



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 Council Chambers, on Monday 27 November 2017, commencing at 5:30pm.

The meeting will be open to the public at 5:30pm.

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.

Paul West
GENERAL MANAGER

22 NOVEMBER 2017

DECEMBER 2017

Meeting	Date	Commencement Time
Infrastructure Works & Development	11 December 2017	5:30pm
Council	18 December 2017	5:30pm

**AGENDA FOR AN ORDINARY MEETING OF DEVONPORT CITY COUNCIL
HELD ON MONDAY 27 NOVEMBER 2017 AT THE COUNCIL CHAMBERS AT 5:30PM**

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Agenda of an ordinary meeting of the Devonport City Council to be held at the Council Chambers, Fenton Way, Devonport on Monday, 27 November 2017 commencing at 5:30pm.

PRESENT

		Present	Apology
Chair	Ald S L Martin (Mayor)		
	Ald A L Rockliff (Deputy Mayor)		
	Ald C D Emmerton		
	Ald G F Goodwin		
	Ald A J Jarman		
	Ald L M Laycock		
	Ald J F Matthews		
	Ald T M Milne		
	Ald L M Perry		

ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges and pays respect to the Tasmanian Aboriginal community as the traditional and original owners and continuing custodians of this land.

IN ATTENDANCE

All persons in attendance are advised that it is Council policy to record Council Meetings, in accordance with Council's Audio Recording Policy. The audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months. Members of the public in attendance at the meeting who do not wish for their words to be recorded and/or published on the website, should contact a relevant Council Officer and advise of their wishes prior to the start of the meeting.

1.0 APOLOGIES

2.0 DECLARATIONS OF INTEREST

3.0 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

3.1.1 COUNCIL MEETING - 23 OCTOBER 2017

RECOMMENDATION

That the minutes of the Council meeting held on 23 October 2017 as circulated be confirmed.

3.2 PUBLIC QUESTION TIME

Members of the public are invited to ask questions in accordance with Council's Public Question Time Policy (Min No 159/17 refers):

1. Public participation shall take place at Council meetings in accordance with Regulation 31 of the *Local Government (meeting Procedures) Regulations 2015*.
 2. Public participation will be the first agenda item following the formal motions: Apologies, Minutes and Declarations of Interest.
 3. Questions without notice will be dependent on available time at the meeting (with a period of 30 minutes set aside at each meeting).
 4. A member of the public who wishes to ask a question at the meeting is to state their name and address prior to asking their question.
 5. A maximum of 2 questions per person are permitted.
 6. A maximum period of 3 minutes will be allowed per person.
 7. If time permits, a third question may be asked once all community members who wish to ask questions have done so. A time limit of 2 minutes will apply.
 8. Questions are to be succinct and not contain lengthy preamble.
 9. Questions do not have to be lodged prior to the meeting, however they will preferably be provided in writing.
 10. A question by any member of the public and an answer to that question are not to be debated.
 11. Questions without notice and their answers will be recorded in the minutes.
 12. 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.
 13. 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.
 14. The Chairperson may refuse to accept a question. If the Chairperson refuses to accept a question, the Chairperson is to give reason for doing so in accordance with the Public Question Time Policy.
-

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

File: 32161 D499598

Responses to questions raised at prior meetings are attached.

ATTACHMENTS

- [↓](#) 1. Response - Questions Asked - Council Meeting October 2017 - Trevor Smith
- [↓](#) 2. Response - Questions Asked - Council Meeting October 2017 - Malcolm Gardam
- [↓](#) 3. Response - Questions Asked - Council Meeting October 2017 - Bob Vellacott
- [↓](#) 4. Response - Questions Asked - Council Meeting October 2017 - Shayne Cush Allison

RECOMMENDATION

That the responses to questions from Mr Trevor Smith, Mr Malcolm Gardam, Mr Bob Vellacott and Mr Shayne Allison at the 23 October 2017 Council meeting be noted.

Author:	Robyn Woolsey	Endorsed By:	Paul West
Position:	Executive Assistant General Management	Position:	General Manager


DEVONPORT CITY COUNCIL
ABN: 47 611 446 016
PO Box 604 Devonport TAS 7310 – 17 Fenton Way Devonport
Telephone 03 6424 0511
Email council@devonport.tas.gov.au Web www.devonport.tas.gov.au

26 October 2017

In reply please quote:

File 27738 x 29120

Mr Trevor Smith
7 Glen Court
DEVONPORT TAS 7310

Dear Mr Smith

QUESTIONS RAISED – OCTOBER 2017 COUNCIL MEETING

I refer to your questions raised at the 23 October 2017 Council meeting and provide the following responses.

Q1 The footpath reinstatement, opposite 55 Hillcrest Road Devonport, hasn't been completed in over 8 weeks. I have taken photos of this issue as the weeks have passed by. What are the reasons for this delay, could it be one of these options...

- It has been too wet to do the job, No!!
- Needs more staff to complete the job, not when there are well over 165 employed plus casuals.
- Needs the Mayor and the General Manager to do the job, when no one else is interested...
- Needs more money from the bank, to plug the hole from the LIVING CITY. I think the last option seems appropriate for waiting so long...

Response:

To directly answer your question – none of the above. The footpath reinstatement cannot be finalised until Telstra raises one of their pits. Telstra had committed to complete the work and were advised it was a priority. This matter has been followed up on several occasions, but to date, to no avail. Council staff continue to log the works request with Telstra in an attempt to have the repairs completed as soon as possible.

Q2 With regards to question 2, from last month's council meeting, File 26729 states "When will the Ratepayers of Devonport expect to receive the Report from the General Manager? Will this happen soon as the Ratepayers have already asked this same question on previous occasions"

Why do you have to use weasel words, as you have done in the past, with replies to my questions? Why are you trying to follow in the footsteps of State and Federal Politics and not giving the Ratepayers of Devonport straight answers? This is happening far too often, with a disregard to the people in this community!! A Report was provided to the Council via the Community Services Committee agenda, for its meeting on 19th June 2017.



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The questions that I asked, are not too hard to answer-unless you are trying to hide some financial mess, from the Ratepayers of Devonport, who contributed to well over 27 million dollars to go towards your Budget, for 2017-2018!

This issue won't go away, until the Report is provided to Ratepayers, so I expect a copy soon.

Response

All information relating to the Julie Burgess which is publicly available has been provided via normal Council and Committee meetings. I again repeat that a report was provided to the Community Services Committee meeting on 19 June 2017 and is available for viewing on Council's website.

If there is information to which you believe you are entitled which has not been made available through normal Council reporting processes you are at liberty to lodge a Right to Information (RTI) request. Details on the process for submitting an RTI is available on the Council's website.

Yours faithfully



Paul West
GENERAL MANAGER

Enquiry Officer: Paul West
Direct Line: 6424 0523



DEVONPORT CITY COUNCIL

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26 October 2017

In reply please quote:

File 32575 x 32661

Mr Malcolm Gardam
4 Beaumont Drive
MIANDETTA TAS 7310

Email: mgardam@outlook.com.au

Dear Mr Gardam

QUESTIONS ASKED – OCTOBER 2017 COUNCIL MEETING

I refer to your questions raised at the 23 October 2017 Council meeting and provide the following responses.

- Q1** Council has repeatedly refused to disclose how many formal expressions of interest (EOI's) were received from developers and how many from operators for the proposed hotel development. Can Council please explain why this aspect is "confidential" and any different to publicly announcing the supposed total number of EOI's received, because to do so would not be naming individual respondents and would provide community confidence that Council can substantiate its representations to ratepayers?

Response:

Council has nothing further to add from what has previously been advised in regard to this question.

- Q2.** Given that Council own the land on which the proposed hotel will be built for what reasons does Council claim that the "availability of land" is an inhibiting factor in the long delay given that it has previously been categorically stated that Harris Scarfe will relocate to the old Harvey Norman site?

Response:

To my knowledge Council has not claimed that the availability of land is an inhibiting factor. Harris Scarfe are currently trading on the site. The land is not available until they have relocated and hence this is but one factor in determining likely hotel timeframes.

- Q3.** In relation to the Victoria Parade boat ramp parking alterations will Council please confirm who was responsible/engaged regarding the following:
- Design of road alignment changes including traffic flows (pedestrian and vehicular), turning circles particularly for larger rigs, all reversing manoeuvres for boat launch and vehicle parking required to be commenced on the "blind side" and general configuration for new parking spaces;

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- b) Specific stakeholders who were directly consulted by Council, including boat owner organisations/representatives;
- c) Authorisation that the realigned south bound vehicle travel path approaching the railway crossing has not created an illegal left hand turn from Parker Street north onto Victoria Parade?

Response:

- a) Council's City Engineer was responsible for the design.
- b) Specific stakeholders were:
 - All neighbouring properties;
 - MAST;
 - TasRail;
 - Recreational Boat Users
 - Senior Citizens Club;
 - Parkrun Organisers;
 - Elimatta Hotel management;
 - Apex Regatta Association;
 - Devonport Motor Show (Rotary Club);
 - Safer Roads for Cyclists; and
 - The general public via Council's facebook page and plans at Council's customer service counter
- c) The left hand turn from Parker Street north onto Victoria Parade has not altered.

Yours faithfully



Paul West
GENERAL MANAGER

Enquiry Officer: Paul West
Direct Line: 6424 0523



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26 October 2017

In reply please quote:

File 32161

Mr Bob Vellacott
11 Cocker Place
DEVONPORT TAS 7310

Email: vellacottrobert@yahoo.com.au

Dear Mr Vellacott

QUESTION RAISED – OCTOBER 2017 COUNCIL MEETING

I refer to the question raised at the 23 October 2017 Council meeting and provide the following responses:

Q1 My question is in regard to Council's contracts with Providore Place and Projects and Infrastructure. Does Council think they can substantiate their reliance on 4 EXEMPTIONS (i) (i) and (iii) of the code for contracts and tenders in not going to expressions of interest or tender?

Response:

As detailed in Council's 2014 Annual Report, Projects & Infrastructure Holdings were engaged for contract work in accordance with Section 4 (i) (i & iii) of the Code for Tenders and Contracts. This disclosure complied with Council's statutory responsibilities.

Council has a property lease with Providore Place Pty Ltd rather than a service contract. Therefore, as with all of Council's property leases, it was executed in accordance with relevant provisions of the *Local Government Act 1993*.

Yours sincerely

Paul West
GENERAL MANAGER

Enquiry Officer: Paul West
Direct Line: (03) 6424 0523

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26 October 2016

In reply please quote:

File 26179

Mr Shayne Allison
65 Wilmot Street
PORT SORELL TAS 7307

Dear Mr Allison

QUESTIONS - OCTOBER 2017 COUNCIL MEETING

I refer to your questions raised at the 23 October 2017 Council meeting and provide the following responses:

- Q1** When the Council performed their costs versus benefit exercise regarding the old Maternity Hospital and either investigating the proposal for a six storey \$20M hotel, with views of the North West coast for this controversial site, against the proposal to demolish the building.
- (a) What were the costs versus benefits for the ratepayers and the savings for the community as a whole?
 - (b) What are the overall benefits to the Devonport municipality in the demolition of this structurally sound building with 4,000m² of floor space, ready to be utilised with some imagination and political support?

Further on to the development Fairbrother has been announced and have been given two years to propose a \$40M hotel development on the foreshore in regards to LIVING CITY. I have asked for two months, which would have been up at the end of next week to put a proposal to the Council on this and then asked for another six months to obtain a DA.

- Q2** When Council made its decision not to investigate what possibilities may be in the six storey \$20M art hotel for the city. Were Councillors making their decisions based on the best interests of ratepayers and the whole municipality, business owners and the community as a whole or were the decisions based on benefit to other parties and/or organisations?

Response

There was no 'cost versus benefits' exercise undertaken in relation to your proposal versus the decision by Council to purchase, and with the support of the State Government, demolish the former Maternity Hospital.

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Page 2

Council is of the view that it has made its decision based on the best interests of the community. The property has been in a state of disrepair for many years and despite numerous proposals for redevelopment nothing had eventuated.

In correspondence sent to you dated 6 September 2017 the advice from Council was:

As requested your letter was provided to Aldermen at a Council Workshop on Monday 4 September to ascertain their views.

Aldermen indicated that as far as they are concerned they have made the decision to purchase and proceed with the demolition of the building. A State Government grant has been committed to assist Council with the cost of the demolition works. Tenders have been called with a closing date of 22 September.

It is Council's intention providing the sale contract is finalised, to consider the awarding of the demolition tender at its meeting on 23 October 2017.

In your letter, you indicated that "the Council and the State Government have had 20 years to demolish this building and could have brought the site for under \$400,000 only seven years ago". Equally, Council is of the view that anyone else interested in the site has had the same opportunity over the same extended period.

Although there have been a number of proposals proffered (and publicly announced) for the redevelopment of the site, nothing has eventuated, and the community has rightfully become very sceptical and disappointed at the failed attempts. Council is of the view that it has now built an expectation that the site will at last be cleaned up and therefore it is determined to pursue the demolition at the earliest opportunity once it has ownership of the property.

I understand that you will be disappointed with the outcome of your request to Council, however I trust you will appreciate that Council's is determined to move forward as quickly as possible to have the site dealt with after 23 years of inaction.

Further, you requested if you could be provided with the dates relating to Council becoming involved with the proposal to purchase and demolish the former Maternity Hospital.

Over several years Council has had numerous discussions with Portside Developments regarding the property. This has included advice that sale contracts had been initiated or that there was a prospective purchaser looking at the property. Unfortunately, none of which came to fruition.

The recent activity relating to the Council's actual purchase of the property is outlined below:

Date	Action
19 January 2017	Mayor and General Manager met with the Deputy Premier to again discuss opportunities to find a combined (Council and State Government) solution for the property.
Feb – June 2017	Numerous discussions within Council management surrounding options for pursuing the purchase and demolition of the former Maternity Hospital. This included reviewing previous prices obtained for the demolition of the property and reconfirming its currency should Council be able to secure it.

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Date	Action
28 June 2017	Mayor met with a representative of Portside Developments for preliminary discussions on opportunity for Council to purchase the property with the aim to demolish it.
30 June 2017	Mayor and General Manager met with Deputy Premier to further discuss options for the property following the meeting with Portside Developments representative.
3 July 2017	General Manager met with Mr Allison at which time he requested a number of clarifications surrounding zoning, height restrictions, etc relating to the property. At this meeting he outlined that he was looking at a proposal to acquire and develop the property.
6 July 2017	As a result of the 30 June meeting information requested by the Deputy Premier outlining Council's proposal for acquiring the site and securing its demolition was provided.
20 July 2017	Offer made to Portside Developments for Council to purchase the property (subject to formal Council approval and State Government commitment).
28 July 2017	Mr Allison advised that he had received permission from the property owner to view original plans of the property held in Council files.
31 July 2017	As a result of Mr Allison obtaining permission to view the plans advice was sought from Portside Developments that they still intended to complete the sale of the property to Council (subject to formal Council approval). Confirmation received that Portside was committed to the sale of the property to Council.
2 August 2017	State Government Cabinet approved entering into an agreement with Council to fund the demolition works providing Council successfully acquired the property.
7 August 2017	Council formally determined to purchase the property and to accept the State Government's offer to fund the demolition costs.
18 August 2017	Media announcement by Mayor and Deputy Premier.
26 August 2017	Tenders called for demolition
29 September 2017	Property transferred to Council ownership
23 October 2017	Tender awarded

Yours faithfully



Paul West
GENERAL MANAGER

Enquiry Officer: Paul West
Direct Line: 6424 0523

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

File: 32161 D498377

MR RAY CHAPLIN – 55 WENVOE STREET, DEVONPORT

Questions on notice received from Mr Ray Chaplin on 25 October 2017 are **reproduced as attachment 1** and the presentation as **attachment 2**.

DISCUSSION

In relation to the questions received 25 October 2017 it is proposed that Mr Chaplin be advised of the following:

- Q1** Did the Mayor and Deputy General Manager provide a comprehensive debrief to all Aldermen of the contents and identified likely impediments to the living City Project succeeding contained within the Brand Focus presentation of February 3rd 2016?

Response

No.

It is noted that the full presentation has previously been provided to Aldermen as requested. At your request the amended presentation (with the removal of identifying references and comments removed) is attached to this agenda.

MR MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA

Questions on notice received from Mr Malcolm Gardam on 20 November 2017 are **reproduced as attachment 3**.

DISCUSSION

In relation to the questions received 20 November 2017 it is proposed that Mr Gardam be advised of the following:

- Q1** The 2016/2017 Annual Report states on Page 27 that *“The total payments made in 2016/2017 for the major contractors/consultants were:”* with the following inclusion *“Projects & Infrastructure Holdings P/L \$1,993,626 (Development Managers)”*.

In an article printed in The Advocate Saturday 21/10/17, “Big Living City bucks flow to manager firm, secrecy on Ben Milbourne payments” the Devonport Mayor commented as follows – “Asked if the spike in payments to P+i was because it paid contractors, he said: **“No, the engagement with P+i has required them to carry some costs with payment not due until project commencement.”**”

Accordingly, will the Mayor please advise of the following in relation to payments to Projects & Infrastructure:

- a) Provide a summary breakdown by category and value of the 2016/2017 payment of \$1,993,626 – E.g. fixed contract works, variations, reimbursement of “out of pockets under the contract” (if allowable) and the “costs” carried over;
- b) Provide detailed listing by category and value of the “costs” required to be carried by P+i until project commencement – E.g. travel & accommodation, marketing, success fee etc.;

- c) Date(s) that the reimbursement of the "costs" as carried over was made;
- d) Being "costs" has Council as part of the authorisation of payment process received/reviewed documented evidence of those "costs"; and
- e) Is there any agreed incentive/bonus based payment to Projects & Infrastructure, to date or payable in the future, pursuant to the current contract or otherwise?

Response

In relation to all parts of the above question, Council will not be providing any further detail in relation to the contractual arrangements with its Development Managers, P+i Group. Information relating to the payments made to P+i will be published in Council's Annual Report each year in line with its normal statutory reporting.

- Q2** What is the expiry date for Council's "Development Manager" contract with Projects + Infrastructure?

Response

The expiry date of the current P+i contract is 8 September 2018.

- Q3** What is the expiry date for Council's ten (10) year head lease agreement with Providore Place (Devonport) Pty Ltd?

Response

As previously advised the Council has entered into a head lease with Providore Place Pty Ltd for a period of 10 years with options for renewal, therefore the expiry of the first 10-year period will be 2028.

- Q4** Does the Mayor, and alderman or senior council staff know, or are aware of, the real identity of bogus Facebook users "Bob Down" or "Simon Hooks" whose profiles have since been removed? In the case of "Simon Hooks" likely posing as another person and identifying as a Devonport resident that previously attended St Brendan-Shaw College the prime objective appeared to be to attack those questioning Living City viability (including an existing business) from behind a false identity. The person's actions are potentially cyber bullying and stealing/misuse of another person's identity (the photo image). In addressing this question the respondent should be mindful it is directed to each of the individuals noted and representing Council.

Response

This is not a question that the Council as an organisation can respond too. If you believe that someone has done something that is illegal or inappropriate using social media, you should take the matter up with the responsible authorities.

- Q5** Council frequently states "confidential" or "commercial-in-confidence" as a reason for not answering ratepayer questions. It is accepted that certain matters can fall into those categories where divulging information would create a commercial disadvantage to the party from another commercial operator. However, many of Council's claims of confidential or commercial-in-confidence when applied as a broad brush response to a variety of questions, supposedly at the request of the other contracted party, appear quite flimsy. For example where the existence of something is requested but not the financial or other contractual details it would appear to be an overly guarded response. Does Council accept that Devonport Council differs from

a private company and has a higher obligation to transparency and reporting in expending both tax and ratepayer funds?

Response

Yes.

MR BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT

Questions on notice received from Mr Bob Vellacott on 20 November 2017 are reproduced as attachment 4.

DISCUSSION

In relation to the questions received 20 November 2017 it is proposed that Mr Vellacott be advised of the following:

Now that a commercial in confidence contract has been signed to progress the Waterfront Hotel and construction is expected to start 2020/2021 thus necessitating Harris Scarfe to vacate their present site I would appreciate answers to the following:

Q1 At this point in time can a **definite** answer be given in regard as to whether or not Harris Scarfe will remain trading in Devonport?

Response

Council is not in a position to answer this question, however based on current understanding Harris Scarfe's intention is to remain trading in Devonport for the long term.

Q2 Has Council signed a contract with Harris Scarfe in regard to them relocating to the former Harvey Norman building in Fenton Way?

Response

In line with the response provided to you on 26 October 2017, at this stage Council is not able to comment further regarding Harris Scarfe beyond what has previously be publicly released. Council will in due course make announcements when it is in a position to do so.

ATTACHMENTS

- [1.](#) Questions on Notice - Council Meeting - 27 November 2017 - Ray Chaplin
- [2.](#) UPDATED Living City Presentation to Devonport City Council February 3 2016
- [3.](#) Questions on Notice - Council Meeting - 27 November 2017 - Mr Malcom Gardam
- [4.](#) Questions on Notice - Council Meeting - 27 November 2017 - Mr Bob Vellacott

RECOMMENDATION

That Council in relation to the correspondence received from Mr Ray Chaplin, Mr Malcolm Gardam and Mr Bob Vellacott endorse the responses proposed and authorise their release.

Author:	Paul West	Endorsed By:	Paul West
Position:	General Manager	Position:	General Manager



Mr Paul West
General Manager
Devonport City Council

25/10/2017

Re: Questions on Notice - October 2017 Council Meeting (File
32161)

Dear Sir,

I refer to your letter of October 24th and provide the following
response

Q1 I requested Council to reply to is reproduced below

“Did the Mayor and Deputy General Manager provide a
comprehensive debrief to all Aldermen of the contents and
identified likely impediments to the Living City project succeeding
contained within the Brand Focus presentation of February 3rd
2016?”

Please provide a simple yes or no answer

Council’s response is reproduced as follows:-

Response

From memory your attendance at the meeting with the Mayor and Deputy General Manager was certainly communicated to the Aldermen at a Workshop session. A copy of the presentation you made was not provided and therefore not distributed.

In regard to your request to include your presentation in Council’s October agenda, Council is concerned with some of the content included in your presentation insofar as it references and makes commentary about particular businesses. The attachment you provided has therefore been circulated to Aldermen on a confidential basis. If you wish to release this type of information into the public domain that is your decision, however Council is not prepared to be associated with reproducing it on its public agenda and therefore assuming some responsibility for the content.

Council's response did not answer Question 1 posed and therefore it would be appreciated if Council would fulfil its obligation to do so

In respect of Council's comment "A copy of the presentation you made was not provided and therefore not distributed" as you were made aware the following e-mail correspondence explained why:-

Mr Chaplin

I refer to your attached letter and presentation. Can you please confirm for me when the attached presentation was provided to Council formally.

It is my understanding that you made the presentation to the Mayor and Deputy General Manager at which time you made a PowerPoint Presentation. Matthew's recollection is that you did not provide him with a copy of the presentation at that time.

Could you please confirm the date and content of the email you forwarded with this presentation so that a search of our records system can be undertaken. At present I have been able to locate a number of PowerPoint presentations from you but not this particular one.

Regards

Paul West

General Manager | Devonport City Council

Mr West,

The presentation was made on February 3rd 2016

Neither the Mayor or the Deputy General Manager requested a copy be provided or that the presentation be made to Council formally

I left the meeting in the belief that they were not interested in the contents and were more concerned about my advice to them in regards the possibility of a public meeting being called and how they could head this off

I confirmed this concern in a letter to the Mayor

Regards,

Ray Chaplin

I note Council's reasons for refusing to include my February 3rd 2016 presentation in the Council's October agenda

To this end I have removed all identifying references and comments about particular businesses (as per the attached) and request that the presentation be included with this correspondence

and Council's response in the agenda for the November 2017
Council meeting

It would be appreciated if you confirm receipt and distribution to
the Mayor and Alderman

Thanking you,

Ray Chaplin
Devonport Rate payer

Brand Focus
Ray Chaplin
55 Wenvoe Street
Devonport 7310
chapray@bigpond.net.au
0419 226211
ABN 19 389 496 737



Brand and Business Planning Risk Mitigation Audit Model

Discussion with Devonport City Council

February 3rd 2016



Major brand and business strategy projects include

Established in 1988



Brand Focus Brand & Business Planning

5 Relevant client case studies presented to Devonport
City Council

Council requested that the Commercial identities of the
Companies be removed from the presentation provided
and subsequently made available to all Alderman



Brand Focus Brand & Business Planning

Case study 1

New equity partner in a successful “niche” market engaged Brand Focus to confirm their strategy of extending the brand into the National market (required major investment in a new factory)

A combination of end user customers and distribution research indicated the brand would not succeed in a National market

Client profitably exited the business by selling

New owner invested a total of \$150 million in the Brand including building a new factory

Product failed to meet sales targets, was withdrawn from the market and the new factory closed

Brand Focus Brand & Business Planning

Case study 2

On behalf of a Ratepayers Association advised a mainland Council and Recreation facility trust of strategic flaws in regard to business model and absence of customer and environmental impact research related to the redevelopment and revival of the facility

Advice ignored and \$60 million project proceeded

The “redeveloped closed within 12 months due to below forecast revenue and the environmental issues predicted



Brand Focus Brand & Business Planning

Case study 3

Advised a major USA Company of strategic flaws in regard to business model and absence of customer and cultural research regarding their planned entry into the Australian market

USA head office overruled the advice and \$45 million was invested in the initial roll out of the Brand in one state

All Stores failed and closed – National Roll out cancelled



Brand Focus Brand & Business Planning

Case study 4

Advised owners of a major entertainment attraction to exit their business as a basic concept strategic design flaw which negatively affected the customer experience would prevent the generation of sufficient revenue to make the venture financially viable

Management decided to invested a further \$2 million in an advertising campaign to turn the business around

Campaign failed and six months later the attraction closed just three years after opening (90 year location lease) with accumulated investor losses exceeding \$80 million

Brand Focus Brand & Business Planning

Case study 5

Engaged to assess the viability of purchasing the Australian franchise rights for a world leading brand

Research identified strategic flaws in the USA Brand and Business model translating to Australian end users

Client reluctantly withdrew from franchise negotiations

The USA Company entered Australian market with 81 Corporate owned stores

Withdrew from Australia in 2014 – Accumulated losses of \$130 million



Brand Focus Brand & Business Planning

Each business investment failed because the proponents failed to comprehensively understand the most fundamental requirement to business success – customers (end users)

IDENTIFICATION OF THE COMMERCIAL IDENTITIES OF THE 5 CASE STUDIES REMOVED AT THE REQUEST OF THE DEVONPORT CITY COUNCIL

Two clients accepted and acted on the advice provided avoiding failure

Both were private investors that would have otherwise put personal reputation and wealth at risk

Three clients ignored the advice provided and their businesses failed

All three were represented by management with no personal wealth risk implications

This is a pattern that exists in both Corporate and Government Brand and Business planning

No personal risk or liability makes it easy to spend money belonging to others who have limited if any involvement/say in the decision making process and no guarantees that a comprehensive risk mitigation process has been undertaken



Brand Focus Brand & Business Planning



**The five primary keys to the
Brand Focus™
Brand & Business Planning
Risk Mitigation Audit Model©**

- Customer Understanding
- Leadership
- Management
- Questioning
- Look, Listen, Register



Brand Focus Brand & Business Planning

Risk Mitigation is Mandatory



Brand Focus Brand and Business Planning

Risk mitigation is mandatory Leadership

Who is driving the business bus?
Why are they uniquely qualified to succeed?



Critical that the leader has the specific skills and competencies and a proven track record of success in delivering comparable business outcomes otherwise there is a high probability of a “crash”

Brand Focus Brand and Business Planning

Risk mitigation is mandatory

Management

Who is on the business bus?
Are the right people in the right seats?












Critical that the management team collaboratively and collectively has the specific skills and competencies and a proven track record of success in delivering comparable business outcomes otherwise there is also a high probability of a “crash”

Brand Focus Brand and Business Planning

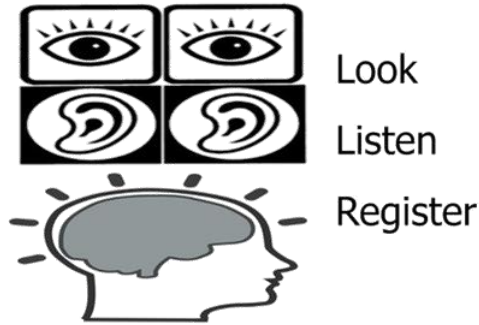
Risk mitigation is mandatory

Questioning

-  Independent market and customer (end user) research and analysis
-  Validity and efficacy of proponent and stakeholder input (subjective opinion or objective fact)
-  Healthy passion/self interest balanced by open mindedness
-  Why will the business succeed (Customer relevant unique point of difference and competitive advantage; Demographic alignment with Brand & Business; Barriers to competitor entry etc.)
-  Strengths, weaknesses, opportunities and threats analysis incorporating impacts of future market situation changes and customer trends
-  Financial and economic forecasts based on validated quantitative data
-  Detailed, fully costed marketing strategy, plan and budget
-  Consideration/modelling of alternate strategies to achieve a superior outcome
-  Effects on any related business units and exit strategy if not financially viable

Brand Focus Brand and Business Planning

Risk mitigation is mandatory



Intuitive awareness/registration of any additional insights or information that either endorse or refute the credibility of the Brand and Business Plan

Brand Focus Brand and Business Planning

Risk mitigation is mandatory



Look, Listen, Register examples

- TT Line home port when Spirit's are replaced in 6 - 7 years? (tourist customer effect if lost)
 - Failure of Spirit 111 (Sydney) – massive overestimates of passengers (customers)
 - Failure of Devil Cat (customers rejected)
 - Steadily increasing vacancy rates in existing Devonport retail/commercial/industrial premises (customer deficit)
 - City First withdraws interest in investment of Living City Convention Centre (potential customer concern?)
 - Small Tasmanian Conference/Convention market (Low level customer preference behind Syd., Melb., Gold Coast)
 - Hill Street Grocers development (likely to have strong customer appeal – serious competitor to proposed fresh Tasmanian produce market)
 - No developer commitment to investment in Stage 1 of Living City
 - Advocate Living City Poll Result – no overwhelming endorsement of Stage 1
 - Projected population growth of only 0.48% in short to medium term - Current population ageing (little customer growth)
 - Home prices have not increased significantly (driver of customer retail spending)
 - Retail environment has changed significantly since the Living City Vision originally conceived 30 years ago – Tasmania sales positions declined 21.2% year ended December 2015 (Second highest behind operators & drivers 29%) – 3rd was Tradies (-11.2%) ABS
 - % of Devonport employment in retail sector already exceeds State and National average by around 25% (saturation levels for population)
 - No regional Australian city population 30 – 40,000 (12) has all 4 major DDS stores (Devonport 25,500 approx)
 - Woolworths Corporate situation has changed dramatically since 2010 - ? Big W (losing customers)
 - Progress of Moree Gateway Development compared to expectations – Managed by P+i
 - Loss making performance of Council tourism assets requiring on going rate payer funding (insufficient customers)
- Devonport City Council states that it's reputation would suffer if Living City does not proceed ?**

19th November 2017

Devonport City Council
17 Fenton Way
DEVONPORT TAS 7310

Malcolm Gardam
4 Beaumont Drive
MIANDETTA TAS 7310
(Mobile No: 0417 355 813)

ATTENTION: MR. PAUL WEST – GENERAL MANAGER (MAYOR & ALDERMEN)

RE: LIVING CITY STAGE 1 - QUESTIONS ON NOTICE ORDINARY MEETING 27/11/17 (File 32161)

Dear Sir,

The following questions are directed to the Mayor and General Manager.

Q1. The 2016/2017 Annual Report states on Page 27 that *"The total payments made in 2016/2017 for the major contractors/consultants were:"* with the following inclusion *"Projects & Infrastructure Holdings P/L \$1,993,626 (Development Managers)"*

In an article printed in The Advocate Saturday 21/10/17, "Big Living City bucks flow to manager firm, secrecy on Ben Milbourne payments" the Devonport Mayor commented as follows - "Asked if the spike in payments to P+i was because it paid contractors, he said: **"No, the engagement with P+i has required them to carry some costs with payment not due until project commencement."**

Accordingly, will the Mayor please advise of the following in relation to payments to Projects & Infrastructure:

- a) Provide a summary breakdown by category and value of the 2016/2017 payment of \$1,993,626 – E.g. fixed contract works, variations, reimbursement of "out of pockets under the contract"(if allowable) and the "costs" carried over;
- b) Provide detailed listing by category and value of the "costs" required to be carried by P+i until project commencement – E.g. travel & accommodation, marketing, success fee etc.;
- c) Date(s) that the reimbursement of the "costs" as carried over was made;
- d) Being "costs" has Council as part of the authorisation of payment process received/reviewed documented evidence of those "costs"; and
- e) Is there any agreed incentive/bonus based payment to Projects & Infrastructure, to date or payable in the future, pursuant to the current contract or otherwise?

Q2. What is the expiry date for Council's "Development Manager" contract with Projects + Infrastructure?

- Q3. What is the expiry date for Council's ten (10) year head lease agreement with Providore Place (Devonport) Pty Ltd?
- Q4. Does the Mayor, any alderman or senior council staff know, or are aware of, the real identity of bogus Facebook users "Bob Down" or "Simon Hooks" whose profiles have since been removed? In the case of "Simon Hooks" likely posing as another person and identifying as a Devonport resident that previously attended St Brendan-Shaw College, the prime objective appeared to be to attack those questioning Living City viability (including an existing business) from behind a false identity. The person's actions are potentially cyber bullying and stealing/misuse of another person's identity (the photo image) In addressing this question the respondent should be mindful it is directed to each of the individuals noted and representing Council.
- Q5. Council frequently states "confidential" or "commercial-in-confidence" as a reason for not answering ratepayer questions. It is accepted that certain matters can fall into those categories where divulging information would create a commercial disadvantage to the party from another commercial operator. However, many of Council's claims of confidential or commercial-in-confidence when applied as a broad brush response to a variety of questions, supposedly at the request of the other contracted party, appear quite flimsy. For example where the existence of something is requested but not the financial or other contractual details it would appear to be an overly guarded response. Does Council accept that Devonport Council differs from a private company and has a higher obligation to transparency and reporting in expending both tax and ratepayer funds?

Please provide responses in writing and ensure inclusion in full in the next Ordinary Meeting Agenda.

Yours sincerely,



Malcolm Gardam

CC: Mayor & Aldermen

A LC RBV QoN for 27 Nov 2017 H Scarfe

BOB. VELLACOTT RATEPAYER
11 COCKER PLACE DEVONPORT

Questions on notice for DCC meeting 27 November 2017.

Mayor and Aldermen

Questions -

Now that a commercial in confidence contract has been signed to progress the Waterfront Hotel and construction is expected to start 2020 /2021 thus necessitating Harris Scarfe to vacate their present site I would appreciate answers to the following.

- Q 1. At this point in time can a **definite** answer be given in regard as to whether or not Harris Scarfe will remain trading in Devonport?
- Q2. Has Council signed a contract with Harris Scarfe in regard to them relocating to the former Harvey Norman building in Fenton Way ?

Please include above and responses in the DCC Agenda and Minutes of the DCC meeting for the 23rd Nov. 2017 .

R.B. Vellacott - 20 Nov. 2017

3.2.3 Question without notice from the public

3.3 QUESTIONS ON NOTICE FROM ALDERMEN

At the time of compilation of the agenda no questions on notice from Aldermen were received.

4.0 PLANNING AUTHORITY MATTERS

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

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

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

- 4.1 AM2017.02 Rezoning from Port and Marine Zone to Local Business Zone to allow PA2017.0101 - The Development of a Retail Complex - 2-12 Murray Street East Devonport (D501023)

4.1 AM2017.02 REZONING FROM PORT AND MARINE ZONE TO LOCAL BUSINESS ZONE TO ALLOW PA2017.0101 - THE DEVELOPMENT OF A RETAIL COMPLEX - 2-12 MURRAY STREET EAST DEVONPORT

File: 34397 D501023

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.1.1 Apply and review the Devonport Interim Planning Scheme as required, to ensure it delivers local community character and appropriate land use
- Strategy 2.1.2 Provide high quality, consistent and responsive development assessment and compliance processes

PURPOSE

The purpose of this report is to enable Council acting as a Planning Authority to consider the matters identified in the eight (8) representations (it is noted here that two of the representations contained multiple signatures) received to the application and forward a report on the merits of those representations to the Tasmanian Planning Commission under S39(2) of the *Land Use Planning and Approvals Act 1993*.

BACKGROUND

At its meeting on 28 August the Council acting as a Planning Authority certified a draft amendment (AM2017.02) to rezone land from Port and Marine zone to Local Business zone. The Planning Authority also granted conditional approval for a retail complex comprising a supermarket and two shops. The actual uses for the two shops have not yet been nominated.

The minute from that meeting is reproduced below (Min 151/17 refers).

4.2 AM2017.02 & PA2017.0101 REZONING FROM PORT AND MARINE ZONE TO LOCAL BUSINESS ZONE TO ALLOW THE DEVELOPMENT OF A RETAIL COMPLEX - 2-12 MURRAY STREET, EAST DEVONPORT (D487893)

157/17 RESOLUTION

MOVED: Ald Goodwin
SECONDED: Ald Perry

That the Planning Authority:

- A. *Agree to certify AM2017.02 to rezone land from Port and Marine to Local Business; and*
- B. *Under Section 43A of the Land Use Planning and Approvals Act 1993 approve PA2017.0101 for the development of a Retail Complex and consolidation of land identified as 2 – 12 Murray Street, East Devonport subject to the following conditions:*
 - 1. *Unless requiring modification by subsequent conditions on this permit the use and development is to proceed and be undertaken generally in accordance with the submitted plans referenced as Project No*

13.159 issue date 13.07.17 by 6ty° Pty Ltd and the Traffic Impact Assessment by Midson Traffic Pty Ltd dated May 2017, copies of which are attached and endorsed as documents forming part of this Planning Permit.

2. The developer is to comply with the conditions contained 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.
3. The developer is to take all reasonable steps during demolition and construction to prevent environmental effects occurring that might result in a nuisance. This includes no immediate off-site storage of associated building equipment and materials on public land and the pollutant effects of noise and water as well as air pollution from the result of any burning of waste.
4. The development will be required to limit stormwater discharge to that equivalent to 50% of the development site being impervious. Calculations and design drawings will need to be provided and approved to satisfy this before work commences. The on-site detention design can include surface storage in the carpark area.
5. The developer is to install a single stormwater service connection only servicing the proposed development. Any redundant stormwater service connections are to be located and capped off in accordance with the industry standard.
6. The development is to be located clear of the existing 'Gateway' tree, surround and road markings in Murray Street. In this regard the proposed entrance should be located slightly to the west.
7. The developer is to provide details on their plans of the suitable treatments for the relocation and reinstatement of the existing streetscape features including exposed aggregate concrete, street trees, surrounds, street light standards, stamped concrete footpath panels and road markings along the Murray Street frontage.
8. The developer is to design a suitable pit grate and surround to replace the existing stormwater side entry pit at the heavy vehicle entrance off Norton Way.

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 and provide the necessary building and plumbing approvals and notifications in accordance with the Building Act 2016 prior to commencing building or plumbing work.

The developer is to obtain approval from Council's Environmental Health Department before any works commence on the food preparation/handling areas. As part of this a building surveyor is to submit a Form 42 and associated paperwork, details of the nature of the foods intended to be prepared, types of manufacturing and preparation intended to be undertaken on the premises, and any relevant drawings, specifications and documents that relate to that work.

There are no disabled parking spaces indicated in the proposed parking layout. This will need to be included.

It is not clear that the proposed heavy vehicle/RV exit onto Norton Way is wide enough for the required left-hand turn for the intended vehicle sizes. Consideration should be given to widening or aligning the access to suit the required turning paths.

The one-way connection between Murray Street and Norton Way is not on a road reserve and cannot be relied on.

The proposed Light/Heavy vehicle exit onto Murray Street appears to adversely impact the existing traffic management treatment enabling access into the Ferry terminal. The submitted TIA does not address this feature and it should be noted due to the existing use of this facility this traffic management feature is not relocatable without consent between the Road Authority and TasPorts.

	For	Against		For	Against
Ald Martin	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Goodwin	✓		Ald Perry	✓	
Ald Jarman	✓		Ald Rockliff	✓	

CARRIED UNANIMOUSLY

However due to corrective wording requirements a further resolution by the Planning Authority Committee occurred on 18 September.

Subject: **AM2017.02 & PA2017.0101 Rezoning from Port and Marine Zone to Local Business Zone to Allow the Development of a Retail Complex - 2-12 Murray Street, East Devonport**

Target Date: 2/10/2017

File Reference 34397 D492437

Public

Notes:

PAC 28/17 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Matthews

That the Planning Authority under Section 43A of the Land Use Planning and Approvals Act 1993:

- A. Agree to certify amendment AM2017.02 under Section 35 to rezone land from Port and Marine to Local Business as meeting the requirements specified in Section 32; and
- B. Determine that permit application PA2017.0101 meets the requirements under Section 43C for the development of a Retail Complex and consolidation of land identified as 2 – 12 Murray Street, East Devonport subject to the following conditions:
 - 1. Unless requiring modification by subsequent conditions on this permit the use and development is to proceed and be undertaken generally in accordance with the submitted plans referenced as Project No 13.159 issue dated 22 August 2017 by 6ty Pty Ltd and the Traffic Impact Assessment by Midson Traffic Pty Ltd dated

May 2017, copies of which are attached and endorsed as documents forming part of this Planning Permit.

2. The developer is to comply with the conditions contained 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.
3. The developer is to take all reasonable steps during demolition and construction to prevent environmental effects occurring that might result in a nuisance. This includes no immediate off-site storage of associated building equipment and materials on public land and the pollutant effects of noise and water as well as air pollution from the result of any burning of waste.
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Report to Council meeting on 27 November 2017

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	For	Against		For	Against
Ald Martin	✓		Ald Milne	✓	
Ald Goodwin	✓		Ald Perry	✓	
Ald Matthews	✓				

CARRIED UNANIMOUSLY

COMMUNITY ENGAGEMENT

Consequently, the details of the draft amendment and permit were exhibited from 6 September 2017 until 18 October 2017. This allowed ample opportunity under S.38 and S.43F of the *Land Use Planning and Approvals Act 1993* for representations to be submitted.

Following the public exhibition period, the next stage of the process requires the Planning Authority to discuss the merits of the eight representations received. The report and any endorsed recommendations are then forwarded to the Tasmanian Planning Commission (TPC). Due to the number and content of the representations received it is most likely that the TPC will conduct a Hearing and invite persons who made a representation, the applicant and the Planning Authority to that Hearing to assist them with their final determination.

ATTACHMENTS

The eight representations have been received from the following persons and are appended as **Attachment 1**.

1. Mr Kevin Maynard, Company Secretary TT-Line Company Pty Ltd, Esplanade, East Devonport
2. Mr Tim Heath, Business Development Manager, Australian United Retailers Ltd on behalf of John Alexiou of East Devonport Foodworks, 156 Tarleton Street, East Devonport
3. Captain Richard John Burgess AM, Warkworth House, East Devonport
4. Wendy Hilditch, owner of Dockside Café, 27 Murray Street, East Devonport. Included multiple signatures in the form of a petition.
5. Kay Mutimer, owner of Fifteen Tables, Shop 1-2, 13-15 Murray Street, East Devonport
6. Derek Smith, 67 Wright Street, East Devonport
7. John Alexiou, 156 Tarleton Street, East Devonport. Included multiple signatures in the form of a petition.
8. Peter Stegmann, 118 River Road, East Devonport

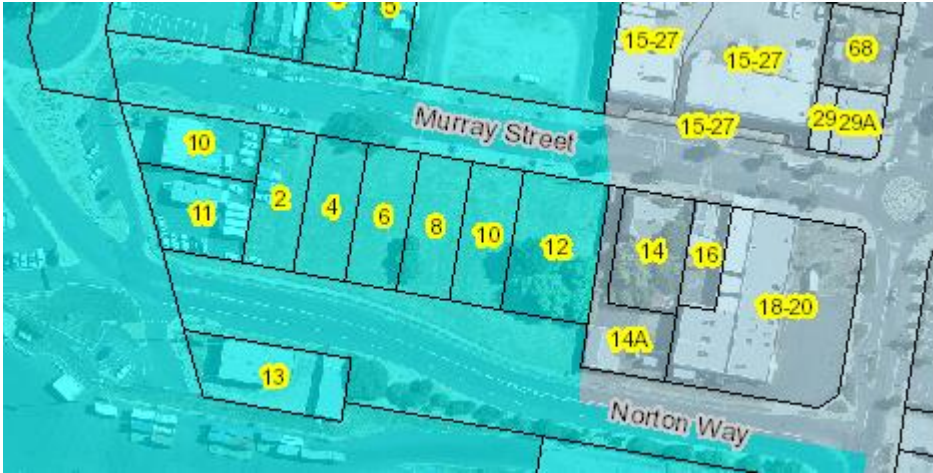
The role of the Planning Authority under S.39 of the *Land Use Planning and Approvals Act 1993* is to provide to the Tasmanian Planning Commission with a statement of its opinion as to the merit of each such representation, including, in particular, its views as to -

- (i) The need for modification of the draft amendment in light of that representation; and
- (ii) The impact of that representation on the draft amendment as a whole; and

such recommendations in relation to the draft amendment as the authority considers necessary.

All the representations have been examined to ascertain the concerns. Table 1 has been produced to separate the zoning and development concerns. The Table also provides some weighting of the importance of the matter by the representors due to the number of occasions that the same issue was raised.

Table 1

Representation reference	Zoning matters
1.	<p>Incompatible land use conflicts between zones if the traffic issues cannot be addressed.</p> <p>Response: The existing boundary of the Port and Marine zone has a direct interface with the Local business zone at the eastern boundary of the subject land.</p>  <p>It is submitted that the rezoning to Local business will simply shift this zone interface closer to the port area. The specific development proposed on the site will also provide a reasonable outcome and separation between the port and the existing retail precinct. If the status quo remains the possibility of port and marine activities occurring on the subject land cannot be dismissed notwithstanding ownership.</p>
1, 2, 3, 5, 8	<p>The proposed amendment and permit are not consistent with the Cradle Coast Regional Land Use Strategy (LUS) and will allow non-shipping uses to encroach into the port area and deny future growth.</p> <p>Response: The representation has reproduced section 5.2.1 of the LUS and highlighted two important policy considerations. Firstly that:</p> <p><i>'More efficient use of existing available land should be a priority. Measures are required to protect against encroachment by non-shipping uses into the port area; and secondly</i></p>

	<p><i>'Measures are required to buffer and protect new and intensified port development against sensitive land uses which may impact on port operations'.</i></p> <p>In regard to the first consideration the management of the site in regard to vehicular movements coming and going has virtually remained unchanged since Norton Way was constructed more than 10 years ago. In 2002 the land was part of a broader area that was subject to an amendment for rezoning from 'Transport and Warehouse' to 'Port' as a strategic approach to ensure that only port related activities could occur.</p> <p>In 2009 the subject land was sold to the Devonport City Council by the Tasmanian Ports Corporation Pty Ltd. The intention was to develop the land as a regional visitor centre. This proposal did not proceed but would have required an amendment to an appropriate zone to allow that development to occur.</p> <p>In regard to the second point there is no proposal for new and intensified port development. The use and development of the site for retail purposes is not a sensitive land use and should not be impacted by or impact on port activities. This is confirmed by the fact that the land was superfluous to requirements in 2009 and disposed of by sale to Council.</p> <p>In summary the interface between the Port and Marine zone and the Local business zone already exists. This proposal shifts the boundary but not necessarily into the port area. The permissible uses in both zones are not poles apart and it is considered that this zoning juxtaposition is not inappropriate.</p>
2, 8	<p>Council should consider whether there are alternative sites in the retail precinct that provide for a better planning outcome because the land is already appropriately zoned. This objective would also consolidate and unify the existing retail precinct.</p> <p>The applicant has exaggerated the need for a retail facility. The 2008 Devonport Retail Study indicates that the average spend per visit of Spirit users in the East Devonport Village is low but the applicant has relied upon Spirit travellers.</p> <p>It is submitted that this development will impact the viability of the Devonport CBD.</p> <p>Response: The Devonport Retail Study 2008 underpins the Devonport Interim Planning Scheme 2013. It is understood that alternative sites were investigated by the applicant but discounted due to size and location.</p> <p>The business plan that was the catalyst to the applicant negotiating the sale of the land with the Council is not a planning consideration.</p> <p>The lost expenditure scenario is unlikely to occur to a degree where the Devonport CBD will be affected because East Devonport shoppers have another choice, and in any event a planning scheme does not regulate "competition".</p>

2, 5, 8	<p>It is inappropriate for Council to determine whether this site should be rezoned and a permit granted because they own the land and have a vested interest. Section 178 of the Local Government Act 1993 (LGA) has not been considered in the process to sell the subject site.</p> <p>Response: The Planning Authority objectively assessed the submission and has supported the application. Ultimately it is the Tasmanian Planning Commission that will approve, modify or reject the proposal.</p> <p>The LGA provisions under Part 12 defines what public land is for the purposes of disposal. This land does not fall into that category and can be disposed of by Council as considered appropriate without following the process under Section 178.</p>
Representation reference	Development matters
1, 4, 5, 6, 7	<p>In regard to the TT-Line's operations the Traffic Impact Assessment (TIA) does not consider the traffic flow into and out of Murray Street by passenger vehicles or from Truck movements on Norton Way which is a designated truck route.</p> <p>The existing line up of vehicles waiting to board the ship affects the ability of the locals to patronise existing businesses.</p> <p>Response: It is unclear how the traffic from the supermarket and two retail outlets will affect the TT-Line operations or local businesses. It is submitted that a comparable retail development in West Devonport generates significant traffic movements but is effectively managed.</p> <p>It has been observed that the marshalling area within the TT-Line site is substantial. Consequently, it is unclear how any ongoing conflicts could occur unless large numbers of departing vehicles arrived simultaneously and the required checking in and security procedures were time challenged. If this is a regular occurrence on sailing days, then this is an issue for the TT-Line to address.</p> <p>Although the inference is that the situation will be exacerbated by a supermarket then any current traffic management needs to be ratified and addressed by TT-line in consultation with the Council and the community. Management of traffic generated by TT Line is clearly not a matter for the applicant.</p>
1, 2, 5, 6	<p>There is a shortfall of 18 parking spaces on the site and the TIA does not consider the impact of redirected on street parking by adjacent hire car companies.</p> <p>Response: The car parking code relies upon a ratio of 1 space per 30m² of gross floor area. This is the compliant requirement.</p> <p>In very general terms it seems obvious that the proposed activities are dependant upon their customers parking as near as possible to their destination. It is their submission that the shortfall identified on the site is not detrimental to their business.</p> <p>The parking shortfall received commentary in the TIA to demonstrate that the Performance Criteria identified in E9.5.1 P1 was an alternative solution. This was acceptable to the Planning Authority.</p>

Report to Council meeting on 27 November 2017

	<p>From a purely objective view and out of interest it has been calculated that vehicle numbers would comply with the Standard if the two tenancies were omitted and the car park reconfigured.</p> <p>The current use of the land as overflow parking by adjacent rental agencies and their future alternative is not a consideration in this matter.</p>
1.	<p>The entry point signage does not satisfy the Sign code and confusion may be created.</p> <p>Response: The Sign Code (E7) of the Devonport Interim Planning Scheme 2013 provides various exemptions for signs based on giving direction or assistance. Notwithstanding any exemption it is considered prudent to revise and confirm the need for any directional signage prior to installation.</p>

The above issues are equally weighted between a lack of strategic zoning and the subsequent development of the land.

DISCUSSION

The representations received have been summarised below into the primary zoning and development aspects identified in the representations. These are further discussed to assist the Planning Authority in their response under S.39 of the *Land Use Planning and Approvals Act 1993*.

It is apparent that some existing traffic concerns are important to be acknowledged by the TT-Line as the operator of the Spirit of Tasmania, Council as the Road Authority and the Tasmanian Ports Corporation as the land owner of the port.

The representation from the TT Line provides times and numerical details of arrival and departures through a 24-hour period. Their primary objective is to maintain a quick turnaround time with minimal delays in vehicles entering and exiting the vessel.

That considered the time of most conflict is envisaged to be during departures both morning and evening when vehicles are arriving to be marshalled during a relatively tight timeframe. It is unknown whether vehicle operators are provided with some staggered arrival times to minimise queuing times.

It is noted, however, that if traffic is at a "standstill" at those times, as claimed in some of the representations, then access to the proposed retail development would be impacted in the same way as any other business in the area. It is difficult to see how the proposed development would significantly add to the claimed existing traffic management problems.

The variation to the vehicle parking requirements was examined as part of the initial report recommending certification of the amendment. The applicant's traffic engineer presented a submission based on nearby on-street and public off-street parking areas as well as shared parking principles. Norton Way was also acknowledged as the truck access route to the Spirit and general freight access to the port. These factors were accepted by Council and allowed the application to proceed to public exhibition.

In summary nothing further has been identified that warrants a modification of the draft amendment in regard to traffic impacts and management.

Any amendment to a planning scheme must be consistent with the regional land use strategy. The Cradle Coast Regional Land Use Strategy (LUS) provides the strategic and policy framework to guide the actions and outcomes required to regulate use or development of land under a municipal planning scheme.

Representation 2 has submitted that the proposal is clearly contrary to the sea transport policy direction of the LUS and that instead of adding more space to the port area for future growth it removes potential port land and restricts development of adjacent land.

The applicant provided commentary on the overview of the LUS insofar as the relevant sections of the 'Support for Economic Activity' policy groupings. There was no commentary provided relative to sea transport because as indicated in the earlier response to the representation the rezoning and development is not inconsistent with this policy outcome because there is no direct interference to the port operations and that the proposal is not for a sensitive use such as a nursing home, school or residential. Therefore, the port operations are not considered to reduce amenity at this location.

In summary the emphasis on the economic activity direction was supported by the Planning Authority and nothing has been identified that warrants further discussion.

ATTACHMENTS

- 1. All representations - petitions received - PA2017.0101 & AM2017.02 - 2-12 Murray Street East Devonport

RECOMMENDATION

That the Planning Authority pursuant to the provisions of S.39 of the *Land Use Planning and Approvals Act 1993* provide the Tasmanian Planning Commission with a statement of its opinion as to the merit of each such representation, including, in particular, its views that:

- (i) It is not considered necessary to modify the draft amendment in light of the representations received; and
- (ii) It is not considered that the merit of the representations received has any adverse impact on the draft amendment as a whole.

Author:	Shane Warren	Endorsed By:	Brian May
Position:	Planning Coordinator	Position:	Development Manager

03/10/2017 D495241



3 October 2017

Paul West
The General Manager
Devonport City Council

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TT-Line Company Pty Ltd
ABN 39 061 996 174

By email: council@devonport.tas.gov.au

Dear Sir

SECTION 43A AT 2-12 MURRAY STREET, DEVONPORT REPRESENTATION

Devonport City Council (**Council**) has certified a combined draft amendment and permit application made under section 43A of the *Land Use Planning and Approvals Act 1993* (**LUPAA**) in respect of 2-12 Murray Street East Devonport (CT85308/1, CT23736/4, CT101497/1, CT29167/1, CT124378/1, CT27817/1) (**Property**).

The draft amendment AM2017.02 seeks to rezone 2-12 Murray Street East Devonport from Port and Marine zone to Local Business zone. The associated planning permit application, PA2017.0101 allows for development of a retail complex and consolidation of land.

TT-Line Company Pty Ltd (**TT-Line**), trading as Spirit of Tasmania, operates the fast ropax ferry on the route between Melbourne and Devonport.

Please treat this letter as a representation under sections 38 & 43F of the LUPAA in relation to the *Devonport Interim Planning Scheme 2013* (**Interim Scheme**).

SUMMARY

TT-Line supports and encourages appropriate development in the Devonport area. The s.43A application is not opposed outright but rather a number of concerns are raised which should be given greater consideration by the Council and the Developer.

TT-Line's principle concern is in respect of the increase in traffic as a result of the development and the implications that will have on the efficiency of the service provided by TT-Line. In this respect, the concern is two-fold:

- (a) **Rezoning** - we are concerned the rezoning of the area will result in incompatible land uses as the Local Business zone does not acknowledge and manage the interaction between marine and land based transport systems, as the Port and Marine zone does.
- (b) **Development application** - we are concerned that TT-Line's terminal operations will be impacted by the proposed development through an increase in traffic on Murray Street and Norton Way.

We also have concerns with respect to the signage and the shortfall in parking.

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These matters have been insufficiently considered in the s.43A application. We would like to see the Developer provide further documentation to demonstrate how these issues can be addressed to alleviate our concerns.

At this juncture, TT-Line is not proposing to make any comments in respect of broader strategic planning issues. These issues must be addressed by the Developer and Council to the satisfaction of the Tasmanian Planning Commission (**Commission**).

IMPORTANCE OF THE TERMINAL SERVICE AND PORT INFRASTRUCTURE

At the outset, we provide an overview of the strategic planning documents that acknowledge the importance of the terminal service and associated port infrastructure. This is an integral consideration in an assessment of the appropriate zoning and use of the property.

1.1 Cradle Coast Regional Land Use Strategy 2010-2013

The intent of the Regional Land Use Strategy (**RLUS**) is to provide an overarching planning strategy to guide development and land use over the next 20 years in the Cradle Coast region.¹

The requirements under s.32 of the *Land Use Planning and Approvals Act 1993* (**LUPAA**), specifically s.30 (O) relating to the application of RLUS, prevents the Council from initiating an amendment that is 'inconsistent' with RLUS.

The RLUS acknowledges the region's role, as the freight and passenger/tourist gateway for Tasmania. It also acknowledges that a key challenge for planning is to support continued viability of existing port operations.

There are considerable pressures on the Devonport port. The RLUS acknowledges this and states:²

Conflict with surrounding land use will constrain port operations.

Both the Devonport and Burnie ports are centrally located within the townships and immediately adjacent the respective central business areas. While proximity provides a sense of urban drama and place-setting; noise, light, transport movement, hazards and security risks have potential to impact on port operations and the appeal of adjacent areas for other uses.

Measures are required to buffer and protect new and intensified port development, against sensitive land uses which may impact on port operations.

REZONING

The importance of TT-Line's terminal is readily known to Council. This has been identified in strategic documents but is also recognised in the Planning Scheme.

TT-line is concerned that the rezoning to Local Business zone will result in land use conflict if the traffic issues cannot be addressed. At this stage, the s.43A application insufficiently addresses this concern.

¹ LUPAA deals with the creation of RLUS. Section 30C provides for the creation of regional areas, which municipalities fall within that area and the declaration of the strategy.

² Living on the coast: Cradle Coast Regional Land Use Strategy 2010-2030 p.99

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Its apposite to consider the purpose statements for the Port and Marine zone, being the current zoning, and the proposed new zone Local Business zone, as follows:

The Port and Marine zone is:

"To provide for port and marine activity related to shipping and other associated transport facilities and supply and storage".

The Local Business zone is:

"To provide for business, professional and retail services which meet the convenience needs of a local area."

Each zone has distinct and specific purposes.

When one considers desired future character statement (DFCS) contained in clause 31.1.3 of the Port and Marine zone, the recognition of traffic impacts is specifically identified:

Port areas:

- (a) *are likely to be high volume transport locations involving direct interaction between marine and land based transport systems for movement of freight, marine resources, and passengers;*
- (b) ...

It is of note that the current zone acknowledges the direct interaction between marine and land based transport systems. We are concerned the s.43A application will result in incompatible land uses. These matters have been insufficiently considered in the s.43A application. It is essential that the Developer address these considerations in the application and before the Commission.

DEVELOPMENT APPLICATION

TT-Line also has concerns with the development application that forms part of the s.43A application. Associated with the proposed zone change is the development component to allow a supermarket and two smaller general retail outlets. The applicant has submitted an analysis of the development against the Local Business zone of the Scheme, as is required for an s.43A application.

1.2 Traffic

In addition to the potential of a land use conflict from the rezoning, as outlined above, we also have concerns with the lack of consideration that the TIA has given to the traffic flow into and out of Murray Street by passenger vehicles or from truck movements on Norton Way.

The TIA fails to have any regard to TT-Line's terminal operations and particularly the interaction of traffic generated by Spirit of Tasmania with the traffic to be generated by the proposed development.

In this regard, I note the proposed note to the draft permit:

"The proposed Light/Heavy vehicle exit onto Murray Street appears to adversely impact the existing traffic management treatment enabling access into TT-Line's terminal. The submitted TIA does not address this feature and it should be noted due to the existing use of this facility this traffic management feature is not relocatable without consent between the Road Authority and TasPorts."



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It is clear that Council was cognisant of the traffic implications of the development so it is surprising that a revised TIA was not requested. Given the importance of the port and TT-Line infrastructure, Council should have requested the Developer resubmit the TIA addressing the impact on TT-Line terminal operations.

The service provided by TT-Line produces a large volume of traffic at varying times throughout a 24- hour period. Specifically, I advise as follows:

- (a) On single sailings of TT-Line vessels approximately 250 passenger vehicles leave Murray Street in the morning on arrival from 6:30am. Approximately 65 semi-trailers also leave the Company yard from 6:00am via Norton Way;
- (b) On the evening of single sailings, 250 passenger vehicles join the vessel from 4:00pm through to 6:30pm and 65 semi-trailers;
- (c) On double sailings mornings, there are 250 passenger vehicles leaving the vessel and 500 passenger vehicles joining the vessel with 65 semi-trailers departing the vessel; and
- (d) In the evenings on double sailings there are 500 passenger vehicles leaving the vessel and 250 passenger vehicles joining the vessel and 65 semi-trailers joining the vessel.

In addition, with double sailings, passenger vehicles wait for the vessel to enter the river before they join the queue at our East Devonport terminal. This can result in large volumes of motor vehicles in Murray and surrounding streets on both the morning and evening sailings.

I note it's proposed in the application to have entry and exit points immediately opposite the entry and exit points for passenger vehicles coming and going from TT-Line's terminal.

We are concerned that this development will slow the departure vehicles leaving the vessel causing traffic jams within the marshalling yard and onto the vessel. Quick turnaround times are essential and delays in vehicles exiting/entering the vessel will have a detrimental effect on TT-Line's operation.

1.3 Parking

We are of the view that the parking provided for the proposed development has not been sufficiently considered in the TIA.

There is a shortfall of 18 parking spaces from the number required under Table E9.1 of the Traffic Generating Use and Parking Code. This is compounded by the two hire car companies, Europcar and Budget rentals located on the Esplanade, which regularly park their hire cars at the back of their buildings on the grassed area of the proposed development site. These cars, which are unable to fit within their own yards, will have to be parked on the street exacerbating the parking in the area.

During the summer season TT-Line's car park is full and will not have capacity to take these additional cars within the terminal area.

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The TIA concludes that E9.5.1 P1 is met through reliance on on-street parking by the hire car businesses as a result of the development. However, it fails to consider the impact of this additional reliance on on-street parking. The Developer should provide additional information to address this.

1.4 Signage

Place entry points for the proposed development opposite the exit and entry points to TT-Line's terminal will create confusion.

The planning report does not sufficiently consider whether placing the sign at the entry points for the proposed development meets cl.E7.6 P1 (c), (g) and (i)(iv) with respect to the efficiency of the road and flow of traffic to Spirit of Tasmania and whether the current Spirit of Tasmania signs on adjacent land is impacted.

CONCLUSION

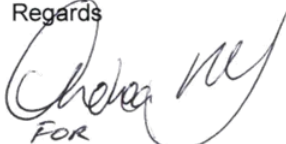
TT-Line supports and encourages development in the Devonport area. TT-line does not wish to impede reasonable development. That being said, the port is essential as is our operations.

We take the view that its incumbent upon the Council and the Developer to address the traffic issue. Notwithstanding a failure to contact us to date, we are prepared to work in good faith with them.

If the issues cannot be resolved then we reserve the right to raise these issues in the hearing before the Commission.

Please contact me if you would like to discuss anything raised in this representation.

Regards



FOR
Kevin Maynard
Company Secretary
TT-Line Company Pty Ltd
kfm@spiritoftasmania.com.au
03 6491 9073
0417 052 188



From: Tim Heath <Tim.Heath@foodworks.com.au>
Sent: Wednesday, 4 October 2017 2:28 PM
To: council
Subject: AM2017.02 & PA2017.0101, 2-12 Murray Street, East Devonport
Attachments: image001.jpg

To the General Manager,
Devonport City Council
council@devonport.tas.gov.au

4 October 2017

Dear Mr West,

Re: AM2017.02 & PA2017.0101, 2-12 Murray Street, East Devonport

This submission is made on behalf of John Alexiou, owner and operator of the FoodWorks supermarket at 156 Tarleton Street, East Devonport.

Mr Alexiou would like to voice his strong objection to the proposal to rezone the property at 2-12 Murray Street, East Devonport to Local Business and to permit the land to be developed as a retail complex.

In summary his grounds of objection include:

- The Council owns the subject property and is therefore not an independent party to the proposal. The Council is at risk of being perceived as biased and unable to exercise its planning responsibilities in a fair and objective manner. The Council should therefore remove itself from its planning responsibilities in this case.
- The proposal is substantially inconsistent with the Regional Land Use Strategy and under the Act should not be approved:
 - It fails to encourage growth of the Devonport Port, it encourages encroachment by non-Port related uses, and decreases land rezoned for Port uses.
 - It would permit incompatible uses on the site, create land use conflicts, and restrict future activity and growth of the Port area.
 - It encourages linear commercial development, when consolidation of the East Devonport Retail Precinct is achievable.
- The site would be better used for future Port related activities.
- Retail development should be encouraged within the existing East Devonport Retail Precinct, consolidating retail activity for the benefit of all retailers.
- The proposed shopping centre will impact the Devonport CBD.
- The proposed development will be significantly short of required on-site car parking spaces, and constitutes a significant over-development of the site. This will cause additional traffic congestion in the local streets as cars circulate in the hope of finding an available car space. It will also detrimentally impact nearby retailers who will lose access to 'their' on-street spaces that would normally be used by their customers.

- The proposed development is poorly located with regard to the entry/exit points for the Spirit of Tasmania ferry. Not only will the proposed development add to an already congested traffic environment, it will create hazardous turning movements.
- The Council has failed to follow the proper process for divesting this property. The public have been inadequately informed of the proposed sale of the subject site and their right to object to the sale.

These grounds are discussed in more detail below:

1. Council's Independence

As the owner of the subject land, the Council must demonstrate good governance and avoid the risk of being perceived as being biased.

To ensure the decision on this rezoning is objective, and seen to be objective, the Council must delegate its planning responsibilities in this case. As the owner of the land it is inappropriate for the Council to be determining whether this site should be rezoned and a permit granted. Even if the Council were to claim that they have the authority to determine both the rezoning and permit applications, and even if they claim that they can do so objectively, there is a perception that in doing so they will push their own agenda and ignore any arguments raised against the proposal.

A matter of this significant should be assessed independently, and demonstrate to the community that the matter has been dealt with fairly and objectively, without bias, and in the best interests of the local community.

2. Regional Land Use Strategy

The Act requires a planning scheme amendment to be consistent with the regional land use strategy, otherwise it may not proceed:

"An amendment may only be made to a local provision of a planning scheme, or to insert or remove a local planning provision from a planning scheme where it is consistent with the regional land use strategy for the area." (Section 30 O (1))

It is our argument that the proposed amendment and permit are inconsistent with the Cradle Coast Regional Land Use Strategy.

The Cradle Coast Regional Land Use Strategy 2010-2030 strategy highlights the importance of the Tasmanian ports to the economy of the State. The strategy recommends that these ports must be carefully managed so that they can accommodate growth and remain viable into the future. The report notes that the Devonport port is "restricted in ability to increase land area". Most importantly the strategy discourages encroachment by non-shipping uses into the port area and encourages inter-modal transport and storage nodes in close proximity to the port.

*Cradle Coast Regional Land Use Strategy 2010-2030
5.2.1 Sea Transport*

“Ports are critical assets for economic activity reliant on external markets; and on imported energy, materials, machinery, and consumer products.”

“The major ports of the Cradle Coast Region are critical to the trade activity of Tasmania.”

“Burnie and Devonport support a daily freight service connection to Melbourne. Devonport is the terminal for the Bass Strait passenger ferry services.”

“Port infrastructure must be developed and maintained to accommodate growth and change in freight requirements and to provide continued viability as assets of increasing State importance.”

“A key challenge for planning is to support continued viability of existing port operations. Planning must consider –

- *Opportunity for future port expansion – both the Burnie and Devonport ports are restricted in ability to increase land area in the absence of additional reclamation at Burnie or conversion of other land uses at East Devonport. More efficient use of existing available land should be a priority. Measures are required to protect against encroachment by non-shipping uses into the port area and to assist location of inter-modal transport and storage nodes in close proximity, but external to the port.*
- *Conflict with surrounding land use will constrain port operations. Both the Devonport and Burnie ports are centrally located within the townships and immediately adjacent the respective central business areas. While proximity provides a sense of urban drama and place-setting; noise, light, transport movement, hazards and security risks have potential to impact on port operations and the appeal of adjacent areas for other uses. Measures are required to buffer and protect new and intensified port development, against sensitive land uses which may impact on port operations.*
- *Freight access for road and rail Port access currently involves a degree of shared use with local and regional road infrastructure and extension of rail operation beyond the immediate boundaries of the port area. The fixed and high capital cost of these assets, and the narrow opportunity for major relocation, make protecting function and safety a priority.”*

Clearly the proposal before Council is contrary to this important strategy. The proposed rezoning and development represents an encroachment by “non-shipping uses” and instead of adding more space to the port area for future growth, it removes future developable land and restricts development of adjacent port land.

3. Land Use Conflicts

The proposed amendment will permit unnecessary and avoidable land use conflicts, contrary to the requirements of the Act and the Regional Land Use Strategy.

“An amendment may only be made to a local provision of a planning scheme, or to insert or remove a local planning provision from a planning scheme where it is consistent with the regional land use strategy for the area.” (Section 30 O (1) of the Act)

"An amendment to a planning scheme must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area." (Sec. 32(1)(e) of the Act)

The Cradle Coast Regional Land Use Strategy 2010-2030 strategy highlights that the continued viability of port operations can be impacted by poor planning decisions. The report notes that the proximity of the Devonport port to nearby business areas can negatively impact on port operations.

"Measures are required to buffer and protect new and intensified port development, against sensitive land uses which may impact on port operations." (Section 5.2.1, Cradle Coast Regional Land Use Strategy)

The proposed amendment will result in an unnecessary intrusion into the port area, and result in detrimental land use conflicts.

The following map shows that the proposed rezoning is not a logical extension to the current Local Business Zone, rather an abrupt and unnecessary intrusion into the Port and Marine Zone. The proposed site will share only one small boundary with the existing Local Business Zone, whilst being surrounded on all other sides by the Port and Marine Zone.



By allowing the site to be rezoned to Local Business it would allow uses that are incompatible with uses in the Port & Marine zone. For example 'Residential' and 'Education & Occasional Care' uses would all be permitted on the subject site. This could create serious land use conflicts with the adjacent Port & Marine zone. Importantly, 'Residential' and 'Education & Occasional Care' activities are prohibited in the Port & Marine zone because they are deemed incompatible. By rezoning this land the Council would be allowing potentially incompatible uses to encroach on the Port area and restrict its growth potential in the future.

The Regional Strategy also seeks to prevent linear commercial development. However, rather than consolidate retail activity in the East Devonport retail Precinct, the proposal would lengthen the retail strip along Murray Street. Apart from being contrary to the requirement of the Regional Strategy, such a proposal would have a number of detrimental outcomes:

- The length of the retail precinct will be increased, making it a less pedestrian friendly experience.
- The main focus of the precinct will move to this western end of Murray Street at the expense of retailers in Wright Street.
- There is an opportunity to develop vacant land in Wright Street which would help reactivate and consolidate the East Devonport Retail Precinct.
- As discussed above, it would impact the future growth potential of the Port precinct.

“3.3.9 Business and Commercial Activity

g. prevent linear commercial development.” (Cradle Coast Regional Land Use Strategy)

4. Need

4.1 Port Related Facilities

The Council and the applicant have failed to adequately assess the strategic importance of this property for future Port related activities.

The Council purchased this property in 2009 with the intention of building a new visitor centre close to the Spirit of Tasmania terminal. Whilst I understand the Council has been unable to secure funding for the visitor centre to date, what work has been done to assess the suitability of this site for other Port related activities, particularly in light of the recommendations of the Regional Plan?

“Port infrastructure must be developed and maintained to accommodate growth and change in freight requirements and to provide continued viability as assets of increasing State importance.”

“A key challenge for planning is to support continued viability of existing port operations. Planning must consider –

- *Opportunity for future port expansion – both the Burnie and Devonport ports are restricted in ability to increase land area in the absence of additional reclamation at Burnie or conversion of other land uses at East Devonport. More efficient use of existing available land should be a priority. Measures are required to protect against encroachment by non-shipping uses into the port area and to assist location of inter-modal transport and storage nodes in close proximity, but external to the port.* (Cradle Coast Regional Land Use Strategy)

As discussed above, not only will the rezoning of this site remove zoned land for future Port development, it will also restrict how surrounding Port land may be used in the future.

The Act also requires the Council to assess the likely impact the amendment will have on the economic development of the region. In this case the applicant has made no comment on the impact that this proposal will have on the future development of the Devonport Port.

“An amendment to a planning scheme must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.” (32(1)(f))

4.1 Retail Facilities

The Council has been approached by a developer to create a retail development at this site. However, before considering this rezoning the Council should consider whether there are alternative sites in the East Devonport retail precinct that could accommodate future development.

The most obvious locations for future retail activity in East Devonport are at 61-65 Wright Street and 64 Wright Street. Combined these two parcels total over 4,100 sq m of site area, which is equivalent in size to that at 2-12 Murray Street. The development of these sites would result in a significantly better planning outcome than the current proposal in Murray Street:

- The sites are already appropriately zoned for retail use.
- Apart for a single dwelling, the sites are vacant.
- It would consolidate the existing retail precinct, rather than extend it into the Port area.
- The development of these sites would help unify the retail precinct and encourage better pedestrian flows along the main retail street (Wright Street).
- It would support the other retailers in Wright Street, by drawing more customers to this location.
- The development could easily be split across the two sites.
- In comparison, the proposed development at Murray Street would lengthen the retail strip, rather than consolidate it. In effect it will move the focus of the retail centre to the western end of Murray Street at the expense of retailers in Wright Street. This is contrary to the Regional Strategy which seeks to prevent linear commercial development:

The applicant has also exaggerated the need for the proposed retail facility. Importantly, the Devonport Retail Study 2008 identified that the ferry users will spend very little in the East Devonport retail village:

“Discussions with relevant stakeholders suggest that at present most ferry users are unlikely to spend a significant amount of time and money in the Village, despite its proximity to the berth, as they generally seek to travel directly to other destinations upon disembarkation, and are more likely to spend time in the Devonport CBD prior to embarkation. It is also the case that the average spend per visit of Spirit users in the Village is likely to be low.” (Page 69, Devonport Retail Study 2008)

Despite this the applicant relies on significant demand coming from ferry users:

“Another factor driving the demand for the retail complex is the opportunity to attract and entice tourists and visitors to the Tasmania

that travel on the Spirit of Tasmania. This will be achieved by the exposure of the site from the embarkation and disembarkation point of the Spirit of Tasmania..." (Planning Application, Section 2.6.4.1).

It is also of concern that to be viable the proposed shopping centre will need to impact the Devonport CBD. It is important to acknowledge that for a hierarchy of retail centres to remain viable, a reasonable level of escape expenditure must occur in the smaller local centres to sustain the viability of the higher order centres, in this case the Devonport CBD. The proposed development, if permitted, will therefore have a direct impact on the Devonport CBD.

"However, the retail complex is expected to reduce escape spending within the East Devonport catchment by providing a new purpose built retail facility which will encourage usage from customers residing within the East Devonport settlement area." (Planning Application, Section 2.6.4.3).

5. Traffic Concerns

There are number of traffic and parking related concerns that should be taken into consideration by the Council:

Firstly, there is proposed to be a significant shortfall in on-site car parking spaces. The planning scheme requires 1 space per 30 sq m of gross floor area, however, for a supermarket use this is considered to be insufficient. The typical rate of car parking spaces generated by a supermarket of this size is generally considered to be 5 spaces per 100 sq m. At this rate 85 on-site car parking spaces would be expected to be required to meet demand.

The NSW RTA 'Guide to Traffic Generating Developments' is a useful reference document to understand retail parking demand. The following table sets out the recommended rate of parking spaces required for a shopping centre.

The guide notes that these rates can be reduced where:

- There is convenient public transport services, and
- There is other parking nearby that would be readily available for use by the proposed centre.

Parking.

Table 5.2 indicates the minimum recommended level of off-street parking.

Table 5.2
Off Street Parking

Gross leasable floor area (GLFA) m ²	Car Parking Spaces per 100m ² of GLFA
0-10,000	6.1
10,000-20,000	5.6
20,000-30,000	4.3
Over 30,000	4.1

Based on the planning scheme requirement there will be a shortfall of 18 car spaces. However, based on the expected demand, there will be a shortfall of around 46 spaces. Clearly this proposal represents a significant over-development of the site given its inability to accommodate sufficient on-site car parking spaces.

It is unreasonable to assume that this shortfall can be accommodated via on-street and public off-street car parking areas. Not only will the walking distances be unreasonable for a supermarket shopping trip, these spaces are required by other retailers in the retail precinct. The viability of nearby retailers will be threatened if the spaces most convenient to their business are occupied by customers of the proposed supermarket.

The proposed development will also require a significant number of car spaces for employees. It is unclear how the development will cater for employee spaces when the number of customer spaces will be so short.

Secondly, the Council must be aware of the significant traffic congestion that occurs along Murray Street due to the entrance/exit from the Spirit of Tasmania facility. The two main entrance and exit points for the proposed shopping centre lie directly opposite the two Spirit of Tasmania entry and exit points. This will create hazardous traffic conditions for both users of the Spirit of Tasmania and the shopping centre.

We note that there is a dedicated right turn lane in Murray Street for vehicles using the Spirit Of Tasmania. This will either prevent cars turning right out of the proposed shopping centre car park, or result in hazardous turning manoeuvres.

The significant shortage of on-site parking spaces will further worsen local traffic congestion and increase hazardous traffic conditions. Cars will enter the car park looking for available spaces, then when they realise none are available they will re-enter the local streets in the hope of finding an available car space.

6. Council's Divestment of the Site

We have a number of concerns over the process adopted by the Council to sell the subject site.

Firstly, the Council was not acting correctly by closing its meeting when it was deliberating on the disposal of the site. Under the July 2015 Sale of Public Land information sheet issued by the Tasmanian Government, Councils are to consider proposals to divest public land in open sessions.

"Under subregulation 15(3)(c) of the Local Government (Meeting Procedures) Regulations 2015 (the Regulations), a council must not close a meeting when it is considering proposals for the council to deal with public land under section 178 of the Act.

It is important that a council considers proposals relating to public land in open session so that the community has access to the relevant details associated with any proposal, including the decisions made by the council and the reasons behind those decisions."

Secondly, the Council has failed to adequately inform the public about the proposed sale, including the reasons behind the decision to sell the property. By including this sale in a

closed meeting the public has not been adequately informed of the proposed sale contrary to the requirements of the Act.

“Subsection 178(4) of the Act requires the general manager to notify the public of the council’s intention to sell, lease, donate, exchange or otherwise dispose of public land.”

Thirdly, the Council has not been clear about the process to object to the proposed sale. The current public notice from the Devonport City Council deals exclusively with the planning scheme amendment and permit proposal. It makes no reference to the sale of the land and the public’s right to object to the sale. As it stands the public are unaware of their rights to oppose this sale.

“Subsection 178(4)(b) of the Act provides that a person may object to a council’s intent to sell, lease, donate, exchange or otherwise dispose of public land.”

Fourthly, what process will the Council follow regarding our objection to the sale of the site? Will the Council now allow objections to be received and be heard in relation to the proposed sale?

“Under subsection 178(6), a council must consider any such objections received and decide whether or not to take any action regarding the objection.”

Lastly, the Council has not disclosed details regarding the valuation of the property or the agreed sale price. As this property is owned by the community they are entitled to know that the property will be sold for a fair market value. It is therefore important to know on what basis the property was valued. Was it valued on its highest and best use under the proposed Local Business zoning?

These are significant omissions in the process for divesting this site. The Council should address these omissions immediately and advise the community of their rights under the Act. The Council’s approach so far has contributed to the perception of bias by the Council, and the perception that any objections received to the rezoning and the permit application will not be given a fair hearing.

7. Conclusion

The proposal before the Council to rezone the property at 2-12 Murray Street, East Devonport and to permit a new shopping centre to be developed is entirely inappropriate and contrary to planning policy.

The Council should be encouraging the consolidation of retail activities within the existing East Devonport retail precinct and ensuring the opportunity to grow and enhance Port related activities.

The proposal is inappropriate at this location and fails to adequately meet car parking and traffic concerns.

For the reasons discussed in this submission we strongly urge the Council to refuse the rezoning of 2-12 Murray Street, East Devonport.

In the event that the Council determines to proceed with this proposal we would request our submission be referred to the Tasmanian Planning Commission for their consideration.

Can you please confirm receipt of this submission.

Your sincerely,

Tim Heath, on behalf of John Alexiou
East Devonport FoodWorks

Tim Heath
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12/10/2017 D496633

Warkworth House
P O Box 58E
EAST DEVONPORT. TAS. 7310

11th October, 2017

General Manager (Mr. Paul West)
Devonport City Council
P O Box 604
DEVONPORT TAS 7310

Dear Sir,

RE: "REZONING FROM PORT AND MARINE ZONE TO LOCAL BUSINESS ZONE TO ALLOW THE DEVELOPMENT TO A RETAIL COMPLEX"

"This Subject land" was acquired by the Port of Devonport as part of the Port Planning, for the development of the new passenger ship berth at No. 1 East Devonport when the ANL withdrew from the Tasmanian Passenger Service. The Devonport Council's present proposal, is quite misguided and wrong to say that the subject area is no longer required by the sea port. Statements like this only show their lack of knowledge of the workings of this sea port.

Ill- informed use of this sort of expression only shows their, and Tasports lack of understanding about shipping matters. I was the Master Warden when No. 1 – 2 – 3 – 4 East Devonport improvements were planned, and brought to a final conclusion, for all concerned. Devonport has a shopping record in regards to the planning in East Devonport. The redevelopment of the old Carpet Factory and the residential land next door to the unmade Mary Street and recent endeavors in Caroline Street should be looked into, and warrants investigations of people's ability to support these endeavors.

Yours faithfully,



Capt. Richard John Burgess AM

Wendy Hilditch
Dockside Café
Ph: 6427 9127
27 Murray Street,
East Devonport, Tas 7310

16th October, 2017

The General Manager
Devonport City Council
Po Box 604,
Devonport, Tas 7310

Dear Sir,

Reference: Re Zoning & Building approvals
2-12 Murray Street, East Devonport, Tas 7310

I strongly express my objection to the above proposal already approved by the council. I am the café immediately opposite this land and can assure you that for at least six months of the year during the double sailings of the "Spirit of Tasmania" it is absolutely impossible for locals to get to my business both of a morning and evening due to the line-up of cars, caravans, motor bikes who are waiting to board the ship. This line-up blocks the roundabout at corner of Murray and Wright Street and on many occasions the Police have had to be called to direct traffic.

We have numerous video copies of which have been sent to the Council over the years to show this terrible problem. The land in question should be a carpark, after all it is the Council responsibility to get the vehicles off the roads. To get to my own business from 4pm daily I have to drive down the wrong way on the outside of the hundreds of parked cars.

With regards to Norton Way the semi-trailers movements to and from the "Spirit of Tasmania" daily is nonstop and I believe a designated truck route.

Two years ago the same applicant made application to re-zone land next door to the "Foodworks Supermarket" on Tarleton Street and the Council refused the application due to traffic congestion.

The congestion of traffic on Murray Street would be many times worse than Tarleton Street but I guess the difference today is that Council ~~owns~~ ^{owns} this land and needs the money to pay down its debts.

The traffic problem will only get worse over the coming years due to bigger ships, more tourists and more double sailings being implemented to being able to handle the influx of people and services to our State.

Once again don not re-zone this land, keep it for parking as all businesses in East Devonport are affected by these traffic congestions.

Yours Faithfully



Wendy Hilditch
Owner
Dockside Café

To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

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Objection to the proposed retail development for 2-12 Murray Street, East Devonport, on the grounds that the increased traffic generated will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	Ros Riddington	15 McBride St Devonport	Riddington
2	Don Reuge	32 Lovett St Devonport	Reuge
3		27 Canning Drive	
4	Hyge Biggs	117 Stary Rise Dev.	Biggs
5	Pam Brown	11 DREW ST. EAST DEVPORT	P. Brown
6	Dianne Brown	11 pardoe ST E/DPOT	Brown
7	J Turner	1 Arden AVE	Turner
8	R. BRODIE	PORT 25 STEPHEN ST	Brodie
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To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

24

Objection to the proposed retail development for ²12 Murray Street, East Devonport, on the grounds that the increased traffic generated will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	Dean Barnes	52 MIDDLE RD Devonport	[Signature]
2	Glenna Hall	12 Banksia Cres.	[Signature]
3	Clive Jay	23 BOVILL ST. E'DPORT	[Signature]
4	Sarah McCreedy	10 Riverview Ave East Devonport	[Signature]
5	DS Rafferty	5569 Frankford Rd Merivale	[Signature]
6	S. S. [unclear]	23 MARY ST EASTPORT	[Signature]
7	D Smith	181 Brooke ST E'Dport	[Signature]
8	L. Hallett	44 Murray St. E'DPORT	[Signature]
9	T. Sones	750 Narrawa Rd Wilmet.	[Signature]
10	G. Weeks	89 DAVID ST EAST D'PORT	[Signature]
11	H. BROWN	11 DREW ST EAST D'PORT	[Signature]
12	C. JOHNSON	4 CLIFFDEN CRT. E'DPORT	[Signature]
13	P. Chiddy	17 Highfield Rd Ambleside	[Signature]
14	C. von Schui	6 Clifffden CRT. E'DPORT	[Signature]
15	J. Dawson	8 CANDIZBARK CRT E. Dev	[Signature]
16	June Klise	11 Upper Drew St. E. Dev.	[Signature]
17	Val Wells	15 Bellevue CRT Ambleside	[Signature]
18	Mick Gleeson	51 JOHN ST EAST D'PORT	[Signature]
19	C. Corty	8 Adina est D.	[Signature]
20	Alec Loane	100 Loanes Lane E'DT	[Signature]
21	John Flinn	14 TRITON RD East Devonport	[Signature]
22	Cathy von Schill	6 Clifffden CRT. E'DPORT	[Signature]
23	T. [unclear]	1 Candizbark E. Devon	[Signature]
24	S. VIDLER	CAROLINE ST E'DPORT	[Signature]
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To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

Objection to the proposed retail development for 2-12 Murray Street on the grounds that increased traffic generation will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	J. Kelly	3 Loane Av	[Signature]
2	Heidi Kelly	10 Ramsay St East Devonport	[Signature]
3	B.E. Robinson	5 Wheeler St East	[Signature]
4	Stephen Smith	85 David Street East Devonport	[Signature]
5	Sheree Parsons	7 Pardoe St East Devonport	[Signature]
6	Scott Hodgetts	7 Pardoe St East Devonport	[Signature]
7	TRIVER SIMS	10 PARDOE ST EAST DEVONPORT	[Signature]
8	LAURIE CROSS	10 CAROL CRT " "	[Signature]
9	IAN ROBERTSON	2/19 WHEELER ST " "	[Signature]
10	A. Cushion	2 Warkworth Court E Dev	[Signature]
11	Tina Flannery	10 Leatherwood Place	[Signature]
12	NICK WATSON	2 JUNA AVE " "	[Signature]
13	Alisha Bull	1/1 Arthur Street, Shearwater	[Signature]
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To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our









Objection to the proposed retail development for 2-12 Murray Street on the grounds that increased traffic generation will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	Ashie Dorell	40 Mer Court	Ashie Dorell
2	PRUE FEBEY	88 BELAIR CRES ED	P. M. Febey
3	SOHANNA JAMES	ALANBIE CR. 4W.	Sohanna James
4	SILEIA BAIN BRIDGE	3rd Kamigal Devonport	Silvia Bainbridge
5	Maureen Rawding	8 Clare Court D. port	M. R. Rawding
6	FAY ARCHER	BERKELEY CRT. D'PORT	F. Archer
7	Heather Lawrence	6/31 wright st, E. Dport	H. Lawrence
8	Bob Fowler	139 Fords St Devonport	Bob Fowler
9	GRAYSON RAELOPH	32 SORREL ST	G. Raeoph
10	HELEN STONE	26 chadwell avenue, Devonport	H. Stone
11	B. ELMER	EAST DEVONPORT	B. Elmer
12	ALGIE BIRD	EAST DEVONPORT	Algie Bird
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To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

Objection to the proposed retail development for 2-12 Murray Street on the grounds that increased traffic generation will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	A GREIG	40 MARY STREET, EAST DEVONPORT	
2	K Buckley	8 Banksia Rise, Shearwater	
3	D Bye	34 Brooke Street East Dev	
4	G ATKINS	2 FORT HILL PLACE EAST DEVONPORT	
5	M. WYATT	4 THOMAS ST, E. DEVONPORT TAS	
6	S REEMAN	64 CAROLINE ST EAST DEVONPORT	
7	K MULLIGAN	56 JOHN ST EAST DEVONPORT	
8	P. NOLAN.	7 CROSS ST. EAST DEVONPORT.	
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To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

Objection to the proposed retail development for 2-12 Murray Street, East Devonport, on the grounds that the increased traffic generated will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	Belinda Dorner	2031A Palmers Rd Latrobe	
2	Rebecca Smith	9 Riverview Ave E Devonport	
3	Trent Knight	84 Mary Street East Devonport	
4	DEBRA SNEER	35 CANNING DRIVE E DEVONPORT	
5	CHRIS ELMER	16 CANNING DRIVE E DEVONPORT	
6	ANNE STEGMANN	118 RIVER ROAD E.D.	
7	PETER STEGMANN	" " "	
8	Oliver Radcliffe	4 Bayview Ave Ambleside	
9	Celine Page	41 Devonport Rd	
10	G.M. DOUGLAS	6 FORTHILL PA. EAST DEVONPORT	
11	Mary Bisset	8 Owen St. E. Devonport	
12	BARBARA LOANE	100 Loane Lane E. Dev. 7310	
13	Nikita B.	9 Roberton Ct.	
14	Bianne de laun	107 Caroline St East Devonport	
15	Angela Cross	31 Torquay Road East Devonport	
16	Michelle Grace	7 Loane Ave E Devonport	
17	Demis Alexiou	10 PARK Dr Ambleside	
18	Angela Alexiou	10 PARK Dr Ambleside	
19	J Gibson	7 Jacaranda Court E Devonport	
20	J Kynard	114 CYPRESS ST	
21	ANTHONY	11/111 TARBURTON ST	
22	T. Carter	106 David St East Devonport	
23		119. Carlisle St. East	
24	Brett Whitledge	11 Halinda Place East Devonport	
25	K. Brown	3 Panorama Ct Ambleside	
26	K Murray	10 Park Drive Ambleside	
27	James GORE	7 Loane Avenue East Devonport Tas.	
28	NANCY DAMJANOVIC	3 Highfield Rd Ambleside	
29	B. Frost	18 Winton Rd ED	
30	Gail Bisset	11 Bayly St East Devonport	
31	Richardson	56 Torquay Road East Devonport	
32	A.C. Green	62 River Road Ambleside E Devonport	
33	B Green	62 River Road Ambleside	
34	Chris Green	62 River Road Ambleside	
35	T. Green	62 River Road Ambleside	
36	A. Godwin	13 PARK DRIVE	
37	A. Stocks	38 John Street	
38	J Langmaid	11 Ingledeu Place	

To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

Objection to the proposed retail development for 2-12 Murray Street on the grounds that increased traffic generation will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	Tracey Lowe	9/37 Drew St East Devonport	Tracey Lowe
2	R. Page		
3	Mitchell McLean	1104 Tarleton Street East Devonport	Mitchell
4	BRENDA WHITE	1 TANDARA PL.	B. White
5	Helen Sims	10 Pardoe St E. Devonport	Helen Sims
6	T. COOPER	1 MARCO AVE G. Dev.	T. Cooper
7	C. CLMER	16 CANNING DRIVE	C. Clmer
8	S HATTON	4 Douglas St EAST DEVONPORT 7310	S. Hattton
9	D. Wood	54 MARY ST East Devonport	D. Wood
10	G Hall	12 Banksia Cres EAST Devop	G. Hall
11	M RASTI	6 WRIGHT ST East Dev	M. Rasti
12	Crystal	3 Acacia Grove East Dev	Crystal
13	T. WINTER	3 WINSTON PL. DEVONPORT	T. Winter
14	K. white	133 David St east Devonport	K. White
15	B. Pendrey	1/B Brooke St EAST D'port.	B. Pendrey
16	Maree Kelly	61 Brooke St East D'port	M. Kelly
17	Andrew Groom	5 MURRAY EAST DEV	A. Groom
18	Susan Costello	6 Sycamore place East Dev	S. Costello
19	Nelson Abraham	EAST D'PORT	N. Abraham
20	DOB VON ENHART	Dev.	D. Von Enhart
21	Ben Wood	93 David St. EAST Dev.	Ben Wood
22	Lynn Soot	2 North Caroline St East Dev	L. Soot
23	K. Clarke	Drew St E. Dev	K. Clarke
24	S. Templar	6 Ambrose Place East Devonport	S. Templar
25	A. WRIGHT	10 Coraki St East D	A. Wright
26	Reuben Willis	13 WRIGHT STREET	R. Willis
27	Marjorie Brokenidge	54 Murray St.	M. Brokenidge
28	Kent Mearns	79 WRIGHT STREET East D'port.	K. Mearns
29	Mark Dennis	47 VANCE AVE	Mark Dennis
30	PM Piccolo	4743 Upper Drew	P. Piccolo
31	K. Long	4 Kallalangi Drive East-Devonport	K. Long
32	Scott Tuthill	16 MURRAY STREET EAST DEVONPORT	S. Tuthill

To the Mayor and Aldermen of the Devonport City Council,
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Objection to the proposed retail development for 2-12 Murray Street, East Devonport, on the grounds that the increased traffic generated will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	C WATKINSON	119 TARLETON ST.	BWC
2	ANNIE WRIGHT	10 CORAKI ST	Ann
3	DAVID R PEARLY	8 HUON COURT LAUNCESTON	D.Pearly
4	Mary Rockliff	1 Wheeler St. E. D'port	Mary Rockliff
5	SUE MADDEN	46 TORQUAY ROAD E.D'PORT	S. Madden
6	Helen Dickeson	340 Myalla Road Myalla 7325	HUN
7	Rob Underwood	340 Myalla Rd. Myalla 7325	Rob
8	Ann Crookam	199 TARLETON ST E.D'PORT	A. Crookam
9	Gene Johnson	41 MURRAY ST E D	Gene Johnson
10	Phyllis Benson	43 MUSTAY ST. E. D'PORT	P Benson
11	BRIAN RICHARDS	6 WHEELER ST. E. D'PORT	Brian
12	Fay Fuller	17 BRIDGE ST E D'PORT	Fay
13	PAM BRAM	8 DREW ST E D'PORT	P Bram
14	Lynne Giffney	6 DREW ST. E. D'PORT	Lynne Giffney
15	Paul Johnson	" "	Paul Johnson
16	49 Ruffell St	3 LOANE AVE	49 Ruffell St
17	Paul Johnson	31	Paul Johnson
18	Debbie Stokes	22 Douglas St, East Devonport	Debbie
19	Paula Blackett	FFure	Paula
20	Joy Dick	34A Darling St. Port Sorell	Joy
21	Doug Dick	" " " " "	Doug
22	Joyce Cox	174 Best St D'port	Joyce
23	D. O'Neil	193 Jordan St. E. Devonport	D. O'Neil
24	Jrv. Perry	29 George St Devonport	Jrv. Perry
25	G. Ford	37 Lyell St. Kaitiaki	G. Ford
26	Jean Maddox	3 Fonthill Pl E. D'port	Jean Maddox
27	Baen Maddox	" " " "	Baen Maddox
28	Vonda Quirk	38 WOODRISING AVE SPREYTON	V. Quirk
29	DIANE PENDREY	24 FREETWOOD DR SPREYTON	Diane Pendrey
30	NORMA SHONE	17 CHURCH ST E. DEVO	Norma
31	Tameeka Crawford	115 River Rd Ambleside	Tameeka
32	Nahika Haines-Pearce	2/13 Kerrie COURT Spreyton	Nahika
33	Roz Plazies	2/21 Arden Ave. Devonport	Roz
34	J. Warner	12 CORNELIA PLACE DON	J. Warner
35	Bill Lehman	UNIT 316 DRAGSHORNE KARINGAL COMMUNITY	Bill Lehman
36	Ben Mason	139 Ronald St Devonport 7310	Ben Mason
37	MARJORIE LEHMAN	U316 KARINGAL 32-36 Lyell St. D'PORT 7310	M. E. Lehman
38			

To the Mayor and Aldermen of the Devonport City Council,
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Objection to the proposed retail development for 2-12 Murray Street, East Devonport, on the grounds that the increased traffic generated will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	John Alexiou	11 Autumn Drive Ambleside	
2	CHERRY JOHNSON	4 CUFFLEY CRT EAST DEVONPORT	
3	Walecy Fogarty	13 WINDSPERS Rd EAST DEV	
4	G WOODHOUSE	1 LYONS AVE D'PORT	
5	Judy Mannie	207 TARLETON ST	
6	Phil Page	19 Banksia Cr. E D'PORT	
7	B. Long	11 Hecker	
8	Nyktos Senior	6 Anna place	
9	Kristen Rickard	10 sycamore PI	
10	Rachel Connell	111 Wright St. E Dev	R. Connell
11	M Milner	116 David St. E. Dev.	
12	K. Bowerman	1 Valley Road Devonport	
13	A. Cumming	147 David St Devonport	A. Cumming
14			
15			
16	Scott Tutill	36 MURRAY ST EAST DEVONPORT	
17	Angie Goodwin	156 Tarleton Street East Devonport	
18	IN MARGIN	2-12 Murray St East Devonport	
19	B. J. Brown	194 Park St W. Dev	
20	E. Barnett	1 Bass St E D'PORT	
21	I. Jackson	25 MARY ST EAST DEVONPORT	
22	C. Smith	417 North	
23	R. Alexiou	10 PARK DRIVE E/Dev	
24	P. Page	19 Banksia Cr E. D'PORT	
25	A. Singleton	20 Glenburn Crescent	
26	R. B. Williams	11 COCHRAN PLACE D'PORT	
27	R. Williams	51 Kewer Rd Ambleside	
28	B. Long	9 MARINE ST. E/D	
29	John Flint	14 TRITON RD EAST D'PORT	
30	Lucy Whitehouse	Tarleton Rd EAST D'PORT	
31	Clinton Briggs	32 Douglas St East D'port	
32	Adam Briggs	22 Douglas St EAST D'PORT	
33	Clan Stephens	23 Young St " "	
34	Barbara M.	6 ADINA PLACE "	
35	Pam Brown	11 DRIEVE ST EAST D'PORT	
36	Latija	8 Adina place	
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To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

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	Name of Elector (Print)	Address (Print)	Signature
1	S. LUCAS	27 DREW ST EAST D'PORT	[Signature]
2	H DORLING	28 THOMAS ST EAST DPORT	[Signature]
3	Y. Z	Nth Caroline	[Signature]
4	SKIRKWOOD	32 TARLETON	[Signature]
5	N. Dodson	11/33 Murray Street	[Signature]
6	N Underhill	West Rd Ambleside	[Signature]
7	T Harrison	2 Percing Court Lutrope	[Signature]
8	PAUL M	17 Wright St East D'Port	[Signature]
9	A WRIGHT	10 CORAKI St	[Signature]
10	M HARDIE	50 BROOKE ST E/D'PORT	[Signature]
11	I GARNNEY	DREW ST E/DEV	[Signature]
12	H BROWN	11 DREW ST	[Signature]
13	M Bussell	8 Drew St E. 10 unit apt.	[Signature]
14	M. LANDERS	Unit 2/24 Maple Street	[Signature]
15	T. LANDERS	Unit 1/24 Maple St	[Signature]
16	T HONE	East Devonport	[Signature]
17	M DEIL	East Devonport	[Signature]
18	EDITH CULLOH	Unit 2/2 Nth Caroline St, E. Dev	[Signature]
19	H Kelly	12 Buttons Av Ulverston	[Signature]
20	D. RODRIGUES	10 Drew street East Dev	[Signature]
21	R HINGSTON	45 MURRAY STREET E/DEV	[Signature]
22	G Holland	East Devonport	[Signature]
23	G. CONWAY	East Devonport	[Signature]
24	R Connell	111 Wright St E. Dev	[Signature]
25	A. JOHNSTON	13-19 TARLETON ST DEV	[Signature]
26	Kay Nutting	13 MURRAY ST. E. DEV	[Signature]
27	Rob Arnold	67 DAVID ST E. Dev.	[Signature]
28	D. Andrews	Douglas St	[Signature]
29	J. Hetherington	12 WILKINSON AVE E. DEV.	[Signature]
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To the Mayor and Aldermen of the Devonport City Council,
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Objection to the proposed retail development for 2-12 Murray Street, East Devonport, on the grounds that the increased traffic generated will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	John F. Magill	91-67 Wright St - East Dev	[Signature]
2	P. Dow	97 Gunn St Devonport	P. Dow
3	J.M. BAWSON	2 BROOKE ST E. D'PORT	J.M. Bawson
4	Nathan Wilson	14 Banksia Crescent E, Devonport	[Signature]
5	Debbie Fawcett	6 Windsor Place E. Dev.	Debbie Fawcett
6	Ezekiel South	67 Wright St E D Port	Ezekiel South
7	J. Hester	10 Kiah Pl, EAST D'PORT	J. Hester
8	A. Johnson	4 Clifden Court, East Dev.	A. Johnson
9	Donelle McGinley	3 Church Street, East Dev	[Signature]
10	Nick Best	3 Church St East Dev	N. Best
11	Gail McLaren	25 Bluegum Drive Port Sorell	Gail McLaren
12	Tricia Nancarrow	Truro Place Acacia Hills	[Signature]
13	J. Schmozer	63 HOFFIELDS RD, MARCATE	[Signature]
14	C. Ravening	1 Arden Avenue Devonport	[Signature]
15	G. PARISH	Twiss St Lathabe	[Signature]
16	M. PARISH	Twiss St LATHABE	[Signature]
17	J. Wilkinson	Watkinson St, DPORT	[Signature]
18	J. Connell	Mersey Main Rd	[Signature]
19	N. Savage	Brooke Street	[Signature]
20	B. Parkes	103 Cornwall Street	B. Parkes
21	L. GATNEY	DEW ST EAST D'PORT	[Signature]
22	M. Lewis	9 Church St East Devonport	[Signature]
23	H. CLARKE	10 BOX 73 DEVONPORT	[Signature]
24	F. Roberts	15 Tomarah crst Devonport	[Signature]
25	S. Flight	Devonport	[Signature]
26	S. Jones	EAST Devonport	[Signature]
27	L. Burr	EAST Devonport	[Signature]
28	L. Lynd	Devonport	[Signature]
29	N. Rice	14 Kiah Place / E/D	N. Rice
30	D. Cholewa	Devonport	[Signature]
31	B. Mills	13 Brooke St. E/D'PORT	B. Mills
32	TERRI SMITH	233 MURRAY ST E DEV	[Signature]
	M. McDermott	Windsor St	[Signature]
	G. Gould	Monash Cnt Dev	[Signature]
	R. Godwin	leave it like it is	[Signature]
	R. Godwin	No leave it alone	R. Godwin

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To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

Objection to the proposed retail development for 2-12 Murray Street, East Devonport, on the grounds that the increased traffic generated will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	Campbell Watt	156 Caroline St East Dev	Campbell Watt
2	C. V. LACOTE	8 AUTUMN DRIVE AMBLESIDE	C. V. LACOTE
3	Baron Myerson	50 TORQUAY RD East D'PORT	Baron Myerson
4	C. LUMSDEN	21 LOANE AVE E/D PORT	C. LUMSDEN
5	Chris Rouse	17 Coraki Street, East D Port	Chris Rouse
6	Dimos Alexiou	11 Autumn Dr, Ambleside	Dimos Alexiou
7	Pava SEABOURNE	41 CANNING DR.	Pava Seabourne
8	Chris Larsen	114 DAVID ST	Chris Larsen
9	ANNIE WRIGHT	10 CORAKI ST EAST DEVONPORT	Annie Wright
10	BERNARD BOWEN	14 CORAKI RD EAST	Bernard Bowen
11	J CLARKE	15 CORAKI ST E/D PORT	J Clarke
12	Chbe Frasev	17 Coraki St E Dport	Chbe Frasev
13	PLEC LOANE	100 KOARNIES LANE EAST DPT	Plec Loane
14	M. Donnell	27 Canning Drive	M. Donnell
15	K. Deumer	130 Gault St	K. Deumer
16	S. Mace	5 Ardlen Avenue	S. Mace
17	J. GIBSON	East Devonport	J. Gibson
18	B. Cooper	East Devonport	B. Cooper
19	J. Leslie	10 Whitman way	J. Leslie
20	Z. Alexiou	11 Autumn Drive, Ambleside	Z. Alexiou
21	Cherrie Lidstev	18 River view Avenue, E. Devonport	Cherrie Lidstev
22	Kyle Birch	4 WATERWOOD PL	Kyle Birch
23	Debbie King	20 Canning DR. E'D'Port	Debbie King
24	Mick King	20 Canning DR, East Devonport	Mick King
25	S. Alexiou	11 Autumn Dr, Ambleside	S. Alexiou
26	Dimos Alexiou	11 Autumn Dr, Ambleside	Dimos Alexiou
27	Jane Wise	11 Upper Drew St.	Jane Wise
28	MARY WISE	11 UPPER DREW ST.	MARY WISE
29	Robert Anderson	40 MATTHEW ROAD, Devonport	Robert Anderson
30	A. NIGHTINGALE	TARLTON ST	A. Nightingale
31	T. Krenneff	Murray St Devonport	T. Krenneff
32	J. Taylor	6 Malrose St East Dev.	J. Taylor
33	D. James	42 MARY ST. K.D	D. James
34	B. Pendrey	BROCK ST. E.D.	B. Pendrey
35	F. King	Kiah Pl	F. King
36	Robert	EAST DEVONPORT	Robert
37	Erin Giles	EAST DPORT	Erin Giles
38	Brooke Cocker	East Devonport	Brooke Cocker

To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

Objection to the proposed retail development for ²12 Murray Street on the grounds that increased traffic generation will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	Paul Martin	87 Steel St Devonport	[Signature]
2	RON WIDCOMBE	95 TARKETON ST E/DCU	[Signature]
3	Bradley Craig	61 Valley Road	[Signature]
4	P. CRANTOCK	Hermitage Lane Ministry	[Signature]
5	K. Oliver	92 Bel-air cres Ambleside	[Signature]
6	T. COOPER	1 Illaroo Ave EAST DEV	[Signature]
7	Poppy	E.V.	[Signature]
8	C. Bowerman	6 Ingleden place E/Devonport	[Signature]
9	J. WILLING	171 Winsp Girls Rd EAST DEVONPORT	[Signature]
10	R. BARNES	31A GILBERT LATROBE	[Signature]
11	J. Dalby	28 Tasleton St E . E	[Signature]
12	R. WILSON	ADINA PL	[Signature]
13	John William	5 Greenway Ave Devonport	[Signature]
14	P. Williams	" "	[Signature]
15	C. FISHER	5 Skyles Dr Devonport	[Signature]
16	J. OLIVER	5 East Esp. Port SORELL	[Signature]
17	C. Brown	9 Henry St Latrobe 7307	[Signature]
18	J. MARRINGTON	21 Douglas St E' Devonport	[Signature]
19	L. CREEDON	87 Steele St Devonport	[Signature]
20	P. HURSHAM	1119 Wesley Vale Rd E. Port	[Signature]
21	K. Dezoete	5/59 EAST Devonport	[Signature]
22	J. Monday	20 NATHAN CRT E SPORI	[Signature]
23	Jerry Ponsford	6. CLIFFDEN CRT E. SPORI	[Signature]
24	Leanne Walton	666 Port Sorell Road Wesley Vale.	[Signature]
25	ELLIE RUSH	81 RIVER Rd Ambleside.	[Signature]
26	N. HARPELIS.	10 MARINE ST E. DEV	[Signature]
27	L. Eastley	12 Highfield Rd Ambleside	[Signature]
28	P. Alexander	16 TARKETON S	[Signature]
29	L. Newsh	Caroline st East Devonport	[Signature]
30	J. McKenna	112 Down St. E. Spport	[Signature]
31	S. Hillie	36 Broocke St East Dev	[Signature]
32	A Maloney	4 Melrose St, Devonport East	[Signature]

38

To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

Objection to the proposed retail development for 2-12 Murray Street on the grounds that increased traffic generation will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	Mark Edgerton	5 Church Street East Devonport	Edgerton
2	Lanissa Hodgebets	125 Tasman st D'port	Hodgebets
3	Chris Woods-Cobb	2 GWINNE ST EAST DEVONPORT	Woods-Cobb
4	Myrta Finlay	6 Anna place Devonport	Finlay
5	Jimmy	70 David St East Devonport	Jimmy
6	Linn	110 Carleton St E. Devonport.	Linn
7	A. Barclay	110A Tarleton St. E D'port	Barclay
8	Tracy Lowe	9/37 Drew St East Devonport	Tracy Lowe
9	J Robson	21 Stephen St EAST.	Robson
10	Leph Jenkins	Upper drew st east Dev	Jenkins
11	D THOMAS	14 RAMSAY ST EAST DEVONPORT	Thomas
12	N Smith	10 Tandara Place	N Smith
13	J. Henry	117 TARLETON ST.	Henry
14	Kerry Holden	57 Murray St East Devonport	Holden
15	Ted Upson	65 Torquay Rd E. D'port	Upson
16	G Thompson	111 ARBOUR AVE EAST DEV	Thompson
17	Joshua Lowe	9/37 Drew St East Devonport	Lowe
18	LUCINDA FINNERY	9 TANDARA PL. E'D'PORT	Finnelly
19	PAULINE MURPHY	62 MARY ST. EAST DEVONPORT TAS	Murphy
20	Robyn CARPENTER	10 WARKWORTH COURT East D'port	Carpenter
21	Tommy Dawson	east Devonport	Dawson
22	Annabir	70 DAVID ST EAST DEVONPORT	Annabir
23	Laura Nash	Cardrona St East Devonport	Nash
24	Maddison Hornig	6 Ramsay Street East Devonport	Hornig
25	Matthew Gorey	6 Ramsay Street East Devonport	Gorey
26	Aimee Bonney	85 Torquay Road	Bonney
27	Paul Johnson	1 Ramsay Street	Johnson
28	L Walker	66 Mary St E. D	Walker
29	Rick DURKIN	ABINA PL.	Durkin
30	Paul LEE	18 Moorpark Rd, Barrow Road	Lee
31	Kaitlyn Smith	85 David street	Smith
32	NOEL WOODRIDGE	BEER ST WESLEY VANE.	Woodridge

the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

Objection to the proposed retail development for 2-12 Murray Street on the grounds that increased traffic generation will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	Lyndell Kirkcaldy	4 Tingha Pl E' Dev	Lyndell Kirkcaldy
2	Sam Holmes	43/67 Torquay Rd ED	Sam Holmes
3	J STOTT	43/67 TORQUAY RD 2/D	J Stott
4	T. Johnson	1 Ramsay St East Dev	T. Johnson
5	J Woods	15 Cumerage place EAST Devon	J Woods
6	M. Filosi	39 Triton Rd EAST DEVONPORT.	M. Filosi
7	Andrew Haddad	39 Triton Rd EAST DEVONPORT.	Andrew Haddad
8	Tammie Hite	132 Caroline St E' Dev.	T. Hite
9	Tamieka Bennett	96 Taverton st East Dev	T Bennett
10	Tracey Lowe	9/37 Drew St East Devonport 7310	Tracey Lowe
11	K. Jen Kins	23 upper dev st east Dev	K Jen Kins
12	R. G. Kirkcaldy		R. G. Kirkcaldy
13	Josh Sutton	12 Kauraka place	Josh Sutton
14	Vannette Dourt	14 - 2 - 12 North Caroline St E. Devon	Vannette Dourt
15	Denielle Poutton	1855 Willmot Road Lower Willmot	Denielle Poutton
16	ADAM DYKE	33 TURTON ST D'PORT	Adam Dyke
17	Deleena Bennett	24 MARY STREET	Deleena Bennett
18	GRASS STONE	3/33 MURRAY ST.	Grass Stone
19	L. Summer	52 Triton Rd E/DEV	L. Summer
20	L. Woods-Cobb	2 Gwynne St. E. Devonport	L. Woods-Cobb
21	CAROL UPSTON	TORQUAY Rd. E. DEVONPORT	Carol Upston
22	H. Simpson	Thomas Street E. Dev.	H. Simpson
23	R. Kelly	Brooke St E'port	R. Kelly
24	K. Plumbidge	130 Caroline St E' Devonport	K. Plumbidge
25	J. HAYWARD	20 NORTH CAROLINE ST E D'PORT	J. Hayward
26	D. Purcell	9 Hakea close E-Devonport	Diana Purcell
27	A. Cullis	3 Princess Pl E. Dev.	A. Cullis
28	S. Sharman	Kaiti East Dev	S. Sharman
29	J. Ockert	Winslow Rd Ambleside	J. Ockert
30	J. H. H. H.	Torquay Rd East Devonport	J. H. H. H.
31	M. B. B.	Taverton St East Devonport	M. B. B.
32	Nicole Maechen	Birala Place East Devonport	Nicole Maechen

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18

To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

Objection to the proposed retail development for 2-12 Murray Street, East Devonport, on the grounds that the increased traffic generated will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	Robbie Andrews	2/18 Douglas ST E. Devonport	Robbie Andrews
2	Kelly Rogers	2/18 Douglas St East Devonport	Kelly Rogers
3	N. Ridgeway	Drew Street	N. Ridgeway
4	K BEJ FORD	2/93 Wenuwa St D/Port	K Ford
5	M. Brown	2/93 Wenuwa St	M. Brown
6	M. Burger	15 Winston Pl D'port	M. Burger
7	P. Wells	33A DREW ST E. Dev	P. Wells
8	J LOANE	EAST DEVONPORT. 7310	J Loane
9	D. Webb	Nichols St. Dev.	D. Webb
10	D. Brown	8 Drew St. D'port	D. Brown
11	H. Brown	8 Drew St. D'port	H. Brown
12	J. Adams	Wheeler St. D'port	J. Adams
13	Liz Wilkshire	David Street East Devonport	Liz Wilkshire
14	S. Brown	Walind Place East Devonport	S. Brown
15	P. Brown	111 DREW ST E. D'port	P. Brown
16	M. Axlett	11 Walind Place East Devonport	M. Axlett
17	H. Mahoney	Middle Rd. D'port	H. Mahoney
18	W. Woods	Middle Rd. D'port	W. Woods
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names

13/10/2017 D496733

Fifteen Tables
Shop 1-2, 13-15 Murray St
East Devonport
TAS 7310Devonport City Council
Attention Steve Martin

Dear Sirs,

We write in connection with the recent rezoning and planning application discussed by the Devonport Council at their meeting on 28th August, namely the proposed development of a supermarket and two retail premises at 2-12 Murray St, East Devonport and the required variation to the parking requirements raises a number of important issues;

1. For parts of the year the number of vehicles travelling on the Spirit of Tasmania is such that Murray St resembles a 'car park' as vehicles queue to access the Spirit. It is not unusual for vehicles to be queued along Tarleton St and across the roundabout at the intersection of Murray and Wright Streets. On occasions the police have had to intervene to ensure access for emergency vehicles. These queues can last for an extended period and this is particularly the case when the Spirit is operating day and night sailings. (We have both video and photographic evidence of this occurring.)
2. The proposed retail development has vehicle entry opposite the current exit from the Spirit. This will create hazards for both vehicles and pedestrians as vehicles try to enter the development through queues of traffic on Murray St at peak periods.
3. Many of the vehicles carried by the Spirit of Tasmania are towing long caravans/trailers or are large motor homes, these vehicles already have difficulty exiting the Spirit during peak periods and this development will further exacerbate the problem.
4. Egress from the site is now planned to be on Norton Way, a route heavily used by freight vehicles during ferry loading and offloading times and we believe it represents a safety issue for large/long vehicles exiting the development as well as freight vehicles.
5. The development fails to meet the Council's requirement in relation to parking by some 18 spaces and relies on the use of adjacent on and off street parking. To believe that vehicles will use the designated car park on the corner of Murray and Wright Streets and walk to the new development shows considerable naivety. The street parking on Murray St, west of Wright St, number less than 18 spaces, is currently heavily used and the addition of extra vehicles will significantly adversely impact all the businesses located there and therefore these spaces should not be used to 'satisfy' the parking requirements of the proposed development. Were the development to proceed then the full required number of spaces should be within the boundary of the development.
6. We strongly suggest the traffic consultants did not consider traffic flow, parking, ease of access or egress at varying times of the day or Spirit loading and unloading times and as such their report is both flawed and inaccurate or at best incomplete and should be resubmitted with a more complete analysis of the traffic and parking problems introduced by the proposed development.
7. Currently the proposed site of the development is used by travellers as an exercise area for dogs being taken on the Spirit as well as somewhere to 'stretch their legs'. Loss of this space will adversely impact on those travellers as well as the loss of an amenity to the local community.
8. The rezoning off the land results in the intrusion of non-port zoning into a current port zoned area and was, we understand, a reason for rejecting a planning application in the past on an adjacent block.
9. This matter has been decided by the council without any community consultation or notice being provided, a process we are sure breaches your own planning guidelines.
10. We understand the matter has been referred to an independent authority due to the conflict of interest the Council has in the matter, a fact which should have been obvious to the Council from the outset as both owners of the land and the relevant planning authority.

We believe consultation with the community, adjacent businesses and community groups, had they been undertaken, would have resulted in options that would enhance the community in a positive manner and provide a more attractive entry point to Tasmania than a 'concrete box' retail development.

In conclusion and for the reasons noted above we wish to register our objection to the development and believe the process has been undertaken without due regard for the community and that the Council decisions in the matter are flawed and should be reversed.

Yours Sincerely


Kay Mutimer
Owner – Fifteen Tables

19/10/2017 D497470

General Manager,
Devonport City Council
17 Fenton Way
Devonport TAS 7310

18 October 2017

Dear Mr West,

Re: AM2017.02 & PA2017.0101, 2-12 Murray Street, East Devonport

I am writing to express my objection to the proposal to rezone the property at 2-12 Murray Street, East Devonport to Local Business and to permit the land to be developed as a retail complex.

My concern is that the increased traffic generated will add further congestion to an already congested area. The traffic studies do not appear to have been conducted during double sailing periods. During these peak times traffic is often banked back to Tarleton Street and can be at a standstill for in excess of an hour. Often the roundabout at the junction of Wright Street and Murray Street is inaccessible as the traffic comes to a standstill over it. Using Norton Way to access the development means mixing heavy and light vehicles, defeating the purpose of having a designated heavy vehicle route into TT Lines and posing a safety risk. It is also a major concern that the proposed development has a shortfall of 18 car parks as this is not only contrary to planning policy but will increase traffic congestion.

I strongly urge the Council to refuse the rezoning and development of 2-12 Murray Street, East Devonport as the proposal is inappropriate at this location and fails to adequately meet car parking and traffic concerns.

Regards,



Derek Smith
67 Wright Street
East Devonport TAS 7310

19/10/2017 D497469

DEVONPORT CITY COUNCIL
FORM 1 - PETITIONS
Retail Development 2-12 Murray Street, East Devonport TAS 7310

(Name and Subject of Petition)

To the Mayor and Aldermen of the Devonport City Council,

We petition Council in accordance with the Local Government Act 1993 to (state the purpose of the Petition and requested actions)

Objection to the proposed retail development for 2-12 Murray Street, East Devonport, on the grounds that the increased traffic generated will result in major vehicle congestion and safety concerns.

Table with 3 columns: Name of Elector, Address, Signature. Includes a note '(attach other pages as required)' in the bottom right cell.

Declaration

We, the proposer/s of the Petition declare:

- there are 518 signatories to the Petition: (Number of signatories)
the Petition was signed between 07/09/2017 (Commencement date) and 17/09/2017 (Completion Date)

the Petition is proposed by:

- 1) John Alexiou 156 Tarleton St. East Devonport TAS 7310 (Name of Proposer) (Address) (Signature)
2) (Name of Proposer) (Address) (Signature)
3) (Name of Proposer) (Address) (Signature)

Name and address of person to whom advice from Council concerning the Petition will be addressed:

John Alexiou 156 Tarleton Street East Devonport TAS 7310

19/10/2017 D497469

To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

Objection to the proposed retail development for 2-12 Murray Street on the grounds that increased traffic generation will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	ROBYN E LINGE	2 WISE CRT DEVONPORT	R E Linge
2	BOAN BEEVES	272 NORTH CAROLINE ST EAST DEV	B Beeves
3	MARSHALL BURTIN	116 BARBORE ST E DEVONPORT	Marshall Burtin
4	CHERRY JOHNSON	40 CLIFFEN CRT E DEVONPORT	C Johnson
5	DEBBIE ANDREWS	18 BURGAS ST EAST DEVONPORT	Debbie Andrews
6	WINSTON FAWCETT	6 WINSPEAR PL E DEVONPORT	W Fawcett
7	B Good	50 JOHN ST	B Good
8	Graham Heenan	16 MURRAY ST EAST DEVONPORT	Graham Heenan
9	Dorothy Walker	13 2 N. CAROLINE ST	Dorothy Walker
10	S. Merritt	11 PANTANE DRIVE PORT SCRELL	S Merritt
11	N. Hedges	111 TAILOR ST	N Hedges
12	MERLE WELLS	1105 MARY ST E/DEVONPORT	Merle Wells
13	J. Easton	Brooke St East Devonport	J Easton
14	K. LAMBERT	4 WINSPEAR RL	K Lambert
15	ROBERT SMITH	3 MURRAY ST EAST DEVONPORT	R Smith
16	L. MUNNS	PORT SCRELL RD WESLEY VALE	L. A. Munns
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19/10/2017 D497469

To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

Objection to the proposed retail development for 2-12 Murray Street on the grounds that increased traffic generation will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	Paul Beams	4/17 35 Drew St 7310	
2	Heslynn Marshall	4/17 35 Drew ST 7310	0438 543 746
3	Glen Voss	41 DREW ST 7310	0409 304015
4	Tracey Lowe	9/37 DREW ST EAST DEVONPORT 7310	0408 036 360
5	MARGRITH	29 Murray St E/D/Port	0458 462 091
6	Helen Phelan	9/37 DREW ST EAST DEVONPORT	0419 138107
7	Sue Dempsey	11 Brooke St. East. Devonport.	0428 443 212
8	LAUREN SMITH	PORT SORELL RD WESLEY VALE	<i>[Signature]</i>
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19/10/2017 D497469

To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

Objection to the proposed retail development for 2-12 Murray Street, East Devonport, on the grounds that the increased traffic generated will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	JAN BAKER	12 HEDDEN HILL DEVONPORT	J Baker
2	Natalie Lidgess	East Devonport	N Lidgess
3	Leash Spurgeon	2nd St Devonport	L Spurgeon
4	U Broadby	Wende St Devonport	U Broadby
5	E Imam	Minion Street D'Port	E Imam
6	N. MITCHELL	PARKER ST, D'PORT	N Mitchell
7	Sarah Hillier	Victoria Parade Devonport	S Hillier
8	Winsome Eames	16A RONALD STREET D'PORT	W Eames
9	W. SMITH	23 MAROON LANE D'PORT	W Smith
10	T. Spinnhuber	15 Holyman St Devonport	T Spinnhuber
11	B. Freshney	Devonport	B Freshney
12	Jamie Baird	Devonport	J Baird
13	Emma Willett	Devonport	E Willett
14	Shirley Chabwin	177 Sheffield Rd. Spreyton.	S Chabwin
15	B. BANNON	DEVONPORT	B Bannon
16	MARIE BELUCH	1 VICTOR CR. DEV	M J. Beluch
17	Todd Jager	Morse Place Dev	T Jager
18	Karen Walsh-Wilson	2 Cromwell Crescent Dev.	K Walsh-Wilson
19	DEAN COLE	48 SORELL ST, D'PORT	D Cole
20	F. McGill	88 Steele St. D'port	F McGill
21	A. Green	69 Ronald St. D'PORT	Andrew Green
22	S. PURTON	D'PORT	S Purton
23	K POULTON	10 Boronia Ave	K Poulton
24	A. J. M.	11 ALLISON CRT DEV	A J M
25	K. Dave	8 Franklin St	K Dave
26	C. Johnson	18 Gardenia Grove.	C Johnson
27	J. EVANS	DEVONPORT	J Evans
28	R. SHERRIFF	DEVONPORT 7310	R Sherriff
29	JANIE GRANT	1A HIGHFIELD RD AINBLOSSIE	J Grant
30	WALTER BUTTRESS	42 GREENWOOD TUGRAH	W Buttress
31	ANGELA McDERMOT	DEVONPORT	A McDermot
32	Lee Bishop	50 Greenway Ave D'port	L Bishop
33	JENNIFER MUIR	36 GEORGE ST D'PORT	J Muir
34	G. Marshall	60 William St Devonport	G Marshall
35	Peter Hoak	9 BAYVIEW COURT	P Hoak
36	LAURIE HOOPER	UNIT 306 KARINGAL	L Hooper
37	PAIX MERCEDES	175 BEST ST.	P Mercedes
38	Carl Mitchell	3, 94 Parker Street	C Mitchell

19/10/2017 D497469

To the Mayor and Aldermen of the Devonport City Council,
We petition Council in accordance with the Local Government Act 1993 to consider our

Objection to the proposed retail development for 2-12 Murray Street, East Devonport, on the grounds that the increased traffic generated will result in major vehicle congestion and safety concerns.

	Name of Elector (Print)	Address (Print)	Signature
1	Carol Jeffrey	Sheffield	
2	Rebecca Stuart	DEVONPORT	
3	PAUL WOOD	102 Best St Dou	
4	GRAEME WILSON	PORT SPRELL	
5	MURIEL BESWICK	Devonport	
6	Amy Braid	Devonport	
7	KEVIN BOYLE	95A BEST ST. DEVONPORT	
8	PETER SHERRIFF	P.O Box 79 DEVONPORT	
9	Catherine Woodhouse	15 Leila Avenue, Spreyton	
10	TOM BOIT	4-64 William St, Devonport	
11	D. Freshney	Devonport	
12	Neil Mitchell	East Devonport	
13	J. Donaghy	Devonport	
14	Jacquie SMITH	67 Wright Street E. Devonport	
15	John McEwen	Dou.	
16	ROBIN MCGARRETT	WATERCEY RD Dou	
17	GARRY Butler	4 Georgiana St	
18	Paula Foley	Devonport	
19	Lynda Ivory	Devonport	
20	MITCH GRIFFITHS	DEVONPORT	
21	CHRIS SCHMÖTTER	D'PORT	
22	Larry Lamprey	DEVONPORT	
23	Belinda Ward	Devonport	
24	A. NIGHTINGALE	EAST DEVONPORT	
25	VAL YALDWYK	DEVONPORT	
26	DAVID MARCHAND	DEVONPORT	
27	Katie Cooper	Devonport	
28	PR WILSON	DEVONPORT	
29	Matthew Sago	Devonport	
30	Renee duBrayn	DEVONPORT	
31	MICHAEL LEONARD	SPREYTON	
32	Demi Sushamas	East Devonport	
33	L. FOSB.	DEVONPORT	
34	N. MILES	DEVONPORT	
35	M. DAVIS	D'PORT	
36	T. Stuart-Mitchell	Spreyton 7310	
37	M. FEARCE	D'PORT	
38	Mary Grigg	EAST DEVONPORT	
39	Q. A. H.	Devonport	

scd James

118 River Road,
East Devonport 7310.

17 October 2017.

General Manager,
Devonport City Council,
Devonport 7310.

Re: Draft Amendment A M 2017-02

I wish to object to the re-zoning of the land 2 – 12 Murray Street, East Devonport.

It is concerning that the sale of the land was not put up for Public Tender in an open and transparent manner.


I am all for development in East Devonport, however, it is difficult to understand why Council could have let such a proposal, which is obviously poor planning, advance to this stage.

I believe that any expansion of the East Devonport retail precinct should be centred in Wright Street, where there is vacant land which would complement other businesses that operate in that street.

The proposed plan is an inappropriate and short-sighted development of an area which at certain times of the day becomes unduly congested with TT Line traffic.

Any future increase in visitor numbers and possible larger vessels will exacerbate the problem.

There is no need for retail to encroach and restrict any future development of the Port and TT Line's operations.


Peter Stegmann.

5.0 REPORTS

5.1 MINUTES - ANNUAL GENERAL MEETING - 30 OCTOBER 2017

File: 27391 D499301

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.4.1 Provide timely, efficient, consistent and quality services which are aligned with and meet our customers needs

SUMMARY

To provide Council with the unconfirmed minutes from the Annual General Meeting (AGM) held on 30 October 2017.

STATUTORY REQUIREMENTS

The requirement for Council to prepare an Annual Report and to conduct an Annual General Meeting is prescribed under the *Local Government Act 1993*.

In accordance with Section 72(2)(d) and (3) Council placed advertisements in the Advocate on Wednesday, 11 October and Saturday, 14 October 2017 notifying of the conduct of the Annual General Meeting on Monday, 30 October 2017 and invited submissions from the community on the Annual Report.

Council is required under the Act to consider any motions passed at the AGM at its next available meeting.

DISCUSSION

Council received submissions from Mr Douglas Janney, Mr Bob Vellacott and Mr Don Willing. Council's responses to the submissions were included in the agenda for the AGM.

A letter has since been received from Mr Robert (Bob) Vellacott dated 18 November 2017 in which he wishes to note an error in his comments at the Annual General Meeting. The letter is attached.

Mr Graham Jones moved a motion at the Annual General Meeting, which was subsequently debated and carried, being:

"That Council release the secret, in confidence report used for the financial viability of the new motel."

Council previously considered the Horwarth HTL report dated November 2016 at its meetings held 27 March and 24 April 2017. Council determined at its March meeting not to release the report and at the April meeting confirmed its position that the report remain a confidential document and only made available to pre-qualified potential hotel interests. As the EOI process for the hotel has now been concluded and Council has appointed its preferred developer, it may conclude that the information can be released as its main objective in obtaining it in the first place has been determined.

A letter relating to the motion has subsequently been received from Mr Jones and is attached for Aldermen's information.

COMMUNITY ENGAGEMENT

The Council's AGM is an opportunity for the community to be engaged. 39 members of the public, 8 Aldermen and 5 Council officers attended the meeting.

FINANCIAL IMPLICATIONS

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

CONCLUSION

This report includes the minutes of the AGM for Council consideration. As a motion was passed at the AGM, Council must now consider what action it wishes to take regarding the motion.

If Council is not supportive of the recommendation provided it may consider:

That Council:

- (a) *accept the minutes of the Annual General Meeting held on Monday, 30 October 2017, and*
- (b) *in relation to the motion passed at the meeting that "Council release the secret in confidence report used for the financial viability of the new motel", it confirm its previous decision not to release the Horwath HTL report dated November 2016.*

ATTACHMENTS

- [1.](#) Minutes - Annual General Meeting - 30 October 2017
- [2.](#) Letter from Mr Bob Vellacott 2017 AGM Apology
- [3.](#) Letter Mr G Jones - Concept Development With Trading Projections Related To A Proposed Hotel Part Of Living City

RECOMMENDATION

That Council:

- (c) *accept the minutes of the Annual General Meeting held on Monday, 30 October 2017, and*
- (d) *in relation to the motion passed at the meeting that "Council release the secret in confidence report used for the financial viability of the new motel", it determines to release the Horwath HTL report dated November 2016, as its main purpose to assist in the confidential Expression of Interest process for investment in the proposed Waterfront Hotel has been achieved with the appointment of Fairbrother Pty Ltd as the preferred developer.*

Author:	Karen Hampton	Endorsed By:	Paul West
Position:	Governance Coordinator	Position:	General Manager

**MINUTES OF DEVONPORT CITY COUNCIL'S ANNUAL GENERAL MEETING
HELD IN THE COUNCIL CHAMBERS
ON MONDAY, 30 OCTOBER 2017 COMMENCING AT 5:30PM**

PRESENT: Ald S L Martin (Mayor)
Ald A L Rockliff (Deputy Mayor)
Ald C D Emmerton
Ald A J Jarman
Ald L M Laycock
Ald J F Matthews
Ald T M Milne
Ald L M Perry

Council Officers:

General Manager, P West
Deputy General Manager, M Atkins
Executive Manager Corporate, Community and Business, S Crawford
Executive Manager Organisational Development, K Peebles
Governance Coordinator, K Hampton

Electors:

Steve Puccetti	Doug Janney	Graham Jones
Jan Willing	Leon Pendrey	Alan Halliwell
Ray Chaplin	Don Willing	John G Bonney
Brian Chandler	Peter Stegmann	Kerry Wescombe
Phillip Milne	John Alexiou	Stacey Sheehan
Kylie Lunson	Maree Brady	Leigh Murphy
Karen Stone	Patrick Johnson	John Stuart
Malcolm Gardam	Bob Vellacott	Luke Riley
Ken Overton	Dane Layton	Kees Kuys
Felicity Sly	Matt Smith	Tim McGee
Brian Imlach	Janine Phillips	Jacci McDougall
Mike Nesham	Claire Jordan	

Other:

Brian May	Karen May	Brooke de Jong
Sally O'Wheel		

Audio Recording:

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

1.0 APOLOGIES

The following apology was received for the meeting.

Ald G F Goodwin	Leave of Absence
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2.0 CONFIRMATION OF MINUTES**2.1 ANNUAL GENERAL MEETING - 24 OCTOBER 2016****RESOLUTION**

MOVED: Ald Laycock
 SECONDED: Ald Perry

That the minutes of the annual general meeting held on 24 October 2016 as circulated be confirmed.

	For	Against		For	Against
Ald Martin	✓		Ald Matthews	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	
Ald Laycock	✓		Ald Rockliff	✓	

CARRIED UNANIMOUSLY

3.0 RECEIPT OF ANNUAL REPORT**3.1 ANNUAL REPORT 2017 (D495521)****RESOLUTION**

MOVED: Ald Jarman
 SECONDED: Ald Milne

That the 2017 Devonport City Council Annual Report be received and adopted.

	For	Against		For	Against
Ald Martin	✓		Ald Matthews	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	
Ald Laycock	✓		Ald Rockliff	✓	

CARRIED UNANIMOUSLY

4.0 NOTICES OF MOTION

Nil

5.0 PUBLIC QUESTIONS/COMMENTS**DOUGLAS JANNEY – 23 WATKINSON STREET, DEVONPORT****Operating Expenses**

On page 19 of the Annual Report there is a table Operating Expenses, the last item Internal charges and recoveries. The comment at the bottom of the page says the actual time spent on capital projects by Council staff was 21.62% lower than anticipated. This is allocating staff time to capital works.

Page 21 in the middle of the page under Liquidity position, while cash balances decreased by \$850,000 during the year due to increased capital expenditure the balance remains well in excess of the minimum requirement.

These two comments seem to be at loggerheads. Less people, spending more money.

Q Please explain.

Response

The General Manager advised that in relation to the internal charges, the reduction is in relation to the work undertaken on capital projects. At the beginning of the year Council try to ascertain how much of the capital works will be done internally, with the internal workforce and how much will go out to contract. What is meant by the particular comment in the Annual Report is there is a larger amount of the capital program that went out to contract, but also there was a number of projects which were carried forward and some of those would have impacted on the percentage that has been identified as being lower than what was originally anticipated.

The liquidity position on the other page is directly taking us back to the financial management strategy, talking about the minimum cash that Council has decided that it wishes to maintain and basically although the cash balance has decreased by \$850,000 the total cash at the end of the year was \$16.1M. Therefore we are certainly well within the minimum threshold that Council has set itself.

DON WILLING – 171 WINSPEARS ROAD, EAST DEVONPORT

My question is to the Mayor. We now know that ratepayers paid the company managing the LIVING CITY project \$3.3M to the end of 2016/17 financial year with more to come. In the 2016/17 financial year the payment was almost \$2M alone. When asked if the spike in payments to P+i was paid because it paid contractors, you said "no". The engagement with P+i has required that they carried the payment of some costs not due until project commencement.

Q Would you please explain to the ratepayers the nature of the major parts of these carried forward costs?

Response

The Mayor advised that as part of Council's contract with P+i some of the Stage 1 development fees were not payable until the commencement of Stage 1 works.

PETER STEGMANN – 118 RIVER ROAD, EAST DEVONPORT

I notice that Ald Emmerton mentioned about Council being open and transparent in his speech a moment ago. I hope you can answer this question.

On November 8th 2015 the lead consultant of P+i, Council's non-tendered appointed LIVING CITY Development Manager stated in the Advocate that six hotel groups had already approached him to build on the Harris Scarfe site.

Then on October 17th 2017 almost two years later the Mayor announced that Council had received submissions from both developers and operators as part of the EOI process for the hotel.

Will the Mayor please tell rate payers precisely how many expressions of interest were received from hotel developers and if Council can provide any guarantee that the selected developer will actually build the hotel?

Response

The Mayor advised that there were six expressions of interest received by Council. Council has appointed Fairbrother with exclusive right to develop a team for that development to be built for a two year period.

MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA

- Q1** On July 16th 2016 Mr Atkins the Council's Deputy General Manager being responsible for the LIVING CITY project was quoted in *The Advocate* as stating "An announcement was likely in two months about restaurant operators at the four food pavilion sites".

Over a year later, and despite Council having repeatedly named Southern Wild Distillery, Ben Milbourne (restaurant, cooking school and film studio) and 41 Degrees South (since confirmed in *The Advocate* as withdrawn) as the first tenants for the Food Pavilion, Council is still refusing to confirm that any of the above mentioned entities are secured tenants under lease agreements?

Accordingly, would Mr Atkins explain why some 15 months after his statement he is unable to provide this information to ratepayers?

Response

The Deputy General Manager advised that certainly back in July 2016 that was the direction Council was heading, but as you are aware, since that time Council entered into a head-lease for the operation of the Food Pavilion. Council has been very open in the fact that we have an agreement with a company to manage that facility. That's based on minimising Council's exposure and risk and we have a contract with them which allows subletting of tenancies which is their business as we have previously advised.

- Q2** Council has repeatedly told ratepayers that the Food Pavilion and the 800 delegate Conference facility are the two catalysts fundamental to the success of the entire LIVING CITY project.

This being the case will the Deputy General Manager please provide ratepayers with answers to the following:

- a) Why did Council not commission any independent quantitative demand studies for either of these catalysts given they were critical to the success of the LIVING CITY project; and

Response

The Deputy General Manager advised that again the question there has probably taken Council out of context. Stage 1 is being held up as the catalyst for future stages of LIVING CITY not specifically the Conference Centre and the Food Pavilion as you state. That catalyst being that it allows Harris Scarfe, Council and the LINC to move which frees up the land for future development, hence the catalyst aspect. Having said that, yes, Council absolutely believes the Conference Centre, Food Pavilion and the hotel and all those aspects combined are what will deliver the success of LIVING CITY.

- b) What are the Council's forecast numbers of overnight stay delegates who will utilise the conference facility in years 1-3 of operation and where will they stay?

Response

The Deputy General Manager advised that the funding model hasn't changed. Council has been open and transparent with that, its factored in a phased in approach to the Conference Centre from day one. The take up was in the order of 25% of optimum usage in the first year, increasing through to year five. There has been no change in those projections and Council has been quite open with its funding model and transparency with the financing of Stage 1.

In factoring in that there is going to be a slower uptake, that is considering there is only so much accommodation around at the moment. Just like we have seen with the Master's Games we will work with what we have got. In the meantime Council is doing all it can to progress a hotel in Devonport.

GRAHAM JONES – BARCLAY MOTOR INN – 112 NORTH FENTON STREET, DEVONPORT

I would like to move a motion:

MOVED: *Graham Jones*

SECONDED: *Malcolm Gardam*

"That Council release the secret, in confidence report used for the financial viability of the new motel".

Mr Jones stated in support of his motion:

I make the motion on the basis that now you have established who is going to operate it, you have all your tenders, I think it is now fair for the existing operators, accommodation owners to have the same information, heads-up and restore it to a level playing field, as in open and transparent.

The motion was debated and put and CARRIED.

FOR: 24

AGAINST: 16

BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT

Mayor, I hereby move:

MOVED: *Bob Vellacott*

SECONDED: *Malcolm Gardam*

"That we the electors and ratepayers of Devonport here present at the 2017 Devonport City Council Annual General Meeting move a motion of no confidence in you and the Council with the exception of Alderman Alison Jarman who has been the only Alderman to show any concern."

Mr Vellacott read out the following statement in support of his motion:

This is in relation to the oversight/conduct and administration of the of the LIVING CITY project. The reason for this motion is as follows:

The failure of Council to exercise appropriate levels of duty of care in regards ratepayer consultation, due diligence, risk mitigation and full transparency associated with approving the allocation of \$11 million of ratepayer cash reserves and an additional \$39 million in borrowings for the LIVING CITY project to proceed when none of the private investment Council claimed would be forthcoming materialised and other actions by Council.

Supporting evidence to this assertion is:

1. Council's failure to tender the LIVING CITY project management contract and the appointment of a Company and project director not necessarily the most proven in delivering urban renewal projects of the equivalent size, scale and complexity to that of LIVING CITY.
2. Council's failure to undertake the "comprehensive business case studies" required by consultants Hill PDA to validate their estimates of 830 new CBD on going full-time direct jobs and significantly more indirect jobs and \$112 million of

economic output annually despite repeatedly and unambiguously communicating to ratepayers that these outcomes justified the appropriation of approximately \$50 million in ratepayer cash reserves and additional borrowings for Stage 1 of the LIVING CITY project.

3. Council's failure to ensure ratepayer interests were fully protected by entering a non-tendered confidential 10 year, \$4 million food pavilion head lease with connections of the lead project consultant without Council having any knowledge of the fact that the issued paid up capital of the lessee Company was a minimal \$20,000 (0.5%) of the contract value thereby placing ratepayers at significant risk in the case of default.
4. Council's failure to act in the best interests of ratepayers when presented with a Message to the Aldermen signed by more than 1,500 members of the community expressing concerns at the viability of the LIVING CITY project and the prospect of massively increasing ratepayer indebtedness.

Responses to the actions ratepayers requested of their representatives included:

- Council does not believe that further independent risk management assessment is required.
- Council will not be conducting an elector poll; and
- Council intends to finalise the funding model by borrowing up to an additional \$39 million.

Council then went on to spend, I think it was \$10 million in retaliatory advertising.

Ladies and Gentlemen,

Ratepayers are now fully responsible for the \$39 million loan and are exposed to the real possibility of increased rates and/or reduced services in the future. Instead of being protected they have been let down by Council members who are paid by ratepayers to provide proper and diligent duty of care in their decision making.

Council is on record as stating "The financial risks with LIVING CITY are significant – Council risks enormous reputational damage if the Master Plan is not implemented.

Obviously they the Mayor and Aldermen have no concern for ratepayers just their own reputations and it is for the reasons listed that I have moved this motion of no confidence.

Mayor as this is a motion of no confidence in Council as outlined above it would I suggest be impertinent at this time for you and others who are mentioned in this not to vote on same.

I therefore request the Secretary of the meeting to record same and include all of the above in the minutes of this meeting and the meeting of December 2017.

The motion was debated and put and LOST.

FOR: 16
AGAINST: 24

There being no further business the Mayor declared the meeting closed at 6:37pm.

Confirmed

Chairman

(A LC RBV 2017 AGM Apology Motion of No Confidence)

R. B. VELLACOTT
11 COCKER PLACE
DEVONPORT 7310

THE MAYOR AND ALDERMEN
DEVONPORT CITY COUNCIL
FENTON WAY DEVONPORT 7310

Dear Mayor and Alderman,

Ref : Devonport City Council Annual General Meeting - Motion of No Confidence

For the record - when I was reading the reasons for the motion of no confidence I adlibbed part and mistakenly said Council spent * \$10 million in retaliatory advertising against the 1,500 ratepayers who signed the Message to Aldermen when what I should have said was the actual amount was approx. Ten Thousand Dollars (\$10,000.)

In no way did I purposely try to mislead by stating such an *amount.

The hard copy of the motion and comments handed to the Governance Officer would of course not include all that I said when speaking to the motion.

After checking the audio recording of the meeting

I found that the unconfirmed minutes correctly records what I said and I have no quarrel with that.

"I therefore sincerely apologise for stating such an incorrect amount"

I would appreciate if the above is included in the Agenda and minutes for the 27th November 2017 Council Meeting.

Yours sincerely,

R.B. Vellacott 18th November 2017

Bob. Vellacott - Ratepayer

10/11/2017 D500633

The Mayor, Alderman Steve Martin and Devonport City Council Aldermen
The General Manager, Mr Paul West

In Reference: Concept Development with Trading Projections Related to a Proposed Hotel Part of the Living City.

Date: Wednesday 8th November 2017

Dear Mayor and Aldermen,

At the next DCC meeting, you will be considering a motion carried by a vote of 24 to 16, at the recent DCC AGM (October 30th 2017) that "the Council release the secret, in confidence, report used for the financial viability of the new (Living City) hotel". Speaking on behalf of the tourism and accommodation industry, especially those who already provide tourist accommodation in Devonport and Surrounds, it is strongly requested that the Council acts accordingly.

The report sought expressions of interest and closed 30th June 2017, and has already met its primary function in guiding the DCC toward the selection of a suitable contractor to build and operate the hotel.

The information is sought not to debate Council plans; these are now a matter of a fait accompli.

By increasing the available bed nights in Devonport by 73,000 / 54,750 bed nights (200 rooms * 365 nights) / (150 rooms * 365 nights), the new hotel will significantly alter the accommodation landscape. It is important for existing providers to understand the parameters by which the hotel will operate and the tourism forecasts which guide future planning.

The Living City concept is to benefit all of Devonport and accordingly, the established tourism providers need to understand the dramatically different context in which the whole industry will operate in the future.

Exactly how the forecasted demand for convention events and its associated accommodation requirements will need to be integrated with existing tourism/accommodation patterns and seasonality as they currently exist. For all accommodation providers this impacts on forecasting, staffing levels, maintenance and continuous improvement programs, timing and content of marketing and advertising, holiday rostering, and the like.

The extremely competitive environment in which the Devonport industry operates will change dramatically. The new hotel will be up-to-the-minute in construction, style, coordinated concept, great services and customer satisfaction. This will have a flow-on effect of causing existing operators to lift their game so as to continuously meet the needs of specific tourist segments not being catered for by the new hotel and to accommodate the overflow from the future conference and convention bookings. It is important that existing operators do not get left behind and are able to make suitable plans for the evolving competitive environment.

A perfect example of the spirit of co-operation that exists in Devonport and Surrounds accommodation providers, was the recent highly successful Masters Games, where over 5000 competitors, support staff and families were accommodated in the region in existing and varied accommodation types. We need to continue to build on this spirit of co-operation for the future long-term health and success of the tourism industry and Devonport in particular.

We are anticipating that Living City will benefit us all. To this end the report is vital to allow the whole industry to adequately plan now that the confidential aspects of the contractor selection has been resolved. Again, we strongly request that you release the report in its unedited and un-redacted state.

Please forward a copy of this letter to all Aldermen and include all of the above in the November Council agenda.

Yours sincerely

Graham Jones - Owner and Director
Barclay Motor Inn
Devonport



Email: admin@barclaymotorinn.com.au
Phone: 03 6424 4722

5.2 TENDER REPORT CONTRACT CS0063 WILLIAM STORMWATER CATCHMENT UPGRADE STAGE 7

File: 33893 D499555

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 2.3.2 Provide and maintain stormwater infrastructure to appropriate standards

SUMMARY

This report seeks Council's approval to award Contract CS0063 William Stormwater Upgrade Stage 7 to Kentish Construction & Engineering Company Pty Ltd (trading as Treloar Transport).

BACKGROUND

This report considers tenders received for "William Stormwater Catchment Upgrade Stage 7" listed within the 2017/18 capital expenditure budget.

This project is a continuation of work in the William Street catchment to increase the capacity of the piped stormwater system to meet Council's Stormwater Strategy requirements and reduce the risk of flooding. Stage 7 involves the duplication of the stormwater main on William Street, through the James Street roundabout, which also intersects the rail line. The new line is 900mm diameter and up to 4.5m deep. The scope of work is shown in figure 1 below.



Figure 1: scope of work – Contract CS0063

STATUTORY REQUIREMENTS

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

DISCUSSION

In accordance with Council's Code of Tenders and Contracts, a Tender Planning and Evaluation Committee was formed to evaluate the tenders received.

Tenders were received from two companies. All tenders received were conforming tenders and are summarised in table 1.

TABLE 1

No.	Tender	Status	Tender Price (ex GST)	Revised Tender Price (ex GST)
1	Kentish Construction and Engineering Company Pty Ltd	Conforming	\$204,400	\$194,856
2	Civilscape Contracting Tasmania Pty Ltd	Conforming	\$242,561	N/A

As highlighted in the above table Kentish Construction & Engineering Company Pty Ltd's (trading as Treloar Transport) tender of \$204,400 is the lowest price. The Tender Planning and Evaluation Committee have considered the tenders against each of the selection criteria, these being:

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

A review of the project after the close of tenders identified some potential savings, Kentish Engineering and Construction Company Pty Ltd provided a revised tender price of \$194,856 detailed in table 1.

The evaluation by the committee indicates that Kentish Construction & Engineering Company Pty Ltd scored highest overall against the selection criteria and therefore offers Council the best value for money.

The Tender Planning and Evaluation Committee minutes were prepared, and confidential copies can be made available upon request by Aldermen.

COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in the Advocate Newspaper on 31 October 2017 and tenders were also advertised on Council's website.

FINANCIAL IMPLICATIONS

The 2017/18 capital expenditure budget includes an allocation for the "William Stormwater Catchment Upgrade Stage 7" project of \$250,000. The revised tender received from Kentish Construction & Engineering Company Pty Ltd is \$194,856.

The breakdown of the budget for this project is summarised below in table 2.

TABLE 2

No.	Tender	Price (ex GST)
1	Contract CS0063 (revised tender sum)	\$194,856
2	Project management/administration	\$ 25,000
3	Tasrail Works (Agreed maximum)	\$ 30,000
4	Asphalt Works (Rail Corridor)	\$ 3,950
5	Construction contingency	\$ 30,660
	TOTAL	\$284,466

The risk of unforeseen variations on this project is moderate due to the complexity of the work and the contingency allowance has been set at 15% of the contract amount.

If there is an over expenditure on this project it will potentially be offset by savings on other stormwater projects later in the financial year, however, this cannot be guaranteed.

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 in compliance with Section 333 of the *Local Government Act 1993*.

CONCLUSION

Taking into account the selection criteria assessment, the Tender Planning and Evaluation Committee has determined that Kentish Construction & Engineering Company Pty Ltd meets Council's requirements and is therefore most likely to offer "best value" in relation to Contract CS0063 William Stormwater Catchment Upgrade Stage 7.

ATTACHMENTS

Nil

RECOMMENDATION

That Council in relation to Contract CS0063 William Stormwater Catchment Upgrade Stage 7:

- a) award the contract to Kentish Construction & Engineering Company Pty Ltd for the revised tendered sum of \$194,856 (ex GST);
- b) note that design, project management and administration for the project are estimated to cost \$25,000 (ex GST);
- c) note that the Tasrail works for the project are estimated to cost \$30,000 (ex GST);
- d) note that asphalt works in the rail corridor are estimated to cost \$3,950 (ex GST);
- e) note a construction contingency allocation of \$30,660 (ex GST); and
- f) note that there may be a project budget overrun of \$34,466 (ex GST), if all the contingency allowance is required to be utilised.

Author: Position:	Shannon Eade Project Management Officer	Endorsed By: Position:	Matthew Atkins Deputy General Manager
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Report to Council meeting on 27 November 2017

5.3 TENDER REPORT CONTRACT CT0209 FORMBY ROAD RECONSTRUCTION (NORTH BOUND LANES LYONS AVENUE TO BASS HIGHWAY)

File: 33884 D499934

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.3.1 Provide and maintain roads, bridges, footpaths, bike paths and car parks to appropriate standards

SUMMARY

This report seeks Council's approval to award Contract CT0209 for the Formby Road Reconstruction (north bound lanes Lyons Avenue to Bass Highway), to ATM Construction Pty Ltd.

BACKGROUND

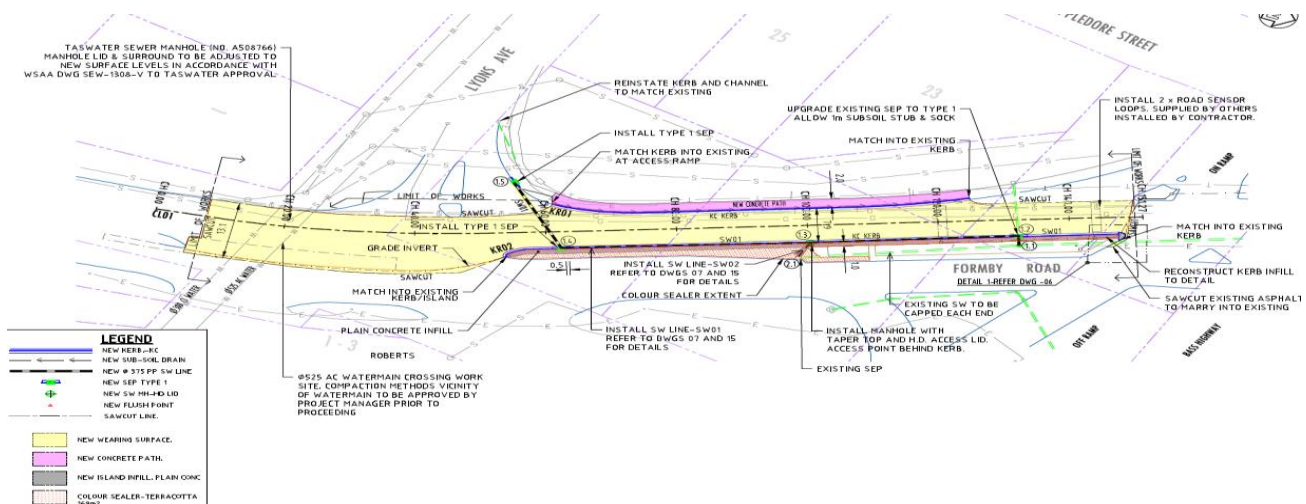
This report considers tenders received for "Formby Road Renewal, north bound lanes – Lyons Avenue to Bass Highway" listed within the 2017/18 capital expenditure budget.

This section of Formby Road is a vital road link and is in poor condition. Allowing further deterioration is a risk to the freight, commuter and tourist traffic on the road and may require expensive maintenance work to keep the road serviceable.

This project involves the renewal of the pavement, seal, kerbs and stormwater of the northbound lanes of Formby Road between Lyons Avenue and the Bass Highway.

Due to a combination of existing ground conditions, heavy traffic and shallow critical services (gas and fibre optic), the existing pavement material will be stabilised with foamed bitumen and lime. This type of work has been undertaken extensively in other states and on the Tasmanian state road network and will be undertaken by a specialist subcontractor to Vicroads specifications. This technique will provide suitable pavement for current and future traffic volumes and is also faster to construct than conventional pavement construction.

The scope of work is shown in figure 1 below.



STATUTORY REQUIREMENTS

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

DISCUSSION

In accordance with Council's Code of Tenders and Contracts, a Tender Planning and Evaluation Committee was formed to evaluate the tenders received.

Tenders were received from three companies. All tenders received were conforming tenders and are summarised in table 1.

TABLE 1

No.	Tender	Status	Tender Price (ex GST)
1	ATM Construction Pty Ltd	Conforming	\$341,803
2	Civilscape Contracting Tasmania	Conforming	\$405,207
3	Kentish Construction and Engineering Company Pty Ltd (trading as Treloar Transport)	Conforming	\$415,769

As highlighted in the above table, ATM Construction Pty Ltd tender of \$341,803 is the lowest priced. The Tender Planning and Evaluation Committee have considered the tenders against each of the selection criteria, these being:

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

The evaluation by the committee indicates that ATM Construction Pty Ltd scored highest overall against the selection criteria and therefore offers Council the best value for money.

The confidential Tender Planning and Evaluation Committee minutes are available for Aldermen to view if desired.

COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in the Advocate Newspaper on 14 October 2017 and tenders were also advertised on Council's website.

FINANCIAL IMPLICATIONS

The 2017/18 capital expenditure budget includes an allocation for the "Formby Road Renewal, north bound lanes – Lyons Avenue to Bass Highway" project of \$330,000.

The breakdown of the budget for this project is summarised below in table 2.

TABLE 2

No.	Tender	Budget (ex GST)
1	Contract CT0209	\$341,803
2	Project management/administration	\$32,000
3	Construction contingency	\$51,270
	TOTAL	\$425,073

The contingency allowance for this project is 15% of the contract price. The risk of unforeseen variations on this project is moderate, due to the pavement construction technique.

The forecast over expenditure on this project of \$95,073 will be offset by savings on other transport projects. Notably Contract CT0205 – Torquay Road reconstruction was reported to Council to be \$69,000 under budget, while the Victoria Parade Boat Ramp upgrade and Buster Road renewal projects have only used part of the reported contingencies.

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 in compliance with Section 333 of the *Local Government Act 1993*.

CONCLUSION

Taking into account the selection criteria assessment, the Tender Planning and Evaluation Committee has determined that ATM Construction Pty Ltd meets Council's requirements and is therefore most likely to offer "best value" in relation to Contract CT0209 for the Formby Road Reconstruction (north bound lanes Lyons Avenue to Bass Highway).

ATTACHMENTS

Nil

RECOMMENDATION

That Council, in relation to Contract CT0209 Formby Road Reconstruction (Lyons Avenue to Bass Highway):

- a) award the contract to ATM Construction Pty Ltd for the tendered sum of \$341,803 (ex GST);
- b) note that design, project management and administration for the project are estimated to cost \$32,000 (ex GST);
- c) note a construction contingency of \$51,270 (ex GST) has been included;
- d) note additional expenditure of up to \$95,073 (ex GST) may result if all the contingency is required, which will be offset by savings on other transport projects.

Author:	Shannon Eade	Endorsed By:	Matthew Atkins
Position:	Project Management Officer	Position:	Deputy General Manager

6.0 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

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

Date	Description	Purpose
20/11/2017	Jazz Update	Presentation and discussion on structure of future festivals
	Convention Centre Branding	Update on revised branding concepts for Multi-Purpose Building, Convention Centre and Arts Centre
	Easy Park	Update on trial of pay by-phone technology in off-street Council carparks
	Fenton Villas	Update on property
	Shared Services Report	Further discussion regarding the Cradle Coast Authority Shared Services Report
	Australia Day Awards 2018	Discussion of criteria and timeframes for closing of nominations
	Right to Information	Discussion regarding the right to information
	Changes to the Local Government Act	Discussion and comments sought to enable Council submission to be prepared

RECOMMENDATION

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

Author: Position:	Robyn Woolsey Executive Assistant – General Management	Endorsed By: Position:	Paul West General Manager
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6.2 MAYOR'S MONTHLY REPORT

File: 22947 D454208

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

SUMMARY

This report details meetings and functions attended by the Mayor.

BACKGROUND

This report is provided by the Mayor to provide a list of meetings and functions attended by him for the month of October 2017.

STATUTORY REQUIREMENTS

There are no statutory requirements which relate to this report.

DISCUSSION

In his capacity as Mayor, Alderman Steve Martin attended the following meetings and functions during the month October 2017:

- Devonport Food & Wine Festival (DFWF)- Home Hill Providore on the Lawn
- Radio 7AD & Tasmania Talks interviews
- DFWF – Street Soup Kitchen
- ABC Radio interviews
- Council Workshop & LIVING CITY tour
- Shane Broad MP
- Rita Rikz, Southern Cross Television – tour LIVING CITY
- Cradle Coast Sports & Events
- Australian Masters Games – school flags media event
- Tasmanian Masters Games
- Devonport Angler's Club
- Fairbrother's Craig Edmunds & Darryn Smith signing of Waterfront Hotel Agreement
- Advocate Newspaper interviews
- Webinar – UTAS
- Resident meetings
- C3 Church, Brian Weber
- DFWF – Kids in the Kitchen Drysdale House at Devonport TAS Tafe
- Radio 7AD Sylvia Sayers
- Devonport LINC – The Living Room
- DFWF - Devonport Community House Living Lightly Expo
- Navy Day Remembrance Ceremony – Ulverstone
- Infrastructure, Works & Development Committee
- Devonport Chamber of Commerce & Industry – Industry Committee tour of Living City
- Cassey O'Connor, Green's Leader - Hobart
- Helen Langenberg, Department Sport & Recreation – Hobart
- Vaughn Lynch, CEO TAS Racing – Hobart
- Mike Palmer, CEO Football Federation Tasmania - Hobart
- Stephen Farquer, QantasLink - Hobart
- Danielle McKay, Sport & Recreation Advisor Premier – Hobart

Report to Council meeting on 27 November 2017

- Professor Louise Grimmer, UTAS – Hobart
- Nick Cummins, CEO Cricket TAS – Hobart
- Dion McKenzie, Sustainable Timbers Tasmania – Hobart
- Media Announcement “Tasmanian Masters Games – Southern Cross TV & Radio 7AD with Rod Andrews, Chris McCoy & Michael Bonney
- Gran’s Van Volunteer Afternoon Tea Appreciation
- Acting CEO Tas TAFE Mark Sayer
- Professor David Adams UTAS
- Maidstone Park Controlling Authority
- HMAS Stuart
- Mersey Rowing Club Merv & Dave Tippet
- Officially opened NW Film Society Film Night, Seniors Week event
- Treasurer Peter Gutwein tour of LIVING CITY
- Eastern Shore Community House, officially opened the Pop Up Op Shop for Anti-Poverty Week
- Council 50-year Ratepayer Luncheon
- Devonport Table Tennis Centre – Australian Masters Games with Kentish Mayor Don Thwaites
- Australian Masters Games Opening Ceremony
 - VIP function
 - Officially welcomed competitors to Devonport & NW Tasmania
 - Individually congratulated each primary school and students for their sporting banners
 - Marched as a games participant with Mayor Don Thwaites for Table Tennis
 - Devonport Food & Wine Festival
- Australian Masters Games – venue & competitor visits
 - Devonport Oval - cricket
 - Maidstone Park – baseball
 - Devonport Recreation Centre – basketball
 - Devonport Soccer Club – soccer
 - Devonport Squash Centre – squash
 - Meercroft Park – hockey
 - Meercroft Park – touch football
 - Devonport Bluff – bocce
 - Devonport Ten Pin Bowling
 - Devonport Soccer Club – darts
 - Maidstone Park – netball
 - Devonport Golf Club
- Dame Enid Lyons Trust Fund Committee
- ABC Radio Drive Program interview
- Devonport senior Citizen’s Club Birthday Celebrations
- Street Eats – DFWF
- Rob Bradley, Confederation of Australian Sports
- Officially launched Children’s Week – Playgroup Tasmania’s teddy Bear’s Picnic
- Australian Masters Games VIP function – Burnie
- Childrens Book Council of Australia (TAS) AGM – re-elected to State Committee – Hobart
- Retail Strategy Workshops

ATTACHMENTS

Nil

RECOMMENDATION

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

6.3 GENERAL MANAGER'S REPORT - NOVEMBER 2017

File: 29092 D462051

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 5.8.2 Ensure access to Council information that meets user demands, is easy to understand, whilst complying with legislative requirements

SUMMARY

This report provides a summary of the activities undertaken by the General Manager, 19 October to 22 November 2017. It also provides information on matters that may be of interest to Aldermen and the community.

BACKGROUND

The report is provided on a regular monthly basis and addresses several management and strategic issues currently being undertaken by Council. The report also provides regular updates in relation to National, Regional and State based local government matters as well as State and Federal Government programs.

STATUTORY REQUIREMENTS

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

DISCUSSION

1. COUNCIL MANAGEMENT

- 1.1. Attended and participated in several internal staff and management meetings.
- 1.2. Attended Workshops, Section 23 Committee and Council Meetings as required.
- 1.3. Met with staff from Latrobe and Kentish Councils to discuss their proposed implementation of the Technology One computing technology. Devonport Council operates on the Tech One platform and there may be potential for sharing of information and resources into the future.
- 1.4. Attended a meeting of the Council's Audit Panel. The Panel is a shared arrangement between Devonport and Central Coast Councils.

2. LIVING CITY

- 2.1. Participated in a LIVING CITY Working Group meeting. This is a regular meeting where Council officers and representatives of P+i Group discuss progress and activities associated with the project.
- 2.2. Met with representatives of Service Tasmania to discuss operational arrangements to apply on the completion of the new Civic Building. Service Tasmania have been providing collection of rates and dog registrations at all of its Branches since 1 July 2017, which to date has proved effective.

3. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 3.1. Attended a function hosted by the Confederation of Australian Sports to celebrate the conclusion of the Masters Games. At this event the host City for the 2019 Australian Masters Games, Adelaide was announced.

Report to Council meeting on 27 November 2017

- 3.2. At the invitation of the RACT attended the official opening of their new offices in the Rooke Street Mall.
- 3.3. Attended a meeting with Tasmania Police to discuss local matters of interest.
- 3.4. Met with developers to discuss a number of proposed projects in the Devonport area.
- 3.5. Attended the official HMAS Stuart Welcome Reception.
- 3.6. Met with a local resident relating to concerns with drainage on his property.
- 3.7. Met with an interstate developer to discuss a development opportunity in Devonport.
- 3.8. With the Mayor met with an attendee of the Electric Car Conference who outlined the potential future for advancing electric vehicles in Australia.
- 3.9. Met with the Group Regional Manager for Prouds Jewellers on the opening of their new store in Devonport.
- 3.10. Met with the Manager of the Devonport Airport to discuss the proposed development of a new Devonport Airport Masterplan. There will be community engagement held on the development of the Plan in the coming months.
- 3.11. With the Mayor met with Commander Higgins and Inspector Wilkinson of Tasmania Police. The purpose of the meeting was to allow the recently appointed Commander to introduce himself.
- 3.12. Met with representatives of Meercroft Home for the Aged to further discuss matters relating to traffic and pedestrian issues in the vicinity of their facility.

4. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

- 4.1. The Local Government Association of Tasmania held a General Meeting in Hobart on 1 November. The Deputy Mayor and Deputy General Manager attended the meeting. Items included on the agenda related to:
 - General Meeting arrangements
 - Waste Management – opportunities and strategic actions on ways to advance both waste and recycling management across the State
 - Code of Conduct – feedback on consultation with councils relating to a review presently underway relating to Code of Conduct complaints
 - Briefings on a number of activities undertaken by LGAT including TasWater, Tasmanian Community Health and Wellbeing Project, Targeted Review of the Local Government Act, Employee Assistance Program for Elected Members, Stormwater Management Plans, Election Priorities
- 4.2. Attended a TasWater Representatives meeting (as proxy for Ald Goodwin). Items considered at this meeting included:
 - Chief Representative's Report
 - Chairman's Report
 - Chief Executive Officer's Report
 - Annual Financial Report, Directors' Report and Auditor's Report
 - Quarterly Report to Owners

Report to Council meeting on 27 November 2017

- 4.3. Together with a number of Aldermen attended a briefing at the Cradle Coast Authority by the consultant appointed to undertake the Shared Services Study.
- 4.4. Attended a meeting of the Cradle Coast General Managers Group. Items discussed included:
 - Shared Services – process for responses by councils;
 - Cradle Coast Authority – Board and Representatives Meetings;
 - State-wide Planning Scheme Update

5. STATE AND FEDERAL GOVERNMENT PROGRAMS

- 5.1. With Mayor met with Justine Keay MP, Member for Braddon for a general catch-up. A site tour of LIVING CITY was also provided.
- 5.2. Met with a representative of Regional Development Australia (RDA) to discuss future opportunities relating to grant funding through Federal Government programs.
- 5.3. Attended a meeting with the Leader of the Opposition, Hon Rebecca White. The meeting was coordinated by the Cradle Coast Authority and included both Representatives and Board members.

6. OTHER

- 6.1. The Local Government Division has released information relating to the setting of allowances for mayors, deputy mayors and councillors.

Section 340A of the *Local Government Act 1993* entitles Aldermen to allowances as prescribed by Regulation. The Regulations specifies that allowances are to be adjusted from 1 November each year by multiplying the allowances for the previous year by the inflationary factor for the current year.

The new allowances payable from 1 November are:

	Previous	New	Increase
Mayor	\$53,264	\$54,385	\$1,121
Deputy Mayor	\$16,652	\$17,002	\$ 350
Alderman	\$21,305	\$21,754	\$ 449

Note: The Mayor and Deputy Mayor Allowance in the table above are in addition to the Alderman amount prescribed.

A formal review of councillor allowances is also about to commence. The Tasmanian Industrial Commission is responsible for undertaking this review and the indicative timeframe outlined is as follows:

- Issues Paper distributed and advertised in the media – early December
- Hearing to be held – week commencing 22 January 2018
- Report Issued – end of February 2018.

- 6.2. Christmas/New Year Arrangements

- City Offices will close at 4:00pm on Friday 22 December and reopen at 8:30am on Tuesday 2 January 2018.
- Visitor Centre – Closed Christmas Day.

- Art Gallery - Closed Christmas Day.
- Bass Strait Maritime Centre – Closed Christmas Day.
- Operations Centre (Works Depot) will close 4:00pm on Friday 22 December and reopen on 2 January 2018 at 7:30am. A skeleton staff will be rostered on during this period.
- Spreyton Waste Transfer Station will be closed on Christmas Day, Boxing Day and New Year's Day.
- Household waste and recycling bins usually collected on Christmas Day will be collected on 22 December and those usually collected on New Year's Day will be collected the following day (2 January).

A full list of Council facility opening hours during the Christmas/New Year period will be available on Council's website and will be advertised closer to the time.

6.3. Don/Hillcrest Intersection

The Don/Hillcrest Road intersection was renewed as part of the 2014/15 capital works program. Pavement testing was undertaken as part of the site investigation prior to the project design. The test results indicated the existing pavement with some isolated dig outs would provide an adequate base for a complete reseal. There was no justification at the time based on the information available for Council to fund a complete pavement renewal.

Unfortunately, the pavement has since failed in a number of additional locations and maintenance work has been undertaken to address the issues.

Changes have been made to the testing methodology used prior to completing pavement designs with the aim of preventing similar instances in the future.

COMMUNITY ENGAGEMENT

The information included above details any issues relating to community engagement.

FINANCIAL IMPLICATIONS

Any financial or budgetary implications related to matters discussed in this report will be separately reported to Council.

There is not expected to be any impact on the Councils' operating budget as a result of this recommendation.

RISK IMPLICATIONS

Any specific risk implications will be outlined in the commentary above. Any specific issue that may result is any form of risk to 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 Minute Resolutions Update - November 2017](#)
2. CONFIDENTIAL - Current and Previous Minute Resolutions Update - Confidential November 2017

RECOMMENDATION

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

Author:	Paul West
Position:	General Manager

Current and Previous Minute Resolutions Update

OPEN SESSION Current Resolutions	
Resolution Title:	Devonport Gymnastics Club (D491694)
Date:	23 October 2017
Minute No.:	205/17
Status:	Completed
Responsible Officer:	Executive Manager Corporate, Community & Business Services
Officers Comments:	Letter to Club confirming resolution outcome. Club waiting on Federal Government for confirmation of additional \$250,000 to commence.
Resolution Title:	Food Organics and Garden Organics Collection Service (D488999)
Date:	23 October 2017
Minute No.:	206/17
Status:	Completed
Responsible Officer:	Deputy General Manager
Officers Comments:	No further action required.
Resolution Title:	Proposed Sale of Public Land – McCabe Avenue, Devonport (D492316)
Date:	23 October 2017
Minute No.:	207/17
Status:	Completed
Responsible Officer:	General Manager
Officers Comments:	Objectors advised of Council's decision not to proceed.
Resolution Title:	Tender Report – Demolition of Former Maternity Hospital 169 Steele Street (D496487)
Date:	23 October 2017
Minute No.:	209/17
Status:	Completed
Responsible Officer:	Deputy General Manager
Officers Comments:	Tender awarded.
Resolution Title:	Tender Report Contract CT0212 Devonport Road Renewal (Bay Drive to Mersey Road) (IWC 34/17 – 9 October 2017)
Date:	23 October 2017
Minute No.:	213/17
Status:	Completed
Responsible Officer:	Deputy General Manager
Officers Comments:	Tender awarded

Resolution Title:	Mersey Bluff Cemetery (IWC 35/17 – 9 October 2017)
Date:	23 October 2017
Minute No.:	213/17
Status:	In progress
Responsible Officer:	Deputy General Manager
Officers Comments:	Graphics for signage being developed.
Resolution Title:	Chalmers Lane – Traffic and Parking (IWC 36/17 – 9 October 2017)
Date:	23 October 2017
Minute No.:	213/17
Status:	Completed
Responsible Officer:	Deputy General Manager
Officers Comments:	Letter sent to residents.
Resolution Title:	Street Lighting Bulk Changeover (IWC 37/17 – 9 October 2017)
Date:	23 October 2017
Minute No.:	213/17
Status:	Completed
Responsible Officer:	Deputy General Manager
Officers Comments:	LGAT advised of Council's decision.
Resolution Title:	Formby Road Car Park – Review of Accessible Spaces (IWC 38/17 – 9 October 2017)
Date:	23 October 2017
Minute No.:	213/17
Status:	In progress
Responsible Officer:	Deputy General Manager
Officers Comments:	Works being arranged.

Previous Resolutions Still Being Actioned	
Resolution Title:	Disability/Equal Access and Inclusion (D491448)
Date:	25 September 2017
Minute No.:	181/17
Status:	In progress
Responsible Officer:	Executive Manager Corporate, Community and Business
Officers Comments:	Developing an Engagement Plan
Resolution Title:	AM2017.01 Rezoning from General Residential to Commercial and PA2017.0062 Transport Depot and Distribution & Storage – 26 North Caroline Street East Devonport (D485987)
Date:	28 August 2017
Minute No.:	150/17
Status:	Completed
Responsible Officer:	Deputy General Manager
Officers Comments:	The Tasmanian Planning Commission has completed its public hearings in relation to this rezoning. The TPC will advise its decision in due course.
Resolution Title:	AM2017.02 & PA2017.0101 Rezoning from Port and Marine Zone to Local Business Zone to Allow the Development of a Retail Complex – 2-12 Murray Street, East Devonport (D487893)
Date:	28 August 2017
Minute No.:	151/17
Status:	Completed
Responsible Officer:	Deputy General Manager
Officers Comments:	Report on current agenda.
Resolution Title:	Proposed Sale of Land – 24-26 Triton Road, East Devonport (D485382)
Date:	28 August 2017
Minute No.:	158/17
Status:	Completed
Responsible Officer:	General Manager
Officers Comments:	Valuation received and blocks listed for sale 25 October 2017
Resolution Title:	Multi-Purpose and Arts Centre – Branding (D479354)
Date:	24 July 2017
Minute No.:	122/17
Status:	Completed
Responsible Officer:	Executive Manager Corporate, Community & Business Services
Officers Comments:	Revision of concept undertaken. Revised designs provided to Council workshop on 20 November

Resolution Title:	Waste Management Review (IWC 23/17 – 13 June 2017)
Date:	26 June 2017
Minute No.:	107/17
Status:	Completed
Responsible Officer:	Infrastructure & Works Manager
Officers Comments:	Work has commenced to roll-out the changes to the Commercial Collection Service.
Resolution Title:	Feasibility Study – development mobile phone app (Community Services Committee – 12 December 2016)
Date:	19 December 2016
Minute No.:	238/16
Status:	In progress
Responsible Officer:	Executive Manager Corporate Community & Business Services
Officers Comments:	Development of a Devonport Information Mobile application is an action of the Digital Strategy, with a medium priority to be completed in 3-5 years only if external funds can be sourced.
Resolution Title:	Funding & Assistance – Home Hill – NOM – Ald Laycock
Date:	26 September 2016
Minute No.:	170/16
Status:	In progress
Responsible Officer:	Executive Manager Corporate Community & Business Services
Officers Comments:	Landscape Management plan development commenced. Special Projects officer at National Trust commenced development of a business plan.
Resolution Title:	Pay by Phone Parking Technology – Review (Governance & Finance committee – 19 September 2016)
Date:	26 September 2016
Minute No.:	181/16
Status:	Completed
Responsible Officer:	Executive Manager Corporate Community & Business Services
Officers Comments:	Easy Park app to be continued.

6.4 CRADLE COAST WASTE MANAGEMENT - ANNUAL REPORT 2016/17

File: 29119 D498456

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 1.4.2 Facilitate, and where appropriate, undertake improvements in waste and recycling collection, processing services and facilities

SUMMARY

The purpose of this report is to present to Council the Cradle Coast Waste Management Group (CCWMG) Annual Report for the 2016/17 Financial Year.

BACKGROUND

The CCWMG is responsible for implementing the Cradle Coast Regional Waste Management Strategy 2012-2017.

The CCWMG, comprises a General Manager, an elected member, Cradle Coast Authority (CCA) & Dulverton Waste Management (DWM) representatives and four technical staff from the member Councils. Council's Deputy General Manager, Matthew Atkins is one of the technical staff on the group.

The Group is chaired by Central Coast General Manager, Ms Sandra Ayton.

Each year the CCWMG set an annual plan and budget for the upcoming twelve months aimed at achieving the outcomes of the Regional Strategy.

The Annual Plan and Budget is funded from a voluntary levy of \$5.00 per tonne of waste delivered to landfills in the North West region.

This report tables the CCWMG's Annual Report for 2016/17 which outlines the progress during the year against the Annual Plan and Budget.

STATUTORY REQUIREMENTS

The CCWMG is a working group of the Cradle Coast Authority (CCA). The CCA is established as a Joint Authority under Section 30 of the *Local Government Act 1993*.

DISCUSSION

The CCWMG 2016/17 Annual Report summarises progress against planned projects with 49 of an identified 52 actions being completed or ongoing as of 30 June 2017.

Total income generated from the waste levy and other sundry income totalled \$436,323 for the 12-month period with expenditure of \$354,361, the Group ended the year with a \$81,962 surplus.

COMMUNITY ENGAGEMENT

The CCWMG maintain a website Rethinkwaste.com.au in conjunction with other Tasmanian waste bodies as a means of engaging with the community. A number of media initiatives were also implemented during the year.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

There are no notable risks to Council associated with the recommendation of this report.

CONCLUSION

The CCWMG's 2016/17 Annual Report is tabled for Council's information and noting.

ATTACHMENTS

- 1. [Cradle Coast Waste Management Group - Annual Report for 2016/17](#)

RECOMMENDATION

That the 2016/17 Cradle Coast Waste Management Group Annual Report be received and noted.

Author:	Matthew Atkins	Endorsed By:	Paul West
Position:	Deputy General Manager	Position:	General Manager



Annual Report

Cradle Coast Waste Management Group

2016/17

DOCUMENT RECORD

Revision	Issued To	Date	Reviewed	Approved
1	CCWVG for comment/approval	09/10/2017	MP	MG
2	CCWVG to distribute to Councils	24/10/2017	MP	CCWVG

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GLOSSARY OF ABBREVIATIONS

BCC	Burnie City Council
CCA	Cradle Coast Authority
CCC	Central Coast Council
CHC	Circular Head Council
CCWVG	Cradle Coast Waste Management Group
DCC	Devonport City Council
DWM	Dulverton Waste Management
ERF	Emissions Reduction Fund
FOGO	Food Organics Garden Organics
KC	Kentish Council
LC	Latrobe Council
MRF	Materials Recycling Facility
MSW	Municipal Solid Waste
NSRF	National Stronger Regions Fund
NTWVG	Northern Tasmania Waste Management Group
WTS	Waste Transfer Station
WWC	Waratah Wynyard Council

1 INTRODUCTION

1.1 Who We Are

The Cradle Coast Waste Management Group (CCWMG) was formed in 2007 and represents seven northwest Tasmanian municipal councils participating in the voluntary waste levy including: Burnie City (BCC), Central Coast (CCC), Circular Head (CHC), Devonport City (DCC), Latrobe (LC), Kentish (KC) and Waratah Wynyard (WWC).

It is made up by a representative from each council and includes practitioners skilled in engineering, environmental health, waste management, corporate governance and general management. The 2016/17 CCWMG representatives include:

- Rowan Sharman, Engineering Representative from the BCC.
- Sandra Ayton (Chair), General Manager Representative from the CCC.
- Bilal Akhtar, Engineering & Project Representative from the CHC and WWC.
- Brett Smith, CEO from the Cradle Coast Authority (CCA).
- Matthew Atkins, Management Representative from the DCC.
- Jan Febey, Corporate Manager Representative from the KC and LC.
- Don Thwaites, Observer on behalf of the CCA Representatives Group.

The CCWMG receives project management expertise from Dulverton Waste Management (DWM) and is hosted by the CCA, who also provides this regional initiative with administration, financial and communications support.

1.2 Our Principles, Goals and Targets

The CCWMG's *5 Year Strategy 2012 – 2017* was ratified in June 2012 by the Cradle Coast Council's participating in the voluntary waste levy of \$5 per tonne.

The Strategy's four goals are:

1. Waste diversion: Diversion of materials from landfill to increase resource recovery, extend the life of existing landfills and reduce greenhouse gas emissions from waste.
2. Regional planning & efficiencies: Provide regional planning and coordination of waste infrastructure and services to provide improved resource recovery, delivering efficiencies and reducing costs of services/ waste infrastructure.
3. Partnerships: Maintain partnerships with government, planning authorities and the 3 waste regions to shape waste management policies and regulation to influence future regulatory requirements and to identify programs and infrastructure best delivered with a state-wide approach.
4. Community engagement: Work with the community and industry, through education and feedback, to take ownership of waste avoidance and reuse to improve the use of existing and future services.

The Strategy's interim waste diversion target is:

By 2017 divert 50% of all Municipal Solid Waste (MSW) from all local government landfill facilities across the CCWMG region.

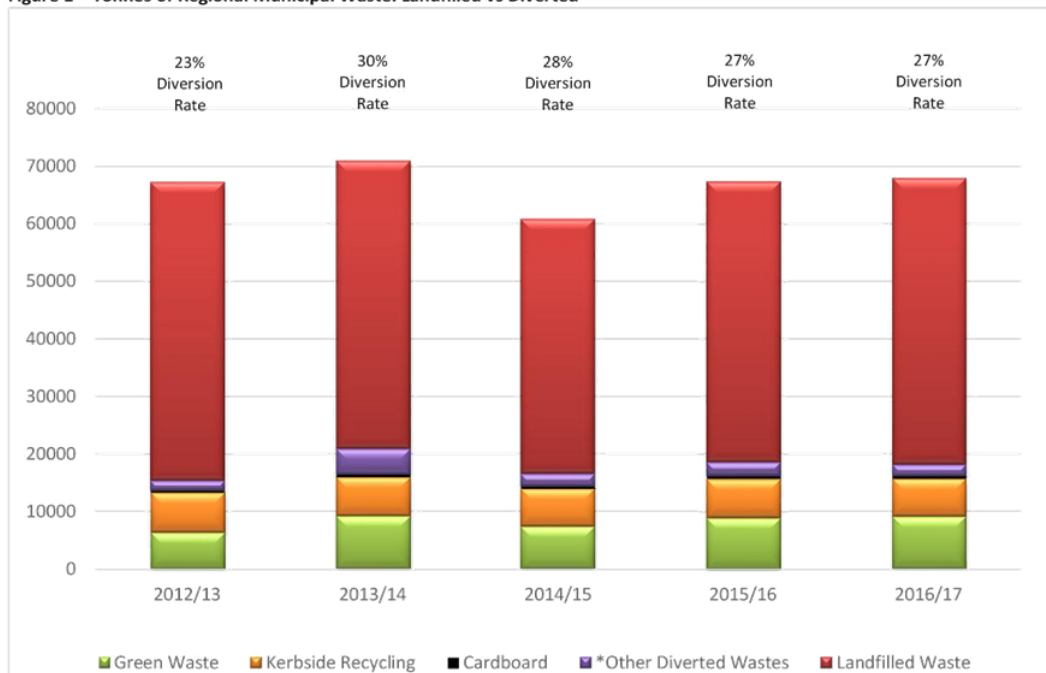
The interim waste target of 50% took into account the implementation of a kerbside Food Organic Garden Organic (FOGO) collection service, which was estimated to divert approximately 50% (20,000 tonnes) of

waste placed into kerbside bins from landfill into composting. At the completion of 2017, a FOGO collection service was still under consideration by Councils. Overall the region performed well achieving an average municipal waste diversion rate of 27% over the past four years. Due to the difficulty obtaining waste data from Councils, the diversion rate should be considered conservative.

Figure 1 displays the tonnes of municipal waste landfilled (red) by the region compared with the tonnes of wastes diverted including: green waste (green), kerbside recycling (orange), cardboard (black) and other diverted wastes (purple).

In 2013/14 the quantity of green waste and other waste diverted was slightly higher than in 2014/15, this is attributed to green waste mulching timing and an increase in scrap steel received by the DCC in 2013/14.

Figure 1 – Tonnes of Regional Municipal Waste: Landfilled vs Diverted



*Other diverted wastes includes the smaller scale recycling initiatives carried out by the regional transfer stations including the recycling of steel, e-waste, tyres, concrete and oil for example. Only BCC and DCC were able to provide data on these waste types, therefore this figure is considered conservative.

The achievements over the past four years provides a solid foundation for implementation of the new CCWGMG Strategic Plan 2017-2022, which will be actioned through the development and implementation of a Cradle Coast Waste Management Group Annual Plan and Budget each year.

1.3 Regional Waste Trends

Waste landfilled at the DWM, Lobster Creek and Port Latta Landfills is charged the voluntary waste levy of \$5 per tonne. From 2012/13 to 2014/15 there has been a gradual decrease in waste landfilled from 78,053 tonnes to 69,776 tonnes.

In 2015/16 waste landfilled increased to 71,404 tonnes which could be attributed to the extreme weather events occurring in June 2016, which resulted in significant property damage and consequently the requirement to dispose of the majority of the damaged materials into landfill.

Waste to landfill increased again in 2016/17, with 77,499 tonnes recorded. This increase is predominately due to a Controlled Waste Project completed by DWM, where a specialised mono-cell was constructed to safely encapsulate 6,306 tonnes of aluminium salt-cake.

The total tonnes of waste received to Council owned landfills since 2011/12 is displayed in Figure 2.

Figure 2 – Tonnes to Landfill vs Strategy Predictions

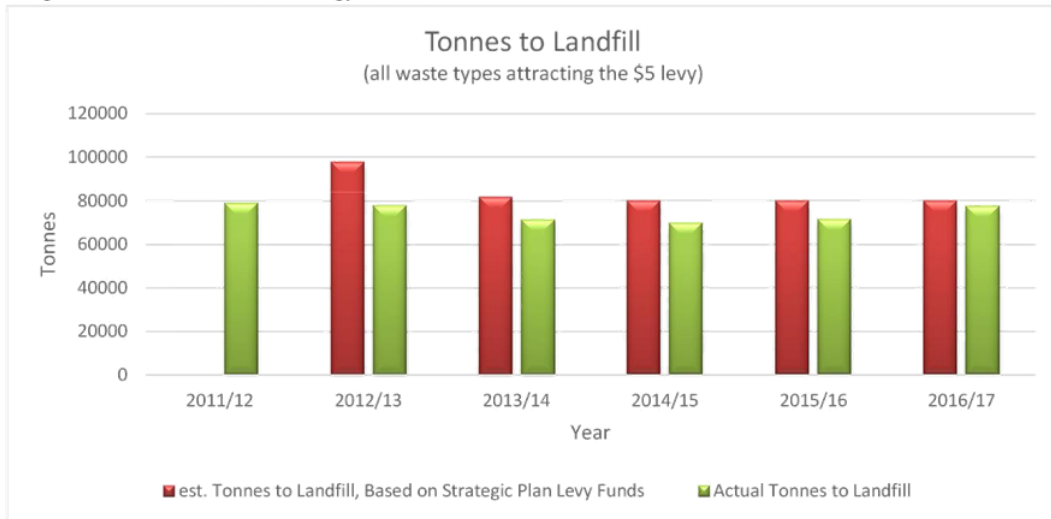
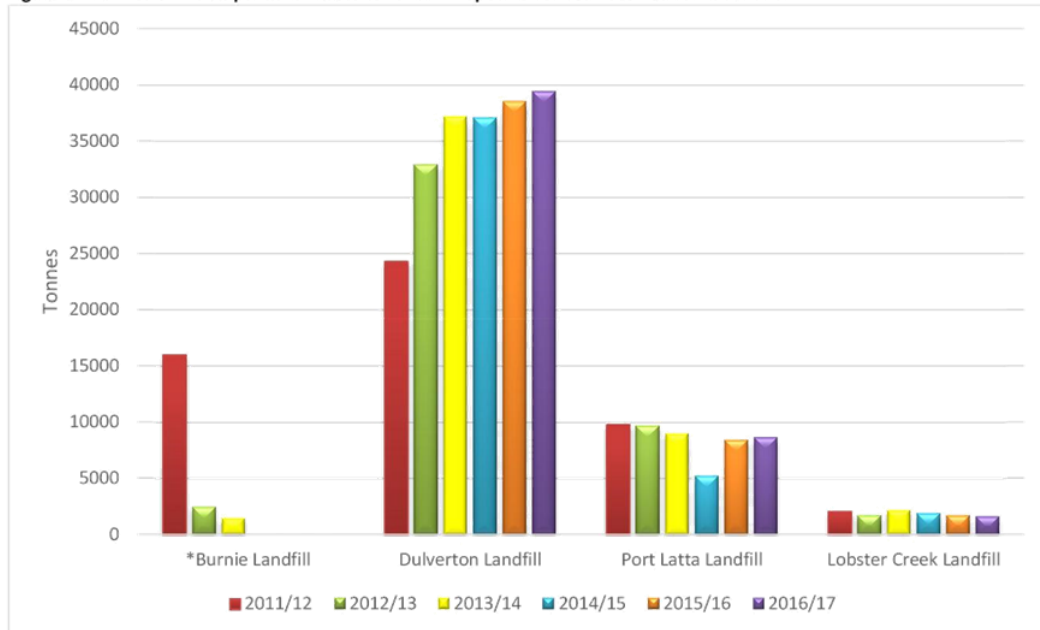


Figure 3 displays the MSW tonnages received at each Council owned landfill since 2011/12.

Figure 3 – Tonnes of Municipal Solid Waste to Landfill – Specific Tonnes Received for Each Landfill



*Burnie Landfill was decommissioned on 6 November 2012, with MSW being forwarded to DWM Landfill after this date. In 2013/14 BCC sent a small quantity of waste to an Echo Landfill.

Over the past 3 years, the tonnes of MSW sent to landfill has gradually increased at all sites except for Lobster Creek, which appears to have plateaued. In 2016/17 a total of 49,793 tonnes of MSW was sent to landfill, a 2% increase when compared to 2015/16 (48,744 tonnes).

There is also a significant increase in MSW received at the DWM Landfill when comparing data from 2012/13 onwards. This increase is due to the DWM Landfill receiving additional waste after the decommissioning of the Burnie Landfill in November 2012.

2 REPORTS

Chairperson's Report

I have pleasure in presenting the Cradle Coast Waste Management Group's Annual Report on behalf of the Group to member Councils.

The report provides an overview of the group's activities throughout the 2016/17 financial year to deliver on the objectives and actions of the 5 year waste strategy for our region. The Group have actioned many projects this last year and I implore you to read through the rest of the Annual Report to understand the activities that have been undertaken during this time.

The report provides information that all councils should be aware of to help us in strategically preparing for the future both within our region and at an individual council level. There is information regarding tonnes of municipal waste landfilled, green waste, kerbside recycling, cardboard and other waste types, providing insight into the trends in these areas. These targets and trends should be at the forefront of our thinking particularly as our major waste diversion target of 50% of municipal waste from landfill, is what our strategy is centred around.

It was pleasing to see the development of the new Strategic Plan for 2017-2022 which highlights four key focus areas of the group – waste diversion; regional planning and efficiencies; partnerships; and community engagement. This has now been endorsed by all Council's involved in the group and sets our focus for the next five years.

In the absence of the development of a State Waste Strategy, the Local Government Association of Tasmania and the three regional waste bodies have worked together to deliver a Strategy which details a suite of initiatives which address key state-wide issues faced by local governments across Tasmania. This Strategy calls for the state to rethink the classic linear model of waste and resource management. Encouraging Tasmania to embrace the vision of a circular economy, whereby materials are kept in circulation through reuse and recycling, industrial symbiosis and other efforts to divert materials from landfill. The circular economy vision provides for greater jobs and investment in resource recovery and directly addresses a potential future risk where increasing waste generation might outstrip improvements in landfill diversion rates.

The Cradle Coast Waste Management Group is a voluntary group of representatives from the seven councils involved and I would like to sincerely thank them for the time and focus that they put into the Group for the benefit of the region. The efforts made by each council representative is in addition to their daily workload at Council. I would also like to thank both Dulverton and the Cradle Coast Authority for their expertise and dedication of skills to this Group as well.

I commend this report to you.

Sandra Ayton

Chair

3 ACTIVITIES UNDERTAKEN FOR YEAR

3.1 Regional Contracts

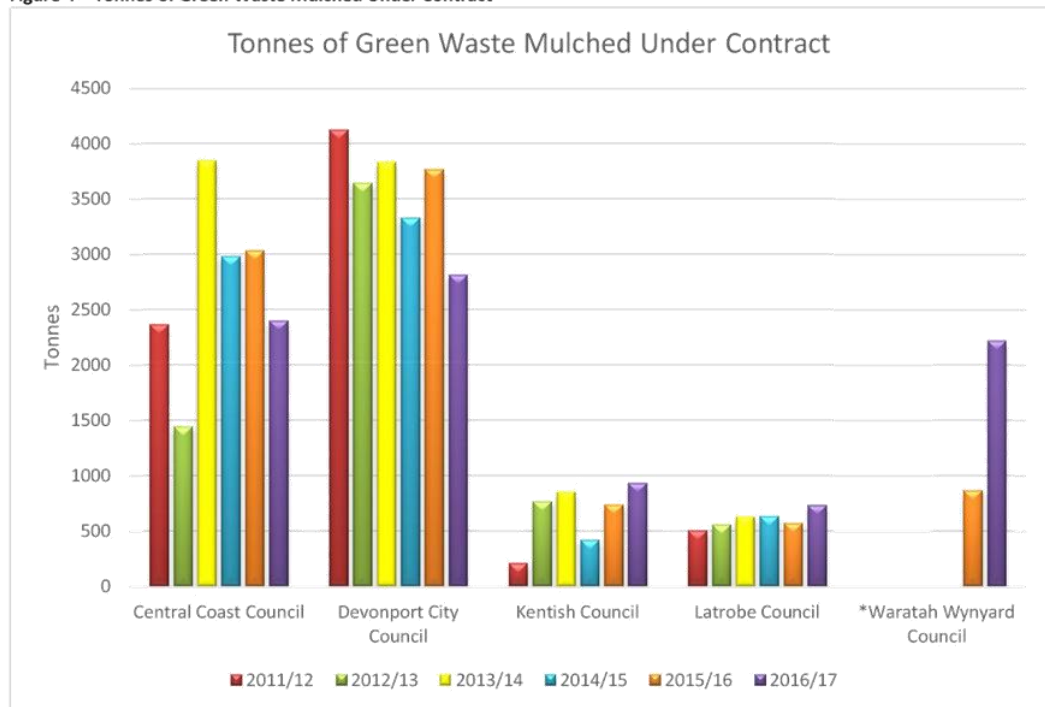
a) Mulching of Green Waste Contract

Regional green waste mulching has been in place since 2009, with a new contract implemented in 2015 between CCC, CHC, DCC, LC, KC, WWC and Fieldwicks Crushing and Screening. Green waste collected at each participating Council’s transfer station is mulched and unless Council has a specific use for it, it is transported to the DWM Organics Recycling Facility (DORF) for composting.

In 2016/17 DWM continued to work closely with Councils to minimise green waste contamination which can impact the finished compost product. The efforts made by Councils to further refine their efforts are evident, with high quality green waste received at the DORF over the past 12 months.

Figure 4 displays the total tonnages of green-waste mulched through the Mulching of Green Waste contract from 2011/12 to 2016/17.

Figure 4 – Tonnes of Green Waste Mulched Under Contract



*Waratah Wynyard Council commenced utilising the service in 2015/16.

NOTE: Circular Head Council are not included in Figure 4 as they have not yet utilised the mulching service.

b) Regional Recycling Contract

A regional recycling contract was implemented in 2009, with all CCWMG Councils participating. This contract currently services approximately 42,059 tenements across the region.

Table 1 compares the average number of tenements eligible for a kerbside recycling service with the average number of bin collections per month during 2016/17.

Table 1 – 16/17 Kerbside Recycling Collection, Average Tenement and Bin Collection Breakdown by Council

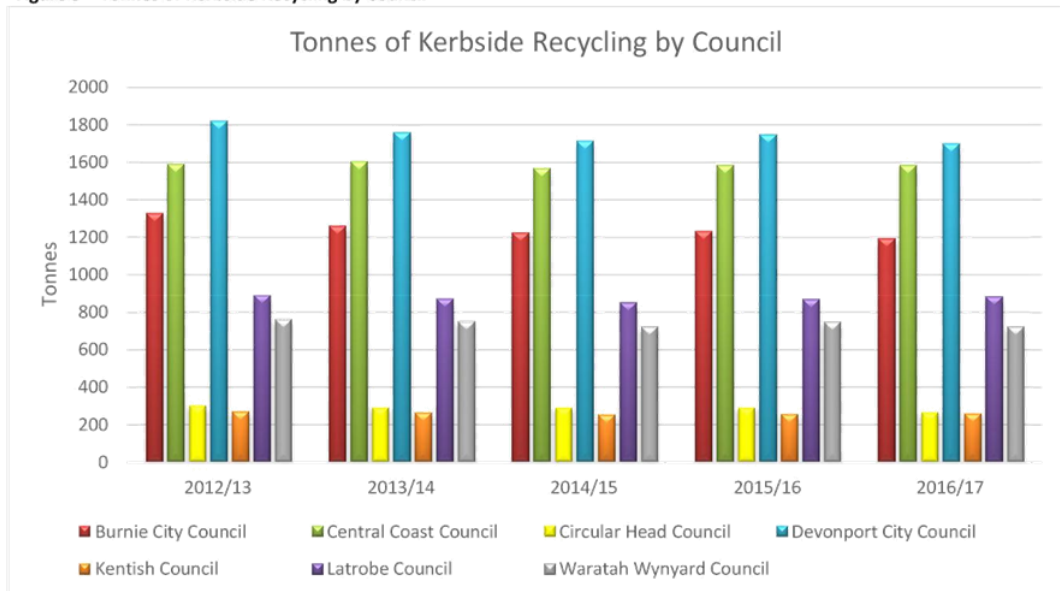
Council	*Average Number of Tenements Eligible for Collection	Average Bin Pickups per Month	Bin Presentation Rate
Burnie City Council	8,131	4,830	59%
Central Coast Council	8,568	6,144	72%
Circular Head Council	2,115	1,090	52%
Devonport City Council	11,541	7,118	62%
Kentish Council	1,649	1,028	62%
Latrobe Council	5,116	3,361	66%
Waratah Wynyard Council	4,939	3,053	62%

*Every month the quantity of tenements within the kerbside recycling collection service zone increases as new properties are built and subdivisions are developed. The average number of tenements is therefore calculated taking an average of the monthly recorded tenements for each Council using information provided by Veolia.

A bin presentation rate was determined for each Council by comparing the average tenements with average bin pickups per month. From a regional perspective, the average presentation rate for 2016/17 was 62%, which differs to the presentation rate recorded in the kerbside recycling assessments of 81%. The difference may be due to the kerbside assessments only capturing approximately 12 weeks of residential activity in select Council areas, avoiding known holiday areas (shacks) and locations under development.

An annual breakdown of the tonnes of kerbside recycling received by Veolia from each Council is detailed in Figure 5.

Figure 5 – Tonnes of Kerbside Recycling by Council



The total tonnes of Kerbside recycling received at the Materials Recycling Facility (MRF) decreased by 1.8% in 2016/17 when compared to 2015/16. The types of waste being recycled can have an impact on

the annual tonnages of recycling, for example less weighty items such as newspapers/magazines and more plastic bottles (which are lighter) can result in a reduction in total weight.

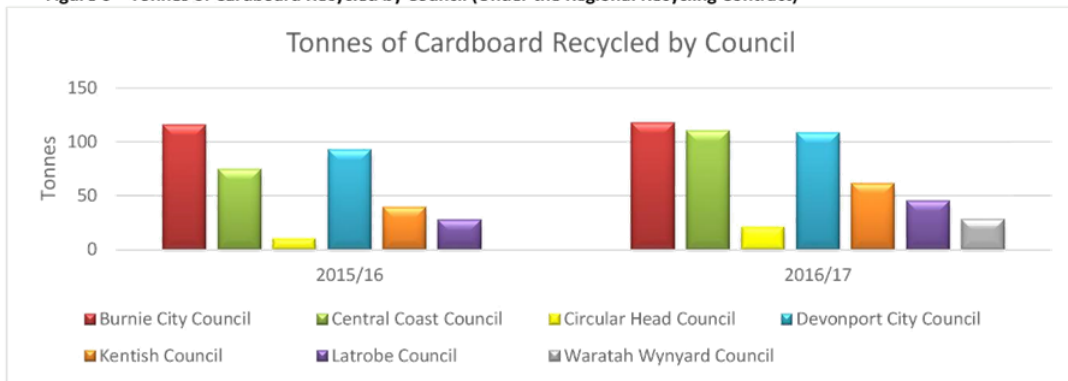
The total tonnes of kerbside recycling collected since 2012 is as follows:

- 6,974 tonnes of recyclables collected in 2012/13;
- 6,807 tonnes of recyclables collected in 2013/14;
- 6,631 tonnes of recyclables collected in 2014/15;
- 6,737 tonnes of recyclables collected in 2015/16; and
- 6,613 tonnes of recyclables collected in 2016/17.

c) Regional Cardboard Recycling Contact

A regional cardboard recycling contract was implemented in October 2015 with Veolia Environmental Services (Veolia), who provided a discounted rate due to participation by all CCWMG Councils. This contract has resulted in all Council transfer stations (except the small rural sites) and other Council nominated sites receiving a cardboard collection bin. In 2016/17, 497 tonnes of cardboard was collected, an increase of 37% when compared to 2015/16 (363 tonnes). Cardboard collection data for each Council is displayed in Figure 6.

Figure 6 – Tonnes of Cardboard Recycled by Council (Under the Regional Recycling Contract)



3.2 Key Projects

The CCWMG completed a significant number of projects in 2016/17, working with the NTWMG where possible to achieve economies of scale and regional consistency. A complete list of projects can be found under Section 6 and some of the highlights from last year are detailed on the following pages. Each project can be referenced back to the Annual Plan and Budget 2016/17 using the project number detailed in each heading.

a) FOGO Collection (2.1)

To gain a better understanding of the cost of FOGO to each Council, the CCWMG tendered for the following services:

- Design, construct and commissioning of a purpose built FOGO processing facility; and
- Bin supply and transport of FOGO to the processing facility.

Following the tender closing date, DWM staff visited a number of FOGO processing facilities across Australia to gain a better understanding of the different technologies and the suitability of these technologies in North West Tasmania. Upon completion of the tender assessment process, the CCWMG

were provided with costing information to utilise in determining the feasibility of a FOGO collection for their Council.

The Council assessment process is very comprehensive, one which cannot be rushed. Assessment was in progress at 30th June 2017, with a decision likely to be reached prior to the end of 2017.

b) Illegal Dumping Web Database (2.4)

A total 53 illegal dumping incidents were reported into the illegal dumping database in 2016/17, a 36% increase from 2015/16. Areas in the DCC municipality were identified as hotspots, making up 87% of the total entries received during the year.

Illegally dumped items most commonly recorded include:

- Household waste/garbage, in bags (21 recorded occurrences);
- Car bodies and parts (16 recorded occurrences);
- Electronic/Whitegoods/Furniture (12 recorded occurrences);
- Green waste/garden/vegetable (10 recorded occurrences) and
- Tyres (9 recorded occurrences).

The CCWMG encourages Councils, private land owners and managers to utilise the illegal dumping database to report illegal dumping incidents. Reported incidents inform future illegal dumping minimisation projects and will be utilised in seeking support from relevant State agencies. Figure 7 displays some photographed incidents of illegal dumping reported throughout the year.

Figure 7 – Illegally dumped rubbish at various locations in 2016/17.



c) Household Hazardous Waste (2.5)

The free household battery collection continued in 2016/17, with 630kg of batteries collected and recycled. Drop off points remain available at council offices, transfer stations and a number of schools across the region

Two notification campaigns were carried out, the first during Christmas time and again in April/May, with some examples displayed in Figure 8 and 9. The focus was to promote and raise to awareness of the free battery recycling service.

Figure 8 – Examples of Facebook advertisement provided to Councils for utilisation.



Figure 9 – Example of newspaper advertisement



d) Communications Plan (2.6)

The CCWGMG worked closely with the NTWGMG to deliver waste and resource recovery education across North and North West Tasmania utilising a broad variety of advertising platforms. Initiatives built on the 'good SORT' slogan and 'Rethink Waste Tasmania', targeting key waste issues for the two regions. One initiative focused on the emerging issue coffee cup contamination in kerbside recycling bins and an example of an advertisement used is pictured in Figure 10.

Other initiatives include raising awareness of the role of the waste groups (refer to Figure 11 for an example), development of fact sheets, games, a photo library and other resources which were made available on the Rethinkwaste website.

Figure 10 – Example of a coffee cup advertisement



Figure 11 – Example of a 'bigger picture' advertisement



e) Recycling Bin Assessments (2.7)

Continuing for the 5th year, kerbside recycling bin assessments were carried out in each municipality between November 2016 and April 2017. A total of 9,562 bins were checked during this period and 81% of bins checked received a pass result.

Of the bins checked, 44% had some form of contamination present ranging from minor errors to significant quantities of bin contents being deemed non-recyclable. Education campaigns are proving to have a positive impact with the recycling in boxes and bags, tissue paper and soft plastic reducing in the number of recorded occurrences when compared to 2015/16.

Feedback from the Recycling Audit and Data Officers has also been very positive, with reports that residents appreciate the one-on-one feedback received and some friendly rivalry between neighbours has also be observed.

Education is a key component of this project, with individualised feedback provided at the kerbside through stickers placed on bins and brochures and written feedback placed into letterboxes. Broad scale educational initiatives are also carried out focusing on key contamination issues found in previous assessments.

This year councils embraced kerbside education, erecting CCWMG funded signs in office foyers to provide a visual display of what can and cannot be recycled (refer to Figure 12). DCC received assistance from the Hillcrest Primary School, having students sort waste from recycling for their display.

Figure 12 – LC display (pictured left) and DCC display (pictured right)



f) SORT Your Load Campaign (2.11)

The CCWMG funded the development of individualised brochures for each Council. These brochures included a map of their transfer station, highlighting the order in which waste and recycling is to be disposed of. The brochures are designed to assist residents in correctly sorting their load before they visit the transfer station to maximise recycling potential.

g) Strategic Plan Development (2.9)

With the current 5 Year Strategy expiring on the 30th June 2017, the CCWMG worked with the consulting firm Blue Environment to develop the CCWMG Strategic Plan 2017 – 2022. The new Strategy highlights four key focus areas of the group:

1. Waste diversion;
2. Regional planning and efficiencies;
3. Partnerships; and
4. Community engagement.

To achieve the objectives of the Strategy key performance indicators (KPI) were developed and are supported by the Strategy's actions:

- by 2022, divert 50% of all MSW from local government landfill facilities across the region
- by 2022, increase the proportion of recycling bins receiving a pass mark as part of recycling bin assessments to 90% across the region (based on the 2015-16 assessment pass rate of 81%)
- by 2022, reduce incidents of illegal dumping at hotspot sites by 25% across the region (after first establishing baseline data from council reports)

- by 2022, all member councils to be collecting and reporting a standardised set (for material types, units, etc.) of data in relation to waste and resource recovery activities.

h) E-Waste (2.20)

The CCWMG and NTWMG embraced the opportunity to work with TechCollect and Toxfree to conduct a free e-waste collection event for residents in northern Tasmania. This event involved participating WTS accepting e-waste for free during March 2017 and the CCWMG funding transportation of the collected e-waste, for compiling at the Spreyton WTS, ready for recycling on the 9th of April.

The CCWMG also funded a small awareness campaign leading up to the event, to ensure that residents were notified that the free collection was available (refer to Figure 13). The Advocate also published a story, which positively promoted the event

Figure 13 – Example of e-waste signage erected at Lillico Straight and other advertising carried out.

(E-waste signage erected at Lillico Straight)



(Full e-waste collection stillages at a WTS)



(Copy of e-waste advertising conducted)

(Photo featured in the Advocate)



4 ACHIEVEMENTS AGAINST THE 5 YEAR STRATEGY

Achievements against the 5 Year Strategy 2012 – 2017



Red Octagon = Action Not Started















Orange Triangle = Action in Progress









Green Diamond = Action Completed/Ongoing









Ref No	Action	Planned Year					STATUS	Comments
		2012 / 2013	2013 / 2014	2014 / 2015	2015 / 2016	2016 / 2017		
Reduce greenhouse gas emissions								
1	Continue to implement and monitor programs to reduce organics to landfill.							
2	Investigate landfill gas capture at large landfills in the region.							CCWMG determined it was the responsibility of each landfill owner to investigate gas capturing infrastructure.
3	As part of the sustainable purchasing policy, implement a sustainable fleet policy so that all council vehicles and vehicles associated with council waste contracts exceed minimum emissions standards.							
Reduce organics at waste facilities								
4	Review organics trial and conduct a study of the most sustainable method of organics collection and processing for the region.							
5	Conduct community consultation on the outcomes of the organics processing findings (i.e. introduction, or not, of a food/garden organics collection)							Will commence pending outcome of Action 6.








Ref No	Action	Planned Year					STATUS	Comments
		2012 / 2013	2013 / 2014	2014 / 2015	2015 / 2016	2016 / 2017		
6	Tender for a suitable and consistent organics collection program across the region. Tender to include: <ul style="list-style-type: none"> collection and processing bin purchase and rollout community education 							2016/17 Tenders were received for the design, construct & commissioning of a FOGO processing facility and bin supply and transport of FOGO. Cost information was provided to each Council to utilise in determining the feasibility of a FOGO collection for their Council.
7	Investigate the feasibility of a mulching operation (bulky garden waste & timber) for all waste facilities, taking into account markets for the mulch.							
8	Councils to generate markets by using mulch and compost from these facilities in their own operations and encourage facilities to maintain AS accreditation.							
9	Facilitate trials to assist in securing markets for the organics product from DWM in the agricultural or land rehabilitation sectors if required.							CCWMG deemed project unnecessary as there is a strong demand for Dulverton Organic Compost.
Recovery of C&D materials								
10	Investigate the feasibility of processing construction and demolition wastes (asphalt, concrete, brick, aggregate, glass) at each waste facility, taking into account markets for the end product to determine optimal separation of materials.							
11	Tender for a C&D processing contractor to operate in the region.							Further investigations carried out in 2014/15 highlighted that Council's should continue with individual arrangements.
Regional pricing policy								
12	Develop a Regional Pricing Policy & Implementation Plan that incentivises source separation and waste diversion and understand the impacts of the proposed changes.							
13	Consult with, and educate, the community about revised pricing policy and impacts.							

Ref No	Action	Planned Year					STATUS	Comments
		2012 / 2013	2013 / 2014	2014 / 2015	2015 / 2016	2016 / 2017		
14	Work with local waste management companies regarding the regional pricing policy and encourage them to adopt a similar approach with their customers to incentivise source separation.							
Increasing waste facility resource recovery								
15	Investigate regional strategies for sustainable management of recyclables from waste facilities for materials that are difficult to process locally eg. tyres, mattresses, car batteries, metal, e-waste, gas bottles & oil.							Action is ongoing with gas bottles, oil and tyres investigated in 2013/14. Options for mattresses were investigated in 2014/15 with a report and recommendations provided to each Council for consideration. Funds were allocated in 2015/16 to assist Councils with capital required to enable mattress processing, with DCC and CCC utilising these funds. A regional e-Waste collection service was also tendered, with the cost to provide a service to the region significant. In-house Gas bottle decommissioning was also investigated and encouragement for residents to utilise gas cylinder takeback schemes the recommended course of action at this stage. In 2016/17 a free e-waste collection was held during March/April 2017.
Rationalising waste infrastructure and services								
16	Development of waste facility best practice guidelines for transfer stations, including data requirements for collection.							
17	Investigate options and propose model/s to provide a regional governance and management for waste services in the Cradle Coast region.							Ongoing into 2017/18 as Councils consider the recommendation by the CCWMG to move towards a Joint Authority.

Ref No	Action	Planned Year					STATUS	Comments
		2012 / 2013	2013 / 2014	2014 / 2015	2015 / 2016	2016 / 2017		
18	Support the construction of and undertake a feasibility study for the development of a controlled waste facility in Tasmania.							
Improve data capture								
19	Review data collection procedures and reporting from landfills and develop a standardised reporting system to be rolled out across all landfills and transfer stations for annual reporting to the CCWMG.							After a review of Council data collection requirements was conducted in 2015/16, the CCWMG funded the development of a centralised data collection portal in 2016/17. This portal will be finalised in 2017/18, enabling Councils to record outgoing waste data to enable fast and consistent regional waste reporting.
20	Consider subsidising installation of (transportable) weighbridges at council facilities							CCWMG deemed unnecessary as all landfills receiving municipal waste have weighbridges.
21	Undertake waste composition audits every three to five years to understand effectiveness of policies and programs and to determine target wastes for improved resource recovery.							A kerbside waste audit was completed in 2013/14 and a transfer station waste composition audit was completed in 2016/17.
22	With the assistance of WAC implement systems to capture data of all waste generated in the region. In September each year, councils should provide the WAC with financial year data returns for the previous financial year, including waste generation, recycling, diversion and sustainable procurement data to assist with state wide waste planning and reporting.							
23	Use data to determine progress towards targets by Councils and by individual facilities. Acknowledge achievements and progress towards targets annually.							

Ref No	Action	Planned Year					STATUS	Comments
		2012 / 2013	2013 / 2014	2014 / 2015	2015 / 2016	2016 / 2017		
24	Work with the WAC to set a state diversion rate for MSW, C&I and C&D waste.						◆	
Reporting								
25	Preparation of Annual Report and Budget						◆	
Partnerships, policies & planning								
26	Maintain network with industry and government contacts						◆	
27	Investigate all funding and trial opportunities including collection and processing cost recovery from producers.						◆	
28	Review and provide a united regional response to Industry, State and Commonwealth policies, guidelines and codes of practice.						◆	
29	Provide practical input into local government waste management issues via a representative on the Waste Advisory Committee (or equivalent successor).						◆	
30	Maintain continual dialogue with key bodies including the other regional waste groups, Local Government Authority, State Government and industry groups.						◆	
31	Develop a sustainable procurement policy template to be modified and implemented by individual councils.						◆	
32	Consistent training and continuous reinforcement for waste facility staff to increase materials separation.						◆	
33	Seek match funding from key stakeholders to implement the actions outlined in the illegal dumping strategy, including monitoring and investigating and illegal dumping.						◆	

Ref No	Action	Planned Year					STATUS	Comments
		2012 / 2013	2013 / 2014	2014 / 2015	2015 / 2016	2016 / 2017		
34	Work with the EPA to develop a mechanism for appropriately trained staff to issue on the spot fines for illegal dumping incidents.							
35	Support the state government to adopt cleaner production and green business programs that encourage C&I waste reduction and sustainable procurement in businesses.							
36	As part of the review of interim planning schemes implement development application conditions for businesses to meet minimum waste management criteria.							The CCWVG chose not to proceed as the new planning scheme will not contain the head of power required to impose such conditions.
37	Require waste management to be an integral part of all local settlement strategies, state infrastructure and development projects, particularly 5-20 year town plans to ensure that waste is proactively and strategically managed.							
38	Support the development of a strategic controlled waste facility for the state.							
39	In conjunction with the Department of Economic Development, Tourism and Arts conduct a controlled waste analysis for the region including an understanding of the quantity and sources of controlled waste, transport feasibility study and possible waste consolidation points for transport.							
Extended producer responsibility								
40	Utilise funding through extended producer responsibility to maintain effective collection systems for priority wastes.							
41	Use the EPR funding to reduce gate fees for these materials to encourage separation and recovery.							

Ref No	Action	Planned Year					STATUS	Comments
		2012 / 2013	2013 / 2014	2014 / 2015	2015 / 2016	2016 / 2017		
42	Consider landfill bans of waste that stable markets exist for.							The CCWVG have and continue to implement a number of initiatives aimed at diverting waste from landfill and will not be implementing landfill bans at this stage.
43	Keep abreast of emerging waste streams and work with State Government to develop treatment and disposal options.							
44	Review the existing household hazardous waste program to determine a better value for money approach, including consideration of an EPR scheme and contacting the main generators of the waste to fund the collection for the regions.							
45	Support the introduction of the preferred household hazardous waste collection program.							Ongoing with a paint and fluoro tube collection completed in 2013/14 and 2014/15. A free household battery collection was provided in 2015/16 and 2016/17 and is ongoing into 2017/18.
46	Support EPR waste collections by offering existing landfill and transfer station infrastructure as collection locations.							
Community education and engagement								
47	Facilitate annual award acknowledging an individual and organisation delivering the highest resource recovery achievements in the region.							Awards program completed in 2013/14 and the CCWVG is not proceeding with any additional awards programs in the coming years.
48	Develop and implement a communications/education plan for the region including detailed actions for waste reduction, organics, recycling, consistent signage, illegal dumping, schools and community education.							

Ref No	Action	Planned Year					STATUS	Comments
		2012 / 2013	2013 / 2014	2014 / 2015	2015 / 2016	2016 / 2017		
Household kerbside recycling								
49	Reinforce awareness of what can and can't be recycled.							
50	Work with contractors to monitor bin contamination and provide regular feedback to residents.							
Social opportunities								
51	Determine opportunities to increase employment through reuse and recycling activities.							The CCWWMG always consider opportunities for local employment when conducting reuse and recycling initiatives and activities.
52	Secure funding and promote reuse as a method to increase employment and social cohesion.							

5 FINANCIAL

Table 2 details the CCWVG Waste Levy Account opening and closing balance as at 30/06/2017.

Table 2 – Cash Flow Summary

2016/17 Cash Flow Summary Regional Waste Management Levy	
Opening Balance 30/06/2016	294,838
Levy funds received 01/07/2016 to 30/06/2017	386,772
Interest	7,674
Other Income	3,630
2016/17 Comms Plan Contributions <i>(Contributions/reimbursements from the NTWVG and SWSA for joint communication initiatives, project 2.06)</i>	23,265
2015/16 Carried Forward Comms Plan Expense Recovery	14,982
Total Cash Received During 2016/17	730,706
2016/17 Annual Plan & Budget Project Expenditure	(354,361)
Closing CCWVG Waste Levy Account balance 30/06/2017	376,345

Table 3 details the CCWVG profit and loss for 2016/17.

Table 3 – 2016/17 Profit and Loss

2016/17 Profit and Loss Regional Waste Management Levy	
Waste Levy Income for period 01/07/2016 to 30/06/2017	386,772
Interest	7,674
Other Income	3,630
2016/17 Comms Plan Contributions <i>(Contributions/reimbursements from the NTWVG and SWSA for joint communication initiatives, project 2.06)</i>	23,265
2015/16 Carried Forward Comms Plan Expense Recovery	14,982
Total Income for 2016/17	436,323
2016/17 Annual Plan & Budget Project Expenditure	(354,361)
Total Expenditure for 2016/17	(354,361)
Net Profit (Loss) as at 30/06/2017	81,962

6 SUMMARY

With over 12 discreet projects to undertake, the CCWVG completed the 2016/17 financial year in a successful manner with a high project completion rate. The FOGO and Waste Governance Projects were carried forward due to their ongoing nature and further work required in 2017/18. The Data Collection Portal was in progress as at 30th June 2017 and will be completed in July 2017/18.

Many of the projects implemented provided immediate outcomes consistent with the goals of the CCWVG Strategic Plan. The balance of the projects form the foundation for implementation of actions in coming years. Table 4 displays a summary of the 2016/17 actions and their status at 30 June 2017. For more information please refer to the CCWVG Annual Plan & Budget 2016/17.

Table 4 – 2016/17 Action Summary as at 30 June 2017

Key: CF = Carried Forward
IP = In Progress
NP = CCWVG Resolved Not to Proceed
TC = Task Complete

Ref #	Project Name	Action Summary	Status
2.1	FOGO Collection	Support the Councils in determining whether to proceed with the implementation of a food organics and garden organics (FOGO) collection.	CF
2.2	FOGO Collection Resident Comms	Conduct an extensive large scale communications campaign to provide residents information about the FOGO collection.	CF
2.3	Waste Governance	Continue to participate in and support the move towards a Joint Authority.	CF
2.4	Illegal Dumping	Manage and report on the illegal dumping web database and commence the implementation of actions targeted at reducing illegal dumping incidents in the region.	TC
2.5	Household Hazardous Waste	Continue to provide a free household battery collection at key locations across the region.	TC
2.6	Communication Plan	Deliver communication initiatives to increase recycling and reduce waste to landfill.	TC
2.7	Recycling Bin Education & Assessments	Deliver residential recycling bin assessments and contamination education across the region.	TC
2.8	Waste Composition Audit	Undertake transfer station waste composition audits to determine target wastes to improve resource recovery.	TC
2.9	Strategic Plan Development	Develop a new five year Strategic Plan.	TC
2.10	Data Collection Portal	Develop a centralised data collection portal on Rethinkwaste.com.au.	CF
2.11	SORT Your Load Campaign	Carry out a campaign to encourage residents to SORT their load to maximise recycling at transfer stations.	TC
2.12	Regional Kerbside Waste Collection Contract	Design and develop tender documents.	NP
2.19	LGAT Waste Management Reference Group	(Unbudgeted) Contribute towards the development of a state waste strategic plan.	TC
2.20	E-Waste Collection Event	Fund a communications campaign and support the free e-waste event carried out in April 2017.	TC

7.0 SECTION 23 COMMITTEES

7.1 PLANNING AUTHORITY COMMITTEE MEETING - 30 OCTOBER 2017

File: 29133 D500173

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

SUMMARY

The purpose of this report is to receive the minutes and note the decisions made by the Planning Authority Committee meeting held on Monday, 30 October 2017.

ATTACHMENTS

[1.](#) Minutes - Planning Authority Committee - 30 October 2017

RECOMMENDATION

That the minutes of the Planning Authority Committee meeting held on Monday, 30 October 2017 be received and the decisions determined be noted.

PAC 29/17 Planning Applications approved under Delegated Authority 8 September - 20 October 2017

PAC 30/17 PA2017.0134 Residential (shed) - Assessment against Performance Criteria for Setbacks and Building Envelope - 1 Tedmon Street Spreyton

PAC 31/17 PA2017.0145 Demolition (Existing Building) - 169 Steele Street Devonport

Author: Position:	Robyn Woolsey Executive Assistant Management General	Endorsed By: Position:	Paul West General Manager
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MINUTES OF A PLANNING AUTHORITY COMMITTEE MEETING OF THE DEVONPORT CITY COUNCIL HELD IN THE COUNCIL CHAMBERS ON MONDAY, 30 OCTOBER 2017 COMMENCING AT 5:00PM

PRESENT: Ald S L Martin (Mayor) in the Chair
 Ald C D Emmerton
 Ald J F Matthews
 Ald T M Milne
 Ald L M Perry (from 5:03pm)

Aldermen in Attendance:

Ald A J Jarman
 Ald L M Laycock
 Ald A L Rockliff

Council Officers:

General Manager, P West
 Deputy General Manager, M Atkins
 Manager Development and Health Services, B May
 Planning and Environmental Health Coordinator, S Warren

Audio Recording:

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

1.0 APOLOGIES

The following apology was received for the meeting.

Ald G F Goodwin	Leave of Absence
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2.0 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3.0 DELEGATED APPROVALS

3.1 PLANNING APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY 8 SEPTEMBER - 20 OCTOBER 2017 (D497743)

PAC 29/17 RESOLUTION

MOVED: Ald Matthews
 SECONDED: Ald Milne

That the list of delegated approvals be received.

	For	Against		For	Against
Ald Martin	✓		Ald Matthews	✓	
Ald Emmerton	✓		Ald Milne	✓	

CARRIED UNANIMOUSLY

4.0 DEVELOPMENT REPORTS

4.1 PA2017.0134 RESIDENTIAL (SHED) - ASSESSMENT AGAINST PERFORMANCE CRITERIA FOR SETBACKS AND BUILDING ENVELOPE - 1 TEDMON STREET SPREYTON (D497737)

PAC 30/17 RESOLUTION

MOVED: Ald Matthews
 SECONDED: Ald Emmerton

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2017.0134 and grant a Permit to use and develop land identified as 1 Tedmon Street, Spreyton for the following purposes:

- Residential (shed) - assessment against performance criteria for setbacks and building envelope

Subject to the following conditions:

1. The use and development is to proceed generally in accordance with the submitted plans referenced as Job Number 14265 for K Bray at 1 Tedmon Street copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The developer is to use the existing stormwater service connection for this development.
3. The developer is to use the existing access driveway for this development.
4. The developer is to take all reasonable steps during construction to minimise off site environmental effects occurring that might result in a nuisance. This includes air, noise and water pollution.

Advisory notes:

The development is to comply with the requirements of the current NCC. 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.

The developer is responsible to repair/re-instate any damage incurred to public infrastructure as a result of executing this permit.

	For	Against		For	Against
Ald Martin	✓		Ald Matthews	✓	
Ald Emmerton	✓		Ald Milne	✓	

CARRIED UNANIMOUSLY

4.2 PA2017.0145 DEMOLITION (EXISTING BUILDING) - 169 STEELE STREET DEVONPORT (D498334)**PAC 31/17 RESOLUTION**

MOVED: Ald Emmerton

SECONDED: Ald Milne

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2017.0145 and grant a Permit to demolish the building and remediate the site on land identified as 169 Steele Street, Devonport

Subject to the following conditions:

1. The demolition and remediation is to be undertaken in accordance with the methodology statement provided with this application.
2. The demolition and remediation processes to be undertaken are to minimise any off site environmental effects occurring that might result in a nuisance. This includes air, noise and water pollution and doesn't allow for burning of any waste materials.
3. The developer is to comply with the conditions contained 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.

Advisory Notes

The development is to comply with the requirements of the current NCC. 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.

Any contractual arrangements for the demolition should include the following matters:

Operating times for machinery and other works associated with the demolition are to be between the hours of 7am to 6pm - Monday to Friday, 9am to 6pm - Saturday, 10am to 6pm Sunday and statutory holidays.

The disposal of materials containing any asbestos found during demolition must be to a licensed disposal facility and in accordance with WorkSafe Tasmania guidelines.

The developer must ensure the stormwater system is kept free of any contaminant, material or substance that is not stormwater.

All dirt, dust, mud or foreign material tracked onto the road from vehicles entering/exiting the premises must be completely cleaned and/or removed as soon as possible.

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

The developer is responsible to repair/re-instate any damage incurred to Council assets as a result of executing this permit.

Ald Perry attended the meeting at 5:03pm.

	For	Against		For	Against
Ald Martin	✓		Ald Milne	✓	
Ald Emmerton	✓		Ald Perry	✓	
Ald Matthews	✓				

CARRIED UNANIMOUSLY

5.0 CLOSURE

With no further business on the agenda the Chairman declared the meeting closed at 5:05pm.

Confirmed

Chairman

7.2 PLANNING AUTHORITY COMMITTEE MEETING - 8 NOVEMBER 2017

File: 29133 D500174

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

SUMMARY

The purpose of this report is to receive the minutes and note the decisions made by the Planning Authority Committee meeting held on Wednesday, 8 November 2017.

ATTACHMENTS

- [1.](#) Minutes - Planning Authority Committee - 8 November 2017

RECOMMENDATION

That the minutes of the Planning Authority Committee meeting held on Wednesday, 8 November 2017 be received and the decisions determined be noted.

- PAC 32/17 Planning Applications approved under Delegated Authority 21 October - 31 October 2017
- PAC 33/17 PA2017.0143 Residential (Single Dwelling) - Assessment against Performance Criteria for Setback and Building Envelope Variations - 5 Enderly Court Ambleside

Author: Position:	Robyn Woolsey Executive Assistant General Management	Endorsed By: Position:	Paul West General Manager
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**MINUTES OF A PLANNING AUTHORITY COMMITTEE MEETING OF THE DEVONPORT CITY
COUNCIL HELD IN THE COUNCIL CHAMBERS
ON WEDNESDAY, 8 NOVEMBER 2017 COMMENCING AT 8:30AM**

PRESENT: Ald S L Martin (Mayor) in the Chair
Ald C D Emmerton
Ald J F Matthews
Ald L M Perry

ABSENT: Ald T M Milne

Council Officers:

General Manager, P West
Deputy General Manager, M Atkins
Manager Development and Health Services, B May
Senior Town Planner, C Milnes
Planning Officer, A Mountney

Audio Recording:

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

1.0 APOLOGIES

The following apology was received for the meeting.

Ald G F Goodwin	Leave of Absence
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2.0 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3.0 DELEGATED APPROVALS

**3.1 PLANNING APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY 21
OCTOBER - 31 OCTOBER 2017 (D499599)**

PAC 32/17 RESOLUTION

MOVED: Ald Matthews
SECONDED: Ald Perry

That the list of delegated approvals be received.

	For	Against		For	Against
Ald Martin	✓		Ald Matthews	✓	
Ald Emmerton	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

4.0 DEVELOPMENT REPORTS**4.1 PA2017.0143 RESIDENTIAL (SINGLE DWELLING) - ASSESSMENT AGAINST PERFORMANCE CRITERIA FOR SETBACK AND BUILDING ENVELOPE VARIATIONS - 5 ENDERLY COURT AMBLESIDE (D499667)****PAC 33/17 RESOLUTION**

MOVED: Ald Perry
SECONDED: Ald Matthews

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2017.0143 and grant a Permit to use and develop land identified as 5 Enderly Court, Ambleside for the following purposes:

- Residential (single dwelling) – assessment against performance criteria for setback and building envelope variations

Subject to the following conditions:

1. The use and development is to be located generally in accordance with the submitted plans referenced as Proposed Light-Weight clad, 3 – bed dwelling for Mr I Thompson at 5 Enderly Court, East Devonport. Job No 0917-14 dated 28/9/2017 by Tas Laughlin copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The developer is to utilise the existing stormwater service connection for the purposes of this development.
3. The developer is to utilise the existing access driveway for the purposes of this proposed development.
4. The developer is to take all reasonable steps during construction to prevent environmental effects occurring that might result in a nuisance. This includes no immediate off site storage of associated building equipment and materials on public land during construction and the pollutant effects of noise and water as well as air pollution from the result of any burning of waste.
5. The developer is to incorporate a minimum 1.7m high and 25% transparent permanently fixed screen where the lounge deck is situated within 3m of the northern boundary.

Note: The following is provided for information purposes.

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

In regard to condition 4 this includes ensuring that noise emitted from portable apparatus and hours of operation are within the scope indicated by the Environmental Management and Pollution Control (Noise) Regulations 2016.

Should any works occur within the road reserve then a permit to work within the road reserve must be sought and granted prior to any works being undertaken.

The developer is responsible to repair/re-instate any damage incurred to Council or third party assets, as a result of executing this permit.

	For	Against		For	Against
Ald Martin	✓		Ald Matthews	✓	
Ald Emmerton	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

With no further business on the agenda the Chairman declared the meeting closed at 8:34am.

Confirmed

Chairman

7.3 GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE MEETING - 20 NOVEMBER 2017

File: 33784 D502268

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

SUMMARY

The purpose of this report is to receive the minutes and endorse the recommendations provided to Council by the Governance, Finance & Community Service Committee meeting held on Monday, 20 November 2017.

ATTACHMENTS

[1.](#) Minutes - Governance, Finance & Community Service Committee - 2017/11/20

RECOMMENDATION

That the minutes of the Governance, Finance & Community Service Committee meeting held on Monday, 20 November 2017 be received and the recommendations contained therein be adopted.

- GFC 24/17 Annual Plan Progress Report - July-October 2017
- GFC 25/17 CCTV Strategy - Status Update
- GFC 26/17 Elected Members' Expenditure Report - September/October 2017
- GFC 27/17 Finance Report for October 2017
- GFC 28/17 Don Reserve Environmental Management Plan - Year Two Status
- GFC 29/17 East Devonport Community Plan - Status Update
- GFC 30/17 Devonport Food and Wine Festival 2017 Review
- GFC 31/17 Governance & Finance Report
- GFC 32/17 Community Services Report - November 2017
- GFC 33/17 Minutes of Council's Special Interest Groups and Advisory boards

Author:	Robyn Woolsey	Endorsed By:	Paul West
Position:	Executive Assistant Management	Position:	General Manager

**MINUTES OF A GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE MEETING OF
THE DEVONPORT CITY COUNCIL HELD IN THE COUNCIL CHAMBERS
ON MONDAY, 20 NOVEMBER 2017 COMMENCING AT 5:30PM**

PRESENT: Ald A L Rockliff (Chairman)
Ald C D Emmerton
Ald A J Jarman
Ald S L Martin
Ald T M Milne

Aldermen in Attendance:

Ald L M Laycock
Ald J F Matthews
Ald L M Perry (from 5:50pm)

Council Officers:

General Manager, P West
Executive Manager Corporate, Community & Business, S Crawford
Executive Manager Organisational Performance, K Peebles
Governance Coordinator, K Hampton
Cultural and Community Development Manager, B De Jong
Convention and Arts Centre Manager, G Dobson

Audio Recording:

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

1.0 APOLOGIES

The following apology was received for the meeting:

Ald G F Goodwin	Leave of Absence
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2.0 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3.0 PROCEDURAL

3.1 PUBLIC QUESTION TIME

Nil

3.2 QUESTIONS FROM ALDERMEN

Nil

3.3 NOTICES OF MOTION

Nil

4.0 GOVERNANCE REPORTS**4.1 ANNUAL PLAN PROGRESS REPORT - JULY-OCTOBER 2017 (D496220)****GFC 24/17 RESOLUTION**

MOVED: Ald Martin

SECONDED: Ald Milne

That it be recommended to Council that the 2017/18 Annual Plan Progress Report for the period ended 31 October 2017 be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Martin	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

4.2 CCTV STRATEGY - STATUS UPDATE (D497081)**GFC 25/17 RESOLUTION**

MOVED: Ald Martin

SECONDED: Ald Emmerton

That it be recommended to Council that the status of actions listed in the CCTV Strategy 2016-2020 be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Martin	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

4.3 ELECTED MEMBERS' EXPENDITURE REPORT - SEPTEMBER/OCTOBER 2017 (D500315)**GFC 26/17 RESOLUTION**

MOVED: Ald Emmerton

SECONDED: Ald Milne

That it be recommended to Council that the report advising of Aldermen expenses be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Martin	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

5.0 FINANCE REPORTS**5.1 FINANCE REPORT FOR OCTOBER 2017 (D497517)****GFC 27/17 RESOLUTION**

MOVED: Ald Emmerton

SECONDED: Ald Martin

That it be recommended to Council that the Finance Report for October 2017 be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Martin	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

6.0 COMMUNITY SERVICES REPORTS**6.1 DON RESERVE ENVIRONMENTAL MANAGEMENT PLAN - YEAR TWO STATUS (D496549)****GFC 28/17 RESOLUTION**

MOVED: Ald Milne

SECONDED: Ald Emmerton

That it be recommended to Council that the report of the Executive Officer Community Services be received and the status of actions listed in the Don Reserve Environmental Management Plan 2015-2020 be noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Martin	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

6.2 EAST DEVONPORT COMMUNITY PLAN - STATUS UPDATE (D497072)**GFC 29/17 RESOLUTION**

MOVED: Ald Martin

SECONDED: Ald Jarman

That it be recommended to Council that the status of actions listed in the East Devonport Community Plan 2014-2019 be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Martin	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

6.3 DEVONPORT FOOD AND WINE FESTIVAL 2017 REVIEW (D500331)**GFC 30/17 RESOLUTION**

MOVED: Ald Martin
 SECONDED: Ald Emmerton

That it be recommended to Council that the report relating to the Devonport Food and Wine Festival 2017 be received and note that the Food and Wine Committee will now review the future event structure.

	For	Against		For	Against
Ald Rockliff	✓		Ald Martin	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

7.0 INFORMATION REPORTS**7.1 GOVERNANCE & FINANCE REPORT (D499749)****GFC 31/17 RESOLUTION**

MOVED: Ald Emmerton
 SECONDED: Ald Jarman

That it be recommended to Council that the Governance and Finance report be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Martin	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

7.2 COMMUNITY SERVICES REPORT - NOVEMBER 2017 (D499751)**GFC 32/17 RESOLUTION**

MOVED: Ald Jarman
 SECONDED: Ald Milne

That it be recommended to Council that the Community Services report be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Martin	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

**7.3 MINUTES OF COUNCIL'S SPECIAL INTEREST GROUPS AND ADVISORY BOARDS
(D499755)****GFC 33/17 RESOLUTION**

MOVED: Ald Emmerton

SECONDED: Ald Martin

That it be recommended to Council that the minutes of the Devonport Food and Wine Festival, Devonport Regional Gallery, East Devonport, Active City, Devonport Maritime & Heritage & Liveable City Committees be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Martin	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

There being no further business on the agenda the Chairman declared the meeting closed at 6:01pm.

Confirmed

Chairman

8.0 CLOSED SESSION

RECOMMENDATION

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, the following be dealt with in Closed Session.

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
8.1	Application for Leave of Absence	15(2)(h)
8.2	Unconfirmed Minutes - Joint Authorities	15(2)(g)
8.3	LIVING CITY Lease	15(2)(c)
8.4	LIVING CITY Lease	15(2)(b)

OUT OF CLOSED SESSION

RECOMMENDATION

That Council:

- (a) having met and dealt with its business formally move out of Closed Session; and
- (b) resolves to report that it has determined the following:

Item No	Matter	Outcome
8.1	Application for Leave of Absence	
8.2	Unconfirmed Minutes - Joint Authorities	Noted
8.3	LIVING CITY Lease	
8.4	LIVING CITY Lease	

9.0 CLOSURE

There being no further business the Mayor declared the meeting closed at pm.
