



The City with Spirit

NOTICE OF MEETING

Notice is hereby given that an **Ordinary Council** meeting of the Devonport City Council will be held in the Aberdeen Room, Level 2, parnaple centre, 137 Rooke Street, Devonport on Monday 22 June 2020, commencing at 5:30pm.

Note: The meeting is closed to the public, but will be live streamed. Questions Without Notice will be received by email until 12:00noon Monday, 22 June 2020.

QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports in this agenda contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

Matthew Atkins
GENERAL MANAGER

17 June 2020

JULY 2020

Meeting	Date	Commencement Time
Ordinary Council	27 July 2020	5:30pm

**Agenda for an Ordinary Council of Devonport City Council
held on Monday 22 June 2020, to be live streamed to the public at 5:30pm**

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Agenda of an ordinary meeting of the Devonport City Council to be live streamed on Monday, 22 June 2020 commencing at 5:30pm.

ATTENDEES

		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 recording of this meeting will be made available to the public on Council's website for a minimum period of six months. This Council meeting will be Live Streamed to the Devonport City Council YouTube channel, which can be accessed at <https://www.youtube.com/watch?v=RpuSdkACSO4>.

1 APOLOGIES

2 DECLARATIONS OF INTEREST

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

3.1.1 CONFIRMATION OF MINUTES - 25 MAY 2020

RECOMMENDATION

That the minutes of the Council meeting held on 25 May 2020 as previously circulated be confirmed.

3.2 PUBLIC QUESTION TIME

PUBLIC QUESTION TIME

Members of the public are invited to ask questions in accordance with Council's Public Question Time Policy (Min No 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

Author: **Matthew Atkins, General Manager**

Responses to questions raised at prior meetings are attached.

ATTACHMENTS

1. GMGOV - Letter - Response to Question Without Notice - Malcolm Gardam [**3.2.1.1** - 1 page]

RECOMMENDATION

That the responses to questions from Mr Malcolm Gardam at the 25 May 2020 Council meeting be noted.

**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

02 June 2020

Mr Malcolm Gardam
4 Beaumont Drive
DEVONPORT TAS 7310

Dear Mr Gardam

RESPONSE TO QUESTIONS RAISED MONDAY 25 MAY 2020

I refer to your three 'questions without notice' taken on notice at the Council Meeting on Monday, 25 May 2020 and your outstanding 'question on notice' (3b) and provide the following response.

Council has previously acknowledged shortcomings in the original head lease agreement with Providore Place Devonport Pty Ltd. This was identified by the Tasmanian Audit Office and Council does not dispute this matter.

Whilst a more robust lease may have assisted in pursuing rent, particularly initially, ultimately Council's decision to write off the debt was due to the tenant's lack of capacity to pay and the futility of taking further action at additional unrecoverable expense.

In regard to the 2019/20 financial year rate increase, Council increased the general rate for residential properties by approximately 1.5%, the first increase for four years. The rate for commercial and industrial properties was not increased for the fifth straight year.

Any increase in rate revenue is considered at an organisational level and in the context of Council's ten-year long term financial plan, not in response to any particular change in income or expenditure of a particular account.

Yours sincerely

Matthew Atkins
GENERAL MANAGER

*The City with Spirit*

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

Author: **Robyn Woolsey, Executive Assistant General Management**
 Endorser: **Matthew Atkins, General Manager**

CHRISTOPHER MILLS – 52 CAROLINE STREET, EAST DEVONPORT

A letter containing questions on notice from Mr Christopher Mills received 11 June 2020 is reproduced as attachment 1.

Q1 Will the General Manager now accept that his personal opinion is less than correct and that the Tasmanian Government's classification of landslip at 54 Caroline Street is more likely to be correct?

Response

The General Manager has always accepted and understood the land slip classification noted by the State Government's Department of Primary Industries, Parks, Water and Environment for the land to which you refer.

Q2 Has this New Park, costing so far \$7,580 which will not appear in the Devonport City Council Land Register as a Park or Reserve (as the land is not legally Council property) been gifted by this administration to the developer of the new subdivision known as "Merseyview Court" for the exclusive use of the residents of Merseyview Court?

Response

No, the land in question has not been gifted to the developer of Merseyview Court.

MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA

A letter containing questions on notice from Mr Malcolm Gardam received 11 June 2020 is reproduced as attachment 2.

Q1 Do all Councillors understand that when they endorse the responses proposed and authorise their release to ratepayer questions at meetings, which are then sent out under the General Manager's signature, that they have actually approved and condoned the responses?

Response

Yes, Councillors are aware of the process regarding Questions on Notice.

Q2. The latest advice from the General Manager, dated 2nd June 2020, did not however address two specific questions regarding potential Council failings:

- a) In regards to the disclosure that the write-off of rent "...was due to the tenant's lack of capacity to pay...." was there a Council failure to conduct proper due diligence as to the newly registered head lessee company's ability to pay the agreed rent prior to signing the lease agreement, despite the projected rent being \$4 million over 10 years and warnings from concerned ratepayers this could be the end result?
- b) Was there a Council failure to procure appropriate securities or guarantees from the head lessee to minimise any potential losses?

Response

Council has previously provided numerous responses regarding your questions concerning the Providore Place head lease, including acknowledgment of short comings with the original lease and has nothing further to add.

BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT

A letter containing questions on notice from Mr Bob Vellacott received 12 June 2020 is reproduced as attachment 3.

Q1 In regard to Council's initial Head Lease agreement with Providore Place Devonport Pty Ltd

Please inform –

- a) were, as is normal business practice, regular invoices rendered to Providore Place Devonport Pty Ltd for rent and rent due and rent in arrears as well as money owed for other services?
- b) when were the invoices sent to whoever was responsible for the payment thereof?
- c) what form of regular follow up action took place when payments were not forthcoming?

Q2 – In regard to non- payment of rent and other services –

- a) Who on Council (i.e. Which senior staff and councillors) were privy to the intolerable situation that had developed and continued to occur?
- b) when were those who should have known about the non payments informed?

Response

In response to questions 1 and 2, Council debt collection was managed by Council for Providore Place as it would be for any debtor and is subject to review as part of the annual financial audit process. Your inference that debt accumulated to an "intolerable situation" without adequate understanding or controls is wrong and misleading. As has been publicly explained, Council acted appropriately and within its options to resolve issues with the former head leasee of Providore Place.

- Q3**
- a) In regard to Council taking over direct management of Providore Place, please inform were, as is normal business practice, regular invoices, for rent and services, rendered to each of the current occupiers of Providore Place for the period commencing 1 January 2020?
 - b) as of this date do any of the payments remain outstanding?

Response

As previously advised, Council is utilising the services of Knight Frank to manage the tenancies in Providore Place and "normal business practices" are being used. Payments are being made within agreed terms.

Q4 Have you/Council finally received a valuation for Providore Place so that rates can be rendered, to whoever was responsible, for payment for the same period?

Response

Yes, Council has received a supplementary valuation for Providore Place.

MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA

A letter containing questions on notice from Mr Malcolm Gardam received 15 June 2020 is reproduced as attachment 4.

- Q1**
- a) When is the now General Manager (Deputy General Manager and Council appointed Living City Project Director at the time) going to publicly accept "his share of accountability" for the identified lease deficiencies and his advice to Councillors?

- b) When are those Councillors at the time who approved entering the initial head lease going to publicly take responsibility for *"their share of accountability"* in approving a flawed agreement on behalf of the community?
- c) Had all Councillors been made fully aware that no independent legal advice had been taken on behalf of Council prior to the decision being made to sign the lease?
- d) Had all Councillors been made fully aware prior to the decision being made to sign the lease that it was in fact a "cooperative shared arrangement" and not a purely commercial arrangement?

- Q2**
- a) Why was the first head lease terminated by a deed of surrender between the parties (when rent had not been paid by the tenant) but the second head lease was terminated by Council under the terms of the lease (when rent was not paid by the tenant)?
 - b) Was there anything in the initial head lease that could be construed to the effect that there was no sanction against the tenant for failing to pay rent?
 - c) Was there a failure by Council and/or Council senior staff to ensure appropriate conditions were included in the initial head lease agreement to *"remove the Council's exposure to financial risk"* as represented to the community at the time in December 2016 by the then Deputy General Manager?

Response Q1 & 2

A thorough examination of Council's lease arrangements relating to Providore Place was considered as part of the 2018/19 Tasmanian Auditor-General's review of the governance and procurement of goods and services in relation to the LIVING CITY project.

Council has publicly acknowledged the extensive 18-month report found that there were some short comings in the development of the original lease agreement with Providore Place (Devonport) Pty Ltd. Council also accepts the findings in the report that it did not fully meet good governance expectations in relation to the lease and has committed to ensuring the recommendations provided by the Auditor-General are fully implemented.

Council has nothing further to add and does not intend to continually re-visit a matter that the independent office of the Tasmanian Auditor-General has thoroughly examined, made recommendations on, and closed.

GRAEME NEVIN – 145 PERCY STREET, DEVONPORT

A letter containing questions on notice from Mr Graeme Nevin received 15 June 2020 is **reproduced as attachment 5**.

- Q1** When was the first assessment conducted concerning the capacity (assets/income/liabilities) of Providore Place Devonport Pty Ltd (PPD Pty Ltd) to pay rent for Providore Place?

- Q2** Who carried out the assessment?

Response Q1 & 2

A thorough examination of Council's lease arrangements relating to Providore Place was considered as part of the 2018/19 Tasmanian Auditor-General's review of the governance and procurement of goods and services in relation to the LIVING CITY project.

Council has publicly acknowledged the extensive 18-month report found that there were some short comings in the development of the original lease agreement with Providore Place (Devonport) Pty Ltd. Council also accepts the findings in the report that it did not fully meet good governance expectations in relation to the lease and has committed to ensuring the recommendations provided by the Auditor-General are fully implemented.

Council has nothing further to add and does not intend to continually re-visit a matter that the independent office of the Tasmanian Auditor-General has thoroughly examined, made recommendations on, and closed.

Q3 What are the current values recorded by Council for the following properties:

- i. Providore Place;
- ii. Council's remaining 57% share of the paranapple centre;
- iii. "Old Library" in Oldaker Street;
- iv. Best Street multi level car park?

Response

Current written down values in Councils asset register as of June 2020 are as follows:

Providore Place \$ \$8,626,698
 paranapple centre \$26,781,098 *
 21 Oldaker Street \$5,282,489
 CBD multi level car park \$12,761,163

*Estimate only, capitalisation yet to be finalised.

Q4 How and when were the values in 3 i,ii,iii,iv determined?

Response

As per Council's asset procedures, the three new building were capitalised at construction cost, with 21 Oldaker Street capitalised based on the Valuer Generals most recent valuation.

Q5 Did Council obtain a valuation (by the Valuer General or a qualified land valuer) for:

- a) That part of the paranapple centre sold to the State Government, before entering the agreement to sell it?

Response

No.

- b) Providore Place, before entering the second head lease with PPD Pty td, that is to say after July 2019?

Response

The most recent valuation Council had for Providore Place at the time of entering into the second head lease was obtained in 2016.

- c) The "old library building", before entering the current lease?

Response

Yes.

Q6 Has Council instigated an independent enquiry regarding the "Providore Place Head lease" with reference as to whether any action is available to Council to recover, the significant loss it has suffered, from any person/entity causing or contributing to that loss?

Q7 If the answer to question 6 is "no", why not?

Response Q6 & 7

Refer to answer to question 1.

ATTACHMENTS

1. Questions on Notice - Council Meeting - 22 June 2020 - Christopher Mills [**3.2.2.1** - 1 page]
2. Questions on Notice - Council Meeting - 22 June 2020 - Malcolm Gardam [**3.2.2.2** - 1 page]
3. Questions on Notice - Council Meeting - 22 June 2020 - Bob Vellacott [**3.2.2.3** - 2 pages]
4. Questions on Notice - 22 June 2020 Council Meeting - Malcolm Gardam [**3.2.2.4** - 2 pages]
5. Questions on Notice - 22 June 2020 Council Meeting - Graeme Nevin [**3.2.2.5** - 1 page]

RECOMMENDATION

That Council in relation to the correspondence received from Mr Christopher Mills, Mr Malcolm Gardam, Mr Bob Vellacott and Mr Graeme Nevin endorse the responses proposed and authorise their release.

Questions on Notice - Council Meeting 22 June

From Christopher Mills 52 Caroline St

Question 1

The General Manager appears to be confused about landslip classification. The General Manager has twice claimed (15 & 25 May) that : " *as previously advised we are aware the land is within a low level landslip classification.*"

However , the Tasmanian Government classification is :

"MRT noted that 54 Caroline St is largely within the Medium or Medium -Active landslide Hazard Band identified by MRT mapping"

Hon. Guy Barnett MP Minister for Resources March 2020.

In view of the above substantial evidence, will the General Manager now accept that his personal opinion is less than correct, and that the Tasmanian Government's classification of landslip at 54 Caroline St is more likely to be correct ?

The New Park at 54 Caroline St

Question 2.

This Council has recently declared:

" the existing access to the site will remain unchanged"

25 May Council Meeting.

I would point out that the existing "access" to this New Park, is an uneven grass track 50 metres long, with a very obscure entrance. Council appear to have the intention not to provide *accessible access* to the Park for the all the Community.

Has this New Park, costing so far \$7,580.. which will not appear in the DCC Land Register as a Park or Reserve (as the land is not legally Council property) ... been gifted by this Administration to the Developer of the new sub division known as " Merseyview Court " for the exclusive use of the residents of Merseyview Court ?

*Thank you for your letter - I will make you
plain about this & provide for
Council Meeting 22 June 2020
Thank*

11th June 2020

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 – GENERAL MANAGER (MAYOR & COUNCILLORS)

RE: LIVING CITY – GOVERNANCE AND OPERATIONAL QUESTIONS WITHOUT NOTICE

Dear Sir,

The following are submitted as questions on notice for the Ordinary Meeting of Council scheduled for Monday 22nd June 2020.

- Q1.** Firstly, I wish to commend Devonport councillor Leigh Murphy being the first to challenge and then, along with councillors Perry, Jarman and Alexiou, for refusing to endorse an answer drafted by the General Manager in the May meeting agenda, while other councillors felt it was quite acceptable; accordingly, do all councillors understand that when they endorse the responses proposed and authorise their release to ratepayer questions at meetings, which are then sent out under the General Manager's signature, that they have actually approved and condoned the responses?
- Q2.** While I appreciate the council-forced amended response from the General Manager's flat "No" to my May 2020 meeting question 3(b) on notice *"Is it true that council's impotence to recoup the debt directly relates to an unenforceable head lease agreement?"* in relation to Providore Place, the latest advice from the General Manager, dated 2nd June 2020, did not however address two specific questions regarding potential council failings:
- a) In regards to the disclosure that the write-off of rent *"...was due to the tenant's lack of capacity to pay...."* was there a council failure to conduct proper due diligence as to the newly registered head lessee company's ability to pay the agreed rent prior to signing the lease agreement, despite the projected rent being \$4 million over 10 years and warnings from concerned ratepayers this could be the end result?
 - b) Was there a council failure to procure appropriate securities or guarantees from the head lessee to minimise any potential losses?

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

Yours sincerely,



Malcolm Gardam

CC: Mayor & Councillors

A QsoN Prov. Place to GM Re Rent May 2020 to send

MR MATTHEW ATKINS
THE GENERAL MANAGER
DEVONPORT CITY COUNCIL
ROOKE ST DEVONPORT

ROBERT B VELLACOTT
11 COCKER PLACE
DEVONPORT 7310

12th June 2020

To The Mayor and Councillors

QUESTIONS ON NOTICE FOR THE COUNCIL MEETING 22 JUNE 2020 ATTENTION THE MAYOR AND COUNCILLORS

Subject – PROVIDORE PLACE DEVONPORT PTY LTD UNPAID RENT AND OTHER MONIES OWING

The following questions are directed to the General Manager and I respectfully request that he be asked, so as to ensure, all are kept in context, they are appropriately answered and **for future easy reference for all concerned**, that when he responds to the questions that he provides the questions and answers as per below.

It is for the above reasons, to assist, that I have in the past and will continue to provide my questions with, when necessary, a preamble in Word format as per below.

Q1

In regard to Council's **initial** Head Lease agreement with Providore Place Devonport Pty Ltd
Please inform –

a) were, as is normal business practice, regular invoices rendered to Providore Place Devonport Pty Ltd for rent and rent due and rent in arrears as well as money owed for other services?

Answer -

If yes then -

b) when were the invoices sent to whoever was responsible for the payment thereof ?

And

c) what form of regular follow up action took place when payments were not forthcoming?

Answer -

Q2 – In regard to non- payment of rent and other services –

Who -

a) -on Council (i.e. Which senior staff and councillors) were privy to the intolerable situation that had developed and continued to occur?

Answer -

And

b) -when were those who should have known about the non payments informed?

Answer -

/2

Page 2

Q3

a) In regard to Council taking over direct management of Providore Place, please inform were, as is normal business practice, regular invoices, for rent and services , rendered to each of the current occupiers of Providore Place for the period commencing 1 January 2020 ?

Answer -

And

b) as of this date do any of the payments remain outstanding ?

Answer -

Q4 - Have you / council finally received a valuation for Providore Place so that rates can be rendered, to whoever was responsible, for payment for the same period?

Answer -

I hope you can accede to my requests and I look forward to all of the above reproduced with the answers to my question in the DCC meeting Agenda for the 22nd June 2020

Yours sincerely,

Bob. Vellacott - Ratepayer

14th June 2020

Devonport City Council
137 Rooke Street
DEVONPORT TAS 7310

Malcolm Gardam
4 Beaumont Drive
MIANDETTA TAS 7310

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

RE: LIVING CITY – PROVIDORE PLACE GOVERNANCE QUESTIONS ON NOTICE

Dear Sir,

The following are submitted as questions on notice, in relation to the Providore Place Devonport Pty Ltd head lease agreements, for the Ordinary Meeting of Council scheduled for Monday 22nd June 2020.

Q1. In his lengthy statement to the 23rd September 2019 Council Meeting the former General Manager, shortly before his resignation, included the following relating to the Report of the Auditor-General No. 1 of 2019-20, dated September 2019.

“Adverse findings are outlined in the report relating to the Providore Place head lease including:

- *(Evidence obtained indicated) The head lease, primarily drafted by P+i, appeared to be missing a number of standard lease clauses;*
- *DCC did not obtain independent legal advice on the lease agreement prior to it being signed;*
- *The (close) relationship risk between DCC and P+I in entering into the head lease arrangement, although acknowledged, was not adequately managed;*
- *(A review of governance activities undertaken by DCC prior to entering into the Providore Place head lease, found) DCC had not met good governance principles relating to transparency, equity, participation and inclusion and effective and efficient decision making.”*

WRITER’S NOTE: Bracketed additions inserted to complete the A-G’s report wording.

The former General Manager then went on to state *“As General Manager at the time when the lease was entered into, I readily accept my share of accountability for the identified deficiencies.”* and accordingly, I specifically ask the following as separate questions and request separate answers:

- a) Having drafted the report to councillors in the full knowledge that independent legal advice had not been sought by council, or senior staff, prior to providing his recommendation(s) to councillors to enter the lease agreement, **when is the now General Manager** (Deputy General Manager and council appointed Living City Project Director at the time) **going to publicly accept “his share of accountability” for the identified lease deficiencies and his advice to councillors?**

- b) Despite the Mayor (Deputy Mayor at the time the initial lease was signed) accepting a qualified share of responsibility without stating specifically for what, **when are those councillors at the time who approved entering the initial head lease going to publicly take responsibility for “their share of accountability”** in approving a flawed agreement on behalf of the community?
 - c) At the time of granting approval to sign the initial head lease agreement with Providore Place Devonport Pty Ltd **had all councillors been made fully aware that no independent legal advice had been taken on behalf of council prior to the decision being made to sign the lease?** I acknowledge that a variant of this question 1(c) has previously been asked **but has never been answered.**
 - d) At the time of granting approval to sign the initial head lease agreement, with Providore Place Devonport Pty Ltd, **had all councillors been made fully aware prior to the decision being made to sign the lease that it was in fact a “cooperative shared arrangement” and not a purely commercial arrangement?** I acknowledge that a variant of this question 1(d) has previously been asked **but has never been answered.**
- Q2.** In relation to the two head lease agreements entered into by Devonport City Council with Providore Place Devonport Pty Ltd, I ask the following separate questions and request separate answers:
- a) **Why was the first head lease terminated by a deed of surrender between the parties** (when rent had not been paid by the tenant) **but the second head lease was terminated by Council under the terms of the lease** (when rent was not paid by the tenant)?
 - b) **Was there anything in the initial head lease that could be construed to the effect that there was no sanction against the tenant for failing to pay rent?**
 - c) **Was there a failure by Council and/or council senior staff to ensure appropriate conditions were included in the initial head lease agreement to “remove the council’s exposure to financial risk”** as represented to the community at the time in December 2016 by the then Deputy General Manager?

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

Yours sincerely,

Malcolm Gardam

CC: Mayor & Councillors

Mr G Nevin
145 Percy Street
Devonport 7310
14/06/2020

Devonport City Council
137 Rooke Street
Devonport Tas 7310

ATTENTION: Mr. M. Atkins – General Manager
Mayor & Councillors

RE: Questions on notice Council Meeting 22nd June 2020

The following questions on notice are submitted for the next Ordinary Meeting of Council scheduled for Monday 22nd June 2020.

1. When was the first assessment conducted concerning the capacity (assets/income/liabilities) of Providore Place Devonport Pty Ltd (PPD Pty Ltd) to pay rent for Providore Place?
2. Who carried out the assessment?
3. What are the current values recorded by Council for the following properties:
 - i. Providore Place;
 - ii. Council's remaining 57% share of the paranapple center;
 - iii. "Old Library" in Oldaker Street;
 - iv. Best Street multi level car park.
4. How and when were the values in 3 i,ii,iii,iv determined?
5. Did Council obtain a valuation [by the Valuer General or a qualified land valuer] for :
 - a. that part of the paranapple center sold to the State Government, before entering the agreement to sell it?
 - b. Providore Place, before entering the second head lease with PPD PTY Ltd, that is to say after July 2019?
 - c. the "old library building", before entering the current lease?
6. Has Council instigated an independent enquiry regarding the " Providore Place Head lease" with reference as to whether any action is available to Council to recover, the significant loss it has suffered, from any person/entity causing or contributing to that loss?
7. If the answer to question 6 is "no", why not?

Regards,
Graeme Nevin

3.2.3 QUESTIONS 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.

3.4 NOTICES OF MOTION

4 PLANNING AUTHORITY MATTERS

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

5 REPORTS

5.1 CRADLE COAST WASTE MANAGEMENT GROUP 2020/21 ANNUAL PLAN & BUDGET

Author: **Robyn Woolsey, Executive Assistant**

Endorser: **Matthew Atkins, General Manager**

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 is to advise Council of the proposed activities of the Cradle Coast Waste Management Group (CCWMG) for the 2020/21 financial year as outlined in their Annual Plan and Budget.

BACKGROUND

The CCWMG Strategic Plan 2017-2022 has four key focus areas as follows:

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

The CCWMG 2020/21 Annual Plan & Budget outlines the proposed activities for the upcoming year that will be undertaken to achieve the objectives set out in the Strategic Plan.

A copy of the Annual Plan & Budget is attached to this report.

STATUTORY REQUIREMENTS

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

DISCUSSION

The CCWMG is responsible for implementing the Cradle Coast Waste Management Group Strategic Plan 2017-2022. The CCWMG will comprise of one representative from each participating council with the membership spread evenly to include, where practicable, practitioners skilled in engineering, environmental health, waste management, corporate governance, finance and general management as well as CCA and Dulverton Waste Management representatives.

The Annual Plan & Budget is funded from a voluntary levy of \$5 per tonne of waste delivered to landfills in the North West Region. It is estimated that approximately \$353,000 (plus \$329,206 of carried forward funds) will be available to the CCWMG to implement the actions detailed in Table 1, 2 and 3, which equate to \$470,082.

This regional approach to waste management has significant benefits in areas such as economies of scale and access to specialist advice that Council would be unable to achieve if managing this function alone. In many projects the CCWMG works in collaboration with the Northern Tasmanian Waste Management Group (NTWMG) and Waste Strategy South (WSS) to increase economies of scale and to share resources.

COMMUNITY ENGAGEMENT

Community engagement by the CCWMG is undertaken on a project specific basis. Media advertising is used to promote selected initiatives along with a website (Re-think Waste Tasmania) jointly managed with the Northern regional waste entity. Further details can be found at www.rethinkwaste.com.au.

FINANCIAL IMPLICATIONS

No impact on Council's operating budget is anticipated because of this recommendation. The \$5 per tonne waste levy has been included in Council's draft 2020/21 operating budget.

RISK IMPLICATIONS

No risks to Council have been identified in relation to the recommendation of this report.

CONCLUSION

The Cradle Coast Waste Management Group 2020/21 Annual Plan & Budget has been finalised and is presented to Council for information.

ATTACHMENTS

1. CCWMG Annual Plan and Budget 2020-21 [**5.1.1** - 21 pages]

RECOMMENDATION

That it be recommended to Council that the Cradle Coast Waste Management Group 2020/21 Annual Plan & Budget be received and noted.



Annual Plan & Budget

Cradle Coast Waste Management Group

2020/21

DOCUMENT RECORD

Revision	Issued To	Issued Date	Reviewed	Approved
1	CCWMG – meeting for review	27/05/2020	MG	CCWMG

This report was prepared by:



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For:

Cradle Coast Waste Management Group

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EXECUTIVE SUMMARY

The Cradle Coast Waste Management Group (CCWMG) Strategic Plan 2017-2022 was ratified in June 2017 by the North West Councils participating in the voluntary waste levy. The Strategy includes key focus areas, Key Performance Indicators (KPIs) and annual actions targeted at working towards achieving the KPIs by 2022.

Funded by the voluntary levy of \$5.00 per tonne of waste delivered to council owned landfills in North West Tasmania, this Annual Plan and Budget includes details on how the strategic actions will be implemented in 2020/21. It is estimated that \$353,500 of levy funds (plus \$329,206 of carried forward funds) would be available to implement the actions detailed in Table 1, 2 and 3, which equate to \$470,082.

Projects have been classified as 'ongoing' (refer to Table 1), 'one-off' (refer to Table 2) or 'governance' (refer to Table 3). Ongoing projects are envisioned to continue at least into the following year, whilst one-off projects are those undertaken in the current year only. Governance relates to the additional reporting tasks carried out by the Cradle Coast Waste Services (CCWS), who provide project management expertise and project delivery for the projects detailed within this Annual Plan and Budget.

Where appropriate the CCWMG will receive a detailed "Scope of Works" outlining the proposed works to be undertaken for an activity/project, to review prior to issuing approval. This is to ensure that project outcomes will meet the Group's quality and cost expectations. In many projects the CCWMG works in collaboration with the Northern Tasmanian Waste Management Group (NTWMG) and Waste Strategy South (WSS) to increase economies of scale and to share resources.

Table 1: 2020/21 Ongoing Project Actions

Ref #	Action	Action Summary	Strategic Plan Ref #
2.1	Illegal Dumping Database	Manage and annually report on the regional illegal dumping database.	6
2.2	Illegal Dumping Funding	Conduct one round of illegal dumping funding.	7
2.3	Recycling Bin Assessments	Undertake kerbside recycling bin assessments and contamination education across the region.	16
2.4	FOGO Education & Marketing	Undertake regional FOGO education and promotion as required.	2
2.5	Rethink Waste Website	Maintain and improve the Rethink Waste Website.	49
2.6	Education & Promotion – Year 4	Implement year 4 of the Tasmanian Waste Management Communications Plan.	47
2.7	Schools Program	Visit schools to provide waste education / presentations.	48
2.8	Public Events	Host an education stall at 2 public events.	51
2.9	Sponsorship	Funding allocation for sponsorship of local community groups, individuals or events.	47
2.10	Household Battery Recycling	Fund a free household battery recycling program.	18
2.11	Fluoro Tube & Globe Recycling	Fund a free fluoro tube and globe recycling program.	14
2.12	E-waste Recycling	Fund a free e-waste recycling program.	20
2.13	Paint Recycling	Participate in the Paintback funded paint recycling program.	14
2.14	Tyre Subsidy	Provide a \$2/tyre subsidy for tyre recycling (up to 500 tyres per Council)	14

Table 2: 2020/21 One-Off Project Actions

Ref #	Action	Action Summary	Strategic Plan Ref #
3.1	Hazardous Waste Collection	Conduct a household hazardous waste collection event for the region.	19
3.2	Polystyrene Recycling	Conduct a review into polystyrene recycling methods.	14
3.4	WTS Best Practice Improvements	Assist in bringing WTS facilities up to best practice standards.	13
3.5	Public Place Recycling Bin Subsidy	Provide a subsidy to CCWMG Councils to install public place waste and recycling bins.	14
3.6	Allocation for Unknown	Funding allocation for resource recovery opportunities that arise during the year.	

Table 3: 2020/21 Governance Actions

Ref #	Action	Action Summary
4.1	Regional Waste Data Quarterly Reporting	Provide the CCWMG with a quarterly regional waste data report.
4.2	2021/22 Annual Plan & Budget	Develop the CCWMG Annual Plan and Budget for 2021/22.
4.3	2019/20 Annual Report	Develop the CCWMG Annual Report for 2019/20.
4.4	Financial Reporting	Manage the CCWMG financials and generate reporting monthly.
4.5	Waste Governance	Transition into the new Waste Governance Model.
4.6	Regional Contract Management	Management of regional contracts including kerbside recycling, cardboard, green waste and other waste collection services.
4.7	DWM Project Management	Project manage the actions detailed in Table 1, 2 and 3.

The CCWMG is responsible for the implementation of the Strategy including overseeing the development and implementation of this Annual Plan.

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GLOSSARY OF ABBREVIATIONS

BCC	Burnie City Council
CCA	Cradle Coast Authority
CEO	Chief Executive Officer
CCC	Central Coast Council
CHC	Circular Head Council
CCWMG	Cradle Coast Waste Management Group
CCWS	Cradle Coast Waste Services
DCC	Devonport City Council
DWM	Dulverton Waste Management
ERF	Emissions Reduction Fund
FOGO	Food Organics Garden Organics
KC	Kentish Council
KPI	Key Performance Indicator
LC	Latrobe Council
MRF	Materials Recycling Facility
MSW	Municipal Solid Waste
NSRF	National Stronger Regions Fund
NTWMG	Northern Tasmanian Waste Management Group
P&AM	Project & Administration Manager
RFQ	Request for Quote
SP Ref	CCWMG Strategy 2017-2022 reference number
TOR	Terms of Reference
WGPC	Waste Governance Project Coordinator
WSS	Waste Strategy South
WTS	Waste Transfer Station
WWC	Waratah Wynyard Council

1 INTRODUCTION

1.1 Cradle Coast Region

The Cradle Coast Waste Management Strategy 2017 – 2022 was ratified in June 2017 by the Cradle Coast Councils participating in the voluntary waste levy. Participating Councils include: Burnie City (BCC), Central Coast (CCC), Circular Head (CHC), Devonport City (DCC), Kentish (KC), Latrobe (LC) and Waratah-Wynyard (WWC).

The CCWMG is governed by the Interim Memorandum of Understanding (MOU) which was adopted on 1st July 2019 whilst the Terms of Reference (TOR) undergo development. It is made up of skills based working group responsible for the implementation of the Strategy, including the development of this Annual Plan and Budget. The CCWMG representatives include:

- Sandra Ayton (Chair), General Manager Representative from the CCC;
- Dana Hicks, Service Level Representative from the WWC;
- James Brewer, Engineering & Projects Representative from the CHC;
- Adam Gardner, Environmental Health Officer Representative for both the LC and KC;
- Matthew Atkins, Management Representative from the DCC;
- Rowan Sharman, Engineering Representative from the BCC; and
- Don Thwaites, non-voting Observer on behalf of the Cradle Coast Authority (CCA) Representatives Group.

CCWS, a consulting arm of the Dulverton Regional Waste Management Authority (DWM), provides project management support and waste expertise to the CCWMG and is represented by:

- Mat Greskie, CEO; and
- Mel Pearce, Project & Administration Manager (P&AM).

The CCWMG's strategic vision is to:

'Deliver a sustainable community in the Cradle Coast region of Tasmania by implementing strategies which minimise waste through increases in waste diversion and recovery.'

The Strategy details four focus areas of the CCWMG:

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

The CCWMG has also set measurable and achievable objectives within the Strategy which will allow the CCWMG and member councils to track their progress over the 5-year plan. The objectives take the form of Key Performance Indicators (KPIs), which include:

1. By 2022, divert 50% of all MSW from local government landfill facilities across the region.
2. By 2022, increase the proportion of recycling bin receiving a pass mark as part of the recycling bin assessments to 90% across the region (based on the 2015-16 assessment pass rate of 81%).
3. By 2022, reduce incidents of illegal dumping at hotspot sites by 25% across the region (upon first establishing baseline data from council reports).
4. By 2022, member councils to be collecting and reporting a standardised set (for material types, units, etc.) of data in relation to waste and resource recovery activities.

This Annual Plan and Budget details actions that incorporate the focus areas and will assist the CCWMG in meeting the KPIs.

2 ONGOING PROGRAMS

The following subsections detail programs that are planned to continue beyond the 2020/21 financial year, subject to the approval of the CCWMG as part of their Annual Plan and Budget Process.

2.1 Illegal Dumping Database (SP Ref/6)

Manage and annually report on the regional illegal dumping database.

An illegal dumping database was developed by the CCWMG on the Rethink Waste website in June 2014, to provide local land owners and managers an avenue to report illegal dumping incidents.

In 2019 the Environmental Protection Authority (EPA) released a state-wide illegal dumping database, which accepts reports from both land owners and members of the public.

DWM will work with the CCWMG to transition into utilising the EPA's illegal dumping database, once it has been proven that this database captures all required regional information. DWM will then use the EPA database to generate the annual illegal dumping report for the CCWMG.

2.2 Illegal Dumping Funding (SP Ref/7)

Conduct one round of illegal dumping funding.

The CCWMG are continuing the focus on illegal dumping, with funding available for Council projects targeted at addressing the issue.

One round of funding will be carried out, giving Councils the opportunity to apply for illegal dumping clean up assistance, signage, CCTV and any other relevant project initiatives. Priority will be given to applicants who are actively utilising the illegal dumping database to report incidents. Successful applicants will be provided with a report template to complete. The reports enable the CCWMG to assess funding effectiveness.

Where possible the CCWMG will continue to work with relevant Tasmanian Government departments, to support the development of a state wide approach to illegal dumping.

2.3 Recycling Bin Assessments (SP Ref/16)

Undertake residential recycling bin assessments and contamination education across the region.

The CCWMG are continuing to work towards (and are aiming to exceed) the KPI target of increasing pass results to 90%, by carrying out another round of recycling bin assessments and education.

Similar to previous years, DWM will work with Veolia to select a mixture of previously assessed and new areas (where possible) to conduct the bin assessments. Data will be captured regarding the types of contaminants appearing in the kerbside bins and one-on-one education will be provided to residents about their recycling habits.

Upon completion of these assessments a final report will be generated detailing the following:

- Results of the assessment;
- Comparison with previously assessed areas;

- The effects the communication campaign may have had on bin contamination; and
- Recommendations for a targeted behaviour change media campaign in 2021/22.

\$5,000 has been allocated for the implementation and management of an education/notification campaign. Further education, targeting key contamination issues identified in the 2019/20 assessment report, has been incorporated in the State-wide Education and Promotion project.

2.4 FOGO Education & Marketing (SP Ref/2)

Undertake regional FOGO education and promotion as required

The CCWMG will continue to focus on implementing a FOGO collection across the region. Funding has been made available to carry out community consultation and education as required.

2.5 Rethink Waste Website (SP Ref/49)

Maintain and improve the Rethink Waste Website

Coordinate with member councils and other regions to provide consistent updates and improvements to the Rethinkwaste.com.au website.

This may include:

- An annual update of information on Council pages;
- Addition/updating of photos and images being displayed;
- Improvements to access of information and usability; and
- Annual hosting and photo library fee.

2.6 Education & Promotion – Year 4 (SP Ref/47)

Implement year 4 of the Tasmanian Waste Management Communications Plan 2017/22.

In collaboration with the NTWMG and WSS, implement the waste education and promotion activities in accordance with Year 4 of the Tasmanian Waste Management Communications Plan 2017/22.

2.7 Schools Program (SP Ref/48)

Visit schools to provide waste education / presentations.

Work with schools to undertake waste education presentations. Should the opportunity arise, attend school events to maximise impact and coverage (e.g. Kids4Kids). The presentation will focus on correct kerbside recycling habits and encouraging the children to think about the correct bin for their waste items.

2.8 Public Events (SP Ref/51)**Host an education stall at 2 public events**

Attend at least two events to promote good waste management practices and to provide waste related community education. If required, collateral (banners, brochures, signs, handouts etc.) will be developed for display and/or distribution.

2.9 Sponsorship (SP Ref/47)**Funding allocation for sponsorship of local community groups, individuals or events.**

Sponsorship requests must be made in writing to the CCWS. Requests will be assessed against the criteria detailed within the CCWMG Sponsorship Process & Criteria Procedure and the DWM Sponsorship & Donation Policy.

2.10 Household Battery Recycling (SP Ref/18)**Fund a free household battery recycling program.**

The CCWMG will continue to fund a free household battery recycling program, with drop off points available at Council offices and WTS. Funding has been allocated to conduct an awareness campaign to support this program.

2.11 Fluoro Tube & Globe Recycling (SP Ref/14)**Fund a free fluoro tube and globe recycling program.**

The CCWMG will continue to fund a free fluoro tube and globe recycling program, with drop off points available at each WTS. Funding has been allocated to conduct an awareness campaign to support this program.

2.12 E-waste Recycling (SP Ref/20)**Fund a free E-Waste recycling program.**

The CCWMG are funding a free e-waste recycling program, with drop off points available at each WTS. Funding has been allocated to conduct an awareness campaign to support this program.

2.13 Paint Recycling (SP Ref/14)

Participate in the Paintback funded paint recycling program.

In June 2019 DWM, on behalf of the CCWMG, entered into an arrangement with Paintback for a free paint recycling service across the region, with drop off points available at each WTS.

2.14 Tyre Subsidy (SP Ref/14)

Provide a \$2/tyre subsidy for tyre recycling (up to 500 tyres per Council)

The CCWMG will provide a \$2/tire subsidy for Councils who utilise the tyre recycling service provided by Tyrecycle, located in Southern Tasmania. The subsidy is applicable for up to 500 tyres per Council.

3 ONE-OFF PROJECTS FOR 2020/21

The following subsections detail one-off projects that will be completed within the 2020/21 financial year.

3.1 Hazardous Waste Collection (SP Ref/19)

Conduct a household hazardous waste collection event for the region.

Household hazardous waste is a broad term used to describe household chemicals and other household generated waste items that are hazardous to dispose of into landfill.

The CCWMG have targeted hazardous wastes over the years, successfully implementing ongoing collection and recycling of paint, batteries, e-waste, fluoro globes and tubes. Residents also have access to the National ChemClear program which provides free disposal of agricultural and veterinary chemicals that meet certain criteria and contain a drumMASTER or ChemClear eligible logo on the container. Agricultural and veterinary chemicals that do not meet the criteria may also be disposed on under this service but could attract a fee.

Whilst the above services cover a significant portion of hazardous waste generated by households, there are still other flammable, toxic and corrosive chemicals that do not have a safe disposal avenue. This project will fund at least one household hazardous waste collection event in the region to give residents the opportunity to safely dispose of their unwanted chemicals. This event will be supported by an awareness and education campaign.

3.2 Polystyrene Recycling (SP Ref/14)

Conduct a review into polystyrene recycling methods.

Conduct a review to determine the most appropriate polystyrene recycling method and the viability of implementing this method within the region. The review is to include determining the appropriateness of including polystyrene recycling as an additional service within an existing regional contract vs a stand-alone service. The investigation will examine the viability of providing one polystyrene collection point within each municipality.

3.3 WTS Best Practice Improvements (SP Ref/13)

Assist in bringing WTS facilities up to best practice standards.

The CCWMG will conduct one round of funding for Councils to apply for assistance to improve their transfer stations in line with the Transfer Station Best Practice Guidelines. Councils will be encouraged to apply for funding which addresses issues raised in the Cradle Coast Transfer Station Audit Report, however other relevant initiatives which improve the safety, usability and/or environmental impact of the WTS will also be considered.

3.4 Public Place Bin Subsidy (SP Ref/14)

Provide a subsidy to participating Councils to install public place waste and recycling bins.

On the 13th of March 2020 the Public Place Recycling Grant Application Form was released to CCWMG Councils, with applications due by 3pm on the 31st July 2020. This funding allows Councils to apply for assistance with the implementation of public place waste and recycling bins. As Councils are at different stages of their public place recycling journey, the funding may be used to develop or evaluate new or current services and sites in addition to applications for the purchase of infrastructure.

A total of \$40,000 is available in 20/21 and \$40,000 in 21/22 which can be applied for via this application process.

3.5 Allocation for Unknown

Funding allocation for resource recovery opportunities that arise during the year.

In order to allow agile decision making when resource recovery opportunities present themselves, an allowance of \$30,000 for projects which fit the CCWMG objectives has been made.

4 GOVERNANCE ACTIONS 2020/21

In addition to the actions detailed under Section 2 and 3, CCWS will also undertake the following tasks:

4.1 Regional Waste Data Collection Reporting

Councils are responsible for ensuring that waste data is entered into the portal in a timely manner. CCWS will generate quarterly reports for the CCWMG using the available data.

4.2 2021/22 Annual Plan & Budget

CCWS will develop the 2021/22 Annual Plan & Budget for approval by the CCWMG.

4.3 2019/20 Annual Report

CCWS will develop the 2019/20 Annual Report (which will then be professionally designed) for approval by the CCWMG.

4.4 Financial Reporting

CCWS will manage the CCWMG financials and provide the CCWMG with financial reports as requested, otherwise at each meeting.

4.5 Waste Governance

Assist with the transition into the new Waste Governance Model, including the costs associated with developing an agreement. Funding will be allocated as required.

4.6 Regional Contract Management

CCWS will continue to manage the regional contracts on behalf of the CCWMG.

4.7 DWM Project Management

CCWS will continue to manage the Ongoing, One-Off and Governance actions detailed in the above summaries.

5 FINANCIALS

The closing balance of the Cradle Coast Authority managed Regional Waste Management Levy account as forecast for 30 June 2020 is outlined in Table 4.

Table 4: Forecast 2019/20 Closing Balance

Forecast 2019/20 Closing Balance Regional Waste Management Levy	
CCWMG Waste Levy Account balance as at 31/03/2020	\$430,388
Additional forecast expenditure from 01/04/2020 to 30/06/2020	(\$201,497)
Additional forecast waste levy income from 01/04/2020 to 30/06/2020	\$100,315
Forecast closing CCWMG Waste Levy Account balance at 30/06/2020	\$329,206

Table 5 displays the forecast income and expenditure for the 2020/21 financial year.

Table 5: Forecast 2020/21 Income & Expenditure Summary

Forecast 2020/21 Income & Expenditure Summary Regional Waste Management Levy	
Forecast closing CCWMG Waste Levy Account balance 30/06/2020	\$329,206
Forecast 2020/21 levy funds received (@ \$5/t)	\$353,500
Forecast Interest Income	\$500
Total Income	\$683,206
2020/21 Projects & Activities	\$470,082
Total Expenditure	\$470,082
Forecast closing CCWMG Waste Management Levy Account balance 30/06/2021	\$213,124

6 CCWMG 10 YR FINANCIAL PLAN (5 YR EXCERPT SUMMARY)

The full CCWMG 10 Year Financial Plan (10YFP) is located under Appendix 1. Table 6 provides a summary of the Assumptions, Income and Expenditure forecasts within the 10YFP over the next five years. It must be noted that this plan is subject to change as circumstances change and all projects detailed within the 10YFP are required to be considered as part of the relevant Annual Plan and Budget process.

The forecast closing balances for 2022/23 and 2023/24 (highlighted in red) are negative but near break-even. The gap can be addressed in future Annual Plan and Budgets as there are many variables that could positively or negatively impact future closing balances.

Table 6 – 5 Year Except Summary of 10YFP

Assumptions:	2020/21	2021/22	2022/23	2023/24	2024/25
Levy (\$/t):	\$5.00	\$5.50	\$6.00	\$7.00	\$7.50
Estimated Total Waste Tonnes:	94,832	95,894	96,961	98,034	98,412
Diversion Rate:	25.4%	25.5%	40.5%	40.6%	40.8%
Landfill Waste (Tonnes):	70,700	71,400	57,680	58,240	58,240

Expenditure Forecasts:	2020/21	2021/22	2022/23	2023/24	2024/25
Ongoing Projects Total:	\$246,443	\$202,804	\$276,654	\$189,553	\$241,229
One Off Projects Total:	\$125,000	\$211,848	\$84,740	\$79,457	\$74,008
Governance Total:	\$98,639	\$108,685	\$151,153	\$103,681	\$106,273
Total Expenditure:	\$470,082	\$523,338	\$512,546	\$372,691	\$421,511

Cash Flow Forecast:	2020/21	2021/22	2022/23	2023/24	2024/25
Opening Waste Levy Balance:	\$372,554	\$255,972	\$125,334	-\$41,132	-\$6,143
Waste Levy Income:	\$353,500	\$392,700	\$346,080	\$407,680	\$436,800
Total Waste Levy Funds:	\$726,054	\$648,672	\$471,414	\$366,548	\$430,657
Less Total Expenditure:	\$470,082	\$523,338	\$512,546	\$372,691	\$421,511
Waste Levy Closing Balance:	\$255,972	\$125,334	-\$41,132	-\$6,143	\$9,146

7 REPORTS/RESOURCES

Table 7 details a list of past reports and resources that may assist the CCWMG in implementing future projects.

Table 7: Reports & Resources

Report No	Report/Resource Name	Author	Date
RN 20-01	CCWMG Annual Report 2018/19	DWM	17/01/2020
RN 19-08	Review of Waste Levies in Australia	National Waste & Recycling Industry Council	1/10/2019
RN 19-07	Litter Toolkit - Managing Litter at a Local Level	Keep Australia Beautiful	31/05/2019
RN 19-06	Feasibility Study into a Statewide Waste Management Arrangement - Part B	Urban EP	31/07/2019
RN 19-05	Illegal Dumping Database Report for 2018/19	DWM	22/08/2019
RN 19-04	Recycling Bin Education & Assessments Report	DWM	1/07/2019
RN 19-03	DPIPWE: Draft Waste Action Plan 2019	DPIPWE	30/06/2019
RN 19-02	CCWMG Annual Plan & Budget 2019/20	DWM	6/06/2019
RN 19-01	Feasibility Study into a Statewide Waste Management Arrangement - Part A	Urban EP	30/04/2019
RN 18-11	CCWMG Annual Report for 2017/18	DWM	28/11/2018
RN 18-10	Cradle Coast Waste Governance Project Final Report	Greg Preece	01/10/2018
RN 18-09	Illegal Dumping Database Report for 2017/18	DWM	01/07/2018
RN 18-08	A Model Framework for a Container Refund Scheme (CRS) in Tasmania	Marsden Jacob	14/06/2018
RN 18-07	Additional Material Diversion Options	Blue Environment	14/06/2018
RN 18-06	MOU – Joint Communications Activities	CCWMG, NTWMG & WSS	8/06/2018
RN 18-05	Recycling Activity Survey – Summary Report & Inventory	DWM	30/05/2018
RN 18-04	Landfill Composition Audit Report	APC	1/06/2018
RN 18-03	Chinese Import Restrictions for Packaging in Australia	Aus Packaging Covenant Org	30/03/2018
RN 18-02	CCWMG Annual Plan & Budget 2018/19	DWM	20/03/2018
RN 18-01	2017/18 Recycling Bin Education & Assessments Report	DWM	28/02/2018
RN 17-08	Tasmanian Waste Management Communications Plan 2017-22	Etela	26/09/2017
RN 17-07	CCWMG Annual Report for 2016/17	DWM	9/10/2017
RN 17-06	Australian National Waste Report 2016	Blue Environment	20/06/2017
RN 17-05	CCWMG Annual Plan & Budget 2017/18	DWM	30/06/2017

Report No	Report/Resource Name	Author	Date
RN 17-04	Illegal Dumping End of Year Report 2016/17	DWM	30/06/2017
RN 17-03	Cradle Coast WMG Strategic Plan 2017-2022	Blue Environment	7/06/2017
RN 17-02	CCWMG WTS Audit: Results Report	MRA Consulting	1/05/2017
RN 17-01	LGAT Waste & Resource Management Strategy	MRA Consulting	10/03/2017
RN 16-07	Recycling Bin Assessments	DWM	16/08/2016
RN 16-06	Illegal Dumping End of Year Report	DWM	4/07/2016
RN 16-05	CCWMG Annual Plan & Budget 2016/17	DWM	8/07/2016
RN 16-04	CCWMG Annual Report for 2015/16	DWM	2/11/2016
RN 16-03	E-Waste Tender – Initial Assessment	DWM	29/04/2016
RN 16-02	WTS Data Collection	DWM	20/04/2016
RN 16-01	Gas Cylinder Decommissioning Investigation	MRA Consulting	23/02/2016
RN 15-09	CCWMG Annual Plan & Budget 2015/16	DWM	5/06/2015
RN 15-08	CCWMG Annual Report for 2014/15	DWM	16/11/2015
RN 15-07	Illegal Dumping End of Year Report	DWM	2/07/2015
RN 15-06	CCWMG 2014/15 Recycling Assessments Report	DWM	31/08/2015
RN 15-05	Tasmanian Waste Levy Benefit Study	MRA Consulting	21/01/2015
RN 15-04	C&D Investigation Report	DWM	4/05/2015
RN 15-03	Mattress Recycling Options Report	DWM	27/04/2015
RN 15-02	Household Hazardous Waste Report – Project Completion	DWM	6/02/2015
RN 15-01	Illegal Dumping Interim Report	DWM	19/01/2015
RN 14-17	CCWMG Annual Plan & Budget 2014/15	DWM	2/06/2014
RN 14-16	CCWMG Annual Report for 2013/14	DWM	13/10/2014
RN 14-15	Tasmanian Waste Review	Blue Environment	1/03/2014
RN 14-14	CCWMG Residential Kerbside Bin Audit	EC Sustainable	7/11/2014
RN 14-13	Household Hazardous Waste Report – Project Update	DWM	23/09/2014
RN 14-12	Coordinated Gov & Mgt of Waste Infrastructure & Services (Part 2 & 3 Report)	MRA Consulting	24/10/2014
RN 14-11	Coordinated Gov & Mgt of Waste Infrastructure & Services (Part 1)	MRA Consulting	24/10/2014

Report No	Report/Resource Name	Author	Date
RN 14-10	CCWMG 2013/14 Recycling Bin Assessment Report	DWM	1/09/2014
RN 14-09	Cradle Coast Transfer Station Audit Report	Blue Environment	1/09/2014
RN 14-08	Feasibility Study – C&D Waste Processing in the N & NW of Tasmania	Hyder Consulting	11/06/2014
RN 14-07	FOGO household collection report for CCWMG to consider & issue to member Councils	CCWMG	13/02/2014
RN 14-06	C&D Waste Management in the North & North West of Tasmania	Hyder Consulting	5/06/2014
RN 14-05	Waste Transfer Station Best Practice Guidelines	Blue Environment	30/01/2014
RN 14-04	Data Collection Procedures & Systems for Waste Transfer Stations (WTS)	Blue Environment	30/01/2014
RN 14-03	Pricing Model Tool	Blue Environment	17/02/2014
RN 14-02	Regional Strategies for Sustainable Management of Recyclables	MRA Consulting	17/02/2014
RN 14-01	Best Practice Guide for Sustainable Procurement in Councils	DWM	21/02/2014
RN 13-07	CCWMG Annual Plan & Budget 2013/14	DWM	26/07/2013
RN 13-06	Kerbside Organics Collection Trial – Final Study Survey Summary	DWM	4/07/2013
RN 13-05	Food & Garden Organics (FOGO) Household Options Assessment	MRA Consulting	9/07/2013
RN 13-04	An Assessment of the Potential Financial Impacts of a CDS on LG in Tas	Local Government Association of Tasmania (LGAT)	1/12/2013
RN 13-03	Signed MOU – Joint Communications Activities	CCWMG, NTWMG & SWSA	23/04/2013
RN 13-02	Employment Opportunities Through Reuse & Recycling Activities	MRA Consulting	11/01/2013
RN 13-01	Illegal Dumping Report	DWM	1/11/2013
RN 12-07	CCWMG Annual Plan & Budget 2012/13	DWM	25/06/2012
RN 12-06	Waste Minimisation & Reuse Study for CCWMG	APC Environmental Management	1/08/2012
RN 12-05	Communications Plan 2012-2014	Cradle Coast Authority	1/06/2012
RN 12-04	Cradle Coast Waste Management Group (CCWMG) 5 Year Strategic Plan 2012-2017	APC Environmental Management	1/06/2012
RN 12-03	Biomass Audit – Cradle Coast Region	DWM	1/06/2012
RN 12-02	Commercial Recycling Collections Report	DWM	21/06/2012
RN 12-01	Recycling Risk – Cradle Coast Region Report	MRA Consulting	8/08/2012
RN 11-06	CCWMG Annual Plan & Budget 2011/12	DWM	7/07/2011
RN 11-05	Silage Wrap Report	Veolia Environmental Services	1/10/2011

Report No	Report/Resource Name	Author	Date
RN 11-04	Kerbside Organics Collection Service Pilot Trial Bus Case	Hyder Consulting	19/01/2011
RN 11-03	Introduction of Kerbside Organics Collection Service Bus Case	Hyder Consulting	19/01/2011
RN 11-02	Northern Tasmania Landfill Audit Report	APC Environmental Management	1/10/2011
RN 11-01	CCA Illegal Dumping Strategy	Landscape & Social Research Pty Ltd	1/11/2011
RN 10-05	CCWMG Annual Plan & Budget 2010/11	DWM	01/07/2010
RN 10-04	Nthn Kerbside General Waste Audit Report	DWM	1/02/2010
RN 10-03	NW Kerbside General Waste Audit Report	DWM	1/02/2010
RN 10-02	Kerbside Recycling Contamination in Australia	MRA Consulting	25/05/2010
RN 10-01	Landfill Levy – Options & Strategy	MRA Consulting	1/09/2010
RN 09-02	CCWMG Annual Plan & Budget 2009/10	DWM	23/07/2009
RN 09-01	Feasibility Study of a Container Deposit System for Tasmania	Hyder Consulting	28/05/2009
RN 08-01	Plastic Shopping Bags	Justin Jones	1/01/2008
RN 07-01	Independent Assessment of Public Place Recycling	Hyder Consulting	25/07/2007
RN 04-01	Regional Waste Management Audit	GHD	1/06/2004

5.2 CEMETERY STRATEGY 2011-2030 - YEAR NINE STATUS

Author: **Michael Williams, Infrastructure & Works Manager**

Endorser: **Matt Skirving, Executive Manager City Growth**

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.3.1 Develop and implement initiatives to preserve and maintain heritage buildings, items and places of interest

SUMMARY

To report to Council on the progress of the actions outlined in the Devonport City Council Cemetery Strategy 2011-2030.

BACKGROUND

The Cemetery Strategy 2011-2030 provides an overall approach to the management of cemeteries and defines a strategic direction for the cemeteries which will serve the sustainability, social, environmental and cultural/historical needs of the City into the future. The strategy defines Council's role as a provider, operator, and cemetery manager, from initial planning through to the day-to-day operations of cemeteries within Devonport.

Council's Cemetery Strategy was developed during 2011 by a working group consisting of Councillors and staff. The draft Strategy was released for public comment prior to formal adoption by Council in November 2011. A copy of the strategy can be found on Council's website at <http://www.devonport.tas.gov.au/Council/Publications-Plans-Reports/Council-Plans-Strategies>.

STATUTORY REQUIREMENTS

The *Burial and Cremation Act 2019* prescribes Council's obligations as a manager of cemeteries. The implementation of the Cemetery Strategy 2011-2030 contributes to ensuring Council is meeting its obligations under this Act.

Section 20(2) of the *Local Government Act 1993* outlines Council requirements in relation to reporting to the community.

20. *Functions and powers*

(2) *In performing its functions, a council is to consult, involve and be accountable to the community.*

Providing information on the progress of Council strategies is one way to demonstrate accountability.

DISCUSSION

Achievements and progress for the first nine years of the Strategy are outlined in attachment 1 of this report. Seven of the twenty-two actions have been completed to date, nine are ongoing, four are in progress and two are yet to commence.

Achievements in the last year include:

Action 1.4: Completion of the Children's Memorial Pavilion and the second stage of the Modern Burial System (MBS) at Mersey Vale Memorial park. The Children's Memorial Pavilion offers a new service, while MBS ensures the ongoing availability of burial plots in the lawn cemetery.



Children's Memorial Pavilion – May 2020



Modern Burial System (stage 2) under construction – March 2020

Action 1.5: Minor administrative changes were made to meet the requirements of the *Burial and Cremation Act 2019*, which was introduced in December 2019.

Action 3.3: A master plan for the Devonport General Cemetery has been developed and was made available for public consultation before adoption. Public interest in this cemetery was higher than anticipated.

Action 5.1: Council's website was updated in 2019, at which time the information on Devonport cemeteries was reviewed and updated.

COMMUNITY ENGAGEMENT

Community engagement was undertaken to assist with the development of the Strategy and is required for many of the identified actions.

FINANCIAL IMPLICATIONS

The funding source for each action is outlined in the attachment of this report.

RISK IMPLICATIONS

- Assets, Property, and Infrastructure
The Strategy aims to consider options for the future provision of cemetery services and infrastructure needs.

CONCLUSION

Substantial progress has been made to implement the actions listed in the Devonport City Council Cemetery Strategy, since its adoption in November 2011.

ATTACHMENTS

1. Cemetery Strategy 2011-2030 - Year Nine Status - Action Plan [**5.2.1** - 3 pages]

RECOMMENDATION

That Council receive the report of the Infrastructure and Works Manager and note the status of actions listed in the Devonport City Council Cemetery Strategy.

Action Plan

Cemetery Strategy 2011-2030 – Year Nine Status Update (2020)

No	Action:	Year Planned						Priority: H, M, L	Status	Outputs	Responsible Department
		2011- 2014	2015- 2018	2019- 2022	2022- 2025	2026- 2029	2030+				
	Objective 1: Sustainable long-term demand is identified and planned for in Council's long term 5-year Capital program and asset management plans										
1.1	Investigate and identify available land to meet future demand/supply							H	Complete	Modern Burial System adopted for Mersey Vale Memorial Cemetery Site and Memorial Garden being constructed on Mersey Vale Memorial Cemetery site.	Council
1.2	Explore potential partnerships with neighbouring councils and industry							M	Complete	Neighbouring Council have been approached regarding potential partnerships; however, these discussions have not resulted in any interest from the neighbouring Councils.	Internal Working Group
1.3	Measure future suitable sites including environmental impact (geotechnical)							H	Complete	Geotechnical and environmental assessments have been completed for the expansion of the Modern Burial System across the remainder of MVMP.	Internal Working Group
1.4	Allocate funds towards future development options							H	Ongoing	The forward capital works program includes allocations to keep ahead of demand for all interment and memorial options offered.	Council
1.5	Meet industry standards through policy and procedures							H	Ongoing	Operations Manual has been developed and adopted to complement the existing Service Level Document. A procedure for Council's role in exhumations has been in place since 2017. All documents are subject to scheduled review. A review of delegations and processes has occurred following the commencement of the <i>Burial and Cremation Act 2019</i>	Internal Working Group
	Objective 2: The Mersey Vale Memorial Park is used to maximise efficiency and effectiveness										
2.1	Mersey Vale Master Plan is adopted by Council, implemented and resources allocated annually							H	Complete	Mersey Vale Memorial Park Master Plan has been adopted by Council and CAPEX funding allocated each year for the implementation of the plan.	Council

No	Action:		Year Planned					Priority: H, M, L	Status	Outputs	Responsible Department
			2011- 2014	2015- 2018	2019- 2022	2022- 2025	2026- 2029				
		Objective 3: Historical management and access to old cemeteries and information is improved for locals, tourists and interstate visitors									
3.1	Develop conservation plans and via significance assessments inform interpretive signage for Devonport Historical cemeteries							M	Underway	Signage has been installed at the Mersey Bluff Cemetery. Information has been added to Council's website.	Infrastructure & Work
3.2	Prioritise conservation plans and source external funding							M	Underway	A Conservation report has been received for Mersey Bluff Cemetery.	Infrastructure & Work
3.3	Develop Master plans for each site							M	Underway	The Mersey Vale Memorial Park Master Plan has been developed and adopted by Council. A Master Plan for the Devonport General Cemetery has been released for public consultation	Infrastructure & Work
3.4	Seek advice from specialist conservators for headstones which require emergency stabilisation or conservation							L	Ongoing	Conservation report has been completed for the Mersey Bluff Cemetery. Conservation of the headstones at the Mersey Bluff Cemetery has been completed by the Devonport North Rotary Club. Advice regarding the headstones at Pioneer Park has been received but the Headstones are not currently located on Council land and no further action has been taken with the advice at this stage.	Infrastructure & Work
3.5	Develop interpretive signage to promote and direct visitors to sites of local significance							L	Underway	Signage has been installed at the Mersey Bluff Cemetery.	Internal Working Group
3.6	Relocate the Mersey Bluff headstones on site, fence and install interpretive signage							M	Complete	Partnership with Devonport North Rotary Club works included raising plaques and installation of a 'rabbit proof' fence.	Infrastructure & Work
3.7	Develop maintenance service levels for all Devonport Historical cemeteries							H	Complete	Service levels have been developed for all Devonport Historical cemeteries and are reviewed annually.	Infrastructure & Work
3.8	Implement service levels							H	Ongoing	Resources are allocated to deliver service levels	Infrastructure & Work

No	Action:	Year Planned						Priority: H, M, L	Status	Outputs	Responsible Department
		2011- 2014	2015- 2018	2019- 2022	2022- 2025	2026- 2029	2030+				
3.9	Fulfil requirements to maintain and preserve historic graves, including updated documentation of standards and procedures							H	Ongoing	Information has been added to service levels for maintaining and preserving historic graves.	Infrastructure & Work
3.10	Maintain Prime Minister Joseph Lyons Grave is in accordance with guidelines developed by the Tasmanian Heritage Council							H	Ongoing	Ongoing – Prime Minister Joseph Lyons' grave is being maintained in accordance with the guidelines developed by the Tasmanian Heritage Council.	Infrastructure & Work
Objective 4: A high service of customer service is delivered											
4.1	Deliver services in line with Council Customer Services Charter							H	Ongoing	Ongoing – additional resources allocated to staffing of MVMP office from 2018	Whole of Council
Objective 5: Up to date and relevant information regarding cemeteries is readily available and accessible in a range of sources and formats											
5.1	Maintain Council website with information regarding Devonport Cemeteries							M	Ongoing	Cemetery information reviewed and updated as part of Council	Internal Working Group
5.2	Develop promotional material to promote all cemeteries in Devonport							M	Ongoing	Promotional information has been developed and distributed to local funeral directors. Information is updated as services and options change.	
5.3	Investigate funding for developing a Heritage trail which includes Devonport Historical Cemeteries							L	Yet to commence		
5.4	Make available published resources about Devonport Cemeteries developed by the Historical Society							M	Complete	Council have purchased several resources developed by the Historical Society and they are available for the public.	
5.5	Identify other local people of significance and promote graves								Yet to commence		

5.3 RETAINING WALL MAINTENANCE POLICY

Author: **Kylie Lunson, Development Services Manager**
Endorser: **Jeffrey Griffith, Deputy General Manager**

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 2.1.2 Provide consistent and responsive development assessment and compliance processes

SUMMARY

This report is provided to assist Council with adoption of a Retaining Wall Maintenance Policy.

BACKGROUND

The responsibility for maintenance of retaining walls can be confusing for members of the public. The cost of maintenance in some cases can be significant and the expectation often is that it is Council's responsibility to carry out the maintenance. The most frequent example is retaining walls near road reserves, it is common for adjacent property owners to assume that Council is responsible.

Council's 2019/20 Annual Plan included an action to adopt a Retaining Wall Policy to clarify ownership and maintenance responsibilities for retaining walls located on or adjacent to Council maintained property and reduce the confusion that can be experienced by property owners.

STATUTORY REQUIREMENTS

Part 14 of the *Building Act 2016* (the Act) details the requirements for owners to maintain buildings/structures in accordance with the Act. The Retaining Wall Maintenance Policy details the circumstances when Council is the owner of the retaining wall.

DISCUSSION

The purpose of Council having an adopted Retaining Wall Maintenance Policy is to clearly define the ownership and maintenance responsibilities for retaining walls located on or adjacent to Council maintained property and reduce the confusion that can be experienced by property owners.

Although the requirements associated with retaining wall ownership and maintenance has been in practice at Council for many years it is considered good governance to have an adopted policy.

COMMUNITY ENGAGEMENT

Given the policy is reflective of current practice, no community consultation has been undertaken as part of this report. The policy will be made available to the public on Council's website.

FINANCIAL IMPLICATIONS

There are no financial implications because of this report.

RISK IMPLICATIONS

- Assets, Property, and Infrastructure
Failure to renew and maintain assets that Council is responsible for will have widespread negative outcomes including public safety.

CONCLUSION


It is recommended that Council adopt the attached Retaining Wall Maintenance Policy which reflects Council's current approach regarding retaining wall maintenance issues.

ATTACHMENTS

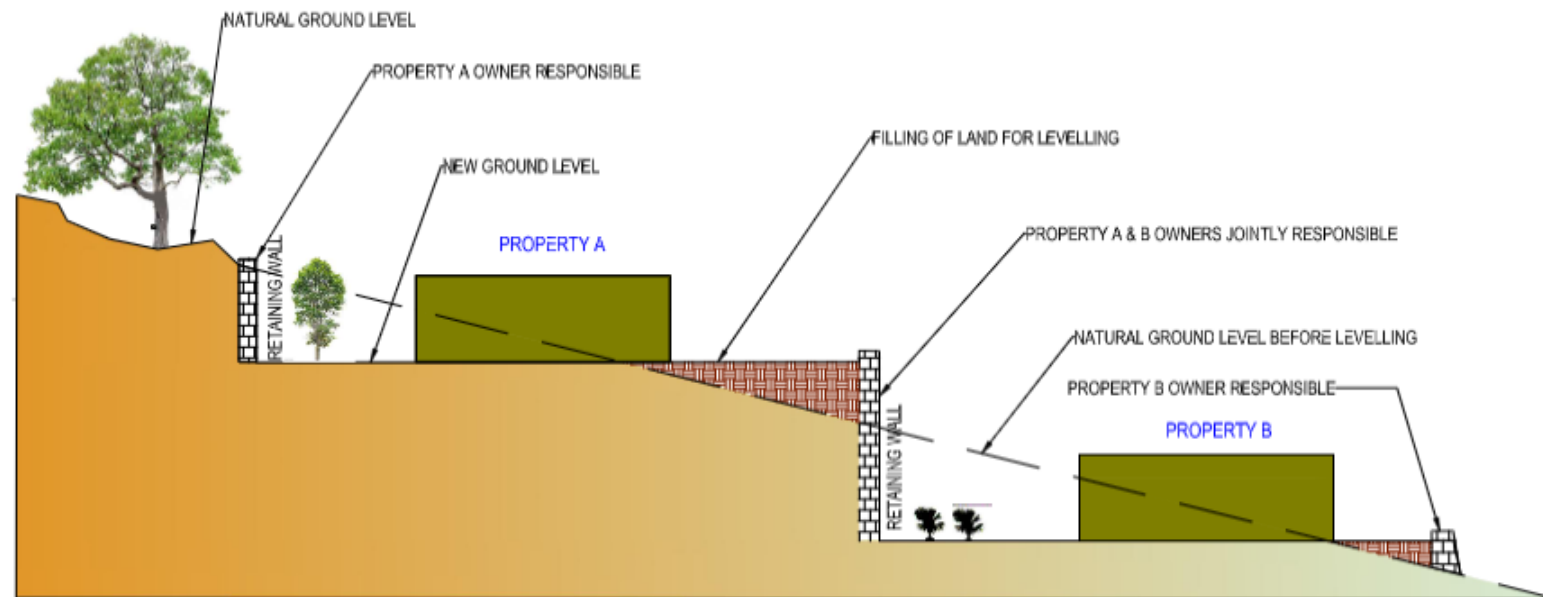
1. Draft Retaining Wall Policy [**5.3.1** - 3 pages]

RECOMMENDATION

That Council receive and note the report from the Development Services Manager and adopt the Retaining Wall Maintenance Policy with immediate effect.

	<h2 style="text-align: center;">RETAINING WALL MAINTENANCE POLICY</h2>			
POLICY TYPE	DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	POLICY ADOPTED	REVIEW DUE
Council	Development Services Manager	Development Services Manager	-	-
PURPOSE	The purpose of this policy is to clearly define the ownership and maintenance responsibilities for retaining walls located on or adjacent to Council maintained property and reduce the confusion that can be experienced by property owners.			
SCOPE	This policy applies to retaining walls located on or adjacent to Council maintained property.			
DEFINITIONS	<p>For the purposes of this Policy, the following definitions apply:</p> <p>Retaining wall – is a structure built to retain a difference in ground level. While a retaining wall can serve as a footing for a fence, the wall is not considered to be a fence.</p>			
POLICY	<p>To determine the maintenance responsibilities for a retaining wall, firstly the natural state of the land must be determined. It is only when the natural land is altered that support is required.</p> <p>The responsibility for the retaining wall remains with the property owner that benefits from the change in ground level. This could be fill placed on top of the natural ground level or excavation below the natural ground level.</p> <ol style="list-style-type: none"> 1. Retaining Walls that will be maintained by Council <ol style="list-style-type: none"> 1.1. Council will be fully responsible for maintenance and replacement of retaining walls that have been built to support altered natural ground level as a result of a Council structure. A Council structure can include a road, building, or public open space. 2. Retaining Walls that will not be maintained by Council <ol style="list-style-type: none"> 2.1. Council will not be responsible for maintenance and replacement of retaining walls that have been built to support altered natural ground level as a result of a structure that is not owned by Council. 3. Replacement/Maintenance Work for Retaining Walls <ol style="list-style-type: none"> 3.1. Work priorities will consider the condition of the structure, size of the structure, risk, level of service and such issues. 4. Materials for Maintenance and Construction <ol style="list-style-type: none"> 4.1. Any maintenance of existing retaining walls will normally use similar materials as used in the initial construction of the wall. 4.2. If the retaining wall is located on or near a property boundary, Council will discuss the maintenance of the retaining wall with the adjacent property owner. The property owner will be able to request a different material for the construction of the wall and, if approval is obtained from council, the property owner will be responsible for the difference in price between the council preferred material and the owner's selected material. 			

	5. Residents Replacing Retaining Walls 5.1. If a retaining wall is not replaced by Council, due to it still being in satisfactory condition, a resident may choose to replace the retaining wall at their own cost, subject to Council approval. The resident is responsible for obtaining and complying with all relevant approvals associated with the works.	
LEGISLATION AND RELATED DOCUMENTS	<i>Local Government Act 1993</i> <i>Local government (Highways) Act 1982</i> <i>Roads and Jetties Act 1935</i> <i>Highways act 1951</i> <i>Building Act 2016</i>	
ATTACHMENT S (IF APPLICABLE)	Diagram – examples of Council retaining wall ownership	
STRATEGIC REFERENCE	Strategy 2.1.2 – Provide consistent and responsive development assessment and compliance processes.	
MINUTE REFERENCE	-	
OFFICE USE ONLY	Update Register	Training/Communication
	Advise Document Controller	Advise HR / MCO
	Management Sign Off:	
	Date:	



EXAMPLES OF RETAINING WALL OWNERSHIP
(WHEN COUNCIL OWN EITHER PROPERTY A OR PROPERTY B)

5.4 TENDER REPORT CONTRACT CT0277-01 SUPPLY, DELIVERY & PLACEMENT OF HOTMIX ASPHALT

Author: **Shannon Eade, Project Management Officer**
Endorser: **Matt Skirving, Executive Manager City Growth**

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 CT0277-01 for the supply, delivery and placement of hotmix asphalt sealing to Hardings Hotmix Pty Ltd.

BACKGROUND

This contract relates to the hotmix asphalt component within the "Reseal Program 2020-2021" listed in the draft capital works program, and the reseal preparation work which has an allocation in the draft operational budget. These budget allocations are required to deliver both Contracts CT0277-01 and CT0277-02. Contributions may also be required to be made to the State Government reseal program where Council assets are resealed on State roads.

Sites were selected by considering the condition of the seal asset and the underlying pavement asset, the rate of deterioration, the recent maintenance history, general traffic volume and heavy vehicle traffic volume.

Tenderers were requested to submit prices for the following prioritised list of roads requiring resealing:

- Forbes Street: Harold Street to Franklin Street
- Torquay Road and John Street Intersection
- North Street Cul-de-sac
- Elm Avenue: Valley Road to Willow Avenue
- Watkinson Street and Madden Street Intersection

The reseal preparation work includes footpath repair and small kerb repairs, for which an allowance has been made in the draft 2020-21 operational budget. Council included the reseal preparation work in the previous reseal contracts. One contractor has control over the delivery of both components of the work and can schedule the work to ensure the best quality and least disruption.

Tenderers were also asked to provide rates for supply only of asphalt materials, supply and placement of asphalt materials, and milling and road edge treatments associated with hotmix sealing work that can be accessed on other Council projects throughout the year.

STATUTORY REQUIREMENTS

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

DISCUSSION

A Tender Planning and Evaluation Committee was formed to evaluate all tenders received. The Tender Planning and Evaluation Committee minutes are available for viewing by Councillors upon request.

Tenders were received from five companies. All tenders are summarised in table 1 below:

	Hardings Hotmix P/L		Roadways P/L		Crossroads P/L		Downer Edi P/L		Fulton Hogan P/L	
	Reseal	Prep	Reseal	Prep	Reseal	Prep	Reseal	Prep	Reseal	Prep
	\$245,740	\$15,380	\$286,177	\$7,744	\$311,794	\$2,738	\$294,251	\$54,218	\$341,558	\$8,151
Price	\$261,120		\$293,921		\$314,531		\$348,469		\$349,708	

As highlighted in table 1, Hardings Hotmix (\$261,120) is the lowest priced tender. The Tender Planning and Evaluation Committee has considered each of the selection criteria and Hardings Hotmix has ranked highest overall and therefore offers Council the best value for money.

COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in the Advocate Newspaper on 2 May 2020 and tenders were also advertised on Council's web site.

FINANCIAL IMPLICATIONS

The available capital and operational budget allocations for reseal preparation and reseals is required to deliver contracts CT0277-01 and CT0277-02. The budget allocations are shown in table 2 below.

TABLE 2

No.	Description	Budget (ex GST)
1	Reseal work (capital budget)	\$700,000
2	Reseal preparation (operational budget)	\$223,000

The forecast capital expenditure is shown in table 3 below.

TABLE 3

No.	Description	Forecast (ex GST)
1	Contract CT0277-01	\$245,740
2	Project management costs (estimated)	\$ 9,000
3	Construction contingency (10%)	\$ 24,574
	TOTAL	\$279,314

The forecast capital expenditure of \$279,314 leaves \$420,686 available for the delivery of the capital expenditure component of Contract CT0277-02 sprayed bituminous surfacing and other projects on a priority basis.

Additional reseal sites may be added to the scope of work based on the accepted schedule of rates up to the capital budget allocation.

The forecast operational expenditure is shown in table 4 below.

TABLE 4

No.	Description	Forecast (ex GST)
1	Contract CT0277-01	\$15,380
2	Construction contingency (30%)	\$ 4,614
	TOTAL	\$19,994

The forecast operational expenditure of \$19,994 leaves \$203,006 available for the delivery of the operational expenditure component of Contract CT0277-02 sprayed bituminous surfacing and other projects on a priority basis.

RISK IMPLICATIONS

To minimise risk the tender administration processes related to this contract comply with Council's Code for Tenders and Contracts which were developed in accordance with Section 333A of the *Local Government Act 1993*.

The tender specification makes provision for rise and fall adjustments in the contract rates. This inclusion to the contract lessens the risk to both Council and the Contractor during periods of oil and bitumen price volatility.

A contingency of 10% has been included on the capital expenditure component as the risk of unforeseen variations is low.

A contingency of 30% has been included on the operational expenditure component as the risk of unforeseen variations is moderate. On previous reseal preparation work packages there has been scope increases as assets approaching the end of life can deteriorate quickly.

CONCLUSION

Taking into account the selection criteria assessment and the tendered rates, the Tender Planning and Evaluation Committee has determined that Hardings Hotmix has achieved the highest total score and is therefore most likely to offer "best value" in relation to Contract CT0277-01.

The forecast cost of the capital and operational components of the work leave some of the original budgets available for the delivery of Contract CT0277-02 and other projects on a priority basis.

ATTACHMENTS

Nil

RECOMMENDATION

That Council:

- note that the capital and operational allocations in the draft budgets are required to undertake work under Contract CT0277-01 as well as other contracts and orders.
- award Contract CT0277-01 – Supply, Delivery and Placement of Hotmix Asphalt Sealing Service to Hardings Hotmix, noting that additional projects may be added to the scope of work up to the total budget allocations on a priority basis; and
- note that design and project management costs for the contract will be incurred.

5.5 TENDER REPORT CONTRACT CT0277-02 SUPPLY, DELIVERY & PLACEMENT OF SPRAYED BITUMINOUS SURFACING

Author: **Shannon Eade, Project Management Officer**
Endorser: **Matt Skirving, Executive Manager City Growth**

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 CT0277-02 for the supply, delivery and placement of sprayed bituminous surfacing to Hardings Hotmix Pty Ltd.

BACKGROUND

This contract relates to the spray seal component within the "Reseal Program 2020-2021" listed in the draft 2020/21 capital works program and the reseal preparation work which has an allocation in the draft operational budget. These budget allocations are required to deliver both Contracts CT0277-01 and CT0277-02. Contributions may also be required to be made to the State Government reseal program where Council assets are resealed on State roads.

Sites were selected by considering the condition of the seal asset and the underlying pavement asset, the rate of deterioration, the recent maintenance history, general traffic volume and heavy vehicle traffic volume.

Tenderers were asked to submit prices for the following prioritised list of roads requiring resealing:

- Torquay Road: No 218 (west boundary) to Municipal Boundary (east of John Street)
- Wenvoe Street: Ashburner Street to Southern End
- Don Road: Stony Rise Road to Hillcrest Road
- Highfield Road: Bayview Avenue to Western End
- Bayview Avenue: River Road to Highfield Road
- Watkinson Street: Upper George Street to Madden Street
- Victoria Parade Carpark (sixty and over)
- Oldaker Street: Watkinson Street to Surrey Street
- Surrey Street: Oldaker Street to Best Street
- Payton Place
- Finlaysons Way: Elizabeth Street to the End
- Elizabeth Street: Finlaysons Way to Formby Road
- Pelion Place
- North Fenton Street: Lower Madden to Parker Street
- Bruford Place
- Cross Street: Thomas Street to Murray Street
- Ashburner Street: Forbes Street to Hiller Street
- Gardenia Grove
- Croft Avenue: Maple Avenue to William Street
- Thomas Street: David Street to Tarleton Street
- Brooke Street: Church Street to Wright Street
- Ronald Street: North Street to James Street

- Burrows Court
- Loones Lane
- Lillico Road: No130 to highway
- Mersey Vale Memorial Park (internal roads)

The reseal preparation work includes footpath repair, pavement repairs and small kerb repairs. Council included the reseal preparation work in the previous reseal contracts. One contractor has control over the delivery of both components of the work and can schedule the work to ensure the best quality and least disruption.

In addition to the identified list of Council roads, an allowance is required to contribute to the preparation and reseal of Council's seal assets on Mersey Main Road, where the responsibility is divided between both the State Government and Council. The Department of State Growth has engaged a contractor for their component, so it is logical for Council to engage the same contractor for its component, providing the best opportunity for a high quality outcome and acceptable cost. Similar arrangements have been successful in recent years.

STATUTORY REQUIREMENTS

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

DISCUSSION

The Tender Planning and Evaluation Committee minutes are available for viewing by Councillors upon request.

Tenders were received from five companies. All tenders received were conforming.

TABLE 1

	Hardings Hotmix P/L		Roadways P/L		Crossroads P/L		Downer Edi P/L		Fulton Hogan P/L	
	Reseal	Prep	Reseal	Prep	Reseal	Prep	Reseal	Prep	Reseal	Prep
	\$329,036	\$132,140	\$343,832	\$135,347	\$425,807	\$142,181	\$442,960	\$176,446	\$437,912	\$199,044
Price	\$461,176		\$479,179		\$567,988		\$619,406		\$636,956	

As highlighted in table 1, Hardings Hotmix (\$461,176) is the lowest priced tender. The Tender Planning and Evaluation Committee have considered each of the selection criteria and Hardings Hotmix has ranked highest overall and therefore offer Council best value for money.

COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in the Advocate Newspaper on 2 May 2020 and tenders were also advertised on Council's web site.

FINANCIAL IMPLICATIONS

The available capital and operational budget allocations for reseal preparation and reseals is required to deliver contracts CT0277-01 and CT0277-02. A portion of these allocations is required to deliver Contract CT0277-01. This is discussed in a separate report contained within this meeting agenda.

The remaining budget allocations for Contract CT0277-02 are shown in table 2 below.

No.	Description	Remaining Budget (ex GST)
1	Reseal work (capital budget)	\$420,686
2	Reseal preparation (operational budget)	\$203,006

The forecast capital expenditure is shown in table 3 below.

TABLE 3

No.	Description	Forecast (ex GST)
1	Contract CT0277-02	\$329,036
2	Project management costs (estimated)	\$ 9,000
3	Mersey Main Road	\$ 20,000
4	Construction contingency (10%)	\$ 32,900
	TOTAL	\$390,936

The capital expenditure component of the project can be accommodated within the available budget.

Additional reseal sites may be added to the scope of work on a priority basis, based on the accepted schedule of rates up to the overall capital budget allocation.

The forecast operational expenditure is shown in table 4 below.

TABLE 4

No.	Description	Forecast (ex GST)
1	Contract CT0277-02	\$132,140
2	Mersey Main Road	\$ 20,000
3	Construction contingency (30%)	\$ 45,642
	TOTAL	\$197,782

RISK IMPLICATIONS

To minimise risk, the tender administration processes related to this contract complies with Council's Code for Tenders and Contracts which were developed in accordance with Section 333A of the *Local Government Act 1993*.

The tender specification makes provision for rise and fall adjustments in the contract rates. This inclusion to the contract lessens the risk to both Council and the Contractor during periods of oil and bitumen price volatility.

A contingency of 10% has been included on the capital expenditure component as the risk of unforeseen variations is low.

A contingency of 30% has been included on the operational expenditure component as the risk of unforeseen variations is moderate. On previous reseal preparation work packages, there has been scope increases as assets approaching the end of life can deteriorate quickly.

CONCLUSION

Taking into account the selection criteria assessment and the tendered rates, the Tender Planning and Evaluation Committee has determined that Hardings Hotmix Pty Ltd has achieved the highest total score and is therefore most likely to offer "best value" in relation to Contract CT0277-02.

ATTACHMENTS

Nil

RECOMMENDATION

That Council:

- a) note that the capital and operational allocations in the draft budgets are required to undertake work under Contract CT0277-02 as well as other contracts and orders.
- b) award Contract Contract CT0277-02 – Supply, Delivery and Placement of Bituminous Surfacing to Hardings Hotmix Pty Ltd, noting that additional projects may be added to the scope of work on a priority basis up to the total budget allocations; and
- c) note that design and project management costs for the contract will be incurred.
- d) note the estimated cost of \$40,000 to be incurred outside Contract CT0277-02 on Mersey Main Road.

5.6 TENDER REPORT - CB0097 MEERCROFT PARK FACILITIES UPGRADE

Author: **Jamie Goodwin, Project Manager**
 Endorser: **Matt Skirving, Executive Manager City Growth**

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 2.3.4 Provide and maintain Council buildings, facilities and amenities to appropriate standards

SUMMARY

This report seeks Council's approval to award construction contract CB0097 Meercroft Park Pavilion to Mead Con Pty Ltd for the sum of \$1,172,478 plus GST.

BACKGROUND

This report considers tenders received for the project "CB0097 Meercroft Park Pavilion".

The CB0097 Meercroft Park Pavilion project seeks to provide expanded and improved facilities for users of Meercroft Park which includes changerooms and showers for female football (soccer), female touch football, and female grid iron players, as well as female distance runners/sprinters.

The project proposal was originally initiated by Mr Richard Bidwell (Devonport Junior Soccer Association (DJSA) Inc President) in 2017, as a result of feedback from players, parents, volunteers and members of other organisations who use Meercroft Park. The users indicated the existing facilities were outdated, not fit for purpose, and were viewed as a genuine disincentive for female participants and supporters.

After discussions with the Deputy Premier, (The Hon Jeremy Rockliff MP) the DJSA was granted \$5,000 and engaged ARTAS Architects to commence scoping work on a redevelopment project. Significant consultation with respect to identified needs, including improved disability access, extended weather protection, baby change facilities and constructing change/toilet/shower facilities which supported the club's existing and projected female members was undertaken.

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 for Tenders and Contracts, a Tender Planning and Evaluation Committee was formed to evaluate the tenders received.

Tenders were received from six companies, and all submissions were conforming tenders. The four higher priced submission did not progress to full tender assessment based on the submitted tender price.

All tenders received are summarised in Table 1.

TABLE 1

No.	Tender	Status	Tender Price (ex GST)
1	Mead Con Pty Ltd	Conforming	\$1,172,478
2	Vos Construction & Joinery Pty Ltd	Conforming	\$1,285,814

No.	Tender	Status	Tender Price (ex GST)
3	Fairbrother Pty Ltd	Conforming	\$1,298,282
4	Oliver Kelly Construction Pty Ltd	Conforming	\$1,369,170
5	AJR Construct Pty Ltd	Conforming	\$1,401,319
6	AJ&M Construction Pty Ltd	Conforming	\$1,445,882

The Tender Planning and Evaluation Committee have considered the two lowest priced submissions against the selection criteria, being:

- Relevant experience
- Quality, safety, and environmental management
- Resource base
- Price

The evaluation by the Committee determined that Mead Con Pty Ltd scored highest overall against the selection criteria.

This project will run from approximately July 2020 to February 2021 and will consist of a 22 week on-site construction program.

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

COMMUNITY ENGAGEMENT

In February 2018, the Member for Mersey (Mike Gaffney MLC) met with DJSA, and encouraged the DJSC to take the concept to neighbouring clubs, other associations that utilise Meercroft, Service Groups and the wider community. The MPFC held meetings and regularly communicated with the Devonport Touch Association, Mike Gunson, Devonport Strikers, Zonta, DCC, Raiders Grid Iron, AFL - Tas, Cricket Tasmania, FT, all Braddon-based MHAs/MHRs/Senators and interested community members throughout 2018. The designs were presented and following feedback from numerous groups, were amended by ARTAS to ensure that the proposed facilities were fit for purpose as a genuinely multi-function, municipal facility.

A public advertisement calling for tenders was placed in The Advocate Newspaper on 25 April 2020 and tenders were also advertised on Council's website.

FINANCIAL IMPLICATIONS

The project will be external funded by grant funding and contributions as listed in Table 2.

TABLE 2

Funding Source	Value
Federal Funding	1,000,00
State Government - Level the Playing Field (LTPF)	452,437
Devonport Junior Soccer Association	40,000
Football Tasmania	10,000
TOTAL	1,502,437

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

TABLE 3

No.	Tender	Budget (ex GST)
1	Construction Contract CB0097	1,172,478
2	Design, project management & contract administration	141,000

No.	Tender	Budget (ex GST)
3	Provisional sums – FF&E supporting facility equipment	130,459
4	Construction contingency 5% of construction contract	58,500
	TOTAL	1,502,437

RISK IMPLICATIONS

To minimise risk, the tender administration processes related to this contract complies 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 5% of the contract price. The risk of unforeseen variations is low however, latent ground conditions and unforeseen demolition considerations are the main risk to the project budget.

CONCLUSION

Taking into account the selection criteria assessment, the Tender Planning and Evaluation Committee has determined that Mead Con Pty Ltd meets Council's requirements and is therefore most likely to offer "best value" in relation to Contract CB0097 Meercroft Park Pavilion.

ATTACHMENTS

Nil

RECOMMENDATION

That Council in relation to contract CB0097 Meercroft Park Pavilion:

- a) award the contract to Mead Con Pty Ltd for the tendered sum of \$1,172,478 (ex GST);
- b) note design, project management & contract administration for the project are estimated at \$141,000 (ex GST); and
- c) note provisional sum and contingency allowances are included as detailed in the report.

5.7 RATES AND CHARGES POLICY

Author: **Kym Peebles, Executive Manager People & Finance**
 Endorser: **Matthew Atkins, General Manager**

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.1 Review and amend structures, policies and procedures to adapt to changing circumstances

SUMMARY

This report is provided each year prior to the adoption of the Annual Plan and Budget Estimates to assist Council in reviewing and ensuring that its Rates and Charges Policy (see attachment) remains current and relevant.

BACKGROUND

Council is required under legislation to have a Rates and Charges Policy. An amended Rates and Charges Policy was last adopted by Council in June 2019 (Min 111/19 refers). Minor amendments have been made to the Rates and Charges Policy to acknowledge the Financial Hardship Assistance Policy adopted by Council in April in response to the coronavirus pandemic.

STATUTORY REQUIREMENTS

The *Local Government Act 1993* requires that Council has an adopted rates and charges policy:

86B. Rating and charging policies to be made available to public

- (1) A council must adopt a rates and charges policy by 31 August 2012.
- (2) A council's rates and charges policy must contain –
 - (a) a statement of the policy that the council intends to apply in exercising its powers, or performing its functions, under this Part; and
 - (b) a statement of policy in respect of prescribed matters, if any.
- (3) A council's rates and charges policy in relation to the making or varying of a rate must take into account the principles referred to in section 86A(1).
- (4) A council must review its rates and charges policy –
 - (a) by the end of each successive 4-year period after 31 August 2012; and
 - (b) at the same time as, or before, making a type of rate, charge or averaged area rate in respect of a financial year, if a rate, charge or averaged area rate of that type was not made in respect of the previous financial year; and
 - (c) at the same time as, or before, making under section 107 a variation of a rate or charge in respect of a financial year, if such a variation of that rate or charge was not made in respect of the previous financial year; and
 - (d) at the same time as, or before, setting a minimum amount under this Part; and

- (e) *at the same time as, or before, altering the circumstances in which a rate, charge or averaged area rate, or a variation of a rate or charge, is to apply to rateable land.*
- (5) *A council, as soon as reasonably practicable after adopting or altering its rates and charges policy, must make copies of the policy as so adopted or altered available to the public –*
 - (a) *in paper form, on payment of a reasonable charge; and*
 - (b) *in electronic form, at a website of the council, free of charge.*
- (6) *A rate, averaged area rate or charge is not invalid by reason only that it does not conform to the council's rates and charges policy.*

86A. General principles in relation to making or varying rates

- (1) *A council, in adopting policies and making decisions concerning the making or varying of rates, must take into account the principles that –*
 - (a) *rates constitute taxation for the purposes of local government, rather than a fee for a service; and*
 - (b) *the value of rateable land is an indicator of the capacity of the ratepayer in respect of that land to pay rates.*
- (2) *Despite subsection (1), the exercise of a council's powers to make or vary rates cannot be challenged on the grounds that the principles referred to in that subsection have not been taken into account by the council.*

DISCUSSION

Council is required to maintain a publicly available Rates and Charges Policy.

The purpose of the Rates and Charges Policy is to outline Council's approach to determining and collecting rates from its ratepayers. In determining its Rating Policy, Council considers a number of factors, including the current economic environment. There is no doubt the impact of the restrictions placed on the community in response to the pandemic has been to reduce economic activity for a certain portion of the community. In response, Council has adopted a Financial Hardship Assistance Policy to provide rates relief to those individuals and businesses suffering a significant financial loss at this time. The attached Policy makes reference to the Financial Hardship Assistance Policy. This is the only change recommended to the existing policy.

The Act requires that the Rates and Charges Policy be reviewed, at a minimum, each four years, however in practice Council has undertaken an annual review in conjunction with its budget cycle.

COMMUNITY ENGAGEMENT

The purpose of having a Rates and Charges Policy available is to ensure that the public have ready access to a document that outlines the specifics relating to the processes undertaken by Council in setting and administering the collection of rates and charges.

FINANCIAL IMPLICATIONS

Property rates are the primary source of income for Council and as such it is imperative that the collection and administration of rates is clearly articulated.

RISK IMPLICATIONS

Council is statutorily required to have in place a Rates and Charges Policy.

CONCLUSION

The purpose of providing this policy to Council prior to the adoption of the rates and charges, is to ensure it remains relevant and up to date.


The Rates and Charges Policy attached to this report meets the statutory obligations of Council and provides a clear and concise outline of the processes Council will use to set, collect and administer the imposition of rates on the community.

ATTACHMENTS

1. Rates and Charges Policy - 2020 [**5.7.1** - 6 pages]

RECOMMENDATION

That Council adopt the Rates and Charges Policy with immediate effect.

	<h2 style="text-align: center;">RATES AND CHARGES POLICY</h2>			
POLICY TYPE	DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	POLICY ADOPTED	REVIEW DUE
Council	General Manager	General Manager	Date	June 2021
PURPOSE	<p>The purpose of this Policy is to outline the Council's approach to determining and collecting rates from its ratepayers.</p> <p>This Policy also ensures that Council meets its legislative responsibilities under the provisions of the <i>Local Government Act 1993</i>.</p>			
SCOPE	<p>This policy covers:</p> <ul style="list-style-type: none"> • revenue raising powers under the provisions of the <i>Local Government Act 1993</i>; • strategic focus; • the valuation basis for rating purposes; • the use of differential rates where appropriate; • setting of a fixed charge and rate capping; • objections to rate notices; • rebates and remissions; • payment of rates; • late payment of rates; • sale of property for unpaid rates; and • postponement of rates. 			
DEFINITIONS	N/A			
POLICY	<p>1. Introduction: Council rates are a form of property tax and are the primary source of income for the delivery of local government services to the community. Rates are administered in line with the provisions of the <i>Local Government Act 1993</i>.</p> <p>2. Legislative Requirements: The rating and valuation methods available to local government are covered under various pieces of legislation. In particular Part 9 of the <i>Local Government Act 1993</i> and the <i>Valuation of Land Act 2001</i> are the most relevant to Council in securing rate revenues.</p> <p>The General Principles in relation to making or varying rates are outlined at Section 86A of the <i>Local Government Act 1993</i> as follows:</p> <p>(1) <i>A council, in adopting policies and making decisions concerning the making or varying of rates, must take into account the principles that</i></p> <p style="margin-left: 40px;">–</p> <p style="margin-left: 40px;">(a) <i>rates constitute taxation for the purpose of local government, rather than a fee for a service; and</i></p> <p style="margin-left: 40px;">(b) <i>the value of rateable land is an indicator of the capacity of the ratepayer in respect of that land to pay rates.</i></p>			

- (2) *Despite subsection (1), the exercise of a council's powers to make or vary rates cannot be challenged on the grounds that the principles referred to in that subsection have not been taken into account by the council.*

Council will as required, not earlier than 1 June and not later than 31 August in any year, determine the Rates and Charges to apply for the financial year.

3. **Legislative Requirements:**

Council is constantly faced with balancing its service levels, the needs and expectations of the community and setting appropriate tax (rate) levels to adequately resource and fulfil its roles and responsibilities. In determining its rating policies Council gives consideration to the:

- Strategic Plan;
- Long Term Financial Strategy;
- *Local Government Act 1993*;
- Current economic climate;
- Consumer Price Index changes;
- Local Government Cost Index; and
- Likely impacts on the community.

4. **Rates and Charges:**

(i) Property Valuation Base

Council has three choices under the Act for determining its rate charges:

- Land Value;
- Capital Value; and
- Assessed Annual Value (AAV)

The Office of the Valuer-General provides the valuations to Council on a cyclical basis (usually each six (6) years). Council was last subject to a municipal wide revaluation with an effective date of 1 July 2015. Under the *Act* Council is mandatorily required to use the valuations provided to it in setting its rates each year. Council has no role in determining the valuation of properties and all ratepayers are able to dispute their valuation direct with the Valuer General's Office.

Council is also provided with adjustment factors for the various classes of property in the municipal area by the Valuer-General each two years. Council is required to consider these adjustment factors in determining the rates and charges to apply. The most recent adjustment factors were provided to Council with an effective date of 1 July 2019.

Following the 2015 revaluation Council determined that the use of AAV per rateable property provided the fairest and most equitable method for the levying of rates on the basis that:

- Rates constitute a system of taxation and the equity principle of taxation requires that ratepayers of similar wealth pay similar taxes and ratepayers of greater wealth pays more tax than ratepayers of lesser wealth; and
- Property value is a generally accepted indicator of wealth.

	<p>The AAV represents an independent assessment of the rental value of a property or a 4 per cent minimum of the capital value (whichever is the greater).</p> <p>(ii) <u>General Rate</u></p> <p>Council sets a General Rate which is to apply to all properties in the municipal area unless varied based on a differential model determined by Council. Council has also determined that a General Rate Fixed Charge per property or tenancy is to apply as this is the most fair and equitable means of ensuring that all ratepayers contribute equally to the administration of Council's services and the development and maintenance of community infrastructure.</p> <p>The General Rate is to be varied on a differential basis, based on land use, for the following purposes:</p> <ul style="list-style-type: none"> • Residential; and • Primary Production. <p><u>Residential Assessments</u></p> <p>Residential properties generally have available to their owners and occupiers the same services as other ratepayers. However, in most cases other classes of assessments such as commercial and industrial users have a greater impact on the main services such as road maintenance and generally derive a greater benefit from the services provided.</p> <p><u>Primary Production Assessments</u></p> <p>Primary production properties tend to be more remote from some of the services provided by Council in terms of infrastructure including but not limited to sealed or formed roads, footpaths and street lighting.</p> <p>(iii) <u>Rate Caps</u></p> <p>Council will annually consider the use of rate capping to ensure that the increases applied to the various categories of ratepayers are appropriate.</p> <p>Council will only apply rate capping if in its opinion it is justifiable in order to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to rapid changes in valuation and other factors beyond the ratepayer's control.</p> <p>(iv) <u>Service Rates and Charges</u></p> <p>Waste Management</p> <p>Waste Management Service Charge – Council provides a waste collection and disposal service throughout the City. Council also provides a domestic recycling service to all residential properties and a limited collection service to non-residential areas. For this service, Council in accordance with Section 94(3)) of the Act, applies a differential service charge based on the predominant use of the land as follows:</p> <ul style="list-style-type: none"> • Residential; • Primary Production; and
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	<ul style="list-style-type: none"> • All other land. <p>Residential land will be provided a weekly garbage bin collection and a fortnightly recycling bin collection for each tenancy.</p> <p>Primary Production land will be provided a weekly garbage bin collection and a fortnightly recycling bin collection.</p> <p>All other land will be provided with either a single garbage bin collection three times per week or the collection of 3 bins once per week. A separate cardboard collection service will be provided in non-residential areas on a scheduled basis as advised to the properties. A limited recycling collection service is also provided in the main commercial districts.</p> <p>Fire Protection</p> <p>Fire Protection Service Rate - Council is required by the provisions the <i>Fire Services Act 1979</i> to collect fire service contributions on behalf of the State Fire Commission. The amount of this rate and the minimum charge which is to apply is determined independent of Council by the State Fire Commission.</p> <p>5. Objections to Rate Notices:</p> <p>Council will consider any objections to rate notices in accordance with Section 123 of the <i>Local Government Act 1993</i>.</p> <p>6. Rebates and Remissions:</p> <p>Any individual application for a rebate and/or remission from payment of rates is to be provided to Council in writing and is to comply with the adopted policies from time to time in operation.</p> <p>Council will annually consider whether to provide any rebate or remission to not-for-profit community organisations where they own or are responsible for the payment of rates. Any not-for-profit organisation that wishes to be considered for either a rebate or remission is required to make a formal application for Council to consider.</p> <p>Council may also from time to time determine to provide a remission to a ratepayer, group of ratepayers or a class of ratepayers where it has determined that special circumstances exist.</p> <p>Pensioner Rate Remissions are provided to eligible concession card holders pre-approved by the State Revenue Office. Concessions are only available on a ratepayer's principal residence at an amount predetermined by the State Government. Ratepayers seeking a rate concession are not to withhold payment pending assessment by the State Revenue Office of their eligibility. In circumstance where a concession is approved after payment has been received a refund will be provided to the ratepayer.</p> <p>7. Payment of Rates:</p> <p>Rates are due and payable in full by 31 August each year. However, ratepayers can elect to pay their rates in four equal instalments on 31 August, 31 October, 28 February and 30 April each year.</p> <p>Ratepayers who have difficulty in paying their rates either in full or by the instalment due dates are encouraged to contact Council's Rates Office to</p>
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	<p>make an alternative payment plan. Such enquiries are treated confidentially by Council.</p> <p>Instalment payments must be made on or before the due date as failure to do so will result in the full outstanding amount becoming due and payable immediately.</p> <p>8. Late Payment of Rates: Council has determined that penalties will apply for late payment of any rate or instalment which remains outstanding on the due date. The penalty percentage rate is determined by Council each year in line with the provisions of the <i>Local Government Act 1993</i>.</p> <p>Rates which remain unpaid for a period exceeding 30 days from the due date of an instalment will be subject to recovery action through either a recognised Debt Collection Agency and/or Magistrates Court. Prior to initiating recovery action Council will provide the ratepayer with 14-days' notice in writing advising of its intention to commence legal action.</p> <p>9. Sale of Property if Rates Remain Unpaid: The <i>Local Government Act 1993</i> provides that a Council may sell any property where the rates have been in arrears for a period of three (3) years or more. Council is required to:</p> <ul style="list-style-type: none"> (a) notify the owner of the land of its intention to sell the land; (b) provide the owner with details of the outstanding amounts; and (c) advise the owner of its intention to sell the land if payment of the outstanding amount is not received within 90 days. Except in extraordinary circumstances, Council will enforce the sale of land for arrears of rates. <p>10. Postponement of Rates: An application for a postponement of payment of rates on the grounds of hardship must be made in writing addressed to the General Manager.</p>	
LEGISLATION AND RELATED DOCUMENTS	<p><i>Local Government Act 1993</i> <i>Fire Services Act 1979</i> <i>Valuation of Land Act 2001</i> Financial Hardship Assistance Policy</p>	
ATTACHMENTS (IF APPLICABLE)	N/A	
STRATEGIC REFERENCE	5.5.3 – Ensure revenue modelling meets Council's funding requirements to provide equitable pricing relevant to services delivered	
MINUTE REFERENCE		
OFFICE USE ONLY	Update Register	Training/Communication
	Advise Document Controller	Advise HR / MCO
	<p>Management Sign Off:</p> <p>Date:</p>	

5.8 ANNUAL PLAN AND BUDGET ESTIMATES

Author: **Matthew Atkins, General Manager**

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.5.1 Provide professional administrative services to support effective and efficient operations

SUMMARY

The purpose of this report is to present Council with the Annual Plan and Budget Estimates for the 2020/21 financial year, which in turn will allow Council to set the rates and charges to apply for the period 1 July 2020 to 30 June 2021.

BACKGROUND

Council has developed the 2020/21 budget, capital works and fees and charges over the past few months. Whilst the budget preparation has been impacted with COVID-19 restrictions, Councillors have been engaged in the process through digital platforms and virtual workshop sessions.

The draft Annual Plan and Budget Estimates have been circulated to Council's Audit Panel and were discussed at the Audit Panel meeting on 9 June 2020.

The financial statements within the Annual Plan include the following:

- Estimated Statement of Comprehensive Income (Profit & Loss)
- Estimated Statement of Financial Position (Balance Sheet)
- Estimated Statement of Cash Flows

The draft Annual Plan and Budget Estimates document is attached to this report. Once adopted the document will be available for public viewing on the Council's website and at the paranple centre.

STATUTORY REQUIREMENTS

The *Local Government Act 1993* (the Act) requires the General Manager to prepare estimates of Council's revenue and expenditure for each financial year. Estimates are to contain details of the estimated:

- (a) revenue of the Council;
- (b) expenditure of the Council;
- (c) borrowings by the Council; and
- (d) capital works of the Council.

Section 71 of the Act requires Council to adopt an Annual Plan each year. The Annual Plan is to be:

- (a) consistent with the strategic plan; and
- (b) include a statement of the manner in which the Council is to meet the goals and objectives of the strategic plan; and
- (c) include a summary of the estimates adopted under section 82; and

- (d) include a summary of the major strategies to be used in relation to the Council's public health goals and objectives.

Part 9 of the Act provides Council with the ability to determine the Rates and Charges to be applied to properties within its municipal area. The Act requires that rates must be set by Council, by absolute majority, not earlier than 1 June and not later than 31 August.

Amendments to the Act in 2013 identified the following principles in relation to making or varying rates:

86A. General principles in relation to making or varying rates:

- (1) *A council, in adopting policies and making decisions concerning the making or varying of rates, must take into account the principles that –*
 - (a) *rates constitute taxation for the purposes of local government, rather than a fee for a service; and*
 - (b) *the value of rateable land is an indicator of the capacity of the ratepayer in respect of that land to pay rates.*

Despite subsection (1), the exercise of a council's powers to make or vary rates cannot be challenged on the grounds that the principles referred to in that subsection have not been taken into account by the council.

DISCUSSION

The Annual Plan is an important part of Council's reporting requirements. The Annual Plan includes the statutory reporting requirements which Council is to meet. It also outlines the Council's plans for the ensuing year which is then reported against in the Annual Report.

The 2020/21 Annual Plan and Budget Estimates have been prepared in the most difficult of circumstances due to the outbreak of COVID-19.

Operational Budget

Whilst Council's financial position, pre-COVID was comparable to most other local government authorities, the financial impacts of COVID-19 have been particularly challenging for Devonport. As a geographically small urban City, the financial position of the organisation is closely aligned with the health of the commercial, retail and hospitality sectors which have all felt the brunt of the pandemic, particularly in the Cradle Coast region.

Council's high own revenue ratio, and low dependence on government operating grants has traditionally been considered a strength in financial sustainability, however with many of these revenue streams impacted, overall operating income for 20/21 is budgeted to be \$3.3M (7.9%) below the previous year budget.

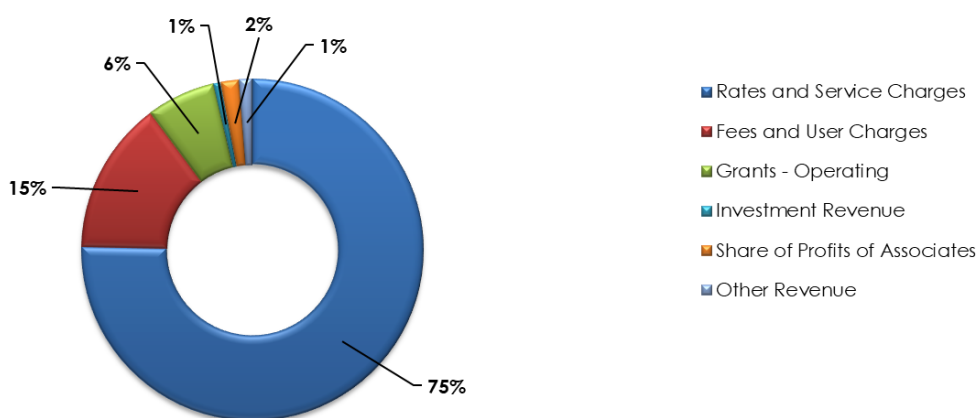
This has required an aggressive but considered reduction in expenditure, whilst being mindful of ensuring Council continue to provide all the essential services and facilities that the community expect and value. Council has taken action to reduce discretionary expenditure and service levels in areas where the impact on the community will be minimal and not cause any lasting deterioration of assets.

Additional support has also been included within the budget to assist the community recover from the impacts of COVID-19.

Council receives revenue from a variety of sources. Its main source of income is generated from rates and charges which equates to approximately 75% of total estimated revenue for the financial year.

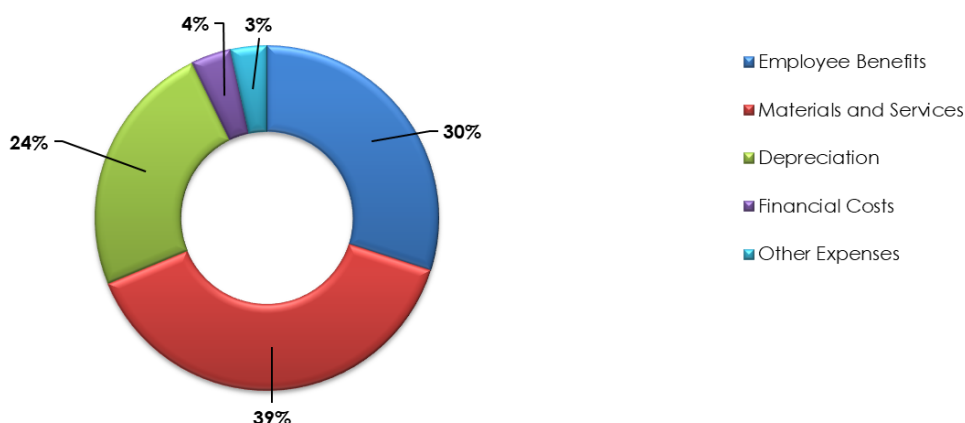
Investment revenue has been significantly reduced in this budget due to the likelihood of no dividend from TasWater and declining bank interest.

ESTIMATED INCOME



In relation to expenditure, approximately 30% is for employee costs, 39% for materials and services and 24% for depreciation.

ESTIMATED EXPENDITURE



The budgeted net operating result before capital items is a \$2.2M deficit. Council typically aims to achieve, at minimum, a break-even operating position, however the unprecedented impact of COVID-19 has required Council to consider a balance between ongoing continuity of services and increased community assistance with financial capacity and sustainability.

The Federal Government in recent years have prepaid 50 per cent of Council's entitlement to Financial Assistance Grants (FAGs). This has impacted on the development of the budget and the year end results as the relevant Accounting Standard requires grant income is to be recognised in the year which it is received. The Government has advised it is their intention to, again, pay 50 per cent of the 2020/21 grant prior to 30 June 2020. For the 2020/21 year, it has been assumed that the Federal Government will do the same prior to 30 June 2021, therefore no adjustment for the FAG grant has been factored into the budget as presented.

Capital Expenditure

The total new capital expenditure funding for 2020/21 is \$15.559M. In addition, approximately \$12M allocated within the 19/20 year will be carried forward to the 20/21 financial year. Carried forward projects and funding will be updated following the end of year reconciliations and reported to Council at the completion of the year-end audit process.

Council's capital infrastructure investment will play an important role in stimulating the local economy during the pandemic recovery with over \$25M in construction work during 2020/21.

Whilst this is a large capital expenditure budget for Council, approximately \$3M in projects have been deferred to offset the cashflow implications of predicted deficit operating results in 19/20 and 20/21. In the short term, the deferral of these works is not anticipated to negatively impact on Council's asset base and external funding opportunities will be explored to potentially bring forward some of these projects.

The capital budget includes an allocation of \$8M associated with the development of the Waterfront Park of which \$6M will be funded from government grants.

A summary of capital expenditure across asset class is as follows:

Asset Class	Grant Funding	DCC Funding	Total
Public Open Space	\$ 468,000	\$ 120,000	\$ 588,000
Transport	\$1,660,000	\$3,171,000	\$ 4,831,000
Storm water	-	\$1,196,000	\$ 1,196,000
Buildings	\$ 120,000	-	\$ 120,000
Plant & Fleet (Nett)	-	\$ 479,000	\$ 479,000
Equipment & IT	-	\$ 345,000	\$ 345,000
Living City	\$6,000,000	\$2,000,000	\$ 8,000,000
Total	\$8,248,000	\$7,311,000	\$15,559,000

Rates, Fees and Charges

In considering the impact of COVID-19 on the community, the draft budget has been developed on the principle of not increasing rates, fees or charges.

With no revaluation or indexation due or applicable for the Devonport municipal area in the 2020/21 year, rate notices should remain identical for the vast majority of residents. Only the few properties subject to a supplementary notice or paying below the adopted commercial waste levy will incur a variation in their rate notice when compared to the previous year.

In 2017/18, Council altered its waste management charges for commercial/industrial properties. A number of commercial properties are continuing to pay less than the full charge for waste removal and this year the change cap has once again been set at 25 per cent.

Under the *Fire Services Act 1979*, Council is obligated to collect the Fire Service Levy as determined by the State Fire Commission. Advice has been received confirming that there will be no increase to the levy for 2020/21.

All of Council's fees and charges have been reviewed as part of the budget process and are proposed to remain at current levels. Fees connected to 'penalty units' will be subject to any change by the State Government to the unit value.

Long Term Planning

Council is required to maintain a Financial Management Strategy (FMS). The FMS covers a 10-year planning horizon and has been reviewed in consideration of impacts from COVID-19. Long term modelling indicates Council is in a position to withstand the predicted deficits in the 19/20 and 20/21 financial years without on-going negative impact on the organisation's financial sustainability.

The FMS will be updated following the finalisation of results from the 19/20 financial year, in preparation to guide the development of Council's 2021/22 budget estimates.

With the deferral of some capital projects but potential for reassessment subject to additional external funding, the 5 year capital expenditure program will also be updated in conjunction with the FMS and following the completion of the 19/20 financial statements.

COMMUNITY ENGAGEMENT

Council invited the community to participate in the budget process with a report on the feedback received provided to Council during March. A number of the suggestions have been taken into account during the development of the budget.

A video will be released following the formal adoption of the budget by Council to inform the community of the budget details.

FINANCIAL IMPLICATIONS

The development and adoption of the Budget Estimates and Annual Plan is an essential function of Council and is fundamental to the financial viability of the organisation.

RISK IMPLICATIONS

Should the Budget not be approved within the anticipated timeframe, it may impact on the issue of rates notices.

CONCLUSION

Council like many organisations has been significantly impacted by COVID-19 and has been required to prepare a budget which responds accordingly.

Council must continue to develop strategies to ensure that its future operational budgets and capital programs are sufficient to meet the demand for the delivery of services to the community, within its financial capabilities.

The Annual Plan provides a benchmark on which the Council's performance can be measured.

ATTACHMENTS

1. Draft Annual Plan 2021 [5.8.1 - 67 pages]

RECOMMENDATION

A. ANNUAL PLAN

That in accordance with Section 71 of the *Local Government Act 1993* (as amended) Council adopts the Annual Plan for the financial year ending 30 June 2021 and instructs the General Manager to:

- (a) make a copy of it available for public inspection at the Council's Offices and on the website; and
- (b) provide a copy of it to the Director of Local Government and to the Director of Public Health.

B. ANNUAL ESTIMATES (REVENUE AND EXPENDITURE)

That:

- (a) in accordance with Section 82 of the *Local Government Act 1993* the Council by absolute majority adopts the estimates of revenue and expenditure (excluding estimated capital works) for the 2020/21 financial year as detailed in the Annual Plan;
- (b) in accordance with section 82(6) of the *Act* the Council, by absolute majority, authorises the General Manager to make minor adjustments up to \$75,000 to any individual estimate item (including capital works) as he deems necessary during the 2020/21 financial year provided that the total of the Estimates remains unaltered.

C. RATES AND CHARGES 2020/21

That Council makes the following General Rate, Service Rates and Service Charges under the provisions of the *Local Government Act 1993*, and the *Fire Services Act 1979* for the financial year 1 July 2020 to 30 June 2021 in respect to land in the municipal area which is separately valued under the *Valuation of Land Act 2001*.

Definitions and Interpretations

Unless the context otherwise requires, in the following resolutions, words and expressions defined in the *Local Government Act 1993* have the same meaning as they have in that Act.

Unless the context otherwise requires, in the following resolutions, the following words and expressions have the meaning set out below:

'Act' means the *Local Government Act 1993*;

'AAV' means the assessed annual value as determined by the Valuer-General under the *Valuation of Land Act 2001*;

'land' means a parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*;

'land used for primary production' means all land used or predominantly used for primary production and includes all land coded 'L' in the valuation list;

'land used for residential purposes' means all land used or predominately used for residential purposes and includes all land coded 'R' in the valuation list;

'municipal area' means the municipal area of Devonport;

'non-used land' means all land coded 'V' in the valuation list;

'supplementary valuation' means a supplementary valuation made under the *Valuation of Lands Act 2001*.

'tenancy' means a portion of land which the Valuer-General has determined is capable of separate occupation and so has separately determined the AAV of that portion, pursuant to Section 11(3)(c) of the *Valuation of Land Act 2001*; and

'valuation list' means, in respect of the financial year, the valuation list, supplementary valuation list or particulars provided to the Council by the Valuer-General under Section 45 of the *Valuation of Land Act 2001*.

1. RATES RESOLUTION- PART 1 (A)

Pursuant Sections 90 and 91 of the *Local Government Act 1993* the Council makes a General Rate ("the General Rate") in respect of all rateable land (except land which is exempt pursuant to Section 87 of the *Local Government Act 1993*) consisting of two components being:

- (a) 11.0935 cents in the dollar of assessed annual value (the AAV component);
- (b) A fixed charge of \$300 on all land or tenancy.

2. RATES RESOLUTION – PART 1(B)

Pursuant to Section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is used or predominantly used for primary production to 7.0320 cents in the dollar of assessed annual value of such rateable land.

3. RATES RESOLUTION – PART 1(C)

Pursuant to Section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is used or predominantly used for residential purposes to 7.0320 cents in the dollar of assessed annual value of such rateable land.

4. RATES RESOLUTION – PART 2

4.1 Pursuant to Section 94 of the *Local Government Act 1993*, the Council makes the following service rates and service charges for land within the municipal area (including land which is otherwise exempt from rates pursuant to Section 87, but excluding land owned by the Crown to which Council does not supply any of the following services) for the period 1 July 2020 to 30 June 2021:

- (a) a waste management service charge of \$270 upon all land or tenancy to which Council supplies or makes available a kerbside collection service

4.2 Pursuant to Section 107 of the Act the Council, by absolute majority declares that the service charge for waste management is varied by reference to the use or predominant use of land as follows:

- (a) for all land which is predominately used for any purpose other than residential or primary production to which Council supplies and makes available a kerbside collection service the service charge is varied to \$810, subject to 4.3 below; and
- (b) for all land which is non-used land the service charge is varied to \$0.00

4.3 Pursuant to Section 88A of the Act the Council by absolute majority determines:

- (a) that the maximum percentage increase of the varied service charge for waste management (as previously made and varied by 4.1 and 4.2 above) is capped at 25% above the amount which was payable in respect of the waste management rate charged in the 2019/20 financial year and;
- (b) to qualify for the maximum increase cap in subparagraph (a), the rateable land must not have been subjected to a supplementary valuation issued by the Valuer-General during the period from 1 July 2019 to 30 June 2020.

5. RATES RESOLUTION – PART 3

Pursuant to Section 93A of the *Local Government Act 1993* and the provisions of the *Fire Service Act 1979* (as amended), the Council makes the following rates for land within the municipal area for the period 1 July 2020 to 30 June 2021:

- (a) a Devonport Urban Fire District Rate of 1.3854 cents in the dollar of assessed annual value, subject to a minimum amount of \$41 in respect of all rateable land within the Devonport Urban Fire District.
- (b) a Forth/Leith Fire District Rate of 0.4378 cents in the dollar of assessed annual value, subject to a minimum amount of \$41 in respect of all rateable land within Forth/Leith Fire District.
- (c) a General Land Fire Rate of 0.3545 cents in the dollar of assessed annual value, subject to a minimum amount of \$41 in respect of all rateable land within the municipal area, which is not within the Devonport Urban Fire District, or the Forth/Leith Fire District.

6. SEPARATE LAND

In relation to all rates and charges for the 2020/21 year, as previously made, for the purpose of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

7. ADJUSTED VALUES

For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Sections 89 and 89A of the *Local Government Act 1993*.

8. PAYMENT OF RATES AND CHARGES

Pursuant to Section 124 of the *Local Government Act 1993* the rates for 2020/21 shall be payable in four instalments, the dates by which the rates are due to be paid are:

First Instalment	31 August 2020
Second Instalment	31 October 2020
Third Instalment	28 February 2021
Fourth Instalment	30 April 2021

Where a ratepayer fails to pay any instalment within 21 days from the date on which it is due, the ratepayer must pay the full amount owing.

Penalties

Pursuant to Section 128 of the *Local Government Act 1993* if any rate or instalment is not paid on or before the date it falls due, a penalty of 5% of the unpaid instalment or part thereof, shall be applied except:

- (a) where the ratepayer has adhered to an approved payment arrangement plan and the total rates are paid in full by 30 April 2021; and
- (b) where the ratepayer has authorised an approved bank direct debit payment arrangement.

Supplementary Rates

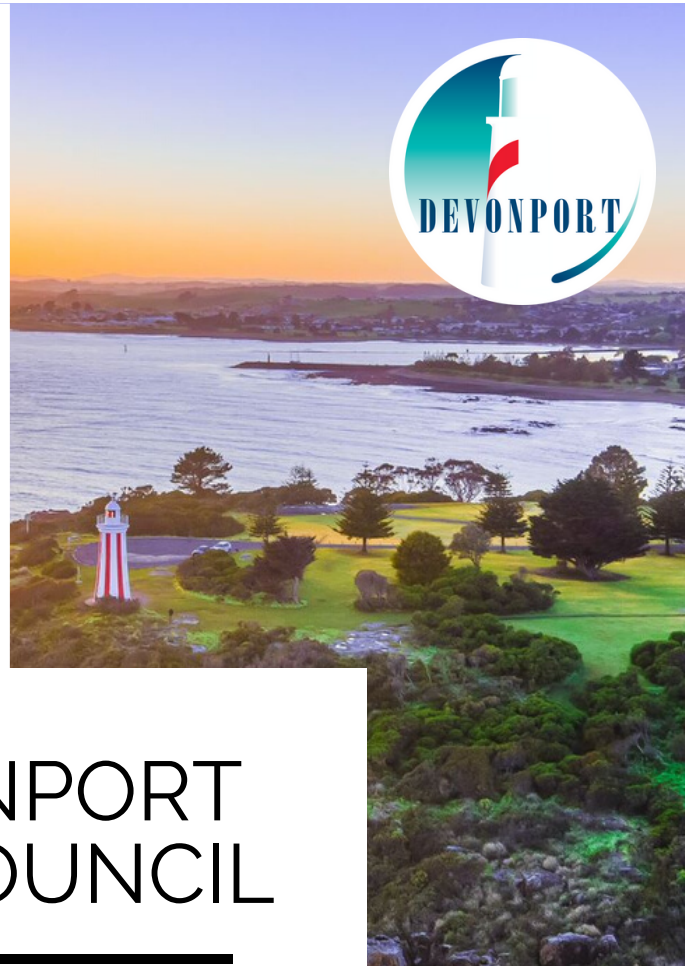
- (a) Pursuant with Sections 89A, 92 and 109N of the *Local Government Act 1993* if a supplementary valuation is made of any land prior to 30 June 2021, the General Manager may at his discretion adjust the amount payable in respect of any or all rates for that land for that financial year in line with the new valuation; and
- (b) If a rates notice is issued by the General Manager under sub-clause (a), the amount shown as payable on that notice is due to be paid within 30 days of the date on which that notice is issued.

D. CAPITAL WORKS PROGRAM

That Council pursuant, to Section 82 of the *Local Government Act 1993* adopts the Capital Works Program for the 2020/21 financial year as detailed in the Annual Plan.

E. FEES AND CHARGES

That in accordance with Section 205 of the *Local Government Act 1993* Council adopts the Fees and Charges Schedule for the 2020/21 financial year as detailed in the Annual Plan.



DEVONPORT CITY COUNCIL

ANNUAL PLAN 2020/21 DRAFT



The City with Spirit

Contact Information

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Devonport TAS 7310

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After Hours Emergency Number: (03) 6423 3074



Section 71 of the *Local Government Act 1993* requires all councils to produce an Annual Plan for the municipal area each financial year.

**DEVONPORT CITY COUNCIL - ANNUAL PLAN & BUDGET
ESTIMATES: 1 JULY 2020 - 30 JUNE 2021**

ADOPTED:

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MAYOR'S MESSAGE

Council's 2020/21 Annual Plan and Budget Estimates has been prepared in the most difficult of circumstances. The impacts of the Coronavirus pandemic are still being felt – both by Council and the broader community – and will be for some time to come.

Developing Council's intended targets, projects and services for the coming 12 months has certainly been challenging and I thank all Councillors and staff for their efforts under trying circumstances. Council's revenue has been negatively impacted, like that of many households and businesses in our area, and as a result, hard decisions have been taken.

However, rather than increase rates or fees, Council has looked to 'cut its cloth' by reducing discretionary expenditure and service levels in areas where the impact on the community will be minimal and not cause any lasting deterioration of assets.

Property rates will remain the same as the 2019/20 financial year and there will be no increase to any fees and charges for the coming year. In addition to freezing rates and fees, Council has included a number of measures in the budget to assist the community recover from COVID-19.

Sporting clubs, community organisations and food businesses will all benefit from reductions in building rental, licence fees and ground use charges further to the assistance provided in the 2019/20 financial year. A Financial Hardship Assistance Policy has been adopted by Council to provide support in relation to payment of rates for those residents and businesses facing severe financial hardship.

Other opportunities such as targeted assistance grants are also being explored to further support the community to recover from the impacts of COVID-19.

Council recognises one of the most effective means to stimulate the local economy is through generating construction works and therefore have maintained a large capital expenditure budget of \$15M. With a further \$10M of works already allocated this year and to be carried forward, a total of over \$25M will be invested by Council into construction work over the next 12 months.

With work continuing over the next 18 months on the \$40M private hotel development as part of the LIVING CITY Waterfront Precinct, this will also be critical in ensuring the region's speedy recovery from the pandemic.

Whilst the impacts of COVID-19 have been very difficult for both the community and Council as an organisation, I am confident the medium to long term outlook for the Devonport region remains positive. I wish to thank my fellow Councillors, and our dedicated staff, who have dealt with difficult circumstances professionally and with a real commitment to ensuring Devonport remains in a position where it can continue to flourish.

I look forward to continuing the work in 2020/21 and beyond.

Cr Annette Rockliff
Mayor

GENERAL MANAGER'S SUMMARY



The financial impacts of COVID-19 have been particularly challenging for the Devonport City Council. As a geographically small urban city, the financial position of the organisation is closely aligned with the health of the commercial, retail and hospitality sectors which have all felt the brunt of COVID-19, particularly here in the Cradle Coast region.

Council's high own revenue ratio* and low dependence on government operating grants has traditionally been considered a strength in financial sustainability, however with many of these revenue streams impacted, overall income for the organisation is budgeted to be \$3.3M (7.9%) below the previous year budget.

This has required an aggressive but considered reduction in expenditure, whilst being mindful of ensuring Council continue to provide all the essential services and facilities that the community expect and value. Additional support has also been included within the budget to assist the community recover from the impacts of COVID-19.

The projected operating result of a \$2.2M deficit balances the ongoing continuity of services and increased community assistance with the financial capacity and viability of Council. Long term modelling indicates Council is in a position to withstand the predicted deficits in the 2019/20 and 2020/21 financial years without long term negative impact on the organisation's financial sustainability.

Whilst operational expenditure has been contained, Council understands the importance of capital infrastructure investment in stimulating the local economy during the pandemic recovery and have planned to fund over \$25M in construction work during 2020/21.

Rather than bringing forward capital investment, Council is in the fortunate position of having already planned and secured grant funding for a large portion of this work with the LIVING CITY Waterfront Park. In addition, the privately funded \$40M LIVING CITY hotel will boost local jobs both during construction and once operational in 2022.

With construction activity so important to local recovery, LIVING CITY in many ways is even more crucial now than when it began five years ago. Over the next two years work on the Waterfront Precinct will see approximately \$55M in construction activity flowing through the economy.

LIVING CITY is built on the principles of increasing the tourist market to North-West Tasmania, increasing business confidence, and improving the amenity of the City for those who live and work here.

Post COVID-19, these are all principles that Council will be strongly supporting, and the City is in the enviable position of having a clear long-term vision and plan in place prior to the start of the pandemic.

*DCC has the second highest own source revenue ratio in the State behind Hobart City Council - TAO 18/19 Local Government Comparisons chart

Other capital investment highlights include:

- \$1M to the next phase of the coastal shared pathway from Don to Lillico
- \$1.1M to renew Devonport Road
- \$400K for the renewal of Wright Street between Tarleton and John Streets
- \$300K for traffic, pedestrian and parking improvements at the Bluff
- \$550K for stage 2 of the Oldaker stormwater catchment upgrade
- \$95K for a new toilet block at Horsehead Creek

The 2020/21 Annual Plan outlines the key objectives of the organisation over the upcoming 12 months. Initiatives range from installing electric charging stations to a Master Plan for the Don Congregational Cemetery and finalising a new Planning Scheme. Of particular interest, Council will be moving forward with developing a Sport and Recreation Master Plan to guide the development of sporting facilities across the City.

Finally, I wish to take this opportunity to thank all our staff who have worked extremely professionally under difficult circumstances over the last four months of 2019/20.

All staff are to be commended for their efforts to assist in ensuring a smooth transition to very different work environments while continuing to provide essential community services and respond to additional demands relating to the pandemic.

I also wish to thank the Mayor and Councillors for their support and guidance during this difficult period.



Matthew Atkins
General Manager





THE COUNCIL



Mayor, Cr Annette Rockliff



Deputy Mayor, Cr Alison Jarman



Cr John Alexiou



Cr Gerard Ennis



Cr Peter Hollister



Cr Lynn Laycock



Cr Sally Milbourne



Cr Leigh Murphy



Cr Leon Perry

COUNCIL	WORKSHOPS	PLANNING AUTHORITY COMMITTEE	GOVERNANCE, FINANCE & COMMUNITY SERVICES COMMITTEE	INFRASTRUCTURE, WORKS & DEVELOPMENT COMMITTEE
All Councillors	All Councillors	Mayor, Cr A Rockliff (Chair)	Deputy Mayor, Cr A Jarman (Chair)	Cr L Perry (Chair)
		Cr J Alexiou	Cr J Alexiou	Cr G Ennis
		Cr P Hollister	Cr G Ennis	Cr P Hollister
		Cr S Milbourne	Cr L Laycock	Cr A Jarman
		Cr L Murphy	Cr S Milbourne	Cr L Laycock
		Cr L Perry	Mayor, Cr A Rockliff	Cr L Murphy

DECISION MAKING STRUCTURES OF COUNCIL



The Devonport City Council is established under the provisions of the *Local Government Act 1993* (the Act). Council is made up of nine Councillors who each serve a four year term, with elections held on an 'all in all out' basis. The term for the popularly elected Mayor and Deputy Mayor is also four years.

Decisions are made through Council meetings, Section 23 Committee meetings or by the General Manager and employees through delegated authority. Transparent, accountable and informed decision making supports community confidence in Council and is vital to ensuring decisions are made in the best interests of the community.

Council and Section 23 Committee meetings are open to the public (except where an item is considered to be of a confidential nature in accordance with the *Local Government (Meeting Procedures) Regulations 2015*). Meeting schedules are available on Council's website and at the Council Offices. Meetings are recorded in accordance with Council's Digital Recording Policy.

Council's formal decision making structure is comprised of Council and three Section 23 Committees (established in accordance with the Act):

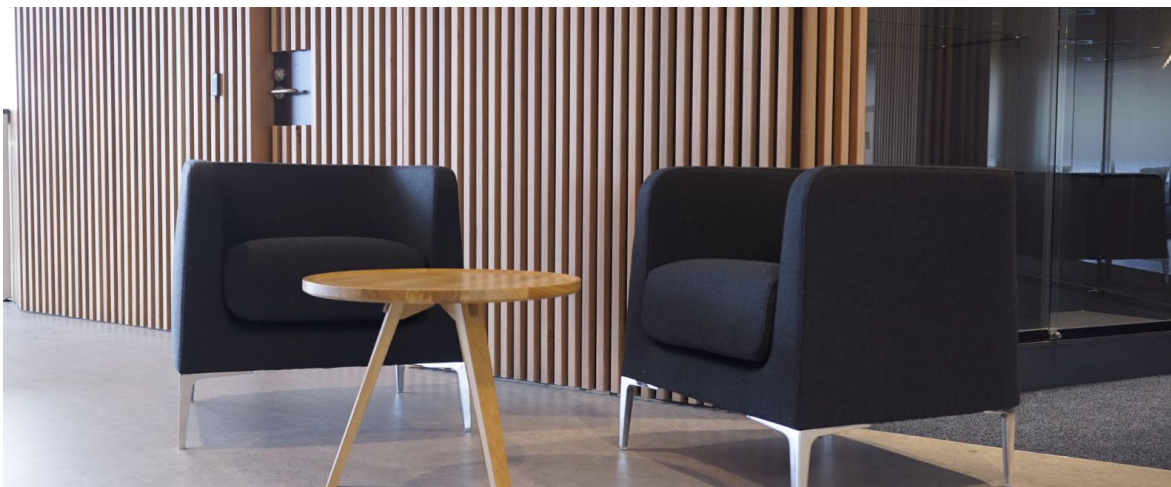
- Governance, Finance and Community Services Committee
- Infrastructure, Works and Development Committee
- Planning Authority Committee

Council meetings are held on a monthly basis and Section 23 Committees (apart from the Planning Authority which meets on an as required basis) usually meet bi-monthly.

Members of the public have the opportunity for input into Council decision making through avenues such as community consultation and engagement, tabling of petitions and public question time at Council meetings.

Delegations of authority are also in place to support effective decision making by Council. Under Section 22 of the Act, Council may delegate its powers and functions to the General Manager, who in turn may sub-delegate to Council officers, in accordance with Section 64 of the Act. Delegations allow for timely and efficient decision making at an operational level.

Council is further supported by an Audit Panel, which is established under Ministerial Order.



THE ORGANISATION



MISSION - VISION - VALUES



OUR ORGANISATIONAL MISSION IS:

Devonport City Council is committed to excellence in leadership and service.

OUR ORGANISATIONAL VISION IS:

Devonport is a thriving and welcoming regional City, living lightly by river and sea.

Strong, thriving and welcoming - Devonport is a regional leader with a strong economy. It is a great place to live, work and play.

Valuing the past, caring for the present, embracing the future - We have been shaped by a rich cultural heritage and enthusiastically embrace present challenges and future opportunities.

Engaging with the world - We have an outward focus and send quality products and experiences to the world. We welcome all to share our beautiful City and all it offers.

Living lightly by river and sea - We live lightly on our valued natural environment of clean rivers, waterways and beaches; rich agricultural land; and coastal landscapes, so future generations can also enjoy this special place.

OUR ORGANISATIONAL VALUES ARE:

Leadership

We will embrace a culture of leadership founded on respect, professionalism and integrity, to ensure we make strategic decisions today for tomorrow.

Customer Satisfaction

We will strive to consistently engage and communicate with our internal and external customers to meet desired outcomes.

Our People

We will respectfully work together by recognising each others' talents, skills, experience and knowledge.

Continuous Improvement and Innovation

We will continually evaluate current practices and changing needs to foster an adaptive and innovative environment.

Results and Accountability

We will be results focused and take pride in our successes and efforts and be accountable for our actions.



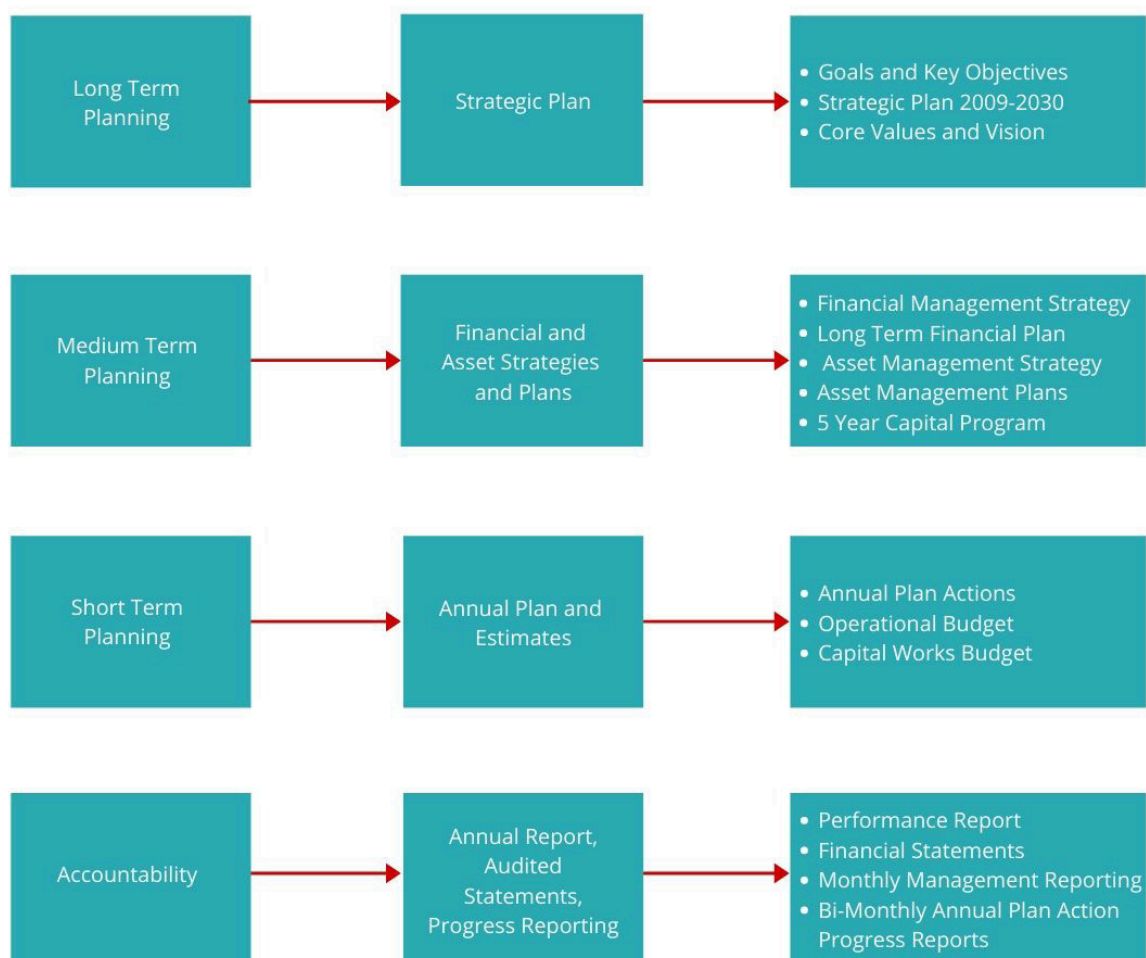
Photo credit: Rob Richey - Distinctly Devonport 2019 Entry

STRATEGIC PLAN & STRATEGIC PLANNING FRAMEWORK



The Strategic Plan outlines the desired objectives and strategies of the community, which is subsequently endorsed by Council. In late 2018, Council undertook a review of its Strategic Plan 2009-2030. It was considered appropriate and timely to focus the review on the goals, outcomes and strategies section of the plan. Feedback received provided evidence that there remains high level support for Council's key goals. The revised Plan was adopted by Council on 29 April 2019.

In preparing the Annual Plan and Budget Estimates, Council takes into consideration the Strategic Plan and day to day operational activities and requirements. It is a legislative requirement under Section 71 of the *Local Government Act 1993*, that Council's Annual Plan be consistent with the Strategic Plan. The Corporate Action Plan sets out the proposed actions for 2020/21 against the goals of Council's Strategic Plan. The following diagram depicts Council's current Strategic Planning Framework.



PERFORMANCE INDICATORS



GOVERNANCE	TARGET
Council decisions made during closed session of Council Meetings	<10%
Councillor attendance at Council Meetings	>90%
PERMIT AUTHORITY	TARGET
Time taken to assess building applications (maximum # days from receipt to decision)	7 days
Time taken to assess plumbing applications (maximum # days from receipt to decision)	14 days
Building & plumbing applications decided within required time frame (% decided)	100%
STATUTORY PLANNING	TARGET
Discretionary planning applications (maximum # days)	42 days
Permitted planning applications (maximum # days)	28 days
Planning applications decided within required time frame (% decided)	100%
ANIMAL MANAGEMENT	TARGET
Animal complaints actioned within 5 days	100%
FOOD SAFETY	TARGET
Food complaints actioned within 5 days	100%
Food safety assessments undertaken in accordance with the Tasmanian Food Business Risk Classification System	100%
ASSET MANAGEMENT	TARGET
Capital works projects/expenditure completed	90%
Work requests completed for the year (internal and external)	3,000
WASTE COLLECTION	TARGET
Cost of domestic kerbside garbage bin collection service - excluding landfill disposal charges (per week per property)	\$2.50
Domestic resource recovery rate	20%
CEMETERY MANAGEMENT	TARGET
Number of available plots/interment sites available (excluding reservations)	500
EFFICIENCY	TARGET
Resignations and terminations as a % of average staff numbers	<10%
INFRASTRUCTURE	TARGET
Asset renewal compared to depreciation (as % of depreciation)	Between 60-100% depreciation
WORK HEALTH AND SAFETY	TARGET
Lost time injury frequency rate	0

PUBLIC HEALTH GOALS & OBJECTIVES



Section 71(2)(d) of the *Local Government Act 1993* requires the Devonport City Council's Annual Plan to include a summary of the major strategies to be used to achieve the City's public health goals and objectives.

Council's commitment to maintaining high levels of public health protection is identified under Goal 4 of the Devonport City Council Strategic Plan 2009-2030:

Goal 4 – Building Quality of Life

4.6 Integrated health and wellbeing services and facilities are accessible to all.

4.6.3 Provide quality public and environmental health services.

To assist Council in achieving its statutory objectives and its statutory obligations, the Development Services Department through the Environmental Health Unit is responsible for addressing a range of functions under the *Local Government Act 1993*, *Public Health Act 1997*, *Food Act 2003*, *Burial and Cremation Act 2002* and the *Environmental Management and Pollution Control Act 1994*. These functions include:

- Food Safety
- Public Education and Promotion
- Public Health Risk Activities
- Unhealthy Premises
- Disease Prevention and Control
- Notifiable Diseases
- Places of Assembly
- On-site Wastewater Disposal
- Cooling Towers
- Public Health Nuisances
- Environmental Nuisances
- Recreational Water Quality
- Air, Water and Soil Pollution
- Exhumations
- Immunisations

Key Actions for 2020/21 are to:

- Administer school-based immunisation program which is carried out in conjunction with the Department of Health.
- Provide high quality and responsive processes for the determination of food premises and other licence applications.
- Undertake inspection, licensing and registration of relevant businesses and temporary food stalls, and promote education programs for food handlers.
- Ensure the quality of water used for recreational purposes is monitored, and tested regularly during the warmer months and investigated whenever concerns are evident or raised.
- Provide a Sharps Container Disposal System to help promote the proper disposal of needles and syringes etc and therefore reduce the adverse effects of communicable diseases.
- Develop a Community Sharps Management guideline for the Devonport community.
- Provide timely and acceptable responses to complaints about environmental and public health issues including noise, smoke, dumping of wastes etc. when it is reported or noted and work with the relevant parties involved to educate them and resolve issues in breach of the legislation.
- Identify opportunities to work in partnership with the community to provide activities and programs that encourage education of public health and environmental matters.



2020/21 CORPORATE ACTION PLAN

The Corporate Action Plan outlines each of Council's strategic goals, and the service profiles, key documents and annual actions for the year associated with each goal.

Development of this year's actions has included a process through which the major priorities and major actions/initiatives were identified for each department.

The progress of these actions will be reported to Council on a quarterly basis, with the year end results being presented in Council's Annual Report.

GOAL 1 - LIVING LIGHTLY ON OUR ENVIRONMENT

Through the integration of sustainable practices, we will ensure Devonport's viability socially, economically and environmentally, preserving our natural geography and landscapes for future generations. Planned and sustainable management of energy, air, water and waste will assist in the delivery of a healthy environment.

Service Profile:	Key Documents:
<ul style="list-style-type: none"> Public Open Space (provision and maintenance of parks, sports grounds and cemeteries) Commercial garbage and cardboard collection service; Waste Transfer Station; waste disposal; domestic garbage and recycling service; Environmental Health Services (pollution monitoring) 	<ul style="list-style-type: none"> Environment Strategy Public Open Space Strategy Don Reserve Bushfire Management Plan Kelcey Tier Greenbelt Bushfire Management Plan Waste Strategy



Outcome 1.1 - Devonport is an energy efficient city	
Strategy	2020/21 Action
Lead and actively promote the adoption of practices that support the sustainable use of energy and other natural resources by Council, business and the community	Deliver the Devonport Community Cycling Initiative which focuses on increasing active transport
Outcome 1.2 - Sustainability is promoted and integrated across all sectors	
Strategy	2020/21 Action
Support the conservation and maintenance of biodiversity including coastal landscapes and preservation of areas of remnant vegetation	Participate in the development of the North-West Regional Cat Management Strategy Construct, install and monitor nest boxes for the critically endangered Swift Parrot Advocate to the Cradle Coast Authority for a regional approach toward managing climate change impacts and improving adaptations
Develop and implement local and regional policies and initiatives to mitigate climate change impacts in partnership with all spheres of Government	Develop climate change related Key Performance Indicators that can be reported on through Council's Annual Report
Outcome 1.3 - "Living Lightly" is promoted and encouraged	
Strategy	2020/21 Action
Identify and implement initiatives to educate and encourage our community on opportunities to 'Live Lightly'	Undertake education programs with Friends of Don, Don College, Devonport Wildcare Group
Outcome 1.4 - Our energy use is reduced	
Strategy	2020/21 Action
Promote reduction, re-use and recycling options to minimise waste materials within Council, the community and businesses	Explore and trial recycling bins in public places, including events
Facilitate, and where appropriate, undertake improvements in waste and recycling collection, processing services and facilities	Install public recycling bins in high profile locations
Lead and actively promote emissions minimisation	Install and promote electric vehicle fast charger Increase uptake of low carbon vehicles in Council's fleet Investigate joining the 'Cities Power Partnerships Program' and pledge to reduce emissions
Outcome 1.5 - Water is actively conserved and managed	
Strategy	2020/21 Action
Promote sustainable water usage and water quality management	Investigate installation of smart technology for high water-using facilities and/or opportunities to retrofit high water-using properties with water efficient fixtures and fittings

GOAL 2 - BUILDING A UNIQUE CITY

Devonport continues to develop its uniqueness as a city. The City's location provides a desirable position and ready-made advantages to guide future development and urban design. Land use planning and building on current strengths shall assist in the creation of precincts linking the river and coast, and offer a range of cultural, recreational and entertainment experiences. Strategic branding and marketing will underpin future development and growth, promoting the City as the place to live, invest, work, shop and visit.

Service Profile:	Key Documents:
<ul style="list-style-type: none"> • Provision and management of parking, including parking meters, car parks and strategic parking development • Provision and maintenance of buildings and facilities • Provision and maintenance of public open spaces, including parks, reserves, sports grounds, cemeteries • Provision and maintenance of roads • Provision and maintenance of stormwater • Building Regulatory Services (Permit Authority) • Administration of use and development of land 	<ul style="list-style-type: none"> • Asset Management Policy • Asset Management Strategy • Bike Riding Strategy • Boundary Fencing Policy • Cemetery Strategy • Commemorative Seat Policy and Procedure • Dilapidated Buildings Policy • Driveway Policy • Highfield Park Master Plan • Mersey Vale Memorial Park Master Plan • Parking By-Law • Parking Strategy • Pedestrian Strategy • Pioneer Park Master Plan • Planning Scheme • Public Lighting Strategy • Reserves, Parks and Gardens By-Law • Road Network Strategy • Signage Strategy • Stormwater Connection Policy • Stormwater Strategy • Subdivision Maintenance Bond Policy • Subdivision Outstanding Works Bond Policy • Tree Policy

Outcome 2.1 - Council's Planning Scheme facilitates appropriate property use and development

Strategy	2020/21 Action
Apply and review the Planning Scheme as required, to ensure it delivers local community character and appropriate land use	Finalise the Local Planning Schedules through the Tasmanian Planning Commission Undertake actions required for finalising the new Statewide Planning Scheme
Provide consistent and responsive development assessment and compliance processes	Develop a Residential Strategy for Devonport Review Council's Retail Strategy from a planning perspective
Work in partnership with neighbouring councils, State Government and other key stakeholders on regional planning and development issues	Maintain membership of Cradle Coast Regional Planning Group and advocate for review and update of Regional Land Use Strategy

Outcome 2.2 - The Devonport brand supports our marketing and promotion	
Strategy	2020/21 Action
Maintain a local brand that supports our competitive advantages	Continue to implement actions from Council's Retail Marketing Strategy
Outcome 2.3 - Infrastructure priorities support well planned, managed and appropriately funded development within our unique city	
Strategy	2020/21 Action
Develop and maintain long term Strategic Asset Management Plans	Develop and adopt a Parks Asset Management Plan
	Review Council's Asset Management Strategy
	Develop an Asset Management Plan for Council's plant and fleet assets
Provide and maintain roads, bridges, paths and car parks to appropriate standards	Review and update Road Network Strategy
	Review and update Bike Riding Strategy
	Review Public Lighting Strategy
Provide and maintain stormwater infrastructure to appropriate standards	Progress improvements to the Oldaker (East) catchment upgrade – stage 2
Provide and maintain Council buildings, facilities and amenities to appropriate standards	Install an information kiosk at the Mersey Vale Memorial Park
	Improve access throughout Mersey Vale Memorial Park by way of directional signage
	Install new toilet block at Horsehead Creek
Provide and maintain sustainable parks, gardens and open spaces to appropriate standards	Investigate methods to improve pedestrian safety and restrict vehicular access at Pioneer Park
	Review Council's Public Open Space Strategy
	Develop a plan and implementation program for improvements to the garden/former burial area in the south east corner of Pioneer Park
	Develop a plan for the grounds surrounding the Don Hall
Outcome 2.4 - Promote the development of the CBD in a manner which achieves the LIVING CITY Principles Plan	
Strategy	2020/21 Action
Implement initiatives from the LIVING CITY Master Plan	Continuation of Waterfront Park construction
Lobby and attract Government support to assist with the implementation of the LIVING CITY Master Plan	Seek funding opportunities for Waterfront Precinct Sound and Light Show
Implement initiatives to encourage private investment aligned with the outcomes of the LIVING CITY Master Plan	Investigate opportunities to attract commercial developments on Council-owned development sites

GOAL 3 - GROWING A VIBRANT ECONOMY

Devonport's location supports its position as the service and retail centre for North West Tasmania. Accessibility in, around and out of the City will be supported by sound planning and management. Devonport's natural beauty, its location as the sea gateway to Tasmania and home of the Spirit of Tasmania, provides the foundations for developing experiences and unique events to attract and retain visitors. Rich agricultural surrounds provide the opportunity to further develop food production, processing and experiences. With modern communication technology, Devonport engages with the world's markets, consumers and travellers.

Service Profile:

- Marketing and Events (City and retail promotions; integrated tourism and marketing promotion and advertising; strategic marketing)
- Economic Development/LIVING CITY
- Planning Services (strategic land use planning)

Key Documents:

- Digital Strategy
- Events Strategy
- Retail Strategy
- Rooke Street Mall & Market Square Policy
- Street Trading By-Law
- Tourism Development Strategy
- LIVING CITY Master Plan



Outcome 3.1 - Devonport is the business, service and retail centre for North West Tasmania	
Strategy	2020/21 Action
Market and promote the City as a regional business, service and retail hub	Develop an interstate marketing campaign for the paranple convention centre and maintain membership with Business Events Tasmania and Meetings and Events Australia
Outcome 3.2 - Devonport's visitor industry is developed around its natural assets, history and location	
Strategy	2020/21 Action
Support tourism through the provision of well designed and managed infrastructure and facilities	Develop a strategy to link Council's cultural facilities, promoted through the Visitor Information Centre at the paranple arts centre Undertake a detailed investigation into the cost and feasibility of a tourist train service linking key Devonport attractions
Support regional tourism development through productive relationships with regional partners and State and Federal Government	Maintain relationships with the Tasmanian Visitor Centre Network and Regional Tourism Networks
Facilitate a pro-active approach by business to embrace tourism opportunities	Facilitate a familiarisation tour for local and regional tourism operators and provide operators with the opportunity to engage in professional development exercises
Support festivals, events and attractions that add value to the City's economy	Offer the following Council initiated events: Food and Wine, New Year's Eve, Harmony Day, Christmas Parade, International Women's Day Promote an Events Assistance Package
Outcome 3.4 - Our economic progress continuously improves	
Strategy	2020/21 Action
Work in partnership with industry and government to identify needs of business and industry to pursue opportunities, which fosters economic development in the area	Maintain relationships with relevant industry and Government economic development stakeholders
Promote, encourage and develop initiatives that support the local economy	Work with the Cradle Coast Authority in delivering the Regional Futures Plan

GOAL 4 - BUILDING QUALITY OF LIFE

The quality of life enjoyed by the community depends largely on its connectedness, access to a range of community services and facilities, and the degree to which people feel safe, secure and included. Provision of education and health services are vital to the well-being of the community, as are recreational and community facilities for sport and individual pursuits, cultural activities which assist people to connect and engage with each other in developing a strong sense of belonging, community spirit and quality of life.

Service Profile:	Key Documents:
<ul style="list-style-type: none"> • Buildings and Facilities • Environmental Health Services • Community Development • Community Financial Assistance • Recreation Development • Recreation Facilities • Cultural and Heritage Facilities • Marketing and Events • Visitor Information Centre • Animal Management 	<ul style="list-style-type: none"> • CCTV Strategy • Community Engagement Policy • Community Safety Strategy • Disability Inclusion Plan • Dog Management Policy • East Devonport Community Plan • Events Strategy • Financial Assistance Policy • Home Hill Strategic Plan • Live and Learn Strategy • Devonport Regional Gallery Acquisition and Collection Policy • Public Art Guidelines • Regional Youth Strategy • Sponsorship Policy • Street Trading Policy • Volunteer Strategy



Outcome 4.1 - Sport and recreation facilities and programs are well planned to meet community needs	
Strategy	2020/21 Action
Provide and manage accessible sport, recreation and leisure facilities and programs	Facilitate the development of a City wide Recreation Infrastructure Master Plan Run a series of programs at the Recreation Centres for all ages and abilities
Promote passive recreational usage including walking, bike paths, trails, parks and playspaces	Undertake renewal of high use riding and walking paths
Outcome 4.2 - A vibrant city is created through the provision of cultural activities, events and facilities	
Strategy	2020/21 Action
Acknowledge, preserve and celebrate local art, culture and heritage	Maintain and promote the Council's permanent collection and continue to acquire work by significant Tasmanian artists Produce an annual program of exhibitions and programs that acknowledges Devonport's maritime history
Cultural facilities and programs are well planned and promoted to increase accessibility and sustainability	Deliver an exhibition program that aligns with the Devonport Regional Gallery strategy and exhibition policy Deliver a performing arts presenter season that enhances the cultural experiences of the community
Develop and implement an integrated approach to public art	Develop a public art strategy that considers existing and future public art assets
Outcome 4.3 - Heritage is valued	
Strategy	2020/21 Action
Develop and implement initiatives to preserve and maintain heritage buildings, items and places of interest	Develop a marketing plan that promotes Devonport as a regional centre of cultural heritage Develop a Master Plan for the Don Congregational Cemetery
Outcome 4.4 - Our community and visitors are safe and secure	
Strategy	2020/21 Action
Support the community in emergency management response and recovery	Provide information to residents to inform their preparedness for an emergency
Coordinate and promote effective management of animals	Provide information to residents to promote responsible pet ownership
Encourage safe and responsible community behaviour	Review Community Safety Strategy

Outcome 4.5 - Education and learning is accessible and responsive	
Strategy	2020/21 Action
Support the provision of facilities and services that encourage lifelong learning, literacy and meet the information needs of the community	Provide creative learning programs for young people and adults at the paranaple arts centre Facilitate and support the Live and Learn Steering Group to implement the actions from the Live and Learn Strategy
Outcome 4.6 - Integrated health and wellbeing services and facilities are accessible to all	
Strategy	2020/21 Action
Facilitate and advocate for child and family support services	Continue the 'Square Peg' project working with at risk young people
Facilitate and advocate for services for seniors in the community	Facilitate a week long program of events during Seniors Week Continue to deliver a range of programs at Recreation Centres for seniors
Provide quality public and environmental health services	Develop Community Sharps Management Guidelines in accordance with LGAT's Sharps Management Guidelines
Outcome 4.7 - An engaged community promotes and values diversity and equity	
Strategy	2020/21 Action
Encourage opportunities for active participation in community life	Promote Harmony Day to encourage active participation by all sectors of the community
Promote the equitable distribution and sharing of resources throughout the community that supports the delivery of quality outcomes	Undertake two rounds of Financial Assistance Grants during the financial year
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	Deliver the outcomes of year one of the Disability Inclusion Plan
Outcome 4.8 - Young people are recognised and valued allowing them to reach their full potential	
Strategy	2020/21 Action
Promote programs that encourage youth participation, engagement in decision making, development and leadership	Maintain a Devonport Regional Gallery Young Members Committee that engages with, and develops its own, creative programs and events Continue to work with Youth Family and Community Connections to deliver youth delivered activities, services
Assist in the development, promotion and celebration of young people	Hold Youth Week activities

GOAL 5 - PRACTISING EXCELLENCE IN GOVERNANCE

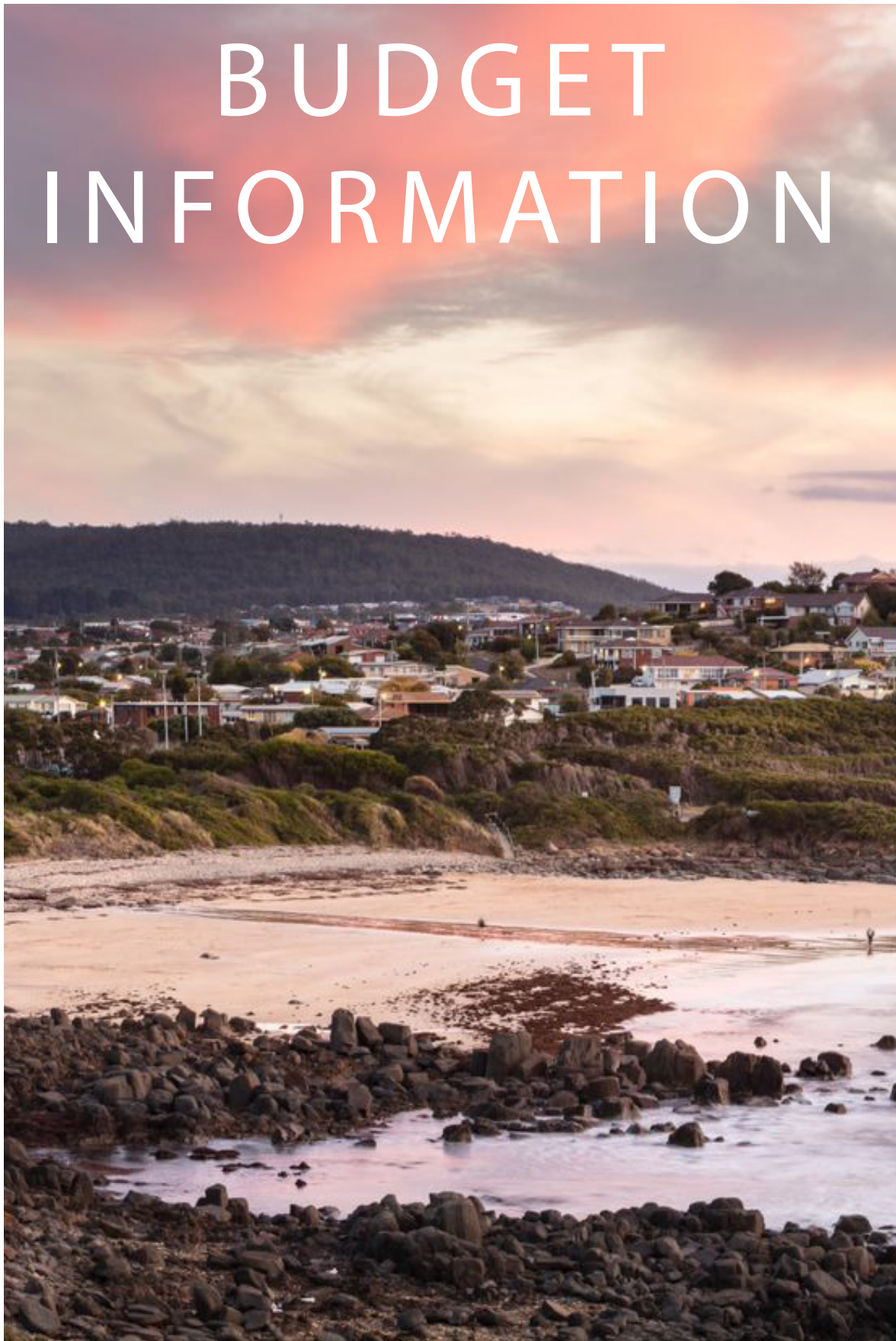
The changing role of local government contributes to the importance of regional cooperation and resource sharing, to deliver cost effective services to communities. Devonport ensures that it has best practice governance processes and systems in place to help provide leadership and develop the skills and performance of the Council. Close liaison and strategic alliances across the three tiers of government continue to be developed and sustained to ensure the future aspirations of the Devonport community can be achieved.

Service Profile:	Key Documents:
<ul style="list-style-type: none"> • Corporate Operations • Financial Accounting and Reporting • Revenue • Supply Services • Risk Management • Work Health and Safety • Councillors and Executive Support • Continuous Improvement • Governance Management • Property Management Administration • IT and Records Management • Human Resources and Payroll • Emergency Management 	<ul style="list-style-type: none"> • Community, Childcare and Commercial Lease Policy • Complaint Handling Policy • Council Committees Policy • Credit Card Policy • Customer Service Charter • Dealing with Difficult Customers Policy • Digital Recording Policy • Digital Strategy • Electoral Signage Policy • Equal Employment Opportunity (EEO) and Diversity Policy • Financial Hardship Assistance Policy • Financial Management Strategy • Fitness for Work Policy • Fraud and Corruption Control Policy • Gifts and Donations Policy • Harassment, Bullying and Anti-Discrimination Policy • Health and Safety Policy • Information Disclosure and Right to Information Policy • Investment Policy • Mersey Leven Emergency Management Plan • Model Code of Conduct Policy • Payment of Councillor's Allowances, Expenses and Provision of Facilities Policy • Personal Information Protection Policy • Public Interest Disclosures Procedure • Public Land Register • Public Question Time Policy • Purchasing Policy • Rates and Charges Policy • Recruitment and Selection Policy • Related Parties Disclosure Policy • Risk Management Framework • Sport and Recreation Groups Lease Policy

Outcome 5.1 - Regional cooperation is achieved through purposeful participation	
Strategy	2020/21 Action
Promote open communication and cooperation whilst representing Council at a regional, state and national level	Council to host North West Finance group meeting and participate in LG Professional regional meetings and activities
Pursue opportunities for cooperative initiatives including resource sharing with other councils, organisations and community groups	Participate in Cradle Coast Authority shared services project
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	Assist the Cradle Coast Authority in the delivery, promotion and expansion of the coastal pathway project
Outcome 5.2 - Promote active and purposeful community engagement and participation	
Strategy	2020/21 Action
Encourage community participation initiatives that supports two-way communication and consultation which results in increased engagement	Undertake community consultation throughout the year to provide input into council decision making Develop engagement tools that aim to increase accessibility of consultation
Develop an integrated approach to 'volunteerism' in our community	Review Volunteer Strategy in conjunction with Volunteering Tas
Outcome 5.3 - Council looks to employ best practice governance	
Strategy	2020/21 Action
Review and amend structures, policies and procedures to adapt to changing circumstances	Review Media Policy and assess requirement for a stand alone Social Media Policy
Ensure effective administration and operation of Council committees	Implement new minutes and agenda software system and review business processes accordingly
Maintain and monitor a fully integrated strategic and business planning process	Improve the management of strategy actions and recommendations by utilising existing software to record and monitor progress updates
Integrate continuous improvement behaviours into the organisation's culture	Continue the roll out of training in Competitive Systems across the organisation, including the development and integration of a Lean Behaviours Framework/Toolkit
Outcome 5.4 - Council is recognised for its customer service delivery	
Strategy	2020/21 Action
Provide timely, efficient, consistent services which are aligned with and meet customer needs	Update Council's Business Continuity Plan Increase the level of services delivered on digital platforms to make it easier and more efficient for the community to engage with Council services
Monitor and evaluate Council's service standards	Enhance reporting on service delivery through real-time dashboard reporting on Council's relevant service delivery metrics
Manage customer requests and complaints with a view to continual improvement of service delivery	Enhance delivery of internal feedback from customers and train employees to adjust service delivery to ensure the best outcome for the community

Outcome 5.5 - Council's services are financially sustainable	
Strategy	2020/21 Action
Ensure comprehensive financial planning and reporting to guarantee sustainability and meet or exceed financial targets	Review Financial Management Strategy in light of impact of COVID-19
Outcome 5.6 - Risk Management is a core organisational focus	
Strategy	2020/21 Action
Ensure safe work practices through adherence to Work Health and Safety standards	Audit compliance of Council's processes against the Work Health and Safety Codes of Practice
Comply with Council's Risk Management Framework	Update and adopt Council's Risk Register Deliver Risk Management training to relevant staff
Provide internal and external audit functions to review Council's performance	With the Cradle Coast Authority and other councils, investigate the feasibility of an Internal Audit function. Assess and implement, where appropriate, recommendations from the Annual Risk Audit
Ensure compliance with all relevant legislative requirements, standards, policies and procedures	Complete internal audits of Council's Work Health and Safety Systems in accordance with adopted schedule
Outcome 5.7 - Skilled, engaged and motivated employees have a supportive environment	
Strategy	2020/21 Action
Implement human resource management plans and strategies to meet current and future workforce needs	Prepare and negotiate terms and conditions for a new Enterprise Agreement
Ensure Human Resource policies, procedures and management systems support effective Council service delivery	Review Staff Code of Conduct
Outcome 5.8 - Information management and communication enhances Council's operations and delivery of services	
Strategy	2020/21 Action
Provide efficient, effective and secure information management services that support Council's operations	Develop real time dashboard reporting of Council's KPIs, management reporting and relevant operational metrics Develop a standard communication plan for capital works projects
Ensure access to Council information that meets user demands	Review and identify smartcity initiatives that deliver value to the community. Align with broader strategic priorities and develop pilot projects to deliver quick wins and prove value

BUDGET INFORMATION



SERVICE UNIT SUMMARY REPORT



COMMUNITY DEVELOPMENT				
<ul style="list-style-type: none"> Administration costs associated with maintaining and providing community development services to the community 				
		2021 Budget		2020 Budget
Income	\$	105,930	\$	108,420
Expense	\$	(737,582)	\$	(808,144)
Net Operating Surplus/(Cost)	\$	(631,652)	\$	(699,724)
COMMUNITY FINANCIAL ASSISTANCE				
<ul style="list-style-type: none"> Targeted financial assistance and funding for not for profit community organisations In Kind support Partnership Agreements 				
		2021 Budget		2020 Budget
Income	\$	25,000	\$	25,000
Expense	\$	(536,704)	\$	(347,274)
Net Operating Surplus/(Cost)	\$	(511,704)	\$	(322,274)
RECREATION DEVELOPMENT				
<ul style="list-style-type: none"> Provision and maintenance of recreation facilities and events to the community Coordination of sports ground bookings Facilitating current and future sport and recreation needs Targeted programs 				
		2021 Budget		2020 Budget
Income	\$	14,650	\$	23,600
Expense	\$	(302,818)	\$	(312,733)
Net Operating Surplus/(Cost)	\$	(288,168)	\$	(289,133)
DEVONPORT RECREATION CENTRE				
<ul style="list-style-type: none"> Operation of Centre (maintenance, bookings, daily operations) 				
		2021 Budget		2020 Budget
Income	\$	76,275	\$	102,900
Expense	\$	(447,255)	\$	(470,189)
Net Operating Surplus/(Cost)	\$	(370,980)	\$	(367,289)
EAST DEVONPORT RECREATION CENTRE				
<ul style="list-style-type: none"> Operation of Centre (maintenance, bookings, daily operations) 				
		2021 Budget		2020 Budget
Income	\$	23,500	\$	26,200
Expense	\$	(117,570)	\$	(139,861)
Net Operating Surplus/(Cost)	\$	(94,070)	\$	(113,661)

DEVONPORT AQUATIC CENTRE			
• Management of contract with Belgravia for 'Splash' Devonport Aquatic & Leisure Centre			
		2021 Budget	2020 Budget
Income	\$	350,000	\$ 398,200
Expense	\$	(1,507,504)	\$ (1,715,256)
Net Operating Surplus/(Cost)	\$	(1,157,504)	\$ (1,317,056)
MARKETING & EVENTS			
• City and retail promotions		• Strategic Marketing	
• Development and delivery of Events Program		• Assistance for Council supported events	
		2021 Budget	2020 Budget
Income	\$	25,100	\$ 57,860
Expense	\$	(428,235)	\$ (601,808)
Net Operating Surplus/(Cost)	\$	(403,135)	\$ (543,948)
paranaple arts centre			
• Town Hall Theatre		• Visitor Information Centre	
• Devonport Regional Gallery		• Tourism promotion	
		2021 Budget	2020 Budget
Income	\$	282,475	\$ 472,960
Expense	\$	(2,116,805)	\$ (2,140,334)
Net Operating Surplus/(Cost)	\$	(1,834,330)	\$ (1,667,374)
paranaple convention centre			
		2021 Budget	2020 Budget
Income	\$	255,000	\$ 365,460
Expense	\$	(1,057,775)	\$ (1,176,815)
Net Operating Surplus/(Cost)	\$	(802,775)	\$ (811,355)
JULIE BURGESS			
• Operation of the vessel			
		2021 Budget	2020 Budget
Income	\$	30,200	\$ 28,400
Expense	\$	(88,502)	\$ (84,969)
Net Operating Surplus/(Cost)	\$	(58,302)	\$ (56,569)
BASS STRAIT MARITIME CENTRE			
• Operation of centre		• Exhibitions and public programs	
• Heritage asset promotion			
		2021 Budget	2020 Budget
Income	\$	87,150	\$ 106,928
Expense	\$	(538,562)	\$ (598,074)
Net Operating Surplus/(Cost)	\$	(451,412)	\$ (491,146)
HOME HILL			
• Maintenance and support for the upkeep of the property & promotion			
		2021 Budget	2020 Budget
Income		-	-
Expense	\$	(85,633)	\$ (91,375)
Net Operating Surplus/(Cost)	\$	(85,633)	\$ (91,375)

BUILDINGS & FACILITIES			
<ul style="list-style-type: none"> Provision and maintenance of building facilities and assets Service assistance 			
		2021 Budget	2020 Budget
Income		-	-
Expense	\$	(386,159)	\$ (347,580)
Net Operating Surplus/(Cost)	\$	(386,159)	\$ (347,580)
PUBLIC OPEN SPACE			
<ul style="list-style-type: none"> Provision and maintenance of parks and reserves, sports grounds and cemeteries 			
		2021 Budget	2020 Budget
Income	\$	270,500	\$ 268,375
Expense	\$	(4,361,949)	\$ (4,659,418)
Net Operating Surplus/(Cost)	\$	(4,091,449)	\$ (4,391,043)
TRANSPORT (Roads)			
<ul style="list-style-type: none"> Provision and maintenance of roads and transport assets Service level compliance 			
		2021 Budget	2020 Budget
Income		-	-
Expense	\$	(7,698,575)	\$ (7,617,353)
Net Operating Surplus/(Cost)	\$	(7,698,575)	\$ (7,617,353)
STORMWATER			
<ul style="list-style-type: none"> Provision and maintenance of stormwater and drainage assets and infrastructure Service level compliance 			
		2021 Budget	2020 Budget
Income		-	-
Expense	\$	(2,175,165)	\$ (2,239,916)
Net Operating Surplus/(Cost)	\$	(2,175,165)	\$ (2,239,916)
WASTE MANAGEMENT			
<ul style="list-style-type: none"> Domestic garbage and recycling service Commercial garbage and cardboard service Waste Transfer Station operations Waste disposal 			
		2021 Budget	2020 Budget
Income	\$	5,880,000	\$ 5,678,878
Expense	\$	(5,602,495)	\$ (5,408,452)
Net Operating Surplus/(Cost)	\$	277,505	\$ 270,426
BUILDING REGULATORY SERVICES			
<ul style="list-style-type: none"> Building Permit Authority (drainage and building) Permit advice/guidance Administration and enforcement of building standard and legislative compliance 			
		2021 Budget	2020 Budget
Income	\$	177,565	\$ 196,680
Expense	\$	(229,044)	\$ (235,681)
Net Operating Surplus/(Cost)	\$	(51,479)	\$ (39,001)
PLANNING SERVICES			
<ul style="list-style-type: none"> Strategic land use planning Administration of use and development of land Development Assessment Advice on planning conditions Planning Scheme administration 			
		2021 Budget	2020 Budget
Income	\$	324,315	\$ 374,680
Expense	\$	(975,850)	\$ (929,563)
Net Operating Surplus/(Cost)	\$	(651,535)	\$ (554,883)

ENVIRONMENTAL HEALTH SERVICES			
<ul style="list-style-type: none"> Immunisations Premises inspection (food, cooling towers, skin penetration, place of assembly, street trading) Pollution monitoring Animal control 		<ul style="list-style-type: none"> Food Licensing Legislative compliance/enforcement Complaint investigations 	
		2021 Budget	2020 Budget
Income	\$	12,500	\$ 52,500
Expense	\$	(290,580)	\$ (335,361)
Net Operating Surplus/(Cost)	\$	(278,080)	\$ (282,861)
CORPORATE OPERATIONS			
<ul style="list-style-type: none"> Corporate administrative services Accounting Corporate Revenue 		<ul style="list-style-type: none"> Governance Information Technology Human Resources paranple centre 	
		2021 Budget	2020 Budget
Income	\$	26,072,703	\$ 27,343,031
Expense	\$	(4,236,526)	\$ (3,563,226)
Net Operating Surplus/(Cost)	\$	21,836,177	\$ 23,779,805
PROPERTY MANAGEMENT			
<ul style="list-style-type: none"> Properties owned by Council and leased to third parties Properties leased from the Crown and either managed or sub-leased to third parties 			
		2021 Budget	2020 Budget
Income	\$	893,940	\$ 773,340
Expense	\$	(2,025,042)	\$ (2,065,537)
Net Operating Surplus/(Cost)	\$	(1,131,102)	\$ (1,292,197)
PARKING			
<ul style="list-style-type: none"> Provision and management of parking meters Provision and management of car parks 		<ul style="list-style-type: none"> Monitoring and enforcement of parking time zones 	
		2021 Budget	2020 Budget
Income	\$	1,515,635	\$ 2,635,500
Expense	\$	(2,035,346)	\$ (2,077,587)
Net Operating Surplus/(Cost)	\$	(519,711)	\$ 557,913
ECONOMIC DEVELOPMENT			
<ul style="list-style-type: none"> Economic Development initiatives 		<ul style="list-style-type: none"> LIVING CITY 	
		2021 Budget	2020 Budget
Income		-	-
Expense	\$	(520,828)	\$ (599,157)
Net Operating Surplus/(Cost)	\$	(520,828)	\$ (599,157)
OVERALL SURPLUS/(COST)	\$	(2,200,664)	\$ 473,248



Photo credit: Ian Macleod - Distinctly Devonport 2019 Entry

COVID-19

The Coronavirus pandemic has stripped millions of dollars from the bottom line both in terms of forgone revenue and the need to make unbudgeted economic support available to the community.

COVID-19 related financial impacts have included:

- Forgone 2019/20 final TasWater dividend \$550K
- Forgone 2020/21 TasWater dividends totalling \$1.1M
- Waiving of sporting club ground fees and facility rent for six months
- Waiving of food licencing fees for 2020/21
- Lost rent from commercial and community tenants as a result of legislation requiring landlords to provide financial relief
- Loss of paranapple convention centre income with the cancellation or postponement of approximately 80 external meeting room hires and 13 major events
- Loss of income due to the closure of regional facilities such as Splash Aquatic, paranapple theatre and Bass Strait Maritime Centre
- Forgone parking revenue budgeted at approximately \$500K
- Commercial and residential rate relief measures such as deferrals and waivers as outlined in Council's Hardship Policy
- Additional community grants to support pandemic recovery
- Significant reduction of income from fees and charges due to economic downturn

With Devonport City Council traditionally generating a high percentage of its own revenue, rather than depending on Government operating grants, the financial impact of COVID-19 on the organisation has been significant.

Fortunately, the Council is in a sound financial position and has the capacity to endure the short term impacts whilst continuing to provide services, invest in the future and remain financially sustainable over the long term.

FINANCIAL BUDGET AT A GLANCE



The 2020/21 budget incorporates **\$56,411,313** in estimated operational and capital expenditure.

Budget Summary		\$
Operational Budget		
Income		38,651,649
Expenditure		(40,852,313)
Operating Surplus/(Deficit)		(2,200,664)
Underlying Result		(3,017,664)
Capital Budget		
Asset Renewal		8,437,550
New/Asset upgrade projects		7,121,450
Total Capital Budget excluding carried forwards		15,559,000
External Funding		
Capital Grants excluding LIVING CITY		4,248,000
Capital Grants and Capital Contributions for LIVING CITY		6,000,000

Key Expenditure Allocations (inclusive of Federal and State Funding):

- \$8,000,000 to progress the Waterfront Park development of LIVING CITY
- \$1,100,000 for stage 1 of Devonport Road renewal
- \$1,000,000 towards stage 2 of the Coastal Pathway construction
- \$ 700,000 for the re-seal program
- \$ 550,000 for the Oldaker (East) catchment upgrade
- \$ 400,000 for the Wright Street renewal
- \$ 95,000 for a new toilet block at Horsehead Creek

The budget reflects Council's priorities for the operational and capital programs for the 2020/21 financial year.

The estimated operating deficit of \$2,200,664 has been heavily impacted by COVID-19. Revenue is expected to be \$3,322,000 lower than the 2020 budget due to the forecast subdued economic recovery on the North West Coast, closure of facilities into the new financial year and the anticipated loss of dividend revenue from TasWater. Council expects that it will be forced to reduce some service levels in response to this reduction in revenue. The impact on revenue is expected to be largely confined to the next 12 months and Council is forecasting a return to a small operating surplus in 2021/22.

The budget has been prepared on the basis of no increase in the general rate and a freezing of all other fees and charges including the Waste Management charge. Council made the decision to freeze rates and fees in April 2020 in response to the restrictions placed on the community in an effort to reduce the spread of the coronavirus. The impact of these restrictions on Devonport residents was immediate and resulted in job losses and closure of businesses. The Council made several other decisions to help lessen the financial impact of the restrictions on residents, including waiving parking fees for a number of weeks, waiving user charges for sporting facilities and reducing rent for tenants of Council owned properties. All of these decisions, as well as the loss of the final dividend from TasWater in 2020, has resulted in a forecast deficit for the 2020 financial year.

ANALYSIS OF ESTIMATES



The Estimated Statement of Comprehensive Income, shown below, reports the budgeted revenues and expenses calculated on an accrual basis. It includes a forecast for 2019/20 as well as the budget figures. It also includes a forecast for the 2021/22 and 2022/23 years.

ESTIMATED STATEMENT OF COMPREHENSIVE INCOME

Estimated Statement of Profit or Loss and other Comprehensive Income	2019 Actual \$'000	2020 Budget \$'000	2020 Forecast \$'000	2021 Budget \$'000	2022 Projection \$'000	2023 Projection \$'000
Recurrent Income						
Rates and Service charges	27,976	28,642	28,822	29,115	29,455	29,535
Fees and User Charges	6,972	6,831	6,396	5,610	7,009	7,110
Grants - Operating	2,586	2,644	2,502	2,517	2,472	2,473
Contributions - Operating	19	36	36	18	18	18
Investment Revenue	2,415	2,309	1,274	248	1,330	1,348
Share of Profits of Associates	1,204	372	372	660	660	660
Other Revenue	1,105	1,139	1,078	483	484	484
Total Recurrent Income	42,277	41,973	40,480	38,651	41,428	41,628
Expenses						
Employee Benefits	11,964	12,332	12,310	12,231	12,420	12,441
Materials and Services	16,514	16,691	17,044	15,853	16,795	16,587
Depreciation	9,574	9,750	9,750	9,825	9,866	9,892
Financial Costs	3,611	1,731	1,731	1,542	1,115	1,055
Other Expenses	1,202	995	896	1,401	1,029	1,029
Total Expenses	42,865	41,499	41,731	40,852	41,225	41,004
Surplus/(Deficit) before capital items	(588)	474	(1,251)	(2,201)	203	624
Capital & Other items						
Capital Grant & Contributions	2,014	4,057	3,271	10,248	10,256	756
Loss on Disposal of Assets/ Donated Assets	(3,704)	(304)	(1,208)	(817)	(200)	(200)
Total Capital Income	(1,690)	3,753	2,063	9,431	10,056	556
Surplus/(Deficit)	(2,278)	4,227	812	7,230	10,259	1,180
Underlying Surplus/Deficit	(1,560)	169	(2,321)	(3,018)	0	424

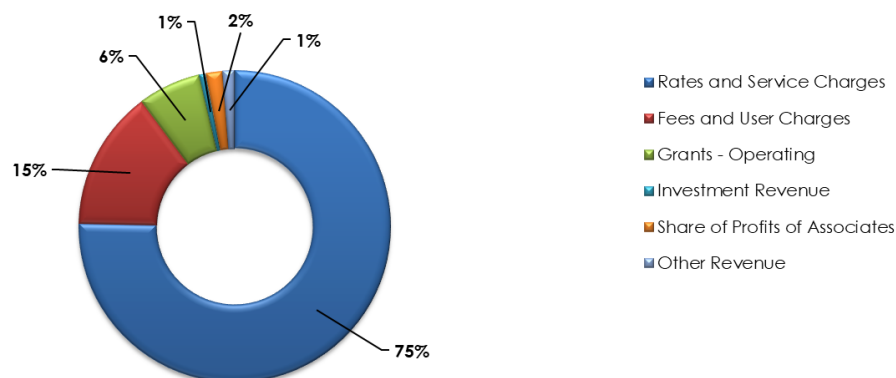
Note: These figures are before elimination of internal charges and some changes to classification of revenue and expenses have been made in the 2020/21 budget.

The Estimated Statement of Comprehensive Income demonstrates that Council is forecasting to deliver a deficit before adjusting for capital items in the current financial year and for the 2020/21 budget year. This is a direct result of loss of revenue due to COVID-19. Council expects this impact to be for the short term only and predicts a return to operating surplus in the 2021/22 and 2022/23.

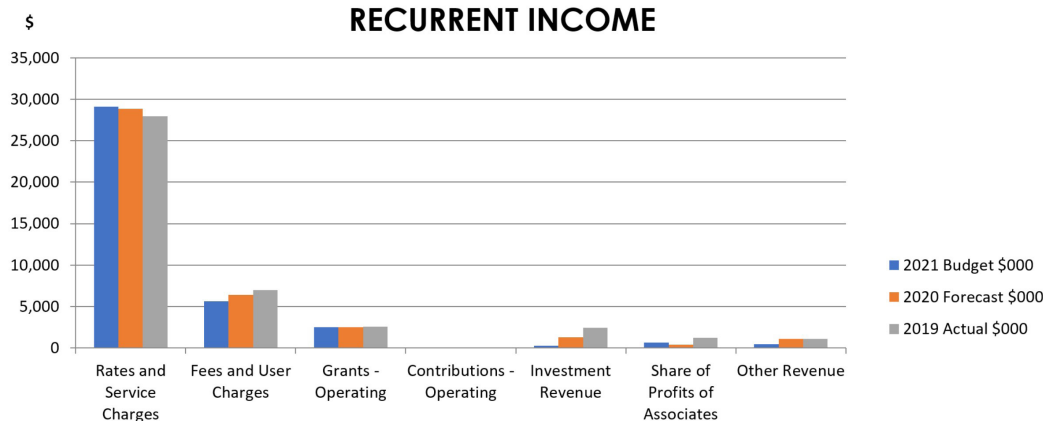
INCOME

The charts below depicts the make up of Council's various income sources for the 2020/21 budget year only. The commentary below reflects the comparison between the 2020/21 budget and the 2019/20 forecast result.

ESTIMATED INCOME



RECURRENT INCOME



RATES & SERVICE CHARGES \$293,000 INCREASE

This category includes rates revenue, waste management charges and the fire service levy (collected on behalf of the State Fire Commission). Council have determined to freeze the general rate and waste management charges at 2019/20 levels in response to COVID-19. The growth in this area is driven by supplementary rate revenue expected to be received over the next financial year.

The residential waste management charge will remain at \$270 per property. Council will continue its transition of non-residential (commercial and industrial) properties to a full fee for service basis. This change commenced in 2017/18, however it will take several years to fully implement the changes to the fee structure. While the full savings in relation to the changes were passed on to relevant ratepayers 3 years ago, Council agreed to phase in increases over the coming years. Increases to waste management charges for non-residential properties will be capped at 25% in 2020/21.

The State Government has indicated that there will be no increase in the Fire Service Levy collected on behalf of the State Fire Commission. The amount collected will increase in line with supplementary rates collected.

FEES & USER CHARGES - \$786,000 DECREASE

This category of revenue has been heavily impacted by COVID-19. Council has determined to hold all fees at 2019/20 levels as well as waive all Food Business Registration fees for the 2020/21 year to assist businesses to recover following the trading restrictions imposed. Revenue from sporting facilities, the Convention Centre, Town Hall Theatre and other cultural facilities are all expected to be lower than the current year as facilities gradually reopen to the public but with social distancing restrictions to remain in place. Statutory fees (such as planning fees, license fees, fines, animal registrations, etc) are also expected to be lower in the first half of the financial year as the economy slowly recovers from the current environment. Council will continue to provide rent relief to commercial tenants in accordance with the guidelines issued by the State Government. The combined impact of these initiatives will result in revenue from Fees & Charges being \$1,221,000 less than the 2019/20 budget amount. Council's fees and charges are included in the attached List of Fees & Charges, and on Council's website.

OPERATING GRANTS & CONTRIBUTIONS - \$15,000 INCREASE

Grants and contributions include all monies received from both the State and Federal Governments to assist with funding the delivery of services provided by Council as well as contributions received. It has been assumed that the Federal Government will continue providing advance payment of part of the subsequent years Financial Assistance Grants in June each year.

Grant Funding	Estimate 2020/21 \$'000
Financial Assistance Grant	2,330
Community Development Grants	43
Nesting Boxes for Kelcey Tiers	19
Torquay Ferry Operational Grant	25
Art Gallery	100
	2,517

INVESTMENT REVENUE - \$1,026,000 DECREASE

This income item reflects the interest revenue Council is able to generate from its cash investments as well as dividends received from its ownership stake in TasWater. In April 2020, TasWater announced it would not be paying the final dividend for the 2019/20 financial year and that it was unlikely it will pay any dividend to shareholders in the 2020/21 year. This represents a loss of \$1.1M in 2020/21. The amount of interest revenue Council is able to generate is also expected to be lower in 2020/21 due to reduced cash balances and lower interest rates. The distribution from Dulverton Regional Waste Management Authority previously reported in this category has been reallocated to Share of Profits of Associates.

SHARE OF PROFIT FROM ASSOCIATES - \$288,000 INCREASE

The share of profit from Dulverton Regional Waste Management Authority has been reallocated for 2020/21. The revenue has previously been split between Investment Revenue and Capital Items, however it has been consolidated this year to show the total return from Council's investment. The total return from Dulverton is expected to be consistent with the 2019/20 return on investment.

OTHER REVENUE - \$595,000 DECREASE

Other estimated Council revenue for 2020/21 includes recoveries from infringement debtors and commission revenue from collecting the Fire Service levy and ticket sales. Utility recoveries from Belgravia Leisure in relation to the management of Splash Aquatic Centre had previously been shown as revenue, however this amount has now been reallocated to offset the utility expense incurred by Council. This reallocation and a reduction in commission income from ticket sales is driving the decrease in this revenue category.

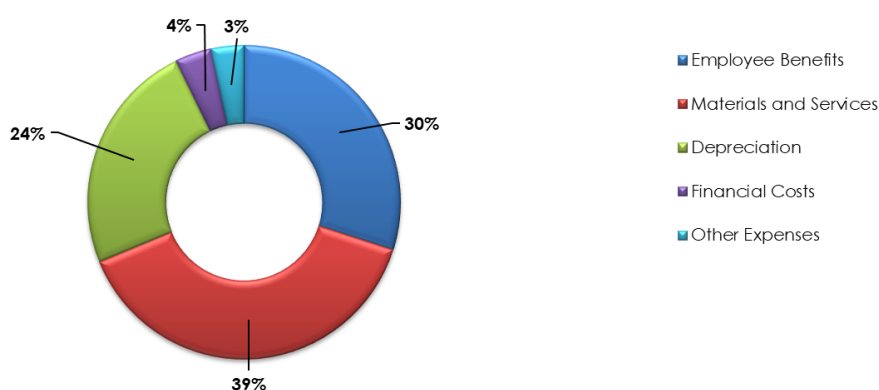
CAPITAL GRANTS & CONTRIBUTIONS - \$6,977,000 INCREASE

Capital grants include all monies received from State, Federal and community sources for the purposes of funding the capital works program. Council expects to receive \$5M from the Federal Government as part contribution towards the Waterfront Park project, as well as \$1M funding to progress the light show at the Waterfront Park, \$500K for the entrance to East Devonport and \$1M in drought assistance funding. Capital grants in relation to the 'level the playing field' program are expected to be carried over from the 2019/20 financial year and Council also expects to receive funding from the Federal Government's Black Spot and Roads to Recovery Programs for road infrastructure projects.

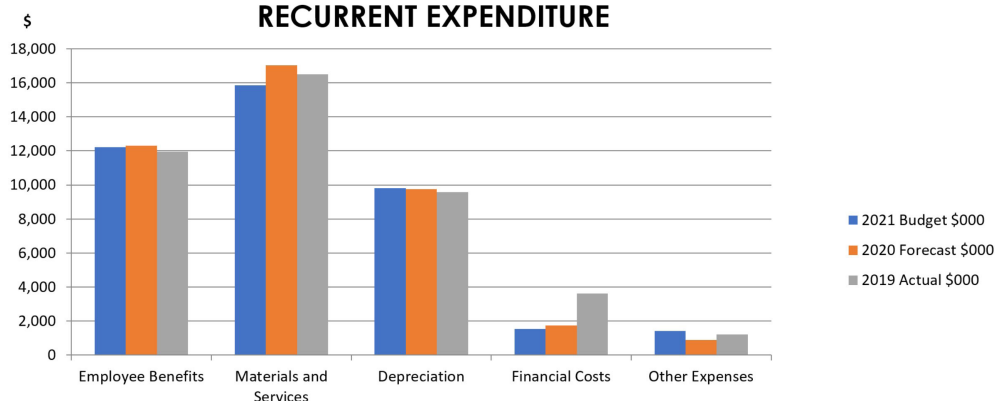
EXPENDITURE

The charts below depict Council's various expenditure requirements for the 2021 budget as compared to 2020 forecast amounts.

ESTIMATED EXPENDITURE



RECURRENT EXPENDITURE



EMPLOYEE BENEFITS - \$79,000 DECREASE

Employee benefits include all labour related expenditure such as wages, salaries, training and allowances, on-costs such as employer superannuation, leave accruals, training and payroll tax.

The employee benefits estimate is based on anticipated staffing levels of 150 full time equivalents (FTE) for 2020/21. Council's priority through the past months has been staff safety and retention of permanent employees. A number of facilities have closed and staff have been asked to work from home or other Council locations as a result of the pandemic. The reduction in casual hours has partly been offset by the completion of capital projects with staff time that had previously been capitalised now reverting to operational projects. Council is managing employee costs through this time with impacted staff taking leave and staff accepting a wage freeze for the 2020/21 year.

MATERIALS & SERVICES - \$1,191,000 DECREASE

Materials and services include a wide range of operational costs. In response to the loss of revenue predicted for 2020/21, Council has closely reviewed all expenditure and made reductions where possible. Only essential major maintenance will be undertaken next year and there will be some temporary reductions in service levels as an immediate response to reduced revenue. The reallocation of utility recoveries from a revenue line to a contra expense accounts for \$350K of the variance.

DEPRECIATION - \$75,000 INCREASE

Depreciation is an accounting measure reflecting the usage of Council's property, plant and equipment including infrastructure assets such as roads and drainage. This figure is impacted by the addition and disposal of assets as well as the revaluation of assets and changes in expected useful life assumptions. This non-cash expense should allow Council to fund future asset renewal and replacement.

FINANCIAL COSTS - \$189,000 DECREASE

Financial costs represent interest on loans and bank charges. The reduction in interest expense is due to one of the interest rate swaps maturing during the 2020/21 year which will result in a portion of the existing borrowings moving from a fixed rate of interest to a lower variable rate of interest.

OTHER EXPENSES - \$505,000 INCREASE

Other expenses relates to a range of expenditure including contributions to community groups, Mayor and Councillor expenses and bad debts. The majority of the increase relates to a \$300K package included to assist community groups and ratepayers as they recover from the pandemic.



Photo credit: Daniel Gunn - Distinctly Devonport 2019 Entry

ESTIMATED STATEMENT OF FINANCIAL POSITION



The Estimated Statement of Financial Position reports the projected assets, liabilities and equity of Council, providing information about the resources controlled by Council and other information which is useful for assessing Council's financial position at the end of the 2020/21 year. The commentary provided below relates to the 2020/21 budget year.

Estimated Statement of Financial Position	2019 Actual \$'000	2020 Budget \$'000	2020 Forecast \$'000	2021 Budget \$'000	2022 Projected \$'000	2023 Projected \$'000
Current Assets						
Cash and cash equivalents	15,966	14,194	12,510	2,819	8,541	9,307
Receivables	7,578	1,110	2,110	4,110	3,548	2,048
Other Assets	306	76	76	76	76	76
Available for sale assets	1,337	-	-	-	-	-
	25,187	15,380	14,696	7,005	12,165	11,431
Non-Current Assets						
Investments in Associates	7,234	6,687	7,834	7,996	8,158	8,320
Receivables	24	22	22	19	16	13
Other Assets	268	-	218	168	118	68
Investments in TasWater	100,028	87,345	100,028	100,028	100,028	100,028
Property, Plant & Equipment	477,943	480,805	486,586	490,775	505,463	504,964
Capital Work in Progress	4,311	11,500	9,000	15,450	3,450	3,450
	589,808	586,359	603,688	614,436	617,233	616,843
TOTAL ASSETS	614,995	601,739	618,384	621,441	629,398	628,274
Current Liabilities						
Payables	2,378	3,178	3,178	3,178	3,180	3,180
Provisions	2,309	2,146	2,146	2,146	2,146	2,146
Interest Bearing Liabilities	1,804	1,804	1,804	1,804	1,804	1,804
	6,491	7,128	7,128	7,128	7,130	7,130
Non-Current Liabilities						
Provisions	351	455	455	455	455	455
Interest Bearing Liabilities	50,017	48,212	48,212	46,408	44,604	42,800
Other Financial Liabilities	2,499	407	2,499	1,999	1,499	999
	52,867	49,074	51,166	48,862	46,558	44,254
TOTAL LIABILITIES	59,358	56,202	58,294	55,990	53,688	51,384
NET ASSETS	555,637	545,537	560,090	565,451	575,710	576,890
Equity						
Asset Revaluation Reserves	320,447	316,514	316,514	316,514	316,514	316,514
Other Reserves	23,631	10,948	23,631	23,631	23,631	23,631
Accumulated Surplus	211,559	218,075	219,945	225,306	235,565	236,745
TOTAL EQUITY	555,637	545,537	560,090	565,451	575,710	576,890

CURRENT ASSETS & NON-CURRENT ASSETS

Current assets are expected to decline from forecast by \$7.7M due to a reduction in cash holdings as a result of COVID -19 and payments for capital expenditure. The loss of revenue and the Hardship Policies that Council have adopted will impact on cash flow in the short term. It is anticipated that cash balances will recover in 2022 and 2023 as the general economy recovers and Council receives capital grants for works budgeted in 2020/21.

CURRENT LIABILITIES & NON-CURRENT LIABILITIES

Current Liabilities are expected to remain constant between 2020 and 2021.

Non-Current Liabilities are expected to decrease from forecast by \$2M, due to the repayment of loan principal.



ESTIMATED STATEMENT OF CASH FLOWS

The Estimated Statement of Cash Flows reflects the estimated cash movements resulting from Council's operation for the year and its cash balance at the end of the year based on the projected cash position at the commencement of the year. The commentary provided below relates to the 2020/21 budget year.

Estimated Statement of Cash Flows	2019 Actual \$'000	2020 Budget \$'000	2020 Forecast \$'000	2021 Budget \$'000	2022 Projected \$'000	2023 Projected \$'000
Cash Flows from Operating Activities						
Receipts						
Rates and other User Charges	33,463	35,017	33,251	30,900	36,139	36,320
Refunds from ATO for GST	2,958	1,473	1,000	1,473	1,473	1,473
Interest	428	420	320	50	56	74
Contributions	19	1	26	3	3	3
Government Grants & Subsidies	2,586	2,644	2,575	2,517	2,473	2,473
Investment Revenue for TasWater	1,727	1,253	647	-	1,076	1,076
Other	954	797	1,102	501	502	502
	42,135	41,605	38,921	35,444	41,722	41,921
Payments						
Payments to suppliers & employees	(29,967)	(28,190)	(28,650)	(26,259)	(27,391)	27,703
Interest	(1,716)	(1,731)	(1,671)	(1,627)	(1,615)	1,555
Other Expenses	(1,326)	(995)	(1,082)	(1,316)	(1,029)	1,029
	(33,009)	(30,916)	(31,403)	(29,202)	(30,035)	(30,287)
Net Cash Flow from Operating Activities	9,126	10,689	7,518	6,242	11,687	11,634
Cash Flow from Investing Activities						
Receipts						
Proceeds from Sale of Non-Current Assets	3,299	1,100	1,100	128	100	100
Sale Proceeds in advance	1,504	(1,500)	-	-	-	-
Capital Grants	335	4,057	3,764	10,248	10,006	506
Capital Contributions	-	-	-	-	-	-
Dividend Revenue	-	616	616	498	498	498
	5,138	4,273	5,480	10,874	10,604	1,104
Payments						
Loans to community organisations	-	3	-	-	-	-
Payments for Non-Current Assets	(21,406)	(16,794)	(14,654)	(25,005)	(14,768)	(10,171)
	(21,406)	(16,791)	(14,654)	(25,005)	(14,768)	(10,171)
Net Cash used in Investing Activities	(16,268)	(12,518)	(9,174)	(14,131)	(4,164)	(9,067)
Cash Flow from Financing Activities						
Proceeds from Borrowings	7,661	-	-	-	-	-
Loans to community organisations	4	-	3	3	3	3
Repayment of Borrowings	(999)	(1,804)	(1,804)	(1,804)	(1,804)	(1,804)
Net Cash from (or used in) financing activities	6,666	(1,804)	(1,801)	(1,801)	(1,801)	(1,804)
Net Increase (Decrease) in Cash Held	(476)	(3,633)	(3,457)	(9,690)	5,722	766
Cash at beginning of Reporting Period	16,442	17,827	15,966	12,509	2,819	8,541
Cash at end of Reporting Period	15,966	14,194	12,509	2,819	8,541	9,307

Cash flows will be impacted as a direct result of COVID-19. Revenue will be reduced with the loss of the TasWater dividend and the closure of Council facilities as well as the support Council will provide to ratepayers. The timing of receipt of rate revenue will most likely be impacted by the ability of households and businesses to return to pre-COVID activity levels. Council has made provision for larger than usual rates debtor balances at 30 June 2020 and 2021. Cash balances at the end of 2021 are expected to reduce to \$2.9M but are expected to recover to more sustainable levels by 30 June 2022.

The budgeted cash flow includes principal repayments on existing debt at pre-COVID levels.

FINANCIAL MANAGEMENT INDICATORS

A selection of financial and asset management indicators have been included in the Annual Plan to assist in analysing the Council's financial performance.

The following table highlights Council's current performance across a range of key financial indicators (including those prescribed in the legislation).

Indicator	2019 Actual	2020 Budget	2020 Forecast	2021 Budget	2022 Projection	2023 Projection
Financial Operating Performance						
Underlying Surplus Ratio	(3.81)	0.41%	(4.60%)	(7.81%)	0%	1.02%
Rate Revenue/Operating Revenue	66%	69%	71%	75%	71%	71%
Liquidity Position						
Cash Reserves	\$15,966,000	\$14,194,000	\$12,509,000	\$2,819,000	\$8,541,000	\$9,307,000
Net Financial Liabilities Ratio	(87.34%)	(89.58%)	(105.95%)	(126.93%)	(100.41%)	(96.16%)
Net Interest Cost	7.80%	3.66%	3.00%	3.87%	2.35%	2.16%
Asset Management Performance						
Road Assets Consumption Ratio	44%	46%	45%	45%	45%	45%
Asset Sustainability Ratio	42%	67%	91%	71%	77%	77%
Non-Financial Resources						
Employee Benefits	\$11,964,000	\$12,332,000	\$12,310,000	\$12,231,000	\$12,420,000	\$12,441,000
Employee Numbers (FTE)	143	150	147	150	150	150

UNDERLYING SURPLUS RATIO

This ratio serves as an overall measure of financial operating effectiveness. To remain financially sustainable, Council should aim to record a positive underlying surplus. If this is achieved, Council should be able to maintain its current level of services and maintain its assets into the future.

To determine the underlying surplus, the net surplus is adjusted for prepaid grants, capital grants and contributions and other material one-off items. Council has adopted the Auditor-General's benchmark of between 0% and 15% for this ratio. A result greater than zero indicates an underlying surplus.

The results in the table above shows that Council will record an underlying deficit in 2020 and 2021 but will break-even in 2022 and return to surplus in 2023.

RATE REVENUE

This measure reflects the extent of reliance on rate revenues to fund Council's on-going services. Council aims to maintain the rate revenue as a constant percentage of operating revenue to ensure it is not solely reliant on rates to fund services.

CASH RESERVES

Council estimates it will end the current financial year in a strong cash position with approximately \$12.5M in cash and investments. This amount will decrease over the forward years, falling to \$2.8M at 30 June 2021, but will increase in the following years as the impacts of the pandemic decline.

NET FINANCIAL LIABILITIES RATIO

This ratio measures the net financial obligations of Council as a percentage of the operating income in any one year. Where the ratio is positive, it indicates that liquid assets (cash and receivables) exceed total liabilities. Conversely a negative ratio indicates an excess of total liabilities over liquid assets. The benchmark set by the Auditor-General for this ratio is between 0% and 50%.

The ratio currently exceeds this benchmark as a result of the borrowings for LIVING CITY Stage 1. Principal repayments will continue and gradually bring this ratio within the benchmark.

NET INTEREST COST

This ratio measures Council's ability to meet its net interest obligations from its operating revenue. Treasury use this measure when assessing loan requests and set the benchmark at net interest cost of 7% of recurrent income or less.

Council exceeds this ratio in 2019 due to negative movements in the interest rate swaps. As interest rates have stabilised, this ratio is expected to be below the benchmark in future years.

ROAD ASSET CONSUMPTION RATIO

This ratio indicates the average percentage of remaining useful life of Council's assets, or, the average proportion of new condition left in assets. The higher the percentage, the greater future service potential is available to provide services to ratepayers.

Council is meeting the benchmark of between 40% and 60% considered appropriate for this ratio. Whilst this ratio is calculated for all asset classes, the focus is predominately on the roads asset class as this is typically the largest. The recent Road Management in Local Government review undertaken by the Tasmanian Audit Office also concluded that Council roads are in a reasonable condition, but recommended that Council review the level of renewal. Council recently adopted an updated Transport Asset Management Plan which will help guide decision making for renewal of road assets.

ASSET SUSTAINABILITY RATIO

This ratio compares the rate of capital spending through renewing, restoring and replacing existing assets, with the value of depreciation. Council has set a benchmark in the Financial Management Strategy to aim to invest between 60% and 100% of the depreciation expense on renewing assets.

The asset sustainability ratio was below this benchmark for 2019, however it is expected to stay within the target range for future years.

ESTIMATED BORROWINGS

Council will continue to fund loan principal repayments at pre-COVID levels. No new borrowings are forecast for the 2020/21 financial year and total borrowings at 30 June 2021 are predicted to be \$48.2M

CAPITAL WORKS PROGRAM 2020/21



DESCRIPTION	NEW (INCL UPGRADE)	ASSET RENEWAL	TOTAL BUDGET	EXTERNAL FUNDING (INCL IN TOTAL)
PUBLIC OPEN SPACE & RECREATION				
Safety Projects				
Don Reserve - pedestrian crossing upgrades	\$ 10,500	\$ 24,500	\$ 35,000	-
Bluff Headland - hand rail replacment and extension	\$ 18,000	\$ 27,000	\$ 45,000	\$ 45,000
Seat replacements - William Street (Fourways)	-	\$ 20,000	\$ 20,000	-
Safety Projects Total	\$ 28,500	\$ 71,500	\$ 100,000	\$ 45,000
Renewal Projects				
Netball courts resurfacing and drainage - west end	\$ 16,000	\$ 24,000	\$ 40,000	\$ 40,000
Aquatic Centre/Don Reserve - playground renewal/relocation	-	\$ 90,000	\$ 90,000	\$ 90,000
Kiah Place - playground equipment renewal	-	\$ 78,000	\$ 78,000	\$ 78,000
Path renewal Don Reserve - Nicholls Street to James Street	-	\$ 140,000	\$ 140,000	\$ 140,000
Renewal Projects Total	\$ 16,000	\$ 332,000	\$ 348,000	\$ 348,000
Prioritisation Projects				
Installation of public recycling bins	\$ 30,000	-	\$ 30,000	-
Highfield Park new BBQ shelter	\$ 75,000	-	\$ 75,000	\$ 75,000
Mersey Vale Cemetery - ash interment columns for Memorial Garden	\$ 35,000	-	\$ 35,000	-
Prioritisation Projects Total	\$ 140,000	-	\$ 140,000	\$ 75,000
2020/21 Total	\$ 184,500	\$ 403,500	\$ 588,000	\$ 468,000



DESCRIPTION	NEW (INCL UPGRADE)	ASSET RENEWAL	TOTAL BUDGET	EXTERNAL FUNDING (INCL IN TOTAL)
TRANSPORT				
Safety Projects				
Street light provision	\$ 12,500	\$ 12,500	\$ 25,000	-
Melrose Road - Morris Road intersection improvements	\$ 37,500	\$ 37,500	\$ 75,000	\$ 75,000
Steele and Percy Street intersection improvements	-	\$ 70,000	\$ 70,000	\$ 35,000
Mersey Main Road safety improvements - Spreyton Primary school	-	\$ 104,000	\$ 104,000	\$ 104,000
Mersey Main Road safety improvements - Maidstone Park	\$ 17,000	\$ 51,000	\$ 68,000	\$ 68,000
Don Road, Lovett Street and Sorell Street safety improvements	-	\$ 40,000	\$ 40,000	\$ 40,000
Safety Projects Total	\$ 67,000	\$ 315,000	\$ 382,000	\$ 322,000
Renewal Projects				
Transport minor works	\$ 12,500	\$ 12,500	\$ 25,000	-
Reseal program	-	\$ 700,000	\$ 700,000	-
Devonport Road renewal - stage 1	\$ 165,000	\$ 935,000	\$ 1,100,000	\$ 538,000
Bridge Road pavement renewal	-	\$ 374,000	\$ 374,000	-
Electric vehicle charging station	\$ 50,000	-	\$ 50,000	-
Wright Street renewal - Tarleton Street to John Street	-	\$ 400,000	\$ 400,000	-
Renewal Projects Total	\$ 227,500	\$ 2,421,500	\$ 2,649,000	\$ 538,000
Prioritisation Projects				
Mersey Bluff Precinct - traffic, pedestrian and parking improvements - stage 3	\$ 225,000	\$ 75,000	\$ 300,000	\$ 300,000
Coastal Pathway contribution - part 2	\$ 1,000,000	-	\$ 1,000,000	-
State Vehicle Entry Project (SVEP) - allocation 1	\$ 250,000	\$ 250,000	\$ 500,000	\$ 500,000
Prioritisation Projects Total	\$ 1,475,000	\$ 325,000	\$ 1,800,000	\$ 800,000
2020/21 Total	\$ 1,769,500	\$ 3,061,500	\$ 4,831,000	\$ 1,660,000



DESCRIPTION	NEW (INCL UPGRADE)	ASSET RENEWAL	TOTAL BUDGET	EXTERNAL FUNDING (INCL IN TOTAL)
STORMWATER				
Safety Projects				
Minor stormwater works	\$ 45,000	\$ 15,000	\$ 60,000	-
Stormwater outfall risk management	\$ 18,750	\$ 6,250	\$ 25,000	-
Hiller and Smith stormwater improvements	\$ 25,000	-	\$ 25,000	-
Stormwater improvements 200 Steele Street	\$ 29,000	\$ 29,000	\$ 58,000	-
298 Bellamy Road stormwater culvert	\$ 9,000	\$ 9,000	\$ 18,000	-
Oldaker (East) catchment upgrade - stage 2	\$ 137,500	\$ 412,500	\$ 550,000	-
Church Street Stormwater improvements	\$ 175,000	\$ 175,000	\$ 350,000	-
Safety Projects Total	\$ 439,250	\$ 646,750	\$ 1,086,000	-
Renewal Projects				
Pit replacements	-	\$ 50,000	\$ 50,000	-
Pipe renewal - 23 Steele Street	-	\$ 60,000	\$ 60,000	-
Renewal Projects Total	-	\$ 110,000	\$ 110,000	-
2020/21 Total	\$ 439,250	\$ 756,750	\$ 1,196,000	-
BUILDINGS & FACILITIES				
Renewal Projects				
Maidstone Park ticket box renewal	-	\$ 25,000	\$ 25,000	\$ 25,000
Renewal Projects Total	-	\$ 25,000	\$ 25,000	\$ 25,000
Prioritisation Projects				
Horsehead Creek - new toilet block and link path	\$ 95,000	-	\$ 95,000	\$ 95,000
Prioritisation Projects Total	\$ 95,000	-	\$ 95,000	\$ 95,000
2020/21 Total	\$ 95,000	\$ 25,000	\$ 120,000	\$ 120,000
DESCRIPTION	TOTAL EXPENDITURE	TRADE	NETT EXPENDITURE	
PLANT & FLEET				
Fleet Management				
Fleet replacement program 2020/21	\$ 98,000	\$ 13,000	\$ 85,000	
Fleet Management Total	\$ 98,000	\$ 13,000	\$ 85,000	
Hire Plant Management				
2.5T Excavator with trailer	\$ 60,000	\$ 22,000	\$ 38,000	
Loader - Transfer Station	\$ 280,000	\$ 60,000	\$ 220,000	
Mower - ride on - Mersey Bluff	\$ 20,000	\$ 4,000	\$ 16,000	
Mower - ride on - MVMP	\$ 22,000	\$ 2,000	\$ 20,000	
Truck - Civil	\$ 140,000	\$ 40,000	\$ 100,000	
Hire Plant Management Total	\$ 522,000	\$ 128,000	\$ 394,000	
2020/21 Total	\$ 620,000	\$ 141,000	\$ 479,000	

DESCRIPTION	NEW (INCL UPGRADE)	ASSET RENEWAL	TOTAL BUDGET	EXTERNAL FUNDING (INCL IN TOTAL)
OFFICE & IT EQUIPMENT				
Safety Projects				
Transfer Station CCTV camera	\$ 10,000	-	\$ 10,000	-
Safety Projects Total	\$ 10,000	-	\$ 10,000	-
Renewal Projects				
Information Technology - renewals and upgrades	\$ 13,200	\$ 166,800	\$ 180,000	-
Reactive replacement of equipment for property management	-	\$ 40,000	\$ 40,000	-
IT - Asset Management System implementation	\$ 95,000	-	\$ 95,000	-
East Devonport Rec Centre - new electric oven	-	\$ 5,000	\$ 5,000	-
Renewal Projects Total	\$ 108,200	\$ 211,800	\$ 320,000	-
Prioritisation Projects				
Tidal Acquisitive Art Award - Biennial	\$ 15,000	-	\$ 15,000	-
Prioritisation Projects Total	\$ 15,000	-	\$ 15,000	-
2020/21 Total	\$ 133,200	\$ 211,800	\$ 345,000	-
LIVING CITY				
Prioritisation Projects				
Waterfront Precinct	\$ 3,500,000	\$ 3,500,000	\$ 7,000,000	\$ 5,000,000
Waterfront Precinct - lighting feature	\$ 1,000,000	-	\$ 1,000,000	\$ 1,000,000
Prioritisation Projects Total	\$ 4,500,000	\$ 3,500,000	\$ 8,000,000	\$ 6,000,000
2020/21 Total	\$ 4,500,000	\$ 3,500,000	\$ 8,000,000	\$ 6,000,000
	\$ 7,121,450	\$ 8,437,550	\$15,559,000	\$ 8,248,000



RATES RESOLUTION - 2020/21



A. Annual Plan

That in accordance with Section 71 of the *Local Government Act 1993* (as amended) Council adopts the Annual Plan for the financial year ending 30 June 2021 and instructs the General Manager to:

- (a) make a copy of it available for public inspection at the Council's offices and on the website; and
- (b) provide a copy of it to the Director of Local Government and to the Director of Public Health.

B. Annual Estimates (Revenue and Expenditure)

That:

- (a) in accordance with Section 82 of the *Local Government Act 1993*, the Council by absolute majority adopts the estimates of revenue and expenditure (excluding estimated capital works) for the 2020/21 financial year as detailed in the Annual Plan;
- (b) in accordance with Section 82(6) of the *Act*, the Council, by absolute majority, authorises the General Manager to make minor adjustments (including capital works) up to \$75,000 to any individual estimate item as he deems necessary during the 2020/21 financial year provided that the total of the Estimates remains unaltered.

C. Rates and Charges 2020/21

That Council makes the following General Rate, Service Rates and Service Charges under the provisions of the *Local Government Act 1993*, and the *Fire Services Act 1979* for the financial year 1 July 2020 to 30 June 2021 in respect to land in the municipal area which is separately valued under the *Valuation of Land Act 2001*.

Definitions and Interpretations

Unless the context otherwise requires, in the following resolutions, words and expressions defined in the *Local Government Act 1993* have the same meaning as they have in that Act.

Unless the context otherwise requires, in the following resolutions, the following words and expressions have the meaning set out below:

'Act' means the *Local Government Act 1993*;

'AAV' means the assessed annual value as determined by the Valuer-General under the *Valuation of Land Act 2001*;

'land' means a parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*;

'land used for primary production' means all land used or predominantly used for primary production and includes all land coded 'L' in the valuation list;

'land used for residential purposes' means all land used or predominantly used for residential purposes and includes all land coded 'R' in the valuation list;

'municipal area' means the municipal area of Devonport;

'non-used land' means all land coded 'V' in the valuation list;

'supplementary valuation' means a supplementary valuation made under the *Valuation of Lands Act 2001*;

'tenancy' means a portion of land which the Valuer-General has determined is capable of separate occupation and so has separately determined the AAV of that portion, pursuant to Section 11(3)(c) of the *Valuation of Land Act 2001*; and

'valuation list' means, in respect of the financial year, the valuation list, supplementary valuation list or particulars provided to the Council by the Valuer-General under Section 45 of the *Valuation of Land Act 2001*.

1. Rates Resolution - Part 1 (A)

Pursuant to Sections 90 and 91 of the *Local Government Act 1993*, the Council makes a General Rate ("the General Rate") in respect of all rateable land (except land which is exempt pursuant to Section 87 of the *Local Government Act 1993*) consisting of two components being:

- (a) 11.0935 cents in the dollar of assessed annual value (the AAV component); and
- (b) A fixed charge of \$300 on all land or tenancy.

2. Rates Resolution - Part 1 (B)

Pursuant to Section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is used or predominantly used for primary production to 7.0320 cents in the dollar of assessed annual value of such rateable land.

3. Rates Resolution - Part 1 (C)

Pursuant to Section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is used or predominantly used for residential purposes to 7.0320 cents in the dollar of assessed annual value of such rateable land.

4. Rates Resolution - Part 2

4.1 Pursuant to Section 94 of the *Local Government Act 1993*, the Council makes the following service rates and service charges for land within the municipal area (including land which is otherwise exempt from rates pursuant to Section 87, but excluding land owned by the Crown to which Council does not supply any of the following services) for the period 1 July 2020 to 30 June 2021:

- (a) a waste management service charge of \$270 upon all land or tenancy to which Council supplies or makes available a kerbside collection service.

4.2 Pursuant to Section 107 of the Act the Council, by absolute majority declares that the service charge for waste management is varied by reference to the use or predominant use of land as follows:

- (a) for all land which is predominately used for any purpose other than residential or primary production to which Council supplies and makes available a kerbside collection service the service charge is varied to \$810, subject to 4.3 below; and
- (b) for all land which is non-used land the service charge is varied to \$0.00.

4.3 Pursuant to Section 88A of the Act, the Council by absolute majority determines:

- (a) that the maximum percentage increase of the varied service charge for waste management (as previously made and varied by 4.1 and 4.2 above) is capped at 25% above the amount which was payable in respect of the waste management rate charged in the 2019/20 financial year; and
- (b) to qualify for the maximum increase cap in subparagraph (a), the rateable land must not have been subjected to a supplementary valuation issued by the Valuer-General during the period from 1 July 2019 to 30 June 2020.

5. Rates Resolution - Part 3

Pursuant to Section 93A of the *Local Government Act 1993* and the provisions of the *Fire Service Act 1979* (as amended), the Council makes the following rates for land within the municipal area for the period 1 July 2020 to 30 June 2021:

- (a) a Devonport Urban Fire District Rate of 1.3854 cents in the dollar of assessed annual value, subject to a minimum amount of \$41 in respect of all rateable land within the Devonport Urban Fire District.
- (b) a Forth/Leith Fire District Rate of 0.4378 cents in the dollar of assessed annual value, subject to a minimum amount of \$41 in respect of all rateable land within Forth/Leith Fire District.
- (c) a General Land Fire Rate of 0.3545 cents in the dollar of assessed annual value, subject to a minimum amount of \$41 in respect of all rateable land within the municipal area, which is not within the Devonport Urban Fire District, or the Forth/Leith Fire District.

6. Separate Land

In relation to all rates and charges for the 2020/21 year, as previously made, for the purpose of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

7. Adjusted Values

For the purposes of each of these resolutions, any reference to assessed annual value includes a reference to that value as adjusted pursuant to Sections 89 and 89A of the *Local Government Act 1993*.

8. Payment of Rates and Charges

Pursuant to Section 124 of the *Local Government Act 1993*, the rates for 2020/21 shall be payable in four instalments, the dates by which the rates are due to be paid are:

First Instalment	31 August 2020
Second Instalment	31 October 2020
Third Instalment	28 February 2021
Fourth Instalment	30 April 2021

Where a ratepayer fails to pay any instalment within 21 days from the date on which it is due, the ratepayer must pay the full amount owing.

Penalties

Pursuant to Section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid on or before the date it falls due, a penalty of 5% of the unpaid instalment or part thereof, shall be applied except:

- (a) where the ratepayer has adhered to an approved payment arrangement plan and the total rates are paid in full by 30 April 2021; and
- (b) where the ratepayer has authorised an approved bank direct debit payment arrangement.

Supplementary Rates

- (a) Pursuant to Sections 89A, 92 and 109N of the *Local Government Act 1993*, if a supplementary valuation is made of any land prior to 30 June 2021, the General Manager may at his discretion adjust the amount payable in respect of any or all rates for that land for that financial year in line with the new valuation; and
- (b) If a rates notice is issued by the General Manager under sub-clause (a), the amount shown as payable on that notice is due to be paid within 30 days of the date on which that notice is issued.

9. Capital Works Program

That Council pursuant to Section 82 of the *Local Government Act 1993* adopts the Capital Works Program for the 2020/21 financial year as detailed in the Annual Plan.

10. Fees and Charges

That, in accordance with Section 205 of the *Local Government Act 1993*, Council adopts the Fees and Charges Schedule for the 2020/21 financial year as detailed in the Annual Plan.





LIST OF FEES & CHARGES - 2020/21



DETAILS	INDICATOR/ DESCRIPTOR EG. HOURS	GST	GST INCLUSIVE CHARGE
PARKING FEES			
1 Hour Street Meter (8:30am to 6:00pm Mon - Fri; 8:30am to 2:00pm Sat)	per hour	\$ 0.18	\$ 2.00
4 Hour Street Meter (8:30am to 6:00pm Mon - Fri; 8:30am to 2:00pm Sat)	per hour	\$ 0.14	\$ 1.50
Formby Road Car Park (8:30am to 6:00pm Mon - Fri; 8:30am to 2:00pm Sat)	per hour	\$ 0.14	\$ 1.50
Payne Avenue Car Park (8:30am to 6:00pm Mon - Fri)	per hour	\$ 0.14	\$ 1.50 max daily fee \$5.00
Payne Avenue Car Park Saturday	flat charge	\$ 0.18	\$ 2.00
Fourways Car Park (8:30am to 6:00pm Mon - Fri; 8:30am to 2:00pm Sat)	per hour	\$ 0.14	\$ 1.50
Edward Street Car Park (8:30am to 6:00pm Mon - Fri; 8:30am to 2:00pm Sat)	per hour	\$ 0.14	\$ 1.50
Fenton Way Car Park (8:30am to 6:00pm Mon - Fri; 8:30am to 2:00pm Sat)	per hour	\$ 0.14	\$ 1.50
Steele Street Car Park (8:30am to 6:00pm Mon - Fri; 8:30am to 2:00pm Sat)	per hour	\$ 0.14	\$ 1.50
CBD Multi-Level Car Park (8:30am to 6:00pm Mon - Fri)	per 30 minutes	\$ 0.09	\$ 1.00
CBD Multi - Level Car Park (Sat & Sun)	per entry	\$ 0.18	\$ 2.00
CBD Multi-Level Car Park (after 6:00pm Mon - Sun)	per entry	\$ 0.18	\$ 2.00
CBD Multi-Level Car Park (Top Level all day parking Mon - Fri)	per entry	\$ 0.45	\$ 5.00
CBD Multi-Level Car Park - Security Deposit for access card (refundable)	per card	-	\$ 15.00
Wenvoe Street Car Park (8:30am to 5:30pm Mon - Fri)	per hour	\$ 0.14	\$ 1.50 max daily fee \$5.00
Wenvoe Street Car Park - Saturday	flat charge	\$ 0.18	\$ 2.00
Surcharge for credit card use on pay & display car park machines	per transaction	-	\$.20
Monthly Permit	per month	\$ 12.27	\$ 135.00
Reserved Parking	per year	\$ 98.18	\$ 1,080.00
Business Meter Permit	per year	\$ 23.18	\$ 255.00
Meter Hoods - One Day	per day	\$ 2.82	\$ 31.00
Meter Hoods - Long Term	price by negotiation		
Resident Permit	per year	exempt	\$ 10.00
Temporary Disabled Permit Application Fee	each	exempt	\$ 25.00

DETAILS	INDICATOR/ DESCRIPTOR EG. HOURS	GST	GST INCLUSIVE CHARGE
PARKING INFRINGEMENT FINES			
Infringement Notice - Car Parks and Meters	each offence	exempt	\$ 27.00 .16% of penalty unit
Unpaid after 14 days and before 28 days	each offence	exempt	\$ 46.00 .27% of penalty unit
Parking offences paid after 28 days and before referral to Monetary Penalty Enforcement Service (MPES)	each offence	exempt	\$ 94.00 .55% of penalty unit
Administration Fee for infringements withdrawn from MPES	each offence	exempt	\$ 60.00
MISCELLANEOUS			
Right to Information Request (25 fee units)	per request	exempt	\$ 41.50
A4 Photocopy	per page	\$ 0.09	\$ 1.00
A3 Photocopy	per page	\$ 0.18	\$ 2.00
Information Search - Administration Fee	per hour	\$ 3.64	\$ 45.00
Licence Fee (Sub-Licence)	per licence	\$ 100.64	\$ 1,100.00
Local Government (Meeting Procedures) Regulations 2015			
Regulation 35 - fee payable for minutes of a meeting (1 unit)	every 5 pages	exempt	\$ 1.66
Local Government (General) Regulations 2005			
Section 132 Certificate (30 units)	each	exempt	\$ 49.80
Section 337 Certificate (132.5 units)	each	exempt	\$ 219.95
Code of Conduct Complaint (50 units)	each	exempt	\$ 83.00
HEALTH FEES			
Registration and Licence Fees - Food Act 2003			
Food Premises			
Registration/Renewal - P1	per year	exempt	\$ 210.00
Registration/Renewal - P2	per year	exempt	\$ 150.00
Registration/Renewal - P3	per year	exempt	\$ 110.00
Notification - P3-N & P4	per application	exempt	no charge
Late Fee (after 31 August)	per application	exempt	fee + 10%
Change of Registration during the year (change of Risk Classification)	per application	exempt	no charge
Non-compliance Follow Up Inspection	per inspection	exempt	\$ 170.00
Pre-purchase Inspection (Food Premises)	per inspection	\$ 15.45	\$ 170.00
Statewide/Mobile Food Businesses			
Registration/Renewal - P1	per year	exempt	\$ 210.00
Registration/Renewal - P2	per year	exempt	\$ 150.00
Registration/Renewal - P3	per year	exempt	\$ 110.00
Notification - P3-N & P4	per application	exempt	no charge
Non-compliance Follow Up Inspection	per inspection	exempt	\$ 170.00
Pre-purchase Inspection (Mobile Food Business)	per inspection	\$ 15.45	\$ 170.00
Temporary Food Licence			
Temporary Food Licence - per day	per application	exempt	\$ 25.00
Temporary Food Licence - 3-4 day event	per application	exempt	\$ 60.00

* Penalty unit set by Department of Justice through *Penalty Units and other Penalties Act 1987* is \$172.00 from 1 July 2020

* Fee unit set by Department of Treasury & Finance through *Fee Units Act 1987* is \$1.66 from 1 July 2020

DETAILS	INDICATOR/ DESCRIPTOR EG. HOURS	GST	GST INCLUSIVE CHARGE
Public Health Act 1997			
Place of Assembly Licences			
Specific Event	per application	exempt	\$ 155.00
Specific Event (less than 48 hours prior to event)	per application	exempt	\$ 205.00
Specific Event (charities and schools)	per application	exempt	no charge
Public Health Risk Activities			
Premises Registration	per year	exempt	\$ 110.00
Skin Penetration Licence (per operator)	per year	exempt	\$ 115.00
Regulated Systems			
Cooling Towers/Warm Water System Registration	per year	exempt	\$ 160.00
Other			
Swimming Pool Sample Collection and Analysis	per sample	\$ 11.82	\$ 130.00
Swimming Pool Re-Sample Collection and Analysis (after non-compliant test)	per sample	\$ 13.63	\$ 150.00
Registration/Renewal as Private Water Supplier	per vehicle	exempt	\$ 165.00
Street Trading			
Application Fee (16 fee units)	per year	exempt	\$ 26.55
Fee per m ² (8 fee units)	per m ²	exempt	\$ 13.25
Mobile Vending Permit (Annual)	per year	exempt	\$ 500.00
Mobile Vending Permit	3 months	exempt	\$ 250.00
Fire Hazards			
Administrative Fee (failure to comply with Abatement Notice)	each	\$ 24.55	\$ 270.00
Abatement of Fire Nuisance	each	exempt	actual cost
ANIMAL CONTROL			
Dog Registration by 31 July - fee per dog			
Male or female dog	per year	exempt	\$ 50.00
Desexed dog (evidence required)	per year	exempt	\$ 20.00
Working dog/hunting dog (evidence required)	per year	exempt	\$ 25.00
Pure-breed dog referred to in the <i>Dog Control Act 2000</i>	per year	exempt	\$ 25.00
Greyhound referred to in the <i>Dog Control Act 2000</i>	per year	exempt	\$ 25.00
Obedience trained dog owned by members of a recognised dog training club when paid	per year	exempt	\$ 25.00
Dog owned by pensioner or concession card holder (one dog only) when paid	per year	exempt	\$ 12.00
Guide dog for the blind - assistance dogs			no charge
Declared dangerous dogs and restricted breeds	per year	exempt	\$ 260.00
Lifetime Registration (for the life of the dog) - dog must be desexed & microchipped (evidence to be provided). Refund policy - 50% refund within 3 years	lifetime	exempt	\$ 130.00
Registration Fee for dog "adopted" from Dogs Home for balance of normal registration year			no charge
Dog Registration after 31 July - fee per dog			
Male or female dog	per year	exempt	\$ 70.00
Desexed dog (evidence required)	per year	exempt	\$ 30.00
Working dog/hunting dog (evidence required)	per year	exempt	\$ 35.00
Pure-breed dog referred to in the <i>Dog Control Act 2000</i>	per year	exempt	\$ 35.00

DETAILS	INDICATOR/ DESCRIPTOR EG. HOURS	GST	GST INCLUSIVE CHARGE
Greyhound referred to in the <i>Dog Control Act 2000</i>	per year	exempt	\$ 35.00
Obedience trained dog owned by members of a recognised Dog Training Club when paid	per year	exempt	\$ 35.00
Dog owned by pensioner or concession card holder (one dog only) when paid	per year	exempt	\$ 15.00
Guide dog for the blind - assistance dogs			no charge
Declared dangerous dogs and restricted breeds	per year	exempt	\$ 270.00
Lifetime Registration (for the life of the dog) - dog must be desexed & microchipped (evidence to be provided). Refund policy - 50% refund within 3 years	lifetime	exempt	\$ 130.00
Registration Fee for dog "adopted" from Dogs Home for balance of normal registration year			no charge
Kennel Licence Application Fee			
3-5 dogs	each	exempt	\$ 80.00
>5 dogs	each	exempt	\$ 110.00
Renewals (+ registration fee for each dog)	each	exempt	\$ 50.00
Other			
Replacement dog tag	per year	exempt	\$ 5.00
Complaints - dog causing nuisance (refundable if offence determined)	per item	exempt	\$ 25.00
Purchase Dangerous Dog sign	per item	exempt	\$ 65.00
Purchase Dangerous Dog collar	per item	exempt	\$ 50.00
PLANNING FEES			
Section 58 Land Use Planning and Approvals Act 1993 (LUPAA) (i.e. application for a permitted use development that satisfies the acceptable solutions for the applicable development standards of the Devonport Interim Planning Scheme)			
Application for use or development with value < \$25,000	per application	exempt	\$ 160.00
Application for use or development including alterations and additions with value > \$25,000	per application	exempt	\$ 255.00 + \$1.00 per \$1000.00 value of works Max. of \$500.00 for single dwelling development
Application for Change of Use	per application	exempt	\$ 260.00
Application for Subdivision	per application	exempt	\$ 560.00 + \$150.00 per lot (includes initial sealing fee)
Application for Boundary Adjustment (no additional lots)	per application	exempt	\$ 560.00 (includes sealing fee)
Application to Amend S58 Permit	per application	exempt	\$ 355.00
Section 57 LUPAA (discretionary use and/or assessment against performance criteria of zone or code includes Tasmanian Heritage Council applications)			
Public Notification Fee	per application	exempt	\$ 300.00
Application for Change of Use	per application	exempt	\$ 355.00 + \$300.00 public notification fee
Application for Use or Development with value < \$25,000	per application	exempt	\$ 160.00 + \$300.00 public notification fee
Application for Use or Development with value > \$25,000	per application	exempt	\$ 560.00 + \$1.00 per \$1000.00 of value of works + \$300.00 public notification fee. Max. fee of \$1,200.00 applies to single dwelling development

DETAILS	INDICATOR/ DESCRIPTOR EG. HOURS	GST	GST INCLUSIVE CHARGE
Application for Subdivision (includes consolidation of lots)	per application	exempt	\$ 560.00 + \$150.00 per lot + \$300.00 public notification fee. Includes initial sealing fee
Application to Amend a S57 Permit	per application	exempt	\$ 460.00
Miscellaneous			
Application for a Retrospective Permit	per application	exempt	normal fee + \$100.00
Certifying Strata Plans	per application	exempt	\$ 150.00 per lot
Certifying Staged Strata Plans	per application	exempt	\$ 200.00 per lot
Application to Amend a Strata Scheme	per application	exempt	\$ 360.00
Landscape Inspections (follow ups)	per application	exempt	\$ 55.00
Application for an Adhesion Order (<i>S110 Local Government Building & Miscellaneous Provisions Act 1993</i>) (LGBMP) - Includes sealing of document	per application	exempt	\$ 360.00
Application to Amend a Sealed Plan (<i>S103 LGBMP</i>) - includes sealing of document - up to 6 lots	per application	exempt	\$ 360.00
Application to Amend a Sealed Plan (<i>S103 LGBMP</i>) - includes sealing of document - more than 6 lots	per application	exempt	\$ 540.00
Miscellaneous LGBMP Certifiable Documents	per application	exempt	\$ 360.00
Subdivision Exemption (<i>S115 LGBMP</i>)	per application	exempt	\$ 260.00
Application to Extend a Planning Permit	per application	exempt	\$ 360.00
Application to Tas Heritage for a Works Application	per application	exempt	\$ 360.00
Application for Planning Scheme Amendment (<i>S33 LUPAA</i>)	per application	exempt	\$ 3,060.00 plus Tasmanian Planning Commission (TPC) fee
Application for Combined Permit and Planning Scheme Amendment (<i>S43A LUPAA</i>)	per application	exempt	\$ 3,060.00 plus (TPC) fee plus DA fee
Fee for Sealing Plans under Part 5 <i>LUPAA</i>	per application	exempt	\$ 360.00
Request for Certified Copy of Planning Permit	per application	exempt	\$ 75.00
No Planning Permit Required Assessments and Certification	per application	exempt	\$ 50.00
Engineering Services Assessment & Inspection of Subdivisions			
Residential Subdivision Construction - Roadworks	per subdivision	exempt	\$ 780.00 + \$50 per lot
Residential Subdivision Construction- Drainage	per subdivision	exempt	\$ 400.00 + \$50 per lot
Industrial / Commercial Subdivision	per subdivision	exempt	1.5% of the value of Council assets / infrastructure works
BUILDING FEES (Building Surveying)			
This fee applies only to unfinished building certifications commenced by Council prior to privatisation of the service			
Inspections (per application)	per inspection	exempt	Cost + 15% admin fee
BUILDING FEES (Building Authority)			
New Development			
Application for Building Permit (includes administration fee and certificate of completion)			
Class 10	per application	exempt	\$ 275.00
Class 1	per application	exempt	\$ 410.00

DETAILS	INDICATOR/ DESCRIPTOR EG. HOURS	GST	GST INCLUSIVE CHARGE
Class 2-9 (<500m ²)	per application	exempt	\$ 410.00
Class 2-9 (>500m ²)	per application	exempt	\$ 445.00
Amended Plans Class 1 & 10	per application	exempt	\$ 85.00
Amended Plans Class 2-9	per application	exempt	\$ 165.00
Issue of Food Premises Verification (Form 49 Environmental Health Officers Report for Building Permit)	per assessment	exempt	\$ 165.00
Issue of Food Premises Verification (Form 50 Environmental Health Officer Occupancy Report) - includes 1 inspection	per assessment	exempt	\$ 165.00
Additional Inspection (Food Premises Form 50)	per inspection	exempt	\$ 165.00
Permit Extension			
1st extension for 3, 6 or 12 months	per application	exempt	\$ 125.00
2nd extension for 3, 6 or 12 months (and any subsequent extension thereafter)	per application	exempt	\$ 175.00
Miscellaneous			
Demolition (without rebuild, includes completion certificate)	per application	exempt	\$ 275.00
Building Certificate - includes administration and certificate (Applicant to engage their own Building Surveyor)	per application	exempt	\$ 190.00
Cancellation of Building Permit (non-refundable component)	per application	exempt	\$ 190.00
Permit/Certificate of Substantial Compliance - for work carried out by previous owner = normal class fee	per application	exempt	fee for class
Permit/Certificate of Substantial Compliance - for work carried out by current owner = 2 x normal class fee	per application	exempt	2 x class fee
Copies of Records			
Search fee for providing copies of records - search for record type, including digital copy per email (non refundable if no records are found)	per application	exempt	\$ 25.00 plus \$2.00 per A4 \$4.00 per A3 or larger sheet for hard copies
Reissue of building and plumbing permit documents	per application	exempt	\$ 30.00
Approvals and Consents			
Consent to build on land	per application	exempt	\$ 400.00
Statement of satisfaction for contaminated land	per application	exempt	\$ 200.00
Consent to build over drain	per application	exempt	\$ 200.00
Consent to occupy a non-dwelling building	per application	exempt	\$ 200.00
Consent to fence off unbuilt land	per application	exempt	\$ 200.00
Receipt of Documents			
Receipt and registration of any statutory document required to be provided to the Permit Authority under the provisions of the <i>Building Act 2016</i> and <i>Building Regulations 2016</i>	per notification	exempt	\$ 50.00
Receipt and registration of amended documents, or extensions of time, for notifiable building work required to be provided to the Permit Authority under the provisions of the <i>Building Act 2016</i> and <i>Building Regulations 2016</i>	per notification	exempt	\$ 50.00
Registration of on-site backflow prevention devices	per notification	exempt	\$ 50.00
Advice of intention to perform protection works or advice of disagreement in relation to protection works or lodgement of plans for protection works	per notification	exempt	\$ 50.00
Receipt of notice of low risk notifiable building/plumbing works	per notification	exempt	\$ 50.00

DETAILS	INDICATOR/ DESCRIPTOR EG. HOURS	GST	GST INCLUSIVE CHARGE %
PLUMBING/DRAINAGE FEES			
New Development			
Building Classes 1 and 2-9 (for both permit work and notifiable work) in a sewered area (fee includes assessment of sewer drainage; piping in; certificate of completion; and administration). Covers 2 x drainage; 1 x water piping; 1 x completion inspection. Additional inspections \$105.00	per application	exempt	\$ 535.00
Building Classes 1 and 2-9 permit plumbing work in a non-sewered area (fee includes assessment of sewer drainage and on-site wastewater treatment system; stormwater; piping in; certificate of completion; and administration). Covers 2 x drainage; 1 x water piping; 1 x completion inspection. Additional inspections \$105.00	per application	exempt	\$ 680.00
New Building Class 10 (includes assessment stormwater)	per application	exempt	\$ 305.00
New Building Class 10 (includes assessment stormwater) with sanitary facilities	per application	exempt	\$ 425.00
Receipt of amended plumbing plans or documents (Class 1&10)	per application	exempt	\$ 85.00
Receipt of amended plumbing plans or documents (Class 2 - 9)	per application	exempt	\$ 165.00
Extension of plumbing approvals			
1st extension for consent to continue notifiable plumbing work if not completed within 2 years from date of start work authorisation for 3, 6 or 12 months	per application	exempt	\$ 125.00
2nd extension for consent to continue notifiable plumbing work if not completed within 2 years from date of start work authorisation 3, 6 or 12 months (and any subsequent extension thereafter)	per application	exempt	\$ 175.00
1st extension of plumbing permit for 3, 6 or 12 months	per application	exempt	\$ 125.00
2nd extension of plumbing permit for 3, 6 or 12 months (and any subsequent extension thereafter)	per application	exempt	\$ 175.00
Additions and Alterations - Classes 1 and 2-9 in a sewered area			
Administration/Certificate	per application	exempt	\$ 190.00
plus Sewer Drainage (if applicable)		exempt	\$ 90.00
plus Stormwater Drainage + \$15.00 per downpipe /or pit		exempt	\$ 90.00
plus Water Piping (if applicable)		exempt	\$ 105.00
plus Plumbing Permit (Septic/AWTS) (if applicable)		exempt	\$ 155.00
Application for Plumbing Permit (e.g. Trade Waste, BPD)	per application	exempt	\$ 155.00
Plumbing Permit for unapproved work - current owner = 2 x Normal Fee	per application	exempt	2 x fee
Plumbing permit for unapproved work- previous owner = 1x normal fee	per application	exempt	normal fee
Additional or re-inspections	per application	exempt	\$ 105.00
Certificate of Completion	per application	exempt	\$ 85.00
Other fees where a stand alone item			
Stormwater drainage + \$15 per downpipe or pit	per application	exempt	\$ 90.00
Sewer drainage	per application	exempt	\$ 90.00
Inspection of low risk notifiable plumbing work	per application	exempt	\$ 100.00
Strata inspection if applicable	per application	exempt	\$ 115.00

DETAILS	INDICATOR/ DESCRIPTOR EG. HOURS	GST	GST INCLUSIVE CHARGE
Copy of plans (as constructed) - Search fee for providing copies of records - search for record type, including digital copy per email (non refundable if no records are found)	per application	exempt	\$ 10.00 plus \$2.00 per A4 \$4 per A3 or larger sheet for hard copies
Reissue of building and plumbing permit documents	per application	exempt	\$ 30.00
Registration of on-site backflow prevention devices	per application	exempt	\$ 50.00
Connection of Stormwater			
Quotation provided upon request	per connection	GST	TBA on request
MERSEY VALE & OLD DEVONPORT GENERAL CEMETERIES			
Reservation Fee - Burial Plot (non-refundable)	each	\$ 70.45	\$ 775.00
Reservation Fee - Ash Interment (non-refundable)	each	\$ 21.82	\$ 240.00
Plot - Adult (over 15 years) includes plaque installation (Devonport residents eligible for \$750.00 discount on listed fee)	each	\$ 231.82	\$ 2,550.00
Double depth burial (this fee is in addition to the normal burial fees and includes the right to a further burial in this spot). N/A for the modern burial system	each	\$ 29.09	\$ 320.00
Plot - Child (4-15 years) includes plaque installation	each	\$ 74.55	\$ 820.00
Plot - Child (0-3 years) includes plaque installation	each	\$ 57.27	\$ 630.00
Ash Interment (placing ashes and plaque installation)	each	\$ 54.55	\$ 600.00
Plaque placement/memorial column exclusive option Mersey Vale Memorial Garden	each	\$ 39.09	\$ 430.00
Ash Interment - placing ashes and installation of plaque (Children's Pavilion)	each	\$ 55.45	\$ 610.00
Plaque placement only (Children's Pavilion) (Balloons)	each	\$ 55.45	\$ 610.00
Saturday charge	additional charge	\$ 100.91	\$ 1,110.00
Vase	each	\$ 4.09	\$ 45.00
Exhumation (includes EHO supervision of exhumation)	each	\$ 363.64	\$ 4,000.00
Concrete plinths for existing grave	each	\$ 7.73	\$ 85.00
Removal or replacement of plaque	each	\$ 14.55	\$ 160.00
Removal of ashes	each	\$ 57.27	\$ 630.00
Records Search Fee or Request for Information Fee (including photographs)	each	\$ 7.73	\$ 85.00
Non-standard burial - to be quoted at time of request	each	TBA	
Private burial assessment by EHO	per application	exempt	\$ 300.00



DETAILS	INDICATOR/ DESCRIPTOR EG. HOURS	GST	GST INCLUSIVE CHARGE
FENCING CONTRIBUTION			
Fencing contributions in accordance with Council Policy	per lineal metre	exempt	\$ 63.00
COMMEMORATIVE SEAT			
Purchase and installation of commemorative seat in accordance with Council Policy	each	exempt	\$ 3,500.00
WASTE DISPOSAL CHARGES			
Car boots/station wagons (up to 0.5m³)	per load	\$ 0.73	\$ 8.00
Utes, vans, trailers and small trucks (0.5-1.5m³)	per load	\$ 1.09	\$ 12.00
Utes, vans, trailers and small trucks (1.5m³ - 2m³)	per load	\$ 1.64	\$ 18.00
Dual Axle Trailers & Large Single Axle Trailers & Trucks (over 2m)³			
Landfill waste	per tonne	\$ 11.82	\$ 130.00
Separated waste (<50% to landfill)	per tonne	\$ 7.73	\$ 85.00
Non-landfill waste	per tonne	\$ 5.45	\$ 60.00
Tyres			
Car and motorcycle tyres	each	\$ 0.64	\$ 7.00
Light truck (up to 9.5 GVM)	each	\$ 1.09	\$ 12.00
Truck	each	\$ 2.27	\$ 25.00
Tractor (cut in half)	each	\$ 2.27	\$ 25.00
Other			
Asbestos	per tonne	\$ 18.18	\$ 200.00
Asbestos - single load less than 0.5m³	per load	\$ 2.18	\$ 24.00
Mattresses	each	\$ 1.09	\$ 12.00
Sale of Recycled Material			
Crushed concrete	per m³	\$ 2.73	\$ 18.00
Screened soil	per m³	\$ 2.27	\$ 25.00
Delivery - Devonport municipality (min 3m³)	per load	\$ 3.18	\$ 35.00
RECREATION GROUNDS - USAGE*			
Devonport Oval Lights			
Lighting - Level 1	per hour	\$ 1.73	\$ 19.00
Lighting - Level 2	per hour	\$ 3.00	\$ 33.00
Lighting - Level 3	per hour	\$ 4.91	\$ 54.00
Lighting - Level 4	per hour	\$ 6.82	\$ 75.00
Miscellaneous			
Casual Hirers - Devonport Oval	per day	\$ 113.64	\$ 1,250.00
North West Corner Devonport Oval (Circus etc)	per day	\$ 29.09	\$ 320.00
Casual Hirers - Don Reserve	per day	\$ 10.45	\$ 110.00
Casual Hirers - Byard Park	per day	\$ 10.45	\$ 110.00
Casual Hirers - Meercroft Park	per day	\$ 10.45	\$ 110.00
Casual Hirers - Girdlestone Park	per day	\$ 10.45	\$ 110.00

* Fees and charges for recreation ground usage have been developed to reflect costs incurred for line marking, grass care and maintenance, facility management, irrigation and general ground maintenance

DETAILS	INDICATOR/ DESCRIPTOR EG. HOURS	GST	GST INCLUSIVE CHARGE
EAST DEVONPORT RECREATION & FUNCTION CENTRE			
Stadium Hire			
Junior	per hour	\$ 1.36	\$ 15.00
Senior	per hour	\$ 1.82	\$ 20.00
Community Room/Function Area			
Per Section (kitchen extra costing)	per hour	\$ 2.73	\$ 30.00
Full Room (kitchen extra costing)		GST	on application
Storage Cupboards Hire - large	annual	\$ 16.82	\$ 185.00
Storage Cupboards Hire - small	annual	\$ 15.91	\$ 175.00
Special Events	per day	GST	on application
DEVONPORT RECREATION CENTRE			
Basketball Stadium/Youth Centre	per day	\$ 120.0	\$ 1,320.00
Senior Roster/Training - affiliated Club (Warriors)	per hour	\$ 1.82	\$ 20.00
Junior Roster/Training - affiliated Club (Warriors)	per hour	\$ 1.36	\$ 15.00
Casual Hire - Non-affiliated Club - General Public	per hour	\$ 2.00	\$ 22.00
School Groups	per hour	\$ 2.00	\$ 22.00
NWBU Games	per night (min 4 hours)	\$ 17.73	\$ 195.00
Badminton	per hour	\$ 1.82	\$ 20.00
Squash/Racquetball			
Casual	per hour	\$ 1.00	\$ 11.00
Seniors Pennant	per hour	\$ 0.91	\$ 10.00
Juniors Pennant	per hour	\$ 0.73	\$ 8.00
Juniors Training	per hour	\$ 0.45	\$ 5.00
School Groups	per hour	\$ 0.73	\$ 8.00
Club Members Casual Hire	per hour	\$ 0.91	\$ 10.00
Racquetball/Squash Racquet Hire	per racquet	\$ 0.27	\$ 3.00
Racquetball/Squash Ball Hire	per ball	\$ 0.18	\$ 2.00
Judo/Aikido			
Senior Room Hire	per hour	\$ 1.00	\$ 11.00
Junior Room Hire	per hour	\$ 0.91	\$ 10.00
School Groups (Instructor required)	per hour	\$ 1.64	\$ 18.00
Table Tennis			
Casual Table Hire	per hour/table	\$ 0.91	\$ 10.00
Group Room Hire - no tables	per hour	\$ 2.36	\$ 26.00
School Groups	per hour/4 x table	\$ 2.73	\$ 30.00
Recreation Centre			
Venue Hire - Stadium	per day	\$ 120.00	\$ 1,320.00
Meeting Room and Kitchen Hire	per hour	\$ 3.64	\$ 40.00
Meeting Room Hire	per hour	\$ 2.27	\$ 25.00
Sauna	per hour/per person	\$ 0.73	\$ 8.00

DETAILS	INDICATOR/ DESCRIPTOR EG. HOURS	GST	GST INCLUSIVE CHARGE
BASS STRAIT MARITIME CENTRE (BSMC)			
Venue Hire *Conditions Apply	per use	GST	\$ 245.00 for 3 hours + \$55.00 per hour thereafter
Admission Price - Adult	per person	\$ 0.91	\$ 10.00
Admission Price - Child 4-12	per person	\$ 0.45	\$ 5.00
Admission Price - Child 3 & under	per person	no charge	
Admission Price - Family (2 Adults & 3 Children)	per person	\$ 2.27	\$ 25.00
Admission Price - Pensioner and Seniors Card holder	per person	\$ 0.73	\$ 8.00
Admission Price - Student Concession	per person	\$ 0.73	\$ 8.00
Annual Pass - Adult	per year	\$ 2.27	\$ 25.00
Annual Pass - Concession	per year	\$ 1.82	\$ 20.00
Annual Pass - Child	per year	\$ 1.14	\$ 12.50
Group Entry - travel & coach groups (min.10 people)	per person	\$ 0.64	\$ 7.00
Group Entry - community & school groups (min. 10 people)	per person	\$ 0.45	\$ 5.00
JULIE BURGESS			
Annual Sail Pass (unlimited 2 hour sails - excluding special events and offers. Bookings still required) - Adult	per year	\$ 13.64	\$ 150.00
Annual Sail Pass (unlimited 2 hour sails - excluding special events and offers. Bookings still required) - Senior / Concession	per year	\$ 12.27	\$ 135.00
Annual Sail Pass (unlimited 2 hour sails - excluding special events and offers. Bookings still required) - Child (8-16)	per year	\$ 5.45	\$ 60.00
Extended Charter (3 hours)	per trip	\$ 81.82	\$ 900.00
2 Hour Charter	per trip	\$ 72.73	\$ 800.00
2 Hour Sailing - Adult	per person	\$ 4.55	\$ 50.00
2 Hour Sailing - Senior/Concession	per person	\$ 4.09	\$ 45.00
2 Hour Sailing - Child (8-16)	per person	\$ 1.82	\$ 20.00
2 Hour Sailing - Family (2+2)	per family	\$ 10.91	\$ 120.00
1 Hour River Cruise - Adult	per person	\$ 2.73	\$ 30.00
1 Hour River Cruise - Senior/Concession	per person	\$ 2.45	\$ 27.00
1 Hour River Cruise - Child (8-16)	per person	\$ 1.36	\$ 15.00
1 Hour River Cruise - Family (2+2)	per family	\$ 6.82	\$ 75.00
Tour of the Vessel	per person	\$ 0.18	\$ 2.00
Scattering of ashes	per trip	\$ 36.36	\$ 400.00
Custom Charters	per person	TBA based on enquiry	
Camping Fee			
Overnight Self Contained Campers	per night	\$ 0.91	\$ 10.00

Venue Hire - Conferences & Meetings						
paranaple convention centre - Commercial Hire Rates	MONDAY-FRIDAY	HALF DAY HIRE 4 hour max Mon-Fri only	SATURDAY 25% Surcharge Applies	SUNDAY 50% Surcharge Applies	PUBLIC HOLIDAY	ADDITIONAL HOURS
paranaple convention centre (room 1, 2, 3 and foyer)	\$ 1,800.00	-	\$ 2,250.00	\$ 2,700.00	POA	\$ 200.00
Torquay Room (eastern, water views)	\$ 850.00	\$ 595.00	\$ 1,070.00	\$ 1,275.00	POA	\$ 120.00
Mersey Room (middle)	\$ 550.00	\$ 385.00	\$ 690.00	\$ 825.00	POA	\$ 120.00
Formby Room (western, access to foyer)	\$ 550.00	\$ 385.00	\$ 690.00	\$ 825.00	POA	\$ 120.00
Foyer 2	\$ 140.00	\$ 100.00	\$ 175.00	\$ 210.00	POA	\$ 25.00
paranaple arts centre - Commercial Hire Rates	MONDAY-FRIDAY	HALF DAY HIRE 4 hour max Mon-Fri only	SATURDAY 25% Surcharge Applies	SUNDAY 50% Surcharge Applies	PUBLIC HOLIDAY	ADDITIONAL HOURS
Town Hall Theatre	\$ 950.00	\$ 500.00	\$ 950.00	\$ 950.00	POA	\$ 250.00
Main Gallery ¹	\$ 320.00	\$ 225.00	\$ 400.00	\$ 480.00	POA	\$ 50.00
paranaple centre	COMMERCIAL PER DAY	COMMUNITY PER DAY	COMMERCIAL HALF DAY	COMMUNITY HALF DAY	COMMERCIAL PER HOUR	COMMUNITY PER HOUR
Aberdeen Room (level 2)	\$ 420.00	\$ 220.00	\$ 280.00	\$ 140.00	\$ 80.00	\$ 40.00
Quoiba Room (level 1)	\$ 260.00	\$ 105.00	\$ 165.00	\$ 65.00	\$ 40.00	\$ 20.00
Eugenana Room (level 2)	\$ 130.00	\$ 55.00	\$ 70.00	\$ 30.00	\$ 25.00	\$ 10.00
Pardoe Room (level 2)	\$ 80.00	\$ 35.00	\$ 45.00	\$ 20.00	\$ 15.00	\$ 6.00
Lillico Room (level 2)	\$ 80.00	\$ 35.00	\$ 45.00	\$ 20.00	\$ 15.00	\$ 6.00
Performing Arts Hire - Commercial & Community Rates						
Venue hire or 8.5% of Adjusted Gross Box Office - which ever is greater						
Additional rates apply for concerts and performances - please contact the paranaple art centre directly for rates						

1 - Main Gallery is only available out of hours for special events, such as cocktail functions, when exhibition program allows.

2 - Foyer rate will only apply to hirers who utilise the foyer space for exhibits, trade stalls, talks etc. during multiple hire events as a result of foyer being obstructed.



Venue Hire - Conferences & Meetings						
paranable convention centre Community Hire Charges - Full Day Rates	MONDAY- THURSDAY (40% Discount)	FRIDAY (20% Discount)	SATURDAY (10% Discount)	SUNDAY (No Discount)	PUBLIC HOLIDAY	ADDITIONAL HOURS
paranable convention centre (room 1, 2, 3 and foyer)	\$ 1,080.00	\$ 1,440.00	\$ 2,025.00	\$ 2,700.00	POA	\$ 120.00
Torquay Room (eastern, water views)	\$ 510.00	\$ 680.00	\$ 963.00	\$ 1,275.00	POA	\$ 78.00
Mersey Room (middle)	\$ 330.00	\$ 440.00	\$ 621.00	\$ 825.00	POA	\$ 78.00
Formby Room (western, access to foyer)	\$ 330.00	\$ 440.00	\$ 621.00	\$ 825.00	POA	\$ 78.00
paranable convention centre Community Hire Charges - Half Day Rates	MONDAY- THURSDAY (40% Discount)	FRIDAY (20% Discount)	SATURDAY (10% Discount)	SUNDAY (No Discount)	PUBLIC HOLIDAY	ADDITIONAL HOURS
Torquay Room	\$ 357.00	\$ 476.00	\$ 963.00	\$ 1,275.00	POA	NA
Mersey Room	\$ 231.00	\$ 308.00	\$ 621.00	\$ 825.00	POA	NA
Formby Room	\$ 231.00	\$ 308.00	\$ 621.00	\$ 825.00	POA	NA
paranable art centre Community Hire Charges - Full Day Rates	MONDAY- THURSDAY (40% Discount)	FRIDAY (20% Discount)	SATURDAY (10% Discount)	SUNDAY (No Discount)	PUBLIC HOLIDAY	ADDITIONAL HOURS
Town Hall Theatre	\$ 395.00	\$ 395.00	\$ 395.00	\$ 395.00	POA	NA

Note additional costs FOR COMMERCIAL AND COMMUNITY USERS may include:

- Catering (as arranged with catering provider)
- Additional equipment (including audio visual equipment)
- Linen
- Audio Visual Technician/Operator
- Additional staffing and security/cleaning/heating/cooling/electricity

Note: Minute 24/18 provides delegation to administer and negotiate where appropriate the venue hire fees to either the General Manager or the Convention and Arts Centre Director.

Council reserves the right to add to the list of fees and charges to incorporate any services or facilities that were not identified at the time of publication. All fees and charges are subject to change by Council as required to reflect changes in costs incurred by Council.



5.9 ADDENDUM TO THE FINANCIAL HARDSHIP ASSISTANCE POLICY

Author: **Kym Peebles, Executive Manager People & Finance**

Endorser: **Matthew Atkins, General Manager**

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.1 Review and amend structures, policies and procedures to adapt to changing circumstances

SUMMARY

This report provides information to assist Council adopt the Addendum to the Financial Hardship Assistance Policy.

BACKGROUND

Council adopted the Financial Hardship Assistance Policy for residential ratepayers at the April meeting. The Policy was based on the model developed by the Local Government Association of Tasmania (LGAT) in response to the economic and social impacts of the coronavirus pandemic. The attached Addendum to the adopted Policy extends support to the business community as it applies to commercial ratepayers as defined by the Land Use Category of the relevant property.

STATUTORY REQUIREMENTS

Various provisions in the *Local Government Act 1993* allow Council to consider measures that may provide financial relief to ratepayers:

s125. Postponement of payment

- (1) A ratepayer may apply to the council for a postponement of payment of rates on the ground of hardship.
- (2) An application is to be –
 - (a) made in writing; and
 - (b) lodged with the General Manager.

s126. Conditions of postponement

- (1) A council may grant a postponement of the payment of rates for a specified period if satisfied that such payment would cause hardship.
- (2) A council may grant a postponement of payment of rates –
 - (a) on the condition that the ratepayer pay interest on the amount of rates postponed at a rate fixed by the council; and
 - (b) on any other condition the council determines.
- (3) Interest fixed under subsection (2)(a) is not to exceed the prescribed percentage as calculated in section 128(2).

s129. Remission of rates

- (1) A ratepayer may apply to the council for remission of all or part of any rates paid or payable by the ratepayer or any penalty imposed or interest charged under section 128.
- (2) An application is to be –

- (a) *made in writing; and*
 - (b) *lodged with the Chief Executive Officer.*
- (3) *A council, by absolute majority, may grant a remission of all or part of any rates, penalty or interest paid or payable by the ratepayer.*
- (4) *A council, by absolute majority, may grant a remission of any rates, penalty or interest paid or payable by a class of ratepayers.*
- (5) *The general manager is to keep a record of the details of any remission granted under this section.*

DISCUSSION

The North West Coast community has been significantly impacted by the restrictions imposed by the State and Federal governments in response to the coronavirus pandemic. Council recognises that the measures taken to protect the health of residents has had an immediate financial impact on many businesses and in some cases has forced businesses to close. The attached Addendum to the Financial Hardship Policy extends the rate relief offered to residential ratepayers to businesses.

The Addendum is based on the model drafted by LGAT and a number of principles determined by the COVID-19 Response Committee. The intent is to provide assistance to the business operator rather than the landlord, however there may be occasions where the landlord will qualify for rate relief.

The Addendum sets out the application process for ratepayers and allows for an initial deferral of rate payments for up to nine months to 31 March 2021. If the business is still experiencing financial hardship after this time, the ratepayer can apply to have the rates remitted, subject to conditions outlined in the Policy.

The Addendum only applies to rates in relation to the 2019/20 and 2020/21 financial years.

COMMUNITY ENGAGEMENT

No direct community engagement has been undertaken in relation to this report.

FINANCIAL IMPLICATIONS

The application of this Addendum will have an impact on the projected collection of rates and Council's cash flow. The Annual Plan and budget for 2020/21 has been prepared on the basis that up to 15% of ratepayers (both residential and commercial) will apply to defer rate payments over the next 12 months.

RISK IMPLICATIONS

The draft Addendum provides guidance for decision makers when assessing applications for assistance. The Addendum sets out information to be provided when making an application and should ensure a consistent approach to the granting of rate relief to the community.

CONCLUSION


The draft Addendum to the Financial Hardship Assistance Policy is one of the measures that Council is taking to assist members of the community during this health emergency. The purpose of the Addendum is to extend rate relief to those businesses most impacted by COVID-19. The Addendum is presented for adoption and immediate application.

ATTACHMENTS

1. Commercial Hardship Addendum Policy - June 2020 [5.9.1 - 4 pages]

RECOMMENDATION

That Council adopt the Addendum to the Financial Hardship Assistance Policy with immediate effect.

	COMMERCIAL ADDENDUM TO FINANCIAL HARDSHIP ASSISTANCE MODEL POLICY			
POLICY TYPE	DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	POLICY ADOPTED	REVIEW DUE
Council	Executive Manager – People & Finance	General Manager	June 2020	JUNE 2021
PURPOSE	<p>The Financial Hardship Assistance Policy ('Hardship Policy') enables Council to assist community members who are suffering financial hardship by providing an appropriate level of relief from Local Government rates.</p> <p>This Addendum to the Hardship Policy has been provided to achieve a consistent approach to rates assistance for commercial ratepayers across the Devonport municipality.</p> <p>This Addendum is intended to be supplementary to any other public benefit concessions policy or any other economic relief measure that Council may implement.</p>			
SCOPE	<p>This Addendum applies to commercial/business ratepayers within the Commercial Land Use Category 11C, who are experiencing hardship due to the loss of operating revenue or reduced income due to the impacts of the COVID-19 pandemic.</p> <p>The Addendum is only applicable for rates payable during the 2019/20 and 2020/21 financial years.</p> <p>The Hardship Policy applies to rates levied in accordance with the <i>Local Government Act 1993</i>. The policy does not apply to any rate or charge collected on behalf of other authorities in accordance with section 88 of the <i>Local Government Act 1993</i>, such as fire service contributions collected pursuant to section 79B of the <i>Fire Service Act 1973</i>.</p> <p>Both the Policy and the Addendum are not intended to be used to maintain financial positions for those who do not require assistance, but rather are intended to support those genuinely impacted by serious financial hardship.</p>			
PRINCIPLES	<p>The principles as outlined in the Hardship Policy apply to applicants under this Addendum as well as the additional principles shown below:</p> <ol style="list-style-type: none"> 1. The support provided by Council is generally intended for the business operator rather than the landlord. Evidence must be provided that the business has been impacted and that any support will be passed on to the tenant. 2. An exception for landlord support will only be considered for properties 100% owned by an individual or family, rather than Company, Incorporated Body or Trust. 3. Any agreed arrangements will take into account both individual and community wide circumstances (such as the COVID-19 			

	pandemic) on commercial ratepayers, with specific regard to their revenue, expenses, and profitability.
POLICY	<p>1. Addendum</p> <p>1.1. Council assistance The <i>Local Government Act 1993</i> provides Council with three methods of rate relief:</p> <ol style="list-style-type: none"> 1) Postponing rate payments (sections 125-127); 2) Remission of late payment penalties or interest (section 128); and 3) Remission of rates (section 129). <p>Remission of any rates is reserved only for the most serious and exceptional of financial hardship cases. Even in these cases, deferral of rate payments must be applied for and granted first, before an application for rates remission can be considered – refer to Hardship Policy for further information.</p> <p>1.2. Options for Implementation The Hardship Policy and Addendum were developed and implemented in response to the 2020 COVID-19 pandemic. The circumstances surrounding the pandemic were unprecedented. As in all cases, Council will allow a ratepayer to enter into a payment arrangement with the aim to recover the total outstanding amount by the end of the financial year. Council will support a payment arrangement for commercial ratepayers that will accommodate the businesses' anticipated cashflow.</p> <p>1.2.1. Postponement/deferral of rates Upon acceptance of an application for hardship assistance, Council will initially consider deferral of 100% of the general rate for up to 9 months or until 31 March 2021. If at the end of this period, the applicant is unable to make a payment, Council will again review the applicants financial situation before taking further action.</p> <p>1.2.2. Remission of late payment penalties An applicant who has deferred their rates may also apply for a remission/waiving of any applicable late payment penalties.</p> <p>Other commercial ratepayers will be able to apply for a remission of late payment penalties. These cases will be assessed in accordance with their individual circumstances.</p> <p>1.2.3. Rates remission At the expiration of the deferral period, Council will request the ratepayer pay the outstanding general rate in full by 30 June 2021. Council will work with the ratepayer to create a payment plan to clear the debt. If the ratepayer is unable to make payment, Council will</p>

	<p>consider a remission of whole or part of the outstanding amount.</p> <p>Remission will typically only be considered if the ratepayer can provide evidence that the business revenue for the 12 months up until 31 March 2021 is 50% or less when compared to the same period in the previous year.</p> <p>1.2.4. Approval of rates remission</p> <p>The General Manager has delegation to remit rates up to the value of \$5,000 in accordance with the policy guidelines.</p> <p>Any application for rate relief over \$5,000 will be referred to the Council for consideration.</p> <p>The value of any remission will typically be capped at \$25,000 per ratepayer.</p> <p>2. Applications</p> <p>To seek financial hardship assistance from Council, an application must be made in writing, addressed to the General Manager, and submitted as follows:</p> <ul style="list-style-type: none"> • Emailed to council@devonport.tas.gov.au; or • Mailed to PO Box 604 Devonport Tasmania 7310. <p>Applications must:</p> <ul style="list-style-type: none"> • Demonstrate and provide evidence for financial hardship and circumstances; • Describe the type of assistance sought, being: <ul style="list-style-type: none"> ◦ Postponing rate payments (a deferral arrangement); ◦ Remission of late payment penalties or interest; and/or ◦ Remission of rates (in the most serious and exceptional of financial hardship cases). <p>Applicants must provide evidence of financial hardship.</p> <p>Evidence may include, for example, one or more of the following:</p> <ul style="list-style-type: none"> • Details of closure - including Government enforced closure as a requirement of COVID-19; • Tenant correspondence requesting relief (if applicable); • Eligibility for the COVID-19 JobKeeper Program • Accountant Statement; • Statutory Declaration; and • Other documentation demonstrating that the business is experiencing financial hardship. <p>All arrangements to support businesses will be proportionate to the evidence of hardship provided.</p>
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LEGISLATION AND RELATED DOCUMENTS	<p>This Addendum relates to and depends on other Council policies, as well as Tasmanian Government legislation, including:</p> <ul style="list-style-type: none"> • <i>Local Government Act 1993</i>, Part 9 – Rates and Charges¹, particularly: <ul style="list-style-type: none"> ○ Section 86A – General principles in relation to making or varying rates ○ Sections 125-127 – Postponement of payment ○ Section 128 – Late payments ○ Section 129 – Remission of rates • <i>COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020</i> • <i>COVID-19 Disease Emergency (Commercial Leases Code) Act 2020</i> • Rates and Charges Policy (pursuant to section 86B of the <i>Local Government Act 1993</i>). <p>¹ See: https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-095#HP9@HD9@EN</p>	
ATTACHMENTS (IF APPLICABLE)	Application form currently under draft.	
STRATEGIC REFERENCE	5.3.1 - Review and amend structures, policies and procedures to adapt to changing circumstances	
MINUTE REFERENCE	If a Council Policy, insert the resolution number where the policy was approved. If a Management Policy insert 'N/A'	
OFFICE USE ONLY	Update Register	Training/Communication
	Advise Document Controller	Advise HR / MCO
	Management Sign Off:	
	Date:	

5.10 TASMANIAN CANINE DEFENCE LEAGUE - DOG POUND AGREEMENT

Author: **Kylie Lunson, Development Services Manager**

Endorser: **Jeffrey Griffith, Deputy General Manager**

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- | | |
|----------------|---|
| Strategy 4.4.2 | Coordinate and promote effective management of animals |
| Strategy 4.6.4 | Develop partnerships between all levels of government, the private and not for profit sectors that deliver innovative solutions |
| Strategy 5.1.2 | Pursue opportunities for cooperative initiatives including resource sharing with other councils, organisations and community groups |

SUMMARY

To present a 10-year partnership agreement between Devonport Council, Latrobe Council, Kentish Council and the Tasmanian Canine Defence League (TCDL) for consideration.

BACKGROUND

The Spreyton Dog Pound provides services to the Devonport, Latrobe and Kentish municipalities. The existing operational arrangements have been in place for many years. The current 10-year partnership agreement is due to expire at the end of June 2020. This report provides details on a new partnership agreement.

The facility is located on Devonport Council property and there is a separate lease in place that details the maintenance arrangements for the facility.

STATUTORY REQUIREMENTS

The provisions of the *Local Government Act 1993* (Part 12 - Division 5) state that Council may establish pounds for the detention of stray animals.

DISCUSSION

Council, together with Latrobe Council and Kentish Council have had a partnership agreement with TCDL for many years, with the current agreement expiring at the end of June 2020.

The TCDL operated Dog Pound enables Council to detain dogs that have been at large and are waiting to be reclaimed or rehomed as well as dogs seized for an offence and awaiting the outcome of an investigation.

A review of the current agreement was recently undertaken by the three participating Councils and TCDL. A new agreement has been prepared and is presented for Council's consideration (attached). Council also reviewed the current arrangements and considered if the service could be delivered in-house. The existing contract arrangement was considered to be the most beneficial for Council.

COMMUNITY ENGAGEMENT

No community engagement has been undertaken in the preparation of this report.

FINANCIAL IMPLICATIONS

The draft 2020/21 operational budget includes an allocation for the operation of the Spreyton Dog Pound based on previous years and is in line with this new partnership agreement.

RISK IMPLICATIONS

The TCDL run Dog Pound provides Council with a seven day per week operation in a cost effect manner. If a new agreement is not reached with TCDL, then Council will not be able to provide the same level of service for the same budget allocation.

CONCLUSION

Council, together with Latrobe Council and Kentish Council have had a partnership agreement with TCDL for many years to operate the Spreyton Dog Pound. The new 10-year agreement offers Council value for money and should be endorsed.

ATTACHMENTS

1. Draft DEVONPORT AGREEMENT June 2020 TCDL [**5.10.1** - 12 pages]

RECOMMENDATION

That Council endorse the partnership agreement between Council and the Tasmanian Canine Defence League for execution.

THIS AGREEMENT is made on theday of2020

BETWEEN DEVONPORT CITY COUNCIL (Devonport) of 137 Rooke Street Devonport in Tasmania, LATROBE COUNCIL (Latrobe) of 170 Gilbert Street Latrobe in Tasmania and KENTISH COUNCIL (Kentish) of 69 High Street Sheffield in Tasmania (the Corporations)

AND

TASMANIAN CANINE DEFENCE LEAGUE INC of 101 Scotts Road, Risdon Vale in Tasmania (TCDL)

for the conduct of a Dog Pound located at 13 Racecourse Road Spreyton in Tasmania (the Dog Pound) the same as identified surrounded by red boundary lines in Part A of the Second Schedule attached hereto and shaded orange in Part B of that Schedule.

THE PARTIES ACKNOWLEDGE:

The Corporations are the respective local authorities for the City of Devonport, the Municipality of Latrobe and the Municipality of Kentish and have responsibilities for dog control under the *Dog Control Act 2000* (the Act) and any Regulations made thereunder;

TCDL has agreed to operate a Dog Pound at premises owned by Devonport at 13 Racecourse Road Spreyton;

The premises, with the exception of the relocatable office and the residence constructed thereon which remain the property of TCDL, is leased to TCDL by Devonport by an agreement which expires on 1st July, 2020, unless renewed pursuant to the terms of the lease.

TCDL has agreed to receive all dogs seized within the municipal boundaries of the Corporations under the provisions of the Act

NOW THIS AGREEMENT WITNESSES

In consideration of TCDL operating the Dog Pound the Corporations have agreed to pay TCDL an annual amount for the operation of the Dog Pound as set out in Clause 3 (the operating costs) together with any other amount identified by this Agreement in relation to the impounding of a dog.

In consideration of TCDL agreeing to accept all dogs seized by persons authorised by the Corporations (Authorised Person), the Corporations agree to enter into this Agreement with TCDL paying and yielding TO TCDL the amounts prescribed in the First Schedule attached hereto.

This Agreement is for a period of 10 years from the date hereof.

IT IS HEREBY AGREED AS FOLLOWS:

1. FINANCE

During the term of this Agreement:

- (a) The Corporations will pay TCDL an annual amount for the TCDL's reasonable operating costs for the Dog Pound, such amount to be calculated by the formula described in the First Schedule hereto and payable by the Corporations in accordance with the provisions contained in the First Schedule.
- (b) TCDL will provide each of the Corporations with quarterly statements and a statement for each financial year of the total monies collected on behalf of the Corporations at the Dog Pound for dog registration, seizure and release fees as from time to time adopted by the Corporations.
- (c) TCDL must not release an impounded dog until all fees and charges payable to the Corporations have been collected unless otherwise instructed by the General Manager of the relevant Corporation in writing.
- (d) TCDL is not required to release an impounded dog until all fees and charges payable to TCDL for the impounding, maintenance and treatment of the impounded dog are paid.
- (e) TCDL will provide to each of the Corporations:
 - (i) Any fees payable under the Corporations' fee structure for dog management and collected by TCDL in respect of the seizure of any dog from within the relevant municipal area;
 - (ii) The registration fees payable under the fee structure of each of the Corporations for dog management as collected by TCDL and paid by a person in relation to every unregistered dog intended to be kept within the relevant municipal area prior to release of that dog from the Dog Pound;
- (f) The Corporations undertake not to refuse to pay the operating costs payable by them during the currency of the Agreement, and they further agree that they are not to suffer or permit their contributions towards those costs to fall below an amount based upon the First Schedule.

2. RECORDS

During the term of this Agreement:

TCDL will

- (a) Keep proper records relating to the management of the Dog Pound and in particular, record details of each dog impounded by an Authorised Person, any efforts by TCDL to locate the owner of the dog, any contact by any person with TCDL in respect of an impounded dog, the name and address of each person reclaiming or purchasing any such dog, the Registration Fees and other charges collected, and in the case of an unclaimed dog, details of each dog disposed of by each of the Corporations to TCDL. TCDL will adhere to the procedures and processes administered by each of the Corporations with respect to impounding of dogs;
- (b) Allow an Authorised Person appointed by the General Manager of each of the Corporations to inspect the aforesaid records, and

- (c) Allow an employee of each of the Corporations to inspect the financial records of TCDL in so far as they relate to the operation of the Dog Pound and the discharge of TCDL's duties under the *Local Government Act 1993* and the Act at all reasonable times.

3. OPERATION

- (a) TCDL will provide the Authorised Person of each of the Corporations with access to the Dog Pound at all times for the purpose of delivering a dog seized in accordance with the Act.
- (b) Any dog seized by the Authorised Person that is sick or injured (including those known to have been exposed to parvovirus, declared dangerous and/or surrendered to Council by the owner) are to be taken by the relevant Corporation directly to a commercial Veterinary Clinic for appropriate management prior to delivery to TCDL.
- (c) TCDL will feed, accommodate and provide veterinary care as deemed necessary by TCDL to all dogs impounded by the Authorised Person of each of the Corporations. In this regard:
 - (i) All kennels will be provided with a suitable raised sleeping area;
 - (ii) All kennels will be cleaned daily;
 - (iii) Separate kennels will be provided for puppies and for nursing bitches; and
 - (iv) A separate kennel will be provided for each dog declared by a Corporation to be a dangerous dog, such kennel to be sufficiently isolated from other dogs and be adequately secured and identified to contain a dangerous dog so as to prevent risk of harm to any person or to any other dog on the premises.
- (d) No dog will be released from the Dog Pound unless the person collecting the dog can establish to the reasonable satisfaction of TCDL that they are the registered owner or keeper of that dog, or that they are authorised by the registered owner or keeper or by a person authorised by a Corporation to collect the dog.
- (e)
 - (i) No dog will be released from the Dog Pound by TCDL unless it can be shown that the dog is currently registered and microchipped, and if not, that it is registered and microchipped by an accredited microchip implanter, before release, and further that the appropriate dog registration and microchipping fee has been paid and that a registration disc has been issued in relation to that dog; and
 - (ii) Where an owner or person registering a dog is claiming a discount, TCDL will not accept a discounted fee unless satisfactory evidence is produced to support eligibility for any discount allowed by the relevant Corporation.
- (f) TCDL will provide adequate security for the Dog Pound and will not allow entry to the premises or contact with an impounded dog by any person other than a person authorised by the relevant Corporation to have contact with the dog excepting an employee of TCDL, a contractor engaged by TCDL or a registered veterinary surgeon called by TCDL to provide care for a dog.

- (g) The relevant Corporation will notify the owner of a registered dog impounded by an Authorised Person that the dog is being held at the Dog Pound in accordance with the requirements of the Act.
- (h) The relevant Corporation will advise TCDL of any special circumstances relating to the impounding of a dog, including that the dog has been declared a dangerous dog, and the basis for the declaration.
- (i) TCDL will take all reasonable steps to ensure that the provisions of the Act and the Regulations made thereunder, the *Local Government Act 1993* and the *Animal Welfare Act 1993* relating to the impounding and care of dogs are observed at all times in so far as those provisions apply to TCDL.
- (j) TCDL will at all times employ a Manager of the Dog Pound capable of properly discharging the requirements of the Agreement.
- (k) If an Authorised Person, other than a person appointed by a Corporation, impounds a registered dog, TCDL will notify the General Manager of the relevant Corporation of that fact.
- (l) A dog delivered to the Dog Pound by an Authorised Person other than a person appointed by a Corporation, or by a member of the public, is not considered to be a dog impounded by the Corporation in accordance with the Act and will not be a dog subject to this Agreement.
- (m) TCDL will maintain and keep in good order and repair the interior and exterior of all buildings and premises situated at the Dog Pound at its cost. The Dog Pound will provide a daily service in accordance with the operating arrangements set out in Schedule 1.
- (n) An Authorised Person of a Corporation may inspect the Dog Pound holding kennels at any reasonable time provided that such Authorised Person first notifies the Manager of the Dog Pound.
- (o) The following will apply to all dogs impounded and held pending the outcome of Court proceedings:
 - (i) The relevant Corporation will advise TCDL in writing that the dog is to be detained pending the outcome of Court proceedings;
 - (ii) TCDL will provide the relevant Corporation with a written report on the impact on the health and welfare of impounding and detaining the dog as required; and
 - (iii) The relevant Corporation will meet the reasonable cost to TCDL of detaining and maintaining a dog in accordance with this Clause and may recover those costs in a court of competent jurisdiction as a debt due to the Corporation by the owner pursuant to Section 38(2) of the Act.

- (p) The relevant Corporation will dispose of any unclaimed dog to TCDL. In this regard:
- (i) The Corporation will provide a written notice indicating the dog has been disposed of to TCDL.
 - (ii) The Corporation will waive a requirement for the dog to be registered so long as it remains within TCDL's premises and is not sold, given or transferred into the ownership of another person; and
 - (iii) TCDL will ensure a dog disposed to it by the Corporation is registered for the municipality in which it is to be housed prior to release from TCDL's premises.
- (q) The relevant Corporation may provide TCDL with access to the Corporation's Dog Register for purposes of assisting contact with an owner of a dog delivered to the Dog Pound by persons other than persons authorised under the Act.
- (r) TCDL and the Corporations acknowledge the operation of the *Personal Information Protection Act 2004* and the need for confidentiality and privacy in both a general and particular sense with regard to matters arising under this Agreement.
- (s) The Corporations acknowledge that while the Dog Pound is located at 13 Racecourse Road Spreyton in Tasmania, it may be necessary from time to time for TCDL to house an impounded dog at another location. In the event of such a situation arising, TCDL will provide advice to the relevant Corporation and obtain the Corporation's agreement before the dog is relocated.

4. TERMINATION

This Agreement can be terminated by the Corporations or TCDL on the conditions set out hereunder on the occurrence of the following:

- (a) The winding up of TCDL; or
- (b) The composition with creditors by TCDL; or
- (c) Voluntary relinquishment by TCDL of the terms, conditions and covenants of this Agreement; or
- (d) Continuous and substantial failure by TCDL to abide by the terms, conditions and covenants of this Agreement.

5. NOTICE

Any notice served pursuant to this Agreement is sufficiently served on TCDL if sent by registered post or personally delivered to the Secretary at the last known address of TCDL or on each of the Corporations if posted or delivered to the General Manager of the Corporation.

6. STAMP DUTY

TCDL and the Corporations are to share equally and pay any Government Stamp Duty fees attracted by this Agreement or by any extension thereof.

7. DISPUTE RESOLUTION

- (a) Any difference or dispute arising out of, or in relation to any matter referred to in this Agreement must be referred to dispute resolution in accordance with this Clause;
- (b) The parties in dispute will in the first instance and where possible attempt to settle any difference or dispute by conciliation and prior to giving the other party a Dispute Notice;
- (c) The parties in dispute will take all reasonable steps to attempt to resolve any difference or dispute within a reasonable time, and attempt to agree upon a process for resolving the dispute or difference. If the parties are not able to resolve the matter in dispute then either party may issue a Dispute Notice;
- (d) A Dispute Notice must set out:
 - the cause and nature of the dispute;
 - the clause of this Agreement that the dispute relates to (if applicable);
 - the manner proposed to settle the dispute; and
 - any other information relevant to the dispute;
- (e) As soon as practicable following the giving of a Dispute Notice by one party to the other, the parties must meet and undertake genuine negotiations to resolve the dispute or difference, or if the dispute or difference cannot be resolved, attempt to agree upon a process for resolving the dispute or difference;
- (f) Unless otherwise agreed in writing by the parties, if there is any dispute or difference at any time in connection with any matter arising out of, or in relation to, any matter referred to in this Agreement that is not resolved to the satisfaction of the parties within 21 days of the service of the Dispute Notice (or such other time that is agreed between the parties) it must be determined by a person appointed by written agreement between the parties. If the parties cannot agree on a suitable person to be appointed, then the person is to be appointed by the President for the time being of the Law Society of Tasmania to act as an arbitrator pursuant to the *Commercial Arbitration Act 2011*.
- (g) The parties in dispute covenant and agree to be bound by the decision made in accordance with this Clause in relation to the resolution of a dispute.

8. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of Tasmania and the parties agree to submit, subject to Clause 7, to the jurisdiction of its Courts.

IN WITNESS OF THIS AGREEMENT the parties have executed this agreement on the date set out at the head of the Agreement.

THE COMMON SEAL OF)
THE DEVONPORT CITY COUNCIL was)
hereunto affixed in the presence of) _____
MAYOR

GENERAL MANAGER

THE COMMON SEAL OF)
LATROBE COUNCIL was hereunto affixed)
in the presence of) _____
MAYOR

GENERAL MANAGER

THE COMMON SEAL OF)
KENTISH COUNCIL was hereunto affixed)
in the presence of) _____
MAYOR

GENERAL MANAGER

THE COMMON SEAL OF THE
TASMANIAN CANINE DEFENCE LEAGUE
INC. was hereunto affixed in the
presence of:

)
)
)
)

PUBLIC OFFICER

DIRECTOR

FIRST SCHEDULE

1. The annual payment for operating costs will be paid monthly on the first working day of each month.
2. The parties have agreed that the annual payment for the 2020 - 2021 financial year is \$79,790.64 including GST.
3. The contribution of each Corporation to the annual operating costs is calculated on the following basis:

Devonport	62.5%	\$ 49,869.12
Latrobe	22.5%	\$ 17,952.96
Kentish	15%	\$ 11,968.56

The formula for each Council's contribution was calculated on a \$1/3 of all dog registrations in each of the 3 municipal areas. This arrangement originated 15 years ago.

4. The annual payment for subsequent years will be increased annually in accordance with movement in the Consumer Price Index applicable for Hobart (All Groups) for the period ending on 31 March in each year.
5. The Pound will provide a daily service and be open to the public between 10:30am and 4pm, Monday to Sunday and on public holidays will provide access for the public to reclaim dogs between 10:30am and 4pm except for Christmas Day and Good Friday when the Dog Pound will be closed.

SECOND SCHEDULE



SECOND SCHEDULE

Part B



5.11 SPORTS INFRASTRUCTURE MASTER PLAN WORKING GROUP TERMS OF REFERENCE

Author: **Carol Bryant, Executive Officer**
 Endorser: **Jeffrey Griffith, Deputy General Manager**

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.1.1 Provide and manage accessible sport, recreation and leisure facilities and programs

SUMMARY

To present the Sports Infrastructure Master Plan Working Group Terms of Reference to Council for endorsement.

BACKGROUND

The development of a Sports Infrastructure Master Plan is an action in the 2020/21 Annual Plan. The Master Plan aims to provide a clear direction for the development of Council owned sport and recreation infrastructure over the next 15 years.

The Sports Infrastructure Master Plan is expected to provide, at a minimum:

- An assessment of future sporting infrastructure required to support sporting trends.
- Recommendations for high-level changes to coordination, management and/or use of sporting infrastructure and facilities.
- A prioritised action plan supported by preliminary concept plans and indicative budget estimates.

To guide project development, a working group is to be established by Council, with membership appointed by the Council following a formal expression of interest process.

STATUTORY REQUIREMENTS

There are no statutory requirements in relation to this report.

DISCUSSION

The development of the Sports Infrastructure Master Plan will be undertaken in five stages over the next 12 months, as follows.

Stage	Activity
1. Project scoping	Develop parameters Develop engagement and communication plan Working group be established to guide process
2. Current context	Literature review – alignment with local, state, national policies/trends etc Inventory of infrastructure and facilities Demand Analysis - Collate data on existing and projected participation rates/future community profile Identify any existing barriers and opportunities
3. Assess community and stakeholder needs	Implement community/stakeholder engagement plan

Stage	Activity
4. Development of options/draft recommendations	Strategic Directions, Concept Plans and Action Plan drafted based on stakeholder consultation Further Council and stakeholder consultation on key recommendations Draft Plan tabled at Council
5. Finalise Plan	Community input on Draft Plan Amendments to Plan where appropriate Preparation and tabling of final Plan Presentation of final Plan to Council Implement Plan

The establishment of a Sports Infrastructure Master Plan Working Group is one of the key initial activities. A Terms of Reference for the Group has been prepared and attached.

The Working Group will:

- Provide advice and recommendations on further engaging the community and stakeholders in plan development.
- Assist in developing and prioritising plan objectives and actions.
- Consider options to resource plan implementation (e.g. partnerships, grants etc).
- Review the draft and final master plan document and recommend to Council for adoption.
- Support, promote and undertake a general advocacy role for the plan.
- Act as a conduit between Council and the community.

COMMUNITY ENGAGEMENT

A range of stakeholders including sporting clubs, casual sport and recreation groups, and the general community will be consulted in the Plan's development in the consultation stage via surveys, workshops, and meetings. In addition to this, a Master Plan Working Group will be established to guide the process.

Membership of the Sports Infrastructure Master Plan Working Group is to include representatives with a high-level knowledge and/or experience in sport and recreation planning or development from the following sectors:

- Business/community – 3 members
- State/Regional Sport Governing Organisations – 2 members
- Tasmania Government Department of Communities, Sport and Recreation – 1 member
- Devonport City Council elected members - 2 members
- Council Officers, as required

Members will be appointed by the Council following a formal expression of interest process.

FINANCIAL IMPLICATIONS

Funds for the establishment and management of the working group have been allocated in the 2020/21 operational budget.

RISK IMPLICATIONS

- Consultation and/or Communication
Given the high levels of participation in sport the community and stakeholders would likely have an expectation that Council delivers a plan reflective of shared concerns

and ideas for improvement. There is a low reputational risk that not having a Master Plan may signal to the community and stakeholders that a planned approach to investment in sporting infrastructure is a low priority of Council.

CONCLUSION

The establishment of a working group is central to the success of the proposed Sports Infrastructure Master Plan. The Group will work closely with Council officers and elected members to ensure a Plan reflects stakeholder and Council priorities, providing a clear direction for the development of Council owned sport and recreation infrastructure over the next 15 years.

ATTACHMENTS

1. Sports Master Plan Working Group Terms of Reference [5.11.1 - 2 pages]

RECOMMENDATION

That Council note the report relating to the Sports Infrastructure Master Plan Working Group, and:

1. Endorse the Sports Infrastructure Master Plan Working Group Terms of Reference; and
2. Seek Expressions of Interest for membership of the Sports Infrastructure Master Plan Working Group.



TERMS OF REFERENCE

SPORTS INFRASTRUCTURE MASTER PLAN

WORKING GROUP

NAME

Sports Infrastructure Master Plan Working Group

CATEGORY

Working Group

PURPOSE

The Sports Infrastructure Master Plan Working Group is established to assist Council to develop a master plan that provides clear direction for the development of Council owned sport and recreation infrastructure over the next 15 years.

The Sports Infrastructure Master Plan is expected to provide, at a minimum:

1. An assessment of future sporting infrastructure required to support sporting trends.
2. Recommendations for high-level changes to coordination, management and/or use of sporting infrastructure and facilities.
3. A prioritised action plan support by concept plans with indicative budget allocations.

The Sports Infrastructure Master Plan will not consider:

1. Sport and recreation program development.
2. Passive recreation facility development (e.g. facilities in public open space).
3. Sports club development and capacity building.
4. Day-to-day operational management of facilities.

ROLES AND RESPONSIBILITIES

The Sports Infrastructure Master Plan Working Group will:

1. Provide advice and recommendations on further engaging the community and stakeholders in plan development.
2. Assist in developing and prioritising plan objectives and actions.
3. Consider options to resource plan implementation (e.g. partnerships, grants etc).
4. Review the draft and final master plan document and recommend to Council for adoption.
5. Support, promote and undertake a general advocacy role for the plan.
6. Act as a conduit between Council and the community.

MEMBERSHIP

Membership of the Sports Infrastructure Master Plan Working Group is to include representatives with a high-level knowledge and/or experience in sport and recreation planning or development from the following sectors:

- Business/community – 3 members
- State/Regional Sport Governing Organisations – 2 members
- Tasmania Government Department of Communities, Sport and Recreation – 1 member
- Devonport City Council elected members - 2 members
- Council Officers, as required

Members will be appointed by the Council following a formal expression of interest process.

The role, functions and membership of the Working Group will be reviewed by the Group as required.

MEETING FREQUENCY

The Sports Infrastructure Master Plan Working Group will determine its own meeting frequency, however, is expected to commence meeting during business hours from August 2020 and will reconvene as required to finalise the document (April-June 2021).

MINUTES AND REPORTING REQUIREMENTS TO COUNCIL

Outcomes of Working Group meetings will be distributed to the group within five business days of the meeting and are not required to be reported to Council.

DELEGATIONS

As a Working Group there are no applicable delegations.

CONFLICT OF INTEREST

When a member is aware prior to a meeting of the Group that a possible conflict of interest exists, he/she is required to inform Council management of the nature of the conflict. If it is deemed a conflict of interest or perceived conflict of interest exists, the member may be asked to not participate in any discussions relating to that matter.

ANY OTHER REQUIREMENTS

Working Group members are automatically covered under the terms and conditions of Council's Public Liability and Professional Indemnity policies provided they are acting within the scope of their duties as a member of the Sports Infrastructure Master Plan Group.

RESPONSIBILITY

Responsible Manager

Community Services Manager

Document Controller

Executive Officer

AUTHORISATION

Adoption of Terms of Reference

Adopted by Council on xx

5.12 STREET TRADING BY-LAW NO.1 OF 2020

Author: **Claire Jordan, Governance Officer**

Endorser: **Kym Peebles, Executive Manager People & Finance**
Kylie Lunson, Development Services Manager

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.1 Review and amend structures, policies and procedures to adapt to changing circumstances

SUMMARY

To approve the affixing of the Common Seal to the Street Trading By-Law No 1 of 2020.

BACKGROUND

At Council's meeting of 27 April 2020, it resolved (Min 71/20 Refers):

That Council:

- a) in accordance with section 156 of the *Local Government Act 1993* determine, by absolute majority, its intent to make a Street Trading By-Law; and
- b) authorise the General Manager to forward the draft Regulatory Impact Statement to the Director of Local Government for consideration.

STATUTORY REQUIREMENTS

In accordance with Section 145 of the *Local Government Act 1993* (the "Act"), a Council may make a by-law in respect of any act, matter or thing for which Council has a function or power under this or any other Act.

Section 156(1) of the *Act* requires Council in making a new by-law, to announce publicly that it intends to make a by-law. This resolution must be made at a Council meeting and must be made by an absolute majority of councillors.

Furthermore, Council is guided by Part 11 of the *Act* regarding the development, drafting and adopting of a by-law under its jurisdiction.

The process for adopting a by-law is as follows:

- Council passes a formal resolution (by absolute majority) of its intention to make a by-law.
- Council prepares a draft Regulatory Impact Statement (RIS) and referral is made to the Director of Local Government for consideration.
- Upon receipt of certificate of approval from the Director, Council gives notice of the proposed by-law and carries out public consultation.
- Copies of the RIS and the by-law are made available for public inspection and submissions are invited.
- Following the closure of the submissions, Council is required to consider all submissions and alter the by-law if necessary, by absolute majority.
- Council makes the by-law under its Common Seal.
- The by-law is certified by a legal practitioner and the General Manager.

- The by-law must be published in the Tasmanian Government Gazette within 21 days of being made by Council.
- The General Manager is to make the by-law available on the Council website.
- The by-law is to be submitted to the Subordinate Legislation Committee as required within seven working days of publication in the Gazette.
- The by-law is tabled in Parliament within 10 sitting days of publication in the Gazette.
- The General Manager is to send a sealed copy of the by-law to the Director of Local Government, and certification under section 162 of the Act with a statement explaining the purpose and effect of the by-law and the outcome of public consultation in respect of the by-law.

DISCUSSION

Following the Council's April 2020 meeting, the draft Regulatory Impact Statement was forwarded to the Director of Local Government for approval. The approval was received on 18 May 2020 (see attached).

The draft By-Law was also forwarded to Simmons Wolfhagen for checking and their edits noted. Feedback was also sought from the Department of Health and Devonport Chamber of Commerce and Industry, as part of the consultation process.

The Department of Health (Environmental Health Unit) provided advice (see attached) noting the requirement of evidence of an applicant being a proprietor of a registered food business under the *Food Act 2003* as part of the application. The advice provided is that some food businesses do not require formal registration under the *Food Act 2003* and have suggested a broadening of the scope of this clause, by removing reference to "registered food business", which is agreed.

Further advice was provided in relation to reference made to a kitchen being issued with a licence, when the *Food Act 2003* applies to the business entity itself and that the kitchen itself is not licensed. Further, some applicants may not actually have kitchen facilities, but rather, for example a wine bar or coffee bar, where food production may take place at a service counter.

Taking in consideration the comments received, the by-law has been altered accordingly. A copy of the Department of Health (Environmental Health Unit) feedback is attached.

Attached is a marked-up version of the by-law highlighting changes/amendments, as well as a "clean" version of the finalised By-Law.

The By-Law, once certified by Council, will be certified by the legal practitioner who has already provided advice as to its content, and is able to certify it once approved by Council.

COMMUNITY ENGAGEMENT

As part of the adoption process for by-laws, public consultation is required.

Public consultation commenced on 22 May 2020 and concluded on 12 June 2020.

The proposed By-Law and RIS were placed on Council's website, Facebook Page and advertised in The Advocate Newspaper.

During this time, no submissions were received from the community.

Feedback was sought from the Department of Health and Devonport Chamber of Commerce and Industry (DCCI). Feedback was received from Department of Health, but no comment was received from DCCI.

FINANCIAL IMPLICATIONS

There will be legal costs involved in the adoption of the By-Law, and also advertising costs. However, these costs are not expected to be significant and are required due to the legislative requirements of adopting a by-law.

RISK IMPLICATIONS

- **Asset & Property Infrastructure**
This By-Law enables Council to protect, control and regulate street trading activity in its municipal streets through regulation of acceptable and compliant use.
- **Legal Compliance**
The adoption of the By-Law will legally enable Council to facilitate and regulate accepted street trading activity and operations on its public streets, through the ability to issue infringement notices for breaches of the By-Law
- **Risk Management Practices**
Through the provision of the By-Law, the ability to regulate and control street trading activities and operations on public streets within the municipal area, public safety and risk is provided greater oversight, reducing risk of injury and incident.

CONCLUSION

All feedback received in respect to the proposed By-Law has been considered and included in the By-Law, as deemed appropriate and relevant. The proposed By-Law is now ready to be formally approved by Council for affixing of its Common Seal and subsequent certification by the General Manager and a legal practitioner.

ATTACHMENTS

1. Certificate approval of RIS - ~treet Trading By- Law 1 of 2020 [**5.12.1** - 1 page]
2. Submission to Street Trading By- Law No.1 of 2020 - Dep of Health - Environmental Health Unit [**5.12.2** - 2 pages]
3. Draft Street Trading By- Law No.1 2020 - marked up version [**5.12.3** - 18 pages]
4. Draft Street Trading By- Law No.1 2020 - clean version [**5.12.4** - 15 pages]

RECOMMENDATION

That Council authorise the affixing of its Common Seal to the Street Trading By-Law No1 of 2020 and its subsequent certification by the General Manager and a legal practitioner.



Local Government Act 1993 Section 156A

CERTIFICATE

APPROVAL OF REGULATORY IMPACT STATEMENT

DEVONPORT CITY COUNCIL – STREET TRADING BY-LAW NO.1 OF 2020

The Regulatory Impact Statement for the *Street Trading By-Law No.1 of 2020* has been examined for the purposes of compliance with section 156A of the *Local Government Act 1993*.

The Regulatory Impact Statement addresses the following statutory requirements:

- the objectives of the by-law and the means by which the by-law is to achieve them;
- the nature of any restriction on competition;
- an assessment of the costs and benefits of any restriction on competition;
- an assessment of the costs and benefits of any impact of the by-law upon the conduct of business;
- any alternative option considered by the council;
- an assessment of the greatest net benefit or least net cost to the community;
- an assessment of the direct and indirect economic, social and environmental impacts of the by-law; and
- the proposed public consultation process.

I therefore certify that for the purposes of section 156A of the *Local Government Act 1993* -

- (i) the Regulatory Impact Statement is satisfactory; and
- (ii) the Council may commence the public consultation process.

Dated this ¹⁸ day of May 2020

Craig Limkin
Director of Local Government

Department of Premier and Cabinet

Claire Jordan

From: Quinn, Stewart J <stewart.quinn@health.tas.gov.au>
Sent: Friday, 22 May 2020 11:07 AM
To: Claire Jordan
Cc: Hunt, Paul J
Subject: Environmental Health Unit (Department of Health) Comments regarding Proposed Street Trading By-Law No.1 of 2020 & Regulatory Impact Statement

Hello Claire

Thank you for providing the opportunity to submit comments in relation to the proposed Street-Trading By-law No.1 of 2020

I have provided comments on behalf of the Environmental Health Unit within the Health Department. These comments specifically relate to s.5 and s.12 of the proposed By-Law and are as follows:

With regards to:

s.5(2) evidence that the applicant is the proprietor of a registered food business which complies with the requirements of the Food Act 2003.

Please note that some food businesses do not require formal Registration under the *Food Act 2003*. Some food businesses (being businesses rated as P-4 or P-3N under the Tasmanian Food Business Risk Classification System - of low food safety risk) are only required to submit a one-off 'Notification' to Council (they do not require annual registration). It is plausible that a 'Notification only' business may seek to have an on-street seating area (an example of this would be a wine-bar) – they would not be able to provide evidence of being a 'registered food business' because they do not require 'Registration'. The business could provide evidence of having notified Council under the *Food Act 2003*. This clause could be broadened by removing the term 'registered' – such that it states “*evidence that the applicant is the proprietor of a food business which complies with the requirements of the Food Act 2003*”.

With regards to:

S.12(4)(d) have and maintain in the licensee's premises, kitchens licensed by the Environmental Services Department under the Food Act 2003 and Food Safety Standards (2 penalty units).

Please note that under the *Food Act 2003* a kitchen is not issued with a license (there is no such thing as a licensed kitchen for the purposes of the *Food Act*). The *Food Act* applies to the Business as an entity (ie the business requires either Registration or Notification depending upon the business' risk classification). It is also of note that some businesses regulated under the *Food Act 2003* do not have physical kitchen, and may for example be a wine bar or coffee bar where all food production takes place at the service counter.

regards

Stewart Quinn | Senior Food Safety Officer

Public Health Services | Department of Health

25 Argyle St Hobart GPO Box 125 Hobart Tas 7001

Phone (03) 61666690 | **Mobile** 0401566186

Prevention is better than cure

We acknowledge the traditional owners of the land on which we work and live, and respect their ongoing custodianship of the land. We pay respect to Tasmanian Aboriginal people, and Elders past and present.

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DEVONPORT CITY COUNCIL**STREET TRADING BY-LAW
BY-LAW NO. 1 OF 2020**

This by-law of the Devonport City Council is made under section 145, of the Local Government Act 1993 (~~"the Act"~~) for the purpose of:

regulating and licensing street trading on ~~public street~~highways and in public places within the Devonport municipality.

~~a) repealing By-Law No.1 of 2010 pursuant to section 154 of the Act.~~

PART 1 - PRELIMINARY**1 Short title**

This by-law may be cited as the Street Trading By-Law Number 1 of 2020.

2 Application

This by-law applies to street trading in the Devonport municipal area.

3 Interpretation

In this by-law, unless the contrary intention appears:

'Act' means the Local Government Act 1993;

'Alfresco Dining' means the consumption of food or beverages or both by persons seated in an area that is part of a highway or public place;

'Authorised Officer' means the General Manager and any ~~person employee of the Council~~ appointed by the ~~Council General Manager as an officer~~ for the purpose of this by-law;

~~'certificate of registration' means the certificate of registration under the Food Act 2003 issued with respect to the food business to which the application for a licence, or a licence, is related;~~

'Council' means the Devonport City Council;

'fee unit' means the sum as prescribed under the provisions of the Fee Unit Act 1997;

'food business' has the same meaning as provided in the Food Act 2003;

'furniture' includes chairs, tables, trestles, umbrellas; screens, barriers, awnings, waste bins, planter boxes, heaters and portable lighting;

'General Manager' means the General Manager of the Council appointed pursuant to section 61 of the Act;

~~'highway' has the same meaning as under the Local Government (Highways) Act 1982~~means any highway or road shown on the map maintained by Council pursuant to section 208 of the Act;

'infringement notice' has the same meaning as under the Monetary Penalties Enforcement Act 2005;

'licence' means a street trading licence issued by an Authorised Officer under this by-law;

'licenced area' means part of a highway or public place which has been approved by the Council on the issuing of a licence as an area that may be used for street trading or Alfresco Dining;

'licensee' means the person to whom a licence has been granted pursuant to this by-law;

'penalty unit' means the sum as prescribed under the provisions of the *Penalty Units and other Penalties Act 1987*;

'premises' means the premises with respect to which a ~~Street Trading L~~licence is issued;

'portable sign' means a free standing, portable advertising device, commonly known as a sandwich board sign;

'public place' includes:

(a) all public land as defined by section 177A(1) of the Act and as recorded by the Council in accordance with section 177A(2) of the Act;

(b) any other land owned by Council;

(c) any land in which council has an interest including by way of lease or license;

(d) all marinas, jetties, bridges, wharves, and any other similar structure owned or under the control of Council.

'road' means a road (which is not a highway) with a constructed surface suitable for use of four-wheeled vehicles or an area set aside by the Council as a parking place for vehicles;

'street rubbish bin' means a rubbish bin installed by the Council on the footpath.

'stall' means a movable or temporarily fixed structure, stand or table in, on or from which goods, wares, merchandise or services are sold or offered for sale;

'street trading' means selling or offering for sale goods, wares, merchandise or services on a ~~street-highway~~ or other public ~~place~~ and includes displaying goods, wares or merchandise for the purpose of offering them for sale, inviting offers for sale, soliciting orders or carrying out any other transaction therein, and includes Alfresco Dining but does not include:

the sale of food by an itinerant vendor under the authority of a temporary food licence under the *Food Act 2003*;

'Street Trading Policy' means the Street Trading Policy adopted by Council on 22 July 2019 or as subsequently amended or superseded;

'vehicle' includes every conveyance, not being a train, boat, aircraft or wheelchair and every object capable of being propelled or drawn on wheels or tracks by any means.

PART 2 – LICENCES AND APPLICATIONS

4 Licences

- (1) No person shall carry on street trading ~~in-on~~ any ~~street-highway~~ or ~~in a~~ public place unless that person:
 - (a) is the holder of a valid licence; and
 - (b) is acting in compliance with the requirements, terms and conditions of a ~~current-valid~~ licence;
- (2) A licence is valid until the 31st day of July next after it is granted or until its revocation pursuant to this by-law, whichever is earlier.

5 Applications for Licences

- (1) An application for a licence shall be in writing in the form set out in Schedule 1 Form 1 and shall –
 - (a) include the full name and residential address of the applicant;
 - (b) specify the location for which the licence is sought;
 - (c) be accompanied by an accurate plan that shows the dimensions in square metres and description of any proposed stall, stand, furniture, structure, portable sign or vehicle which may be used for trading;
 - (d) specify the proposed days and hours of trading;
 - (e) specify the proposed goods, wares, merchandise or services in respect of which trading will be carried on;
 - (f) where the applicant is a corporation specify the full name and address of the natural person who is to comply with the provisions of this by-law;
 - (g) ~~every application should~~ be forwarded to the Council four (4) weeks prior to the date(s) of proposed operation; ~~and~~
 - (h) ~~b~~Be accompanied by a copy of a Certificate of Currency of Insurance for Public and Product Liability Cover; ~~and~~
 - (i) evidence that the insurance policy covers the proposed ~~street trading area~~ licenced area; ~~plus~~
 - (j) address any other requirements, terms or conditions that the Council may consider appropriate; and
 - (k) be accompanied by the fee per application of 16 Fee Units and a fee of 8 Fee Units per square metres of highway or public place to which the application for a licence relates. ~~be accompanied by the prescribed fee – per application fee (16 fee units); fee per m2 (8 fee units).~~
- (2) In the case of Alfresco Dining the application shall, in addition to those matters set out ~~in sub-paragraph at clause 5 (1)(1)~~ include:
 - (a) a plan showing the location and dimensions of the proposed Alfresco Dining licenced area ~~alfresco dining area~~ and of the

seating and other furniture and details of the placement of waste bins;

- (b) evidence of the proposed method for the disposal of waste; ~~and~~
 - (c) evidence that the applicant is the proprietor of a ~~registered~~ food business which complies with the requirements of the Food Act 2003.
- (3) ~~In addition to the standard conditions set out a Clause 11 and Clause 12 of this by-law, An~~ Authorised Officer may grant a licence ~~for street trading to the proprietor of a business or in the case of Alfresco Dining, to the proprietor of a food business~~ on such terms and conditions as the Authorised Officer thinks fit.
- (4) ~~The An~~ Authorised Officer may refuse to grant a licence and is to advise the applicant in writing of the reasons for the refusal.
- (5) The granting of a licence only permits the licensee ~~to provide~~ carry on street trading ~~within the licenced area in the area of the highway as designated in the licence.~~

6 Form of Licences and Renewals

- (1) A licence shall be in the form of Schedule 1 Form ~~12~~ and shall specify-
- (a) the full name and residential address of the licensee;
 - (b) the licence number;
 - (c) the dates of issue and expiration of the licence;
 - (d) the place to which the licence applies;
 - (e) the number type, form and construction as the case may be for any stall, stand, furniture, structure, portable sign or vehicle which may be used for trading;
 - (f) the particulars of the goods, wares, merchandise or services in respect of which trading may be carried on;
 - (g) in the case of a corporation the full name and address of the natural person specified under Clause ~~5(1)~~ 5(1) of this by-law;
 - (h) the days and hours when trading may be carried on; and
 - (i) any other requirements, terms or conditions that the Council may consider appropriate.

7 Council May Refusal to issue a Licence

- (1) ~~The Council~~ An Authorised Officer may refuse to issue a licence if:
- (a) ~~The~~ applicant has committed a breach of this by-law;
 - (b) ~~The~~ proposed activity, place of trading or service, stall, stand, furniture, structure, portable sign or vehicle is not in accordance with the provisions of the Street Trading Guidelines:

- (c) ~~it~~ has not been provided with a Certificate of Currency for a policy of insurance in the name of the applicant or licensee and the Devonport City Council for public liability in a sum to be specified by Council.
- (d) ~~The~~ application does not comply with the requirements of Clause ~~55~~ of this by-law.

8 Revocation of a Licence

- (1) An Authorised Officer may revoke a licence if the licensee does not comply with:
 - (a) the terms and conditions of the licence; or
 - (b) the provisions of this by-law.
- (2) An Authorised Officer:
 - (a) may revoke a licence immediately if a licensee breaches any clauses in this By-law; or
 - (b) is to give the licensee two (2) days prior notice in writing of a revocation of the licence for any other breach of the terms and conditions of the licence.

9 Licence not Transferable

- (1) A licence is not transferable.

10 Street Trading Without a Licence

- (1) A person must not engage in street trading or cause or permit any service or allow any stall, stand, furniture, structure, portable sign or vehicle to be placed on a highway that could reasonably be used for street trading except in accordance with the conditions of a current licence.
~~or with the authority of the General Manager (PENALTY: 32 penalty units)~~
- ~~(1) An Authorised Officer may issue an infringement notice for this offence.~~
- (2) An Authorised Officer may give written notice to ~~the licensee~~ a person that any stall, stand, furniture, structure, portable sign or vehicle placed on a highway in contravention of this by-law must be removed within 24 hours.
- (3) A person must not fail to comply with the requirements of a written notice issued by an Authorised Officer pursuant to Clause 10(2).
PENALTY: 3 penalty units
- ~~(2)~~(4) If ~~the proprietor~~ a person does not remove any stall, stand, furniture, structure, sign or vehicle specified in the notice under Clause ~~10(2)~~ 10(3), an Authorised Officer may remove the merchandise and store it in a safe

location until any penalty or fine payable under this by-law together with the cost to Council of the storage, has been paid to Council ~~(2 penalty units)~~.

PART 3 – CONDITIONS

11 Standard ~~C~~onditions

(1) In addition to any specific conditions imposed under Clause ~~5(3)5-(3)~~ of this by-law the following standard conditions apply to any licence:

(1) A licensee ~~shall~~must:

- (a) Display the current licence in a conspicuous place within the permitted place during the permitted hours of operation ~~(1 penalty unit)~~;
- (b) Keep the location and any stall, stand, furniture, structure, portable sign or vehicle specified in his or her licence in a clean, safe condition, in good repair and free from rubbish ~~(2 penalty units)~~;
- (c) On demand produce his or her licence to any authorised officer or any police officer ~~(1 penalty unit)~~;
- (d) Remove any non-permanent/non-affixed stall, stand, furniture, structure, vehicle, goods, wares, merchandise and portable signs from the location to which the licence applies and leave that location clean and vacant –
 - (i) each day at the conclusion of the permitted hours of operation specified in his or her licence; and
 - (ii) whenever trading is not taking place on the location to which the licence applies ~~(2 penalty units)~~.

(2) A licensee ~~shall~~must not:

- (a) ~~c~~Cause, permit or suffer any nuisance to exist, arise or continue on or from the location to which the licence applies ~~(1 penalty unit)~~;
- (b) ~~D~~deposit, place or store any goods, wares or merchandise on any street-highway or other public place other than at the location to which the licence applies ~~(2 penalty units)~~;
- (c) ~~o~~Obstruct the free passage of pedestrians on any footpath ~~(1 penalty unit)~~;
- (d) ~~c~~Create any noise or disturbance at the location to which the licence applies to the annoyance of occupants of nearby premises or passers-by ~~(1 penalty unit)~~;
- (e) use or permit to be used any flashing or intermittent lighting apparatus or device on or from the permitted place specified in the licence ~~(2 penalty units)~~.

(3) The licensee agrees to indemnify and keep indemnified and to hold harmless the Devonport City Council including its employees, contractors and agents and each of them, from and against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed, arising out of or in connection with street trading by the licensee pursuant to this licence, except where such actions, costs, claims, charges, expenses or damages have arisen due to the negligence of the Council, its employees, contractors and agents.

12 Standard Condition for Alfresco Dining

(1) In addition to any specific conditions imposed under Clauses ~~5(3)5-(3)~~ and ~~11+1~~ of this by-law the following standard conditions apply to any Licence which includes Alfresco Dining:

(1) The licensee must ~~ensure that~~:

- (a) ensure that the Alfresco Dining licensed ~~alfresco dining~~ area and the area immediately adjacent to it is at all times kept in a clean, tidy and sanitary condition ~~(2 penalty units); and~~
- (b) ensure that any area between the premises and the Alfresco Dining licensed ~~alfresco dining~~ area is kept in a clean and sanitary condition and is kept safe for the passage of pedestrians ~~(2 penalty units);~~
- (c) ~~not use~~ The licensee does not use existing street rubbish bins for the disposal of table waste ~~(1 penalty unit);~~
- ~~(d) Without limiting what is required in order to comply with Clause 12(1) of this By-Law, the licensee must:~~
- ~~(d)~~ regularly empty waste bin ~~empty the waste bins of the licensee daily;~~
- (e) ~~(1 penalty unit), and~~ wash the pavement of the Alfresco Dining licenced area and the area between the premises and the Alfresco Dining licensed area ~~at least daily (1 penalty unit); and~~
- (f) ~~immediately a table is immediately vacated~~ clean and wash away any liquid, food debris, broken glass, or waste from the licenced area on a table being vacated ~~(1 penalty unit); and~~
- (g) immediately remove all materials that might cause a pedestrian to slip or trip; and keep the area between the licenced area and the premises free from obstacles ~~(1 penalty unit); and~~
- (h) have and maintain in the licensee's premises, kitchens ~~licenced required licensing~~ by the Environmental Services

Department under the Food Act 2003 and Food Safety Standards ~~(2 penalty units).~~

13 Compliance with Conditions of a Licence

- (1) The licensee of a licence granted pursuant to this by-law must comply with the terms and conditions of that licence.

PENALTY: 3 penalty units and in the case of a continuing offence a daily fine not exceeding 1 penalty unit.

PART 4 – MISCELLANEOUS

1314 Insurances

- (1) An applicant for a licence and a licensee is to take out and maintain at all times public and products liability insurance in accordance with Council's Street Trading Policy that covers the area designated for street trading licenced area for the period of the licence before the applicant is issued with a licence ~~(2 penalty units).~~

PENALTY: 3 penalty units.

- (2) The insurance cover required by Clause 14(1) is to be for the minimum sum prescribed in Council's Street Trading Policy and be in a form acceptable to the Council and with an insurer acceptable to the Council ~~(2 penalty units).~~

PENALTY: 3 penalty units

- (3) A licensee must produce the insurance policy required under Clause 14(1) or the relevant Certificate of Currency ~~13(1)~~ to an Authorised Officer within 48 hours of a written request for the same.

PENALTY: 3 penalty units(1 penalty unit).

- ~~(1) An Authorised Officer may issue an infringement notice for this offence; and~~

- ~~(2)~~(4) An Authorised Officer may revoke a licence immediately if:

- (a) a ~~licence holder~~licensee has refused to allow an Authorised Officer to view a relevant insurance policy or Certificate of Currency; or
- (b) the insurance cover lapses or ceases to cover the licenced area designated for ~~street-street trading~~dining during the term of the licence.

14 Indemnity

- ~~(1) A licensee must at all times indemnify and keep indemnified the Council against liability for any loss or damage to any property or any damages, moneys, costs, expenses, actions and claims arising out of personal injury to any person made or sustained against the Council where such loss, damages, moneys, costs, expenses, actions and claims arise from any~~

~~cause whatsoever other than the negligence of the Council or its servants or agents.~~

15 **Offences**~~Expenses~~

- ~~(1) A person who breaches or fails to comply with any term or condition imposed in or applicable to the licence under Clause 5(3), 11 and 12 of this By-Law is guilty of an offence under this By-Law.~~
- ~~(2) A person who breaches any other provision of this By-Law is guilty of an offence under this By-Law.~~
- ~~(3) The penalty for an offence under this By-Law shall be a fine not exceeding 3 penalty units and in the case of a continuing offence a daily fine not exceeding 1 penalty unit.~~
- ~~(4)~~(1) A person who breaches this ~~By-Law~~by-law or any condition imposed hereunder may in addition to any other penalty be required to pay any expenses incurred by the Council in consequence of the breach of this ~~By-Law~~by-law.

16 **Infringement Notices**

- (1) In this clause –
 “specified offence” means an offence against ~~any the clause specified in Column 1 of Schedule 2 to this by-law.~~ provision of this By-Law or any breach of any terms or conditions of a licence.
- (2) ~~An authorised officer infringement notice may issue an infringement notice to a person in respect of a specified offence and the monetary penalty payable under the infringement notice for that offence is the applicable sum specified adjacent to the offence in Schedule 2 to this by-law.~~ be issued in respect of any breach of a provision of this By-Law or any breach of any terms or conditions of a licence.
- ~~(3)~~ Different sums may be specified in an infringement notice according to the nature of the offence and whether payment is made within a specified time.
- ~~(3)~~(4) An infringement notice is sufficiently ~~issued~~ served if it is:
 - (a) given to the person apparently in charge of the business at the premises at the time of issue; or
 - (b) affixed to the premises.
- ~~(4)~~(5) An Authorised Officer may:
 - (a) issue an infringement notice to a person who the authorised officer has reason to believe is guilty of a specified offence; and
 - (b) issue one infringement notice in respect of more than one specified offence.
- ~~(5)~~(6) The Monetary Penalties Enforcement Act 2005 applies to an infringement notice issued under this by-law.

~~(6)~~(7) All monies payable to the Council or General Manager in respect of an infringement notice are a debt to the council and recoverable by law.

Devonport City Council
137 Rooke Street
Devonport
Phone: 6424 0511

SCHEDULE 1

FORM 1

DEVONPORT CITY COUNCIL

APPLICATION FOR A STREET TRADING LICENCE

1. Applicant's full name:
2. Address of applicant:
3. Telephone Number:
4. Email:.....
5. Trading name of Business:
6. Address of Premises:
7. Indicate owner [] occupier [] of the premises.
8. Proposed days and hours of trading
Days:.....Hours:.....
9. Specify proposed goods, wares, merchandise or services in respect of which trading will be carried on:
.....
10. Dimensions m² of proposed licenced area:
.....

TYPE OF PERMIT REQUIRED

- ☐ A-frame sign ☐ Trade Goods ☐ Alfresco Dining ☐ Other

DOCUMENTS REQUIRED

- ☐ Insurance – Certificate of Currency
- ☐ Food premises Registration (required if applying for Alfresco Dining licenced Area)
- ☐ Plan showing location of proposed street trading operation

11. Attach plan showing the location of the proposed street trading licenced area, the number, type, form and construction as the case may be for any stall, stand, table, structure or vehicle which may be used for trading.

12. Brief description of street stall, stand, table, structure or vehicle proposed:

.....
.....

Alfresco Dining

8.1 number of chairs 8.2 number of tables

8.3 colours of chairs & tables 8.4 number of umbrellas

8.5 colour of umbrellas

13. Attach:

(1) copy of a Certificate of Currency of Insurance for Public and Product Liability; and

(2) evidence that the policy covers the proposed street trading area.

(3) Evidence of Food Business Registration

14. Outline proposed method for the disposal of waste from Alfresco Dining licenced Area.....

15. Annual Fee Calculated:.....

Fees associated with the issuing of a Street Trading licence are in accordance with the fee unit set by the Department of Treasury & Finance through the Fee Units Act 1987. Fees associated with the issuing of a street trading licence are detailed in the Council's Schedule of Fees and Charges and increase in accordance with the provisions of the Fee Unit Act 1997.

I/We apply for a licence pursuant to the Street Trading By-Law, a copy of which I/We have read and agree and undertake with the Council that upon the issue of any licence pursuant to this application I/We will abide by the provisions of that By-Law.

DECLARATION/INDEMNITY

The applicant(s) named in this application form hereby agrees- by the signing of this form to indemnify and keep indemnified and to hold harmless the Devonport City Council and/or including employees, contractors -its agents and agents and each of them, from and against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed against them, or any of them, arising out of or in relation-connection with street trading by the applicant(s) pursuant to the to the Street Trading Licence, (if) issued, in response to this application and during the period(s) that any further permit-licence renewal

applies :- except where such actions, costs, claims, charges, expenses or damages have arisen due to the negligence of the Council, its employees, contractors and agents.

Dated this day 20

Signature of Applicant/s.....

SCHEDULE 1**FORM 2****DEVONPORT CITY COUNCIL****STREET TRADING LICENCE****Licence No.:**

Name of Licensee/s:

Address of Licensee/s:

Site of Premises:

Location of ~~licensed~~ street trading licenced area:

.....

Description of stall, stand, table, structure or vehicle to be licensed:

.....

Area m² ~~to be of~~ licensed area:.....

Alfresco Dining included / not included

Terms and Conditions under which the Premises are Registered and the License is granted:

Compliance with the Street Trading By-Law 2020**Compliance with the Street Trading Policy****Compliance with the Food Act 2003****Notify Devonport City Council on any change of ownership.**

You may appeal against any of the conditions of licence/registration within 14 days of the date of issue, by writing to:

The Magistrate
Court of Petty Sessions
8 Griffiths Street
DEVONPORT 7310

This License will remain in force from the date of issue, expiring on the 1st July

.....
Matthew Atkins
GENERAL MANAGER
DEVONPORT CITY COUNCIL

Date:/...../20.....

SCHEDULE 1**FORM 3****DEVONPORT CITY COUNCIL****STREET TRADING INFRINGEMENT NOTICE**

Infringement Notice No.: Issue Date:/...../.....

Issued to (Full Names):

Address:

Address of Premises:

.....

It is alleged that at am/pm approximately on day, the
day of 20..... at

you/your firm were found to be in breach of the terms and conditions of the Street
Trading Licence No. issued on the day of20... with
respect to the above premises; and/or the provision of Council's Street Trading By-
Law, namely

Particulars of Offence

Penalty Units

.....

.....

.....

1 Penalty Unit is worth \$

Name of Issuing Council Officer

Signature

.....

Position in Council

PROCEDURE FOR PAYMENT OF PENALTY

Make payments to:

Council Office – 137 Rooke Street, Devonport

Mon – Fri 8.45a.m. – 4.30 p.m.

THIS NOTICE MUST BE RETURNED WITH PAYMENT

Cheques and Money Orders should be crossed, Marked “Not Negotiable” and be made payable to Devonport City Council.

If paid by cheque, payment shall be deemed not to be made unless and until the cheque is honoured on presentation. Post dated cheques will not be accepted.

No receipt will be forwarded to you unless requested.

OPTIONS FOR DEALING WITH THIS INFRINGEMENT NOTICE

You must within 28 days of the date of this notice, do one of the following:

- Pay the penalty in the infringement in full;
- Apply to the General Manager for the withdrawal of the infringement notice;
- Apply to the General Manager for a variation of the payment conditions; or
- Lodge a notice of election in accordance with the *Monetary Penalties Enforcement Act 2005* to have the offence(s) set out in the infringement heard and determined by a court.

DEEMED CONVICTION

If, after 28 days you have not lodged a notice of election for a court hearing and the infringement notice has not been withdrawn, you will be taken to be convicted of the offence(s) set out in the infringement notice. You will also be taken to have been convicted of the offence if you pay the penalty in part or in full.

ENFORCEMENT

If you are taken to be convicted and do not pay, either in full or as arranged under a variation of payment conditions, further fees will apply and the monetary penalty may be enforced under the *Monetary Penalties Enforcement Act 2005*.

ELECT A COURT HEARING

If you wish to have the offence(s) to which this infringement notice relates, heard and determined by a court, or you wish to argue that the penalty should be reduced, you must lodge a written notice to elect a court hearing with the General Manager.

The form, in which a notice of election is to be made, can be obtained from the Devonport City Council Offices, 137 Rooke Street, Devonport.

SCHEDULE 2

<u>1: CLAUSE</u>	<u>2: DESCRIPTION OF OFFENCE</u>	<u>3: PENALTY TO BE APPLIED IF PAID WITHIN 21 DAYS (PENALTY UNITS)</u>	<u>4: MAXIMUM PENALTY (PENALTY UNITS)</u>
<u>10(1)</u>	<u>street trading without a licence</u>	<u>1</u>	<u>2</u>
<u>1010(3)</u>	<u>fail to comply with request from an Authorised Officer to remove</u>	<u>1</u>	<u>2</u>
<u>1313(1)</u>	<u>fail to comply with conditions of a licence</u>		
<u>14(1)</u>	<u>failure of a licensee to take out and maintain at all times public and products liability insurance</u>	<u>1</u>	<u>2</u>
<u>14(2)</u>	<u>failure to take out insurance cover to the minimum sum required or with an insurer acceptable to</u>	<u>1</u>	<u>2</u>
<u>14(3)</u>	<u>failure to provide insurance policy to an Authorised Officer within 48 hours of request</u>	<u>0.5</u>	<u>1</u>

Certified that the provisions of this By-Law are in accordance with the law by:

.....

Nathan John Street

Solicitor

Dated

At Hobart

Certified that this By-Law is made in accordance with the *Local Government Act*
1993 by:

.....

Matthew Atkins

General Manager

Dated

At Devonport

The common seal of the Devonport City Council was affixed on in the presence of:

.....

XXXXXXXXXX

.....

XXXXXXXXXX

XXXXXXXXXX

XXXXXXXXXX

Dated:

DEVONPORT CITY COUNCIL**STREET TRADING BY-LAW
BY-LAW NO. 1 OF 2020**

This by-law of the Devonport City Council is made under section 145, of the *Local Government Act 1993* for the purpose of regulating and licensing street trading on highways and in public places within the Devonport municipality.

PART 1 - PRELIMINARY**1 Short title**

This by-law may be cited as the Street Trading By-Law Number 1 of 2020.

2 Application

This by-law applies to street trading in the Devonport municipal area.

3 Interpretation

In this by-law, unless the contrary intention appears:

'Act' means the *Local Government Act 1993*;

'Alfresco Dining' means the consumption of food or beverages or both by persons seated in an area that is part of a highway or public place;

'Authorised Officer' means the General Manager and any employee of the Council appointed by the General Manager for the purpose of this by-law;

'Council' means the Devonport City Council;

'fee unit' means the sum as prescribed under the provisions of the *Fee Unit Act 1997*;

'food business' has the same meaning as provided in the *Food Act 2003*;

'furniture' includes chairs, tables, trestles, umbrellas; screens, barriers, awnings, waste bins, planter boxes, heaters and portable lighting;

'General Manager' means the General Manager of the Council appointed pursuant to section 61 of the Act;

'highway' means any highway or road shown on the map maintained by Council pursuant to section 208 of the Act;

'infringement notice' has the same meaning as under the *Monetary Penalties Enforcement Act 2005*;

'licence' means a street trading licence issued by an Authorised Officer under this by-law;

'licenced area' means part of a highway or public place which has been approved by the Council on the issuing of a licence as an area that may be used for street trading or Alfresco Dining;

'licensee' means the person to whom a licence has been granted pursuant to this by-law;

'penalty unit' means the sum as prescribed under the provisions of the *Penalty Units and other Penalties Act 1987*;

'premises' means the premises with respect to which a licence is issued;

'portable sign' means a free standing, portable advertising device, commonly known as a sandwich board sign;

'public place' includes:

- (a) all public land as defined by section 177A(1) of the *Act* and as recorded by the Council in accordance with section 177A(2) of the *Act*;
- (b) any other land owned by Council;
- (c) any land in which council has an interest including by way of lease or license;
- (d) all marinas, jetties, bridges, wharves, and any other similar structure owned or under the control of Council.

'road' means a road (which is not a highway) with a constructed surface suitable for use of four-wheeled vehicles or an area set aside by the Council as a parking place for vehicles;

'street rubbish bin' means a rubbish bin installed by the Council on the footpath.

'stall' means a movable or temporarily fixed structure, stand or table in, on or from which goods, wares, merchandise or services are sold or offered for sale;

'street trading' means selling or offering for sale goods, wares, merchandise or services on a highway or other public place and includes displaying goods, wares or merchandise for the purpose of offering them for sale, inviting offers for sale, soliciting orders or carrying out any other transaction therein, and includes Alfresco Dining but does not include:

the sale of food by an itinerant vendor under the authority of a temporary food licence under the *Food Act 2003*;

'Street Trading Policy' means the Street Trading Policy adopted by Council on 22 July 2019 or as subsequently amended or superseded;

'vehicle' includes every conveyance, not being a train, boat, aircraft or wheelchair and every object capable of being propelled or drawn on wheels or tracks by any means.

PART 2 – LICENCES AND APPLICATIONS

4 Licences

- (1) No person shall carry on street trading on any highway or in a public place unless that person:
 - (a) is the holder of a valid licence; and
 - (b) is acting in compliance with the requirements, terms and conditions of a valid licence;
- (2) A licence is valid until the 31st day of July next after it is granted or until its revocation pursuant to this by-law, whichever is earlier.

5 Applications for Licences

- (1) An application for a licence shall be in writing in the form set out in Schedule 1 Form 1 and shall –
 - (a) include the full name and residential address of the applicant;
 - (b) specify the location for which the licence is sought;
 - (c) be accompanied by an accurate plan that shows the dimensions in square metres and description of any proposed stall, stand, furniture, structure, portable sign or vehicle which may be used for trading;
 - (d) specify the proposed days and hours of trading;
 - (e) specify the proposed goods, wares, merchandise or services in respect of which trading will be carried on;
 - (f) where the applicant is a corporation specify the full name and address of the natural person who is to comply with the provisions of this by-law;
 - (g) be forwarded to the Council four (4) weeks prior to the date(s) of proposed operation;
 - (h) be accompanied by a copy of a Certificate of Currency of Insurance for Public and Product Liability Cover;
 - (i) evidence that the insurance policy covers the proposed licenced area;
 - (j) address any other requirements, terms or conditions that the Council may consider appropriate; and
 - (k) be accompanied by the fee per application of 16 Fee Units and a fee of 8 Fee Units per square metres of highway or public place to which the application for a licence relates.
- (2) In the case of Alfresco Dining the application shall, in addition to those matters set out at clause 5 (1) include:
 - (a) a plan showing the location and dimensions of the proposed Alfresco Dining licenced area and of the seating and other furniture and details of the placement of waste bins;
 - (b) evidence of the proposed method for the disposal of waste; and
 - (c) evidence that the applicant is the proprietor of a food business which complies with the requirements of the *Food Act 2003*.
- (3) In addition to the standard conditions set out in Clause 11 and Clause 12 of this by-law, an Authorised Officer may grant a licence for street trading on such terms and conditions as the Authorised Officer thinks fit.
- (4) An Authorised Officer may refuse to grant a licence and is to advise the applicant in writing of the reasons for the refusal.
- (5) The granting of a licence only permits the licensee carry on street trading within the licenced area.

6 Form of Licences

- (1) A licence shall be in the form of Schedule 1 Form 2 and shall specify-
- (a) the full name and residential address of the licensee;
 - (b) the licence number;
 - (c) the dates of issue and expiration of the licence;
 - (d) the place to which the licence applies;
 - (e) the number type, form and construction as the case may be for any stall, stand, furniture, structure, portable sign or vehicle which may be used for trading;
 - (f) the particulars of the goods, wares, merchandise or services in respect of which trading may be carried on;
 - (g) in the case of a corporation the full name and address of the natural person specified under Clause5(1)) of this by-law;
 - (h) the days and hours when trading may be carried on; and
 - (i) any other requirements, terms or conditions that the Council may consider appropriate.

7 Refusal to issue a Licence

- (1) An Authorised Officer may refuse to issue a licence if:
- (a) the applicant has committed a breach of this by-law;
 - (b) the proposed activity, place of trading or service, stall, stand, furniture, structure, portable sign or vehicle is not in accordance with the provisions of the Street Trading Guidelines;
 - (c) it has not been provided with a Certificate of Currency for a policy of insurance in the name of the applicant or licensee and the Devonport City Council for public liability in a sum to be specified by Council.
 - (d) the application does not comply with the requirements of Clause 5 of this by-law.

8 Revocation of a Licence

- (1) An Authorised Officer may revoke a licence if the licensee does not comply with:
- (a) the terms and conditions of the licence; or
 - (b) the provisions of this by-law.
- (2) An Authorised Officer:
- (a) may revoke a licence immediately if a licensee breaches any clauses in this By-law; or

- (b) is to give the licensee two (2) days prior notice in writing of a revocation of the licence for any other breach of the terms and conditions of the licence.

9 Licence not Transferable

- (1) A licence is not transferable.

10 Street Trading Without a Licence

- (1) A person must not engage in street trading or cause or permit any service or allow any stall, stand, furniture, structure, portable sign or vehicle to be placed on a highway that could reasonably be used for street trading except in accordance with the conditions of a current licence.

PENALTY: 3 penalty units

- (2) An Authorised Officer may give written notice to a person that any stall, stand, furniture, structure, portable sign or vehicle placed on a highway in contravention of this by-law must be removed within 24 hours.
- (3) A person must not fail to comply with the requirements of a written notice issued by an Authorised Officer pursuant to Clause 10(2).

PENALTY: 3 penalty units

- (4) If a person does not remove any stall, stand, furniture, structure, sign or vehicle specified in the notice under Clause 10(2), an Authorised Officer may remove the merchandise and store it in a safe location until any penalty or fine payable under this by-law together with the cost to Council of the storage, has been paid to Council.

PART 3 – CONDITIONS

11 Standard conditions

- (1) In addition to any specific conditions imposed under Clause 5(3) of this by-law the following standard conditions apply to any licence:
 - (1) A licensee must:
 - (a) Display the current licence in a conspicuous place within the permitted place during the permitted hours of operation;
 - (b) Keep the location and any stall, stand, furniture, structure, portable sign or vehicle specified in his or her licence in a clean, safe condition, in good repair and free from rubbish;
 - (c) On demand produce his or her licence to any authorised officer or any police officer;
 - (d) Remove any non-permanent/non-affixed stall, stand, furniture, structure, vehicle, goods, wares, merchandise and portable signs from the location to which the licence applies and leave that location clean and vacant –

- (i) each day at the conclusion of the permitted hours of operation specified in his or her licence; and
 - (ii) whenever trading is not taking place on the location to which the licence applies.
- (2) A licensee must not:
 - (a) cause, permit or suffer any nuisance to exist, arise or continue on or from the location to which the licence applies ;
 - (b) deposit, place or store any goods, wares or merchandise on any highway or other public place other than at the location to which the licence applies;
 - (c) obstruct the free passage of pedestrians on any footpath;
 - (d) create any noise or disturbance at the location to which the licence applies to the annoyance of occupants of nearby premises or passers-by;
 - (e) use or permit to be used any flashing or intermittent lighting apparatus or device on or from the permitted place specified in the licence.
- (3) The licensee agrees to indemnify and keep indemnified and to hold harmless the Devonport City Council including its employees, contractors and agents and each of them, from and against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed, arising out of or in connection with street trading by the licensee pursuant to this licence, except where such actions, costs, claims, charges, expenses or damages have arisen due to the negligence of the Council, its employees, contractors and agents.

12 Standard Condition for Alfresco Dining

- (1) In addition to any specific conditions imposed under Clauses 5(3) and 11 of this by-law the following standard conditions apply to any Licence which includes Alfresco Dining:
 - (1) The licensee must:
 - (a) ensure that the Alfresco Dining licensed area and the area immediately adjacent to it is at all times kept in a clean, tidy and sanitary condition;
 - (b) ensure that any area between the premises and the Alfresco Dining licensed area is kept in a clean and sanitary condition and is kept safe for the passage of pedestrians;
 - (c) not use street rubbish bins for the disposal of table waste;
 - (d) empty the waste bins of the licensee daily;

- (e) wash the pavement of the Alfresco Dining licenced area and the area between the premises and the Alfresco Dining licensed area daily;
- (f) immediately clean and wash away any liquid, food debris, broken glass, or waste from the licenced area on a table being vacated;
- (g) immediately remove all materials that might cause a pedestrian to slip or trip; and keep the area between the licenced area and the premises free from obstacles; and
- (h) have and maintain in the licensee's premises, required licensing by the Environmental Services Department under the *Food Act 2003* and *Food Safety Standards*.

13 Compliance with Conditions of a Licence

- (1) The licensee of a licence granted pursuant to this by-law must comply with the terms and conditions of that licence.

PENALTY: 3 penalty units and in the case of a continuing offence a daily fine not exceeding 1 penalty unit.

PART 4 – MISCELLANEOUS

14 Insurances

- (1) A licensee is to take out and maintain at all times public and products liability insurance in accordance with Council's Street Trading Policy that covers the street trading licenced area for the period of the licence.

PENALTY: 3 penalty units.

- (2) The insurance cover required by Clause 14(1) is to be for the minimum sum prescribed in Council's Street Trading Policy and be in a form acceptable to the Council and with an insurer acceptable to the Council.

PENALTY: 3 penalty units.

- (3) A licensee must produce the insurance policy required under Clause 14(1) or the relevant Certificate of Currency to an Authorised Officer within 48 hours of a written request for the same.

PENALTY: 3 penalty units.

- (4) An Authorised Officer may revoke a licence immediately if:
 - (a) a licensee has refused to allow an Authorised Officer to view a relevant insurance policy or Certificate of Currency; or
 - (b) the insurance cover lapses or ceases to cover the licenced area designated for street trading during the term of the licence.

15 Expenses

- (1) A person who breaches this by-law or any condition imposed hereunder may in addition to any other penalty be required to pay any expenses incurred by the Council in consequence of the breach of this by-law.

16 Infringement Notices

- (1) In this clause –
“specified offence” means an offence against the clause specified in Column 1 of Schedule 2 to this by-law.
- (2) An authorised officer may issue an infringement notice to a person in respect of a specified offence and the monetary penalty payable under the infringement notice for that offence is the applicable sum specified adjacent to the offence in Schedule 2 to this by-law.
- (3) Different sums may be specified in an infringement notice according to the nature of the offence and whether payment is made within a specified time.
- (4) An infringement notice is sufficiently served if it is:
 - (a) given to the person apparently in charge of the business at the premises at the time of issue; or
 - (b) affixed to the premises.
- (5) An Authorised Officer may:
 - (a) issue an infringement notice to a person who the authorised officer has reason to believe is guilty of a specified offence; and
 - (b) issue one infringement notice in respect of more than one specified offence.
- (6) The *Monetary Penalties Enforcement Act 2005* applies to an infringement notice issued under this by-law.
- (7) All monies payable to the Council or General Manager in respect of an infringement notice are a debt to the council and recoverable by law.

Devonport City Council
137 Rooke Street
Devonport
Phone: 6424 0511

SCHEDULE 1**FORM 1****DEVONPORT CITY COUNCIL****APPLICATION FOR A STREET TRADING LICENCE**

1. Applicant's full name:
2. Address of applicant:
3. Telephone Number:
4. Email:.....
5. Trading name of Business:
6. Address of Premises:
7. Indicate owner [] occupier [] of the premises.
8. Proposed days and hours of trading
Days:.....Hours:.....
9. Specify proposed goods, wares, merchandise or services in respect of which trading will be carried on:
.....
10. Dimensions m² of proposed licenced area:

TYPE OF PERMIT REQUIRED

- ☐ **A-frame sign** ☐ **Trade Goods** ☐ **Alfresco Dining** ☐ **Other**

DOCUMENTS REQUIRED

- ☐ **Insurance – Certificate of Currency**
- ☐ **Food premises Registration (required if applying for Alfresco Dining Licenced Area)**
- ☐ **Plan showing location of proposed street trading operation**

11. Attach plan showing the location of the proposed street trading licenced area, the number, type, form and construction as the case may be for any stall, stand, table, structure or vehicle which may be used for trading.

12. Brief description of street stall, stand, table, structure or vehicle proposed:

.....
.....

Alfresco Dining

8.1 number of chairs 8.2 number of tables

8.3 colours of chairs & tables 8.4 number of umbrellas

8.5 colour of umbrellas

13. Attach:

(1) copy of a Certificate of Currency of Insurance for Public and Product Liability; and

(2) evidence that the policy covers the proposed street trading area.

(3) Evidence of Food Business Registration

14. Outline proposed method for the disposal of waste from Alfresco Dining licenced area.....

15. Annual Fee Calculated:.....

Fees associated with the issuing of a street trading licence are detailed in the Council's Schedule of Fees and Charges and increase in accordance with the provisions of the *Fee Unit Act 1997*.

I/We apply for a licence pursuant to the Street Trading By-Law, a copy of which I/We have read and agree and undertake with the Council that upon the issue of any licence pursuant to this application I/We will abide by the provisions of that By-Law.

INDEMNITY

The applicant(s) named in this application form hereby agrees by the signing of this form to indemnify and keep indemnified and to hold harmless the Devonport City Council including employees, contractors and agents and each of them, from and against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed against them, arising out of or in connection with street trading by the applicant(s) pursuant to the Street Trading Licence, if issued, in response to this application and during the period that any further licence renewal applies except where such actions, costs, claims, charges, expenses or damages have arisen due to the negligence of the Council, its employees, contractors and agents.

Dated this day 20

Signature of Applicant/s.....

SCHEDULE 1**FORM 2****DEVONPORT CITY COUNCIL****STREET TRADING LICENCE****Licence No.:**

Name of Licensee/s:

Address of Licensee/s:

Site of Premises:

Location of street trading licenced area:

.....

Description of stall, stand, table, structure or vehicle to be licensed:

.....

Area m² of licensed area:

Alfresco Dining included / not included

Terms and Conditions under which the Premises are Registered and the License is granted:

Compliance with the Street Trading By-Law 2020**Compliance with the Street Trading Policy****Compliance with the Food Act 2003****Notify Devonport City Council on any change of ownership.**

You may appeal against any of the conditions of licence/registration within 14 days of the date of issue, by writing to:

The Magistrate
Court of Petty Sessions
8 Griffiths Street
DEVONPORT 7310

This License will remain in force from the date of issue, expiring on the 1st July

.....

Matthew Atkins

GENERAL MANAGER**DEVONPORT CITY COUNCIL**

Date:/...../20.....

SCHEDULE 1**FORM 3****DEVONPORT CITY COUNCIL****STREET TRADING INFRINGEMENT NOTICE**

Infringement Notice No.: Issue Date:/...../.....

Issued to (Full Names):

Address:

Address of Premises:

.....

It is alleged that at am/pm approximately on day, the
day of 20..... at

you/your firm were found to be in breach of the terms and conditions of the Street
Trading Licence No. issued on the day of20... with
respect to the above premises; and/or the provision of Council's Street Trading By-
Law, namely

Particulars of Offence

Penalty Units

.....

.....

.....

1 Penalty Unit is worth \$

Name of Issuing Council Officer

Signature

.....

Position in Council

PROCEDURE FOR PAYMENT OF PENALTY

Make payments to:

Council Office – 137 Rooke Street, Devonport

Mon – Fri 8.45a.m. – 4.30 p.m.

THIS NOTICE MUST BE RETURNED WITH PAYMENT

Cheques and Money Orders should be crossed, Marked “Not Negotiable” and be made payable to Devonport City Council.

If paid by cheque, payment shall be deemed not to be made unless and until the cheque is honoured on presentation. Post dated cheques will not be accepted.

No receipt will be forwarded to you unless requested.

OPTIONS FOR DEALING WITH THIS INFRINGEMENT NOTICE

You must within 28 days of the date of this notice, do one of the following:

- Pay the penalty in the infringement in full;
- Apply to the General Manager for the withdrawal of the infringement notice;
- Apply to the General Manager for a variation of the payment conditions; or
- Lodge a notice of election in accordance with the *Monetary Penalties Enforcement Act 2005* to have the offence(s) set out in the infringement heard and determined by a court.

DEEMED CONVICTION

If, after 28 days you have not lodged a notice of election for a court hearing and the infringement notice has not been withdrawn, you will be taken to be convicted of the offence(s) set out in the infringement notice. You will also be taken to have been convicted of the offence if you pay the penalty in part or in full.

ENFORCEMENT

If you are taken to be convicted and do not pay, either in full or as arranged under a variation of payment conditions, further fees will apply and the monetary penalty may be enforced under the *Monetary Penalties Enforcement Act 2005*.

ELECT A COURT HEARING

If you wish to have the offence(s) to which this infringement notice relates, heard and determined by a court, or you wish to argue that the penalty should be reduced, you must lodge a written notice to elect a court hearing with the General Manager.

The form, in which a notice of election is to be made, can be obtained from the Devonport City Council Offices, 137 Rooke Street, Devonport.

SCHEDULE 2

1: CLAUSE	2: DESCRIPTION OF OFFENCE	3: PENALTY TO BE APPLIED IF PAID WITHIN 21 DAYS (PENALTY UNITS)	4: MAXIMUM PENALTY (PENALTY UNITS)
10(1)	street trading without a licence	1	2
10(3)	fail to comply with request from an Authorised Officer to remove	1	2
13(1)	fail to comply with conditions of a licence	1	2
14(1)	failure of a licensee to take out and maintain at all times public and products liability insurance	1	2
14(2)	failure to take out insurance cover to the minimum sum required or with an insurer acceptable to	1	2
14(3)	failure to provide insurance policy to an Authorised Officer within 48 hours of request	0.5	1

Certified that the provisions of this By-Law are in accordance with the law by:

.....

Nathan John Street

Solicitor

Dated

At Hobart

Certified that this By-Law is made in accordance with the *Local Government Act* 1993 by:

.....

Matthew Atkins

General Manager

Dated

At Devonport

The common seal of the Devonport City Council was affixed on in the presence of:

.....

Matthew Atkins

General Manager

.....

Cr Annette Rockliff

Mayor

Dated:

5.13 OPENNESS AND TRANSPARENCY

Author: **Matthew Atkins, General Manager**

Endorser: **Matthew Atkins, General Manager**

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.6 Integrate continuous improvement behaviours into the organisation's culture

SUMMARY

This report recommends Council adopt several actions to improve governance practices in a number of areas beyond statutory obligations, in response to motions passed at Council's last Annual General Meeting (AGM).

BACKGROUND

At Council's AGM on 9 December 2019, several motions were passed that generally related to limiting the number of closed session items considered by Council, improving governance, and bringing forward the timing of the AGM.

As a result of these motions, Council considered a report on the AGM and the associated matters at the meeting on 16 December 2019 and determined (Min 259/19 Refers):

"That Council note the minutes from Council's 2019 Annual General Meeting (AGM) and having considered the four motions from the meeting, schedule a workshop session to:

1. review Council's approach regarding items considered in Closed session; and
2. consider options that are within Council's control to ensure the AGM is held as early as possible each year."

A workshop was subsequently held on 1 June 2020 and several improvements were discussed and considered by Councillors. This report provides a summary of the proposed actions.

STATUTORY REQUIREMENTS

The predominate legislation relating to Council's operations is the *Local Government Act 1993*.

DISCUSSION

Council, at a minimum, currently meets all its legislative obligations in relation to governance, reporting and its approach to openness and transparency, however opportunities for improvement should always be considered and adopted where beneficial.

Consultation

Prior to the Councillor workshop on this matter, the Mayor and General Manager invited the movers and seconders of the AGM motions, Messer's Vellacott, Gardam and Nevin to meet and discuss their concerns further.

A meeting was held on 18 March where the gentlemen raised several concerns and suggestions for Council's consideration. Items raised included:

1. A desire to see the use of Closed session meetings avoided as much as possible.

2. That Council adopt a standalone policy regarding the principles of good governance (independent to the Councillor Code of Conduct).
3. That the wording in the Council agenda advising of Closed session items be less directive.
4. Employee Code of Conduct should be publicly available.
5. Suggest reports be modified or confidential attachments used to allow matters to be considered in Open session.
6. A desire to see property transactions and leases considered in open session and that disclosure of contract and lease information being a condition of doing business with Council.

Feedback from this meeting including a summary of the suggestions and concerns was provided to Councillors at the subsequent workshop.

Closed session business

A review has been undertaken regarding Council's current practice relating to the consideration of matters in Closed session.

In 2018, 89% of all items of business considered by Council were in Open Session and in 2019 the total was 88%.

An assessment was undertaken across other Tasmanian local government authorities, where the information was easily accessible, and the average percentage considered in Closed session was 86.2% for the corresponding two-year period.

Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* identifies ten reasons Council may decide to consider a matter in Closed session. The table below summarises the number of times each of the reasons have been used by Council over the last two years (to March 2020).

	Reason	No.	Summary
15(2)(a)	Personnel matters, including complaints against an employee of the council and industrial relations matters	4	GM Review & appointment
15(2)(b)	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	7	Property Lease(2), Contracts, Consultant engagement, Providore Place (2), Retaining wall
15(2)(c)	Commercial information of a confidential nature that, if disclosed, is likely to (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret	7	Property Leases (4), Providore Place (2), Launch plans (1)
15(2)(d)	Contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal	4	Consultants or contractors (4)
15(2)(e)	the security of the council, councillors and council staff or the property of the council	0	N/A

15(2)(f)	proposals for the council to acquire land or an interest in land or for the disposal of land	9	Land sales
15(2)(g)	information of a personal and confidential nature or information provided to the council on the condition it is kept confidential	29	Board Minutes from JA's (18), CCA business initiative (2), Hotel update (2), GMC President, Aust Day Awards (2), Providore Place (2), audit panel appointment, Grant deed
15(2)(h)	applications by councillors for a leave of absence	7	Requests for Leave of Absence
15(2)(i)	matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council	8	Providore Place (6), DA appeal, Retaining wall
15(2)(j)	the personal hardship of any person who is resident in or is a ratepayer in the relevant municipality.	6	Outstanding debtors (5), Rates request (1)

Greater use of confidential attachments would allow some of the items listed above to be considered by Council in Open session.

AGM Date

Council, in its response to the last AGM, also determined to consider opportunities to hold the AGM as early as possible each year. Whilst timing of the audit process is ultimately outside of Council's control, opportunity exists to shorten the timeframe between when the audited financial statements are received and when the AGM is held. In 2009, Council resolved (Min 387/09 Refers):

"That Council endeavour to ensure that future Annual Reports be completed and available to the Aldermen and to the public at least 4 weeks prior to the date of the Annual General Meeting."

Council could determine to reduce this timeframe to two weeks, allowing a shorter period between the completion of the report and the AGM.

Other Governance Improvements

Several other governance practices were discussed at the workshop to improve Council's openness and transparency. This included:

1. Adopting a policy to outline meeting guidelines to be used at the AGM; and
2. A review of Council's public question time policy to improve the communication of information to the public.

Summary

In considering the consultation feedback, workshop discussion and review of existing practices, there are a number of steps Council could implement to improve its openness and transparency. These include:

1. Adopt a policy to define governance principles of the organisation including a specific reference to consider matters in Open session as much as possible.

2. Structure the meeting agenda to allow a section for confidential attachments in Closed session with the body of the associated report being presented in Open session.
3. Review and update agenda wording referencing matters to be dealt with in closed.
4. Review and update Staff code of conduct to allow the document to be made publicly available.
5. Resolve to overturn previous resolution requiring the Annual Report to be advertised for four weeks and reduce timeframe to two weeks.
6. Review and update Council's public question time policy.

COMMUNITY ENGAGEMENT

Council received feedback on governance matters at its 2019 AGM. Further to this meeting, the Mayor and General Manager consulted with members of the public who had raised motions in regard to governance matters.

FINANCIAL IMPLICATIONS

There is no direct financial impact as a result of this report.

RISK IMPLICATIONS

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

CONCLUSION

Several suggestions to improve Council's governance practices were raised at the 2019 AGM and as a result the matter of openness and transparency has been reviewed and considered in further detail. This has resulted in six improvements being identified for Council's consideration.

ATTACHMENTS

Nil

RECOMMENDATION

That Council receive and note the report regarding improving openness and transparency; and

1. Adopt a policy to define governance principles of the organisation including a specific reference to consider matters in Open session as much as possible;
2. Structure the meeting agenda to allow a section for confidential attachments in Closed session with the body of the associated report presented in Open session;
3. Review and update agenda wording referencing matters to be dealt with in closed;
4. Review and update Staff Code of Conduct and make the document publicly available;
5. Overturn previous resolution requiring the Annual Report to be advertised for four weeks and reduce timeframe to two weeks; and
6. Review and update Council's Public Question Time Policy.

6 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

Author: **Robyn Woolsey, Executive Assistant General Management**

Endorser: **Matthew Atkins, General Manager**

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
1/6/2020	Brian Walker – Retail Doctor	Outlining of key elements of findings into an independent perspective on the Devonport Retail Strategy and its key objectives.
	Waste Management	Discussion on possibility of banning all single use plastics in the Devonport region, along with an update on FOGO, CCWMG Actions and the Statewide Container Deposit Scheme.
	AGM Resolution	Provision of an overview of the current approach and suggestion of some potential improvements in relation to overall openness and transparency.
	Pandemic Safety Plan Update	Update on the latest pandemic planning being undertaken by staff, including overview of likely opening dates for various Council facilities.

RECOMMENDATION

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

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 21 May 2020 and 17 June 2020:

- Council meeting
- Budget Workshop
- Coronavirus Committee Meetings
- Regular meetings with General Manager
- Catchups with staff members and Councillors as required
- Media as requested: Tasmania Talks, 7AD(x4), SeaFM, Advocate Newspaper, ABC(x2)
- LGAT COVID-19 update with Minister Shelton
- North West Suicide Prevention Trial Site Working Group (x2)
- Cradle Coast Authority Board Meeting
- With the General Manager met with Tasmanian Audit Office Team
- LGAT General Management Committee COVID-19 update
- Audit Panel meeting
- Arboretum Committee meeting

All meetings and media were done either by telephone or online.

ATTACHMENTS

Nil

RECOMMENDATION

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

6.3 GENERAL MANAGER'S REPORT - JUNE 2020

Author: **Matthew Atkins, General Manager**

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 General Manager, between 21 May and 17 June 2020. It also provides information on matters that may be of interest to Councillors 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. COUNCIL MANAGEMENT

- 1.1. Attended and participated in several internal staff and management meetings.
- 1.2. Attended Workshops and Council Meetings as required.
- 1.3. Attended Council's Audit Panel meeting.
- 1.4. Met with representatives of the Australian Services Union and Council's EA bargaining group in relation to the extension of Council Enterprise Agreement.
- 1.5. Considerable planning has been undertaken to establish COVID safety plans for Council work areas as required under Work Health and Safety legislation. The implementation of these plans will guide the recovery process for the organisation and the reopening of facilities as restrictions are progressively lifted.

2. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 2.1. Met with residents regarding a building matter and appeal outcome relating to Development Application for 18 Leary Avenue.
- 2.2. Met with a developer regarding a building permit issue.

3. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

- 3.1. Participated in workshop session coordinated by LGAT CEO Katrena Stephenson with the General Managers of urban councils to prepare sector response on Commercial Lease regulations.
- 3.2. Attended Local Government COVID-19 web conference with Local Government Minister Hon Mark Shelton MP. The update included a briefing for Mayors and General Managers by State Controller Darren Hine.

- 3.3. Attended National LG Professionals AGM.
- 3.4. Attended State LG Professionals Board Meeting.

4. STATE AND FEDERAL GOVERNMENT PROGRAMS

- 4.1. Along with the Mayor, met with the Auditor General, Rod Whitehead to discuss the TAO's proposed audit schedule for 19/20 financial year.

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 Council's 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 - June 2020 [**6.3.1** - 3 pages]

RECOMMENDATION

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

Current and Previous Minute Resolutions Update

OPEN SESSION Current Resolutions	
Resolution Title:	PA2020.0051 Residential (Multiple Dwellings X 2) – 37 Leary Avenue, Stony Rise
Date:	25 May 2020
Minute No.:	82/20
Status:	Completed
Responsible Officer:	Development Services Manager
Officers Comments:	Permit issued
Resolution Title:	Stormwater Asset Management Plan
Date:	25 May 2020
Minute No.:	83/20
Status:	Completed
Responsible Officer:	Infrastructure and Works Manager
Officers Comments:	Plan available for public consultation for 30 days
Resolution Title:	Tender Report – CP0150 Maidstone Park – Replace Ground Lighting
Date:	25 May 2020
Minute No.:	86/20
Status:	Completed
Responsible Officer:	Infrastructure and Works Manager
Officers Comments:	Contract executed
Resolution Title:	Tender Report – CP0099 East Devonport Football Club – Design & Construct New Change Rooms
Date:	25 May 2020
Minute No.:	87/20
Status:	Completed
Responsible Officer:	Infrastructure and Works Manager
Officers Comments:	Contract executed
Resolution Title:	COVID-19 Safety Plan and Recovery Plan
Date:	25 May 2020
Minute No.:	88/20
Status:	Completed
Responsible Officer:	Deputy General Manager
Officers Comments:	Report noted at Council Meeting
Resolution Title:	Draft Devonport General Cemetery Master Plan 2021-31
Date:	25 May 2020
Minute No.:	89/20
Status:	Completed
Responsible Officer:	Executive Manager City Growth
Officers Comments:	Plan available for public consultation for 30 days

Resolution Title:	Belgravia Management of Splash Aquatic During COVID-19 Restrictions
Date:	25 May 2020
Minute No.:	90/20
Status:	Completed
Responsible Officer:	Deputy General Manager
Officers Comments:	Belgravia notified that Council endorsed the variation to the agreement
Resolution Title:	Devonport Social Recovery Action Plan – COVID-19
Date:	25 May 2020
Minute No.:	91/20
Status:	Completed
Responsible Officer:	Community Services Manager
Officers Comments:	Noted by Council

Previous Resolutions Still Being Actioned	
Resolution Title:	Street Trading By-Law
Date:	27 April 2020
Minute No.:	71/20
Status:	In progress
Responsible Officer:	Executive Officer People & Finance
Officers Comments:	Community consultation completed
Resolution Title:	Banning of Single Use Plastics – Devonport Region – Notice of Motion – Cr A Jarman
Date:	23 March 2020
Minute No.:	40/20
Status:	Completed
Responsible Officer:	General Manager
Officers Comments:	Workshop held 01/06/20
Resolution Title:	Debt Facility Review (GFC 14/20 – Governance Finance & Community Services Committee – 16 March 2020)
Date:	23 March 2020
Minute No.:	49/20
Status:	Completed
Responsible Officer:	Executive Manager People and Finance
Officers Comments:	Letter of Offer signed and returned to ANZ
Resolution Title:	Rotunda and Interpretive Sign – Joshua Slocum Park – Notice of Motion – Cr Lynn Laycock
Date:	28 January 2020
Minute No.:	05/20
Status:	Completed
Responsible Officer:	Executive Manager City Growth
Officers Comments:	Deferred as per discussions throughout budget process.

Resolution Title:	Unconfirmed Minutes – Annual General Meeting – 9 December 2019
Date:	16 December 2019
Minute No.:	259/19
Status:	Completed
Responsible Officer:	General Manager
Officers Comments:	Workshop held 1 June 2020 with report to June meeting

6.4 DEVELOPMENT AND HEALTH SERVICES REPORT

Author: **Kylie Lunson, Development Services Manager**

Endorser: **Jeffrey Griffith, Deputy General Manager**

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.4.1 Provide timely, efficient, consistent services which are aligned with and meet customer needs

SUMMARY

This report provides a summary of the activities undertaken by the Development Services Department for the months of April and May 2020.

BACKGROUND

This report is provided to summarise the activities of the Development Services Department in the preceding two months.

The Council functions undertaken by the Department are:

- Planning;
- Building and Plumbing Services;
- Environmental Health;
- Animal Control; and
- Risk and Regulatory Compliance Services.

STATUTORY REQUIREMENTS

In carrying out its activities, the Development Services Department is required to ensure compliance with a substantial amount of legislation and regulation. The principal legislation administered by the Department includes the:

- *Local Government Act 1993*
- *Land Use Planning and Approvals Act 1993*
- *Building Act 2016*
- *Building Regulations 2016*
- *Public Health Act 1997*
- *Food Act 2003*
- *Environmental Management and Pollution Control Act 1994*
- *Dog Control Act 2000*
- *Devonport Interim Planning Scheme 2013*
- *Work Health and Safety Act 2012*

DISCUSSION

1. State Planning Scheme/Local Provisions Schedules

The Tasmanian Planning Commission directed Council to publicly exhibit its draft *Local Provisions Schedule* (LPS) which has been prepared as part of the transition to a single, state wide planning scheme – the *Tasmanian Planning Scheme*. In accordance with the requirements of the *Land Use Planning and Approvals Act 1993*, the draft LPS will be made available for public exhibition for a period of 60-days. This period commenced on Monday 23 March 2020 and was due to conclude on Monday 25 May 2020, however due to COVID-19 and the closure of the parade centre for two weeks this has been extended.

The COVID-19 Disease Emergency Act 2020 has allowed for the electronic exhibition of the draft LPS and submitting representations electronically.

2. COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020

2.1. COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 provides a range of measures relating to the functions and powers of planning authorities, the Tasmanian Planning Commission (the TPC), the Resource Management and Planning Appeal Tribunal (the RMPAT) and other entities that operate within Tasmania's land use planning system. These include providing for:

- extensions to statutory time periods, including those under the *Land Use Planning and Approvals Act 1993* (the *LUPA Act*) and other associated legislation;
- alternative meeting arrangements for local councils acting as planning authorities;
- alternative meeting arrangements and hearing procedures for the TPC and RMPAT; and
- alternative arrangements for public exhibition of documents under the *LUPA Act*;

It also provides the ability for temporary relief from planning scheme requirements and existing planning permit conditions to assist with our response efforts to COVID-19, including:

- modifications to planning permit conditions to allow for the delivery of essential services;
- exemptions from planning scheme requirements in order to implement a requirement, direction or authorisation under the *Emergency Management Act 2006* or the *Public Health Act 1997*.

3. Tasmanian Civil and Administrative Tribunal (TasCAT)

3.1. The State Government announced that a Tasmanian Civil and Administrative Tribunal (TasCAT) will be established to streamline services in Tasmania. As a first step towards the establishment of TasCAT, the following Tribunals and Boards will be co-locating at new tribunal premises at Barrack Street, Hobart later this year:

- The Anti-Discrimination Tribunal;
- The Asbestos Compensation Tribunal;
- The Forest Practices Tribunal;
- The Guardianship and Administration Board;
- The Health Practitioners Tribunal;
- The Mental Health Tribunal;
- The Motor Accident Compensation Tribunal;
- The Resource Management and Planning Appeal Tribunal; and
- The Workers Rehabilitation and Compensation Tribunal.

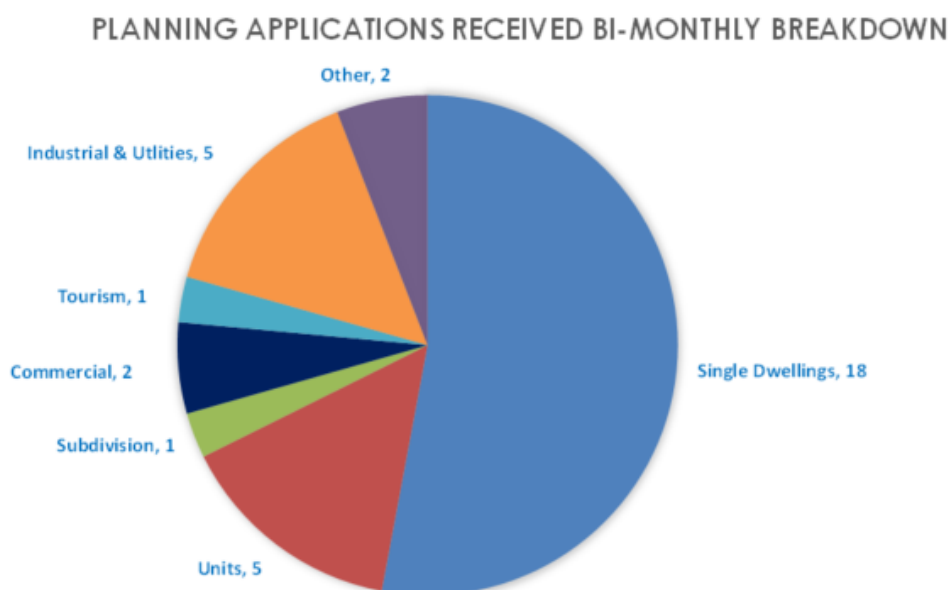
While these Tribunals and Boards will co-locate later this year, they will not become part of TasCAT until 2021.

Planning

3.2. There has been a number of impacts on the planning system due to COVID-19. To keep you up to date on the latest information regarding the impacts of COVID-19 on Tasmania's land use planning system, we have created the [Coronavirus \(COVID-19\)](#) web page with links to relevant information including:

- COVID-19 emergency legislation and Notices issued
- Extension of Major Projects Bill submission date
- Extension of time for the Review of the Tasmanian Planning Commission
- Tasmanian Planning Commission response to COVID-19
- Resource Management and Planning Appeal Tribunal response to COVID-19

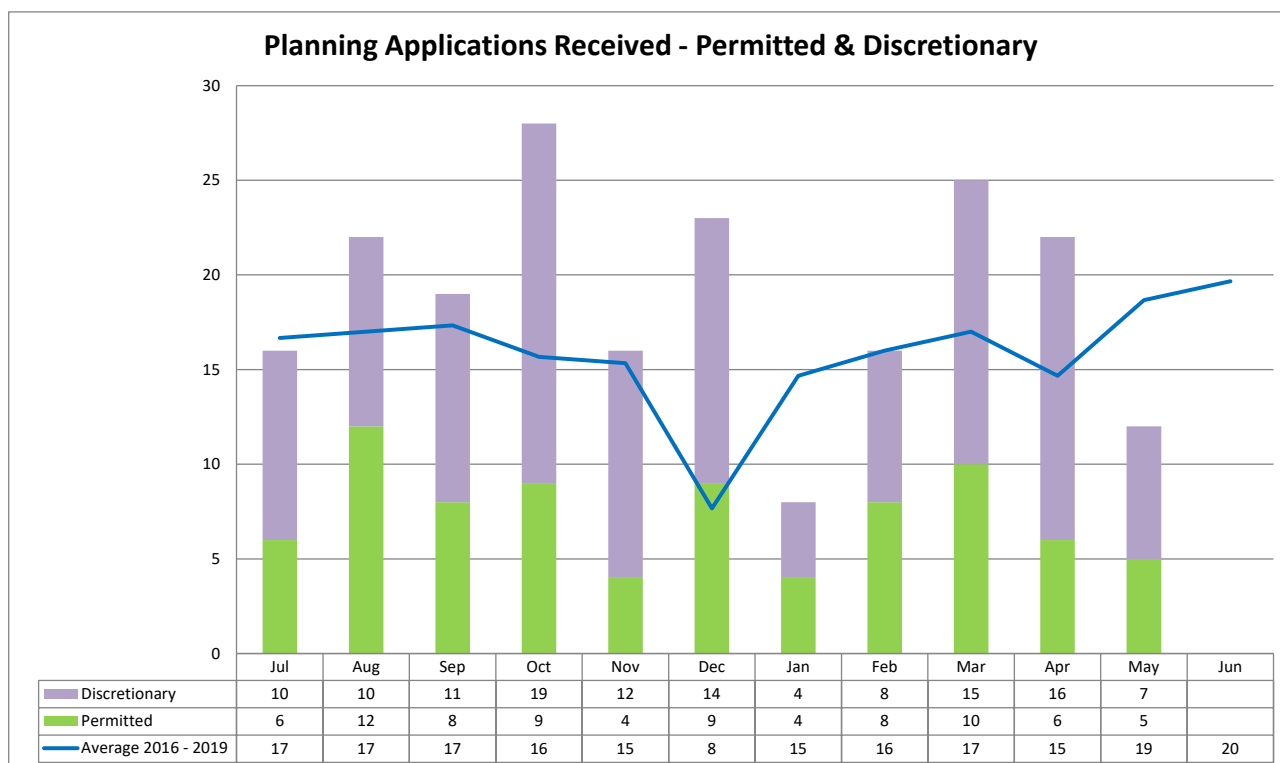
3.3. The following graph details the breakdown of planning applications received during April and May:



Note:

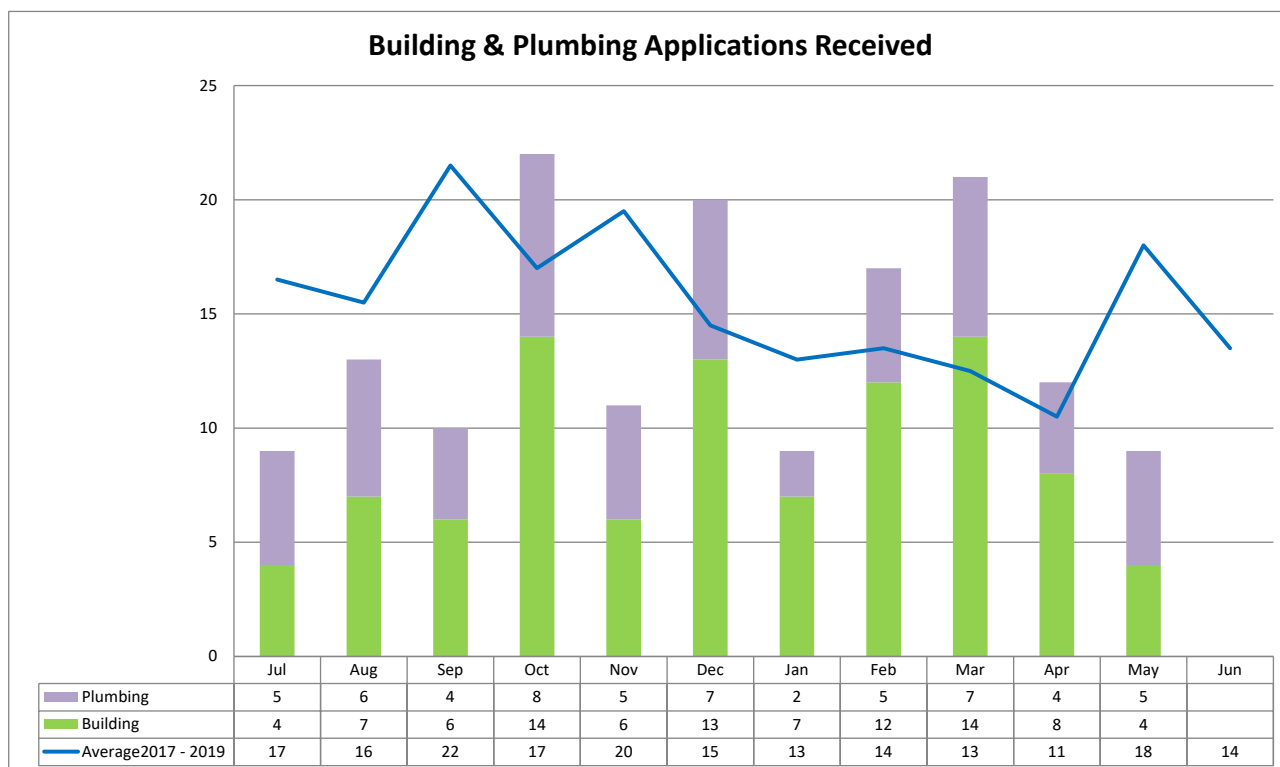
- Single Dwellings – means single residential dwelling on a single lot.
- Units – means two or more dwellings on a site.
- Subdivision – means the division of a single lot into multiple lots giving separate rights of occupation, excluding boundary adjustments.
- Commercial – means bulky goods sales, business and professional services, community meeting and entertainment, educational and occasional care, equipment and machinery sales and hire, food services, general retail and hire, hotel industry, research and development.
- Tourism – means tourist operations and visitor accommodation.
- Industrial and Utilities – means extractive industry, manufacturing and processing, port and shipping, recycling and waste disposal. Resource processing, service industry, storage, transport depot and distribution, utilities, vehicle fuel sales and service.
- Other – means all other use classes.

- 3.4. 23 Discretionary Planning Applications and 11 Permitted Planning Applications were received in April and May. The following graph details the number of Planning Applications received compared to previous years:

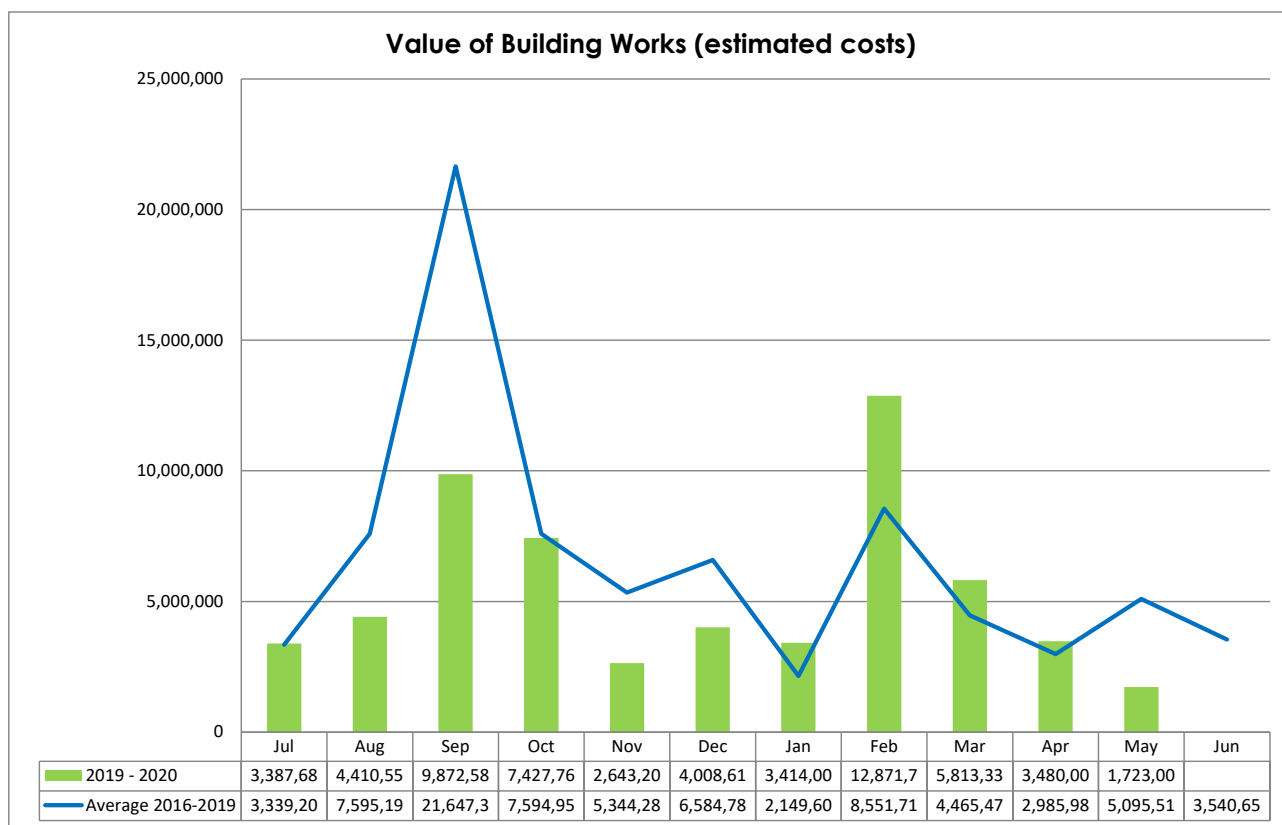


4. Building/Plumbing

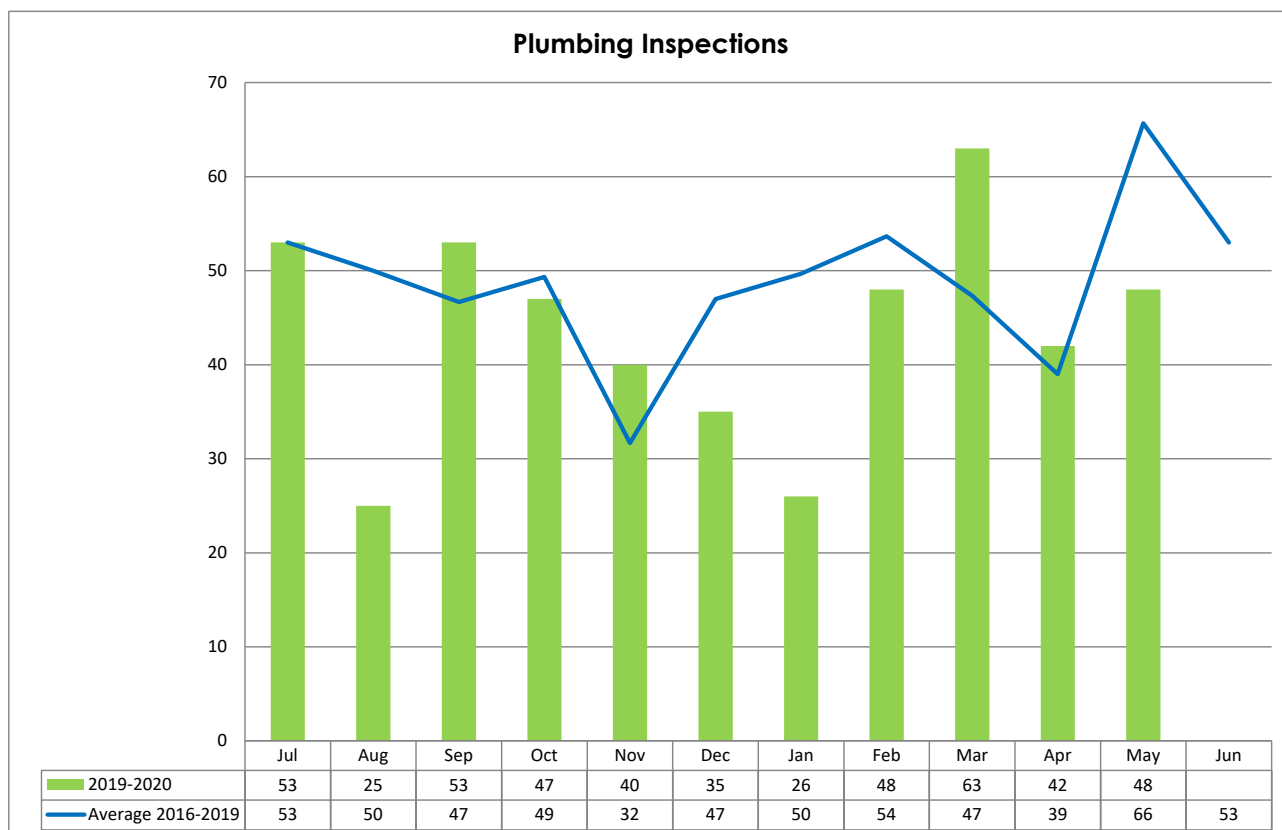
- 4.1. 12 Building Applications and 9 Plumbing Applications were received in April and May. The following graph details the Building and Plumbing Applications compared to the previous year:



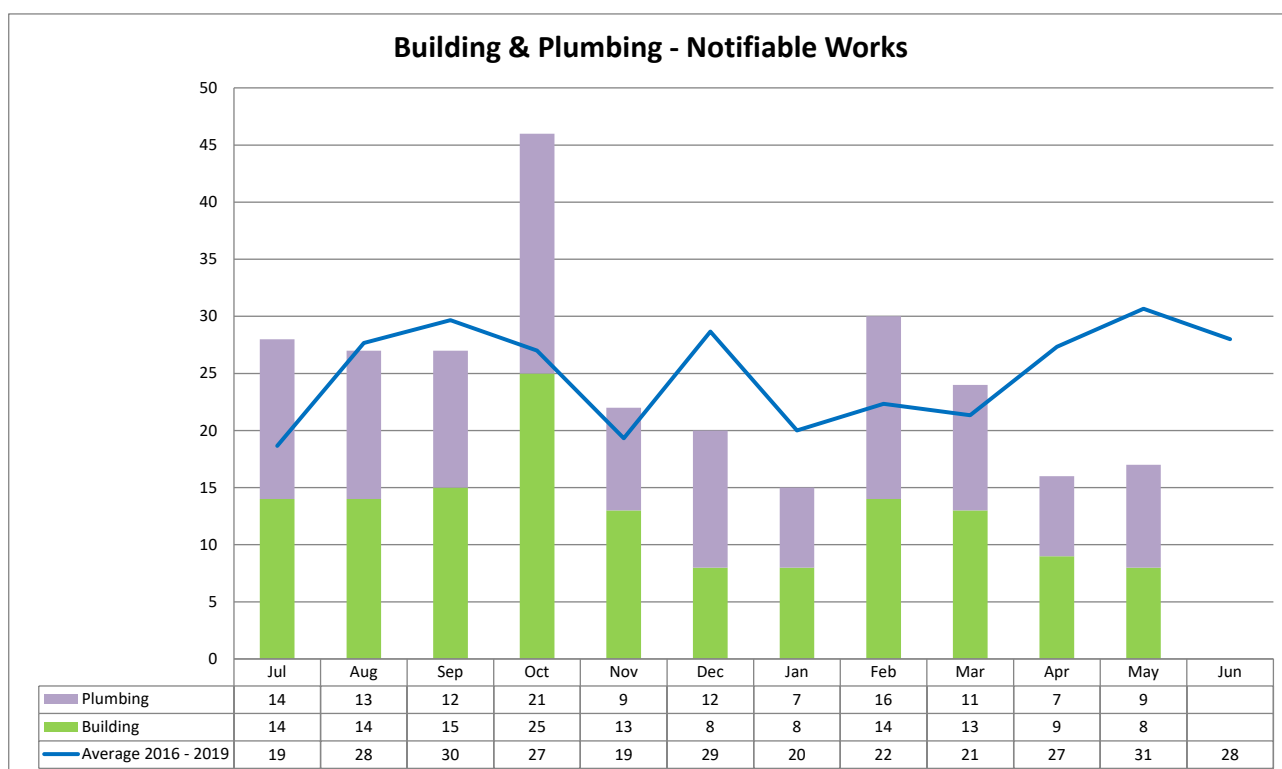
- 4.2. Building Applications for \$3,480,000 worth of building works was received in April and \$1,723,000 in May. The following graph details the value of buildings works received compared to previous years:



- 4.3. 42 plumbing inspections were carried out in April and 48 in May. The following graph details the number of plumbing inspections carried out this financial year compared to previous years:



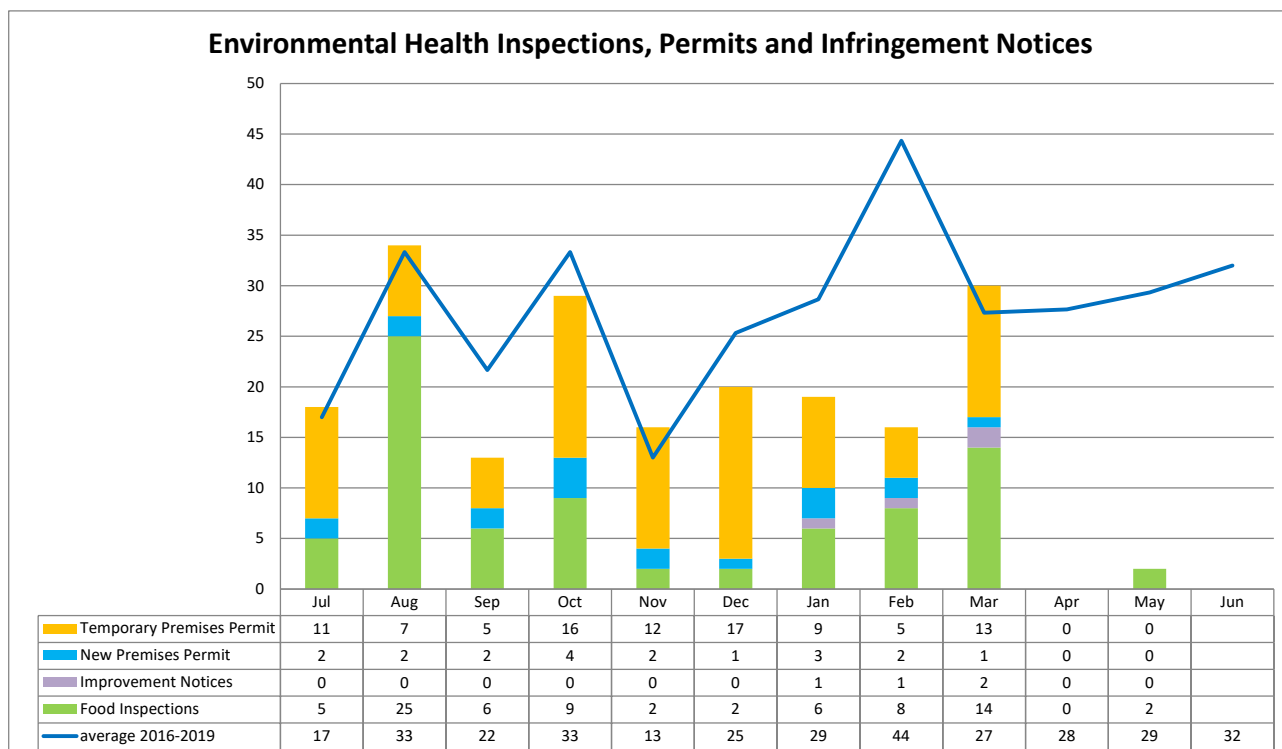
- 4.4. The following graph details the notifiable works received for building and plumbing that have been issued this year compared to previous years:



5. Environmental Health

- 5.1. School Based Immunisation Programs Clinics were postponed due to the school closures associated with COVID-19. Arrangements have been made for these clinics to be held in August 2020.
- 5.2. The *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* included extending existing Food Business Registrations for a period of six months. This also extends licenses/registrations relevant to Public Health Risk Activities for a period of six months. Further to this extension, Council has resolved to not charge fees for Food Business Registrations and Public Health Licenses for the 2020/2021 financial year.

- 5.3. The following graph details the inspections, permits and infringement notices that have been issued by the Environmental Health Officers this year compared to previous years:

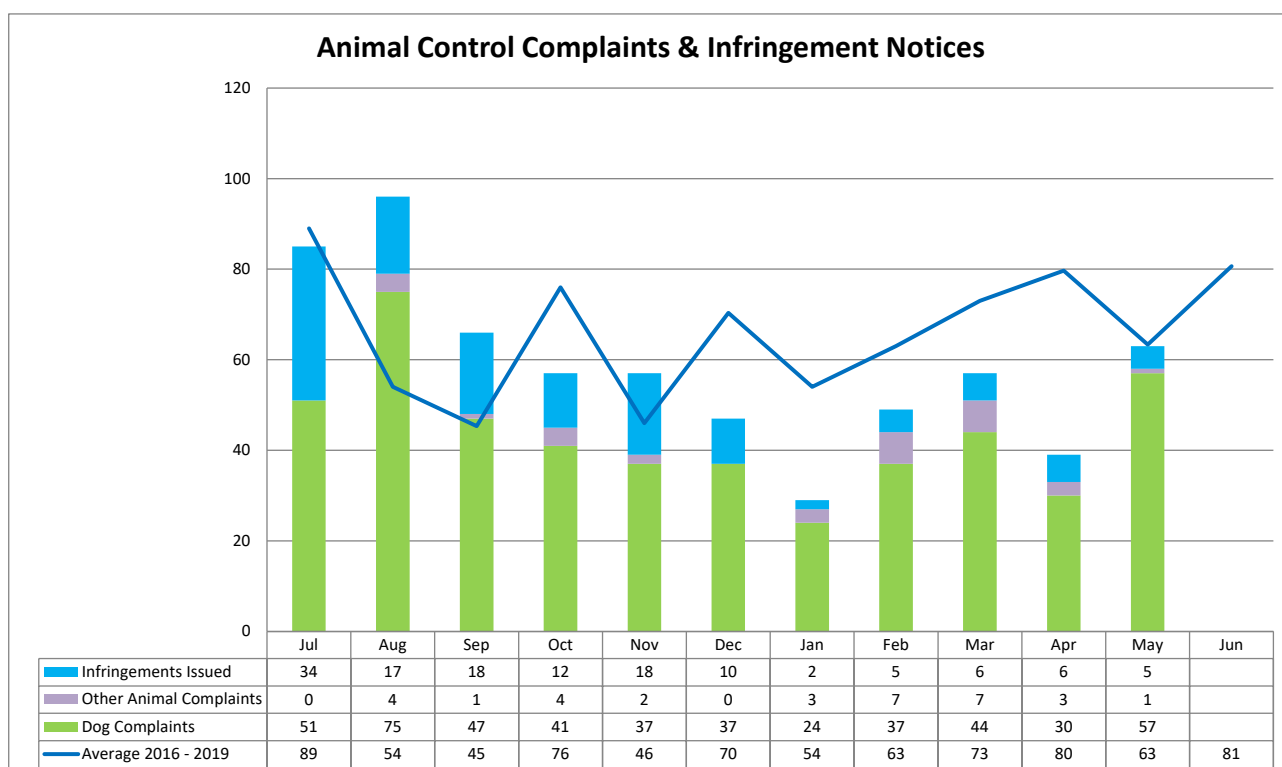


Note: the number of Environmental Health inspections, permits and infringement notices has been impacted due to COVID-19. Whilst food businesses were closed, Council did not conduct inspections. Inspections recommenced at the start of June.

6. Animal Control

- 6.1. At the end of May, there were 3,884 dogs registered in Devonport.
- 6.2. In April and May, a total of 91 animal complaints were received. These complaints predominately related to dog attacks, dogs at large and barking dogs. All complaints were responded to within two working days.

6.3. The following graph details the number of animal complaints for this financial year compared to the same period last year:



7. Risk and Compliance

7.1. Emergency Management

The Tasmanian Government launched a COVID-19 Safe Workplaces Framework to support businesses and workplaces to continue to operate, or reopen, while protecting Tasmania's health and safety.

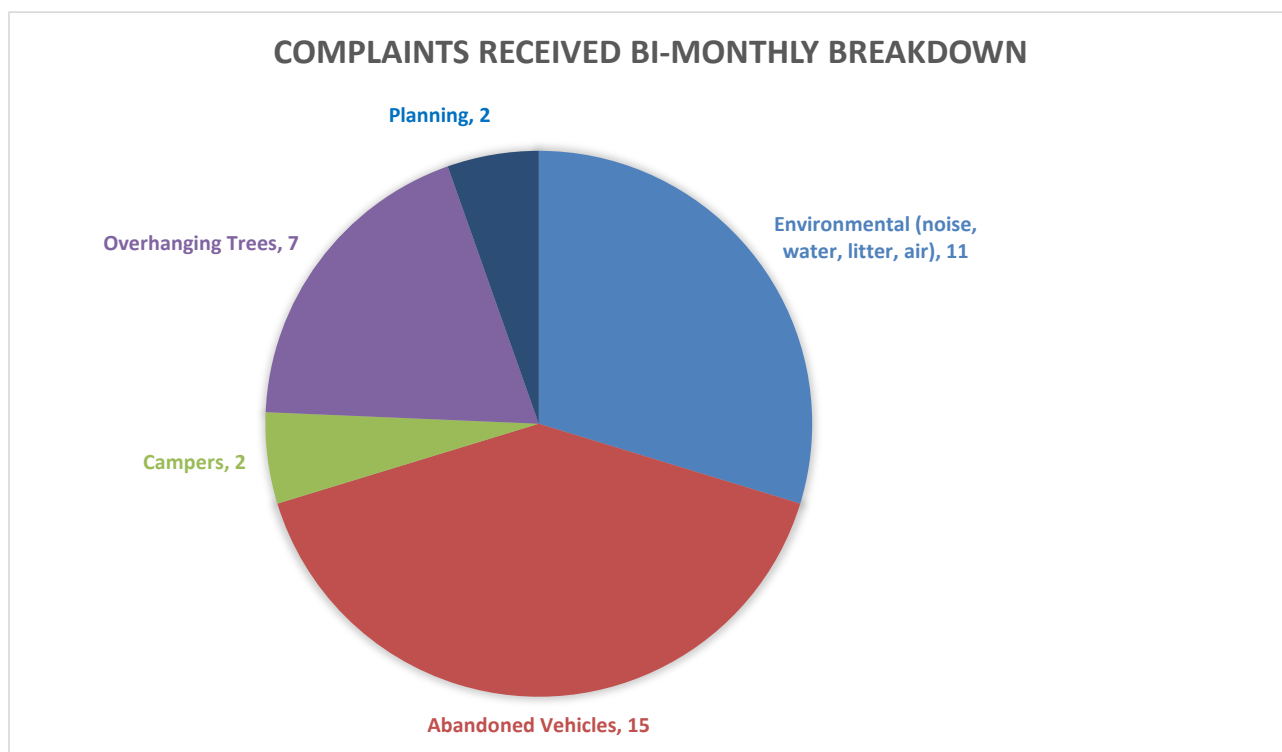
In conjunction with the development of the COVID-19 Safety Plan, Recovery Plans have been prepared that will include timeframes for return to business as usual in accordance with the State Government Guidelines.

The COVID Safe Workplace Plan sets out what Council and its employees should do as they seek to resume normal business operations and work activities.

Over the last two months Council staff have worked together with SES and Tas Police at a regional level to ensure the COVID-19 Pandemic is managed in accordance with direction from the State Government.

There has been a collaborative approach from all sectors to ensure communication of all relevant information and compliance with direction.

- 7.2. The following graph details the breakdown of the complaints received by the Risk Department during April and May:



- 7.3. Nine internal incidents and twelve external incidents were reported during April and May. The following table details the types of incidents:

Internal Incident Type	No. of Reports	Description
Property Damage	6	<ul style="list-style-type: none"> Break in - Transfer Station Damaged Gas pipe
Motor Vehicle	1	<ul style="list-style-type: none"> Damage to windscreen
Hazard	2	<ul style="list-style-type: none"> Slip Hazard Waste bin caught fire
External Incident Type	No. of Reports	Description
Personal Injury	4	<ul style="list-style-type: none"> Trips & falls Cut ankle Rolled ankle
Property Damage	5	<ul style="list-style-type: none"> Water damage to property Flooding to property Vandalism EDRC Graffiti
Motor Vehicle	3	<ul style="list-style-type: none"> Damaged windscreen Hit light pole with vehicle Traffic island damage

- 7.4. The following table details the breakdown of actual claims:

	Internal Incidents	External Incidents
Actual Claims	2x property damage	0
Actual Claim Costs	\$800	0

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

Any financial implications arising out of this report will be reported separately to Council.

RISK IMPLICATIONS

There are no specific risk implications as a result of this report.

CONCLUSION

This report is provided for information purposes only as it relates to the activities of the Development Services Department in April and May 2020.

ATTACHMENTS

Nil

RECOMMENDATION

That Council receive and note the Development and Health Services Report.

6.5 INFRASTRUCTURE AND WORKS REPORT

Author: **Michael Williams, Infrastructure & Works Manager**
Endorser: **Matthew Skirving, Executive Manager City Growth**

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 |
| Strategy 2.3.3 | Provide and maintain stormwater infrastructure to appropriate standards |
| Strategy 2.3.4 | Provide and maintain Council buildings, facilities and amenities to appropriate standards |
| Strategy 2.3.5 | Provide and maintain sustainable parks, gardens and open spaces to appropriate standards |
| Strategy 5.4.1 | Provide timely, efficient, consistent services which are aligned with and meet customer needs |

SUMMARY

This report provides a summary of the activities undertaken by the Infrastructure and Works Department during the months of April 2020 and May 2020.

BACKGROUND

The report has previously been provided to the Infrastructure, Works and Development Services Committee and aims to update the Councillors and the community on matters of interest.

Changes to the scheduled Section 23 committee meetings, due to the Covid-19 pandemic, has meant that this report has been provided to the Ordinary Council Meeting, 22 June 2020.

The functional areas of Council covered by this report are:

- Asset Management Program (forward planning and maintenance)
- Capital Works
- Roads, Footpaths and Cycleways
- Streetscape Design (including lighting, signs, furniture, vegetation)
- Stormwater Management
- Traffic Management
- Waste Management
- Recreation Reserves (including playgrounds, parks and gardens)
- Sporting Grounds and Facilities
- Tracks and Trails
- Public Buildings (including public halls, toilets)
- Marine Structures (including jetties, boat ramps)
- Recreation and open space planning

STATUTORY REQUIREMENTS

Council is required to comply with the provisions of the *Local Government Act 1993* and other relevant legislation.

DISCUSSION

1. Capital Works Program

- 1.1. In April and May, progress was made on the 2019/20 Capital Works Program. Many of the projects have been completed or are nearing completion. However, for a variety of reasons, some projects will not be completed by the end of the financial year and will be required to be carried forward to 2020-21 as appropriate. The Capital Works Income & Expenditure Report is attached to this report.
- 1.2. A new path between the Bass Strait Maritime Centre and the Coastal Pathway is being constructed. This project was one of the recommendations from the Mersey Bluff Traffic, Parking and Pedestrian Study completed in 2018.



- 1.3. A landing was constructed at the base of the stairs at Back Beach, improving access to the beach. Erosion protection was completed at the same time.



- 1.4. The Children's Memorial Pavilion at Mersey Vale Memorial Park has been opened, after Council's Parks and Reserves team completed the landscaping



- 1.5. Council has taken delivery and commenced use of a new side arm garbage truck, used for domestic waste collection



- 1.6. Several roadworks projects are nearing completion, including Victoria Street, Holyman Street and Victory Avenue. This work is being completed later in the year than preferred, with low temperatures less than ideal for road sealing. However, contractor availability has been an issue this year due to large local and state construction programs.
- 1.7. Work to commence in June and July includes:
- Erosion repairs on the Victoria Parade foreshore
 - Mersey Vale Memorial Park signage upgrade
 - Mersey Vale Memorial Park – installation of 25 new ash interment columns
 - Design and material procurement for lighting projects at Maidstone Park and Girdlestone Park
 - Installation of facilities to support recreational fishing on the Mussel Rock platform, facilitated by a grant from MAST.
- 1.8. A project included in the 2019-20 works program as Southern Rooke Street – street scape enhancement was included to allow for additional features to be installed in the street to add to the renewal project completed in 2019. Since the completion of that work, the need for further enhancement has not materialised from internal or external stakeholders. It is considered the best course of action in the current economic climate to cancel the project and reallocate the \$50,000 budget.

2. Management

2.1. Measures implemented to comply with COVID-19 pandemic restrictions on physical contact and proximity have been kept in place to reduce the risk to staff and ensure continuity of essential services. Measures include:

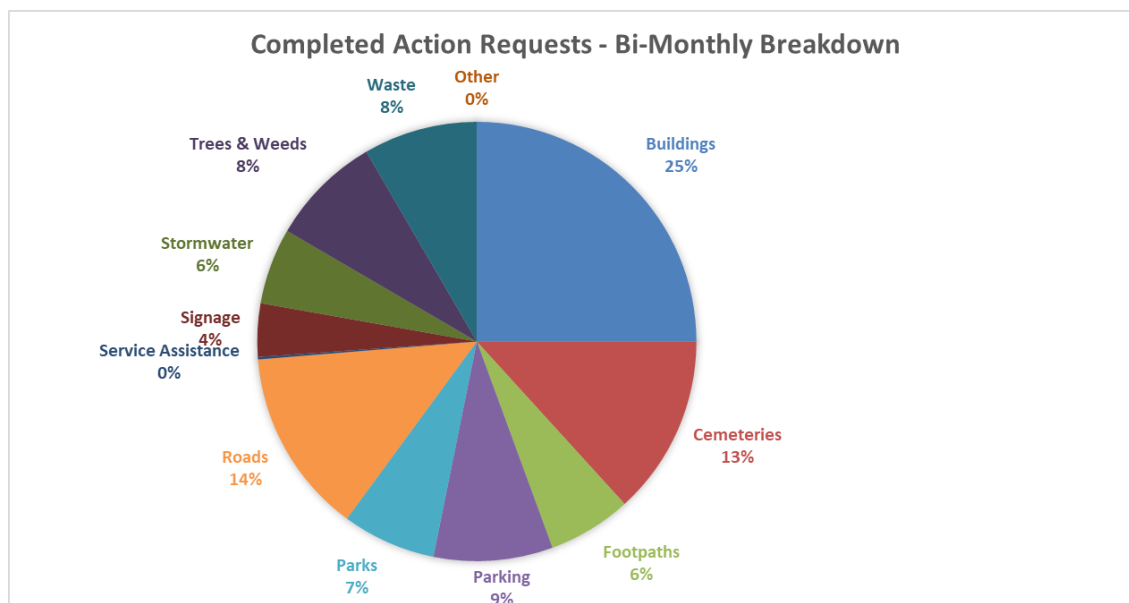
- Infrastructure staff working from home
- Closure of the Works Depot and Mersey Vale Memorial Park Office to the public
- Separating Works teams into satellite sites including Maidstone Park, Meercroft Park, Mersey Vale Memorial Park and Don Memorial Hall
- Changes to way vehicles are assigned and utilised
- Staggering work hours to minimise contact at the Works Depot
- Assessing critical skills and ensuring suitable backup
- Changes to the payment methods at the Waste Transfer Station

These measures will remain in place at least until government regulations change sufficiently. Risk assessments will be undertaken to ensure the timing of the roll back of these changes is appropriate.

2.2. The following table is a summary of the action requests for the Infrastructure and Works Department:

Balance of Action Requests as at 31 March 2020	939
Action Requests created in April and May	425
Action Requests completed in April and May	504
Balance of Action Requests as at 31 May	860

2.3. The following graph details the categories of the action requests completed during April and May.



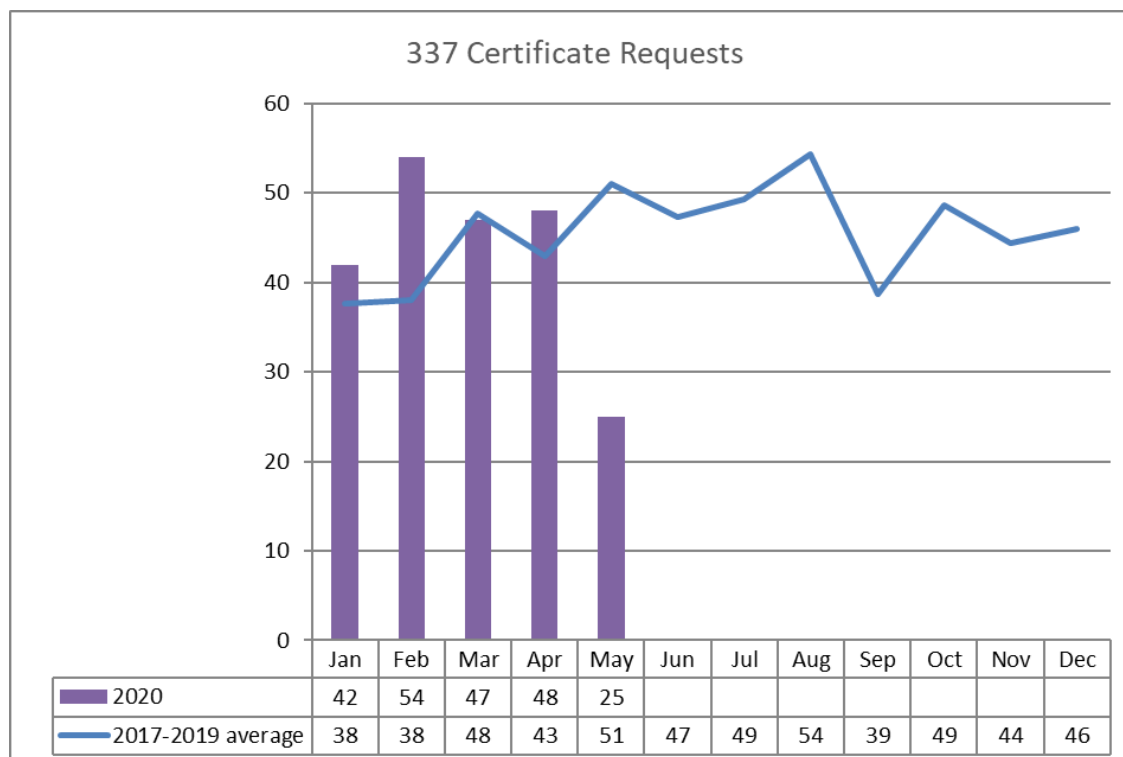
3. Technical and Engineering

3.1. The Infrastructure team have completed a condition assessment of all road and footpath assets. The collection of this data aligns with the progression of Project Transform and will enable the analysis of the data collected to inform operational and capital work programs to allocate resources more efficiently.

A condition assessment of these assets is scheduled every five years for major roads and every ten years for minor roads and has previously been completed by external consultants at considerable expense. This assessment was completed by experienced personnel and the data collected is tailored to suit the needs of the staff who will analyse it.

In coming months condition assessments will be undertaken on parks and building assets to facilitate improved asset management practices for those asset classes.

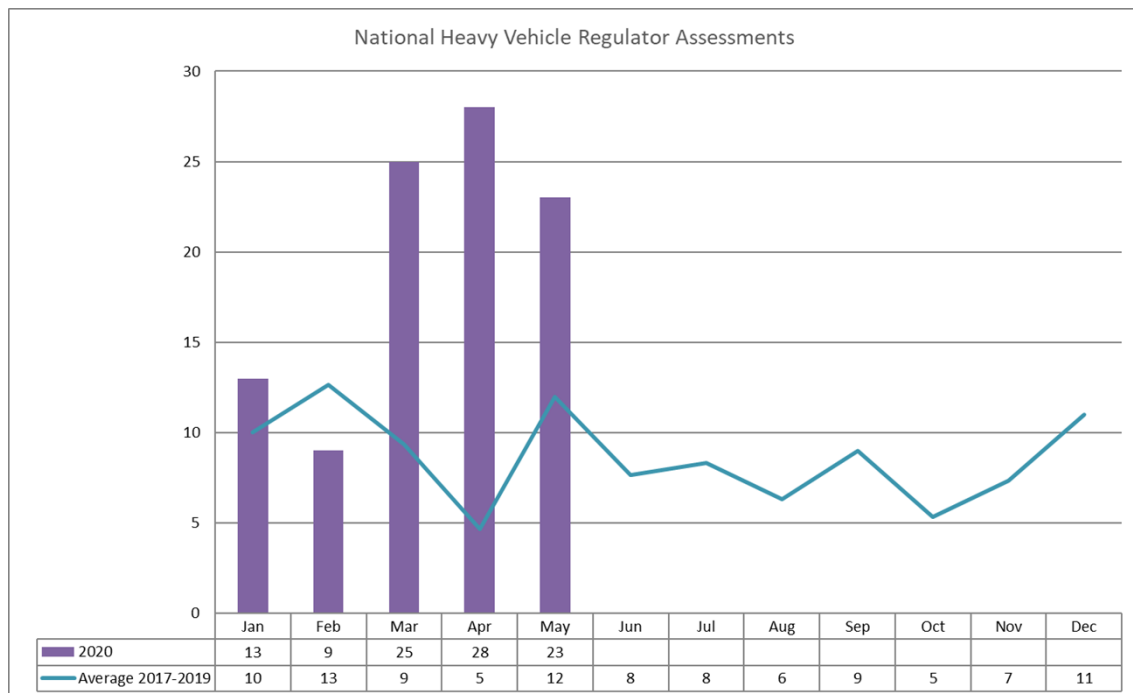
- 3.2. The following graph details the 337 Certificates that have been assessed by the Infrastructure and Works Department this year compared to previous years:



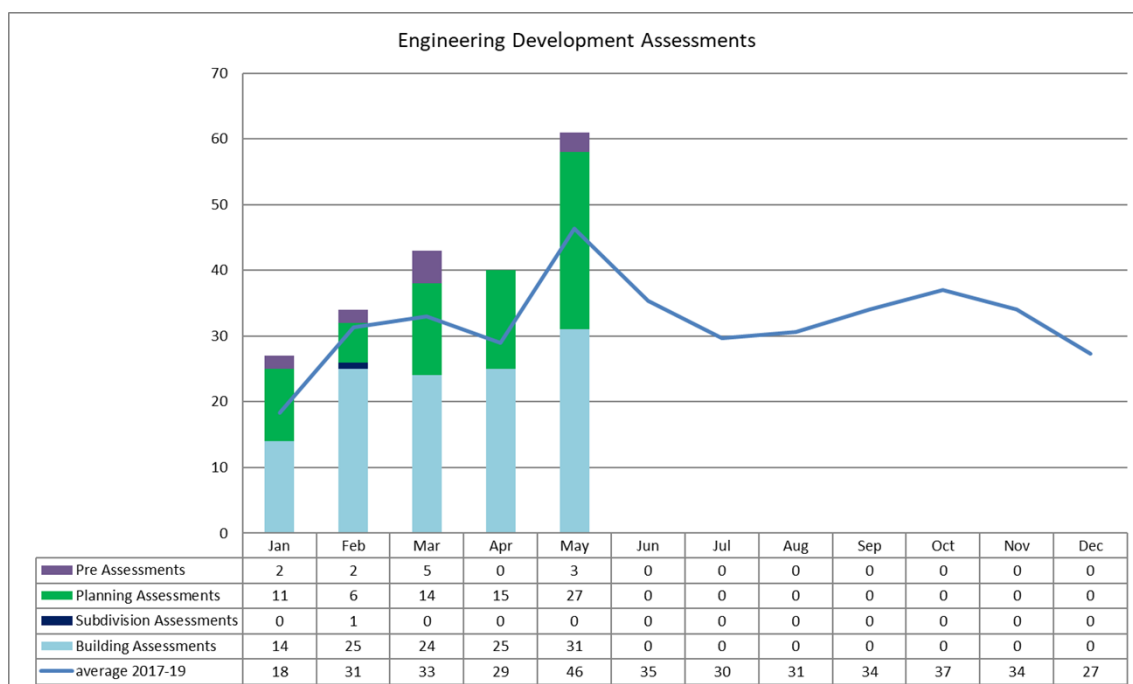
- 3.3. The following is a summary of the projects capitalised in the period since the last report:

Number of projects capitalised in period	6
Total value of capitalisations in period	\$0.66M
Total value of Works in Progress (WIP) as at 31 May	\$9.18M
Donated Asset Capitalised (Subdivisions) in period	\$0
Number of projects awaiting capitalisation next period	9

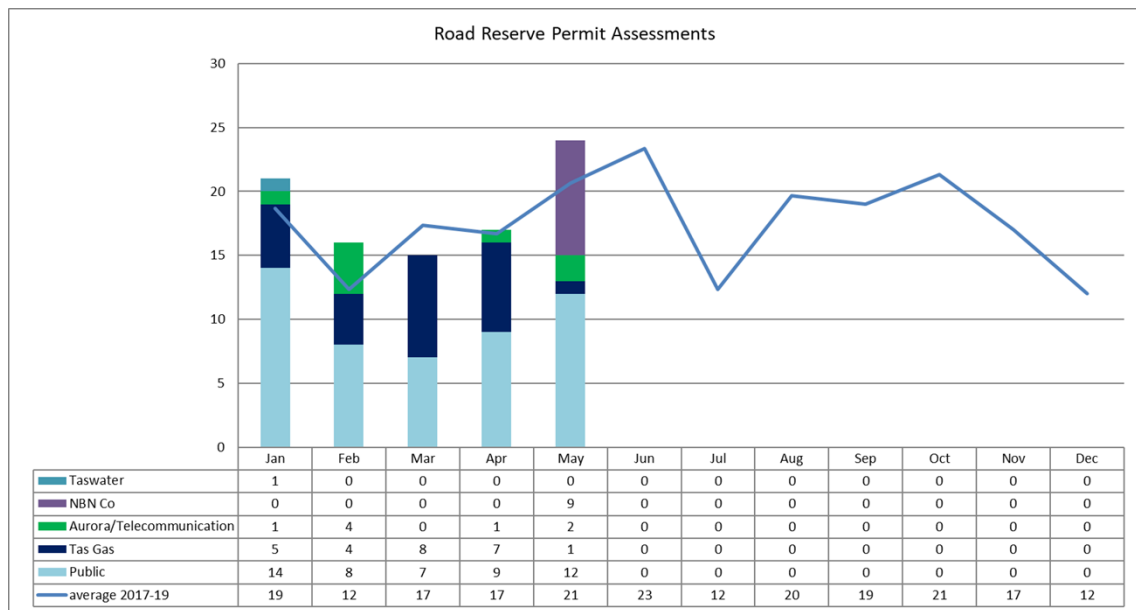
- 3.4. The following graph details the National Heavy Vehicle Regulator Assessments that have been issued this year compared to previous years:



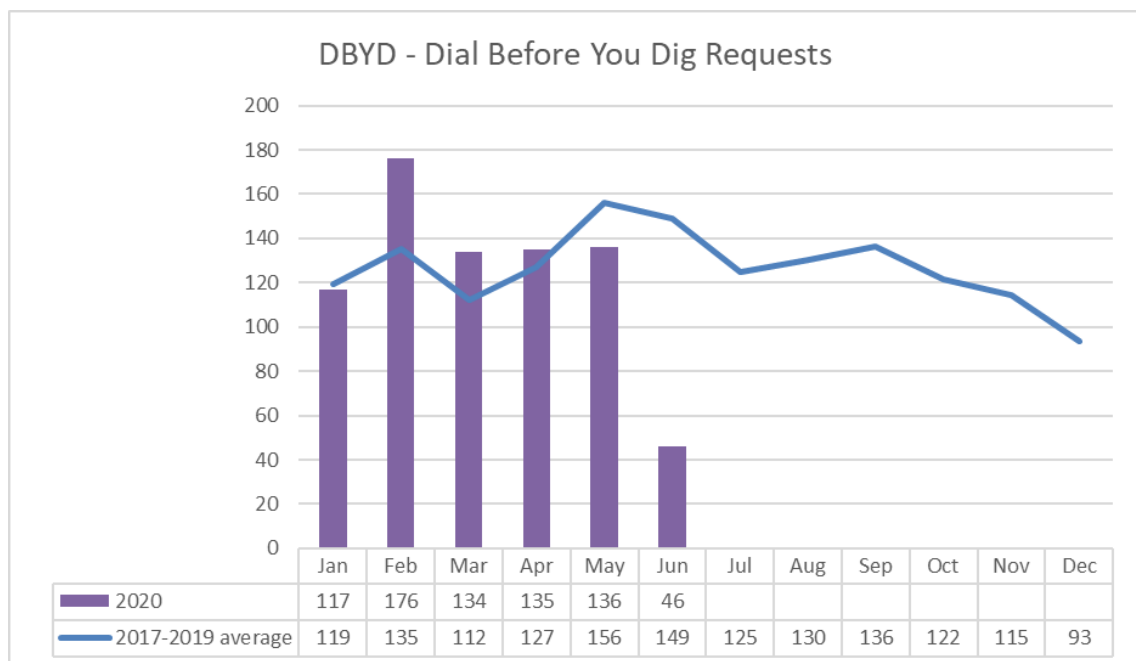
- 3.5. The following graph details the Engineering Assessments for Development Applications that were completed this year compared to previous years.



3.6. The following graph details the Road Reserve Permit Assessments that were completed this year compared to previous years.



3.7. The following graph details the Dial Before You Dig requests that have been processed this year compared to previous years.



4. Operational Contracts

4.1. The following table details the contracts managed within the Infrastructure and Works Department that have been extended this financial year:

Contract	Contract Period	Extension Options	\$ Value (Excluding GST)	Contractor
Contract 1314 - Supply & Delivery of Pre-mixed Concrete	1/07/2019 option 1+1	The original contract signed in June 2017 was for a 12 month period and had an option for two 12 month extensions. Further to a review the option	Schedule of Rates (estimated value \$52,700pa)	Boral Construction Materials

Contract	Contract Period	Extension Options	\$ Value (Excluding GST)	Contractor
		for the second 12 month extension was accepted.		
Contract – 1320 - Weed Control	1/07/2019 option 1+1	The original contract signed in June 2018 was for a 12 month period and had an option for two 12 month extensions. Further to a review the option for the second 12 month extension was accepted.	\$107,180 per annum	Steeds Weeds Solution
Contract – 1321 - Roadside Mowing	1/07/2019 option 1+1	The original contract signed in June 2018 was for a 12 month period and had an option for two 12 month extensions. Further to a review the option for the second 12 month extension was accepted.	\$65,250 per annum	Mareeba Trust

- 4.2. The following table details the new contracts entered into this financial year that are managed within the Infrastructure and Works Department:

Contract	Contract Period	Extension Options	\$ Value (Excluding GST)	Contractor
Tree services (quoted)	1/5/20 to 30/4/21 plus extension option	One 12 month extension	Nominally \$80,000 per annum	A1 Tree Services
Contract 1338 Supply & Delivery of Pre-Mixed Concrete	1/7/21 to 30/6/21 plus two extension options	Two 12 month extensions	Nominally \$51,262 per annum	Hazell Bros Group Pty Ltd

5. Civil Works and Stormwater Maintenance

- 5.1. Maintenance in accordance with the Service Level Document, undertaken in April and May included:

- Road and open drain maintenance in Rundle Road
- Open drain maintenance in Old Coast Road
- Stormwater maintenance in Hiller Street and Smith Street
- Maintenance of the path outside Don River Railway



5.2. In June and July, planned civil works and stormwater maintenance works will include:

- Road patching at various locations
- Cleaning of stormwater quality improvement devices
- Footpath maintenance on Sheffield Road
- Rock lining of open drain on Tugrah Road

6. Parks and Reserves Maintenance

6.1. Maintenance in accordance with the Service Level Document, undertaken in April and May included:

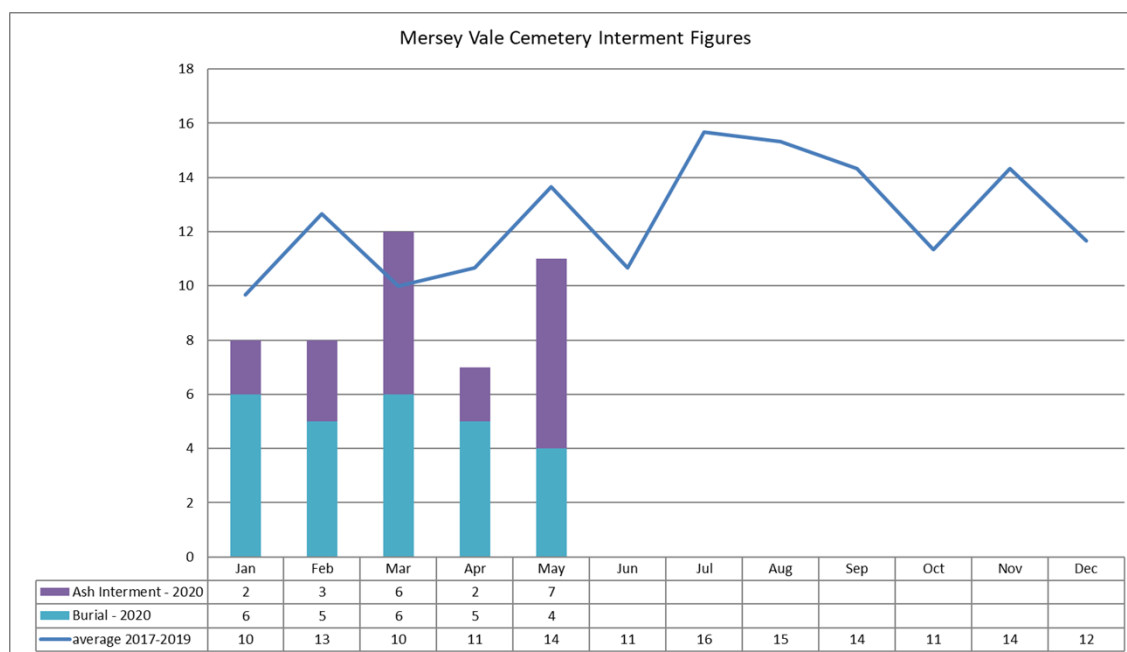
- Removal of the Bluff playground shade sail for repairs
- Completion of replanting work at 54 Caroline Street
- Planting of trees at Miandetta Park, Pioneer Park, Percy Street, replacing trees that have died or been vandalised
- Maintenance of the sawdust track in Don Reserve, including drainage improvements and placing gravel base prior to sawdust



6.2. In June and July, planned parks and reserves maintenance works will include:

- Tree planting at splash aquatic centre for shade
- Clearing of debris from Miandetta Park, including some small burn offs
- Installation of goal posts and line marking for winter sports that are proceeding
- Completion of maintenance program on Sawdust Track

6.3. Mersey Vale Memorial Park interment figures compared to previous years are as follows:



7. Building and Facilities Maintenance

7.1. Maintenance in accordance with the Service Level Document, undertaken in April and May included:

- External painting at Home Hill
- External painting at Devonport Recreation Centre
- Replace BBQ cooktops at Reg Hope Park and Melrose Street
- Pressure clean pavers at Devonport Surf Club

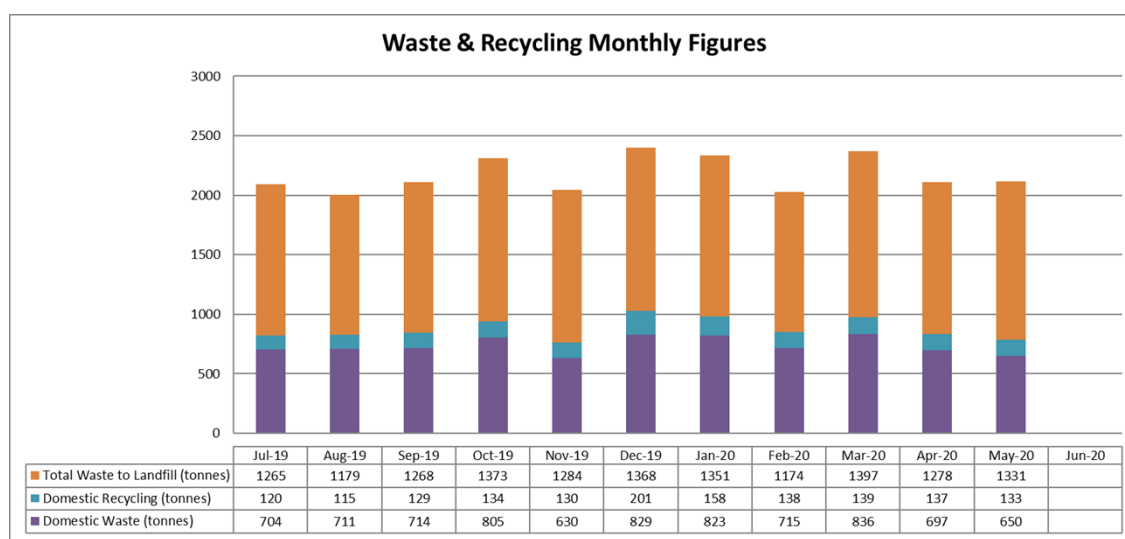


7.2. In June and July, planned building and facilities maintenance works will include:

- Sand blast and repaint Steele on Bluff BBQ shelters
- Replace roller doors at Devonport Surf Club
- Painting poles in Rooke Street Mall

8. Waste Management Operations

8.1. Waste Management Services were conducted in accordance with the Service Level Document during April and May. The following graph details the volumes of waste and recycling from the domestic collection services and the total volume of waste to landfill from the Spreyton Waste Transfer Station.



8.2. The following table details the monthly figures for the Spreyton Waste Transfer Station:

Item	Apr 20	May 20	19/20 YTD	18/19 Total	17/18 Total
Asbestos – large loads (Tonnes)	0.42	2.90	8.26	9.16	9.94
Asbestos – small loads (no.)	18	27	164	149	90
Mattresses (no.)	50	139	1371	1,128	828
Vehicle Loads – up to 0.5m³ (no.)	548	434	4693	5,688	5,117
Vehicle Loads – 0.5m³ to 1.5m³ (no.)	1166	2015	16630	17,940	11,724
Vehicle Loads – 1.5m³ to 2m³ (no.)	175	234	1937	3,135	6,380
DCC Garbage Trucks (Domestic & Commercial Collection Services) (tonnes)	803	765	8294	8,981	9,207
Steel Recycling (tonnes)	87	106	940	1,135	845
e-Waste (tonnes)	0	0	24	45	12
Tyres (no.)	43	35	525	439	348

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

Any specific risk implications have been outlined in the discussion above. Any specific risk that may result in an issue to Council is likely to be the subject of a separate report to Council.

CONCLUSION

This report is provided for information purposes only and to allow Council to be updated on activities undertaken by the Infrastructure and Works Department.

ATTACHMENTS

1. 20200531 Capital Works Summary as at 11.06.2020 [**6.5.1** - 3 pages]

RECOMMENDATION

That Council receive and note the Infrastructure and Works report.

Capital Works Income & Expenditure Report May 2020													
	Funding 2019/20					Expenditure 2019/20			Balance	Performance Measures			
	Annual Budget	Additional Funds Carried forward & adjustments	Total Budget Available	External Funding	Funding Adjustments	Actual	Commitments	Total Expenditure	Remaining Funds	Works Start	Works Completion	% Budget	Comments
	\$	\$	\$	\$	\$	\$	\$	\$	\$	Month	Month	Spent	
Summary													
Open Space & Recreation	1,322,000	1,978,701	3,300,701	424,160	(30,000)	2,005,099	559,867	2,564,966	735,735				
Buildings & Facilities	342,000	2,877,816	3,019,816	2,659,789		237,008	101,442	338,451	2,681,365				
Transport	6,297,000	1,372,197	7,669,197	1,947,606	(50,000)	4,818,953	669,047	5,488,000	2,131,197				
Stormwater	1,292,000	283,994	1,575,994	-	-	316,429	9,611	326,039	1,249,955				
Living City	6,000,000	3,590,200	9,590,200	2,500,000	-	2,433,631	-	2,433,631	7,156,569				
Plant & Fleet	874,600	756,673	1,631,273	-	(200,000)	1,176,349	78,579	1,254,928	176,477				
Other Equipment	444,500	998,095	1,044,595	22,000	-	616,990	34,147	651,137	413,458				
Total Capital Works	16,794,100	11,057,676	27,851,776	7,553,555	(280,000)	11,604,459	1,452,693	13,057,152	14,544,756				
Open Space & Recreation													
CP0128 Signage Strategy Actions	-	-	-	-	-	-	-	-	-			#DIV/0!	
CP0129 Don River Rail Trail - land purchase	-	30,000	30,000	-	-	3,090	9,091	12,181	17,819	Oct-19	Oct-20	40.6%	Contracts for sale in place. Subdivision in process
CP0143 Mersey Vale cemetery - Children's Area	100,000	84,783	184,783	-	-	195,827	-	195,827	(11,044)	Complete	Complete	106.0%	
CP0145 Victoria Parade Lighting Stage 2	-	-	-	-	-	1,751	-	1,751	(1,751)	Complete	Complete		
CP0146 Mersey Vale Cemetery - Lighting Renewal	-	70,000	70,000	-	-	66,983	-	66,983	3,017	Complete	Complete	95.7%	
CP0147 East Devonport Foreshore - Playground Equipment	-	-	-	-	-	704	-	704	(704)	Complete	Complete		
CP0150 Maidstone Park - Replace Ground Lighting	-	150,945	150,945	-	-	5,921	182,175	188,097	(37,152)	Oct-20	Dec-20	124.6%	Expense to Parks Operational OP1935
CP0151 Maidstone Park - Gymnastics Club Car Park	-	240,000	240,000	-	-	240,000	-	240,000	-	Complete	Complete	100.0%	
CP0152 Bluff Plaza - Replace Electrical Cabinet	-	-	-	-	-	(830)	-	(830)	830	Complete	Complete		
CP0154 Doga Exercise Park - Doga Aqility Equipment & Drink Fountain	-	3,124	3,124	-	-	151	-	151	2,973	Jun-20	Jun-20	4.8%	
CP0158 Mersey Vale Cemetery - Modern Burial Stage 2	-	1,038,536	1,038,536	-	-	906,404	-	906,404	132,132	Complete	Complete	87.3%	
CP0160 Horsehead Creek - Bank Stabilisation between Horsehead Creek & Waterfront Complex	-	61,312	61,312	-	-	63,502	-	63,502	(2,189)	Complete	Complete	103.6%	
CP0161 Mandetta Park - New Playground Equipment	-	-	-	-	-	-	-	-	-				
CP0164 Back Beach - path from base of stairs	18,000	-	18,000	-	-	7,403	-	7,403	10,597	Complete	Complete	41.1%	
CP0165 Victoria Parade foreshore - erosion repairs and mowing strip - stage 2	-	75,000	75,000	-	-	1,542	-	1,542	73,458	Apr-20	Jun-20	2.1%	Construction underway
CP0166 Coastal Pathway - lighting - Alkenhead Point to skate park	150,000	-	150,000	-	-	106,046	-	106,046	43,954	Complete	Complete	70.7%	
CP0167 Hiller Flora Reserve - park furniture renewal	15,000	-	15,000	-	-	15,520	-	15,520	(520)	Complete	Complete	103.5%	
CP0168 Victoria Parade and Mersey Bluff - park furniture renewal	25,000	-	25,000	-	-	23,891	-	23,891	1,109	Complete	Complete	95.6%	
CP0169 Mersey Bluff - Barbeque renewal	20,000	-	20,000	-	-	19,237	-	19,237	763	Complete	Complete	96.2%	
CP0170 Signage Strategy Actions	25,000	-	25,000	-	-	2,115	3,256	5,371	19,629	May-20	Jun-20	21.5%	Installation pending
CP0171 Don Reserve path renewal - aquatic centre to Best Street	120,000	-	120,000	-	-	47,836	-	47,836	72,164	Complete	Complete	39.9%	
CP0172 Victoria Parade - Cenotaph - base surface renewal	10,000	-	10,000	-	-	6,523	-	6,523	3,477	Complete	Complete	65.2%	
CP0173 Mary Binks wetlands - path upgrade - stage 1	35,000	-	35,000	-	-	31,781	-	31,781	3,219	Complete	Complete	90.8%	
CP0174 Highfield Park - new path - East to West	40,000	-	40,000	-	-	26,908	-	26,908	13,092	Complete	Complete	67.3%	
CP0175 Mersey Bluff - inclusive playground	96,000	-	96,000	54,160	-	7,060	83,000	90,060	5,940	Sep-20	Oct-20	93.8%	Construction Pending
CP0176 Mersey Bluff - bin compound	5,000	-	5,000	-	-	191	-	191	4,809	TBA	TBA	3.8%	To be included with adjacent roadworks
CP0177 Devonport Recreation Centre - Laundry	15,000	-	15,000	-	-	5,488	-	5,488	9,512	Mar-20	Jun-20	36.6%	
CP0178 Lovett Street Soccer Ground - Ground renovation	182,000	-	182,000	-	-	184,540	-	184,540	(2,540)	Complete	Complete	101.4%	
CP0179 Reg Hope Park - slab and services for shopfront at Julie Burgess	11,000	-	11,000	-	-	179	-	179	10,821	TBA	TBA	1.6%	Design underway
CP0180 Bluff Beach - accessible ramp	100,000	-	100,000	-	-	1,826	4,800	6,626	93,374	TBA	TBA	6.6%	Design underway
CP0181 Mersey Bluff Caravan Park - accessible amenities	75,000	-	75,000	-	-	415	18,364	18,779	56,221	Mar-20	Aug-20	25.0%	Construction completed off-site, pending permits for installation
CP0182 Mersey Vale Memorial Park - signage upgrade	30,000	-	30,000	-	-	10,552	5,775	16,327	13,673	Apr-20	Aug	54.4%	Construction Pending
CP0183 Mersey Vale Memorial Garden - ash interment columns	35,000	-	35,000	-	-	14,890	2,291	17,181	17,819	Jun-20	Jun-20	49.1%	Installation pending
CP0184 Don River Rail Trail - construction	140,000	-	140,000	70,000	(30,000)	730	-	730	139,270	TBA	TBA	0.5%	Partial grant funding secured, design underway
CP0186 Girdlestone Park - ground lighting	-	300,000	300,000	300,000	-	2,179	247,088	249,267	50,733	Sep-20	Nov-20	83.1%	Contract awarded, DA pending
CP0187 Mussel Rock Fishing Area	-	-	-	-	-	4,743	4,028	8,771	(8,771)	Jun-20	Jun-20	#DIV/0!	External funding secured. Construction Pending
Total Open Space & Recreation	1,322,000	1,978,701	3,300,701	424,160	(30,000)	2,005,099	559,867	2,564,966	735,735			77.7%	

	Funding 2019/20					Expenditure 2019/20			Balance	Performance Measures				
	Annual Budget	Additional Funds Carried forward & adjustments	Total Budget Available	External Funding	Funding Adjustments	Actual	Commitments	Total Expenditure		Remaining Funds	Works Start	Works Completion	% Budget	Comments
											Month	Month	Spent	
	\$	\$	\$	\$	\$	\$	\$	\$	\$					
Buildings & Facilities														
C80091	East Devonport Foreshore Toilet Replace	-	-	-	-	1,120	-	1,120	(1,120)				Journal to Buildings OP.1921	
C80085	Devonport Dog's Home - 2 x Caution pens	-	-	-	-	(93)	-	(93)	93					
C80092	Don Memorial Hall - Install Public Toilet	-	34,250	34,250	-	34,249	-	34,249	2	Complete	Complete	100.0%		
C80093	Devonport Oval - Football Club grease trap installation	10,000	-	10,000	-	2,975	12,712	15,687	(5,687)	Feb-20	Jun-20	156.9%	Construction underway	
C80094	Council contribution to Sports Club Grants (Level the Playing Field)	150,000	(100,000)	50,000	-	-	-	-	50,000	N/A	N/A	0.0%	\$50,000 allocated to each of C80098 and C80099	
C80095	Works Depot - Covered plant storage shed	32,000	-	32,000	-	18,756	9,091	27,847	4,153	Apr-20	Jun-20	87.0%	Construction underway	
C80096	Mianella Park - New toilet block	150,000	-	150,000	-	100,249	-	100,249	49,751	Mar-20	Jun-20	66.8%	Construction underway	
C80097	Meeracraft Park - Facilities upgrade	1,502,437	-	1,502,437	-	79,154	18,966	98,120	1,404,317	Jul-20	Feb-21	4.3%	Construction Pending	
C80098	Devonport Football Club - new change rooms	818,000	-	818,000	768,000	50,000	199	60,674	757,128	Nov-20	May-21	7.4%	Design underway	
C80099	East Devonport Football Club - new change rooms	423,129	-	423,129	373,129	50,000	400	-	400	Sep-20	Mar-21	0.1%	Construction Pending	
C80100	Waste Transfer Station - E-waste shelter	-	-	-	16,223	-	981	-	981	May-20	Jun-20	#DIV/0!	Design underway. External funding secured	
Total Facilities														
		342,000	2,677,816	3,019,816	2,659,789	-	237,008	101,442	338,451	2,681,365			11.2%	
Transport														
CT0169	Formby Road & Best Street Intersection safety improvements	-	69,000	69,000	-	(22,351)	36,364	14,013	54,987	Complete	Complete	20.3%		
CT0198	Mersey Bluff Pedestrian Link	-	218,228	218,228	-	206,057	-	206,057	12,171	Complete	Complete	94.4%		
CT0208	Bishops Road renewal	-	-	-	-	(960)	-	(960)	960	Complete	Complete			
CT0220	Southern Rooke Street Renewal	40,000	-	40,000	-	8,004	-	8,004	31,996	Complete	Complete	20.0%		
CT0221	Trilton Road Safety Improvements	-	-	-	-	1,330	-	1,330	(1,330)	Complete	Complete		Prior year invoice.	
CT0222	Coles Beach/Back Beach Pedestrian Links	33,631	-	33,631	-	30,213	-	30,213	3,418	Complete	Complete	89.8%		
CT0225	New Street Light - Wright Street and Tarleton Street	-	-	-	-	(8,821)	-	(8,821)	8,821	Complete	Complete		Credited for non-council asset constructed in prior year now transferred to Tasnetworks.	
CT0226	Intersection Safety Improvements - Parker Street and Ronald Street	273,757	-	273,757	-	262,482	-	262,482	11,275	Complete	Complete	95.9%		
CT0230	Transport Minor Works	20,000	-	20,000	-	-	-	-	20,000	TBA	TBA	0.0%		
CT0231	Works Depot Carpark - Retaining Wall Renewal	-	-	-	-	30	-	30	(30)	Complete	Complete	#DIV/0!	Journal to OP.1937	
CT0232	Parking Infrastructure Renewal 2018-19	33,566	-	33,566	-	14,667	-	14,667	-	TBA	TBA	43.7%	Budget transferred to current year project CT0259.	
CT0233	Adelaide Street Kerb Renewal	193,850	-	193,850	-	153,624	-	153,624	40,226	Complete	Complete	79.2%		
CT0244	Steele St Pedestrian Facilities	3,559	-	3,559	-	17	-	17	3,542	Complete	Complete	0.5%		
CT0245	New bus stop infrastructure	486,606	-	486,606	486,606	302,067	5,514	307,581	179,025	Jan-20	Jan-21	63.2%	Part of scope deferred to 2021 to suit route change deferral	
CT0246	Reseal Program 2019-2020	700,000	-	700,000	-	707,431	4,606	712,037	(12,037)	Complete	Complete	101.7%		
CT0247	Street light provision	25,000	-	25,000	-	2,349	-	2,349	22,651	TBA	TBA	9.4%	Design underway	
CT0248	Tugrah Road bus turn facility	40,000	-	40,000	-	33,333	-	33,333	6,667	Complete	Complete	83.3%		
CT0249	Parker Street footpath - North Fenton to Victoria Parade	18,000	-	18,000	-	19,219	-	19,219	(1,219)	Complete	Complete	106.8%		
CT0250	Forbes Street overpass - west side guard rail works	11,000	-	11,000	-	11,141	-	11,141	(141)	Complete	Complete	101.3%		
CT0251	Forbes Street renewal - bridge to Burrows Crescent	75,000	-	75,000	-	61,474	-	61,474	13,526	Complete	Complete	82.0%		
CT0252	Berrigan Road and Lyons Avenue - Intersection safety improvements	400,000	-	400,000	400,000	354,374	570	354,944	45,056	Complete	Complete	88.7%		
CT0253	Curr Street new footpath and ramp renewal	28,000	-	28,000	-	30,573	-	30,573	(2,573)	Complete	Complete	109.2%		
CT0254	Middle Road pedestrian crossing - Galenby Drive	60,000	-	60,000	30,000	52,019	-	52,019	7,981	Complete	Complete	86.7%		
CT0255	Lovett St pedestrian facilities - Tasman to Lawrence	120,000	-	120,000	60,000	108,094	-	108,094	11,906	Complete	Complete	90.1%		
CT0256	Roberts Court renewal	250,000	-	250,000	-	192,166	-	192,166	57,834	Complete	Complete	76.9%	Construction underway	
CT0257	Road traffic device renewal	25,000	-	25,000	-	128	-	128	24,872	TBA	TBA	0.5%		
CT0258	Transport minor works	25,000	-	25,000	-	13,183	-	13,183	11,817	Aug-19	Jun-20	52.7%	Footpath in Parker St completed	
CT0259	Parking infrastructure renewal	25,000	-	25,000	-	497	45,000	45,497	(1,598)	Apr-20	Jun-20	182.0%	Purchases made	
CT0260	Victory Avenue kerb renewal	210,000	-	210,000	-	75,541	121,680	197,221	12,779	Mar-20	Jun-20	93.9%	Construction underway	
CT0261	Stewart Street kerb renewal - William to Gunn	405,000	-	405,000	-	317,607	-	317,607	87,393	Complete	Complete	78.4%	Street trees to be planted in June	
CT0262	Lower Madden Street renewal - Montague to North Fenton	200,000	-	200,000	-	205,828	-	205,828	(5,828)	Complete	Complete	102.9%		
CT0263	Oldaker Street footpath renewal - west of Rooke, south side	160,000	-	160,000	-	9,126	-	9,126	150,874	Jun-20	Aug-20	5.7%	Construction pending	
CT0264	Victoria Street Renewal - Northern End	370,000	-	370,000	250,000	239,108	-	239,108	130,892	Feb-20	Jun-20	64.6%	Construction underway	
CT0265	Holyman Street renewal	400,000	-	400,000	256,000	373,347	20,825	394,172	5,828	Nov-20	Jun-20	98.5%	Construction underway	
CT0266	Holyman Street footpath renewal	90,000	-	90,000	-	8,801	-	8,801	81,199	Nov-20	Jun-20	9.8%	Construction underway	
CT0267	Fenton St & Stewart St - Intersection	415,000	-	415,000	415,000	437,832	-	437,832	(22,832)	Complete	Complete	105.5%		
CT0268	Devonport Oval - Clements St entry renewal	80,000	-	80,000	-	63,565	1,930	65,495	14,505	Feb-20	Jun-20	81.9%	Construction underway	
CT0269	Winspore Road renewal - Stage 2	250,000	-	250,000	-	301,941	-	301,941	(51,941)	Complete	Complete	120.8%		
CT0270	Northern Rooke Street renewal	1,000,000	-	1,000,000	-	2,000	-	2,000	998,000	Jan-20	Sep-20	0.2%	Construction underway	
CT0271	Mersey Bluff Precinct - traffic, pedestrian, and parking improvements - stage 2	265,000	-	265,000	-	36,502	2,013	38,516	226,484	TBA	TBA	14.5%	Design underway	
CT0272	Coastal Pathway contribution - part 1	600,000	-	600,000	-	172,337	430,545	602,882	(2,882)	Jan-20	TBA	100.5%	Construction underway for Latrobe-Ambleside	
CT0273	Southern Rooke Street - street scape enhancement	50,000	-	50,000	-	100	-	100	(100)	N/A	N/A	0.2%	Project not to proceed	
CT0274	Electric Vehicle Charging Station	-	-	-	50,000	4,769	-	4,769	(4,769)	TBA	TBA	#DIV/0!	External funding secured	
CT0275	CT0275 State Vehicle Entry Point	-	-	-	-	36,031	-	36,031	(36,031)	TBA	TBA			
CT0277	Reseal Program 2020-2021	-	-	-	-	2,176	-	2,176	(2,176)	Aug-20	TBA		proposed 2020-21 project	
Total Transport														
		6,297,000	1,372,197	7,669,197	1,947,606	(50,000)	4,818,953	669,047	5,488,000	2,131,197			71.6%	

		Funding 2019/20					Expenditure 2019/20			Balance	Performance Measures			
		Annual Budget	Additional Funds Carried forward & adjustments	Total Budget Available	External Funding	Funding Adjustments	Actual	Commitments	Total Expenditure	Remaining Funds	Works Start	Works Completion	% Budget	Comments
											Month	Month	Spent	
		\$	\$	\$	\$	\$	\$	\$	\$	\$				
Stormwater														
C50055	Squibbs Road drainage improvements		83,994	83,994		107,257	8,968	116,225	(32,231)	Feb-20	Jun-20	138.4%	Construction underway	
C50063	William SW Catchment Upgrade - SI		-	-		72	-	72	(72)	TBA	TBA	#DIV/0!		
C50081	John Stormwater Catchment Stage 1	200,000		200,000		3,904	-	3,904	196,096	TBA	TBA	2.0%	Design underway	
C50082	Minor Stormwater Works	60,000	-	60,000		61,193	643	61,836	(1,836)	Complete	Complete	103.1%		
C50083	Stormwater outfall risk management	20,000	-	20,000		12,074	-	12,074	7,926	Apr-20	Jun-20	60.4%	Works completed near Skate Park	
C50084	Tugrah Road drainage	40,000	-	40,000		38,723	-	38,723	1,277	Complete	Complete	96.8%		
C50086	Coles Beach Road - new pit	10,000	-	10,000		7,368	-	7,368	2,632	Complete	Complete	73.7%		
C50085	Oldaker (East) stormwater catchment upgrade – stage 1	1,000,000	-	1,000,000		2,000	-	2,000	998,000	Dec-19	Sep-20	0.2%	Construction underway	
C50087	Willom Street stormwater improvements - Fourways east side	50,000	-	50,000		49,699	-	49,699	301	Complete	Complete	99.4%		
C50088	Kelcey Tier Road - pipe extension and headwall	20,000	-	20,000		11,926	-	11,926	8,074	Complete	Complete	59.6%		
C50089	Pit replacements	50,000	-	50,000		21,824	-	21,824	28,176	Complete	Complete	43.6%		
C50090	Watkinson St - north of George St - stormwater renewal	42,000	-	42,000		84	-	84	41,916	N/A	N/A	0.2%	project will not proceed	
C50073	Minor Stormwater Works	-	-	-		303	-	303	(303)	N/A	N/A			
Total Stormwater		1,292,000	283,994	1,575,994	-	-	316,429	9,611	326,039	1,249,955			20.7%	
Plant & Fleet														
CF0022	Fleet Replacement Plan 18/19 (including disposal proceeds)	37,241		37,241		37,241	-	37,241	-	Complete	Complete	100.0%		
CF0023	Hire Plant Replacement Plan 18/19 (including disposal proceeds)	542,557		542,557		542,689	-	542,689	-	Complete	Complete	100.0%		
CF0024	Non-Hire Plant Replacement Plan 18/19 (including disposal proceeds)	-		-		-	-	-	-					
CF0025	Fleet replacement program 19/20	167,000	118,446	285,446		30,958	75,488	106,446	179,000	Jan-20	Aug-20	37.3%	Delivery pending on remaina purchases	
CF0026	Hire Plant Replacement Plan 19/20 (including disposal proceeds)	671,600	-	671,600	(200,000)	503,247	-	503,247	(31,647)	Jul-19	Jun-20	74.9%	Electric garbage truck option did not proceed. Trade income (approx \$32K) accounted for elsewhere	
CF0027	Non-Hire Plant Replacement Plan 19/20 (including disposal proceeds)	36,000	58,429	94,429		62,215	3,091	65,305	29,124	Jul-19	Jun-20	69.2%	Purchases being made progressively	
Total Plant & Fleet		874,600	756,673	1,631,273	-	(200,000)	1,176,349	78,579	1,254,928	176,477			76.9%	
Other Equipment														
CE0010	Office & Equipment 2019-20	254,500	111,736	366,236	22,000	137,800	10,059	147,859	220,377	Jul-19	Jun-20	40.2%	Purchases being made progressively	
	IT Renewals & upgrades	410,000	286,359	696,359	-	479,190	24,088	503,278	193,081	Jul-19	Jun-20	72.3%		
Total Other Equipment		664,500	398,095	1,064,595	22,000	-	616,990	34,147	651,137			61.2%		
TOTAL CAPITAL EXPENDITURE - EXCLUDING LIVING CITY		10,794,100	7,467,476	18,261,576	5,053,555	(280,000)	9,170,828	1,452,693	10,623,521	7,388,187			58.2%	
Living City														
Total Living City		6,000,000	3,590,200	9,590,200	2,500,000	-	2,433,631	-	2,433,631	7,156,569			25.4%	Construction underway
TOTAL CAPITAL EXPENDITURE - INCLUDING LIVING CITY		16,794,100	11,057,676	27,851,776	7,553,555	(280,000)	11,604,459	1,452,693	13,057,152	14,544,756			46.9%	

7 SECTION 23 COMMITTEES

No Section 23 Committee meetings have been held since the last Council meeting.

8 CLOSED SESSION

RECOMMENDATION

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

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
8.1	Confirmation of Closed Minutes – Council Meeting – 25 May 2020	15(2)(g)
8.2	Application for Leave of Absence	15(2)(h)

9 CLOSURE