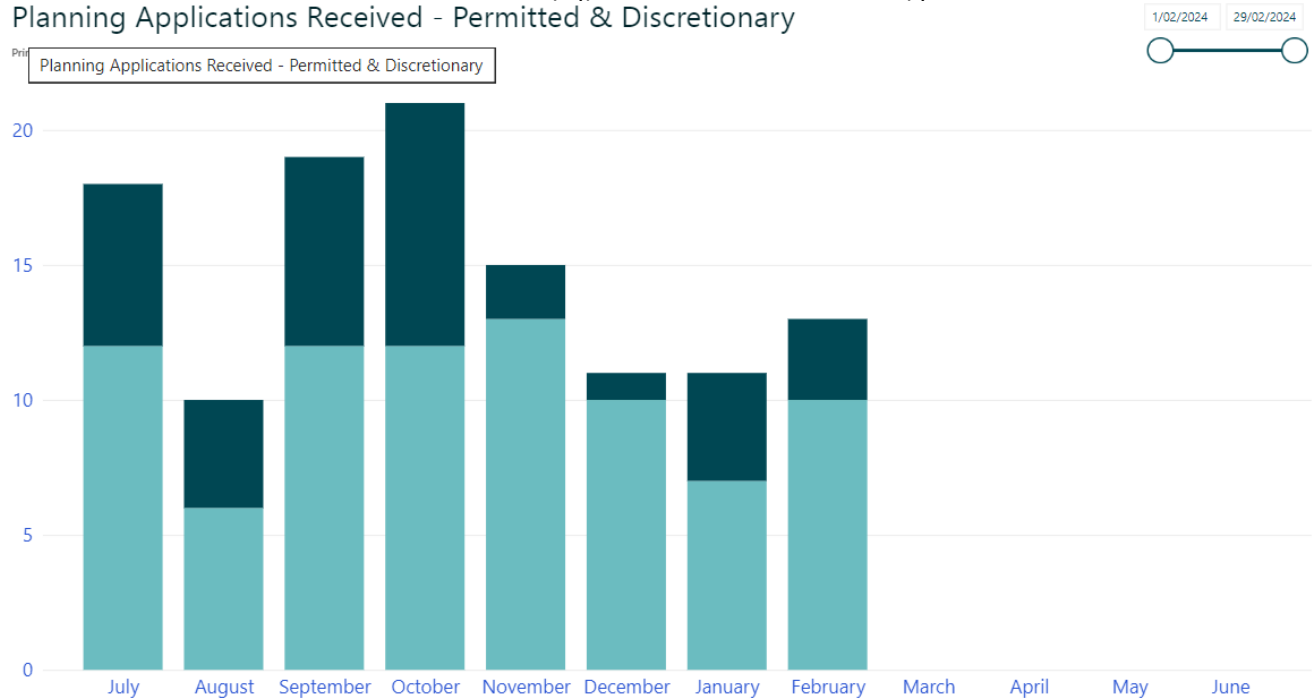


### Definitions:

- Single Dwellings – means 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 February (permitted/discretionary):

**Planning Applications Received - Permitted & Discretionary**



**1.1.3.** Planning Applications approved under delegation:

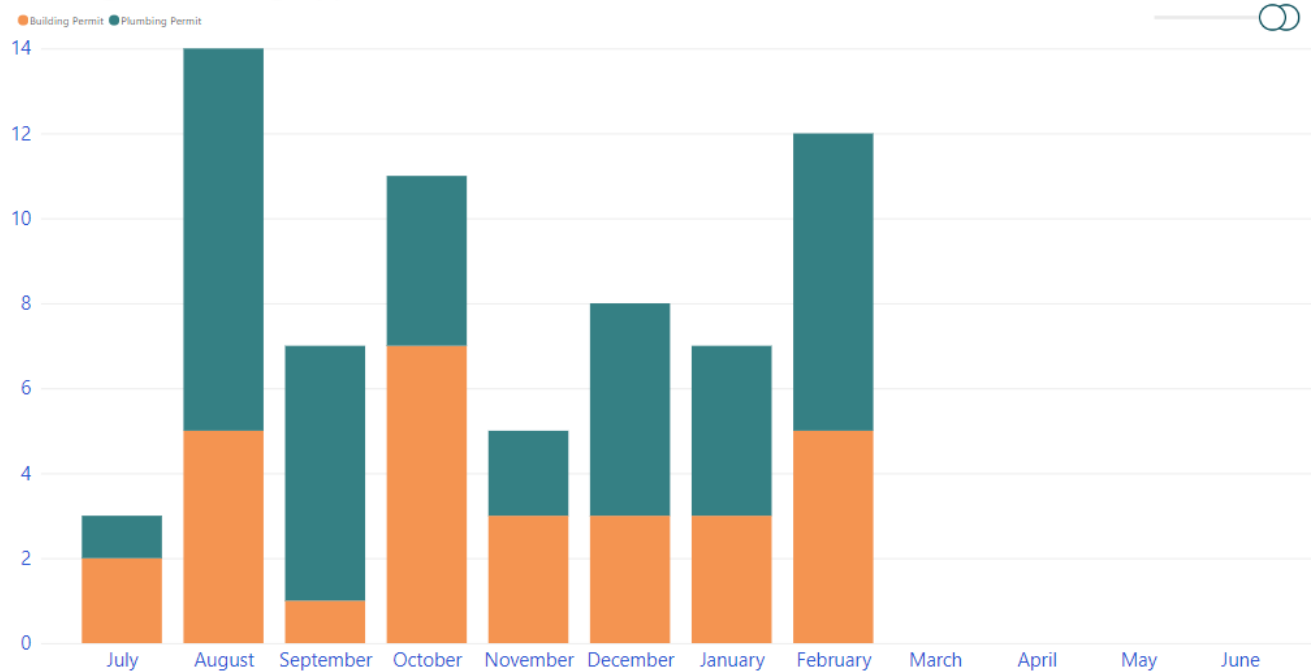
**Planning Applications approved for period February**

# Applications	Primary Category	Application Address	Description
PA2022.0134	Discretion		
PA2023.0182	Discretion	16A STEPHEN ST EAST DEVONPORT TAS 7310	Residential (single dwelling)
PA2023.0187	Discretion	CROWN RESERVATION EAST DEVONPORT TAS 7310	Utilities (irrigation pipeline) - Address: Bass Highway East Devonport
PA2023.0189	Permitted	10 MULLIGAN DR SPREYTON TAS 7310	Residential (2 x units)
PA2023.0190	Discretion	63 DON RD DEVONPORT TAS 7310	Storage (warehouse addition) - new application
PA2024.0001	Discretion	25 GIBSON COURT SPREYTON TAS 7310	Residential (multiple dwellings x 3)
PA2024.0003	Permitted	145-147 STONY RISE RD STONY RISE TAS 7310	Building Demolition
PA2024.0008	Permitted	31 GEORGE ST DEVONPORT TAS 7310	Visitor Accommodation

## 1.2. Building & Plumbing:

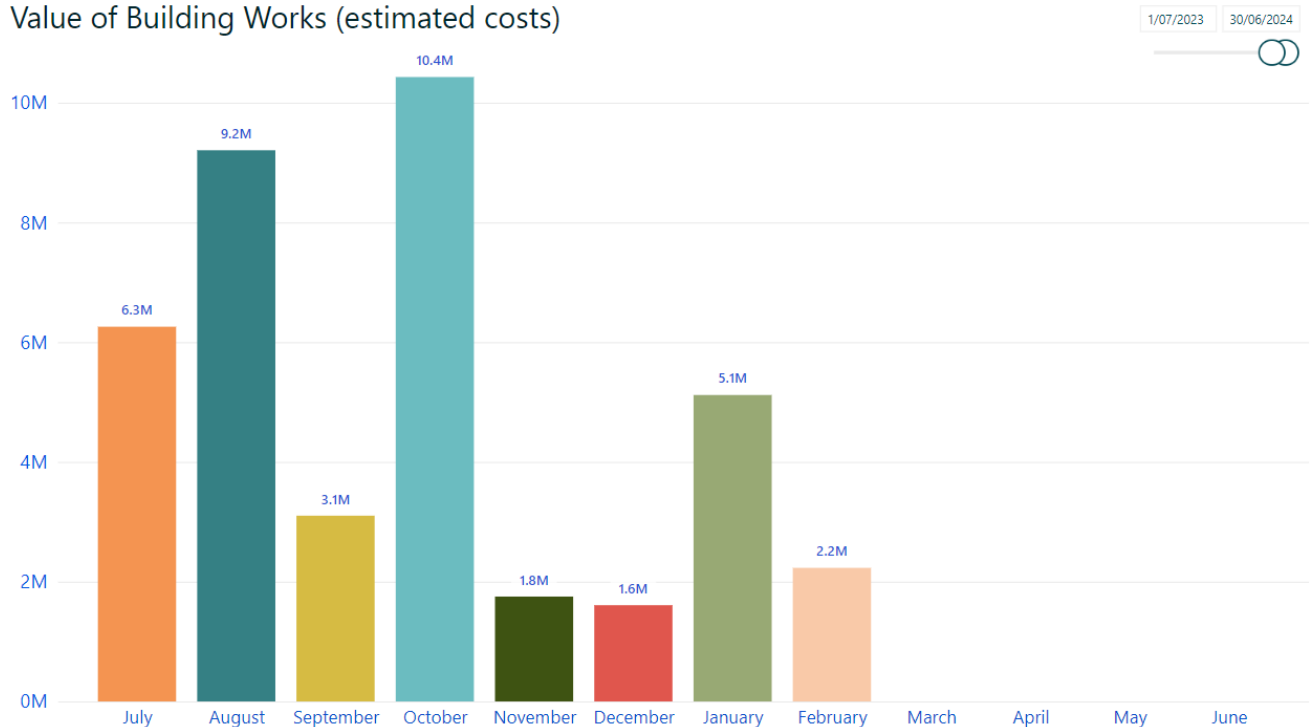
1.2.1. The following graph details the Building and Plumbing Applications received this financial year:

Building & Plumbing Applications Received

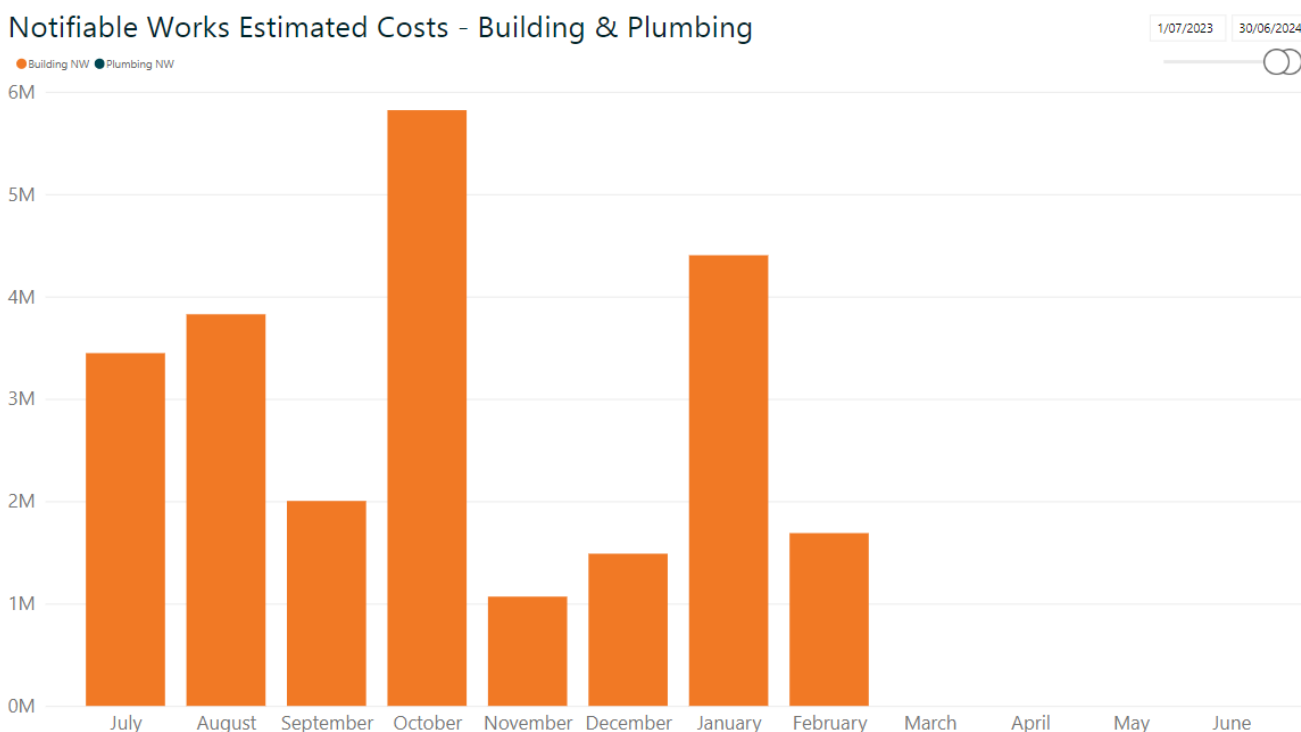
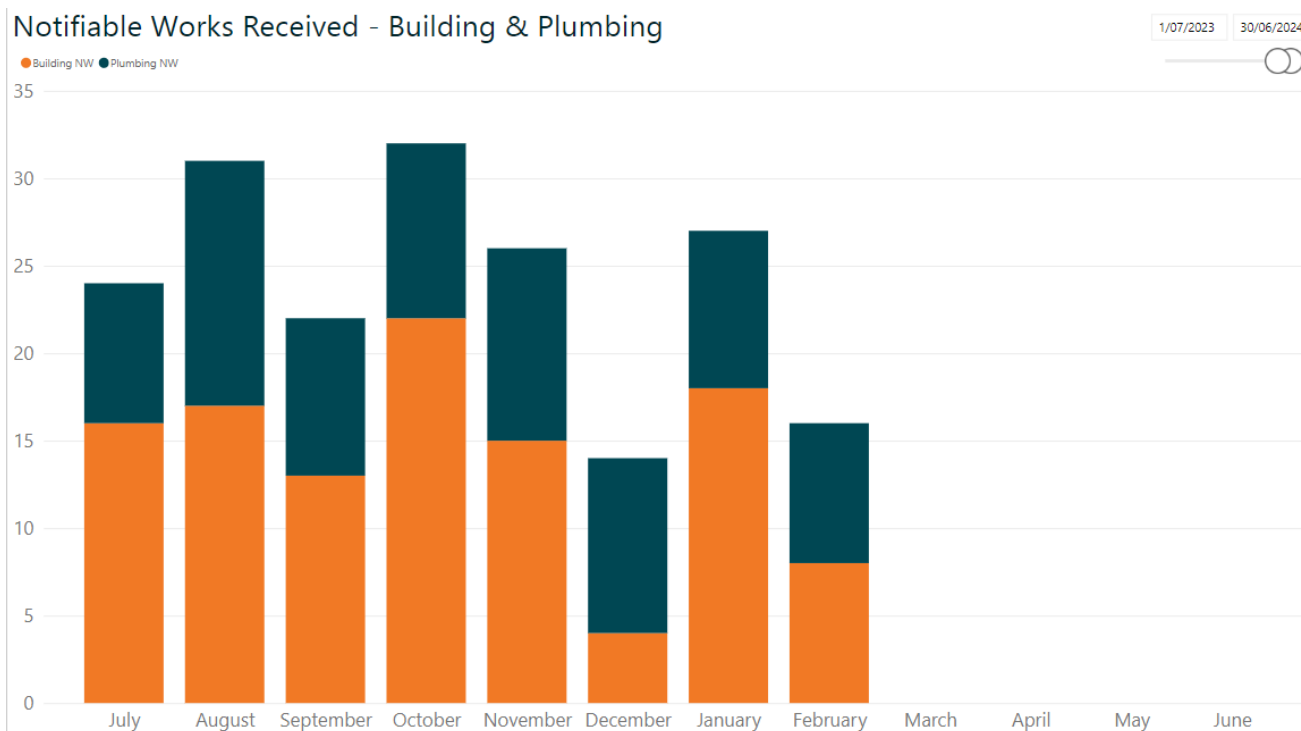


1.2.2. The following graph details the value of building works received this financial year:

Value of Building Works (estimated costs)



**1.2.3.** The following graphs details the notifiable works received for building that have been issued this financial year:



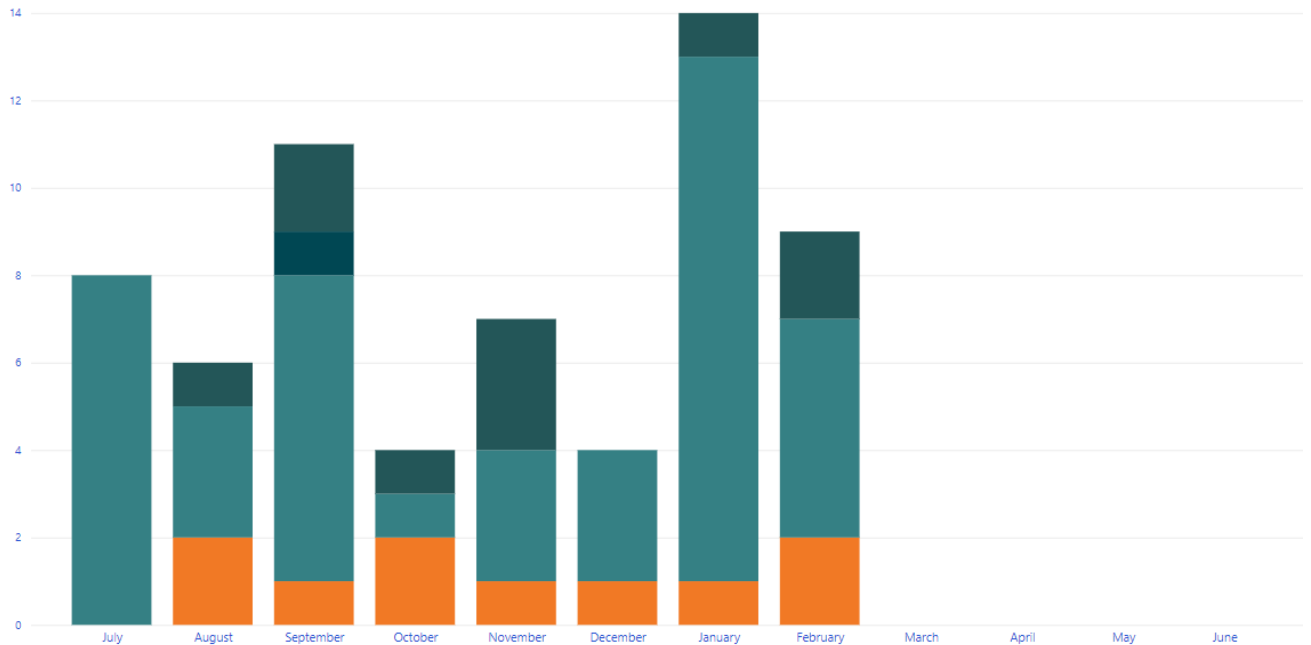
### 1.3. Environmental Health:

#### 1.3.1. Food Business Registrations:

Environmental Health Permits and Infringement Notices

1/07/2023 30/06/2024

Permit Type ● Food Premise Registration ● Mobile Food Vendor ● Notification of Conduct of a Food Business ● Statewide Registration

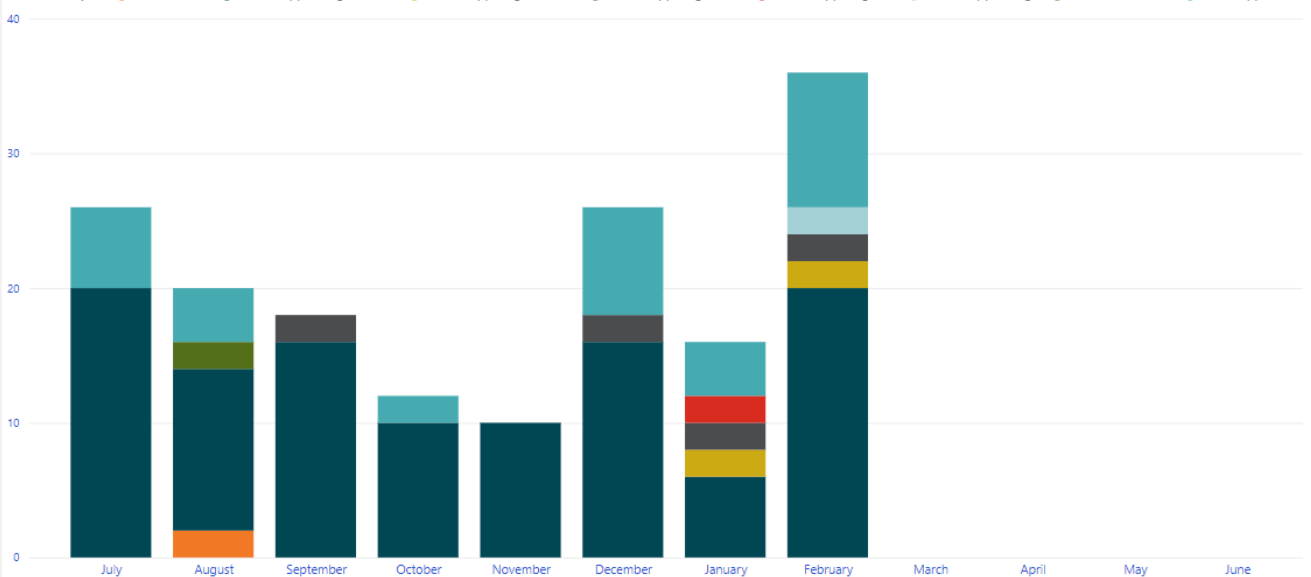


### 1.4. Animal Control:

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

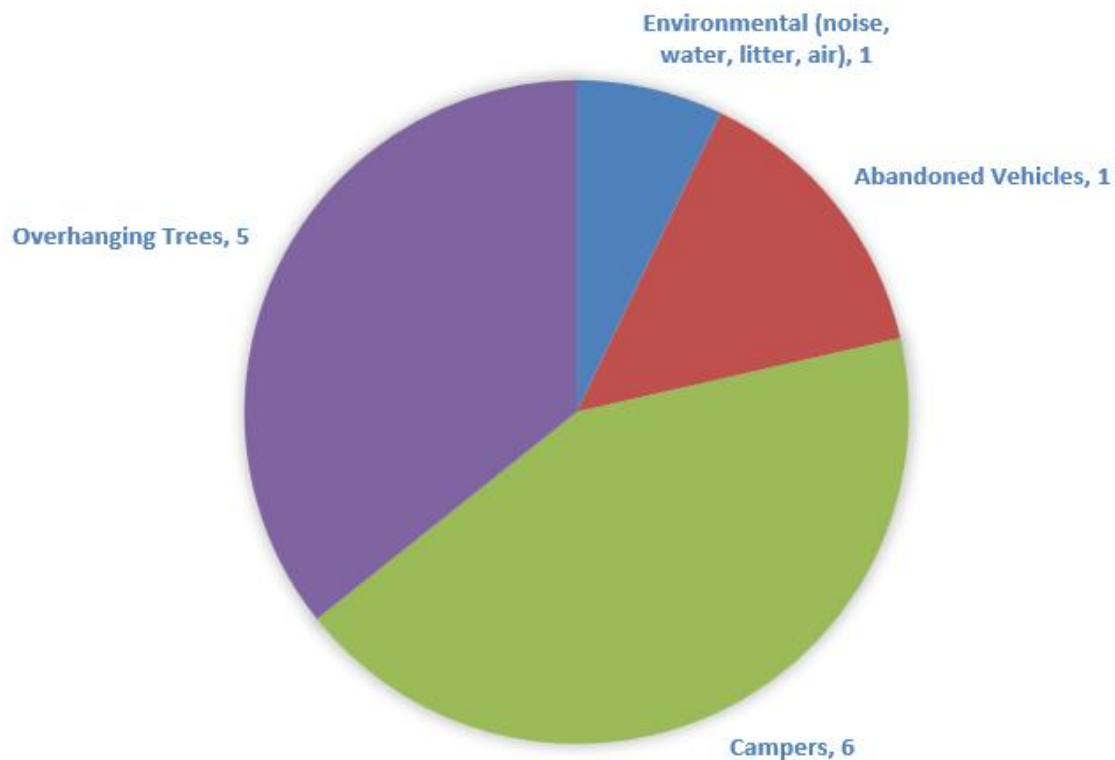
Animal Control Infringement Notices

Offence Description ● No kennel licence ● Section 16 (1) - Failing to ensure ... ● Section 19 (1) - Dog that is not ... ● Section 19 (2) - Dog attackin... ● Section 19 (3) - Dog attac... ● Section 19 (5) - Failing t... ● Section 63 - Obstructi... ● Section 8 (1) - Faili...



**Risk & Compliance:**

**1.4.2.** The following graph details the breakdown of the complaints received by the Risk Department during February:

**COMPLAINTS RECEIVED BREAKDOWN**

**1.4.3.** The following table details the types of incidents reported in February:

Council/Public	Number Reported
<input type="checkbox"/> Council	<b>26</b>
<input type="checkbox"/> Property Damage	14
<input type="checkbox"/> Personal Injury	5
<input type="checkbox"/> Near Hit	4
<input type="checkbox"/> Motor Vehicle	2
<input type="checkbox"/> Property Theft	1
<input type="checkbox"/> Public	<b>16</b>
<input type="checkbox"/> General Public	4
<input type="checkbox"/> Motor Vehicle	3
<input type="checkbox"/> Personal Injury	3
<input type="checkbox"/> Hazard	2
<input type="checkbox"/> Property Damage	2
<input type="checkbox"/> Near Hit	1
<input type="checkbox"/> Property Theft	1
	<b>42</b>

## 2. INFRASTRUCTURE & WORKS:

### 2.1. Asset Maintenance:

#### Churchill Avenue Footpath Repair



#### Wrenswood Drive – Reseal of edge and clean drainage



### 17 Forbes Street Footpath repair

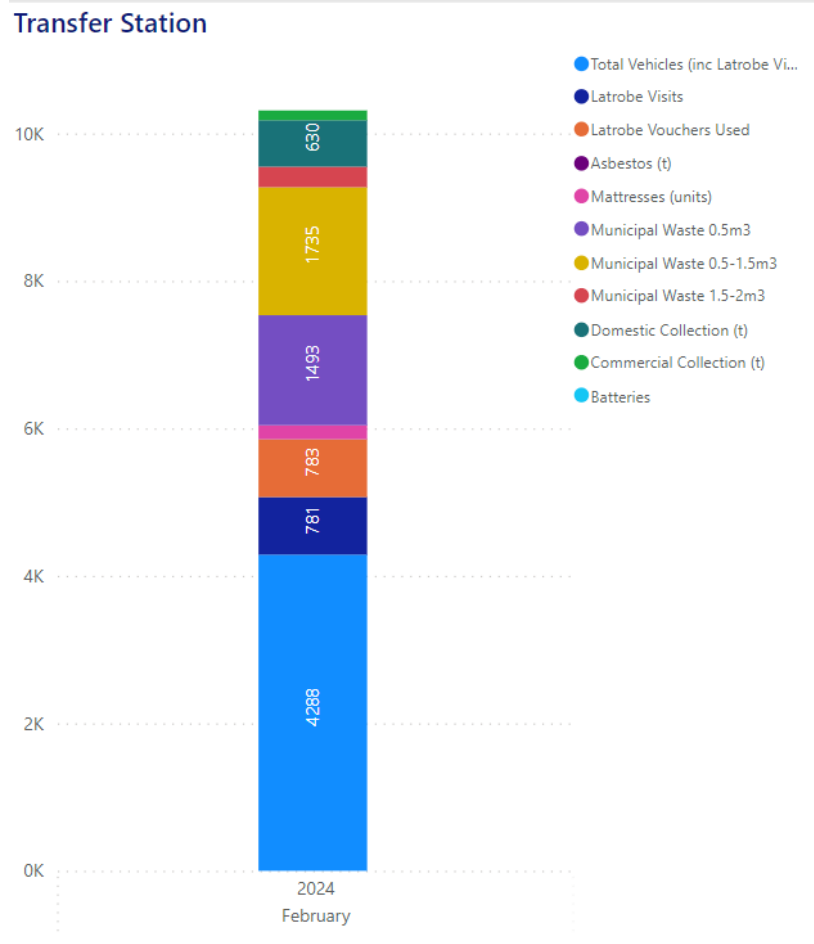


### Bluff - Pressure Clean Barbecue Shelters and Repaint Picnic Tables

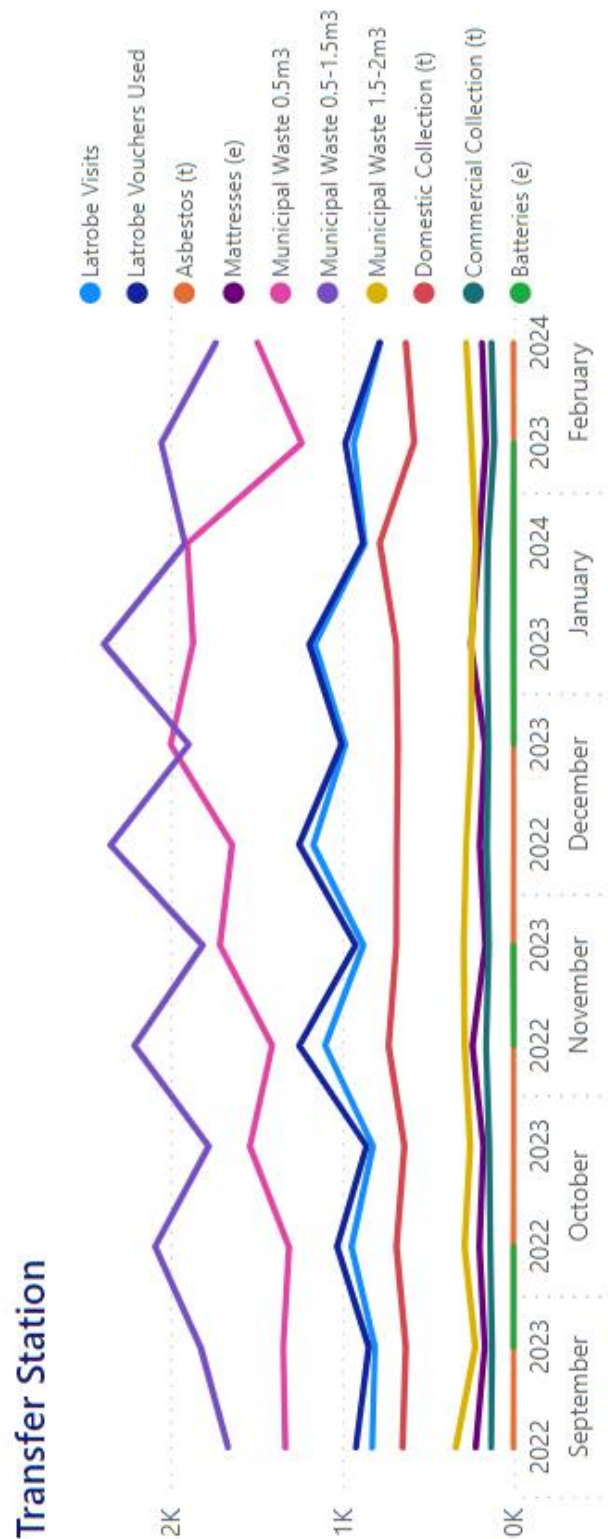


## Waste Management:

- Waste Transfer Station stats for February 2024:



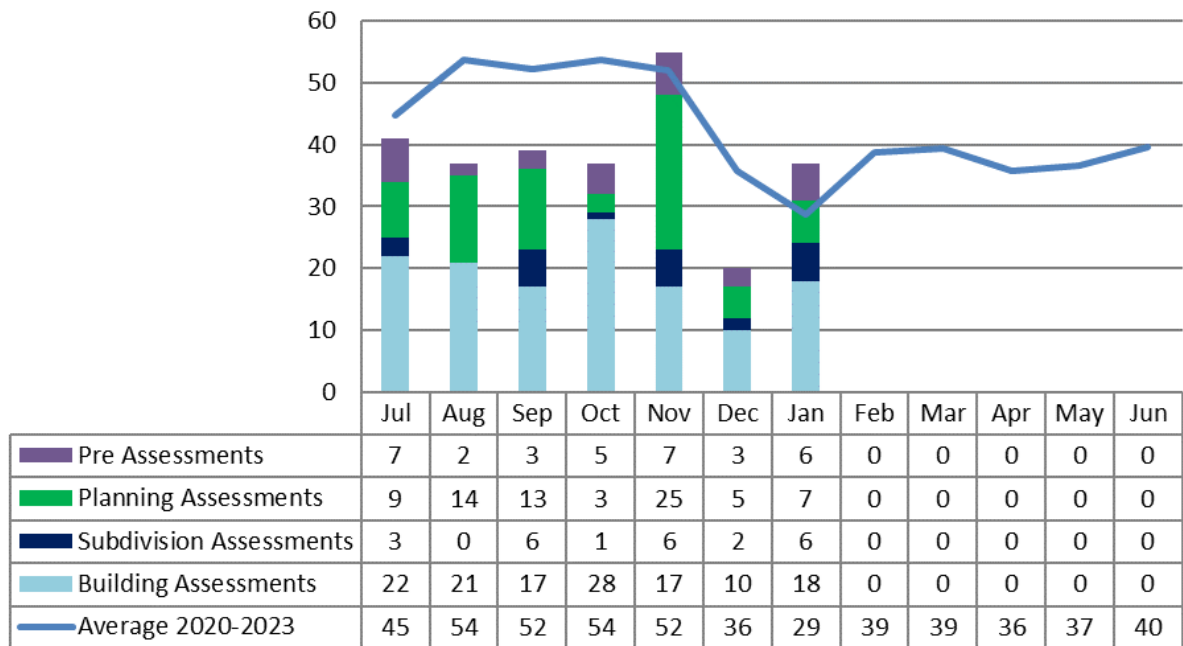
- Waste Transfer Station stats 2023 – 24 comparison:



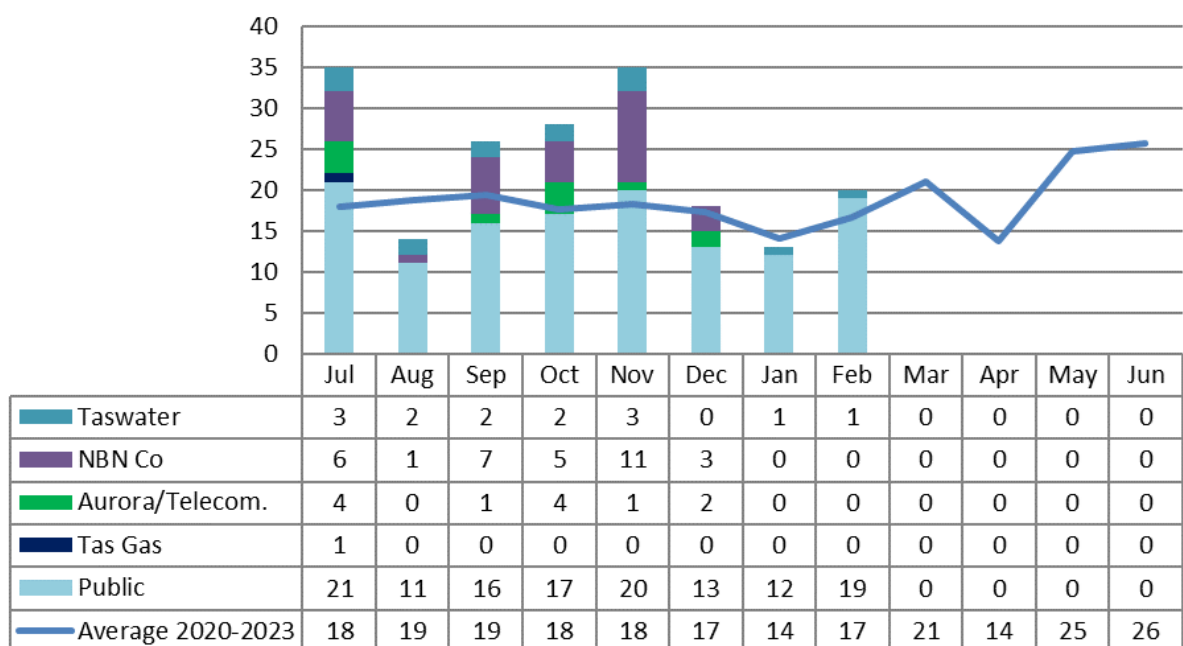
## 2.2. General Infrastructure Matters:

The following graphs detail the assessments processing through the Infrastructure Department. Each graph details the applications completed year to date, compared to a three-year average trend line.

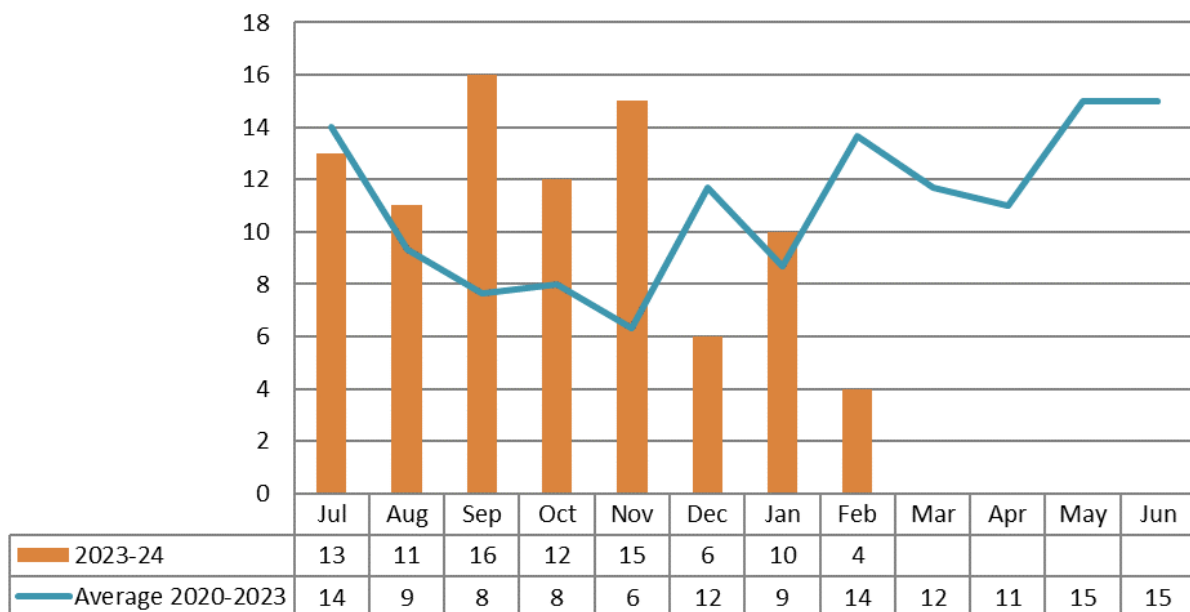
### 2.2.1. Engineering Assessments for Development Applications



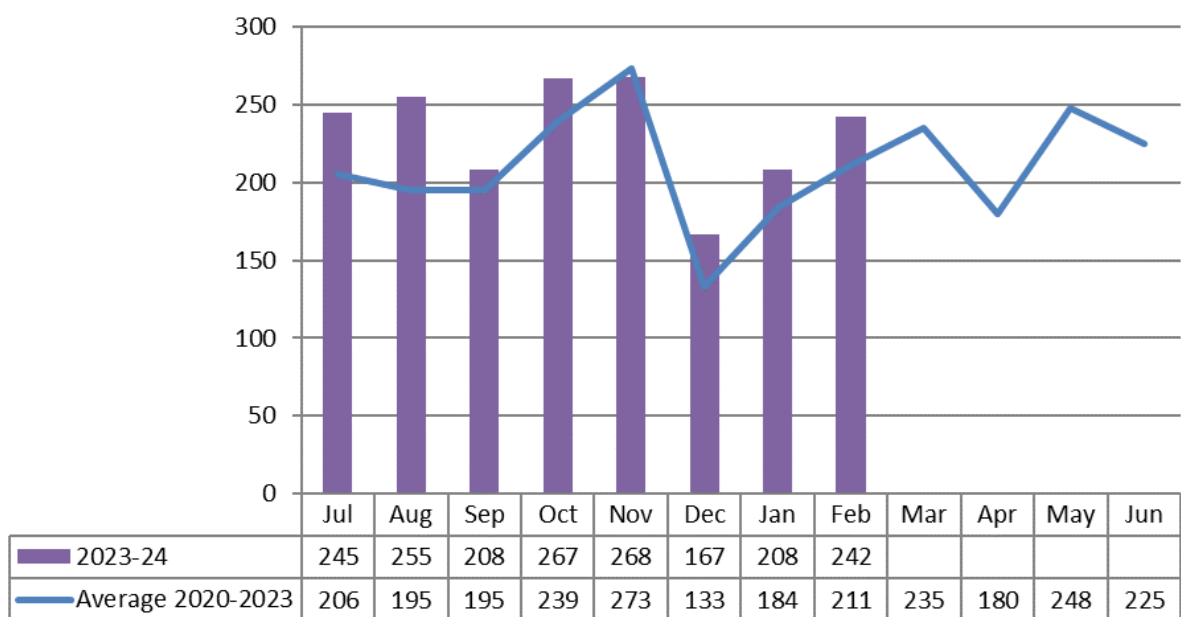
### 2.2.2. Road Reserve Permit Assessments



### 2.2.3. National Heavy Vehicle Regulator Assessments



### 2.2.4. Dial Before You Dig Requests



### 3. COMMUNITY SERVICES:

#### 3.1. Community Development

##### 3.1.1. Splendour by the Mersey

The Devonport Youth Advisory Group - DEVYAG, held Splendour by the Mersey music event, in Haines Waterfront Park, Friday 9 February 2024, 5-8pm.

Over 500 community members were in attendance with performances by Devonport Brass Band, Jada-Li Crossey, Blake Blacklow, Dylan Boys, Steele Street Boys, Samoan Cultural Dancers, Dylan Boys Band, with Ariele Ackland acting as emcee for the event.

Participating vendors were Valentino's, Berry Indulgence, Bambino Pizzirani, Devonport Lions Club, and A Cuppa Happiness.



*The Crown, and Jada Li Crossey performing at Splendour on the Mersey 2024*



*Samoan Cultural Dancers and the Dylan Boys Band performing at Splendour on the Mersey*

##### 3.1.2. Devonport Community Services Newsletter

The online Devonport Community Services newsletter is used to disseminate information about:

- Grants available to the community;
- Available community assistance programs and services;
- Health information, programs and initiatives;
- Events and community projects; and
- Updates from across Council.

Recent editions can be found on the Council website located at:

[www.devonport.tas.gov.au/live/your-community/community-services/newsletter/](http://www.devonport.tas.gov.au/live/your-community/community-services/newsletter/).

The Department published one edition in February 2024, and the Devonport events/locations that attracted attention by readers were:

- Devonport Mr Perfect BBQ for Men
- Diamonds of Devonport
- Dress for success launch
- Devonport Regatta
- Mental Health Council of Tasmania's Wellbeing and Resilience grants

### **3.1.3. Working Groups**

#### Access and Inclusion Working Group

The Access and Inclusion Working Group met once in February and discussed:

- The timing of the paranapple centre accessible doors,
- Devonport Stadium design,
- Round Two of the Devonport Bus stop upgrades,
- Footpath project,
- Access to a local Church via bus and for foot/mobility aid traffic,
- An accessible beach enquiry, and
- Mission Australia's Access and Inclusion Survey.

#### East Devonport Working Group

The East Devonport Working Group met once in February and discussed:

- 2024 East Devonport Jobs Forum,
- Bel-air Cres traffic,
- East Devonport Medical Centre update,
- Christmas lunch at the East Devonport Bowls,
- East Devonport events, and
- East Devonport Child and Family Learning Centre and Devonport City Council both nominated for 2024 Tasmanian LiFE Awards

### **3.1.4. Financial Assistance Program**

A Grant Acquittal received from;

Organisation: Devonport City Soccer Club

Project: Media Tower

The construction of the media tower has facilitated the live streaming of all National Premier League – Men's and Women's Super League games played at Valley Road, Devonport. It has also enabled games and training to be videoed to be used in player development activities. The media tower can also be used for other non-sporting activities at the venue.



Media Tower at Devonport City Soccer Club grounds

### 3.2. Active Communities:

#### 3.2.1. Living Well Devonport

The Autumn Calendar commenced with a larger number of activities available for community than previous Living Well calendars. Over 200 people registered via online and paper forms.

Aging Stronger Active Longer returned to East Devonport on Wednesdays, with approximately 25 participants attending each week.

The Autumn season runs from 19 February to 28 April.

## FREE AUTUMN 2024 COMMUNITY PROGRAM

FREE Activities - You MUST register!	Who	When	Where
<b>Arvo's @ The Junction</b> Youth hangout space with activities and food, hosted by Youth Family and Community Connections. During school terms only.	11 - 17 years	Tuesdays, 3 pm to 4:45 pm, 13th Feb. to 10th Apr.	Devonport Junction, 64 Stewart Street.
<b>Footy Fun Day and Development Program</b> Join the East Devonport Football Club for an arvo of footy fun, skill development, giveaways and the start of the new 12 week training program. Suitable for kids who don't play, or would like to give AFL a go! Bring along runners and a water bottle.	All ages and abilities	Fridays 5 pm to 8 pm, 16th Feb. to 3rd May	East Devonport Football Club, Girdlestone Park, East Devonport.
<b>Garden Propagation Workshop</b> A sharing of knowledge about how to increase your garden plants by taking cuttings, using division, layering and other simple methods that work. Demonstrations and identification of plants that are easily propagated at home and when to do so, is also included.	Adults	Saturday 10 am to Midday, 17th Feb.	Tasmanian Arboretum, 46 Old Tramway Road Eugenana, TAS 7310. Meet at the Nursery.
<b>Aging Stronger Active Longer</b> Low impact fitness sessions designed to help improve strength, balance, and coordination. Bring a drink bottle and wear comfortable loose-fitting clothing.  <i>New registrations are required for all 2024 classes.</i>	Seniors	Tuesdays 1 pm to 2 pm, 20th Feb. to 23rd Apr. Wednesdays 11:30 am to 12:30 pm, 21st Feb. to 24th Apr. Thursdays 12 pm to 1 pm, 22nd Feb. to 25th Apr.	Tue / Thur: Devonport Recreation Centre.  Wed: East Devonport Recreation Centre.
<b>Learn to Play Squash</b> Bring along a friend, family member or come solo, and learn to play with the Devonport Squash Club. Bring a drink bottle and wear loose fitting clothing. All equipment supplied.	All ages and abilities	Tuesdays 3:30 pm to 4:30 pm 20th Feb. to 23rd Apr.	Squash Courts, Devonport Recreation Centre, Forbes St.
<b>Dance Fitness</b> Low impact Dance fitness classes with Chris Crossman. Easy to learn and lots of fun. Bring a drink bottle and wear loose fitting clothing.	Adults, all fitness levels	Thursdays, 11 am to Midday 22nd Feb. to 18th Apr.	Don Memorial Hall.
<b>Games Night + Gaming Together</b> Come along for an arvo or evening of card, board, console and PC games! All games supplied, or bring along your own games and snacks. 'Games Nights' are held fortnightly for anyone aged 15+. 'Gaming Together' is held weekly for teens between 12 and 18 years.	12 - 18 years  15 years +	Gaming Together: Thursdays 4 pm to 6 pm, 22nd Feb. to 11th Apr. Saturday Games Nights: 1 pm to 5 pm + 5:30 pm - 9pm 24th Feb. to 20th Apr.	Devonport Online, Level 1, paranapple Centre.
<b>Mums Boot Camp</b> Enjoy the outdoors as you increase your fitness and wellbeing over 10 weeks with Bootcamps Tasmania. Bring a drink bottle, wear a hat, sunscreen, runners and comfortable loose-fitting clothing.	Mums with young children	Fridays 9:30 am to 10:15 am 23rd Feb. to 26th Apr.	Mersey Bluff Playground, grassed area.
<b>Tai Chi and Qigong</b> Learn the Qigong set 'Ba Duan Jin' (also known as 8 Treasures) and the first 10 movement of the Wu Style Tai Chi (sometimes spelled Taiji) form. Bring a hat, sunscreen, water bottle and loose-fitting clothing.	All ages and abilities	Saturdays 9:30 am to 10:30 am 24th Feb. to 27th Apr.	Haines Park, Devonport CBD.
<b>Arboretum Photography Workshop</b> Perfect for novice photography enthusiasts and those having trouble getting results with nature photography. Suitable for beginners. BVO lunch and meet at the Education Centre.	Adults	Thursday, 10 am to 3 pm 7th Mar.	Tasmanian Arboretum, 46 Old Tramway Road Eugenana, TAS 7310.
<b>International Cafe</b> Come along to Devonport's monthly migrant get together. Bring along a share plate (optional) and your friends and family.	Migrant Community	Sundays, 2 pm to 4 pm. Every first Sunday of the month.	Senior Citizen's Club, 8 Victoria Parade Devonport.

**HOW TO REGISTER FOR AN ACTIVITY**  
1. SCAN THE QR CODE or 2. VISIT [WWW.DEVONPORT.TAS.GOV.AU](http://WWW.DEVONPORT.TAS.GOV.AU)  
You need to register to participate in our free programs. Each time you attend we will ask you to scan a code from your phone or complete a paper attendance form

**Living Well  
Devonport**  
is supported by  
Devonport City Council  
and [click](#) for local  
community

**3.2.2. Recreation Centre Booking System**

The Recreation Centre's booking system went live internally, with Devonport Basketball Club utilising it. It will be used for the month of March. If successful, other Devonport Recreation Centre spaces will be included.

**3.2.3. Recreation Centre Participation Data for February**

<b>Devonport Recreation Centre</b>		
	<b>Bookings</b>	<b>User Groups</b>
Judo	<b>25</b>	<b>1</b>
Meeting Room	<b>1</b>	<b>1</b>
Sauna	<b>117</b>	<b>1</b>
Squash	<b>10</b>	<b>5</b>
Stadium Court 1	<b>71</b>	<b>8</b>
Stadium Court 2	<b>57</b>	<b>4</b>
Table Tennis	<b>44</b>	<b>6</b>
Youth Centre	<b>63</b>	<b>8</b>
<b>Total</b>	<b>388</b>	<b>34</b>

<b>East Devonport Recreation and Function Centre</b>		
	<b>Bookings</b>	<b>User Groups</b>
Stadium	<b>29</b>	<b>7</b>
Community Room	<b>12</b>	<b>6</b>
<b>Total</b>	<b>41</b>	<b>13</b>

Recreation Centre User Numbers:

<b>Devonport Recreation Centre</b>	
Squash Centre	<b>2427</b>
Stadium	<b>4139</b>
Youth Centre	<b>2737</b>
Table Tennis	<b>2256</b>

**3.2.4. February Sporting Events**

Several significant community events were held, with a number of new events finalising their applications to host onsite.

	<b>Event</b>	<b>Dates</b>	<b>Venue</b>
1	NWBU Men's and Women's Rosters commenced	Roster commenced on 9 February	Devonport Recreation Centre – Main Stadium
2	Living Well Devonport Autumn Season has commenced	Commenced the week of 12 February	Various venues in the Devonport municipality.

**3.2.6. Upcoming Sporting Events:**

	Event	Dates	Venue
1	Basketball Tasmania Tri Series	02/03/2024 - 03/03/2024	Devonport Recreation Centre – Main Stadium and Youth Centre
2	North West Open Table Tennis Championships	09/03/2024 - 10/03/2024	Devonport Recreation Centre – Main Stadium

**3.3. External Events held in February:**

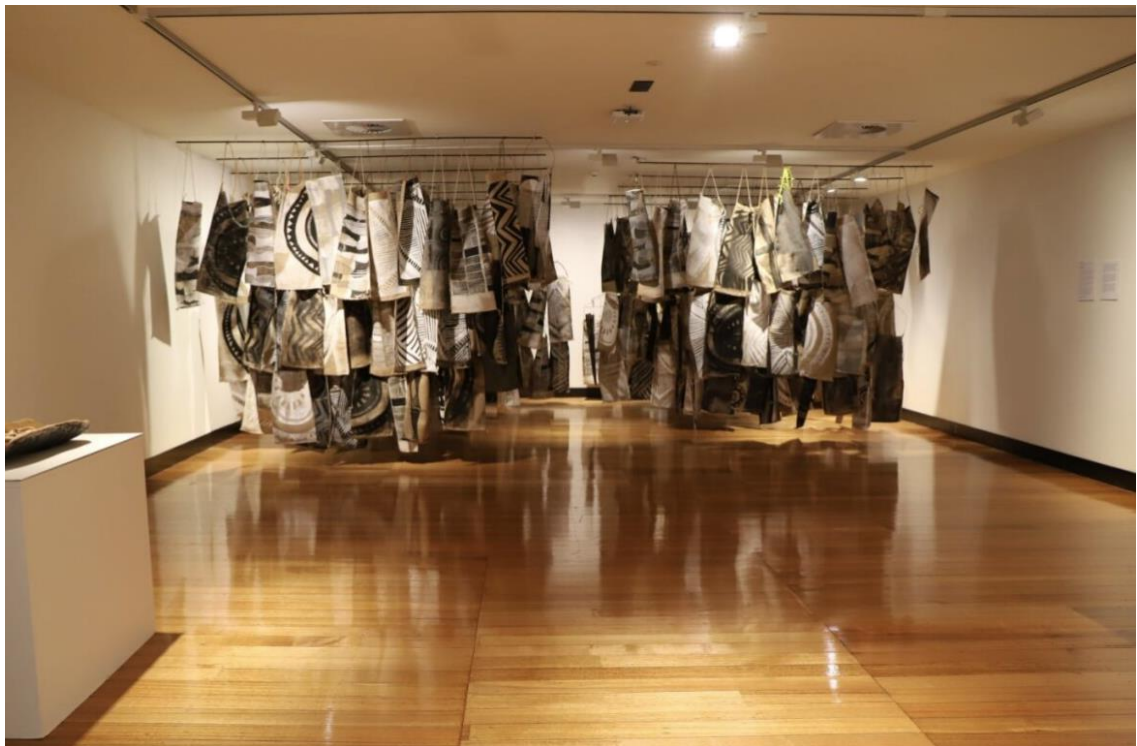
	Event	Dates	Organisation	Venue
1	Intentional Reset	4 February	Collective Therapy Hub	Bluff Beach
2	Splendour by the Mersey	9 February	DCC / DEVYAG	Haines Park
3	Rotary Devonport Great Teddy Bear Fly In	11 February	Devonport Rotary Club	Meercroft Park

**4. CULTURAL FACILITIES:****4.1. Devonport Regional Gallery:****4.1.1. Gallery Program**

Exhibition	Date
North West Arts Circle, Annual Community Exhibition	20 Jan – 17 Feb
Current: Gail Mabo, Lisa Waup and Dominic White	27 Jan – 9 Mar
The Interior: Natalya Hughes	2 Mar – 13 Apr
Little Gallery Emerging Artist Program: Halima Bhatti	16 Mar – 20 April
Beyond the Wandering Moon, Beyond the Star	23 Mar – 11 May
Atmosphere: Michaye Boulter Solo Commission 2024	27 April – 10 June
All in, Community Exhibition	18 May – 13 July
Harvest	19 June – 27 July

**4.1.2. Education Program activities and participation data:**

Event	Participation	Date
Friends Committee Meeting	8	1-Feb
TAFE Certificate 3 & 4 Current exhibition viewing	34	13-Feb
NWAC Artists in Action Day	47	17-Feb
Life Drawing with June Wilson - Session 1	15	20-Feb
Life Drawing with June Wilson - Session 2	14	27-Feb
Create & Make Wednesday Session 1	9	28-Feb
Create & Make Thursday Session 1	10	29-Feb
<b>TOTAL</b>	<b>137</b>	



*Current: Gail Mabo, Lisa Waup and Dominic White*

#### 4.2. Bass Strait Maritime Centre:

##### 4.2.1. Exhibition Program

Current Exhibition	Date
Bass Strait Maritime Centre: The First 50 Years	19 July – 22 Feb
Bass Strait: Above, Below, and In-Between	Feb 26 – April 28

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

Event	Participation	Date
Bob Wood – Cruise Ship Group	84	2-Feb
Wynyard Care Centre	5	7-Feb
Expanding Horizons – Coach Tour Group	23	9-Feb
<b>TOTAL</b>	<b>112</b>	



*Bass Strait: Above, Below, and In-Between*

### 4.3. paranaple arts centre

#### 4.3.1. Performance and production program:

Production	Patrons	Date
<i>Town Hall Theatre closed for renovations until May 2024</i>		
<b>TOTAL</b>		

#### 4.3.2. Visitor number data:

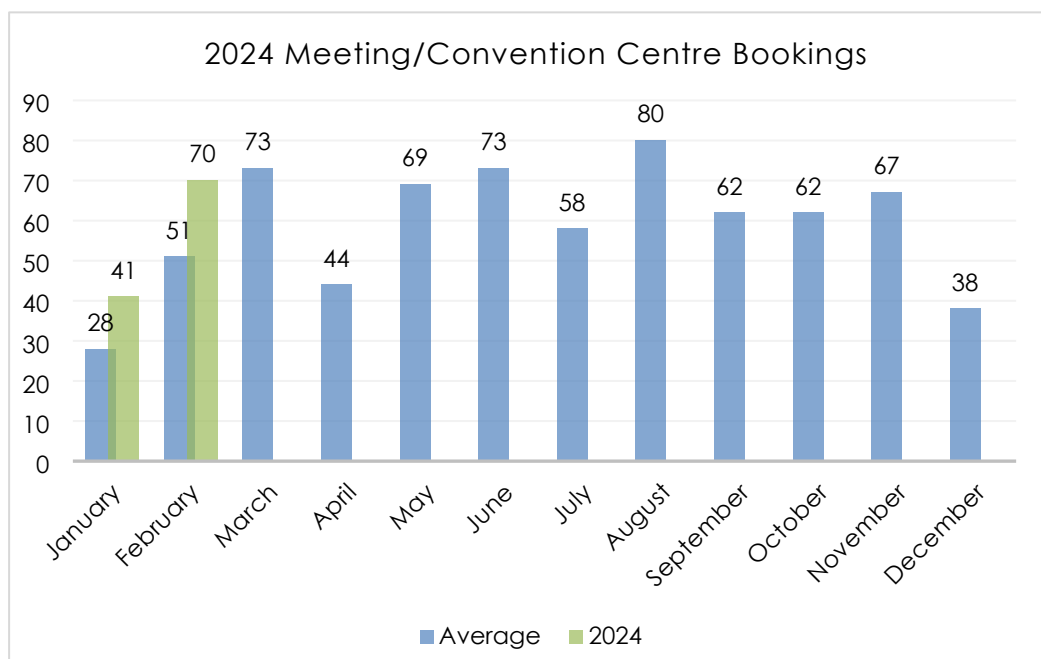
Facility	Visitors February
Paranaple arts centre	3,458
Bass Strait Maritime Centre	681
<b>TOTAL</b>	<b>4,139</b>

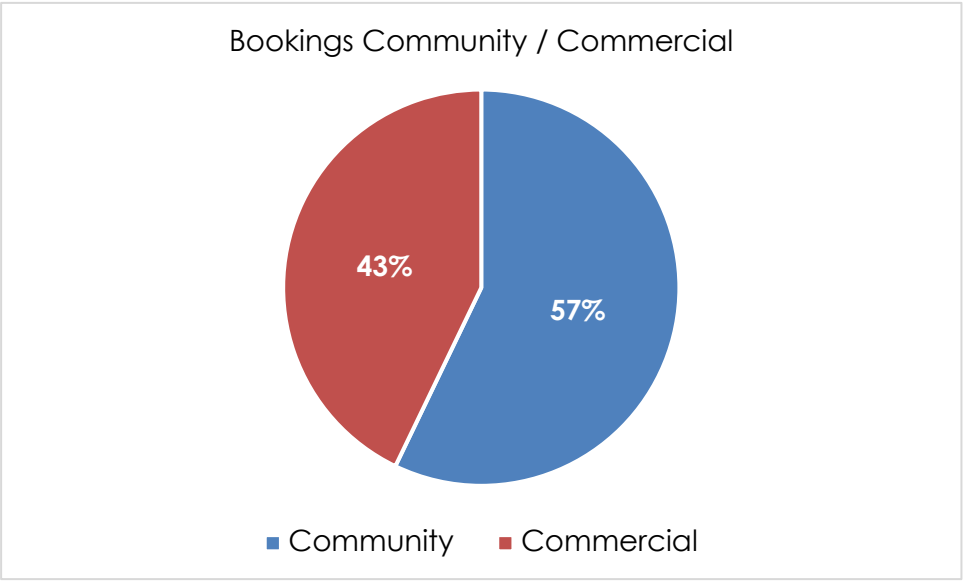
### 4.4. Convention Centre & Market Square:

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

For February 2024, the DCC meeting rooms held 61 events, 9 event in the convention centre. Total attendance of 2,106 patrons.

Event: Convention Centre	Presented By	Attendance
All Systems Day	Tasmanian Catholic Education Office	347
Kevin Bloody Wilson	New World Artists	362
Professional Learning	North West Support School	123
Client Event	Knight Frank	105
Becoming Trauma Informed and Leadership Training	ATODC	31
Property Representative Forum	REIT Branch	35
Isolation Day	Synectic Group	38
Professional Learning	DECYP	40
Northwest Service Provider Forum	Catholic Care	60





*Knight Frank Client Event*

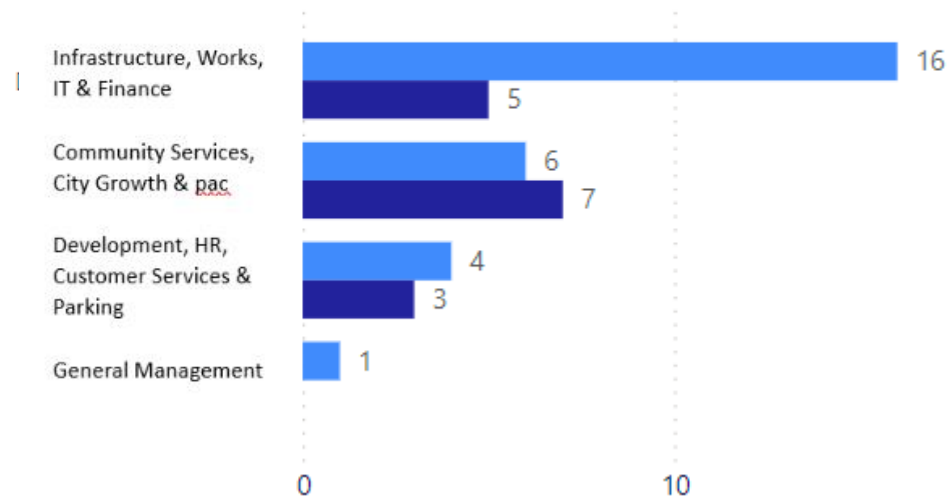
## 5. CORPORATE SERVICES:

### 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

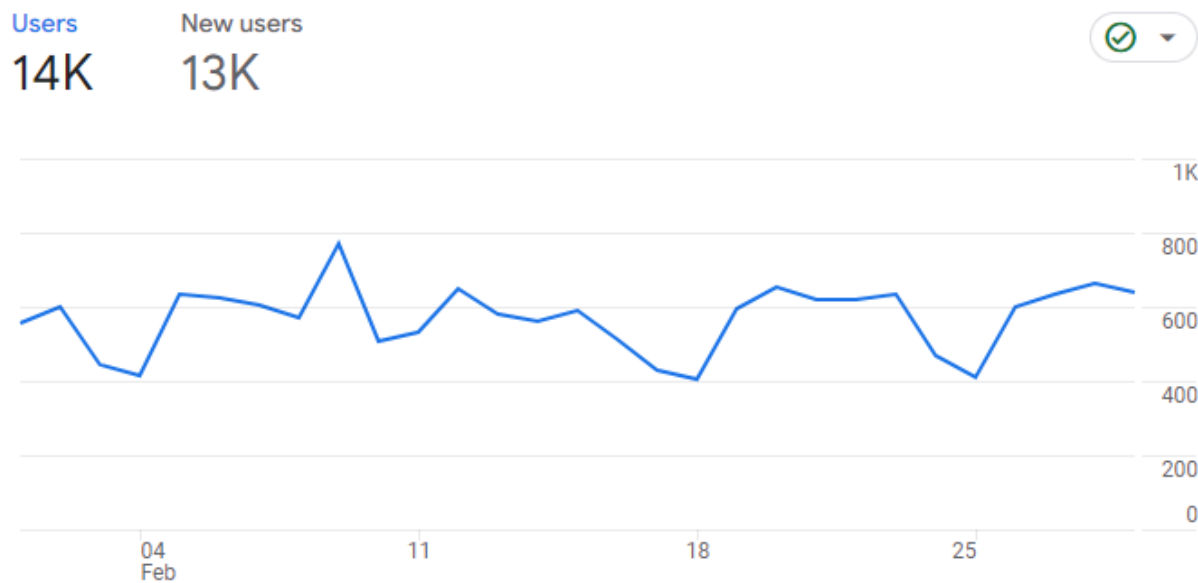


### 5.2. Communications:

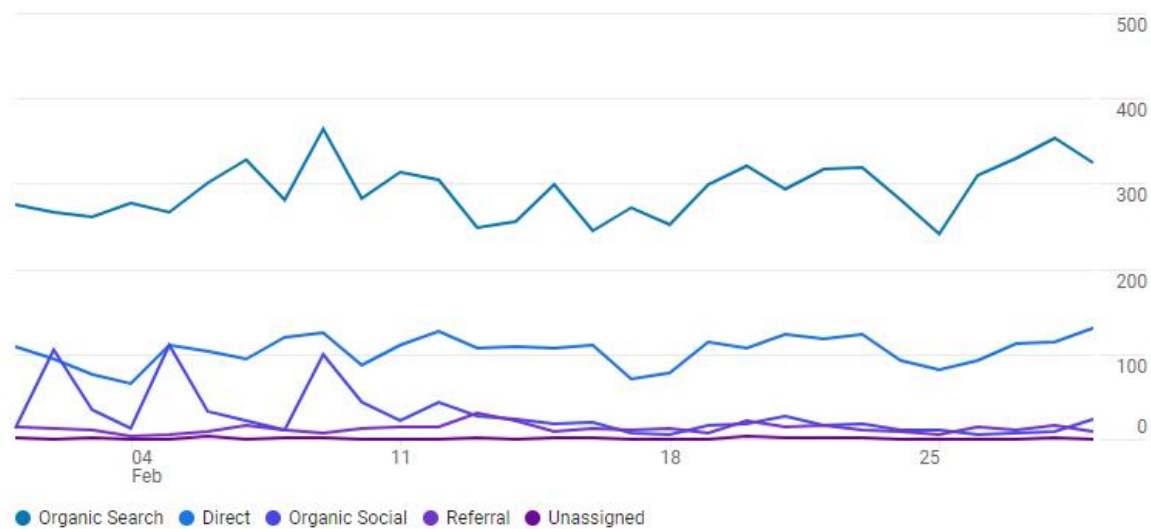
5.2.1. Website and social media statistics and data:

#### Devonport City Council Website

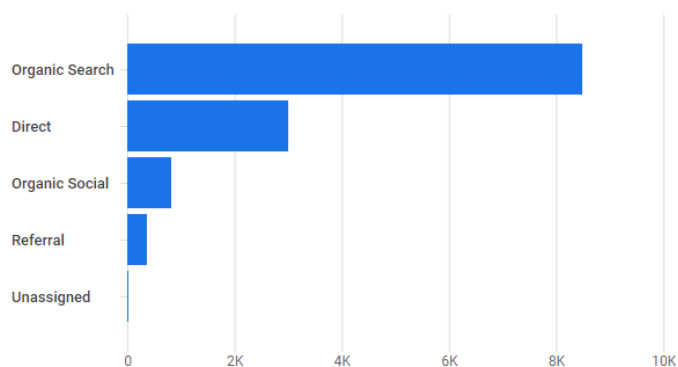
Devonport City Council website content is refreshed on an on-going basis, by updating information and the addition of new public notices, planning applications, news stories and events.



New users by First user primary channel group (Default Channel Group) over time



New users by First user primary channel group (Default Channel Group)



Top 10 Website Pages	February 2024
<ol style="list-style-type: none"> <li>1. Contact Us</li> <li>2. Forms and Payments</li> <li>3. Employment Opportunities</li> <li>4. Advertised Planning Permit Applications</li> <li>5. Employment Opportunity - Parks and Reserves Serviceperson</li> <li>6. What's On Devonport</li> <li>7. Waste Transfer Station</li> <li>8. Lillico Beach</li> <li>9. Make A Request</li> <li>10. Transforming Devonport: Indie Education's \$15 Million Vision for Living City</li> </ol>	
<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.	

### February 2024 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.

Community submissions were sought on the Parking Strategy; the 2024/25 Budget; and the Draft Devonport Events Strategy 2024-2030 during February.

#### 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 February 2024:

Facebook	13,102 up by 150
LinkedIn	1,332 up by 40
Twitter	705 down by 10

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

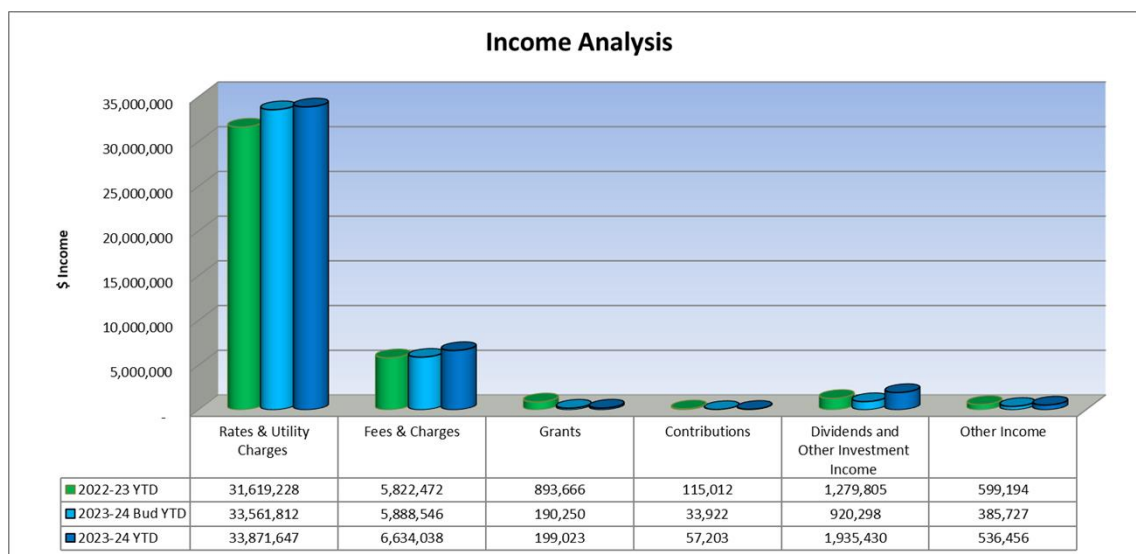
DCC Corporate Facebook Page Statistics	February 2024
<b>Facebook Average Monthly Reach:</b> Number of Facebook users who have seen content associated with the page during the period.	76,505 TY (60,123 LY)

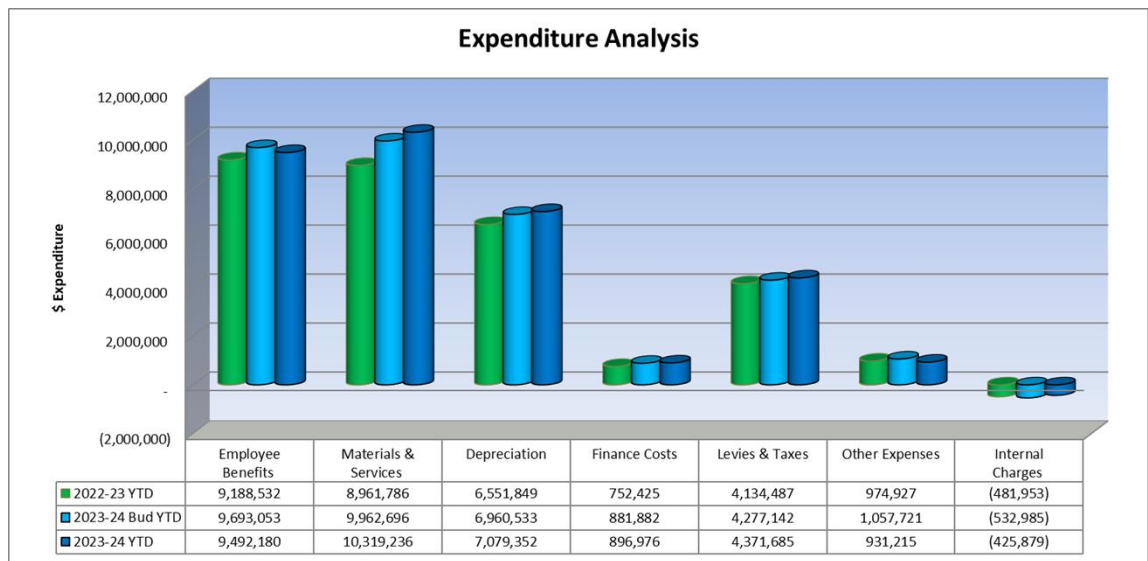
During February, the top 10 Facebook posts in terms of audience reach were:

February 2024	
1.	Horsehead Creek Closure, 26/02/2024, 30.6k
2.	Parking Strategy Public Consultation, 9/02/2024, 23.5k
3.	Road Closure – Devonport Road, 29/02/2024, 23.3k
4.	Splendour on the Mersey Event, 13/02/2024, 17.1k
5.	Road Closure – Night Works, 20/02/2024, 13k
6.	Cemetery Footpath Link Announcement – 8/02/2024, 9.7k
7.	Lost Dog Found, 16/02/2024, 9.7k
8.	Waste Transfer Station: Gravel Supply, 27/02/2024, 8.2k
9.	Market Square Cleaning Alert, 13/02/2024, 8k
10.	Positions Vacant, 9/02/2024, 7.6k

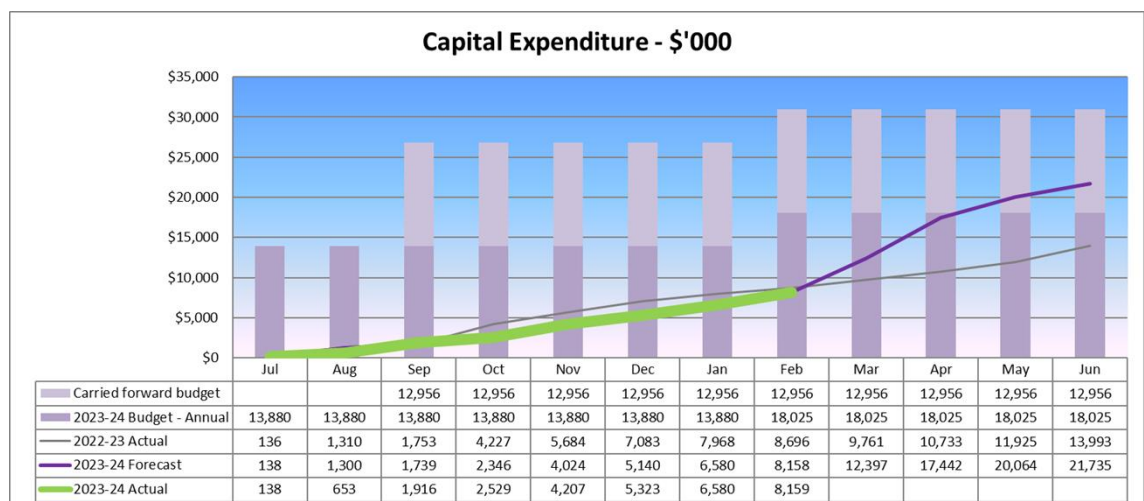
### 5.3. Finance:

The operating result for the financial year to the end of February 2024 is favourable with actual revenue being higher than budget by \$2.25M and actual expenses being higher than budget by \$365K, resulting in an overall favourable variance of \$1.89M. The forecast operating surplus for the financial year is \$3.8M, which includes share of profit of associates (Dulverton) of \$2.3M.





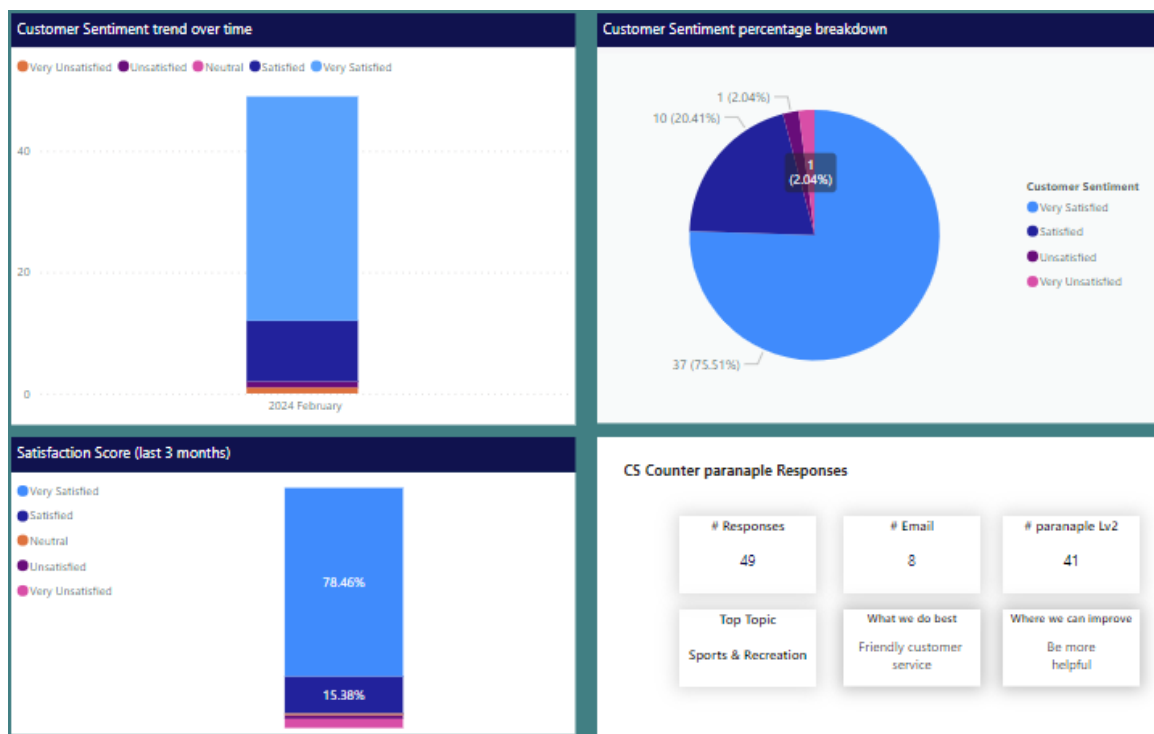
For further information please refer to the attached finance report.



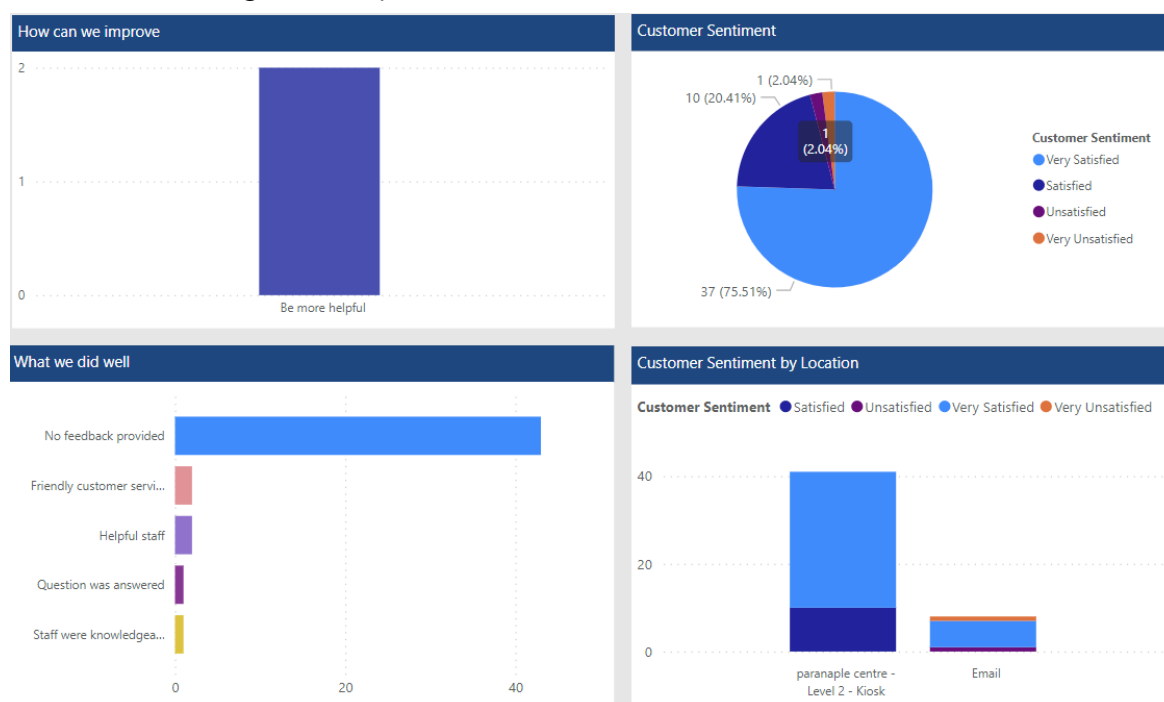
## 5.4. Customer Service:

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

**NOTE:** Customer Sentiment Stats along with other useful Council reports can be found on Council's website at [Your Council Dashboards | Devonport City Council](#)

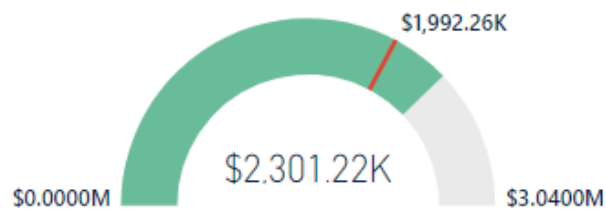


5.4.2. The following graphs details the customer feedback received by Council during February:

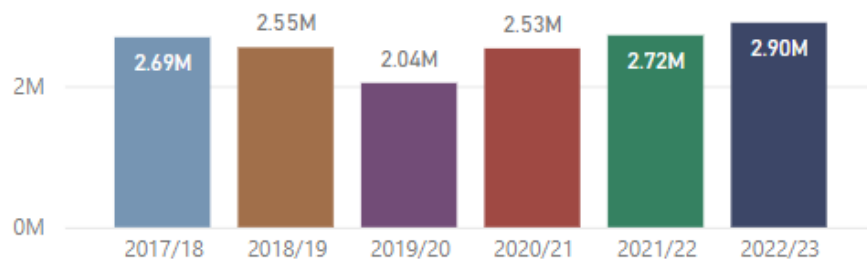


**Parking:**

## 5.4.6. Parking statistics Financial YTD:

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

Description	Budget \$	Revenue \$	Variance \$	Variance %
Edward St CP	\$83,801.36	\$78,218.96	(\$5,582.40)	-7%
Fenton Way CP	\$16,924.64	\$19,660.79	\$2,736.15	16%
Fines Received	\$413,333.38	\$645,748.69	\$232,415.31	56%
Formby Rd CP	\$208,864.64	\$191,120.21	(\$17,744.43)	-8%
Fourways CP	\$81,536.64	\$77,621.15	(\$3,915.49)	-5%
Multi Storey CP	\$216,923.36	\$216,572.45	(\$350.91)	-0%
Other - MPES	\$147,333.36	\$234,329.58	\$86,996.22	59%
Parking Meters	\$472,374.05	\$482,160.92	\$9,786.87	2%
Parking Permits	\$130,843.36	\$158,771.66	\$27,928.30	21%
Payne Ave CP	\$79,814.00	\$73,854.47	(\$5,959.53)	-7%
Steele St CP	\$65,704.00	\$54,974.97	(\$10,729.03)	-16%
Wenvoe St CP	\$74,810.64	\$68,186.84	(\$6,623.80)	-9%
<b>Total</b>	<b>\$1,992,263.43</b>	<b>\$2,301,220.69</b>	<b>\$308,957.26</b>	<b>16%</b>

**Previous Years Revenue****NOTE:**

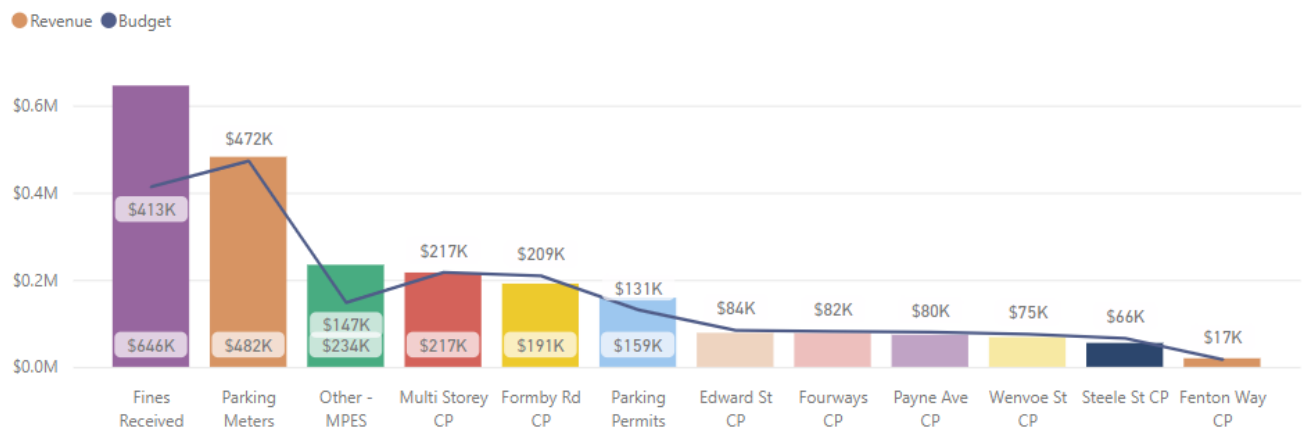
- Fines Received - well ahead of budget as the increase to value of penalty unit was increased by State Government significantly higher than was anticipated when the budget was developed.
- Other Income (MPES) – well ahead of budget as more income has been recovered from unpaid fines than what was anticipated when the budget was developed.
- Parking Permits – ahead of budget as a result of more permits being purchased in the first half of the year. It is forecast that revenue will be on budget by the end of the financial year.
- The timing of cash collection from parking meters usually results in revenue falling in the next period. Cash collected in one month will be recognised in the following month.

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

Grouped Natural Account - Revenue v Budget Year to Date

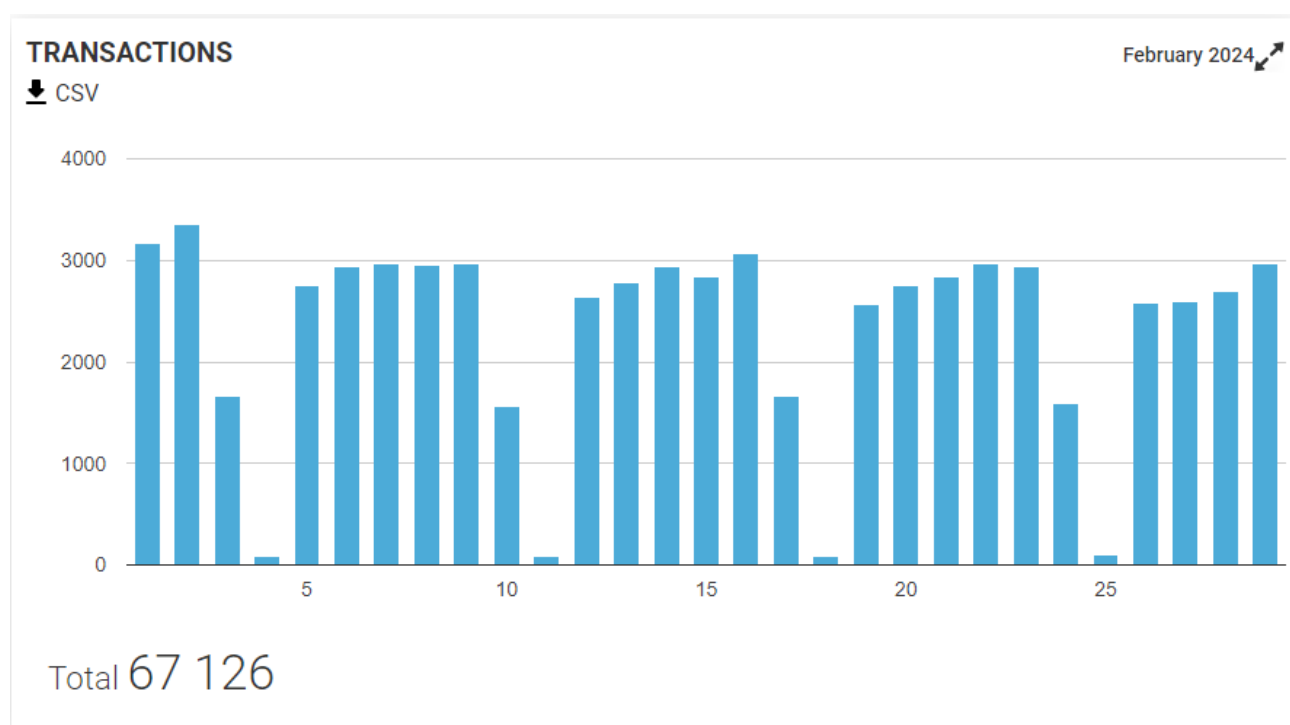
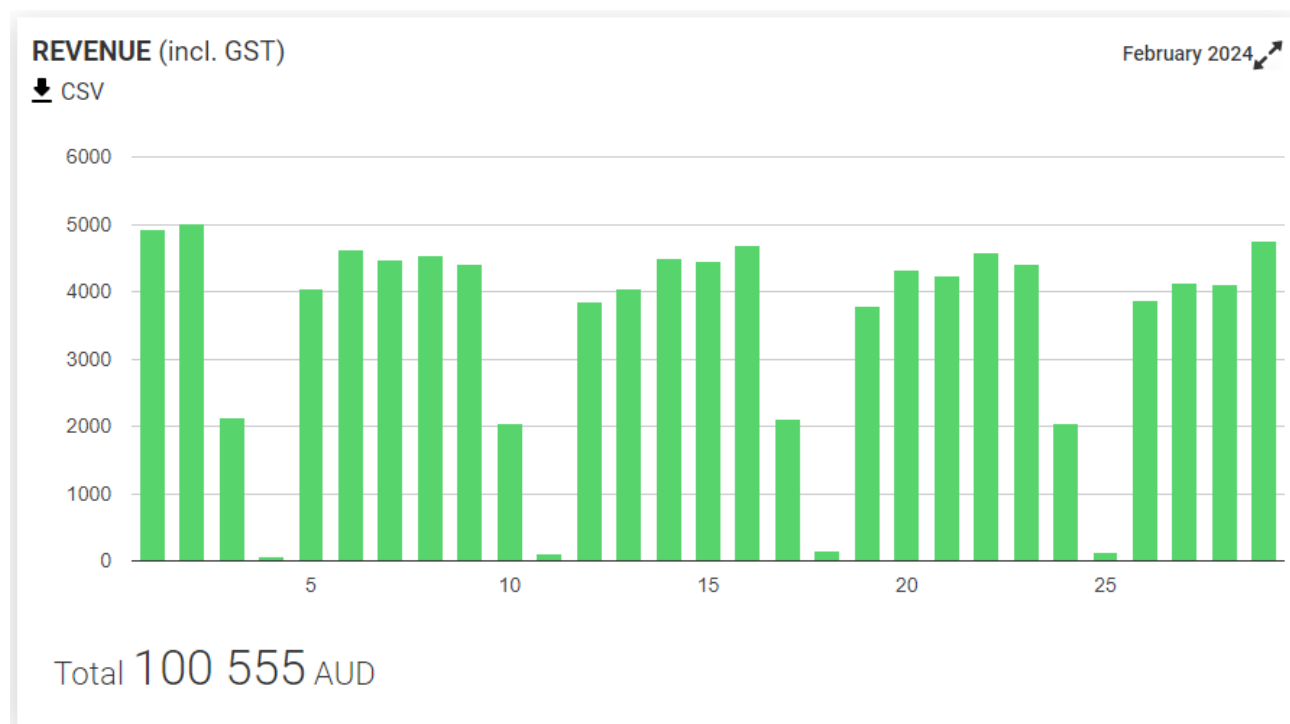


Natural Account - Revenue v Budget Year to Date



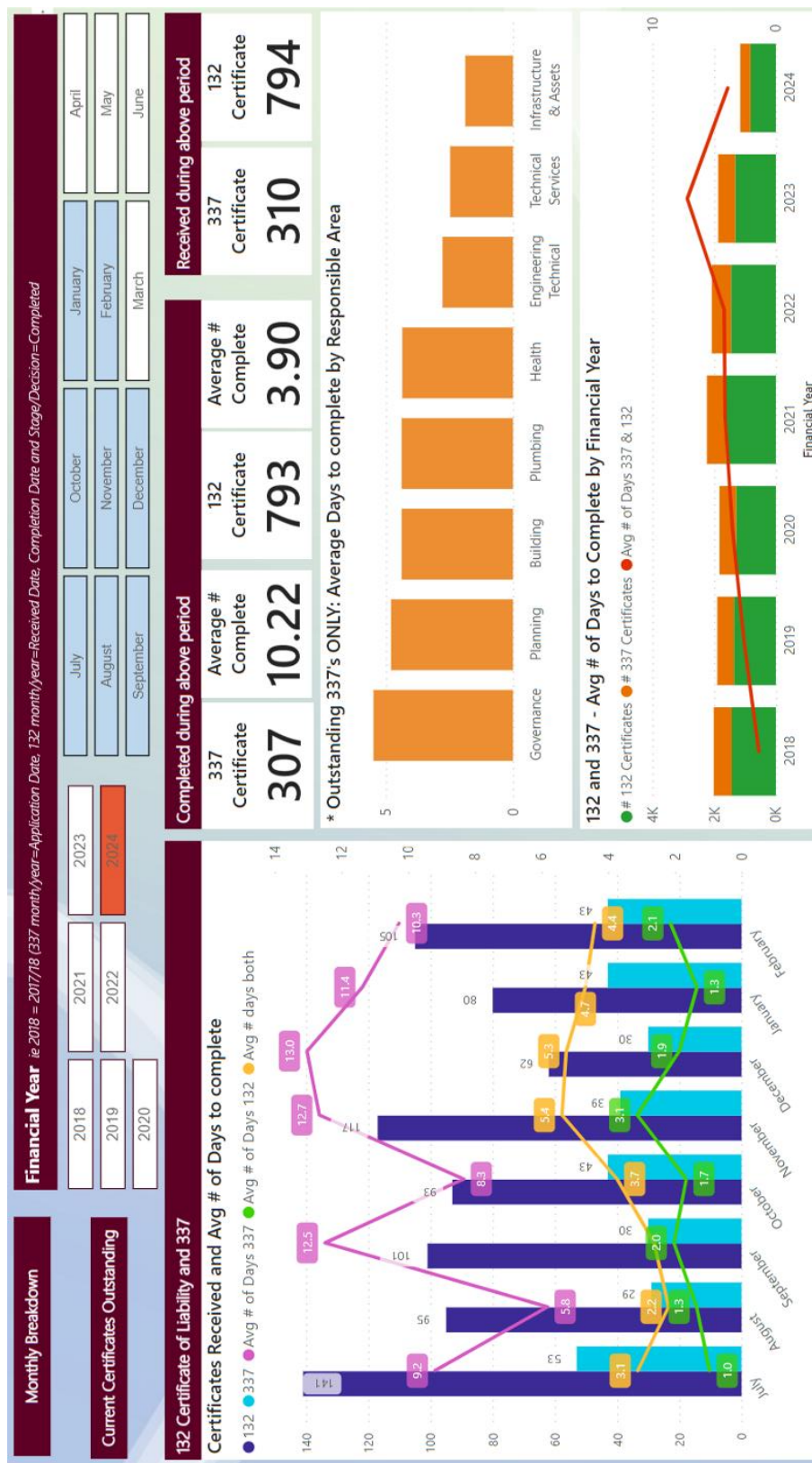
## EasyPark Statistics:

EasyPark use is up 22% compared to the same month in 2023.



**Section 132 & 337 Certificates:**

## 5.5.2 Statistics on completed certificates Financial YTD:



## 5.5. Annual Plan Action Update:

### 5.7.1. Current status as at 14 March 2024



### 5.7.2. Action Highlights:

#### **Develop, design and obtain Development Application for new indoor sports stadium**

Formal development application documentation is currently being prepared for lodgement based on the adopted schematic design endorsed by council.

#### **Continue to introduce EV cars into Council's fleet**

Currently have one full EV in council fleet with budget to increase this to two before June 2024 adding to council's four hybrid vehicles.

#### **Improve clarity of Council requirements with a new Strata Plan Policy and Public Open Space Contribution Policy**

Work is underway to draft policies for Council to consider.

#### **Review and update Council's Parking Strategy**

Public consultation was undertaken in February to help inform the Strategy Review and survey responses are currently being reviewed.

#### **Develop a long-term maintenance plan for Splash Aquatic Centre with a focus on the outdoor pool asset**

Independent audit of pool infrastructure and operations completed. Further infrastructure investigations occurring over the next month while the indoor facility is closed for re-tiling. The long-term maintenance plan will inform the budgeting for next financial year.

#### **Review Bike Riding and Pedestrian Strategy**

Review of the Shared Path Network is underway. Audit of the path network and missing links has been completed with the Engineering Team carrying out assessment and drafting of the proposed Strategy.

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

### **6.1. Minutes:**

There are no minutes of meetings to table for the month of February.

### **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. 20240229 Consolidated Financial Report - Council [**6.4.1** - 9 pages]

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## 7 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 – 26 February 2024	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15 (2) (c); 15(2)(g)

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## **8 CLOSURE**