MINUTES OF THE OPEN SESSION OF THE ORDINARY COUNCIL MEETING OF THE DEVONPORT CITY COUNCIL HELD IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre, 137 ROOKE STREET, DEVONPORT ON MONDAY 26 OCTOBER 2026 COMMENCING AT 5:30 PM

Meeting	From	To	Time Occupied
Open Session	5:58 pm	7:26 pm	1 hour 28 minutes
Closed Session	7:30 pm	7:33 pm	3 minutes
Total			1 hour 31 minutes

Present

Cr A Jarman (Mayor)
Cr S Sheehan (Deputy Mayor)
Cr P Hollister
Cr S Martin OAM
Cr L Murphy
Cr D Viney
Cr J Wilczynski

Council Officers:

Chief Executive Officer, M Atkins
Executive Manager, K Lunson
Executive Manager, M Skirving
Finance Manager, N Maggs
Development Services Manager, K Stone
Assets & Technical Services Coordinator, S Eade
Land Use Planning Coordinator, A Mountney
Senior Town Planner, C Milnes
Executive Coordinator, C Jordan

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

1 APOLOGIES

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

2 DECLARATIONS OF INTEREST

The following Declaration of Interest was advised:

Councillor	Item No	Reason	Remaining in Meeting? Yes/No	If remaining, reason/s for decision
Cr S Sheehan	4.4	Worked with one of the employees of the application	Yes	Worked with this person around 20 years ago

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

26/192 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Viney

That the minutes of the Council meeting held on 28 September 2026 as previously circulated be confirmed.

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

CARRIED 7 / 0

3.2 PUBLIC QUESTION TIME

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

Nil

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

26/193 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Murphy

That Council in relation to the correspondence received from Mr RB Vellacott endorse the responses proposed and authorise their release.

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

CARRIED 7 / 0

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

MR ROBERT VELLACOTT, 11 COCKER PLACE DEVONPORT

Mayor I refer to my questions on notice in this evening's agenda, 3.2.2 in regards to parking again. My question 3 was - what is the reason to not include free parking in the multi- level car park for those pensioners who were able to have free parking spaces in the streets and other car parks. The response was free pensioners parking applies to the 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.

Q1 Now I understand that, and that's pretty clear, and it's always been so in the multi – level car park but now with the new system, I now ask, is the computer AI system able to be set to include pensioners to also use free parking in the multi- level car park - It must be able to register those with permits and that, so surely the computer would be able to identify the pensioners like it does elsewhere. In the carpark there are often stacks of parking and it'll help the businesses in the town knowing there is easier parking for everybody and I don't think it will be a cost to council?

Response

The Chief Executive Officer responded that yes, technically it is possible to do, if that was the policy decision of council. At the moment with pensioner parking it has some time and controls around it whereas if it was opened up in the multi- story car park, you could effectively just park there forever with a free permit. So yes, it is possible, and that's one for the future council to consider if they want to change the policy position on that.

Mr. Vellacott responded with a further question regarding the many vacant spaces most days in the multi-level car park and whether council will extend free parking for pensioners to include the multi-level car park, however acknowledged that this question was covered in the previous response.

3.3 QUESTIONS FROM COUNCILLORS

3.4 NOTICES OF MOTION

Nil

4 PLANNING AUTHORITY MATTERS

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

26/194 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Hollister

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 is 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.

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

CARRIED 7 / 0

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

26/195 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Wilczynski

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

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

CARRIED 7 / 0

4.3 PA2026.0129 - 90 GEORGE STREET DEVONPORT - RESIDENTIAL (OUTBUILDING)

26/196 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Hollister

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.

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

CARRIED 7 / 0

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

26/197 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Sheehan

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

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

CARRIED 7 / 0

5 REPORTS

5.1 TENDER REPORT CT0398 FENTON WAY REALIGNMENT AND ROUNDABOUT

Council Officers A Mountney and C Milnes left the meeting at 6:46pm.

26/198 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Sheehan

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.

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

CARRIED 7 / 0

6 INFORMATION

6.1 MAYOR'S REPORT

26/199 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Viney

That the Mayor's Monthly Report be received and noted.

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

CARRIED 7 / 0

6.2 CEO'S REPORT

26/200 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Hollister

That the Chief Executive Officer's Report be received and noted.

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

CARRIED 7 / 0

6.3 FINAL UPDATE - TERM PLAN 2022-2026

26/201 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Viney

That the Final Progress Update of the Term Plan 2022-2026 be received and noted.

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

CARRIED 7 / 0

6.4 MONTHLY OPERATIONAL REPORT - SEPTEMBER 2026

26/202 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Murphy

That Council receive and note the Monthly Operational Report for the period ending 30 September 2026.

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

CARRIED 7 / 0

7 CLOSED SESSION

26/203 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Murphy

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)

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

CARRIED 7 / 0

The Mayor adjourned the meeting at 7:26pm to reconvene in Closed Session at 7:30pm. The Council moved out Closed Session at 7:33pm.

Council resumed in open session at 7:33pm.

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

Item No	Matter	Outcome
3.1	Confirmation of Closed Minutes – Council Meeting – 28 September 2026	Confirmed
3.2	Applications and Notifications for Leave of Absence or Parental Leave	Nil
4.1	Confidential Attachments	Noted

8 CLOSURE

There being no further business on the agenda the Mayor declared the meeting closed at 7:33pm.

Confirmed

Chairperson