



NOTICE OF MEETING

Notice is hereby given that an **Ordinary Council** meeting of the Devonport City Council will be held in the Aberdeen Room, Level 2, paranaple centre, 137 Rooke Street, Devonport, on Monday 25 November 2019, 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.

h-at

Matthew Atkins ACTING GENERAL MANAGER

20 November 2019

Meeting	Date	Commencement Time
Planning Authority	2 December 2019	5:15pm
Committee		
Annual General Meeting	9 December 2019	5:00pm
Infrastructure Works &	9 December 2019	At the conclusion of the AGM
Development Committee		
Ordinary Council Meeting	16 December 2019	5:30pm

December 2019

AGENDA FOR AN ORDINARY MEETING OF DEVONPORT CITY COUNCIL HELD ON MONDAY 25 NOVEMBER 2019 IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre, 137 ROOKE STREET, DEVONPORT AT 5:30PM

ltem		Page No.
1.0	Apologies	1
2.0	DECLARATIONS OF INTEREST	1
3.0	Procedural	2
3.1		2
3.1.1	Council meeting - 28 October 2019	
3.2	PUBLIC QUESTION TIME	3
3.2.1	Responses to questions raised at prior meetings	4
3.2.2	Questions on notice from the public	14
3.2.3	Question without notice from the public	32
3.3	QUESTIONS ON NOTICE FROM COUNCILLORS	32
4.0	PLANNING AUTHORITY MATTERS	33
5.0	REPORTS	34
5.1	Tender Report Contract 1336 Waste Transfer	34
5.2	Tender Report Contract CT0264 Victoria Street Renewal	37
5.3	Tender Report Contract CT0265 Holyman Street Renewal	40
5.4	Tender Report Contract CT0267 Fenton & Stewart Street Roundabout	43
5.5	Disability Inclusion Plan 2020-2025 - Draft	46
5.6	Taste the Harvest - Financial Support	98
6.0	INFORMATION	102
6.1	Workshops and Briefing Sessions Held Since the Last Council Meeting	102
6.2	Mayor's Monthly Report	103
6.3	General Manager's Report - November 2019	105
7.0	SECTION 23 COMMITTEES	111
7.1	Governance, Finance & Community Service Committee Meeting - 18 November 2019	111
8.0	CLOSED SESSION - CONFIDENTIAL MATTERS	117
8.1	Confirmation of Closed Minutes - Council Meeting - 28 October 2019	120
8.2	Application for Leave of Absence	121
8.3	Unconfirmed MInutes - Joint Authorities	122
8.4	Closed Session - Governance, Finance & Community Service Committee Meeting - 18 November 2019	134
8.5	Providore Place Head Lease	137
	Out Of Closed Session	. 157
9.0	CLOSURE	157

Council meeting Agenda 25 November 2019

Agenda of an ordinary meeting of the Devonport City Council to be held in the Aberdeen Room, Level 2, paranaple centre, 137 Rooke Street, Devonport on Monday, 25 November 2019 commencing at 5:30pm.

PRESENT

		Present	Apology
Chair	Cr A Rockliff (Mayor)		
	Cr A Jarman (Deputy Mayor)		
	Cr J Alexiou		
	Cr G Enniss		
	Cr P Hollister		
	Cr L Laycock		
	Cr S Milbourne		
	Cr L Murphy		
	Cr L 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 Digital 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 - 28 OCTOBER 2019

RECOMMENDATION

That the minutes of the Council meeting held on 28 October 2019 as previously 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 153/19 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

Responses to questions raised at prior meetings are attached.

ATTACHMENTS

- 1. GMGOV Letter Response to Question Without Notice Council Meeting 20191028 Doug Janney
- 2. GMGOV Letter Response to Question Without Notice Council Meeting 20191028 Jennie Claire
- 3. GMGOV Letter Response to Question Without Notice Council Meeting 20191028 Malcolm Gardam
- 4. GMGOV Letter Response to Question Without Notice Council Meeting 20191028 Tony Butler
- 5. GMGOV Letter Response to Question Without Notice Council Meeting 20191028 Trevor Smith

RECOMMENDATION

That the responses to questions from Mr Doug Janney, Ms Jennie Claire, Mr Malcolm Gardam, Mr Tony Butler and Mr Trevor Smith at the 28 October 2019 Council meeting, be noted.

Author:	Robyn Woolsey	General	Endorsed By:	Matthew Atkins
Position:	Executive Assistant		Position:	Acting General Manager
	Management			



DEVONPORT CITY COUNCIL ABN: 47 611 446 016 PO Box 604 Devonport TAS 7310 – 137 Rooke Street, Devonport Telephone 03 6424 0511 Email council@devonport.tas.gov.au Web www.devonport.tas.gov.au

5 November 2019

Doug Janney 23 Watkinson Street DEVONPORT TAS 7310 Email: djanney39@gmail.com

Dear Mr Janney

RESPONSE TO QUESTION WITHOUT NOTICE RAISED MONDAY 28 OCTOBER 2019

I refer to your questions taken on notice at the Council Meeting on Monday 28 October and provide the following responses:

Q1 Recently there have been a number of zebra crossings installed in Devonport. A zebra crossing is there so that the pedestrians may cross the road safely. My research shows that zebra crossings apply to roads not footpaths, however there are three instances of zebra crossings installed on footpaths. When driving into or out of a driveway, you must give way to pedestrians on the footpath. Please advise the regulations, standards and codes that apply to the use of zebra crossings on footpaths and in the instance of standards and codes please provide the text and document name.

Response

This answer has been prepared assuming the zebra crossings you are referring to are the two at the entry and exit of the Victoria Parade boat ramp parking, and the access to the Meercroft Park car park from Bluff Road.

The three instances that I believe you are referring to, are where pedestrians must cross an access to a carpark, as they travel along the footpath. Under the Road Rules 2009 – Sections 11 and 13, a car park is defined as a road related area and therefore, is subject to the same rules as a road. This makes the entrance to car park a road intersection rather than a driveway to a private property. In the three instances, this is reinforced by the materials used – the road surface is asphalt as is the car park and the path surface. Zebra crossings have been used in these high pedestrian areas where Council believe it is important to provide pedestrians with priority. The humped crossings require vehicles to slow as a safety measure.

Q2 Part of the CBD has no pay parking spaces. Getting a handicapped person into and out of the SmartClinics in Wenvoe and William Streets is not easy. When is the Council going to provide two non pay parking spaces outside these and other doctors clinics?



- 2 -

Response

Council does not tailor parking controls to the specific needs of the business that fronts the road, except where the Australian Standard requires (e.g. Post Offices), as businesses can move and change over time.

When Wenvoe Street was resealed, the no parking zone was extended across the Devonport Health Centre driveway, to allow those with mobility issues and aids such as walkers and wheelchairs, to be dropped off on the driveway/footpath where there is no stand-up curb. In addition, there are three accessible parking bays in the Wenvoe Street car park, approximately 80m from the door of the Wenvoe Street Clinic. Furthermore, Council has extended the parking meters to four hours and reduced the fees to \$1.50 per hour to assist those attending the medical centre and other services in the Wenvoe Street vicinity. A fully compliant accessible bay in Wenvoe Street is not possible given the narrow road reserve and the additional width required for an accessible bay.

Regarding the William Street clinic, there are two accessible parking bays in the Kempling Street car park, approximately 100m from the door of the clinic.

Australian Standards do not specify the number of accessible bays that a road manager is obliged to provide on-street; standards apply only to off-street parking, with which Council's CBD off-street car parks comply.

Yours sincerely

Matthew Atkins ACTING GENERAL MANAGER



DEVONPORT CITY COUNCIL ABN: 47 611 446 016 PO Box 604 Devonport TAS 7310 – 137 Rooke Street, Devonport Telephone 03 6424 0511 Email council@devonport.tas.gov.au Web www.devonport.tas.gov.au

5 November 2019

Jennie Claire 57 Gunn Street DEVONPORT TAS 7310

Dear Ms Claire

RESPONSE TO QUESTION WITHOUT NOTICE RAISED MONDAY 28 OCTOBER 2019

I refer to your question taken on notice at the Council Meeting on Monday 28 October and provide the following responses:

Q1 What hard evidence does our Council have that the expenditure of \$17 million on the Waterfront Park will deliver benefits to our city commensurate with the cost?

Response

As advised by the Mayor at the Council meeting, there has been significant information previously distributed by Council to highlight the benefits of LIVING CITY. The Waterfront Park is a fundamental component of the LIVING CITY Master Plan and Council has recently awarded a construction contract for the Park to local firm Vos Construction and Joinery Pty Ltd.

Yours sincerely

- at

Matthew Atkins ACTING GENERAL MANAGER





DEVONPORT CITY COUNCIL ABN: 47 611 446 016 PO Box 604 Devonport TAS 7310 – 137 Rooke Street, Devonport Telephone 03 6424 0511 Email council@devonport.tas.gov.au Web www.devonport.tas.gov.au

5 November 2019

Malcolm Gardam 4 Beaumont Drive DEVONPORT TAS 7310 Email: mgardam@outlook.com.au

Dear Mr Gardam

RESPONSE TO QUESTIONS WITHOUT NOTICE RAISED MONDAY 28 OCTOBER 2019

I refer to your questions taken on notice at the Council Meeting on Monday 28 October and provide the following responses:

- Q1 The following was submitted as separate questions on notice for this meeting.
 - a) What is the capital expenditure write-down value for the Waterfront Precinct hotel Lot 1 land sale to Fairbrother?
 - b) What is the capital expenditure write-down value for the new Waterfront Park Lot 2 area?

DCC Response

"To enable the waterfront stage of the LIVING CITY Masterplan to progress, in 2018/19 Council demolished the building located at 20-26 Best Street, and decommissioned the adjacent carpark, resulting in a loss on derecognition of \$2.9M."

I find the response sufficiently ambiguous and does not respond separately to each question as requested. However, based on the above response referring to the Harris Scarfe building (20-26 Best Street) does Council agree that the proportion of the write-down value specifically applying to just the section of the Harris Scarfe site sold to Fairbrother (approx 630m²) as part of Lot 1 would equate to an over \$700,000 write-down value in its own right; and if not then provide a copy of Council's calculations?

Response

Council has answered the question based on the accounting treatment it is required to undertake and all figures have been fully disclosed. Should you wish to analyse the matter in a specific way and draw your own conclusions that is your choice, however Council do not intend to assess your calculations or comment on matters of opinion.



- 2 -

Q2 Subsequent to the Auditor-General exposing the existence of a "success fee" applying to the Development Manager and Council only just now confirming an amount of \$1.3 million was paid in the 2016-17 FY as part of a near \$2 million payment to P+I, was commencement of the Food Pavilion construction a condition precedent to payment of said "success fee"?

Response

I can confirm that commencement of the food pavilion was not a condition precedent to payment of the \$1.3M fee.

Yours sincerely

Matthew Atkins ACTING GENERAL MANAGER



DEVONPORT CITY COUNCIL ABN: 47 611 446 016 PO Box 604 Devonport TAS 7310 – 137 Rooke Street, Devonport Telephone 03 6424 0511 Email council@devonport.tas.gov.au Web www.devonport.tas.gov.au

7 November 2019

Tony Butler 2 Drew Street EAST DEVONPORT TAS 7310

Dear Mr Butler

RESPONSE TO QUESTIONS WITHOUT NOTICE RAISED MONDAY 28 OCTOBER 2019

I refer to your questions taken on notice at the Council Meeting on Monday 28 October and provide the following responses:

Q1 I have brought up Bass Street for twenty years. What was going to happen to it and whatever. Nothing has really happened to it apart from it is cleaner, thanks to my lawnmower and we now still have people working and spraying cars in there of a daytime, not all day and all night. I rang the Council and a Mrs Stone or Ms Stone said they'd get back to me. That was about three weeks ago. Not even a flying stone has come past. So, it either needs a sign put there "No Parking", or "No Work to be taken out on Cars".

Response

When Council accepted responsibility for the road, it resolved to "...establish a base level of maintenance in line with the existing condition of the roadway" (Min IWC45/18). The current condition of the road is comparable to the condition it was in when taken over by Council, so no maintenance work is planned. It is expected that nature strips are maintained by the adjacent property owner, as is the expectation in all suburban streets in Devonport.

Regarding your issue with people working on and spraying cars, Council's Compliance Officer responded to your call three weeks ago. He has been in contact with the person responsible and they have permission from the property owner at 30 Pardoe Street to use the back of their property. The Compliance Officer has followed up a couple of times and found no further issues. Council has not received any other complaints in relation to this matter. You are encouraged to contact Council if/when it happens again.

Q2 Derelict houses. I live next to one that if you walked outside, you could nearly smell it now. So how do I get onto who does something about it? You can't find the owner, anyone can go in there and live, as long as the bank gets their money, it is putrid! Rats, dog faeces, dirt, it is unoccupied, and it shouldn't be like it is. Somebody should be at least cleaning the yard, but the smell is coming out of the house.



- 2 -

Response

Following your advice on the property address, Council's Compliance Officer is investigating the issues raised.

Yours sincerely

Qt-

Matthew Atkins ACTING GENERAL MANAGER



DEVONPORT CITY COUNCIL ABN: 47 611 446 016 PO Box 604 Devonport TAS 7310 – 137 Rooke Street, Devonport Telephone 03 6424 0511 Email council@devonport.tas.gov.au Web www.devonport.tas.gov.au

5 November 2019

File Ref: TS20191028

Trevor Smith 7 Glen Court DEVONPORT TAS 7310

Dear Mr Smith

RESPONSE TO QUESTIONS WITHOUT NOTICE RAISED MONDAY 28 OCTOBER 2019

I refer to your questions taken on notice at the Council Meeting on Monday 28 October and provide the following responses:

Q1 Reply Response to Question 2a. In your reply, you infer that this system of the Choir staging, is safe and foolproof, for the elderly ratepayers on Devonport, if it is totally safe to use, why did you have to have two casuals assisting the elderly patrons onto and off the different levels of the stage? There was no standard height step, from floor level to the first riser, which should have been 220mm high, not a piece of 50mm aluminium, less than the Australian Standard height, to step up and onto the platform. If this Council can afford to write off between \$200,000-\$300,000 from Providore Place, surely you could spend less than that, to have a proper stage, where the elderly patrons of Devonport, could easily walk onto. As I said before, with this question, if they can do it at the Don Centre Church, where the Gospel Song was held in previous years, without help, onto the stage, it should be able to happen here. Spend the money on the safety of the ratepayers of Devonport, instead of wasting money elsewhere in the Living City. You also mentioned, in your reply that this setup was at the request of the hirer? Who is the hirer of the Gospel Song Event/Jazz Festival that uses ratepayer funding?

Response

Council's pro-stage is a certified adjustable staging system. Whilst Council concedes the setup of the stage for Gospel Song could have been improved with incremental steps, the stage was compliant for use. The Council will look to improve upon the arrangement for future choir events held at the paranaple convention centre. Gospel Song was an internal, Council organised event for Devonport Jazz.

Q2 Why did the Council decide to use a revolving door, when the use of self-opening doors have a quicker flow of patrons entering a building and leaving a building, like Coles and K-mart in Devonport? Why was a revolving door not installed at the Rooke Street Entrance to the paranaple building, if they are so efficient? At the old Council Chambers building in Best Street, you had ordinary automatic doors there, from when the building was built. One of the non-revolving doors is only to



- 2 -

use as an exit, from the inside, why isn't there a green button on the outer eastern side door, for patrons to use for access into the building, like the western side door?

Response

The doors at both the Market Square and Rooke St entrances of the paranaple centre were considered to the most suitable by the architect, when considering all relevant factors such as building codes, cost, floor plan configuration, etc. The hinged door to the east of the revolving door is a standard personnel access door and therefore does not require automation, unlike the hinged door on the west side which is for disabled access.

Yours sincerely

h- an

Matthew Atkins ACTING GENERAL MANAGER

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

DAVID GRAHAM – UNIT 4, 32 NICHOLLS STREET, DEVONPORT

Questions on notice received from Mr David Graham, 6 November 2019 are **reproduced as** attachment 1.

Q1 I now respectfully ask the Council to review my request to install appropriate road markings and/or signs in Nicholls Street between my driveway (at 32 Nicholls Street) and the railway line.

Response

Since the matter was raised Council's parking team have inspected the area on a frequent but random basis but are yet to find any vehicles parked in the area of concern. Contact has been made with All Stars Gymnastics (Nicholls Street) and the salon (Charlotte Gardens) to ask them to remind their members/clients of the road rules. These two groups are considered to be the most likely offenders.

Your situation is not dissimilar to other residential driveways in Devonport, the only difference being the proximity of the rail line that applies a 20m 'no stopping' rule on the west side of your driveway. Applying parking controls which are effectively redundant under the road rules is not Council's practice. Consistent application of this practice is important, to maintain the integrity of the road rules, maintain consistency for all future requests and keep operational workload at manageable levels.

Council will continue to monitor the area however do not consider it appropriate to make any changes to road markings and/or signage at this location.

MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA

Questions on notice received from Mr Malcolm Gardam, 18 November 2019 are **reproduced as attachment 2**.

Q1 Were there "costs carried over until project commencement" in addition to the \$1.3 million "success fee" and if so what precisely were those "costs carried over" for, as questioned but not answered by Council in November 2017?

Response

No.

Q2 Will Council please advise as to precisely what the elements of the performance criteria was for P+I to secure the "success fee" be that the \$1.3m or other amounts, paid or not up to the 20/6/19, as provided for under the Living City Project Development Management Agreement?

Response

No, as previously advised terms and conditions of the contract between Council and P+i is commercial-in-confidence.

- Q3 a) What logical reasons does Council give for clearly "cherry-picking" between Original Budget and Revised Budget if not to provide claims most flattering to Council and even then exaggerated?
 - b) Will Council correct these false and misleading statements on its Living City website pages, and elsewhere where documented, and refrain from repeating them?

Report to Council meeting on 25 November 2019

Response

Council does not agree with the statements made in these questions and is comfortable with the information that has been released, noting the project costings have been fully reviewed by the Tasmanian Audit Office.

Q4 Will Council please confirm the date and at which Council meeting the additional injection of \$2.3 million from cash reserves was approved by Councillors?

Response

The three main funding sources for major capital projects are cash, grants and borrowings. Council consider the mix of these sources each year as part of the budget deliberations.

Q5 With Stage 1 revenue not currently covering loan interest, let alone principal repayments, will Council please advise just what existing revenue streams are being used to pay the shortfall in loan interest payments and capital repayments?

Response

Finance costs associated with Council's borrowings are included as operational expenses within the annual budget.

Q6 Will Council please advise as to the criteria to be applied by Council in determining if the head lessee has the capacity to pay and by which Council will measure whether to waive this further amount or not?

Response

No, the matter will be considered by Council at the appropriate time.

Q7 While the new Providore Place head lease agreement is described as being on "commercial terms" what appropriately qualified or experienced person or entity provided the "commercial based" advice to Council?

Response

Council was provided with the necessary qualified advice for this decision. The advice was collated from a number of sources and provided to Council as per section 65 of the Local Government Act 1993.

Q8 Has Providore Place (Devonport) Pty Ltd reimbursed Council for those costs as "oncharged to Providore Place Devonport Pty Ltd."

Response

On-charged outgoings are being reimbursed to Council in accordance with the Deed of Surrender executed between Council and Providore Place.

- **Q9** a) What is the Valuer-General's valuation of the food pavilion as used for levying rates?
 - b) If the value is less than the build and associated other costs then how will the difference be publicly disclosed and accounted for?

Response

The Valuer-General has not yet provided a valuation for the property.

- Q10 a) Noting that it was reported that the Application for Building Permit would be staged (from memory 5 stages) will Council please confirm the status of Building Permit Applications?
 - b) What is the status of the Lot 1 land title transfer to Fairbrother Pty Ltd?
 - c) Is the configuration and square metres of Lot 1 still in accord with the Michell Hodgetts Proposed Subdivision drawing dated 15/11/18?

Report to Council meeting on 25 November 2019

- d) If the configuration and square metres has changed will Council make a revised drawing available now that we have been told the land sale has been concluded with a deposit paid?
- e) Are rates being paid by Fairbrother Pty Ltd on the property?

Response

The contract for the sale of the hotel land to Fairbrother has not yet settled as the new title has not been issued. The building permit process is the responsibility of Fairbrother.

A final survey was completed several months ago and is generally in accordance with the subdivision plan that you reference. Rates are not yet payable on the property.

BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT

Questions on notice received from Mr Bob Vellacott, 18 November 2019 are **reproduced as attachment 3**.

Q1 Council has previously reported that the Deputy General Manager (now permanent Acting General Manager until appointment of a replacement General Manager) was appointed as "Project Director" for the Living City Project; accordingly, will Council please advise precisely what the prescribed roles and responsibilities of the Project Director's position entailed?

Response

"Project Director" has not been a formal title or appointment, however duties of the Deputy General Manager have included overseeing the implementation of Council's LIVING CITY Strategy.

- Q2 It is my understanding that TasPorts has never given approval to develop the now defunct Marina development adjacent Roundhouse Park at Mussel Rock.
 - a) Has TasPorts declined approval for the proposed Marina development?
 - b) Has TasPorts ever provided approval for the proposed Marina development?
 - c) If YES to (a) then when was this first known to Council?

Response

Development of the marina has not advanced to a stage where a final decision on the project has been sought from TasPorts.

Q3 Will the proposed Council owned overhead walkway be attached in anyway to the proposed hotel?

Response

The walkway is a standalone structure, however it is possible, at the request of the hotel operator that the deck could be connected to the first floor public space of the hotel.

Q4 Please provide the criteria used in prioritising the construction of footpaths which the provision thereof are a core responsibility of Local Government?

Response

In regard to how footpath projects are prioritised, Council's Pedestrian Strategy 2016-2021 prioritises footpath projects, including renewal of existing and provision of new paths using a walkability rating. The walkability of a specific location is determined by a publicly available rating system called 'Walk Score' which gives any location a rating out of 100 for its walkability. Council's walkability rating is a grouped version of this score where 'very high' is 80-100, high is 60-80 and so on. Walkability is a measure of the likely number of pedestrians and the probability of a person in that area choosing to use walking as a mode of transport. Walkability is higher around destinations like schools, retail centres and public facilities, so

Report to Council meeting on 25 November 2019

generally the CBD has the highest walkability and walkability reduces as you move away from the CBD. Prioritising work in higher walkability areas is intended to benefit the greatest number of pedestrians, in an attempt to maximise value for money for Devonport ratepayers.

The Strategy identifies Appledore Street as having 'low' walkability and Sorell Street as 'medium' walkability. This reflects that most destinations like schools, retail centres and public facilities are some distance away, so people will favour modes of transport other than walking when travelling to, from or within the area. Construction of footpaths on both of these streets would align with some of the objectives of Council's Pedestrian Strategy 2016-2021, however, there are many projects, that are assessed as being a higher priority.

In relation to the Stewart Street project, around \$25,000 of the forecast \$343,000 is allocated to footpath renewal. This is not enough to renew all the footpaths in this section of Stewart Street, but instead has been allocated to renew specific sections that are either damaged or are required to be renewed to facilitate the main objective – renewal of the road assets. This is seen as a cost-effective approach to ensure the assets in that section of Stewart Street are in suitable condition for years to come.

Regarding Sorell Street, there is a footpath on the eastern side of the street. Construction of the missing section of path on the western side is problematic due to the steep batter between the road edge and the property boundary. This would increase the construction cost and would certainly affect the value for money assessment of the project, when compared to other similar projects. The adjacent vacant property is currently for sale and may be developed, which could feasibly include changes to the ground levels.

ATTACHMENTS

- 1. Question on Notice Council Meeting 25 November 2019 David Graham
- 2. Questions on Notice Council Meeting 25 November 2019 Malcolm Gardam
- 3. Questions on Notice 25 November 2019 Council Meeting Bob Vellacott

RECOMMENDATION

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

Author:	Robyn Woolsey		Endorsed By:	Matthew Atkins	
Position:	Executive Assistant Management	General	Position:	Acting General Manager	

HAND DELIVERED, WEDNESDAY 6TH NOVEMBER 2019.

P. O. Box 318, Devonport. 7310.

6th November 2019.

Mayor Rockliff and Devonport Councillors, Devonport City Council, P. O. Box 604, Devonport. 7310.

Dangerous parking in Nicholls Street, Devonport

Attention Mayor and Councillors for inclusion in the November 2019 Council Meeting Agenda.

Dear Mayor and Councillors,

Further to my personal approach to Mayor Rockliff of the 22nd of May and her reply of the 23rd May 2013 (File Ref 13251) I now bring my concerns to all Council members and seek assistance in rectifying the intolerable situation of the illegal parking between my driveway exit and the railway crossing in Nicholls Street, Devonport. (I attach copies of the correspondence between myself and the mayor, and a map to acquaint you of the location of which I write.)

This problem has been exacerbated since building has commenced on Mr, and Mrs. Chisholm's property in 7, Charlotte Gardens as the builders have access to the property from Nicholls Street. Also, increased numbers are now using the hall at the showgrounds situated on the opposite side of the street. I have witnessed several frightening potential accidents involving young mothers with their children.

I expect further traffic problems now that Devonport Council has granted access to the Chisholm's property from Nicholls Street for the clients of Mrs. Chisholm's hairdressing salon. Also, traffic will increase when the showgrounds are redeveloped for a housing complex.

Upon exiting the driveway, drivers from the four residences at 32 Nicholls Street cannot see if traffic is coming down Nicholls Street if vehicles are parked between the driveway and the railway line.

I have been subjected to verbal abuse and have, myself, experienced a near-fatal accident. Other residents (all elderly) and their visitors have also experienced inconvenience.

Because there is no official signage indicating that it is illegal to park here, drivers park there and will continue to do so.

I note the Mayor's comments that Council is trying to reduce the costs for infrastructure and that it is not a legal requirement for road markings and signs

1

in situations similar to this, However, Council should not use that as a blanket excuse to preclude providing these safety measures when common sense demands they should be installed.

Also in the reply I was informed that I should report to the police when vehicles are illegally parked and seek their involvement. I have done so several times, with much inconvenience, and the police have done nothing.

I now respectfully ask the Council to review my request to install appropriate road markings and/or signs in Nicholls Street between my driveway (at 32 Nicholls Street) and the railway line.

Please include this request in the Council's Safety Reports Register.

At 5:45 pm last Friday, 1st November, I was nearly killed. Had I not stopped to take note of the registration number of a large white transit van parked on the road near the railway line, my car would have been T-boned by a vehicle travelling from Gunn Street to Fenton Street, and I would be dead.

I told the driver in the van that he was in a no standing area. "Stiff s**t" he replied. I tried to explain that his vehicle was in the line of vision of myself and the oncoming traffic, and received further abuse: "Well. F**k you!"

I drove to the police station in Wenvoe Street and spoke with Constable T. Bester and his female colleague. I was considerably shaken at this stage – from both the near accident and from the abusive response from the driver. "Sorry mate," would have been more acceptable.

This was a very traumatic situation, and should not be experienced in Devonport, or anywhere else.

In the Mayor's letter of 23rd May the objections to my request for a yellow line to be painted were, to my mind, irrelevant *when lives are at risk*.

- 1. <u>Cost.</u> The cost of painting one yellow line, or erecting two 'No Standing' signs, is insignificant and the labour involved would be minimal. There is no need for such signage to be placed elsewhere at this place.
- 2. <u>Messaging</u>. It is all very well to say 'road rules prohibit parking 20m before and after a railway crossing' but *it is because there is no signage that vehicles will continue to be parked there* (and I will continue to be verbally abused). *Lives are at risk, and will continue to be at risk*. (An on-the –spot inspection will show that, when looking right from our driveway, drivers are looking <u>uphill</u> and cannot see oncoming traffic behind any parked vehicles.
- 3. I know it is illegal; you know it is illegal; but the general public are not prepared to accept this. A yellow line or no parking signs will emphasize this. The onus should not be on aged residents to contact the police when they cannot safely exit their own property and when illegal parking puts their lives in danger.

- 4. <u>No reports from Tasrail</u>. This is irrelevant. It is not a matter of the train drivers' vision being impaired, *it is that of the road users which is of concern*.
- 5. <u>Report the matter to the Police or Council.</u> This is not good enough. Both agencies are closed more than they are open. This past 'long weekend' I had to speak to the police control centre (probably in Hobart) by intercom, and then wait on the footpath outside the Police Station for a patrol car to arrive. No action was taken as the police had more pressing matters to attend to.

Please give this request your prompt and favourable consideration.

Yours sincerely,

David Graham

David Graham.

P. O. Box 318, Devonport. 7310.

22nd May 2019.

Mayor Rockliff, Devonport City Council, PO Box 604, Devonport. 7310

Dangerous parking situation in Nicholls Street, Devonport.

Dear Madam Mayor, Annette

My wife and I reside at Unit 4, 32 Nicholls Street.

Across the road is a gymnastics centre for young children, with its own parking facilities.

We are concerned about parking on 'our' side of the street, between the railway line and the entrance to the units at 32 Nicholls Street.

A map of the area is attached.

When turning right, after exiting our property, it is now becoming a 'leap of faith', and a potentially dangerous matter for drivers and pedestrians.

Not only does the driver have to look uphill past a hydro pole, but often one has to peer around one or two parked vehicles. (These vehicles tend to be large SUVs or 4WDs which are hard to see past at the best of times.)

Young mothers are crossing the road with one child in their arm, and another child holding on to them. Additional children are crossing behind vehicles and running across the road and the railway line.

This piece of kerbing is also used by the **pu**blic at other times of the week.

I visited the DCC's Works Department in Lawrence Drive yesterday, and spoke to a very pleasant woman, and asked if a yellow line could be painted on the road. She passed my request to DCC and I received a telephone call in the afternoon from a person, whose name was (I think) Fiona.

This person told me that to paint a yellow line was "additional infrastructure and the council was trying to cut down on infrastructure!" (My exclamation mark.)

I was then told that she had looked at the situation (on her computer) and she deemed that the space was too small for a car to be legally parked there. Any car(s) parked there would be either too close to the railway line, too close to our driveway, or both. "That is a no parking area."

I was further directed to notify the council or the police if cars were parked there!

٢

¥ .

The residents at 32 Nicholls Street are elderly – in their late seventies or early eighties. Do you really think they are going to leave their cars at the entrance and return to their units to make such telephone calls?

What do you think the police would say if they got a call saying "Someone's illegally parked outside my residence?"

If we were to telephone the Council, do you really think someone would leave their warm office to promptly drive around to Nicholls Street?

This 'area of concern' is also used for parking when the Council offices are closed – late afternoons, evenings, and weekends, (including Sunday mornings for the nearby church), and public holidays (such as Anzac Day and Remembrance Day)

Dear Mayor, I hope to have this matter resolved in a sensible manner by my local council, rather than having to contact The Tasmanian Government (Department of State Growth).

Painting a simple yellow line on the road would be quick, and inexpensive.

Thank you. Yours sincerely,

David.

David Graham.

ITEM 3.2.2

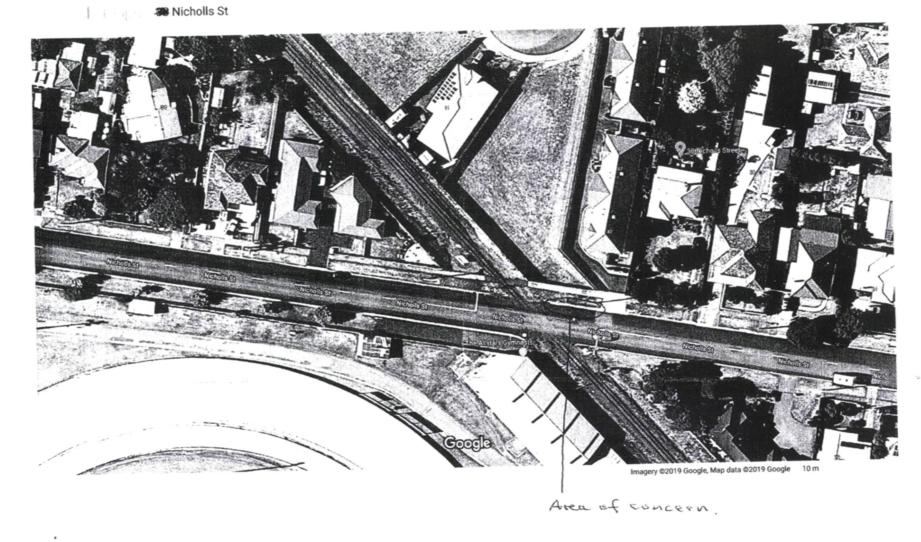
Question on Notice - Council Meeting - 25 November 2019 - David Graham

ATTACHMENT [1]

https://www.google.com/maps/place/30+Nicholls+St,+Devonport+TAS+7310/@-41.1710384,146.3574988,120m/data=!3m1!1e3!4m5!3m4!1s0xaa7a332d785c4f3d:0xd20eff8b737e4f0f!8m2!3d-41.1708337!4d146.358... 1/2

30 Nicholls St - Google Maps

22/05/2019







23 May 2019

In reply please quote: File Ref: 13251

Mr David Graham PO Box 318 DEVONPORT TAS 7310

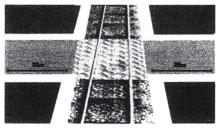
David

Dear MrGraham

PARKING CONCERNS - NICHOLLS STREET, DEVONPORT

I write in response to your letter dated 22 May in which you raised concerns in relation to parking in Nicholls Street in the vicinity of the Gymnastics Centre.

On checking with staff, I advise that the road rules prohibit stopping and parking 20m before and after a railway crossing. As shown below.



Within 20 metres before and after a level crossing

There is around 15m between the crossing and the driveway to 32 Nicholls, so stopping and parking are already prohibited in the area you are describing.

The Officer who dealt with the inquiry is correct in that Council's practice is to avoid signage and pavement marking where the installation is redundant under the road rules. There are two reasons for this:

- 1. Cost marking the single line as requested would then also require the three other lines to be marked, so that each approach and departure marking is consistent. There are then two roundabouts and a T-intersection in close proximity which also have parking restrictions which someone may request markings for. The long-term result could be a large maintenance burden for Council for lines and signs which are legally not required.
- 2. Messaging to road users by marking a small number of areas with parking or stopping controls Council would be, by exception, saying that is okay for people to stop or park in unmarked areas, even if there are road rules that prohibit it.



P O Box 604 Devonport TAS 7310 - 137 Rooke Street Telephone 03 6424 0511 Email council@devonport.tas.gov.au Web www.devonport.tas.gov.au - -

Furthermore, in the instances identified by you, Council can find no evidence of this being a regular or long-standing issue. There are no other similar reports in Council's request system and the parking team haven't received any requests for enforcement. Also, there is no history of reports etc from Tasrail.

It is suggested that any illegal parking activities, witnessed by yourself, or your neighbours be reported to the Police or Council.

Thank you for raising your concerns with me and I hope that the above response adequately explains Council's position on this matter.

Yours sincerely

Cr Annette Rocklift

17th November 2019

Devonport City Council 137 Rooke Street DEVONPORT TAS 7310 Malcolm Gardam 4 Beaumont Drive **MIANDETTA TAS 7310** (Mobile No: 0417 355 813)

ATTENTION: MR. MATTHEW ATKINS – ACTING GENERAL MANAGER (MAYOR & COUNCILLORS)

RE: LIVING CITY - GOVERNANCE AND OPERATIONAL QUESTIONS ON NOTICE (Ref. File 32161)

Dear Sir,

The following are submitted as questions on notice for the next Ordinary Meeting of Council scheduled for Monday 25th November 2019.

Q1. I previously asked the following as a question on notice to the Ordinary Meeting of the 27/11/17.

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;
- 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.;
- Date(s) that the reimbursement of the "costs" as carried over was made;
- 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.

Clearly, question 1e) referred to "any agreed incentive/bonus based payment to Projects & Infrastructure" which Council has refused to answer along with a series of questions relating to Mayor Martin's statement at the time as to "...the engagement with P+I has required them to carry some costs with payment not due until project commencement.

Put simply now that the Living City Project Development Management Agreement (PDMA) has been concluded the <u>new question</u> is were there "costs carried over until project commencement" in addition to the \$1.3 million "success fee" and if so what precisely were those "costs carried over" for, as questioned but not answered by Council in November 2017?

Q2. In response to my question without notice dated 25/10/19 in that "Subsequent to the Auditor-General exposing the existence of a "success fee" applying to the Development Manager and Council only just now confirming an amount of \$1.3 million was paid in the 2016-17 FY as part of a near \$2 million payment to P+i, was commencement of the Food Pavilion construction a condition precedent to payment of the said "success fee"? the Acting General Manager responded with *"I can confirm that commencement of the food pavilion was not a condition precedent to payment of the \$1.3 million fee."*

In light of the Acting General Manager's response and now that the Living City Project Development Management Agreement (PDMA) has been concluded the <u>new question</u> is will **Council please advise as to precisely what the elements of the performance criteria was for** P+I to secure the "success fee" be that the \$1.3m or other amounts, paid or not up to the 30/6/19, as provided for under the Living City Project Development Management Agreement?

- Q3. Council appears to be making much of a supposed \$6 million reduction in borrowings required for Stage 1 and a supposed "around \$1M under budget" claim, as selectively derived from both the Original Budget and Revised Budget respectively. Referenced budgets are detailed on Page 19 of the Report of the Auditor-General No. 1 of 2019-20 as inserted below as <u>Reference Source Q's 3 & 4</u>. The same claims were also made by the Acting General Manager at the last ordinary meeting and mirrored in a couple of places including;
 - The Living City Stage 1 Final Report to Council meeting on 25th March 2019, authored by the Deputy General Manager (now Acting General Manager) and approved by the former General Manager, included "Council approved a budget of \$71.14M (it was a Revised Budget of \$71.1M according to the Auditor-General) for construction of LIVING CITY Stage 1. Total Project costs to date are currently \$70.17M, or approximately \$1M under budget." This appears to be a representation clearly based on the Revised Budget.
 - The same Final Report in March 2019, authored by the Deputy General Manager, also stated "In March 2016, Council authorised borrowings of up to \$39M for LIVING CITY Stage 1. Current debt against the project is \$33.8M with no further borrowings required." Clearly a representation establishing measurement against the **Original Budget.**
 - The current statement appearing on the Council website under FAQ's "Whilst LIVING CITY Stage 1 required Council to make a significant investment, the final borrowings were \$6M less than originally forecast (\$33M rather than \$39M)......" A representation clearly based on the Original Budget.

Page 2 of 5

 The current Annual Report 2019 includes "The \$71M project was completed on time for the planned opening in October (the Date of Practical Completion being on time is debatable when compared to initially offered completion dates) and around \$1M under budget." A representation clearly based on the Revised Budget.

Alarmingly, these are both false and misleading representations. The \$6 million statement being overstated by \$800,000 against the Original Budget projected borrowings and overstated by \$1.7 million against the Revised Budget projected borrowings.

The *"around \$1M under budget"* statement is <u>overstated by around \$600,000</u> against the Original Budget and \$850,000 when the remaining \$250,000 for *"fitout"* costs to still vacant Providore Place tenancies is taken into account <u>OR</u> about \$250,000 overstated against the Revised Budget when remaining tenancy *"fitout"* allowances is taken into account.

It appears that Council is deliberately "cherry-picking" between "budgets" that best provides a positive spin on its statements and accordingly my separate questions are:

- a) What logical reasons does Council give for clearly "cherry-picking" between Original Budget and Revised Budget if not to provide claims most flattering to Council and even then exaggerated?
- b) Will Council correct these false and misleading statements on its Living City website pages, and elsewhere where documented, and refrain from repeating them?
- Q4. Further to Q3 above, the Council's self-gratuitous statements as to a claimed \$6 million savings in Stage 1 borrowings, as measured against the Original Budget, needs further scrutiny as to the facts relating to capital injections that contributed to a reduction in those projected borrowings against the Original Budget. The "Actual to June 2019" in the Report of the Auditor-General No. 1 of 2019-20 indicated when compared to the Original Budget that:
 - State Government committed a further \$2.5 million dollars towards fitout of the Stateowned new Library premises; and
 - Council committed an additional \$2.3 million of cash reserves.

In reality, the actual "project-generated savings" on borrowings not substituted by alternate funding injections amounted to only about \$150,000 against the <u>Original Budget</u> when the outstanding amount of \$250,000 remaining for "fitout" of still vacant Providore Place tenancies is deducted.

My question is will Council please confirm the date and at which council meeting the additional injection of \$2.3 million from cash reserves was approved by Councillors?

Reference Source Q's 3 & 4 – Page 19 of the Report of the Auditor-General No. 1 of 2019-20

The following table provides a summary of the original budget, revised budget and actual funding by funding source:

Expenditure	Original Budget	Revised Budget	Actual to June 2019
Australian Government	\$10.00m	\$10.00m	\$10.00m
Tasmanian Government	\$10.50m	\$12.00m	\$13.00m
DCC – cash reserves	\$11.00m	\$11.00m	\$13.30m
DCC – borrowings	\$39.00m	\$38.10m	\$33.80m
Total	\$70.50m	\$71.10m	\$70.10m

Financial information sourced from DCC internal project reports

Page 3 of 5

- Q5. Clearly Stage 1 of Living City is not returning the initially budgeted new revenue streams that council represented to the community that it would and had gone so far as to state "Stage 1 is viable in its own right without being reliant on existing revenue streams" and "The debt level portion of Stage 1 is projected to be primarily serviced through project generated revenue." accordingly, with Stage 1 revenue not currently covering loan interest, let alone principal repayments, will council please advise just what existing revenue streams are being used to pay the shortfall in loan interest payments and capital repayments?
- Q6. Council was reported as saying that in addition to a \$163,000 rent reprieve (full waiver of payment) for rent by Providore Place (Devonport) Pty Ltd, up until 1st February 2019, a further \$179,000 amount owing would be further considered by end of this year. Accordingly, will Council please advise as to the criteria to be applied by Council in determining if the head lessee has the capacity to pay and by which council will measure whether to waive this further amount or not?
- Q7. In its Submission to the Auditor-General's Report (No.1 of 2019-20) the Mayor stated "It is noted that the 2016 lease agreement with Providore Place (Devonport) Pty Ltd has now been surrendered and a new lease, prepared on commercial terms and based on extensive legal advice, has been agreed between parties." While the new Providore Place head lease agreement is described as being on "commercial terms" what appropriately qualified or experienced person or entity provided the "commercial based" advice to Council?
- Q8. In response to a question on notice for the last meeting, in relation to Providore Place "outgoings," I asked "If Council (ratepayers) paid what was the total value of those costs and any waived amounts due under the agreement or otherwise payable? Council responded "Providore Place Devonport Pty Ltd were responsible for outgoings under the lease agreement. In some cases where Council identified charges as a result of services still being in its name, these were on-charged to Providore Place Devonport Pty Ltd reimbursed Council for those costs as "on-charged to Providore Place Devonport Pty Ltd."
- Q9. Page 18 of the Auditor-General's Report states that the Food pavilion and market square had an actual cost of \$10.5 million as at June 2019. Assuming the cost of the food pavilion alone is in the order of \$9.5 million as at June 2019 (potentially some tenancy "base-build" and "fitout" costs remain for still vacant tenancies available from a reported \$250,000 Provisional Sum residual amount) will Council please confirm the following separately with regards to property valuations:
 - a) What is the Valuer-General's valuation of the food pavilion as used for levying rates?
 - b) If the value is less than the build and associated other costs then how will the difference be publicly disclosed and accounted for?

- **Q10.** The Fairbrother report to Council identified as "Quarterly Report September 2019" in relation to the proposed new Waterfront hotel development indicated "Commence site preparation and excavation December 2019" Considering that it was stated at a Council meeting back in March 2019 that the hotel was starting in a few of weeks' time will Council please advise as to the following as separate questions;
 - a) Noting that it was reported that the Application for Building Permit would be staged (from memory 5 stages) will Council please confirm the status of Building Permit Applications?
 - b) What is the status of the Lot 1 land title transfer to Fairbrother Pty Ltd?
 - c) Is the configuration and square metres of Lot 1 still in accord with the Michell Hodgetts Proposed Subdivision drawing dated 15/11/18?
 - d) If the configuration and square metres has changed will Council make a revised drawing available now that we have been told the land sale has been concluded with a deposit paid?
 - e) Are rates being paid by Fairbrother Pty Ltd on the property?

Please acknowledge receipt and ensure inclusion in full in the November meeting Agenda.

Yours sincerely,

Malcolm Gardam

CC: Mayor & Councillors

QsoN RBV 25 Nov 2019 LC Project Director Marina Walkway and Footpaths Ok to send

R.B.VELLACOTT RATEPAYER 11 COCKER PLACE DEVONPORT 7310

THE MAYOR AND COUNCILLORS DEVONPORT CITY COUNCIL ROOKE STREET DEVONPORT 7310

QUESTIONS ON NOTICE FOR DCC MEETING 25TH NOVEMBER 2019

- Q1. Council has previously reported that the Deputy General Manager (now permanent Acting General Manager until appointment of a replacement General Manager) was appointed as "Project Director" for the Living City Project; accordingly, will council please advise precisely what the prescribed roles and responsibilities of the Project Director's position entailed?
- Q2. It is my understanding that TasPorts has never given approval to develop the now defunct Marina development adjacent Roundhouse Park at Mussel Rock.
 - a) Has TasPorts declined approval for the proposed Marina development?
 - b) Has TasPorts ever provided approval for the proposed Marina development?
 - c) If YES to (a) then when was this first known to Council?

Q3. Will the proposed Council owned overhead walkway be attached in any way to the proposed hotel?

Q4. I refer to the many adverse comments and newspaper reports about the lack of footpaths particularly in areas where many aged residents have paid rates for many years .Notably would be Shaw and Appledore Streets where Mr Hodgetts is still having to drive his gopher on the grass verges and negotiate traffic on the road way . Also Mr Renalson a ratepayer for many years (Advocate 15 Nov 2019) asks what it will take to get a footpath laid in Sorell Street.

While many ratepayers are bewildered by the imminent upgrading of Stewart Street between Gunn and William Streets which already has serviceable footpaths will Council **please provide the criteria used in prioritising** the construction of footpaths which the provision thereof are a core responsibility of local government ?

Please include all of the above and responses in the agenda for the meeting of 25th Nov. 2019

R. B. Vellacott 16th Nov. 2019

3.2.3 Question without notice from the public

3.3 QUESTIONS ON NOTICE FROM COUNCILLORS

At the time of compilation of the agenda, no questions had been received from Councillors.

4.0 PLANNING AUTHORITY MATTERS

There are no items in this agenda to be considered by Council in its capacity as a Planning Authority.

5.0 REPORTS

5.1 TENDER REPORT CONTRACT 1336 WASTE TRANSFER

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

This report seeks Council's approval to award Contract 1336, Waste Transfer for the collection and cartage of waste bins from the Spreyton Waste Transfer Station to the Dulverton landfill facility to Veolia Environmental Services based on their tendered schedule of rates.

BACKGROUND

This contract is for the rental, maintenance, collection and cartage of waste bins from the Spreyton Waste Transfer Station in Bay Drive Spreyton for disposal of waste at the Dulverton Regional Waste Management Authority (DRWMA) landfill facility. Following disposal of waste at the landfill site the Contractor is required to return the empty bins to the Spreyton Waste Transfer station for reuse.

The Contract for the collection, cartage and disposal of the full bins is a seven day a week operation. The Contractor is responsible for the handling, cartage and maintenance of the bins.

The service includes transporting the following waste:

- General waste
- Hazardous waste
- Mulched green waste (for composting)
- Mattresses
- Cardboard (to Veolia facility in Spreyton for recycling)

STATUTORY REQUIREMENTS

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.

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 four companies and all were conforming.

The following table summarises the estimated annual cost:

TABLE 1

No.	Tender	Status	Tender Price excluding GST
1	Spectran Group	Conforming	\$231,590
2	Veolia Environmental Services	Conforming	\$254,777
3	Cleanaway	Conforming	\$340,667
4	Kellys Waste Management	Conforming	\$401,957

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
- Price

The evaluation by the Committee indicates that Veolia Environmental Services offers Council the best value for money. Although the Veolia tender was slightly more expensive than the lowest tender, it was assessed as offering Council the best value for money due to the history that Veolia has in providing Council with quality service dating back to the establishment of the transfer station. This factor has been reflected in the valuation process regarding experience in transport and waste, local presence, availability of waste bins and certification of safety practices.

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

COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in the Advocate Newspaper on 14 September 2019 and tenders were also advertised on Council's website.

FINANCIAL IMPLICATIONS

Council has a budget allocation of \$275,000 for the waste transport contract for the current 2019/20 financial year.

This contract is a schedule of rates contract. The tender prices have been projected out based on the previous twelve months waste volumes for the purpose of reviewing the tenders.

This contract is for a three-year period with the option for two one-year extensions.

The forecast expenditure in 2019/20 is within the available budget. Appropriate allocations will have to be made for the remainder of the contract period.

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.

Taking into account the selection criteria assessment and the tendered rates, the Tender Planning and Evaluation Committee has determined that Veolia Environmental Services meets Council's requirements and is therefore most likely to offer "best value" in relation to Contract 1336.

ATTACHMENTS

Nil

RECOMMENDATION

That Council in relation to contract 1336 Waste Transport - Spreyton Waste Transfer Station to Dulverton Regional Waste Management Authority landfill facility:

1. award the contract based on the tendered schedule of rates to Veolia Environmental Services;

- 2. note based on current waste volumes the total contract value will be in the order of \$232,000 pa (ex GST);
- 3. note the contract period is initially for three years; and
- 4. note that the tender allows for a further two, one-year contract extensions.

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

5.2 TENDER REPORT CONTRACT CT0264 VICTORIA STREET RENEWAL

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 2.3.2 Provide and maintain roads, bridges, paths and car parks to appropriate standards

SUMMARY

This report seeks Council's approval to award Contract CT0264, Victoria Street Renewal to Civilscape Contracting Tasmania for a lump sum of \$236,873.

BACKGROUND

This report considers tenders received for "Victoria Street Renewal – Northern End" listed within the 2019/20 capital expenditure budget.

This project involves the construction of a new kerb and channel, pavement and seal and minor stormwater improvements.

- New road pavement & surfacing Strengthening the road
- New surfacing Protecting the road surface
- 1 New kerb & channel Replacing damaged and misaligned kerbing
- 2 New stormwater pits and pipes, to collect stormwater and prevent flooding
- (3) New kerb ramps, replacing substandard ramp and improving pedestrian access.



STATUTORY REQUIREMENTS

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

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 four companies. All tenders received were conforming tenders and are summarised in table 1.

TABLE 1

No.	Tender	Status	Tender Price (ex GST)
1	Civilscape Contracting Tasmania	Conforming	\$236,873
2	Kentish Construction and Engineering Company Pty Ltd (trading as Treloar Transport)	Conforming	\$240,695
3	Hardings Hotmix Pty Ltd	Conforming	\$242,729
4	Walters Contracting	Conforming	\$320,940

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 Civilscape Contracting Tasmania scored highest overall against the selection criteria and therefore offers Council the best value for money.

The Tender Planning and Evaluation Committee minutes are available for Councillors to view, upon request.

COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in the Advocate Newspaper on 12 October 2019 and tenders were also advertised on Council's website.

FINANCIAL IMPLICATIONS

The 2019/20 capital expenditure budget includes an allocation for the "Victoria Street Renewal – Northern End" project of \$370,000.

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

TABLE	2
-------	---

No.	Tender	Budget (ex GST)
1	Contract CT0264	\$236,873
2	Project management/administration (\$11,000 to date)	\$ 23,000
3	CCTV	\$ 1,348
4	Construction contingency (15%)	\$ 35,531
	TOTAL	\$296,752

An allowance is required for a CCTV inspection of constructed stormwater pipelines to ensure they can be accepted by Council. This is procured outside the contract as it is more cost effective to combine this specialist work with inspections of other Council assets

The forecast expenditure is well within the available budget for this project.

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 333A of the Local Government Act 1993.

The contingency allowance for this project is 15% of the contract price. The risk of unforeseen variations is moderate. Potential risks include worse than expected ground conditions and issues associated with underground services.

CONCLUSION

Taking into account the selection criteria assessment, the Tender Planning and Evaluation Committee has determined that Civilscape Contracting Tasmania meets Council's requirements and is therefore most likely to offer "best value" in relation to Contract CT0264 Victoria Street Renewal.

ATTACHMENTS

Nil

RECOMMENDATION

That Council, in relation to Contract CT0264 Victoria Street Renewal:

- a) award the contract to Civilscape Contracting Tasmania for the tendered sum of \$236,873 (ex GST);
- b) note project management costs are estimated at \$23,000 (ex GST);
- c) CCTV costs for the project are \$1,348 (ex GST); and
- d) note a contingency allowance of \$35,531 (ex GST).

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

5.3 TENDER REPORT CONTRACT CT0265 HOLYMAN STREET RENEWAL

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 2.3.2 Provide and maintain roads, bridges, paths and car parks to appropriate standards

SUMMARY

This report seeks Council's approval to award Contract CT0265, Holyman Street Renewal to Hardings Hotmix for the schedule of rates sum of \$368,846.

BACKGROUND

This report considers tenders received for "Holyman Street Renewal" listed within the 2019/20 capital expenditure budget as two separate allocations:

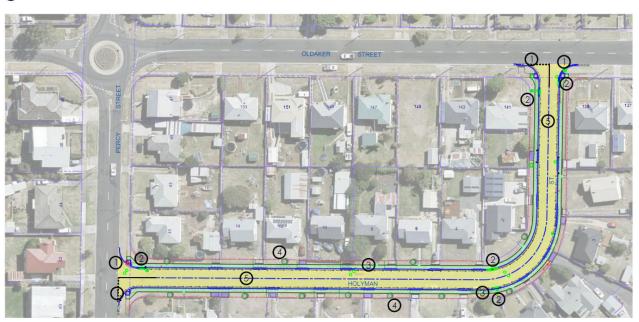
- Holyman Street Renewal
- Holyman Street Footpath

The two projects have been combined as given the proposed scope of work it would be impractical to have separate design and construction crews working at the same location.

This project involves the renewal of kerb and channel, driveways, footpath, stormwater infrastructure, pavement and seal.

New kerb and channel to replace existing

- Stormwater drainage improvements to improve capacity?
- ③ Replace footpath to meet new standards
- (4) Update streetscape with street trees



STATUTORY REQUIREMENTS

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

S New Wearing Surface & Pavement-stronger pavement & surfacing

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 four companies. All tenders received were conforming tenders and are summarised in table 1.

TABLE 1

No.	Tender	Status	Tender Price (ex GST)
1	Civilscape Contracting Tasmania	Conforming	\$367,204
2	Hardings Hotmix Pty Ltd	Conforming	\$368,846
3	Kentish Construction and Engineering Company Pty Ltd (trading as Treloar Transport)	Conforming	\$390,077
4	ATM Civil	Conforming	\$429,552

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 Hardings Hotmix scored highest overall against the selection criteria and therefore offers Council the best value for money.

Although the Hardings Hotmix tender was slightly more expensive than the lowest tender, it was assessed as offering Council the best value for money due to a more favourable construction program and superior quality, safety and environmental management systems.

The Tender Planning and Evaluation Committee minutes are available for Councillors to view, upon request.

COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in the Advocate Newspaper on 19 October 2019 and tenders were also advertised on Council's website.

FINANCIAL IMPLICATIONS

The 2019/20 capital expenditure budget includes two allocations for the proposed works "Holyman Street Renewal" and "Holyman Street Footpath" as shown in table 2.

TABLE 2

No.	Project	Allocation
1	Holyman Street Renewal	\$400,000
2	Holyman Street Footpath	\$ 90,000
	TOTAL	\$490,000

The breakdown of the forecast expenditure for this project is summarised below in table 3.

TABLE 3

No.	Tender	Budget (ex GST)
1	Contract CT0265	\$368,846
2	Tree Purchase	\$ 2,750
3	Project management/administration	\$ 17,000
4	Construction contingency (15%)	\$ 55,313
5	Taswater works (estimated)	\$ 2,500
6	CCTV	\$ 2,695
	TOTAL	\$449,104

The forecast expenditure is within the allocated budget for the project.

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 333A of the Local Government Act 1993.

The contingency allowance for this project is 15% of the contract price. The risk of variations is moderate and includes risk of poorer than expected ground conditions and issues associated with underground services.

CONCLUSION

Taking into account the selection criteria assessment, the Tender Planning and Evaluation Committee has determined that Hardings Hotmix Tasmania meets Council's requirements and is therefore most likely to offer "best value" in relation to Contract CT0265, Holyman Street Renewal.

ATTACHMENTS

Nil

RECOMMENDATION

That Council, in relation to Contract CT0265, Holyman Street Renewal:

- a) award the contract to Hardings Hotmix for the sum of \$368,846 (ex GST);
- b) note project management costs for the project are estimated at \$17,000 (ex GST);
- c) note costs associated with utility services, and tree management are estimated to be \$7,945 (ex GST); and
- d) note a contingency allowance of \$55,313 (ex GST).

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

5.4 TENDER REPORT CONTRACT CT0267 FENTON & STEWART STREET ROUNDABOUT

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 2.3.2 Provide and maintain roads, bridges, paths and car parks to appropriate standards

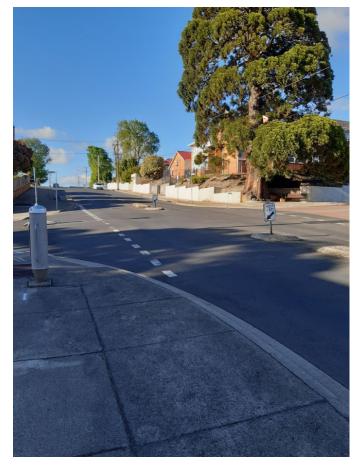
SUMMARY

This report seeks Council's approval to award Contract CT0267 Fenton and Stewart Street Roundabout to Hardings Hotmix for a lump sum of \$295,665.

BACKGROUND

This report considers tenders received for "Fenton Street & Stewart Street - Roundabout" listed within the 2019/20 capital expenditure budget.

The intersection safety improvements project involves the renewal of the pavement, kerb, stormwater, footpath and new roundabout. The construction of a roundabout is a proven treatment to reduce likelihood and severity of crashes at a cross intersection. Council have secured \$415,000 for this component of the project from the Federal Government's Black Spot Program.



STATUTORY REQUIREMENTS

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

DISCUSSION

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

Tenders were received from one company. The tender received was conforming and is summarised in table 1.

TABLE 1

No.	Tender	Status	Tender Price (ex GST)
1	Hardings Hotmix Pty Ltd	Conforming	\$295,665

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 Hardings Hotmix offers Council the best value for money.

The Tender Planning and Evaluation Committee minutes are available for Councillors to view, upon request.

The Evaluation Committee believes that only one submission was received as the complex site management requirement for this project deterred potential tenderers, especially considering companies that regularly tender for Council work are already committed to other Council projects, which would impact their ability to suitably resource and manage this project.

COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in the Advocate Newspaper on 19 October 2019 and tenders were also advertised on Council's website.

FINANCIAL IMPLICATIONS

The 2019/20 capital expenditure budget includes an allocation for the "Fenton Street & Stewart Street - Roundabout" project of \$415,000.

The budget for the project has been secured from the Federal Government's Black Spot Program. Under the grant arrangements, Council can only claim actual expenditure incurred on the projects, so savings cannot be reallocated to other components of this project or other projects.

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

TABLE 2

No.	Tender	Budget (ex GST)
1	Contract CT0267	\$295,665
2	Design, project management/administration	\$ 34,900
3	CCTV	\$ 1,348
4	Tree Pruning (estimated)	\$ 5,000

No.	Tender	Budget (ex GST)
5	Tasnetworks works (estimated)	\$ 7,500
6	Telstra works (estimated)	\$ 5,000
7	Tree/Plant purchase (estimated)	\$ 4,500
8	Construction contingency (20%)	\$ 59,133
	TOTAL	\$413,046

An allowance is required for a CCTV inspection of constructed stormwater pipelines to ensure they can be accepted by Council. This is procured outside the contract as it is more cost effective to combine this specialist work with inspections of other Council assets.

An allowance is required for trimming of some of the lower branches of the Wellingtonia tree on the south west corner of the intersection. This work is required to be completed by a qualified arborist in accordance with the recommendations of the report received on the tree.

A construction contingency of 20% of the contract price has been included.

The forecast expenditure is within the available budget for this project.

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 333A of the Local Government Act 1993.

The contingency allowance for this project is 20% of the contract price. The risk of unforeseen variations is moderate. Project risk that may result in variations include underground services, ground conditions, and interfaces with existing trees and structures.

CONCLUSION

Taking into account the selection criteria assessment, the Tender Planning and Evaluation Committee has determined that Hardings Hotmix meets Council's requirements and is therefore most likely to offer "best value" in relation to Contract CT0267 Fenton & Stewart Street Roundabout.

ATTACHMENTS

Nil

RECOMMENDATION

That Council, in relation to Contract CT0267 Fenton and Stewart Street Roundabout:

- a) award the contract to Hardings Hotmix for the tendered sum of \$295,665 (ex GST);
- b) note design and project management costs for the project are estimated at \$34,900 (ex GST);
- c) note costs associated with utility services and tree management are estimated to be \$23,348(ex GST); and
- d) note a contingency allowance of \$59,133 (ex GST).

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

5.5 DISABILITY INCLUSION PLAN 2020-2025 - DRAFT

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.7.4 Advocate for and provide access to quality services, facilities, information and activities that celebrate and promote diversity and harmony which supports engagement, participation and inclusivity

SUMMARY

To present the draft Disability Inclusion Plan 2020-2025 to Council for endorsement for public consultation.

BACKGROUND

Council resolved at their meeting held 25 September 2017 (Min No 181/17 refers) that a Disability/Equal Access and Inclusion Plan be developed for consideration. Resources have been limited to develop the Plan until recently.

STATUTORY REQUIREMENTS

There are no specific statutory requirements relating to this report.

DISCUSSION

Disability affects one in four Tasmanians - 25.8% of the population or 131,700 people. This is the highest rate of disability in Australia, compared to 18% nationally.

A disability is any continuing condition that restricts everyday activities. The Tasmanian Disability Services Act 2011 defines 'disability' as meaning a disability:

- which is attributable to an intellectual, psychiatric, cognitive, neurological, sensory or physical impairment or a combination of those impairments;
- which is permanent or likely to be permanent;
- which may or may not be of a chronic or episodic nature;
- which results in substantially reduced capacity of the person for communication, social interaction, learning or mobility and a need for continuing support services.

The purpose of the Disability Inclusion Plan is to ensure that the full range of Council information, services and facilities are available to all community members.

Inclusion is a long-term goal that involves removing or reducing the barriers to participation so that every person who wishes to can access and participate fully in all aspects of community life. Inclusive practices can create a society which is fairer, more cohesive and richer.

The Plan presents 37 actions, identified by people with disability, community stakeholders and the Devonport City Council, grouped into four focus areas. They are:

- 1. Participation and Inclusion
- 2. Communication and Awareness
- 3. Buildings and Facilities
- 4. Parking and Mobility

Actions are listed in the attached Plan.

COMMUNITY ENGAGEMENT

The Disability Inclusion Plan draws on community comments raised through three main avenues:

- Community Survey resident and broader community survey closed 6 October 2019 (45 responses); additional 8 online submissions received;
- 2. Devonport City Council Staff Survey closed 2 August 2019 (37 responses)
- 3. Community Workshops 5 workshops (46 participants);

Refer to the attached Consultation Outcomes Report for more detail.

The draft plan was developed by a working group comprising key disability advocates, service providers, the Liveable City Special Interest Group and community members. The group reflected on community concerns and considered opportunities in line with the Plan's objectives, assets of the local community, and budget options.

It is proposed that a further 60-day public consultation period is undertaken to gather community views and concerns in relation to the draft Plan.

FINANCIAL IMPLICATIONS

Recommended actions in the Plan require resourcing from a range of sources. Many actions will require an allocation in future operational and capital budgets that will be considered on an annual basis as part of Council's budgetary process.

RISK IMPLICATIONS

Consultation and/or Communication

Given the extensive local community input and interest in improving access and inclusion the community would likely have an expectation that Council delivers a plan reflective of shared concerns and ideas for improvement.

• Reputational Risk

There is a low reputational risk that not having a Disability Inclusion Plan may signal to the community and disability stakeholders that embracing a culture of inclusion is a low priority of Council.

CONCLUSION

The development of the Disability Inclusion Plan 2020-2025 reflects the work of the community, key stakeholders and Council officers to reduce barriers to participation and increase access to Council services and information, in order to create a more inclusive community.

ATTACHMENTS

- 1. Disability Inclusion Plan 2020-25 Draft
- 2. Disability Inclusion Plan Consultation Outcomes

RECOMMENDATION

That Council receive and note the report relating to the draft Disability Inclusion Plan and the release of the Strategy for a 60-day public consultation period be endorsed.

Author:	Carol Bryant	Endorsed By:	Matthew Atkins	
Position:	Executive Officer Community Services	Position:	Acting General Manager	



NOVEMBER 2019

Next Date of Review: Document Controller: Document Reviewer: Date Adopted by Council: Resolution Number:

General Manager Community Services Manager

Contents

1	Introd	duction4
	1.1	Methodology4
2	Policy	y Context
	2.1	International Participation
	2.2	Australian Government5
	2.3	State Government5
	2.4	Devonport City Council
3	Curre	ent Context
	3.1	Community Profile
	3.2	Consultation – Key Themes7
4	Guid	ing Principles8
5	Focu	s Areas
	5.1	Focus Area 1. Participation and Inclusion9
	5.2	Focus Area 2: Communication and Awareness10
	5.3	Focus Area 3: Buildings and Facilities11
	5.4	Focus Area 4: Parking and Mobility12
6	Imple	ementation
7	Appe	endices
Acti	on Pla	n14

DISABILITY INCUSION PLAN

1 Introduction

The Disability Inclusion Plan supports the Devonport City Council's commitment to build an engaged community which promotes and values diversity and equity¹.

A **disability** is any continuing condition that restricts everyday activities. The Tasmanian Disability Services Act 2011 defines 'disability' as meaning a disability:

- which is attributable to an intellectual, psychiatric, cognitive, neurological, sensory or physical impairment or a combination of those impairments;
- which is permanent or likely to be permanent;
- which may or may not be of a chronic or episodic nature;
- which results in substantially reduced capacity of the person for communication, social interaction, learning or mobility and a need for continuing support services².

Inclusion is a long-term goal that involves removing or reducing the barriers to participation so that every person who wishes to can access and participate fully in all aspects of community life. Inclusive practices can create a more cohesive and liveable community. The aim of the Plan is to ensure that the full range of Council information, services and facilities are available to all community members.

1.1 Methodology

Development of this plan has involved:

- 1. Data collection, analysis and review including analysis of demographic and social data, as well the policy context.
- 2. Review of best practice to identify best practice examples at the state, national and international levels. Recommendations from the Australian Local Government Associations' 'Disability Inclusion Planning A Guide for Local Government' were also considered.
- 3. Community consultation in the form of workshops and surveys to identify key activities.
- 4. Development of outcomes, actions and targets based on community input.

2 Policy Context

The Disability Inclusion Plan shares the reform agenda across all levels of government to shift community attitudes and practice to support people with disability to participate fully in civic life.

2.1 International Participation

Australia ratified the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in 2008. The CRPD³ provides a framework for all nations, describing the rights of persons with disabilities and setting out processes and expectations to maintain and secure

³ United Nations, 2006, Convention on the Rights of Persons with Disabilities (CRPD), https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html

4

¹ Devonport City Council, 2009, Strategic Plan 2009-2030, revised 2019, Outcome 4.7, p.12.

² Tasmanian Government, 2011, Disability Services Act 2011,

https://www.legislation.tas.gov.au/view/html/inforce/current/act-2011-027

these rights. Although the CRPD does not create new rights, it specifically prohibits discrimination against people with disability in all areas of life.

2.2 Australian Government

The vision of the National Disability Strategy 2010-2020, developed by the Council of Australians Governments (COAG), is for an inclusive Australian society that enables people with disability to fulfil their potential as equal citizens. The Strategy covers six policy areas:

- Inclusive and accessible communities;
- Rights protection, justice and legislation;
- Economic security;
- Personal and community support;
- Learning and skills; and
- Health and wellbeing⁴.

2.3 State Government

Accessible Island: Tasmania's Disability Framework for Action 2018-2021 aims to ensure that all government departments implement socially just policies and practices for Tasmanians with disability. It also acknowledges that many challenges faced by people with disability are not due to the functional limitations of individuals but rather, by the failure of society to meet their needs. The plan outlines various actions aligning with the six policy areas of the National Disability Strategy 2010-2020⁵.

2.4 Devonport City Council

This Plan represents Devonport City Council's approach to address disability inclusion. In delivering the Plan, Council will draw on its various roles and responsibilities, as follows:

- Provider delivering services, programs and events;
- Funder funding other organisations to deliver services;
- Regulator regulating some activities through legislation;
- Partner working collaboratively and in partnership with other;
- Facilitator bringing groups and interested parties together to act; and
- Advocate promote community priorities to other decision-makers and influencers.

3 Current Context

Although disability is usually associated with health conditions (physical, mental, or emotional conditions) or events (such as injuries), the functioning, health, independence, and civic engagement of people with disabilities can vary depending on several factors:

- Severity of the underlying impairment;
- Social, political, and cultural influences and expectations;
- Aspects of the natural and built environment;
- Availability of assistive technology and devices; and
- Family and community support and engagement.

⁴ Commonwealth of Australia, 2011, National Disability Strategy 2010-2020, p.10.

⁵ Tasmanian Government, 2018, Accessible Island: Tasmania's Disability Framework for Action 2018-2021.

Disability inclusion means understanding the relationship between the way people function and how they participate in society and making sure everybody has the same opportunities to participate in every aspect of life to the best of their abilities and desires. While not extensive, the disability community profile and community feedback has informed the development of this Plan.

3.1 Community Profile

Disability affects one in four Tasmanians - 25.8% of the population or 131,700 people. This is the highest rate of disability in Australia, compared to 18% nationally⁶. In addition, 84,300 Tasmanians identify as carers (16.6%), with 28,300 people (5.6%) aged 15 years and over identified as primary carers⁷. Some of these carers also live with disability.

In Devonport, in 20168:

- 1,984 residents or 8.0% of residents, had a severe or profound disability⁹. This was an increase from 5.9% in 2006.
- 2,505 people aged over 15 years (12.4%) provided unpaid assistance to a person with a disability, with 84 people aged 15-19 providing assistance.

People with disabilities experience significant disadvantages when it comes to employment, education, and health and well-being, as demonstrated by these 2015 statistics of the Tasmanian population.

Education, Employment & Income¹⁰

- More than half of those with disability aged 15 to 64 years participated in the labour force (54.3%), which is considerably fewer than those without disability (83.3%).
- Young adults with a disability are more likely to have left school before completing Year 12 (65.5%) than people without a disability of the same age (56.5%).
- The average gross weekly income among residents with a disability was \$430 about half (56%) the income of residents without a disability (\$769).
- In Devonport, 8.3% of people with a disability are in paid work, compared with 56% of others¹¹.

Living arrangements¹²

- 96.7 % or 127,400 residents with disability live in private dwellings, with the rest in nonprivate settings, such as nursing homes or other age accommodation.
- Among people with a disability living at home, one in five (23.5% or 30,000) live alone.
- Rates of home ownership among residents with a disability are similar (66.9%) than for people without a disability (69.9%).

6

DISABILITY INCLUSION PLAN

^{6.7} Australian Bureau of Statistics (ABS), 2015, Disability, Ageing and Carers, Australia: Summary of Findings, https://www.abs.gov.au/ausstats/abs@.nsf/0/C258C88A7AA5A87ECA2568A9001393E8?Opendocument

⁸ ABS, 2017, 2016 Census of Population and Housing General Community Profile, Cat. No. 2001.0.

⁹ Profound disability - A person's need for help or assistance in one or more of the three core activity areas of self-care, mobility and communication, because of a disability, long term health condition (lasting six months or more) or old age.

 ^{10,12,13} Australian Bureau of Statistics (ABS), 2015, Disability, Ageing and Carers, Australia: Summary of Findings, https://www.abs.gov.au/ausstats/abs@.nsf/0/C258C88A7AA5A87ECA2568A9001393E8?Opendocument
 ¹¹ ABS, 2016, Census of Population and Housing, Working Population Profile Based on Place of Work, Cat No, 2006.0.

Civic Life¹³

- 1 in 3 people (32.3%) have difficulty or inability using public transport.
- 1 in five Tasmanians aged 5-64 years with a disability (20.1%) did not participate in any social or community activities away from home in the previous 12 months.
- Almost one in 10 Tasmanians with disability (10,300 people or 9.7%) reported they had experienced discrimination or unfair treatment because of their disability.
- Young people with disability (aged 15 to 24 years) were 16 times more likely to report the experience of discrimination (38.5%) than those aged 65 years and over (2.1%).

3.2 Consultation – Key Themes

The Disability Inclusion Plan draws on community input raised through three main avenues:

1. Community Survey – resident and broader community survey closed 6 October 2019 (45 responses); additional 8 online submissions received.

- 2. Devonport City Council Staff Survey closed 2 August 2019 (37 responses).
- 3. Community Workshops 5 workshops (46 participants).

The main findings are summarised below. Refer to the Consultation Outcomes Report for unedited comments.

Issues	Opportunities
Activities / information	
Finding information about Council services and activities DCC Website - complicated, not accessible for diversity disabilities Getting to an event/activity – barriers Lack of specialised equipment Lack of accessible activities prevents inclusion	Simplify website Deliver more and improve accessibility of activities– e.g. consider transport Mobility map / information Financial incentives Improved marketing re options to get involved Activities for young carers
Engagement/consultation	
May not be accessible to all	Access & inclusion committee / group Consider accessibility in design of engagement process
Employment/volunteering	
Lack of awareness of opportunities Lack education/training opportunities	Promotion
Community Awareness	
Discrimination, stigma Exclusion / isolation Medium understanding legislative requirements (DCC Staff)	Change culture/perception - promotion, education Disability liaison/contact staff (DCC) Education/awareness – staff and community
Economic security	
Financial hardship, poverty	
Parking / Public Transport	
Parking – improve location and number of; multistorey carpark confusing Bus shelters - Lack of, kerb height/slope	Parking bays – improve proximity to destination, e.g. Splash, wider bays More accessible buses, free shuttle bus

Issues	Opportunities
Facilities / infrastructure Kerbing - heights and crossover location difficult to navigate / distance to destination Footpaths – uneven, hazards, poor visibility / lack indicators, non-continuous on one side of the road paranaple centre & arts centre – parking proximity, lack of shelter, distance to travel to access counters, no closed loop audio in Theatre Playgrounds – lack of accessible spaces, equipment, lack of barriers for containment Amenities – increase amount in public and private locations, design issues such as confusion if experiencing dementia, no adult change facilities/hoist, lack of unisex amenities Lack of sheltered accessible picnic tables Design - Lack of whole systems thinking in design e.g. – accessible beach ramps good but how to allow movement on sand Legislative requirements - codes/standards do not always meet the needs of a range of disabilities Crowded shops Excessive stimuli	strip Amenities – adult change table, hoist, increase number of accessible toilets Playgrounds - 'Cognitive containment' option in play spaces – landscaping, seats, etc; pla equipment for adults Dementia friendly signage / wayfinding community Sheltered (and more) seating in CBD / parks etc Consider quiet rooms

4 Guiding Principles

The following principles, outlined in the National Disability Strategy, will guide Devonport City Council's approach in the delivery of actions outlined in this plan.

- Involvement of people with disability the views of people with disability are central to the design, funding, delivery and evaluation of policies, programs and services which impact on them, with appropriate support and adjustment for participation.
- Community engagement a whole-of-community change effort is required to remove barriers and support inclusion of people with disability in the life of their communities.
- Universal approach products, services, environments and communities are accessible and usable by all people to the greatest extent possible without the need for specialised modification.
- Interconnectivity governments (and non-government organisations) work together to ensure interconnectivity of policies and programs.

5 Focus Areas

The Disability Inclusion Plan provides a framework for the Devonport City Council to advocate for and provide access to quality services, facilities, information and activities that celebrate and promote diversity and harmony which supports engagement, participation and inclusivity.

The Plan focuses on actions identified by people with disability, community stakeholders and the Devonport City Council, grouped into four focus areas.

8

DISABILITY INCLUSION PLAN

These are:

- 1. Participation and Inclusion
- 2. Communication and Awareness
- 3. Buildings and Facilities
- 4. Parking and Mobility

A detailed action plan is provided in Appendix 1.

5.1 Focus Area 1. Participation and Inclusion

Physical activity, the arts, community events, employment and education opportunities benefit people's physical, emotional and mental wellbeing. People with disabilities experience barriers to participation in these areas due to a range of factors, including transport, cost, issues with the built environment, and attitudes or awareness. Considering access and inclusion in the planning and delivery of activities and events will ensure they can be enjoyed by the whole community. Meaningful employment further contributes to economic security, independence, social interaction, improved mental health, and other life opportunities.

Council has a strong role in supporting, encouraging, facilitating and advocating for community participation opportunities to enable greater inclusion. Council also has a role in advocating on behalf of people with a disability to ensure that the community is inclusive and has an awareness of the issues facing people with a disability.

Outcome: Improve accessibility of Council's events

Actions:

- Identify and promote opportunities to people with disability to attend, perform, participate in planning, or volunteer at public events (e.g. Jazz Festival, New Year's Eve event, Food and Wine Festival).
- Update Event Application Pack for community event managers to include accessibility when planning and holding events.
- Ensure that event information is provided in an accessible format where possible (e.g. captioning, audio).
- Investigate providing free admission to council events and programs for the companion of any person holding a valid Companion Card.

Outcome: Programs tailored to be inclusive of all abilities

Actions:

- Deliver or support activities and events celebrating community diversity.
- Facilitate the provision of supportive equipment for people with disability to trial new activities.
- Seek to attract major sporting and cultural events involving participants with a disability (to increase community awareness about opportunities and achievements of people with disability).

Outcome: More people with disability engaged in decision making processes

Actions:

- Establish an access and inclusion working group comprising stakeholders representing a range of disability.
- Seek representation on Council's Special Committees to ensure people with a disability are directly involved in decision-making.
- Promote Local Government elections to disability service providers to encourage involvement and participation.
- Increase accessibility of consultation (e.g. consider need for interpreters, accessible venues, accessible information formats etc).

Outcome: Increase accessibility of employment, education and training

Actions:

- Continue to provide work and volunteer opportunities within Council for people of all abilities including work placement.
- Work with organisations to identify volunteering opportunities for people with a disability.
- Advocate to State and Federal Government service providers for accessible education and training opportunities for people with a disability.

5.2 Focus Area 2: Communication and Awareness

The ability to access information is vital for everyone in the community but for people with a disability, they can face specific barriers to gaining and understanding information.

Accessible information means different things to different people – large print font, audio descriptions, braille, screen readers, images, sign language, communication boards - as well as the wide variety of print, social and other media that we are used to. It is imperative to consider how we communicate to different audiences and the need to be creative and innovative, which can result in better outcomes for the entire community.

In addition, disability awareness is vital in creating a City where people with disability are valued and included. Many people with disability experience discrimination and stigma, often primarily associated with society's misconceptions about their ability.

Outcome: Improve Council staff capacity to understand and engage with all community members

Actions:

- Provide anti-discrimination training to Council staff and elected members, consider including volunteers
- Provide specific training tailored for staff in different areas, such as communication for front counter staff, accessible information for web /social media designers.
- Develop database of key disability contacts and services to assist Council staff to build a network of support.

DISABILITY INCLUSION PLAN

Outcome: Improve availability of Council information in accessible formats

Actions:

- Include a statement on Council's website and public documents to encourage people to contact Council if they need an alternative means of communication (e.g. face to face, phone, Auslan, Email, interpreters).
- Provide support materials, and training where required, for staff to prepare all public documents and correspondence in plain English.
- Develop a guide to assistive technology and accessible format services, such as AUSLAN, Hearing Loop availability, captioning, audio description and Easy Read document providers.
- Produce an Easy English guide to living in Devonport (includes essential information, uses colours and images to make information clear).

Outcome: A community culture that embraces people of all abilities is fostered

Actions:

- Support community groups and organisations with disability awareness raising activities/events.
- Advocate for the rights of people with a disability through any consultation with Commonwealth Government, State Government, transport operators, building developers and business owners as required.
- Review the representation of the City's diverse population in Council's marketing material and activities.
- Investigate formal recognition of community organisations and local businesses that recognise and celebrate access and inclusion.

5.3 Focus Area 3: Buildings and Facilities

Council's role in ensuring an accessible physical environment is to monitor new developments and upgrades at design stage, and regularly monitor and review existing facilities for modification where necessary. Access to buildings, streetscapes, parks, playgrounds and bushland is important to the whole community and there is a clear expectation that Council will continue to play a role in this area.

Outcome: New Council developments are accessible

Actions:

- Ensure accessibility compliance of new infrastructure as per relevant legislation, standards and codes.
- Ensure consultants/contractors address access/inclusion in planning design and construction.

Outcome: Access to existing Council infrastructure continually improves

Actions:

- Incorporate universal design principles in upgrades of buildings, toilets, streetscapes, parks, play spaces, fitness equipment stations, signage, and public spaces.
- Include accessibility/inclusion as part of criteria when assessing projects for renewal.
- Identify and promote appropriate, accessible recreation routes / pathways; seek funding for enhancements.

- Investigate best practice way-finding principles to allow everyone to safely access buildings and streetscapes in accordance with Council's Signage Strategy.
- Ensure emergency evacuation procedures for Council buildings (and for city-wide emergencies) include safeguards and management of people with disability.

5.4 Focus Area 4: Parking and Mobility

Difficulties with accessing suitable parking and transport are situations that people with a disability can face on a day to day basis. The inability to attend appointments or events, go shopping or access important services can cause major problems. Other issues include a perception of a shortage of accessible parking spaces throughout the City and a dependence on public transport. Limited mobility can lead to social isolation and related health conditions such as heart disease and poor mental health.

In the past few years Council has made several improvements to increase parking accessibility. For instance, Devonport residents receiving an aged, service or disability pension who is also the registered owner of a vehicle, are entitled to a free parking permit. Disabled parking bays have also been upgraded in accordance with Australian Standards.

Outcome: Accessibility of parking is improved

Actions:

- Implement accessible parking improvements in the Council's Parking Strategy 2016-2021:
 - Review pricing for disabled parking bays.
 - Continue to ensure that an adequate provision of disabled parking bays is provided in convenient locations.
 - Review of bus shelters in Devonport for compliance and prioritisation of improvements.
- Ensure the provision of adequate accessible parking spaces (including drop off/pick up zones) at all Council and large community events.

Outcome: Public transport and mobility options have expanded

Actions:

- Work with a range of stakeholders to improve public transport options for people with disability.
- Provide information on the accessibility of Council facilities and services (e.g. via an online map) to assist trip planning for residents and visitors.
- Identify and remove known infrastructure barriers to accessibility (e.g. stairs, narrow or steep paths etc), in line with the Pedestrian Strategy.

6 Implementation

Devonport City Council will be responsible for facilitating the implementation of the Plan. Ongoing involvement with people with disability, disability advocacy organisations and service providers is an essential component of the Plan.

Review of Strategic Focus Areas and Actions will occur as required by the proposed access and inclusion working group. The group will review current actions, identify changing issues, and needs and plan for future and upcoming directions.

12

DISABILITY INCLUSION PLAN

Progress of the plan will be reported to Council annually and to the wider community via a range of Council communication mediums.

7 Appendices

1. Action Plan

Note - Definition of Resources: The level of human or financial resources required:

- A-OPEX: Annual operational expenditure by Council staffing or operational resources allocated as part of the annual plan.
- F-OPEX: Future operational expenditure by Council increased requirements for future consideration during annual budget process.
- F-CAPEX: Future capital expenditure no current allocation, would need to be considered in future capital budget.
- External: Cash or resources sourced outside of Council, e.g., grants, sponsorships, inkind support from partners.

Action Plan

ITEM 5.5

Disability Inclusion Plan

N -	Antion		Y	ear Planne	ed				Outouto / Torra ata	Responsible
No.	Action	2020/21	2021/22	2022/23	2023/24	2024/25	Priority	Resources	Outputs / Targets	Department
1.	Participation and Inclusion									
Outc	ome: Improve accessibility of Counc	il's events								
1.1	Identify and promote opportunities to people with disability to attend, perform, participate in planning, or volunteer at public events (e.g. Jazz Festival, New Year's Eve)						Н	A-OPEX	Increase in participation by performers/volunteers by 10% in 2024/5 from 2020/21 levels	Community Services
1.2	Update Event Application Pack for community event managers to include accessibility when planning and holding events						Н	A-OPEX	Revised Event Application Pack available	Community Services
1.3	Ensure that event information is provided in an accessible format where possible (e.g. captioning, audio)						Н	A-OPEX	Minimum of two large city-wide events promoted in accessible formats by June 2022	Community Services
1.4	Investigate providing free admission to council events and programs for the companion of any person holding a valid Companion Card						Н	F-OPEX	Report presented to Council by June 2022	Community Services
Outc	ome: Programs tailored to be inclusiv	ve of all ab	oilities							
1.5	Deliver or support activities and events celebrating community diversity						Н	F-OPEX	At least one event held per annum	Community Services
1.6	Facilitate the provision of supportive equipment for people with disability to trial new activities						L	External	Work with range of stakeholders to facilitate acquisition of supportive equipment as required	Community Services

ATTACHMENT [1]

14

DISABILITY INCLUSION PLAN

	A		Y	ear Planne	ed				Outrute / Terrate	Responsible
No.	Action	2020/21	2021/22	2022/23	2023/24	2024/25	Priority	Resources	Outputs / Targets	Department
.7	Seek to attract major sporting and cultural events involving participants with a disability (to increase community awareness about opportunities and achievements of people with disability)						Μ	F-OPEX	Two major events held by 2024/25	Community Services
Outco	ome: More people with disability en	gaged in a	decision m	aking pro	cesses					
1.8	Establish an access and inclusion working group comprising a range of disability stakeholders						Н	A-OPEX	Expressions of Interest sought; Working Group with Terms of Reference established; first meeting held by 30 June 2020	Community Services
1.9	Seek representation on Council's Special Committees to ensure people with a disability are directly involved in decision- making						Н	A-OPEX	Increase in membership on Special Committees by 10% in 2024/25 from 2019/20 levels	Community Services
1.10	Promote Local Government elections to disability advocates and service providers to encourage involvement and participation						Н	A-OPEX	Increase in nominations by people experiencing disability	Organisationc I Performance
1.11	Increase accessibility of consultation (e.g. consider need for interpreters, accessible venues, accessible information formats etc)						Н	A-OPEX	Engagement planning tools developed by 30 June 2021	Community Services
Outco	ome: Increase accessibility of emplo	yment, ed	ucation a	nd training	9					
1.12	Continue to provide work and volunteer opportunities within Council for people of all abilities including work placement						М	A-OPEX	Forge closer relationships with disability service and employment providers	Organisationc I Performance
1.13	Work with organisations to identify volunteering opportunities for people with a disability						М	A-OPEX	Liaise with Volunteering Tas and	Community Services

	Action		Y	ear Planne	ed					Responsible
No.	Action	2020/21	2021/22	2022/23	2023/24	2024/25	Priority	Resources	Outputs / Targets	Department
									other stakeholders as required	
1.14	Advocate to State and Federal Government service providers for accessible education and training opportunities for people with a disability						м	A-OPEX	Advocate as required	General Management
2.	Communication and Awareness	;								
Outc	ome: Enhance Council staff capacity	to unders	tand and	engage w	/ith all cor	nmunity m	nembers			
2.1	Provide anti-discrimination training to Council staff and elected members, consider including volunteers						Н	A-OPEX	Training provided every two years	Organisationa I Performance
2.2	Provide specific training tailored for staff in different areas, such as communication for front counter staff, accessible information for web /social media designers						Μ	F-OPEX	Training provided when required	All Departments
2.3	Develop database of key disability contacts and services to assist Council staff to build a network of support						Н	F-OPEX	Database developed and regularly updated	Community Services
Outc	ome: Expand availability of Council i	nformatior	n in acces	sible form	ats					
2.4	Include a statement on Council's website and public documents to encourage people to contact Council if they need an alternative means of communication (e.g. face to face, phone, Auslan, Email, interpreters)	2020-21					н	A-OPEX	Standard statement confirmed and website, public document templates updated	Organisationa I Performance
2.5	Provide support materials, and training where required, for staff to prepare all public documents						Μ	F-OPEX	Materials prepared and shared with staff. Training delivered as required.	Corporate Services

PAGE 63

16

DISABILITY INCLUSION PLAN

			Y	ear Planne	ed		Detection			Responsible
No.	Action	2020/21	2021/22	2022/23	2023/24	2024/25	Priority	Resources	Outputs / Targets	Department
	and correspondence in plain English									
2.6	Develop a guide to assistive technology and accessible format services, such as AUSLAN, Hearing Loop availability, captioning, audio description and Easy Read document providers						Μ	A-OPEX	Guide developed and shared with staff. Public written information available electronically and in 'easy read' formats where practical	Corporate Services
2.7	Produce an Easy English guide to living in Devonport (includes essential information, uses colours and images to make information clear)						M	External	Guide developed and promoted	Community Services
Outco	ome: A community culture that embr	aces peo	ple of all a	bilities is f	ostered					
2.8	Support community groups and organisations with disability awareness raising activities/events						Н	A-OPEX	Increase in number of events/activities supported	Community Services
2.9	Advocate for the rights of people with a disability through any consultation with Commonwealth Government, State Government, transport operators, building developers and business owners as required						Н	A-OPEX	Advocate as required	General Management
2.10	Review the representation of the City's diverse population in Council's marketing material and activities						Н	A-OPEX	Increased representation of diversity in publications	Organisationa I Performance
2.11	Investigate formal recognition of community organisations and local businesses that recognise						м	F-OPEX / External	Report prepared for consideration	Community Services

ATTACHMENT [1]

ITEM 5.5

	A stime		Y	ear Planne	ed					Responsible
No.	Action	2020/21	2021/22	2022/23	2023/24	2024/25	Priority	Resources	Outputs / Targets	Department
Outc	ome: New Council developments ar	e accessil	ole							
3.1	Ensure accessibility compliance of new infrastructure as per relevant legislation, standards and codes						Н	F-CAPEX	All new infrastructure in compliance	Infrastructure & Works
3.2	Ensure consultants/contractors address access/inclusion in planning design and construction						Н	F-CAPEX	Incorporate in EOI and tender processes where relevant	Infrastructure & Works
Outc	ome: Access to existing Council infra	istructure o	continually	/ improves	(for insta	nce, annu	ual mainte	enance and u	Jpon renewal)	
3.3	Incorporate universal design principles in upgrades of buildings, toilets, streetscapes, parks, play spaces, fitness equipment stations, signage, and public spaces						Н	F-CAPEX	Improve processes	Infrastructure & Works
3.4	Include accessibility/inclusion as part of criteria when assessing projects for renewal						м	F-CAPEX	Criteria developed and integrated in to process	Infrastructure & Works
3.5	Identify and promote appropriate, accessible recreation routes / pathways and seek funding for enhancements						M	F-OPEX / External	Routes promoted, funding secured for improvements	Infrastructure & Works
3.6	Investigate best practice way- finding principles to allow everyone to safely access buildings and streetscapes in accordance with Council's Signage Strategy						Н	F-OPEX / External	Principles integrated into new signage and upgrades. Access and inclusion considered in review of Signage Strategy in 2023.	Infrastructure & Works

DISABILITY INCLUSION PLAN

18

ITEM 5.5

	A olion	Year Planned							Outrate / Terrate	Responsible
No.	Action	2020/21	2021/22	2022/23	2023/24	2024/25	Priority	Resources	Outputs / Targets	Department
3.7	Ensure emergency evacuation procedures for Council buildings (and for city-wide emergencies) include safeguards and management of people with disability						Н	F-OPEX	Emergency management staff (including fire wardens) trained in disability evacuation. Evacuation procedures considered in event/meeting planning and communicated to participants. Requirements incorporated into emergency management plan and evacuation procedures.	Development
I	Parking and Mobility									
Outc	ome: Accessibility of parking is exter	nded								
4.1	Implement accessible parking improvements as per the Council's Parking Strategy 2016-21 - Review pricing for Disabled Parking bays - Continue to ensure that an adequate provision of disabled parking bays are provided in convenient locations - Review of bus shelters in Devonport for compliance and prioritisation of improvements						Н	F-OPEX	Review of actions in line with the Parking Strategy review	Corporate Services
4.2	Ensure the provision of adequate accessible parking spaces (including drop off/pick up zones) at all Council and large community events						Η	A-OPEX	Events Application Pack updated	Community Services

	A		Y	ear Planne	ed			_		Responsible Department
No.	Action	2020/21	2021/22	2022/23	2023/24	2024/25	Priority	Resources	Outputs / Targets	
Outc	ome: Public transport and mobility of	otions have	e expande	ed						
4.3	Work with a range of stakeholders to improve public transport options for people with a disability						Н	A-OPEX	Work with Mersey Link, Taxi services, Mersey community care, CHATS, YFCC	Community Services
4.4	Provide information on the accessibility of Council facilities and services (e.g. via an online map) to assist trip planning for residents and visitors						Н	External	Current online information promoted. Additional map produced if insufficient/incorrect information and resources available.	Community Services
4.5	Identify and remove known infrastructure barriers to accessibility (e.g. stairs, narrow or steep paths etc), in line with the Pedestrian Strategy						м	F-CAPEX	Infrastructure improved to enhance mobility	Infrastructure & Works

DISABILITY INCLUSION PLAN

20

ITEM 5.5





DISABILITY INCLUSION PLAN 2020-2025 Consultation Outcomes Report

NOVEMBER 2019

Contents

1.	Intr	oduction	3
2.	Со	nsultation Outcomes	3
2	2.1	Workshop 1: Disability Access and Inclusion	3
2	2.2	Workshop 2: Disability Access and Inclusion	7
2	2.3	Workshop 3: Disability Access and Inclusion	8
2	2.4	Workshop 4: Disability Access and Inclusion	.10
2	2.5	Workshop 5: Disability Access and Inclusion	.11
2	2.6	Community Survey	.12
2	2.7	Devonport City Council Staff Survey	.23
2	2.8	Disability Access and Inclusion Online Submissions	.29

1. Introduction

The Disability Inclusion Plan draws on community input raised through three main avenues:

- Community Workshops 5 workshops (46 participants). 1.
- Community Survey resident and broader community survey closed 6 October 2019 (45 2 responses); additional 8 online submissions received.
- 3. Devonport City Council Staff Survey - closed 2 August 2019 (37 responses).

This report presents the unedited feedback of the three phases of consultation.

2. Consultation Outcomes

2.1 Workshop 1: Disability Access and Inclusion

4 June 2018, Devonport City Council Present: 25 participants

CHALLENGES / NOT SO GOOD THINGS 1.

Scary

Restrictive Inaccessible Those with disability plan ahead - trips etc - not automatic Us + them mentality Following guidelines / restrictions / not being open minded Enter front door of buildings (not back or side) Unsafe pedestrian access Lack of acknowledgement / factoring of disability with ageing population in planning / design Infrastructure Undervalued Large % in Tasmania with disability (and considerably older) Psychosocial – mental health disabilities Social Isolation Lack of sport & health opportunities Finances (lack of opportunities - employment) Discrimination - Greater access to services if on pension rather than in situation where an income is aenerated NDIS - restricted where can take clients > Safety – aged, people on street - no notice of signage – skateboards etc Building constraints – mobility + access Community and public buildings

- Properties not set up with access
- Lack of appropriate housing (doorway width, local for driving should drive)

Lack of respect

Disability Inclusion Plan 2020-2025 Consultation Outcomes

Lack of education + training opportunities (i.e.: Tafe - not set up with support) Forms – complex, not in plain English – (online access only) Nealect Cruelty Isolation - pets can't take pets out with them Mobility access in longer spaces/places – cater for those with special mobility restrictions Dependence and reliance on others for assistance Environment built for able bodied Unemployed - lost potential - volunteering - pool of unemployed who need purpose - no connection mutual obligation (police checks, working with children etc) Can't fully contribute (sense of being unfulfilled) Community environment overwhelming / challenging Employment opportunities to grow awareness and respect Not considered charitable to employ disabled Role models - educate children etc Lack of community connection (churches etc) - social change - isolated, don't offer assistance Risk averse - changes could increase the risk of exposure Speech impediments - interview process (judgement) - customised not standardise the process Lack of age appropriate care / rehabilitation / emergency care for mental health - lack of understanding Stigma attached to disability - hone in on school aged to help form positive attitudes Education inclusion Set example Devonport Funding restrictions Complex needs (i.e.; autism etc behaviour) - embrace disabilities Not certain of what's available to them Placed with children with behavioural problems (not disability) Learning difficulties (dyslexia etc) costs involved ** tutoring ÷ therapists Age limitations or "diagnosis" (formal) Waiting list extensive Not enough professionals (therapists, speech path, OTS) NDIS - restrictions for eligibility Aged services -language restrictions in application - if not exactly right deemed ineligible **Barriers** All talk - no action Poverty / financial hardship (prescriptions, medication, treatments) out of pocket expenses Recently disabled - where do you start? Centrelink - difficult to navigate (Medicare)

Disability Inclusion Plan 2020-2025 Consultation Outcomes

2. GOOD THINGS / OPPORTUNITIES FOR IMPROVEMENT

Great place to live!

Consulting / discussing

Consultative (i.e.: Bluff precinct) with stakeholders

Increase inclusivity / free of discrimination

Minuting/documenting of meetings to ensure all is captured and actioned

Increased public reporting

Increased access/input - have your comments/ say promote activity

Public portal (as service provider)

Where to direct (?)

- Queries
- Complaints
- Service requests
- Suggestions

Suggestion box

Access to Council facilities (i.e.: cemetery)

Site tour with people with disabilities to gauge access

Inclusion of all (ethnic diversity, religious differences)

Services, language access

Direction of budget to infrastructure, paths and roads etc

Promote our achievements (Facebook, media, tv screen)

New building – ambulant toilets)

Council's Strategic Plan

Subtitles

Facility / feature -signify support of people with disability

Miandetta play space all abilities access

Events (NYE etc) advertise;

- access points,
- disabled toilets,
- facilities

Ensure incorporated in event planning (diversity)

Sensory free areas – advertise and promote

Celebrate Diversity

Temporary disability – need access

Events/ community activities - consideration

- Physical
- Intellectual

Well represented

Public building design

Mobility scooter - recharge access - well signed / mapped

More disabled parking (in more appropriate areas) Drop off zones increase flow/turnover

Public transport

Disability Inclusion Plan 2020-2025 Consultation Outcomes Connected Professional development for service providers Design functionality (café's, restaurants) Play space (children's access) - all abilities access Traffic islands (rails too high) Aged care facilities (tailored for those with disabilities) Safer footpaths (angles etc) Public lighting Right of way (wheelchair etc) - zebra crossing Slower traffic Extended "walking" at traffic lights Positive role models Health + fitness activities (Invictus, Paralympics) - teamwork Sharing of success stories/ stories Representation - don't tell people what they can have Engagement - ask those affected/impacted Youth engagement Mentorship Review of plans (other existing plans – what can we learn) Access to exhibits/ tricky places they may be held Accessible Inclusive Safety Plain English (documentation etc) - pictures diagrams Awareness Current Taking time to listen Acknowledgement Education Equal opportunity and potential Sign Language / Auslan Supported Ease of transition (non-disability \geq disability Transport Self-opening doors Better parking meters (height) Footpaths + kerbs (to road more manageable) Taxi rank access Sensory friendliness Items within reach Visual impairment / dementia 2 Contrast **Building design**

Disability Inclusion Plan 2020-2025 Consultation Outcomes

Wide doors

Disabled Toilet Access

Changerooms, tables for changing

Flat terrain ramps

Employment of OT's

Review events, buildings etc

Consultative process (difference amongst communities specific to Devonport)

Education programs in primary schools – those with disabilities to talk to kid's awareness / education

Locals who are "living in it"

Sexual expression / opportunities

- Parking areas around essential services (doctors, groceries etc)
- Time limits within those areas
- Fire alarms in shopping centres (anywhere for hearing impaired / difficulties. Flashing strobe lights)
- > Transport Devonport Taxi's 2-3 disabled access available. Flat out booked out
 - Ensure this service continues to be provided
 - Limitations on time it takes (takes more time)
 - Concessions with taxis currently
- Disability friendly services (uber overseas)
- Gaining Access to buses logistically need to get to kerb to get onto bus
- Wheelchair access ramp (Bluff) rocks

2.2 Workshop 2: Disability Access and Inclusion

1 August 2019, Lillico Room, paranaple centre Present: 4 participants

1. ACCESS – GOOD THINGS

Inner City accessible for people with chairs paranaple centre - toilets an improvement

2. ACCESS – NOT SO GOOD THINGS

paranaple centre:

- Proximity of parking
- Distance to access kerb cross overs
- slippery ground floor after rain

Kerbing adjacent to traffic lights – e.g. end Best St cnr Subway and other locations People in chairs – not able to use access toilets as no upper body strength to transfer Don Reserve and other tracks – slip hazards, how often inspected for reasonable use? Public transport:

- Lack bus shelters
- Kerbing slopes where some bus stops are located, restrictions physically accessing buses (buses themselves and kerbs)

Disability Inclusion Plan 2020-2025 Consultation Outcomes

3. ACCESS - IMPROVEMENTS

Toilet amenities to include adult change table and hoist – establish network across the state More disability parking in generally across City

Free air pumps for pumping tyres

Charging points for scooters

Improving visibility on paths/tracks - indicators marked periodically

Removing obstructions from footpaths and no gullies/dips adjacent to paths

Embed Targets/KPIs into policy

Community education re universal design / accessibility

- E.g. wheelie bins off the path and why
- Pride programs
- Profile people of all abilities in DCC communications

Mobility map for citywide, public building specific

Improve continuity of crossovers of footpaths – stay on one side

Dedicated disability liaison officer to address risk issues for all community in a timely manner Heritage walking trail

Improve website - simplify, easy read, easy to access information, alphabetical (e.g., www.gov.uk)

4. INCLUSION – NOT SO GOOD THINGS

Dedicated knowledgeable DCC staff to address concerns

Limited consultation

Lack of community awareness re community diversity

5. INCLUSION - IMPROVEMENTS

Change perception / culture – normalise disability, use images/people with diversity of disability Planning meetings (accessibility, venues etc) for people of all abilities

Consultation improvements – establish ongoing group e.g. Access Committee (perhaps regional) Trail ride? PWS

Beach wheelchair – SLSC

Consultation when purchasing appliances (e.g. beach chair Devonport SLSC) Gold Coast – hire gophers

2.3 Workshop 3: Disability Access and Inclusion

6 August 2019, Aberdeen Room, paranaple centre 9 participants

1. ACCESS - GOOD THINGS

Victoria Parade Walking Tracks

Coles - Quiet hour - low-sensory shopping experience

2. ACCESS – NOT SO GOOD THINGS

Lots of dog poo

Lack of awareness Council services

How to find out information without technology

Disability Inclusion Plan 2020-2025 Consultation Outcomes

PAGE 76

Hazards over footpaths, e.g. gardens; Lack maintenance footpaths e.g. George St No undercover access to paranaple centre Lack accessible bus stops – not enough bus shelters Lack shelters over BBQs / picnic tables Shops in Fourways – clutter in doorways Walking tracks – uneven footpaths Kerb access / cross-overs – e.g. Meercroft William St carpark to the Bluff; access ramps too steep Reject shop and other locations - pavement slope Pavers – surface materials uneven Lack of knowledge about location of toilets Unclean toilets – small, not designed well Not enough disability toilets across the City including parks Toilets without hoist or adult change tables

3. INCLUSION – GOOD THINGS

Generally, more inclusive activities and organisations Improvements in job access Lack of understanding of NDIS Events such as Music at Wharf – Ulverstone Improve communication Improve distribution of information – tap into usual locations

4. INCLUSION – NOT SO GOOD THINGS

Events / activities need to be physically accessible to enable participation Cost may be a barrier Discrimination towards people with mental health or other disability

5. IDEAS FOR IMPROVEMENT

Increase opportunities / awareness of opportunities for work and volunteering Improved promotion Feeling more welcome Access advisory committee established Improve design of spaces - e.g. where people sit in cinema (right at front) inappropriate Improve accessibility of Council events Allow drop off points with any new development Education / awareness of experience of living with disability Councillors in wheelchairs – tour of City Quiet areas in the City Improved advertising of events in alternative formats Taxi rank needed in Fourways Accessible picnic tables Mobility map / information for planning visit – knowing where to access information

Disability Inclusion Plan 2020-2025 Consultation Outcomes

2.4 Workshop 4: Disability Access and Inclusion

9 August 2019, Mission Australia Early Learning, 32 – 36 Valley Road, Devonport Association for Children with Disabilities (Tas) Inc, MyTime group - 4 participants

1. ACCESS – GOOD THINGS

Most buildings have chair access, including aquatic centre Tactile ground markers in CBD for vision impaired Mall – chair friendly

2. ACCESS - NOT SO GOOD THINGS

Lack of disability toilets – unisex Parking spaces not wide enough to handle a chair (needs to be 1.5 spaces) Lack of privacy when changing older children / adults as car parks are in immediate proximity to shops etc – would be good to have some further back The general trend of including showers in a disability toilet is unnecessary Guttering height as you get further away from CBD – high and dangerous Lack of well-placed access (kerb cross overs) on to the Victoria Parade walkway Also need to review/consider location of car parking to kerb cross overs Inadequate access to supporting technology to enable communication paranaple centre – no shelter to access, location of disability parking inadequate School of Special Education – functional barriers to enable easy access, e.g. slope, requires purpose-built solution

3. ACCESS - IMPROVEMENTS

Toilet amenities to include adult change table and possible a hoist Consider ideas for 'cognitive containment' in play spaces – e.g. landscaping, maze, seats, ground creeping hedges

4. INCLUSION – GOOD THINGS

Being consulted on access and inclusion plan Splash – gym for children with disability, ramp into pool

5. INCLUSION – NOT SO GOOD THINGS

Sensory overload / timing of activities – e.g. use of hydrotherapy pool limited as half pool used for Learn to Swim after school hours, this excludes some

Silent disco – confusion, needs to be reworded to explain the concept, consider two discos for different age groups

6. INCLUSION – IDEAS FOR IMPROVEMENTS

Play equipment for older children - e.g. bigger swing seats with straps

Include natural / cognitive barrier in play spaces – e.g. Huonville, fences small areas

Improve advertising and awareness for services/activities available – email lists, possible inclusion with ACD's 'Finding Your Way' website

Establish access and inclusion committee

Disability Inclusion Plan 2020-2025 Consultation Outcomes

Improve event planning for people with disability Improve seating options in Town Hall theatre – perhaps create an area suitable for mobile chairs that is not right at the front or back of theatre, remove seating Design programs to consider sensory experience to increase participation Another hydrotherapy pool

2.5 Workshop 5: Disability Access and Inclusion

13 August 2019, paranaple centre

Present: 4 participants

1. ACCESS - Not So Good Things: What is not working?

Uneven pavers – Bluff, Steele St Distance of parking bays to buildings/facilities paranaple centre – no shelter, difficulty accessing building, limited close by parking, extra slippery when wet, gradient of ramp and sharp turns Parking to catch the bus A lot more "walking wounded"/ walking impaired than in chairs Lack of beach chair to access beach in East Devonport Aquatic Centre – distance to walk from car park then into counter then to pool – level access at staff parking – perhaps provide permit system Gutters and kerbs – many can't navigate, lack of cross overs Hub and churches arcades closed after 5pm – limiting access to parking in CMAX carpark No disability parking in Williams St - Fourways

2. ACCESS – Ideas for Improvement

Wider car parks

Consider different surfaces for different mobilities – just not chairs Consider beach mats etc for accessing

Consider disability parking in / near loading bay

How easy is it to get Council information?

General awareness of services available – could be improved Parking vouchers for carers?

3. INCLUSION - Not So Good Things: What is not working?

Under 65 not much happening

Events – location of parking, distance to events, night time events unsafe – lack of lighting, lack toilets (Neil Finn event good example of good toilet)

Discrimination

Staying home – fear of hurting yourself, trips falls etc, barriers of society, parking locations Anxiety experienced as a result of surrounds – prior planning essential and stressful

Lack of services in Devonport - reliance on others for travel, does not promote independence

Disability Inclusion Plan 2020-2025 Consultation Outcomes

4. INCLUSION – Ideas for Improvement

Event planning improvements, accessibility

Access maps

Promotion of ways to be involved – include DES service providers

Giving more voice – panel of people with impairment to consult on disability issues Accessibility = inclusion

Education / awareness of life with disability – across community, business, staff, councillors etc How to get involved – active and healthy living – options to get involved – linked to existing or create new information

Shuttle bus linking main services

2.6 Community Survey

A resident and broader community online and hard copy survey was conducted August-October 2019; 45 responses were received.

Q1 Are you:

ANSWER CHOICES	RESPONSES	
a person with disability	19.05%	8
a family member, carer, or friend of a person with disability	42.86%	18
from a disability service or advocacy organisation	26.19%	11
other	11.90%	5
TOTAL		42

Q2 How old are you?

Answered: 42 Skipped: 0

ANSWER CHOICES	RESPONSES	
0 to 5	0.00%	0
6 to 12	0.00%	0
13 to 19	0.00%	0
20 to 44	45.24%	19
45 to 64	42.86%	18
65 to 84	9.52%	4
85 or older	2.38%	1
TOTAL		42

Q3 Do you think parks and playgrounds are accessible for people in our community?

ANSWER CHOICES	RESPONSES	
not accessible for anyone	2.78%	1
accessible for some people	41.67%	15
accessible for most people	50.00%	18
accessible for everyone	2.78%	1
I don't know	2.78%	1
TOTAL		36

Disability Inclusion Plan 2020-2025 Consultation Outcomes

Q4 Feel free to tell us more about parks and playgrounds

Answered: 21 Skipped: 21

- 1 Footpaths could be improved so that electric wheelchairs don't get bogged down.
- 2 As long as there is flat, smooth cement entry way provided, people in wheelchairs or with other mobility aids can access a park or playground safely and adequately. If there is no provision for that, and there is just ordinary kerbing, it is often too difficult to pull a wheelchair up and over the kerb or for someone with a cane or walker or some other leg problem to access the area.
- 3 Good fun playing areas.
- 4 There are some access paths that require attention.
- 5 Playgrounds are well kept and suitable for all ages.
- 6 Parks need more paths so everyone can enjoy.
- 7 More wheelchair friendly playgrounds using less bark & smoother surfaces for those with gross motor skill impairments & wheelchair bound.
- 8 New apparatus installed @ Bluff DOES NOT suit disabled or older people in community. Original equipment met these needs adequately & was well situated. Other municipalities have provided suitable apparatus & well situated.
- 9 I feel that while there are a couple of playgrounds and parks around and they have some accessibility - there aren't enough playgrounds and parks and not a lot of them have access for people with special needs.
- 10 Need more disabled access parks.
- 11 The most used park is the Bluff, which is accessible for most people. However, parking is still an issue during the warmer months, the car park could have been bigger. Perhaps the car park in Meercroft Park could be enlarged and a crossing installed. The Bluff car park have allocated parks for vehicles with children, the same as the Kmart/Coles complex.
- 12 More specialised accessible equipment in playgrounds in East Devonport would be great.
- 13 I think East Devonport needs more accessible inclusive equipment and play areas.
- 14 Very low maintenance on playgrounds.
- 15 The park at the bluff is somewhat accessible, there are issues with Wheelchairs accessing the beach. All other beaches are in accessible to people in wheelchairs and difficult for people with other mobility issues. The bluff has issues with being close to the road and the carpark and no fencing so may pose a risk to disabled children who are a flight risk. There are no fully enclosed parks in the Devonport area. I have taken clients to Railton park as it is less risk due to the fencing and close proximity of the toilets and parking.
- 16 We need access for kids in wheelchairs. We need them to be included and feel included. They can't climb or do monkey bars are access the slides or swings.
- 17 The majority seem fairly accessible, for the most part.
- 18 There is very little disabled parking, so when there is a large event it is almost impossible to get parking close as all the other parking is full also.
- 19 accessible swings, playgrounds, need to be incorporated into design.
- 20 They need to be more disability friendly.
- 21 We need disability accessible/special needs play equipment it's no fun to watch others play.

Q5 Do you think community buildings and toilets are accessible for people in our community? Answered: 36 Skipped: 6

ANSWER CHOICES	RESPONSES	
not accessible for anyone	2.78%	1
accessible for some people	41.67%	15
accessible for most people	41.67%	15
accessible for everyone	11.11%	4
I don't know	2.78%	1
TOTAL		36

Disability Inclusion Plan 2020-2025 Consultation Outcomes

Q6 Feel free to tell us more about community buildings and toilets

Answered: 23 Skipped: 19

- 1 Community toilets are good but toilets at Coles/Woolworths are nowhere near good as public toilets.
- 2 I'd like to see some changing places for people with severe disabilities that need to be hoisted onto a toilet. And change tables.
- 3 It has been great to see that over the past few years a lot has been done to provide easier access to our community buildings and toilets. The different needs of people with disabilities has been thought about and catered for in a much more inclusive and caring way. Anything that enables people with disabilities to have as great an access to facilities as able bodied people and that can also enhance their quality of life is a bonus.
- 4 Some are inaccessible to wheelchairs because of the doorway.
- 5 The parking in some areas is a bit challenging. example, the new car park in the city centre has parking spots downstairs that are too narrow to safely get in and out of your car.
- 6 Toilets in Coles and Woolworths terrible.
- 7 At times people living with dementia may find modern signs, door latches and toilet roll holders a little confusing.
- 8 Not accessible for parents needing baby changing facilities at the public toilets near the old Devonport Gallery in Stewart St or anywhere in the Mall.
- 9 Stewart St Coles, Woolworths are too small.
- 10 The new paranaple building has very poor small signage and the Mall needs bigger signs to show the way to our public toilets.
- 11 More thought needs to be put on place with more disability toilets in most areas.
- 12 Local Hotels such as Ellimatta & Gateway DO NOT have Disabled toilets.
- 13 Lots of building in Devonport have step to access them which prevent parents with prams or people with wheelchairs from gaining entry.
- 14 Not enough disabled toilets when clients are out walking.
- 15 New toilets required in Stewart St, next to old library. Other toilets too far away (Woolworths supermarket, back of Williams St carpark, paranaple centre, old library Stewart St). Toilets at Woolworths totally inadequate and have been since they opened. I suggest a public toilet be built in the existing carpark.
- Not all toilets within the CBD are easily accessible for elderly people or persons with a disability, unless there is a car park available in the car park, located behind the Hub Arcade. The Paranaple Centre isn't that easily accessible for those with mobility issues. I understand that there is free parking in the car park, but, have received a lot of comments from our clients that the walk from the car park is still too hard. Perhaps drop off and pick up parks could have been considered out the front of the Paranaple Centre.
- 17 There are not enough public disability toilets in East Devonport.
- 18 Difficult to access if you need to assist someone with personal care in the public toilets. Some community buildings are difficult to access, and disability parking is not abundant. The new Providore area is very accessible due to the wide ramps and open areas, the market can be difficult to navigate with a wheelchair.
- 19 Please please provide change tables for older kids. I do not want to change my 8-year-old on the cold hard ground. He can't walk, and he is in nappies as he has no bowel or bladder control. This is a real struggle.
- 20 Some toilets have doors which are too heavy to hold open unaided.
- 21 Again limited disabled parking for example the new undercover carpark has a lot of disabled spaces, but they are too far from venues, so impractical if you cannot walk very far. There is no disabled parking at the other end of the library, so when there are events at the Entertainment complex, I cannot get a park close by and the new undercover park is too far to walk. Not even any covered seats to rest. So, I don't bother going.
- 22 As long people can use them as well as disabilities.
- 23 Disabled toilets located @ Woolworths Devonport need cleaning tap only works if pressed and stops as soon as you take hand off; I would love to see disabled friendly toilets by the water for the city living project.

Q7 Do you think footpaths and tracks are accessible for people in our community? Answered: 36 Skipped: 6

ANSWER CHOICES	RESPONSES	
not accessible for anyone	0.00%	0
accessible for some people	52.78%	19
accessible for most people	41.67%	15
accessible for everyone	2.78%	1
I don't know	2.78%	1
TOTAL		36

Q8 Feel free to tell us more about footpaths and tracks

- Answered: 21 Skipped: 21
- 1 No, I have seen footpaths that could be improved. I've also seen Telstra green boxes sitting in the middle of a footpath impeding the passage of wheelchairs.
- As far as I have seen, much has been improved in Devonport in the past few years, so thank you to the Council for this. There is, however, an area outside the School of Special Education in Middle Road, that is an issue though. While walking with my granddaughter, who is wheelchair bound, I found that on one side of the road, the footpath is on such an angle that walking with a wheelchair is quite dangerous and impossible. Then, just trying to cross to the other side of the road was fraught with difficulty also, with loose gravel and hugely uneven road and kerbway to try and navigate. Perhaps this is a problem area that can be looked into.
- 3 Some are too narrow and dirt patches in between paved.
- 4 Not all. For example, walking to the school and to the park etc. along the top end of Best street (Sorrell street and Nixon) the foot path is nonexistent, and we are forced to walk on the side of the road in some places. Also, residents and support workers (at Devonfield) feel uneasy crossing the road from Devonfield to walk to the home maker centre.
- 5 Cracked and uneven footpaths a danger.
- 6 footpaths around Victoria parade are great.
- 7 Many footpaths are trip hazards with uneven surfaces and difficult for prams and wheelchairs because of the sudden change in gradient from footpath to roadways.
- 8 Our footpaths have a lot of work that's needed some are lawn with no proper path for wheelchairs etc.
- 9 Footpath has not been completed from Violet Place to Eveline Cr.
- 10 Most footpaths in Devonport require urgent attention they are all cracked and wonky. It's very hard to find a section of footpath that doesn't send you into the gutter.
- 11 Middle Road is terrible.
- 12 The walking tracks are good, but, are often overcrowded with people riding push bikes as well as those walking with children, prams and dogs. Where possible, there should be a separate cycling track. I have observed a lot more people using the walking track since the upgrade, which is fantastic, but, as the tracks become busier, so does the risk of an incident occurring between a pedestrian and a push bike.
- 13 I think the footpaths tracks and crossings need upgrading in East Devonport. You need a crossing in the wright street cbd near the pharmacy for aged and disabled.
- 14 Some of the walking tracks are uneven and difficult.
- 15 Most paths are ok. And accessible.
- 16 The biggest problem is unpaved tracks. Gravel slows wheelchair/walker wheels and is a slipping hazard for people with poor balance.
- 17 Some tracks have a lot of uneven paths.
- 18 Some footpaths are a bit uneven which is difficulty with my mobility issues.

- 19 They need to make some better for wheelchairs.
- 20 Some foot paths need work and arnt wide enough for a wheelchair and a pedestrian.
- 21 There's a lot of older footpaths and ramps that don't meet current standards and some areas which are just too steep to be considered accessible.

Q9 Do you think car parking is accessible for people in our community?

Answered: 36 Skipped: 6

ANSWER CHOICES	RESPONSES	
not accessible for anyone	2.78%	1
accessible for some people	47.22%	17
accessible for most people	25.00%	9
accessible for everyone	16.67%	6
I don't know	8.33%	3
TOTAL		36

Q10 Feel free to tell us more about car parking

Answered: 19 Skipped: 23

- 1 I haven't cast my eyes on the parking to check if they were safe or not. I have seen some disastrous spots where spaces are placed on a dangerous bend in car parks. And council need to consider the size of mobility vehicles with ramps.
- 2 The number of designated disability parking spaces and areas around Devonport has much improved in the last few years also. Thank you to the Council for this. As people's needs are continually changing, I'm sure it will be even more important in the future to continue to update and adjust information, therefore these surveys need to be ongoing.
- 3 They are good and when used correctly but everyone they have plenty of space
- 4 See above response in 7.
- 5 multi story great addition
- 6 Stewart St is impossible for parents with prams and wheelchairs due to the size of the car spaces leaving no room to get out
- 7 More disabled is needed
- 8 Lack of disabled parking & often utilised by clearly wrong people
- 9 Car parking is a bit of a joke there are never enough disability spots or people with prams spots available those that are available are taken by people who don't need them
- 10 Never enough disabled parks around town. Has always been a nightmare to pay at meter first when the car is say 6 spaces away when on a walker or wheelchair. No joke.
- 11 No comment
- 12 Need more disability parking in East Devonport
- 13 Cost is shocking.
- 14 There needs to be more designated disability parking spaces within the CBD, especially around Coles/Kmart car park
- 15 I think there needs to be more disabled car parks near the city mall. My mother uses a walker and can't go up hills easily. Even the one to the multi-story park. The disabled park is always taken.
- 16 For disabled vans they are long and require bigger areas, so wheelchairs can be removed safely
- 17 Not enough disabled spaces, only 1 at the bottom end of the mall, and they are usually filled, so I don't go to the mall.
- 18 Needs to be an increase of disability car parks throughout town
- 19 More disability friendly parking

Disability Inclusion Plan 2020-2025 Consultation Outcomes

Q11 Do you think public transport is accessible for people in our community? Answered: 36 Skipped: 6

ANSWER CHOICES	RESPONSES	
not accessible for anyone	0.00%	0
accessible for some people	36.11%	13
accessible for most people	27.78%	10
accessible for everyone	2.78%	1
I don't know	33.33%	12
TOTAL		36

Q12 Feel free to tell us more about public transport

Answered: 14 Skipped: 28

- I say I don't know as I haven't had enough experience around public transport in and around Devonport yet.
- 2 Most Merseylink buses have steps that can be lowered for people with mobility issues, so my husband finds this very helpful. However, it may be more difficult for those with wheel-chairs' as not all the buses have wheel-chair access. My husband and I often use taxi's which helps us immensely. The local taxi companies have wheel-chair access availability, which is great for my daughter-in-law as it means she can take her daughter in her wheelchair, to appointments if she needs to.
- 3 I don't take people on the bus.
- Unsure 4
- 5 I don't use public transport so hard to comment.
- 6 While buses are available, and most have wheelchair access their infrequent travels means not evervone has access.
- 7 More regular buses needed.
- 8 You can get to East Devonport but its irregular and too long waiting to get around. We need more accessible public transport. When the ferry is closed your only option is walk or paid transit. 9
- Minimal public transport options. 10 We need more school buses. Especially from Latrobe to east Devonport/ Devonport schools.
- Accessible buses are needed, for wheelchairs and walkers. This would also be useful for prams. 11
- 12 Need more places.
- 13 When busses brake down I've seen single mums with prams and even twin! have to wake children and sit them on seats and put pram in small bag rack when the big all-inclusive busses aren't working Taxis services are good but a bit pricey.
- 14 The routes and frequency of buses don't support an inclusive public transport system. The proposed changes to Rooke St should improve things.

Q13 Do you have any ideas for making Devonport more accessible?

Answered: 21 Skipped: 21

- Do you have a safety committee? If so, do they meet on a guarterly basis and do they have a specific 1 name? I have tried to search for this on your website.
- 2 Keep asking and listening to the people who know and understand these issues the best. That is, those who have disabilities themselves and those who care for them. That way the Council can continue to be informed about what is needed most so that Devonport can continue to be inclusive and community minded.
- 3 Large signs and spacial awareness in all areas.
- Wider car parks in public parking areas. More footpaths in the city in residential areas. Safety areas to 4 walk across the road at the top end of Middle road. With the possibility of amber flashing hazard lights, to encourage drivers to be more alert to people with disabilities that may want to cross the road.

⁵ no

Fix footpaths like the upgrades in Rooke St within the CBD and in/around public parks/walking tracks. 6 Disability Inclusion Plan 2020-2025 Consultation Outcomes

- 7 Parking for disabled in their own park close to the mall
- 8 Fix up our pathways put shelter from multi car park to paranaple center. Make toilets noticeable.
- 9 Architects & Planners need to move around Devonport for @ least a week to gain an understanding of the disabled needs in the community.
- 10 More parks and playgrounds for kids. Access to a room for children with ASD for when their senses get overwhelmed. Indoor playgrounds for wet weather play.
- 11 Do away with street parking in the main shopping area, have time limits, the business community would greatly benefit. Shoppers would be more relaxed. I also suggest Council obtain revenue from other sources.
- 12 I think the people most affected by accessibility issues within our community, most likely don't contribute to the consultation process. Perhaps the Devonport City Council could liaise with aged and disability service providers to ensure the consultation process includes the members of our community that can be most affected, by accessibility issues.
- 13 I believe Devonport needs a courtesy/free minibus that circulates form Devonport to East Devonport that is disability and aged care friendly. No ferry means no options but large public transport that is irregular.
- 14 Change tables for older kids Wheelchair accessible playgrounds (not just one piece of Equipment- how about a full playground devoted to wheelchair kids? Ramps and slides accessible by wheelchair, swings, pretend road tracks and obstacles etc. ...) More buses More wheelchair or disabled activities for kids.
- 15 No further ideas. Maybe have a high place in the mall for mobility scooters like they have in the big shopping centres. Or even free wheelchair hire.
- 16 Need more disabled spaces placed around the city not just concentrated in the car park, as that is just too far to access shops, buildings, offices, etc. what about 1 or 2 in every street?
- 17 Some streets are very deep in the drain way so therefore they need to be relined and not so deep.
- 18 Yes but rather meet and talk about it in person.
- 19 Bigger patches service desks at wheelchair level Braille signage at arms reach on arm rails/arm handles e.g. on arm rail in toilet Braille on play equipment wider gate Open planning minimise clutter.
- 21 If the mall was opened to traffic, priority should be given to taxi ranks and pick up drop off areas. Road crossings that are level (like at Rooke/King) rather than ramped seem to be much easier to use.

Q14 How easy is it to get information about council services?

Answered: 35 Skipped: 7

ANSWER CHOICES	RESPONSES	
Very hard to get	0.00%	0
Hard to get	22.86%	8
Easy to get	65.71%	23
Very easy to get	0.00%	0
I don't know	11.43%	4
TOTAL		35

Q15 Feel free to tell us more about how you get council information

Answered: 18 Skipped: 24

- 1 I ask for information.
- 2 Online at Facebook page, Speak up Devonport. Council Meetings. Friends. Newspaper. Council Website.
- 3 Helpful staff.
- 4 Happy to get information from the web site. I appreciate that updates on works are being posted on Facebook. Example foot path closure along the waterfront and the like.
- 5 Just google it or ring council.

Disability Inclusion Plan 2020-2025 Consultation Outcomes

- 6 Paper Facebook and other people.
- 7 Online.
- 8 Search for it online or word of mouth.
- 9 Any information I get comes from service Tas.
- 10 Emailed or drop off to organisations.
- 11 internet.
- 12 website generally.
- 13 Call them.
- 14 Via the internet.
- 15 I find your website hard to navigate. For example, paying dog rego. On the form it says go to 'make a payment, but you have to search for where that part is.
- 16 I wanted to go to a workshop at the Library I could not find any information about where the disabled parking was, where the entrances to the library were, and eventually when I got there could not get in because the rotating door was too fast. Someone saw me struggling and pointed out the (difficult to see) button for the other door.
- 17 If it's been advertised.
- 18 Info on road closures or tree removal near power lines needs to be easier.

Q16 How easy is it to use council services?

Answered: 35 Skipped: 7

ANSWER CHOICES	RESPONSES	
Very hard to use	0.00%	0
Hard to use	17.14%	6
Easy to use	65.71%	23
Very easy to use	5.71%	2
l don't know	11.43%	4
TOTAL		35

Q17 Feel free to tell us more about how you use council services

Answered: 15 Skipped: 27

- 1 Pay bills, library etc.
- 2 Asking questions.
- 3 All ok.
- 4 Long wait to be seen.
- 5 Slow &tedious to access & use website.
- 6 I've never used your service.
- 7 Well done at the paranaple centre.
- 8 rubbish collection, pet registration, community events.
- 9 It is difficult if people are no comfortable with the computer. Council can be difficult to access due to being upstairs and the only close carpark being in the multistory which not everyone is comfortable using.
- 10 Bins Council office.
- 11 I don't use many.
- 12 Again limited parking, and little seating to rest.
- 13 No free after-hours numbers.
- 14 More staff at busy times 12-3pm.
- 15 You should be able to get parking permits for outside your house when there is a 2-hour zone, for each registered car of that address. Only allowing 2, makes it hard.

Q18 Do you have any ideas about how to make council services easy to use

Answered: 13 Skipped: 29

- The new building is awesome; the desks are at eye level for people in wheelchairs that's a big thumbs up!
- 2 Listen to people and hear what they say. Use wisdom.
- More specific staff in each area 3
- 4 Would some people, in some areas benefit from mail out of council services? Alternatively provide flyers to the information areas of service providers around Devonport. Example Age care homes.
- 5 Keep council booths separate to Service Tasmania as queues can often mean long wait times and not sufficient seating for those waiting
- Improvement to electronic access 6
- 7 No
- 8 No
- 9 Community events should have easy read guides. More disability signage at community events
- 10
- 11 No
- 12 Disabled parking spaces more accessible to the places we have to go to.
- 13 More flexible to public

Q19 How easy is it to get involved in social events, sporting and cultural activities? Answered: 34 Skipped: 8

ANSWER CHOICES	RESPONSES	
Very hard to get involved	14.71%	5
Hard to get involved	23.53%	8
Easy to get involved	41.18%	14
Very easy to get involved	8.82%	3
I don't know	11.76%	4
TOTAL		34

Q20 Feel free to tell us more about how you get involved in social events, sporting and cultural activities Answered: 21 Skipped: 21

- 1 I watch the social media for events and try to get involved if I can.
- 2 Find out what's on and what's happening and just rock up if it's something of interest.
- 3 Social media is the best way to find out things around Devonport and the radio.
- The information is being advised on social media, which is great. 4
- 5 Buses to local events not available.
- 6 I think you just have to get out there, it's up to the individual really.
- 7 Most of the time I don't know things are on until it's too late.
- 8 Often not accepted.
- 9 More community liaison especially with organisations and other community groups.
- 10 I don't know; I've never been involved as usually your events are held at times in which I'm out of town.
- 11 Not advertised well enough. Usually find out once program has finished.
- There is no notification other than Facebook. Signage is poor for events therefore many residents are 12 unaware until they either drive past the event or someone mentions it after the fact. This is very frustrating especially for families and the elderly as often such activities need to be planned in advance.
- 13 Need more courtesy buses, need disability friendly toilets and seating.
- 14 More advertising is needed on all council events.

15 Supporting clients to attend and find what is available in the community can be difficult. Parking and Disability Inclusion Plan 2020-2025 **Consultation Outcomes**

access to events such as the Regatta and other things held at Roundhouse park or the park in East Devonport can be high risk due to the locations, parking and fencing as well as accessibility and toilets.

- 16 There is little available.
- 17 I get involved with help. Perhaps accessible shuttle buses could be used within the city for transport to venues.
- 18 Due to physical accessibility.
- 19 There is not enough of a sporting presence for individuals with disabilities across the north west coast.
- 20 It be Easter if more places were open longer.
- 21 Facebook is the best way for me to find out about these things.

Q21 Council often asks our community to help make decisions. This may be by: ·

- Community meeting ·
- Online Survey ·
- Committee or working group ·
- Telephone survey

How easy is it to have your voice heard in council decision making processes? Answered: 34 Skipped: 8

ANSWER CHOICES	RESPONSES	
very hard to be heard	8.82%	3
hard to be heard	26.47%	9
easy to be heard	32.35%	11
very easy to be heard	2.94%	1
I don't know	29.41%	10
TOTAL		34

Q22 Feel free to tell us more about ways to be heard

Answered: 14 Skipped: 28

- 1 Social media works well these days, everyone appears to share their opinions easily.
- 2 It's something I'm only starting to get involved in, so I guess I will find out! Everyone has a voice we just have to learn that and use it in a respectful way to get our point across. If it's something we are passionate about, keep going!
- 3 Social media.
- 4 This survey is a great idea. Also inviting people to the council meetings is a great way for people to take more responsibility in council decision making, so well done in those areas.
- 5 Council have been supportive with any communication I have had with them.
- 6 Council not prepared to consider other options or to lead in local government. Council always waits until another Tasmanian LGA adopts a policy before looking into it. Council are reactive not proactive.
- 7 I want to be heard but as a carer I find it hard to know where to go.
- 8 Opinion from community is listened to however rarely acted often ignored.
- 9 Although, the Devonport City Council has the right processes to collect feedback from the community, in my experience my concerns have not been adequately dealt with.
- 10 People living with a disability often have learning difficulties, or literacy levels which may be low. Are your surveys available in easy English versions?
- 11 No invites etc. Maybe a quarterly survey sent out to all residents would help.
- 12 More frequent surveys like this one.
- 13 Because there not enough public meetings.
- 14 I like the surveys when council is making a decision. It is easy to have your say.

Q23 Do you think there are employment, training, or volunteering opportunities for people with disability at Council?

Answered: 34 Skipped: 8

ANSWER CHOICES	RESPONSES	
yes	26.47%	9
no	23.53%	8
I don't know	50.00%	17
TOTAL		34

Q24 Feel free to tell us more about employment, training, or volunteering opportunities at Council Answered: 13 Skipped: 29

- But I would hope so, people need to feel valued and part of their community. I have seen what it can do to a person's confidence firsthand.
- 2 I believe that people with disabilities have an important role to play in the community and society in general. They need to be and do something they love and feel valued for.
- 3 We need more jobs and people to assist people with needs in those jobs
- 4 There is significant scope for leadership in this area. In that other councils will look to the Devonport council for advice. Example, training activities and programs for interested people and people wanting to develop skills for employment. Is there the opportunity to increase volunteering for the unemployed to increase their capacity to gain work and more skills?
- 5 Customer service roles and volunteering opportunities to increase participation and give experience to people with a disability to enter the workforce
- 6 Don't hear of any potential opportunity's
- 7 I think in a day and age where it's important to be an equal opportunity employer the council would be silly to exclude anyone
- 8 Would like to know more.
- 9 Volunteering with gardens & community events.
- 10 No council positions available
- 11 There should be information leaflets on display in paranaple, etc.
- 12 It's about giving people a chance
- 13 Love to help in any way that I can within reason with my disability

Q25 Do you have any ideas for making Devonport more inclusive?

Answered: 14 Skipped: 28

- 1 There are seating for all at the Mall and 4Ways but if it rains most of the seating is unusable. With the type of weather we have in Devonport, cover over the seats would be a great help.
- 2 I would like to see more employment of people with disabilities in the Libraries, Council Chambers & Visitors centres etc.
- 3 Keep asking the questions! It's something to put serious thought into actually.
- 4 Keep trying and it will get better.
- 5 Keep up with the 'tailored' advertising on current activities. Encourage the next generation to participate more.
- 6 I think the exercise program for seniors is very good. Could the pathway from Griffiths St to Woolworths door be paved, very hard to walk on the pebbles.
- 7 Becoming more dementia aware and friendly.
- 8 Hold more multicultural events, offer council resources in languages other than English, offer an interpreter service, host community meals, establish a multicultural committee.
- 9 Involve community opinion & when necessary acted often.
- 10 More activities for disabled clients.

11 LISTEN Only the leaders and those in charge have the power. Listen to us. Get us involved. This survey is

Disability Inclusion Plan 2020-2025 Consultation Outcomes

a positive. This gets people's opinions across.

- 12 Not at the moment.
- More accessible parking, and perhaps the parking officers could check that people who use a disabled 13 parking sign in their car are entitled to use it.
- 14 Yes but love to talk in a private meeting.

2.7 Devonport City Council Staff Survey

Devonport City Council staff were surveyed in July 2019 with 37 responses received.

Q1 Do you have contact with members of the community in your role?

Answered: 37 Skipped: 0

ANSWER CHOICES High level (face to face)	RESPONSES 51.35%	19
Moderate level (mostly phone/email with some face to face)	45.95%	17
Low level (correspondence only)	2.70%	1
None	0.00%	0
TOTAL	;	37

Q2 Have you had direct experiences with people with disability in your role? Answered: 37 Skipped: 0

ANSWER CHOICES	RESPONSES	
Yes	83.78%	31
No	16.22%	6
TOTAL		37

Q3 How comfortable are you with communicating with people with disability? Answered: 37 Skipped: 0

ANSWER CHOICES	RESPONSES	
Very comfortable	29.73%	11
Comfortable	64.86%	24
Can't say	2.70%	1
Uncomfortable	2.70%	1
Very uncomfortable	0.00%	0
TOTAL		37

If you feel uncomfortable, please explain why:

1 Have a disabled son and so have experience dealing with the issues.

I have a lot of experience in working with people with a disability. 2

Q4 How would you rate your level of understanding of the legislative requirements regarding access and equity?

Answered: 37 Skipped: 0

```
ANSWER CHOICES
                                           RESPONSES
Disability Inclusion Plan 2020-2025
Consultation Outcomes
```

High level	2.70%	1
Moderate level	72.97%	27
Low level	21.62%	8
None	2.70%	1
TOTAL		37

Q5 Are you familiar with Council's Equal Opportunity and Diversity Policy? Answered: 36 Skipped: 1

ANSWER CHOICES	RESPONSES	
Yes	58.33%	21
No	41.67%	15
TOTAL		37

Q6 Do you have any suggestions for improving the way staff interact with people with disability? Answered: 11 Skipped: 26

- 1 No.
- 2 Maybe there is an opportunity to have specific contact officers for customers who have difficulty with communicating. I have staff who have had previous roles in the disability sector and have great skills to share.
- 3 Training for staff so they understand the different diversity of disabilities within our community.
- 4 The obvious thing would be training. e.g. what are some things you can do if you need to communicate with (for example) a deaf person. If you don't know a deaf person outside of work, then you may have some challenges.
- 5 I think as long as they treat all people with respect, that goes a long way.
- 6 Disability Training Awareness session was held with Community Services staff in 2016 by Equal Opportunity Tas, if this was extended to all staff it would increase awareness in decision making that impacts on the community.
- 7 Providing numerous options for how communication and interaction can occur.
- 8 I think that one of the most challenging situations is when someone is not presenting with an obvious physical, psychological or intellectual disability, but thinks you should know that they have disability. The fact that 25% of the population identifies as having a disability means that staff need to have an of understanding of what is classified as disability and also an ability to read between the lines when assessing a person's needs.
- 9 Its very important not to make assumptions about a person's disability, and to speak in the same way that you would speak to anyone else.
- 10 Provide and promote more disability accessible activities/events.
- 11 More education.

Q7 Are you aware of any barriers for people with disability accessing Council facilities and infrastructure (parks, playgrounds, footpaths, amenities, buildings, cemeteries, sports grounds etc)?

Answered: 35 Skipped: 2

ANSWER CHOICES	RESPONSES	
Yes	42.86%	15
No	34.29%	12
l don't know	22.86%	8
ΤΟΤΑΙ		35

IF YES, WHAT ARE THESE BARRIERS?

- 1 Mainly kerb and channels.
- 2 Limited parking at the Devonport Soccer Club.
- 3 Access to Theatre Seats and equal access when required to seat at back of auditorium. No Closed

Disability Inclusion Plan 2020-2025 Consultation Outcomes

Caption - Closed Loop (audio loop) active in the Theatre and Gallery Distance to Carpark for some patrons.

- 4 Playgrounds, some of Council buildings are not even accessible for wheelchair access.
- 5 I think building are quite good as the compliance process is a lot stronger. A lot of parks and sporting facilities are lacking basic accessibility features. Paths mostly do not meet the standards, but many of these are constrained by topography. Also, a lot of our focus on accessibility (when it comes to non-building assets) is focused on wheelchairs, which is only one aspect.
- 6 It is a long way for people to walk to get in to the paranaple centre, and quite steep if they have trouble with mobility and are unable to get a park out the front of the building.
- 7 Lifts if you were blind, the lift at Paranaple tells you level 1 or level 2 but does not say, doors opening some lifts communicate this.
- 8 Cemeteries will always be a problem as at some stage people will have to exit sealed pathways to get to close proximity of grave sites. Issues with footpaths do exist in some areas but generally upgrades have been undertaken to cross overs etc. to improve these issues.
- 9 footpaths I believe can be problematic when uneven, particularly when in areas where there are road crossings; any facilities that do not have ramp access.
- 10 There are also emotional barriers for some people with disabilities. Too much stimuli (for example noise, light, crowds) can make a person hesitant to the point where they won't go to public spaces and facilities.
- BSMC only one ramp to access building what to do in case of fire? Has been times when back door needed to be used so people who couldn't use stairs couldn't come into building.
- 12 There are barriers for people in our community for people with Dementia. Clear and concise signage.
- 13 paranaple centre is difficult to access long term parking is a distance from the door. confusion around how to access services. playgrounds are basically for abled bodied.

Q8 Do you have any ideas for improving accessibility of Council facilities and infrastructure?

Answered: 9 Skipped: 28

- Disability (wheelchair seating) at front of stalls. Someone with the time and knowledge to setup and program closed loop (audio).
- 2 I think we could try to create a focus group of stakeholders for accessibility. If (a big if) the right members could be attracted, Council staff could receive informed advice on projects and programs direct from the local community.
- 3 I'm not sure if there can be any additional 1/4 hour car parking out the front of the building? I don't know if there would be room!
- 4 Perhaps in design projects could periodically have a member of the community with mobility issues assess or provide their feedback.
- 5 Advertise hours when we welcome visitors that have problems as mentioned above.
- 6 Build on a ramp from the deck to the ground to add an additional ramp. Perhaps check that there are breaks in curbing for access to all parks and footpaths. When I travel with a friend who has a scooter the main issue is finding a break in the curb to enable her to get off the road.
- 7 Perhaps check that there are breaks in curbing for access to all parks and footpaths. When I travel with a friend who has a scooter the main issue is finding a break in the curb to enable her to get off the road.
- 8 Free accessible Community Awareness seminars on disability to make our community and services/shops aware.
- 9 Simplify.

Q? Are you aware of any barriers for people with disability in accessing information about council services?

Answered: 33 Skipped: 4

ANSWER CHOICES	RESPONSES	
Yes	15.15%	5
No	42.42%	14
I don't know	\$2.42%	14
TOTAL		33

IF YES, WHAT ARE THESE BARRIERS?

- 1 Complicated front pages of website
- 2 People with hearing barriers cannot access services from the Visitor Centre.
- 3 Could be issues if someone is visually impaired not sure we have compliance with documentation to be found, particularly on our website
- 4 The Tasmanian illiteracy rate has been stated as hovering around the 40% mark. There is likely an overlap between people living with a disability, or multiple disabilities, who also experience problems with reading, writing and numeracy. If information about services on the web can be presented in an oral form that could be of assistance to many in the community.
- 5 Many people have asked me if there is a community noticeboard where they can look at what's on, because they don't have access to the internet. I think it is important to provide a place where people can go and look at posters and information regarding community events. Many people living with a disability have a lower income and many are less likely to have internet access at home. But they may be able to find out what is on when they visit the community notice boards.
- 6 They can always ask/make a phone call.
- 7 Reading and/or understanding online information on Council's website.

Q10 Are you aware of any barriers for people with disability in using Council services? Answered: 32 Skipped: 5

ANSWER CHOICES	RESPONSES	
Yes	12.50%	4
No	50.00%	16
I don't know	37.50%	12
TOTAL		32

IF YES, WHAT ARE THESE BARRIERS?

- Events on grassed areas do not often take into account the accessibility of people with mobility issues. Accessible toilets and baby change for patrons of events can be expensive to include so often aren't supplied. We can also go to the next level by providing event infrastructure and signage/promotion that is suitable for visually impaired or those with sensory concerns.
- 2 I have heard from many people that the underground carpark, even though it offers disabled parking, is daunting for people to imagine getting between the paranaple and the carpark. Providing the closest possible and (visible on the street) disabled car-parking may assist people to feel more comfortable in attending the paranaple and paranaple arts centre.
- 3 Confusion, not knowing how to use a council service e.g. multi story car park, it frightens them, and they don't have the confidence to use it. Negative feedback from other council service users.
- 4 Access.

Q11 Do you have any ideas for improving accessibility of Council services?

Answered: 6 Skipped: 31

- 1 Interactive Kiosks for people with hearing difficulties in the paranaple arts centre.
- 2 Information obtained from people with disabilities as to specific ideas that can be implemented at events that will allow for greater inclusiveness.
- 3 N/A.
- 4 Always put yourself in someone else's shoes when considering accessibility question, if I was in a wheelchair, if I was vision impaired, if I was hearing impaired and consider factors like this in decision making and planning.
- 5 Have a disability reference group and listen to their advice. I have heard stories of people experiencing disability advising council staff (other councils) of barriers to accessibility and of being constantly ignored, when taking heed of their advice would result in greater accessibility.
- 6 Information, old style and social media.

Q12 Are you aware of any barriers for people with disability to get involved in social events, sporting and cultural activities (planning and/or attending)?

Answered: 29 Skipped: 8

ANSWER CHOICES	RESPONSES	
Yes	24.14%	7
No	41.38%	12
I don't know	34.48%	10
TOTAL		29

IF YES, WHAT ARE THESE BARRIERS?

- 1 Access to grandstands can be an issue.
- 2 Lack of separate handicapped toilets. This is inconvenient for carers of the opposite sex taking their clients into toilets.
- 3 Please see previous answers.
- 4 Portable Disability toilets are not used at events.
- 5 I'm assuming that some of the physical issues identified above at the facilities are going to be a barrier.
- 6 An example, NYE event, no wheelchair access to where food vans. Quickly resolved but should have been there prior to the event commencing.
- 7 For example in sporting there may not be the competitions or specialised equipment for disabled people to participate for example special wheelchairs for tennis, basketball etc. cost may be prohibitive for people to access sports designed special equipment.
- 8 Often getting to the event is difficult and expensive because the people cannot drive.

Q13 Do you have any suggestions for improving participation in social events, sporting and cultural activities?

Answered: 5 Skipped: 32

- 1 Risk assessments should be undertaken.
- 2 Appropriate and well-maintained access in public arenas.
- 3 NA.
- 4 Offering courtesy buses or cars to people who do not have transport.
- 5 No.

Q14 Are you aware of any barriers for people with disability to participate in Council's consultation and community engagement activities?

Answered: 29 Skipped: 8

ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	68.97%	20
I don't know	31.03%	9
TOTAL		29

IF YES, WHAT ARE THESE BARRIERS?

- 1 I guess there are barriers that we are not aware of, i.e. for people with visual impairments it is challenging for them to participate in a workshop with sticky notes and whiteboards what are the alternatives?
- 2 Probably only an issue for people who may have mobility issues and do not use technology i.e. can't send us an email and at the same time find it difficult to actually get out and come into the centre to talk to staff

Q15 Do you have suggestions for improving community consultation and engagement participation rates for people with disability?

Answered: 5 Skipped: 32

1 N/A

- 2 Just making sure we cover as many bases and address areas of diversity in disability in seeking engagement and consultation
- 3 Offering to reimburse travel costs, to travel to the meetings for those who cannot drive.
- 4 Contact service providers, doctors, chemists, promote not only social media, library.
- 5 No.

Q16 Are you aware of any barriers for people with disability to apply for or obtain volunteer, work experience or employment with Council?

Answered: 29 Skipped: 8

ANSWER CHOICES	RESPONSES	
Yes	3.45%	1
No	65.52%	19
I don't know	31.03%	9
TOTAL		29

IF YES, WHAT ARE THESE BARRIERS?

- 1 Most of the volunteer registrations I have processed have not identified barriers. I would like to think that most barriers would be able to be overcome in the area I manage.
- 2 Some of the work areas do not meet accessibility requirements (e.g. Works Depot).
- 3 I don't think we have any barriers in place, it's just that it might not be as easy as it is for people who do not have any disability.

Q17 Do you have any suggestions to improve volunteering, work experience or employment opportunities for people with disability?

Answered: 3 Skipped: 34

- 1 We need to make the effort to identify suitable work and give it a try.
- 2 N/A.
- 3 No.

Q18 Do you have any further ideas for how Council can help make Devonport more inclusive? Answered: 3 Skipped: 34

1 Engage or employ an access and inclusion specialist that can provide advice and solutions on how to make our events and activities more inclusive. Real solutions that can be implemented such as how to make printed material compliant, how to ensure access around a site etc.

2 N/A

3 Encourage people to participate in this survey, encourage service providers to help promote our survey.

2.8 Disability Access and Inclusion Online Submissions

Speak Up Devonport, August 2019 8 respondents

Please allow those pensioners with mobility issues to pay dog registration online instead of going to the Paranaple building.

Devonport bluff needs play equipment for people living with disabilities and dev needs more in door activities so they can get out in winter and stay dry. Better access to toilets, the position of the public toilets in Dev is terrible.

Having worked as a Disability Nurse for many years and now supporting and caring for my 85+ year old parents I find it difficult to push chairs, due to the prevalence of pavers. To getting into buildings old and new due to the prevalence of stairs and to drive my parents to appointments due to the lack of Disabled Parking spots. Buildings and landscapes need to be designed ALWAYS with people who have mobility issues in mind it should be a part of design rather than a retro fit or an afterthought.

The lift at the cinemas in Devonport is too small for some electric wheelchairs. My mother's partner is quadriplegic, and we have to take his leg supports off of the chair, and try to bend his feet down enough to only just squeeze in. The doors only just close. Any wrong move with control of the chair would break his feet and legs.

I have been living with chronic pain from a work accident and a few months later a car accident in 2000. I also have advanced osteoarthritis and consider myself young still at 54. I am married with one child left at home; my 11-year-old daughter. Alyssa helps to care for me along with her dad Jason. Despite living with chronic pain I try to stay active in the community and have been teaching belly dance in Devonport for 15 years now :) and dressing as a pirate to bring the children of Tasmania lots of fun with stories, songs, dances and play fights with foam swords (all voluntary). I love people but without my teaching dance or entertaining children and their families ... I think my life would be a little lonely. Pain can be very isolating. My condition deteriorates over time. So, I am finding it harder and harder to do what I do. I now need to be able to sit between performing a dance before carrying on; so, when entertaining I sandwich what I do in between other entertainers to allow me recovery time so I can keep going. When out and about I need seating available to me as I can't walk for very long without the pain escalating and there are less and less seating options; especially out of the weather (hot sun or wind and rain). In the mall once I had to sit on the benches in the rain because I could no longer stand, and no shops had seats. I would love to come to community events, but I cannot cope withstanding in queues to wait my turn to buy my daughter something or pay for a ride etc. I can't sit in seats that have very little leg room as the pain escalates quite quickly; so, the cinema is often out unless I am lucky and can get where my legs can stretch out. (The curse of long leas, IoI). I can't come to Christmas carols etc as I can't sit on the ground (hard surfaces cause more pain and I could not get down and definitely find it very difficult to get back up again. So, these are things I avoid in the community. If there was some way that disabled Disability Inclusion Plan 2020-2025

Consultation Outcomes

people living with high pain could bypass queues and find seating that would be wonderful and allow me to bring my daughter out more often. Sometimes I have been out and about and found a bench seat, but it has been so low to the ground that I could not get down there to sit on it; being tall and having both knees so bad with arthritis. If I could pay for vouchers ahead of time and then those with vouchers pre-paid could head to a much shorter queue to get into an event or onto a ride or get a meal/drink etc. I can't sit on hard surfaces either without escalating my pain levels; so, you will often see me going somewhere carrying a high-density foam cushion to allow me to stay for as long as possible. It would be wonderful if children like my daughter could get more things happening for them (kid carers of someone disabled). In 3 years, she has only been invited to 2 events; one was a ride on the water slide in Ulverstone ... and the other was a camping trip. She thoroughly loved them. But that is not a lot happening in 3 years for kids who have so much stacked against them having fun.

Bringing a disability expo to Devonport would be great.

Having better footpaths and updated road crossings.

The council could invest more into inclusion support to extend it to include in home day-care.

Safe drop off point for wheelchair taxi at Stewart street end of mall.

I think ALL shops should be fully wheelchair accessible with a ramp and non-crowded inside the shops

5.6 TASTE THE HARVEST - FINANCIAL SUPPORT

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.2.2 Cultural facilities and programs are well planned and promoted to increase accessibility and sustainability

SUMMARY

This report is provided for Council to consider a request from the Lions Club of City of Devonport Inc. (Lions Club) for financial assistance and support for the Taste the Harvest Festival.

BACKGROUND

The Lions Club has had a partnership agreement with Council for several years relating to the running of the "Taste the Harvest" event. At Council's meeting held 22 October 2018, the Partnership Agreement was updated as follows (Min No 191/18 refers):

"That Council in relation to the request from the Devonport Lions Club Inc agree to underwrite the Taste the Harvest event for the 2019 and 2020 events, up to a maximum of \$10,000, should the event have to be cancelled due to weather conditions."

A copy of the current Agreement is attached.

STATUTORY REQUIREMENTS

There are no statutory requirements which relate to this report. Any funding provided would need to be listed in the Annual Report in compliance with Section 77 of the Local Government Act 1993.

DISCUSSION

Taste the Harvest is a family friendly fresh food, produce and wine festival which has been run by the City of Devonport Lions Club for over 20 years. The Lions Club advised that it had some challenges in proceeding with the 2020 event due to their ability to provide sufficient resources to continue running the event. Also considering the Waterfront Park construction, a new location for the 2020 event had to be identified. The Lions Club have considered an option to host the event at Providore Place and propose that the event be held on Sunday 15 March 2020 commencing at 11:00am until 8:00pm (subject to event approval process).

In the event of inclement weather, the Lions Club has requested use of the multi storey car park so that the event can be held regardless of weather conditions. As a result, Council's previous commitment to underwrite the event will not be required. However, other commitments as outlined in the current Partnership Agreement are required which includes \$5,000 towards marketing and equipment hire. There will be different equipment requirements due to the event being held at Market Square/Providore Place rather than Roundhouse Park, however these variances can be accommodated.

COMMUNITY ENGAGEMENT

There has been no community engagement as a result of this report.

FINANCIAL IMPLICATIONS

Under the partnership agreement, Council's responsibilities include:

Report to Council meeting on 25 November 2019

- Financial contribution \$5,000 to assist the Lions Club to engage appropriate marketing support;
- Service Assistance equipment hire details yet to be finalised but will be submitted for approval in accordance with Council's In Kind assistance process.

An allocation of \$5,000 was made in Council's operational budget to assist with this event should it continue in 2020.

RISK IMPLICATIONS

There is a risk that some members of the community may be inconvenienced by the multistorey car park being closed (if required). This is a small risk given that it would only be used due to inclement weather.

CONCLUSION

Taste the Harvest has been a significant event for Devonport in previous years and Council's support is important for it to continue to be held.

ATTACHMENTS

1. Signed Heads of Agreement - Taste the Harvest 2019

RECOMMENDATION

That Council confirm its support for the Taste the Harvest Festival in accordance with its current Partnership Agreement with the following amendments:

- a) Location changed from Roundhouse Park to Providore Place/Market Square;
- b) Delete reference to Council underwriting the event; and
- c) Approve the use of the ground level of the multi-storey car park in the event of inclement weather.

Author:	Karen Hampton	Endorsed By:	Jeffrey Griff	ith	
Position:	Community Services Manager	Position:	Executive Services	Manager	Corporate



Partnership Agreement

Between

DEVONPORT CITY COUNCIL of PO Box 604, Devonport, Tasmania ("DCC")

AND

CITY OF DEVONPORT LIONS CLUB ("organiser")

EVENT DETAILS

This sponsorship Agreement relates to the Taste the Harvest event to be held at Roundhouse Park, Devonport in 2019 and 2020 ("event").

The term of the agreement will span 2 years, with all terms within the agreement to be reviewed and agreed annually.

THE PARTIES AGREE AS FOLLOWS:

DCC agree to:

- Work with Organiser to develop a marketing plan for the event;
- Assist the Organiser to identify and engage providers to deliver the actions in the marketing plan;
- Provide \$5,000 to assist the organiser to engage appropriate marketing support;
- Provide the organiser with onsite signage board installation, road closures, power boxes, access to power and water during the event;
- Provision and set-up of equipment hire including:
 - 3 x 3 Marquees
 - Pro Stage
 - Chairs & Tables;
- Assist the Organiser lo develop a long term sustainable event model;
- Mark the underground assets at the event site prior the event;
- Underwrite the 2019 and 2020 events to a value of \$10,000 as per the below terms and conditions.

Lions Club of City of Devonport agree to:

- Prior to the event, provide DCC with an event plan that includes objectives and a three year growth plan for the event;
- Acknowledge Council as a sponsor of the event on marketing and promotional material;
- Display Council signage during the event (to be supplied by Council);
- Provide Council with 4 x tickets to the event and any subsequent formal occasion;
- Provide an opportunity for the Mayor or suitable representative, to address the event; ie opening event, presenting awards etc;
- Provide DCC with postcode data for at least 25% of its total patronage;
- Provide DCC with a completed event acquittal after the event;
- Include a community learning component as part of the event.

TERMS AND CONDITIONS

• Any attempted influence of Council's regulatory functions will result in an automatic review and/or termination of the sponsorship agreement.

Page 1 of 2

- Despite the provision of the Sponsorship Benefits, the Council makes no representation that it will promote outside of the specified event.
- A party may terminate this Agreement with immediate effect if the other party:
 - a) becomes insolvent, has an administrator, receiver or manager appointed over all or part of its assets, or becomes unable to pay its debts as they fall due; or
 - b) Is in breach of any provision of this agreement that is not capable of remedy; or
 - c) is in breach of any of its obligations under this Agreement that is capable of remedy and fails to remedy the breach within 14 days of receiving a notice specifying the breach.
- Council may terminate this Agreement with immediate effect if:
 - a) the Company or anybody associated with it does anything which may bring DCC or the association into disrepute; or
 - b) for any reason, the association is not able to provide the Sponsorship Benefits.
- If this Agreement is terminated, any benefits to be provided by Council under this Agreement will be cancelled as at the date of termination.
- In case of cancellation of the 2019 or 2020 event due to severe weather, rain or snow, DCC agrees to pay the Organiser up to a maximum of \$10,000 upon application to mitigate losses. The underwriting will only apply where:
 - a) The event cannot be postponed due to reasons out of the control of the organiser;
 - b) There is a forecast of significant rain on the day of the event;
 - c) A severe weather warning is issued by the Bureau of Meteorology covering 12 hours either side of the event.

Both parties to this Agreement sign their consent to the terms set out herewith this ∂a^{nol} day of November 2018.

ON BEHALF OF Lions Club of City of Devonport

Signature:	Liz Cersere
Name:	Elizobén Ferrara.
Position:	Event Coordinates,

ON BEHALF of Devonport City Council

Signed:

Jun in

Paul West General Manager

Page 2 of 2

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
11/11/2019	Digital Security Training	Overview of how to minimise digital
		security risks
	Devonport Gymnastics Club	Discussion on future use of current Forbes
		Street, Devonport Gymnastics Club site.
	Crash Data – Steele/Don Street	Update on recent fatal crash.
	Intersection	

RECOMMENDATION

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

Author:	Robyn Woolsey		Endorsed By:	Matthew Atkins	
Position:	Executive Assistant Management	General	Position:	Acting General Manager	

6.2 MAYOR'S MONTHLY REPORT

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 regularly to Council, listing the meetings and functions attended by the Mayor.

STATUTORY REQUIREMENTS

There are no statutory requirements which relate to this report.

DISCUSSION

In her capacity as Mayor, Councillor Annette Rockliff attended the following meetings and functions between 24 October and 20 November 2019:

- Council meeting, Various Council Committees, Special Interest Group and Working Group meetings and workshops as required.
- Meetings with staff members and Councillors as requested.
- Media as requested: ABC Radio, 7AD and SeaFM
- Met with community members on a range of issues
- Met with representatives of the Senior Citizens Club re parking
- Represented Council at the Economic Development Australia Awards Night & Conference in Adelaide, where LIVING CITY was successful in being chosen as a national finalist from over 80 entries
- Took part in the Pink Walk
- Officiated at the dedication of trees at the Arboretum to thank two couples who have 'downsized' and left the Melrose area – Nigel and Patsy Bingham and Graham and Helen Lennis
- With the Infrastructure & Works Manager met with members of Soroptimists to discuss a proposed project
- Launched a recipe book collated by the families of the Devonport Playhouse
- Attended meeting of the Devonport Business Partnership Group (Beacon Foundation)
- Attended dinner with the Board members of the Australian Maritime Museums Council
- Officially opened the National forum of the Australian Maritime Museums Council
- Met with Children's University staff
- Attended the Devonport Senior Citizens Club's birthday celebration
- Attended the announcement of the Frank McDonald Prize winners for 2020
- Attended launch of energy hub at Cradle Coast Authority offices
- Attended the Reece High School 50th Anniversary celebrations
- Met with Cradle Coast Authority staff
- Attended Reflections Café
- With the Acting General Manager met with Federal Labor's Regional Jobs Taskforce
- Attended Cradle Coast Authority's Community Forum
- Was one of the judges for the Readers' Cup six local primary schools participated
- Officially launched the Don Reserve Bioblitz

Report to Council meeting on 25 November 2019

- Officially launched the Don Reserve 'Claws on the Line'
- Spoke at Remembrance Day service
- Attended Arboretum Committee meeting
- Attended Federal Government announcement about VET funding/Support
- Met with Coordinator of the NW Suicide Prevention Trial Site
- Met with Karen Wheatland, Councillor at the City of Melville Western Australia, who was here for a work-related national conference
- Attended a meeting of the Meercroft Park Facilities Committee, headed by Mike Gaffney MLC
- Officially launched the KMart/Salvation Army Wishing Tree Appeal
- Met with Dr Tim Ault, the new State Director of Department of Foreign Affairs and Trade
- Attended Cradle Coast Authority Board meeting
- Attended East Devonport's Got Talent event
- Attended Home Hill Garden Fete
- Chaired North West Suicide Prevention Trial Site Advisory Group meeting

ATTACHMENTS

Nil

RECOMMENDATION

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

6.3 GENERAL MANAGER'S REPORT - NOVEMBER 2019

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

SUMMARY

This report provides a summary of the activities undertaken by the Acting General Manager, between 24 October and 20 November 2019. It also provides information on matters that may be of interest to Councillor's and the community.

BACKGROUND

A monthly report provided by the General Manager to highlight management and strategic issues that are being addressed by Council. The report also provides regular updates in relation to National, Regional and State based local government matters as well as State and Federal Government programs.

STATUTORY REQUIREMENTS

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

DISCUSSION

- 1. <u>COUNCIL MANAGEMENT</u>
 - 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. Attended Council Audit Committee meeting.
 - 1.4. Hosted farewell morning tea for Council's outgoing General Manager
 - 1.5. Met with a representative of the ANZ bank regarding a review of Council's current borrowings.
- 2. <u>COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)</u>
 - 2.1. Met with local resident regarding planned improvements to Spirit of Tasmania terminal
 - 2.2. Met with local plumber regarding permit concerns
 - 2.3. Met with resident regarding LIVING CITY
- 3. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT
 - 3.1. Phone meeting with the Tasmanian Audit Office to finalise and agree on the presentation of Council's financial result in the 2018/19 Annual Report.
- 4. <u>STATE AND FEDERAL GOVERNMENT PROGRAMS</u>
 - 4.1. Along with the Mayor met with Labor's Regional Jobs Taskforce, chaired by Meryl Swanson MP, Member for Paterson. Other taskforce members included Jason Clare MP, Shadow Minister for Regional Services, Senator Anthony Chisholm and Justine Elliot, Member for Richmond. The taskforce were seeking to gain an

Report to Council meeting on 25 November 2019

understanding of employment opportunities and challenges in the Devonport region.

- 5. <u>OTHER</u>
 - 5.1. Along with three other senior staff attended Lean Leaders training at the Elphinstone Manufacturing Centre of Excellence in Burnie. The training provided practical ways of identifying workplace efficiencies, eliminating waste from processes and improving productivity. Council were successful in obtaining a grant to fund the training.
 - 5.2. Attended LGAT training at the paranaple centre on navigating social media.

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 in 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 2019
- 2. CONFIDENTIAL Current and Previous Minute Resolutions Update Confidential November 2019

RECOMMENDATION

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

Author:	Matthew Atkins
Position:	Acting General Manager
1 0511011.	A ching behold Manager

PAGE 107

Current and Previous Minute Resolutions Update - November 2019

Current and Previous Minute Resolutions Update

OPEN SESSION							
	Current Resolutions						
Resolution Title:	Workshop – Tourism – Transport between Prime Tourist Activities and Venues – Notice of Motion – Cr G Enniss						
Date:	28 October 2019						
Minute No.:	219/19						
Status:							
Responsible Officer:	ing General Manager						
Officers Comments:	Information being collated for future workshop						
Resolution Title:							
Date:	28 October 2019						
Minute No.:							
Status:							
Responsible Officer:							
Officers Comments:							
Resolution Title:	ual Financial Report – 30 June 2019						
Date:	October 2019						
Minute No.:	/19						
Status:	ompleted						
Responsible Officer:	ecutive Manager Organisational Performance						
Officers Comments:	is been appended to 2019 Annual Report.						
Resolution Title:	nder Report contract CT0261 Stewart Street Renewal						
Date:	28 October 2019						
Minute No.:							
Status:							
Responsible Officer:							
Officers Comments:							
Resolution Title:							
Date:							
Minute No.:	223/19						
Status:	Completed						
Responsible Officer:							
Officers Comments:	Contract awarded						

Current and Previous Minute Resolutions Update - November 2019

ATTACHMENT	[1]

Resolution Title:	Chinamans Creek Stormwater Catchment Risk Assessment (IWC 34/19 – Infrastructure Works and Development Committee
	Meeting – 14 October 2019)
Date:	
Minute No.:	228/19
Status:	Completed
Responsible Officer:	Infrastructure and Works Manager
Officers Comments:	To be incorporated into forward works plan
Resolution Title:	Pedestrian Strategy 2016-2021 – Year 3 Status Update (IWC 35/19 – Infrastructure Works and Development Committee
	Meeting – 14 October 2019)
Date:	28 October 2019
Minute No.:	228/19
Status:	Completed
Responsible Officer:	Infrastructure and Works Manager
Officers Comments:	
Resolution Title:	Tasmanian Draft Waste Action Plan (IWC 36/19 – Infrastructure Works and Development Committee Meeting – 14 October
	2019)
Date:	28 October 2019
Minute No.:	228/19
Status:	Completed
Responsible Officer:	Infrastructure and Works Manager
Officers Comments:	

Previous Resolutions Still Being Actioned							
Resolution Title:	Resolution Title: Disposal of Public Land at 93-95 Mary Street East Devonport to Melaleuca Home for the Aged Inc (D615112)						
Date:	23 September 2019						
Minute No.:	196/19						
Status:	Completed						
Responsible Officer:	tive Manager Organisational Performance						
Officers Comments:	ne request of Melaleuca, the process has been placed on hold						
Resolution Title:	Resolution Title: Future Visitation – Australian Navy Ships – Notice of Motion – Ald L M Laycock (D549874)						
Date:	22 October 2018						
Minute No.:	7/18						
Status:	progress						
Responsible Officer:	Community Services Manager						
Officers Comments:	Discussions commenced with TasPorts – Meeting held 2 August with Commander Bob Curtis.						

Current and Previous Minute Resolutions Update - November 2019

Resolution Title:	Disability/Equal Access and Inclusion (D491448)
Date:	25 September 2017
Minute No.:	181/17
Status:	In progress
Responsible Officer:	Community Services Manager
Officers Comments:	Draft Disability Inclusion Plan to be presented to Council 25 Nov 2019

Current and Previous Minute Resolutions Update

CLOSED SESSION Current Resolutions

Resolution Title:	Providore Place Head Lease Documentation – Availability for Inspection – Notice of Motion – Cr A Jarman
Date:	28 October 2019
Minute No.:	232/19
Status:	In Progress
Responsible Officer:	Executive Manager Organisational Performance
Officers Comments:	Report tabled as part of current agenda
Resolution Title:	92 Formby Road, Devonport – Recommendation to Revise Marketed Sale Price
Date:	28 October 2019
Minute No.:	233/19
Status:	Completed
Responsible Officer:	Executive Manager Organisational Performance
Officers Comments:	Instructions provided to real-estate agent
Resolution Title:	Recruitment – General Manager
Date:	28 October 2019
Minute No.:	234/19
Status:	Completed
Responsible Officer:	
Officers Comments:	Consultant Engaged

CONFIDENTIAL

ATTACHMENT [2]

7.0 SECTION 23 COMMITTEES

7.1 GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE MEETING - 18 NOVEMBER 2019

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, 18 November 2019.

ATTACHMENTS

1. OPEN Minutes - Governance Finance & Community Services - 18 November 2019

RECOMMENDATION

That the minutes of the Governance, Finance & Community Service Committee meeting held on Monday, 18 November 2019 be received and the recommendations contained therein be adopted.

- GFC 64/19 Annual Plan Progress Report to 31 October 2019
- GFC 65/19 Health & Safety Policy
- GFC 66/19 Elected Members Expenditure Report September and October 2019
- GFC 67/19 Finance Report to 31 October 2019
- GFC 68/19 Minutes of Council's Special Interest Groups and Advisory boards
- GFC 69/19 Arts and Convention Report September and October 2019
- GFC 70/19 Governance and Finance Report September and October 2019
- GFC 71/19 Community Services Report September and October 2019

Author: Position:	Robyn Woolsey Executive Management	Assistant	General	Endorsed By: Position:	Matthew Atkins Acting General Manager
	managemen				

Page 1 of 7

MINUTES OF A GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE MEETING OF THE DEVONPORT CITY COUNCIL HELD IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre, 137 ROOKE STREET, DEVONPORT ON MONDAY, 18 NOVEMBER 2019 COMMENCING AT 5:30PM

PRESENT: Cr A Rockliff (Chairperson)

Cr J Alexiou Cr G Enniss Cr L Laycock Cr S Milbourne

Councillors in Attendance:

Cr P Hollister

Council Officers:

Acting General Manager, M Atkins Executive Manager Corporate Services, J Griffith Executive Manager Organisational Performance, K Peebles Community Services Manager, K Hampton Convention and Arts Centre Manager, G Dobson Finance Manager, J Jackson

APPOINTMENT OF CHAIRPERSON FOR THE MEETING IN THE ABSENCE OF CR JARMAN

GFC 63/19 RESOLUTION

MOVED: Cr Enniss SECONDED: Cr Murphy

That Cr Rockliff be appointed to Chair this meeting of the Governance Finance and Community Services Committee.

	For	Against		For	Against
Cr Rockliff	✓		Cr Laycock	✓	
Cr Alexiou	√		Cr Milbourne	✓	
Cr Enniss	√				

CARRIED UNANIMOUSLY

Audio Recording:

All persons in attendance were advised that it is Council policy to record Council meetings, in accordance with Council's Digital Recording Policy. 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.

Cr A Jarman

Apology

2.0 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

PAGE 113

Page 2 of 7

3.0 PROCEDURAL

3.1 PUBLIC QUESTION TIME

3.1.1 QUESTION WITHOUT NOTICE FROM THE PUBLIC

Nil

3.2 QUESTIONS FROM COUNCILLORS

Nil

3.3 NOTICES OF MOTION

Nil

4.0 GOVERNANCE REPORTS

4.1 ANNUAL PLAN PROGRESS REPORT TO 31 OCTOBER 2019

GFC 64/19 RESOLUTION

MOVED: Cr Alexiou SECONDED: Cr Milbourne

That it be recommended to Council that the 2019/20 Annual Plan Progress Report for the period ended 31 October 2019 be received and noted.

	For	Against		For	Against
Cr Rockliff	✓		Cr Laycock	✓	
Cr Alexiou	✓		Cr Milbourne	✓	
Cr Enniss	✓				

CARRIED UNANIMOUSLY

4.2 HEALTH & SAFETY POLICY

GFC 65/19 RESOLUTION

MOVED: Cr Milbourne SECONDED: Cr Enniss

That it be recommended to Council that the Health & Safety Policy be adopted with immediate effect.

	For	Against		For	Against
Cr Rockliff	✓		Cr Laycock	✓	
Cr Alexiou	✓		Cr Milbourne	~	
Cr Enniss	✓				

CARRIED UNANIMOUSLY

4.3 ELECTED MEMBERS EXPENDITURE REPORT SEPTEMBER AND OCTOBER 2019 GFC 66/19 RESOLUTION

MOVED: Cr Laycock SECONDED: Cr Alexiou

That it be recommended to Council that the bi-monthly report advising of Councillor allowances and expenses be received and noted.

	For	Against		For	Against
Cr Rockliff	✓		Cr Laycock	1	
Cr Alexiou	✓		Cr Milbourne	1	
Cr Enniss	✓				

CARRIED UNANIMOUSLY

5.0 FINANCE REPORTS

5.1 FINANCE REPORT TO 31 OCTOBER 2019

GFC 67/19 RESOLUTION

MOVED: Cr Milbourne SECONDED: Cr Alexiou

That it be recommended to Council that the Finance Report as of 31 October 2019 be received and noted.

	For	Against		For	Against
Cr Rockliff	✓		Cr Laycock	✓	
Cr Alexiou	✓		Cr Milbourne	1	
Cr Enniss	✓				

CARRIED UNANIMOUSLY

6.0 COMMUNITY SERVICES REPORTS

6.1 MINUTES OF COUNCIL'S SPECIAL INTEREST GROUPS AND ADVISORY BOARDS GFC 68/19 RESOLUTION

MOVED: Cr Enniss SECONDED: Cr Laycock

That it be recommended to Council that the minutes of the Devonport Maritime and Heritage Special Interest Group, paranaple arts centre Special Advisory Committee and East Devonport Special Interest Group be received and noted.

	For	Against		For	Against
Cr Rockliff	✓		Cr Laycock	\checkmark	
Cr Alexiou	✓		Cr Milbourne	✓	
Cr Enniss	✓				

CARRIED UNANIMOUSLY

7.0 INFORMATION REPORTS

7.1 ARTS AND CONVENTION REPORT - SEPTEMBER AND OCTOBER 2019 GFC 69/19 RESOLUTION

MOVED: Cr Laycock SECONDED: Cr Alexiou

That it be recommended to Council that the Arts and Convention report be received and noted.

Page 4 of 7

	For	Against		For	Against
Cr Rockliff	✓		Cr Laycock	\checkmark	
Cr Alexiou	✓		Cr Milbourne	~	
Cr Enniss	✓				

CARRIED UNANIMOUSLY

7.2 GOVERNANCE AND FINANCE REPORT - SEPTEMBER AND OCTOBER 2019 GFC 70/19 RESOLUTION

MOVED: SECONDED:

Cr Alexiou Cr Milbourne

That it be recommended to Council that the Governance and Finance report be received and noted.

	For	Against		For	Against
Cr Rockliff	✓		Cr Laycock	✓	
Cr Alexiou	✓		Cr Milbourne	✓	
Cr Enniss	✓				

CARRIED UNANIMOUSLY

7.3 COMMUNITY SERVICES REPORT - SEPTEMBER AND OCTOBER 2019 GFC 71/19 RESOLUTION

MOVED: SECONDED: Cr Milbourne Cr Alexiou

That it be recommended to Council that the Community Services report be received and noted.

	For	Against		For	Against
Cr Rockliff	✓		Cr Laycock	1	
Cr Alexiou	✓		Cr Milbourne	✓	
Cr Enniss	✓				

CARRIED UNANIMOUSLY

8.0 CLOSED SESSION

GFC 72/19 RESOLUTION

MOVED: Cr Laycock SECONDED: Cr Alexiou

That in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 the following items be dealt with in Closed Session:

ltem No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
8.1	Status Update – Outstanding Rates Debtors – Three Years and Over	15(2)(j)

Minutes of Governance, Finance & Community Service Committee meeting held 18 November 2019

Page 5 of 7

	For	Against		For	Against
Cr Rockliff	✓		Cr Laycock	✓	
Cr Alexiou	✓		Cr Milbourne	✓	
Cr Enniss	✓				

CARRIED UNANIMOUSLY

The Chairman adjourned the meeting at 5:44pm to reconvene in Closed Session at 5:45pm. The Council moved out of Closed Session at 5:47pm.

Council resumed in Open Session at 5:47pm.

CLOSURE

There being no further business on the agenda the Closed Session was declared closed at 5:47pm.

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.

ltem No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
8.1	Confirmation of Closed Minutes - Council Meeting - 28 October 2019	15(2)(g)
8.2	Application for Leave of Absence	15(2)(h)
8.3	Unconfirmed Minutes – Joint Authorities	15(2)(g)
8.4	Closed Session – Governance, Finance & Community Service Committee Meeting – 18 November 2019	15(2)(f)
8.5	Providore Place Head Lease	15(2)(i)

CONFIDENTIAL ITEMS

8.1 CONFIRMATION OF CLOSED MINUTES - COUNCIL MEETING - 28 OCTOBER 2019

STATUTORY REQUIREMENTS

This report contains matters relating to information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential. As such Clause 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015 applies and the matter should be considered by Council in a closed meeting.

RECOMMENDATION

That the minutes of the Closed Session of the Council meeting held on 28 October 2019, as circulated, be confirmed.

8.2 APPLICATION FOR LEAVE OF ABSENCE

BACKGROUND

Under Section 39(1) of the Local Government (Meeting Procedures) Regulations 2015 Councillors can apply for Leave of Absence.

Approved leave of absence:

Councillor	Period of Leave	Purpose

STATUTORY REQUIREMENTS

This report contains matters relating to applications by councillors for a leave of absence. As such Clause 15(2)(h) of the Local Government (Meeting Procedures) Regulations 2015 applies and the matter should be considered by Council in a closed meeting.

ATTACHMENTS

Nil

RECOMMENDATION

That Council grant Leave of Absence from Council duties to:

Councillor	Period Required	Purpose

8.3 UNCONFIRMED MINUTES - JOINT AUTHORITIES

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.1.3 Develop and maintain partnerships and advocate for improved service provision, funding and infrastructure that balances the needs of industry, business, community, government and the environment

SUMMARY

To provide Council with the unconfirmed minutes of the Dulverton Regional Waste Management Authority (DRWMA) Board meeting and the Audit & Risk Committee meeting held 30 October 2019.

BACKGROUND

Council is provided with a copy of the DRWMA minutes in accordance with the DRWMA's Rules.

STATUTORY REQUIREMENTS

This report contains matters relating to information of a personal and confidential nature and the information has been provided to the Council on the condition it is kept confidential.

The DRWMA minutes are provided to Owner Councils in accordance with Section 36B of the Local Government Act 1993 for inclusion as a closed agenda item at Council meetings.

As such Clause 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015 applies and the matter should be considered by Council in a closed meeting.

DISCUSSION

The unconfirmed minutes of the DRWMA Board and Audit & Risk Committee meetings held 30 October 2019 are attached for information.

COMMUNITY ENGAGEMENT

There was no community engagement as a result of this report.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

It is believed there are no risks associated with this report.

CONCLUSION

The unconfirmed minutes of the DRWMA Board meeting held 30 October 2019 and Audit & Risk Committee meetings held 30 October 2019 are presented.

ATTACHMENTS

- 1. Unconfirmed Minutes Board Meeting Dulverton Regional Waste Confidential Management Authority - 30 October 2019
- 2. Unconfirmed Minutes Dulverton Regional Waste Management Confidential Authority - Audit & Risk Committee - 30 October 2019

RECOMMENDATION

That the unconfirmed minutes of the Dulverton Regional Waste Management Authority Board meeting and the Audit & Risk Committee meeting held 30 October 2019 be received and noted.

Author: Position:	Robyn Woolsey Executive Assistant Management	General	Endorsed By: Position:	Matthew Atkins Acting General Manager	
----------------------	--	---------	---------------------------	--	--



UNCONFIRMED Minutes of the Board Meeting

of the Dulverton Regional Waste Management Authority held at Dulverton Waste Management (DWM), Level 1 / 17 Fenton Way, Devonport on Wednesday 30th October 2019

Meeting declared open at 10.28am

1. Present / Apologies

Present	Grant Atkins (GA) Jeff McNamara (JM) Ken Clarke (KC) John Howard (JH)	Board Member / Chair Board Member Board Member Board Member
In Attendance:	Matthew Greskie (MG) Julie Wells (JW) Melissa Pearce (MP)	Chief Executive Officer Finance & Administration Officer Project Officer
Apologies:	Nil	

2. Director's Session

The Director's session was held from 10.15am to 10.25am. A further Director's Session was held at the end of the meeting.

3. Disclosures

Directors made disclosures in accordance with DWM's Register of Director's Interests.

4. Acceptance of Agenda for this Board Meeting

It was agreed that the Board Meeting Agenda, as circulated, be accepted.

UNCONFIRMED Minutes DWM Board Meeting held 30th October 2019 (MFID 1567679) v01.11.19 Page 1 of 7

5. Confirmation of Minutes from previous Board Meeting

The Minutes from the DWM Board Meeting held on 7th August 2019, were tabled and confirmed as a true and correct record.

6. Unconfirmed Minutes from DWM A&RC Meeting received

The Minutes from the DWM AR&C Meeting held on 7th August 2019, were tabled for the Boards information and noted as received.

7. Business Arising

No Business Arising Items.

8. DWM Board Meeting Actions

DWM's *Board Meeting Action List* dated 18th October 2019, as prepared by DWM's Finance & Administration Officer, was tabled for the Board's information and noted and received with no changes required.

9. DWM Corrective Action Registers (CAR)

9.1 Workplace Health & Safety (WHS) CAR

DWM's *Workplace Health & Safety - Correction Action Register (CAR)* dated 16th October 2019, as prepared by DWM's Project Officer, was tabled for the Board's information and noted as received with no changes required.

9.2 Environmental & General CAR

DWM's *Environmental & General – Correction Action Register (CAR)* dated 23rd October 2019, as prepared by DWM's Project Officer, was tabled for the Board information and noted as received. Following discussion, it was agreed no changes were required.

10. Review of DWM's Strategic Actions Plan

The Achievements against the DWM Strategic Plan 2019/20 - 2024/25 report dated 15th October 2019, as prepared by DWM's CEO, was tabled for the Board's review and noted as accepted.

11. CEO Report

The *CEO Report* dated 17th October 2019, was tabled for the Board's information and noted as received.

UNCONFIRMED Minutes DWM Board Meeting held 30th October 2019 (MFID 1567679) v01.11.19 Page 2 of 7

MG briefed the Board on the following matters in his report:

- Workplace Health and Safety (WHS)
- Submission to Building Better Regions Funding (BBRF) grants
- Meeting with the EPA
- Meetings with Peter Gutwein, Gavin Pearce and Trevor Evans
- Waste Governance project
- Transfer of levy funds from the CCWMG to DWM
- DORF upgrade project
- Agreement with Fonterra
- Fire event 24th September 2019
- Emergency exercise conducted
- Leachate liner tear
- Improved fuel efficiency of new landfill compactor
- Biosolids
- Interlaken composting facility shutdown
- Commencement of construction Cell B1 South
- Inspection of compost facility in Christchurch
- Fuel rebate
- King Island Council
- Windrow turner

12. Finance

12.1 <u>Dulverton Regional Waste Management Authority (DRWMA) 2019/20</u> Financial and Key Performance Indicator (KPI) Reporting

- a. The *Financial Reports July 2019* dated 30th August 2019, as prepared by DWM's Finance & Administration Officer, were tabled for the Boards information and noted as received.
- b. The *Financial Reports August 2019* dated 27th September 2019, as prepared by DWM's Finance & Administration Officer, were tabled for the Boards information and noted as received.
- The Financial Reports September 2019 dated 25th October 2019, as prepared by DWM's Finance & Administration Officer, were tabled for the Boards information and noted as received.

12.2 20 Year Financial Plan (20YFP) and Aftercare Funding Plan

A 20 Year Financial Plan (20YFP) and Aftercare Funding Plan report dated 15th October 2019, as prepared by DWM's CEO, was tabled for the Board's consideration. It was noted that a revised 20YFP (Appendix 2) and a revised Aftercare Funding Plan (2019) (Chart3) had been circulated on the 29th October 2019. Following discussion, it was agreed to accept the recommendation.

Decision 1/30.10.19

Due to the development of a 2018 Revision DWM Landfill Facility Site Development Plan dated 17th May 2018 by Tasmanian Consulting Service, the

revised *Financial Assurance Calculations Report* dated January 2019 by GHD, and the Findex modelling for the *DORF Master Plan 2019 to 2023* dated 31st July 2019 by DWM, it was resolved that the Board:

- Note the *DWM 20 Year Financial Plan (20YFP)* as circulated on the 29th October 2019; and
- Adopt the Aftercare Funding Plan 2019 (20 years) as circulated on the 29th October 2019, to report against in future DWM Annual Reports and DWM Annual Plan and Budgets.

12.3 Determination of Dividend payment to Owner Councils

A Determination of Dividend payment to Owner Councils report dated 17th October 2019, as prepared by DWM's CEO, was tabled for the Board's consideration. Following discussion, it was agreed to accept the recommendation.

Decision 2/30.10.19

Based on the financial commitments associated with the *DORF Master Plan* 2019 to 2023 dated 31st July 2019 by DWM, and its effect on future cash balances, and in accordance with the *DWM Annual Plan and Budget 2019/20* dated 22nd July 2019 by DWM, the Board resolved in accordance with:

- The Authority's Rules 1st September 2016, Part 9, Clause 46(1), that a Dividend of \$600,000 be paid in October 2019; and
- The Authority's Rules 1st September 2016, Part 9, Clause 46(3), the Participating Councils are to share the distribution of the \$600,000 declared Dividend in proportion of their financial ratio.

12.4 DWM 2018/19 Annual Report for adoption

The *DWM Annual Report 2018/19* dated 22nd October 2019, as prepared by DWM's CEO and Finance & Administration Officer, was tabled for the Board's consideration. Following discussion, it was agreed to accept the recommendation with minor amendments as discussed. Staff were commended for their quality of the Annual Report.

Decision 3/30.10.19

Resolved that the Board adopt the DWM Annual Report 2018/19.

13. Matters for Decision

13.1 DWM Policies for review

a. DWM Return to Owners Policy

The following documents were tabled for the Board's consideration:

- DWM Return to Owners Policy dated 1st October 2019, as reviewed by management and DWM's Accountant, Findex; and
- The previous version DWM Return to Owners Policy dated 30th June 2015, for comparison.

After discussion, it was agreed to accept the recommendation with minor amendment as discussed.

UNCONFIRMED Minutes DWM Board Meeting held 30th October 2019 (MFID 1567679) v01.11.19 Page 4 of 7

Decision 4/30.10.19

Resolved that the Board approve the DWM Return to Owners Policy as reviewed by DWM management and Findex.

b. DWM Travel, Accommodation & Expenses Policy

The *DWM Travel, Accommodation & Expenses Policy* dated 18th October 2019, as reviewed by DWM management, was tabled for the Board's consideration. Following discussion it was agreed to accept the recommendation.

Decision 5/30.10.19

Resolved that the Board approve the DWM Travel, Accommodation & Expenses Policy as reviewed by DWM management.

c. DWM Workplace Health & Safety (WHS) Policy

The *DWM Workplace Health & Safety (WHS) Policy* dated 18th October 2019, as reviewed by DWM management, was tabled for the Board's consideration. Following discussion it was agreed to accept the recommendation. It was also agreed that management would review 'Appendix A - Injury Management Program' every 12 months.

Decision 6/30.10.19

Resolved that the Board approve the DWM Workplace Health & Safety (WHS) Policy as reviewed by DWM management.

13.2 DWM Meeting Timetable for 2020

The draft *DWM 2020 Meeting Timetable* dated 18th October 2019, as prepared by DWM's Finance & Administration Officer, was tabled for the Board's consideration and accepted.

Decision 7/30.10.19

Resolved that the Board approve the DWM Meeting Timetable for 2020.

14. Matters for Discussion

14.1 DWM Capital Works and Special Projects

The 2019/20 Capital Works Task List dated 22nd October 2019, as prepared by DWM's Project Officer, was tabled for the Board's information and noted as received.

15. Matters for Information

15.1 <u>Regional waste management governance correspondence</u>

A Rules for new entity letter dated 9th August 2019, from the Central Coast

Council to Mr Greg Preece, was tabled for the Board's information and noted as received.

15.2 Response to the Tasmanian Draft Waste Action Plan

A Submission in Response to the Tasmanian Draft Waste Action Plan letter dated 19th September 2019, from the Cradle Coast Waste Management Group to the Department of Primary Industries, Parks Waste and Environment, was tabled for the Board's information and noted as received.

16. Other Business

Nil Other Business

17. Confidentiality of Minutes for this Meeting

Decision 8/30.10.19

Resolved that the Minutes are to be provided to the Owner Representatives for inclusion as a Closed Agenda item at Council Meetings in accordance with Local Government (Meeting Procedures) Regulations 2015, Part 2, Regulation 15(2).

18. Next Board Meeting

The next DWM Board Meeting will be held at 9.30am on Wednesday 18th December 2019. The venue will be the DWM Board Room.

Meeting adjourned at 11.43am for lunch

Meeting re-commenced at 12.30pm

19. Director's Session

Discussion was held relating to the following matters:

- Forico land;
- Probity Advisory Services;
- Circulating resolutions;
- CEO remuneration and related matters; and
- Review of the Board structure and remuneration.

19.1 Dulverton Organics Recycling Facility (DORF)

Discussion was held relating to appointing a Probity Officer to oversee the redevelopment at the DORF.

Decision 9/30.10.19

Resolved that DWM appoint a Probity Advisor to provide probity advisory services for the DORF redevelopment.

UNCONFIRMED Minutes DWM Board Meeting held 30th October 2019 (MFID 1567679) v01.11.19 Page 6 of 7

19.2 Staff - Chief Executive Officer (CEO)

Discussion was held relating to appointing a Human Resources Consultant to review the CEO's remuneration package and employment contract.

Decision 10/30.10.19

Resolved that DWM appoint a Human Resources Consultant to assist in a review of the CEO's remuneration, employment contract and related matters.

20. Closure

The meeting was declared closed at 1.30pm.



UNCONFIRMED Minutes of the Audit & Risk Committee (A&RC) Meeting of the Dulverton Regional Waste Management Authority held at Dulverton Waste Management (DWM), Level 1 / 17 Fenton Way, Devonport on Wednesday 30th October 2019

Meeting declared open at 9.30am

1. **Present / Apologies**

Present	Jeff McNamara (JM)	Committee Member / Chair
	Ken Clarke (KC)	Committee Member
	Grant Atkins (GA)	Committee Member
	John Howard (JH)	Committee Member
In Attendance:	Matthew Greskie (MG) Julie Wells (JW) Melissa Pearce (MP)	Chief Executive Officer Finance & Administration Officer Project Officer
Apologies:	Nil	

Apologies:

2. Disclosures

> Committee Members made disclosures in accordance with DWM's Register of Director's Interests.

3. Acceptance of Agenda for this meeting

It was agreed that the A&RC Meeting Agenda, as circulated, be accepted.

4. **Confirmation of Minutes from previous A&RC Meeting**

The Minutes from the A&RC Meeting held on 7th August 2019, were tabled and confirmed as a true and correct record.

UNCONFIRMED Minutes DWM A&RC Meeting held 30th October 2019 (MFID 1567680) v31.10.19 Page 1 of 3

5. Business Arising

No Business Arising Items.

6. Review of DWM's Business Risk Register

6.1 Risk Register Matrix

DWM's *Risk Register Matrix* dated 26th June 2019, was tabled for the Committee's review, and noted as received. Following discussion, it was agreed no changes were required.

6.2 Business Risk Register

DWMS's *Business Risk Register* dated 16th October 2019, was tabled for the Committee's review, and noted as received. The Board was pleased to see that DWM and site staff are working well together.

7. Review of DWM's Aspects & Impacts Register

DWM's Aspects & Impacts Register dated 16th October 2019, was tabled for the Committee's review and noted as received. Following discussion, it was agreed no changes were required.

8. Insurance

None to report.

9. Legal Compliance

- 9.1 Workplace Health Safety (WHS) None to report.
- 9.2 <u>Environmental</u> None to report.

9.3 <u>Other</u>

None to report.

10. Intellectual Property

None to report.

11. Litigation

None to report.

UNCONFIRMED Minutes DWM A&RC Meeting held 30th October 2019 (MFID 1567680) v31.10.19 Page 2 of 3

12. Matters for Information

12.1 <u>Audit of the Financial Report for the year ended 30th June 2019, by the</u> Tasmanian Audit Office (TAO)

The following documents were tabled for the Committee's information and noted as received:

- a. TAO Final Management Letter dated 26th September 2019;
- TAO Independent Auditor's Report To the Representatives of the Participating Councils and Members of Parliament dated 26th September 2019; and
- c. TAO *Report to Those Charged with Governance For the year ended 30 June 2019* dated 26th September 2019, including cover letter.

DWM's Accountant, Drew Smith (DS) from Findex, joined the meeting at 9.42am via phone conference.

DS briefed the Committee on his involvement in the TAO's audit, and the response to the TAO's *Final Memorandum of Audit Findings* dated 25th October 2019. Following discussion, it was requested that a letter (on behalf of the Board Chair) be sent to the TAO acknowledging receipt of their reports. The letter is to also advise that the reports have been tabled at this A&RC Meeting, and that the Committee endorse Management's response.

DS left the meeting at 10.06am.

13. Other Business

No Other Business

14. Confidentiality of Meeting Minutes

Decision 1/30.10.19

Resolved that the Minutes are to be:

- Provided to the Owner Representatives for inclusion as a Closed Agenda item at Council Meetings in accordance with *Local Government (Meeting Procedures) Regulations 2015, Part 2, Regulation 15(2); and*
- Included as Deard Masting agained item for nating by the Deard of Dir
- Included as Board Meeting agenda item for noting by the Board of Directors.

15. Next Meeting

The next DWM A&RC Meeting will be held on Wednesday 26th February 2020 and will commence at 9.30am. The venue will be the DWM Board Roo.

16. Closure

The meeting was declared closed at 10.15am.

UNCONFIRMED Minutes DWM A&RC Meeting held 30th October 2019 (MFID 1567680) v31.10.19 Page 3 of 3

8.4 CLOSED SESSION - GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE MEETING - 18 NOVEMBER 2019

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 of the Closed Session of Governance, Finance & Community Service Committee meeting held on Monday, 18 November 2019.

STATUTORY REQUIREMENTS

This report contains matters relating to information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential. As such Clause 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015 applies and the matter should be considered by Council in a closed meeting.

ATTACHMENTS

1. CONFIDENTIAL Minutes - Governance Finance and Community Confidential Services - 18 November 2019

RECOMMENDATION

That the minutes of the Closed Session of Governance, Finance & Community Service Committee meeting held on Monday, 18 November 2019 be received and confirmed.

GFC 73/19 Status Update - Outstanding Rates Debtors - Three Years and Over

Author:Robyn WoolseyPosition:ExecutiveAssistantGerManagement	eral Position: Matthew Atkins Acting General Manager	
--	---	--

Page 6 of 7

MINUTES OF THE CLOSED SESSION OF THE GOVERNANCE FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING HELD IN THE ABERDEEN ROOM, paranaple centre, 137 ROOKE STREET, DEVONPORT, ON MONDAY 18 NOVEMBER 2019 COMMENCING AT 5:45PM

PRESENT: Cr A Rockliff (Chairperson)

Cr J Alexiou Cr G Enniss Cr L Laycock Cr S Milbourne

Councillors in Attendance:

Cr P Hollister

Apologies:

Cr A Jarman

Council Officers:

Acting General Manager, M Atkins Executive Manager Corporate Services, J Griffith Executive Manager Organisational Performance, K Peebles

8.0 CLOSED SESSION

8.1 STATUS UPDATE - OUTSTANDING RATES DEBTORS - THREE YEARS AND OVER

GFC 73/19 RESOLUTION

MOVED: Cr Milbourne SECONDED: Cr Laycock

That it be recommended to Council that the status update report be noted and the statutory process in relation to the sale of property for unpaid rates for properties at 229 Sheffield Road, Spreyton; 109 Parker Street, Devonport; 18 Arden Avenue, Devonport; and 209 Oldaker Street, Devonport, be noted as completed.

	For	Against		For	Against
Cr Rockliff	✓		Cr Laycock	✓	
Cr Alexiou	✓		Cr Milbourne	✓	
Cr Enniss	✓				

CARRIED UNANIMOUSLY

OUT OF CLOSED SESSION

RESOLUTION

MOVED: Cr Milbourne SECONDED: Cr Laycock

That Council move out of Closed Session and that all resolutions contained therein be confirmed.

	For	Against		For	Against
Cr Rockliff	\checkmark		Cr Laycock	1	
Cr Alexiou	✓		Cr Milbourne	✓	
Cr Enniss	√				

CARRIED UNANIMOUSLY

Page 7 of 7

There being no further business on the agenda the Chairperson declared the meeting closed at 5:47pm.

Confirmed

Chairperson

8.5 **PROVIDORE PLACE HEAD LEASE**

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 2.4.3 Implement initiatives to encourage private investment aligned with the outcomes of the LIVING CITY Master Plan

SUMMARY

This report is to consider Council's way forward in relation to the release of documentation relating to the Providore Place Head Lease.

BACKGROUND

Council at its meeting on 28 October 2019, in Closed session determined (Min 232/19 refers):

"That Council requests a detailed report (which is to include legal advice) to be provided to the next ordinary meeting, outlining the implications of releasing the following documents, all of which relate to the original Providore Place head lease, and were considered by the Council in closed session:

- a) The management report to Council regarding the proposed Providore Place head lease for the closed session meeting of 25 July 2016;
- b) A copy of the closed session meeting minutes of the 25 July 2016 relating to the council's decision regarding the proposed Providore Place head lease;
- c) The management report to council regarding the proposed Providore Place head lease for the closed session meeting of 24 October 2016;
- d) A copy of the OPTEON valuation report regarding the proposed Providore Place head lease;
- e) A copy of the closed session meeting minutes of 24 October 2016 relating to the Council's decision to approve the Providore Place head lease."

As a result of this resolution advice has been sought from Simmons Wolfhagen regarding the release of the documentation and the advice forms the basis of this report.

STATUTORY REQUIREMENTS

This report contains matters relating to matters relating to actual or possible litigation taken, or to be taken, by or involving the Council or an employee or the Council. As such Clause 15(2)(i) of the Local Government (Meeting Procedures) Regulations 2015 applies and the matter should be considered by Council in a closed meeting.

\$15(9) of the Local Government (Meeting Procedures) Regulations refers to the decision to release information previously dealt with in closed session and states:

"(9) Subject to the Right to Information Act 2009, any discussions, decisions, reports or documents relating to a closed meeting are to be kept confidential unless the council or council committee, after considering privacy and confidentiality issues, authorises their release to the public."

S32 of The *Right to Information Act 2009* (RTI Act) refers to information related to closed meetings of council. This section generally exempts information from release to the public if it has been dealt with in a closed meeting of a council. The majority of the documentation noted for release is currently subject to a Right to Information application by Mr Bob Vellacott. The application was denied by Council as the information is exempt under s32

of the RTI Act, however Mr Vellacott has requested an external review of the decision by the Ombudsman. Council are awaiting a determination by the Ombudsman.

DISCUSSION

At the advice of Simmons Wolfhagen, contact was made with Opteon Property Group, Mr Grant Hirst, (Providore Place Devonport Pty Ltd) and Mr Rob Woolf, (Projects and Infrastructure Holdings Pty Ltd) to seek their consent for the release of information to which they were a party.

A written reply was received from each as follows:

Property Valuation Report

Opteon Property Group declined to make the Valuation Report available for inspection (in accordance with the Third Party Disclaimer clause in the original document).

Operational Lease

Mr Rob Woolf, Director of Projects + Infrastructure Pty Ltd, declined the request to make the operational lease available for public inspection as in his opinion the lease is one document in a much larger context of material and work, all of which is considered commercial in confidence. Mr Woolf stated:

"Work undertaken by P+I included financial advisory, financial modelling, and market assessments on all Project elements including the Food Pavilion.

P+I provided commercial in confidence advice to Council in relation to the options for lease or management of the Food Pavilion.

The lease is one document in a much larger context of material and work. All of which we understand to be commercial in confidence."

Mr Grant Hirst, lessee of Providore Place, also declined the request to make the operational lease available for public inspection.

The subsequent advice from Simmons Wolfhagen is summarised below and is provided in full as Attachment 1:

Advice – Release of documents

- 1. Thank you for your instructions to provide advice in relation to the proposed notice of motion concerning the release of documents, regarding the Providore Place Pty Ltd operating lease, to the public.
- 2. Given that there are still issues in dispute between the Council and Providore Place Devonport Pty Ltd, including outstanding rental payments, we do not recommend the release of these documents at this time. This may delay the resolution of the outstanding issues, which may have a financial impact for the Council.
- 3. Further, given that none of the parties referred to in the documents have consented to the release of the information contained in them, we do not recommend that they are released. If the Council prefers to do so, we highly recommend that they are heavily redacted. This probably means that the redacted documents are of little value. Nevertheless, this will ensure that the Council is behaving in a way which is consistent with its duty to keep information which was provided in a confidential manner, from the public.

4. The Council expressly acknowledged the confidential nature of the documents at the time they were received and considered. To act inconsistently with that now potentially exposes the Council to legal proceedings to force the Council to act consistently with its duty of confidentiality. This may include an urgent injunction to prevent the release of the documents, which may be sought if the Council decides to release them. We anticipate that this will cause the Council to incur significant legal fees to respond to any such litigation.

Given the legal advice and the response received from the relevant third parties it is recommended that the documents are not made available for public inspection, however if Council determines to release the Council Reports and extracts from the minutes, Simmons Wolfhagen have provided redacted copies of these documents.

As noted, the redaction of information impacts on the context of the report and the advice is not to make the remainder of the report available for inspection.

The redacted copies of Council reports and minutes are provided as Attachment 2 to this report.

COMMUNITY ENGAGEMENT

No community engagement has taken place in relation to this report.

FINANCIAL IMPLICATIONS

Legal fees have been incurred in relation to the opinion expressed by Simmons Wolfhagen. Relevant costs will be treated as an operational expense.

RISK IMPLICATIONS

• Legal Compliance

The legal advice received from Simmons Wolfhagen states that Council should not release the documents noted in this report. The relevant third parties have also denied permission to make the documentation available for inspection. Release of the documents may potentially expose Council to future legal proceedings.

In accordance with the legal advice provided by Simmons Wolfhagen it is not recommended that Council make the documentation noted in this report available for inspection by the public.

ATTACHMENTS

1. Letter of advice to client

Confidential Confidential

2. Redacted Copies of Council Reports and Minutes

RECOMMENDATION

That Council receive and note the report and legal opinion regarding the release of confidential information relating to Providore Place and take no further action on the matter.

Author: Position:	Kym Peebles Executive Manager Performance	Organisational	Endorsed By: Position:	Matthew Atkins Acting General Manager	
----------------------	---	----------------	---------------------------	--	--



Contact: Amanda Dumaresq Our Ref: AMD:DS:193157

20 November 2019

Ms Kym Peebles Devonport City Council PO Box 604 DEVONPORT TAS 7310

Dear Ms Peebles,

Advice - Release of documents

- 1. Thank you for your instructions to provide advice in relation to the proposed notice of motion concerning the release of documents, regarding the Providore Place Pty Ltd operating lease, to the public.
- Given that there are still issues in dispute between the Council and Providore Place Devonport Pty Ltd, including outstanding rental payments, we do not recommend the release of these documents at this time. This may delay the resolution of the outstanding issues, which may have a financial impact for the Council.
- 3. Further, given that none of the parties referred to in the documents have consented to the release of the information contained in them, we do not recommend that they are released. If the Council prefers to do so, we highly recommend that they are heavily redacted. This probably means that the redacted documents are of little value. Nevertheless, this will ensure that the Council is behaving in a way which is consistent with its duty to keep information which was provided in a confidential manner, from the public.
- 4. The Council expressly acknowledged the confidential nature of the documents at the time they were received and considered. To act inconsistently with that now potentially exposes the Council to legal proceedings to force the Council to act consistently with its duty of confidentiality. This may include an urgent injunction to prevent the release of the documents, which may be sought if the Council decides to release them. We anticipate that this will cause the Council to incur significant legal fees to respond to any such litigation.
- 5. In our opinion, if the Council authorises any documents to be released to the public, it should clarify that it is only the documents specifically identified documents which are being released, not any documents referred to in those documents.

Hobart O	ffice	Launcest	on Office			Lawyers specialising in
Address	Level 4, 99 Bathurst Street Hobart TAS 7000	Address	45 Cameron Street Launceston TAS 7250	ABN	31 635 248 976	 > Business Acquisitions, Partnerships, Company & Commercial Law > Conveyancing, Property Development, Easements & Subdivisions > Family & De Facto Relationship Law
	GPO Box 146 PO Box 379	PO Box 379 Launceston Tas, 7250	Email Web	info@simwolf.com.au www.simwolf.com.au	 Wills, Estate Planning & Administration of Estates Commercial Litigation, General Litigation & Dispute Resolution Local Government, Environment & Planning Law 	
Phone DX	+61 3 6226 1200 114 Hobart	Phone	+61363382390			Employment & Workplace Relations Law Bankruptcy, Insolvency & Securities Enforcement Insurance Law, Personal Injury Law Building Construction & Fordineering Law

SIMMONS WOLFHAGEN

- Subject to the above comments, in particular our primary opinion contained in paragraph 2 that the documents should not be released at this time, our views in relation to the specific documents are, in summary:
 - (a) the property valuation report prepared by Opteon Property Group dated 24 May 2016 should not be released;
 - (b) the Operating Lease should not be released; and
 - (c) the full versions of the documents should not be released, although if the Council saw some benefit in releasing redacted versions then they could be released. Redacted versions are provided with this advice. The redaction is in strikethrough so that you can see what has been marked for removal. If the Council intends to release those documents, then they should be properly redacted.

Background

- On 10 November 2016 the Council entered into a lease with Providore Place Pty Ltd for the LIVING CITY Food Pavilion ("Operating Lease").
- The negotiations leading up to the entry into the Operating Lease were considered by Council in a series of closed meetings. The full minutes and related documents from those meetings are confidential.
- It has since been suggested that the following documents concerning the Operating Lease are made available to the public:
 - (a) management's report to Council provided in closed session of Council's meeting on 25 July 2016, including the property valuation report prepared by Opteon Property Group dated 24 May 2016;
 - (b) extract from the minutes of Council's closed session meeting on 25 July 2016;
 - (c) management's report to Council provided in closed session of Council's meeting on 24 October 2016, including the Operating Lease; and
 - (d) extract from the minutes of Council's closed session of the meeting on 24 October 2016.

(together referred to as "the documents").

10. You initially sought our advice on the validity of a proposed notice of motion regarding the release of the documents. Our preliminary opinion, as set out in our letter of 22 October 2019, was that the documents may be released to the public but only after careful consideration had been given to privacy and confidentiality issues. Following this advice, it was our recommendation that a

Our Ref: AMD:DS:193157

20 November 2019 Page 2

SIMMONS WOLFHAGEN

review of the content of the documents was undertaken to ensure that third party information and rights were protected.

- Following our letter, you requested that we undertake the recommended review of the documents and provide you with a report of our findings.
- 12. You have contacted the following regarding the release of these documents:
 - (a) Opteon Property Group and they do not consent to the release of the valuation; and
 - (b) Projects & Infrastructure Holdings Pty Ltd, which provided financial advisory, financial modelling, and market assessments on all Project elements including the Food Pavilion, and it does not consent to the release of documents or information contained in those documents, on the grounds of confidentiality and commercial sensitivity.
- Further, we are instructed that there are still issues in dispute between the Council and Providore Place Devonport Pty Ltd, including outstanding rental payments.

Advice

Document: Management's report to Council dated 25 July 2016

- 14. The purpose of this report was to outline the options for Council to consider in relation to the operating model for the LIVING CITY Food Pavilion. In summary the report recommends that Council either enter into a head lease with Projects and Infrastructure Pty Ltd (otherwise known as "Providore Place Pty Ltd") or advertise externally to identify other potential operators.
- 15. The report expressly states:

This report contains matters relating to information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct business. As such Clause 15(2)(b) of the Local Government (Meeting Procedures) Regulations 2015 applies and the matter should be considered by Council in a closed meeting.

- The report is marked "Confidential" and references other commercial documents or agreements of which the content is unknown, including:
 - (a) references to an earlier agreement with Providore Place Pty Ltd regarding the development of a business case and the securing of tenants for the building;
 - (b) reference to negotiations with potential anchor tenancies and four other heads of agreement;

Our Ref: AMD:DS:193157

20 November 2019 Page 3

SIMMONS WOLFHAGEN

- (c) information from the business case that was presumably prepared by Providore Place Pty Ltd, including estimates of operating expenses and annual revenue for the first year; and
- (d) reference to a workshop with alderman on 4 April 2016 where, it is stated, operating models were discussed.
- As noted in our advice dated 22 October 2019, Council must be mindful of any restrictions in documents which restrict or limit the release of it or information within it.
- 18. With this advice in mind and the fact that there is no consent to release the information or documents, we have redacted key financial and other information from this report.

Document: Opteon Property Group valuation dated 24 May 2016

- Further, the report includes general statements regarding the content of a property valuation undertaken by Opteon Property Group on the LIVING CITY Food Pavilion. The property valuation in its entirety is also attached to the report.
- 20. The property valuation includes a third-party disclaimer, which is referenced on two occasions, preventing it from being released without the express written authority of Opteon. The disclaimer states:

This report has been prepared for the private and confidential use of our client, Devonport City Council for market rental purposes only. It should not be reproduced in whole or part without the express written authority of Opteon (Tasmania) Pty Limited or replied upon by any other party for any purpose...

- Since Opteon does not consent to the release of this valuation, it should not be released by the Council.
- 22. As noted above, the report refers to Opteon's property valuation on several occasions and includes general statements and summaries of the findings. We have redacted the report above so that Opteon's name cannot be seen. We see no difficulty referring to the fact that a valuation report has been obtained. Otherwise, the documents must be redacted so that the report itself and the findings are not referred to.

Document: Extract from the minutes of Council's closed session meeting on 25 July 2016

23. This document contains the minutes prepared in relation to Council's closed meeting on 25 July 2016 whereby the abovementioned report was received and noted and a resolution was passed as to how the project would be progressed.

Our Ref: AMD:DS:193157

20 November 2019 Page 4

ITEM 8.5

SIMMONS WOLFHAGEN

- 24. Whilst this document on its own may not directly breach the commercial confidentiality of a third party, we note that the minutes refer to the report discussed above and the draft lease which is said to be attached.
- 25. We see no reason why these minutes cannot be released, subject to the proposed redactions and subject to our general comments above.

Document: Management's report to Council dated 24 October 2016

- The purpose of this report was to table for Council approval, the final negotiated Operating Lease with Providore Place Pty Ltd to operate the LIVING CITY Food Pavilion.
- 27. Again, this report states:

This report contains matters relating to information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct business. As such Clause 15(2)(b) of the Local Government (Meeting Procedures) Regulations 2015 applies and the matter should be considered by Council in a closed meeting.

- 28. The report is marked "Confidential" and contains the following information:
 - (a) direct extracts from the abovementioned minute from Council's closed meeting on 25 July 2016;
 - (b) a summary of the essential terms of the Operating Lease, which will be discussed below, and which is attached to the report in its entirety; and
 - (c) reference to, and general statements regarding the content of, the property valuation undertaken by Opteon.
- It also references a "previously adopted 'terms sheet' in relation to the Operative Lease", the content of which is unknown.
- Our opinion in relation to the earlier report equally applies to this report. We have redacted a version of the report which could be released.

Document: Extract from the minutes of Council's closed session meeting on 24 October 2016

- 31. This document contains the minute prepared in relation to Council's closed meeting on 24 October 2016 whereby the abovementioned report was received and noted and a resolution was passed to authorise the General Manager to execute the Operating Lease.
- 32. The Operating Lease is said to be attached to the Minute.
- We repeat our advice as for the earlier minutes. A redacted version is provided with this advice.

Our Ref: AMD:DS:193157

20 November 2019 Page 5

ATTACHMENT [1]

SIMMONS WOLFHAGEN

Document: Operating Lease

- 34. The lease itself is marked "strictly private and confidential" on the first page and this is clearly intended to apply to the whole document. The lessee has the expectation that this will be complied with, and may object if the Council released this document without its consent.
- 35. For that reason, we recommend that the lease is not released to the public.
- 36. We trust that this review and the related recommendations adequately address your concerns in relation to the release of the information to the public.
- Should you wish for us to review any of the additional documents we have identified then we would be happy to do so.

Yours faithfully Simmons Wolfhagen

ny

Karen Abey Anaging Associate ¦ Local Government, Planning & Development Law karen.abey@simwolf.com.au

Our Ref: AMD:DS:193157

20 November 2019 Page 6

8.4 LIVING CITY STAGE 1 FOOD PAVILION LEASE DOCUMENT (D442530) 201/16 RESOLUTION

MOVED: Ald Laycock SECONDED: Ald Rockliff

That Council receive and note the report regarding the LIVING CITY Food Pavilion and authorise the General Manager to execute the attached head lease with Providore Place Pty Ltd.

	For	Against		For	Against
Ald Martin	✓		Ald Matthews	1	
Ald Emmerton	✓		Ald Milne	1	
Ald Goodwin	✓		Ald Perry	1	
Ald Jarman	✓		Ald Rockliff	1	
Ald Laycock	✓				

CARRIED UNANIMOUSLY

8.3 LIVING CITY FOOD PAVILION OPERATIONS (D428507)

MOVED: Ald Jarman SECONDED: Ald Goodwin

That Council receive and note the report regarding potential operating models for the LIVING CITY food pavilion and:

- 1. Adopt the name "Provedore Place" as the official name of the LIVING CITY Stage 1 Food Pavilion;
- 2. Note the current interest in food pavilion tenancies as sufficient confidence to proceed with construction works; and
- 3. Advertise for parties interested in entering into a head lease to operate the LIVING CITY Stage 1 Food Pavilion.

	For	Against		For	Against
Ald Martin		J	Ald Laycock		J
Ald Emmerton		J	Ald Milne	1	
Ald Goodwin		1	Ald Perry		1
Ald Jarman	J		Ald Rockliff		J

LOST

142/16 RESOLUTION

MOVED: Ald Rockliff SECONDED: Ald Perry

That Council receive and note the report regarding potential operating models for the LIVING CITY food pavilion and:

- 1. Adopt the name "Provedore Place" as the official name of the LIVING CITY Stage 1 Food Pavilion;
- 2. Note the current interest in food pavilion tenancies as sufficient confidence to proceed with construction works; and
- Agree to enter into a head lease with an entity of Projects & Infrastructure Pty Ltd, to operate the LIVING CITY Stage 1 Food Pavilion generally in line with the attached terms.

	For	Against		For	Against
Ald Martin	J		Ald Laycock	J	
Ald Emmerton	1		Ald Milne		J
Ald Goodwin	1		Ald Perry	1	
Ald Jarman		J	Ald Rockliff	J	

CARRIED

ATTACHMENT [2]

PAGE 1

CONFIDENTIAL

Report to Council meeting on 24 October 2016

8.4 LIVING CITY STAGE 1 FOOD PAVILION LEASE DOCUMENT

File: 32161 D442530

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 3.5.3 Promote, encourage and develop initiatives that maximise the local economy and retain local expenditure

SUMMARY

This report tables for Council approval the final negotiated head lease with an entity of Projects & Infrastructure Pty Ltd (P+i) to operate the LIVING CITY Food Pavilion (Providore Place).

BACKGROUND

The Food Pavilion is one of three key buildings that make up LIVING CITY Stage 1 and aims to reposition Devonport as part of Tasmania's food based tourism offering.

The Food Pavilion has grown from early ideas around leveraging tourism activity in Devonport from the quality and range of regional and local produce. This approach is consistent with the resurgence of tourism interest in Tasmania, as a food and cultural destination.

The Pavilion includes five permanent anchor tenancies operating around a flexible market/event space. In addition, there is a mezzanine floor included in the base building structure to accommodate a cooking school and future food education opportunities.

Operational management of the facility will be complex with permanent tenancies only occupying approximately 60% of the floor space with the balance flexible and capable of being occupied by both stall holders and different users on a day by day basis. It is potentially a seven day a week operation, with an ever-changing market stall mix, with multiple set-up and take down movements each day. As such, it will require permanent operational staff and continuous effort around market activity, and events generation.

After considering a number of options in regard to the operational management Council considered the simplest and safest alternative was to secure a head lease and transfer the full operations and associated risk to an external party. In closed session at its meeting on 25 July 2016 Council determined (Min 142/16 refers):

That Council receive and note the report regarding potential operating models for the LIVING CITY food pavilion and:

- 1. Adopt the name "Provedore Place" as the official name of the LIVING CITY Stage 1 Food Pavilion;
- 2. Note the current interest in food pavilion tenancies as sufficient confidence to proceed with construction works; and
- Agree to enter into a head lease with an entity of Projects & Infrastructure Pty Ltd, to operate the LIVING CITY Stage 1 Food Pavilion generally in line with the attached terms.

This report presents to Council for consideration the final lease negotiated in accordance with the previously adopted terms sheet. A full copy of the lease is provided as an attachment.

CONFIDENTIAL

Report to Council meeting on 24 October 2016

STATUTORY REQUIREMENTS

This report contains matters relating to information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct business. As such Clause 15(2)(b) of the Local Government (Meeting Procedures) Regulations 2015 applies and the matter should be considered by Council in a closed meeting.

Under the Local Government Act 1993, Council can enter into a long term property lease provided it has obtained a rental valuation from a Certified Valuer.

A market valuation for the Food Pavilion was obtained from the Opteon Property Group and was presented to Council at its meeting on 25 July 2016.

DISCUSSION

A head lease has been negotiated with Projects & Infrastructure Pty Ltd (P+i), generally in line with Council's adopted terms sheet.

The lease will be between Devonport City Council and Providore Place Pty Ltd, a 50:50 joint entity of P+I Holdings Pty Ltd and No 3 Newton Street Investments Pty Ltd.

The lease is based on Council's standard template, originally developed by legal firm Levi, Stace and Cooper and has been used previously for a number of Council leased properties.

Key elements of the lease are consistent with the adopted terms and include:

- 1. 10 year term with a further two options of five years each;
- 2. Budget rent of \$400,000pa increasing annually by 2.5% payable as follows:
 - a. \$280,000 payable by monthly instalments in advance;
 - b. Balance paid on a 70/30 (Council/tenant) split from surplus after operating expenses;
- 3. After achieving payment of the budget rent, any surplus thereafter will be payable in the following proportions, an amount equal to the rates to the Tenant, then the balance split 30/70 (Council/tenant);
- 4. Year 1 rent capped at \$300,000;
- 5. All operating costs, council rates, outgoings etc. to be paid by the lessee;
- 6. Council is responsible for base building maintenance.

In negotiating the detail of the lease document it has been necessary to settle on a small number of items which were not outlined in the original term sheet. These items include:

Conditions of sale

Should Council decide to sell the Pavilion, while the lease is in effect, the tenant will be paid an amount equivalent to 30% of the uplift. The uplift being the amount by which the sale proceeds exceed the cost to Council of the development (\$6.4m). For example, should Council sell the Pavilion for \$7.4m it would be required to pay the tenant \$300,000 as incentive for developing the facility to a level worthy of this sale price.

In the event of a potential sale the tenant will also have the right to match any acquisition price.

The promise of a share of the uplift provides a means of incentivising the tenant to maximise returns however it provides no control over the timing of any sale, as this remains entirely at Council's discretion.

CONFIDENTIAL

Report to Council meeting on 24 October 2016

Incentive rent

The lease includes provision for any operating surplus above the \$400,000 budget rent to be payable in the following proportions; an amount equal to the Council rates to the tenant, then the balance Council 30%, and tenant 70%. The rates were not considered as part of the original terms sheet.

Market review

The original terms sheet noted rent escalating at 2.5% per annum for the term of the lease with a market review prior to exercising any options. The negotiated leased document provides no allowance for market review but rather continues to apply a 2.5% annual indexation to the lease options. Considering the current market review has indicated a rent in the range of \$285,000 and considerably less than the agreed amount the absence of a future market review may actually be to Council's favour.

COMMUNITY ENGAGEMENT

Council has engaged broadly with the community on the Food Pavilion concept, without presenting details regarding the operating model. Once an operating lease is finalised it is intended that a media event will be held to announce the proposed arrangements.

FINANCIAL IMPLICATIONS

The proposed lease provides Council a base rent of \$280,000 and then provided operating expenses are covered, the balance up to \$400,000 is payable on a 70/30 (Council/tenant) split. To recognise the need to build up the market and event aspects, year 1 rent is capped at \$300,000.

The potential exists for future income beyond the \$400,000 with 30% of any additional surplus (after recovery of rates) is payable to Council.

Opteon Property Group have advised that current market value for a head lease would be \$285,000.

The Opteon report references the challenges Council may face in securing a head lease with an operator willing to implement Council's vision and pay an acceptable rent, indicating the proposed lease with P+I is an attractive outcome for Council.

The LIVING CITY Stage 1 funding model is based on a \$400,000 net income per year to Council from the Food Pavilion.

RISK IMPLICATIONS

It is acknowledged that the establishment of the Food Pavilion as a key tourist attraction does present challenges regarding the unproven nature of the proposed venture and high risk involved in developing the concept, particularly in securing sufficient activity in the market and event space.

Entering into a head lease assists in minimising Council's risk in regard to the operations and financial performance of the Food Pavilion, however it remains a commercial venture and subject to normal market forces. If the business model fails and the Tennant is unable to meet their obligations Council could be left with an unviable facility and may need to explore alternate uses.

The proposed lease is generally in accordance with Council's standard lease terms which have been developed with legal advice.

Given Council currently have a development agreement with P+i entering into this lease for the Food Pavilion operations may expose Council to criticism, particularly given an

PAGE 4 CONFIDENTIAL

Report to Council meeting on 24 October 2016

open market process was not undertaken. It may also potentially conflict future decision making within their development management role where competing priorities exist.

CONCLUSION

Council determined in July 2016 to enter into a head lease with an entity of P+i to operate the proposed Food Pavilion within LIVING CITY Stage 1 based on an agreed set of terms.

A detailed leased document has now been prepared and is presented to Council for approval prior to execution.

ATTACHMENTS

1. 161013 Operational Lease execution copy - Providore Place Confidential

RECOMMENDATION

That Council receive and note the report regarding the LIVING CITY Food Pavilion and authorise the General Manager to execute the attached head lease with Providere Place Pty Ltd.

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

ATTACHMENT [2]

PAGE 1

CONFIDENTIAL

Report to Council meeting on 25 July 2016

8.3 LIVING CITY FOOD PAVILION OPERATIONS

File: 32161 D428507

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 3.5.3 Promote, encourage and develop initiatives that maximise the local economy and retain local expenditure

SUMMARY

This report outlines options in regard to the operating model for the LIVING CITY Food Pavilion and recommends that Council either enter into a head lease with Projects and Infrastructure Pty Ltd-based on their expressed interest or advertise externally to identify other potential operators.

BACKGROUND

The Food Pavilion is evolving as the centre piece of LIVING CITY Stage 1.

It is uniquely poised to activate the retail and civic precinct and most importantly reposition Devonport as part of Tasmania's food based tourism offering.

The Food Pavilion has grown from early ideas around leveraging tourism activity in Devonport from the quality and range of regional and local produce. This approach is consistent with the resurgence of tourism interest in Tasmania, as a food and cultural destination.

Council has been progressively briefed on the design which is now largely settled with anchor tenancies operating around a flexible market/event space.

In retail tenancy terms, the Food Pavilion currently comprises around 1,500m² of lettable space, comprising:

- a) Five anchor permanent tenancies 950m²; and
- b) Flexible open market space, 550m².

In addition there is a mezzanine floor included in the base building structure to accommodate a cooking school and future food education opportunities.

The Pavilion will need to be promoted and marketed as a tourist destination and events venue in its own right, in addition to the activities and efforts required to secure and maintain casual and permanent tenancies.

While around 60% of the space in the Pavilion is to be permanently let, the balance is flexible and capable of being occupied by both stall holders and different users on a day by day basis. It is potentially a seven day a week operation, with an ever-changing market stall mix, with multiple set-up and take down movements each day. As such, it will require permanent operational staff and continuous effort around market activity, and events generation.

The LIVING CITY Stage 1 funding model is based on a \$400,000 net income per year to Council from the Food Pavilion. With this revenue generating a 7.1% return on Council's nett investment (\$5.6M) in the Food Pavilion it contributes to not only servicing debt against the Pavilion but also other elements of Stage 1.

Under Council's current agreement with P+i they have responsibility among other things for developing a business case and securing tenants for the building. Council has also

CONFIDENTIAL

Report to Council meeting on 25 July 2016

decided to not commence construction until it has sufficient certainty around income generation.

A half page advertisement was placed in the Advocate in October 2015 seeking interest from potential tenants. Negotiations with potential anchor tenancies have progressed and four heads of agreement are in place.

The Food Pavilion business case estimates total year 1 operating expenses, inclusive of all outgoings, at \$396,000. Total revenue in year 1 is estimated at \$822,000 of which 63% is generated by market stalls and activities and the balance from anchor tenancies. These projections provide for Council's \$400,000 income as building owner, however this leaves only a small operating surplus of \$26,000.

With a proposed opening date in just over 12 months, Council need to determine its preferred operating model for the facility.

A workshop was held with Aldermen on 4 April 2016 to discuss the potential operational models. At this workshop Aldermen indicated an interest in negotiating a head lease for the facility and this report presents the outcome of these negotiations for consideration.

STATUTORY REQUIREMENTS

This report contains matters relating to information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct business. As such Clause 15(2)(b) of the Local Government (Meeting Procedures) Regulations 2015 applies and the matter should be considered by Council in a closed meeting.

Under the Local Government Act 1993, Council can enter into a long term property lease provided it has obtained a rental valuation from a Certified Valuer.

DISCUSSION

In determining the most suitable operating model for the Food Pavilion the following key points need to be considered:

- Whilst the Food Pavilion concept is sound, it is untested and Council are aiming to establish something which is not proven.
- Council's primary objective is to ensure the Food Pavilion becomes a successful attraction whilst achieving the revenue projections within the funding model.
- The total income in the business plan is ambitious with 63% of income to be generated from a yet untested market format, with the remainder being anchor tenancies with a gross rental average of approx. \$350/m², well above Devonport benchmarks.
- Management and marketing of the Pavilion will be critical to its success and significant expenditure will be required to make this work.
- A fully functioning Food Pavilion has the potential to provide Council with a solid return on its investment or potentially create an asset that could be sold.

Given the commercial focus of the venture, Council management of the facility raises a number of challenges and is not considered the preferred direction, given that Council does not currently have the expertise to operate such a facility. The flexible seven day a week trading requirements are difficult within local government employment awards, it is beneficial for Council to be removed from tenant and stall holder negotiations and a Council managed facility would make any future sale opportunities difficult.

CONFIDENTIAL

Report to Council meeting on 25 July 2016

Rather than Council manage and operate, the simplest and safest alternative is to secure a head lease and transfer the full operations and the risk to an external party.

The challenge with this is the unproven nature of the proposed venture and high risk involved in developing the concept, particularly in securing sufficient activity in the market and event space.

Whilst not specifically seeking a head lease operator, Council did advertise publically for potential parties to be involved in the Food Pavilion at whatever level. This process did not identify any interest in regard to taking up a lease over the full facility.

A property valuation (attached) has been undertaken by Opteon Property Group and this document does reference the challenges Council may face in securing a head lease with an operator willing to implement Council's vision and pay an acceptable rent.

As previously advised to Council, Projects and Infrastructure (P+i) have indicated they would be willing to consider a head lease over the Food Pavilion, on a risk share basis over and above a base rent.

Benefits of this proposal are:

- Given P+i have been integral to the development of the Food Pavilion concept they have strong ownership of the idea and would be well placed to ensure the vision that has been created is fulfilled;
- Eliminates involvement for Council in the ongoing day to day operations such as hiring staff and marketing;
- Certainty on a base rental regardless of success;
- Council is removed from negotiations with individual tenants and stall holders, having just one head lease with P+i;
- Long term tenure; and
- A secure long term operational lease would simplify any future sale of the building

Disadvantages include:

- If projected revenues are exceeded, Council will forgo potential profit; and
- Public perception of Council entering into a lease with P+i to operate

Proposal

A draft terms of reference has been provided to Council by P+i (copy attached).

Key points include:

- 1. 10 year term with further 2x5 year options at Council discretion;
- 2. \$400,000pa increasing annually by 2.5% payable as follows:
 - a. \$280,000 payable monthly in advance;
 - b. Balance paid on a 70/30 (Council/tenant) split from surplus after operating expenses;
- 3. Council entitled to 30% of any further surplus after operating expenses and \$400,000 rental payment;
- 4. Year 1 rent capped at \$300,000;
- 5. All operating costs, outgoings etc. to be paid by the lessee;
- 6. Council responsible for base building maintenance.

CONFIDENTIAL

Report to Council meeting on 25 July 2016

If Council determine to proceed with an agreement the draft terms of reference would be converted into a standard lease document for execution between the parties. P+i would create a new entity, "Provedore Place Management Pty Ltd" to be the lessee.

Alternatively to proceeding with the P+i option, Council could advertise for other potential operators interested in a head lease. Indications from Opeoton Property Group are that the likely rental would be below the P+i proposal, however it does protect Council from claims of potential conflicts of interest resulting from P+i's existing LIVING CITY consulting role.

Food Pavilion Name

To effectively market the Food Pavilion it requires a name that reflects the concept and identifies the facility. "Provedore Place" has been suggested as a good option and it is recommended that Council endorse the use of this name. Checks have been undertaken to ensure the name is available and have confirmed that it is not currently licenced elsewhere.

COMMUNITY ENGAGEMENT

Council has engaged broadly with the community on the Food Pavilion concept, without presenting details regarding the operating model.

FINANCIAL IMPLICATIONS

Council's LIVING CITY Stage 1 funding model is based on \$400,000 revenue from the Food Pavilion.

The P+i proposal guarantees Council a base rent of \$280,000 and then provided operating expenses are covered, the balance up to \$400,000 is payable on a 70/30 (Council/tenant) split. To recognise the need to build up the market and event aspects, year 1 rent is capped at \$300,000.

The potential exists for future income beyond the \$400,000 with 30% of any additional surplus payable to Council.

The rent payments escalate at 2.5% over the 10 year lease term and are subject to market review for any further options.

Opteon Property Group have advised that current market value for a head lease would be \$285,000.

If Council proceeded with seeking other operators through a market process, it would be reasonable to expect rent to be generally in-line with the Opteon valuation, should a suitable party be identified.

RISK IMPLICATIONS

Entering into a head lease assists in minimising Council's risk in regard to the operations and financial performance of the Food Pavilion. Standard lease terms would apply and legal advice will be obtained in drafting necessary documentation.

Given Council currently have a development agreement with P+i entering into a further agreement for the Food Pavilion operations may expose Council to criticism, particularly given an open market process was not undertaken.

Should Council proceed with a head lease with P+i it may also potentially conflict future decision making within their development management role where conflicting priorities exist.

With the alternative option of seeking market interest, Council potentially risk damaging the relationship and offer provided by P+i and may not attract any additional interest.

CONFIDENTIAL

Report to Council meeting on 25 July 2016

CONCLUSION

Council has an option to enter into a long term lease with P+i to manage and operate the Food Pavilion. The terms guarantee Council rent roughly equivalent to the estimated market rental and provides further financial return on a cost share basis once operating expenses are covered.

Council may be criticised for a lack of process and perceived conflict for entering an agreement with P+i, however in reality they maintain significant intellectual property in regard to the concepts success, the agreed financial terms far exceed the market valuation and despite significant promotion of the concept no other party has raised an interest in taking on the venture given its incubator status.

Whilst day to day management of the Pavilion by Council is not considered a desired option, an alternative to the P+i proposal would be to seek market interest from other external parties.

It is recommended that Council brand the Pavilion "Provedore Place" and once finalised hold a media launch to announce the naming, operational arrangements and where possible the likely tenants.

ATTACHMENTS

1.	Rental Valuation Report - Food Pavilion - Opteon Property Group	Confidential
2.	Food Pavilion Operating Profile - P+i	Confidential
3.	Food Pavilion Term Sheet	Confidential

RECOMMENDATION

That Council receive and note the report regarding potential operating models for the LIVING CITY food pavilion and:

- 1. Adopt the name "Provedore Place" as the official name of the LIVING CITY Stage 1 Food Pavilion;
- 2. Note the current interest in food pavilion tenancies as sufficient confidence to proceed with construction works; and

3. Option A

Agree to enter into a head lease with an entity of Projects & Infrastructure Pty Ltd, to operate the LIVING CITY Stage 1 Food Pavilion generally in line with the attached terms;

OR

Option B

Advertise for parties interested in entering into a head lease to operate the LIVING CITY Stage 1 Food Pavilion.

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

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	Confirmation of Closed Minutes - Council Meeting - 28 October 2019	Confirmed
8.2	Application for Leave of Absence	
8.3	Unconfirmed MInutes - Joint Authorities	Noted
8.4	Closed Session - Governance, Finance & Community Service Committee Meeting - 18 November 2019	Confirmed
8.5	Providore Place Head Lease	

9.0 CLOSURE

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