

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

<b>Meeting</b>	<b>From</b>	<b>To</b>	<b>Time Occupied</b>
Open Session	5:30pm	6:51pm	81 min
Closed Session	6:56pm	6:59pm	3 min
Total			84 min

**Present**

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

**Council Officers:**

- General Manager, M Atkins
- Deputy General Manager, J Griffith
- Executive Manager, K Lunson
- Executive Manager, M Skirving
- Executive Coordinator, C Jordan
- Community Services Manager, K Hampton
- Infrastructure Manager, J Bellchambers
- Land Use Planning Coordinator, A Mounthey
- Senior Town Planner, C Milnes (Remote)
- Finance Manager, J Jackson
- Convention & Arts Centre Manager, G Dobson

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

## **1 APOLOGIES**

There were no apologies received.

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## 2 DECLARATIONS OF INTEREST

The following Declarations of Interest were advised:

Councillor	Item No	Reason	Remaining in Meeting? Yes/No	If remaining, reason/s for decision
Cr S Martin	5.1	President, Tasmanian Masters Games	Yes	Event Strategy covers all and am able to be objective
Cr S Sheehan	4.1 & 4.3	Works in the strata management sector	No	
Cr L Murphy	4.2 & 4.3	Known to proponents in professional capacity	No	

## 3 PROCEDURAL

### 3.1 CONFIRMATION OF MINUTES

#### 24/37 RESOLUTION

MOVED: Cr Viney  
SECONDED: Cr Murphy

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

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

CARRIED 9 / 0

### 3.2 PUBLIC QUESTION TIME

#### 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.

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### 3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

#### **Peter Aylett, 4 Olive Court Miandetta, Devonport**

**Q1** My question is why hasn't there been any action in regards to some 12 months ago now that I came down and saw Ian Cute who I believe has now retired, with regards to the situation with the intersection of Olive Court and Middle Road. I presented Ian with video evidence/photographic evidence in regards to how the traffic turns up off the on-ramp and then crosses the centre line in Olive Court and parks across the intersection. It has been some 12 months now and I've heard nothing in regards to what's going on. This evening on my way down the situation occurred to me again that sometimes it is worse in regards to two cars pulling across that intersection where no one can get in and no one can get out. It's definitely a breach of the law because there is a solid centre line. I indicated to engineer Ian Cute that it a simple way to rectify it would be to place some concrete plinths along the centre line leading out of Olive Court up to the stop give way line of the road – that would stop people from screaming in there and crossing and blocking both lanes of traffic.

#### **Response**

The Mayor advised that this question will be taken on notice and a response provided in writing.

#### **Shane Warren, North Fenton Street, Devonport**

**Q1** I have some Questions on the Oval Project. A recent press report in the Advocate February 23 quoted you as saying this Oval Plan is four years in the making with strong support from the relevant sporting codes. What is confusing is that many of the urban standards of the planning scheme rely on how the proposed development can satisfy a loss of essential amenities. It wasn't until last Monday that the plans were publicly available for the first time in this four year period and also I've been informed that one of the major stakeholders, Meercroft Care, are not even aware of the project and haven't been involved in the consultation process. So can you enlighten me and the general community why the proposal as you quoted four years in the making, was not made available to the residents in the community, who are the major stakeholders in this part of town, notwithstanding of course that you did discuss the benefits of this proposal with the owners of the Sunrise Motel last July?

#### **Response**

The General Manager responded that Council's direction in regard to the Sports Infrastructure project has been evolving and developing over a number of years and the statement referred to in the local media was correct. In regards to the development assessment process, he advised that Council is currently finalising the plans and once that stage is completed, they will then go through the normal process and become available for members of the community to review and make representations.

The Mayor responded to Mr Warren's comment about the Sunrise Motel. She advised that she had certainly spoken to the people at the Sunrise Motel who were seeking our assistance about a different matter that they were highlighting and we brought the state

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and federal government in to talk to them about something related to their business and, while we were there, I pointed out that the precinct could possibly be going ahead, however emphasised that there were no drawings to show them and that it had not been endorsed by council at that time.

**Q2** A question about the Devon Netball Association – I'm not speaking on behalf of them, it's just an observation on what I have been reading in the Sports Infrastructure Master Plan concerning the relocation of the Association's operations to the Oval Precinct and the desire to have four indoor netball courts with multiple aligning for other sports as well e.g. basketball and that leaves a shortfall of five or six courts. So the plans that I saw last Monday indicate five outdoor courts, four multiple use courts which, with the other sports, will be run in the larger building with the possibility of the main stadium also being used for two more netball games. The best case scenario is that there is eleven available courts. Currently at Maidstone Parks there are 14 available courts – there is a five or six court shortfall in the number and it doesn't seem to compute as that is a net loss. Can you explain how this future proofing of the netball associations' growth and demand for facilities will work?

**Response**

The General Manager responded that there has been a lot of work done around the expected demand/future demand. The courts are currently significantly under-utilised and the club are comfortable with what has been proposed.

**Q3** A question about the use for the existing site

**Response**

The General Manager responded that Council has made no decision around the future of the existing site at Spreyton.

### **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**

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### **3.4.1 NOTICE OF MOTION - WORKING WITH VULNERABLE PEOPLE CARD - REQUIREMENT FOR COUNCILLORS - CR S MARTIN**

#### **24/38 RESOLUTION**

MOVED: Cr Martin  
SECONDED: Cr Wilczynski

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.

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

CARRIED 6 / 3

## **4 PLANNING AUTHORITY MATTERS**

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

Cr S Sheehan left the room at 5.53 pm

#### **24/39 RESOLUTION**

MOVED: Cr Murphy  
SECONDED: Cr Viney

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and section 57 of the *Land Use Planning and Approvals Act 1993*, approve application 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:

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.

1. The alterations and additions to the existing dwelling are to be undertaken in accordance with the Heritage Fabric Assessment + Statement of Heritage Impact by

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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.

2. 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.
3. 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.
4. 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.
5. 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.
6. 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.

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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.

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

AGAINST: Nil

CARRIED 8 / 0

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## **4.2 PA2023.0067 & AM2023.02 - 200 STONY RISE ROAD STONY RISE & 1 LAPHORNE 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**

Cr Sheehan returned to the meeting at 5:54 pm.

Cr Murphy left the meeting at 5:54 pm.

### **24/40 RESOLUTION**

MOVED: Cr Martin

SECONDED: Cr Enniss

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 Laphorne 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.



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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.

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

CARRIED 8 / 0

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

Cr Sheehan left the meeting at 5:58 pm.

#### **24/41 RESOLUTION**

MOVED: Cr Martin

SECONDED: Cr Wilczynski

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 Grate.
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

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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

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- 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.

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

CARRIED 8 / 0

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

Cr Sheehan returned to the meeting at 6:01 pm.

Cr Murphy returned to the meeting at 6:01 pm.

#### **24/42 RESOLUTION**

MOVED: Cr Martin  
SECONDED: Cr Wilczynski

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,

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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. Facilities building #2 must only be available to overnight guests and staff.
3. No consent is given, or implied, for the site or facilities to be utilised as a Function Centre (refer to notes).
4. 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.
5. 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.
6. Parking bays must be delineated by line marking or other clear physical means.
7. 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).
8. 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*.
9. 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.
10. 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:

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[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.

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

AGAINST: Nil

CARRIED 9 / 0

## **5 REPORTS**

### **5.1 DEVONPORT EVENTS STRATEGY 2024-2030**

#### **24/43 RESOLUTION**

MOVED: Cr Hollister

SECONDED: Cr Murphy

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.

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

AGAINST: Nil

CARRIED 9 / 0

### **5.2 MEMORANDUM OF UNDERSTANDING - UNIVERSITY OF TASMANIA**

#### **24/44 RESOLUTION**

MOVED: Cr Moore

SECONDED: Cr Ennis

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.

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

CARRIED 9 / 0

### 5.3 CS0126 TORQUAY RD- WRIGHT ST SW UPGRADE

#### 24/45 RESOLUTION

MOVED: Cr Viney  
SECONDED: Cr Moore

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)

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

CARRIED 9 / 0

### 5.4 FINANCIAL ASSISTANCE SCHEME ROUND TWO 2023 2024

#### 24/46 RESOLUTION

MOVED: Cr Sheehan  
SECONDED: Cr Martin

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

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### 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

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

AGAINST: Nil

CARRIED 9 / 0

## 5.5 2024/25 BUDGET CONSULTATION

### 24/47 RESOLUTION

MOVED: Cr Sheehan

SECONDED: Cr Enniss

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

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

AGAINST: Nil

CARRIED 9 / 0

## 6 INFORMATION

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

#### 24/48 RESOLUTION

MOVED: Cr Viney

SECONDED: Cr Murphy

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

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

AGAINST: Nil

CARRIED 9 / 0



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## **6.2 MAYOR'S MONTHLY REPORT**

### **24/49 RESOLUTION**

MOVED: Cr Hollister  
SECONDED: Cr Wilczynski

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

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

CARRIED 9 / 0

## **6.3 GENERAL MANAGER'S REPORT**

### **24/50 RESOLUTION**

MOVED: Cr Murphy  
SECONDED: Cr Viney

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

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

CARRIED 9 / 0

## **6.4 MONTHLY OPERATIONAL REPORT - FEBRUARY 2024**

### **24/51 RESOLUTION**

MOVED: Cr Hollister  
SECONDED: Cr Murphy

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

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

CARRIED 9 / 0

## 7 CLOSED SESSION

### 24/52 RESOLUTION

MOVED: Cr Martin  
SECONDED: Cr Murphy

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)

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

CARRIED 9 / 0

**The Mayor adjourned the meeting at 6.51 pm to reconvene in Closed Session at 6.56 pm.  
The Council moved out Closed Session at 6.59 pm.**

**Council resumed in open session at 6.59 pm.**

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

Item No	Matter	Outcome
3.1	Confirmation of Closed Minutes – Council Meeting – 26 February 2024	Confirmed
3.2	Application for Leave of Absence	Granted
4.1	Confidential Attachments	Noted

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## **8 CLOSURE**

**There being no further business on the agenda the Mayor declared the meeting closed at 6:59 pm.**

Confirmed

Chairperson