The City with Spirit

NOTICE OF MEETING

Notice is hereby given that an **Ordinary Council** meeting of the Devonport City Council will be held in the Aberdeen Room, Level 2, paranaple centre, 137 Rooke Street, Devonport on Monday 28 September 2026, 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
CHIEF EXECUTIVE OFFICER

23 09 2026

October 2026

Meeting	Date	Commencement Time
Annual General Meeting	26 October 2026	5:30PM
Ordinary Council Meeting	26 October 2026	At conclusion of AGM

Please note that Council is currently operating under the provisions of its Election Caretaker Period Policy.

AGENDA FOR AN ORDINARY COUNCIL MEETING OF DEVONPORT CITY COUNCIL HELD ON MONDAY 28 SEPTEMBER 2026, 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.

All persons in attendance are to be respectful of and considerate towards other persons attending and participating in the meeting. Any language or conduct that is considered offensive, defamatory or threatening to any person attending or participating in the meeting, or listening to the recording, will not be accepted.

ATTENDEES

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

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER
At the Devonport City Council, the title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas). For the avoidance of doubt, Chief Executive Officer means General Manager for the purposes of the *Local Government Act 1993* (Tas) and all other legislation administered by or concerning Council.

1 APOLOGIES

An apology for the meeting was received from Cr G Enniss.

2 DECLARATIONS OF INTEREST

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

RECOMMENDATION

That the minutes of the Council meeting held on 24 August 2026 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 25/193 refers):

1. Public participation shall take place at Council meetings in accordance with Regulation 36 of the *Local Government (Meeting Procedures) Regulations 2025.*
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, and the question must relate to activities of the Council.
6. A maximum period of 5 minutes will be allowed per person.
7. Questions are to be succinct, clear, are not to be a statement, nor 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

Author: **Matthew Atkins, Chief Executive Officer**

RECOMMENDATION

That the response to questions from Ms Vicki Ward at the August 2026 Council meeting be noted.

ATTACHMENTS

1. Response to Questions without Notice - Vicki Ward [**3.2.1.1** - 4 pages]

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

Author: **Matthew Atkins, Chief Executive Officer**

RECOMMENDATION

That Council in relation to the correspondence received from Mr Mark Price and Mr R B Vellacott endorse the responses proposed and authorise their release.

MARK PRICE, 9 COLES BEACH ROAD, DEVONPORT

A letter containing questions on notice received from Mark Price on 5 September 2026 is **reproduced as Attachment 1**.

Preamble

Devonport City Council has endorsed the Hillcrest Permanent Memorial Plans which include an upgrade of the Don Heads Car Park by the Council

My question relate to the upgrade of the Don Heads Car Park.

Please see page 13 of the Hillcrest Permanent Memorial Plan found on the links below:

Permanent Memorial - TasALERT

Permanent Memorial Concept Design Report.pdf

Q1 Has Council commenced planning for the upgrade of the Don Heads Car Park, as per the Permanent Memorial Concept Design Report page 13?

Response

The Permanent Memorial Concept Design Report was prepared prior to the Coastal Pathway project having been completed, which also included changes made to the Don Heads parking area. The Coastal Pathway project and all associated works have now been completed since September 2025, thus Items 3 and 4 on page 13 of the Permanent Memorial Concept Design Report are no longer relevant.

Q2 Is the upgrade of the Don Heads Car Park included in the Devonport City Council's 2026/27 Budget?

Response

There is currently no further works or projects scheduled in Council's Forward Capital Program for the Don Heads parking area.

Q3 When will the Don Heads Car Park upgrade be completed?

Response

As per response to Question 2.

MR R B VELLACOTT, 11 COCKER PLACE, DEVONPORT

A letter containing questions on notice received from Mr R B Vellacott on 19 September 2026 is **reproduced as Attachment 2**.

Subject - Questions on Notice for the ordinary Council meeting 28 Sept 2026 re rate revenue enquiry for various properties and infrastructure.

Q1 Does Council receive rate revenue for the following properties and or infrastructure situated within the Devonport Municipality?

1.1 - The Indie School complex?

1.2- The Strata titled section of the paranaple center owned by the State Government I.e. Library and Service Tasmania?

1.3 - The mobile phone transmission tower situated Percy Street and any other that may be situated on public land?

1.4 - The Devonport Post Office?

1.5 - TasPorts' office block and or any other property owned by them?

1.6 – The TasNetwork's substation at Stony Rise?

1.7- Devonport Racecourse?

Response

Council levy and collect rates in accordance with the provisions of *Part 9* the *Local Government Act 1993* and Council's Rates & Charges Policy. Section 87 of the Act sets out explicit exemptions for categories of land and ownership arrangements whereby rates cannot be charged.

Rebates and Remissions of rates charges are considered in accordance with Council Policy and (where applied) reported in Council's Annual Report.

Council does not publicly release information relating to individual properties beyond the established methods of Section 132 and Section 337 Certificates, in accordance with the *Local Government Act 1993*, and where the applicant's interest in the land that the information is being sought, is demonstrated.

In relation to sites owned or managed by Council:

1.3 Telecommunications Infrastructure located on Council-owned or managed land are generally not charged rates (for the portion of land area they occupy). However, these locations are subject to lease agreements including commercial lease payment terms.

1.7 The Devonport Racecourse site is Council-owned land therefore, not subject to rates charges.

ATTACHMENTS

1. P Qo N Mark Price 2026-09-28 - 9 [**3.2.2.1** - 1 page]
2. QsoN RBV 28 Sept 2026 rate revenue from various properties [**3.2.2.2** - 1 page]

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

4 PLANNING AUTHORITY MATTERS

The Mayor will now announce that Council intends to act as a Planning Authority under Regulation 29 of the *Local Government (Meeting Procedures) Regulations 2025* and the *Land Use Planning and Approvals Act 1993* for the consideration of all reports under Agenda Section 4.

Council is required to deal with items as a Planning Authority under the LUPAA 1993 in a sequential manner.

Reports listed under Agenda Section 4 are to be dealt with at the meeting of Council in its capacity as a Planning Authority.

4.1 PA2026.0070 - 105-107 BEST STREET, DEVONPORT - 2 LOT SUBDIVISION

Author: **Alex Mountney, Planning & Regulatory 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 PA2026.0070 and grant a Permit to develop land identified as105-107 Best Street, Devonport for the following purposes:

- 2 Lot Subdivision

Subject to the following conditions:

PLANNING CONDITIONS

1. APPROVED PLANS

The subdivision must be carried out substantially in accordance with the plans prepared by Michell Hodgetts Surveyors, Drawing No. 226013, dated 25 March 2026. The endorsed plans form part of this permit.

2. PUBLIC OPEN SPACE CONTRIBUTION

In accordance with Council's *Public Open Space Contribution Policy*, the developer must pay a public open space contribution equivalent to 5% of the unimproved value of Lot 1 prior to sealing the Final Plan.

The unimproved value of the land must be determined by a registered valuer no more than six (6) months prior to lodgement of the Final Plan. All costs associated with obtaining the valuation are to be borne by the developer.

INFRASTRUCTURE CONDITIONS

3. AS CONSTRUCTED DRAWINGS

Prior to sealing the Final Plan, an "as constructed" drawing must be provided to Council in accordance with Council's standard requirements. The drawing must show details of the stormwater connection and vehicle crossing/driveway works undertaken as part of the development.

4. VEHICLE CROSSING AND DRIVEWAY

A new vehicle crossing and driveway to serve proposed Lot 1 must be constructed generally in accordance with Tasmanian Standard Drawing TSD-R09-v3 and Council's standard requirements.

5. ROAD RESERVE PERMIT

A permit to work within the road reserve must be obtained from Council prior to the commencement of any works within the road reserve.

Works requiring approval include, but are not limited to, the construction of vehicle crossings and driveways, installation of service connections, and the placement of equipment or materials within the road reserve.

6. STORMWATER CONNECTION

The developer must provide a suitable stormwater connection to Council's stormwater system for proposed Lot 1 and demonstrate, through the provision of adequate levels, that the connection is capable of servicing the entire lot.

TASWATER CONDITION

7. TASWATER REQUIREMENTS

The subdivision must comply with the requirements contained within the relevant Submission to Planning Authority Notice issued by TasWater pursuant to section 56P(1) of the *Water and Sewerage Industry Act 2008*. A copy of the Notice is attached and forms part of this permit.

Note: The following is provided for information purposes.

Street Addressing

The following street addressing allocations apply:

- Lot 1: 105 Best Street
- Lot 2 (existing dwelling lot): 107 Best Street

Enquiries

- For enquiries relating to Condition 7, contact TasWater on 13 69 92.
- For enquiries relating to Conditions 3 to 6, contact Council's Infrastructure & Works Department on (03) 6424 0511.
- For enquiries relating to all other conditions, contact Council's Development Services Department on (03) 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 PA2026.0070.

BACKGROUND

Planning Instrument:	*Tasmanian Planning Scheme – Devonport 2020*
Address:	105-107 Best Street, Devonport
Applicant:	PDA Surveyors
Owner:	Mr JM Sferco & Mrs AM Sferco
Proposal:	2 Lot Subdivision
Existing Use:	Residential (single dwelling)
Zoning:	General Residential
Decision Due:	Initial decision due14/09/2026. Extension of time granted until 28/09/2026 by applicant.

SITE DESCRIPTION

The site is located on the southern side of Best Street, between Ronald Street and Victory Avenue. The site has an area of 2,013 m² and contains a weatherboard dwelling constructed in the late 1930s. A large contemporary garage is also located on the site, along its south-east corner. The site has a gentle slope that falls towards the Best Street frontage. The site forms part of the Ronald & Best Street Local Heritage Precinct under the Local Historic Heritage Code of the of the *Tasmanian Planning Scheme - Devonport*.

Figure 1 shows a recent aerial image of the site and surrounding locality, while Figure 2 shows the site as viewed from Best Street.



Figure 1 – Aerial image of the subject site (outlined in blue) and the surrounding locality (DCC, 2025)



Figure 2 – View of the subject site looking from Best Street (DCC, 2026).

APPLICATION DETAILS

The applicant is seeking approval for a 2 lot subdivision. Proposed Lot 1 will have an area of 515m², be vacant, and be served by a new crossover from Best Street. Proposed Lot 2 will have an area of 1,500m² and contain the existing dwelling and outbuilding, with access provided via the existing crossover from Best Street. Figure 3 shows the proposed subdivision layout. A full copy of the application is appended as **Attachment 1**.

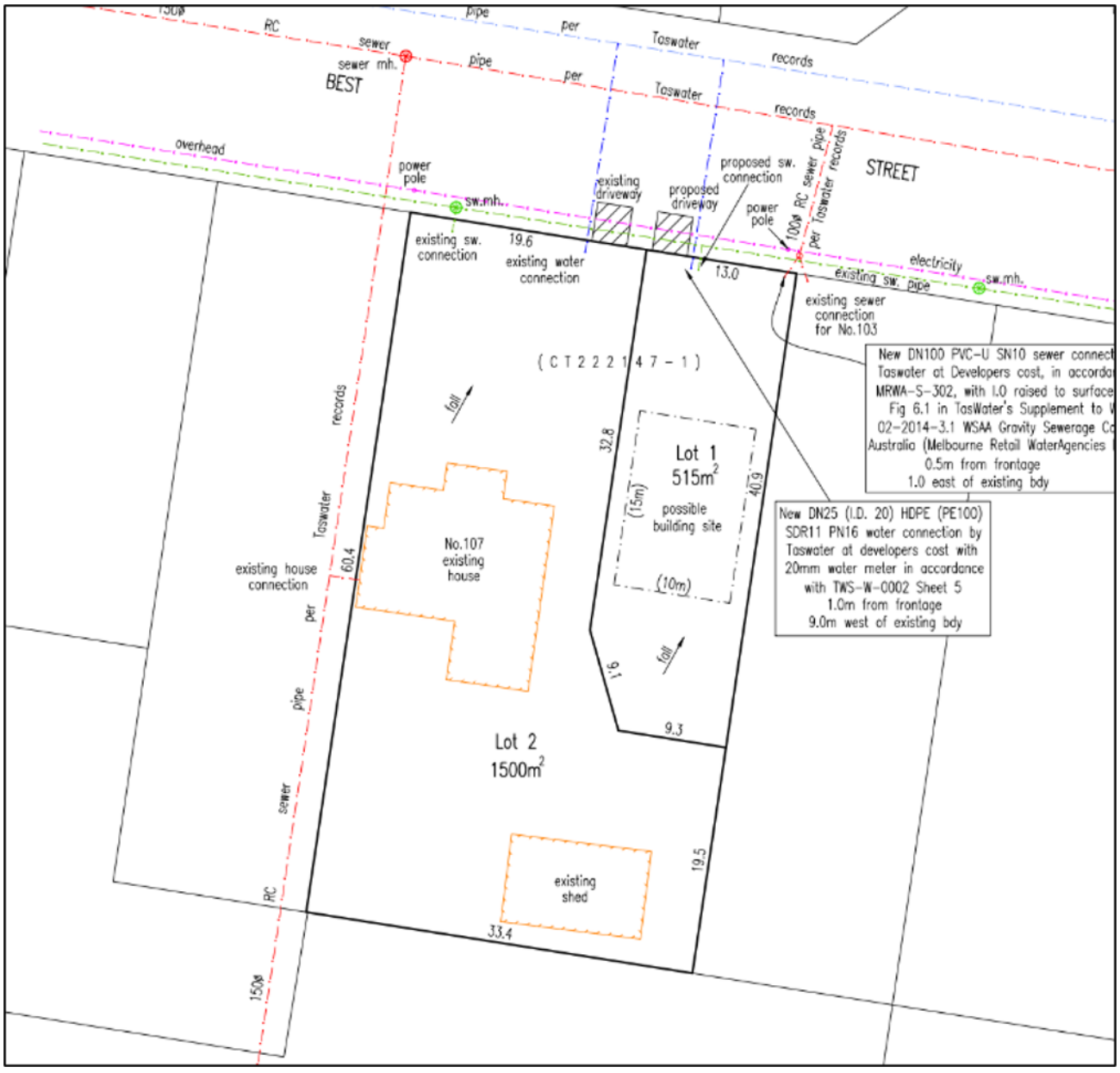


Figure 3 – Proposed subdivision plan (Michell Hodgetts Surveyors, 2026)

PLANNING ISSUES

The land is zoned General Residential under the *Tasmanian Planning Scheme – Devonport, 2020* (the Planning Scheme).

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.

In accordance with clause 6.2.6 of the Planning Scheme, subdivision does not require categorisation into a Use Class.

Subdivision within the General Residential Zone is Permitted and must be approved where the applicable development standards are satisfied at the Acceptable Solution level, including any relevant Code requirements.

Where an Acceptable Solution is not satisfied, the application becomes discretionary and must be assessed against the corresponding Performance Criteria. In such circumstances, the Planning Authority may approve or refuse the application based on whether the proposal satisfies the relevant Performance Criteria and the merits of the development against the standard invoking discretion.

The applicable subdivision standards of the General Residential Zone are reproduced below and accompanied by an assessment of compliance.

8.6 Development Standards for Subdivision

8.6.1 Lot design

Objective: That each lot: (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; (c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and (d) is orientated to provide solar access for future dwellings.	
Acceptable Solutions	**Performance Criteria**
A1 Each lot, or a lot proposed in a plan of subdivision, must: (a) have an area of not less than 450m² and: i. be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:	**P1** 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

a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 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 8.4.2 A1, A2 and A3, and 8.5.1 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 another lot provided each lot is within the same zone.	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.
A2 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.	**P2** 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: (a) the width of frontage proposed, if any; (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (c) the topography of the site; (d) the topography of the site; (e) the ability to manoeuvre vehicles on the site; and (f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.
A3 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	**P3** 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: (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the anticipated nature of vehicles

	likely to access the site; and (e) the ability for emergency services to access the site.
A4 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.	**P4** Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to: (a) the size, shape and orientation of the lots; (b) the topography of the site; (c) the extent of overshadowing from adjoining properties; (d) any development on the site; (e) the location of roads and access to lots; and (f) the existing pattern of subdivision in the area.

A1 - Both lots exceed 450m² in area. The subdivision plan demonstrates compliance with this standard by identifying a 10m x 15m building envelope clear of the prescribed setbacks on proposed Lot 1. Proposed Lot 2 also has sufficient area to accommodate a compliant building envelope, noting that it is larger in size and already contains an existing single dwelling.

A2 – Each lot has a frontage greater than the acceptable minimal threshold of 12m.

A3 – The Road Authority (Council) has assessed the subdivision and supports the proposed vehicle access configuration. Requirements relating to the construction of the new crossover for Lot 1 will be included as permit conditions.

A4 – Not applicable, as no new roads are proposed.

***8.5.2 Roads** - This development standard does not require assessment as no new roads are proposed.

8.5.3 Services

Objective: That the subdivision of land provides for services for the future use and development of the land.	
Acceptable Solutions	**Performance Criteria**
A1 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.	**P1** 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.
A2 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.	**P2** No Performance Criterion
A3 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.	**P3** 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: (a) the size of the lot; (b) topography of the site; (c) soil conditions; (d) any existing buildings on the site; (e) any area of the site covered by impervious surfaces; and (f) any watercourse on the land.

A1-A3 - The proposed subdivision satisfies the Acceptable Solutions under this standard. Both lots will have access to public reticulated water, sewerage and stormwater services. Conditions relating to the provision of these services will be included as permit conditions.

The proposed subdivision satisfies all applicable Subdivision Standards of the General Residential Zone at the Acceptable Solutions level. As a result, no assessment against the Performance Criteria is required.

Assessment Against Mapped Overlays Affecting the Site

The site is subject to two mapped planning scheme overlays:

- Local Heritage Precinct; and
- Airport Obstacle Limitation Area.

The proposal is assessed against the relevant standards of these overlays below.

C6.0 Local Historic Heritage Code

The site is located within the Ronald and Best Street Local Heritage Precinct (Planning Scheme Reference C6.2.8). Figure 4 shows the extent of the precinct, with the subject site outlined. The following is an extract from the Planning Scheme regarding this Precinct:

> ***Description***
> *The precinct contains parts of Ronald Street, Best Street, and Steele Street. Ronald Street is located on a small rise above the flatter land towards the city centre providing views over the city and lower suburbs toward the river and sea.*
>
> ***Statement of Local Historic Heritage Significance***

The Ronald Street area contains a number of very fine residences that epitomise the development of Devonport around 1900 through to the 1920s with a number of 1960 period homes adding to the interest of the street. Ronald Street is located on a small rise above the flatter land towards the city centre providing views over the city and lower suburbs to the river and sea.

The area was obviously developed because of its elevated status. The unifying feature is the quality of development along the spine of the ridge. The area also demonstrates later patterns of subdivision with the early large lot boundaries clearly evident and subdivision to form Cocker Place in the 1950s and 1960s breaking the pattern of development and introducing two well-designed post-war houses into the group.

The street features mature and well-designed gardens, buildings oriented to the view and away from the street on the east side of the street and a well planted streetscape.

The precinct extends into Best Street in recognition of a consistent grouping of later houses demonstrating a post- World War II subdivision with well laid out gardens and grounds.

Design Criteria / Conservation Policy
There are no design criteria or conservation policies for this precinct.

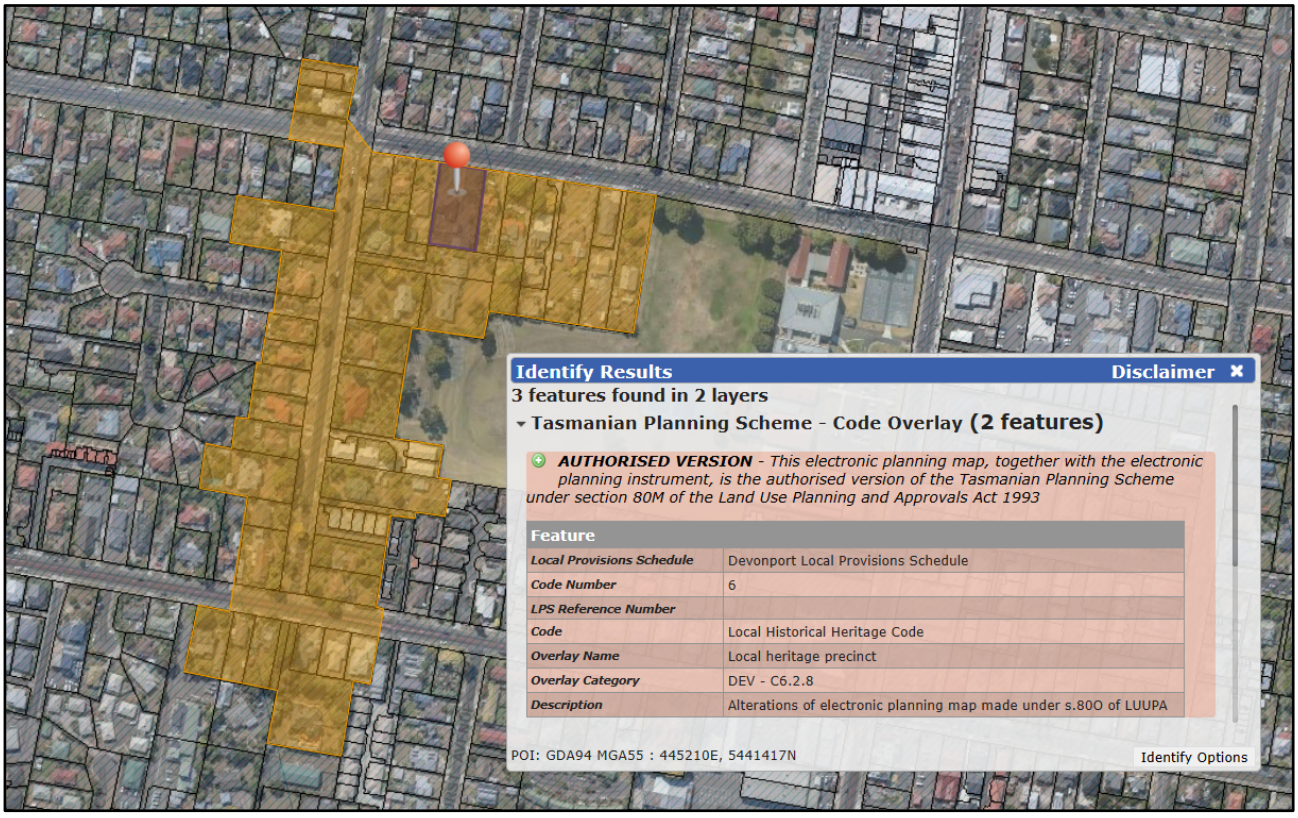


Figure 4 – Ronald and Best Street Local Heritage Precinct, with the subject site outlined (LISTmap, 2026)

As the site is located within a Local Heritage Precinct, the application is required to be assessed against the subdivision standards prescribed by the Code. The relevant standard is reproduced below, followed by an assessment of the proposal.

C6.10.2 Lot design for a Local Heritage Precinct or a Local Historic Landscape Precinct

Objective: That: (a) subdivision within a local heritage precinct is consistent with historic patterns of development; and (b) subdivision within a local historic landscape precinct is compatible with the character of the precinct.	
Acceptable Solutions	**Performance Criteria**
A1 No Acceptable Solution.	**P1** Subdivision must be compatible with the local historic heritage significance of a local heritage precinct or a local historic landscape precinct, as identified in the relevant Local Provisions Schedule, having regard to: (a) any relevant design criteria or conservation policy for a local heritage precinct or local historic landscape precinct, as identified in the relevant Local Provisions Schedule; and (b) the historic pattern of subdivision of the precinct.

P1 – There is no Acceptable Solution for this standard and the Performance Criteria must be assessed.

In regard to P1(a), there is no conservation policy or design criteria identified for the precinct within the Planning Scheme.

Regarding P1(b), the site, in its current configuration, is one of the larger allotments within the precinct and was originally approved as two lots before title records indicate it was subsequently consolidated. The proposed subdivision will create lots with street frontages and dimensions that are characteristic of other properties within the Best Street locality of the Precinct and is therefore considered consistent with the historic pattern of subdivision within the precinct. It is also noted that any future development of the proposed vacant lot will be subject to further assessment against the Local Historic Heritage Code.

C16.0 Safeguarding of Airports Code.

The site is mapped within the Airport Obstacle Limitation Area of 130 m AHD. However, the site is located at approximately 30m AHD and is not affected by the obstacle limitation provisions. The subdivision standards of this Code apply only to land within a mapped Airport Noise Exposure Area. As the site is not located within a mapped Airport Noise Exposure Area, the subdivision standards do not apply and no further assessment is required.

COMMUNITY ENGAGEMENT

On 19/05/2026, 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 Regulation 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 19/08/2026;

(b) Making a copy of the proposal available in Council Offices from the 19/08/2026;

(c) Notifying adjoining property owners by mail on 18/08/2026; and

(d) Erecting a Site Notice for display from the 18/08/2026.

The period for representations to be received by Council closed on 02/09/2026.

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 owner of the adjoining property to the east, being 103 Best Street. A copy of the representation is appended as **Attachment 2**.

In summary, the representation raises the following matters:

- Potential future amenity impacts, particularly loss of sunlight, that may arise from development on the proposed vacant lot; and
- Construction and engineering matters associated with any future building work near the common boundary.

Clause 6.10.1 of the Planning Scheme requires the Planning Authority to consider all representations received pursuant to section 57(5) of the Act. However, where discretion is exercised, representations can only be considered to the extent that they are relevant to the particular discretion under assessment.

In this instance, discretion is only invoked under the Local Historic Heritage Code in relation to subdivision within a Local Heritage Precinct. The matters raised in the representation relate primarily to potential future building development and associated construction impacts. These matters are not directly relevant to the discretion being exercised as part of the current subdivision application.

Furthermore, the application seeks approval for subdivision only. Any future development of the vacant lot would be subject to separate assessment under the applicable provisions of the Planning Scheme, including standards relating to setbacks, site coverage, private open space, overlooking, overshadowing and heritage, as relevant.

Accordingly, while the representation has been considered in accordance with clause 6.10.1 of the Planning Scheme, it is not considered to warrant changes to the proposed subdivision layout or to justify refusal of the application.

DISCUSSION

The application was referred to TasWater and Council's internal development review staff. Feedback received has been incorporated into the recommended permit conditions and advisory notes where appropriate. A copy of the TasWater Submission to Planning Authority Notice is appended as **Attachment 3.**

The *Local Government (Building and Miscellaneous Provisions) Act 1993* requires the provision of public open space, or alternatively a monetary contribution in lieu of land, as part of a subdivision. Council's *Public Open Space Contribution Policy* provides the framework for administering these statutory requirements, including the assessment of whether land should be taken, the valuation of land where a monetary contribution is proposed, and the calculation of the required contribution. As the provision of public open space is not warranted in this instance, a monetary contribution will be required in accordance with the Act and Council's Policy. Payment of the contribution is required prior to sealing of the final plan.

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 application achieves compliance with the Acceptable Solutions of the Planning Scheme relating to subdivision within the General Residential Zone. Discretion is invoked due to the site's location within the Ronald and Best Street Local Heritage Precinct. The proposal has been assessed against the relevant Performance Criteria of the Local Historic Heritage Code and is considered to satisfy those requirements. Accordingly, the application is considered to comply with the relevant provisions of the Planning Scheme and is recommended for approval.

ATTACHMENTS

1. Application PA2026.0070 - 105-107 Best Street [**4.1.1** - 19 pages]
2. Representation A Smith PA2026.0070 - 105-107 Best Street [**4.1.2** - 2 pages]
3. TasWater Submission to Planning Authority Notice PA2026.0070 - 105-107 Best Street [**4.1.3** - 3 pages]

4.2 PA2026.0113 - 132 BEST STREET, DEVONPORT - RESIDENTIAL (MULTIPLE DWELLINGS X 19)

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 PA2026.0113 and grant a Permit to use and develop land identified as 132 Best Street, Devonport for the following purposes:

- Residential (multiple dwellings x19)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as project no. 26.03 by CMK architects, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The ongoing use of the approved development must be operated by Homes Tasmania, or any successive government agency, for residents requiring subsidised or assisted housing.
3. A landscape plan showing a detailed design of the communal outdoor spaces as well as canopy trees and other planting, must be submitted and approved as an endorsed document forming part of this Planning Permit, prior to lodging any applications under the *Building Act 2016*. The location and species of canopy trees must consider the mature height as well as proximity to underground services and buildings.

ON-STREET CAR PARKING CHANGES

4. Prior to the commencement of any work on the site, the applicant must submit a fully dimensioned plan in accordance with *AS2890.5 - Parking Facilities: On-Street Parking*, prepared by a suitably qualified person to show:
   a. The location of the existing vehicle crossings on Best Street and Kempling Street and the current on-street car parking restrictions and marked bays,
   b. The location of the proposed new vehicle crossing in Kempling Street and all modifications to the on-street car parking bays to facilitate the new crossing location,
   c. The removal of the redundant vehicle crossing in Best Street and all modifications to the on-street car parking restrictions.
5. No work affecting the road reserves of Best Street or Kempling Street shall commence prior to the approval of the Plan by the Infrastructure Manager or their delegate and the issue of a Road Reserve Permit for such works.
6. All work within the road reserve is to be undertaken in accordance with the IPWEA-LGAT Tasmanian Standard Drawings and Specifications and must be completed prior to the occupation of the development.

ROAD RESERVE PERMIT REQUIRED

7. A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve, where such works include any installation, removal or alteration of a vehicle crossover, or proposed change to any stormwater infrastructure. An application for a Road Reserve Permit is to be made in

the approved manner and accompanied by all necessary documentation to detail the proposed scope of works.

VEHICULAR CROSSING WORKS - ROAD RESERVE PERMIT REQUIRED

8. Prior to the commencement of the use, a new vehicular crossing must be provided to service this development and all unused crossovers and driveways must be removed. An application for such work must be lodged on the approved form.

9. No work shall be undertaken to construct the new vehicular crossing or to remove the existing driveway outside the property boundary without the issue of a permit for such works.

10. All work must be in accordance with the Tasmanian Standard Drawings and Specifications for a commercial/industrial vehicular crossing using either KCR & B1 or KCRB & B1 with 200 thick concrete driveway apron as per TSD-R16 and shall be at the applicant's expense. The work must include all necessary alterations to other services including lowering/raising pit levels and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (e.g. TasWater, Telstra, and Aurora etc).

EROSION AND SEDIMENT CONTROL

11. The Developer is responsible for making good and/or cleaning any footpaths, road surfaces or other elements damaged or soiled during the construction activity. Erosion and sediment control measures are to be implemented and maintained during the development to minimise downstream sediment transfer, particularly with respect to the stormwater pits, inlets, and the disturbed ground, to the satisfaction of Council. All reinstatement shall be completed prior to final completion unless otherwise directed by Council.

ON SITE STORMWATER DETENTION

12. Stormwater discharge from the proposed development is to be detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 5% annual exceedance probability (AEP) storm event and for a suitable range of storm durations to identify peak discharge flows. The design is to limit the rate of stormwater discharge from the proposed development to be equivalent to the discharge rate if 50% of the development site was impervious. There is to be no uncontrolled overland flow discharge from the proposed development to any of the adjoining properties, for any storm events up to and including 1% AEP.

13. All design calculations and drawings are to be submitted for approval by the Infrastructure Manager prior to lodgement of any subsequent applications made under the *Building Act 2016*.

14. 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 connection shall be specified by a suitably qualified hydraulic engineer.

CAR PARKING CONSTRUCTION

15. Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must be:
    a. Properly constructed to such levels that they can be used in accordance with the plans;
    b. Surfaced with an impervious all-weather seal;
    c. Adequately drained to prevent stormwater being discharged to neighbouring property;
    d. Line-marked or otherwise delineated to indicate each car space and access

lanes.

16. Parking areas and access lanes must be kept available for these purposes at all times and maintained for the life of the development.

WASTE AND RECYCLING COLLECTION

17. Council waste collection is not available for this development. The collection of waste and recycling from the site shall be undertaken by a private contractor using a Medium Rigid Vehicle (8.8 metres in length). The vehicle must reverse into the property at the Kempling Street entrance and exit in a forward direction.

18. Waste and recycling collection must not be within 8:00am – 9:30am and 2:30pm – 4:00pm during school days.

DAMAGE TO COUNCIL INFRASTRUCTURE AND ASSETS

19. The developer is liable for all costs associated with the repair of damage to Council infrastructure and assets resulting from non-compliance with the conditions of the Planning Permit or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer may also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

TASWATER

20. 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.

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*.

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

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 developer is to ensure that all stormwater run-off is managed in accordance with the recommendations contained in the document, Erosion and Sediment Control - The fundamentals for development in Tasmania (https://www.derwentestuary.org.au)

Addressing for the development per AS4819:2011 standard shall be:

Ground Floor:

Unit 3 - G01/132 Best Street, Devonport

Unit 1 - G02/132 Best Street, Devonport

Unit 2 - G03/132 Best Street, Devonport

1st Floor:

Unit 4 - 101/132 Best Street, Devonport

Unit 5 - 102/132 Best Street, Devonport

Unit 6 - 103/132 Best Street, Devonport

Unit 7 - 104/132 Best Street, Devonport

Unit 8 - 105/132 Best Street, Devonport

Unit 9 - 106/132 Best Street, Devonport

Unit 10 - 107/132 Best Street, Devonport

Unit 11 - 108/132 Best Street, Devonport

2nd Floor:

Unit 12 - 201/132 Best Street, Devonport

Unit 13 - 202/132 Best Street, Devonport

Unit 14 - 203/132 Best Street, Devonport

Unit 15 - 204/132 Best Street, Devonport

Unit 16 - 205/132 Best Street, Devonport

Unit 17 - 206/132 Best Street, Devonport

Unit 18 - 207/132 Best Street, Devonport

Unit 19 - 208/132 Best Street, Devonport

In regard to condition 20 the applicant/developer should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 4 – 19 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

Enquiries regarding other conditions or 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 PA2026.0113.

BACKGROUND

Planning Instrument:	*Tasmanian Planning Scheme – Devonport 2020*
Address:	132 Best Street, Devonport
Applicant:	CMK Architects
Owner:	Homes Tasmania
Proposal:	Residential (multiple dwellings x19)
Existing Use:	Vehicle Parking
Zoning:	General Residential

Decision Due:	24/09/2026, extension granted to 28/09/2026

SITE DESCRIPTION

The subject site comprises a vacant 1373m^2 lot on the north-western corner of Best and Kempling streets. The lot has existing vehicular access on the eastern side along Kempling Street. The subject site has previously operated as a private car park for Devonport High School, it has been unused for several years. Properties adjoining the north and west boundaries comprise established residential development with further residential development surrounding. The land adjacent to the east of the subject site comprises established business and retail of the Fourways. Devonport High School is located on the southern side of Best Street. The subject site and surrounding area are illustrated in Figure 1, while Figure 2 shows the current certificate of title folio plan.



Figure 1 – Aerial view (DCC GIS)

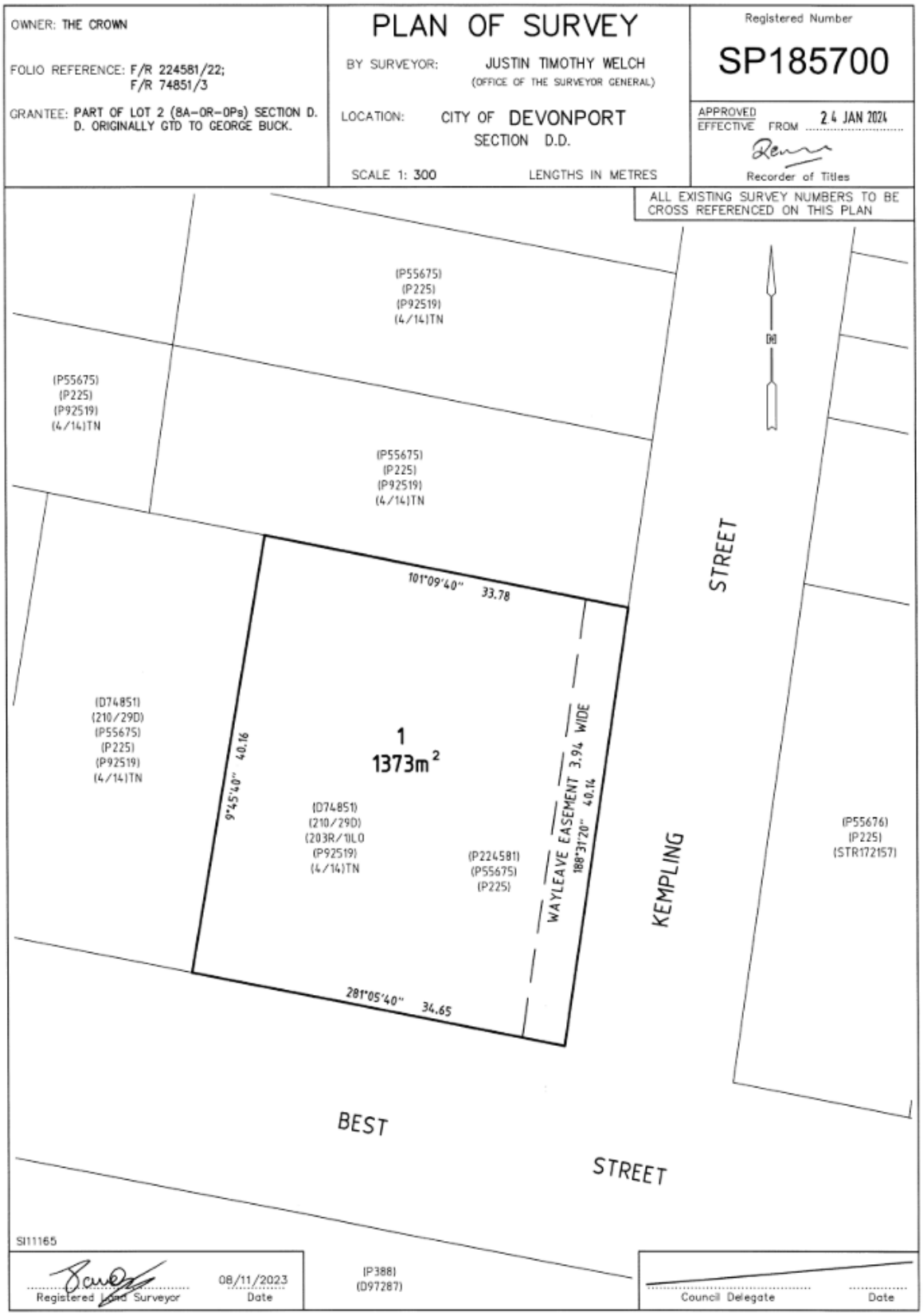


Figure 2 – Current folio plan

APPLICATION DETAILS

The applicant is seeking to construct a three-storey apartment style building comprising 19 two-bedroom dwellings. The proposed development will maintain vehicular access from Kempling Street with 8 car parking spaces located towards the northern part of the

site. The proposed design will have two main buildings with a covered breezeway link in the middle. Storage, waste collection and communal garden space will be located at ground level as well as three of the dwellings. The first and second floor each have 8 dwellings with access to the internal lift and staircases. The proposed development is illustrated in Figures 3 – 7 while the whole application is appended as **Attachment 1**.

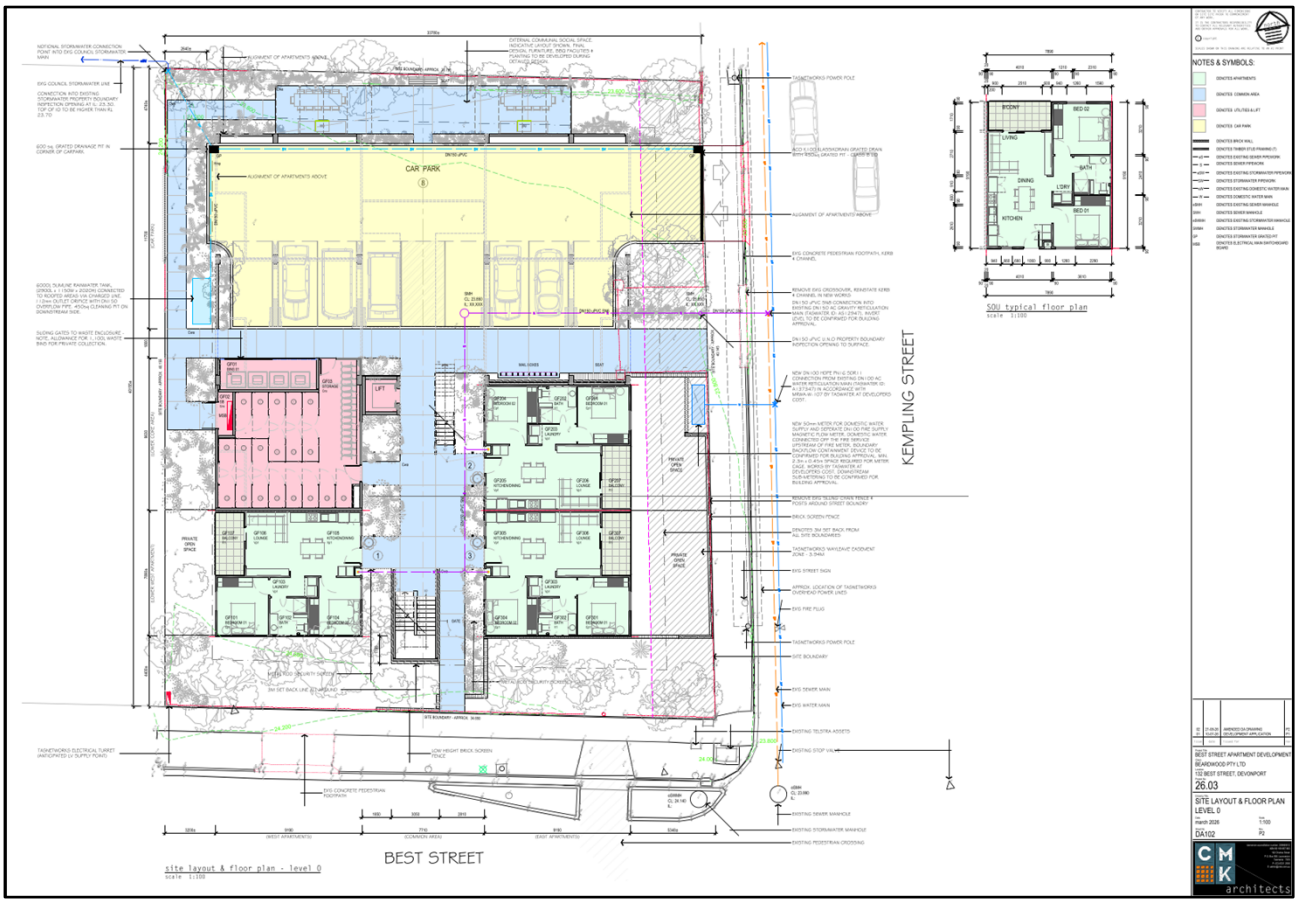


Figure 3 – Site plan and ground floor plan

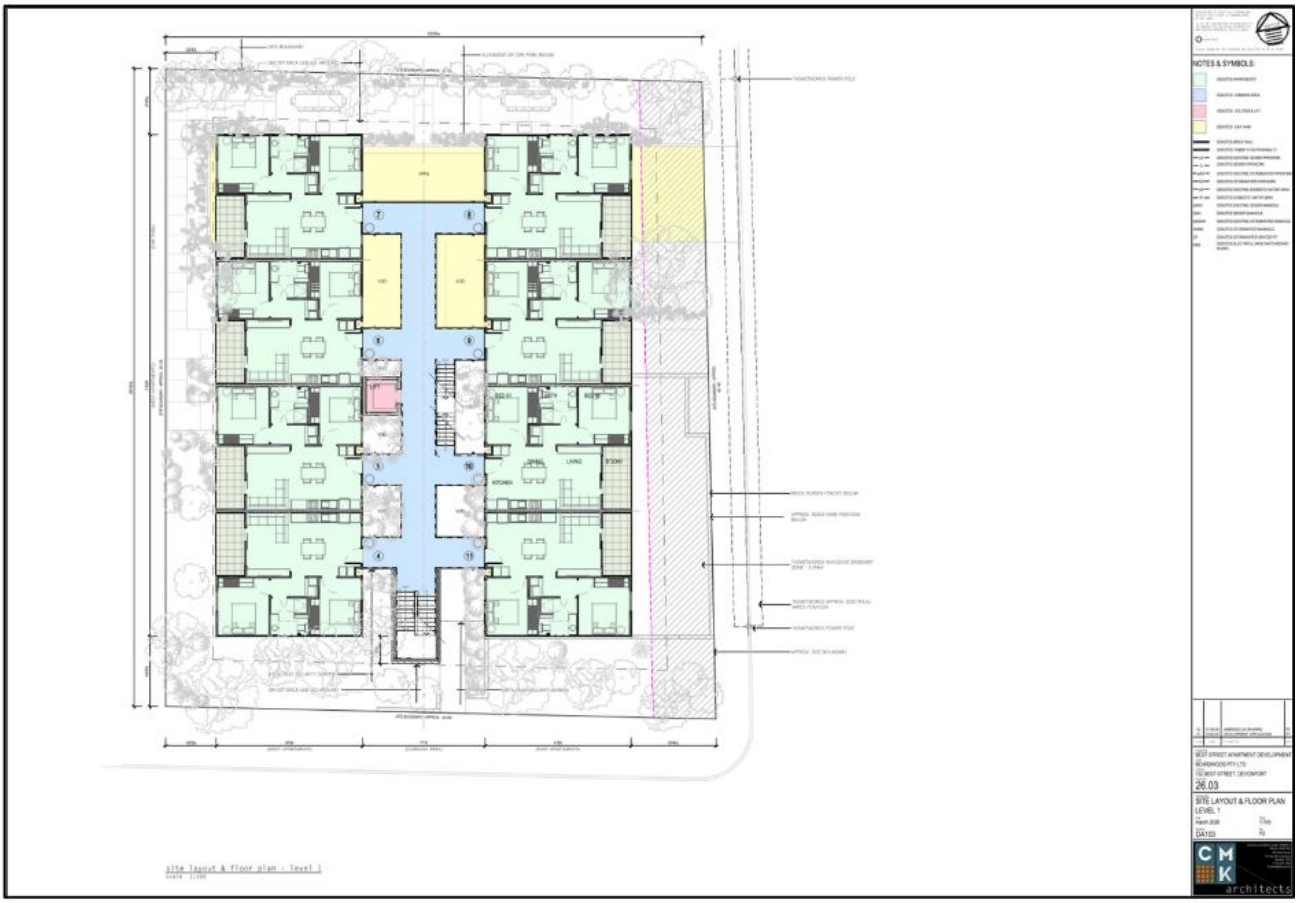


Figure 4 – First floor plan



Figure 5 - Second floor plan



Figure 6 – Elevations: 1 of 2



Figure 7 - Elevations: 2 of 2

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.

8.4.1 Residential density for multiple dwellings

Objective:	That the density of multiple dwellings: (a) makes efficient use of land for housing; and (b) optimises the use of infrastructure and community services.

Acceptable Solutions	**Performance Criteria**
A1 Multiple dwellings must have a site area per dwelling of not less than 325m^2.	**P1** Multiple dwellings must only have a site area per dwelling that is less than 325m^2, if the development will not exceed the capacity of infrastructure services and: (a) is compatible with the density of existing development on established properties in the area; or (b) provides for a significant social or community benefit and is: (i) wholly or partly within 400m walking distance of a public transport stop; or (ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.

P1 – the subject site has an area of 1373m^2 while the proposed development for 19 dwellings results in a site area per dwelling of 72m^2.

Information provided by the applicant has been reviewed by Council's infrastructure team and external stakeholders, TasWater and TasNetworks confirming that subject to

standard conditions, the proposal can be serviced by existing infrastructure capacity. TasWater's Submission to Planning Authority Notice is appended as **Attachment 2.**

The proposed development is to be constructed and operated by Homes Tasmania, the public housing provider. The site has been selected for its proximity to services contained within the Local Business, Central Business and Urban Mixed Use zones, which are within 400m of the subject site, as illustrated in Figure 8. The subject site is also within 400m of several bus stops within Kinetic bus routes as indicated in Figure 9. A condition of the planning permit will ensure that the property is managed by a public housing provider for residents requiring subsidised or assisted housing that will benefit from proximity to the local services.

The proposal satisfies the performance criteria of part P1 (b).



Figure 8 – Zone map (LIST)



Figure 9 – Bus route and stops (LIST)

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**
A1 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: (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; (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; (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 (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.	**P1** A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.
A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than: (a) 5.5m, or alternatively 1m behind the building line;	**P2** 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.

(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (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.	
A3 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: (a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: (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 (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 (b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).	**P3** The siting and scale of a dwelling must: (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to: (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property; (ii) overshadowing the private open space of a dwelling on an adjoining property; (iii) overshadowing of an adjoining vacant property; and (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; (b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and (c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on: (i) an adjoining property; or (ii) another dwelling on the same site.

P1 – the proposed development generally complies with the primary and secondary frontage setbacks, the exception being the stairway shaft protruding the 4.5m setback along Best Street. The protrusion represents approximately 1.5m encroachment for a width of 3m.

The nominal protrusion into the primary frontage setback is considered compatible with the surrounding streetscape, having regard to the setback at 140 Best Street, the prevailing residential setbacks along Kempling Street, and the nil setback established by the adjoining business and retail properties to the north and east.

The performance criteria of P1 is satisfied.

There is no garage or carport, A2/P2 do not apply to the proposed development.

P3 – the proposed development is setback more than 1.5m from the side boundaries, however the height of the dwellings exceeds the building envelope as illustrated in the elevations at Figures 6 and 7.

The setbacks provided combined with the orientation of the subject site ensures that overshadowing of any adjoining properties habitable rooms and private open space will be minimal. The impacts of overshadowing are indicated in Figure 10.

The proposed development provides at least 3m setback from the side boundaries, which exceeds the setbacks of existing buildings within the surrounding established residential development. The setback of the proposed development provides a suitable balance in separation for the higher building height.

There are no existing solar energy installations that will be impacted by the proposed development. P1 (c) is not applicable.

The proposed development satisfies the performance criteria P1 (a) and (b).

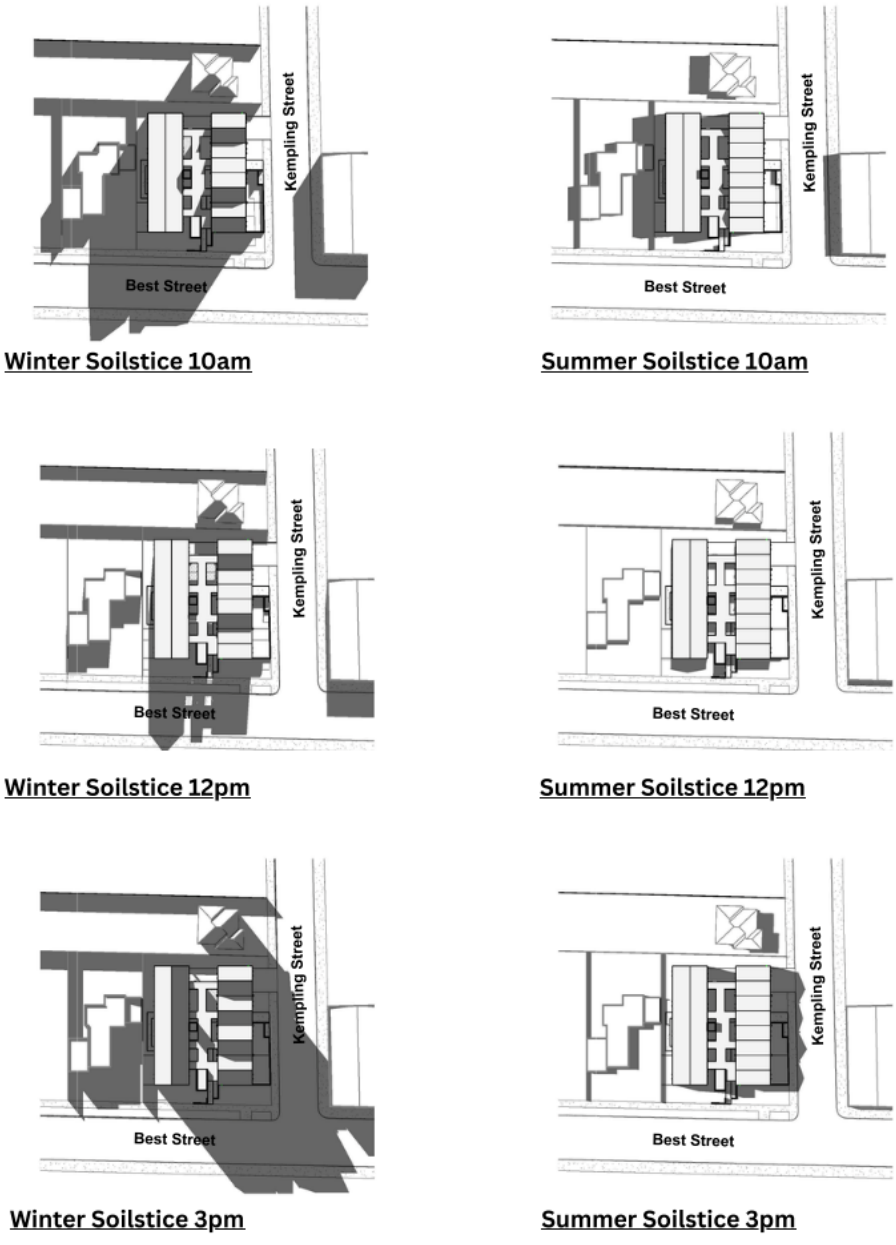


Figure 10 – Overshadowing diagram (CMK Architects)

8.4.3 Site coverage and private open space for all dwellings

Objective:	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.

Acceptable Solutions	**Performance Criteria**
A1 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^2 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).	**P1** 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 into account any common open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (c) reasonable space for the planting of gardens and landscaping.
A2 A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m^2; or (ii) 12m^2, 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); (b) has a minimum horizontal dimension of not less than: (i) 4m; or (ii) 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	**P2** 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: (a) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight.

(excluding a garage, carport or entry foyer); (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 (d) has a gradient not steeper than 1 in 10.	

P1 – the proposed development has a site cover of 53% and the three dwellings on the ground floor have private open space less than 60m^2.

The proposed development has site cover that is similar, if not less than established examples of multiple dwelling development in the surrounding residential area. The site cover is much less than the business and retail development established to the north and east of the subject site.

The private open space area for the three ground floor units provides 32-46m^2 of accessible garden area off the living space for each dwelling. The space provided will adequately meet the recreation and utility needs of a two-bedroom dwelling, while the common open space areas located along the northern boundary provide additional outdoor space for ground-floor residents.

The proposed development has ample space within the shared common areas along Best Street and to the side boundaries for landscaping which includes canopy trees. A condition of the planning permit will require a landscape plan showing a detailed design of the communal outdoor spaces as well as canopy tree and other plantings.

The performance criteria P1(a), (b) and (c) are satisfied.

P2 – the first and second floor dwellings are all provided with an east or west facing balcony being 4m by 1.8m.

The location of the balcony allows for a genuine extension to the living area and is suitably sized for a two-bedroom dwelling. The development allows for both direct and passive solar access throughout the day.

The proposed development satisfies the performance criteria of P2 (a) and (b).

8.4.4 Sunlight to private open space of multiple dwellings

Objective:	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**
A1 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 (see Figure 8.4): (i) at a distance of 3m from the northern edge of the private	**P1** A multiple dwelling must be designed and sited to not cause an 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.

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 21st 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.	

The proposed development does not have separate dwellings located in a manner that this clause applies.

8.4.5 Width of openings for garages and carports for all dwellings

Objective:	To reduce the potential for garage or carport openings to dominate the primary frontage.
Acceptable Solutions	**Performance Criteria**
A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	**P1** A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.

The proposed development does not include a garage or carport. This clause does not apply.

8.4.6 Privacy for all dwellings

Objective:	To provide a reasonable opportunity for privacy for dwellings.
Acceptable Solutions	**Performance Criteria**
A1 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 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	**P1** 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 than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of:

sides facing a: (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; (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 (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.	(a) a dwelling on an adjoining property or its private open space; or (b) another dwelling on the same site or its private open space.
A2 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): (a) the window or glazed door: (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (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 (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. (b) the window or glazed door: (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; (ii) is to have a sill height of not less 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 (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	**P2** 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: (a) a window or glazed door, to a habitable room of another dwelling; and (b) the private open space of another dwelling.

than 1.7m above floor level, with a uniform transparency of not more than 25%.	
A3 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 (a) 2.5m; or (b) 1m if: (i) it is separated by a screen of not less than 1.7m in height; or (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.	**P3** 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.

A1 – the proposed development has a setback of 3m or more from the north and west side boundaries. The balconies satisfy the acceptable solution.

A2 – the proposed development has a setback of 3m or more from the north and west side boundaries. The windows satisfy the acceptable solution.

The proposed development does not have any windows within 2.5m of the vehicle accessway and carparking, A3/P3 do not apply.

8.4.7 Frontage fences for all dwellings

Objective:	The height and transparency of frontage fences: (a) provides adequate privacy and security for residents; (b) allows the potential for mutual passive surveillance between the road and the dwelling; and (c) is reasonably consistent with that on adjoining properties.

Acceptable Solutions	**Performance Criteria**
A1 No Acceptable Solution.* *An exemption applies for fences in this zone - see Table 4.6	**P1** A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must: (a) provide for security and privacy while allowing for passive surveillance of the road; and (b) be compatible with the height and transparency of fences in the street, having regard to: (i) the topography of the site; and (ii) traffic volumes on the adjoining road.

P1 – sections of proposed front fence have been nominated as solid brick with a maximum height of 1.5m, which exceeds the exemption.

The main fencing provided is designed to meet the exemption requirements, with only small sections being 0.3m higher which will still ensure surveillance can occur without impacting security.

There is no consistent fencing style in the street, however the proposed fencing provides similar or more open style treatment than the existing fencing of neighbouring properties.

The proposed fencing satisfies the performance criteria P1 (a) and (b).

8.4.8 Waste storage for multiple dwellings

Objective:	To provide for the storage of waste and recycling bins for multiple dwellings.
Acceptable Solutions	**Performance Criteria**
A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m^2 per dwelling and is within one of the following locations: (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (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.	**P1** A multiple dwelling must have storage for waste and recycling bins that is: (a) capable of storing the number of bins required for the site; (b) screened from the frontage and any dwellings; and (c) if the storage area is a common storage area, separated from any dwellings to minimise impacts caused by odours and noise.

P1 – the proposed development nominates a common shared area for waste storage which is more than 4.5m from the frontage setback and more than 5.5m from dwellings.

The proposed waste storage area is sized and located to be screened from any views as well as any potential for odour. The performance criteria P1 (a), (b) and (c) are satisfied.

The proposed development provides 8 vehicle parking spaces on site. The applicable discretions under the Parking and Sustainable Transport code are discussed below.

C2.0 Parking and Sustainable Transport Code

The purpose of the Parking and Sustainable Transport Code is:

C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.

C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.

C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.

C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.

C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.

C2.1.6 To provide for parking precincts and pedestrian priority streets.

C2.5.1 Car parking numbers

Objectives:	That an appropriate level of car parking spaces are provided to meet the needs of the use.

Acceptable Solutions	**Performance Criteria**
A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: (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; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: (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 (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: N = A + (C- B) N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking	**P1.1** The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to: (a) the availability of off-street public car parking spaces within reasonable walking distance of the site; (b) the ability of multiple users to share spaces because of: i. variations in car parking demand over time; or ii. efficiencies gained by consolidation of car parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) the availability and frequency of other transport alternatives; (e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; (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; (g) the effect on streetscape; and (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. **P1.2** The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:

spaces required for the existing use or development specified in Table C2.1 C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.	(a) the nature and intensity of the use and car parking required; (b) the size of the dwelling and the number of bedrooms; and (c) the pattern of parking in the surrounding area.

P1.1 – the proposal is for 19 two-bedroom dwellings with 8 car parking spaces provided on site.

The proposed development is being constructed for Homes Tasmania, the public housing provider. The site has been selected due to its proximity to numerous services as well as business and retail, and public transport, to provide easy access for residents that do not own a vehicle. The provider will manage the tenants within the dwellings and ensure that people requiring accommodation within a walkable distance to services are allocated a suitable home. There is metered and timed parking on-street parking as well as the Kempling Street public car park within 200m of the subject site to provide parking for any visitors to the site. The size of the dwellings are considered reasonably compact which further ensures that the number of persons accessing the site on a regular basis are limited.

For these reasons it is considered that the number of car parking spaces provided on-site will meet the needs of the future tenants and will be appropriately managed by the public provider. A condition of the planning permit will ensure that the property is managed by a public housing provider for residents requiring subsidised or assisted housing that will benefit from proximity to the local services.

The proposal meets the performance criteria of P1.1 (a), (b) and (c).

COMMUNITY ENGAGEMENT

On 22/07/2026, 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 Regulation 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 05/09/2026;

(b) Making a copy of the proposal available in Council Offices from the 05/09/2026;

(c) Notifying adjoining property owners by mail on 03/09/2026; and

(d) Erecting a Site Notice for display from the 05/09/2026.

The period for representations to be received by Council closed on 21/09/2026.

REPRESENTATIONS

Fourteen (14) representations were received within the prescribed 14 day public scrutiny period required by the *Land Use Planning and Approvals Act 1993*. Copies of the representations are appended as **Attachment 3.** Most submissions object to the proposal in its current form, while one architectural submission generally supports the development subject to design improvements. The main points of objection are identified below, with planning officer comments included.

Parking Provision

- 8 car spaces for 19 dwellings is inadequate.
- Visitor parking has not been properly addressed.

- Overflow parking will intensify existing congestion.
- Assumptions that social housing residents have low vehicle ownership are unrealistic in regional Tasmania.

The reduction in parking requirement has been addressed in the Traffic Impact Assessment, prepared by a qualified traffic engineer and reviewed by Council's Infrastructure team. The site is well suited to low vehicle ownership due to its proximity to business and retail services, as well as public transport. The planning scheme provides criteria to assess the reduction of the required rate based upon individual circumstances.

As the property is being developed with specific residents in mind, and with the understanding the public housing provider will continue to manage the site in such a manner, a condition on the planning permit to ensure that ongoing management of this development will be for the original intent.

Building Height and Neighbourhood Character

- The building being out of character with surrounding housing.
- Loss of residential amenity.
- Visual dominance over neighbouring properties.
- Fears of setting a precedent for higher-density development nearby.

The site is located on the periphery of the business and retail precinct of the Fourways, where built form is constant. Both adjoining and nearby residential development displays existing double storey and multiple dwelling development of various densities. The development is residential which provides a considered buffer to adjoining properties accommodating for amenity and visual impacts. Any application for a planning permit must consider all the relevant planning scheme controls, precedent is not automatically applied based upon what might exist nearby.

Privacy and Overshadowing

- Loss of natural light.
- Overshadowing of homes and gardens.
- Direct overlooking from upper-floor windows and balconies.
- Reduced enjoyment and value of surrounding properties.

Privacy and overshadowing controls have been discussed earlier in this report. The development meets the relevant acceptable solutions under the design standards. There are no discretionary matters for consideration in this instance.

Traffic and Safety Impacts

- Increased vehicle movements.
- Congestion around Fourways and local streets.
- Risks to schoolchildren near the pedestrian crossing at Devonport High School.
- Concerns about waste trucks and service vehicles accessing the site.

The site has previously operated as a car park for staff of Devonport High School which would have generated a reasonable volume of traffic during the school year. The development will provide 8 on-site parking spaces, which will not result in any significant impact for vehicles accessing the site. Visitors to the site will have the same opportunity for parking that those visiting the area for business and retail. A condition on the planning permit addresses the concern regarding school pedestrian activity and large waste collection vehicles.

Density and Suitability of the Development

- Too many dwellings on a relatively small site.
- Limited outdoor recreation space.
- Lack of green space and communal areas.
- Concerns about suitability for families, elderly residents and people with disabilities.
- Preference for lower-density townhouses or courtyard-style housing.

As previously stated in this report, the site has been selected due to its proximity to business, retail, other services and public transport, which make it accessible for persons unlikely to own a vehicle. The dwellings are smaller and more suitable for small households. The private and communal outdoor space provided is considered commensurate to the size of the dwellings. A condition on the planning permit requires a separate landscape plan showing the details of the communal outdoor spaces and includes planting schedule with canopy trees.

DISCUSSION

When determining an application for a planning permit the permit 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 proposal addresses these matters for significant social benefits.

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 for any decision Council makes 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 application satisfies the relevant acceptable solutions and performance criteria under the Tasmanian Planning Scheme – Devonport 2020 and a permit can be issued, subject to conditions.

ATTACHMENTS

1. Application PA2026.0113 - 132 Best Street [**4.2.1** - 91 pages]
2. TasWater Submission to Planning Authority Notice PA2026.0113 - 132 Best Street [**4.2.2** - 3 pages]
3. All representations PA2026.0113 - 132 Best Street [**4.2.3** - 45 pages]

4.3 PA2026.0117 - 64 DON ROAD, DEVONPORT - DEMOLITION AND NEW GENERAL RETAIL AND HIRE (BOTTLE SHOP)

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 PA2026.0117 and grant a Permit to use and develop land identified as 64 Don Road, Devonport for the following purposes:

- Demolition and new General Retail and Hire (bottle shop)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as: Retail Development at Don Rd, Project No. 26-05, Drawing no. DA – A.00 – DA – A.04, dated 15/7/2026 by Meraki Creative Studio and Services, Drawing No 26543-01, dated JUN26 by Poortenaar Consulting, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. Permitted hours of operation are 8.00am to 9.00pm 7 days per week, including public holidays.
3. Mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places;
4. Air extraction, pumping, refrigeration systems or compressors must be separated by a distance of not less than 10m from the General Residential Zone.
5. Security lighting must be baffled so that direct light does not extend into the adjoining properties in the General Residential zone.
6. All mobile plant, including forklifts, must be fitted with broad-band reverse beacons in place of tonal reverse beacons.
7. Doorbells and telephones must not be audible from any property located in the General Residential zone.
8. The applicant must seek approval from Council's Environmental Health Department before any works commence. As part of this the Building Surveyor is to submit a Form 42 and its associated paperwork (including proposed menu type) as part of the Building and Plumbing application process.
9. The developer is to ensure that food preparation and food storage areas comply with the National Construction Code of Australia Tas Part I4 Food Premises and AS4676:2004 Design, Construction and Fit-out of a Food Premises.

ON-SITE DETENTION STORAGE

10. An on-site stormwater detention system is required to be designed, installed and maintained for the life of the proposed development.
11. Stormwater discharge from the proposed development is to be designed and detailed by a suitably qualified hydraulic engineer, for all storm events up to and including a 5% Annual Exceedance Probability (AEP), and for a suitable range of

storm durations to identify peak discharge flows. The design must limit stormwater discharge from the proposed development 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 any the storm events up to and including 1% AEP.

12. The design must incorporate all necessary features to ensure the system can be effectively maintained for the life of the development and shall consider matters such as access, cleaning and resistance to tampering.

13. All design drawings and calculations are to be submitted for approval by the Infrastructure Manager prior to lodgement of any subsequent applications made under the *Building Act 2016*.

14. On completion, an 'as constructed' plan is to be submitted to the Infrastructure Manager, complete with levels and certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

ROAD RESERVE PERMIT REQUIRED

15. A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve, where such works include any installation, removal or alteration of a vehicle crossover, or proposed change to any stormwater infrastructure. An application for a Road Reserve Permit is to be made in the approved manner and accompanied by all necessary documentation to detail the proposed scope of works.

VEHICULAR CROSSING REQUIRED

16. Prior to the commencement of the use, a new vehicular crossing must be constructed in accordance with Tasmanian Standard Drawing, TSD-R16, using either type KCR & B1 or KCRB & B1 details up to the property boundary.

17. No work shall be undertaken to construct the new vehicular crossing or to remove the existing driveway outside the property boundary without the issue of a permit for such works.

CAR PARKING CONSTRUCTION

18. Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must be constructed in accordance with the AS2890 series and be:

    a. Properly constructed to such levels that they can be used in accordance with the plans;

    b. Surfaced with an impervious all weather seal;

    c. Adequately drained to prevent stormwater being discharged to neighbouring properties; and

    d. Line-marked or otherwise delineated to indicate each car space and access lanes.

DAMAGE TO COUNCIL INFRASTRUCTURE AND ASSETS

19. The developer is responsible for all costs associated with the repair of damage to Council infrastructure and assets resulting from non-compliance with the conditions of the Planning Permit or legislation relevant to the development activity on the site.

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 Demolition/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*.

Any future signage will require assessment by Council's Planning Department.

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 developer is to ensure that all stormwater run-off is managed in accordance with the recommendations contained in the document, Erosion and Sediment Control - The fundamentals for development in Tasmania - refer to the following link https://www.derwentestuary.org.au/assets/Best_practice_erosion_and_sediment_control_book.pdf

In regard to conditions 10-19 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 PA2026.0117.

BACKGROUND

Planning Instrument:	*Tasmanian Planning Scheme – Devonport 2020*
Address:	64 Don Road, Devonport
Applicant:	Ireneinc Planning & Urban Design
Owner:	C & M Kelly Holdings Pty Ltd
Proposal:	Demolition and new General Retail and Hire (bottle shop)
Existing Use:	Service Industry
Zoning:	Commercial
Decision Due:	27/09/2026 – extension granted to 28/09/2026

SITE DESCRIPTION

The site is located on the northern side of Don Road, approximately 80m from the Watkinson Street intersection. The site has an area of 885m^2 and contains an existing mechanical workshop (Service Industry) with 2 car parking spaces. The site is located in an established commercial area containing a range of uses, which is adjoined by established residential lots to the north. Service Industries are located to the east and west of the subject site. Figure 1 shows an aerial view of the subject site and surrounding area.



Figure 1 - aerial view of the subject site and surrounding area (Source: DCC)

APPLICATION DETAILS

The applicant is seeking approval for a bottle shop. It is proposed to demolish the existing building and construct a purpose-built retail building. The building will have a setback of 18.40m to the frontage and 1.87m to the rear boundary. It will be built to both side boundaries and have an overall height of 6m. Twelve parking spaces are proposed, along with one bike park. Figures 2-4 show the proposal plans. The application is appended as **Attachment 1**.

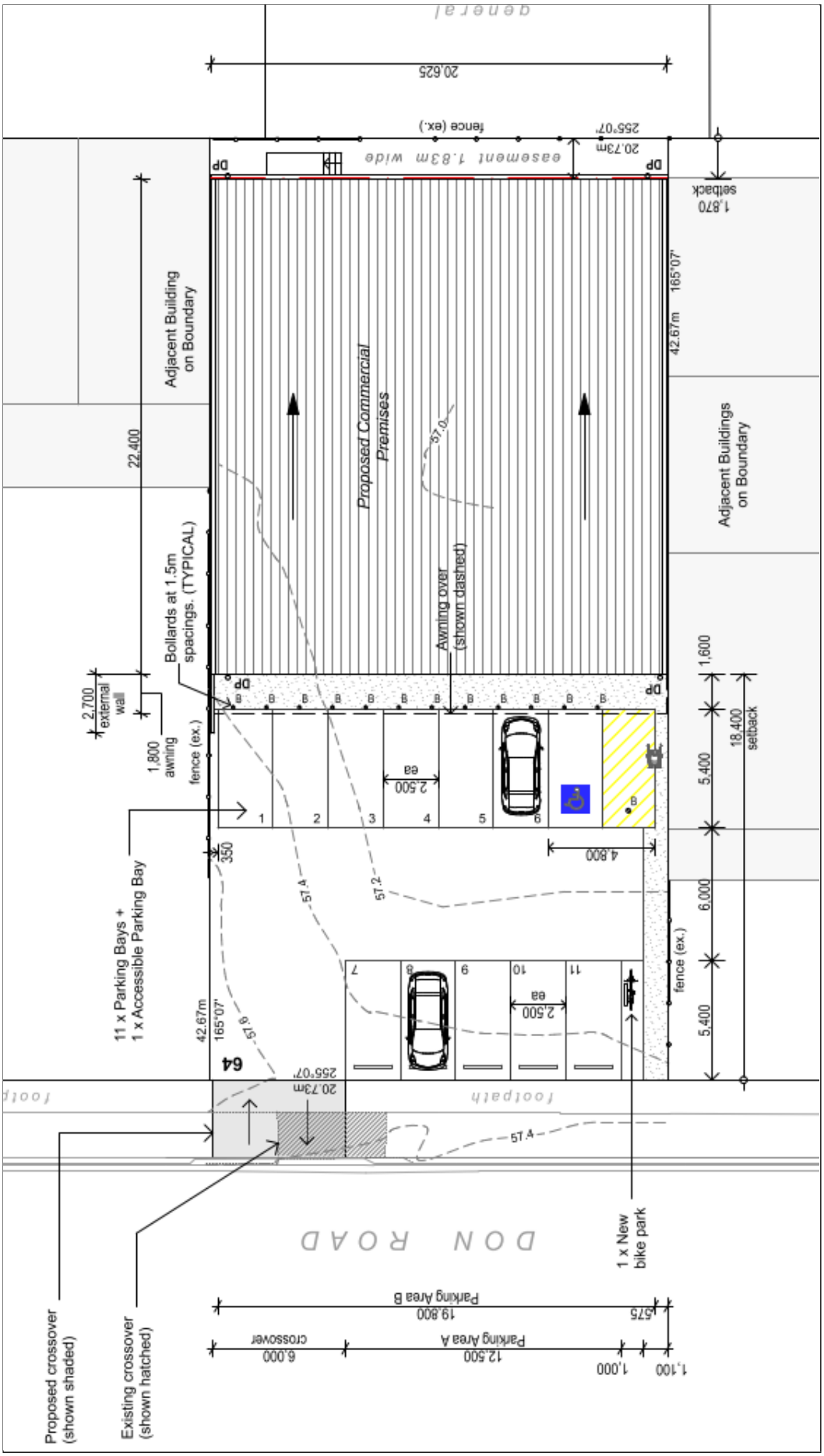


Figure 2 - Site plan (Source: Applicant)

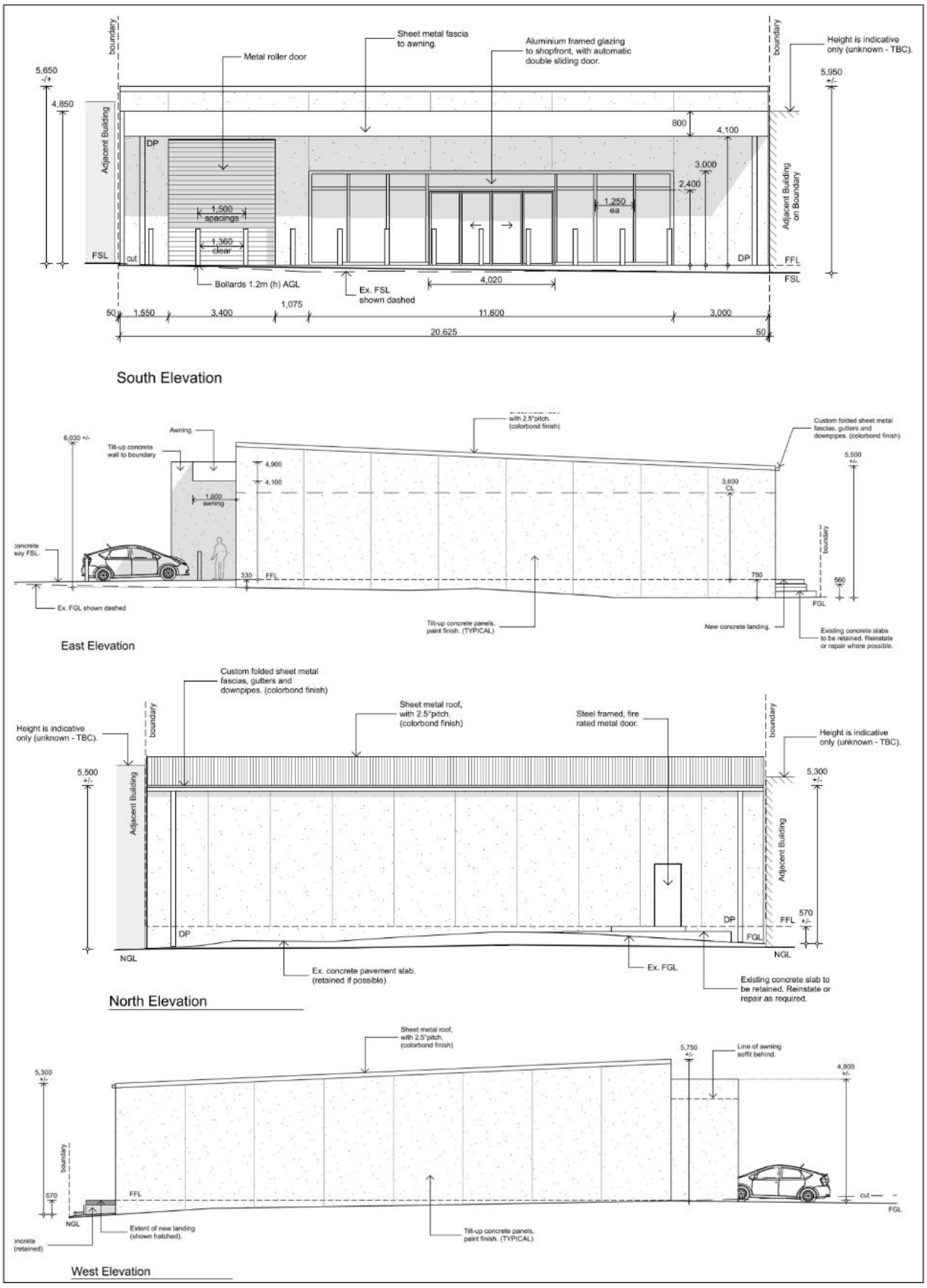


Figure 3 – Elevations (Source: Applicant)

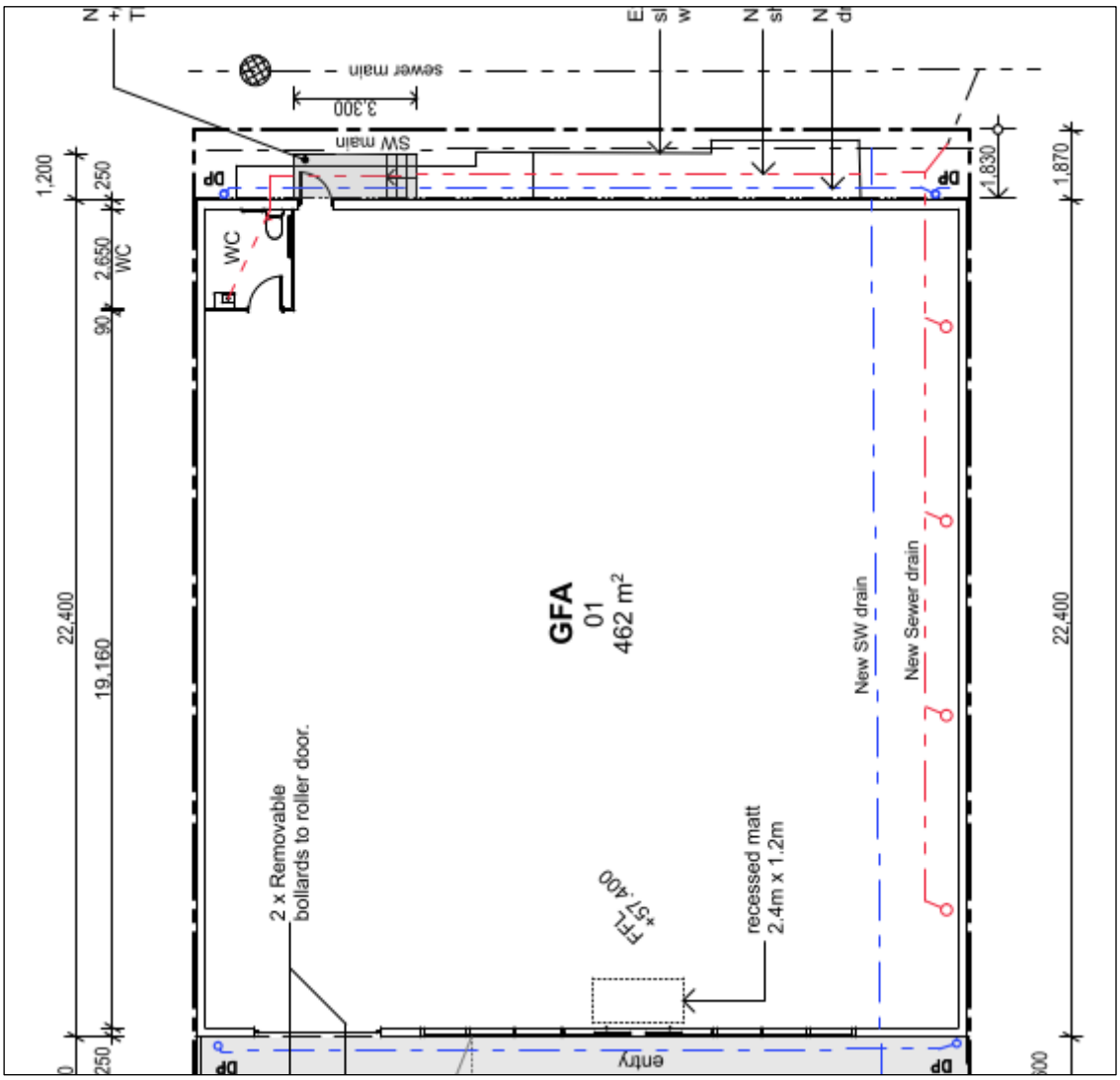


Figure 4 - Floor plan (Source: Applicant)

PLANNING ISSUES

The land is zoned Commercial under the *Tasmanian Planning Scheme – Devonport, 2020*. The intent of the zone is:

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

(a) large floor or outdoor areas for the sale of goods or operational requirements; and

(b) high levels of vehicle access and parking for customers.

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

A bottle shop, which is classified as General Retail and Hire, is a discretionary use in the zone. The proposal must be assessed against the applicable sections of the zone and any applicable codes. These clauses have been reproduced below, followed by assessment.

17.0 Commercial Zone

17.3.1 All uses

Objective: That uses do not cause an unreasonable loss of residential amenity to residential zones.	
Acceptable Solutions	**Performance Criteria**
A1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.	**P1** Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: (a) the timing, duration or extent of vehicle movements; and (b) noise, lighting or other emissions.
A2 External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must: (a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and (b) if for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones.	**P2** External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: (a) the level of illumination and duration of lighting; and (b) the distance to habitable rooms of an adjacent dwelling.
A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.	**P3** Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: (a) the time and duration of commercial vehicle movements; (b) the number and frequency of commercial vehicle movements; (c) the size of commercial vehicles involved;

	(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise; (e) any noise mitigation measures between the vehicle movement areas and the adjoining residential area; and (f) potential conflicts with other traffic.

Assessment – A1 – The proposed hours of operation are 8.00am to 9.00pm, 7 days a week. The acceptable solution is met.

A2 – There will be no external lighting outside of operating hours, except for security lighting which will be baffled. The acceptable solution is met.

A3 – Commercial vehicle movements will take place within the proposed operating hours. The acceptable solution is met.

17.3.2 Discretionary uses

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

Assessment – P1 - The proposed use will not compromise or distort the activity centre hierarchy. The zone allows for General Retail and Hire, with the Don Road area providing for a range of uses including a number of retail offerings, food services and service industry uses. This has been the case for well over 50 years, with the zoning changing from Light Industrial to Semi Residential then Commercial over time.

As stated in the application, *"The Cradle Coast Regional Land Use Strategy identifies Devonport as one of the regions Regional Activity Centres, which are to provide "services and facilities which deliver for needs of the local community together with a wider regional or subregional catchment." (CCRLUS pg. 69)."*

The size and scale of the proposed use is in keeping with the area which primarily consists of relatively small lots in terms of the Commercial zone, resulting in a greater variety of uses.

The performance criteria are satisfied.

17.3.3 Retail impact

Objective: That Bulky Goods Sales do not compromise or distort the activity centre hierarchy.	
Acceptable Solutions	**Performance Criteria**
A1 The gross floor area for Bulky Goods Sales must be not less than 250m² per tenancy, unless the use relies on more than 50% of the site area for outdoor display of goods for sale.	**P1** Bulky Goods Sales must not compromise or distort the activity centre hierarchy, having regard to: (a) the extent that the proposed use improves and broadens the commercial or retail choice within the area; (b) the extent that the proposed use impacts on surrounding activity centres; and (c) any relevant local area objectives contained within the relevant Local Provisions Schedule.

Assessment – Not applicable - the proposal is not for Bulky Goods Sales.

17.4 Development Standards for Buildings and Works

17.4.1 Building height

Objective: That building height: (a) is compatible with the streetscape; and (b) does not cause an unreasonable loss of amenity to adjoining residential zones.	
Acceptable Solutions	**Performance Criteria**
A1 Building height must be not more than 12m.	**P1** Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: (a) the topography of the site; (b) the height, bulk and form of existing building on the site and adjacent properties; (c) the bulk and form of proposed buildings; (d) the apparent height when viewed from the adjoining road and public places; and (e) any overshadowing of public places.
A2 Building height:	**P2** Building height within 10m of a General

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

Assessment – A1 – The maximum height of the proposed building is 6m. The acceptable solution is met.

A2 – The building is within 10m of a General Residential Zone and is less than 8.5m in height. The acceptable solution is met.

17.4.2 Setbacks

Objective: That building setback: (a) is compatible with the streetscape; and (b) does not cause an unreasonable loss of amenity to adjoining residential zones.	
Acceptable Solutions	**Performance Criteria**
A1 Buildings must have a setback from a frontage of: (a) not less than 5.5m; (b) not less than existing buildings on the site; or (c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.	**P1** Buildings must have a setback from a frontage that provides adequate space for vehicle access, parking and landscaping, having regard to: (a) the topography of the site; (b) the setback of buildings on adjacent properties; and (c) the safety of road users.
A2 Buildings must have setback from an adjoining property within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone of not less than: (a) 4m; or (b) half the wall height of the building, whichever is the greater.	**P2** Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, having regard to: (a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;

	(b) overlooking and reduction of privacy to the adjoining property; or (c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.
A3 Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone.[24]	**P3** Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential zones, having regard to: (a) the characteristics and frequency of emissions generated; (b) the nature of the proposed use; (c) the topography of the site and location of the sensitive use; and (d) any proposed mitigation measures.

[24]An exemption for air conditioners and heat pumps applies in this zone - see clause 4.6.

Assessment – A1 – The building is set back 18.4m from the frontage. The acceptable solution is met.

P2 – The building has a setback of 1.87m to the rear boundary with the General Residential Zone, this is less than both half the height of the wall and the stipulated 4m.

The reduced setback will not cause an unreasonable loss of amenity to the adjoining residential properties. The orientation of the lots means that no overshadowing will occur as a result of the proposal. Given there are no windows in the southern wall, privacy will not be impacted. A door provides access to the easement at the rear of the property.

The visual impacts caused by the property will be improved with the demolition of the existing building and removal of current storage areas. The proposed northern wall is residential in scale and would fit within the building envelope utilised to assess development in the General Residential zone. The dwelling located to the north of the subject site is approximately 20m from the boundary between the 2 properties, further reducing visual impacts. Privacy will be provided with the construction of the new building, increasing the amenity for the adjoining lot. The performance criteria are satisfied.

A3 – No air extraction, pumping, refrigeration systems or compressors are proposed. The acceptable solution is met.

17.4.3 Design

Objective:	That building design is compatible with the streetscape.
Acceptable Solutions	**Performance Criteria**

A1 Buildings must be designed to satisfy all the following: (a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site; (b) mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places; (c) roof-top mechanical plant and service infrastructure, excluding lift structures, must be contained within the roof or screened from public spaces and adjoining properties; (d) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; (e) provide awnings over a public footpath if existing on the site or on adjoining properties; and (f) provide external lighting to illuminate external vehicle parking areas and pathways.	**P1** Buildings must be designed to be compatible with the streetscape, having regard to: (a) how the main pedestrian access to the building addresses the street or other public places; (b) minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places; (c) minimising the visual impact of roof-top service infrastructure, excluding lift structures; (d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and other alternatives are not practical; (e) the need for provision of awnings over a public footpath; and (f) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.

A1 – There will be pedestrian entrance to the building. No security shutters are proposed and there are no awnings over public footpaths required. External lighting will be provided as necessary. There is no proposed roof top mechanical plant or service infrastructure, nor unscreened plant or infrastructure, however, it is unlikely that there will be no such infrastructure given the cooling requirements of a bottle shop (along with heating for staff and customers in winter). A condition will be placed on the permit ensuring that any future plant or infrastructure be screened from view.

The acceptable solution is met.

17.4.4 Fencing

Objective: That fencing: (a) is compatible with the streetscape; and (b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.	
Acceptable Solutions	**Performance Criteria**
A1	**P1**

No Acceptable Solution.[25]	A fence (including a free-standing wall) within 4.5m of a frontage must be compatible with the streetscape, having regard to: (a) its height, design, location and extent; (b) its degree of transparency; and (c) the proposed materials and construction.
A2 Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, if not within 4.5m of a frontage, must: (a) have a height above existing ground level of not more than 2.1m; and (b) not contain barbed wire.[25]	**P2** Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, if not within 4.5m of a frontage, must not cause an unreasonable loss of residential amenity, having regard to: (a) their height, design, location and extent; and (b) the proposed materials and construction.

[25] An exemption applies for fences in this zone - see Table 4.6.

Not applicable – no fencing is proposed.

17.4.5 Outdoor storage areas

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

A1 – Not applicable – no outdoor storage areas are proposed.

17.4.6 Landscaping

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

existing building if it is a lesser distance.	(b) the width of the frontage; (c) the topography of the site; (d) existing vegetation on the site; (e) the location, type and growth of the proposed vegetation; and (f) the character of the streetscape and surrounding area.

P1 – No landscaping is proposed. The streetscape and surrounding area is largely lacking landscaping due to the constraints of the sites. Parking has been prioritised in the area and remains predominant over landscaping. In order to achieve maximum parking numbers landscaping requirements can not be achieved. The performance criteria is satisfied.

C2.0 Parking and Sustainable Transport Code – where the acceptable solutions have been met the clause has not been reproduced.

C2.5 Use Standards

C2.5.1 Car parking numbers

Objective: That an appropriate level of car parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	**Performance Criteria**
A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if: (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; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: (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	**P1.1** The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to: (a) the availability of off-street public car parking spaces within reasonable walking distance of the site; (b) the ability of multiple users to share spaces because of: (i) variations in car parking demand over time; or (ii) efficiencies gained by consolidation of car parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) the availability and frequency of other transport alternatives;

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 (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: N = A + (C- B) N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.	(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; (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; (g) the effect on streetscape; and (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.

Extract from Table C2.1

Use		**Parking Space Requirements**	
		Car	**Bicycle**
General Retail and Hire	Drive-in bottle shop, if associated with a Hotel Industry	6 spaces	No requirement
	General Retail and Hire, excluding as otherwise specified in this table	1 space per 30m² of floor area, unless subject to Clause C2.5.5 (Gen Res Zone)	1 space per 100m² of floor area

P1.1 - A General Retail and Hire use requires 1 parking space per 30m² of floor area. This equates to a total of 16 parking spaces for the proposal. A total of 12 spaces are proposed. The parking requirements allow for both staff and customer parking.

The number of spaces is reasonable for the proposed use. Where associated with a drive-in bottle shop it is noted that only 6 parking spaces are needed. It is not specified if these are in addition to the bays in the drive-in or included.

The nature of the use means that the majority of custom is likely to occur towards the end of the day, into the evening. At this time the majority of businesses in the area have closed, resulting in an increase in on-street parking availability.

Although the site has a shortfall of 4 parking spaces the resultant car park is large for the proposed use, as demonstrated by the traffic engineer in their follow up submission appended as **Attachment 3**.

The Planning Scheme requires 16 parking spaces under the numerical Acceptable Solution, compared with the proposed provision of 12 spaces. The parking provision was therefore assessed against Performance Criteria P1 of Clause C2.5.1 in the TIA.

The representation suggests that the proposed parking supply is inadequate but does not undertake an assessment of the likely parking accumulation generated by the proposed use.

The empirical liquor store survey relied upon in the TIA provides a useful basis for this assessment. Midson Traffic surveyed the BWS liquor store at 124 Davey Street, Hobart during the Friday PM peak period immediately prior to Father's Day. That survey forms the basis of the traffic generation rate adopted in the TIA.

Importantly, the survey also recorded customer parking duration. Customer stays ranged from approximately 1 to 8 minutes, with an average duration of approximately 4 minutes. This confirms the short-term nature and high turnover of parking associated with this type of use.

The proposed development is estimated to generate approximately 64 vehicle movements during the PM peak hour. Assuming an approximately even split between arrivals and departures, this represents approximately 32 customer arrivals per hour, or one arrival approximately every 1.9 minutes.

Applying the observed average parking duration of approximately 4 minutes results in an average peak parking accumulation of approximately:

- 32 arrivals/hour × 4/60 hours = 2.1 vehicles

Even if a substantially more conservative average parking duration of 10 minutes were adopted, the corresponding average parking accumulation would be approximately:

- 32 arrivals/hour × 10/60 hours = 5.3 vehicles

For the average parking accumulation to reach the full supply of 12 spaces, an average customer parking duration of approximately 22.5 minutes would be required. This is substantially greater than the parking durations observed during the empirical liquor store survey.

The parking accumulation assessment therefore provides a quantitative basis for concluding that the proposed supply of 12 spaces is sufficient to accommodate the reasonable parking demand generated by the proposed liquor store, including allowance for one or two staff vehicles should staff elect to park on site during the peak period. The numerical shortfall against the Acceptable Solution does not translate to an operational parking deficiency.

Extract from TIA dated 17 September 2026

The performance criteria are satisfied.

C2.5.2 Bicycle parking numbers

Objective: That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	**Performance Criteria**
A1 Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.	**P1** Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.

P1 - The scheme requires 5 bicycle parking spaces. One is proposed. Don Road is not generally used by cyclists given the much more suitable cycling paths within the municipality. It is unlikely cyclists will frequent the bottle shop. One space is deemed sufficient. The performance criteria are 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**
A1.1 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. **A1.2**	**P1** 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.

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 – No dedicated pedestrian footpath is provided however the scale of the site will allow for the safe passage of pedestrians. There is insufficient room within the site for vehicles to be travelling at speed, ensuring pedestrians and vehicles are able to use the site safely simultaneously. An area adjacent to the bicycle parking and accessible parking space will also allow for pedestrians should they wish.

The performance criteria are satisfied.

C3.0 Road and Railway assets Code

C3.5 Use Standards

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

Objective: To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.	
Acceptable Solutions	**Performance Criteria**
A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. **A1.2** 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. **A1.3** 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. **A1.4** Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:	**P1** 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: (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority.

(a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the *Roads and Jetties Act 1935* in respect to a limited access road. **A1.5** Vehicular traffic must be able to enter and leave a major road in a forward direction.	

P1 – The proposed use will generate an increase in vehicle movements greater than 40 vehicle movements per day. The impacts of vehicle movements to and from the site are minimised both through the car park design and the sight distances available. In addition, given vehicle movements are likely to be greater in the evening, the impacts are reduced by the decrease in vehicles using the road.

The Traffic Impact Assessment (TIA) submitted in support of the proposal estimates that the development will generate approximately 640 vehicle movements per day, including around 64 vehicle movements during the PM peak hour. Whilst this exceeds the threshold specified by the Acceptable Solution, the additional traffic represents only a small proportion of the existing traffic volumes on Don Road, which carries approximately 10,000 vehicles per day.

The TIA concludes that Don Road has sufficient capacity to accommodate the forecast increase in traffic and that the proposal will not adversely affect the safety or efficiency of the surrounding road network.

The performance criteria are satisfied.

The proposal falls within the obstacle limitation area as per the Safeguarding of Airports Code. The development is well below the threshold of 155 AHD. No further assessment is necessary.

No other codes are triggered by the proposal.

COMMUNITY ENGAGEMENT

On 27/07/2026, 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 Regulation 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 02/09/2026;

(b) Making a copy of the proposal available in Council Offices from the 02/09/2026;

(c) Notifying adjoining property owners by mail on 31/08/2026; and

(d) Erecting a Site Notice for display from the 02/09/2026.

The period for representations to be received by Council closed on 16/09/2026.

REPRESENTATIONS

Three representations were received within the prescribed 14 day public scrutiny period required by the *Land Use Planning and Approvals Act 1993*.

The representations are varied in nature with one coming from an adjoining owner on Don Road, one from an adjoining owner in the General Residential zone and the third from a

competitor. The concerns raised in the representations are reproduced and addressed below. Each representation is reproduced in full as **Attachment 2**.

The adjoining property owner in Don Road raises concerns around the demolition of the existing building, which shares a wall with his property. This will be managed as part of the building application, with Protection Works required as per the *Building Act 2016*.

The adjoining property owner in the General Residential zone raises the following matters.

- the proposed 8:00 am–9:00 pm, seven-day operating hours;

The proposed operating hours are in accordance with the acceptable solutions. The Planning Authority does not have the ability to restrict these hours.

- potential noise and activity associated with customers, vehicles and deliveries, particularly during evening hours;

It is accepted that noise will have a greater impact during the evening. A condition will be placed on the permit to mitigate such issues.

- the impact of evening commercial activity on the generally quiet character of the surrounding residential neighbourhood;

The hours of operation permissible in the Commercial zone only apply to properties within 50m of residential zones. Where this proximity does not occur there is no limit to hours.

Such impacts were considered during the drafting of the scheme and are deemed to be appropriate where commercial and residential uses operate side by side.

- the estimated 640 vehicle movements per day and approximately 64 movements during the PM peak hour;

Don Road is a busy arterial road, the estimated vehicle movements will only in part be new traffic that would not have been passing. It is likely that the majority of vehicles would have been utilising the road, therefore the greatest impact is to the site itself, rather than the surrounding area.

- existing localised traffic conditions around Don Road and Watkinson Street;

The above comment is also applicable.

- the four-space on-site parking shortfall;

The parking shortfall is not deemed detrimental to the site, with on-street parking readily available after general business hours.

- whether the proposed 12 spaces adequately account for both customer and staff parking;

The 12 spaces are for both staff and customers.

- the potential for additional parking demand to extend into surrounding residential streets;

It is unlikely that parking demand will extend into surrounding residential streets. Alcohol is generally heavy enough for people to wish to park as close as possible to the site.

- the change in the nature, scale and pattern of activity associated with the proposed use;

There will be a change in the nature, scale and pattern of activity associated with the bottle shop however this is in keeping with a commercial area. It is acknowledged that commercial areas are likely to adjoin residential areas which is why the use criteria referencing areas including the General Residential Zone must be satisfied. The proposal is

able to meet the use standards, all of which take the General Residential Zone into account, at the acceptable solutions level.

- the relationship of the proposed development to nearby residential and youth-support uses;

The above comments are also applicable.

- the increased proximity and scale of the proposed building in relation to my property;

There is currently a building on the site built approximately 700mm to the rear boundary. It has a width of approximately 6m. This is closer to the adjoining boundary but not as wide. The proposed building will have a setback of 1.8m and a width of 20m. It will not adversely impact the property to the north through overshadowing and is residential in scale.

- the existing sewer infrastructure and easement immediately adjoining the development.

A stormwater easement runs through the rear of the property, adjacent to the sewer main on the neighbouring property. The proposed building must be constructed in such a way that does not negatively impact either service.

The third representation was received from Equilibrium Town Planning on behalf of the Goodstone Group. The issues raised are as follows:

Issue 1: Validity of the public notification as advertised, in response to s.57(4) of the *Land Use Planning and Approvals Act 1993 (LUPAA) and clause 6.1.2 of the Tasmanian Planning Scheme.*

The application form and title documentation were not included in the documentation placed on public display. This is standard practice from many councils and does not impact the ability for affected people to assess the merits of an application. Such information is excluded from public display in an attempt to allow for privacy. It is stated that the easement shown on the plans cannot be reviewed as the title plan and schedule of easements were not on exhibition. Given the easement is for a stormwater main, managed by council, the impacted parties have had access to the documents required.

Issue 2: Landowner consent

It is argued that the proposal may not be valid as it is not shown that Council has provided landowner consent. Council does not own any land subject to the application. The proposal refers to a new crossover to be constructed in the road reserve. Council does not generally consider landowner consent to be required in such circumstances. Otherwise, every application involving a new dwelling or alterations to a crossover would require Council's consent before an application could be made, which would be onerous and is considered to fall outside the requirements of s.52 of LUPAA.

Issue 3: Purpose of the Commercial Zone

It is suggested that the proposal does not meet the purpose of the Commercial Zone, however, the use is discretionary in the zone, not prohibited. The zone has been applied to Don Road by the Tasmanian Planning Commission. While the zone purpose refers to large floor areas and high levels of vehicle access and parking it also refers to a mix of uses that support and does not compromise or distort the role of other activity centres in the activity centre hierarchy. As discussed previously, the use will not negatively impact the activity centre hierarchy.

Issue 4: Conflict with residential areas

The potential conflicts with residential areas have been addressed previously.

Issue 5: Traffic

Council's Engineering staff have assessed the proposal in regard to traffic. It is deemed the parking, access and loading is appropriate.

The applicant has also prepared a response (see **Attachment 3**) to the peer TIA submitted by the representor which further supports the proposal.

In regard to the use of 2 parking spaces for loading, the scheme does not require dedicated loading bays for uses with a floor area of less than 1000m^2 in a single occupancy. The proposal has an area of less than 500m^2. In light of this, parking spaces may be used for loading and the fact that they are temporarily being utilised for loading does not impact the ability for the site to operate efficiently. A business is unlikely to arrange for deliveries during their peak period of operation, thus ensuring there are sufficient parking spaces available when required.

Issue 6: Rear setback

The setback to the rear boundary is questioned as the floor plan shows 'new conc. landing and steps.' This is shown as generally existing on other plans, with the top landing only as new. In any case, this does not alter any impacts of the proposed building on the adjoining property as the steps will not be visible due to the existing fence.

Issue 7: Services Design Report

The Services Design Report incorrectly states that the site is occupied by an existing dwelling and associated outbuildings. This does not impact the validity of the report which refers to the correct drainage plan.

The representation submitted by the adjoining property owner to the north raises a number of matters that can be addressed via conditions which are proposed for the permit. No other issues have been raised that warrant changes to the proposal.

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 with conditions and notes included as necessary.

ATTACHMENTS

1. Application PA2026.0117 - 64 Don Road [**4.3.1** - 82 pages]
2. Representations - PA20260117 - 64 Don Road [**4.3.2** - 17 pages]
3. TIA - Representation Response - 64 Don Road [**4.3.3** - 8 pages]

4.4 PA2026.0058 - 13, 14-15 VICTORIA PARADE & 5 LOWER MADDEN STREET, DEVONPORT - HOTEL INDUSTRY (PARTIAL DEMOLITION AND REDEVELOPMENT INCLUDING BUILDING WORKS, ACCESS AND PARKING RECONFIGURATION AND LANDSCAPING)

Author: **Alex Mountney, Planning & Regulatory 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 PA2026.0058 and grant a Permit to use and develop land identified as 13, 14-15 Victoria Parade, Devonport, & 5 Lower Madden Street Devonport for the following purposes:

- Hotel Industry (partial demolition and redevelopment including building works, access and parking reconfiguration and landscaping)

Subject to the following conditions:

PLANNING CONDITIONS

1. APPROVED PLANS AND DOCUMENTS

The use and development must be carried out generally in accordance with the following endorsed plans and documents:

- *Planning Report - Development Application*, Version 1 Revision 2, Elimatta Hotel Extension, dated 17 August 2026, prepared by Equilibrium Town Planning;
- *Development Plans* – Elimatta Hotel Extension and Refurbishment, Project M22000016, prepared by BPSN Architecture;
- *Elimatta Hotel Heritage Impact Statement*, dated 29 January 2026, prepared by BPSN Architecture;
- *Transport Impact Assessment* – Proposed Elimatta Hotel Redevelopment, Version F01, dated 20 May 2026, prepared by Ratio; and
- *Services Plan* – Elimatta Hotel Extension and Refurbishment, Issue P1, dated 5 August 2026, prepared by Tasmanian Consulting Service.

These plans and documents are endorsed and form part of this permit. A copy of the endorsed plans and documents is attached to this permit.

2. LANDSCAPE MANAGEMENT PLAN

Prior to the issue of a Building Permit, a Landscape Management Plan must be submitted to and approved by the Planning Authority. The Plan must be prepared by a suitably qualified person and include:

a) the location and extent of all landscaped areas;
b) details of proposed plant species;
c) the anticipated mature height and spread of proposed vegetation; and
d) ongoing maintenance and replacement requirements.

The landscaped areas must be generally consistent with those shown on the endorsed Site Plan forming part of this permit and be designed to provide an effective visual and amenity buffer between the development and adjoining residential properties, as well as to screen on-site parking areas from Lower Madden Street.

3. LANDSCAPING ESTABLISHMENT AND MAINTENANCE

All landscaping required by this permit must be established prior to the commencement of the use and thereafter maintained for the life of the development to the satisfaction of the Planning Authority. Any vegetation that dies, becomes diseased, is damaged or is removed, must be replaced with vegetation of a similar species, size and form within the next suitable planting season.

INFRASTRUCTURE CONDITIONS

4. CAR PARKING CONSTRUCTION AND MAINTENANCE

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must:

a) Be properly constructed to such levels that they can be used in accordance with the plans;
b) Be surfaced with an impervious all-weather seal;
c) Be adequately drained to prevent stormwater being discharged to neighbouring property; and
d) Be line-marked or otherwise delineated to indicate each car space and access lane.

Parking areas and access lanes must be kept available for these purposes at all times and maintained for the life of the development.

5. CONSTRUCTION MANAGEMENT PLAN

Prior to the commencement of works on site, a Construction Management Plan (CMP) is to be submitted to Council for endorsement.
The plan must include:

a) Any proposed staging of the works, including the scope and anticipated timeframes for each stage;
b) Any temporary works required for the provision of access and parking for contractors and patrons; and
c) All works necessary to maintain the safe and efficient use of roads and footpaths fronting the site during demolition and construction works, including the pouring of concrete and the placement of construction materials.

The CMP is to be reviewed throughout the construction period and, where alterations or amendments are required, those changes must be submitted to Council for endorsement.

6. EROSION AND SEDIMENT CONTROL PLAN

Prior to the commencement of development works, the applicant must install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve, including the nature strip, footpath and road pavement. Any material deposited on the road reserve as a result of development activity must be removed by the applicant. The silt fencing, cut-off drains and other erosion control measures are to be maintained until the site has been stabilised and revegetated sufficiently to mitigate erosion and sediment transport.

7. REINSTATEMENT WORKS IN VICTORIA PARADE AND LOWER MADDEN STREET

Prior to the commencement of the use, that part of the road reserve subject to the encroachment shown for removal on the Victoria Parade frontage is to be reinstated to match the existing adjacent construction (i.e. concrete footpath). The concrete pad used for mobile garbage bins within the Lower Madden Street Road reserve is to be removed and the area reinstated to grass.

8. ROAD RESERVE PERMIT REQUIRED

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

9. PERMIT TO INSTALL, ALTER OR REMOVE VEHICLE CROSSING

No works to install, remove or modify a vehicular crossing, are to be undertaken without the issue of a Road Reserve Permit for such works. Modification of a vehicular crossing includes any widening of the kerb layback or the driveway apron, in any form whatsoever.

An application for such work must be lodged electronically via the Council's website or on the approved hard copy form.

All new works must be constructed to Council standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading non trafficable trenches to a trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (e.g. TasWater, Telstra and TasNetworks, etc.).

All redundant crossovers and driveways must be removed and the area reinstated to match adjacent existing construction unless otherwise specified. The work is to be completed prior to the commencement of the use.

The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense. Where the driveway crossing works result in changes to existing parking restrictions (bay markings, linemarking and/or signage) these works must be undertaken by Council under an approved Traffic Facilities Plan with the cost of these works to be invoiced to the applicant/developer for payment.

TASWATER REQUIREMENTS

10. TASWATER CONDITION

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.

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.

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 10 the applicant/developer should contact TasWater – Ph 136992 with any enquiries.

In regard to condition 4-9 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 PA2026.0058.

BACKGROUND

Planning Instrument:	*Tasmanian Planning Scheme – Devonport 2020*
Address:	13, 14-15 Victoria Parade & 5 Lower Madden Street, Devonport
Applicant:	MRU Hotels Pty Ltd
Owner:	MRU Hotels Pty Ltd
Proposal:	Hotel Industry (partial demolition and redevelopment including building works, access and parking reconfiguration and landscaping)
Existing Use:	Hotel Industry
Zoning:	Particular Purpose Zone 1 - Elimatta Hotel
Decision Due:	28/09/2026

SITE DESCRIPTION

The site, known as the *Elimatta Hotel*, is located on the south-eastern corner of the intersection of Victoria Parade and Lower Madden Street, Devonport. The land comprises several titles, with the existing hotel buildings extending across two titles and the remaining land being either vacant or utilised for ancillary purposes, including overflow parking. The site operates as an established hotel complex providing bar, restaurant, gaming and accommodation services.

The site occupies a prominent waterfront location overlooking the Mersey River and the Victoria Parade foreshore reserve to the east, with the Devonport Boat Ramp located in close proximity. The surrounding locality is characterised by established residential development, predominantly comprising detached single dwellings on relatively large allotments.

Figure 1 identifies the site and individual title boundaries, while Figures 2 and 3 show the site's appearance when viewed from Victoria Parade and Lower Madden Street respectively.

SITE HISTORY

The site has evolved considerably since the Elimatta Hotel was established in the early 1900s. A Heritage Impact Statement submitted with the application details the site's historical development and successive alterations over time.

Reflecting the site's long-standing function as a hotel, the Tasmanian Planning Commission approved Amendment DISP2014.03 in 2016, which established the Particular Purpose Zone 1 (PPZ) – Elimatta Hotel. The amendment recognised the established hotel use while introducing site-specific planning controls to guide future use and development and protect the surrounding residential amenity and heritage values. This PPZ was subsequently translated into the Devonport Local Provisions Schedule upon commencement of the *Tasmanian Planning Scheme* in late 2020.



Figure 1 – Aerial image showing the subject site (outlined) and surrounding locality (DCC, 2025)



Figure 2 – View of the subject site looking from Victoria Parade (DCC, 2026)



Figure 3 – View of the subject site looking from Lower Madden Street (DCC, 2026)

APPLICATION DETAILS

The applicant is seeking to undertake significant demolition and alterations and additions to the Elimatta. An outline of the works sought under this application is below:

Demolition Works

The proposal includes the following demolition works:

- Internal modifications to the existing building;
- Partial demolition of the Victoria Parade façade;
- Demolition of the southern external portion of the building;
- Demolition of the existing motel buildings located to the rear of the site;
- Removal of the existing rear entry and fire escape; and
- Removal of existing car parking bays.

Development Works

The proposed development includes:

- New buildings setback from adjoining General Residential-zoned properties to provide landscaping and buffering between land uses;
- A new façade along a portion of the Victoria Parade frontage, including landscaping, a new entry and upgraded streetscape presentation;
- An updated internal floor plan;
- New visitor accommodation buildings at the rear of the site;
- A new rear entry to the building, including fire access provisions;

- New car parking facilities at the rear of the site, including four accessible parking spaces;
- An upgraded service area;
- Screening of parking and development from Lower Madden Street; and
- Relocation and reconfiguration of services in accordance with TasWater requirements.

Figures 4 and 5 show the existing and proposed site plans. The complete application documentation, including architectural drawings, the Transport Impact Assessment and Planning Compliance Report, is appended as **Attachment 1.**

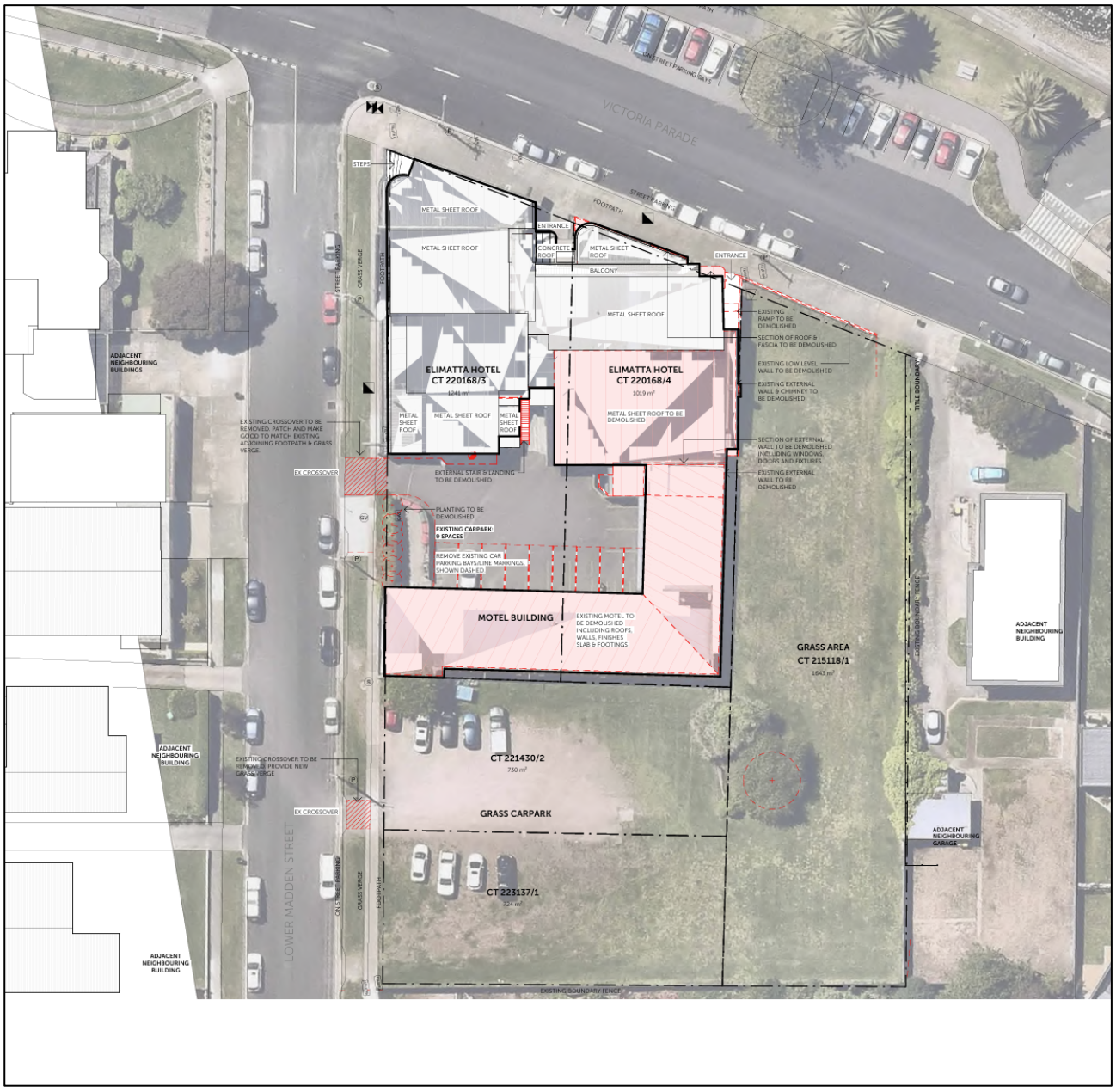


Figure 4 – Existing Site Plan (BPSN, 2026)

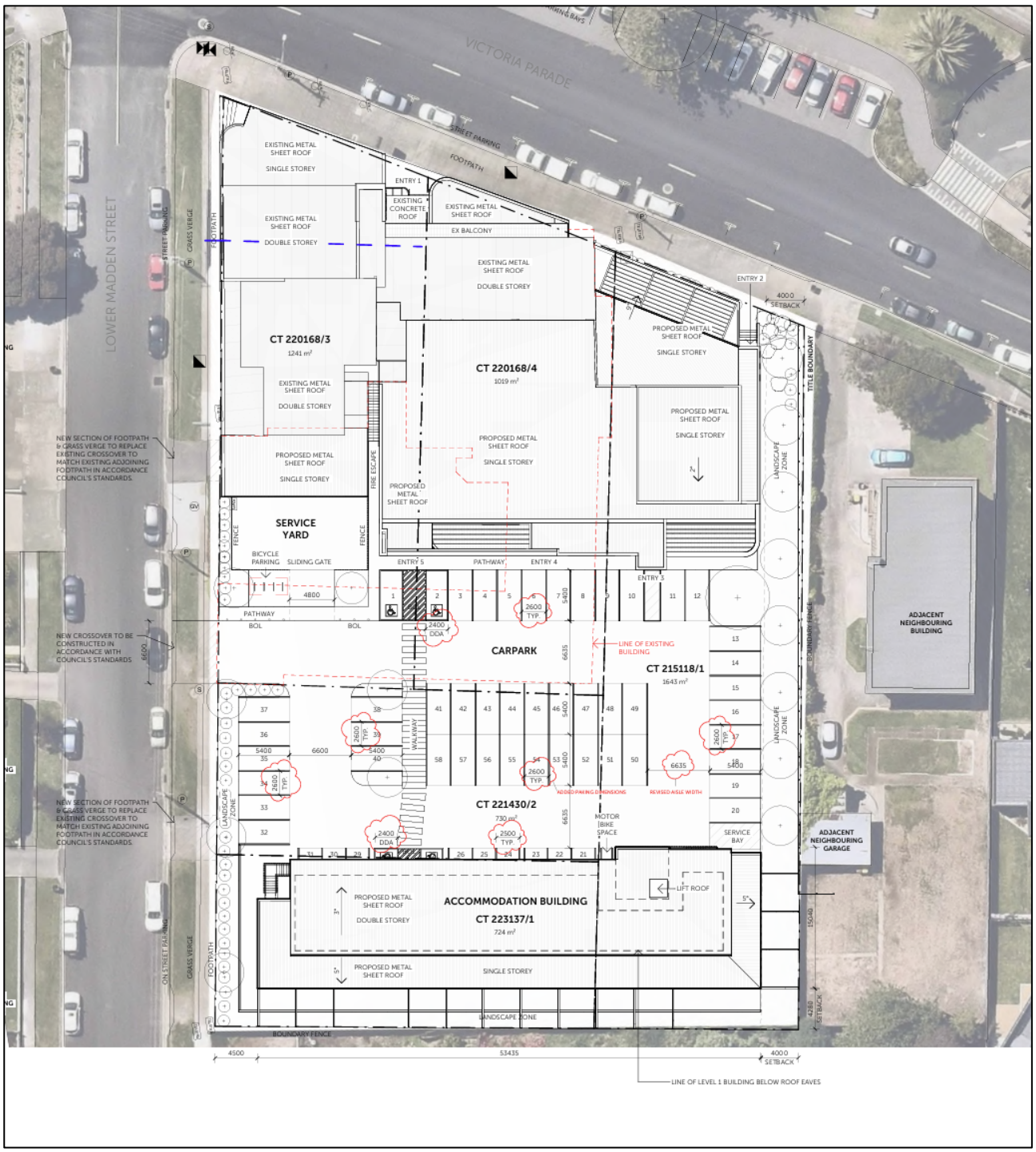


Figure 5 – Proposed Site Plan (BPSN, 2026)

PLANNING ISSUES

As discussed earlier in this report, the land is zoned Particular Purpose Zone 1 – Elimatta Hotel under the *Tasmanian Planning Scheme – Devonport*, 2020 (the Planning Scheme).

The extent of the PPZ is shown in Figure 6 below. The purpose of the PPZ – Elimatta Hotel is as follows:

- DEV-P1.1.1 To provide for the continued use and further development of the property known as the Elimatta Hotel.
- DEV-P1.1.2 To provide for other use or development that does not constrain or conflict with the hotel use.

- DEV-P1.1.3 That use and development of the land does not impact adversely on the residential amenity or heritage values of the locality.

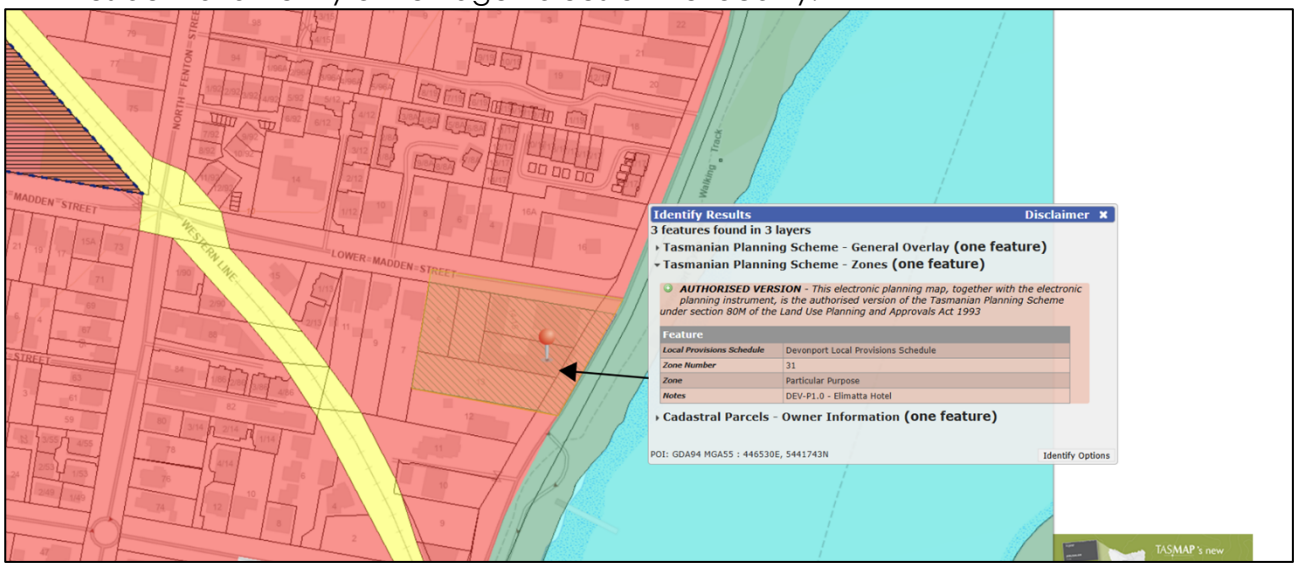


Figure 6 – Location of Elimatta PPZ (BPSN, 2026)

The most appropriate use classification for the proposed Elimatta redevelopment is Hotel Industry. This use class is defined in the Planning Scheme as follows:

> *use of land to sell liquor for consumption on or off the premises. If the land is so used, the use may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines and gambling. Examples include a hotel, bar, nightclub, adult entertainment venue and tavern.*

Under the Use Table for the PPZ – Elimatta Hotel, Hotel Industry is a Permitted use, subject to the qualification that the development does not include a drive-through bottle shop or a nightclub. The proposed redevelopment does not include either of these components and, accordingly, the use is classified as Permitted within the zone.

The applicant has submitted a planning report prepared by Equilibrium Town Planning addressing the applicable use and development standards of the Planning Scheme. This report forms part of the application documentation and has been reviewed as part of the assessment process.

The proposal relies on compliance with a number of Performance Criteria within the Planning Scheme. The relevant standards are reproduced below, together with an assessment of the proposal against the applicable Performance Criteria.

Where an Acceptable Solution is not satisfied, the application becomes discretionary and must be assessed against the corresponding Performance Criteria. The Planning Authority must determine whether the proposal achieves the relevant Performance Criteria, having regard to any applicable assessment criteria. The application may be approved where compliance is demonstrated or refused where the requirements of the Performance Criteria cannot be met.

Development Standards Requiring Assessment Against Performance Criteria

Particular Purpose Zone 1 – Elimatta Hotel

4.1.3 Development Standards for Building and Works

Objective: The location and configuration of development is to: (a) not dominate the streetscape when viewed from the Victoria Parade parklands; (b) not obscure or detract from the heritage values of the Victoria Parade Local Heritage Precinct; and (c) minimise the impact of vehicle ingress and egress on Lower Madden Street.	
Acceptable Solutions	**Performance Criteria**
A1 Buildings must be contained within a building envelope determined by the height limits and setbacks shown in Figure DEV-P1.6.1.	**P1** Buildings must: (a) minimise likelihood for overshadowing of: (i) a habitable room in a dwelling; (ii) the minimum area of private open space appurtenant to an existing dwelling; and (b) minimise the apparent scale, bulk and proportion of buildings on the site when viewed from Victoria Parade and Lower Madden Street.
A2 Vehicular ingress and egress from car parking area must be only from: (a) Victoria Parade; or (b) Lower Madden Street, if for ingress only and not more than one existing access point	**P2** The number of accesses for each frontage and their traffic impact upon sensitive uses is to be minimised, having regard to: (a) the function and traffic generation characteristics of buildings served by accesses; (b) minimising the number of vehicle ingress and egress points; (c) impact on residential amenity on adjoining land; (d) impact on pedestrian safety and amenity; and (e) maintaining traffic safety
A4 Not less than 10% of the site must be provided as landscaped open space	**P4** Adequate landscaping must be provided or retained to: (a) soften the view of unscreened car parking areas, especially from the street; (b) reduce the visual impact of

	buildings; and (c) maintain public views of items with heritage values in the Victoria Parade Conservation Area.
A5 Continuous walls, excluding fences within 1.5m of a boundary to Lower Madden Street or the General Residential Zone, must be not higher than 3.0m and not longer than 20m.	**P5** Continuous walls, excluding fences within 1.5m of a boundary to Lower Madden Street or the General Residential Zone, are not obtrusive, having regard to: (a) whether building materials, form and proportion complements the streetscape; (b) the solid to void ratio; (c) the potential to include wall articulation or soft landscaping features; and (d) the amenity of adjoining sensitive uses.
A6 Site coverage must not be more than 50%.	**P6** Site coverage must have regard to: (a) the provision of adequate, usable areas for vehicle parking and manoeuvring, unloading and storage of goods; (b) the size and shape of the site; (c) the existing buildings and any constraints imposed by existing development; (d) the provision for landscaping; (e) the site coverage of adjacent lots; and (f) the character of the surrounding area

Figure DEV-P1.6.1 - Building envelope as required by subclause DEV-P1.6.1 A1



P1 – The elevation drawings show the acceptable building envelope under the PPZ, as illustrated in Figure DEV-P1.6.1. The blue dashed line identifies the acceptable building envelope, with the dimensions indicating where and by how much the proposed development extends beyond it. As sections of the development fall outside the acceptable building envelope, the proposal must be assessed against the corresponding Performance Criteria.

The following justification has been provided by the applicant (shown in red) in support of compliance with P1:

> *The proposal is designed with a staggered setback along the facades presenting to the adjoining residential properties. Each of these will be setback 4m minimum on the ground floor.*
>
> *The design will minimise overshadowing of these lots, with the majority of the overshadowing being over the driveway and outbuildings for the property to the south. The building will shade the habitable rooms to the property to the west in the morning, however this is no change from the existing circumstances, due to vegetation on the site of the adjoining property.*



Figure 4 Existing established vegetation overshadowing habitable rooms on property to the west.

In relation to (b), the design from Lower Madden will not change significantly for the eastern end of the site. The accommodation to the rear of the site has been designed with extensive setbacks, as well as screening and a staggered design, to ensure the scale, bulk and proportions are minimised when viewed from Lower Madden.

The Victoria Parade façade has been designed to present a gradual 'stepping back' from the existing frontage of the building, utilising a retractable roof, glass, lower roofline and landscaping and setbacks from the residential property to minimise the apparent scale, bulk and proportion of the building when viewed from Victoria Parade. There are also a number of buildings along Victoria Parade with significant bulk and scale, as per images below.



Figure 5 Building(s) with existing bulk and scale along Victoria Parade



Figure 6 Buildings with existing bulk and scale along Victoria Parade



Figure 7 Proposed design will provide a staggered presentation to Victoria Parade, in contrast to the existing design

(Equilibrium Town Planning. 2026)

Officer Assessment: The applicant's rationale can be supported. As noted previously, the southern and western sections of the development adjoin land within the General Residential Zone that contains established residential development. In these areas, the proposed buildings are setback a minimum of 4m from the shared boundaries, consistent with the building envelope prescribed under DEV-P1.6.1 A1.

Shadow diagrams have been provided comparing the existing and proposed development. These indicate that the proposal will result in some additional overshadowing of adjoining residential properties to the south and west. However, the impact is considered acceptable given the stepped built form and the fact that the majority of the development generally remains within the prescribed building envelope.

It is noted that vegetation previously existed along the eastern boundary of 7 Lower Madden Street which caused overshadowing of the site. The proposal will result in an increase in overshadowing in comparison, particularly in the morning period. Notwithstanding this, the visitor accommodation building generally complies with the building envelope prescribed for this standard. As shown in the northern elevation of the accommodation units (Figure 7), the building form largely aligns with the acceptable building envelope, represented by the blue dashed line.

On balance, the extent of additional overshadowing is not considered unreasonable, having regard to the scale of development contemplated within the acceptable building envelope of the PPZ.

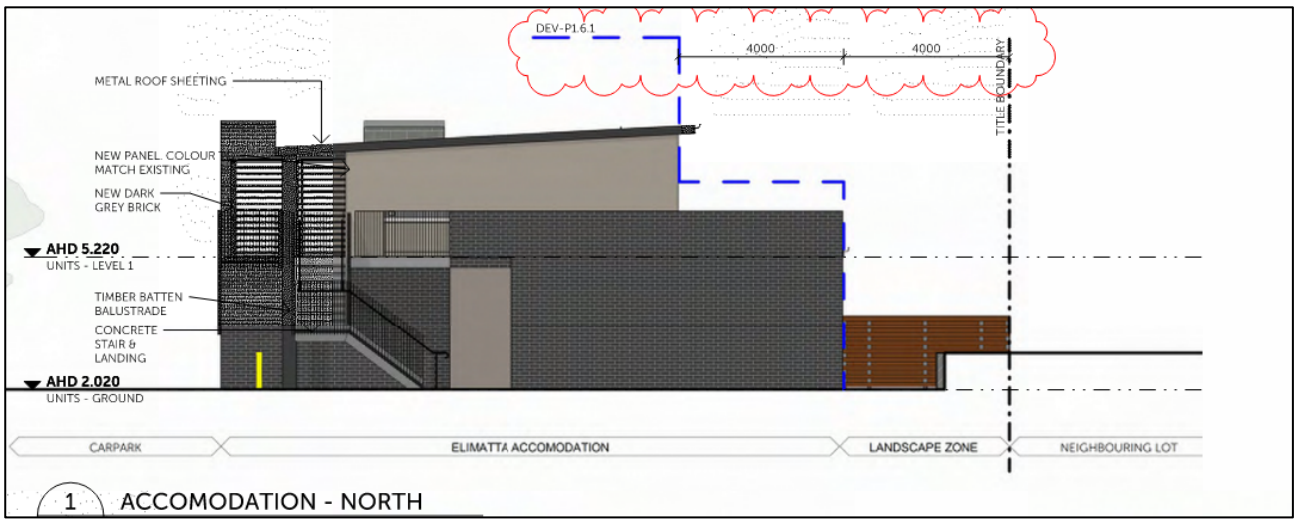


Figure 7 – Northern elevation of the visitor accommodation building, showing the acceptable building envelope as the blue dashed line (BPSN, 2026).

P2 - The proposal includes the removal of the two existing vehicular accesses from Lower Madden Street and their replacement with a single consolidated access located between the existing crossover points. The new access will provide both ingress and egress to the site's parking areas and internal accessways. Accordingly, the proposal does not comply with A2 and must be assessed against P2.

The following justification has been provided by the applicant (shown in red) in support of compliance with P2:

> *A traffic impact assessment has been provided with the proposal.*
>
> *This results in:*
>
> - *all buildings being serviced by a single access point, reducing the number of existing points.*
> - *the access being moved away from residential areas (further than existing).*
> - *minimising pedestrian impacts, particularly along the busy Victoria Parade, to one clear point.*
>
> (Equilibrium Town Planning. 2026)

Officer Assessment: Council's Engineering Team has reviewed the Traffic Impact Assessment (TIA) prepared by Ratio and supports both the assessment and the proposed location of the vehicular access from Lower Madden Street. The consolidation of the existing crossovers into a single access point will reduce potential conflict points for both vehicles and pedestrians, thereby improving the safety and efficiency of access to the site. Accordingly, the proposed arrangement can be supported.

P4: The proposal provides approximately 490m² of landscaping across the site. Based on the total site area of approximately 5,350 m², the extent of landscaping proposed does not meet the minimum area required under A4. As a result, the application must be assessed against P4.

The following justification has been provided by the applicant (shown in red) in support of compliance with P4:

The development includes landscaping:

- *along all boundaries with the General Residential zone, reducing the visual impact of buildings from this zone and the approach from the south along Victoria Parade;*
- *that will screen the carparking from the street, softening the view of the carparking significantly, with only the 6m access remaining unscreened;*
- *that will not impact views of items with heritage values.*

(Equilibrium Town Planning. 2026)

Officer Assessment: The applicant's rationale can be supported. The proposed landscaped areas are considered capable of satisfying the Performance Criteria. To ensure the extent and quality of landscaping is appropriate and retained over time, conditions will be included on the permit requiring a detailed Landscape Management Plan to be submitted and approved prior to the commencement of works, together with the ongoing maintenance of landscaping for the life of the development.

P5: The proposal includes a continuous section of wall associated with the visitor accommodation building within the western part of the site that exceeds 3m in height and 20m in length and therefore does not comply with A5.

The following justification has been provided by the applicant (shown in red) in support of compliance with P5:

Much of the wall to the rear of the site (western boundary) will sit below natural ground level and has no potential to impact streetscape as it will not be visible from the street.

The wall will be buffered when viewed from the adjoining residence through landscaping.

The wall will be setback 4.63m from the property to the west, retaining amenity.

(Equilibrium Town Planning. 2026)

Officer Assessment: The applicant's rationale can be supported without further comment.

P6: The proposed development has a total site coverage of approximately 2,707m² (roofed areas) across the five titles. Based on a total site area of approximately 5,350m², this equates to a site coverage of approximately 50.5%, which marginally exceeds the 50% maximum specified by A6. Accordingly, the application requires assessment against P6.

The following justification has been provided by the applicant (shown in red) in support of compliance with P6:

The proposal:

(a) provides for adequate and usable vehicle, handling and storage needs, as per the TIA included in the application documents. The design results in these areas being moved away from the adjoining residences and two accesses being replaced with one single access.

(b) has been designed to utilise the site and shape of the site through locating the buildings to shield the surrounding land uses from the vehicle movements.

(c) is restricted in some design features to utilising the existing buildings on the site. The proposed access point is intended to minimise the impact on nearby

residents as well as maintaining the function of Victoria Parade. The design ensures that the proposed extensions and additional buildings are staggered back from the boundaries with the intention of not exacerbating the existing presentation straight onto the street.

(d) includes landscaped zones along all areas where new buildings and extensions are proposed.

(e) does not differ significantly from the site coverage on the nearby 9 Victoria Parade, which sits at approximately 49.5%.

(f) has been designed to respect the character of the surrounding area, staggering the design back from the property boundaries, including in the extension to the front façade. The new buildings have been designed to present minimal bulk to the streetscape in order to preserve the character of the surrounding area.

Overall, the site coverage will be significantly reduced from the existing site coverage of developed lots.

(Equilibrium Town Planning. 2026)

Officer Assessment: The applicant's rationale can be supported without further comment.

C3.0 Road and Railway Assets Code

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

Objective: To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction	
A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. **A.1.2** 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. **A1.3** 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.	**P1** 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: (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority

A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA Of the Roads and Jetties Act 1935 in respect to a limited access road. **A1.5** Vehicular traffic must be able to enter and leave a major road in a forward direction.	

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

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

P1: The proposal is expected to more than double the number of vehicle movements associated with the site, resulting in traffic generation well in excess of 40 vehicle movements per day. Accordingly, the proposal does not comply with Acceptable Solution A1 and requires assessment against Performance Criteria P1.

The following justification has been provided by the applicant (shown in red) in support of compliance with P6:

> *Clause C3.5.1-A1.4 states the following with respect to traffic generation at a vehicle crossing:*
>
> *"A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:*
> *(a) the amounts in Table C3.1; or*
> *(b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road."*
>
> *The relevant threshold amount from Table C3.1 is 20% or 40 vehicle movements per day, whichever is the greater. Given that the proposed redevelopment would approximately double the existing traffic and generate greater than 40 vehicle*

movements per day, it does not comply with A1.4 and therefore relies on Performance Criterion P1, which is as follows:

"P1 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:
(a) any increase in traffic caused by the use;
(b) the nature of the traffic generated by the use;
(c) the nature of the road;
(d) the speed limit and traffic flow of the road;
(e) any alternative access to a road;
(f) the need for the use;
(g) any traffic impact assessment; and
(h) any advice received from the rail or road authority."

Each of the factors are assessed in the following subsections:

Any increase in traffic caused by the use

The proposal would generate around 549 additional vehicle movements per day, with peak volumes of up to an additional 47 movements per hour.

The nature of the traffic generated by the use

The site would generate predominantly light vehicle traffic. Occasional delivery vehicles, laundry vans and waste collection vehicles would access the site. These are provided with dedicated loading areas and swept path analysis confirms safe and efficient access for these vehicles.

The nature of the road

Lower Madden Street is a Local Access Road, constructed to a Link Road standard. The proposed traffic volumes (post-development) will remain within the nominal capacity of the road and will not cause any significant reduction in local amenity.

The speed limit and traffic flow of the road

The default speed limit is 50 km/h. Traffic volumes are relatively low, with around 500 vehicles per day on Lower Madden Street and 4,100 vehicles per day on Victoria Parade. These roads operate well within their target volumes as defined by the Devonport Road Network Strategy.

Any alternative access to a road

While the site has frontage to Victoria Parade, the proposal seeks to activate this frontage through the provision of multiple building entrances rather than vehicle access. Vehicular access to the site is proposed via Lower Madden Street, which is the lower-order road and is better suited to accommodating site traffic.

The need for the use

Not relevant.

Any traffic impact assessment

The Traffic Impact Assessment has considered the potential traffic and road safety impacts associated with the proposed redevelopment. The assessment concludes that the surrounding road network would continue to operate within its target traffic volumes. In particular, the impact on the Victoria Parade/Lower Madden Street intersection is expected to be minor, given the existing traffic volumes and the anticipated turning movements associated with the development.

Any advice received from the rail or road authority

Devonport City Council officers were consulted during the preparation of the Traffic Impact Assessment and did not raise any concerns regarding the operation, safety or efficiency of the surrounding road network.

Based on the assessment undertaken in the Traffic Impact Assessment and having regard to the matters outlined in Performance Criterion P1, the proposed redevelopment is considered to minimise adverse impacts on both the safety of the site access and the efficiency and operation of the surrounding road network. Accordingly, the proposal satisfies the requirements of Clause C3.5.1-P1.

(Ratio. 2026)

Officer Assessment: Council's Engineering Team has reviewed the Traffic Impact Assessment (TIA) prepared by Ratio and supports its findings. Based on the assessment undertaken, the proposed use and development is not expected to result in any unreasonable impacts on the safety, operation or efficiency of the surrounding road network.

C6.0 Local Historic Heritage Code

The site is located within the Victoria Parade Local Heritage Precinct (Planning Scheme Reference C6.2.4). Figure 8 shows the extent of the precinct, with the subject site outlined. The following is an extract from the Planning Scheme regarding this Precinct:

Description

The precinct contains a number of houses ranging from the 1880 period through to the post-war period and a number of heritage items such as the cenotaph and former ship yards.

Statement of Local Historic Heritage Significance

Victoria Parade is the most prestigious residential district in Devonport. The overall quality, design and setting of houses along the waterfront clearly demarks this group from all other housing areas in the City. While there are many individual fine houses and several small precincts of fine houses in Devonport, Victoria Parade historically and today provides a snapshot of the height of Devonport's development and style.

The precinct includes a number of exceptionally fine houses ranging from the 1880 period through to the post-war period. Their good design, use of materials, fine settings and the overall harmony of the area distinguish the precinct. The area behind Victoria Parade also includes good quality housing stock but not as distinguished as the houses fronting the water.

Also, part of the precinct is the waterfront reserve and parkland in which are located the Cenotaph and the archaeological sites of the former shipyards. The waterfront parkland provides a fine setting for the precinct.

The collective setting of the fine houses, gardens, waterfront reserve and the general intactness of the precinct provide the heritage value of the area.

Design Criteria / Conservation Policy

There are no design criteria or conservation policies for this precinct.

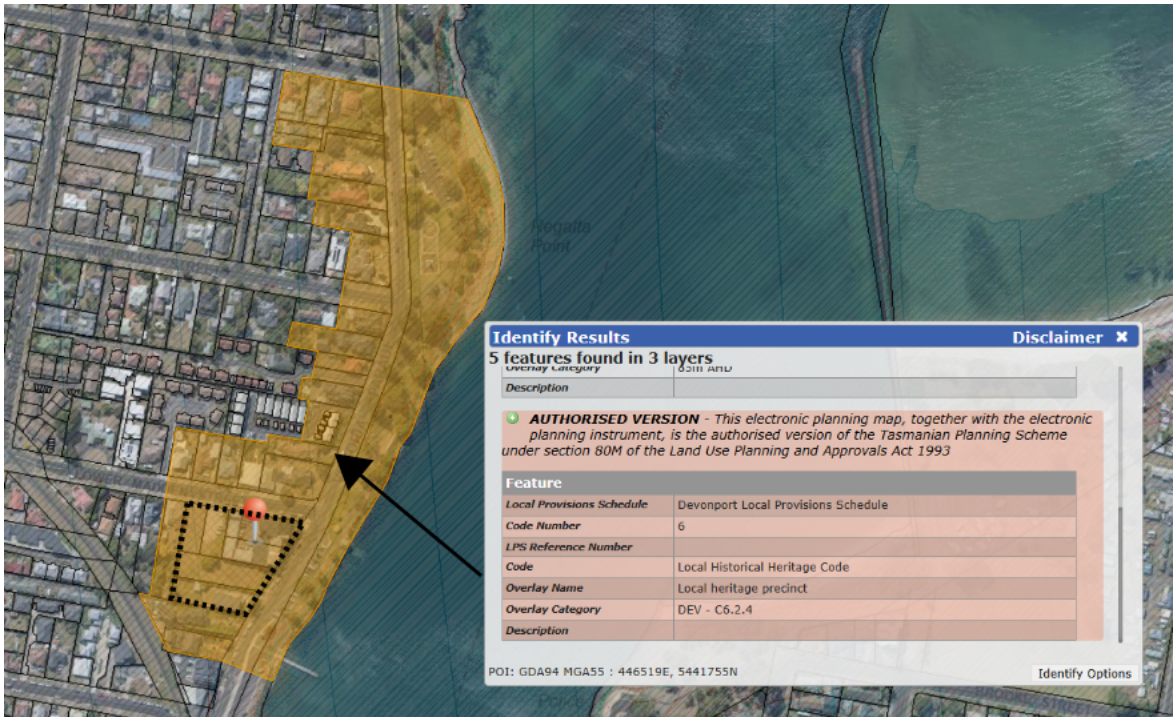


Figure 8 – Victoria Parade Local Heritage Precinct, with the subject site outlined (LISTmap, 2026)

As the site is located within a Local Heritage Precinct, the application is required to be assessed against the development standards prescribed by the Code. The relevant standards are reproduced below, followed by an assessment of the proposal.

C6.7.1 Demolition within a local heritage precinct

Objective: That demolition within a local historic landscape precinct does not have an unacceptable impact on the local historic heritage significance of the precinct.	
Acceptable Solutions	**Performance Criteria**
A1 Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings must: (a) not be on a local heritage place; (b) not be visible from any road or public open space; and (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	**P1.1** Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings, must not cause an unacceptable impact on the local historic heritage significance of the local heritage precinct as identified in the relevant Local Provisions Schedule, having regard to: (a)the physical condition of the building, works, structure or trees; (b) the extent and rate of deterioration of the building, works, structure or trees; (c) the safety of the building, works, structure or trees; (d) the streetscape in which the building, works, structure or trees is located;

Schedule.	(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; (f) any options to reduce or mitigate deterioration; (g) whether demolition is a reasonable option to secure the long-term future of a building. works or structure; and (h) any economic considerations.

Officer Comment: The redevelopment of the Elimatta requires the demolition of several existing structures, particularly on the southern side of the site, including the existing sports bar, bottle shop and accommodation buildings. As the demolition works will be visible from the site's road frontages, the proposal does not satisfy the Acceptable Solution and must be assessed against the corresponding Performance Criteria.

The demolition works are not considered to result in an unacceptable impact on the Victoria Parade Local Historic Heritage Precinct. The elements proposed for demolition are not identified in the *Tasmanian Planning Scheme* as having heritage significance and do not make a significant contribution to the heritage values of the precinct. Accordingly, the demolition works can be supported and are considered consistent with the intent of the 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**
A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must: (a) not be on a local heritage place; (b) not be visible from any road or public open space; and (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.	**P1.1** 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: (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; (b) the character and appearance of the

	surrounding area; (c) the height and bulk of other buildings in the surrounding area; (d) the setbacks of other buildings in the surrounding area; and (e) any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule.

Officer Comment: The Elimatta redevelopment will be visible from both Victoria Parade and Lower Madden Street. As a consequence, the proposal requires assessment against the Performance Criteria relating to development visible from a road frontage.

In support of the Performance Criteria, the applicant has provided a Heritage Impact Statement addressing the proposed height, roof form and external finishes of the redevelopment, particularly as they relate to the existing hotel building. It is noted that the Planning Scheme does not prescribe any specific design criteria or desired future character outcomes for the Elimatta Hotel site. In this context, the proposed redevelopment is considered an appropriate contemporary response that enables the continued evolution and modernisation of the hotel while remaining consistent with the intent of the heritage provisions of the Planning Scheme. The proposal is not considered to adversely affect the significance of nearby heritage dwellings or their contribution to the character of the precinct.

As outlined in the accompanying Planning Report prepared by Equilibrium Town Planning and the Traffic Impact Assessment prepared by Ratio, and following review by Council officers, the proposal has demonstrated compliance with the remaining applicable standards of the Planning Scheme at the Acceptable Solution level. This includes compliance with the relevant Code requirements relating to on-site car parking, access, manoeuvring, and other applicable design standards within the PPZ – Elimatta Hotel.

COMMUNITY ENGAGEMENT

On 07/05/2026, 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 Regulation 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 05/09/2026;

(b) Making a copy of the proposal available in Council Offices from the 05/09/2026;

(c) Notifying adjoining property owners by mail on 03/09/2026; and

(d) Erecting a Site Notice for display from the 04/09/2026.

The period for representations to be received by Council closed on 21/09/2026.

REPRESENTATIONS

One representation was received during the statutory 14-day public exhibition period required under the *Land Use Planning and Approvals Act 1993*. A copy of the representation is appended as **Attachment 2.**

The representation was received from the owner of 7 Lower Madden Street, the property immediately adjoining the western boundary of the site. The representation primarily relates to the potential overshadowing impacts of the proposed visitor accommodation building on the dwelling and rear garden areas. In particular, concerns have been raised regarding reduced access to sunlight for the kitchen and dining rooms, as well as the extent of shading across the rear yard during the winter months. The representor also notes that vegetation previously located along the eastern side of the property has since been removed and, as such, considers parts of the applicant's overshadowing assessment to be based on circumstances that no longer exist. The potential impact of overshadowing on the future installation of solar panels was also raised.

Officer Assessment: The concerns raised by the representor regarding overshadowing have been considered as part of the assessment of the relevant Performance Criteria under the PPZ – Elimatta Hotel, particularly Clause 4.1.3 P1. The applicant has provided shadow diagrams (see Figure 9) demonstrating the extent of overshadowing associated with the proposed development, including impacts on adjoining properties. Whilst the representor notes that vegetation previously located along the eastern boundary of 7 Lower Madden Street has since been removed, increasing the level of exposure experienced by the dwelling, the extent of overshadowing has been assessed against the relevant Performance Criteria. Having regard to the scale, siting and design of the development, together with the planning controls established for the site, the resulting impacts are not considered unreasonable or of a level that would warrant amendment or refusal of the application.

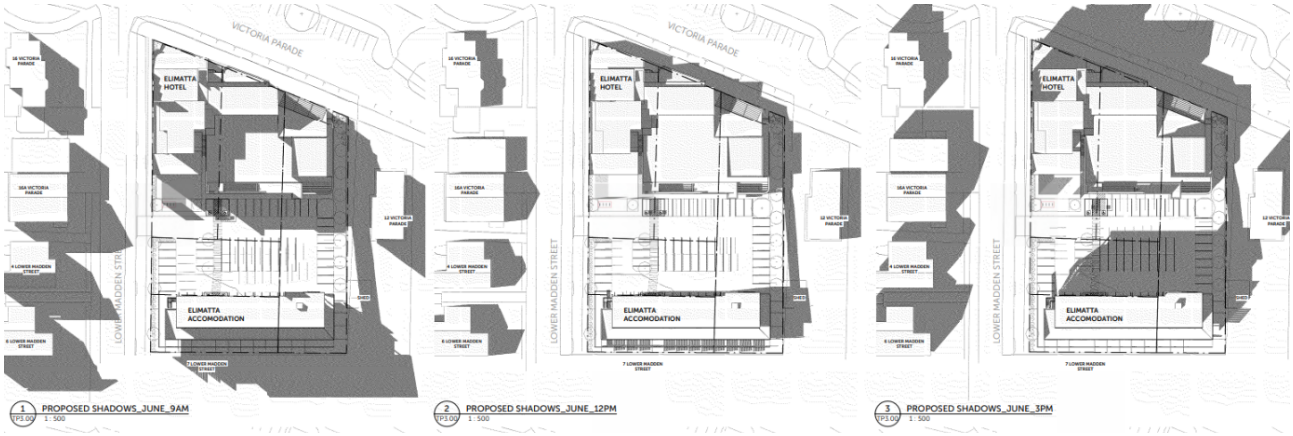


Figure 9 – Shadow Diagrams (BPSN, 2026)

The representor's requests regarding protection of the existing boundary fence and additional landscaping are acknowledged. Any damage caused to the boundary fence during construction is a private civil matter between the affected landowners and is not a planning consideration.

In response to concerns regarding privacy and visual amenity, a permit condition is recommended requiring the submission and approval of a Landscape Management Plan prior to the commencement of works. The Plan must identify proposed planting species, densities, mature heights and ongoing maintenance requirements, and be generally consistent with the landscaping shown on the endorsed plans. The landscaping is intended to provide an effective visual and privacy buffer between the development and adjoining residential properties.

Overall, the matters raised in the representation have been taken into account during the assessment of the application. While no design changes are considered necessary, it is recommended that the representation be noted by the Planning Authority.

DISCUSSION

The application was referred to TasWater, TasNetworks and Council's internal development review staff. Feedback received has been incorporated into the recommended permit conditions and advisory notes where appropriate. A copy of TasWater's Submission to Planning Authority Notice is appended 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 against the relevant provisions of the *Tasmanian Planning Scheme*. The discretionary matters associated with the application are considered to satisfy the applicable Performance Criteria, and the proposal is consistent with the intent of the PPZ – Elimatta Hotel, the Local Historic Heritage Code, and the Roads and Railway Assets Code. Accordingly, it is recommended that the application be approved, subject to the recommended permit conditions.

ATTACHMENTS

1. Application PA2026.0058 - 13, 14-15 Victoria Parade & 5 Lower Madden Street [**4.4.1** - 97 pages]
2. Representation PA2026.0058 - 13, 14-15 Victoria Parade & 5 Lower Madden Street [**4.4.2** - 6 pages]
3. TasWater Submission to Planning Authority Notice PA2026.0058 - 13, 14-15 Victoria Parade & 5 Lower Madden Street [**4.4.3** - 4 pages]

4.5 PA2026.0130 - 13 BOVILL STREET, EAST DEVONPORT - RESIDENTIAL (OUTBUILDING)

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 PA2026.0130 and grant a Permit to develop land identified as 13 Bovill Street, East Devonport for the following purposes:

- Residential (outbuilding)

Subject to the following conditions:

1. The Development is to proceed generally in accordance with the submitted plans referenced as Proposed Shed, Project No. 2026.09, Rev.1, Sheets A01-A06, dated 18/9/26 by Camtec Pty Ltd & Shed Plans, Job No. 4533214176, Sheets 1-7, dated 19/03/2026 by Best Sheds, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. All stormwater is to be directed to the existing property stormwater connection in accordance with the requirements of the National Construction Code.

DAMAGE TO COUNCIL INFRASTRUCTURE AND ASSETS

3. The developer is liable for all costs associated with the repair of damage to Council infrastructure and assets resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer may also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

Note: The following is provided for information purposes.

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

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

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

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

The developer is to ensure that all stormwater run-off is managed in accordance with the recommendations contained in the document, Erosion and Sediment Control - The fundamentals for development in Tasmania - refer to the following link

https://www.derwentestuary.org.au/assets/Best_practice_erosion_and_sediment_control_book.pdf

In regard to condition 3 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 PA2026.0130.

BACKGROUND

Planning Instrument:	*Tasmanian Planning Scheme – Devonport 2020*
Address:	13 Bovill Street, East Devonport
Applicant:	Camtec Pty Ltd
Owner:	Ms H Suzuki & Mr ML Coates
Proposal:	Residential (outbuilding)
Existing Use:	Residential
Zoning:	General Residential
Decision Due:	07/10/2026

SITE DESCRIPTION

The site is an internal lot, located to the east of Bovill Street, accessed via a 50m long access strip. The lot has an area of 1682m^2 and contains an existing house, surrounded by vacant and developed residential land. The lot, excluding the access, falls approximately 10m from the south-eastern corner to the north-western corner. Figure 1 shows an aerial photo of the subject site and surrounding area.



Figure 5 - Aerial view of subject site and surrounding area (Source: DCC)

APPLICATION DETAILS

The applicant is seeking approval for a 9m x 8m shed with an apex height of 4.475m and a wall height of 3.6m. Due to the slope, the shed will be at ground level in the south-eastern corner, 865mm above ground level in north-eastern corner, 700mm above ground level in the south-western corner and 1.815m above ground level in the north-western corner.

The shed will be located 4.5m to the western boundary and 1m to the northern boundary.

Figures 2-4 show the proposal plans.

The application is appended as **Attachment 1**.

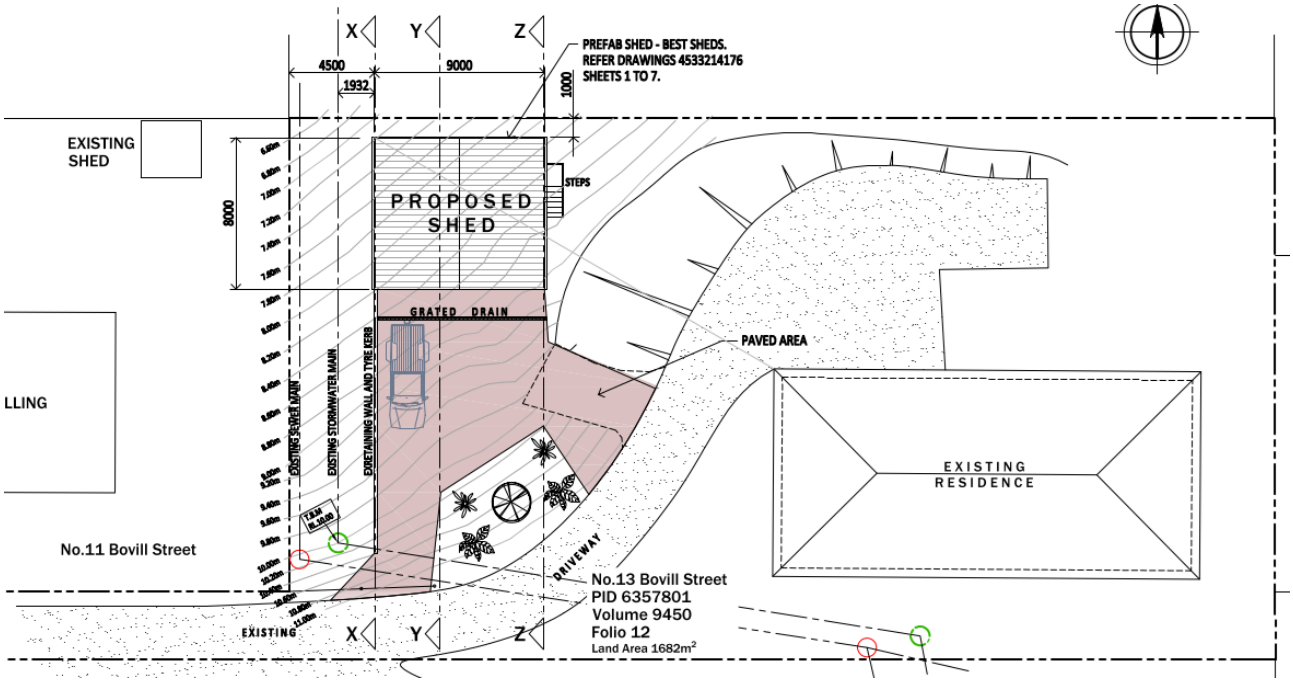


Figure 6 - Site plan (Source: Applicant)

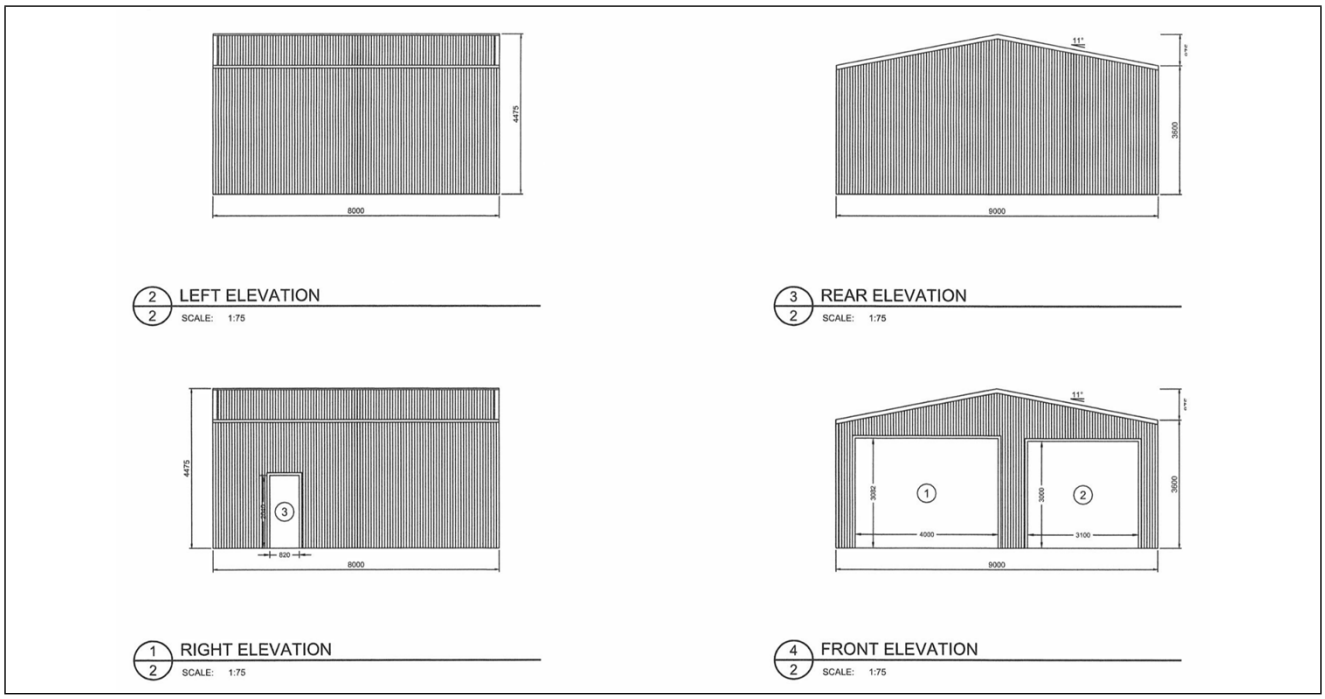


Figure 7 – Elevations (Source: Applicant)

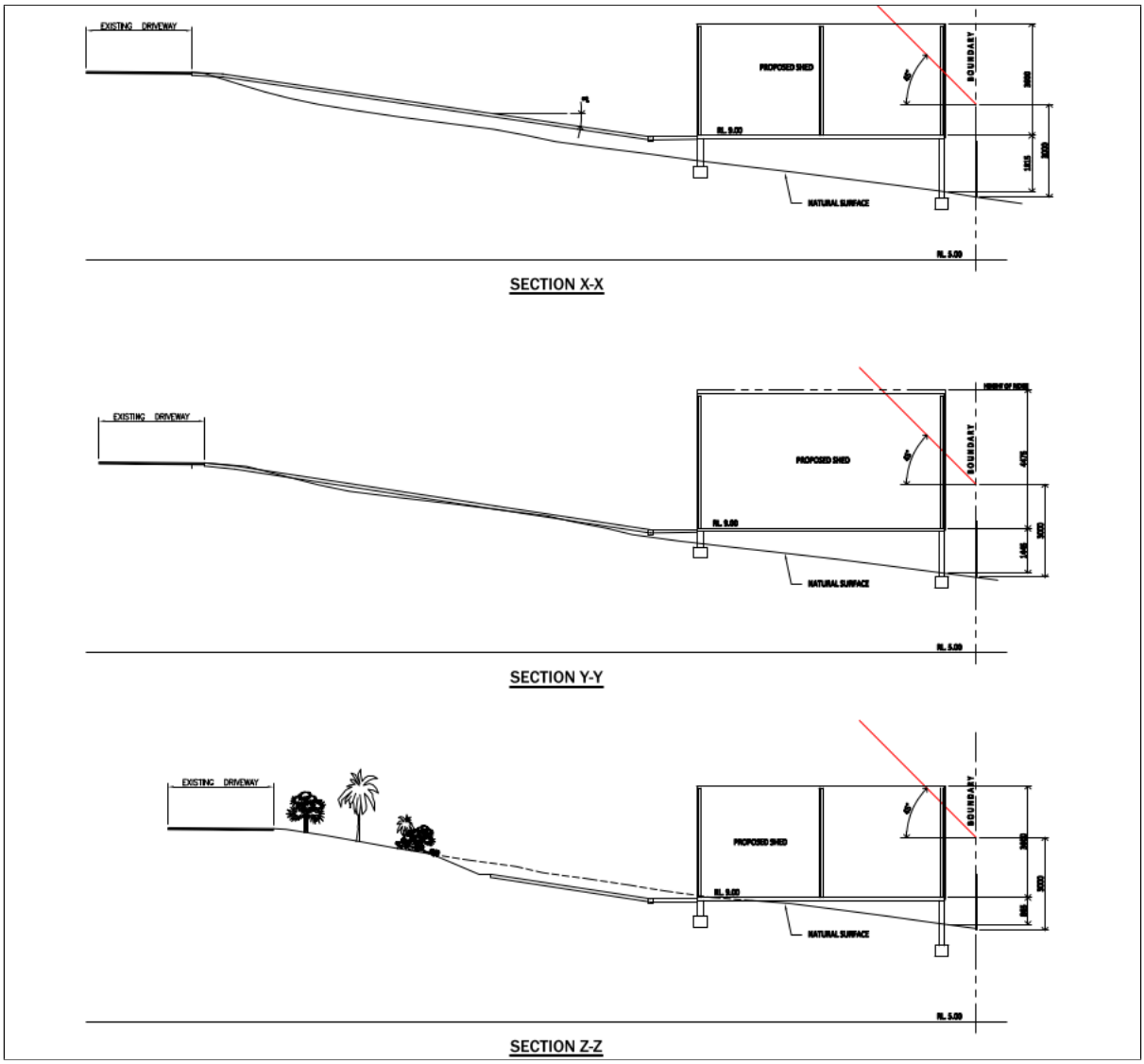


Figure 8 - Sections (Source: Applicant)

PLANNING ISSUES

The land is zoned General Residential under the *Tasmanian Planning Scheme – Devonport, 2020*. The intent of the 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.

A residential use, including outbuildings, does not require a permit in the General Residential Zone provided all development standards in the zone and any applicable codes are met at the acceptable solutions level.

In this case the building falls outside the building envelope and is within 1.5m of the side boundary and must therefore be assessed against the corresponding performance criteria, clause 8.4.2 P3.

The relevant sections of the scheme are reproduced below, followed by assessment.

8.0 General Residential Zone

8.4.2 Setbacks and building envelope for all dwellings

<table>
<tr><td colspan="2">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.</td></tr>
<tr><td>Acceptable Solutions</td><td>Performance Criteria</td></tr>
<tr><td>A3
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:
(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:
(i) a distance equal to</td><td>P3
The siting and scale of a dwelling must:
(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:
(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</td></tr>
</table>

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 (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 (b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).	(ii) overshadowing the private open space of a dwelling on an adjoining property; (iii) overshadowing of an adjoining vacant property; and (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; (b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and (c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on: (i) an adjoining property; or (ii) another dwelling on the same site.

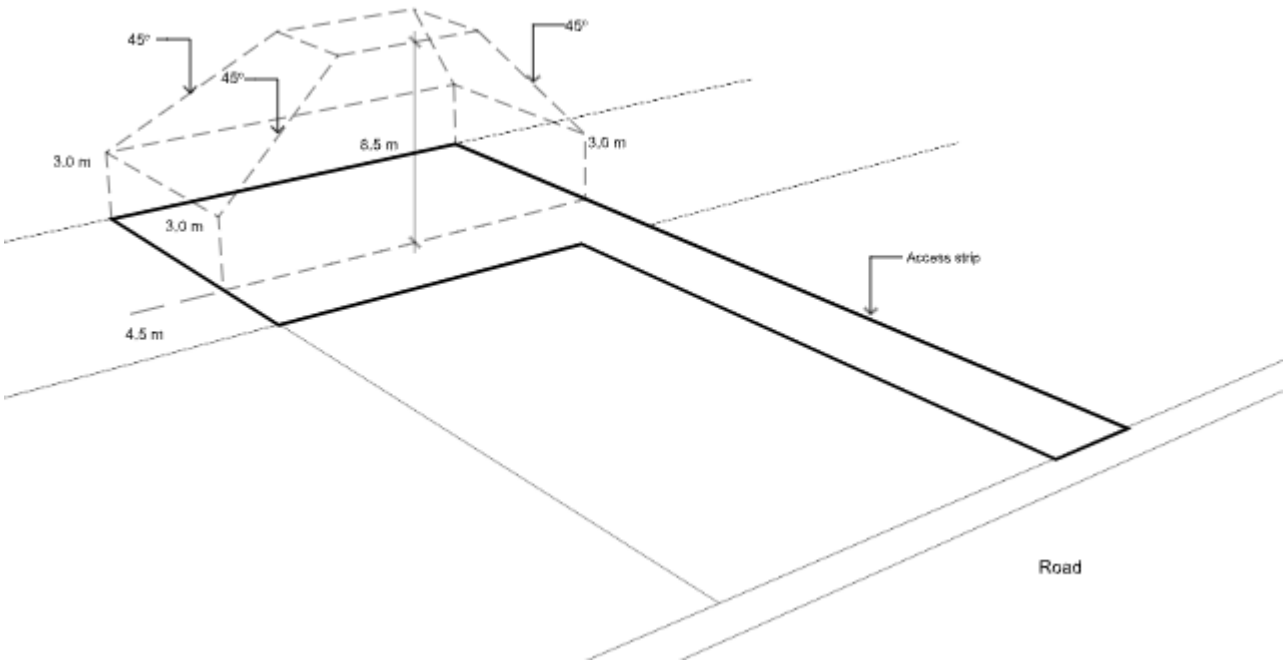


Figure 8.3 Building envelope for internal lots as required by clause 8.4.2 A3(a) and clause 8.5.1 A2(a)

Assessment – The shed will have a setback of 1m to the northern boundary, rather than 1.5m as stipulated. In addition, it falls outside the building envelope.

The siting and scale of the building will not cause an unreasonable loss of amenity to adjoining properties. No overshadowing will occur on the vacant lot to the north due to

the orientation of the lots. Any reduction in sunlight to the property to the west will be minimal, occurring only in the morning. The bulk and scale of the building is residential in nature and while it will sit outside the building envelope on the northern side it sits within the building envelope on the western side. The building will sit above the adjoining property to the west as a result of the topography.

Separation between dwellings is in keeping with the area. There are no solar installations that will be negatively impacted by the proposal.

The performance criteria are satisfied.

8.4.6 Privacy for all dwellings

Objective: To provide a reasonable opportunity for privacy for dwellings.	
Acceptable Solutions	**Performance Criteria**
A1 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 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: (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; (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 (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.	**P1** 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 than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of: (a) a dwelling on an adjoining property or its private open space; or (b) another dwelling on the same site or its private open space.

Assessment – The proposed building has a finished floor level of more than 1m above natural ground level and has a setback of more than 4m from the adjoining boundary, however, the shed is not subject to this clause as it is not open to the adjoining property. The clause only covers carports, decks, parking spaces etc. Any parking to occur in front of the shed will be at a height less than 1m above natural ground level.

The acceptable solution is met.

The site sits within a low landslip hazard band however the proposal is exempt from assessment against the Code.

The site also falls within the airport obstacle limitation area however the shed falls well below the 51.5AHD height limit.

No other codes are triggered for assessment by the proposal.

COMMUNITY ENGAGEMENT

On 26/08/2026, 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 Regulation 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 02/09/2026;

(b) Making a copy of the proposal available in Council Offices from the 02/09/2026;

(c) Notifying adjoining property owners by mail on 31/08/2026; and

(d) Erecting a Site Notice for display from the 01/09/2026.

The period for representations to be received by Council closed on 16/09/2026.

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 neighbour to the west of the subject site and is appended as **Attachment 2**.

The representation raises concerns around the size and intended use of the outbuilding, amenity, overshadowing and privacy, soil stability and impact on a retaining wall and stormwater, drainage and waterlogging risk. These concerns are addressed below.

1. Size and Intended Use of The Outbuilding (Zone Use Standards)

The proposed shed appears to be intended to house a commercial Garden and Lawn Maintenance business the applicant runs from home, including vehicles, trailers, machinery and equipment. Under the **Devonport Local Provisions Schedule**, commercial vehicle storage and industrial-style business operations are inconsistent with the purpose of a residential zone.

- The applicant's primary residence already has a 2-door garage that would normally be expected for residential storage alone.
- The operation of commercial garden machinery and pressure washers will cause severe acoustic pollution.
- The applicant regularly departs before 7:00 am Monday to Friday. Pre-7:00 am commercial activity will directly disrupt our family's sleep, severely impacting our children, whose bedrooms are located directly adjacent to the boundary fence.

The property owner is entitled to operate a landscaping business from home, provided it complies with the requirements of a home-based business as per the planning scheme (reproduced below). A landscaping business would generally only see equipment stored on-site, with activity commonly occurring off-site.

There are no stipulations around when people may come and go from their property.

home-based business	means use of part of a dwelling by a resident for non-residential purposes if: (a) the person conducting the business normally uses the dwelling as their principal place of residence; (b) it does not involve employment of more than 2 workers on-site who do not reside at the dwelling; (c) any load on a utility is no more than for a domestic use; (d) there is no activity that causes electrical interference to use on other land; (e) there is no storage of hazardous material on site; (f) the display of goods for sale are not visible from any road or public open space adjoining the site; (g) there is, on the site, no advertising of the business other than 1 sign (non-illuminated) not exceeding 0.2m² in area; (h) there is, on the site, no refuelling, servicing, detailing or repair of vehicles not owned by a resident; (i) no more than 2 commercial vehicles are on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes; and (j) all vehicles used by the business are parked on the site.

2. Amenity, Overshadowing and Privacy

The size of building sitting on an already elevated block of land will cause an unreasonable overshadowing, loss of amenity and privacy as follows:

2.1. Loss of Amenity and Negative Impact on Neighbourhood Character - a 72m² shed on an already elevated, sloped land would be highly imposing, visually intrusive, and completely out of character with the surrounding residential context. The bulk and scale of the structure would permanently ruin our backyard outlook and degrade the aesthetic value of this quiet neighbourhood.

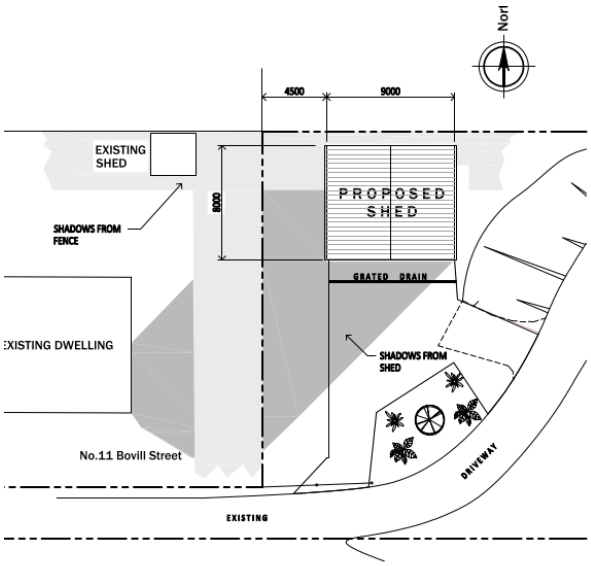
2.2. Overshadowing and Loss of Sunlight - Although shadow diagrams have been provided with the application, we remain concerned that the loss of valuable sunlight to our primary outdoor backyard area and indoor living area would impact our property's energy efficiency in winter, and our right to enjoy our private open space. A snapshot representation of the overshadowing at 9:00am in June downplays the extent of the problem throughout the winter season in Tasmania.

2.3. Privacy – Due to the applicant's land being topographically elevated above our property, combined with the building total height exceeding 4 metres, any person accessing, working within, operating or maintaining machinery around the shed will have a direct, unobstructed line of sight into our private open backyard and straight through the window of our main indoor living area. This would constitute a severe breach of privacy standards.

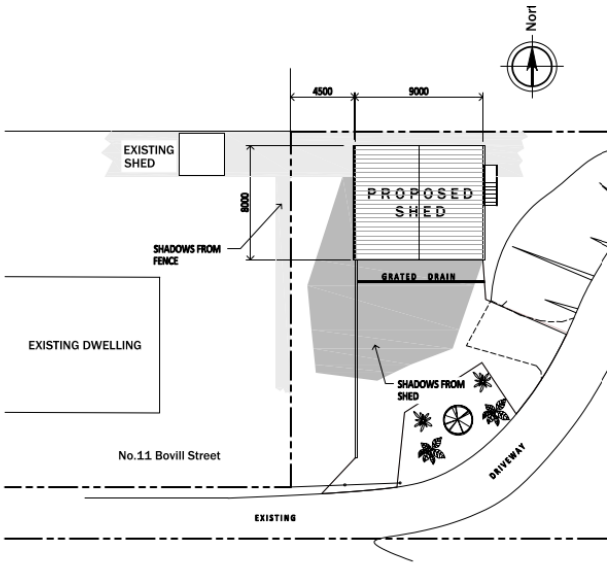
The proposed shed has a setback from the representor's property of 4.5m. Generally, were the subject site not an internal lot, the setback between properties would be 1.5m. The proposed setback reduces the overshadowing impact, along with the impact of the

scale of the building. As stated previously, the building is residential in scale, with a wall height of 3.6m.

Due to the orientation of the lots, overshadowing will only occur during the morning, with shadows being confined to the subject site by 11am on the shortest day of the year, when shadows are at their longest. Overshadowing is deemed to be acceptable where sunlight is received for at least 3 hours per day. The proposed shed will not negatively impact the representor's property in regard to overshadowing.



SHADOWS 9AM 21st JUNE



SHADOWS 11AM 21st JUNE

The shed complies with privacy requirements. There are no windows or doors in the western wall of the shed.

3. Soil Stability and Impact on Our Retaining Wall

The local soil profile consists of weathered basalt colluvium (brown clay), which is highly reactive, unstable, and prone to lateral movement. Even though this area of East Devonport is classified as Low Hazard Band Landslip Area, the construction of a 72m² engineering-grade slab and framing, paired with associated earthworks and construction of an extension of the applicant's driveway to the shed, pose a direct threat to our property. Our block sits adjacent to a sloped boundary fence supported by an existing **retaining wall**. We submit that these engineering works will place undue lateral pressure on the earth behind our retaining wall, creating an unacceptable risk of land slippage or structural failure.

The building application for the proposed shed will need to take into account the small portion of low level landslip hazard on the site and any potential engineering impacts.

5. Stormwater, Drainage and Waterlogging Risk

A 72m² roof area will capture an enormous, accelerated volume of water during heavy rain events. In addition to this, the applicant plans to build a new section of his driveway leading to the proposed shed. The plans for the development do not appear to clearly show how additional stormwater from the shed and driveway will be managed. Given that the applicant's property is higher than ours, there is a risk that the runoff will flow onto our land, resulting in waterlogging, erosion and potential collapse of our retaining wall.

Stormwater from the building and any paved areas must be directed to the existing stormwater connection for the property. No concentrated flow of stormwater is permitted to enter adjoining properties, in accordance with the requirements of the *Urban Drainage Act*. The developer will need to ensure the requirements of the Act are met.

Clause 6.10.1 of the planning scheme states:

> In determining an application for any permit for use or development the planning authority must, in addition to the matters required by section 51(2) of the Act, take into consideration:
>
> (a) all applicable standards and requirements in this planning scheme; and
>
> (b) any representations received pursuant to and in conformity with section 57(5) of the Act,
>
> but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

The only discretion being exercised in regard to the application is in regard to setback to the northern boundary and building envelope on the northern side.

The representor has not raised any concerns that warrant changes to the proposal.

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 PA2026.0130 - 13 Bovill Street [**4.5.1** - 23 pages]
2. Representation AA Macuacua PA2026.0130 - 13 Bovill Street [**4.5.2** - 4 pages]

5 REPORTS

5.1 CHILDREN'S MEMORIAL PAVILION - MERSEY VALE MEMORIAL CEMETERY

Author: **Mark Lowe, Operation Works Manager**

Endorser: **Jeffrey Griffith, Deputy Chief Executive Officer**

RECOMMENDATION

That Council endorse:

1. use of the Memorial Pavilion for ash interments and memorialisation of persons of all ages; and
2. the renaming the Children's Memorial Pavilion as the Memorial Pavilion at Mersey Vale Memorial Park.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

5.4 Council is recognised for its customer service delivery

SUMMARY

This recommendation will increase community access to the Memorial Pavillion at the Mersey Vale Memorial Park, which will provide greater memorialisation choice for families and improve the utilisation of existing cemetery infrastructure while maintaining the respectful nature of the memorial precinct.

BACKGROUND

The Children's Memorial Pavilion (CMP) was established at Mersey Vale Memorial Park in 2020 as a dedicated memorial space for children. The pavilion provides two memorialisation options: ash interment within memorial niches accompanied by a cast bronze plaque, and plaque-only memorials located on the pavilion's balloon memorial walls. The facility was designed to provide a peaceful and reflective environment for families wishing to commemorate the life of a child.

The pavilion consists of ash placement walls, which accommodate both ash interments and memorial plaques, together with dedicated balloon memorial walls that provide plaque-only memorialisation. Plaques installed within the niche walls are 178 mm × 178 mm cast bronze plaques, consistent with those used within the Memorial Gardens.



Since its establishment, utilisation of the facility has remained significantly lower than originally anticipated. Feedback received from local funeral directors indicates that many families choose to retain ashes at home, scatter ashes in a meaningful location, or incorporate ashes into keepsake jewellery rather than proceed with cemetery interment. Funeral directors also noted that memorialisation costs can be a factor for some families following the loss of a child.
Currently there are 32 memorial ballons with only 2 being in use and all 278 ashe niches still available.

Consequently, the available capacity within the pavilion remains significantly underutilised.

As part of Council's ongoing commitment to ensuring cemetery infrastructure meets community needs and is utilised effectively, a review of the pavilion's future use was undertaken. Initial consultation was conducted with local funeral service providers regarding a proposal to retain a dedicated children's section while repurposing portions of the pavilion for adult ash interments.

The consultation process identified broad support for a more flexible approach, with stakeholders generally favouring the option of opening the pavilion to all ash interments, rather than maintaining separate areas based on age. Feedback highlighted the benefit of providing families with additional memorial choices and allowing loved ones of different generations to be memorialised within the same location.

Following consideration of the consultation outcomes, staff developed a revised proposal to repurpose the Children's Memorial Pavilion as a Memorial Pavilion, providing ash interment and memorial opportunities for persons of all ages while retaining the existing peaceful setting and memorial infrastructure. This proposal seeks to improve utilisation of an existing cemetery asset, increase memorialisation options available to the community and ensure the facility remains relevant and sustainable into the future.

COMMUNITY ENGAGEMENT

To inform the review of the Children's Memorial Pavilion (CMP), consultation was undertaken with local funeral directors and funeral service providers who regularly assist families with memorialisation options at the Mersey Vale Memorial Park.

Correspondence outlining the proposed changes was distributed in July 2026 to Vincent Funeral Services, The Funeral Collective, Westella Funerals and Pinegrove Funerals.

Stakeholders were invited to provide feedback on the proposal to repurpose part of the Children's Memorial Pavilion and broaden the memorial options available within the facility.

The consultation identified general support for expanding the use of the pavilion and improving the memorial options available to families.

Vincent Funeral Services advised that utilisation of the Children's Memorial Pavilion was likely impacted by the cost of memorialisation and the fact that many families choose to retain ashes at home or incorporate them into keepsake jewellery rather than proceed with a cemetery interment. Vincent Funeral Services also noted that following the cremation of infants and stillborn babies, the volume of ashes is often limited, which can influence decisions regarding interment.

The Funeral Collective expressed support for opening the pavilion to all ash interments and viewed the proposal positively. They indicated that the change would provide greater flexibility for families and would be particularly beneficial where families wished to have ashes interred near children, grandchildren or other family members. They requested to be advised when the change is implemented so the option can be offered to client families.

Westella Funerals advised they would be comfortable recommending the pavilion as a memorial option to families and raised no concerns regarding the proposal.

Pinegrove Funerals did not provide a response during the consultation period.

No objections to the proposal were received from any stakeholder consulted. Feedback generally supported broadening access to the pavilion and increasing the range of memorialisation options available to the community.

Correspondence was sent to the two current internment families with an opportunity for feedback and acknowledgement. One family's feedback was positive with no acknowledgment from the other family.

Following consideration of the feedback received, staff believe that a simplified approach, allowing ash interments for persons of all ages throughout the pavilion rather than maintaining separate age-designated areas, would deliver the greatest benefit to families while maximising the utilisation of the existing facility. Updated brochures and guidelines will be prepared to reflect the proposed changes.

FINANCIAL IMPLICATIONS

The proposed repurposing of the Children's Memorial Pavilion to a Memorial Pavilion will have a negligible financial impact on Council.

The proposal utilises existing cemetery infrastructure and does not require the construction of new facilities or modifications to the existing pavilion structure. Existing memorial walls, niches, pathways, gardens and associated infrastructure will remain unchanged.

Minor costs associated with updating brochures, guidelines, application forms, signage and administrative records can be accommodated within existing operational budgets and resources.

The fees applicable to ash interments and memorialisation within the pavilion will remain consistent with Council's adopted Fees and Charges Schedule. As such, the proposal does not create any additional ongoing operating costs for Council and may result in increased utilisation of existing memorial assets and associated fee revenue over time.

The proposal represents an efficient use of existing cemetery infrastructure and supports the long-term sustainability of cemetery services without requiring additional capital expenditure.

RISK IMPLICATIONS

The proposal presents a low organisational risk. The main potential risk is concern from families or the broader community that expanding use of the pavilion may diminish its original purpose. This risk is mitigated by retaining the pavilion’s peaceful and reflective character, with all existing memorials, plaques and interments remaining unchanged.

Consultation with funeral service providers identified support for the proposal, with no objections received.

Minor operational and reputational risks, including possible confusion about eligibility and memorialisation options, will be managed through clear stakeholder communication and updated brochures, application forms, guidelines, signage and cemetery records. These changes have been planned and can be implemented within existing resources.

CONCLUSION

The Children's Memorial Pavilion was established in 2020 to provide a dedicated memorial space for children through ash interments and memorial plaques. While the facility continues to offer a peaceful and respectful environment for remembrance, utilisation has remained lower than anticipated since its introduction.

Consultation undertaken with local funeral service providers identified support for expanding the use of the pavilion to accommodate ash interments for persons of all ages.

Feedback indicated that increased flexibility would provide additional memorialisation options for families while making better use of the existing infrastructure. No objections to the proposal were received during the consultation process.

The proposed broadening of the facilities' use represents an opportunity to improve utilisation of an existing cemetery asset, increase memorial choice for the community and support the long-term sustainability of the facility. The proposal does not affect existing memorials or interments and can be implemented through updated guidelines, brochures and administrative processes.

The proposal is considered low risk, financially neutral, and aligned with Council's objective of providing appropriate, accessible and sustainable cemetery services to the community.

ATTACHMENTS

Nil

5.2 TENDER REPORT CT0375 BEST STREET RENEWAL - ROOKE TO EDWARD STREET

Author: **Jason Bellchambers, Infrastructure Manager**

Endorser: **Jeffrey Griffith, Deputy Chief Executive Officer**

RECOMMENDATION

That Council, in relation to "Project CT0375 Best St Renewal - Rooke to Edward Street":

a) award the contract to Walters Contracting Pty Ltd for the revised schedule of rates amount of $653,004 (ex GST);
b) allow a construction contingency of $79,000 (ex GST);
c) note project design, management and administration costs are estimated at $87,000 (ex GST); and
d) authorise the Chief Executive Officer to execute all necessary documentation associated with the contract.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

2.3 Active asset renewal program and clear infrastructure priorities for funding

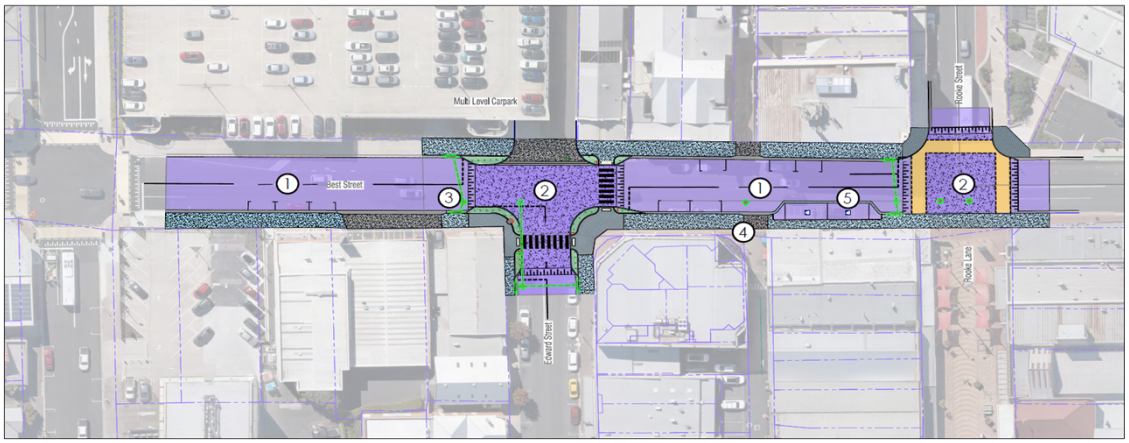
SUMMARY

This report considers tenders received for "Project CT0375 Best St Renewal - Rooke to Edward Street" listed in the 2025/26 Capital Program and seeks approval to award the contract to Walters Contracting Pty Ltd.

BACKGROUND

The Best Street Renewal project's objective is to address road pavement and surface renewal, together with associated footpath, kerb and stormwater works between Rooke Street and Edward Street. The project will also include raised intersection treatments and upgraded pedestrian crossing facilities. These improvements will enhance connectivity, walking and cycling linkages, and pedestrian safety within the CBD precinct.

① New road pavement & surfacing - Strengthening the road.
② New Raised Intersection - Slowing down vehicles to facilitate safe pedestrian crossing.
③ New Stormwater pits, pipes and manholes - for efficient conveyance of stormwater.
④ New footpath and driveways - matching new road profile.
⑤ Parking Adjustments.



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

Two tenders submissions were received. Both of which were assessed as conforming tenders and are summarised in Table 1 below.

Table 1

No.	Tenderer	Total Price (ex GST)	Revised Price (ex GST)
1	Walters Contracting Pty Ltd	$889,859	$653,004
2	Treloar Civil & Quarries Pty Ltd	$999,256	

Tenders were submitted on a Schedule of Rates basis, itemising the relevant elements and applying an indicative quantity.

The Tender Planning and Evaluation Committee has considered each of the selection criteria and assessed Walters Contracting Pty Ltd as the highest ranked tenderer, offering Council the best value for money. The selection criteria included:

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

The initial tenders exceeded the available project budget. The scope was reviewed, with the key changes including a reduction in the extent of pavement renewal, adopting an alternative pavement renewal treatment, along with reducing some associated discretional items. This enabled Walters Contracting Pty Ltd to submit a revised tender price of $653,004 while maintaining the project's key objectives and community benefits.

COMMUNITY ENGAGEMENT

Tenders were advertised through the Local Government Association of Tasmania (LGAT) procurement system, part of the National Procurement Network, via the Major Civil Works panel. LGAT Procurement assists Tasmanian Councils undertake best practice procurement and deliver value for money for their communities by leveraging the combined purchasing power of councils around the country whilst buying locally.

FINANCIAL IMPLICATIONS

The 2025/26 Capital Budget includes an allocation of $820,000 for the project "Project CT0375 – Best St Renewal – Rooke to Edward Street." Council contribution of $600,000 and $220,000 secured under the State Government's Vulnerable Road Users Program.

Council has identified savings associated with changes in the project scope, which have enabled the project to be delivered within the approved budget.

A breakdown of the forecast expenditure and the revised budget is detailed in Table 2 below.

Table 2

No.	Tender	Amount (ex. GST)
1	Contract Best St Renewal Revised	$653,004
2	Project Admin	$87,000
3	Construction Contingency	$79,000
	TOTAL	**$819,004**
	Budget	**$820,000**
	Difference	**$996**

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*.

The revised tender price submitted by Walters Contracting Pty Ltd, together with the forecast project administration costs and construction contingency, can be accommodated within the approved project budget.

CONCLUSION

The Tender Planning and Evaluation Committee recommends awarding contract for CT0375 Best St Renewal – Rooke to Edward Street project to Walters Contracting Pty Ltd.

ATTACHMENTS

Nil

5.3 ENDORSEMENT OF MEMBERSHIP - DEVONPORT YOUTH ADVISORY COMMITTEE

Author: **Hannah Koch, Community Development Coordinator**

Endorser: **Kylie Lunson, Executive Manager**

RECOMMENDATION

That Council:

1. Appoint Archie Munro, Ebony Kremneff, Ellie Clark, Jamie Nguyen and Merinda Jones to the Devonport Youth Advisory Group; and
2. Reappoint Atticus Pacey, Chelsea Farnsworth and Miles Maibala.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

4.7 An engaged community promotes and values diversity and equity
4.8 Young people are recognised and valued allowing them to reach their full potential
5.2 Promote active and purposeful community engagement and participation

SUMMARY

To confirm membership of the Devonport Youth Advisory for a Twelve (12) month period.

BACKGROUND

At its meeting held on 27 July 2026, Council adopted the updated Devonport Youth Advisory Group Terms of Reference with immediate effect.

The endorsed Terms of Reference provide for up to sixteen members aged between 13 and 20 years inclusive, appointed for a one-year term. Following Council's endorsement, recruitment was progressed through Council channels, local schools and community organisations. Existing members were also invited to seek reappointment.

STATUTORY REQUIREMENTS

Section 23 and 24 of the *Local Government Act 1993* outlines the statutory requirements relating to the appointment and functions of Committees as follows:

24. Special Committees

(1) A council may establish, on such terms and for such purposes as it thinks fit, special committees.

(2) A special committee consists of such persons appointed by the council as the council thinks appropriate.

(3) The council is to determine the procedures relating to meetings of a special committee.

DISCUSSION

The following successful EOI's were received for the Devonport Youth Advisory Group (up to 16 positions available) for:

- Appointment to a first term:
  - Archie Munro
  - Ebony Kremneff
  - Ellie Clark
  - Jamie Nguyen
  - Merinda Jones

- Reappointment to a second term:
  - Atticus Pacey
  - Chelsea Farnsworth
  - Miles Maibala

The Devonport Youth Advisory Group Terms of Reference allow for up to 16 members.

Eight nominations were received, comprising five new members and three returning members.

Although this is fewer than the maximum membership, the eight nominees represent a sufficient group for DEVYAG to commence its work and contribute to the Advisory Group's objectives.

The nominees demonstrate relevant interests and experience, and it is recommended that all eight be appointed.

COMMUNITY ENGAGEMENT

The calling for expressions of interest for vacancies was advertised as follows:

- Council website
- Council Facebook page
- Community newsletter
- Shared on various community mailing lists
- Market Square TV
- Posters around local community
- Direct contact through local schools and sporting organisations

FINANCIAL IMPLICATIONS

There is no financial impact as a result of this report. Administrative costs in relation to the coordination and facilitation of meetings are absorbed into Council's operational budget.

RISK IMPLICATIONS

- Workplace Health and Safety
  To minimise any potential workplace health and safety risks, all endorsed members will complete Council's volunteer induction to ensure they understand their obligations under the *Workplace Health and Safety Act 2012*.
- Consultation and/or Communication
  Special Interest and Working Groups assist in providing a mechanism by which Council can communicate effectively on special interest matters.

CONCLUSION

The quality of nominations received for the Devonport Youth Advisory Group were strong and this report recommends that the eight nominations received be approved.

ATTACHMENTS

Nil

6 INFORMATION

6.1 MAYOR'S 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 19 August and 22 September 2026:

- Conducted radio interviews with 7AD, SeaFM, ABC/ Chilli FM and CoastFM
- Attended Council, Planning Authority Committee meetings and Workshops as scheduled
- Met with CEO and Council Officers on various matters
- Attended the LGAT AGM and Conference in Hobart
- Met with Acting Lord Mayor Dr Zelinda Sherlock
- Met with Linda Manaena from LeaderLab
- Attended the LGAT Conference Dinner
- Attended LGAT Conference Day 2
- Attended 'ENOUGH' performance in Launceston
- On behalf of the Mayor, Cr Gerard Enniss attended the St Lukes 'The Light Night Glow Run'
- With the CEO, attended Wet Testing - Spirit of Tasmania IV at T3 Devonport Gantry including drive onto the Spirit
- Attended Spirit Trial Media event with the Premier and Minister Vincent
- Met with the Hon Roger Jaensch MP, Minister for Racing
- Attended the Retail and Business Security Forum at the paranaple Centre
- Attended the Regional Data Centre Strategy Workshop hosted by the Cradle Coast Authority
- Met with Claudia Brassard, Head Coach, Tasmania Jewels
- With CEO and Councillors, attended Devonport City Council's State of the City Breakfast to mark the end of the Term Plan 2022-2026, celebrating the achievements of the current Council Term
- With the CEO, met with State Opposition Leader Josh Willie MP, and Labor MPs Anita Dow and Shane Broad
- With Anne Urquhart MP, attended Media Release for State Vehicle Entry Point
- Attended Steople online session webinar

- As a Panel Member, attended a meeting organised by Tasmania Police regarding the Keith Smith Award
- Attended a Farewell for Kevin Lawrence, General Manager, Don River Railway
- Attended 81st Indonesian Independence Day hosted by Indonesian Diaspora Tasmania, at the East Devonport Recreation Centre
- As patron, attended the Devonport Choral Society's performance of 'Oliver Junior'
- Attended screening of Australian documentary 'Silenced' at the Leven Theatre
- Attended the City Mission's Spring Food Drive Launch
- Attended School Lunch Program 'School Food Matters' at Hillcrest Primary School
- Attended a Cradle Coast Authority Representative Meeting
- Joined an informal 'Meet and Greet' with Chair and Chief Executive (Pacific) Bureau Veritas Pacific
- With the CEO, attended a meeting of the Mersey Leven Strategic Alliance
- Attended a Candlelight Vigil for the Nepalese community
- Officially opened the 97th Devonport Eisteddfod at the Town Hall Theatre
- Attended a Valedictory Dinner to acknowledge the end of the current Council Term
- Met with Anita Dow MP and Burnie Deputy Mayor Giovanni Simpson
- Attended the 'Expo of Everything'
- Attended a Morning Tea 'Forget me Not' for community members with dementia, their carers and friends at the Pathway Shed
- Officially welcomed members of a QUT MBA Study Tour and hosted a tour of the paranaple Centre
- On behalf of the Mayor, Deputy Mayor Stacey Sheehan, attended and spoke on Local Leadership and Council's child protection initiatives at the Tassie Care Services conference as part of National Child Protection Week 2026
- On behalf of the Mayor, Deputy Mayor Stacey Sheehan, attended the TasTAFE and DCCI Networking Event
- Guest Speaker at the Devonport Branch of the ALP
- Officiated at a Citizenship Ceremony
- As part of the Animal Advisory Committee attended a 'Horse Welfare Working Group' online meeting
- Attended school lunch program 'School Food Matters' at East Devonport Primary School

ATTACHMENTS

Nil

6.2 CEO'S REPORT

Author: **Matthew Atkins, Chief Executive Officer**

RECOMMENDATION

That the Chief Executive Officer's 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 provides a summary of the activities undertaken by the Chief Executive Officer, between 19 August and 22 September 2026. It also provides information on matters that may be of interest to Councillors and the community. The Chief Executive Officer was on leave for the period 14 - 18 September 2026.

BACKGROUND

A monthly report provided by the Chief Executive Officer 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 Chief Executive Officer is appointed by the Council and occupies the statutory position of General Manager, 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. With the Mayor and Councillors, attended the State of the City Breakfast to mark the end of the Term Plan 2022-2026, celebrating the achievements of the current Council Term.
    - 1.4. Attended Valedictory Dinner to acknowledge the end of the current Council Term.
    - 1.5. Attended a Fairbrother Board dinner as a guest to speak on progress and updates within the City.
    - 1.6. Participated in Regional Waste Collection Tender review and attended contract meetings.
    - 1.7. Met with YouWho Group to discuss Council's updated People Strategy.
    - 1.8. Met with TasPorts Commercial Manager, Ben Sully.
    - 1.9. Attended Hillcrest Memorial Project Steering Committee Meeting.
    - 1.10. Met with George Theo, CEO TasWater.
    - 1.11. Met with several Directors of Island State Brewing regarding their investment plans.
    - 1.12. Met with SeaRoad Managing Director, Chas Kelly.

2. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)
   2.1. Attended the opening of the new Fairbrother Offices and Joinery Workshop in Quoiba.

3. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT
   3.1. Attended the LGAT AGM and Annual Conference.
   3.2. As an Owners Representative, attended the Representatives meeting of the Dulverton Waste Management Authority.
   3.3. Attended a meeting of the Mersey Leven Strategic Alliance.
   3.4. Met with LGAT CEO, Dion Lester.
   3.5. Chaired a meeting of the Cradle Coast Waste Management Group.
   3.6. Attended the Cradle Coast General Managers meeting.
   3.7. Along with other Cradle Coast General Managers met with the Hon Kerry Vincent MLC to discuss the Cradle Coast Regional Land Use Strategy (CCRLUS).

4. STATE AND FEDERAL GOVERNMENT PROGRAMS
   4.1. Attended several online stakeholder briefing sessions for a H5 Birdflu update.
   4.2. Met with CEO of TasTAFE, Norman Baker.
   4.3. With the Mayor, met with State Opposition Leader Josh Willie MP, and Labor MPs Anita Dow and Shane Broad.

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 Resolutions - September Ordinary Council Meeting 28 Sep 2026 [**6.2.1** - 1 page]

6.3 MONTHLY OPERATIONAL REPORT - AUGUST 2026

Author: **Claire Jordan, Executive Coordinator**

Endorser: **Matthew Atkins, Chief Executive Officer**

RECOMMENDATION

That Council receive and note the Monthly Operational Report for the period ending 31 August 2026.

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 August 2026.

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 may be 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.

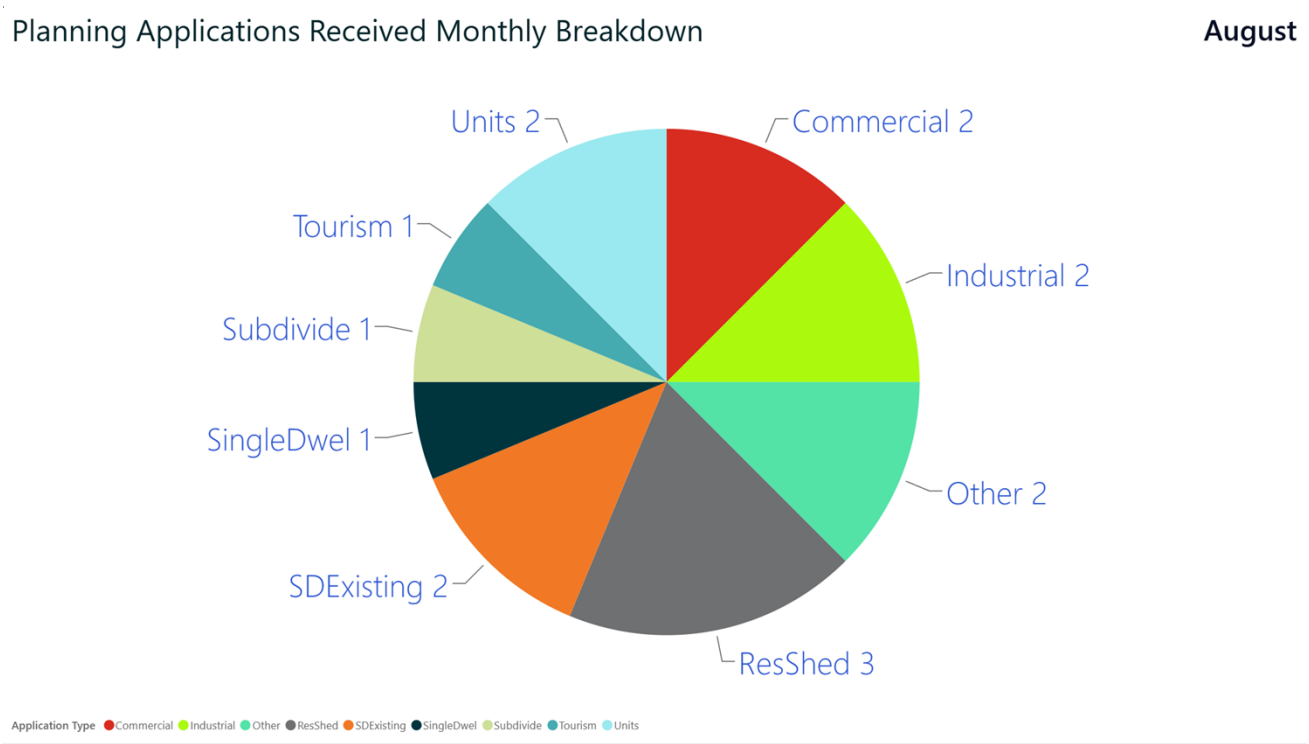
DISCUSSION

The following information is provided as an update on operational activity undertaken by Council during the month of August 2026:

1. DEVELOPMENT SERVICES:

1.1. Planning:

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



Definitions:

- Single Dwellings – means residential dwelling on a single lot.
- Single Dwelling Existing – for alternations and additions to single dwellings
- 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 this financial year (permitted/discretionary):



1.1.3. Planning Applications approved under delegation during August 2026:

Planning Applications approved for period August

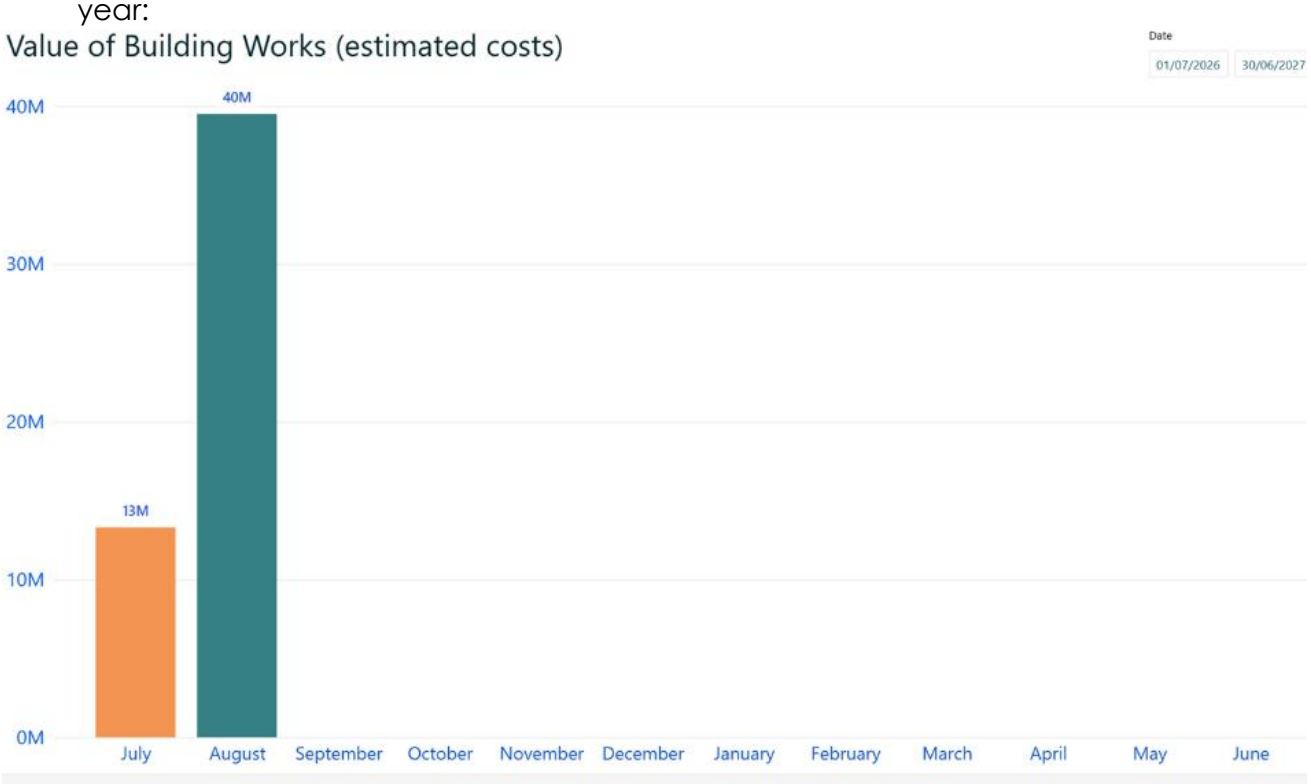
# Applications	Primary Category	Application Address	Description	Permit Approved
PA2026.0039	Discretion	225 WILLIAM ST DEVONPORT TAS 7310	Residential (outbuilding)	28 August 2026
PA2026.0073	Permitted	16 DANA DRIVE DEVONPORT TAS 7310	Residential (single dwelling)	20 August 2026
PA2026.0092	Discretion	2/79 SUNBEAM CRESCENT EAST DEVONPORT TAS 7310	Residential (multiple dwelling – carport)	05 August 2026
PA2026.0094	Permitted	11 TURNERS LANE QUOIBA TAS 7310	Resource Processing (outbuildings and waste water treatment)	10 August 2026
PA2026.0096	Discretion	44 HILLCREST RD DEVONPORT TAS 7310	Residential (outbuilding)	05 August 2026
PA2026.0097	Permitted	55 DEVONPORT RD QUOIBA TAS 7310	Storage	13 August 2026
PA2026.0099	Discretion	1 COLLINS WAY TUGRAH TAS 7310	Residential (single dwelling and outbuilding extension)	26 August 2026
PA2026.0100	Discretion	24 SPIRIT WAY EAST DEVONPORT TAS 7310	Retaining walls	12 August 2026
PA2026.0101	Discretion	53A GUNN ST DEVONPORT TAS 7310	Change of Use to Business and Professional Services (consulting rooms - allied health), including alterations and additions	07 August 2026
PA2026.0103	Discretion	128 TUGRAH RD TUGRAH TAS 7310	Subdivision (10 lots)	24 August 2026
PA2026.0105	Discretion	23 FORBES ST DEVONPORT TAS 7310	Sport and Recreation (24/7 personal training)	19 August 2026
PA2026.0107	Permitted	3/5 SAINT ANNE PLACE DEVONPORT TAS 7310	Residential (multiple dwelling) - Addition	19 August 2026
PA2026.0108	Discretion	246 KELCEY TIER RD SPREYTON TAS 7310	Residential (outbuilding)	27 August 2026
PA2026.0109	Discretion	15 GADSBY STREET STONY RISE TAS 7310	Residential (single dwelling) and retaining walls	26 August 2026
PA2026.0110	Permitted	161-167 STONY RISE RD STONY RISE TAS 7310	Subdivision and Consolidation	18 August 2026
PA2026.0111	Discretion	18 DON RD DEVONPORT TAS 7310	General Retail & Hire (Clothing Shop)	28 August 2026
PA2026.0116	Permitted	10300 BASS HIGHWAY DON TAS 7310	Visitor accommodation - ancillary spa facilities	26 August 2026

1.2 Building & Plumbing:

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



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

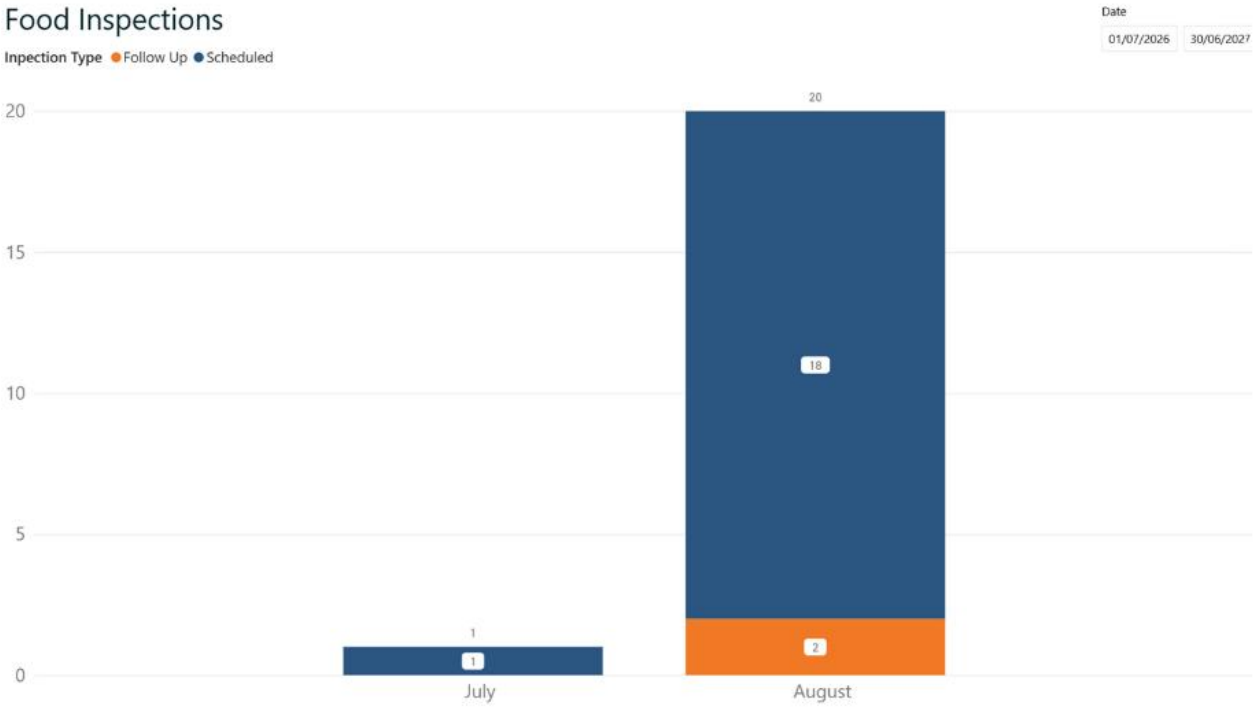


1.2.3 The following graph details the notifiable works received for building that have been issued this financial year:



1.3 Environmental Health:

1.3.1 Permits Issued:

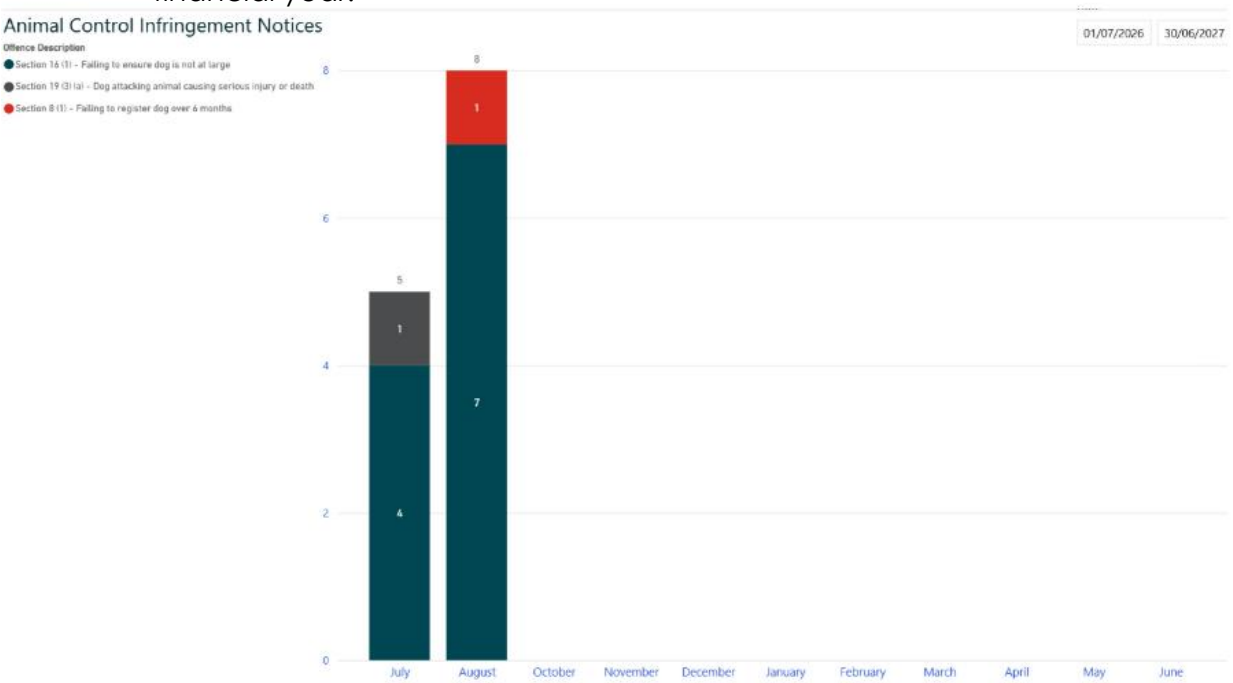


1.3.2 Infringements Issued:



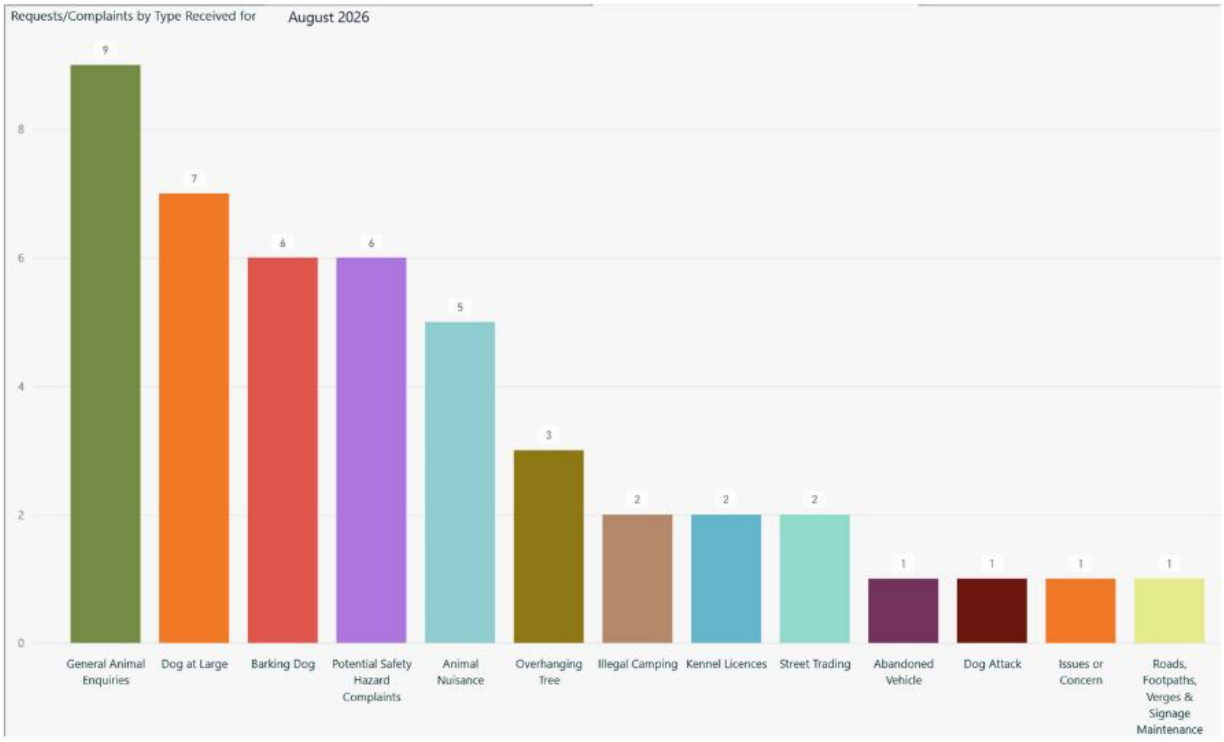
1.4 Animal Control:

1.4.1 The following graph details the number of dog infringements issued for this financial year:

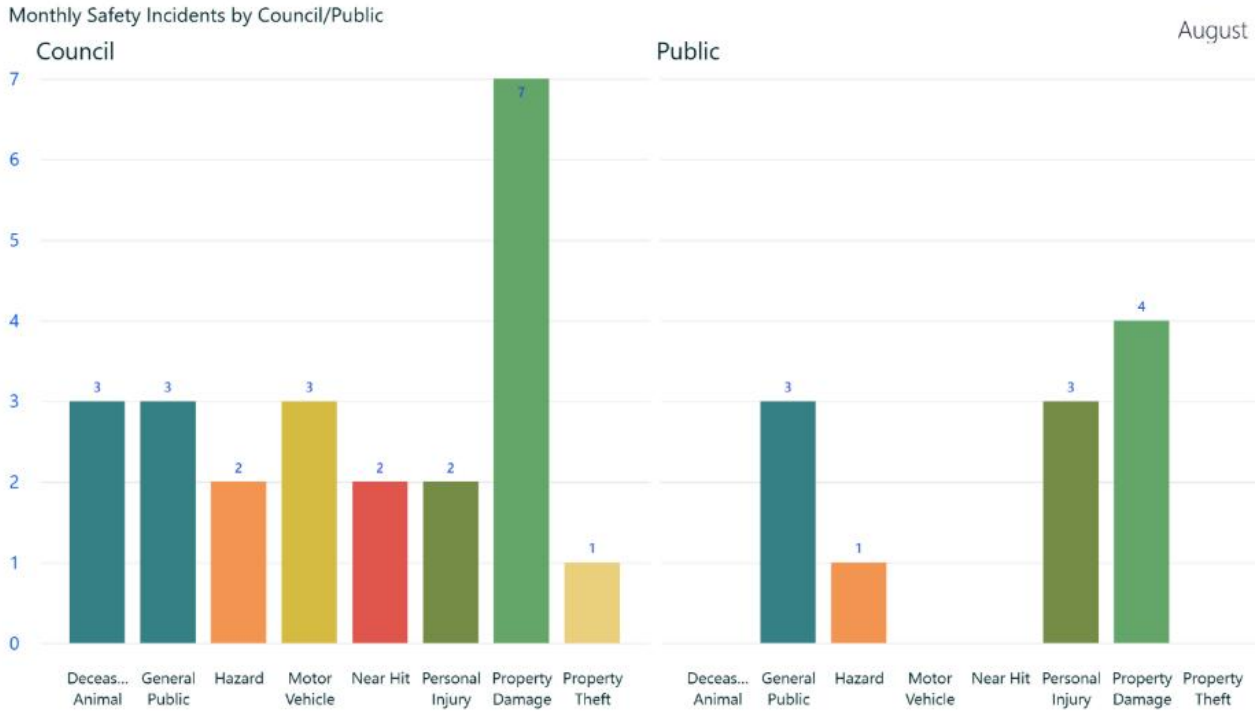


1.5 Risk & Compliance:

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



1.5.2 The following graph details the types of incidents reported in August:



2. INFRASTRUCTURE & WORKS:

2.1. Asset Maintenance:

Collins Way - vegetation clearing






Durkins Road - Millouts





College Court - Footpath Renewal



Beaumont Drive - Footpath Renewal



45A Steele Street - Stormwater Blockage Repair and Renewal



Don Hall – Paint inside & Toilets



Norton Way - Garden Bed Maintenance

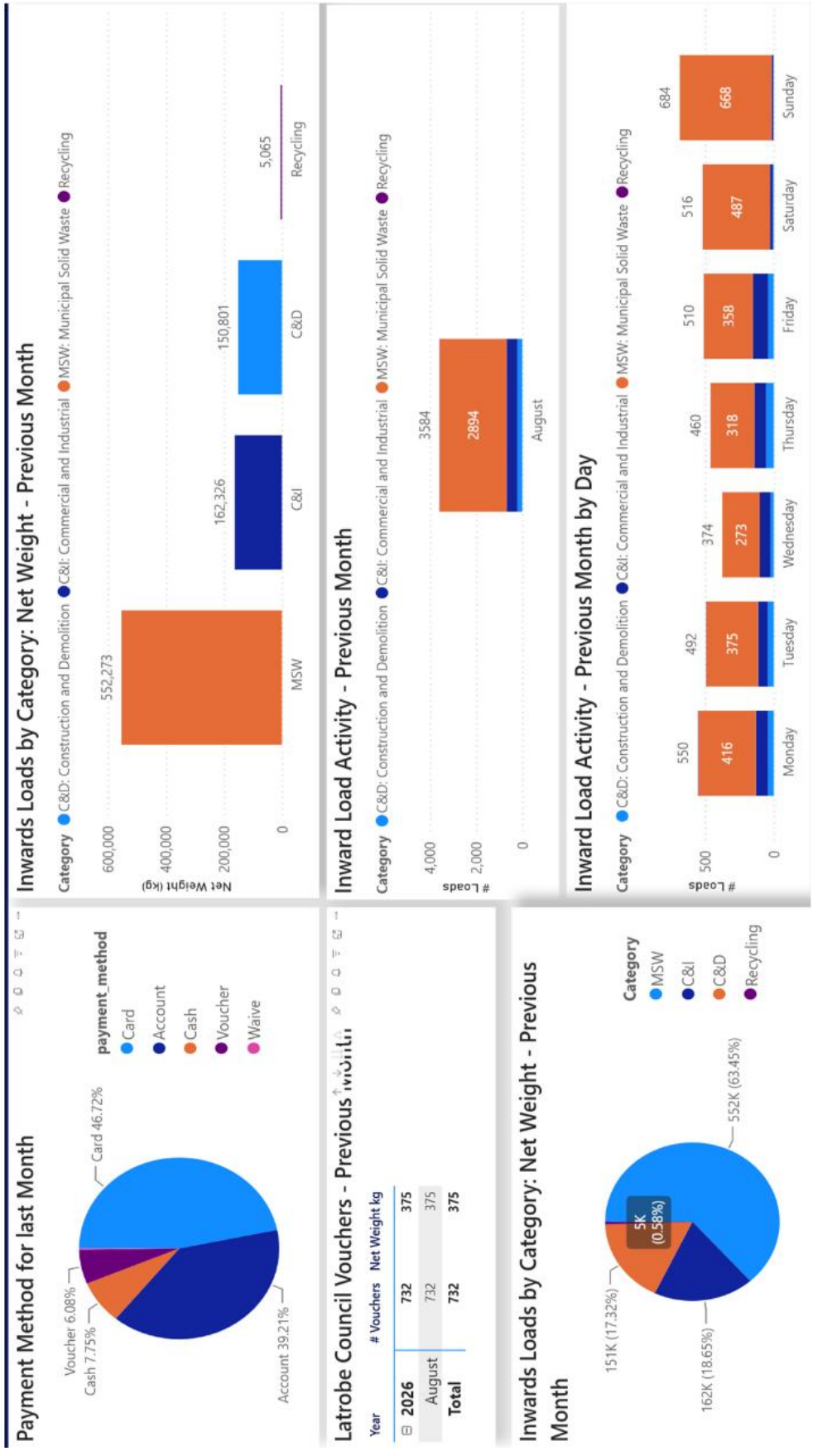






2.2. Waste Management:

2.2.1. Waste Transfer Station statistics August



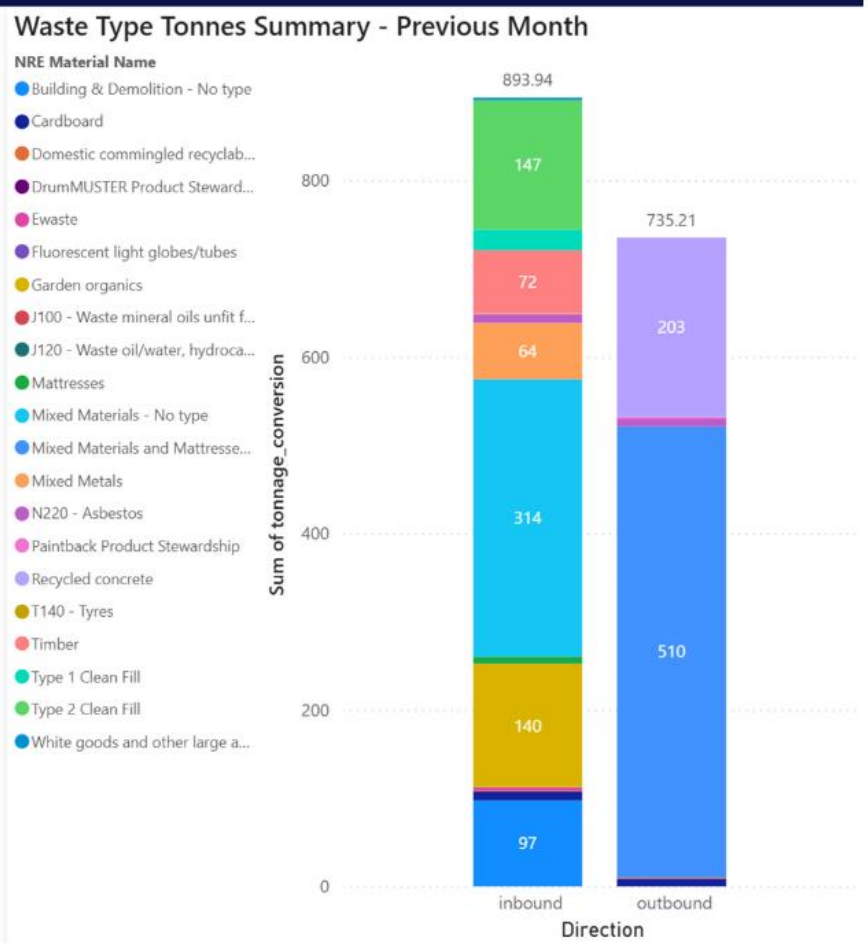
NRE - Waste Classifications

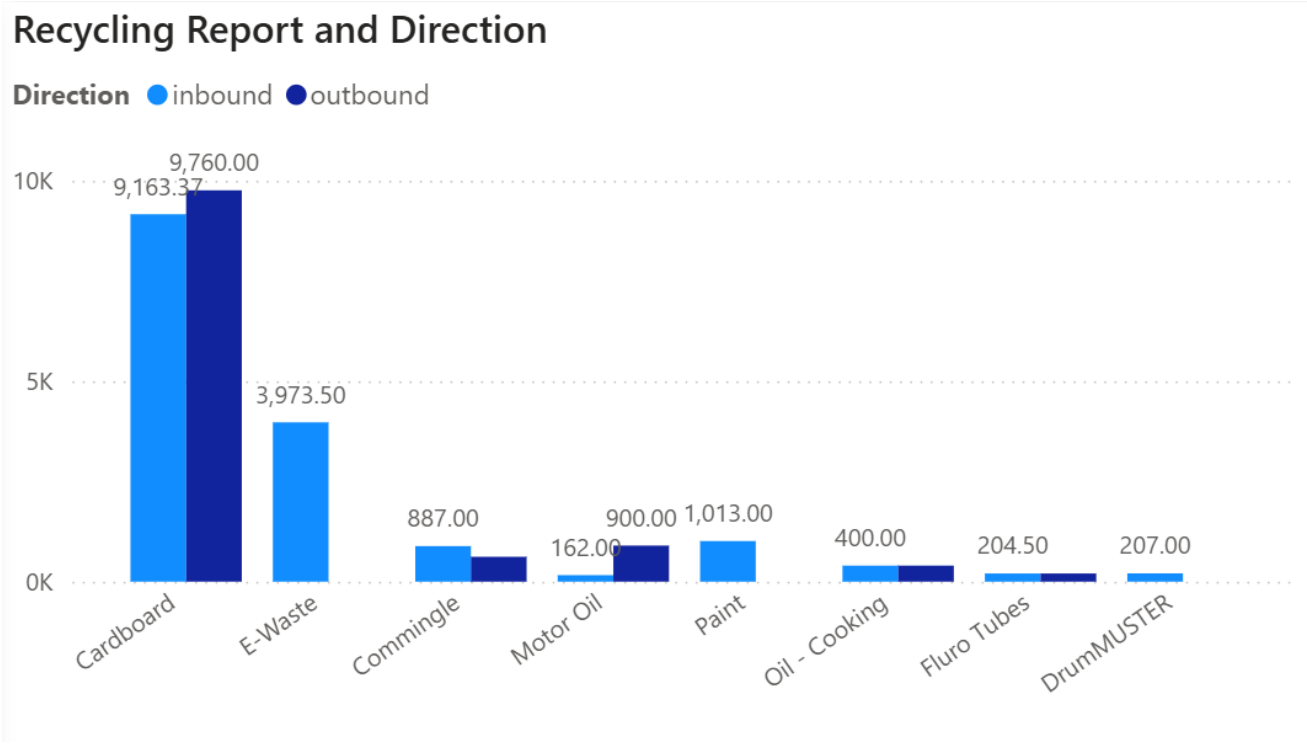
August

Waste Type Tonnes Summary - Previous Month

Month	inbound	outbound	Total
August	**893.94**	**735.21**	**1,629.15**
Building & Demolition - No type	97.43		**97.43**
Cardboard	9.70	8.62	**18.32**
Domestic commingled recyclables (CDS, glass included)	0.89	0.62	**1.51**
DrumMUSTER Product Stewardship	0.21		**0.21**
Ewaste	3.98		**3.98**
Fluorescent light globes/tubes	0.21	0.20	**0.41**
Garden organics	139.57		**139.57**
J100 - Waste mineral oils unfit for their original intended use	0.16	0.90	**1.06**
J120 - Waste oil/water, hydrocarbons/water mixtures or emulsions	0.40	0.40	**0.80**
Mattresses	7.62		**7.62**
Mixed Materials - No type	314.38		**314.38**
Mixed Materials and Mattresses Residuals		510.43	**510.43**
Mixed Metals	63.99		**63.99**
N220 - Asbestos	9.31	8.78	**18.09**
Paintback Product Stewardship	1.01	2.15	**3.16**
Recycled concrete		203.11	**203.11**
T140 - Tyres	0.47		**0.47**
Timber	71.52		**71.52**
Type 1 Clean Fill	23.65		**23.65**
Type 2 Clean Fill	146.60		**146.60**
White goods and other large appliances	2.85		**2.85**
Total	**893.94**	**735.21**	**1,629.15**

Waste Type Tonnes Summary - Previous Month



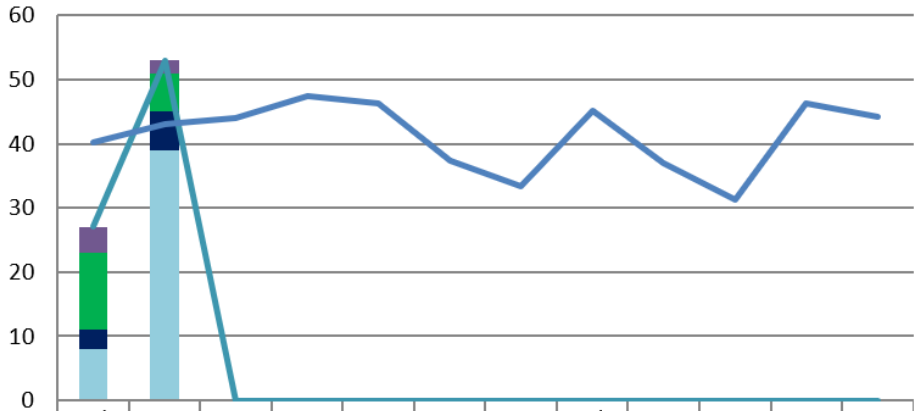


[Your Council Dashboards | Devonport City Council]

2.3. General Infrastructure Matters:

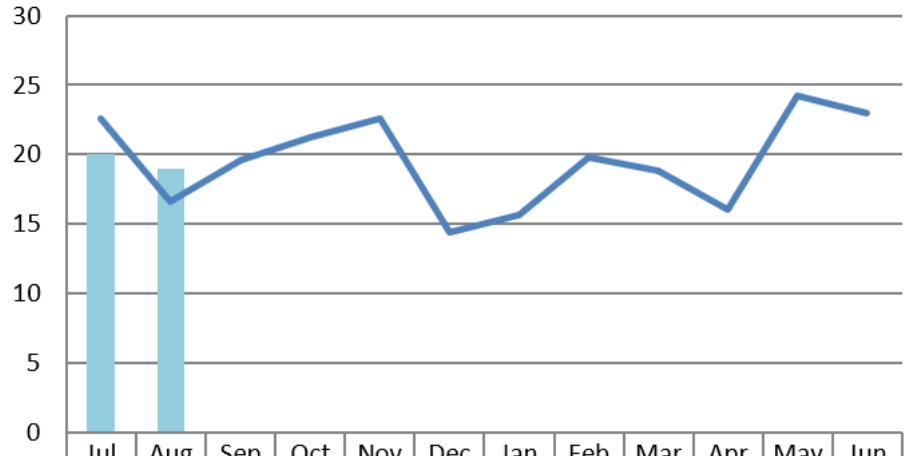
The following graphs detail the assessments processing through the Infrastructure Department. Each graph details the applications completed year to date, compared to a five-year average trend line.

2.3.1. Engineering Assessments for Development Applications



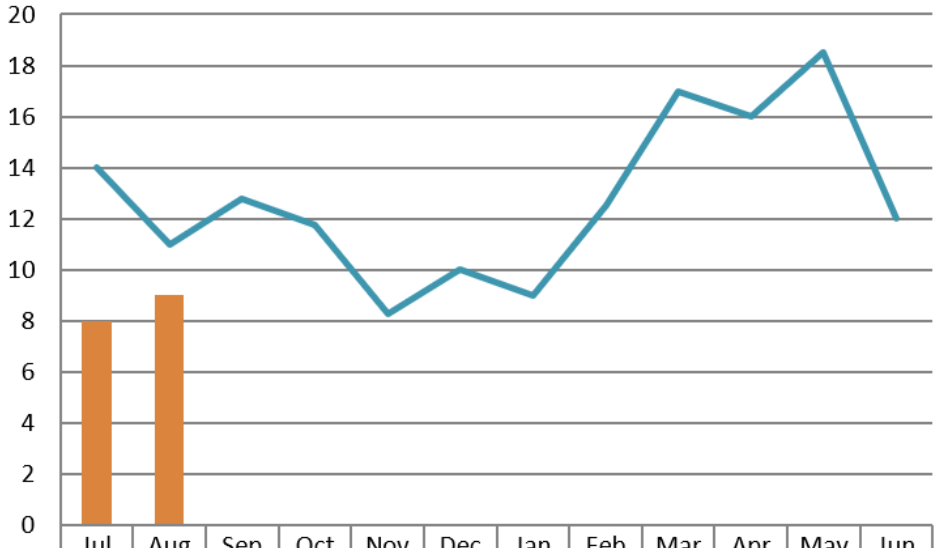
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Pre Assessments	4	2	0	0	0	0	0	0	0	0	0	0
Planning Assessments	12	6	0	0	0	0	0	0	0	0	0	0
Subdivision Assessments	3	6	0	0	0	0	0	0	0	0	0	0
Building Assessments	8	39	0	0	0	0	0	0	0	0	0	0
Total 2026-27	27	53	0	0	0	0	0	0	0	0	0	0
Average 2021-2026	40	43	44	47	46	37	33	45	37	31	46	44

2.3.2. Road Reserve Permit Assessments



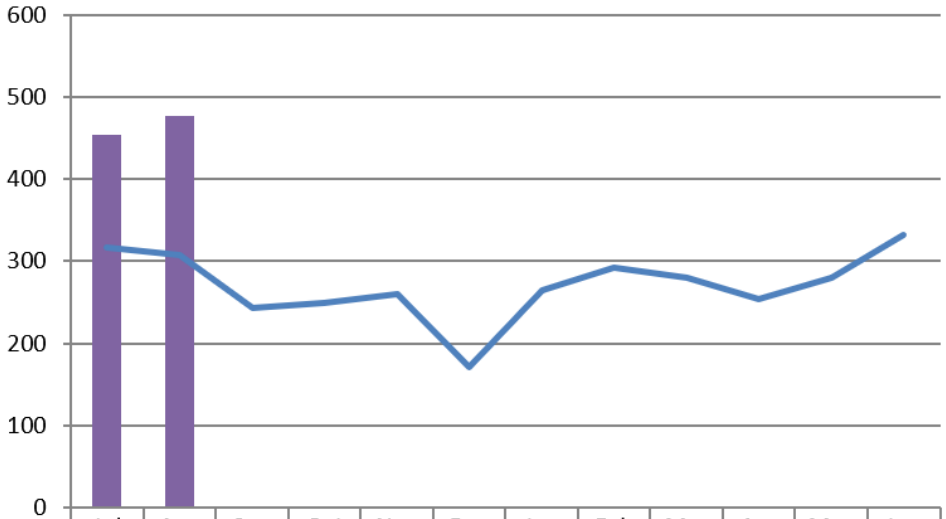
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Taswater	0	0	0	0	0	0	0	0	0	0	0	0
NBN Co	0	0	0	0	0	0	0	0	0	0	0	0
Aurora/Telecom.	0	0	0	0	0	0	0	0	0	0	0	0
Tas Gas	0	0	0	0	0	0	0	0	0	0	0	0
Public	20	19	0	0	0	0	0	0	0	0	0	0
Average 2020-2026	23	17	20	21	23	14	16	20	19	16	24	23

2.3.3. National Heavy Vehicle Regulator Assessments



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2026-27	8	9										
Average 2021-2026	14	11	13	12	8	10	9	13	17	16	19	12

2.3.4. Dial Before You Dig Requests



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2026-27	453	477										
Average 2022-26	317	307	243	249	260	171	265	293	280	254	280	332

3. COMMUNITY SERVICES:

3.1 Community Development

3.1.1 Devonport Community Services Newsletter:

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

- 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/.

Council published one edition in August 2026.

Devonport events/locations that attracted attention by readers:

- Living Well Devonport – Expo of Everything 2026
- Dyslexia Community Information Session
- Building Stronger Families – The Emotion Toolbox

3.1.2 Working Groups:

Access and Inclusion Working Group

In August the Devonport Access and Inclusion Working Group met with the Central Coast Access and Inclusion Working Group and learnt about:

- Launceston City Council – Planning for accessibility
- Creating opportunities for access and the unexpected benefits.

East Devonport Working Group

In August the East Devonport Working Group met once and discussed:

- Upcoming East Devonport Events
- Praise for the caretaking of Pioneer Park
- New Spirit of Tasmania trail visit planned for August
- New Child Care centres due for Devonport
- Updates to East Devonport Recreation and Function Centre
- 2026 East Devonport Jobs Forum.

Devonport Youth Advisory Group (DEVYAG)

In August DEVYAG met twice and discussed:

- Expo of Everything
- DEVYAG Terms of Reference
- Sports Box
- East Devonport Jobs Forum

Members met Janice Rodrigues the UN Youth Australia Representative for 2026. Janice led members through a workshop, they were able to have the opportunity to express their views on nationwide issues and how they affect Devonport. Members also learnt about how youth are represented in international and domestic conversations.

3.1.3 Volunteers:

- Devonport City Council currently have 69 active volunteers.
- 11 Individuals are currently being onboarded to be a volunteer with Council.

3.1.4 Financial Assistance Program:

The following acquittals were received in August:

Community Grants
Organisation: TANA
Project: Seen Together Project
Amount awarded: $1,000

TANA delivered a community screening of the film 'Seen' on 20 August 2026 at the Aberdeen Room, paranaple Centre, Devonport. The event brought the community together to view the film and participate in conversations that encouraged greater awareness, understanding and connection around the issues explored. Psychological support was provided in-kind by Sinead Fahey and Rachel Dawson.

The event was a sell-out, demonstrating strong community interest and engagement. Feedback was overwhelmingly positive, with attendees valuing the opportunity to come together, reflect on the film and participate in meaningful discussion. A key outcome was participants leaving feeling informed, connected and encouraged to share what they had learned within their own communities, creating the potential for a wider ripple effect of awareness and positive change. TANA identified opportunities for future events to allow additional time for facilitated discussion and audience questions, provide further opportunities for connection and consider a larger venue or additional session to meet demand.



TANA screening of 'Seen'

Event Sponsorship Fund
Organisation: Supercars Australia
Project: Supercars Fan Fare Community Event
Amount awarded: $10,000

On the 20 May 2026 Supercars Australia delivered the inaugural Devonport Fan Fare in the Devonport CBD and waterfront precinct ahead of the Tyrepower Tasmania Super 440. The free, family-friendly event provided the community and visitors with the opportunity to meet Supercars drivers, view Gen3 Supercars up close and participate in a range of motorsport and family activities.

The event was strongly promoted through Supercars, Council and local media channels, with the campaign reaching more than 355,000 unique Meta accounts across Tasmania and generating more than 900,000 video views. As the event was not ticketed, an exact attendance figure was not available; however, Supercars and Council representatives considered the agreed target of 1,500 attendees to have been met or exceeded based on observations and community engagement.

The event activated the Devonport CBD and waterfront, increased visitation and provided opportunities for local retail, hospitality, accommodation and event service businesses to benefit from increased activity. It also showcased Devonport to Supercars fans, visitors and interstate teams and strengthened the city's connection to the Tasmanian Supercars event.

The event was successfully delivered through collaboration between Supercars, Devonport City Council, local businesses and other stakeholders. Future events could be improved through stronger business participation, improved visitor data collection, expanded programming and fan experiences, and additional event infrastructure. Debrief discussions also identified opportunities to improve awareness of vehicles travelling through the CBD and consider Formby Road as the main activation area to provide a larger event footprint.




Supercars Fan Fare Community Event

3.1.5 Community Engagement

During August, the Community Development Team delivered five pop-up engagement sessions across East Devonport and Spreyton, engaging with more than 100 community members. Feedback was received from a broad cross-section of residents, sporting clubs, families, volunteers and recreational users to inform future masterplans for Girdlestone Park/East Devonport Recreation & Function Centre and Maidstone Park. These precincts are important community spaces, and the feedback gathered will help guide the development of draft masterplans, which will be released for further community consultation.

3.1.6 Community Programs

Planting with East Devonport Child and Family Learning Centre (CFLC)

A planting session in the Mary Binks Wetlands was planned with CFLC, open to local families. The session was supported by DCC's NRM officer, Community Development Team, CFLC staff, and members from the City of Devonport Lions Club who generously donated the 75 plants for the session.



Planting session at Mary Binks wetlands

Friends of Don Reserve

The group met twice in August and undertook revegetation works in degraded areas of the reserve, 24 volunteer hours and 202 plants planted.



Friends of Don Reserve planting session

Wildcare Friends of Devonport Reserves

The group continued sea spurge removal works along the East Devonport foreshore, successfully hand pulling the remainder of the plants in the defined area.

3.2 Active Communities:

3.2.1 Living Well

Registrations for the Living Well Spring program will go live on Monday, 14 September, with activities commencing from Monday, 21 September. This represents a very short turnaround period, largely due to the significant enhancements being implemented the couple of weeks, including the transition to a fully digital brochure.

The new digital format has been designed to provide a more streamlined and user-friendly experience, allowing participants to directly access event information, secure tickets, check availability in real time, and connect with participating clubs and organisations offering both free and paid activities.

By bringing all program information and registration links together in one place, community members will be able to navigate the program more easily and access opportunities that best suit their interests.

In addition, Living Well has introduced ticketing through Ferve, which will significantly reduce manual handling and administrative correspondence.

The platform will automate much of the registration and communication process, improving booking management, participant engagement, and operational efficiency. These improvements will not only enhance the participant experience but also strengthen connections between the community and local clubs and organisations involved in delivering activities throughout the program. Living Well Devonport Programs | Devonport City Council

3.2.2 Sport4All inclusion Coach

The Sport4All program continued to progress throughout August, with Council officers and the Inclusion Coach undertaking a series of face-to-face meetings with local sporting clubs and organisations. These discussions provided an opportunity to review feedback from the initial club surveys, strengthen relationships with participating clubs, and support organisations in identifying practical opportunities to enhance accessibility and inclusion within their programs, services, and facilities. The engagement has helped build momentum for the program and reinforced Council's commitment to creating more inclusive sporting environments across the community.

3.2.3 Realm of Gaming Launch

Realm of Gaming successfully commenced operations from the East Devonport Recreation Centre Community Room in August. Realm of Gaming provides a welcoming and inclusive environment where young people can connect through gaming, creating new opportunities for social interaction, recreation, and community engagement. The establishment of Realm of Gaming in Devonport represents an exciting addition to the Centre's user groups, attracting a different demographic to existing clubs and organisations and broadening the range of activities available to the community.

3.2.4 Recreation Centre Participation Data

*Casual Users not counted as User Groups, only bookings on behalf of Clubs/Organisations

DEVONPORT RECREATION CENTRE		
	BOOKINGS	**USER GROUPS***
SAUNA	164	N/A
SQUASH CENTRE	69	6
STADIUM	204	10
TABLE TENNIS	58	4
YOUTH CENTRE	188	6
TOTAL	**683**	**26**

EAST DEVONPORT RECREATION AND FUNCTION CENTRE		
	BOOKINGS	**USER GROUPS***
STADIUM	91	7
COMMUNITY ROOM	14	6
TOTAL	**105**	**13**

Recreation Centre User Numbers:

DEVONPORT RECREATION CENTRE	
Squash Centre	1509
Stadium	4222
Youth Centre	1827
Table Tennis	2218

3.2.5 Sporting Events

	Event	**Dates**	**Venue**
1	NWFA Finals	01/08/26 – 15/08/26	Maidstone Park
2	Light Night Glow Run	22/08/26	Mersey Bluff
3	Devonport Racquetball Club Tournament	15/08/26 – 16/08/26	Devonport Recreation Centre
4	Tasmania JackJumpers Clinic	16/08/26	Devonport Recreation Centre
5	AFL Tasmania – Richardson Cup	24/08/26 – 14/09/26	Byard Park & Girdlestone Park
6	NWPPSA Sports Day	27/08/26 – 28/08/26	Devonport Recreation Centre, Byard Park, Maidstone Park & Meercroft Park

3.2.6 Upcoming Sporting Events

Event		Dates	Venue
1	DBC Primary School Tournament	26/09/26 – 27/09/26	Devonport Recreation Centre
2	Squash Australia Junior Championships	25/09/26 – 03/10/26	Devonport Recreation Centre

3.3 Events:

3.3.1 External Events held during August:

- Glow Run – 22 August 2026
- Winter in Paradise – 23 August 2026
- Spirit Welcome – 30 August 2026

3.3.2 Upcoming External Events:

Event	Dates	Venue
Nepal Vigil	2 September 2026	Haines Park
Father's Day at the Bluff	7 September 2026	The Bluff
R U OK Day	9 September 2026	Market Square
Theatre Street Eats	13 October 2026	Market Square
Winter in Paradise	18 September 2026	Kelcey Tier
Pirate Day	19 September 2026	Joshua Slocum Park
PFD Food Expo	6 October 2026	Devonport Basketball Stadium
Coastal Pathway Ultra	9 October 2026	Coastal Pathway

3.3.3 The Events team are currently working on the following upcoming events:

- Living Well Devonport – Expo of Everything – 5 September
- Seniors Month including the 50 Year Rate Payers Luncheon – 14 October
- Spring Fling – 25 October
- The Great Gingerbread House Hunt – 1 December
- Volunteer Breakfast – 3 December
- Devonport Christmas Parade – 6 December
- Festive Friday – 18 December
- Eve in the City – 31 December

Event details can be found on Council's website as they come to hand: https://www.devonport.tas.gov.au/whats-on-devonport/ or events Facebook page https://www.facebook.com/devonportevents/

4. CULTURAL FACILITIES:

4.1. Devonport Regional Gallery:

4.1.1. Exhibition Program:

Exhibition	Date
Upper Gallery: Visions by Cheryl Rose	6 June – 1 August
Little Gallery: This is Us by High Schools and Colleges	20 June – 1 August
Main Galley: Surfacing by the nowhereprint collective	1 August – 3 October
Little Gallery: EXTRACTS by Keryn Fountain	8 August – 19 September
Upper Gallery: All In	15 August – 3 October
The Avenue: Inspired – Children's University of Tasmania	25 July – 12 September

4.1.2. Education programs, activities and participation data:

Event	Participation	Date
Main Gallery Opening Surfacing by Nowhereprint Collective	40	1-Aug
Little Gallery Meet & Greet Keryn Fountain	25	8-Aug
Create & Make	7	12-Aug
Create & Make	22	13-Aug
Upper Gallery Opening All in.	75	15-Aug
Books + Art	6	17-Aug
Create & Make	10	19-Aug
Create & Make	21	20-Aug
Friends Bi-monthly committee meeting	8	20-Aug
AMaGA Tas Members' Meeting	28	21-Aug
Jan Larcombe - printmaking workshop	6	25-Aug
Create & Make	3	26-Aug
Create & Make	22	27-Aug
TOTAL	**273**	



AmaGA Tour

4.2. Bass Strait Maritime Museum:

4.2.1. Exhibition Program:

Current Exhibition	Date
Pop the Top	May 2026 – March 2027

4.2.2. Education and public program activities and participation data:

Event	Participation	Date
One Care	17	7-August
Probus – Penguin	19	12-August
AMaGA Visit	20	21-August
TOTAL Combined Admissions	**56**	

AMaGA Tour



4.3. paranaple arts centre, Town Hall Theatre:

4.3.1 Performances and productions in August 2026:

Production	Participation	Date
Circus Quirkus	350	5-August
Queen Rocks	395	6-August
Oh, What a Beautiful Morning! – Presenter Season	158	12-August
Thelma Plum	326	13-August
Oliver! Jr – Devonport Choral Society	1,300	21-29 August
TOTAL	**2,529**	

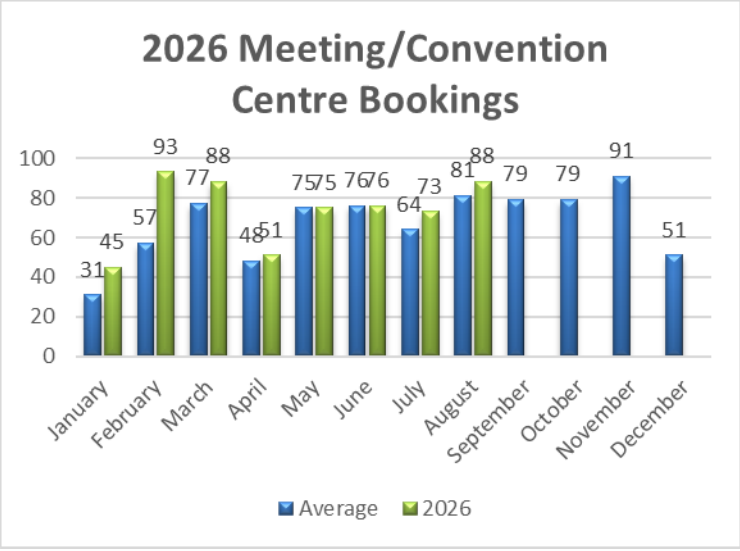
4.4. Visitor number data:

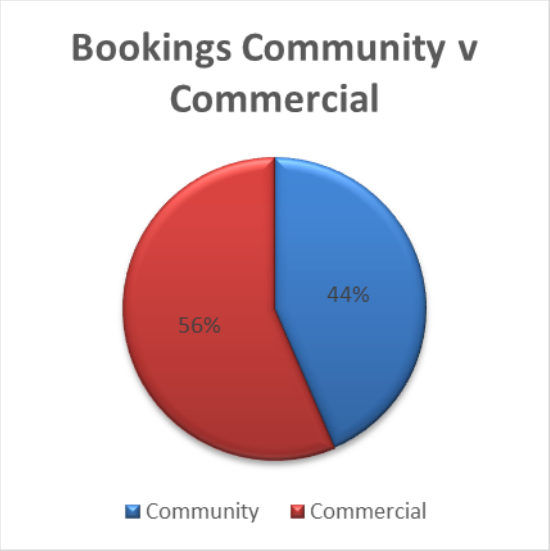
Facility	Visitors August
paranaple arts centre	4,105
Bass Strait Maritime Museum	371
TOTAL	**4.476**

4.5. Convention Centre & Market Square:

Events including attendee numbers and utilisation trends:
For August 2026, the DCC meeting rooms held 75 events and 13 in the convention centre. Total attendance of 2,378 patrons.

Event	Presenter	Attendance
Isaac Butterfield - Armageddon	Rabbit Group	720
Mackillop	The Mackillop Institute	27
TasWater Tapping Competition & All Staff Event	TasWater	160
Elders Rural Services	Elders	90
Structured, Systematic and Explicit Approach to Teaching Mathematics	DECYP	40
30th Anniversary Company Day	Botanical Resources Australia	86
Spaced Learning – Fluency	DECYP	45
Spaced Learning – Comprehension	DECYP	160
Surf Life Saving State Conference (Day 1)	Surf Life Saving Tasmania	126
2026 Awards of Excellence	Surf Life Saving Tasmania	216
Surf Life Saving State Conference (Day 2)	Surf Life Saving Tasmania	100
TasTafe Trade Excellence Awards	TasTafe	140
Support Teacher Forum	DECYP	56
DCC Annual Report & End of Term Breakfast	Devonport City Council	196
Potato Tasmania AGM & Info Session	Potato Tasmania	80
TOTAL		**2,242**







Surf Life Saving Tasmania 2026 Awards of Excellence Dinner



State of the City & End of Term Breakfast – Devonport City Council

5. CORPORATE SERVICES:

5.1. Human Resources:

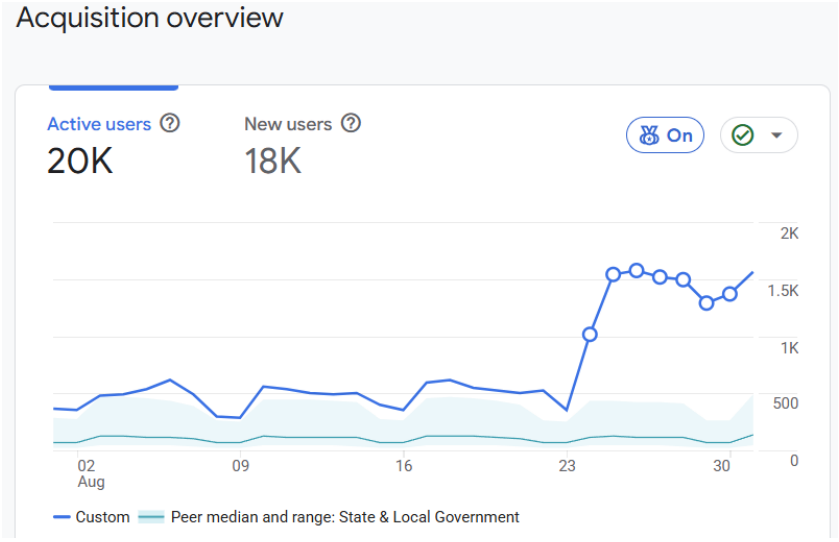
Staff departures, recruitment, and changes to employee roles (including advertised positions, staff appointments, hiring of casual employees, and role modifications). During the current financial year, five employees have left the organisation, and three individuals have been hired.

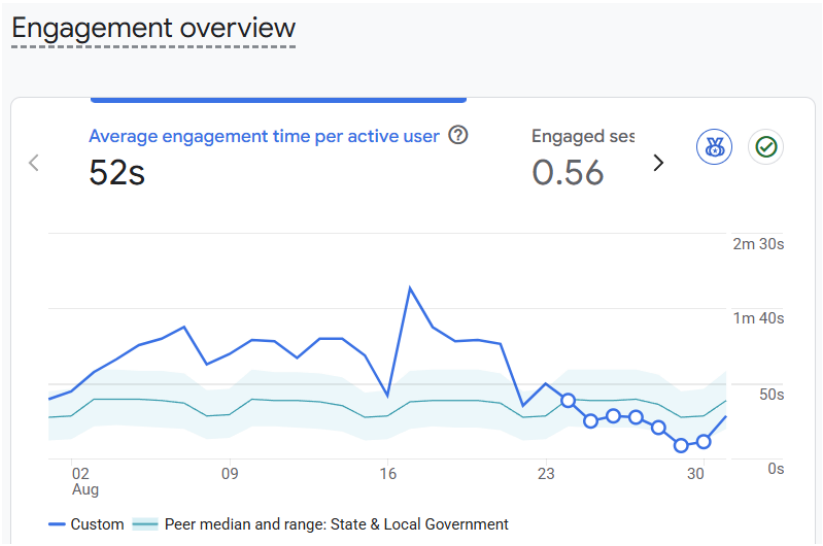
5.2. Communications:

5.2.1. Website and social media statistics and data:

Devonport City Council Website

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





Top 10 Website Pages	August 2026
1. Advertised Planning Permit Applications	
2. Forms and Payments	
3. Food business Form Renewal	
4. Fortnightly Rubbish Collection	
5. Contact Us	
6. Parks and Reserves Serviceperson Position Vacant	
7. Request for Investigation Resolution for Infringement Form	
8. Employment Opportunities	
9. Waste Transfer Station	
10. What's On Devonport	
Note: Most visitors to the website begin at the home page, but this is not listed in the top 10 pages, as it would be a normal starting point for most website visits.	

Social Media
Social Media Council currently uses Facebook, Twitter, and LinkedIn as social media tools to engage with the community and local media. Followers at the end of August 2026:

Facebook	18,178 up by 148
LinkedIn	2,000 up by 38
Instagram	124 up by 21
YouTube	267 up by 2

Devonport City Council's Corporate Facebook page engages the community with updates on capital works, events, media releases, emergencies, and roadworks.

Additional social media accounts, managed by the Council's Events Team and the paranaple arts and convention centre, provide targeted content for key demographics.

DCC Corporate Facebook Page Statistics	August 2026
Facebook Monthly Viewers: Number of Facebook users who have seen content associated with the page during the period.	Total Viewers: 115,683 Total Views: 643,427

During August, the Top 10 Facebook posts in terms of audience views were:

1	Onboard the new Spirit	2	New Spirit arrives in the Mersey	3	Launch of the Sports Box	4	Sunflower Journey	5	Nexus Inc in Devonport
									
Views	97.9K	Views	94.8K	Views	58.2K	Views	25.5K	Views	20.8K
Reactions	925	Reactions	1.2K	Reactions	396	Reactions	214	Reactions	60
Comments	58	Comments	99	Comments	33	Comments	19	Comments	3
Shares	30	Shares	67	Shares	29	Shares	33	Shares	6

6	Expo of Everything	7	Lighting up the paranaple	8	Council Meeting Outcomes	9	Devonport Stadium Milestone	10	New Pedestrian Kerb Ramp on Gunn St
									
Views	18.0K	Views	17.4K	Views	16.6K	Views	13.6K	Views	12.1K
Reactions	55	Reactions	94	Reactions	78	Reactions	81	Reactions	67
Comments	4	Comments	25	Comments	13	Comments	16	Comments	5
Shares	27	Shares	11	Shares	5	Shares	7	Shares	1

Community Consultation

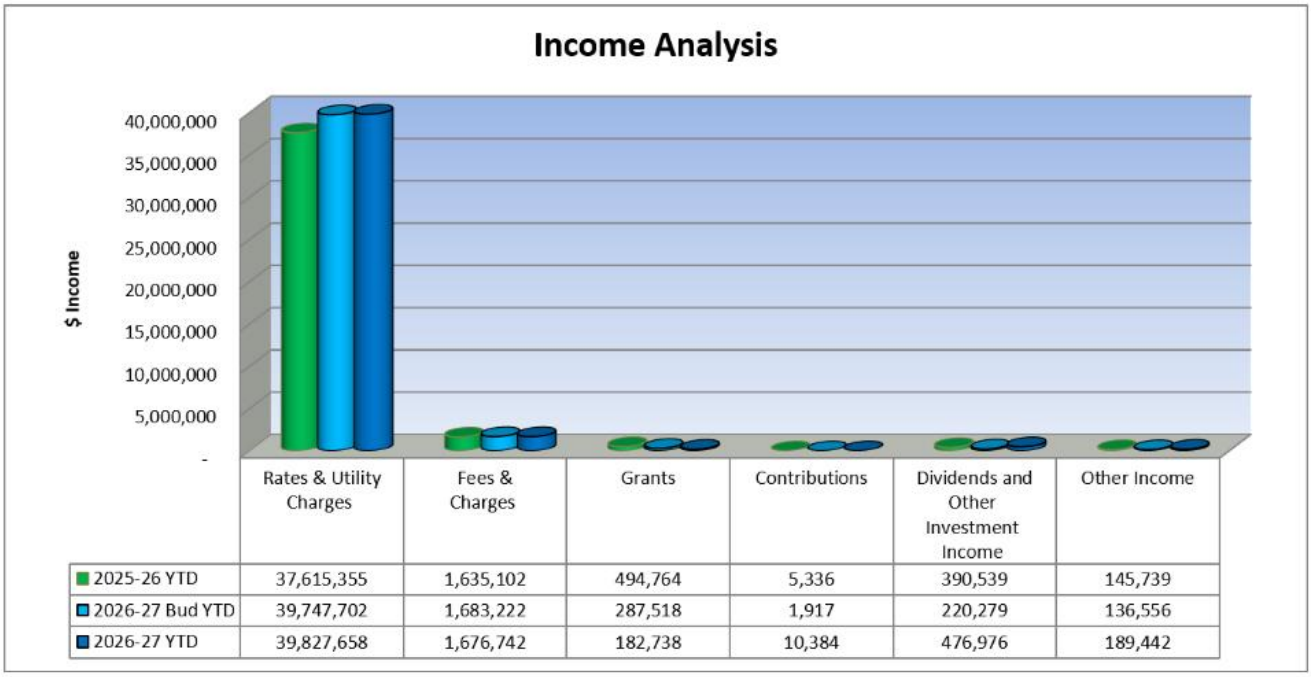
On site community consultation sessions were held for the Girdlestone Precinct & Maidstone Park Precinct Master Plans during August 2026.

5.3. Finance:

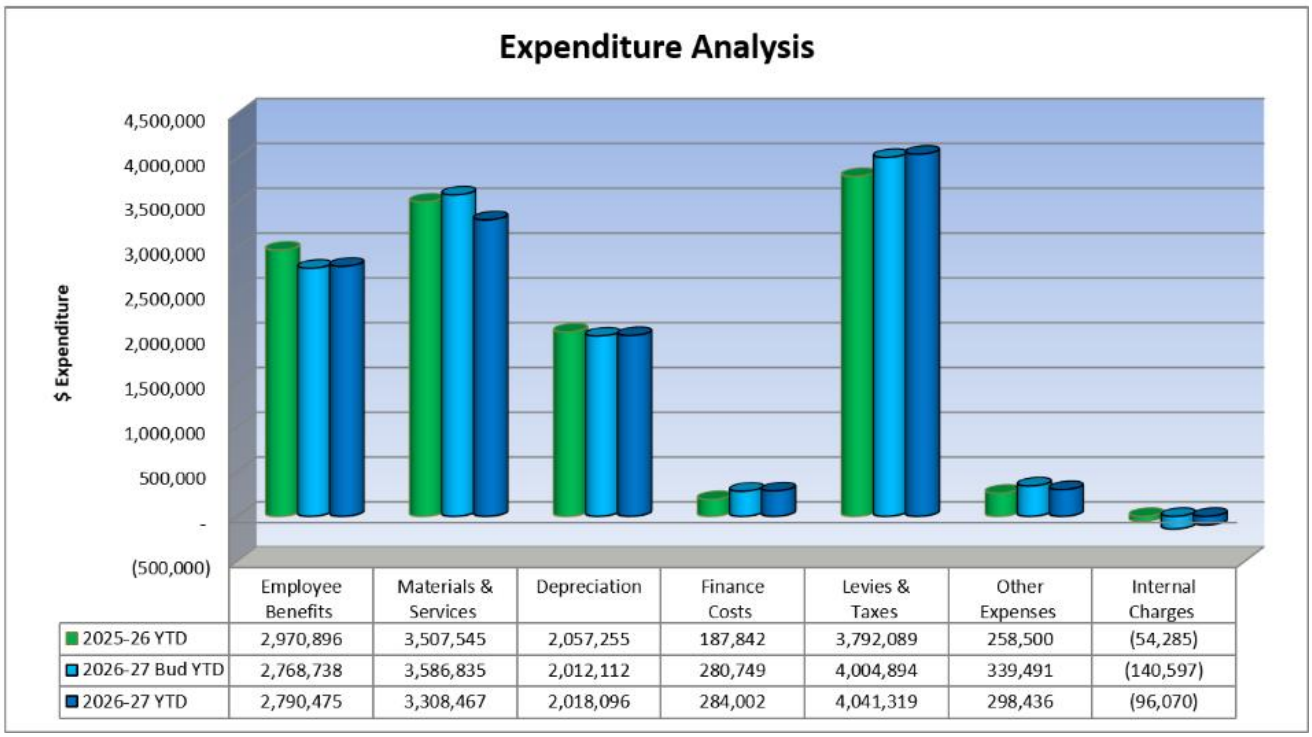
Operational Budget

The operating result for the financial year to the end of August 2026 is favourable with actual revenue being higher than budget by $287K and actual expenses being lower than budget by $207K resulting in an overall favourable variance of $494K.

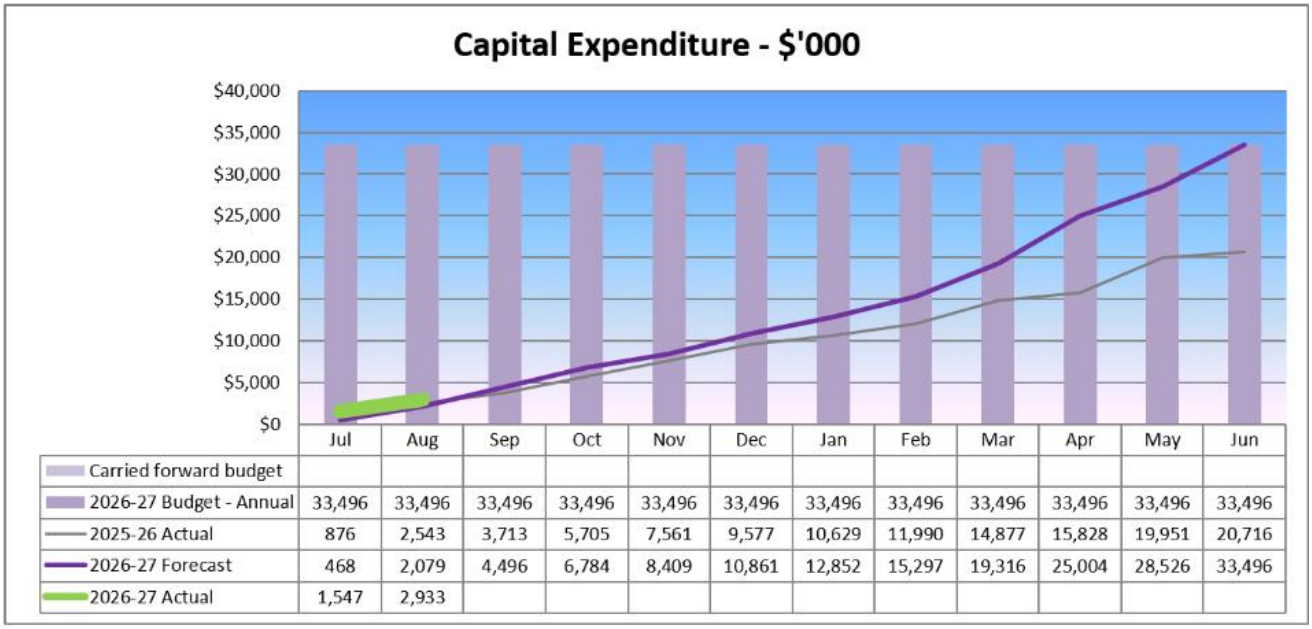
The forecast operating surplus for the financial year is $1.1M which includes share of profit of associates (Dulverton) of $1.0M.



	Rates & Utility Charges	Fees & Charges	Grants	Contributions	Dividends and Other Investment Income	Other Income
2025-26 YTD	37,615,355	1,635,102	494,764	5,336	390,539	145,739
2026-27 Bud YTD	39,747,702	1,683,222	287,518	1,917	220,279	136,556
2026-27 YTD	39,827,658	1,676,742	182,738	10,384	476,976	189,442



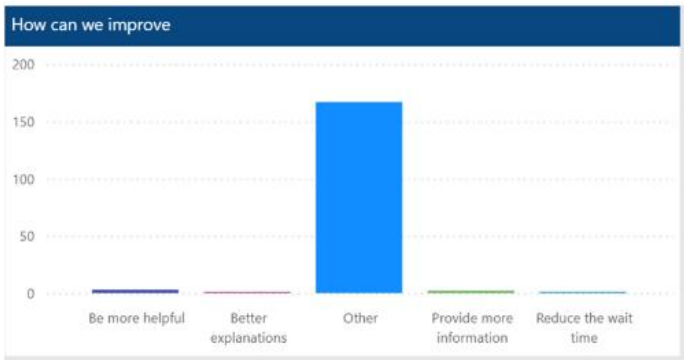
	Employee Benefits	Materials & Services	Depreciation	Finance Costs	Levies & Taxes	Other Expenses	Internal Charges
2025-26 YTD	2,970,896	3,507,545	2,057,255	187,842	3,792,089	258,500	(54,285)
2026-27 Bud YTD	2,768,738	3,586,835	2,012,112	280,749	4,004,894	339,491	(140,597)
2026-27 YTD	2,790,475	3,308,467	2,018,096	284,002	4,041,319	298,436	(96,070)

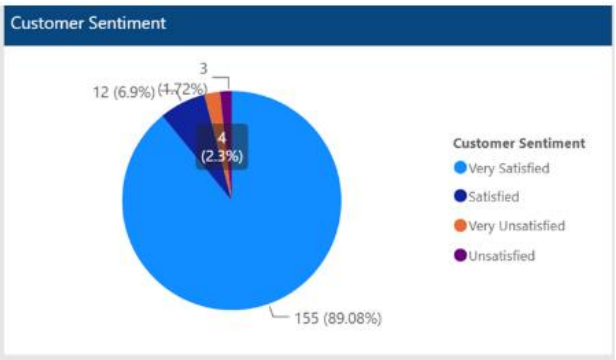


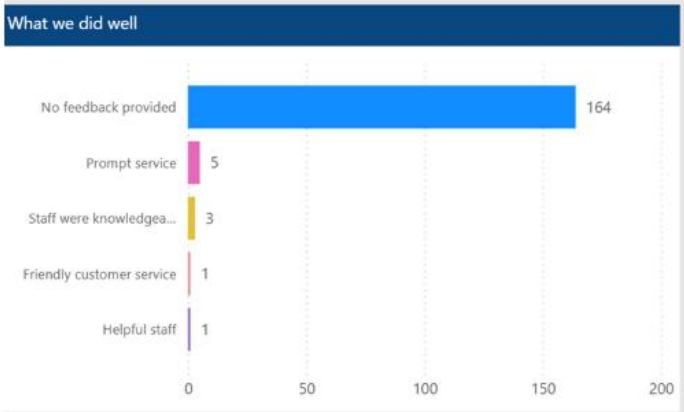
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Carried forward budget												
2026-27 Budget - Annual	33,496	33,496	33,496	33,496	33,496	33,496	33,496	33,496	33,496	33,496	33,496	33,496
2025-26 Actual	876	2,543	3,713	5,705	7,561	9,577	10,629	11,990	14,877	15,828	19,951	20,716
2026-27 Forecast	468	2,079	4,496	6,784	8,409	10,861	12,852	15,297	19,316	25,004	28,526	33,496
2026-27 Actual	1,547	2,933										

5.4. Customer Service:

5.4.1. Customer service data for August:









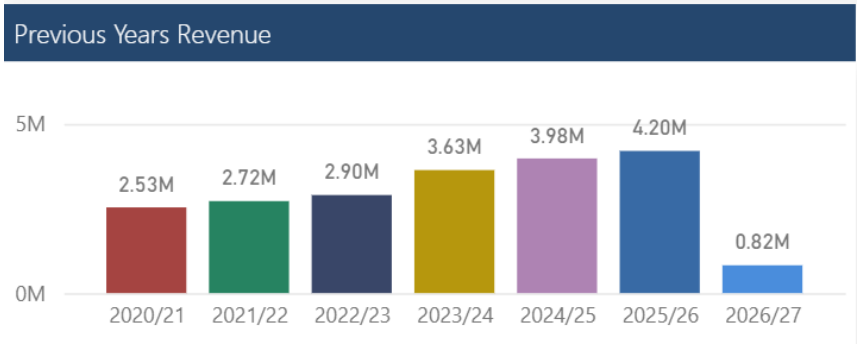
5.5. Parking

5.5.1. Parking income statistics this financial year:



Revenue/Budget Period to Date

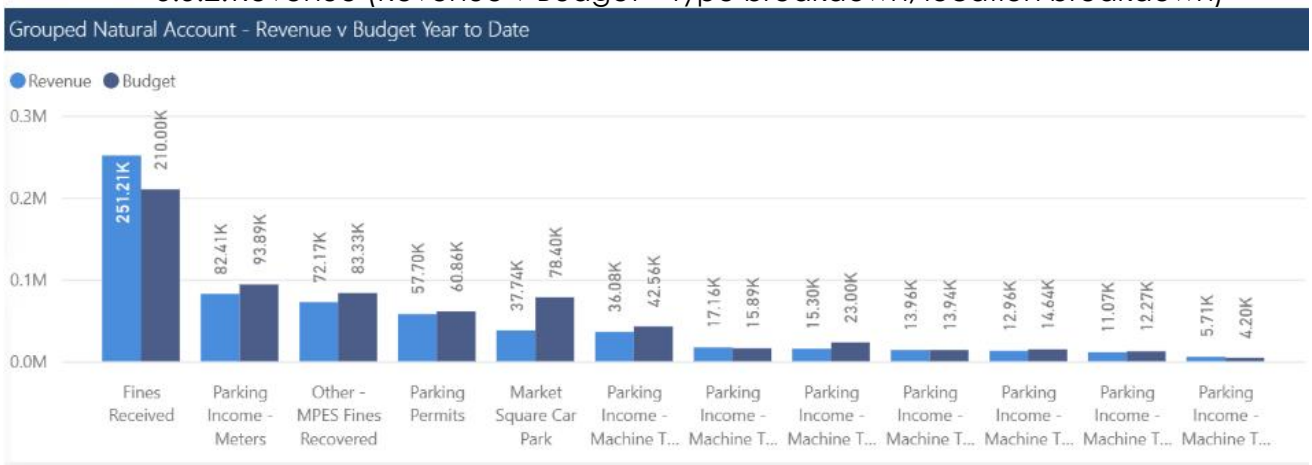
Short_Description	Budget $	Revenue $	Variance $	Variance %
Edward St CP	23,000.00	15,299.33	($7,700.67)	-33%
Fenton Way CP	4,204.64	5,706.73	$1,502.09	36%
Fines Received	210,000.00	251,206.22	$41,206.22	20%
Formby Rd CP	42,555.30	36,076.94	($6,478.36)	-15%
Fourways CP	14,641.35	12,958.03	($1,683.32)	-11%
Multi Storey CP	78,398.16	37,740.27	($40,657.89)	-52%
Other - MPES	83,333.34	72,168.26	($11,165.08)	-13%
Parking Meters	93,894.79	82,405.12	($11,489.67)	-12%
Parking Permits	60,859.70	57,697.91	($3,161.79)	-5%
Payne Ave CP	15,893.54	17,156.52	$1,262.98	8%
Steele St CP	12,266.59	11,069.07	($1,197.52)	-10%
Wenvoe St CP	13,938.22	13,955.64	$17.42	0%
Total	**652,985.63**	**613,440.04**	**($39,545.59)**	**-6%**

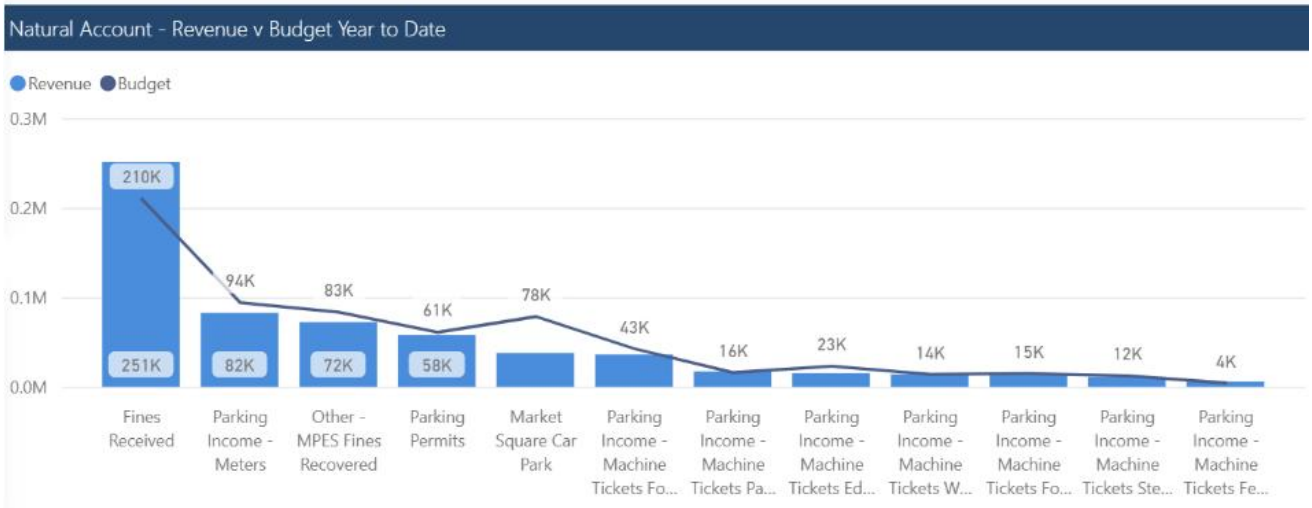


Notes:

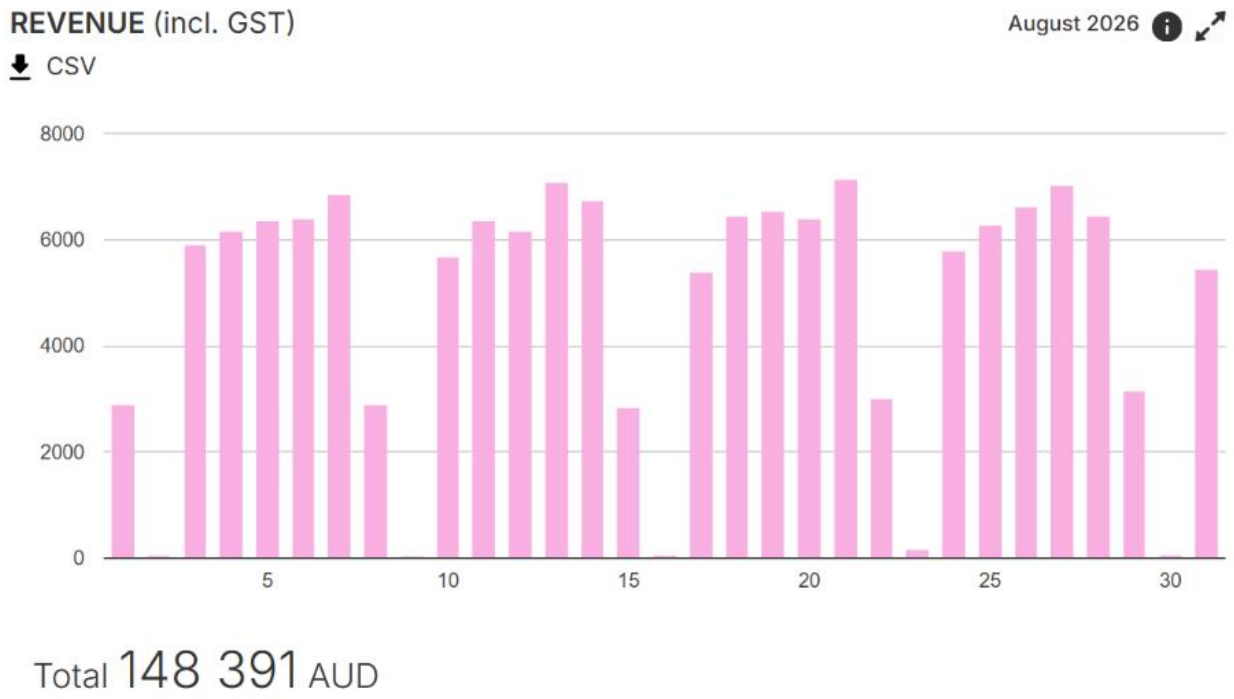
- Edward Street Carpark – budget timing is incorrect.
- Multi-level Carpark – revenue does not include the EasyPark Payments for August.

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



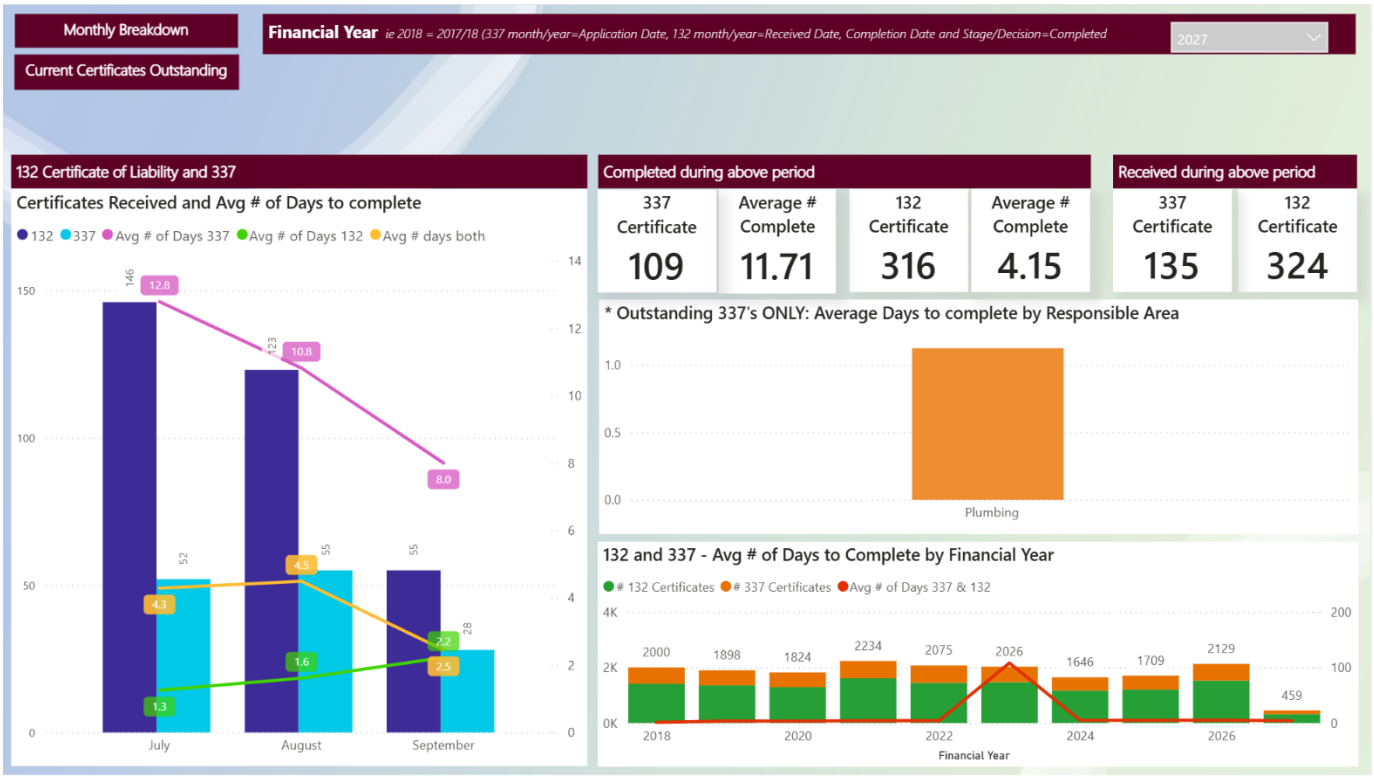


5.6. EasyPark Statistics

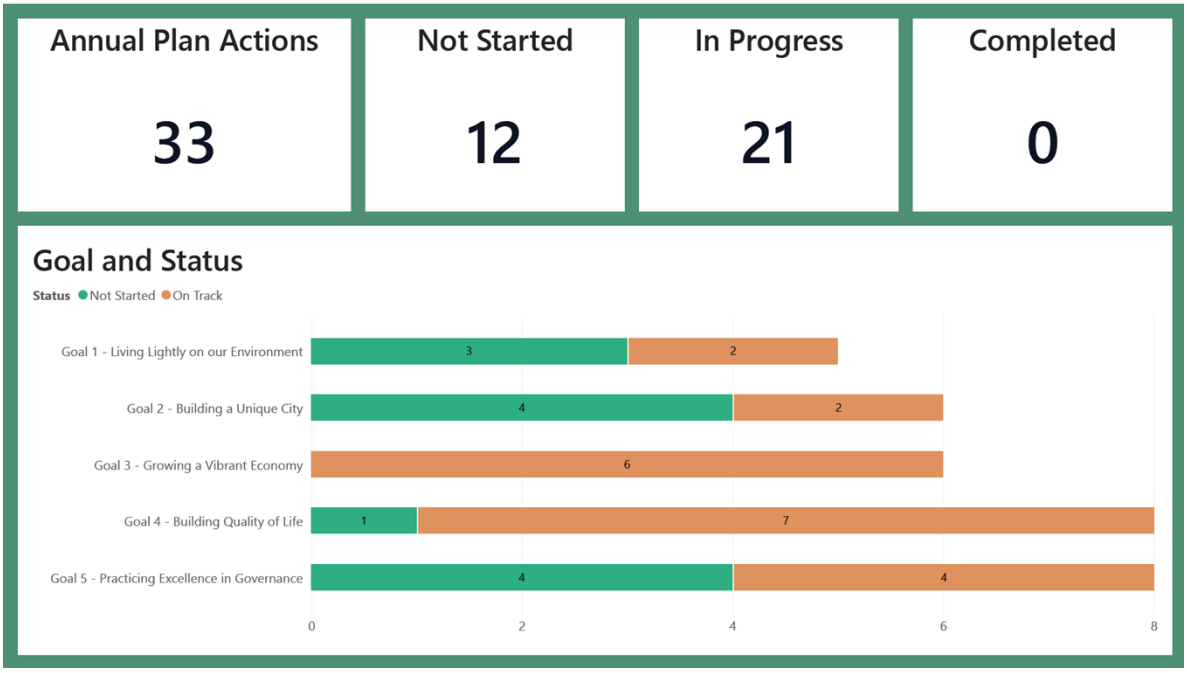


5.7. Section 132 & 337 Certificates:

5.7.1.Statistics on completed certificates Financial YTD:



5.8. Annual Plan Action Update:



Action: Commence implementation of the paranaple Convention Centre Business Plan
Progress: Commenced Brand and Marketing, Sales and Pricing Strategy.

Action: Complete and "go live" with Council's refreshed website
Progress: Content and structure are ready to hand over to the development firm. Targeting end of November for cutover.

Action: Finalise operating model for the Devonport Indoor Stadium in readiness for opening
Progress: Stakeholder consultation and planning with resident clubs is well progressed with club lease and access arrangements expected to be finalised by the end of this calendar year.

Action: Facilitate an 'Ageing Well" event
Progress: Event planning underway for an event in March 2027

Action: Report and promote Council's outcomes and performance relative to the Term Plan 2022-2026
Progress: State of the City breakfast held, and Term Plan Report Card produced.

Please note that due to upgrading of Council's corporate reporting dashboards, the Annual Plan action progress graph is not available this month.

6. COMMITTEES, AUTHORITIES & EXTERNAL ORGANISATIONS:

6.1. Minutes: There are no minutes of meetings for the month of August 2026 to be provided.

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. 20260831 Consolidated Financial Report- Council Report [**6.3.1** - 9 pages]

6.4 AUDIT PANEL MEETING

Author: **Chris Delphin, Governance Officer**

Endorser: **Matthew Atkins, Chief Executive Officer**

RECOMMENDATION

That Council receive and note the unconfirmed minutes of the Audit Panel meeting held on 10 August 2026.

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 is a report of the unconfirmed minutes of the Audit Panel meeting held on 10 August 2026.

BACKGROUND

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

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

STATUTORY REQUIREMENTS

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

DISCUSSION

The unconfirmed minutes of the Devonport City Council Audit Panel meeting held on 10 August 2026 are included as a confidential attachment. Matters reviewed and discussed at the meeting include:

- The Chief Executive Officer's Risk Assurance Declaration.
- The month end financial performance reports including any variances to budget.
- The Internal Audit status report and findings.
- External Auditor's Annual Audit Outcome Report.
- 2026/27 Annual Financial Statements determining they accurately represent the state of affairs of Council.
- Reviewed and endorsed the Management Representation Letter to the External Auditor.
- Legislative Compliance Register.
- Progress report for the Devonport Stadium.

It should be noted the term of this current audit panel expires in line with the council term. In preparation for a new panel, a recruitment process has commenced for independent members. To streamline the process the recruitment is being undertaken in conjunction with other councils as part of the Mersey Leven Strategic Alliance.

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS
There are no financial implications as a result of his report.

RISK IMPLICATIONS
- Political/Governance

  The Audit Panel plays a key oversight role in Council's risk management activities providing elected members with an extra level of comfort that the systems in place are adequate. Within its Charter, the primary objectives of the Audit Panel are to consider whether:
  - the annual financial statements of the Council accurately represent the financial position of the Council;
  - the Strategic Plan, Annual Plan, Long Term Financial Management Plan and the Long-Term Strategic Asset Management Plans of the Council are integrated and the processes by which, and assumptions under which, those plans were prepared are sound and justified;
  - the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that the Council has in relation to safeguarding its long-term financial position are appropriate;
  - the Council is complying with the provisions of the Act and any other relevant legislation;
  - all strategic and business risks affecting the Council are identified and assessed, and the effectiveness of mitigation controls evaluated; and
  - the Council has taken any action in relation to previous recommendations provided by the Audit Panel to the Council.

CONCLUSION
The information contained in the report and the unconfirmed minutes of the Audit Panel meeting held on 10 August 2026 (confidential attachment) are presented to Council.

ATTACHMENTS
Audit Panel Unconfirmed Minutes – 10 August 2026 (confidential attachment)

7 CLOSED SESSION

The Chief Executive Officer advises that in his opinion, the agenda items listed below are prescribed items in accordance with Regulation 17 of the *Local Government (Meeting Procedures) Regulations 2025* (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 17 of the *Local Government (Meeting Procedures) Regulations 2025*, the following be dealt with in Closed Session.

Item No	**Matter**	***Local Government (Meeting Procedures) Regulations 2025* Reference**
3.1	Confirmation of Closed Minutes – Council Meeting – 24 August 2026	17(2)(h)
3.2	Requests and Notifications for Leave of Absence or Parental Leave	17(2)(i); 17(2)(j)
4.1	Confidential Attachments	17(2)(h)

8 CLOSURE