The City with Spirit

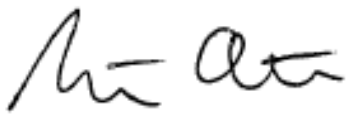
NOTICE OF MEETING

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 26 October 2026, commencing at the conclusion of the Annual General Meeting.

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

21 10 2026

November 2026

Meeting	Date	Commencement Time
Ordinary Council	23 November 2026	5:30PM

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

AGENDA FOR AN ORDINARY COUNCIL MEETING OF DEVONPORT CITY COUNCIL HELD ON MONDAY 26 OCTOBER 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.

STATEMENT OF SUPPORT
The Mayor will provide a statement in support of the Federal Member for Indi, Dr Helen Haines MP, on behalf of the Council.

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

Apologies from Cr A Moore and Cr G Enniss were received for this meeting.

2 DECLARATIONS OF INTEREST

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

RECOMMENDATION

That the minutes of the Council meeting held on 28 September 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.

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 RB Vellacott endorse the responses proposed and authorise their release.

MR RB VELLACOTT, 11 COCKER PLACE, DEVONPORT
A letter containing questions on notice received from Mr RB Vellacott on 20 October 2026 is **reproduced as Attachment 1**.

I refer to the Parking Revenue for the multi-Level car park statistics as per the operations report for August 2026.

The table indicates for the year to date that the budget was $78,398. 16: revenue $37,740.27: variance $40,657 .89: and the variance as a percentage was minus 52 % Also stated that the MLCP – revenue does not include the Easy Park payments for August.

Taking into consideration the revenue does not include the payments for August, it appears there is now, compared to previous years, more resistance to use the MLCP.

Also the amount of infringement notices I suggest indicates many do not understand the Easy Park Payment system including the other methods of payment. Anecdotal evidence reveals that many now avoid shopping etc. in Devonport due to the dislike of the overall parking regime. The amount of infringement notices that are issued also the total fines received i.e. $251, 2026.22 (FYTD), which was an increase of 20 percent of the budgeted amount, surely indicates this is one of the reasons why people avoid the CBD and some of other metered areas.

In view of the above can Council inform:

Q1 What is the final statistics for August 2026 if the Easy Park payments in the MLCP for August have now been included?

Response
Usage of the Market Square Multi-Level Car Park remains similar to previous years. The figures you quoted exclude $12,798 in EasyPark revenue and $20,450 in parking permit revenue for the car park.

Q2 How much per year, if any, does council have to pay in royalties etc. for the Easy Park Payment program?

Response
EasyPark is an independent parking payment app. Customers who use it pay the applicable EasyPark service fee. The parking fee is passed on to Council, which pays no additional fees or royalties to EasyPark.

Q3 What is the reason to not include free parking in the MLCP for those pensioners who are able to have free parking spaces in the streets and other car parks?

Response
Free pensioner parking applies to time-limited spaces, such as one-hour meters and three-hour car parks. It excludes the Market Square Multi-Level Car Park because it operates on a pay-as-you-leave basis.

Q4 Due to the many vacant spaces most days in the MLCP, and depending on the answer to Question 3 above, will Council extend the free parking for pensioners so as to include the MLCP?

Response

The Parking Strategy includes an action to develop guidelines that clarify the purpose and benefits of the pensioner parking discount scheme. This work will also consider the existing scheme's value and scope.

Q5 The electronic sign the corner MLCP corner Best St. and Fenton Way, that is intended to indicate the amount of vacant parking spaces, has not been working for some time; is this because the Easy Park computer program is not compatible with the old system?

Response
No. EasyPark does not affect the electronic vacancy sign's operation.
After installing the new Orikan parking system, Council left the sign switched off while assessing its ongoing value.

Q6 Ref the Edward Street car park: - I understand this was sold however it still remains, for the time being, a public car park until construction of units, shops and some car parking.

Is council aware of when construction of the proposed premises will commence and if so when?

Response
Council does not currently have a confirmed date for commencement of the proposed development, however, at this stage we expect construction to commence during 2027.

ATTACHMENTS
1. October 2026 QsoN RBV [**3.2.2.1** - 2 pages]

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

3.3 QUESTIONS FROM COUNCILLORS

3.4 NOTICES OF MOTION

Nil

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 PA2026.0150 - 2 38 VICTORIA PARADE DEVONPORT - VISITOR ACCOMMODATION

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 PA2026.0150 and grant a Permit to use land identified as 2/38 Victoria Parade, Devonport for the following purposes:

- Visitor Accommodation

Subject to the following conditions:

1. The Use approved under this planning permit is to allow the one-bedroom unit to be used for visitor accommodation.
2. The owner is to ensure the building complies with the Director's Determination - Short or Medium-Term Visitor Accommodation.
3. The owner to obtain a copy of *By-Law 59527* pertaining to the 'Victoria House' strata scheme and ensure their responsibilities are met in accordance with the document.

Note: The following is provided for information purposes.

During the 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 *Environmental Management and Pollution Control Act 1994* and the *Environmental Management & Pollution Control (Noise) Regulations 2016*.

If any food products are supplied, prepared and/or cooked for guests, the business operator must contact the Council prior to commencement to confirm their requirements under the *Food Act 2003*.

Enquiries regarding 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 PA2026.0150.

BACKGROUND

Planning Instrument:	*Tasmanian Planning Scheme – Devonport 2020*
Address:	2/38 Victoria Parade, Devonport
Applicant:	Equilibrium Town Planning
Owner:	Badcocks Pty Ltd
Proposal:	Visitor Accommodation
Existing Use:	Residential
Zoning:	General Residential
Decision Due:	28/10/2026

SITE DESCRIPTION

The subject site is situated to the south-western corner of Victoria Parade and James Street comprising a 3 storey block of 12 units with a shared driveway. Carports located behind the building provide one parking space for each unit. Adjoining and nearby properties display a variety of established residential development. The subject site and surrounding development are illustrated in Figure 1.



Figure 1 – Aerial view (DCC GIS)

APPLICATION DETAILS

The applicant is seeking approval for a change of use to provide a Visitor Accommodation use within the 1-bedroom unit shown in Figure 2. The subject site is part of a strata scheme with shared vehicle access. A copy of the complete application is appended as **Attachment 1.**



Figure 2 – Floor plan

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.

A Visitor Accommodation use class has a permitted status under the General Residential zone. The proposed use is accommodated in an existing habitable building but is part of a strata scheme and therefore requires discretion under section 57 of the *Land Use Planning and Approvals Act 1993*.

The applicable use standard for visitor accommodation is reproduced below, with commentary addressing compliance with either the acceptable solution or the performance criteria.

8.3.2 Visitor Accommodation

Objective:	That Visitor Accommodation: (a) is compatible with the character and use of the area; (b) does not cause an unreasonable loss of residential amenity; and (c) does not impact the safety and efficiency of local roads or rights of way.

Acceptable Solutions	**Performance Criteria**
A1 Visitor Accommodation must; (a) accommodate guest in existing habitable buildings; and (b) have a gross floor area of not more than 200m^2 per lot.	**P1** Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to: (a) the privacy of adjoining properties; (b) any likely increase in noise to adjoining properties; (c) the scale of the use and its compatibility with the surrounding character and uses within the area; (d) retaining the primary residential function of an area; (e) the impact on the safety and efficiency of the local road network; and (f) any impact on the owners and users rights of way.
A2 Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.	**P2** Visitor Accommodation within a strata scheme must not cause an unreasonable loss of residential amenity to long term residents occupying other strata lots within the strata scheme, having regard to: (a) the privacy of residents; (b) any likely increase in noise; (c) the residential function of the strata scheme; (d) the location and layout of the strata lots; (e) the extent and nature of any other non-residential uses; and (f) any impact on shared access and common property.

A1 – the proposed use will be contained within an existing habitable dwelling.

P2 – the subject site is part of a 12 unit strata scheme contained within a 3 storey block of units. Located on the ground floor the subject site shares an open entry with 5 of the other units, with adjoining walls to 2 other ground floor units, and another unit directly above. The subject site has pedestrian access directly from James Street as evident in Figure 3.

As a unit with a single bedroom and a total floor area of approximately 60m^2 it is reasonable to assume that privacy or noise impacts to neighbours will not be any different to that were the property being used for a standard residential tenancy. The ground floor location of the unit helps to ensure privacy impacts are limited by the nature of access and the size of the unit means the residential integrity of the strata scheme will not be altered as a result of the proposal.

Shared vehicle access and allocated car parking within the rear of the site can be adequately managed through communication by the owner to users. It is also reasonable to assume that car parking on James Street, which is free with no time limit, would be used for the convenience of access.

Considering the above it is deemed the performance criteria are met.



Figure 3 – Street view (Google Maps, March 2025)

C2.5.1 Car parking numbers

Objectives:	That an appropriate level of car parking spaces is 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	**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

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 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.	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: (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.

A1 – a visitor accommodation use requires 1 space per self-contained accommodation unit, allocated tent or caravan space, or 1 space per 4 beds, whichever is the greater.

The subject site has 1 allocated off-street parking space. The acceptable solution is met.

COMMUNITY ENGAGEMENT

On 16/09/2026, 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 19/09/2026;

(b) Making a copy of the proposal available in Council Offices from the 19/09/2026;

(c) Notifying adjoining property owners by mail on 16/09/2026; and

(d) Erecting a Site Notice for display from the 18/09/2026.

The period for representations to be received by Council closed on 05/10/2026.

REPRESENTATIONS

Three 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 2.**

The representations were from neighbours within the strata scheme who outlined the following concerns with the proposal:

Amenity and noise impacts from 'high turnover' and early departures:

Officer comment – the proposed use for visitor accommodation is considered to operate no differently to that of a residential tenancy. Similarly, noise impacts are managed in the same manner of any usual residential tenancy. There is nothing which would control the time of day any residential tenant can move to or from a building.

Security risks associated with unknown people entering on the property:

Officer comment – there is nothing within the applicable performance criteria to measure or assess security risk or unlawful activity.

Parking concerns relating to more than one car or caravans off-street:

Officer comment – as identified in this report, the off-street parking requirement for a vehicle has been met. Similar to any residential tenant, if the off-street parking is not sufficient, there is suitable on-street parking immediately adjacent to the site that would adequately cater for additional vehicles or large vehicles.

Internal floor layout change will allow large groups:

Officer comment – the layout of the 1-bedroom unit as shown in the application documentation does not indicate, nor warrant concern that the use will allow for large groups to be accommodated.

Body Corporate by-law prohibits visitor accommodation:

Officer comment – review of a copy of the Body Corporate *By-Law 59527* for 'Victoria House' has concluded there is nothing explicitly prohibiting a unit within this strata scheme from being use as short term accommodation. A condition on the permit will ensure the owner is aware of their responsibilities under the By-Law.

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.

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 PA2026.0150 - 2 38 Victoria Parade [**4.1.1** - 24 pages]
2. Representations PA2026.0150 - 2 38 Victoria Parade [**4.1.2** - 7 pages]

4.2 PA2026.0139 - 10 CHALMERS LANE DEVONPORT - RESIDENTIAL (SINGLE DWELLING) AND RETAINING WALL

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 PA2026.0139 and grant a Permit to use and develop land identified as 10 Chalmers Lane, Devonport for the following purposes:

- Residential (single dwelling) and retaining wall

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as Proposed Residence, Project No. 25-1009, dated 29.07.26, Revision 3, by Lachlan Walsh Design, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. 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 notes).
3. All retaining walls over 1m in height are to be certified by a suitably qualified engineer and plans submitted as part any application made under the *Building Act 2016*.
4. 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 legislation relevant to the development activity on the site. The developer may also be liable for all reasonable costs associated with the enforcement of compliance with the conditions 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*.

In regard to condition 2 refer to the following link
https://www.derwentestuary.org.au/assets/Best_practice_erosion_and_sediment_control_book.pdf

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

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

Enquiries regarding conditions 3-4 can be directed to Council's Infrastructure Department – Ph 6424 0511.

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 PA2026.0139.

BACKGROUND

Planning Instrument:	*Tasmanian Planning Scheme – Devonport 2020*
Address:	10 Chalmers Lane, Devonport
Applicant:	Lachlan Walsh Design
Owner:	Mr RV Bramich
Proposal:	Residential (single dwelling) and retaining wall
Existing Use:	Vacant land
Zoning:	General Residential
Decision Due:	28/10/2026

SITE DESCRIPTION

The site is irregularly shaped and located on the northern side of Chalmers Lane. It is accessed via an 8.63m wide access strip that also provides a right of way to the lot to the east. The subject site has an area of 687m^2 and falls approximately 9m from south to north, with the steepest section being the access to the site. The lot is surrounded by established residential lots and Crown land to the north. Figure 1 shows an aerial view of the subject site and surrounding areas.



Figure 1 - Aerial view of subject site and surrounding areas (Source: DCC)

APPLICATION DETAILS

The applicant is seeking approval for a single dwelling to be built over two levels with associated retaining walls. The dwelling will be built 3m from the northern side of the lot. Figures 2-9 show the proposal plans for the site. The application is appended as **Attachment 1.**



Figure 2 - Site plan (Source: Applicant)

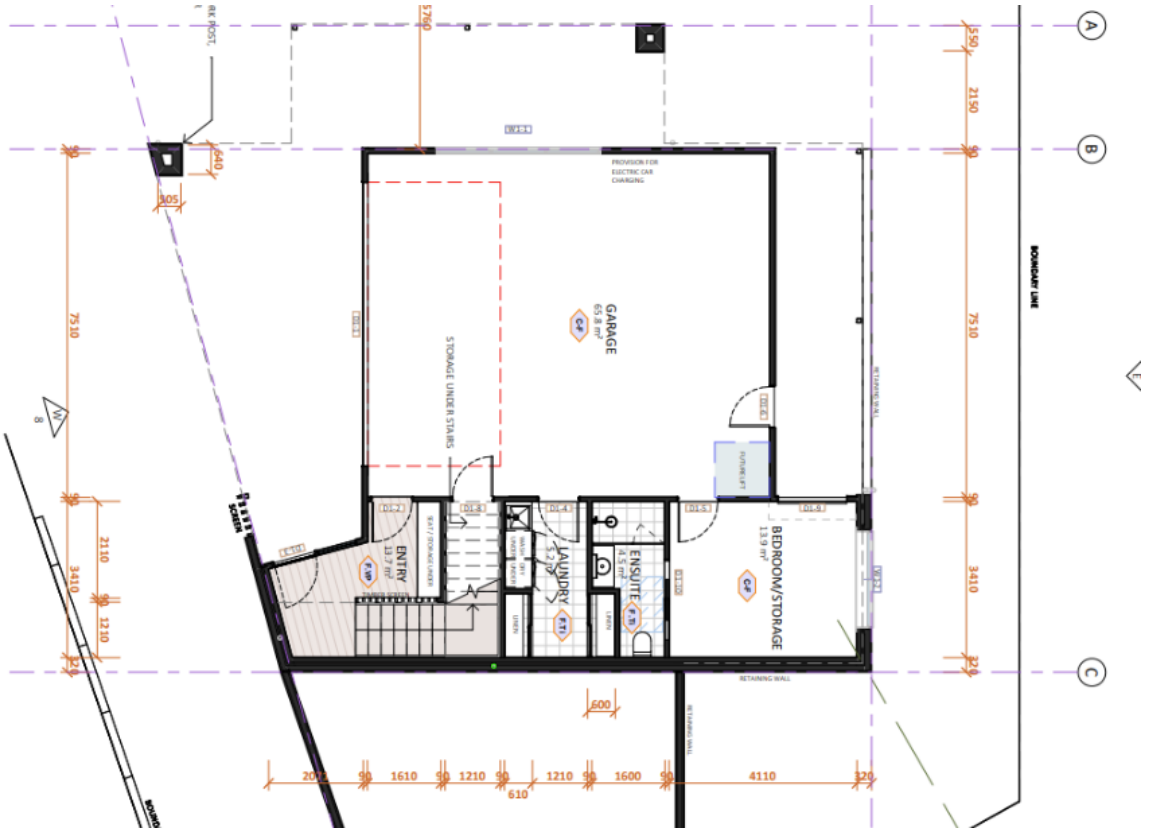


Figure 3 - Ground floor plan (Source: Applicant)

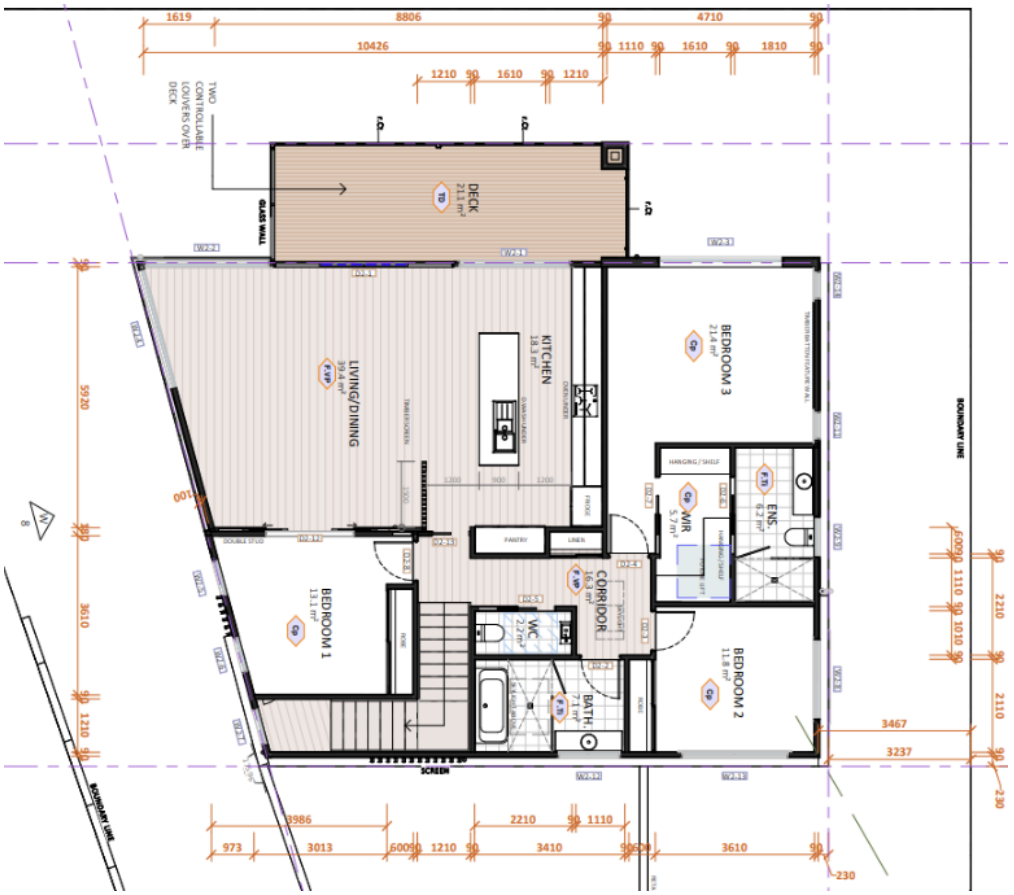


Figure 4 - First floor plan (Source: Applicant)



Figure 5 - Northern elevation (Source: Applicant)



Figure 6 - Eastern elevation (Source: Applicant)

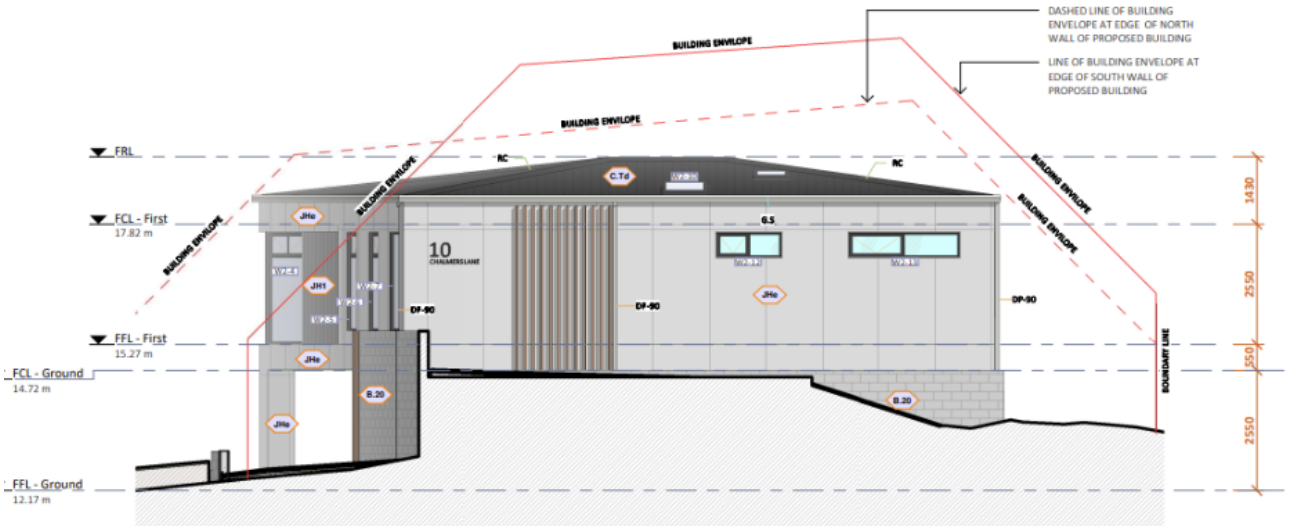


Figure 7 - Southern elevation (Source: Applicant)



Figure 8 - Western elevation (Source: Applicant)

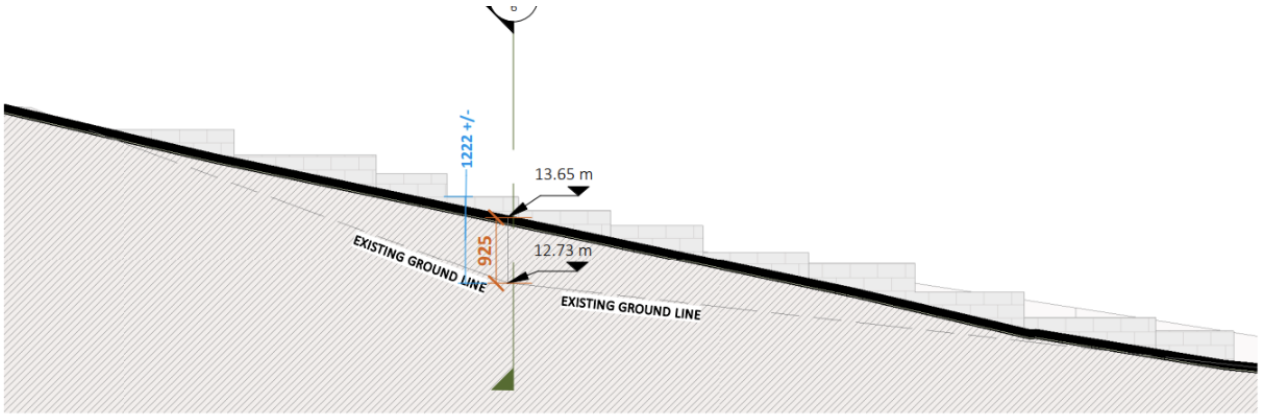


Figure 9 - Western retaining wall (Source: Applicant)

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.

Residential use and development does not require a planning permit in the zone where all appliable development standards contained within the zone and any applicable codes

are met at the acceptable solutions level. In instances where the standards cannot be met the corresponding performance criteria must be addressed.

In this case the proposal does not meet the clause 8.4.2 A3 in regard to setbacks and building envelope and clause 8.4.6 A1 in regard to privacy for all dwellings.

In addition, retaining walls are proposed which do not satisfy the exemptions contained in clause 4.6.8.

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

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	**P1** A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.

setback from the frontage of the ground floor level.	
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; (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.	**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.
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.

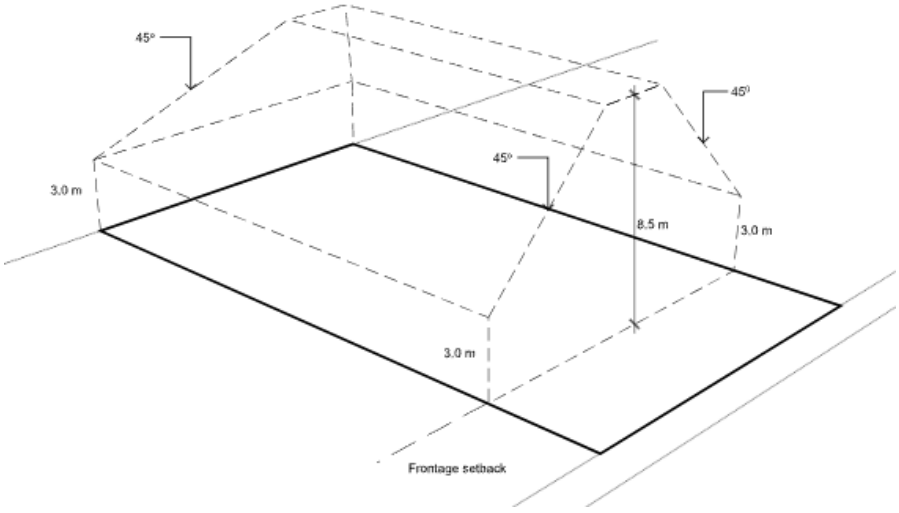


Figure 8.1 Building envelope as required by clause 8.4.2 A3(a) and clause 8.5.1 A2(a)

A1 – The setback to the frontage is in excess of 25m. The acceptable solution is met.

A2 – The garage is setback over 28m from the frontage. The acceptable solution is met.

A3 – The proposed dwelling falls outside the building envelope on the northern side as shown in Figure 10 below. This section of the building is approximately 9m from the western boundary and approximately 8m from the eastern boundary.

The siting and scale of the building will not cause an unreasonable loss of amenity to adjoining properties as the protrusion will not result in any substantial overshadowing in addition to that created by the portion of the dwelling which falls within the building envelope. Its location on the northern side of the site also reduces any visual impact as it will be hidden predominantly by the bulk of the building. In addition, as a roof over a deck rather than a solid section of building, visual impact is further reduced.

Figure 11 shows the shadow diagrams for the shortest day of the year when shadows are at their longest. The adjoining neighbour to the west will be overshadowed in the early morning but will continue to receive in excess of 3 hours of sunlight per day, which is the benchmark for appropriate solar access. The adjacent neighbour to the east will be overshadowed from late afternoon and will also continue to receive access to more than 3 hours of sunlight.

The separation between buildings is consistent with that in the area and no solar energy installations will be negatively impacted.

The performance criteria are satisfied.

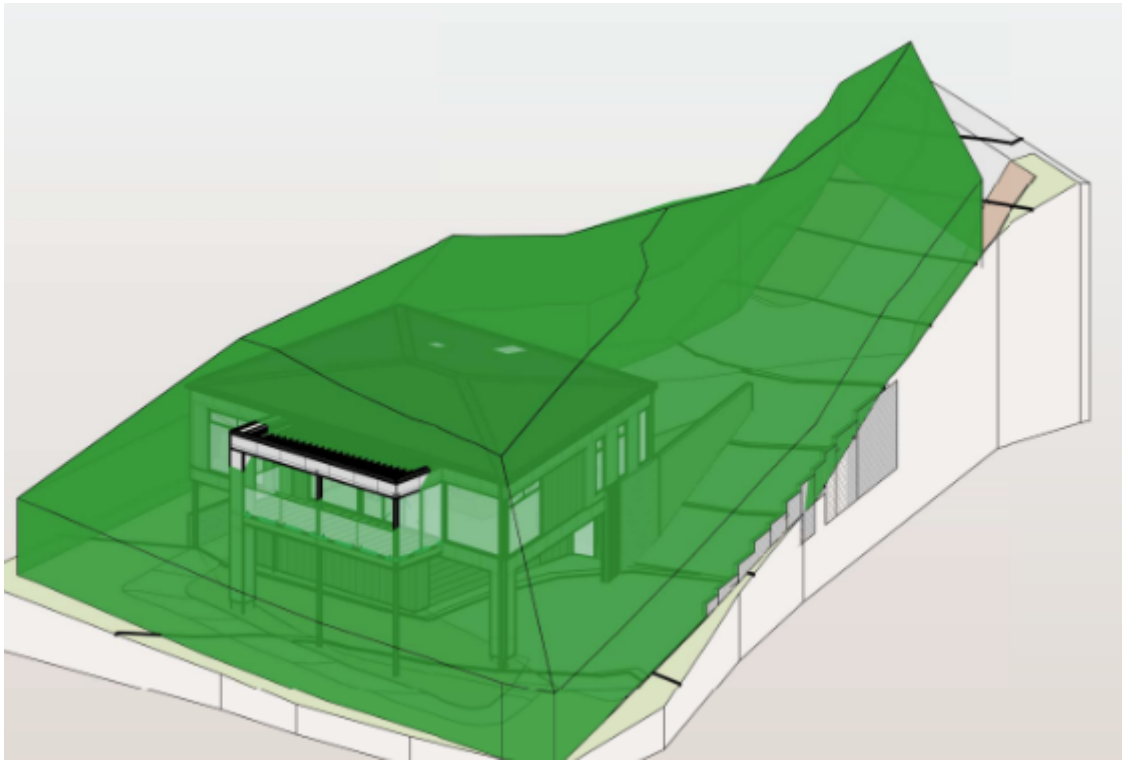


Figure 10 - Building envelope (Source: Applicant)

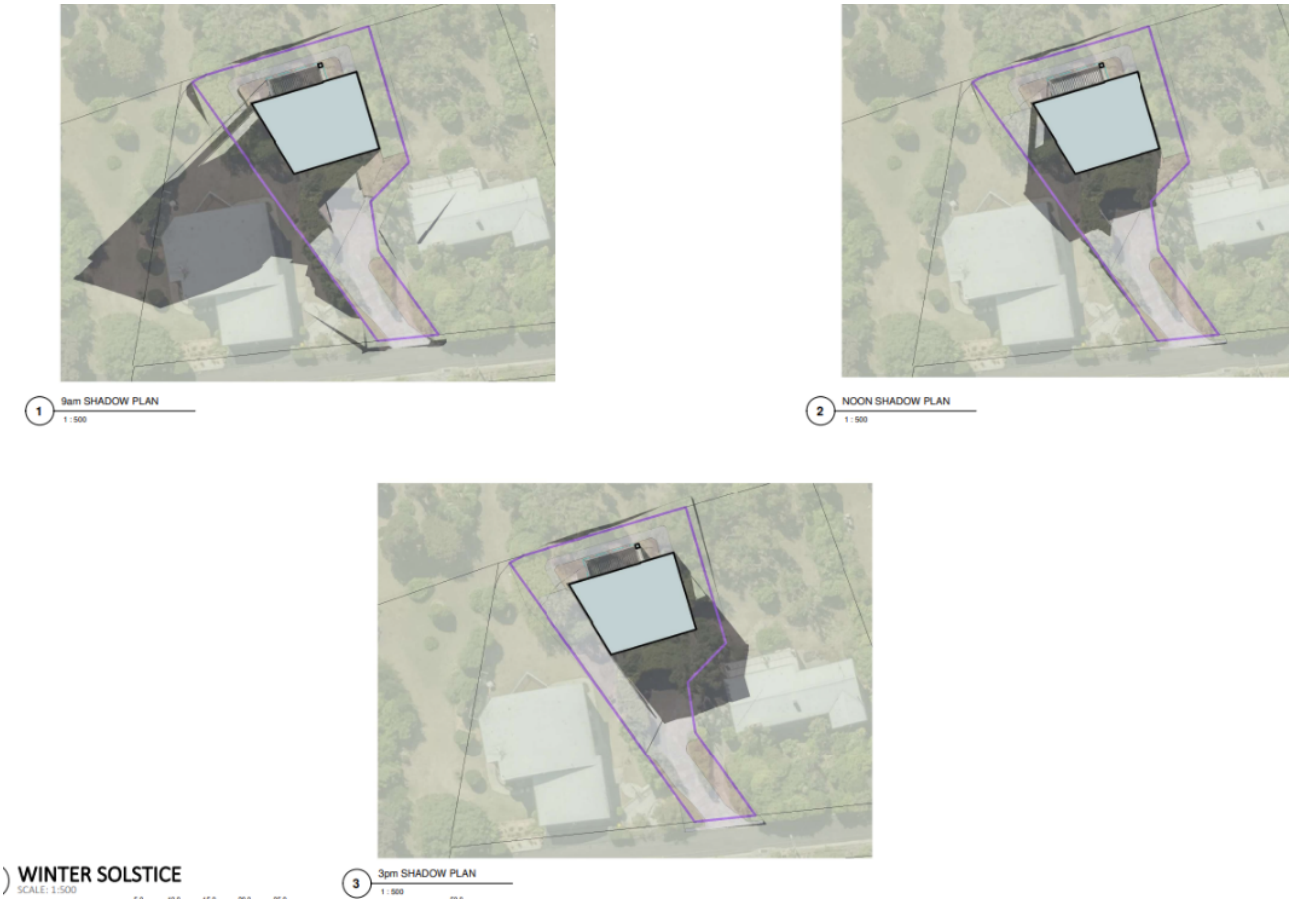


Figure 11 - Shadow diagrams (Source: Applicant)

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 60m² 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) 24m²; or (ii) 12m², 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	**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.

(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 (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.	

A1 – The site coverage is 26%. The acceptable solution is met.

A2 – The dwelling has more than 24m^2 of appropriate private open space. The acceptable solution is met.

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 garage is more than 12m from the frontage. The acceptable solution is met.

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	**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

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.	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;	**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.

(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 than 1.7m above floor level, with a uniform transparency of not more than 25%.	

P1 – The deck has a setback of 3m to the southern boundary rather than 4m and does not include a screen. The performance criteria must be considered. The deck is in excess of 8m from either adjoining owner. The 3m setback is from Crown land. There will be no overlooking of adjoining dwellings or their private open space. The performance criteria are satisfied.

A2 – All windows have setbacks in excess of the requirements. The acceptable solution is met.

Retaining walls
In accordance with clause 6.2.6 of the scheme, retaining walls do not require categorisation into a use class however there are no relevant standards to assess the proposal against, other than to ensure that there is no detrimental impact on adjoining uses or the amenity of the surrounding area, as per clause 7.10.2 of the scheme.

Clause 4.6.8 of the planning scheme provides an exemption for any retaining walls that retain a difference in ground level of less than 1m and have a setback from a boundary of 1.5m or more.

In this case a retaining wall will be built to the western boundary with a maximum depth of fill to be retained of 1.2m. All other walls will be in excess of 2.1m from the boundary. The walls will not cause any detrimental impact to adjoining uses provided they are constructed in accordance with appropriate engineering requirements.

The amenity of the area will not be detrimentally impacted by the walls. A condition will be placed on the permit requiring engineering design and supervision for the construction of all walls over 1m high.

COMMUNITY ENGAGEMENT

On 31/08/2026, 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 12/09/2026;

(b) Making a copy of the proposal available in Council Offices from the 12/09/2026;

(c) Notifying adjoining property owners by mail on 10/09/2026; and

(d) Erecting a Site Notice for display from the 11/09/2026.

The period for representations to be received by Council closed on 28/09/2026.

REPRESENTATIONS

Two representations were received within the prescribed 14 day public scrutiny period required by the *Land Use Planning and Approvals Act 1993*. The representations are from the adjoining property owners whose main concerns are in regard to potential impacts on their properties as a result of the construction of the building, driveways and retaining walls. The issue of the protrusion from the building envelope is also raised. The representations are reproduced in full as **Attachment 2**.

As discussed previously the proposed deck roof will not be fully contained within the building envelope. This will not cause detrimental impact on the neighbours due to its location on the northern side of the building. No significant overshadowing will occur on either adjoining lot. It will not result in negative visual impacts, being located behind the bulk of the building and well set back from the eastern and western boundaries.

In regard to the retaining walls, as stated, there are no specific criteria against which to assess them other than to ensure there is no detrimental impact on adjoining uses or the amenity of the surrounding area. The concerns raised are around the engineering design and construction of the walls which are not considered by the planning scheme however a condition will be placed on the permit to ensure the walls are designed and certified by a suitably qualified engineer.

Where protection work is required to ensure neighbouring properties are not negatively impacted by construction/demolition work the property owner, people responsible for the building/plumbing and/or demolition work or person engaged by the owner to manage such work, must deal with matters in accordance with Part 6 of the *Building Act 2016*.

Failure to meet the requirements of the Act may result in substantial fines. Compliance with the Act includes ensuring that the existing condition of adjoining properties is assessed prior to the commencement of work.

In accordance with clause 6.10.1 of the planning scheme, when determining an application, the planning authority must take into consideration any representations received. In the case of the exercise of discretion, this is only insofar as each such matter is relevant to the particular discretion being exercised.

The only discretions applicable to the application are in regard to the building envelope, privacy setbacks to the northern boundary and retaining walls. Matters of potential damage to existing properties are not a matter for planning approval but must be addressed as part of the building process. The *Building Act 2016* provides a mechanism for adjoining property owners to deal with any potential issues.

While the concerns raised by the representors regarding potential damage to their properties are obviously reasonable, they cannot be mitigated through the planning process. There are no issues raised that warrant changes to, or refusal of, 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

While the concerns raised by the representors are legitimate, and able to be managed through appropriate engineering design and construction, they are not matters that can be dealt with through the planning process. The application satisfies the requirements of the planning scheme and is recommended for conditional approval.

ATTACHMENTS

1. Application PA2026.0139 - 10 Chalmers Lane [**4.2.1** - 18 pages]
2. Representations PA2026.0139 - 10 Chalmers Lane [**4.2.2** - 3 pages]

4.3 PA2026.0129 - 90 GEORGE STREET 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 PA2026.0129 and grant a Permit to use and develop land identified as 90 George Street, Devonport for the following purposes:

- Residential (outbuilding)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans by Best Sheds and the applicant, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. 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 notes).
3. The developer is to comply with the conditions specified in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit pursuant to section 56P(1) of the *Water and Sewerage Industry Act 2008*. A copy of this notice is attached.

Note: The following is provided for information purposes.

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

Hours of Construction/Demolition 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.

In regard to condition 2 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/developer should contact TasWater – Ph 136992 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 PA2026.0129.

BACKGROUND

Planning Instrument:	*Tasmanian Planning Scheme – Devonport 2020*
Address:	90 George Street, Devonport
Applicant:	Taylor James Drew Gabb
Owner:	Mr JBI Davies & Mr TJD Gabb
Proposal:	Residential (outbuilding)
Existing Use:	Residential
Zoning:	General Residential
Decision Due:	19/10/2026, extension granted to 26/10/2026 by applicant

SITE DESCRIPTION

The site is located on the north-eastern corner of the easternmost intersection of George and Waniora Streets and contains an existing house and shed. The lot has an area of 782m^2 and falls approximately 2m from the south-west to the north-east. Established residential lots surround the site. Figure 1 shows an aerial view of the subject site and surrounding area.



Figure 12 - Aerial view of subject site and surrounding area (Source: DCC)

APPLICATION DETAILS

The applicant is seeking approval to construct an outbuilding along the eastern side of the lot. The building will consist of a garage and attached carport and have an overall length of 15m with a width of 5m. The wall height is 3m with an apex of 3.5m. Figures 2 and 3 show the site plan and proposed elevations. The proposal is appended as **Attachment 1**.

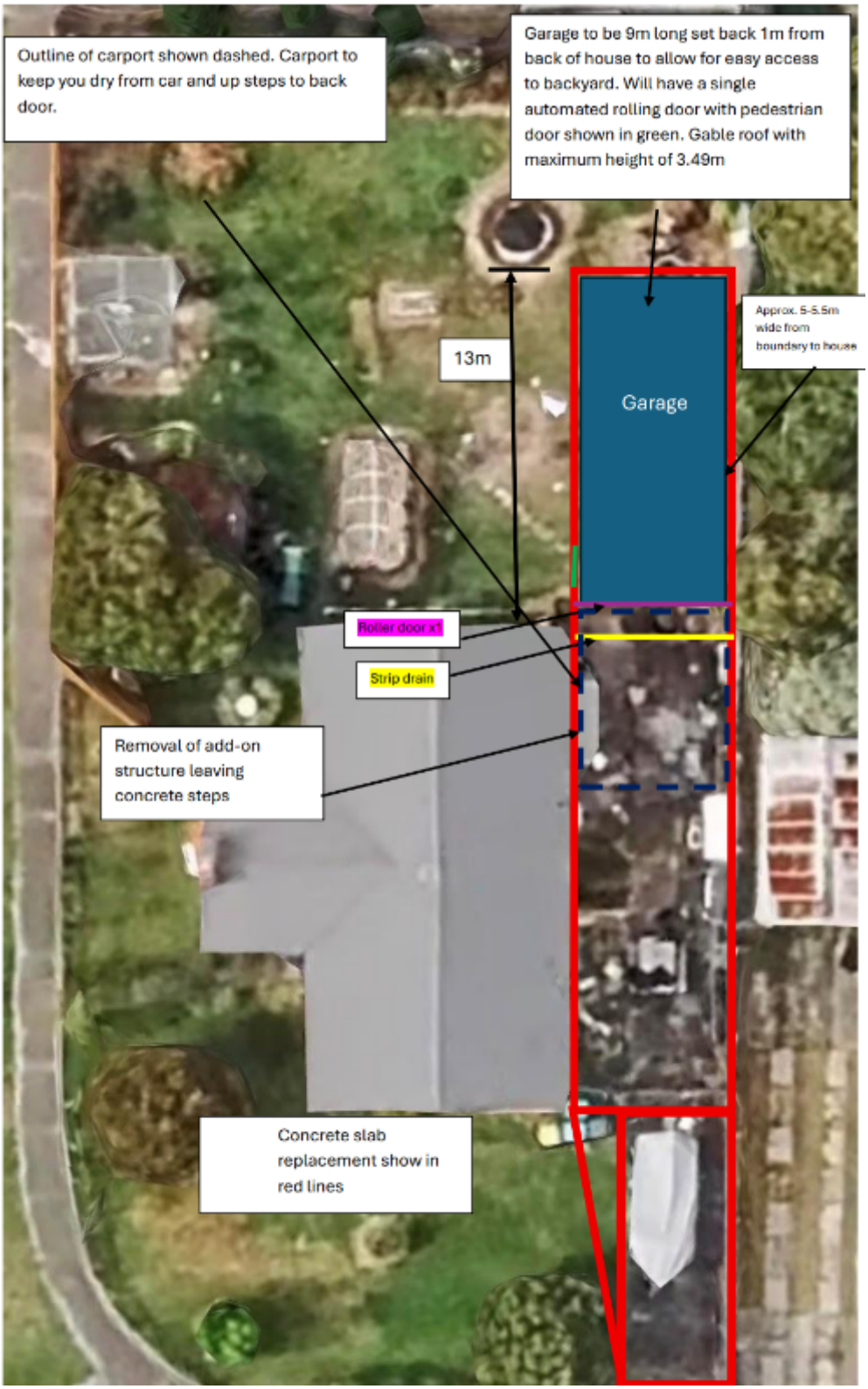


Figure 13 - Site plan (Source: Applicant)

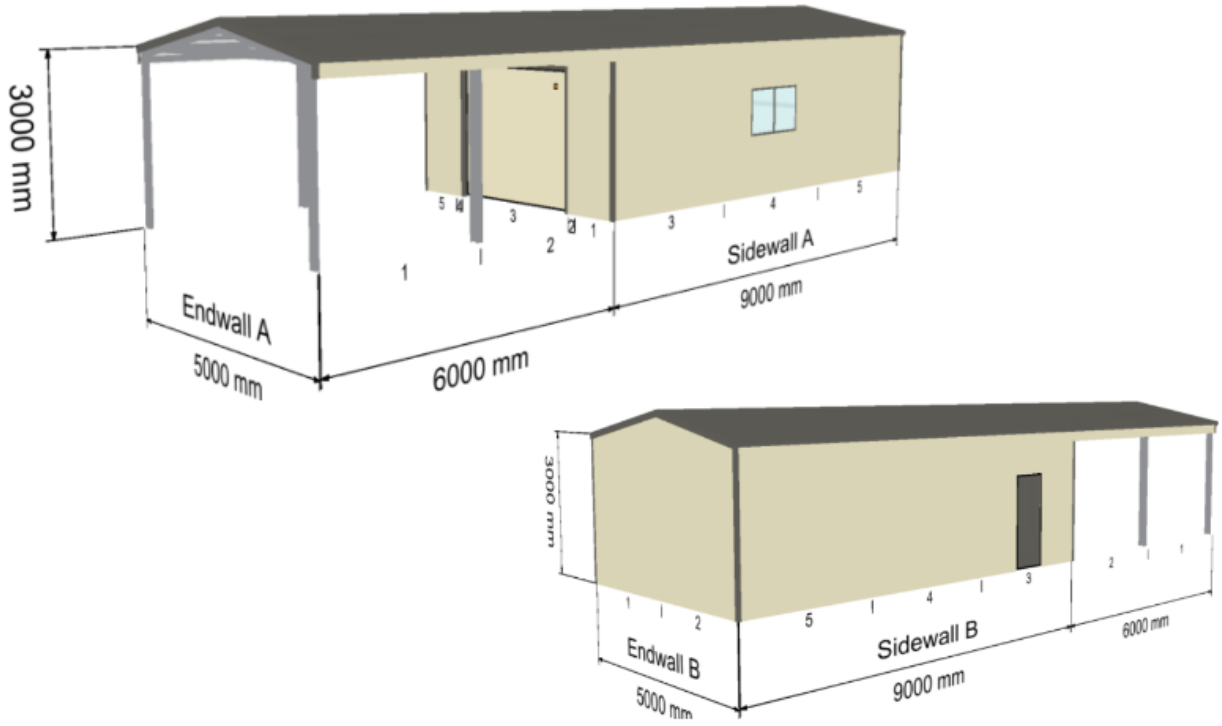


Figure 14 - Elevations (Source: Applicant)

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.

Residential use and development do not require a planning permit in the zone where all appliable development standards contained within the zone and any applicable codes are met at the acceptable solutions level. In instances where the standards cannot be met the corresponding performance criteria must be addressed.

In this case the proposal does not meet the clause 8.4.2 A3 in regard to setbacks and building envelope.

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

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.

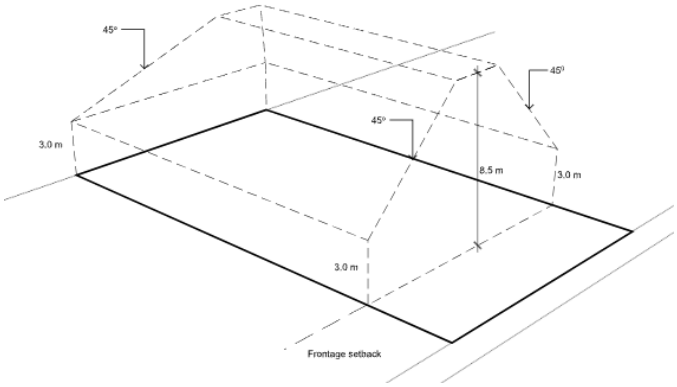


Figure 8.1 Building envelope as required by clause 8.4.2 A3(a) and clause 8.5.1 A2(a)

A1 – N/A – This clause does not apply to outbuildings.

A2 – The outbuilding is setback over 5.5m from the frontage. The acceptable solution is met.

A3 – The outbuilding exceeds the maximum wall length of 9m within 1.5m of a side boundary by 6m.

The siting and scale of the building will not cause an unreasonable loss of amenity to adjoining properties. The building will be located approximately 9m from the neighbouring dwelling with a shed on the adjacent lot is located between the proposed building and the neighbouring dwelling. Visual impacts will be minimised as the front 6m of the building is an open carport, reducing the solid wall length to 9m.

Given the orientation of the lots, and placement of existing buildings, the outbuilding will not overshadow any habitable rooms and will only cause shading of private open space in the late afternoon.

The separation between buildings is consistent with that in the area and no solar energy installations will be negatively impacted.

The performance criteria are satisfied.

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);	**P1** Dwellings must have: (a) site coverage consistent with that existing on established properties in the area;

and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).	(b) 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) 24m²; or (ii) 12m², 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 (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.	**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.

A1 – The site coverage is 25%. The acceptable solution is met.

A2 – The dwelling has more than 24m^2 of appropriate private open space. The acceptable solution is met.

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 garage is more than 12m from the frontage. The acceptable solution is met.

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	**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.

of the other dwelling on the same site.	
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 than 1.7m above floor level, with a uniform transparency of not more than 25%.	**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.

A1 – N/A - there are no finished floor levels over 1m above natural ground level.

A2 – N/A – No habitable rooms are proposed.

The site has sufficient parking to meet requirements and the proposal does not trigger assessment against any other codes.

The proposal was referred to TasWater for assessment and conditions have been provided for inclusion on the permit (appended as **Attachment 2**).

COMMUNITY ENGAGEMENT

On 24/08/2026, 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 19/09/2026;

(b) Making a copy of the proposal available in Council Offices from the 19/09/2026;

(c) Notifying adjoining property owners by mail on 16/09/2026; and

(d) Erecting a Site Notice for display from the 18/09/2026.

The period for representations to be received by Council closed on 05/10/2026.

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 made by the tenant of the property and raises concerns regarding the requirement that they move their outdoor entertaining area and garden beds to enable the erection of the building along with their lack of need for a shed. The representation is reproduced below and can be found appended as **Attachment 3**.

As the current tenant of this property, I would like to outline the severe practical impacts this development will have on our daily living, home education setup, and current use of the land:

• Prior Communications Regarding Consent: When the property owners visited the premises, they spoke with my daughters regarding the garden and noted that they would not proceed with a garage unless we gave our go-ahead. Additionally, the real estate agency had messaged to inform me that a contractor was coming purely to provide a quote. Because we understood that our consent was a prerequisite to the development moving forward, the arrival of the planning permit notice was unexpected.

• Permanent Loss of Cultivated Garden Space: As a home educator, my daughter and I have spent the entire year cultivating the specific patch of soil where the garage is proposed to be built. My daughter was preparing to plant here as part of her education. The construction of the garage will permanently destroy this active garden space we have worked hard to establish.

• Loss of Storage Infrastructure: The proposed garage requires the removal of the existing tin shed on the property. This shed is currently fully functional and provides all the secure storage space we require for our family's bicycles and personal belongings. We have no practical need for a larger garage structure and would not utilize it for a vehicle.

• Massive Disruption to Outdoor Infrastructure and Entertaining Space: To allow large construction vehicles, cement trucks, and machinery to access the build site via the driveway, we will be forced to completely clear out our entire adjoining outdoor living area. This means we will have to physically dismantle and relocate 15 garden beds, our outdoor sink/hand-washing station, 3 active compost bins, our family picnic table, and our barbecue area just to grant access.

• Months-Long Loss of Quiet Enjoyment: Moving our entire outdoor setup is highly impractical and disruptive. Our family will completely lose the use, privacy, peace, and quiet enjoyment of our main outdoor space for the several weeks or months it takes to complete construction, for a structure that offers no benefit to our household.

Figure 15 - Representation

In accordance with clause 6.10.1 of the planning scheme, when determining an application, the planning authority must take into consideration any representations received. In the case of the exercise of discretion, this is only insofar as each such matter is relevant to the particular discretion being exercised.

While the concerns raised by the representor are all valid, they do not deal with the discretion of the length of a wall within 1.5m of the boundary. From a planning perspective the discretion can be supported as discussed earlier.

It has been suggested that the applicants contact the tenant or the real estate agent to discuss the proposal in the hope that a resolution can be reached. Unfortunately, the issues raised cannot be considered by Council in determining the appropriateness of the proposal.

No changes to the proposal are recommended as a result of the representation.

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, along with TasWater. While the issues raised are valid concerns they do not deal with the discretion triggered by the proposal and cannot be taken into account when making a decision. The proposal is recommended for approval with conditions.

ATTACHMENTS

1. Application PA2026.0129 - 90 George Street [**4.3.1** - 19 pages]
2. TasWater Submission to Planning Authority Notice PA2026.0129 - 90 George Street [**4.3.2** - 3 pages]
3. Representation PA2026.0129 - 90 George Street [**4.3.3** - 2 pages]

4.4 PA2026.0087 - 67-71 MERSEY MAIN ROAD SPREYTON - SUBDIVISION AND VEHICLE FUEL SALES & SERVICE (SERVICE STATION) & FOOD SERVICES (QUICK SERVICE RESTAURANT)

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 PA2026.0087 and grant a Permit to use and develop land identified as 67-71 Mersey Main Road, Spreyton for the following purposes:

- Subdivision & Vehicle Fuel Sales & Service (service station) & Food Services (quick service restaurant)

Subject to the following conditions:

PLANNING CONDITIONS

1. APPROVED PLANS AND DOCUMENTS

Unless requiring alteration by subsequent conditions, the subdivision, use and development must be carried out generally in accordance with the following endorsed plans and documents:

- Subdivision Plan prepared by PDA Surveyors, Job No. 55525 (DWG 01, Revision C), dated 23 September 2026.
- Development Plans – Proposed Service Station, Carwash and QSR (Drawings TP.01C to TP.09C, Revision C), prepared by J R Design Australia Pty Ltd, dated 22 September 2026.
- Bushfire Hazard Report, Version 2, prepared by ES&D, dated 27 April 2026.
- Traffic Impact Assessment – 67-71 Mersey Main Road, Spreyton, prepared by Midson Traffic Pty Ltd, dated March 2026.
- Town Planning Acoustic Report, Project No. 222530-A, Revision 1, prepared by DDEG Pty Ltd, dated 14 August 2026.
- Crown Landowner Consent (Reference SRA-26-178) dated 5 June 2026 issued by the Department of State Growth (now Building Tasmania).

These plans and documents are endorsed and form part of this permit, copies of the endorsed plans and documents are attached to, and form part of, this permit.

2. STATE ROAD AUTHORITY REQUIREMENTS

The development must be carried out generally in accordance with the requirements and advice contained within the Department of State Growth Crown Landowner Consent (Reference SRA-26-178) dated 5 June 2026. Prior to the commencement of any works within the State road reservation, all approvals required under Section 16 of the *Roads and Jetties Act 1935* must be obtained and all associated works completed in accordance with the requirements of Building Tasmania (Roads).

3. OPERATING HOURS

The use must operate only within the following hours:

a) The car wash and vacuum facilities may operate between 7:00am and 6:00pm Monday to Saturday and between 8:00am and 6:00pm on Sundays and Public Holidays;

b) The service station, convenience store and quick service restaurant may operate 24 hours a day, 7 days a week.

4. ACOUSTIC FENCING

Prior to the commencement of the use, acoustic fencing must be installed and maintained in accordance with the recommendations of the Town Planning Acoustic Report prepared by DDEG Pty Ltd, Project No. 222530-A, Revision 1 dated 14 August 2026, including:

a) a minimum 3.0m high acoustic fence along the northern boundary in the location identified on Figure 5 of the report;

b) a minimum 2.1m high acoustic fence along the northern boundary in the location identified on Figure 5 of the report; and

c) a minimum 2.0m high acoustic fence along the eastern boundary in the location identified on Figure 5 of the report.

The fences must be constructed and maintained in accordance with the report, including required acoustic performance, materials and treatment specifications.

5. ACOUSTIC FENCE MAINTENANCE

The acoustic fencing required by this permit must be constructed and maintained in accordance with the endorsed acoustic report for the life of the development and must not be removed, altered or reduced in height without the prior written approval of the Planning Authority.

6. CAR WASH ACOUSTIC TREATMENT

Prior to the commencement of the car wash use, the internal walls and ceiling of the car wash bay must be fitted with sound-absorbing treatment in accordance with the recommendations of the Town Planning Acoustic Report prepared by DDEG Pty Ltd, Project No. 222530-A, Revision 1, dated 14 August 2026.

7. ACOUSTIC CERTIFICATION

Prior to lodging any applications under the *Building Act 2016* for the service station, convenience store, quick service restaurant or associated plant, an updated acoustic assessment prepared by a suitably qualified acoustic consultant must be submitted to and approved by the Planning Authority. The assessment must verify that the final mechanical plant, equipment and building layout comply with the recommendations and noise limits specified in the Town Planning Acoustic Report prepared by DDEG Pty Ltd, Project No. 222530-A.

8. NOISE EMISSIONS

The use must operate at all times in accordance with the recommendations of the Town Planning Acoustic Report prepared by DDEG Pty Ltd, Project No. 222530-A,

Revision 1 dated 14 August 2026. Noise emissions from the site must not exceed the criteria adopted in that report at surrounding noise sensitive receivers.

9. EXTERNAL LIGHTING AND RESIDENTIAL AMENITY

All external and security lighting must be baffled, shielded and directed away from adjoining properties within the General Residential Zone so that direct light does not extend beyond the site boundaries.

10. LANDSCAPE MANAGEMENT PLAN

Prior to lodging any applications under the *Building Act 2016*, 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 General Residential Zone.

11. 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.

12. WATERWAY AND WETLAND PROTECTION

All works associated with the development within or adjacent to the mapped waterway and coastal protection area, including earthworks, vegetation removal, stormwater infrastructure and site stabilisation measures, must be undertaken in accordance with the principles and recommendations contained within the *Wetlands and Waterways Works Manual* published by the Department of Natural Resources and Environment Tasmania. Measures must be implemented to minimise sedimentation, erosion and impacts on adjacent waterways during both the construction and operational phases of the development.

13. SIGNAGE HEIGHT

Notwithstanding the approved plans, the pylon signs identified as S1 and S8 must not exceed a maximum height of 5m above natural ground level. Any documentation included in an application under the *Building Act 2016* must show this amendment.

14. ILLUMINATED SIGNAGE

The pylon signs identified as S1 and S8 on the approved plans must be static illuminated signs only and must not contain electronic message boards, digital displays, animated content, scrolling text, flashing lights or changing messages.

15. SUBDIVISION REQUIREMENTS

Titles must be issued for the subdivision shown on the endorsed plans prior to the lodgement of any application under the *Building Act 2016.*

16. SITE FILLING – SUBDIVISION FINAL PLAN

Prior to the sealing of the Final Plan, the owner must provide documentation prepared by a suitably qualified geotechnical engineer or other suitably qualified person identifying the extent, location and, where reasonably practicable, the nature of any fill present on the site, together with the final finished surface levels of each lot. The documentation must include the results of any investigations undertaken and must form part of the Final Plan documentation submitted to the satisfaction of the Planning Authority. The final plan must show the location of any fill over 1m in depth.

17. 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

18. SUBMISSION AND APPROVAL OF ENGINEERING PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Infrastructure Manager for approval. Such plans and specifications must:

a) Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including third party infrastructure such as:
   i. Reticulated water and/or sewage,
   ii. Electricity supply and street lighting,
   iii. Communications.

b) be prepared strictly in accordance with the Tasmanian Design Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans;

c) be prepared by a suitably qualified and experienced engineer or Engineering Consultancy;

d) be accompanied by:
   i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
   ii. the required fee as specified in Council Schedule of Fees and Charges. Such fee covers assessment of the plans and specifications, audit inspections and Completion & Final inspections.

19. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Infrastructure Manager.

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

a) Stormwater
   i. Provision of a piped drainage system to provide of a suitably sized connection to the lowest point of each lot,
   ii. Provision of all necessary upgrades or augmentation to Council's existing public system, such as increased pipe diameters, provision of additional scour protection at headwalls, or private on-site works to limit the peak rate of stormwater discharge from the site
   iii. Provision of an overland flow path for flows up to a 1% AEP storm event.

b) Roads
   i. Provision of a single Heavy Vehicle kerb layback and driveway apron as per Tasmanian Standard Drawing TSD-R16-v3 designed and located to facilitate access to and from the site for the specified design vehicle, and in accordance with any Transport Policy and Planning, Building Tasmania requirements,
   ii. Provision of all necessary works to facilitate the kerb and footpath relocation to accommodate the relocated bus stop, including pavement design, embankment details and where necessary handrails and barriers,
   iii. Provision of all necessary additional works to comply with the Building Tasmania Standard Drawings for Bus stops; SD-087-005 to SD-087-013,
   iv. Provision of all necessary line marking, signage and other traffic control devices.

c) Electricity, Communications & Other Utilities
   i. All necessary works to install, relocate or remove third party infrastructure in accordance with the requirements of the Responsible Authority,

All construction works must be undertaken in accordance with the Tasmanian Design Guidelines and LGAT-IPWEA Standard Drawings. These documents collectively specify:

a) Construction requirements;

b) The responsibilities of the Supervising Engineer including to supervise and certify construction works, arrange Council Audit inspections;

c) The process for achieving Completion, and after a 12 month defects liability period, the Final Inspection & Hand-Over.

20. DAMAGE TO COUNCIL INFRASTRUCTURE AND ASSETS

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.

21. ROAD RESERVE PERMIT REQUIRED

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.

22. CONSTRUCTION DOCUMENTATION

At the time of completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

a) An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available upon request.

b) A Closed Circuit Television inspection report for all stormwater drains constructed or incorporated in the works.

c) Compaction and soil test results for all earthworks or pavement works.

d) An engineer's certificate that each component of the works complies with the approved engineering plans and Council standards.

23. RECIPROCAL RIGHTS OF WAY

The reciprocal rights of way shown on the endorsed plans are to be shown on the Final Plan of Survey.

24. DRAINAGE AND SERVICES EASEMENTS (INCLUDING OVERLAND FLOW PATHS)

Easements are required over all Council and third-party services located in private property, including designated overland flow paths.

The minimum width of any easement for Council (public) mains shall be 3 metres, unless otherwise approved. A greater width will be required where the internal diameter of the pipe is greater than 475 mm or where the depth of the pipe exceeds 2.1 metres.

The drainage easement for the overland flow path of stormwater shall be of sufficient width to contain the 1% AEP flow.

Define the "Drainage Easement - Overland Flow" within the relevant schedule of easements as follows:

"Drainage Easement - Overland Flow" shall mean a Right of Drainage as defined in Schedule 8 of the *Conveyancing and Law of Property Act 1884* and is together with the benefit of the following restrictions as to user:

(a) Not to undertake any construction, excavation or other action which is likely to or will alter the pre-existing surface levels within the area of the Drainage Easement - Overland Flow.

(b) Not to erect, or permit to be erected, any fence within the Drainage Easement - Overland other than an open form fence which will not interfere in any substantial manner with the overland flow of stormwater.

An easement of a lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

25. SEALING OF FINAL PLAN OF SURVEY

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the Infrastructure Manager:

a) The satisfactory completion of all public and private infrastructure works required to provide vehicular access and a stormwater connection to each lot in accordance with the planning permit.

b) The provision of written evidence of the completion of third party services including connections to the electricity supply, telecommunications infrastructure and TasWater infrastructure, from the responsible service provider.

c) The provision of engineering certification and as constructed documentation in accordance the Council requirements.

d) The subsequent issue of a Certificate of Practical Completion by the Infrastructure Manager for those works that will vest with the Devonport City Council (Roads and Stormwater infrastructure).

e) The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.

f) Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

26. VEHICLE PARKING AND ACCESS

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

b) Surfaced with an impervious all-weather seal such as concrete or asphalt,

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.

Parking areas and access lanes must comply with AS/NZS 2890.1 and be kept available for these purposes at all times and maintained for the life of the development.

TASWATER REQUIREMENTS

27. 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.

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

The following street addresses apply to the lots shown on the endorsed subdivision plan:

Lot 1 – 69 Mersey Main Road, Spreyton

Lot 2 – 67 Mersey Main Road, Spreyton

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

In regard to conditions 18-26 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 PA2026.0087.

BACKGROUND

Planning Instrument:	*Tasmanian Planning Scheme – Devonport 2020*
Address:	67-71 Mersey Main Road, Spreyton
Applicant:	PDA Surveyors, Engineers & Planners
Owner:	Spreyton Properties Pty Ltd
Proposal:	Subdivision & Vehicle Fuel Sales & Service (service station) & Food Services (quick service restaurant)
Existing Use:	Vacant Land
Zoning:	Local Business
Decision Due:	Initial decision due 12/10/2026, extension of time granted by applicant until 27/10/2026

SITE DESCRIPTION

The site is identified by certificate of title 124200/1 and is located at 67-71 Mersey Main Road, Spreyton. The land has an area of approximately 6,032m² and is currently vacant.

The site is bounded by a mixed retail centre containing a butcher, bakery and fruit shop to the south, residential dwellings to the north, and Figure of Eight Creek to the east. The surrounding locality comprises a mix of commercial, residential and recreational land uses.

Figure 1 provides a copy of the certificate of title. Figure 2 shows an aerial image of the site and surrounding area, and Figure 3 depicts the site looking east from Mersey Main Road.

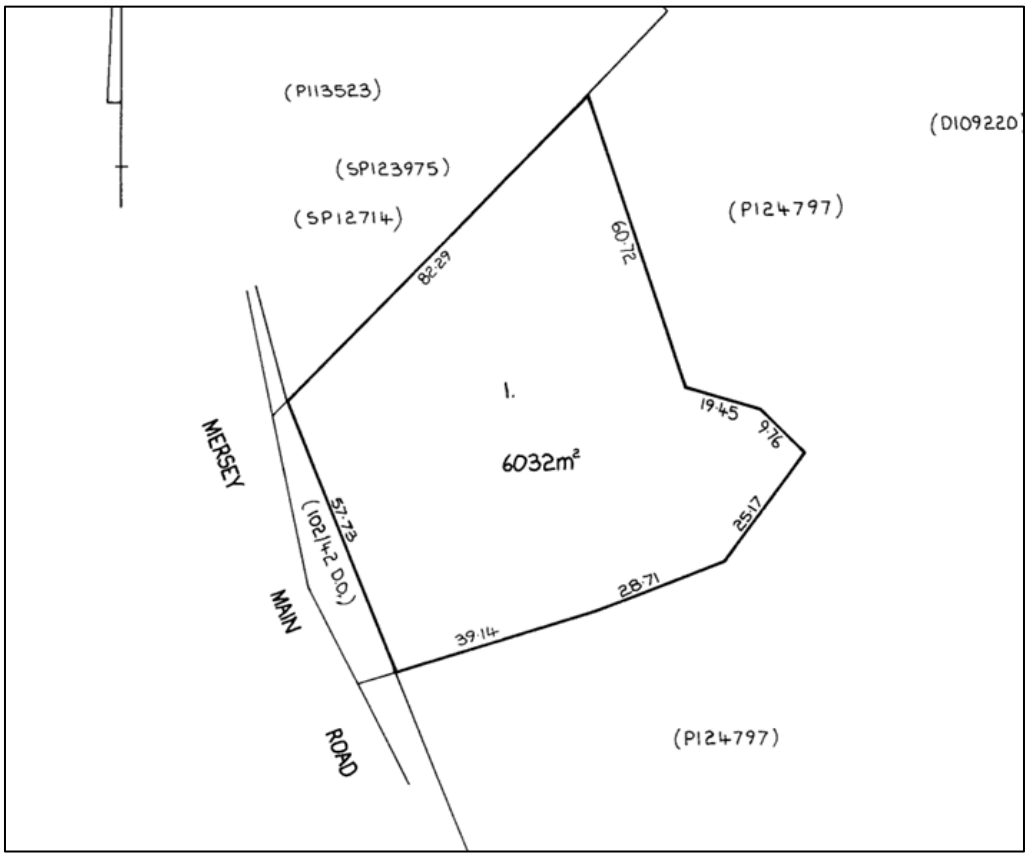


Figure 1 – Certificate of title for 67-71 Mersey Main Road, Spreyton (The LIST, 1996)



Figure 2 – Aerial image of the subject site (highlighted) and surrounding locality (DCC, 2025)



Figure 3 – Image of the site looking east from Mersey Main Road (DCC, 2026)

APPLICATION DETAILS

The applicant seeks approval for a 2 lot subdivision and associated development comprising a quick service restaurant (QSR) with drive-through facilities on Lot 1, and a service station, convenience store and car wash on Lot 2.

The subdivision will create Lot 1 with an area of 2,822m² and Lot 2 with an area of 3,210m². Both lots will share access via two 3m wide reciprocal rights of way located centrally along the common boundary. The proposed subdivision plan is shown in Figure 4 below.

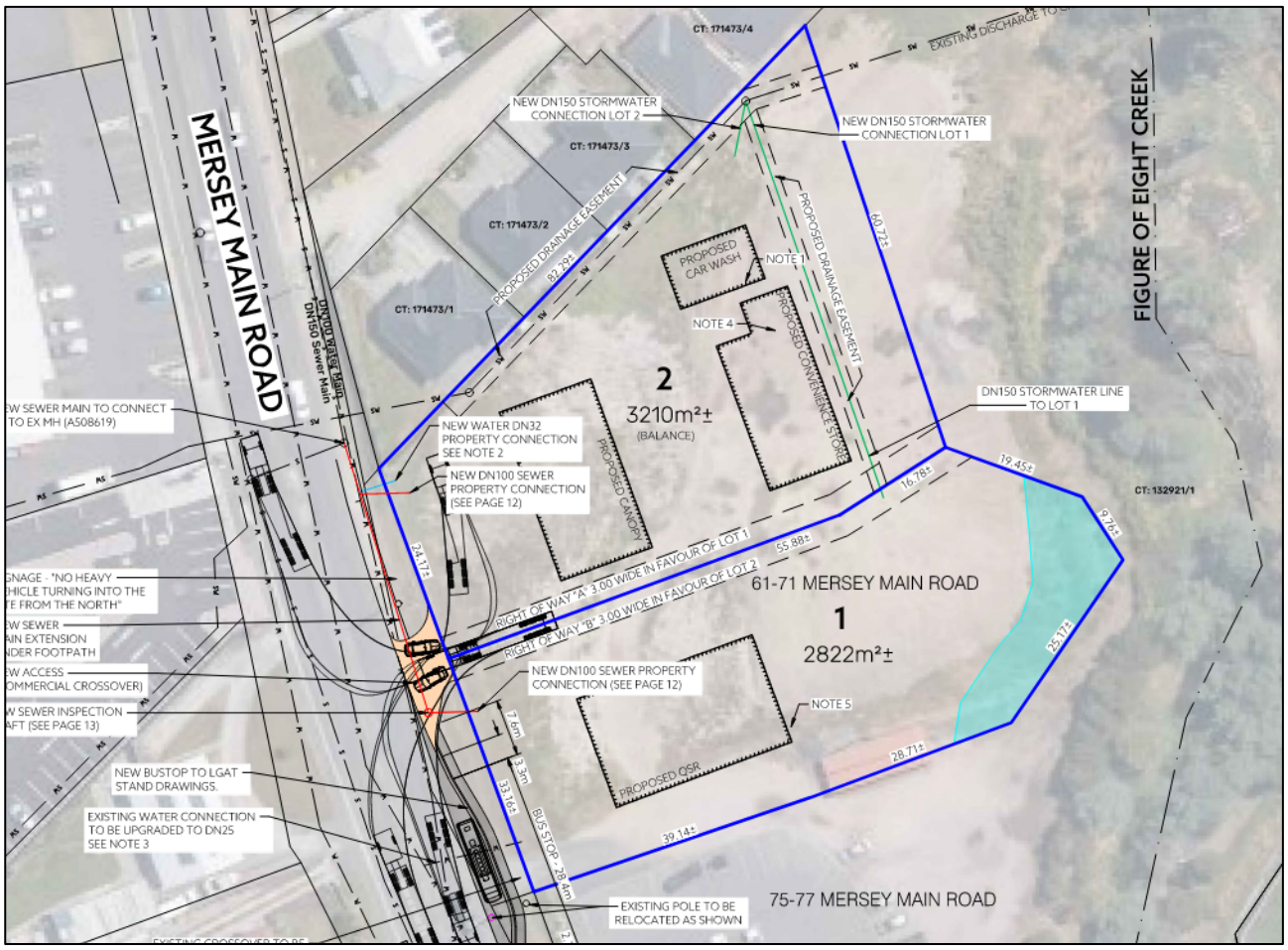


Figure 4 – Proposed Subdivision Plan (PDA Surveyors, 2026)

Development on Lot 1

A quick service restaurant (QSR) is proposed on Lot 1. While the future tenant has not been identified, this is not required for the Planning Authority's assessment. The development includes a drive-through facility, 18 on-site parking spaces, associated signage, and a 6.5m-high pylon sign fronting Mersey Main Road. The QSR is proposed to operate 24 hours a day, seven days a week.

Development on Lot 2

Lot 2 is proposed to accommodate a service station comprising a fuel canopy with bowsers, a convenience store and a car wash. The development includes seven customer parking spaces located in front of the convenience store, additional staff parking and vacuum bays to the rear, 12 refuelling bays beneath the fuel canopy, associated signage, and a 6.9m high pylon sign fronting Mersey Main Road.

The service station and convenience store are proposed to operate 24 hours a day, seven days a week. The car wash, including vacuum facilities, is proposed to operate between 7.00 am and 6.00 pm Monday to Saturday and between 8.00 am and 6.00 pm on Sundays and public holidays.

An overall site plan for the development across both lots is shown in Figure 5 below, with detailed plans for the proposed development on Lots 1 and 2 provided in Figures 6 and 7 respectively.

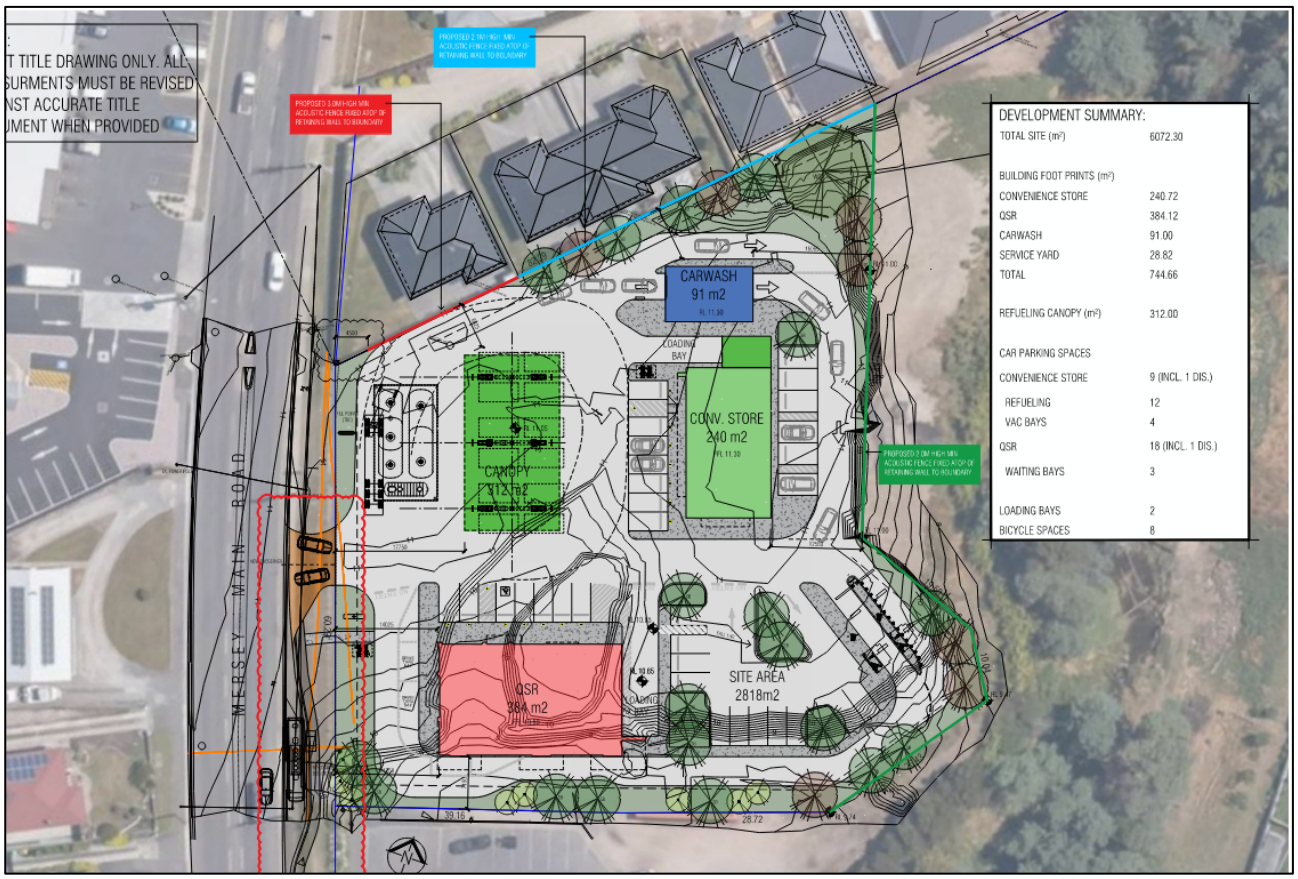


Figure 5 – Site Plan (J R Design Pty Ltd, 2026)

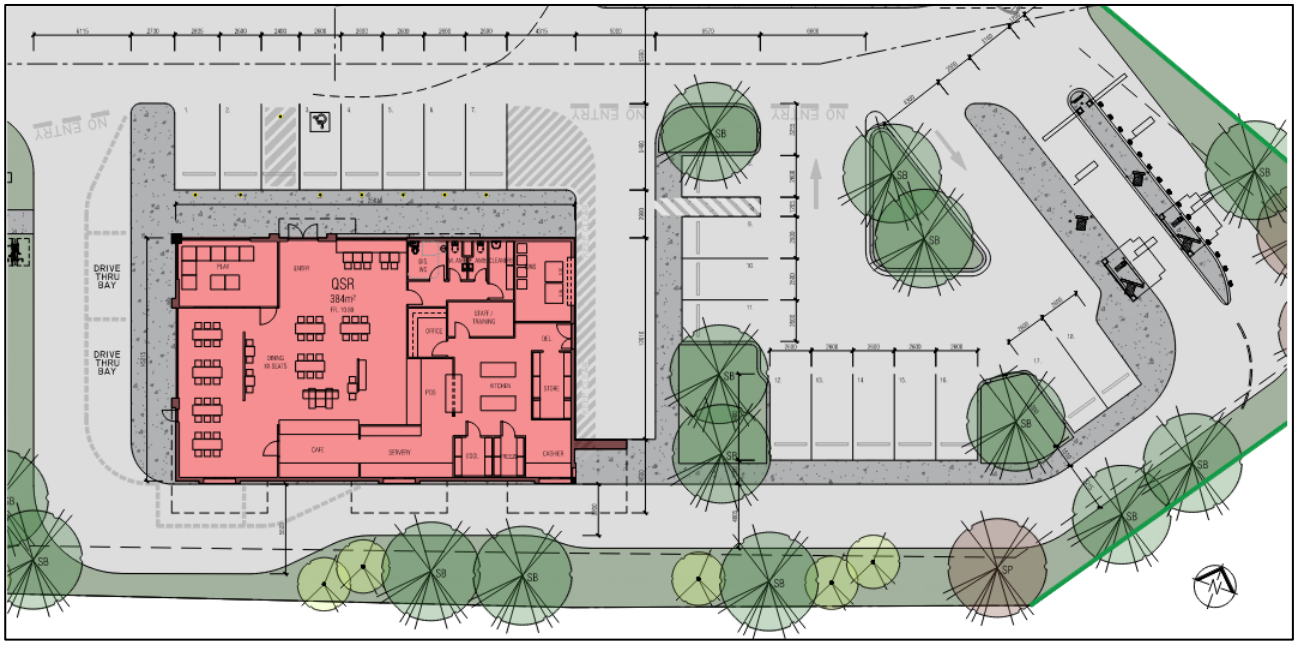


Figure 6 – Site Plan of Future Lot 1 (J R Design Pty Ltd, 2026)

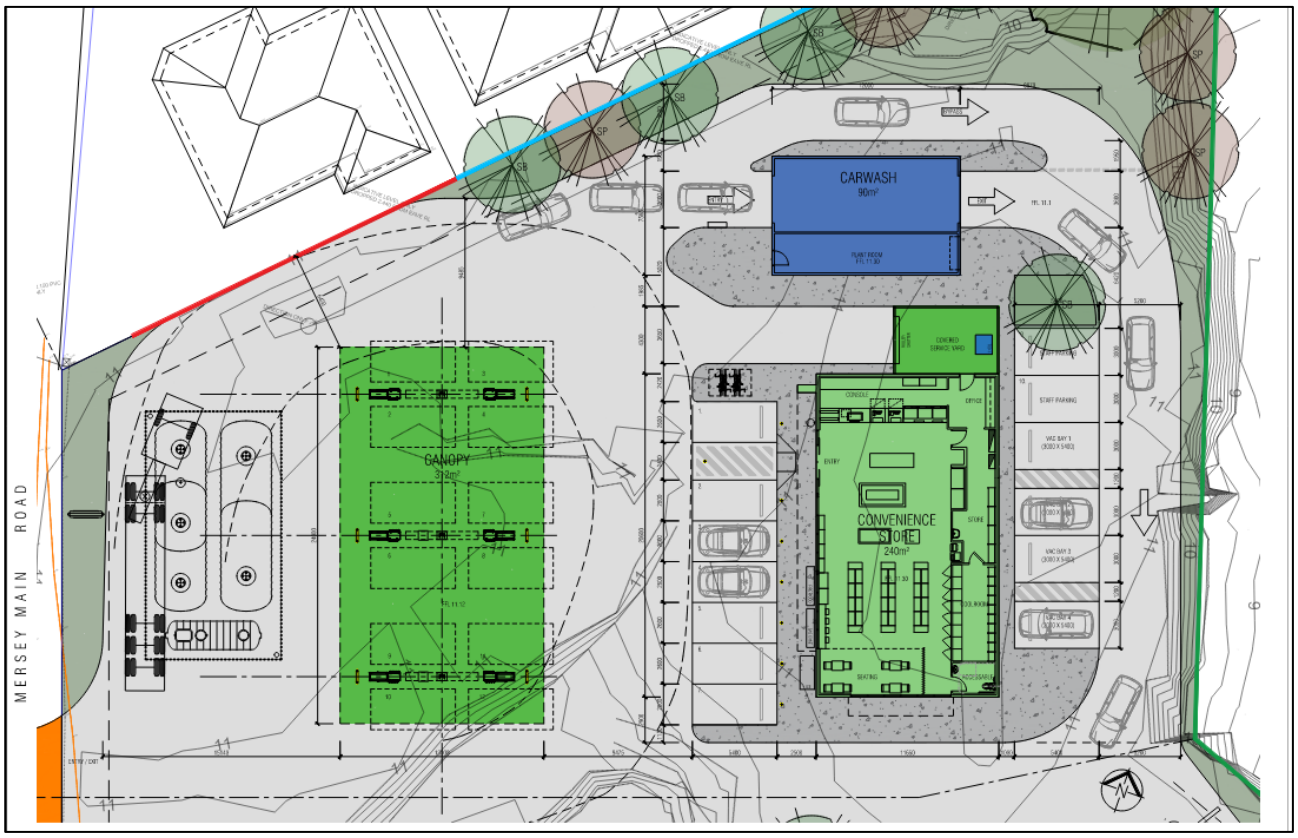


Figure 7 – Site Plan of Future Lot 2 (J R Design Pty Ltd, 2026)

As part of the development, acoustic fencing is proposed along the northern and eastern site boundaries. The fencing will vary in height, as illustrated in Figure 8 below, with the final design, materials and finish to be determined.

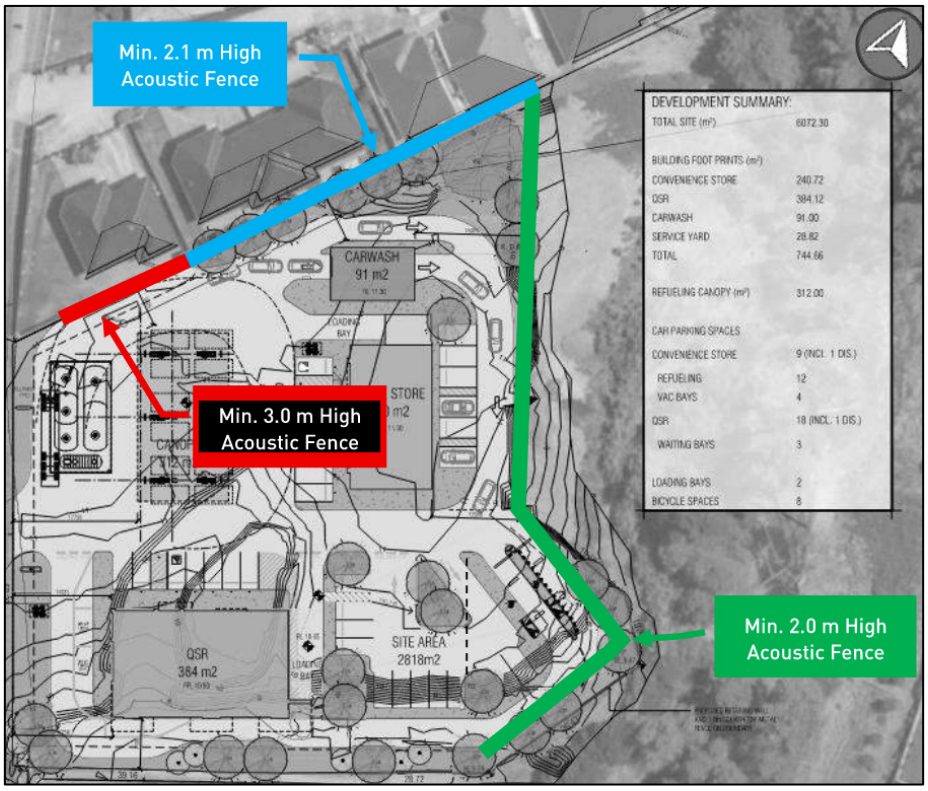


Figure 8 – Location of proposed acoustic fencing (DDEG Pty Ltd, 2026)

A full copy of the planning application, including all plans and supporting documentation, is appended as **Attachment 1**. The supporting documentation includes a Planning Compliance Report, Traffic Impact Assessment, Acoustic Assessment and Bushfire Hazard Management Plan.

PLANNING ISSUES

The land is zoned Local Business under the *Tasmanian Planning Scheme – Devonport, 2020* (the Scheme). The purpose of the Local Business Zone is:

> *14.1.1 To provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area.*
>
> *14.1.2 To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.*
>
> *14.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.*
>
> *14.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.*

A land-use zoning map of the site and surrounds and shown below in Figure 9.

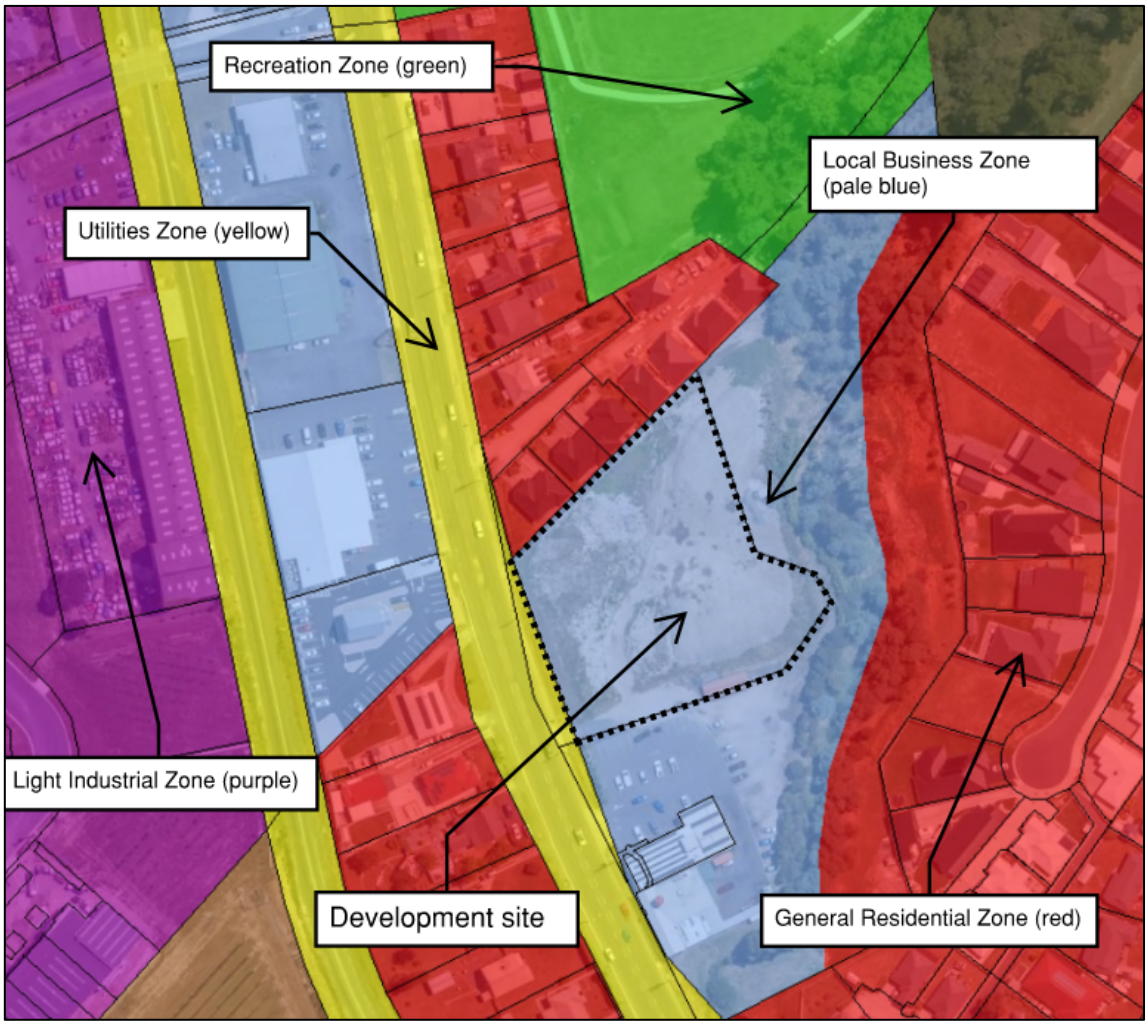


Figure 9 – Land Use Zoning Map of the Subject Site and Surrounding Locality (LISTmap, 2026)

Subdivision is not required to be categorised under a Use Class pursuant to the guidance provided in Clause 6.26 of the Scheme.

The most appropriate use classification for the proposed QSR is **Food Services**, which is defined as:

> *use of land for selling food or drink, which may be prepared on the premises, for consumption on or off the premises. Examples include a cafe, restaurant and take-away food premises.*

Under the Use Table for the Local Business Zone, **Food Services** is listed as **No Permit Required**.

The most appropriate use classification for the proposed service station, convenience store and car wash is **Vehicle Fuel Sales and Service**, which is defined as:

> *use of land primarily for the sale of motor vehicle fuel and lubricants, and if the land is so used, the use may include the routine maintenance of vehicles. An example is a service station.*

Under the Use Table for the Local Business Zone, **Vehicle Fuel Sales and Service** is listed as **Discretionary**. As such, the discretionary component of the application relates solely to the proposed service station, convenience store and car wash on Lot 2.

An assessment of the Local Business Zone provisions is provided below.

Local Business Zone

14.3 Use Standards

14.3.1 All uses

Objective: That uses do not cause unreasonable loss of amenity to residential zones.

Standard	Requirement	Compliance	Assessment
A1	Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential 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.	**No**	As shown in Figure 9, the site is within 50m of the General Residential Zone to the north, east and west. While the majority of the eastern interface adjoins 77 Mersey Main Road and is not currently developed for residential purposes, the residential zoning of the land remains relevant to this assessment. The proposed service station, convenience store and QSR are proposed to operate 24 hours a day, seven days a week. Accordingly, these components of the development do not comply with A1 and must be assessed against P1. The proposed car wash and

			vacuum facilities are to operate between 7.00am and 6.00pm Monday to Saturday, and between 8.00am and 6.00pm on Sundays and public holidays. The proposed operating hours comply with A1.
P1	Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential 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.	**Yes**	The application is supported by a Town Planning Acoustic Report prepared by DDEG Pty Ltd, which assessed the operation of the proposed 24-hour service station and QSR, including vehicle movements, deliveries, waste collection and mechanical plant. The assessment found that, without mitigation measures, noise generated by the development would exceed the noise criteria derived from the *Environmental Management and Pollution Control (Noise) Regulations 2016* and the *Environment Protection Policy (Noise) 2009*. To address this, the Acoustic Assessment recommends acoustic fencing ranging from 2m to 3m in height along the northern and eastern boundaries, together with additional acoustic attenuation measures. With the recommended mitigation measures implemented, the Acoustic Assessment predicts compliance with the daytime, evening and night-time noise criteria at all identified sensitive residential receivers. The assessment concludes that the proposed 24-hour operation can occur without causing an unreasonable loss of residential amenity. It is considered appropriate that permit conditions be imposed requiring the acoustic

			fencing and associated attenuation measures to be installed and maintained in accordance with the endorsed Acoustic Assessment. A further condition is recommended requiring an updated acoustic assessment to be submitted prior to the issue of a Building Permit to verify that the final building, plant and equipment specifications are capable of achieving compliance with the endorsed Acoustic Assessment. Having regard to the scale of the development, the timing and extent of vehicle movements, and the potential for noise, lighting and other emissions, together with the findings and recommendations of the Acoustic Assessment, it is considered that the proposed hours of operation will not cause an unreasonable loss of amenity to land within the General Residential Zone located within 50m of the site. The recommended permit conditions will ensure that the acoustic mitigation measures relied upon by the Acoustic Assessment are implemented and maintained. Accordingly, the proposal satisfies P1.
A2	External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential 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.	**No**	External lighting associated with the 24-hour operation of the quick-service restaurant, service station and convenience store will operate between 11.00pm and 6.00am. The proposal does not comply with A2 and must be assessed against P2.

P2	External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential 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.	**Yes**	External lighting will be associated with the fuel canopy, buildings, parking areas, vehicle circulation areas, signage and pedestrian pathways. As the service station, convenience store and QSR are proposed to operate on a 24-hour basis, lighting will be required during night-time hours for operational and safety purposes. The General Residential Zone land most likely to be affected is located to the north of the site. An acoustic assessment prepared by Town Planning Acoustic Report recommends acoustic fencing ranging between 2m and 3m in height along the northern and eastern boundaries. While primarily intended as a noise attenuation measure, the fencing will also assist in reducing light spill from lower-level site activities. Permit conditions will require the acoustic fencing and associated attenuation measures to be installed and maintained in accordance with the endorsed Acoustic Assessment. In addition, all external and security lighting will be required to be baffled, shielded and directed away from adjoining General Residential Zone land so that direct light does not extend beyond the site boundaries. Having regard to the level and duration of lighting, the separation distance to nearby dwellings, the proposed acoustic fencing and the recommended lighting controls, it is considered that the proposal will not result in an unreasonable loss of residential amenity.

			Accordingly, P2 is satisfied.
A3	Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential 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.	**No**	The development will involve commercial vehicle movements associated with fuel deliveries, deliveries to the quick-service restaurant and convenience store, and waste collection. As some commercial vehicle movements may occur outside the hours specified in A3, the proposal does not comply with A3 and must be assessed against P3.
P3	Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential 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 residential zone; and **(f)** potential conflicts with other traffic.	**Yes**	Commercial vehicle movements associated with the development will include fuel tankers, delivery vehicles and waste collection vehicles. The application indicates that fuel unloading may take between 45 minutes and two hours and that fuel deliveries may occasionally occur outside normal daytime operating hours. The Acoustic Assessment specifically considered these activities, including fuel deliveries, truck movements and waste collection operations. The submitted plans demonstrate that commercial vehicles can enter the site, manoeuvre within the designated vehicle movement areas and leave the site in a forward direction. This minimises reversing movements and associated warning noise in proximity to adjoining residential properties. Acoustic fencing is also proposed along the northern boundary adjoining the General Residential Zone to provide attenuation between the primary vehicle movement

			areas and nearby dwellings. Subject to the acoustic fencing and other attenuation measures being installed and maintained in accordance with the endorsed Acoustic Assessment, commercial vehicle movements, including occasional out-of-hours fuel deliveries, are not expected to cause an unreasonable loss of amenity to the adjoining residential zone. Accordingly, the proposal satisfies P3.

14.3.2 Discretionary Uses

Objective: That uses listed as Discretionary do not:

(a) cause unreasonable loss of amenity to adjoining residential zones; and

(b) compromise or distort the activity centre hierarchy.

Standard	Requirement	Compliance	Assessment
A1	No Acceptable Solution.	N/A	The proposed service station is classified as *Vehicle Fuel Sales and Service*, which is a Discretionary use within the Local Business Zone. The proposal is therefore assessed against P1.
P1	A use listed as Discretionary must not cause an unreasonable loss of amenity to properties in adjoining residential zones and must be of an intensity that respects the character of the area.	Yes	As discussed under Clause 14.3.1 P1, the application is supported by an Acoustic Assessment and Traffic Impact Assessment which demonstrate that the proposed use can operate without causing an unreasonable loss of amenity to adjoining residential properties. While the proposal will introduce a 24-hour commercial activity, the site is located within the Local Business Zone and directly adjoins existing commercial development. The surrounding area already accommodates a mix of commercial, residential and recreational land uses. In this context, the scale and

			nature of the proposed service station, convenience store and car wash are considered compatible with the character of the locality. Having regard to the site's location, separation from nearby dwellings and the proposed mitigation measures, the intensity of the use is not considered excessive and is unlikely to adversely affect the character of the area. Accordingly, P1 is satisfied.
A2	No Acceptable Solution.	N/A	The proposed service station is assessed against P2.
P2	A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to the characteristics of the site, the need to encourage activity at pedestrian levels, the size and scale of the proposed use, the functions of the activity centre and surrounding activity centres, and the extent that the proposed use impacts on other activity centres.	Yes	The site is located within an established commercial area on Mersey Main Road and is of sufficient size to accommodate the proposed development. The proposal will provide a service station, convenience store and car wash that primarily serve the surrounding community and passing traffic. The scale of the development is appropriate to the site and is not considered excessive having regard to its location within the Local Business Zone. The proposal does not include a major retail, commercial or other land use that would draw activity away from existing activity centres. Rather, it represents a local service-based use that is complementary to the existing commercial activities within the locality. Accordingly, the proposal is not considered to compromise or distort the activity centre hierarchy. P2 is satisfied.

14.3.3 Retail impact

Objective: That retail uses do not compromise or distort the activity centre hierarchy.

Standard	Requirement	Compliance	Assessment
A1	The gross floor area for Bulky Goods Sales and General Retail and Hire uses must be not more than 250m² per tenancy.	**N/A**	The proposal does not include a Bulky Goods Sales or General Retail and Hire use. Accordingly, A1 is not applicable to the assessment of this application.
P1	Bulky Goods Sales and General Retail and Hire uses must not compromise or distort the activity centre hierarchy, having regard to: (a) the degree to which the proposed use improves and broadens the commercial or retail choice within the area; (b) the extent that the proposed use impacts on other activity centres; and (c) any relevant local area objectives contained within the relevant Local Provisions Schedule.	**N/A**	The proposal does not include a Bulky Goods Sales or General Retail and Hire use. Accordingly, P1 is not applicable to the assessment of this application.

14.4 Development Standards for Buildings and Works

14.4.1 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.

Standard	Requirement	Compliance	Assessment
A1	Building height must be not more than 9m.	**Yes**	The submitted plans demonstrate that all proposed buildings have a maximum height of less than 9m. Accordingly, the proposal complies with A1.
P1	Building height must be compatible with the existing streetscape and character of development on established properties in the area, having regard to: (a) the topography of the site; (b) the height, bulk and form of existing buildings on the site	**N/A**	The proposal complies with A1. Accordingly, an assessment against P1 is not required.

	and adjacent properties; (c) the bulk and form of proposed buildings; (d) the apparent height when viewed from adjoining roads and public places; and (e) any overshadowing of adjoining properties and public places.		

14.4.2 Setbacks

Objective: That building setback:

(a) is compatible with the streetscape;

(b) does not cause an unreasonable loss of amenity to adjoining residential zones; and

(c) minimises opportunities for crime and anti-social behaviour through setback of buildings.

Standard	Requirement	Compliance	Planning Officer Assessment
A1	Buildings must be: **(a)** built to the frontage at ground level; or **(b)** have a setback of not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.	**No**	The proposed buildings are set back from the Mersey Main Road frontage to accommodate vehicle access, parking, internal circulation, landscaping and the fuel bowsers. The setbacks do not meet A1 and the proposal is therefore assessed against P1.
P1	Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to: **(a)** providing small variations in building alignment to break up long building façades; **(b)** providing variations in building alignment to provide a forecourt space for public use, such as outdoor dining or landscaping; **(c)** the avoidance of concealment spaces; **(d)** the ability to achieve	**Yes**	The proposed setbacks reflect the operational requirements of the development, including vehicle access, parking, internal circulation, landscaping and the fuel bowsers. The development comprises a number of separate buildings and structures with varied alignments that assist in breaking up the built form when viewed from Mersey Main Road. The areas between the buildings and the frontage will accommodate vehicle movements, pedestrian circulation and landscaping. The open layout provides clear sightlines across the site and facilitates passive surveillance

	passive surveillance; and **(e)** the availability of lighting.		from the buildings and surrounding activity areas. It does not create significant enclosed or concealed spaces along the frontage and will be supported by lighting during night-time operating hours. Having regard to the nature of the proposed uses and the commercial character of this section of Mersey Main Road, the setbacks are considered compatible with the streetscape and will minimise opportunities for crime and anti-social behaviour. Accordingly, P1 is satisfied.
A2	Buildings must have a setback from an adjoining property within a General Residential Zone, Inner Residential Zone or Low Density Residential Zone of not less than: **(a)** 4m; or **(b)** half the wall height of the building, whichever is the greater.	**Yes**	The northern boundary of the site adjoins land within the General Residential Zone. The submitted plans demonstrate that the proposed buildings are setback not less than 4m from this boundary. Accordingly, the proposal complies with A2 and no assessment against P2 is required.
P2	Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within a General Residential Zone, Inner Residential Zone or Low Density Residential 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 properties; or **(c)** visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the	**N/A**	The proposal complies with A2. Accordingly, an assessment against P2 is not required.

	adjoining property.		
A3	Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone or Low Density Residential Zone.	**No**	The development includes mechanical equipment associated with the QSR, convenience store, service station and car wash. While the majority of plant and equipment is appropriately separated from adjoining residential land, equipment associated with the car wash is located within 10m of the General Residential Zone boundary. The proposal therefore does not satisfy A3 and must be assessed against P3.
P3	Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a General Residential Zone, Inner Residential Zone or Low Density Residential 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.	**Yes**	The application is supported by an Acoustic Assessment prepared by DDEG Pty Ltd which assessed noise generated by the proposed car wash, vacuum facilities and associated plant. The assessment found that, subject to acoustic fencing and other recommended attenuation measures, the development is capable of complying with the adopted noise criteria at nearby residential properties. Permit conditions will require the acoustic fencing, car wash acoustic treatment and other recommended attenuation measures to be installed and maintained in accordance with the endorsed Acoustic Assessment. Subject to these measures being implemented, the proposal is not expected to cause an unreasonable loss of amenity to adjoining residential land. Accordingly, P3 is satisfied

14.4.3 Design

Objective: That building façades promote and maintain high levels of pedestrian interaction, amenity, and safety, and are compatible with the streetscape.

Standard	Requirement	Compliance	Assessment
A1	New buildings must be designed to satisfy all the following: (a) 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; (b) roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof; (c) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; and (d) provide external lighting to illuminate external vehicle parking areas and pathways.	**Yes**	The submitted plans demonstrate that mechanical plant and other service infrastructure will be screened from the street and other public places. Any rooftop mechanical plant will be contained within the roof, and no security shutters or grilles are proposed over windows or doors facing the frontage or other public places. External lighting is also proposed to illuminate vehicle parking areas and pathways. Accordingly, the proposal complies with A1.
P1	New buildings must be designed to be compatible with the streetscape, having regard to: (a) 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; (b) minimising the visual impact of security shutters or grilles and roof-top service	**N/A**	As the proposal complies with A1, assessment against P1 is not required.

	infrastructure, including lift structures; and (c) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.		
A2	New buildings or alterations to an existing façade must be designed to satisfy all of the following: (a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site; (b) if for a ground floor level façade facing a frontage: (i) have not less than 40% of the total surface area consisting of windows or doorways; or (ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%; (c) if for a ground floor level façade facing a frontage must: (i) not include a single length of blank wall greater than 30% of the length of façade on that frontage; or (ii) not increase the length of an existing blank wall, if already greater than 30% of the length of façade on that frontage; and (d) provide awnings over a public footpath if existing on the site or on adjoining properties.	**Yes**	The proposed buildings provide pedestrian entrances that are visible from publicly accessible areas of the site. The submitted elevations demonstrate that the façades facing Mersey Main Road provide the required proportion of windows and doorways and do not contain excessive blank wall lengths. There is no existing public footpath adjoining the site requiring the provision of an awning under A2(d). Accordingly, the proposal complies with A2.

P2	New buildings or alterations to an existing façade 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) windows on the façade facing the frontage for visual interest and passive surveillance of public spaces; (c) providing architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces; (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 any other alternatives are not practical; and (e) the need for provision of awnings over a public footpath.	**N/A**	As the proposal complies with A2, assessment against P2 is not required.

14.4.4 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.

Standard	Requirement	Compliance	Assessment
A1	No Acceptable Solution.	N/A	The proposed fencing is assessed against P1.

P1	A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape.	N/A	The proposed acoustic fencing is not located within 4.5m of a frontage. Accordingly, P1 is not applicable to the proposal.
A2	Common boundary fences with a property in a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must: (a) have a height above existing ground level of not more than 2.1m; and (b) not contain barbed wire.	No	Acoustic fencing is proposed along the boundaries of the site adjoining land within the General Residential Zone, with fence heights ranging from 2m to 3m. As portions of the proposed fencing exceed the maximum 2.1m height permitted by A2, the proposal does not comply with A2 and is assessed against P2.
P2	Common boundary fences with a property in a General Residential Zone, Inner Residential Zone or Low Density Residential Zone 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.	**Yes**	As discussed under Clause 14.3.1 P1, the proposed acoustic fencing along the northern boundary forms an important component of the noise mitigation measures recommended within the Acoustic Assessment. The fencing is designed to reduce noise impacts and light spill associated with the operation of the service station, convenience store, car wash and QSR. While sections of the northern boundary fence exceed 2.1m in height, the fencing is located on the southern side of the adjoining residential properties and is therefore not expected to result in unreasonable overshadowing of dwellings or private open space. The fencing has been designed specifically to protect the amenity of nearby residents and minimise operational impacts associated with the development. P2 can be satisfied.

14.4.5 Outdoor Storage Areas

Objective: That outdoor storage areas for non-residential use do not detract from the appearance of the site or surrounding area.

Standard	Requirement	Compliance	Assessment
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.	**Yes**	The submitted plans demonstrate that outdoor storage areas associated with the development are located behind the buildings and are not visible from Mersey Main Road or adjoining public areas. Accordingly, the proposal complies with A1.
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.	**N/A**	As the proposal complies with A1, assessment against P1 is not required.

14.5 Development Standards for Subdivision

14.5.1 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.

Standard	Requirement	Compliance	Assessment
A1	Each lot, or a lot proposed in a plan of subdivision, must have an area of not less than 200m² and be able to contain a minimum area of 10m x 12m clear of required setbacks, easements and title restrictions.	Yes	Proposed Lot 1 will have an area of approximately 2,822m² and proposed Lot 2 an area of approximately 3,210m². Both lots substantially exceed the minimum lot area requirement and are capable of accommodating development consistent with the Local Business Zone. The proposed lots are also capable of containing the required minimum building area clear of setbacks, easements and title restrictions. Accordingly, the proposal complies with A1.
P1	Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use.	N/A	As the proposal complies with A1, assessment against P1 is not required.

A2	Each lot, or a lot proposed in a plan of subdivision, must have a frontage, or legal connection to a road by a right of carriageway, of not less than 3.6m.	Yes	Both proposed lots will have legal access to Mersey Main Road via reciprocal rights of way and a shared commercial access. The rights of way exceed the minimum width required by the standard. Accordingly, the proposal complies with A2.
P2	Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road sufficient for the intended use.	N/A	As the proposal complies with A2, assessment against P2 is not required.
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.	Yes	Vehicular access to both proposed lots is provided via a shared commercial access from Mersey Main Road. Mersey Main Road is managed by Building Tasmania (formerly the Department of State Growth) as the relevant road authority. Consent from the former Department of State Growth, now Building Tasmania, was required for the application to be lodged and was provided as part of the application documentation. A permit condition is recommended requiring the development to be carried out generally in accordance with that consent and any further approvals required by the road authority. No further comments or objections were received from Building Tasmania during the assessment of the application. Subject to compliance with the recommended permit conditions, the proposed subdivision satisfies A3
P3	Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access.	N/A	As the proposal complies with A3, assessment against P3 is not required.

The application is also subject to a number of applicable Codes under the Scheme. The following assessment considers each relevant Code and the extent to which the proposal complies with the applicable standards.

C1.0 Signs Code

The purpose of the Signs Code is:

C1.1.1 To provide for appropriate advertising and display of information for business and community activity.

C1.1.2 To provide for well-designed signs that are compatible with the visual amenity of the surrounding area.

C1.1.3 To ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.

C1.6.1 Design and Siting of Signs

Objective: That:

(a) signage is well designed and sited; and
(b) signs do not contribute to visual clutter or cause an unreasonable loss of visual amenity to the surrounding area.

Standard	Requirement	Compliance	Assessment
A1	A sign must: (a) be located within the applicable zone for the relevant sign type set out in Table C1.6; and (b) meet the sign standards for the relevant sign type set out in Table C1.6, excluding for the following sign types, for which there is no Acceptable Solution: (i) roof sign; (ii) sky sign; and (iii) billboard.	**No**	The proposal includes a range of signage comprising two pylon signs, canopy signage, ground-based signage and wall signage. Pylon Signs Pylon signs are an acceptable sign type within the Local Business Zone, however, the proposed pylon signs do not comply with all requirements of A1. The QSR pylon sign is proposed at a height of 6.5m and the service station pylon sign at 6.9m, exceeding the maximum permitted height of 5m. Both signs also exceed the maximum permitted sign area of 5m². In addition, the service station pylon sign does not provide the required 2.4m clearance above ground level. Accordingly, the pylon signs do not comply with A1. Canopy Signage Canopy signage is an acceptable sign type within the Local Business Zone and

			complies with the relevant A1 requirements. Ground-Based Signage Ground-based signage is an acceptable sign type within the Local Business Zone. The proposed directional signs are not located on the frontage and do not exceed 2.4m in height. Accordingly, these signs comply with A1. Wall Signage Wall signage is an acceptable sign type within the Local Business Zone. The proposed wall signs do not exceed 5m² in area and comply with A1. While the canopy signage, ground-based signage and wall signage comply with A1, the proposed pylon signs do not. Accordingly, the proposal does not satisfy A1 and must be assessed against P1.1.
P1.1	A sign must: (a) be located within an applicable zone for the relevant sign type as set out in Table C1.6; and (b) be compatible with the streetscape or landscape, having regard to: (i) the size and dimensions of the sign; (ii) the size and scale of the building upon which the sign is proposed; (iii) the amenity of surrounding properties; (iv) the repetition of messages or information; (v) the number and density of signs on the site and on adjacent properties; and (vi) the impact on the safe and efficient movement of vehicles and pedestrians.	**N/A**	The proposed pylon signs are an appropriate sign type within the Local Business Zone. In assessing compatibility with the existing streetscape, it is noted that the most prominent freestanding signs in the immediate locality are the IGA supermarket pylon sign to the north and the Bottle-O sign to the south of the site. Council records indicate the IGA pylon sign was approved to a height of 4.5m under PA2011.0065, while the Bottle-O sign was approved to a height of 5m under PA2011.0048. While pylon signage is appropriate for a service station and QSR development and assists with site identification and wayfinding for passing motorists, the

			proposed sign heights of 6.5m and 6.9m exceed both A1 and the scale of comparable signage within the locality. It is considered that limiting both pylon signs to a maximum height of 5m above natural ground level through a permit condition will maintain their visibility from Mersey Main Road while ensuring they remain consistent with the established scale and character of freestanding signage in the area. Subject to a permit condition limiting the height of both pylon signs to 5m above natural ground level, the proposed signage is considered compatible with the streetscape, will not result in unreasonable visual clutter and satisfies P1.1.
A2	A sign must be not less than 2m from the boundary of any lot in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone or Landscape Conservation Zone.	**Yes**	The signage shown on the submitted plans is located greater than 2m from adjoining General Residential Zone. Accordingly, the proposal complies with A2.
P2	A sign must not cause an unreasonable loss of amenity to adjoining residential properties, having regard to: (a) the topography of the site and the surrounding area; (b) the relative location of buildings, habitable rooms of dwellings and private open space; (c) any overshadowing; and (d) the nature and type of the sign.	**N/A**	As the proposal complies with A2, an assessment against P2 is not required.
A3	The number of signs for each business or tenancy on a road frontage of a building must be no more than: (a) 1 of each sign type, unless otherwise stated in Table C1.6; (b) 1 window sign for each window; (c) 3 if the street	**Yes**	The signage demonstrates that the number and type of signs proposed comply with the numerical limits prescribed by the Signs Code. Accordingly, the proposal complies with A3.

	frontage is less than 20m in length; and (d) 6 if the street frontage is 20m or more, excluding the following sign types, for which there is no limit: (i) name plate; and (ii) temporary sign.		
P3	The number of signs for each business or tenancy on a street frontage must: (a) not unreasonably increase the existing level of visual clutter in the streetscape and, where possible, reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs; and (b) not involve the repetition of messages or information.	**N/A**	As the proposal complies with A3, an assessment against P3 is not required.

C1.6.2 Illuminated Signs

Objective: That:

(a) illuminated signs are compatible with the streetscape;

(b) the cumulative impact of illuminated signs on the character of the area is managed, including the need to avoid visual disorder or clutter of signs; and

(c) any potential negative impacts of illuminated signs on road safety and pedestrian movement are minimised.

Standard	Requirement	Compliance	Assessment
A1	No Acceptable Solution.	**N/A**	As there is no Acceptable Solution, the proposal must be assessed against P1. It is noted the site contains various illuminated signs, including the two pylon signs and various wall signs associated with the service station and car wash.
P1	An illuminated sign must not cause an unreasonable loss of amenity to adjacent properties or have an unreasonable effect on the safety, appearance or efficiency of a road, and must be compatible with the	**Yes**	The proposed illuminated signage is associated with the service station, convenience store, QSR and car wash and is intended to provide site identification and wayfinding for customers. The site is located within an established

	streetscape, having regard to: (a) the location of the sign; (b) the size of the sign; (c) the intensity of the lighting; (d) the hours of operation of the sign; (e) the purpose of the sign; (f) the sensitivity of the area in terms of view corridors, the natural environment and adjacent residential amenity; (g) the intended purpose of the changing message of the sign; (h) the percentage of the sign that is illuminated with changing messages; (i) proposed dwell time; and (j) whether the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device.		commercial precinct along Mersey Main Road where illuminated signage already forms part of the existing streetscape. Subject to the recommended permit conditions limiting the pylon signs to a maximum height of 5m above natural ground level and requiring the illuminated pylon signs to remain static in nature, the signage is considered appropriate to the scale and character of the locality. The signage will not incorporate flashing lights, animated content, scrolling text or changing messages that could detract from the streetscape or adversely affect road safety. Having regard to the location, scale, lighting intensity and purpose of the signage, it is considered that the proposal will not result in unreasonable visual clutter or adversely affect the safety, appearance or efficiency of the road network. Accordingly, P1 is satisfied.

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.

As part of the application, a Traffic Impact Assessment (TIA) was prepared by Midson Traffic Pty Ltd. The TIA considers the applicable requirements of the Parking and Sustainable Transport Code, including on-site parking provision, parking layout and design, vehicle access arrangements, and pedestrian connectivity.

The TIA (Midson Traffic, 2026, p.5) states that the development will provide the following on-site parking:

- Convenience store: 9 spaces
- Vacuum bays: 4 spaces
- Refuelling spaces (bowser locations): 12 spaces
- Quick Service Restaurant: 21 spaces (18 parking spaces and 3 drive-through waiting bays)

Total: 46 spaces

The TIA also identifies the applicable parking rates under Table C2.1 of the Parking and Sustainable Transport Code as follows:

- Service Station (fuel sales): 4 spaces per service bay. As no service bays are proposed, no parking spaces are required.
- Convenience Store (General Retail and Hire): 1 space per 30m² of floor area, resulting in a requirement for 8 spaces.
- Quick Service Restaurant: 1 space per 15m² of floor area (including any outdoor dining area), plus 6 queuing spaces for the drive-through, resulting in a requirement for 26 spaces.

Total parking requirement: 34 spaces.

The proposed development provides 46 parking spaces on site, exceeding the Code requirement of 34 spaces by 12 spaces. It is further noted that the proposed subdivision will create separate lots for the quick service restaurant and service station/convenience store/car wash. Sufficient parking is provided to ensure each lot can independently satisfy the applicable parking requirements.

Council's City Infrastructure Team has reviewed the Traffic Impact Assessment and associated design plans and supports the proposed parking provision, vehicle access arrangements, internal traffic circulation, pedestrian connectivity and loading facilities. The assessment concludes that the development can be accommodated on site in accordance with the relevant requirements of the Parking and Sustainable Transport Code. Accordingly, no further comment is considered necessary.

C3.0 Road and Railways Assets Code

The purpose of the Road and Railway Assets Code is:

> *C3.1.1 To protect the safety and efficiency of the road and railway networks; and*
>
> *C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network.*

The Code is applicable to this application as the development will require a new will require a new vehicle crossing from Mersey Main Road.

The applicable development standard for this Code is reproduced below, followed by comment:

Standard	Requirement	Compliance	Assessment
A1	**A1.1** For a category 1 road or a limited access road, vehicular traffic to and	**Yes**	In this case, a new vehicle crossing is proposed from Mersey Main Road, which is classified as a

	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: (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.		Category 3 Regional Access Road. As discussed earlier in this report, Building Tasmania is the road authority for Mersey Main Road, with the applicable road hierarchy shown in Figure 10. Consent from the former Department of State Growth, now Building Tasmania, was required for the application to be lodged and was provided as part of the application documentation. While further approvals remain the responsibility of the developer, a permit condition is recommended requiring the development be carried out generally in accordance with that consent and any further approvals required by the road authority. Accordingly, the proposal complies with A1.2.
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:	**N/A**	The proposal meets A1 and therefore P1 does not require assessment.

	(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.		



Figure 10 – Road Authority Mapping (LISTmap, 2026)

C7.0 Natural Assets Code

The purpose of the Natural Assets Code is:

C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.

C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.

C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.

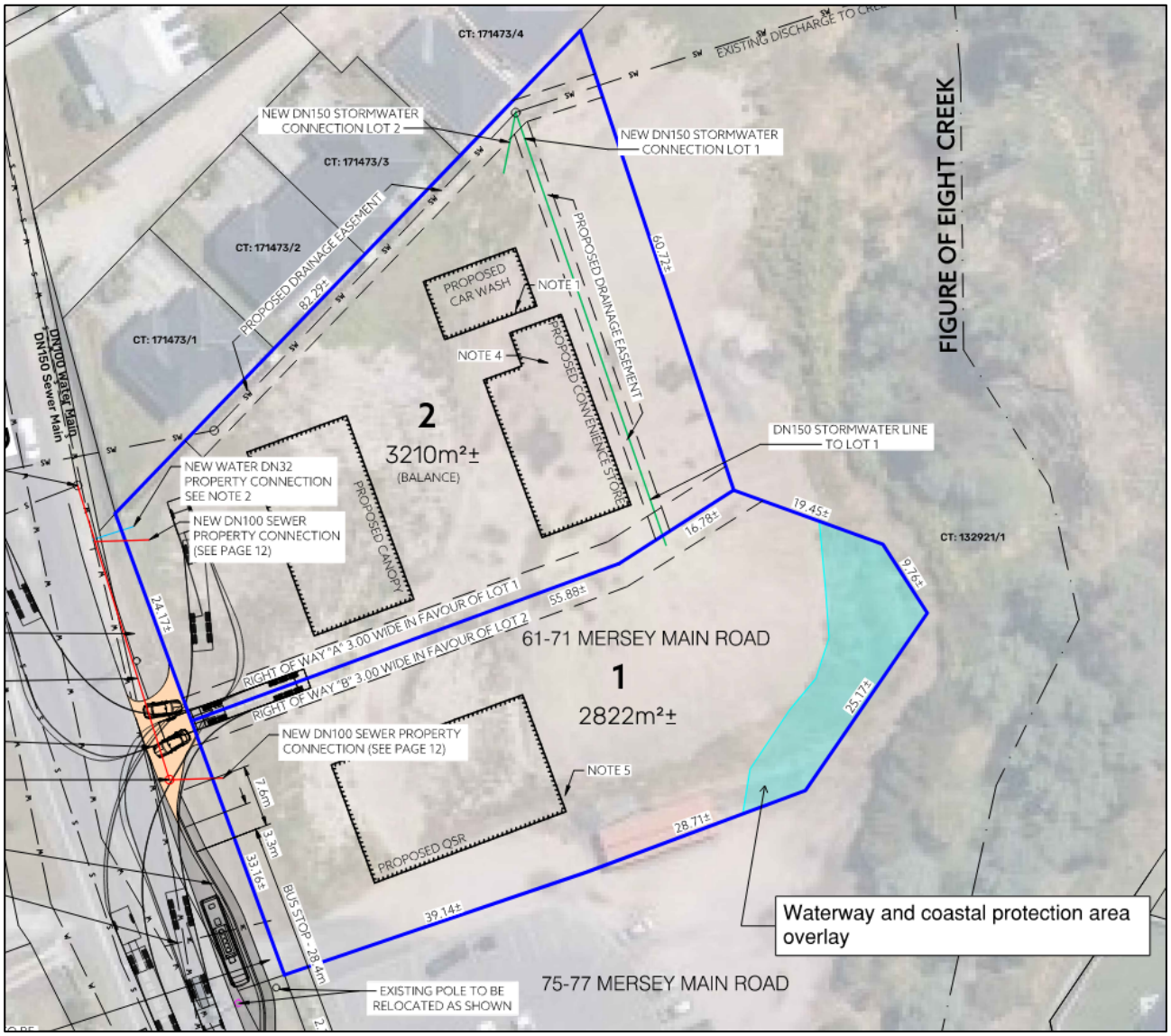
C7.1.4 To minimise impacts on identified priority vegetation.

C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.

The south-eastern section of the site is affected by the Waterway and coastal protection area overlay, as shown in Figure 11. Only a small portion of the site is subject to the overlay.

The applicant has appropriately addressed the applicable provisions of the Code within the supporting Planning Compliance Report. The assessment provided can be supported and no further comment is warranted.

Accordingly, the proposal satisfies the relevant provisions of the Code.



Waterway and Coastal Protection Area Overlay affecting the subject site (PDA, 2026)

C13.0 Bushfire-Prone Areas Code

The purpose of the Bushfire-Prone Areas Code is:

> *C13.1.1 To ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.*

The site is identified as being affected by a bushfire-prone area, as shown in Figure 12. The applicant has submitted a Bushfire Hazard Report, Bushfire Hazard Management Plan and Emergency Management Strategy prepared by es&d and endorsed by the Tasmanian Fire Service on 29 April 2026, addressing both the proposed service station use and

subdivision. The submitted documentation demonstrates that an acceptable level of bushfire risk can be achieved and maintained. Accordingly, the proposal is considered to satisfy the requirements of the Bushfire-Prone Areas Code.

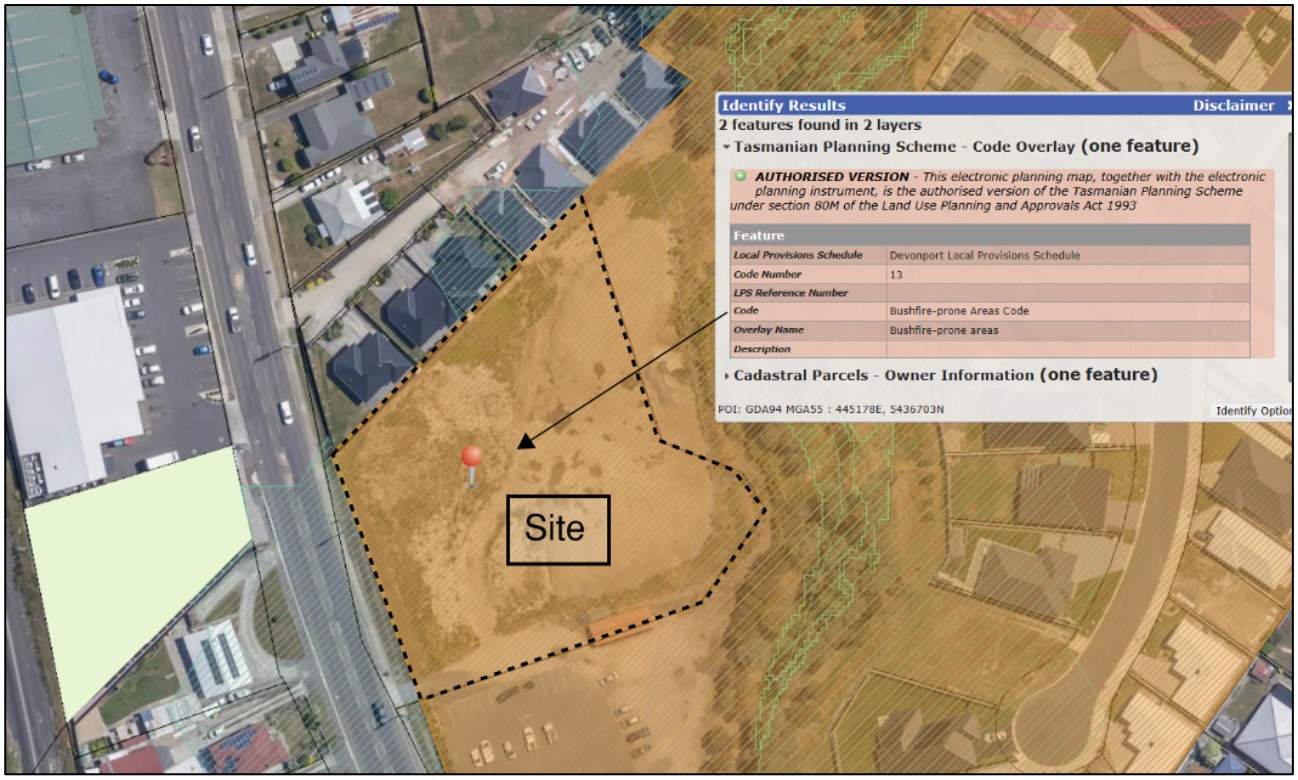


Figure 12 – Bushfire-prone area overlay (LIST, 2026)

COMMUNITY ENGAGEMENT

On 25/06/2026, 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 by Regulation 8 of the *Land Use Planning and Approvals Regulations 2024*, the planning authority fulfilled this notification requirement by:

(a) Advertising the application in *The Advocate* newspaper on 26/09/2026;
(b) Making a copy of the proposal available in Council Offices from the 26/09/2026;

(c) Notifying adjoining property owners by mail on 24/09/2026; and

(d) Erecting a Site Notice for display from the 25/09/2026.

The period for representations to be received by Council closed on 12/10/2026.

REPRESENTATIONS

A total of 12 representations were received during the statutory public exhibition period in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*. The matters raised generally relate to the following themes:

- Traffic generation, congestion and road safety.
- Pedestrian safety.
- Cumulative impacts associated with future growth and approved developments.
- Impacts of 24-hour operation, including noise and lighting.
- Adequacy of supporting technical reports.

- Impacts on neighbouring residential and commercial properties.
- The need for the proposed development and potential impacts on existing businesses.
- Environmental and stormwater management matters.

While the representations raise a range of concerns, the predominant issues relate to traffic generation, traffic safety, road network capacity and associated impacts on the operation of Mersey Main Road.

A copy of each representation is included as a combined **Attachment 2** to this report.

To assist the Planning Authority in its consideration of the representations, the issues raised have been grouped into common themes and are summarised in Table 1 below. These issues are subsequently addressed within the relevant assessment sections of this report.

Issue Raised	Summary of Matters Raised	Planning Officer Evaluation
Traffic generation, congestion and road safety	Concerns were raised regarding increased traffic volumes, turning movements, access arrangements, road capacity, future traffic signal upgrades, cumulative traffic growth and the adequacy of the Traffic Impact Assessment.	These matters have been considered through the assessment of the application and the supporting Traffic Impact Assessment. Consent from the former Department of State Growth, now Building Tasmania, was provided as part of the application documentation, with a permit condition recommended to ensure the development is carried out generally in accordance with that consent. Further assessment of traffic, access and parking matters is provided under the Parking and Sustainable Transport Code and relevant provisions of the Local Business Zone.
Pedestrian safety	Concerns were raised regarding pedestrian interactions with vehicles entering and exiting the site, including safety for school children using nearby pedestrian routes.	Pedestrian safety has been considered as part of the assessment of the site layout, access arrangements and internal circulation. Compliance with the relevant provisions of the Parking and Sustainable Transport Code is discussed within the assessment section of this report.
Noise and 24-hour operation	Concerns were raised regarding vehicle movements, drive-through operations, fuel deliveries, car wash activity and associated noise impacts arising from the proposed 24-hour operation.	The application was accompanied by an Acoustic Assessment prepared by a suitably qualified acoustic consultant. Permit conditions are recommended requiring acoustic fencing, car wash acoustic treatment, acoustic certification and ongoing compliance with the Acoustic Assessment. Subject to these measures, the proposal is not

		expected to cause an unreasonable loss of residential amenity.
Lighting and amenity	Concerns were raised regarding light spill from the fuel station canopy, signage and other site lighting associated with overnight operation.	Permit conditions are recommended requiring all external and security lighting to be baffled, shielded and directed away from adjoining residential properties.
Neighbouring property impacts	Concerns were raised regarding impacts on adjoining residential and commercial properties, including access, servicing, deliveries and the operation of the development.	The relationship between the proposed development and adjoining land uses has been assessed against the relevant provisions of the Scheme. These matters are discussed throughout the assessment of the application.
Supporting technical reports	Concerns were raised regarding the methodology, assumptions and findings of the Traffic Impact Assessment and Acoustic Assessment.	The Planning Authority is entitled to rely upon technical reports prepared by suitably qualified professionals. The submitted reports have been reviewed by relevant referral authorities and Council officers as part of the assessment process.
Need for development	Several representors questioned the need for additional fuel sales, food service and car wash facilities within the Spreyton locality and the potential impacts on existing businesses.	The Scheme does not require consideration of market demand, commercial need, or competition impacts between businesses. Accordingly, limited weight can be afforded to these matters in the determination of the application.
Environmental and stormwater management matters	Concerns were raised regarding stormwater management, fuel-related runoff and impacts on nearby environmental values.	Stormwater management and environmental considerations have been assessed against the relevant Scheme provisions and referral authority requirements. Any necessary mitigation measures are addressed through permit conditions and other statutory requirements.

Table 1 – Summary of Representations

DISCUSSION

The application was referred to TasWater and Council's internal development review staff for comment. 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 attached as **Attachment 3**.

A key issue raised in the representations relates to traffic safety and the potential impact of the development on Mersey Main Road, the surrounding road network and all road users, including pedestrians.

The Planning Authority received road authority consent from the former Department of State Growth, now Building Tasmania, prior to lodgement of the application. The consent identifies a number of requirements relating to the proposed access, works within the State road reservation and relocation of the existing bus stop. The consent also notes that further approvals under section 16 of the *Roads and Jetties Act 1935* will be required before works occur within the State road reservation.

The Department was provided with the opportunity to make a representation during the public exhibition period but did not do so. Council's City Infrastructure Team has also reviewed the Traffic Impact Assessment and supporting engineering information and has not raised any concerns with the proposal. The additional approvals required by Building Tasmania remain the responsibility of the developer and are addressed through the recommended permit conditions.

On that basis, there is insufficient evidence before the Planning Authority to conclude that the development will result in unreasonable traffic or road safety impacts. The responsible road authority has provided consent to lodge the application and identified the approvals required to facilitate the proposed access and associated works.

A number of representations also raised concerns regarding visual amenity, landscaping, noise, lighting and impacts on adjoining residential and commercial properties. These matters have been assessed against the relevant provisions of the Scheme and are addressed through the recommended permit conditions where appropriate. In particular, permit conditions requiring acoustic fencing, acoustic treatments, landscaping, lighting controls and compliance with road authority requirements will assist in mitigating potential impacts on adjoining land uses.

The proposed landscaping will provide additional screening of parking, manoeuvring and service areas, soften the visual appearance of the development and contribute to an appropriate interface with adjoining land uses. Together with the recommended acoustic fencing and lighting controls, these measures will assist in ensuring the development integrates appropriately with the surrounding locality.

The *Local Government (Building and Miscellaneous Provisions) Act 1993* requires the provision of public open space, or a 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. As the provision of public open space is not warranted in this instance, a monetary contribution is required in accordance with the Act and Council's Policy. The required contribution must be paid 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

Overall, the proposal represents an appropriate subdivision and commercial development within the Local Business Zone. Subject to the recommended conditions, it is considered to satisfy the relevant provisions of the *Tasmanian Planning Scheme – Devonport*.

The subdivision will create two suitably configured lots capable of accommodating the approved development while maintaining appropriate access, servicing and infrastructure arrangements. Through the recommended permit conditions, matters relating to traffic, noise, lighting, landscaping and residential amenity can be appropriately managed.

The proposal is not expected to result in unreasonable impacts on the surrounding road network, adjoining properties or the broader locality and is therefore recommended for approval.

ATTACHMENTS

1. Application PA2026.0087 - 67-71 Mersey Main Road [**4.4.1** - 186 pages]
2. Representations PA2026.0087 - 67-71 Mersey Main Road [**4.4.2** - 23 pages]
3. TasWater Submission to Planning Authority Notice PA2026.0087 - 67-71 Mersey Main Road [**4.4.3** - 5 pages]

5 REPORTS

5.1 TENDER REPORT CT0398 FENTON WAY REALIGNMENT AND ROUNDABOUT

Author: **Shannon Eade, Assets & Technical Services Coordinator**

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

RECOMMENDATION

That Council, in relation to "Project CT0398 Fenton Way Realignment and Roundabout":

a) award the contract to Andrew Walters Construction for the schedule of rates amount of $1,131,265 (ex GST);
b) allow utilities cost of $568,000 (ex GST);
c) allow other project costs of $607,730 (ex GST); and
d) authorise the Chief Executive Officer to execute all necessary documentation associated with the project.

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

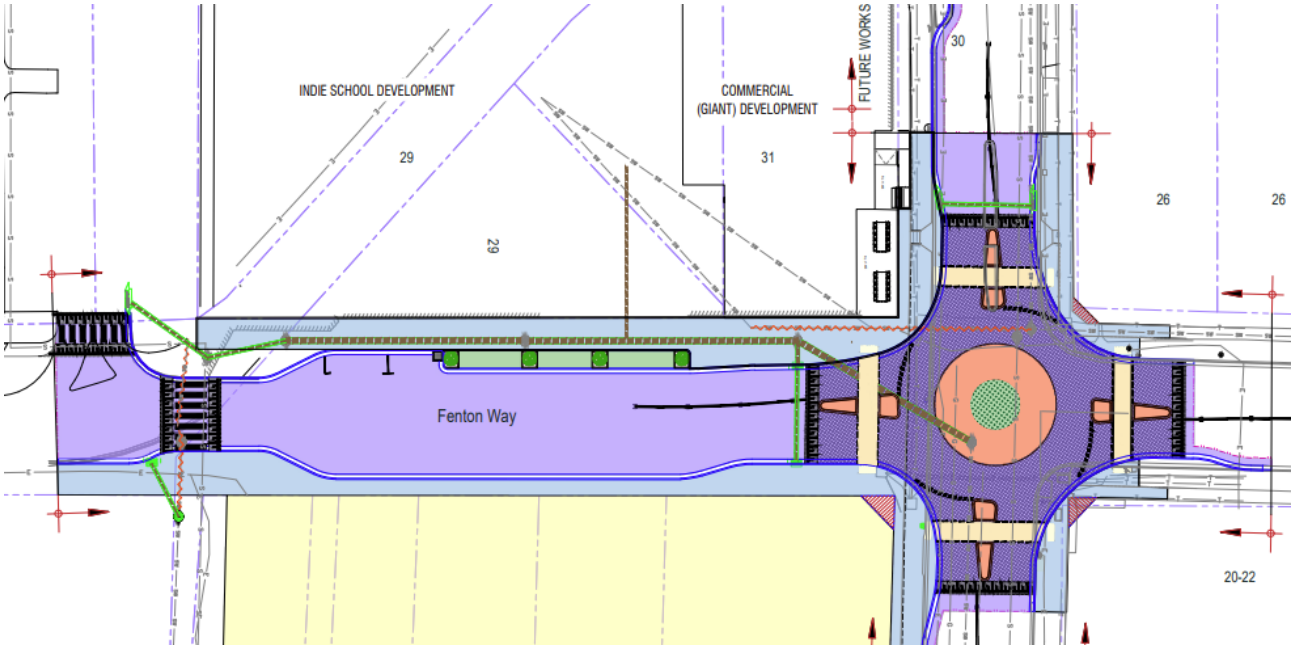
This report considers tenders received for "CT0398 Fenton Way Realignment and Roundabout" listed in the 2026/27 Capital Program and seeks approval to award the contract to Andrew Walters Construction.

BACKGROUND

In accordance with the endorsed plans for the Fenton Street precinct, Council has completed the precinct planning and subdivision process, the sale of land to Indie School and DOKS Developments for new construction projects on the western portion of the precinct, and reconfiguration of the southern portion of Fenton Way to reintroduce two-way traffic flow.

This stage of the project will now complete the realignment of the northern portion of Fenton Way between Oldaker Street and the Market Square Car Park, constructing a new roundabout at the intersection of North Fenton Street and Oldaker Street, installing underground services, and landscaping public spaces within the precinct.

Council secured substantial grant-funding of $6 million from the Australian Government as part of the Regional Precincts and Partnerships Program for the proposed works within the precinct.



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

Three tender submissions were received, all of which were assessed as conforming tenders and are summarised in Table 1 below.

Table 1

No.	Tenderer	Total Price (ex GST)
1	Andrew Walters Construction	$1,131,265
2	Shaw Contracting	$1,208,236
3	Oliver Kelly Group	$1,276,731

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

The obligations of the grant funding agreement require the Principal Contractor managing the works, to hold accreditation under the *Federal Safety Commissioner Act 2022* and specified in the *Building and Construction Industry (Improving Productivity) (Accreditation Scheme) Rules 2019*. This obligation is consistent with other grant funded projects managed by Council receiving funding from the Australian Government above prescribed thresholds.

The Tender Planning and Evaluation Committee has considered each of the selection criteria and assessed Andrew Walters Contraction 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

COMMUNITY ENGAGEMENT

A public advertisement calling for Tenders was placed in The Advocate and The Examiner newspapers on 26 September 2026 and tenders were also advertised on Council's website and via Tenderlink.

The Tenderlink portal database provides national reach across registered suppliers.

FINANCIAL IMPLICATIONS

The 2026/27 Capital Budget includes an allocation of $5,900,000 for the project "CT0398 Fenton Way Realignment and Roundabout." Council secured Australian Government Funding of $6,000,000 for the overall Fenton Way Precinct project, and the works associated with this tender will be fully grant-funded.

$1,235,339 has been expended to date on the development of public space around the Indie School. Following this project the remaining funds will be allocated to works within the public realm, east of the Fenton Way realignment.

A breakdown of the forecast expenditure for the Fenton Way Realignment project is provided in Table 2 below.

Table 2

No.	Tender	Amount (ex. GST)
1	Contract Fenton Way Realignment and Roundabout	$1,131,265
2	Watermain and Sewer Reconstruction	$118,000
3	Project Administration	$110,000
4	Paver Purchase	$116,000
5	Coloured Walkway Treatments	$64,000
6	Street Lighting	$100,000
7	TasNetworks	$200,000
8	Telstra Relocation	$250,000
9	Street Trees and Plants	$8,000
10	Construction Contingency	$209,730
	TOTAL	**$2,306,995**

RISK IMPLICATIONS

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

A contingency allowance of 10% of the project value has been included to allow for potential cost increases as the design is further developed. Until the full construction drawings are completed, the schedule of rates may be subject to increase to reflect the additional detail and requirements identified during the design development process. The contingency provides a financial allowance to manage these potential variations.

CONCLUSION

The Tender Planning and Evaluation Committee recommends awarding contract for CT0398 Fenton Way Realignment and Roundabout project to Andrew Walters Construction.

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 23 September and 20 October 2026:

- Conducted radio interviews with 7AD, SeaFM, ABC/ Chilli FM and CoastFM
- Attended Council, Planning Authority Committee meetings and Workshops
- Met with CEO and Council Officers on various matters
- With the Deputy Mayor and CEO, attended the official opening of the Fairbrother Devonport Office
- With the CEO, met with the Hon Bridget Archer to discuss local health care matters
- Attended lunch with Mayors Fuller, Brumby, Haberle and Duniam
- Attended the Devonport Junior Soccer Association Annual Dinner
- With Central Coast Mayor Cheryl Fuller, met with Sophie Hunt, CEO North-West Tasmania Women's Shelter
- With Central Coast Mayor Cheryl Fuller, met with the CEO of Multicultural Council of Tasmania (MCoT) and Astri Kirkland (MCoT Board Member) regarding engagement in the North-West.
- Attended Gearing up for Choice & Control Disability Expo
- Visited Devonport Primary School Students and answered questions from letters submitted by Grade 5/6 students as part of their Humanities and Social Sciences curriculum on civic voice and democratic process.
- With the CEO, attended an online Dulverton Special Owner Representative Meeting
- Welcomed delegates to the Speak Out Annual Advocacy Conference at the Devonport Convention Centre at paranaple
- Attended special sponsor photo opportunity at the Betta Milk Devonport Pickleball Grand Slam 2026 at the Forbes Street Stadium
- Attended and spoke at Harcourts Coastline Devonport Opening
- Presented and spoke at the Australian Junior Squash Championships Dinner at the Devonport Country Club
- Attended Makers Nest Market at the paranaple centre
- Attended the Australian Junior Squash Championship event

- Attended garment viewing and Mayor's Award selection for the Paper on Skin exhibition
- Attended the Hill Street 10 year Producers Night
- Attended the Devonport Football Club Awards Night
- Attended and opened the Devonport Country Bowls – Eagles 2026/27 season launch
- Attended Hoomans Helping Hounds Opening Day
- Attended the Devonport Strikers Annual Presentation Dinner
- Presented Mayor of Devonport Award at the Paper on Skin Gala
- With Central Coast Council Mayor Fuller, attended Penguin in Pink (as part of Breast Cander Awareness Month) at the Don River Railway
- Attended an International Cafe event
- Attended and spoke at Official Opening of Indie Education's new school facility in Devonport
- Attended an online Dulverton Special Owner Representative Meeting
- Attended the Meet the Candidates Forum hosted by the DCCI at the paranaple centre
- Attended the Inspiring Youth Awards 2026 luncheon at the Market Square Pavilion hosted by Youth, Family & Community Connections
- With the CEO, attended a Stakeholder Engagement Meeting with Audit Tasmania's Stephen Morrison and Janine McGuinness.
- Met with CEO and Operations Coordinator of Dress for Success Tasmania
- Attended the Novotel Opening Anniversary
- Attended and spoke at the Devonport City Probus Club Morning Team to celebrate their 50th anniversary
- Attended a Tourism Tasmania Industry Engagement event at the Spirit of Tasmania Terminal for the new Spirits
- Attended Global Kinship Week 2026 at The Hub – Don Centre hosted by Mission Australia, BaptistCare and Kin Raising Kids
- Attended Sister Act Opening Night in Burnie
- Attended Para Basketball at the Devonport Recreation Centre
- Attended Paper on Skin Exhibition Opening
- Attended personal viewing of the Minds Do Matter exhibition prior to launch
- Attended the Devonport Racing Club Season's Opening Event with Glen Boss
- Attended a DCCI Executive Meeting
- Attended online meeting with Rebecca Davis, DPAC
- ABC radio interview as part of the Mayor Muster interviews
- Met with Kathleen Priestly, Australian Learners Association President
- Attended the Devonport 50+ Ratepayers Luncheon
- Attended Dress for Success Pop Up in Hobart Mall
- Met with St Lukes CEO, Paul Lupo and Head of Community Engagement Nikki Long and received a tour of the Wellness Hub in Hobart
- With the CEO, attended the inaugural Tasmania Jewels WNBL game against the Geelong Venom in Hobart
- Attended 50th Birthday celebration at Tiagarra Tasmanian Aboriginal Cultural Centre
- Attended commencement of the Tim Blair Run for Kids Foundation Charity Ride
- Attended the Transport Tasmania Association Gala Dinner & Awards Night
- Meeting and Precinct Visit hosted by Devonport City Council with Trent Jacobs, Chris Kearon and Ben Harrison of the Jack Jumpers/Jewels
- Attended the Devonport Choral Society Annual General Meeting
- Attended Zonta Cancer Awareness Breakfast
- Attended Crescendo Choir rehearsal

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 23 September and 20 October 2026. It also provides information on matters that may be of interest to Councillors and the community.

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. Attended a meeting of the Hillcrest Memorial Project Steering Committee.
    1.4. Attended new starter lunch welcoming Council's new employees.
    1.5. Attended meeting with Island State Brewery Board to discuss proposed works at their tenancy in Market Square.
    1.6. Met with JackJumpers Chief Executive Officer, Trent Jacobs.
    1.7. Met with Kevin Poulton from the Indie School.
    1.8. Met with Grant Wilckens, CEO from Discovery Parks, to discuss tourism matters and opportunities.
    1.9. With the Mayor, attended the inaugural Tasmania Jewels inaugural WNBL game against the Geelong Venom in Hobart.

2. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

2.1. With the Mayor, attended the opening of the new Fairbrother Office development at Stony Rise.
2.2. With the Mayor, attended the Official Opening of the Indie Education's new school facility in Devonport.

3. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

3.1. Attended Tourism Strategy introductory meeting with Mersey Leven Strategic Alliance officer representatives.
3.2. Attended MLSA Executive Meeting.
3.3. Attended an Introductory Meeting with the new CCA North-West Regional Economic Development Committee Chair, Andrew Kneebone.
3.4. Attended a Special Owner Representatives meeting for Dulverton Regional Waste Management Authority.
3.5. Attended Statewide Local Government GMs/CEOs Workshop.
3.6. Attended a Tasmanian Waste and Resource Recovery Board Meeting and made presentation on behalf of Cradle Coast Region.

4. STATE AND FEDERAL GOVERNMENT PROGRAMS

4.1. Along with the Mayor met with the State Health Minister Bridget Archer to discuss local health care matters.
4.2. Participated in online NRE Stakeholder Briefing for the H5 Bird Flu Update.
4.3. Met with James Avery CEO of Stadiums Tasmania.
4.4. Attended Tasmanian Planning System Workshop with the State Planning Minster.
4.5. Met with John Ramsay - TPC Executive Commissioner.
4.6. With the Mayor, attended Stakeholder Engagement Meeting with Audit Tasmania's Stephen Morrison and Janine McGuinness.
4.7. Met with Andrew Hardgrave, Deputy Secretary – Department of Health.

5. OTHER
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 and Previous Minutes Resolutions - October Council Report [**6.2.1** - 1 page]

6.3 FINAL UPDATE - TERM PLAN 2022-2026

Author: **Claire Jordan, Executive Coordinator**

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

RECOMMENDATION

That the Final Progress Update of the Term Plan 2022-2026 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

The purpose of this report is to table the final progress report on the Term Plan 2022-2026.

BACKGROUND

Council adopted its Term Plan 2022-2026 at its June 2023 meeting. The Plan was developed to enable a forward-looking approach by the current Council in achieving the outcomes and goals identified in the Strategic Plan, and a sense of ownership in guiding the direction, priorities, outputs and outcomes of the current Council over their four-year term.

STATUTORY REQUIREMENTS

There are no statutory requirements relating to this report.

DISCUSSION

As the previous Council's four year term recently concluded, a final report card has been developed to detail Council's performance against the priorities in the Term Plan. Publishing a detailed Plan and then reporting on performance against these priorities is considered an important step in being open and accountable to the community, ensuring the Council outlines what it would like to achieve and then reporting on its performance against these priorities.

The Term Priorities were developed in line with outcomes from Council's Strategic Plan 2009-2030, and to guide the development of Council's Annual Plan actions and capital works program. The development of shorter-term Term Priorities, aligned with the Strategic Plan, has enabled the current Council to identify and focus on actions that assists them in achieving longer term strategic goals. The current Council determined what their priorities were for their term and developed these as a conduit between annual actions and strategic actions.

The Final Update Report documents Council's performance against these Term Priorities and demonstrates solid performance against a large percentage of the priorities. The End of Term Report identifies highlights achieved, including the introduction of FOGO, the several major commercial developments underway on Council owned land, including the Menal Health Hub and Fenton Way developments, the development of a Devonport Investment Prospectus, the opening of the 'From Sky to Sea' Sound and Light Show, significant development on the multi-purpose Devonport indoor stadium, facilitation of the new Indie School development in Fenton Way, formation of a strategic alliance with neighbouring councils (Central Coast, Latrobe and Kentish) and significant digital transformation projects, supporting improved customer and community outcomes.

COMMUNITY ENGAGEMENT

The Term Plan Update Report was presented at the State of the City Breakfast at the end of August. A copy of the Final Progress Update Report has been uploaded to Council's website and is attached to this report.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

RISK IMPLICATIONS

There are no risk implications associated with this report.

CONCLUSION

This report recommends that the Term Plan 2022-2026 Final Progress Report be received and the completion of the majority of actions against the Term Priorities, be noted.

ATTACHMENTS

1. Final Update - Term Plan 2022-2026 [**6.3.1** - 6 pages]

6.4 MONTHLY OPERATIONAL REPORT - SEPTEMBER 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 30 September 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 September 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.

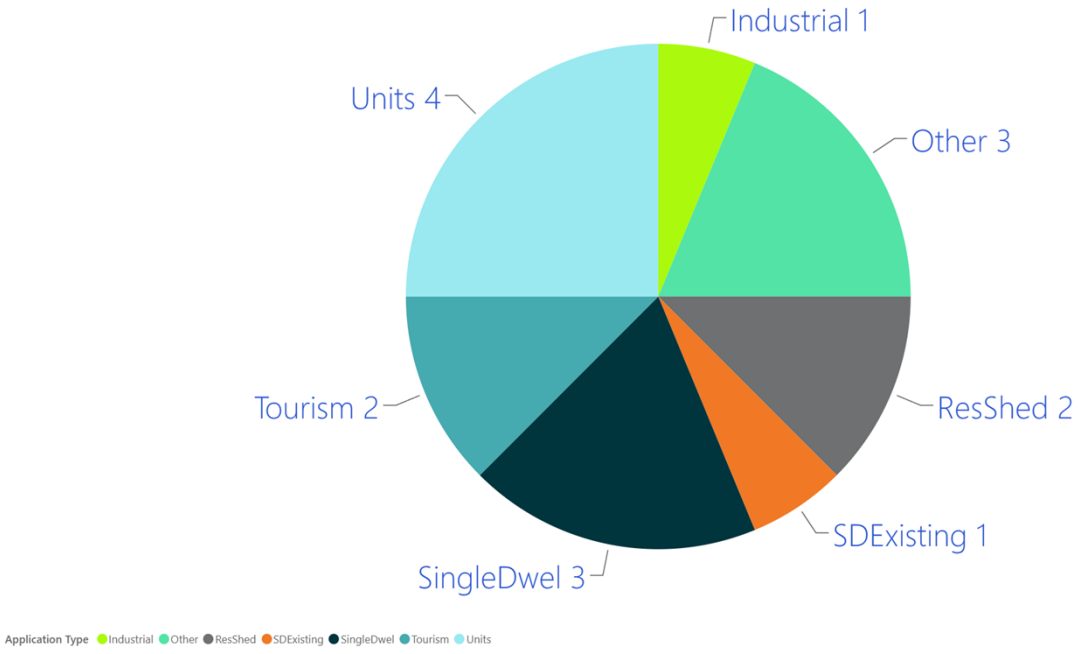
DISCUSSION

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

1. DEVELOPMENT SERVICES:

1.1. Planning:

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



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):



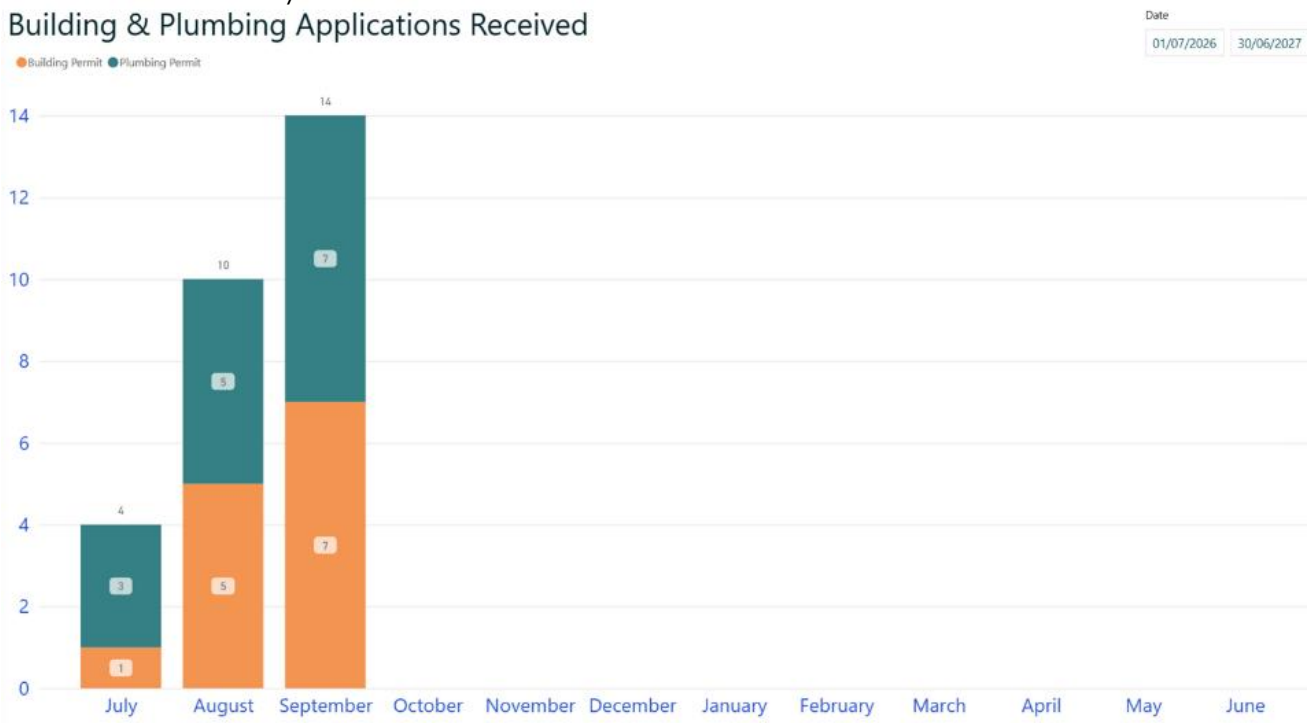
1.1.3. Planning Applications approved under delegation during September 2026:

Planning Applications approved for period September

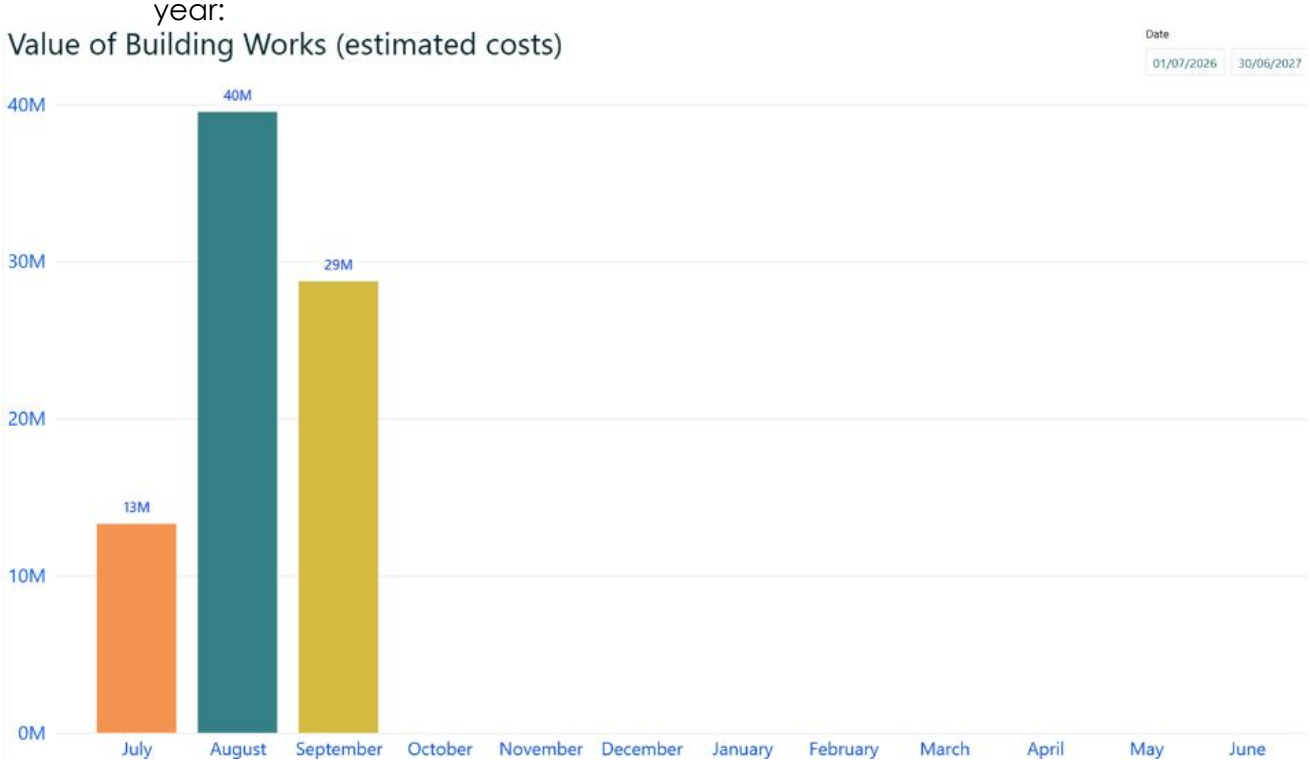
# Applications	Primary Category	Application Address	Description
PA2026.0058	Discretion	14-15 VICTORIA PARADE DEVONPORT TAS 7310	Hotel industry (partial demolition and redevelopment including building works, access and parking reconfiguration and landscaping)
PA2026.0070	Discretion	105-107 BEST ST DEVONPORT TAS 7310	2 lot subdivision
PA2026.0093	Discretion	2 WESTPORT ROAD MIANDETTA TAS 7310	Storage
PA2026.0113	Discretion	132 BEST ST DEVONPORT TAS 7310	Residential (multiple dwellings x19)
PA2026.0114	Discretion	37 SPIRIT WAY AMBLESIDE TAS 7310	Retaining walls
PA2026.0115	Discretion	31 FORTH RD DON TAS 7310	Community Meeting and Entertainment (Church - Storage Shed)
PA2026.0117	Discretion	64 DON RD DEVONPORT TAS 7310	Demolition and new General Retail and Hire (bottle shop)
PA2026.0118	Discretion	4 BARKER ST DEVONPORT TAS 7310	Residential (outbuilding)
PA2026.0121	Permitted	230 BELLAMY RD FORTHSIDE TAS 7310	Residential (outbuilding)
PA2026.0122	Permitted	25 BOVILL ST EAST DEVONPORT TAS 7310	Proposed Shared Access Arrangement
PA2026.0130	Discretion	13 BOVILL ST EAST DEVONPORT TAS 7310	Residential (outbuilding)
PA2026.0133	Permitted	636 MELROSE RD MELROSE TAS 7310	Residential (single dwelling) - addition

1.2 Building & Plumbing:

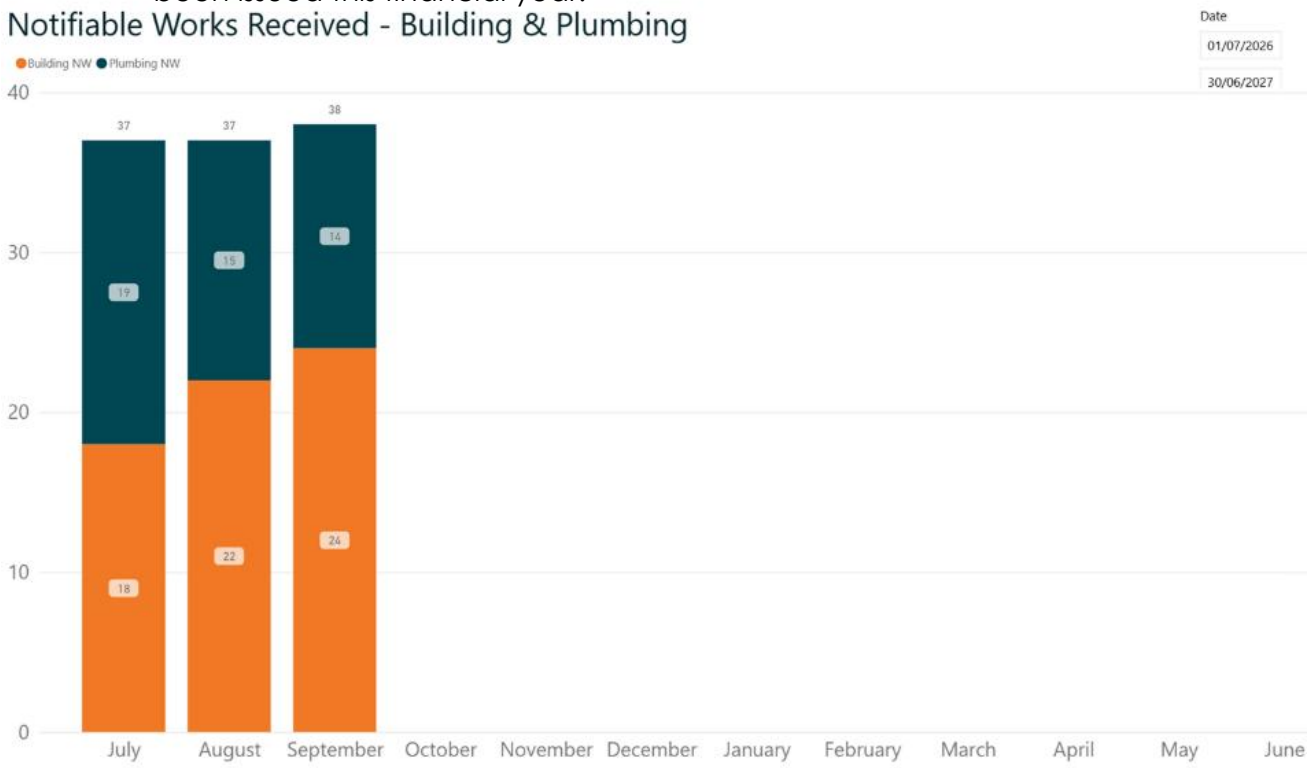
1.2.1 The following graph details the Building and Plumbing Applications received this financial year:



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

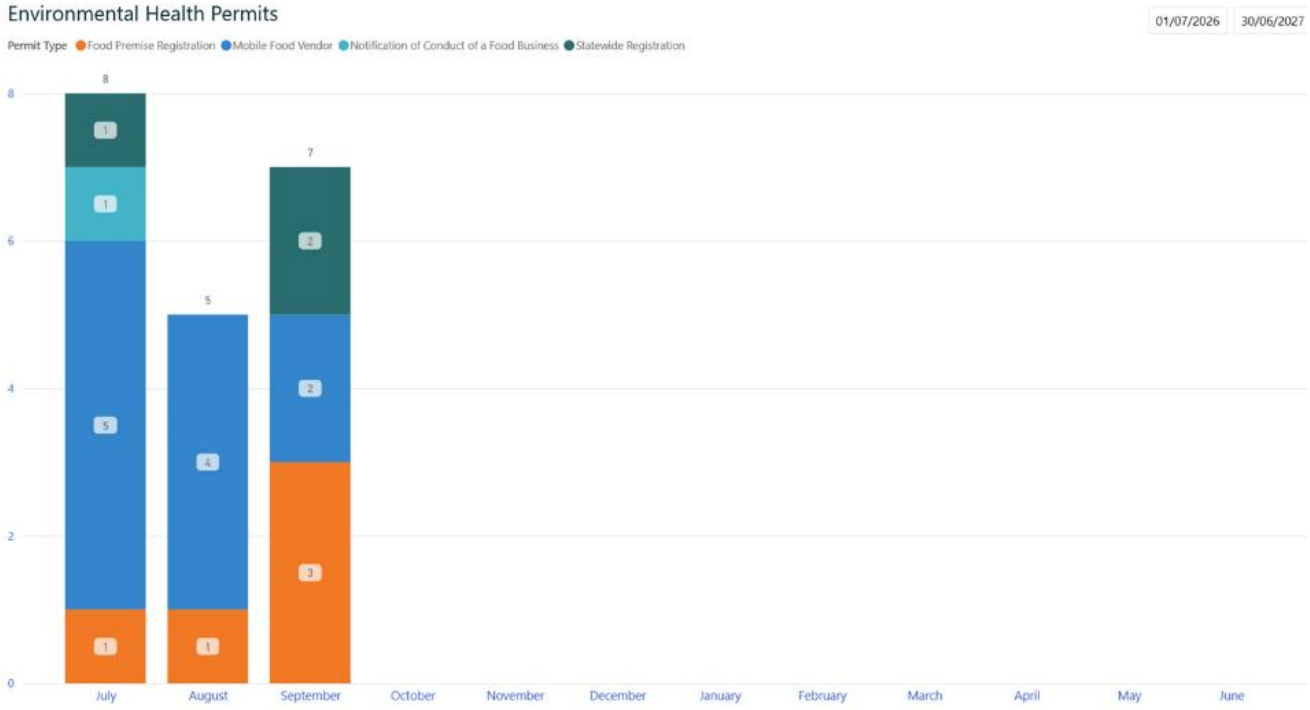


1.2.3 The following graph details the notifiable works received for building that have been issued this financial year:

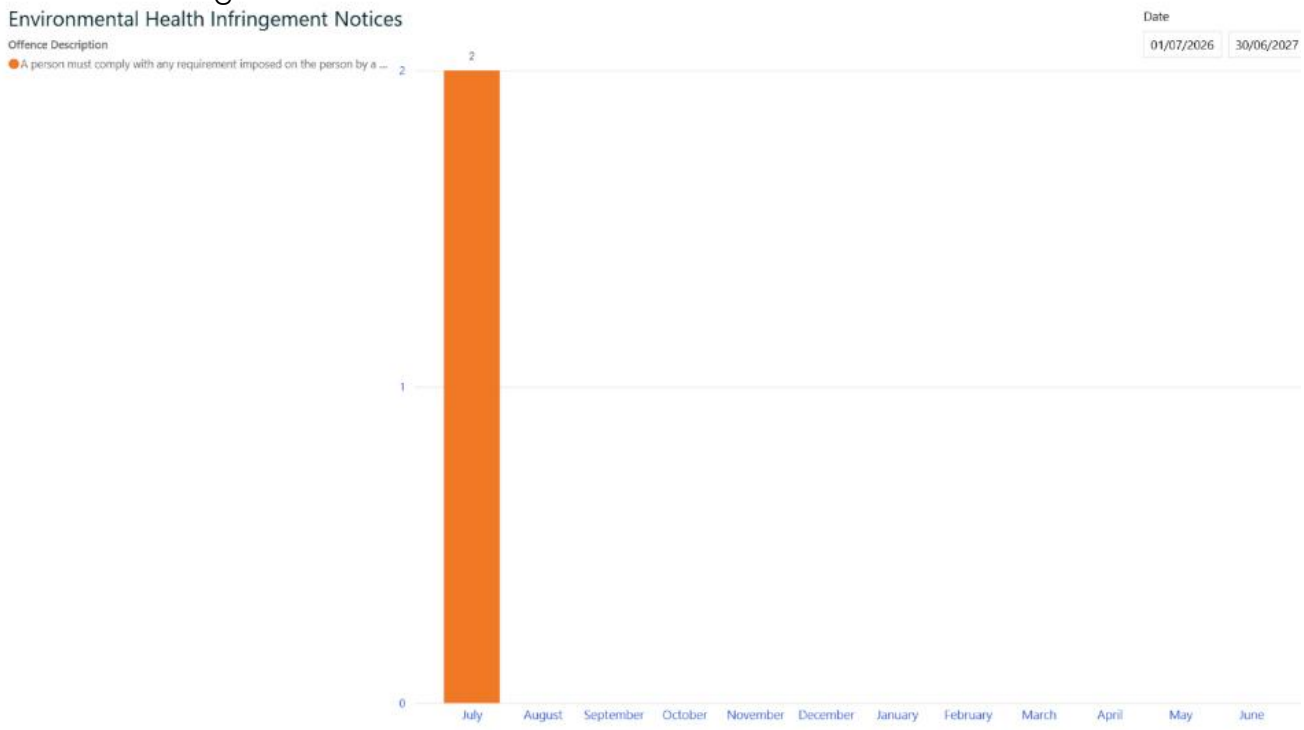


1.3 Environmental Health:

1.3.1 Permits Issued:



1.3.2 Infringements Issued:

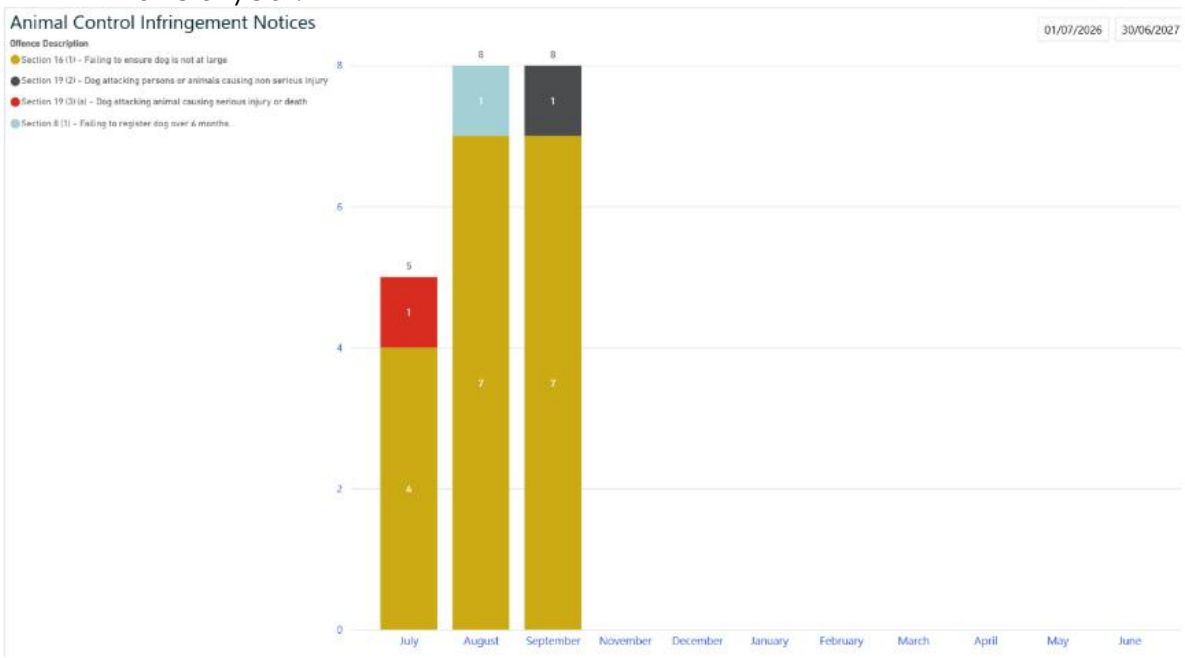


1.4 Animal Control:

1.4.1 Dog Registration Audit:

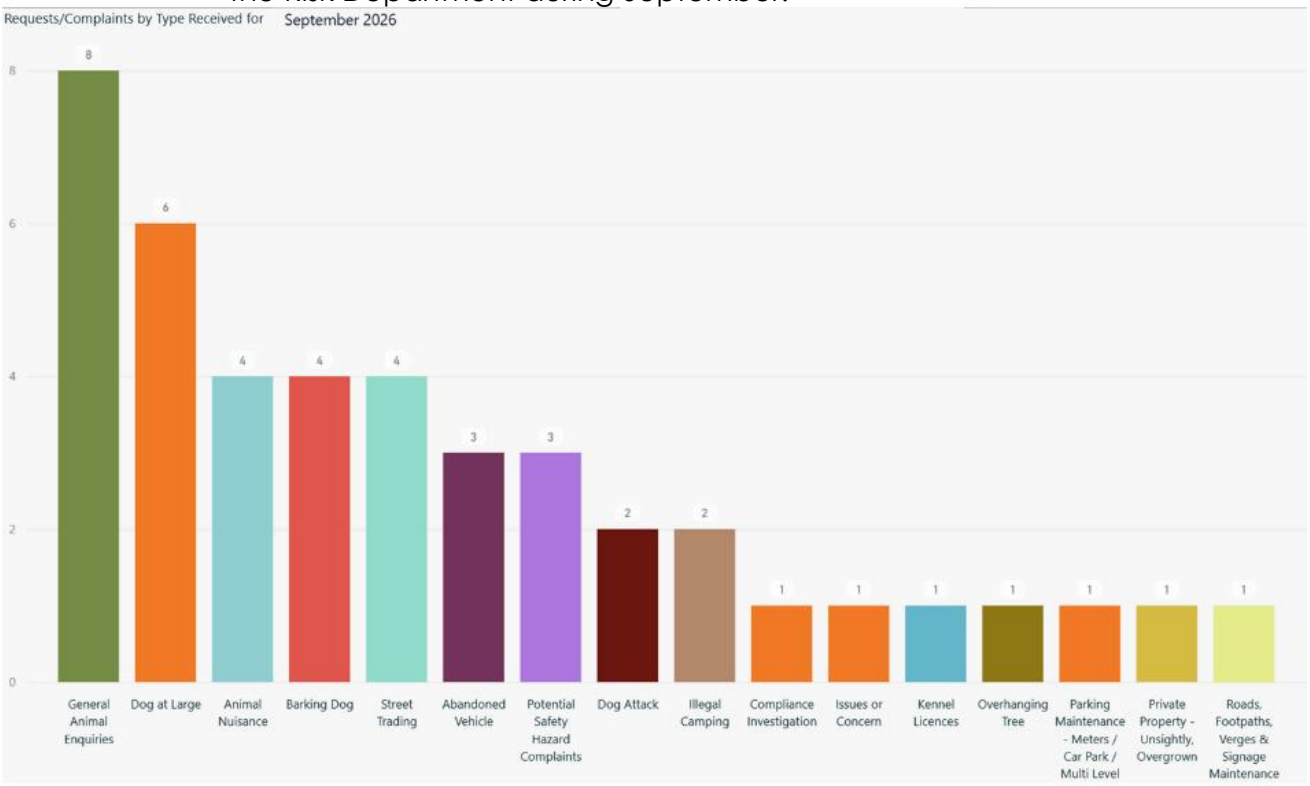
Council's recent campaign encouraging dog owners to register and microchip their dogs has received a strong community response. Since the campaign commenced, approximately 100 additional dogs have been registered. Following on this positive response, the Dog Registration Audit will commence in October.

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

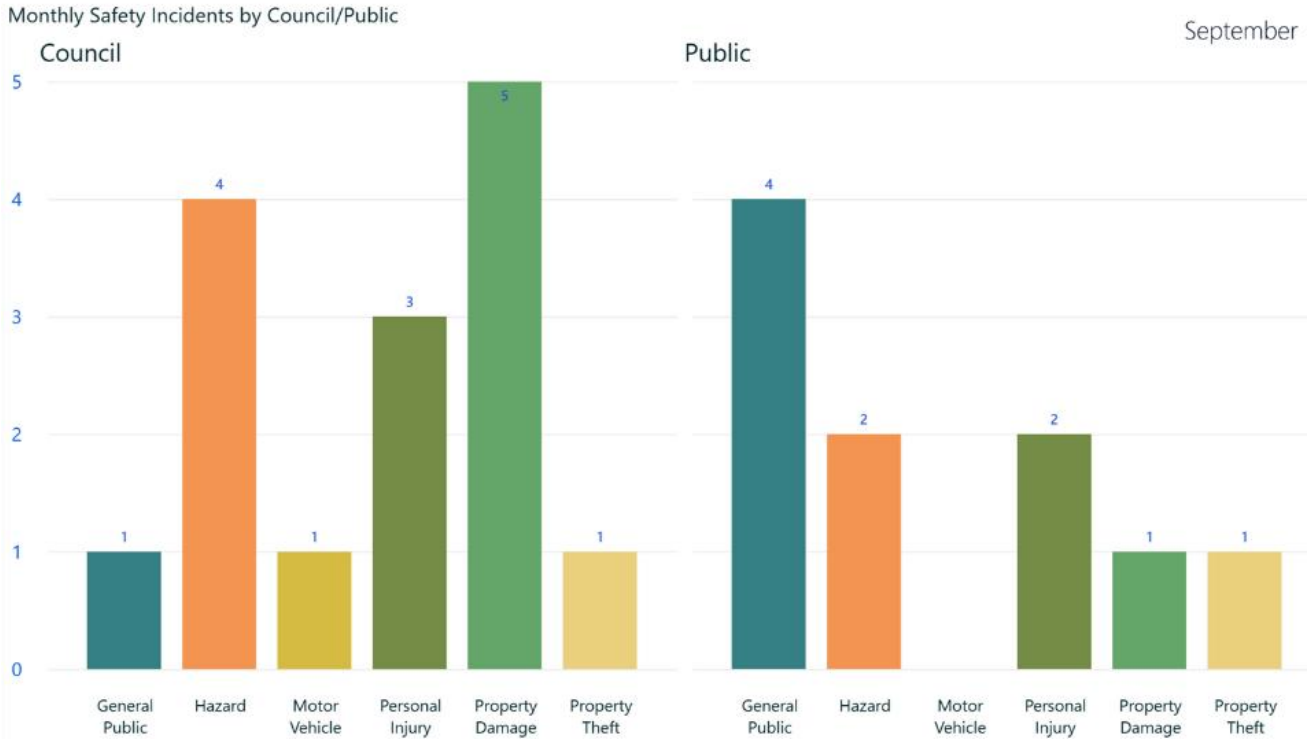


1.5 Risk & Compliance:

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



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



2. INFRASTRUCTURE & WORKS:

2.1. Asset Maintenance:

108 Mary Street – Road and Kerb repairs




Victoria Parade - Mill & Fill






238 William Street – Footpath Replacement



2, 4 & 6 Ronald Street - Footpath repairs



Wright Street & Murray Street - Garden Bed



Melrose Road – Shoulder Gravel

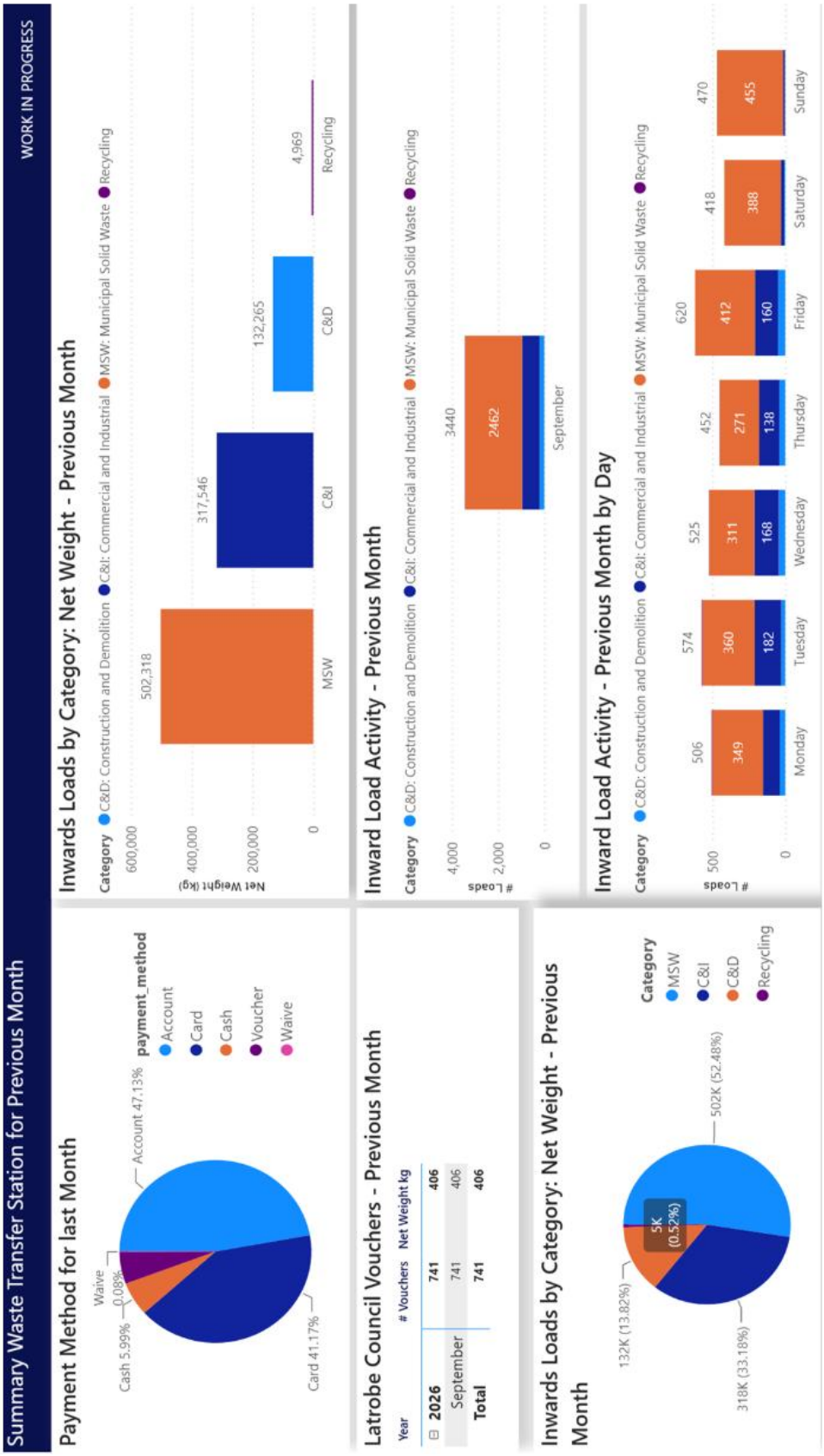


New Hand Basins - East Dev Recreation & Function Centre



2.2. Waste Management:

2.2.1. Waste Transfer Station statistics September:



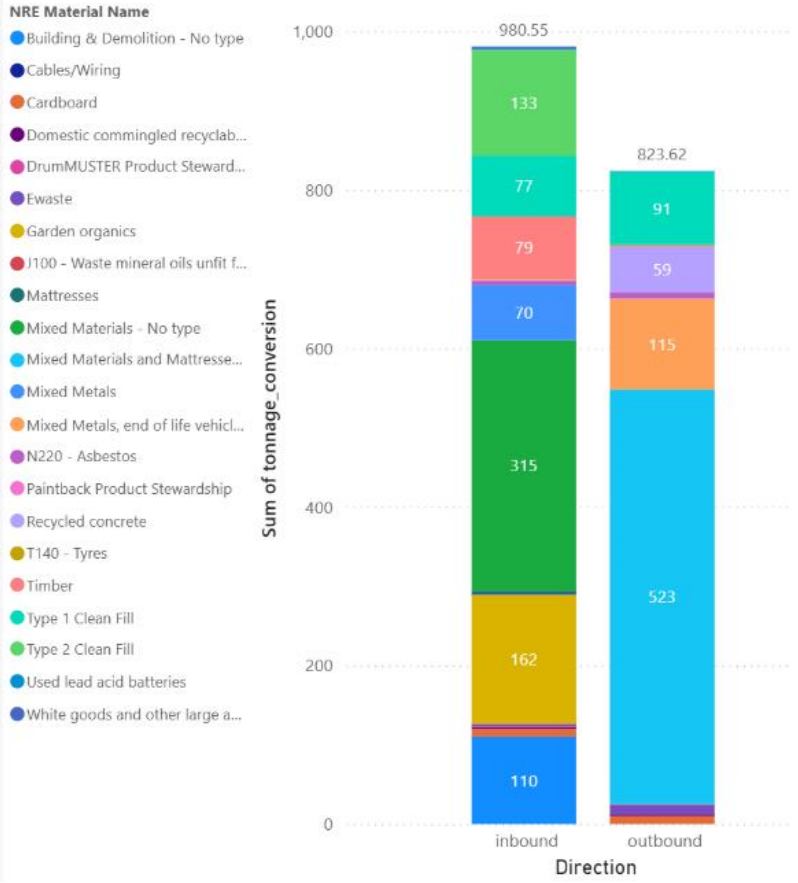
NRE - Waste Classifications

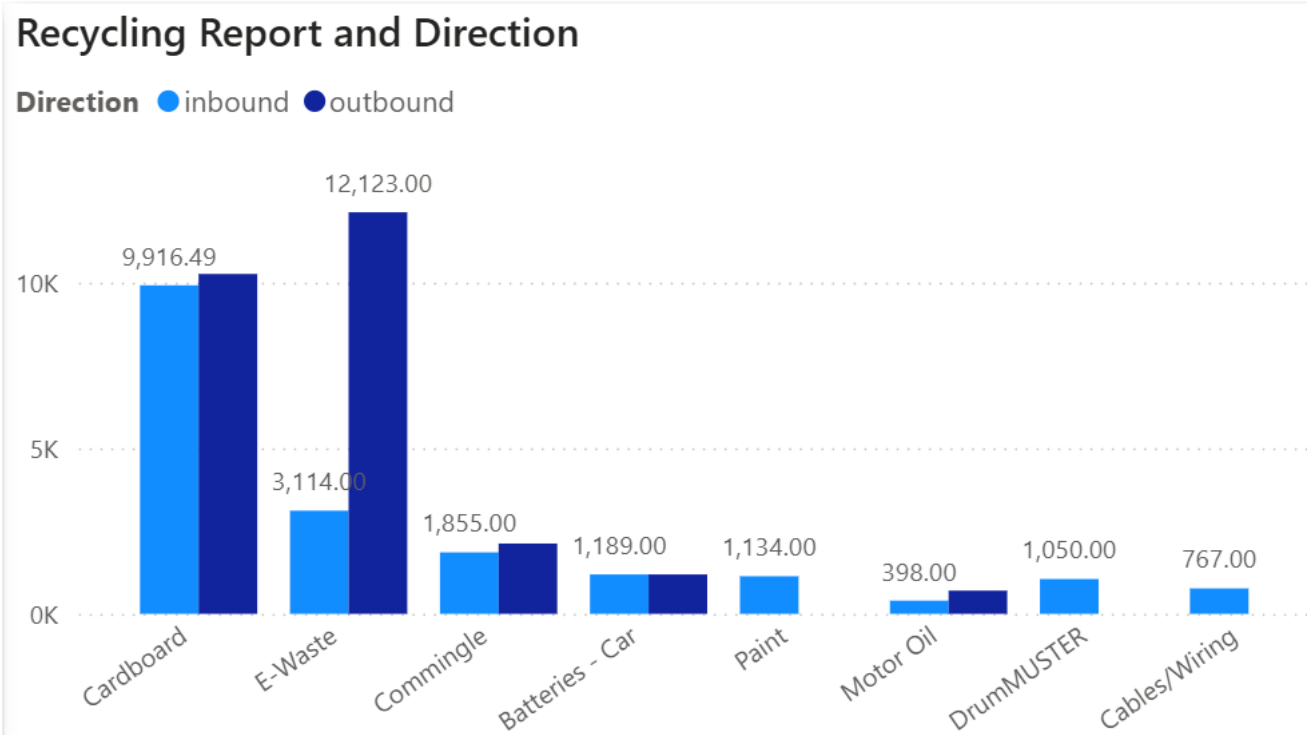
September

Waste Type Tonnes Summary - Previous Month

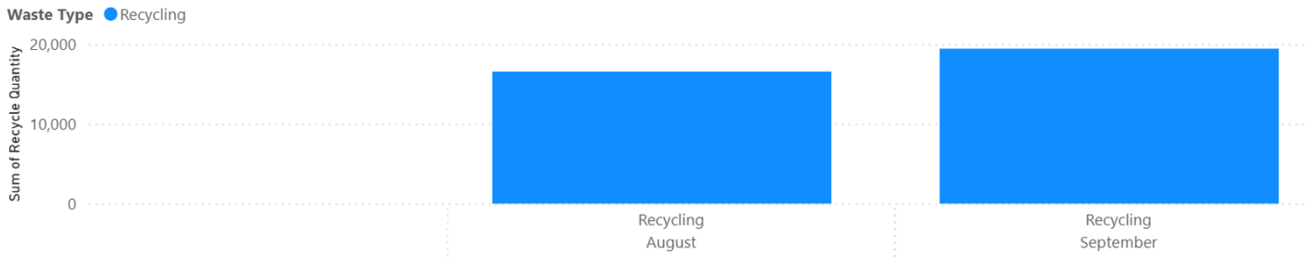
Month	inbound	outbound	Total
September	**980.55**	**823.62**	**1,804.16**
Building & Demolition - No type	109.81		**109.81**
Cables/Wiring	0.77		**0.77**
Cardboard	9.92	10.26	**20.18**
Domestic commingled recyclables (CDS, glass included)	1.86	2.12	**3.98**
DrumMUSTER Product Stewardship	1.05		**1.05**
Ewaste	3.11	12.12	**15.24**
Garden organics	162.23		**162.23**
J100 - Waste mineral oils unfit for their original intended use	0.40	0.70	**1.10**
Mattresses	5.52		**5.52**
Mixed Materials - No type	315.46		**315.46**
Mixed Materials and Mattresses Residuals		522.93	**522.93**
Mixed Metals	69.81		**69.81**
Mixed Metals, end of life vehicles, white goods and other large appliances		114.58	**114.58**
N220 - Asbestos	5.11	7.94	**13.05**
Paintback Product Stewardship	1.14		**1.14**
Recycled concrete		58.78	**58.78**
T140 - Tyres	0.96	1.75	**2.71**
Timber	79.32		**79.32**
Type 1 Clean Fill	76.63	91.24	**167.87**
Type 2 Clean Fill	133.27		**133.27**
Used lead acid batteries	1.19	1.19	**2.38**
White goods and other large appliances	3.00		**3.00**
Total	**980.55**	**823.62**	**1,804.16**

Waste Type Tonnes Summary - Previous Month





Inwards Loads by Waste Type: Quantity & Net Weight

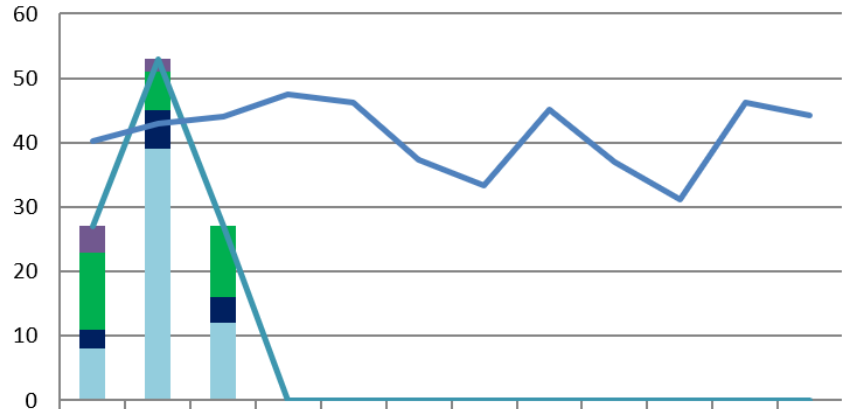


[Your Council Dashboards | Devonport City Council]

2.3. General Infrastructure Matters:

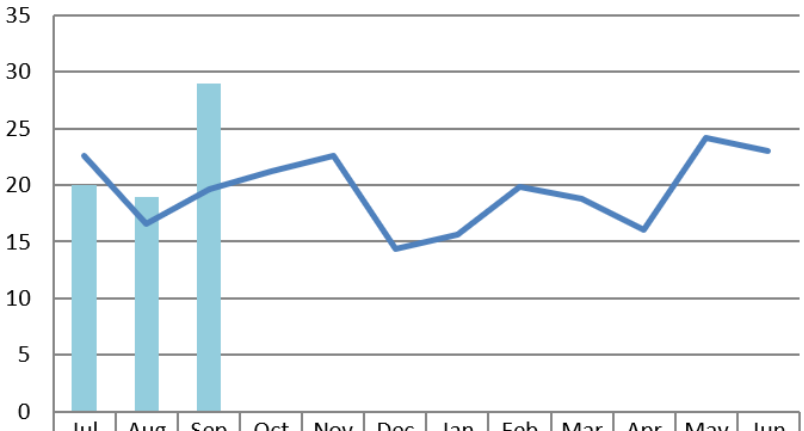
The following graphs detail the assessments processing through the Infrastructure Department. Each graph details the applications completed year to date, compared to a five-year average trend line.

2.3.1. Engineering Assessments for Development Applications



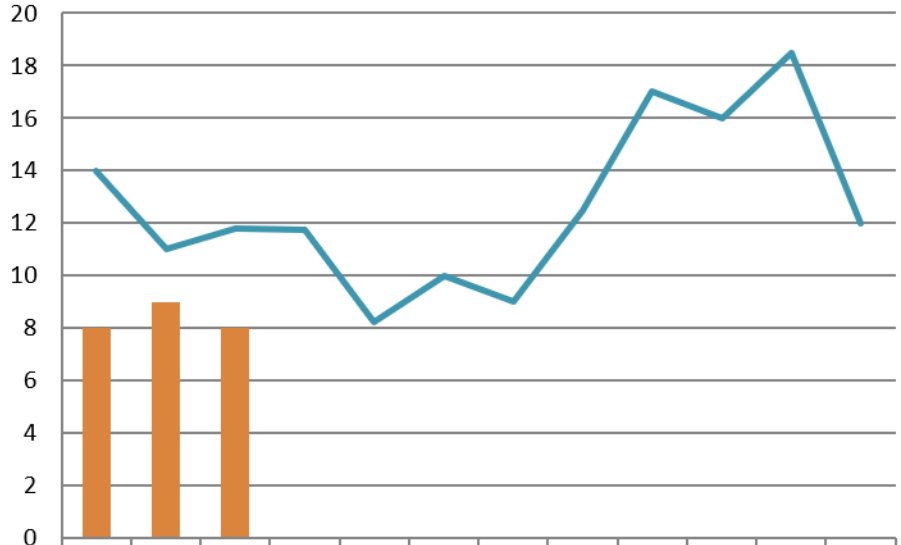
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Pre Assessments	4	2	0	0	0	0	0	0	0	0	0	0
Planning Assessments	12	6	11	0	0	0	0	0	0	0	0	0
Subdivision Assessments	3	6	4	0	0	0	0	0	0	0	0	0
Building Assessments	8	39	12	0	0	0	0	0	0	0	0	0
Total 2026-27	27	53	27	0	0	0	0	0	0	0	0	0
Average 2021-2026	40	43	44	47	46	37	33	45	37	31	46	44

2.3.2. Road Reserve Permit Assessments



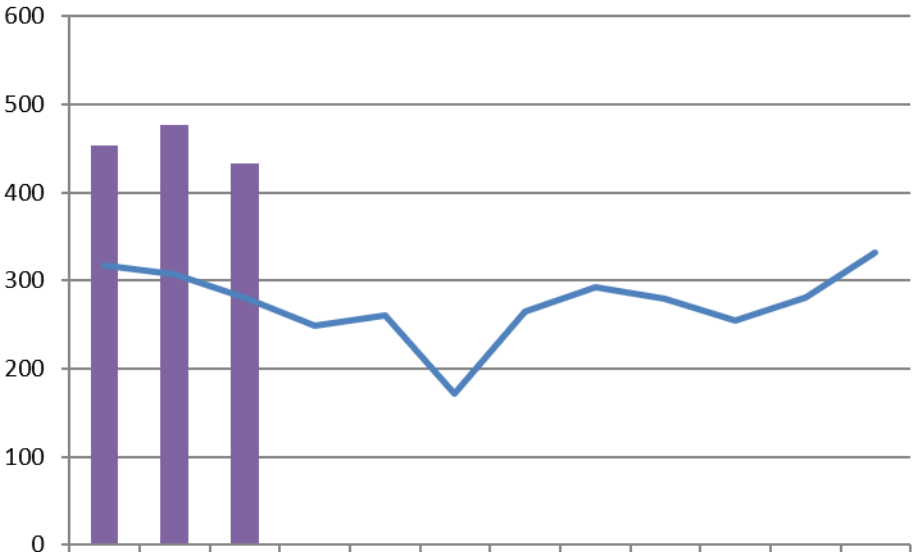
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Taswater	0	0	0	0	0	0	0	0	0	0	0	0
NBN Co	0	0	0	0	0	0	0	0	0	0	0	0
Aurora/Telecom.	0	0	0	0	0	0	0	0	0	0	0	0
Tas Gas	0	0	0	0	0	0	0	0	0	0	0	0
Public	20	19	29	0	0	0	0	0	0	0	0	0
Average 2020-2026	23	17	20	21	23	14	16	20	19	16	24	23

2.3.3. National Heavy Vehicle Regulator Assessments



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2026-27	8	9	8									
Average 2021-2026	14	11	12	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	433									
Average 2022-26	317	307	281	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 September 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 September, the Devonport Access and Inclusion Working Group met once and spoke about:

- Splash community activities, including recent staff training and upcoming swimming-related activities.
- Splash's work with DCC & Sport4ALL, opportunities to better support community with disability.
- Ideas for International Day of People with Disability, including buddy systems and other inclusion-focused initiatives.

East Devonport Working Group

In September the East Devonport Working Group did not meet due to caretaker period. Members are collaborating to support the East Devonport Jobs Forum, which will take place on November 5.

Devonport Youth Advisory Group (DEVYAG)

In September DEVYAG met once and brainstormed:

- Planning a youth event
- Ways to improve DEVYAG

3.1.3 Volunteers:

- Devonport City Council currently have 70 active volunteers.
- 10 Individuals are currently being onboarded to be a volunteer with Council.

3.1.4 Financial Assistance Program:

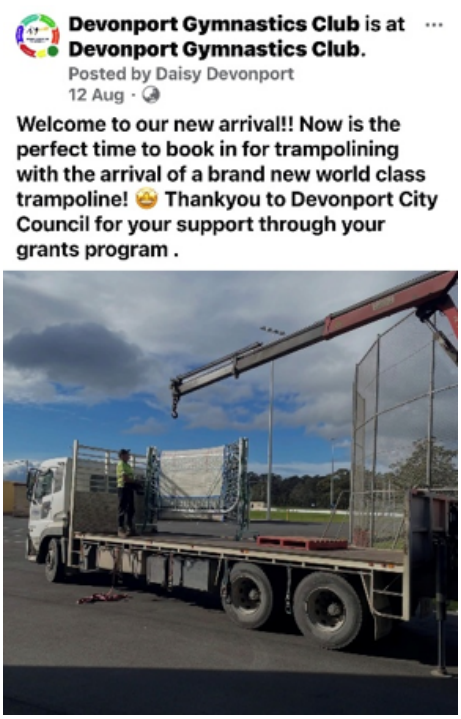
The following acquittals were received in September:

Community Grants

Organisation: Devonport Gymnastics Club Inc
Project: Ultimate Trampoline
Devonport Gymnastics Club used the grant funding to purchase a competition-standard Ultimate Trampoline and end deck, which has been permanently installed at the Club. The new equipment is available across the Club's trampoline, ninja, recreational and women's competitive

programs, supporting participants to develop tumbling skills, aerial awareness and trampoline techniques.

The trampoline is also available for the many school groups that visit Devonport Gymnastics throughout the year, extending the benefit of the project to students from across the community. The equipment was delivered ahead of schedule. Council's support was acknowledged through social media, a poster and a video displayed on the Club's foyer television.





New Ultimate trampoline for Devonport Gymnastics Club

3.1.5 Community Programs

Devonport Community Landcare

The group had their final planting session of the year, the 7 volunteers successfully planting 106 plants alongside the Don River.

Friends of Don Reserve

The group meet three times in September, with the first two sessions focusing on revegetation works with a total of 105 plants planted.

The last session was purely focused on the removal of a new weed that has been located in the reserve, spp. This was a team effort with removal of hundreds of plants by hand pulling or cutting/painting.

Over the three sessions 6 different volunteers contributed 14 volunteer hours.

Bird watching walk

A group of keen local naturalists were treated to a walk in the Don Reserve with bird expert Ramit Singal, with 29 different species being recorded in the one-hour survey. Participants were lucky to sight and hear a critically endangered Swift

Parrot, as well as learn about the different ways to help identify bird species even with a quick glance.

3.2 Active Communities:

3.2.1 Living Well

Living Well Spring 2026 represents one of the largest and most innovative programs delivered to date, with a strong focus on accessibility, sustainability, community engagement and digital innovation.

A significant enhancement this season has been the implementation of the Ferve Ticketing System, providing participants with a streamlined registration experience. The platform offers automated ticket confirmation emails and the ability for participants to store tickets directly in their Apple Wallet, improving convenience and reducing administrative workload. Since registrations opened on Monday 21st September, more than 1000 tickets have already been released into the community, demonstrating strong early interest and engagement across the program.

Spring 2026 has also marked the launch of the program's first digital brochure, supporting Council's commitment to more environmentally sustainable practices by significantly reducing printed material. The digital format allows participants to easily access program information online, while a PDF version remains available upon request to ensure accessibility for community members who prefer a traditional document format.

Program delivery continues to be strengthened through the Expressions of Interest (EOI) Program, with 23 programs being delivered by community organisations, businesses and service providers. This approach enables Council to offer a diverse range of activities while leveraging local expertise and community connections.

In addition, Council is supporting a further 18 providers through the Promotional Purposes Program, helping local organisations increase community participation and awareness of their activities. Support extends beyond marketing and advertising, with 19 of these providers also receiving in-kind venue hire assistance, reducing barriers to delivery and enhancing opportunities for community participation.

The breadth of activities available through Living Well Spring 2026 reflects Council's ongoing commitment to supporting active ageing, community connection, health and wellbeing outcomes. With strong registration numbers already being recorded and an extensive range of programs on offer, the Spring program is positioned to deliver meaningful benefits to residents across Devonport throughout the season.

3.2.2 DBC Primary School Tournament

Council supported the DBC Primary School Tournament through its sponsorship program. The event provided local primary school students with an opportunity to participate in organised sport in an inclusive and enjoyable environment, supporting active participation and positive connections between schools and the broader community.

Squash Australia Junior Championships

Council supported the Squash Australia Junior Championships, providing an opportunity for junior squash players to compete at a high-level event

in Devonport. The championship showcased the city's capacity to host significant sporting events while supporting junior participation and providing broader benefits through visitation to the region.

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	137	N/A
SQUASH CENTRE	121	5
STADIUM	171	9
TABLE TENNIS	51	4
YOUTH CENTRE	168	7
TOTAL	**648**	**25**

EAST DEVONPORT RECREATION AND FUNCTION CENTRE		
	BOOKINGS	**USER GROUPS***
STADIUM	96	7
COMMUNITY ROOM	18	6
TOTAL	**114**	**13**

Recreation Centre User Numbers:

DEVONPORT RECREATION CENTRE	
Squash Centre	2891
Stadium	12773
Youth Centre	7955
Table Tennis	2604

3.2.3 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	

3.2.4 Upcoming Sporting Events

	Event	**Dates**	**Venue**
1	Devonport Pickleball Grand Slam	30/10/26 – 2/11/26	Devonport Recreation Centre

3.3 Events:

3.3.1 External Events held during September:

- R U OK? Day– 9 September 2026
- Theatre Street Eats– 13 September 2026
- No Frills Night Racing – 18 September 2026
- Pirate Day – 19 September 2026
- Home Hill Housewarming – 26 September 2026

3.3.2 Upcoming External Events:

Event	Dates	Venue
Coastal Pathway Ultra	4 October 2026	Coastal Pathway and Haines Park (Latrobe to Ulverstone)
Home Hill Fireside Chats	6 October & 22 November	Home Hill
PFD Food Expo	6 October 2026	Forbes Street Stadium
R U Ok? Day event 2	9 October 2026	The Bluff
Mersey Mountain Bike Twilight Series	22 October 2026	Kelcy Tier
Don River Railway Halloween	30 October 2026	Don River Railway
Remembrance Day	11 November 2026	Cenotaph Victoria Parade
C&E Amusement Carnival	21-22 November 2026	Maidstone Park
Schools Triathlon	24-26 November 2026	The Bluff

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

- 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
- Santa's Street Spectacular – 6 December
- Festive Friday – 18 December
- Eve in the City – 31 December
- TSO Symphony on the Waterfront – 13 January 2027

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/

3.3.4 Living Well Devonport – Expo of Everything 2026



The Living Well Devonport – Expo of Everything was held on Saturday 5 September 2026 across the paranaple convention centre and Market Square Pavilion, attracting approximately 1,000 attendees despite challenging weather conditions. The free community event showcased more than 50 local clubs, groups, services and activities, encouraging residents to connect with their community, discover new interests and learn about opportunities available throughout Devonport.

A key enhancement for 2026 was the introduction of an expanded program of demonstrations and interactive "come and try" sessions in the Market Square Pavilion. These activities were well received by attendees and added an engaging, hands-on element to the event. Demonstrations and participation opportunities were delivered by groups including the Templar Knights, Pickleball, Spots for All, Slipstream Circus, Yoga Ocean, The Drum Collective, Devonport City Brass Band and Exhale Choir. The additional programming created a vibrant atmosphere throughout the day and provided local organisations with new opportunities to showcase their activities and connect with potential participants.



The Expo continued to support Council's Living Well objectives by promoting health, wellbeing, lifelong learning, social connection and community participation.

Stallholders offered interactive displays, demonstrations and information spanning cultural, recreational, creative, wellbeing and volunteer-based opportunities, helping residents of all ages discover ways to become more involved in their community.

Feedback received to date has been overwhelmingly positive from both attendees and exhibitors, with the expanded format proving a successful addition to the event.

Overall, the Expo was a positive community event that encouraged connection, participation and awareness of the many opportunities available across the Devonport region.



4. CULTURAL FACILITIES:

4.1. Devonport Regional Gallery:

4.1.1. Exhibition Program:

Exhibition	Date
Little Gallery: EXTRACTS by Keryn Fountain	8 Aug – 19 Sep
Upper Gallery: All In	15 Aug – 3 Oct
The Avenue: Inspired – Children's University of Tasmania	25 July – 12 Sep
Main Gallery: Surfacing by the nowhereprint collective	1 Aug – 3 Oct
The Little Gallery: Unremarkable by Ariel Pascoe	26 Sep– 7 Nov

4.1.2. Education programs, activities and participation data:

Event	Participation	Date
Create and Make	3	2-Sep
Create and Make	16	3-Sep
E-school Gallery Visit and Workshop	28	9-Sep
Create and Make	9	9-Sep
Create and Make	22	10-Sep
Create and Make	6	16-Sep
Create and Make	13	17-Sep
Books + Art	4	21-Sep
TOTAL	**101**	



Create and Make participant assembling the base for a dress to be displayed during Paper on Skin



The finished dress by Create and Make participants

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
Leighland Christian School	65	15-Sep
Stanley Primary School	22	21-Sep
Richmond Futures	9	23-Sep
St Peter Chanel Primary School	15	29-Sep
TOTAL Combined Admissions	**111**	

4.3. paranaple arts centre, Town Hall Theatre:

4.3.1 Performances and productions in September 2026:

Production	Participation	Date
Devonport Eisteddfod	1,300	2-17 Sep
Georgie Carroll – A-List Entertainment	661	13-Sep
TOTAL	**1,961**	

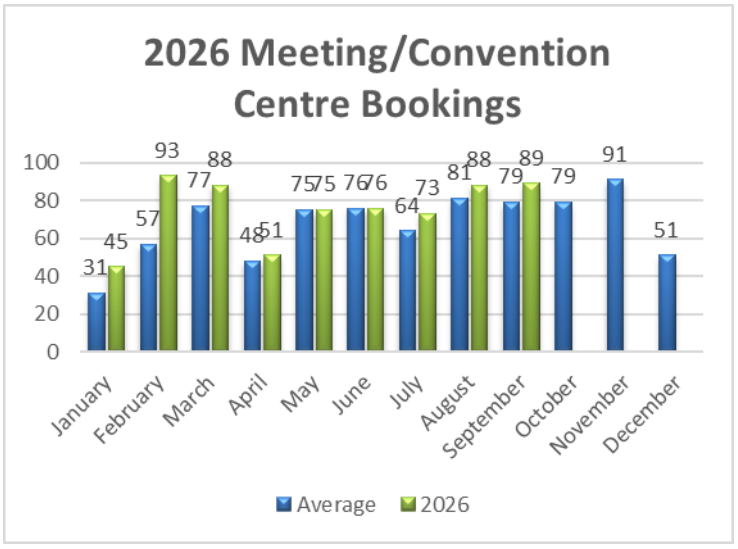
4.4. Visitor number data:

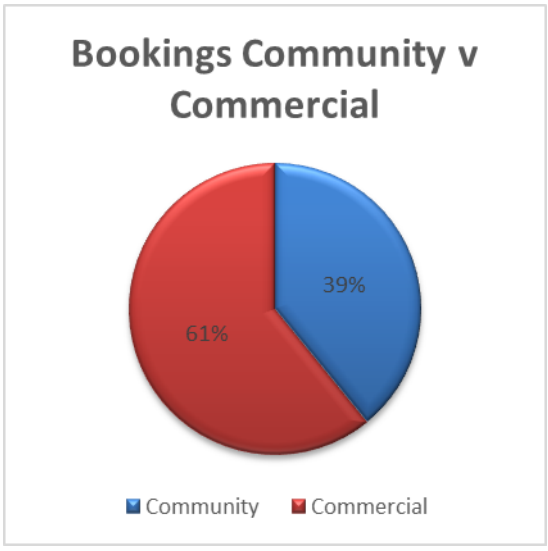
Facility	Visitors September
paranaple arts centre	7,902
Bass Strait Maritime Museum	613
TOTAL	**8,515**

4.5. Convention Centre & Market Square:

Events including attendee numbers and utilisation trends:
For September 2026, the DCC meeting rooms held 78 events, 8 in the convention centre and 3 in Market Square Pavilion. Total attendance of 4,115 patrons.

Event	Presenter	Attendance
Ancold Tailing Dam Operations Forum	Leishman Associates	85 x 2
Expo of Everything	Devonport City Council	600
PIA State Conference 2026	Planning Institute of Australia	143 x2
Citizenship Carmony	Devonport City Council	75
REIT Awards Night 2026	Real Estate Institute of Tasmania	270
Coronial Inquest	Magistrates Court	200 x4
Private Event	Pop Up Weddings Tasmania	57
Gearing Up Disability Expo	Speak Out Advocacy	300
Speak Out Association of Tasmania Conference	Speak Out Advocacy	121
TOTAL		**2,679**







Gearing Up Disability Expo

5. CORPORATE SERVICES:

5.1. Human Resources:

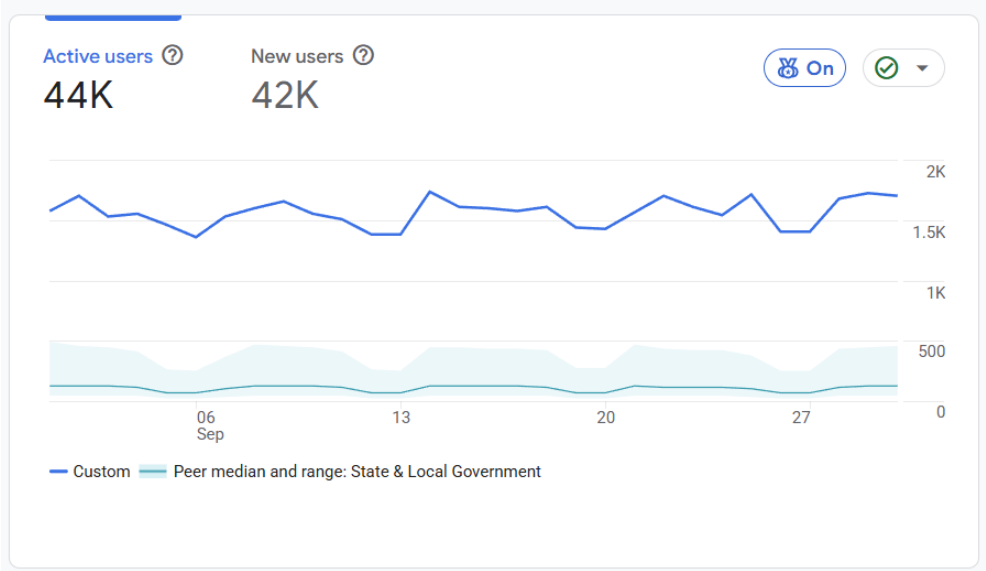
Staff departures, recruitment, and changes to employee roles (including advertised positions, staff appointments, hiring of casual employees, and role modifications). During the current financial year, eight employees have left the organisation, and five individuals have been hired.

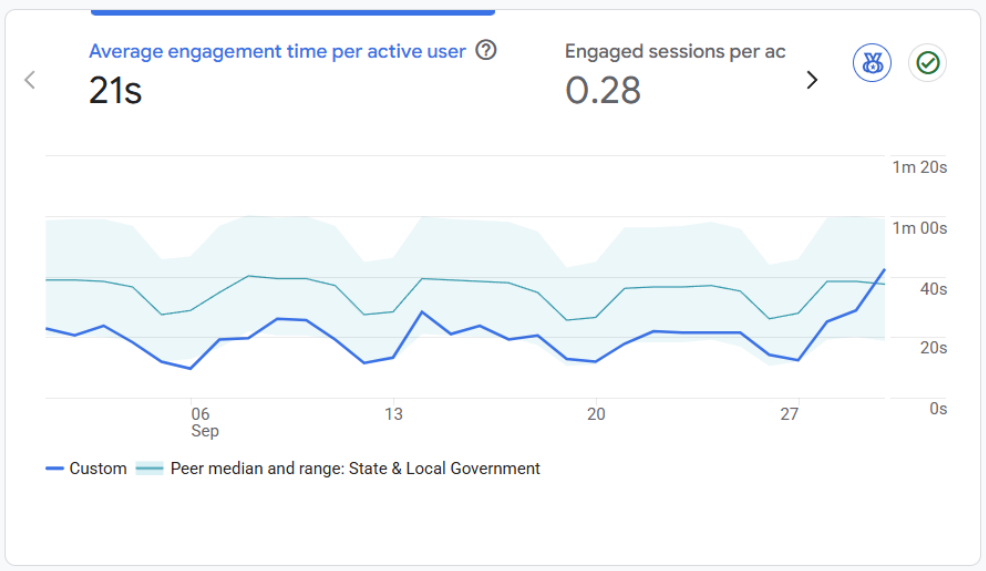
5.2. Communications:

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	September 2026
1. Advertised Planning Permits	
2. Forms and Payments	
3. Fortnightly Rubbish Collection	
4. Living Well Devonport	
5. Contact Us	
6. What's On Devonport	
7. Request for Investigation Resolution for Infringement Form	
8. Waste Transfer Station	
9. Dog Registration Form	
10. Employment Opportunities	
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 September 2026:

Facebook	18,313 up by 135
LinkedIn	2,038 up by 38
Instagram	142 up by 18
YouTube	271 up by 4

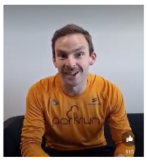
Devonport City Council's Corporate Facebook page engages the community with updates on capital works, events, media releases, emergencies, and roadworks.

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	September 2026
Facebook Monthly Viewers: Number of Facebook users who have seen content associated with the page during the period.	Total Viewers: 116,984 Total Views: 705,484

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

1	Spirit V Departing Devonport	2	Traffic Signals at Kelcey Tier Road Intersection	3	Pete Viney - Australia Day Awards Reel	4	We Love Roundabouts Reel	5	Dog Registration Audit
									
Views	128.0K	Views	41.7K	Views	33.8K	Views	28.3K	Views	25.1K
Reactions	1.2K	Reactions	197	Reactions	358	Reactions	134	Reactions	71
Comments	45	Comments	56	Comments	55	Comments	20	Comments	10
Shares	38	Shares	32	Shares	6	Shares	7	Shares	19

6	Friend Street Roundabout Works	7	Parkrun - Australia Day Awards Reel	8	Missing Links Program Promotion	9	Council Meeting Outcomes	10	Missing Links Program - James Street
									
Views	24.7K	Views	23.7K	Views	19.9K	Views	17.8K	Views	16.9K
Reactions	80	Reactions	105	Reactions	171	Reactions	97	Reactions	74
Comments	4	Comments	7	Comments	21	Comments	33	Comments	11
Shares	31	Shares	7	Shares	1	Shares	7	Shares	3

Community Consultation

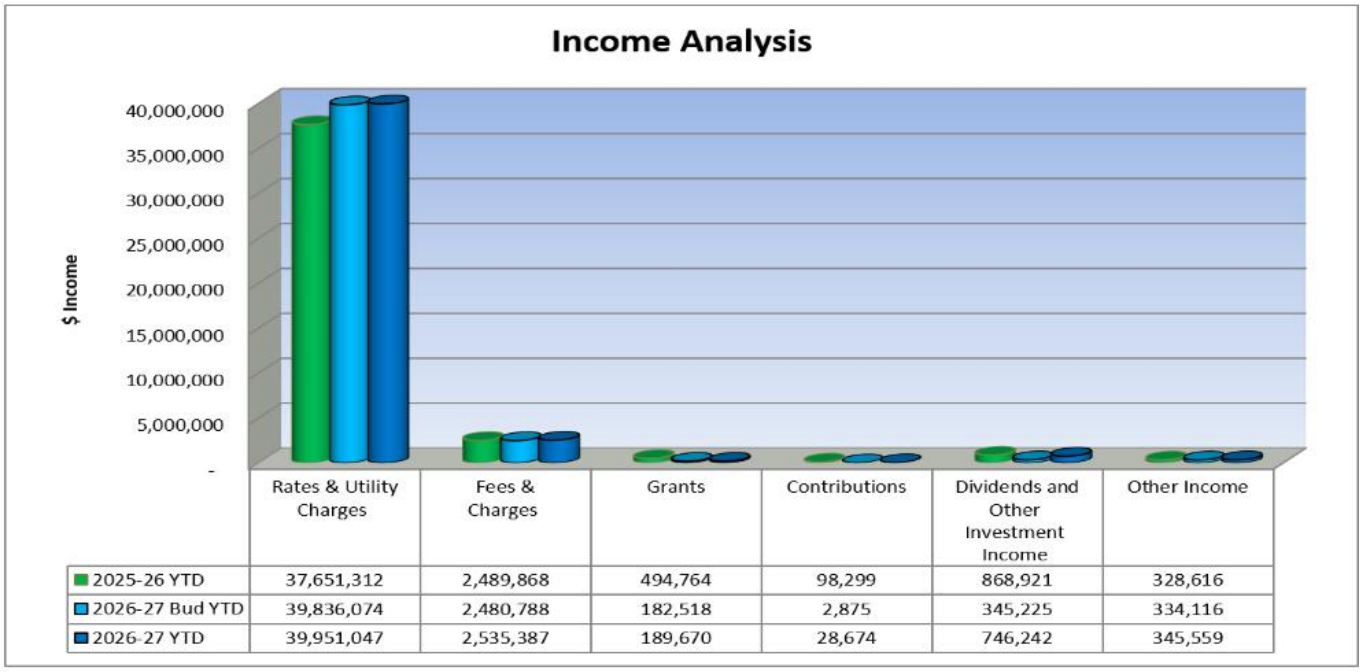
There was no specific community consultation undertaken during the month of September 2026.

5.3. Finance:

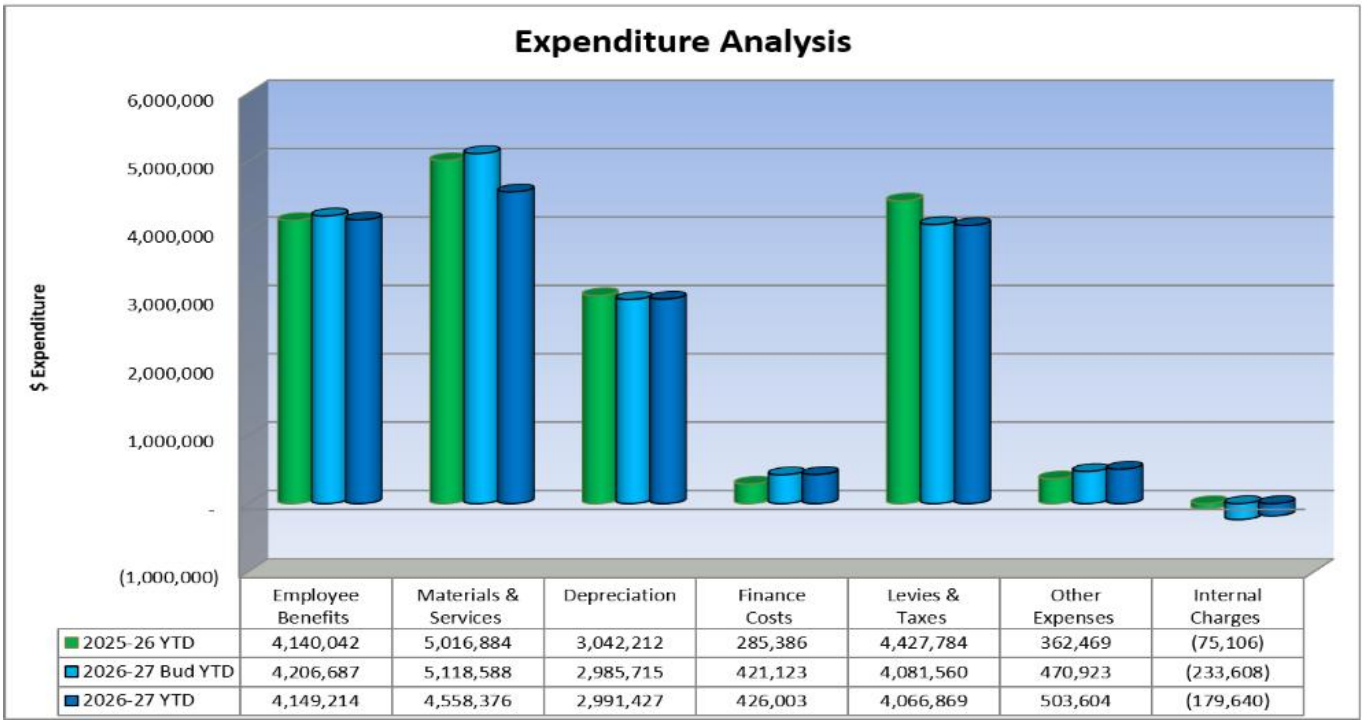
Operational Budget

The operating result for the financial year to the end of September 2026 is favourable with actual revenue being higher than budget by $615K and actual expenses being lower than budget by $535K resulting in an overall favourable variance of $1.15M.

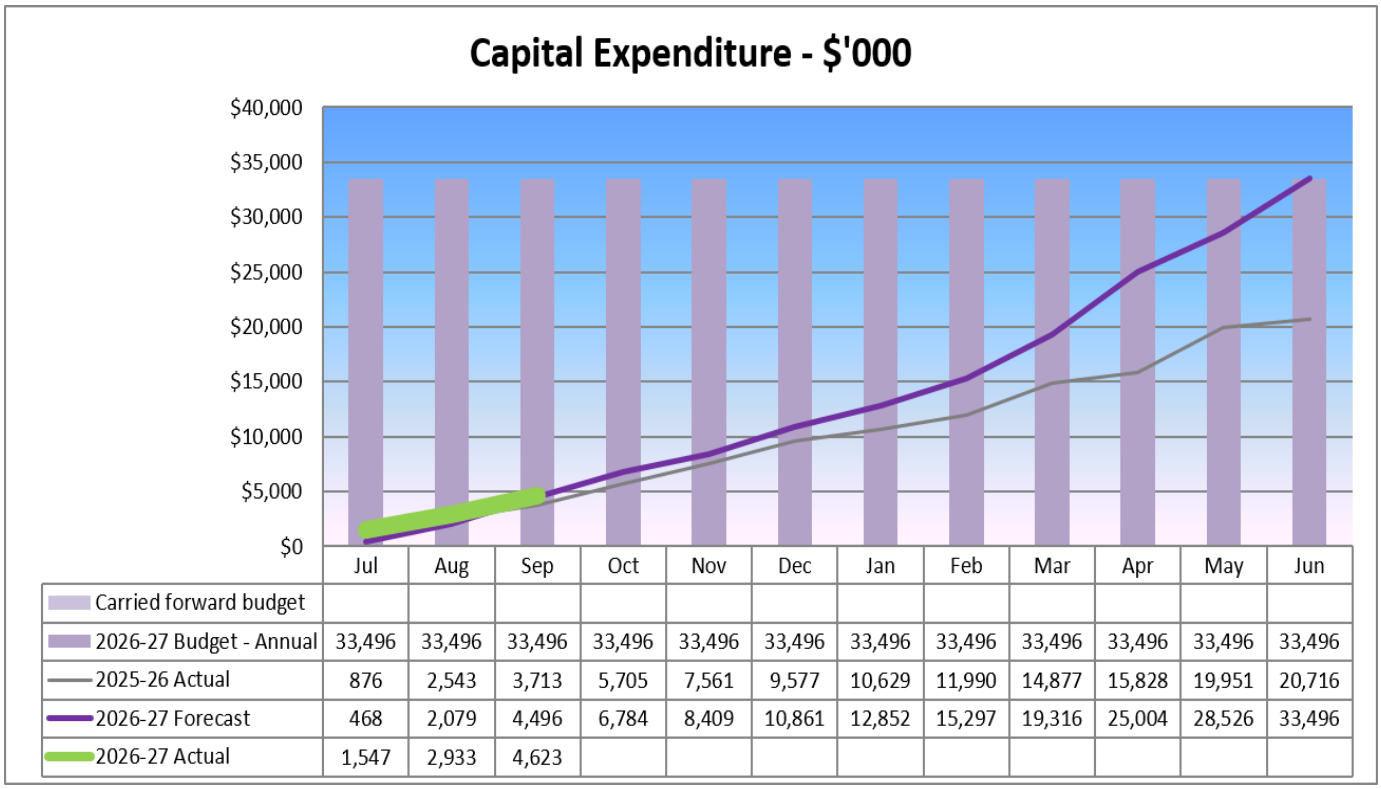
The forecast operating surplus for the financial year is $1.3M which includes share of profit of associates (Dulverton) of $1.0M.



	Rates & Utility Charges	Fees & Charges	Grants	Contributions	Dividends and Other Investment Income	Other Income
2025-26 YTD	37,651,312	2,489,868	494,764	98,299	868,921	328,616
2026-27 Bud YTD	39,836,074	2,480,788	182,518	2,875	345,225	334,116
2026-27 YTD	39,951,047	2,535,387	189,670	28,674	746,242	345,559



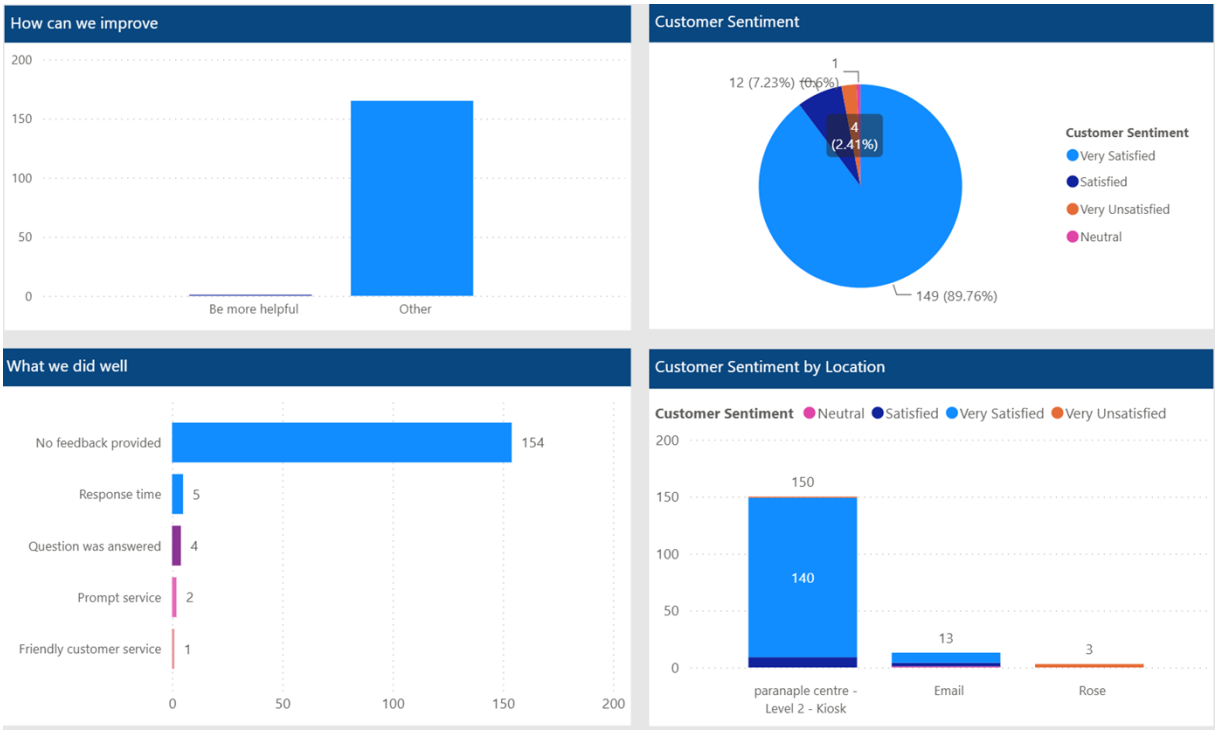
	Employee Benefits	Materials & Services	Depreciation	Finance Costs	Levies & Taxes	Other Expenses	Internal Charges
2025-26 YTD	4,140,042	5,016,884	3,042,212	285,386	4,427,784	362,469	(75,106)
2026-27 Bud YTD	4,206,687	5,118,588	2,985,715	421,123	4,081,560	470,923	(233,608)
2026-27 YTD	4,149,214	4,558,376	2,991,427	426,003	4,066,869	503,604	(179,640)



	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	4,623									

5.4. Customer Service:

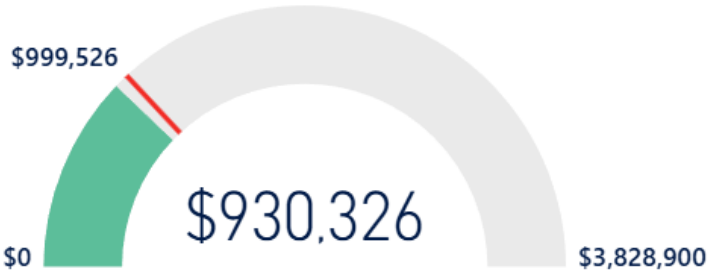
5.4.1. Customer service data for September:



5.5. Parking

5.5.1. Parking income statistics this financial year:

Budget v Revenue Period to Date



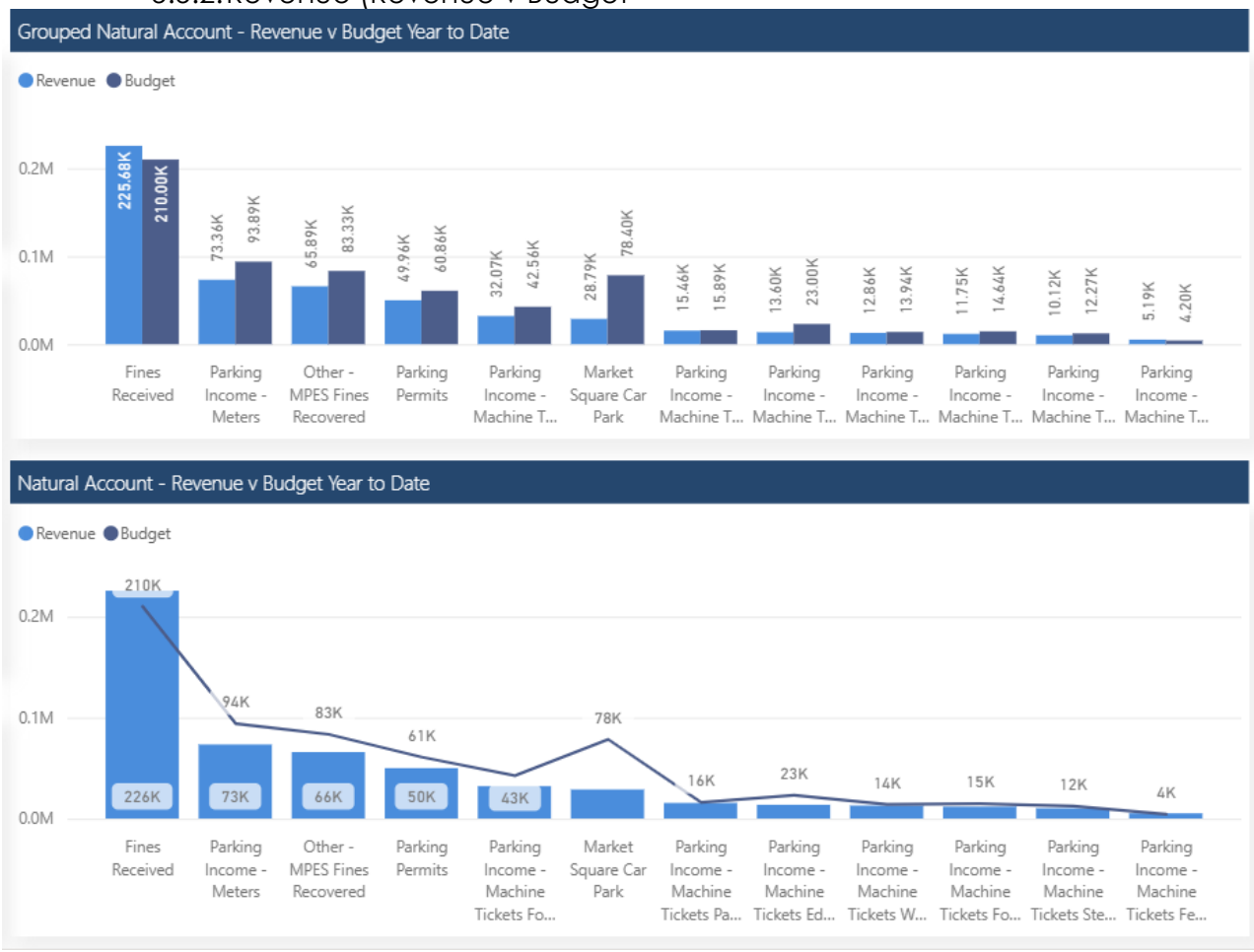
Revenue/Budget Period to Date

Short_Description	Budget $	Revenue $	Variance $	Variance %
Edward St CP	34,500.00	27,149.57	($7,350.43)	-21%
Fenton Way CP	7,517.05	9,648.36	$2,131.31	28%
Fines Received	315,000.00	327,424.22	$12,424.22	4%
Formby Rd CP	68,982.14	60,335.48	($8,646.66)	-13%
Fourways CP	24,646.82	23,017.57	($1,629.25)	-7%
Multi Storey CP	109,518.51	62,425.76	($47,092.75)	-43%
Other - MPES	125,000.02	113,790.73	($11,209.29)	-9%
Parking Meters	162,420.37	149,010.31	($13,410.06)	-8%
Parking Permits	78,573.50	79,418.83	$845.33	1%
Payne Ave CP	28,074.76	31,662.18	$3,587.42	13%
Steele St CP	21,359.45	20,202.46	($1,156.99)	-5%
Wenvoe St CP	23,933.28	26,240.74	$2,307.46	10%
Total	**999,525.89**	**930,326.21**	**($69,199.68)**	**-7%**

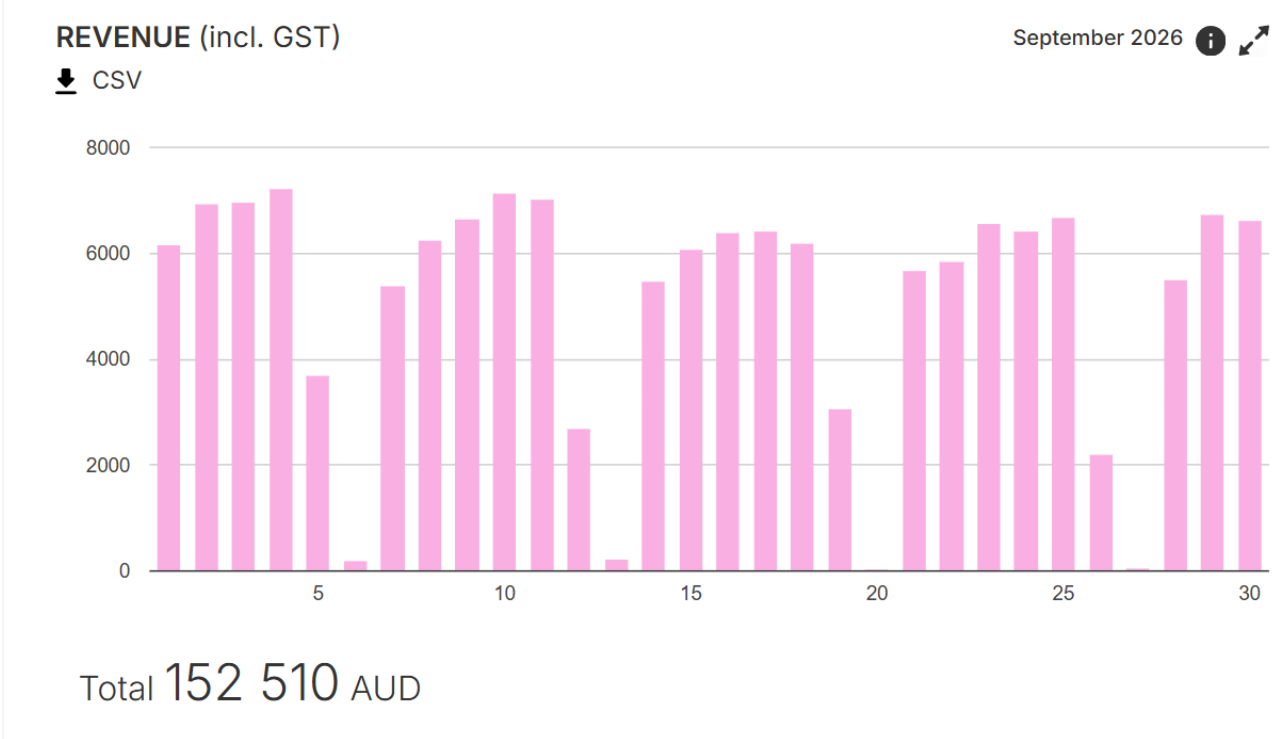
Notes:

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

5.5.2. Revenue (Revenue v Budget

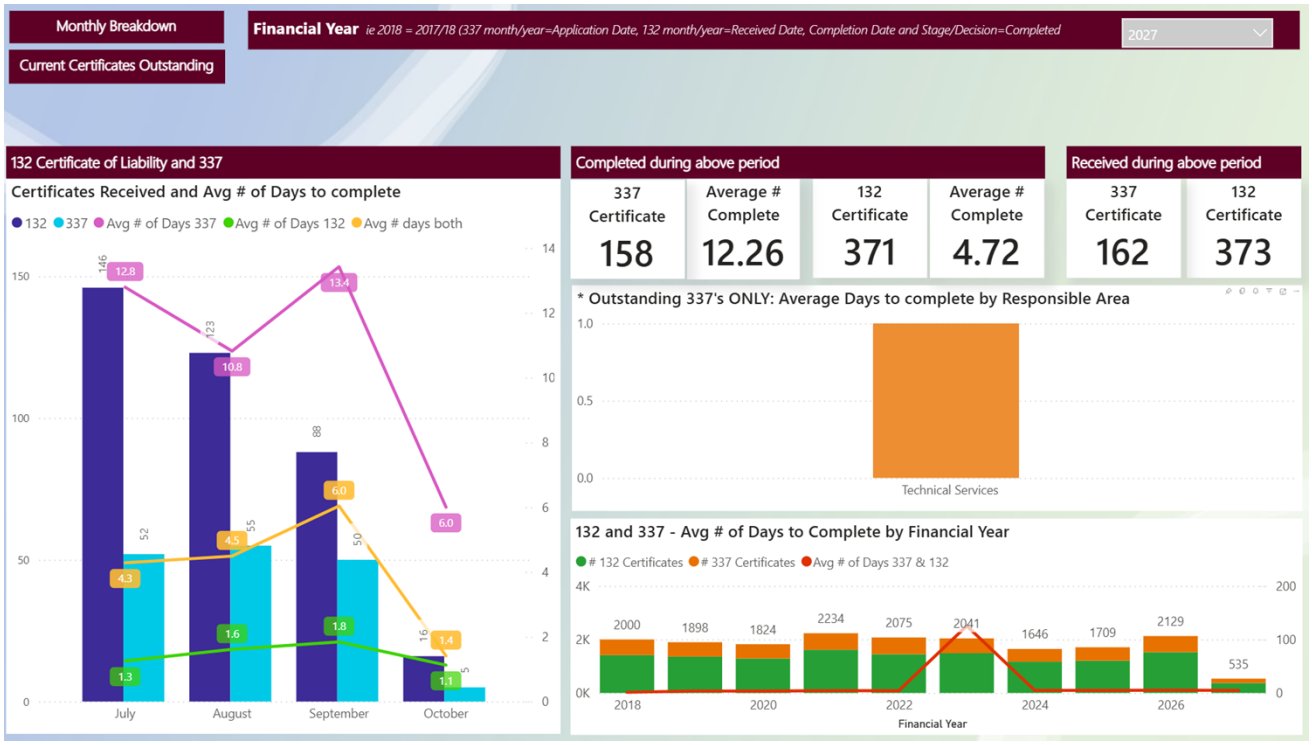


5.6. EasyPark Statistics



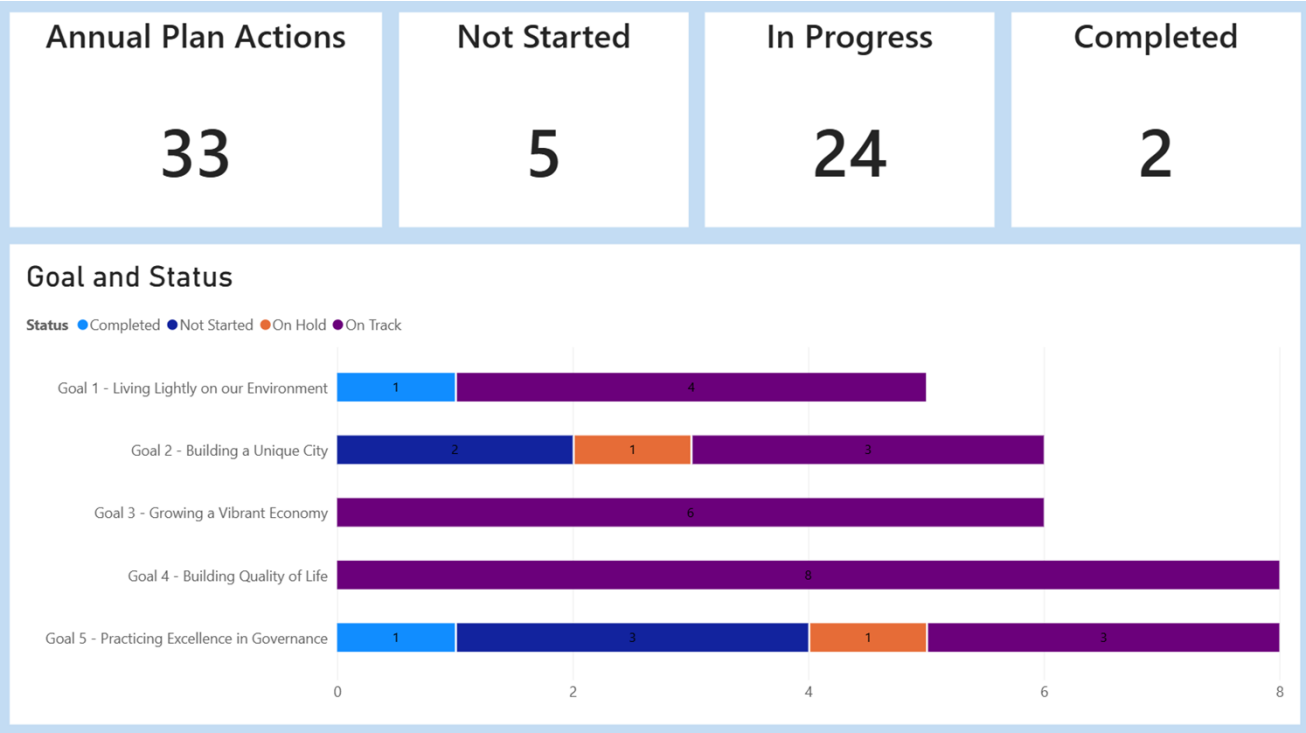
5.7. Section 132 & 337 Certificates:

5.7.1. Statistics on completed certificates Financial YTD:



5.8. Annual Plan Action Update:

5.8.1. Annual Plan Action Graph depicting status of current goals.



5.8.2. The detailed actions under the five Annual Plan Goals and their progress to date are an attachment to this report.

COMMITTEES, AUTHORITIES & EXTERNAL ORGANISATIONS:

5.9. Minutes: There are no minutes of meetings for the month of September 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. 20260930 Consolidated Financial Report- Council Report [**6.4.1** - 9 pages]
2. Annual Plan Actions Details - October 2026 [**6.4.2** - 1 page]

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 – 28 September 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