



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 21 December 2020, commencing at 5:30 PM.

The meeting will be open to registered members of the public and live streamed from 5:30 PM.

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

16 12 2020

January 2021

Meeting	Date	Commencement Time
Ordinary Council Meeting	Monday 25 January 2021	5.30pm

**AGENDA FOR AN ORDINARY COUNCIL MEETING OF DEVONPORT CITY COUNCIL
HELD ON MONDAY 21 DECEMBER 2020, IN THE ABERDEEN ROOM, LEVEL 2 paranapple centre,
137 ROOKE STREET DEVONPORT AT 5:30 PM**

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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 digital recording of this meeting will be made available to the public on Council's website for a minimum period of six months.

1 APOLOGIES**2 DECLARATIONS OF INTEREST**

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

3.1.1 CONFIRMATION OF MINUTES - COUNCIL MEETING - 23 NOVEMBER 2020

RECOMMENDATION

That the minutes of the Council meeting held on 23 November 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 20/90 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 3 questions per person are permitted.
6. A maximum period of 5 minutes will be allowed per person.
7. Questions are to be succinct and not contain lengthy preamble.
8. To allow opportunity, where necessary to research answers and limit questions taken on notice, a copy of any questions without notice, where possible, are to be provided by email or in person to Council by 12 noon on the day of the meeting.
9. A question by any member of the public and an answer to that question are not to be debated.
10. Questions without notice and their answers will be recorded in the minutes.
11. The Chairperson may take a question on notice in cases where the questions raised at the meeting require further research or clarification, or where a written response is specifically requested.
12. Protection of parliamentary privilege does not apply to local government and any statements or discussion in the Council Chambers, or any document produced, are subject to the laws of defamation.
13. 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**

RECOMMENDATION

That the responses to questions from Mr Mills and Mr Janney at the November Council meeting be noted.

Responses to questions raised at prior meetings are attached.

ATTACHMENTS

1. Response to Question Without Notice - Mr C Mills [**3.2.1.1** - 2 pages]
2. Response to Question Without Notice - Mr D Janney [**3.2.1.2** - 1 page]

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

Author: **Jacqui Surtees, Executive Coordinator**
Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

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

Mr Malcolm Gardam – 4 Beaumont Drive, Miandetta

A letter containing questions on notice from Mr Malcolm Gardam received 9 December, is **reproduced as attachment 1**.

Annual General Meeting

Q1 The minutes of the 2020 annual general meeting records the following on Page 13:

In this Agenda, I previously asked, "Will Council please provide the individual 'fair value' book entries on the asset register for the following Living City premises" I'll read them out in a minute. The response in the Agenda was "This information is not readily available in the requested format. These properties include multiple individual assets across several asset classes and it would require resources that are currently unavailable to calculate the answers requested."

In addition to the response in the Agenda the General Manager also gave a further lengthy response as to why this question was not answered at the time.

While accepting his explanation, it appears that my question was not concise enough as the response refers to multiple assets which was not my intention.

Accordingly, as indicated at the AGM I rephrase the question as follows - In relation to each property listed below will Council please advise:

- a) Council's recorded value for land and buildings only; and
- b) The current "Capital" valuation by the Valuer-General?
 - 6-10 Steele Street (former Webster building)
 - 17 Fenton Way (current Harris Scarfe site)
 - 21 Oldaker Street (former State LINC/Library site)
 - 137 Rooke Street (paranaple centre)
 - 17 Oldaker Street (Providore Place)
 - 40-48 Best Street (multi-level carpark)

Note: the only assets I am seeking book values for are the land and building values as one would see under 'Capital' on a Valuer-General Property Information Report and included for the purpose of levying rates on a Council Notice of Rates and Charges, and no other assets that may be allocated to that site.

Response

Property	Council Asset Book Value \$	CV determined by Office of the Valuer General \$
6-10 Steele Street	1,549,860	1,596,000
17 Fenton Way	4,434,053	4,944,000
19-23 Oldaker Street	6,471,925	6,360,000
137 Rooke Street – Lot 2	10,990,221	3,420,000
137 Rooke Street – Lot 3	10,213,378	4,080,000
17 Oldaker Street	4,699,592	4,320,000
40-48 Best Street	11,810,406	6,720,000

Q2 Further to Q1. above will council confirm which of the two property valuations is being used for the purpose of calculating rates – i.e. Council valuation or Valuer-General valuation?

Response

All property rates are calculated based on the Assessed Annual Value provided by the Office of the Valuer-General.

Providore Place

Q3 For the purpose of listing tenant matters relating to Providore Place, to be discussed in Closed Session, Council refers to Tenancy 1, 2 and 3; will Council confirm the names of the actual businesses the above references relate to?

Response

When possible the business name and related tenancy will be noted in the table referencing Closed Session items.

Q4 In the September Agenda it stated that "Council is yet to enter into any lease agreement with Mr Tas. The occupation of Tenancy 2 as Ola Food & Wine is on the basis of a short-term hire agreement while the premises is being actively marketed by Council's agents."; accordingly, almost 3 months later has a fully commercial based rental agreement been formalised with Mr Tas?

Response

No

Q5 In the September Agenda Council advised that "Council has not executed a lease agreement directly with Southern Wild Distillery."; accordingly, 11 months after Council assuming direct management of Providore Place, has Council now executed a fully commercial rental agreement with Southern Wild Distillery?

Response

No

Q6 Are any of the Southern Wild Distillery, Pinctada Café and Ola Food & Wine tenants still benefiting from discounted rental and/or short-term hire agreement (in the case of Ola) payments?

Response

The terms and conditions relating to tenant agreements are commercial-in-confidence.

Mr Christopher Mills – 52 Caroline Street, East Devonport

A letter containing questions on notice from Mr Christopher Mills received 9 December, is **reproduced as attachment 2**.

Q1 On the 30th October, this administration took the decision that answering a question that I had raised would be quote "contrary to the Public Interest". Since the commencement of the RTI Act in 2009, when is the last time the Devonport Council suppressed an answer to a question from a Ratepayer on the grounds that the answer would be quote, "contrary to the Public Interest"?

Response

Council assesses Right to Information requests in accordance with the *Right to Information Act 2009* and responds accordingly. Actions are not taken to "suppress an answer to a question".

Mr Bob Vellacott – 11 Cocker Place, Devonport

A letter containing questions on notice from Mr Bob Vellacott received 14 December, is **reproduced as attachment 3**.

Q1 Please inform in regard to the Don Railway's proposal to provide a passenger service to the Water Front Park:

- a) will the existing siding and platform opposite the post office be utilised?
if not then –
- b) where precisely will the siding and platform be situated?
- c) will Council inform as to what will be the estimated cost and who will be providing the funds for the construction of any infrastructure required?

Response

It is Council's understanding that the Don Railway's current preference is to utilise the existing platform opposite the post office. Council supports this idea in principle, however the Don Railway is an incorporated body which operates independent of Council and makes decisions in the best interest of their organisation. Council, to date has not committed any funding to the platform or any associated works.

Q2 In regard to the proposed light and sound show what is the current situation:

- a) the now total amount so far expended on consultants' reports and plans?
- b) the now estimated final cost and the approximate annual cost of maintaining the infrastructure including copyright licence fees etc?
- c) how Council intends to fund the project?
- d) when construction is expected to commence?
- e) when Council expects the project to be completed?

Response

Council committed \$30,000 of the \$60,000 cost to develop the initial light and sound show concept. At this point no further funds have been committed and Council is actively seeking Government support for the project. The total project budget is estimated at \$3m, however actual capital and maintenance costs will be refined as the next phase of design is developed.

Q3 Please inform of the availability of recent reports regarding:

- a) the future of retailing in the CBD and changes if any re the Rooke Street Mall?
- b) the cost and availability of Von Rock's first report re Providore Place and regular markets?

Response

Q3a - The Retail Steering Committee, formed by Devonport Chamber of Commerce and Industry (DCCI), continue to progress development of a Retail Strategy that is focused on the delivery of a Vision, Strategy and Actions. This work continues and the DCCI, as Strategy owner, will determine what they wish to do with the Strategy when it is finalised.

Q3b – The cost of the market viability report prepared by Kate von Rock was \$1,292.50. The report is an internal working document which was presented to Council via a workshop session and the information will be used to inform future decision making.

ATTACHMENTS

- 1. Questions on Notice - December 2020 - Mr Gardam [**3.2.2.1** - 2 pages]
- 2. Questions on Notice - December 2020 - Mr Mills [**3.2.2.2** - 1 page]
- 3. Questions on Notice - December 2020 - Mr Vellacott [**3.2.2.3** - 1 page]

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

Nil

3.5 ADDITIONAL ITEMS

There are two planning items to be brought onto this agenda to be considered by Council in its capacity as a Planning Authority.

RECOMMENDATION

That Council by absolute majority now consider the following additional agenda items:

4.1 PA2020.0201 – 55 Melrose Road – 2 lot subdivision

4.2 PA2020.0198 – 87a Hillcrest Road – Residential (10 multiple dwellings)

Additional Agenda Items

The General Manager confirms the two items meet the requirements outlined in Section 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015* and therefore Council may by absolute majority decide to deal with these matters that are not included in the agenda.

4 PLANNING AUTHORITY MATTERS

The Mayor will now announce that Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for the consideration of Agenda Items 4.1 and 4.2.

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

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

4.1 PA2020.0201 - 55 MELROSE ROAD - 2 LOT SUBDIVISION

Report to be provided as a supplementary agenda item

RECOMMENDATION

TBC

4.2 PA2020.0198 - 87A HILLCREST ROAD - RESIDENTIAL (10 MULTIPLE DWELLINGS)

Report to be provided as a supplementary agenda item

RECOMMENDATION

TBC

5 REPORTS

5.1 PEDESTRIAN STRATEGY 2016-2021 - YEAR 4 STATUS UPDATE

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

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

RECOMMENDATION

That Council note the status of actions listed in the Pedestrian Strategy 2016-2021.

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 2.3.5 Provide and maintain sustainable parks, gardens and open spaces to appropriate standards

SUMMARY

To report to Council on the progress of the actions outlined in the Devonport City Council Pedestrian Strategy 2016-2021.

BACKGROUND

Council's Pedestrian Strategy 2016-2021 (the Strategy) was adopted in December 2016.

The objective of the Strategy is to make walking in Devonport safe and convenient and to enable and encourage walking as a mode of transport.

The Strategy action plan identifies 11 actions required to achieve the objective. The Strategy is available from Council's website:

<http://www.devonport.tas.gov.au/Council/Publications-Plans-Reports/Council-Plans-Strategies>

STATUTORY REQUIREMENTS

There are no statutory requirements relating to this report.

DISCUSSION

Implementation of the Strategy is largely the responsibility of the Infrastructure and Works Department and includes input from internal and external stakeholders.

Of the eleven actions, one is complete, nine are well underway or ongoing, and one is yet to commence. Details of the status of each action are attached to this report.

Key developments in the last year include:

- Actions 1 & 2: footpath audits continued in year 4 of the strategy but to a lesser extent than in previous years. However, the operational and capital work generated by assessments in previous years in high walkability areas provided an extensive list of project proposals.

Since the last status update in late 2019, projects have been undertaken that contribute to Council meeting the objective of the Strategy including:

- Oldaker Street footpath renewal
- Parker Street new footpath
- Middle Road pedestrian facilities
- Lovett Street pedestrian facilities
- Holyman Street footpath renewal
- Don reserve path renewal



Oldaker Street – improved crossfall and width



Don Reserve – asset renewed and hazards removed

Progress to date on the Waterfront Park includes pedestrian facilities on Rooke Street and Formby Road, which will enhance pedestrian access around the CBD and waterfront as work progresses.



Rooke Street – Wider path with improved crossfall and priority 'wombat' crossing

The section of the Coastal Pathway completed to date has been popular with pedestrian and cyclists, even before a continuous link to Latrobe has been completed.



River Road, Ambleside – new Coastal Pathway

Work at Mersey Bluff has been undertaken and will recommence in March 2021. This work builds on projects from previous years improving pedestrian access around the precinct.



Mersey Bluff – new priority 'wombat' crossing on William Street

- Action 4: Wayfinding signage has been installed throughout Market Square, including at the four entry points, to assist pedestrians moving around and through the area to find their destination. It is planned that this style of sign will be extended throughout the Waterfront Park.



- Action 7: Council secured funding to design and implement a program to encourage walking and riding to work. The 'Commuter Café' commenced in November 2020 and will continue into 2021.



- Action 9: A weekly walking program for seniors developed by Council's recreation staff commenced in November 2020. Groups have walked at Mersey Bluff, in the Don Reserve, at Coles Beach and around Miandetta.



- Action 11: Council delivered two projects in 2019-20 partly funded by the Department of State Growth's "Safer Roads: Vulnerable Road User" program:
 - Middle Road pedestrian facilities (\$30,000)
 - Lovett Street pedestrian facilities (\$60,000)

Funding for three projects has been secured for 2020-21 from the same program.

- Steele Street and Percy Street pedestrian improvements (\$35,000)
- Mersey Main Road safety improvements – Spreyton Primary School (\$104,000)
- Mersey Main Road safety improvements – Maidstone Park (\$68,000)

Funding for a further three projects has been secured from the Federal Government's *Local Roads and Community Infrastructure* Program:

- Ronald Street new footpath – Parker to Oldaker (\$44,000)
- Pioneer Park – Improved access from Thomas Street (\$50,000)
- Drew Street foreshore path link (\$25,000)

These projects closely align with the objective of the Strategy.

COMMUNITY ENGAGEMENT

Community engagement was not undertaken in the preparation of this report. However, consultation with relevant stakeholders is undertaken as part of the investigation of pedestrian related issues and the implementation of projects when appropriate.

Furthermore, multiple requests and enquiries regarding footpath and other pedestrian issues are received by Council. Each request receives a response based on its merits using the Strategy as a guide.

FINANCIAL IMPLICATIONS

The audit results to date have generated many potential projects. Projects have been prioritised using the path hierarchy and considered as part of future budget deliberations.

RISK IMPLICATIONS

Implementation of the Strategy action plan will ensure that the pedestrian network meets the requirements of the community into the future.

CONCLUSION

Progress has been made to implement the actions listed in the Devonport City Council Pedestrian Strategy 2016-2021 since its adoption in December 2016.

ATTACHMENTS

1. Pedestrian Strategy 2016-2021 - Action List - Year Four Status **[5.1.1 - 2 pages]**

5.2 USE OF LAND - 260 STEELE STREET DEVONPORT

Author: **Claire Jordan, Governance Officer**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council receive and note the report regarding 260 Steele Street and authorise the General Manager to negotiate and execute a lease for the property with the Men's Shed Devonport, subject to:

1. Crown Land approval to the sub-lease;
2. terms and conditions consistent with Council leases with similar community based organisations; and
3. incorporating an agreed portion of the vacant property into the existing lease with the Devonport Choral Society & Devonport Repertory Society.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.7.2 Encourage opportunities for active participation in community life

SUMMARY

Council has recently received requests from two external parties, Men's Shed Devonport and Communities Tasmania (Community Youth Justice North West). Both organisations have expressed interest in leasing facilities at 260 Steele Street, Devonport, once the area is vacated by its current tenant, Space Learning (Department of Education) in February 2021. These submissions were recently workshopped by Council and based on an assessment of the requirements and proposed use of the site by the two interested parties, it was determined that the Men's Shed Devonport is the preferred tenant.

BACKGROUND

Council leases Crown Land at 260 Steele Street. The current head lease expires 31 July 2021. The area is currently subject to two sub-lease agreements – one with the Department of Education for Space Learning, which terminates in February 2021, the other with the Devonport Choral Society & Devonport Repertory Society (combined), whose current lease expires on 30 June 2021. The Devonport Choral Society & Devonport Repertory Society have expressed interest in extending their lease term, and also extending their leased area to incorporate an adjacent area, containing a kitchen, meeting room and toilet facilities, or at least provision of access to these facilities.

The preferred tenant has expressed interest in leasing the site and some of its buildings once the Department of Education vacate the premises.

The Men's Shed currently operate from the Devonfield premises in Middle Road, but are required to vacate these premises, hence the requirement to find an alternative location to operate from.

STATUTORY REQUIREMENTS

Council must comply with its obligations contained within the Crown Land Head lease.

The Crown would need to give approval for the property to be sub-leased to the Men's Shed Devonport.

DISCUSSION

The Men's Shed Devonport have sought Council's assistance on numerous occasions recently to identify a suitable location for the siting of their facility, once their current location becomes unavailable. A resolution of Council was adopted in August 2020, to work with the organisation in an endeavour to assist in finding the Men's Shed an alternative venue for their operations. Council and the Men's Shed Devonport also have a partnership agreement in place.

A number of identified locations were deemed unsuitable for a variety of reasons, particularly however, sites located in close proximity to residential areas, whereby the machinery used in the Men's Shed workshop would likely pose a noise issue to local residents. Zoning issues under the planning scheme have also been encountered at alternative sites.

The site at 260 Steele Street was identified as a suitable location for the Men's Shed. It is to become vacant at the end of February 2021; is currently used for a similar purpose/activity as that proposed by the Men's Shed; generally, meets the current planning scheme zoning provisions; and is at a sufficient distance from residential areas that it would be unlikely to cause noise issues to neighbouring properties.

The site is also identified as conducive to access requirements, particularly for the organisation's older members, and has sufficient parking adjacent to the site. The Men's Shed Devonport have requested to utilise three of the existing on-site buildings, plus have access to the amenity facility, which includes toilets. The organisation potentially seeks to extend the current workshop area to incorporate their own toilet facility, crib room and office space, subject to Council (and Crown Land) approvals, and securing of funding. The organisation is looking to occupy the site long-term and to develop and tailor the facility to meet their needs.

COMMUNITY ENGAGEMENT

No community engagement has been undertaken as a result of this report.

FINANCIAL IMPLICATIONS

Council currently receive an administration fee from Department of Education (as the land is Crown land managed by DPIPWE, a "rental" cannot be charged to another State Government Department, but rather an administration fee may apply) plus a contribution towards the rates for the property. Dependent on the outcome of lease negotiations, there may or may not be a financial impact to Council in leasing the site to the Men's Shed Devonport. The Men's Shed Devonport are a not for profit organisation, providing a valuable community service, with income generating capability. A rental amount and an outgoings recovery charge will be determined as part of the lease negotiations, in accordance with terms and conditions applied to similar community based organisations.

RISK IMPLICATIONS

Council could be criticised for choosing one applicant over another.

Whilst the facilities currently located on-site are adequate for the operations of the Men's Shed, there is a risk that permits for new buildings or the extension of existing facilities may not be forthcoming, which will restrict the organisation to the current set up, particularly if membership numbers continue to grow.

CONCLUSION

In response to requests for assistance from the Men's Shed Devonport to find a suitable alternative location for their operations, and the identification of 260 Steele Street as a viable option, it is deemed appropriate for Council to enter into a lease agreement with the organisation for use of land and facilities at this site, subject to the obtaining of consent from Crown Land Services, as property owner. The Devonport Choral Society & Devonport Repertory Society have expressed interest in extending their existing leased area and this should be accommodated as part of negotiations with the Men's Shed.

ATTACHMENTS

Nil

5.3 DEVONPORT MOTOR SHOW - PARTNERSHIP AGREEMENT

Author: **Karen Hampton, Community Services Manager**

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

RECOMMENDATION

That Council approve the execution of the revised partnership agreement between Devonport Council and the Rotary Club of Devonport North.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 3.2.5	Support festivals, events and attractions that add value to the City's economy
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SUMMARY

To approve the Partnership Agreement between Rotary Club of Devonport North and Council relating to the Devonport Motor Show.

BACKGROUND

The Devonport Motor Show is an initiative of the Rotary Club of Devonport North and commenced in 2007 with 55 vehicles on display. It has grown to having over 600 display vehicles and attendances of up to 10,000 people. The event has also traditionally had children's entertainment, competitions, live music, trade exhibitors and food vendors.

Council has had a partnership agreement with the Rotary Club of Devonport North for several years to assist in the running of the event which includes a cash contribution towards marketing, marking and availability of the site (Roundhouse Park) and equipment hire. All money raised at the event is used by Rotary for community projects.

In 2020, the Devonport Motor Show was cancelled due to COVID-19 and the Organising Committee has been working towards holding the event, again, in its original capacity or a modified capacity due to the limitations that still exist as a result of COVID. Due to the current restrictions, the Committee have determined to revise the format of the Devonport Motor Show and instead hold a 'Devonport Motor Expo'. The Expo will be held on Friday 19th (evening), Saturday 20th and Sunday 21st of March 2021 at the paranple centre (level 3) as well as display cars in Market Square. The Expo will feature approximately 25 unique and rarely or never seen before vehicles which is expected to draw large interest. The event will be conducted in a COVID safe manner.

STATUTORY REQUIREMENTS

Details relating to the financial impacts of the Agreement will be included in Council's Annual Report each year in accordance with Section 77 of the *Local Government Act 1993*.

DISCUSSION

The revised 2021 Expo will be held on Friday 19th (evening), Saturday 20th and Sunday 21st March 2021 at the paranple centre (level 3) and Market Square. The paranple convention centre has been used in the past by the Devonport Motor Show to showcase elite and prestige cars and was seen to be a huge drawcard by the organising committee. They have therefore determined to hold the Expo over a longer period of time.

Attached is a revised Partnership Agreement which is in the same format and conditions as previous years with additional clauses relating to use of the paranapple centre. As the agreement is a rolling agreement, clauses have been retained relating to the use of Aikenhead Point and other Council areas for events held in the future.

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

The fees relating to the hire of level 3 paranapple centre for the revised Expo will be approximately \$6,000 which would be paid from the budget allocation in the 2020/21 Community Services ledger.

RISK IMPLICATIONS

There are no risks associated to this report.

CONCLUSION

The Devonport Motor Show is a key event on the Devonport/Tasmania calendar and is growing in national significance as well. Fully organised and run by the Rotary Club of Devonport North, it provides significant benefits back to the Devonport community and it is a worthy event for Council to continue to support.

ATTACHMENTS

1. Draft Devonport Motor Show partnership agreement Dec 2020 [**5.3.1** - 2 pages]

5.4 ANNUAL GENERAL MEETING GUIDELINES

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council endorse the attached guidelines for future Annual General Meetings noting the guidelines will be outlined in the meeting agenda and updated from time to time as required.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.2.1 Encourage community participation initiatives that supports two-way communication and consultation which results in increased engagement

SUMMARY

This report presents for Council's consideration meeting guidelines for future Annual General Meetings (AGMs).

BACKGROUND

To enhance the conduct of the 2020 AGM, additional attention was given to ensure participants understood the rules under which the meeting would be conducted, through the documentation of meeting guidelines (the Guidelines).

The Guidelines were consistent with requirements under the *Local Government Act 1993* and also gave consideration to the Annual General Meeting Good Practice Guidelines released in February 2018 by the Local Government Division (refer attached).

Whilst the development of the Guidelines could be considered administrative in nature, certain aspects did attract criticism from some AGM attendees along with subsequent media attention, and therefore the Guidelines are presented to Council for formal consideration regarding their use at future AGMs.

STATUTORY REQUIREMENTS

Council is required to conduct an AGM in accordance with section 72b of the *Local Government Act 1993*.

72B. Annual General Meeting

- (1) A council must hold an Annual General Meeting on a date that –
 - (a) is not later than 15 December in each year; and
 - (b) is not before 14 days after the date of the first publication of a notice under subsection (2).
- (2) A council must publish a notice in a daily newspaper circulating in the municipal area or other prescribed newspaper specifying the date, time and place of the Annual General Meeting.
- (3) If a quorum of the council is not present at an Annual General Meeting –
 - (a) the Annual General Meeting is to be reconvened and held within 14 days; and

(b) a notice is to be published in a daily newspaper circulating in the municipal area specifying the date, time and place of the Annual General Meeting.

(4) Only electors in the municipal area are entitled to vote at an Annual General Meeting.

(5) A motion at an Annual General Meeting is passed by a majority of votes taken by a show of hands or by any other means of ascertaining the vote the council determines.

(6) A motion passed at an Annual General Meeting is to be considered at the next meeting of the council.

(7) The general manager is to keep minutes of the Annual General Meeting.

DISCUSSION

Guidelines have been prepared to clarify the manner in which Council will conduct its AGM (refer attached).

Clear guidelines outlined in the AGM agenda and summarised by the Chair at the start of the meeting will ensure that participants are aware of meeting protocol and are given equal opportunity to participate in a respectful manner.

The Guidelines include an item, that any motions be provided prior to the meeting for inclusion in the agenda. This allows the community an opportunity to know in advance the matters being considered at the AGM.

Ensuring items of business are listed on an agenda is standard practice at the AGM of most organisations, from listed companies through to small community groups and is considered a further step in improving the openness of Council business, above accepted statutory requirements.

It should be noted that as occurred at the 2020 AGM, meeting participants are able to ask questions without providing notice and that under the Guidelines only motions are required to be provided for the agenda.

COMMUNITY ENGAGEMENT

The requirement to list motions in advance applied at the 2020 AGM and Council have received robust feedback both for and against the requirement.

FINANCIAL IMPLICATIONS

There is no direct financial impact from adopting the Guidelines

RISK IMPLICATIONS

Not having clear guidelines for the conduct of Council's AGM, could result in participants not being aware of the appropriate meeting protocols.

CONCLUSION

The 2020 AGM guidelines assisted in ensuring an orderly meeting and it is recommended that a similar approach be applied to future AGMs.

ATTACHMENTS

1. DCC AGM Guidelines [5.4.1 - 1 page]
2. Annual General Meetings Good Practice Guidelines_-_ February 2018 [5.4.2 - 3 pages]

6 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

Author: **Jacqui Surtees, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

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

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
14 December 2020	Touch Football	Discussion regarding a proposed national touch football carnival
	260 Steele Street	Discussion regarding lease options
	Christmas Activities	The Community Services Manager provided Councillors an update on Christmas activities being undertaken
	University of Tasmania	Information update to Council
	Digital Transformation	An overview of the digital transformation undertaken by Council over the last two years
	Section 23 Committees	Discussion regarding future requirements
	AGM Guidelines	Review of 2020 AGM Guidelines and discussion regarding future use
	Leasing Arrangements – Providore Place	An update on the status of leasing arrangements at Providore Place

6.2 MAYOR'S MONTHLY REPORT

RECOMMENDATION

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

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 18 November and 15 December 2020:

- Council Meetings
- Workshops
- Regular meetings with General Manager
- Catch ups with staff members and councillors as required.
- Met with Community members on a range of topics
- Media as requested: Aaron Stephens (Tasmania Talks) (x2), Libby Bingham (The Advocate), Belinda King (ABC Radio), Leah McBey (The Advocate), Mel Bush (ABC Radio), Darren Kerwin (7AD), Lee & Jess (SeaFM)
- Attended Youth, Family & Community Connections (YFCC) 40th Anniversary celebration
- Attended Australian Local Government Women's Association (ALGWA) Tas committee meeting
- Attended official opening of the Devonport Gymnastics Centre
- Attended Devonport Brass Band end-of-year concert
- Attended official opening of Headspace's new premises
- Hosted Their Excellencies, Governor General David Hurley and Mrs Hurley during their visit
- With the General Manager, attended Dulverton Representatives Annual General Meeting
- Guest Speaker at Devonport Lions Club meeting
- Attended the first Advent Art Installation in 4 Ways
- Officially launched the new all abilities play equipment at The Bluff playground
- Attended Tasmanian Suicide Prevention Committee meeting

- Attended Local Government Association Tasmania (LGAT) General meeting and forum
- Met with Members of Apex Regatta Committee
- Attended Opening and Announcement of the Winner of Tidal 2020
- Attended presentation of Recognition Awards to Tasmanian Fire Service Volunteers, for their service during mainland bushfires
- Participated in Christmas in the East 2020 event
- Attended Mersey Leven Emergency Management Committee meeting
- Attended Devonport Chamber of Commerce and Industry (DCCI) end of year function
- Met with support agencies at East Devonport Child & Family Centre
- Attended Indie School End of Year Recognition Ceremony
- With the General Manager, met with Shane Broad MP and Anita Dow (MP)
- Attended the Official Opening of the Devonport Country Club
- Attended Spreyton Primary School end of year assembly

ATTACHMENTS

Nil

6.3 GENERAL MANAGER'S REPORT - DECEMBER 2020

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council:

1. receive and note the report of the General Manager; and
2. resolve to update its Committee Policy to discontinue the Governance, Finance and Community Services and the Infrastructure, Works and Development Committee Meetings referring relevant business direct to the Ordinary Meeting

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 18 November and 15 December 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, Section 23 Committee and Council Meetings as required.
- 1.3. With the Mayor, as Council's TasWater Owner Representative met with a community member regarding concerns relating to TasWater.
- 1.4. Attended a special meeting of the Audit Panel, to consider Council's debt management strategy.
- 1.5. Met with Directors from consulting firm KPMG for an update on changes to their Tasmanian Management structure and a briefing on their capabilities and resources within the State.
- 1.6. As Owners Representative, attended the AGM and the Representatives General Meeting of the Dulverton Waste Management Authority.

- 1.7. Attended the launch of the all-abilities play equipment at the Mersey Bluff. The project was funded by the Tasmanian Community Fund and Board Director, Alex McKenzie was in attendance and spoke about the role and importance of the Fund.
- 1.8. Met with the CEO of Dulverton Waste Management to discuss procurement options relating to the construction of their new composting facility.

2. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 2.1. Attended the official opening of Headspace's new offices in Oldaker Street
- 2.2. Attended a civic reception at the paranapple centre and a community luncheon at the Devonport RSL as part of a visit to Devonport by the Governor-General, His Excellency David Hurley and Mrs Hurley.
- 2.3. Met with a resident from East Devonport in regard to some community concerns.
- 2.4. With the Mayor, met with representatives from the Devonport Apex Regatta Association regarding the 2021 regatta.
- 2.5. With the Mayor, met with the developers of the recently approved Cameray Street subdivision to discuss potential Council contribution to infrastructure upgrades.
- 2.6. With the Mayor, met Dr Nwaba regarding the development of a medical facility in Oldaker Street.
- 2.7. Attended the opening of the Devonport Country Club.

3. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

- 3.1. As Tasmanian Director, attended National Board meeting, one day virtual conference and strategic planning session of LG Professionals Australia.
- 3.2. Attended the LGAT General Meeting and one day conference in Hobart.

4. STATE AND FEDERAL GOVERNMENT PROGRAMS

- 4.1. As part of the State Board of LG Professional attended a briefing session with the Local Government Minister, Mark Shelton MP.
- 4.2. With the Mayor met State Braddon MP's Shane Broad and Anita Dow to discuss the LIVING CITY Sound and Light Show and replacement of the Spirit of Tasmania ferries.

5. OTHER

- 5.1. The first of the two planned Twilight Christmas Markets was held at Providore Place on Friday 4th December from 4.00pm to 8.00pm.

The event was strongly supported by a broad cross-section of the community, with 34 Stallholders participating. The Crescendo Choir and the Devonport Brass Band also participated, and the Lions Club of Mersey Devonport assisted with attendee sign-in as part of the COVID-19 Event Safety plan with the Club provided with a stall location for their 2020 Christmas Raffle.

Hardcopy sign-in records (required for contact tracing as part of the COVID Event Plan) recorded 1,738 attendees to the market stalls area, with an additional quantity utilising the new Check-in Tas app recently launched by the State Government, and other attendees participating in the outdoor street eats offering only.

Following completion of the second market on the 18th December, a review will be undertaken to inform future market activities at the venue.

- 5.2. Section 23 Committees – Council has had a Committee Policy in place since 2014, and in November 2018 resolved to continue with the Committee structure outlined in the Policy, appointing new Councillors to each of the Section 23 Committees.

With the onset of COVID-19 in March 2020, Council suspended the Infrastructure, Works and Development and Governance, Finance and Community Services Committee Meetings. The suspension of these Committees has continued for the duration of 2020 with all business previously referred to Committee Meetings being considered directly by the whole of Council at monthly Ordinary Meetings. This has resulted in a more streamlined process and reduced unproductive administrative overhead.

Following discussion at the December workshop, Councillors concurred this process was proving effective and agreed to continue the revised structure in 2021.

A recommendation to formalise this change by updating the Council Committee Policy, is included as part of this report.

- 5.3. The planned 2021 meeting schedule (subject to adjustment for public holidays) is proposed as a Workshop on the second Monday of each month and the Ordinary Meeting of Council on the fourth Monday of each month.

In addition, Planning Authority Committee meetings and additional Workshops will be convened as required.

A public notice advising of the 2021 meeting dates will be placed in the newspaper in early January.

- 5.4. The General Manager will be on Annual Leave from 4 January until 15 January 2021, during which time the Deputy General Manager, Jeff Griffith will undertake the role of Acting General Manager.

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 & Previous Minutes Resolutions - December 2020 [**6.3.1** - 1 page]

6.4 UNCONFIRMED MINUTES - CRADLE COAST AUTHORITY REPRESENTATIVES MEETING - 12 NOVEMBER 2020

Author: **Jacqui Surtees, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council receive and note the unconfirmed minutes of the Cradle Coast Authority Representatives meeting, including the 2020 Annual General Meeting, which was held on 12 November 2020.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

To provide Council with the unconfirmed minutes of the Cradle Coast Authority Representatives meeting including the 2020 Annual General Meeting, which was held on 12 November 2020.

BACKGROUND

As a member of the Cradle Coast Authority, Council is provided with a copy of the minutes.

STATUTORY REQUIREMENTS

There are no statutory requirements which relate to this report. Under the Authority's Rules, minutes of Representatives meetings can be considered by Council in open session.

DISCUSSION

The unconfirmed minutes of the Cradle Coast Authority Representatives meeting which was held on 12 November 2020 are attached for consideration.

From the minutes it is noted:

- The Annual Report was presented to representatives.
- Latrobe Mayor Peter Freshney was appointed as the new Chief Representative.
- M Duniam and D Quillam were nominated for Deputy Chief Representative, and following a ballot, M Duniam was appointed to the position.
- The CEO provided a quarterly progress report and C Smith provided a quarterly financial report.
- Mayor Kons provided an update from West by North West.
- C Smith provided an update on the Australian school based apprenticeship positions recently advertised.

- The CEO provided an update on the Coastal Pathway.

COMMUNITY ENGAGEMENT

No community engagement was required for this report.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONCLUSION

The unconfirmed minutes of the Cradle Coast Authority Representatives meeting, including the 2020 Annual General Meeting, which was held on 12 November 2020, are presented.

ATTACHMENTS

1. Unconfirmed Minutes CCA Representative 12/11/2020 [**6.4.1** - 6 pages]

6.5 UNCONFIRMED MINUTES - DEVONPORT CITY COUNCIL AUDIT PANEL

Author: **Jacqui Surtees, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council receive and note the unconfirmed minutes of the Audit Panel meetings held on 16 November 2020 and 8 December 2020, and endorse the reviewed Charter.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.6.3 Provide internal and external audit functions to review Council's performance

SUMMARY

To report the unconfirmed minutes of the Audit Panel meetings held on 16 November 2020 and 8 December 2020.

BACKGROUND

The Audit Panel is in place to assist Council in fulfilling its oversight responsibilities by providing independent advice and assurance regarding the Council's financial management, risk management, internal control and compliance framework.

In late 2014, Council determined to establish a shared Audit Panel with Central Coast Council.

The Audit Panel of each council comprises two elected members and two independent members. The independent members are appointed jointly by both councils to be shared between each council's Audit Panel.

At the February 2019 Council meeting, it was determined that each audit panel should continue to meet independently, and that the Shared Audit Panel would only meet on an as required basis (Min No 36/19 refers).

STATUTORY REQUIREMENTS

All councils must have Audit Panels that operate in accordance with Part 8 of Division 4 of the *Local Government Act 1993* (the Act) and the *Local Government (Audit Panels) Order 2014*.

DISCUSSION

The unconfirmed minutes of the Devonport City Council Audit Panel meeting held on 16 November 2020 are attached for information. Matters discussed at the meeting include:

- Review of the Audit findings for 2019/20
- Review of the shared panel arrangements and the Committee Charter – the panel determined to continue with the current shared panel arrangements until the next review in December 2022. Only minor administrative changes have been made to the Charter.
- Council's digital transformation over the last two years
- An update on openness and transparency and the policies recently endorsed by Council
- A wrap up of the Annual General Meeting

- An update on interest rate swaps

The Audit Panel held a special meeting on 8 December 2020 to discuss the current Debt Management Strategy in light of the interest rate swap maturing on 4 January 2021. The minutes of that meeting are included as a confidential attachment to the Agenda.

COMMUNITY ENGAGEMENT

Community engagement was not required for the preparation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report

RISK IMPLICATIONS

- Political/Governance
The Audit Panel plays a key oversight role in Council's risk management activities providing elected members with an extra level of comfort that the systems in place are adequate. Within its charter, the primary objectives of the Audit Panel are to consider whether:
 - the annual financial statements of the Council accurately represent the financial position of the Council;
 - the Strategic Plan, Annual Plan, Long Term Financial Management Plan and the Long-Term Strategic Asset Management Plans of the Council are integrated and the processes by which, and assumptions under which, those plans were prepared are sound and justified;
 - the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that the Council has in relation to safeguarding its long-term financial position are appropriate;
 - the Council is complying with the provisions of the Act and any other relevant legislation;
 - all strategic and business risks affecting the Council are identified and assessed, and the effectiveness of mitigation controls evaluated; and
 - the Council has taken any action in relation to previous recommendations provided by the Audit Panel to the Council.

CONCLUSION

The information contained in the report and the minutes of the Audit Panel meetings held on 16 November 2020 and 8 December 2020 are presented to Council. The Charter has been reviewed and is presented for approval with only minor administrative changes.

ATTACHMENTS

1. Unconfirmed Audit Panel Minutes - 16 November 2020 [**6.5.1** - 5 pages]
2. Audit Panel Charter December 2020 [**6.5.2** - 7 pages]

6.6 INFRASTRUCTURE AND WORKS REPORT

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

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

RECOMMENDATION

That Council receive and note the Infrastructure and Works report.

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 October and November 2020.

BACKGROUND

This report is provided to update the Councillors and the community on matters of interest relating to Council's Infrastructure and Works Department. The functional areas of Council covered by this report are:

- Asset management program (forward planning and maintenance)
- Capital works
- Roads and paths
- 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 October and November, progress was made on the Capital Works Program. The Capital Works Income & Expenditure Report November 2020 is attached to this report.
- 1.2. Installation of inclusive play equipment at the Mersey Bluff playground is complete. The facility was opened in November, attended by Councillors, the Tasmanian Community Fund, Central Coast Rotaract Club and the Rotary Club of Devonport.



- 1.3. The renewal of Wright Street has commenced, with work progressing according to the program. Wright Street will remain closed between Tarleton Street and Torquay Road until the work is complete.



- 1.4. Work on the path renewal in the Don Reserve is underway. Work includes safety improvements to three railway crossings on the Don River Railway line.



- 1.5. Construction of the new Meercroft Park Pavilion is continuing. Services were installed from William Street to the site, while work on the building continues. Completion is expected in January 2021



- 1.6. The electric vehicle charging station in the multi-level car park is complete and available for use.

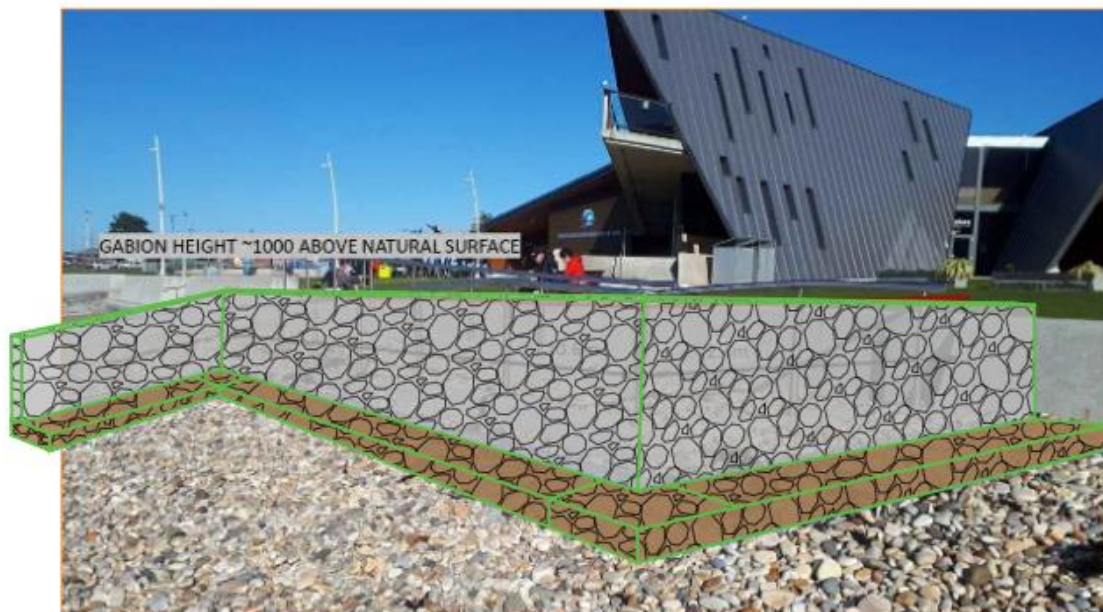


- 1.7. The Spreyton Waste Transfer Station e-waste shelter is complete. This shelter allows e-waste like TVs and computers to be stored out of the weather, meaning the salvaged materials are in good condition.



- 1.8. A budget allocation was made for a new accessible beach ramp at Bluff Beach. The site was assessed by Council staff and consultants. A preliminary design was prepared for a new ramp, which was estimated to cost considerably more than the \$100,000 allocation and did not include decommissioning of the existing ramp.

Modifications to the existing ramp are favoured, which involve installation of rock gabions in front of and beside the existing ramp, offering protection from shingle being washed over it. This option is likely to mean the ramp is accessible most of the year, with only minor maintenance required, and can be delivered well within the available budget. Work is scheduled for February 2021.



- 1.9. Asphalt and spray seal reseal programs have commenced and will continue in December.
- 1.10. Work to commence in December and January includes:
- Mersey Vale Memorial Park signage upgrades
 - Steele Street and Percy Street intersection improvements
 - Mersey Main Road safety improvements at Spreyton Primary School and Maidstone Park
 - Bridge Road renewal

2. Management

- 2.1. Measures implemented to comply with COVID-19 pandemic restrictions on physical contact and proximity remain in place as part of Council's COVID safe work plan. Measures include social distancing in office spaces and break rooms. This requires some staff to work remotely and for changes to break room facilities. Hygiene measures, such as the provision of hand sanitiser and more frequent cleaning remain in place.

Remaining measures will be in place until government regulations change. Risk assessments will be undertaken to ensure the timing of the roll back of these changes is appropriate.

- 2.2. The 12 project proposals endorsed by Council in July (Min 20/34 refers) and submitted to the Federal Government's Local Road and Community Infrastructure (LRCI) Program have been approved and work has begun on the projects, which are required to be completed by 30 June 2021.

Notably the purchase and installation of the new Christmas tree and the Don Reserve path renewal between Parker Street and Nicholls Street have been completed.

- 2.3. Submissions are being prepared for 5 projects for the LCRI program extension endorsed by Council in November (Min 20/138 refers) and will be made once a Grant is executed.
- 2.4. Two road safety funding programs accepted submissions in November. Council has made two submissions to the State Government's Safer Rural Roads program:
- Kelcey Tier Road safety improvements
 - Forth Road safety improvements (also submitted as a black spot nomination)



Address run-off road crashes and night time crashes

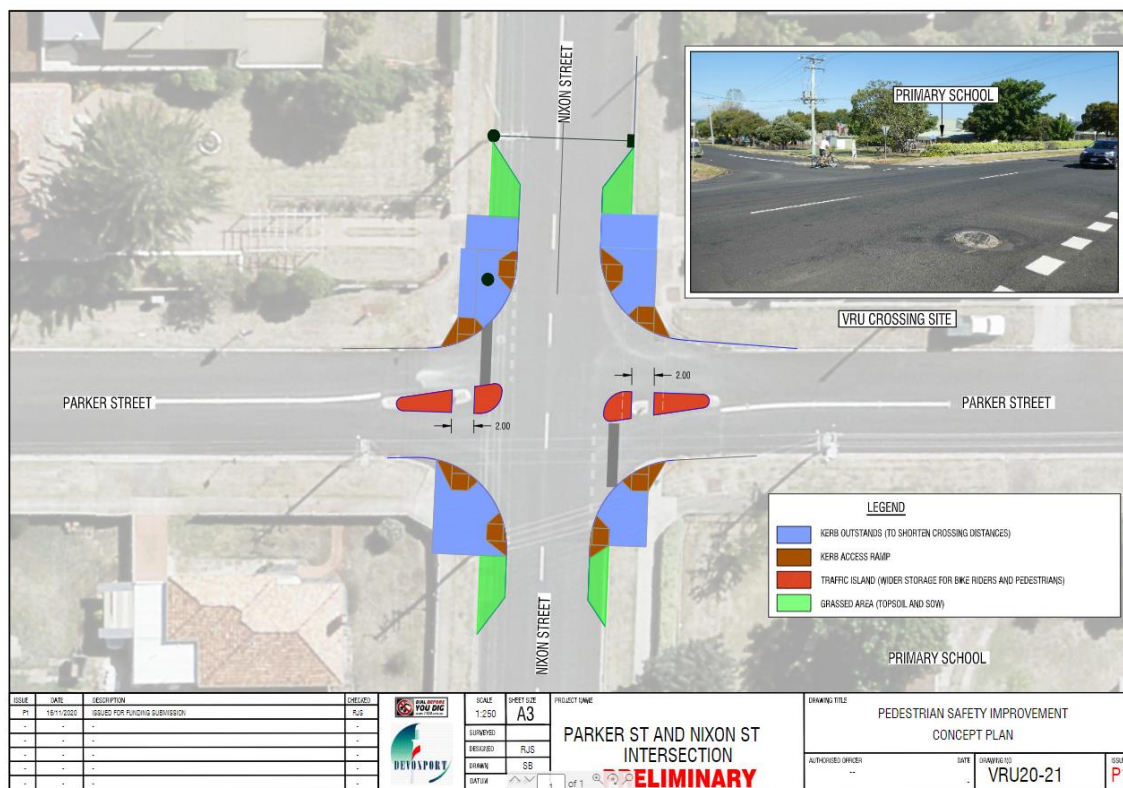
- ① Improve roadside edges by road shouldering and drivable endwalls
- ② Improve delineation by re-establishing edgelines and installing guideposts
- ③ Upgrading lighting at key intersections



**FORTH ROAD - WEST OF CUTTS RD
BLACK SPOT LINK IMPROVEMENTS**

Two submissions have been made to the State Government's Vulnerable Road User program:

- Forbes Street pedestrian safety improvements
- Parker Street and Nixon Street pedestrian safety improvements



- 2.5. Council has entered into an agreement with Aurora Energy for gas supply to Splash Aquatic Centre and the paranapple centre for 2021. This agreement will provide Council with a cost saving compared to current rates.
- 2.6. Council submitted two nominations to the inaugural IPWEA Tasmania Excellence Awards.
- Excellence in Public Works Project - MVMP Children's Memorial Pavilion
 - Excellence in Asset Management, Innovation or Sustainability – Project Transform

Unfortunately, the projects did not receive an award, but Council's support of the event was appreciated by IPWEA.

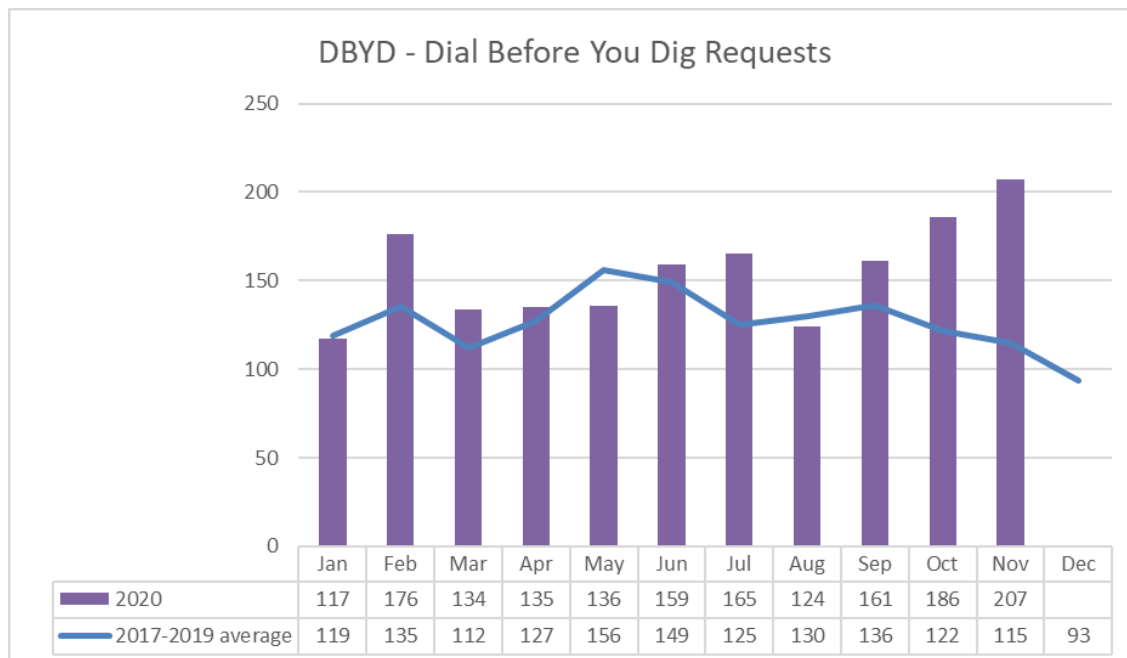
- 2.7. Maintenance schedules at East Devonport Recreation Centre, Home Hill, Mersey Bluff and Market Square were adjusted to ensure that those areas were suitable for the visit by the Governor-General in November.

- 2.8. Consultation on a proposal to rename part of David Street, East Devonport to 'North David Street' has commenced. Feedback has been sought from residents, emergency services and Australia Post. A report will be provided to Council in early 2021 to advise the outcome of the consultation process.



3. Assessments and Approvals

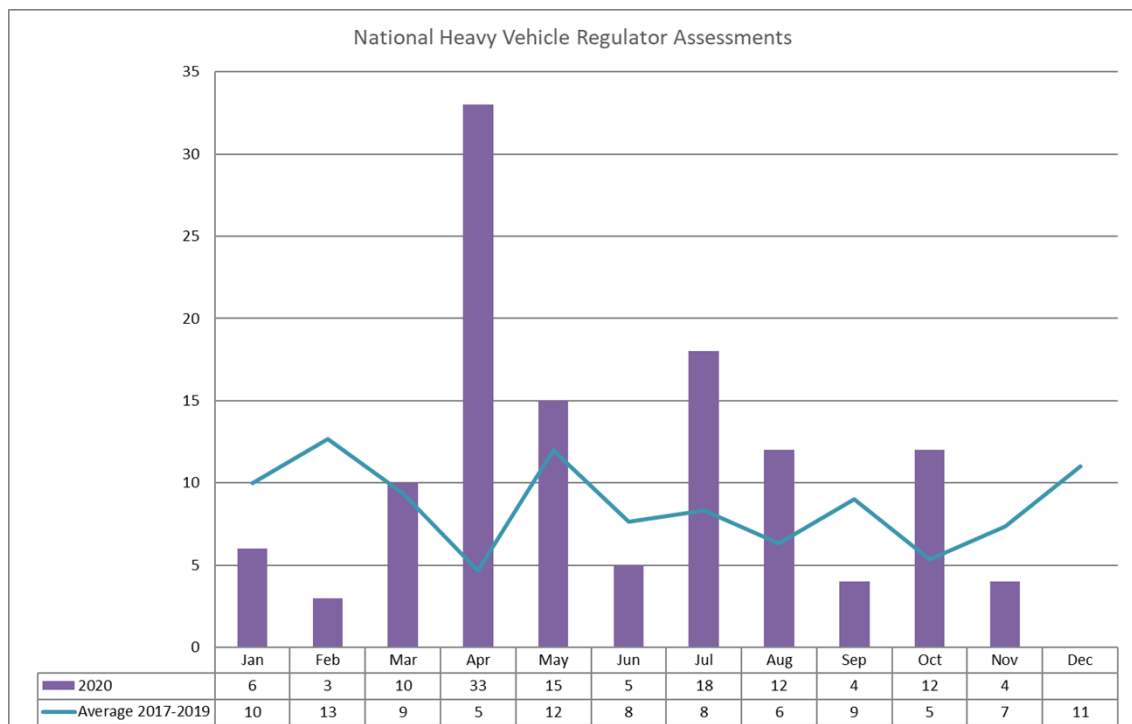
3.1. The following graph details the Dial Before You Dig Requests that have been assessed by the Infrastructure and Works Department this year compared to previous years:



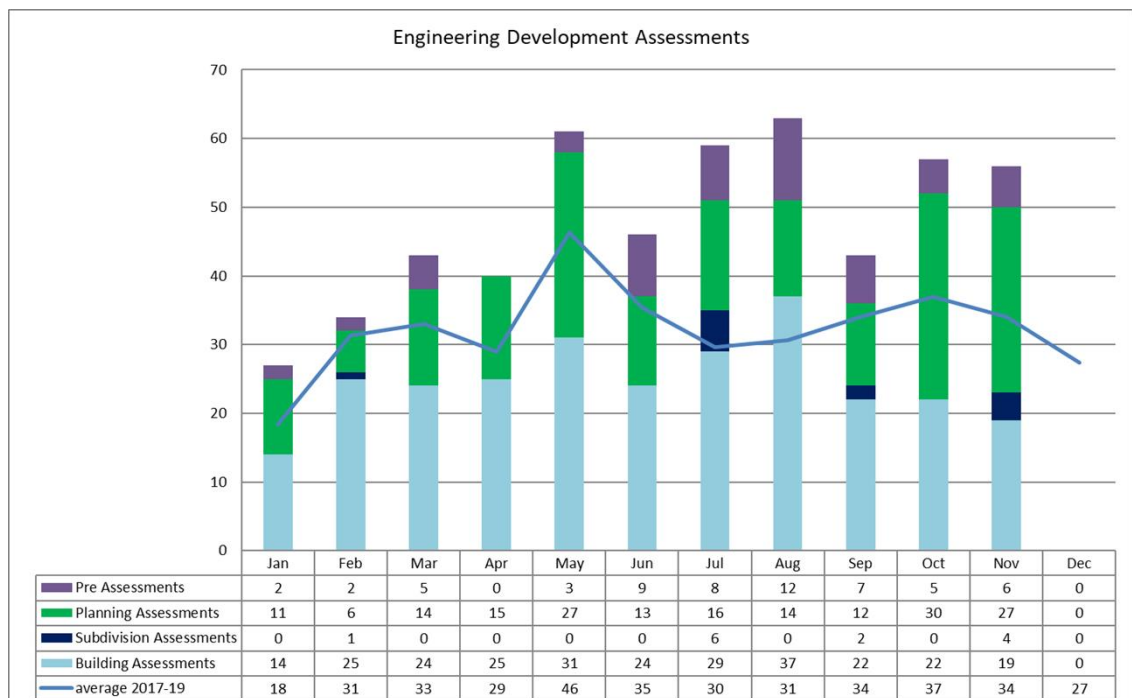
3.2. The following is a summary of the projects capitalised in the period since the last report:

Number of projects capitalised in period	2
Total value of capitalisations in period	\$0.14M
Total value of Works in Progress (WIP) as at 30 Nov	\$14.00M
Donated Asset Capitalised (Subdivisions) in period	\$3.40M
Number of projects awaiting capitalisation next period	19

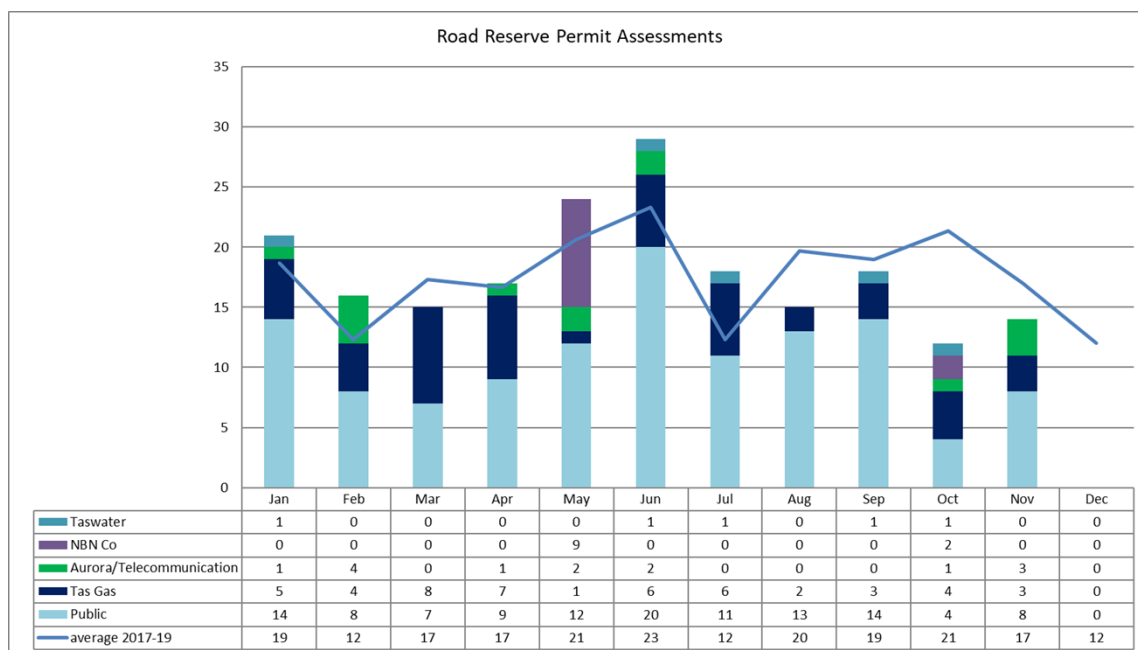
3.3. The following graph details the National Heavy Vehicle Regulator Assessments that have been issued this year compared to previous years:



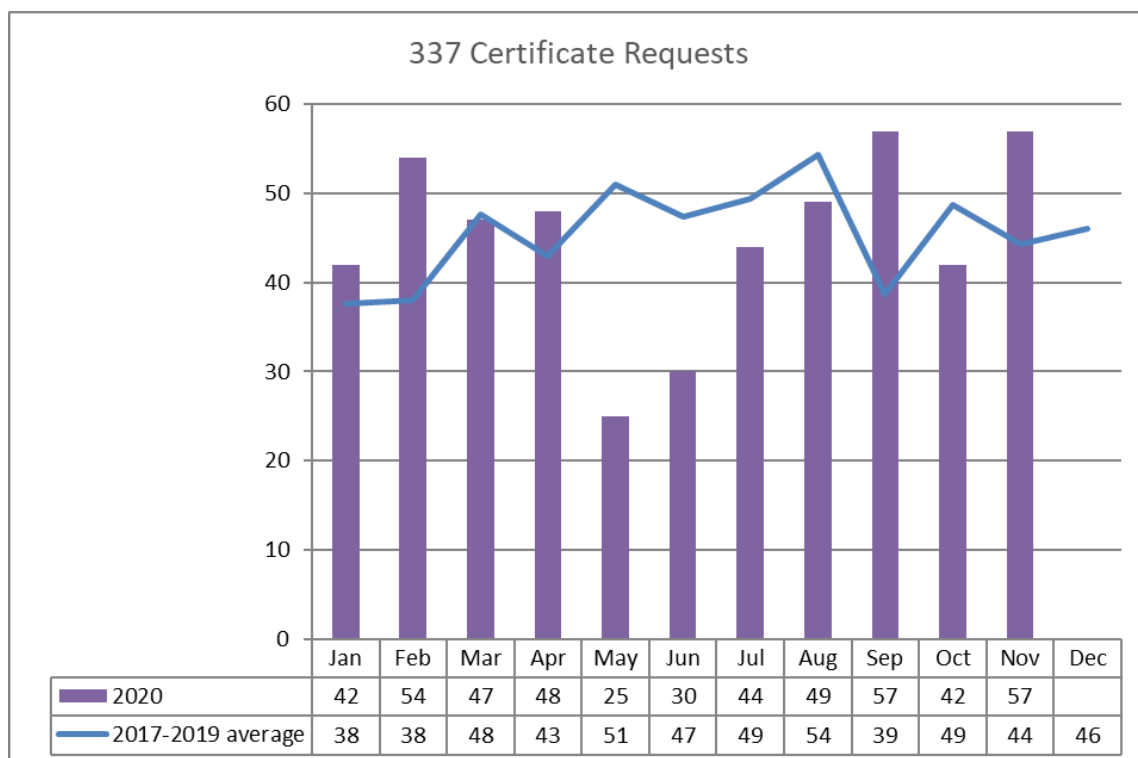
3.4. The following graph details the Engineering Assessments for Development Applications that were completed this year compared to previous years.



3.5. The following graph details the Road Reserve Permit Assessments that were completed this year compared to previous years.



3.6. The following graph details the 337 Certificate 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 - 1320 Weed Control	1/07/2018 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 months was accepted.	\$107,180 per annum	Steeds Weeds Solution
Contract – 1321 Roadside Mowing	1/07/2018 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 months was accepted.	\$65,250 per annum	Mareeba Trust
Contract - 1334 Money Collection Service	1/9/2019 option 1+1	The original contract signed in August 2019 was for a 12 month period and had an option for two 12 month extensions. Further to a review the option for the additional 12 months was accepted.	\$52,490 per annum	Thomas Paul Security

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
Contract 1338 Supply & Delivery of Pre-Mixed Concrete	1/7/20 to 30/6/21 plus two extension options	Two 12-month extensions	Nominally \$51,262 per annum	Hazell Bros Group Pty Ltd

5. Works Management

- 5.1. Condition data has been collected for roads and parks assets, with buildings and stormwater scheduled for 2021. This data is vital in developing long term renewal and maintenance programs that best prioritise Council's available budget. The capability developed through the implementation of 'Project Transform' enables this data to be managed, maintained and analysed within Council's Asset Register.

6. Civil Works and Stormwater Maintenance

- 6.1. Maintenance in accordance with the Service Level Document, undertaken in October and November included:
- Repair to tree guards in Eastside Village
 - Stormwater maintenance on Tugrah Road and Collins Way
 - Road repairs in Kelcey Tier Road and Old Stony Rise Road
- 6.2. In December and January, planned civil works and stormwater maintenance works will include:
- Footpath repairs throughout the City
 - Road patching through the City

7. Parks and Reserves Maintenance

7.1. Maintenance in accordance with the Service Level Document, undertaken in October and November included:

- Completion of planting in the Formby Road garden bed
- Installation of Christmas decorations
- Replanting for the garden bed on William Street near Devonport High School
- Scheduled maintenance of sports fields including verti-draining, top dressing, over sowing with rye grass and fertilising

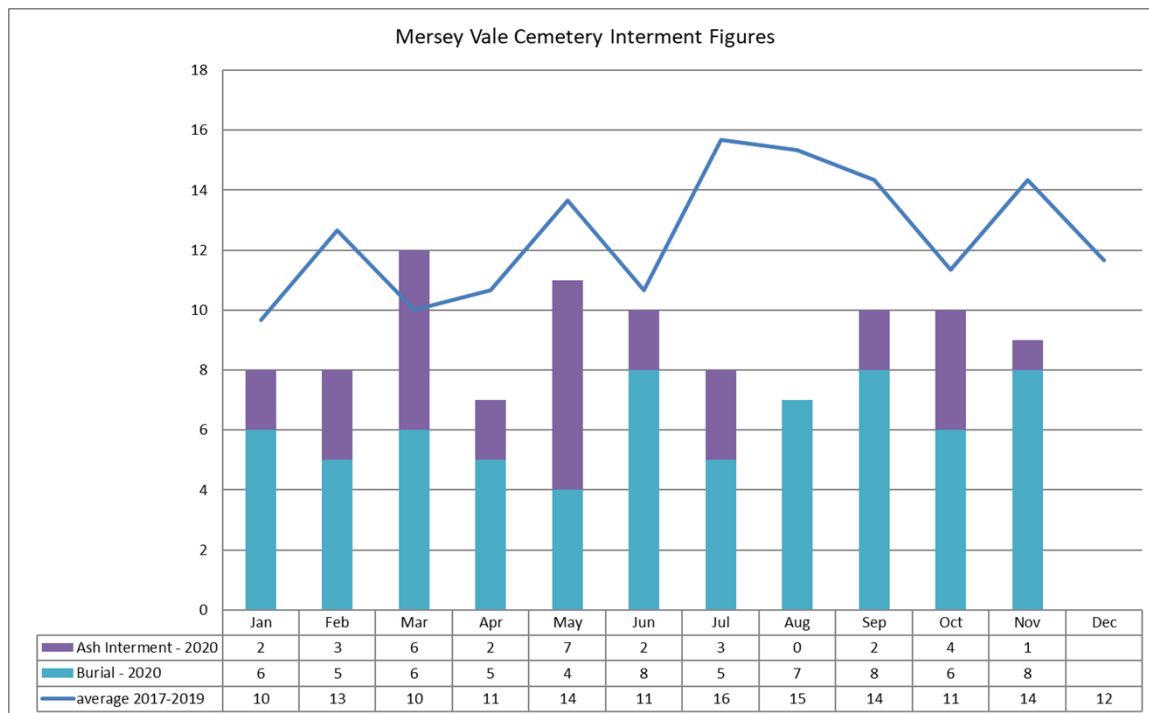


7.2. In December and January, planned parks and reserves maintenance works will include:

- Commencement of tree watering program in parks and streets
- Inspections of firebreaks in Kelcey Tier and Don Reserve
- Vegetation clearing and maintenance of the Maidstone Park BMX track

The Parks and Reserves team would normally be required to prepare Devonport Oval for the cycling and athletic carnival which has unfortunately been cancelled this year.

7.3. Mersey Vale Memorial Park interment figures compared to previous years are as follows:



8. Building and Facilities Maintenance

8.1. Maintenance in accordance with the Service Level Document, undertaken in October and November included:

- Installation of the new Christmas Tree in Rooke Street Mall
- Reuse of the older Christmas Tree as an indoor display in Providore Place
- Stain BBQ shelters at Coles Beach
- Stain timber at Vietnam Veterans Memorial Park public toilets
- Install a commercial sink in the Don Memorial Hall kitchen, which was required by a Food Safety Assessment allowing the market operator to cook and sell a wider variety of food.



8.2. In December and January, planned building and facilities maintenance works will include:

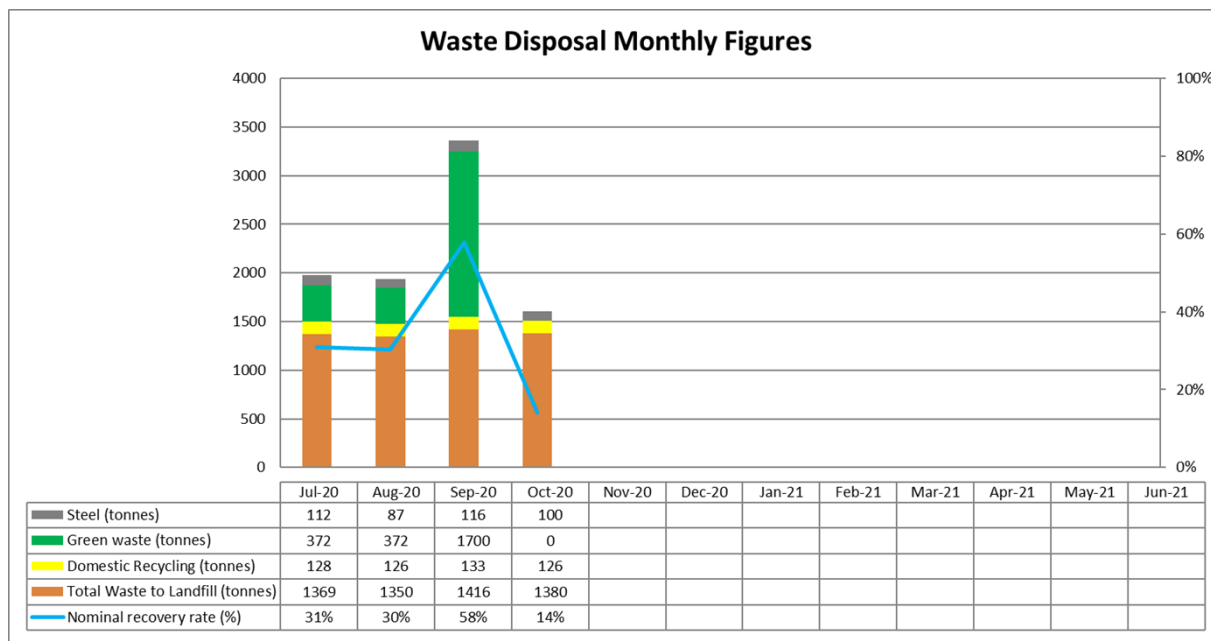
- Pest control

- Staining and painting at Pioneer Park public toilets
- Remove Christmas tree and decorations

The building team would normally assist with Council's New Year Eve and other events that have unfortunately been cancelled this year.

9. Waste Management Operations

9.1. Waste Management Services were conducted in accordance with the Service Level Document during October. November volumes had not been invoiced at the time of reporting. The following graph details the major waste disposal streams from the Spreyton Waste Transfer Station.



Waste volumes from the domestic collection and through the WTS gate are higher than previous years, which increases the cost of operating the WTS, while a comparatively small increase in revenue is obtained through gate fees.

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 risks that result in an issue to Council will be the subject of a separate report.

CONCLUSION

This report is provided for information purposes only and to allow Council to receive an update on activities undertaken by the Infrastructure and Works Department.

ATTACHMENTS

1. 20201130 Capital Works Summary [6.6.1 - 3 pages]

6.7 DEVELOPMENT AND HEALTH SERVICES REPORT

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

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

RECOMMENDATION

That Council receive and note the Development and Health Services Report.

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 October and November 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* (until 18 November 2020)
- *Tasmanian Planning Scheme – Devonport 2020* (from 18 November 2020)
- *Work Health and Safety Act 2012*

DISCUSSION

1. State Planning Scheme/Local Provisions Schedules

The Tasmanian Planning Commission (the Commission) recommended the draft Devonport Local Provisions Schedule (LPS) to the Minister for Planning for official approval.

Once the Devonport LPS was formally approved and declared effective, the Tasmanian Planning Scheme came into effect for the Devonport local government area on Wednesday 18 November 2020.

Devonport is the second local council in the State to implement the new state-wide planning scheme.

2. Planning

2.1. The Tasmanian Planning Commission (TPC) launched a new website on 4 November 2020.

The website has combined information relating to the Commission, its assessment processes and current assessments, into one website.

Active and recently completed assessments and hearings can also be found on the new TPC website.

The website address is: www.planning.tas.gov.au

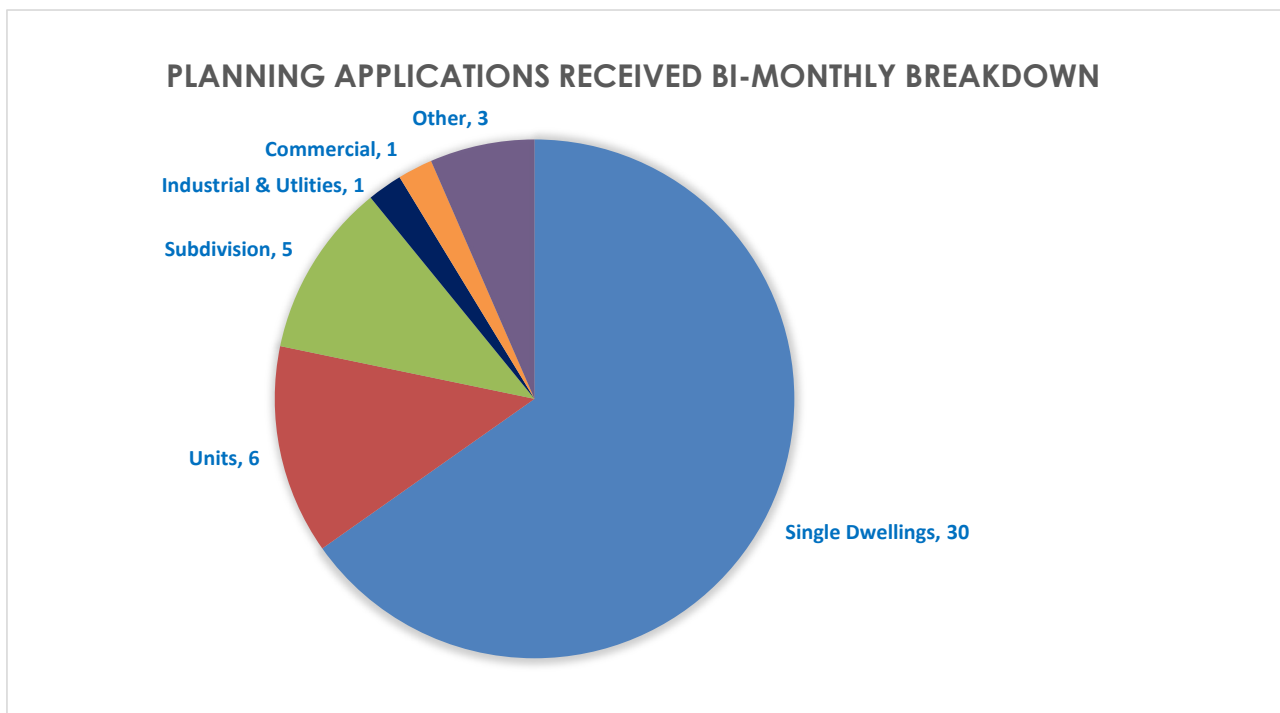
2.2. The State Government has undertaken work to determine where the current building and construction regulatory framework can be improved. The first of these reforms became effective on 30 November 2020. The changes include:

- Activating a valid planning permit: In order to ensure planning permits have a clear date of activation, the *Land Use Planning and Approvals Act 1993* (the *Act*) has been amended to provide for timeframes in which a council must issue a fee following the lodgement of a planning application and the date upon which the application is then made valid.
- Section 51A (Fees payable for application) of the *Act* has been inserted to provide a 4-business day period in which the council must advise the applicant of the fee payable, and if there is a failure to do so, allow the prescribed assessment period to commence on the fifth day following lodgement. This reform is intended to ensure planning applications are activated in a timely and predictable manner across the State.
- Minor amendments to planning permits: The *Act* has been amended to provide a statutory timeframe for councils to determine minor amendments to planning permits where previously there was no statutory timeframe.
- Section 56 (Minor Amendments of permits issued by a planning authority) of the *Act* has been amended by inserting a provision requiring councils receiving a minor amendment to a planning permit amend or refuse to amend the permit within 28 days. This reform is intended to ensure minor amendments to planning permits are determined in a timely and predictable manner.
- Planning permit conditions: The *Act* has been amended to introduce a new statutory timeframe for councils and all nominated regulatory authorities which impose conditions on planning permits to determine if those conditions have been met or not.
- Section 60 (Timing of determination of compliance with certain permit conditions) of the *Act* has been inserted and requires the council to advise the applicant whether or not the council is satisfied that a planning condition has been complied with within 20 business days. This reform is intended to ensure planning conditions are determined in a timely and predictable manner.
- Requests for additional information (RFI) by councils: The *Act* has been amended to reduce the timeframe councils have to respond to the

applicant in relation to the receipt of further information (RFI) that has been requested by the council.

- Section 54 (Additional Information) of the Act has been amended to reduce the time for processing RFI responses from 14 calendar days to 8 business days. This reform is intended to provide the applicant with a more timely response from council as to whether or not the information they have provided to council satisfies the RFI.

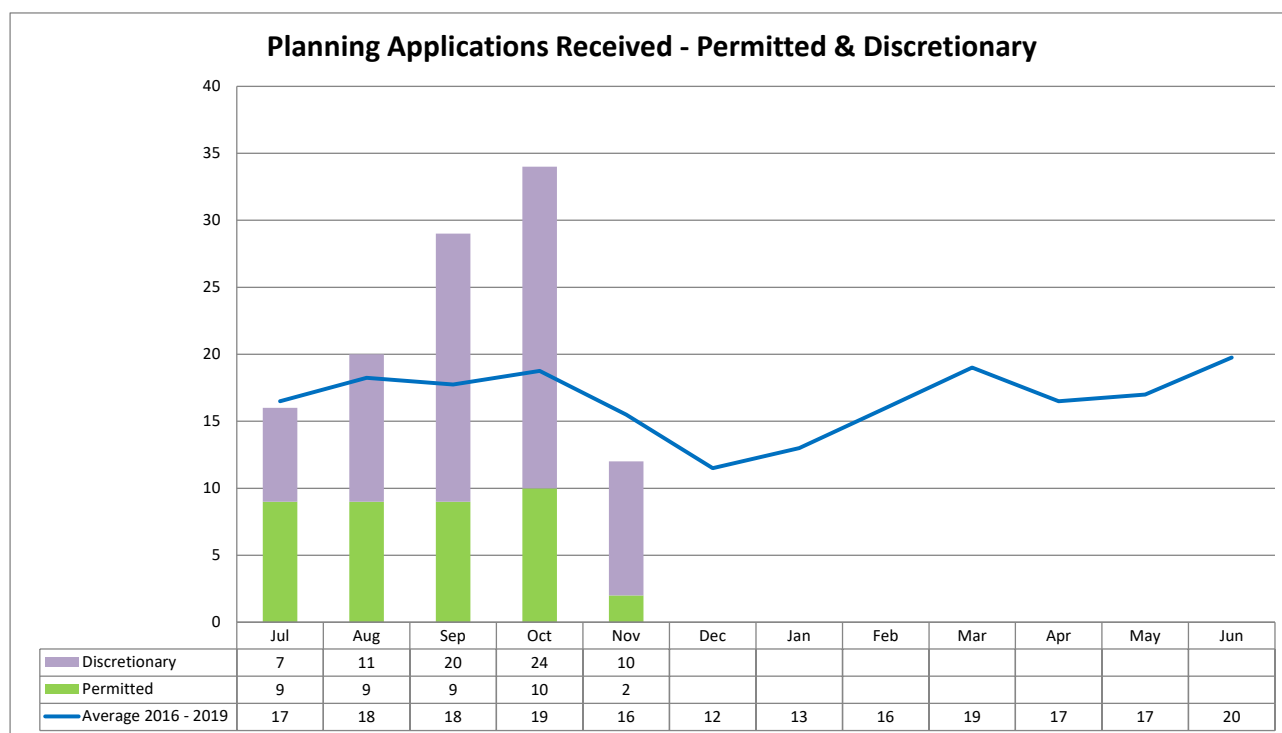
2.3. The following graph details the breakdown of planning applications received during October and November:



Note:

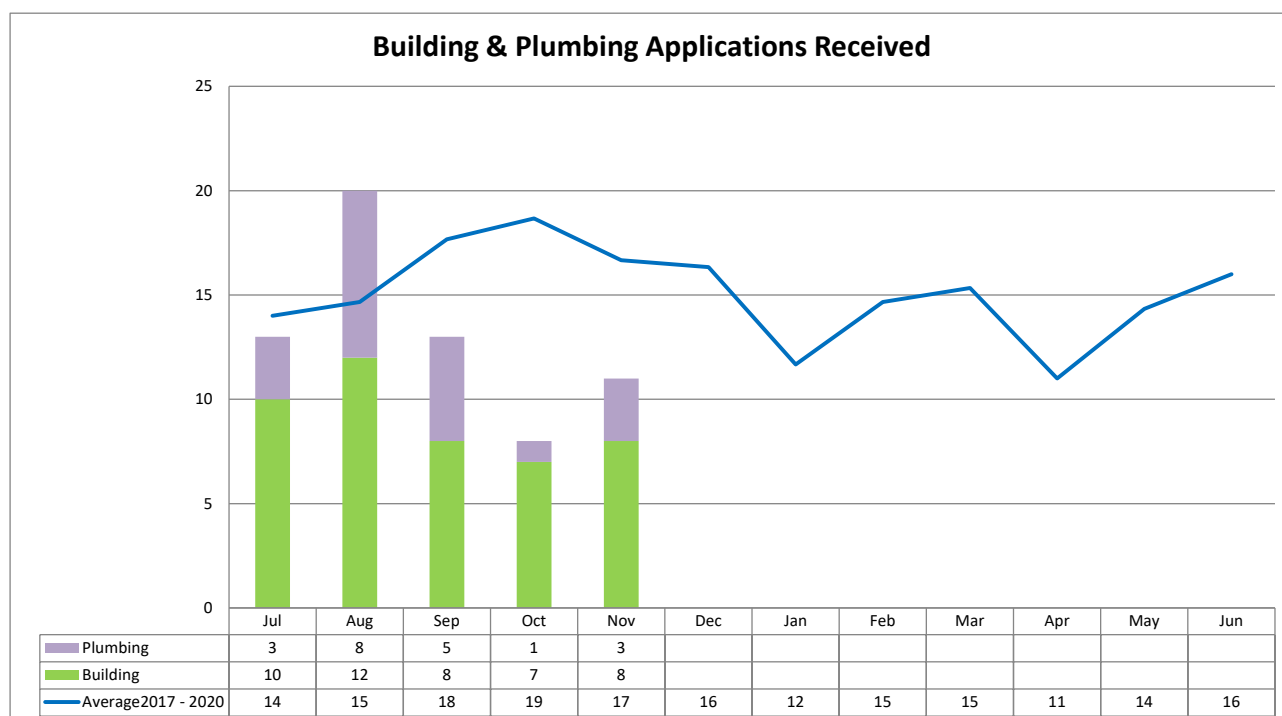
- Single Dwellings – means single residential dwelling on a single lot.
- Units – means two or more dwellings on a site.
- Subdivision – means the division of a single lot into multiple lots giving separate rights of occupation, excluding boundary adjustments.
- Commercial – means bulky goods sales, 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.

2.4. 34 Discretionary Planning Applications and 12 Permitted Planning Applications were received in October and November. The following graph details the number of Planning Applications received compared to previous years:

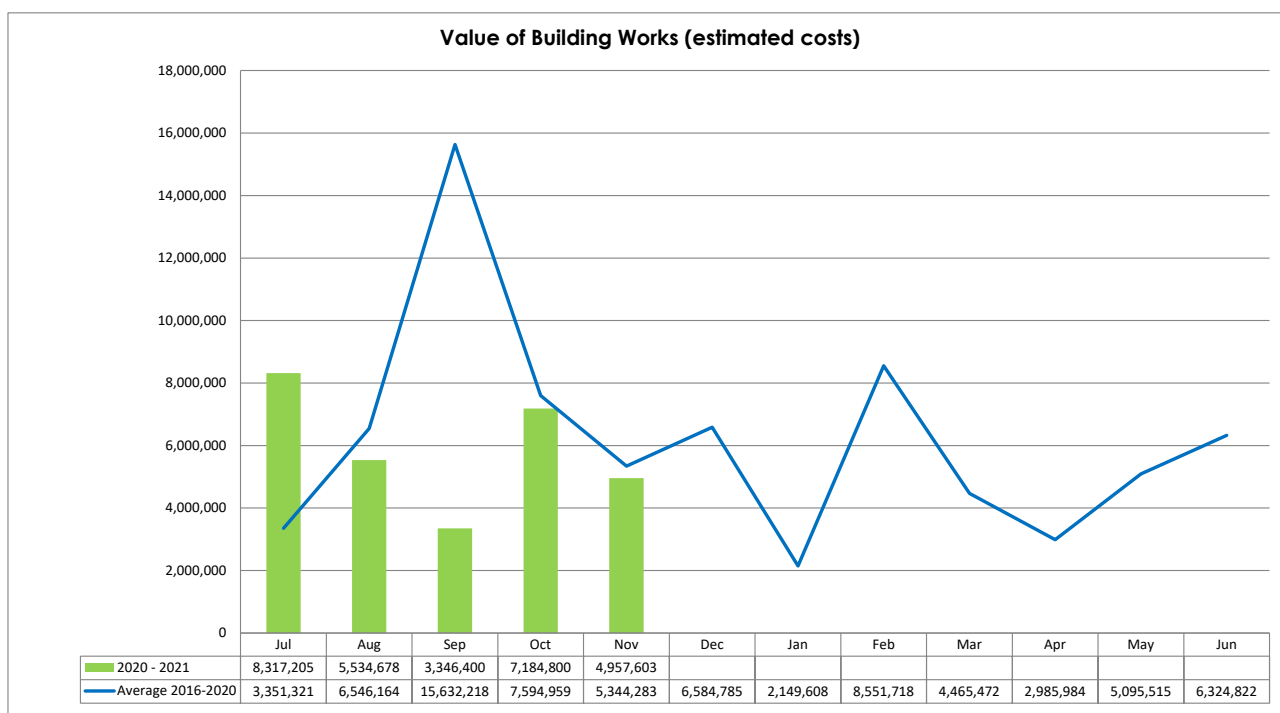


3. Building/Plumbing

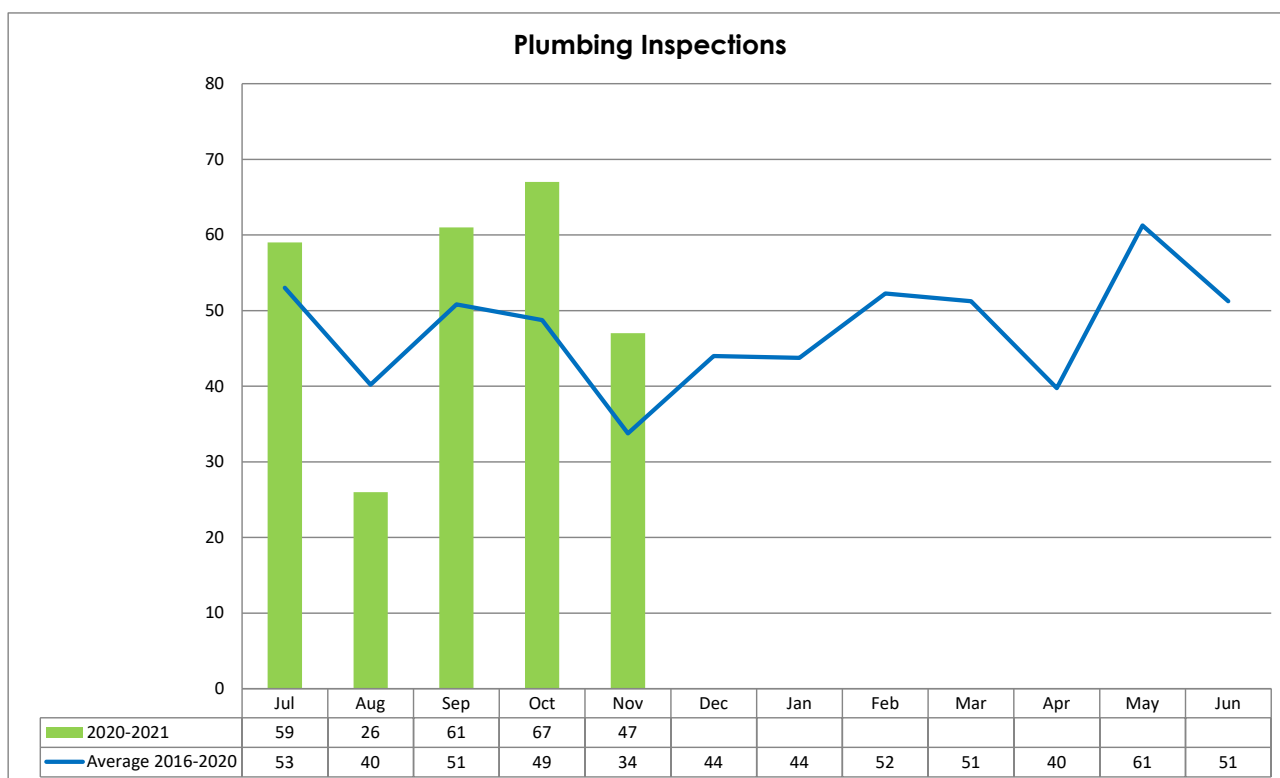
3.1. 15 Building Applications and 4 Plumbing Applications were received in October and November. The following graph details the Building and Plumbing Applications compared to the previous year:



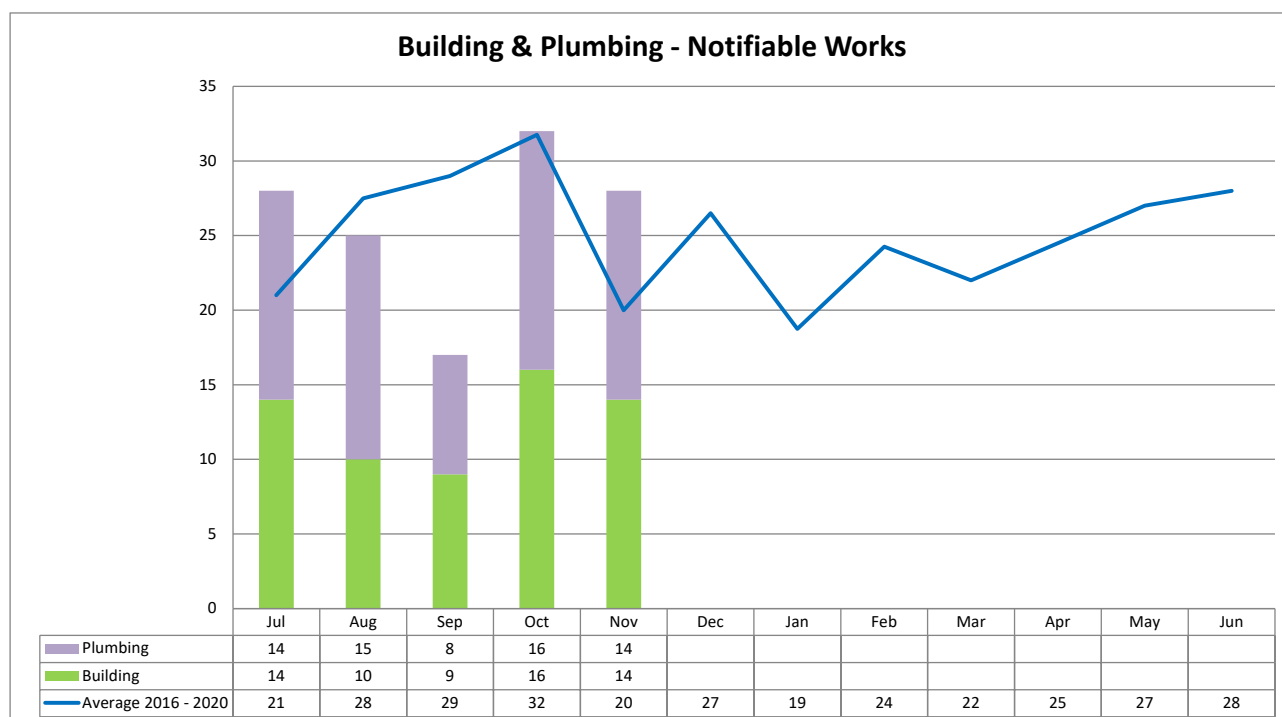
3.2. Building Applications for \$7,184,800 worth of building works were received in October and \$4,957,603 in November. The following graph details the value of buildings works received compared to previous years:



3.3. 67 plumbing inspections were carried out in October and 47 in November. The following graph details the number of plumbing inspections carried out this financial year compared to previous years:

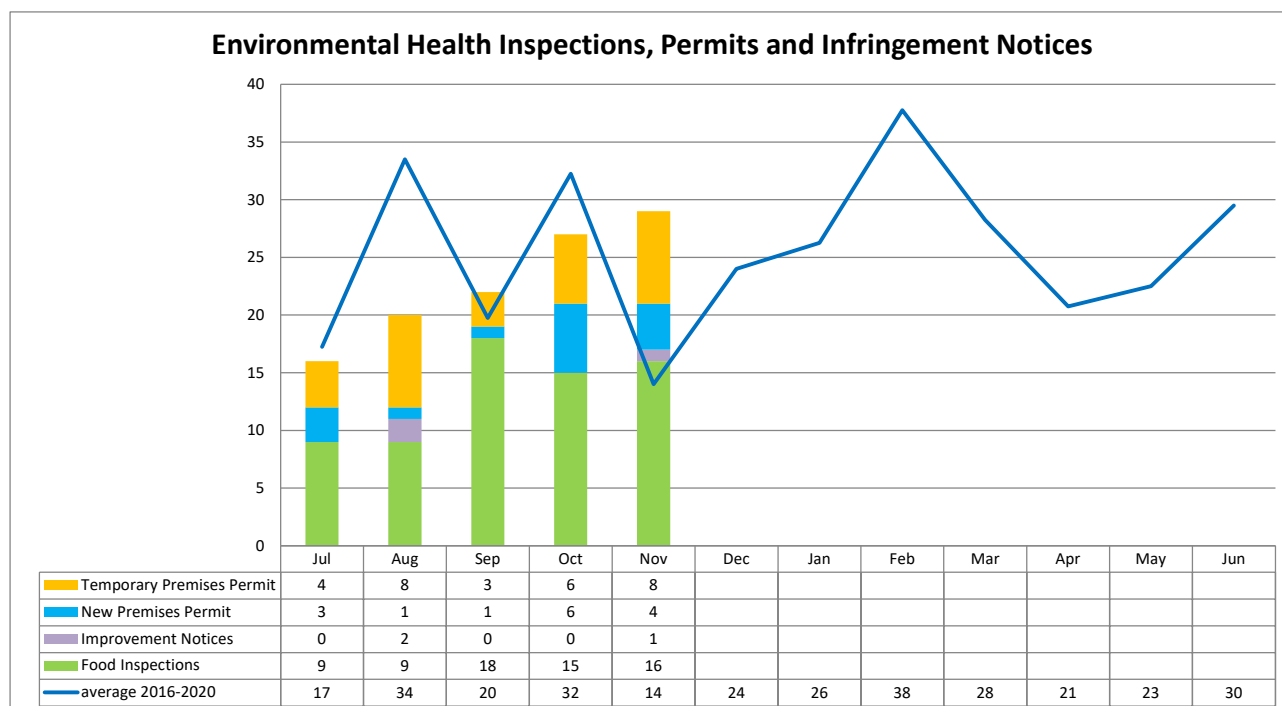


3.4. The following graph details the notifiable works received for building and plumbing that have been issued this year compared to previous years:



4. Environmental Health

4.1. The following graph details the inspections, permits and infringement notices that have been issued by Environmental Health this year compared to previous years:

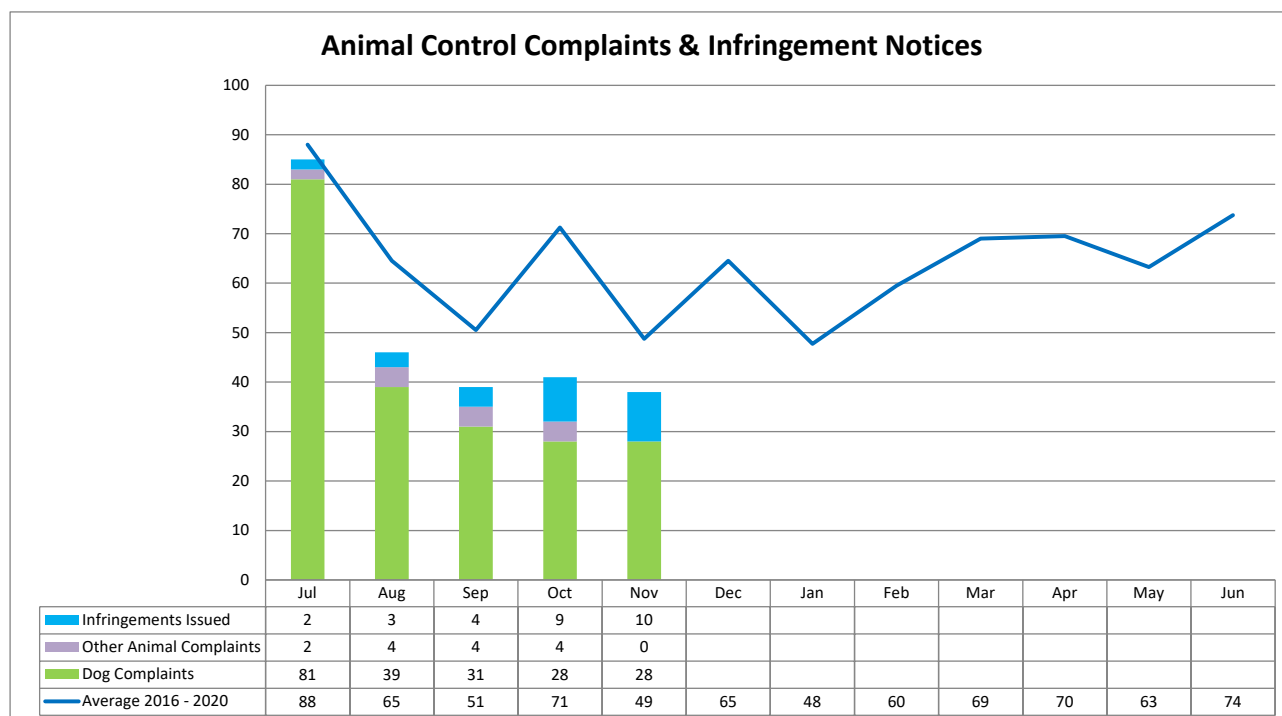


5. Animal Control

5.1. At the end of November, there were 3,593 dogs registered in Devonport.

5.2. In October and November, a total of 60 animal complaints were received. These complaints predominately related to dogs at large and barking dogs. All complaints were responded to within two working days.

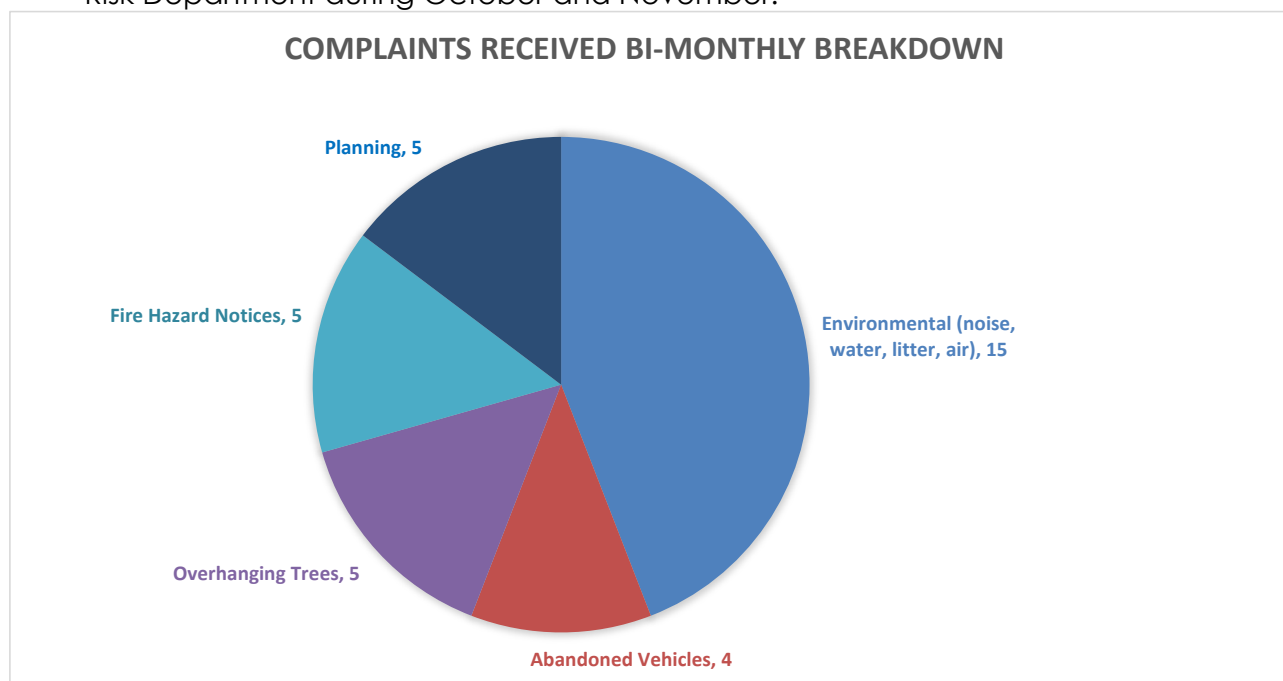
5.3. The following graph details the number of animal complaints for this financial year compared to the same period last year:



6. Risk and Compliance

6.1. Department of Health (DoH) have completed an extensive amount of work in recent months to prepare for COVID-19 outbreaks. DoH have provided guiding documents for Local Government Facilities and COVID-19 Priority Settings. Council's COVID Safe Plans have been reviewed to ensure they are in line with the guidance documents and to best prepare Council to manage outbreaks.

6.2. The following graph details the breakdown of the complaints received by the Risk Department during October and November:



6.3. 18 Internal incidents and 12 external incidents were reported during October and November. The following table details the types of incidents:

Internal Incident Type	No. of Reports	Description
Property Damage	4	<ul style="list-style-type: none"> Trailer damaged Hit post Stolen plaques Hit wall
Motor Vehicle	7	<ul style="list-style-type: none"> Stolen battery Hit tree x 2 Skateboard hit car Engine malfunction Hit other vehicle x 2
Hazard	5	<ul style="list-style-type: none"> Inattention Used needles found False fire alarm Potential shock Trip hazard
Personal Injury	2	<ul style="list-style-type: none"> Muscle strain Medical emergency
External Incident Type	No. of Reports	Description
Personal Injury	4	<ul style="list-style-type: none"> Trip & fall x 2 Medical emergency Electrical shock
Property Damage	2	<ul style="list-style-type: none"> Fence damage Hit traffic lights
Motor Vehicle	2	<ul style="list-style-type: none"> Rock hit vehicle x 2
Hazard	4	<ul style="list-style-type: none"> Glass on footpath Broken Telstra pit Used syringes found Member of public creating menace in building

6.4. The following table details the breakdown of actual claims:

	Internal Incidents	External Incidents
Actual Claims	4	0
Actual Claim Costs	Approx \$7,400 \$6,000 Property damage claim seeking reimbursement	\$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 October and November 2020.

ATTACHMENTS

Nil

7 SECTION 23 COMMITTEES

7.1 PLANNING AUTHORITY COMMITTEE MEETING 7 DECEMBER 2020

Author: **Jacqui Surtees, Executive Coordinator**
Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That the minutes of the Planning Authority Committee meeting held on 7 December 2020 be received and the recommendations contained therein be noted.

PAC 20/13 – Planning Applications Approved Under Delegated Authority

PAC 20/14 – PA2020.0142 – 94 Winspears Road East Devonport – 3 Lot Subdivision

PAC 20/15 – PA2020.0199 – 46 Murray Street, East Devonport – 2 Lot Subdivision

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

The purpose of this report is to receive the minutes from the Planning Authority Committee meeting held on 7 December 2020.

ATTACHMENTS

1. Minutes Planning Authority Committee - 7 December 2020 [**7.1.1** - 4 pages]

8 CLOSED SESSION

The General Manager advises that in his opinion, the agenda items listed below are prescribed items in accordance with Clause 15 of the *Local Government (Meeting Procedures) Regulations 2015* (ie confidential matters), and therefore Council may by absolute majority determine to close the meeting to the general public.

RECOMMENDATION

That in accordance with Regulation 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
3.1	Confirmation of Closed Minutes – Council Meeting – 23 November 2020	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15(2)(g)
6.1	Citizen Awards – Australia Day 2021	15(2)(g)
6.2	Unconfirmed Minutes – Joint Authorities	15(2)(g)
6.3	Request for Development Contribution	15(2)(b)
6.4	92 Formby Road	15(2)(c)

9 CLOSURE