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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

29 March 2021

Mr Christopher Mills
52 Caroline Street
EAST DEVONPORT TAS 7310

Dear Mr Mills

RESPONSE TO QUESTIONS WITHOUT NOTICE RAISED MONDAY 22 MARCH 2021

I write in response to your questions without notice, taken on notice at the Council Meeting on Monday, 22 March 2021, as outlined below.

- Q1** This Council's Staff Code of Conduct policy states that any allegations that a Staff Member has breached the Devonport Council Staff Code of Conduct are to be investigated by the General Manager. I am assuming that a member of the Public can make an allegation? If it is the General Manager who has breached the Staff Code of Conduct then it would not be appropriate for the General Manager to investigate himself, for that would be a conflict of interest as well as being tainted with perceived bias. In such a case, who would be the transparently independent investigator?

Response

Complaints regarding the General Manager may be made to the Ombudsman or the Integrity Commission.

- Q2** The Mayor has on two occasions, 25 Jan & 24 Feb this year, advised me to use the RTI Act to seek answers. Can the General Manager confirm that as the Principal RTI Officer of Devonport Council, he has effectively blocked any RTI Requests that I may have under the RTI Act TAS 2009 by applying Sections 33 & 35 and threatening to apply section 20 of that Act?

Response

Your Right to Information applications have been assessed in accordance with the *Right to Information Act 2009 (the Act)*. You have the right under the Act to apply to the Ombudsman for external review.

Yours sincerely

Matthew Atkins
GENERAL MANAGER



The City with Spirit



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29 March 2021

Mr Rodney Russell
225 Steele Street
DEVONPORT TAS 7310

Dear Mr Russell

RESPONSE TO QUESTION WITHOUT NOTICE RAISED MONDAY 22 FEBRUARY 2021

I write in response to your question without notice, taken on notice at the Council Meeting on Monday, 22 March 2021, as outlined below.

Q Holyman Street reconstruction. Devonport City Council paid for and was responsible for the design of the footpath with the power poles in the middle. Question – why then did Council pay for and did the work to widen the footpath around one pole when this could have been designed by council and then constructed by the original contractor?

Response

Widening of the path near the pole was a design detail that was not picked up as part of the original design, however upon completion of the contract it was considered necessary and therefore Council undertook the works.

Yours sincerely

Matthew Atkins
GENERAL MANAGER



The City with Spirit



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29 March 2021

Mr Bob Vellacott
11 Cocker Place
DEVONPORT TAS 7310

Via email: vellacottrobert@yahoo.com

Dear Mr Vellacott

RESPONSE TO QUESTIONS RAISED MONDAY 22 MARCH 2021

I write in response to your questions taken on notice at the Council Meeting on Monday, 22 March 2021, as outlined below.

- Q1** Noting the propensity of whisky and gin distilleries to have fires and explosions as evidenced February 2021 in Perth Tasmania and the huge ethanol fire at Prestons NSW Friday March 19th 2021 I ask on behalf of many concerned citizens, please inform how many litres, held in bulk, of ethanol that Council has given written permission to Southern Wild Distillery to store on site in its Providore Place tenancy (5) in accordance with -Section 7.10 of the Council's supposed standard commercial lease agreement and/or what was specified as per the notification of a Manifest Quantity of Flammable Liquid submitted to the Department of Justice - Work Safe Tasmania? So just in very brief, how many litres held in bulk, was on the agreement for that lease?
- Q2** Given ethanol is a flammable liquid and has a flashpoint of 16.6 degrees centigrade (less than average room temperature) and can be ignited by static electricity, and noting that other distilleries have substantial space between the distillery and any ancillary restaurant and bar area; did Council take the very close proximity of the stored flammable liquid and public areas including Drysdale TasTAFE Cooking School, situated directly above, into consideration when granting the assumed approvals to Southern Wild Distillery?

Response

Council are aware that its tenant, Southern Wild Distillery (SWD) is an operating distillery and that ethanol is used as an ingredient in the production process of gin. SWD are compliant with all provisions within their lease in regard to hazardous materials. The lease agreement does not specify a maximum (or minimum) quantity of these material, or the respective reporting requirements as the storage, handling and reporting of hazardous materials is a matter between SWD (as the PCBU) and WorkSafe Tasmania.



The City with Spirit

- 2 -

Council is comfortable that the facility is fit-for-purpose including the appropriate provision of fire monitoring and suppression infrastructure, and that the tenant is aware of their obligations with respect to complying with the regulatory controls relevant to their business operations.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Matthew Atkins', with a stylized flourish at the end.

Matthew Atkins
GENERAL MANAGER

COPY

4/9/2021

The General Manager,
Devonport City Council
Your ref:- resolution 21/7

John Bindon
66 David street
East Devonport

Re; - Public question time, questions On Notice

Dear Sir,

- I wish to give notice that I intend to ask the following question(s) at council meeting scheduled for Monday, 26 April 2021 | 5:30pm

Regarding the Council decision not to eliminate the duplication of the name **David street** in East Devonport at this time; (Resolution 21/7)

- 1) Will Council revisit this matter in consideration of the points listed in appendix (i) attached.¹**
- 2) If “yes” to (1) above, will Council instigate a procedure to rename the Cul-de-sac portion of David street observing the provisions of the PLACE NAMES Act 2020 and the accompanying guidelines.**
- 3) If “yes” to both (1) and (2) above, will Council refer the chosen name to the TASMANIAN PLACE NAMES ADVISORY PANEL for assessment.**
- 4) If “yes” to all of (1) and (2) and (3) above, will Council proceed to install signage.**

Contrary to Council's decision, now is an appropriate time to correct an historical wrong because;

- a) The *Place Names Act 2020* now applies; and

¹ See Appendix (i) attached herewith.

COP 7

- b) We currently face the Corona 19 pandemic. The testing centre for this virus is in **David street**. New arrivals to the state landing at Devonport airport and on the Spirit are sometimes mis-led and look for the virus testing Centre in the northern David street which is isolated from the testing centre. When locals are asked for directions, they are exposed to the risk of contracting the virus, if not, to quarantine restriction, as these locals will be identified through contact tracing.

The existence of two *David* streets causes confusion, frustration, and anxiety and is completely dysfunctional. This fact is incontrovertible. This view is supported by DPIPWE. See the **Tasmanian place naming guidelines**.

(7.3) A named road or street must include only one contiguous section navigable by vehicles. Unconnected navigable sections, such as where separation by an unabridged stream, pedestrian segment, railing etc. must be assigned separate road names.²

Council's Strategic Plan 2009-2030

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

Strategy 5.4.4 Provide professional administrative services to support effective and efficient operation³

Given the above, it is counter intuitive to have duplicate street names in the city such as exist with *David* street.

I wrote to you on this subject on the 25th. Feb. but you have not replied so now I am obliged to put the question(s) to Council directly.

Yours faithfully
John Bindon

² Tasmanian Place Naming Guidelines. available at, www.dpipwe.tas.gov.au

³ Item 5.2 PROPOSAL TO RENAME PART OF DAVID STREET, EAST DEVONPORT. Report to council, Michael Williams, Infrastructure & Works manager.

Questions ON Notice Council Meeting April 26.
From Christopher Mills 52 Caroline St

1.

The purpose of the Devonport Council's Staff Code of Conduct Policy is to set standards that are required by everyone working at the Council. The Code is "*applicable to all employees*" ...

Compliance is obligatory and a breach of the Code may result in disciplinary action or dismissal of a Staff Member.

All employees are accountable for any action that breaches the Staff Code of Conduct.

As this Council Policy makes no reference to the Tasmanian Integrity Commission nor the Tasmanian Ombudsman.... who then would be responsible for administering "disciplinary action" or "dismissal" (Section 3 of the Code) where it is the General Manager who may have breached the Staff Code of Conduct ?

2. Can Mr Atkins confirm that the General Manager did by means of a series of internal Emails, the first of which was dated 9 April 2020 , came to an understanding with Councillors & "Selected Staff" not to disclose any information about any and every aspect (including the row of trees felled on 5 November 2019) of the land at 54 Caroline Street to Christopher Mills?

16th April 2021

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: GOVERNANCE QUESTIONS ON NOTICE

Dear Sir,

The following are submitted as questions on notice to the Ordinary Meeting of Council scheduled for Monday 26th April 2021.

Costs to April 2020 Code of Conduct Complaint against Mayor Rockliff

Q1. As a question on notice I asked at the March 2021 meeting *"In August 2020 the Code of Conduct Panel released its report upholding a complaint against Mayor Annette Rockliff in that while acting as Chairperson she had prematurely closed the December 2019 AGM and I hereby request Council confirm as to what was the total amount that the Code of Conduct process cost Devonport ratepayers to have the Mayor's decision making challenged?"* to which Council responded *"To date Council has not incurred any costs associated with the code of conduct complaint to which you refer. Costs associated with code of conduct complaints are disclosed each year in Council's Annual Report."*; accordingly, I now ask the following as separate questions:

- a) Has Council now received costs from the Local Government Division associated with this particular Code of Conduct complaint and its findings?
- b) If "Yes" then will Council now disclose the total Council costs associated with that Code of Conduct breach including the Local Government Division invoiced costs?

Providore Place Tenancies

Q2. It is pleasing to see the announcement that a new start-up craft brewery, Island State Brewery, will be taking up two tenancies at Providore Place that have been vacant since the start of 2018, being over 3 years ago. With memories of the promises made by Council in relation to the initial head lease agreement in 2016 and subsequent exposure of massive costs and losses carried by the ratepayers for tenant fitouts and lost rental returns will Council be proactively transparent in real time, this time around, and answer the following as separate questions:

- a) Will ratepayers be funding the fitouts, in full or in part, for tenancies 3 and/or 6?

- b) If so, what is the budget allowance for those works?
- c) Eventually in January 2020, while having avoided doing so for almost two years after first being requested to do so, Council confirmed the actual fitout costs for each separate tenancy at the time and therefore will Council this time, and to demonstrate its oft stated transparency, undertake to promptly disclose the actual ratepayer-funded costs once tenancy 3 and 6 fitouts are completed?
- d) Council also eventually disclosed that the earlier fitouts included services and equipment such as a fire sprinkler system for Southern Wild Distillery and extravagantly expensive light fittings in the former CharlotteJack restaurant; accordingly, will Council provide a detailed scope of works for fitout and tenant-specific base-build works, including services and equipment, that ratepayers will be funding in tenancy 3 and 6, as applicable?
- e) It is not unusual for landlords to fund elements of fitouts for tenants but it is normal that those costs be reimbursed over an agreed timeframe in addition to the rental amount; if Council is going to again ratepayer-fund fitouts, including services and equipment, will those costs be recouped in addition to an agreed commercial rent return?

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

Yours sincerely,

Malcolm Gardam

CC: Mayor & Councillors

QoN RBV Pigeons (Feral) CBD and surrounds for 26 April 2021. to send

THE GENERAL MANAGER
DEVONPORT CITY COUNCIL
BEST STREET DEVONPORT TAS 7310

ATTENTION
GENERAL MANAGER
THE MAYOR AND COUNCILLORS
SENIOR HEALTH OFFICER

ROBERT B Vellacott
11 COCKER PLACE
DEVONPORT 7310
Ph 03 64 24 3944
E <vellacottrobert@yahoo.com.au

17 April 2021

Questions on notice for DCC meeting 26th April 2021

Subject - Feral pigeons (aka flying rats) problems specifically CBD and surrounds.

Further to correspondence, questions asked and responses at the 27th July 2020 meeting, I again wish to bring to your attention—the most unsatisfactory ongoing problem of the feral pigeons roosting, copulating, nesting and excreting in the CBD, this time, in particular on the eastside of Rooke St Mall directly above the footpath/ pavement in front of Strandbags' and their effect especially on Banjos' situated in the adjoining property consisting of a food shop with outdoor eating; noted also are infestations on privately owned buildings opposite and other areas of the CBD including those owned by the state government.

I stress in no way what is written is to be construed as being a criticism of the property and or business owners; indeed I have the greatest sympathy for what they have to tolerate not only from the foul mess created but also from, what I have been informed, complaints by those visiting and or shopping in the area but also the loss of customers that obviously would affect sales of their goods.

The situation portrayed the excreta and fouled feathers certainly does not enhance the image of the Mall or encourage visitation, shopping or socialising.

As mentioned previously the noisome mess of pigeon excreta and vile staining of the pavements and entrances to the shops that confronts pedestrians and business people is nothing less than repugnant. From a visual aspect, the conditions are to be deplored and from a health point of view they are intolerable.

For your edification listed hereunder are only some of the diseases and other health issues pertaining to pigeons. I.e. Chlamydiosis **a virus similar to influenza**, and Psittacosis, similar to pneumonia. Cryptococcosis : Chlamydiosis Histoplasmosis : and Salmonella- food poisoning .

Clearly this is a health issue and beyond the expertise of individual councils who are somewhat restricted by current legislation as to methods that can be employed for control or eradication of the almost, in some instances, plague proportion of pigeons. /2

Page 2 .

Question -

Given the fact that pigeons (*Columba livia*) are a feral pest that could be categorised as no less a health hazard as rats (*Rattus norvegicus*) and are a problem in cities and most towns throughout the state I would opine that there should be a concerted effort between councils and the Tasmanian Health Department and Human Services to better control and, hopefully long term, ultimately eliminate the vermin. Therefore it should not be a case of taking the big stick to property and business owners who in the main try their best to control the pests.

Hopefully you Mayor and councillors will take the initiative, show leadership and progress this matter with not only the Director of Public Health and The Local Government Association but also other relevant government departments. I note - *"Council takes workplace health and safety very seriously"* and have in the past attempted some sort of control Ref Report to Council meeting on 21 July 2014 ITEM 12.1 12.1 HEALTH CONCERNS ABOUT PIGEONS IN ROOKE STREET MALL File: 16803 D333346

Please inform as to whether or not council will as suggested above correspond with the Director of Public Health and others as per above so as to help ensure that not only Devonport residents and visitors but also others throughout the state can enjoy a safe and healthy environment?

I again **append basic** information pertinent to the many problems including in particular WH&S caused by feral pigeons.

I look forward to acknowledgement of receipt of this correspondence and a favourable outcome. Please include all above, the appended information and your responses in the Council Agenda.

Yours Sincerely

R. B. Vellacott -

CC- Director of Public Health - Tasmania.

(Appended information see page 3)

/3

Ref – WA Health)

Pigeons (*Columba livia*)- *aka flying rats* –RBV comment) have been known to carry diseases such as **Chiamdiosis, a virus similar to influenza, and Psittacosis, similar to pneumonia.** (*Also other health hazards*)

Problems and Health Risks The presence of pigeons can result in a range of problems. These can include:

- attracting ticks, cockroaches and rats
- damaging buildings and monuments due to the highly corrosive nature of acid in pigeon droppings
- damaging properties by pigeons roosting/breeding in roof spaces, rolled steel joists and inside factory units
- debris from roosting flocks building up, causing gutters and drains to block, damage to roofs and other structures, and creating potential fire hazards
- extensively damaging air-conditioning units and other roof top machinery
- pigeon droppings in/on industrial, commercial, and domestic buildings causing hygiene concerns
- introducing weeds and disease through pigeon droppings
- increasing the risk of disease and parasite transmission between feral, domestic and seabird populations
- Escalating costs through public liability insurance from slipping on dropping build up.
 - Proper precautions must be taken when tackling bird control projects, whether you are doing it yourself or if the work is undertaken by a licensed pest control operator.
 - Respirators, goggles and protective clothing should be worn when cleaning bird sites, particularly those shaded with large amounts of droppings present.

QoN RBV for 26 April 2021 Prov Place Leases what % of predicted revenue and light and sound show maint costs to send

FROM - ROBERT (BOB) VELLACOTT- FINANCIAL RATEPAYER
11 COCKER PLACE
DEVONPORT 310

TO- THE MAYOR AND COUNCILLORS
DEVONPORT CITY COUNCIL
PARANAPLE CENTRE
ROOKE ST
DEVONPORT 7310

17th April 2021

SUBJECT - QUESTION ON NOTICE FOR DEVONPORT CITY COUNCIL ORDINARY MEETING 26th APRIL 2021

Question 1-

Mayor and Councillors

I note from the March 2021 Agenda and information gleaned from recent newspaper reports that Council has new commercial lease agreements signed and expects to receive income from the majority, if not all, of the tenancies in Providore Place. Please inform as of this date what percentage (%) of the original financial “dashboard “predictions, i.e. those that were used to justify the construction of the food pavilion will be achieved?

Question 2 –

The Advocate 16th April 2021 reported -council has put forward a “pork barrel “wish list to political candidates; the major one being \$3million for a light and sound show. Also it was reported in The Advocate 31st May 2019 that - “*Councillor* Sally Milbourne voted against it and raised her concerns about the cost and the possible risks of a light and sound show. Cr Milbourne said a light show could “turn out a little naff” and she said it might cause some difficulty to people living in the area. She questioned if the consultants were being given a blank slate to see what they come up with. She said she was not sure the council had done enough to workshop the content of the show at this stage”

Incidentally - The amount quoted at that time was \$2million so it appears Cr Milbourne was on the ball with that: does Council agree that you did indeed actually give them a blank slate?

Question 3 - Has council obtained a firm quote for the proposed light and sound show?

Question 4- As of this date what is the estimated ongoing annual cost for the proposed \$3Million light and sound show?

Please include all of the above and your answer in the DCC agenda for 26th April 2021

R. B. Vellacott

Cowon RBV SWD Response comments to GM re Flammable liquids on site for 26 April to send

TO - GENERAL MANAGER M ATKINS
DEVONPORT CITY COUNCIL
ROOKE STREET
DEVONPORT 7310

FROM – R B VELLACOTT
11 COCKER PLACE
Devonport 7310

17th April 2021

CC to Mayor and Councillors

Subject – Questions on Notice for 26 April 2021 – Flammable substances in Council Property.

General Manager I refer to your responses to my questions raised at the DCC meeting 22 March 2021.

I note that you have indicated in words to the effect that flammable substances i.e. bulk ethanol and products manufactured and stored at Southern Wild Distillery (Tenancy 5) Providore Place is a matter between Southern Wild Distillery (as the PCBU) and WorkSafe Tasmania . I presume therefore you have no knowledge of the amount stored and it is therefore of no concern of council whatsoever in regard to the amount of ethanol that is, at any given point in time, on site **and also council's insurance company is satisfied with the situation.**

From your response it appears that you are saying you have applied the appropriate risk mitigation in relation to the flammable substances on council owned property; and from that I presume you are also saying - all persons working, visiting and the general public as well as staff and students at the Drysdale TAFE Cooking School have nothing to fear.

Also noted you have said that ***“Council is comfortable that the facility is fit-for-purpose including the appropriate provision of fire monitoring and suppression infrastructure and that the tenant is aware of their obligations with respect to complying with the regulatory controls relevant to their business operations.”***

I presume that you are implying from that statement, Council i.e. that is all senior staff, the mayor and councillors have been briefed by you **and you are speaking on their behalf** (Please confirm); also they are in accord/ agreement that not only the SWD tenancy but also all other adjoining tenancies including the Drysdale TAFE Cooking School and the external and internal market areas are entirely safe .That being so I shall contact the many who have expressed concern to me and inform them of your responses.

Question 1 - I have been told there are many others who are concerned and because I am not privy to their names and addresses I will be unable to inform them ,so I respectfully ask - will council ,to allay the fears of the general public ,who have been concerned, release a press statement / public notice and or include on your Face book page to the effect that Council has no hesitation in saying it guarantees that Providore Place and the surrounds is indeed a safe place. ?

Please include all of above and responses in the DCC meeting agenda for 26th April 2021

R. B. Vellacott

Land Use Planning & Approvals Act 1993		Source of Delegation	General Manager	Deputy General Manager	Development Services Manager	Land Use Planning Coordinator	Senior Planning Officer	Planning Officer	Project Officer	Statutory Compliance Officer
Section	Description									
s5A Regional areas and regional land use strategies	Consult with Minister and prepare documentation in respect of municipal area to which the regional land use strategy relates, for purposes of reflecting the application of the regional land use strategy to the municipal area	Planning Authority	X							
s12C Draft of the TPPs	Consult with Minister in relation to intention to prepare a draft of TPPs and draft of TTP:	Planning Authority	X							
s12D(5) Public exhibition of draft of the TPPs	Make representations to Commission in relation to the draft of TPPs	Planning Authority	X							
s18(2) Preparation of draft of the SPPs by Minister	Consult with Minister in relation to preparation of a draft of SPPs	Planning Authority	X							
s19(2) Minister may direct Commission to prepare draft of the SPPs	Consult with Commission in relation to preparation of a draft of SPPs	Planning Authority	X							
s22(5) Exhibition of relevant exhibition documents in relation to draft of the SPPs	Make a representation in relation to the draft of SPPs	Planning Authority	X							
s30C(4) Terms of reference in relation to draft amendment of the SPPs	Request Minister consider preparing terms of reference in relation to a draft amendment of SPPs	Planning Authority	X							
s30D(2) Preparation of draft amendment of the SPPs by Minister	Consult with Minister in relation to preparation of a draft amendment of SPPs	Planning Authority	X							
s30E(2) Minister may direct Commission to prepare draft amendment of the SPPs	Consult with Commission in relation to preparation of a draft amendment of SPPs	Planning Authority	X							
s30L Representations	Make a representation in relation to a draft amendment of SPPs	Planning Authority	X							
s35 Draft LPS to be provided to Commission	Prepare and submit a draft LPS to the Commission and ensure that draft LPS meets the LPS criteria. Indicate views and opinions in relation to each representation received on a draft LPS; make recommendations in relation to how a draft LPS should be determined in accordance with s35F; and conduct and respond on a review of the LPS. Undertake processes and tasks required to carry out responsibilities of planning authority, including to prepare required documentation for a draft LPS; submit draft LPS to Commission under s35(1); make any modifications to draft LPS which may be instructed by the Commission under s35(5)(b) & (c), or to make a minor modification to a draft LPS for the purpose of correcting any error, anomaly, inconsistency or other accidental omission in a draft LPS following submission to the Commission and prior to public exhibition; give notice under s35C of exhibition of draft LPS, including for any instruction issued by Commission under s35B; undertake exhibition of draft LPS in accordance with s35D; provide a report to Commission in accordance with s35F in relation to planning authority's views and opinions on each representation received during exhibition period; compliance with s34; and recommendations on how draft LPS should be determined; prepare and submit any modifications required by Commission to draft LPS in accordance with s35K	Planning Authority	X							

s35H Hearings	Represent planning authority and give evidence and make submissions before any hearing conducted by Commission; agree to minor modifications to clarify purpose or operation of a LPS or to correct draft errors; and appoint a person to represent planning authority and make submissions or give evidence before any hearing conducted by Commission	Planning Authority	X									
s35M(2) Notice of approval of Local Provisions Schedules	Give prescribed notice of approval of a Local Provisions Schedule to which the notice relates	Planning Authority	X									
s35P Conduct of review	If conducting a review of LPS or a part of, publish notice of review or part review; specify matters review relates to and invite comments in relation to matters of review. Consider matters to which review relates, and after taking into account comments received, prepare report and provide to Commission. Revise report if directed by Commission and provide to Commission	Planning Authority	X									
s35Q Special Local Provisions Schedules	Prepare a draft Special LPS and submit to Commission	Planning Authority	X									
s35T Commission may take over responsibilities of planning authority	Pay to Commission all costs incurred by Commission in assuming responsibilities and obligations of planning authority, if required, under this Part	Planning Authority	X									
s38 Decision in relation to request for amendment of LPS	Determine to either approve or refuse a request for a draft amendment of an LPS and give notice of that decision to the person who made the request	Planning Authority	X									
s40(1) Additional information may be required in respect of request to amend LPS	Upon receipt of request for amendment of LPS, require person provide additional information before considering request	Planning Authority	X	X	X	X	X	X	X	X		
s40A Review of requirement for additional information	Upon notice, provide to Commission any material relevant to request, that was in the possession of planning authority before the day on which the Commission issued the notice	Planning Authority	X	X	X	X	X	X	X	X		
s40B Review of refusal of request to amend LPS	Provide Commission with any material relevant to the decision if requested; reconsider whether to prepare a draft amendment at direction of Commission and notify person who made request	Planning Authority	X	X	X	X	X	X	X	X		
s40D Preparation of draft amendment to LPS	Prepare a draft amendment of an LPS following a decision made in relation to a request for an amendment, an amendment as initiated by the planning authority of its own motion, or as may be directed by the Minister	Planning Authority	X									
s40E Withdrawal of draft amendments	Withdraw a draft amendment of an LPS. Notify Commission and give notice	Planning Authority	X									
s40F Certification of draft amendments	Ensure draft amendment of LPS meets LPS criteria, and if not satisfied, modify draft so it meets requirements. Certify draft as meeting requirements and affix common seal and provide copy of certified draft amendment to the Commission	Planning Authority	X									
s40FA(1) Notice to certain agencies and State authorities	Before exhibiting a draft amendment of LPS under s40H notify relevant agencies; and State Service Agencies or State authorities, that may have an interest in draft amendment of LPS, of the date on which the exhibition period in relation to draft amendment of LPS is to begin	Planning Authority	X									
s40G Notice of exhibition	As soon as practicable after providing to Commission under s40F(4) copy of draft amendment of LPS, ensure exhibition notice in relation to draft amendment of LPS is published in accordance with this section, unless planning authority receives a notice under s40I(1) in relation to draft amendment	Planning Authority	X									
s40K Report to Commission about draft amendments following exhibition period	Provide report to Commission in relation to draft amendment of LPS following the exhibition period. Where no representations are received that object to the draft amendment and where there is no modification proposed to that draft amendment, the General Manager may endorse a report to the Commission to that effect	Planning Authority	X									
s40L Hearings	Represent planning authority, give evidence and make submissions before any hearing conducted by Commission; agree to minor modifications to clarify purpose or operation of a draft amendment of an LPS or to correct drafting errors, anomalies or other inconsistencies; and appoint a person to represent planning authority and make submissions or to give evidence before any hearing conducted by Commission	Planning Authority	X									

s40N Action to be taken by Commission after considering report	Modify draft amendment of LPS if directed by Commission, submit a substitute draft amendment of LPS to Commission or substantially modify a part of draft amendment and submit to Commission	Planning Authority	X										
s40O Minor modifications of draft amendments	Submit to Commission a draft amendment of LPS, modified as required by notice received from Commission	Planning Authority	X										
s40P Substantial modification of draft amendments	If notice is given, submit to Commission, draft amendment of LPS, modified as required by notice; or a substitute draft amendment of LPS. Comply with s40G and s40H in relation to draft amendment of LPS if directed	Planning Authority	X										
s40S(3) When amendments of LPS come into effect	If notified, give notice of approval of an amendment of LPS to which notice relates	Planning Authority	X										
s40T Permit application that requires amendment of LPS	Receive applications for a permit, which permit could not be issued unless LPS was amended, and consider a request to amend LPS and application for a permit at the same time	Planning Authority	X										
s40U Additional information	By notice, require person provide to planning authority additional information before considering application	Planning Authority	X	X	X	X	X	X	X	X	X		
s40V Review of requirement for additional information	Provide Commission any material relevant to a request. At direction of Minister, revoke notice under s40T(1) imposing the requirement; or issue a new notice under s40T(1) imposing a requirement the person provide additional information specified in the notice from the Commission; or determine the Commission is satisfied the requirement was appropriate	Planning Authority	X	X	X	X	X	X	X	X	X		
s40W Determination of amendment where concurrent permit application sought	If a request is made under s40T(1), agree to, or refuse, request, and notify person who made request under s40T(1) of decision under subsection (1)	Planning Authority	X										
s40Y Determination of concurrent permit application	If agreeing to request under s40T(1), determine under subsection (2) the application under s40T(1) for a permit that accompanies request, before it complies with s40G in relation to draft amendment of LPS to which the request relates. If agreeing to a request, under s40T(1) determine application under s40T(1) for a permit that accompanies the request by granting permit unconditionally or subject to the conditions or restrictions deemed fit and impose on the permit; or refuse to grant permit. If determining an application under s40T(1) for a permit, provide to Commission a copy of the application and any documentation submitted with the application; and a copy of decision and a copy of any permit granted under the decision	Planning Authority	X										
s42 Report in relation to draft amendment of LPS to contain representations	Provide report to Commission under s40K in relation to an application for an amendment of LPS to which request under s40T(1) relates	Planning Authority	X										
s42C When permit that relates to LPS amendment takes effect	Grant, once only, an extension of period during which a use or development must be substantially commenced. Grant once only, a final extension of period during which that use or development must be substantially commenced. Consider any matter deemed fit, including whether SPPs or LPS has been amended since the permit was issued	Planning Authority	X	X	X								
s42D Correction of mistakes in permit	Correct a permit to which a decision under s42B(1) relates if permit contains a clerical mistake or an accidental omission; or an evident material miscalculation of figures or an evident material mistake in the description of any person, thing or property referred to in permit	Planning Authority	X	X	X	X	X	X	X	X	X		

	On receiving a request under subsection (1) in relation to a permit to which a decision under s42B(1) relates, amend or refuse to amend permit. If amending permit, provide required notice in writing. If amending under subsection (2) a permit that contains a condition or restriction that the Board of EPA has required under s25(5) of EMPCA 1994, by notice in writing served on the Board, notify it of amendment. If amending a permit in respect of which the Commission has modified, deleted or added conditions or restrictions under s42B(1)(b), by notice in writing served on the Commission, notify it of the amendments made to the permit. If amending under subsection (2) a permit containing a condition or restriction which the Heritage Council has specified under s39(6) of the <i>Historic Cultural Heritage Act 1995</i> , by notice in writing served on Heritage Council, notify the Heritage Council of the amendment												
s43 Minor amendment of permit		Planning Authority	X	X	X	X							
s44 Commission may take over responsibilities of planning authority	Pay Commission all costs incurred by Commission in assuming responsibilities and obligations of the authority in relation to preparation and certification of draft amendment	Planning Authority	X										
s48AA Enforcement of major project permits	Within power, enforce observance of any condition or restriction to which a major project permit is subject	Planning Authority	X										
s48A Notice to remove signs	Require person cease erecting or placing signs; require removal of sign; require restoration of land or building; take all necessary action to remove sign or part thereof, and if planning authority takes action, require person pay reasonable costs of action. Dispose of sign after 2 months from date action was taken	Planning Authority	X	X	X	X	X	X	X	X			X s48A(1)(d) only
s51 Permits	Accept a valid application for a permit. May subject a permit to which s57 or s58 applies to relevant conditions or restrictions as considered under s.51(3A) and (4)	Planning Authority	X	X	X	X	X	X	X	X			
s51(AB) Permits	Refuse to accept an application for a permit where the applicant is not the owner of the land to which the application relates and that application does not include a declaration the applicant has notified the landowner about the making of the application, or obtained written permission of the owner of the land as may be required by s.53	Planning Authority	X	X	X	X	X	X	X	X			
s51(AC) Permits	Determine if application is valid	Planning Authority	X	X	X	X	X	X	X	X			
s52(1B) What if applicant is not the owner?	May delegate to an employee of council their functions under subsection (1B)	General Manager	X										
s53 When does a permit take effect?	Receive notification from an applicant that they intend to commence a use or development. May grant (once only) an extension or a further extension of the period during which that use or development must be substantially commenced under subsection (5A) and (5B)	Planning Authority	X	X	X	X	X	X	X	X			
s54 Additional information	Require applicant provide additional information before considering an application for a permit and advise applicant upon receipt of additional information if the information is not satisfactory and additional information is required	Planning Authority	X	X	X	X	X	X	X	X			
s55 Correction of mistakes	Correct a permit granted if permit contains a clerical mistake or an error arising from any accidental slip or omission; or an evident material miscalculation of figures or an evident material mistake in the description of any person, thing or property referred to in the approval	Planning Authority	X	X	X	X	X	X	X	X			
s56 Minor amendments of permits issued by a planning authority	Make a minor amendment of a permit and provide notice of amendment as required	Planning Authority	X	X	X	X	X	X	X	X			
s57(2) Applications for discretionary permits - decision to refuse prior to public notification	Refuse to grant a discretionary permit and serve notice on the applicant of that decision	Planning Authority	X										

s57(6) Applications for discretionary permits	Determine to grant or refuse to grant a permit, subject to conditions. Permit may be issued under delegation where the recommendation is for approval and no representations are received which object to the granting of the permit. Permit to be determined by Council where the recommendation is for refusal, or where one or more representations are received which object to the granting of the permit and the matters raised in those representations are relevant to the determination of the permit application; or otherwise as the General Manager sees fit to refer the application to Council to determine	Planning Authority	X	X	X					
s57(6)(b) Applications for discretionary permits - additional time to consider application	Seek agreement from the applicant for additional time in which to consider the application	Planning Authority	X	X	X	X	X	X	X	
s57(7) Applications for discretionary permits - notice of decision	Serve notice of decision on discretionary permit application to the applicant and any persons who made a representation on that permit application	Planning Authority	X	X	X					
s57A Mediation	If in receipt of notification of mediation or wishing for mediation to be conducted in relation to an application for a permit under s57, notify other party in writing and seek agreement for mediation. Agree on person who is to conduct mediation and on any other terms or conditions	Planning Authority	X	X	X					
s58 Application for other permits	Where an application for a permit under s58, meets requirements of the planning scheme to which the application relates, grant application either unconditionally or subject to conditions or restrictions. A further period agreed to may be extended or further extended. Serve notice of granting of permit on applicant	Planning Authority	X	X	X					
s58A Permits requiring entering into of agreements	Include a condition that an agreement is required to be entered into in respect of a use or development on a permit granted under s40Y or s57 or s58, and include in the condition the matters and requirements to be included in the agreement	Planning Authority	X	X	X					
s59 Failure to determine an application for a permit - decision by Planning Authority before order is sought from Tribunal	Make a decision on an application for a permit to which s57 or 58 applies at any time before the lodgement of an application to the Appeal Tribunal under subsection (3) and serve notice of that decision on the applicant and those who made representations	Planning Authority	X							
s60 Timing of determination of compliance with certain permit conditions	By notice in writing, advise a person as to whether or not the planning authority is satisfied that the condition of the permit has been complied with. After receiving all relevant documents and information from a person to whom a permit has been granted, advise the person that the information provided is incomplete or inadequate; and request the person provide further information reasonably required to assist determine whether the condition has been complied with. If in receipt of further information, advise the person that the information provided is satisfactory; or request person provide further information reasonably required to assist determine whether the condition has been complied with. Request the regulatory authority to advise as to whether or not the condition has been complied with. If advice from a regulatory authority that the regulatory authority is of the opinion that a condition of a permit granted to a person has, or has not, been complied with, give notice to the person in writing of the opinion of the regulatory authority	Planning Authority	X	X	X	X				
s60H Minister may request information from council or relevant State entity	Upon request, provide to Minister information specified in a notice, that is in the possession of Council and take all reasonable steps to provide Minister the information specified in the notice	Planning Authority	X							
s60I Persons to be notified of proposal for declaration and given major project proposals	If provided with a major project proposal in relation to a project, may advise Minister whether Council considers that the Minister ought not to be of the opinion that the project is eligible to be declared to be a major project and reasons for that opinion	Planning Authority	X							

s60ZJ Comments to be sought in relation to draft assessment criteria	Upon receipt of notice from Commission, provide Commission with comments as to what should be specified in the assessment criteria to be matters to be addressed in the major project impact statement	Planning Authority	X								
s60ZZB(6) Notification and exhibition of major project	Ensure the public exhibition of a major project during the exhibition period	Planning Authority	X								
s60ZZW(2) Minor amendment of major project permit	Apply to the relevant decision maker to amend the major project permit by notice in writing to the proponent, if any, and each owner, occupier or lessee of land to which the major project permit relates	Planning Authority	X								
s60ZZZC Amendment of planning scheme	Consult with Commission to amend planning scheme that applies to the land on which the major project is to be situated, so as to remove any inconsistency between permit and planning scheme	Planning Authority	X								
s61 Appeals against planning decisions	Represent planning authority and give evidence and make submissions before RMPAT in relation to an appeal under s59 for a failure to determine an application within the statutory timeframe; under s61(3) against an additional information request made under s54; under s61(3A) against a decision to amend a permit; under s61(4) by an applicant against a decision of the planning authority under s57 or s58 on a permit application; under s61(5) by a person or agency who has made a representation on a permit application; under 61(6) by an owner of land for which a permit requires an agreement; under 61(7) against issue of an enforcement notice in accordance with s65C; under s61(8) against the cancellation of a permit in accordance with s65G; and under s80 in relation to an agreement under part 5 to engage in mediation conducted by the RMPAT and to sign any consent agreement resulting from mediation which is within the power of a planning authority and which will achieve a lawful resolution of an appeal; appoint a person to represent planning authority and make submissions or to give evidence before the RMPAT	Planning Authority	X								
s62 Determination of appeals	After an appeal, if directed by the Appeal Tribunal, grant the permit (with or without conditions specified) not grant a permit; not amend a permit; amend a permit as specified; not cancel a permit; or not cancel a permit and impose conditions on permit	Planning Authority	X	X	X						
s63 Obstruction of sealed schemes	Receive reasonable costs incurred in investigating an offence or prosecuting an offence, if a court orders a person to pay. If a person does not carry out work within a period directed by the court, carry out work and recover costs from person	Planning Authority	X								
s63B Notice of suspected contravention may be given	Receive notice of contravention or failure to comply with s60ZB(1) or s63(2). Issue notice in writing as soon as practicable, if a notice is in relation to a contravention or failure, or likely contravention or failure, is given, advising person to whom it is issued of the determination, the laying of charges or the issue and service of an infringement notice under s65A or an enforcement notice under s65C	Planning Authority	X	X	X						

	Receive notice of or likely contravention of or likely failure to comply with s60ZB(1) or s63(2). Notify applicant of a determination that charges are not to be laid, or an infringement notice under s65A, or an enforcement notice under s65C, is not to be issued and served on a person, in relation to the contravention or failure; and before the application is made, charges are not laid, and an infringement notice under s65A, or an enforcement notice under s65C, is not issued and served on a person, in relation to the contravention or failure; or where if within 120 days of the planning authority being given the notice under s63B(1) in relation to the contravention or failure - charges in relation to the contravention or failure have not been laid; and an infringement notice under s65A, or an enforcement notice under s65C, has not been issued and served on a person, in relation to the contravention or failure. If directed by the Appeal Tribunal be made an applicant in an application. Where the Appeal Tribunal makes an order under subsection (3)(e) and the respondent fails to comply with the order within the period specified by the Appeal Tribunal, the Commission or a planning authority may, by leave of the Appeal Tribunal, cause any work contemplated by the order to be carried out, and recover the costs of that work, as a debt, from the respondent	Planning Authority	X	X	X					
s64 Civil enforcement proceedings										
s65A Infringement notices	Issue an infringement notice and serve on a person if the officer reasonably believes that the person has committed an infringement offence	Authorised Officer	X	X	X					
s65B Notice of intention to issue enforcement notice	An authorised officer who reasonably believes a person has committed, is committing, or is about to commit, an offence against s57(4A), s63(3) or s64(7) may issue a notice (a notice of intention to issue an enforcement notice) in relation to the offence and serve it on the person. Notify in writing an owner of land, in relation to which a notice of intention to issue an enforcement notice is served under subsection (1), if the person on whom the notice is served is not the owner of the land	Authorised Officer	X	X	X					
s65C Enforcement notices	An authorised officer who reasonably believes a person has committed, is committing, or is about to commit, an offence against s57(4A), s60ZB(1), s63(3) or s64(7) may issue a notice (an enforcement notice) in relation to the offence and serve it on the person. Notify in writing an owner of land, in relation to which an enforcement notice is served under subsection (1), if the person on whom the enforcement notice is served is not the owner of the land. An authorised officer may, by notice served on a person on whom an enforcement notice has been served, withdraw the enforcement notice. If withdrawing an enforcement notice in relation to land, give notice in writing of the withdrawal of the enforcement	Authorised Officer	X	X	X					
s65D Requirements of enforcement notices	If issuing an enforcement notice under s65C in relation to land to which an environment protection notice issued under s44 of EMPCA 1994 applies, notify the Director, within the meaning of that Act, that the enforcement notice has been issued	Authorised Officer	X	X	X					
s65E Offences and penalties in relation to enforcement notices	If a person is convicted of an offence against subsection (1), does not carry out the work and planning authority carries out the work under subsection (5), the person is liable to the planning authority for reasonable costs incurred by the authority in carrying out the work. Carry out work if a court makes an order of a kind referred to in subsection (3) in relation to a person and person does not, within period specified in order	Planning Authority	X							
s65F Notice of intention to cancel a permit to be issued before permit cancelled	If there are grounds on which a permit in force in relation to land may be cancelled under s65G, issue notice of intention to cancel a permit and serve it on owner of the land; or on an occupier of the land and the owner of the land, if the grounds relate to the use or development of the land by the occupier	Authorised Officer	X	X	X					
s65G Cancellation of permits	Cancel a permit in relation to land in the municipal area of the authority by issuing and serving a notice (a notice of cancellation of permit) and notify the owner in writing of the cancellation of the permit to which the notice relates	Planning Authority	X							

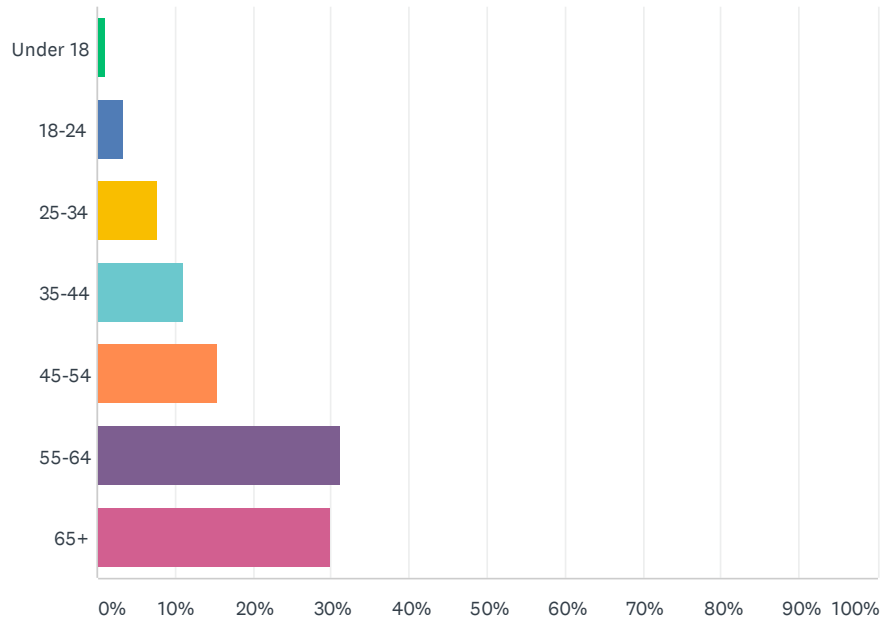
s65I Authorised officers	The general manager of a council may authorise a person to be, for the purposes of this Act, an authorised officer in respect of the municipal area of the council. The general manager of a council is, for the purposes of this Act	General Manager	X								
s65J Powers of authorised officers	If reasonably required for a purpose connected with the administration or enforcement of this Act, enter and inspect any place if the occupier of the place consents to the officer's entry; or the entry is made under a warrant issued under s65K; or the place is a public place and the entry occurs when the place is open to the public. If reasonably required for a purpose connected with the administration or enforcement of this Act take photographs, films or audio, video or other recordings; or examine or test any air or thing from a place or require the thing to be examined or tested or provided to the officer for examination or testing. Require a person to provide a document, or a copy of a document, in the possession of the person, if the document is reasonably required for a purpose connected with the administration or enforcement of this Act. Examine, copy or take extracts from a document provided in accordance with a requirement imposed under subsection (3) or found in the conduct of a search under this Act. Require a person provide information that is reasonably required for a purpose connected with the administration or enforcement of this Act. Require a person to answer questions in relation to a matter. Require a person who is reasonably suspected has committed, is committing, or is about to commit, an offence against this Act, to state the person's full name, date of birth and usual place of residence; and produce evidence of the person's identity	Authorised Officer	X	X	X						
s65K Entry and search warrants	Apply to a magistrate for a search warrant. If an application for a warrant is made by telephone, inform the magistrate of the applicant's name and that the applicant is an authorised officer; as soon as practicable after the issue of the warrant, forward to the magistrate an affidavit verifying the facts referred to in paragraph (c). In executing a warrant, an authorised officer specified in the warrant may obtain the assistance that is necessary and reasonable in the circumstances. As soon as practicable after executing a warrant, prepare a notice in the prescribed form containing the notice to the occupier or person apparently in charge of the land to which the warrant relates or leave it, on a prominent place on the land, for the occupier or person	Authorised Officer	X	X	X						
s65M Obstruction of authorised officers and others	Issue an infringement if obstructed	Authorised Officer	X	X	X						
s67 Power to withdraw or modify planning scheme or interim order after compensation determined	Give notice to a claimant of its intention to withdraw or modify all or any of the provisions of the planning scheme which gave rise to the claim for compensation. Where the notice relates to a planning scheme, submit for the approval of the Commission an amendment of the planning scheme, prepared in accordance with Part 3B	Planning Authority	X								
s69 Indemnification of planning authorities for liability to pay compensation	Recover as a debt due to the planning authority in any court of competent jurisdiction	Planning Authority	X								
s71 Planning authority may enter into agreements	Enter into an agreement with an owner of land in the area covered by a planning scheme	Planning Authority	X	X	X						
s72 Form and contents of agreement	Seal an agreement	General Manager	X								
s73 Bonds and guarantees	Include in an agreement a condition that the owner is to deposit with the planning authority a sum of money fixed by or determined in accordance with the agreement; or an undertaking to pay that sum together with security in a form determined by or in accordance with the agreement	Planning Authority	X								
s73A Payments and contributions for infrastructure	Include in an agreement a provision for a payment or other contribution for infrastructure to be made by any party to the agreement	Planning Authority	X								

s74 Duration of agreement	End an agreement with the approval of the Commission or by agreement between the authority and all persons who are bound by any covenant in the agreement	Planning Authority	X	X	X					
s75 Amendment of agreements	Amend an agreement between the planning authority and all persons who are bound by any covenant in the agreement	Planning Authority	X	X	X					
s78 Registration of agreements	Lodge with the Recorder an executed copy of an agreement. Where an agreement is registered, as soon as practicable, lodge with the Recorder notification, in a form approved by the Recorder, of the amendment or ending of the agreement, together with particulars of title to any land to which the agreement relates	Planning Authority	X							

Don Congregational Cemetery Survey

Q1 What is your age?

Answered: 90 Skipped: 0

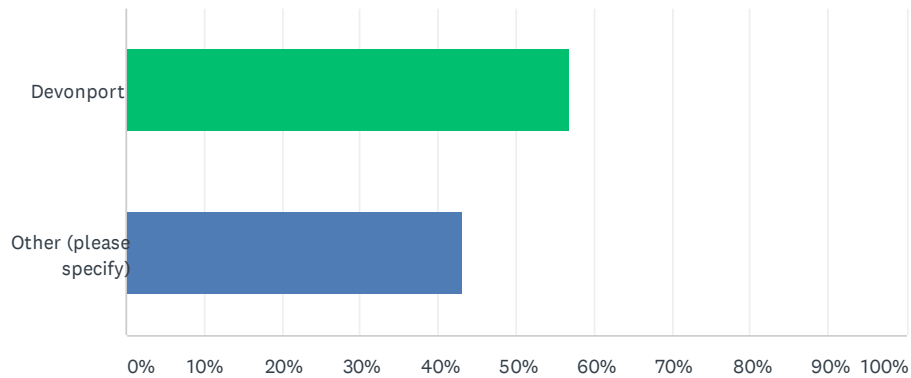


ANSWER CHOICES	RESPONSES	
Under 18	1.11%	1
18-24	3.33%	3
25-34	7.78%	7
35-44	11.11%	10
45-54	15.56%	14
55-64	31.11%	28
65+	30.00%	27
TOTAL		90

Don Congregational Cemetery Survey

Q2 What town / city do you live in?

Answered: 88 Skipped: 2



ANSWER CHOICES		RESPONSES	
Devonport		56.82%	50
Other (please specify)		43.18%	38
TOTAL			88

Attachment 5.1.1 Congregational Cemetery Survey Responses

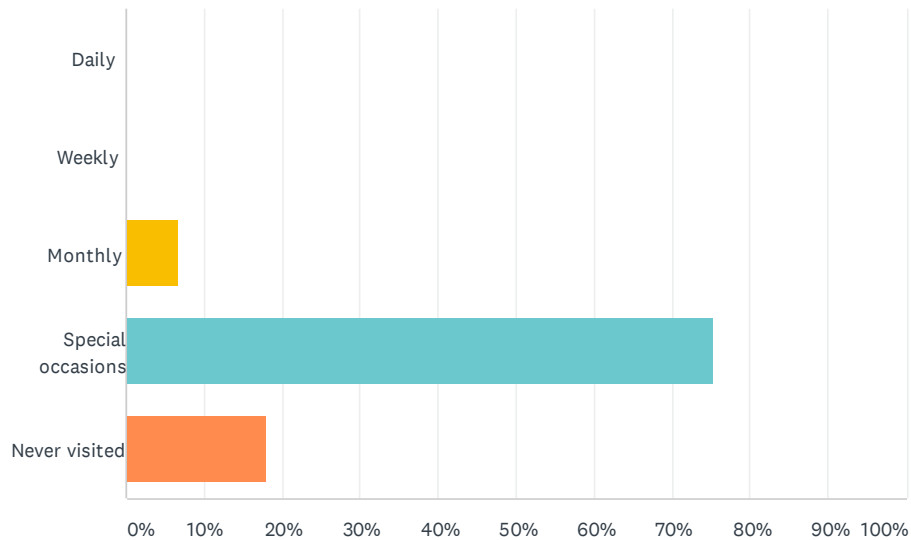
Don Congregational Cemetery Survey

#	OTHER (PLEASE SPECIFY)	DATE
1	Latrobe	3/1/2021 10:59 AM
2	Ulverstone	3/1/2021 10:55 AM
3	Don	2/28/2021 3:59 PM
4	Port Sorell	2/24/2021 8:41 PM
5	Townsville Queensland	2/21/2021 10:43 PM
6	Latrobe	2/21/2021 10:26 PM
7	Brisbane	2/21/2021 10:23 PM
8	Lower Barrington	2/21/2021 9:58 PM
9	South Spreyton	2/21/2021 9:33 PM
10	Burnie	2/21/2021 6:36 PM
11	Latrobe	2/21/2021 4:47 PM
12	Spreyton	2/20/2021 10:22 PM
13	Penguin	2/20/2021 9:20 PM
14	Kuopio	2/20/2021 6:48 PM
15	Ulv	2/20/2021 5:58 PM
16	Swansea	2/20/2021 4:39 PM
17	St Helens	2/20/2021 3:35 PM
18	Canberra	2/20/2021 3:08 PM
19	Hobart	2/20/2021 2:25 PM
20	Launceston	2/20/2021 2:12 PM
21	Nook	2/20/2021 1:57 PM
22	Launceston	2/20/2021 1:20 PM
23	Hobart but born in Devonport	2/20/2021 1:12 PM
24	Latrobe	2/20/2021 12:59 PM
25	Shearwater	2/20/2021 12:11 PM
26	Cape Paterson victoria	2/20/2021 11:19 AM
27	Port Macquarie, NSW	2/20/2021 8:40 AM
28	Shearwater	2/20/2021 8:26 AM
29	Coomera, Qld, 4209	2/19/2021 9:29 PM
30	Latrobe	2/19/2021 3:26 PM
31	Smithton	2/19/2021 9:24 AM
32	Spreyton	2/19/2021 7:32 AM
33	burnie	2/18/2021 12:50 PM
34	BURNIE	2/17/2021 12:21 PM
35	Railton	2/17/2021 11:23 AM
36	latrobe	2/17/2021 10:56 AM
37	Forthside	2/16/2021 9:04 PM
38	Burnie	2/16/2021 11:41 AM

Don Congregational Cemetery Survey

Q3 How often do you visit the Congregational Cemetery?

Answered: 89 Skipped: 1



ANSWER CHOICES	RESPONSES	
Daily	0.00%	0
Weekly	0.00%	0
Monthly	6.74%	6
Special occasions	75.28%	67
Never visited	17.98%	16
TOTAL		89

Don Congregational Cemetery Survey

#	COMMENTS WELCOME:	DATE
1	My grandparents, great grand parents and cousins are buried there (The Hon. John Henry).	3/1/2021 10:59 AM
2	Not sure about parking - so don't visit	3/1/2021 10:55 AM
3	It is somewhere we would like to visit for the history but were unsure if we were allowed to enter.	2/28/2021 3:59 PM
4	Barbara Pendrey's "The Cycle of Time" book sparked my interest in history	2/28/2021 3:16 PM
5	When I return to Tasmania I visit my fathers grave site.	2/21/2021 10:43 PM
6	It's part of history	2/21/2021 10:26 PM
7	My husband grand parents are in there	2/21/2021 10:26 PM
8	Many many years ago	2/21/2021 10:08 PM
9	I have an Uncle and Great Grandparents there. I knew my Great Grandmother and my Mother has more loved ones buried there including her brother who were in her living memories. This is a vital part of the Devonport history and story. Myself and family grew up in Devonport and I lived in the municipality for many years. Please devise a plan for upkeep and beautification as I'm sure it would be widely appreciated.	2/21/2021 9:58 PM
10	Unsure how to enter	2/21/2021 8:26 PM
11	Great to know I can visit whenever I choose - very accessible.	2/21/2021 4:47 PM
12	Occasionally	2/21/2021 4:41 PM
13	My great great grand fathers grave Henry Carter	2/20/2021 6:48 PM
14	I am with the DEVONPORT RSL and am interested in the ww1 veterans who are marked in cemetery, I would like to do something special for those personal	2/20/2021 5:55 PM
15	Great Grandparents are buried in this cemetery and I visit often.	2/20/2021 4:39 PM
16	I have family members buried there. Their plots were bought and paid for so they should remain. It is my special place	2/20/2021 3:35 PM
17	I visit Tasmania twice per year to see Moon family relatives, and have visited the cemetery approximately once per year.	2/20/2021 3:08 PM
18	When I am in Devonport once or twice every few years.	2/20/2021 2:25 PM
19	My great grandparents are buried there . Stephen Paul Holman and his wife Laura. I try my hardest to keep all the family graves clean and tidy	2/20/2021 1:57 PM
20	My great great grandfather William Yaxley, one of the pioneers of the Don/Forth area is buried here along with many other Yaxley ancestors. Gustav Weindorfer's wife Kate is also buried here.	2/20/2021 1:20 PM
21	As a person researching family history, I am always looking for online searchable burials in various cemeteries. Having access to those types of records and photos makes research a lot more interesting, valuable and adds to the depth of knowledge of our ancestors.	2/20/2021 8:40 AM
22	I'm from Ulverstone and have 2 sets of great great great grandparents (Barker and Macrow) and several distant cousins (Barnard, Macrow and Page) residing in that cemetery. Over the years I have visited it several times for family research reasons	2/19/2021 9:29 PM
23	Plan on visiting	2/19/2021 3:26 PM
24	My surname is Archer and I have many relatives in that cemetery including mu G.G. Grandparents and possibly my G. G. G. Grandparents.	2/19/2021 9:24 AM
25	Although I've never visited I think it is important to preserve historical records/sites.	2/18/2021 9:50 PM
26	My great grand parents, James & Hannah Hancock are buried there. They were early settlers at the Don & James was a well known miner on the West Coast. There are many descendants living on the North West Coast.	2/18/2021 12:50 PM
27	Have been photographing and documenting all headstones in the Devonport Municipality, and I must say that by far the Council could do more to upkeep and improve all of them. Uneven ground, poor signage, graves marked on maps to allow family members to find their loved one, vandalism, deterioration due to time and weathering, markers needing to be put where no grave now exists (maybe a community organisation can assist in this as a funded	2/17/2021 5:40 PM

Don Congregational Cemetery Survey

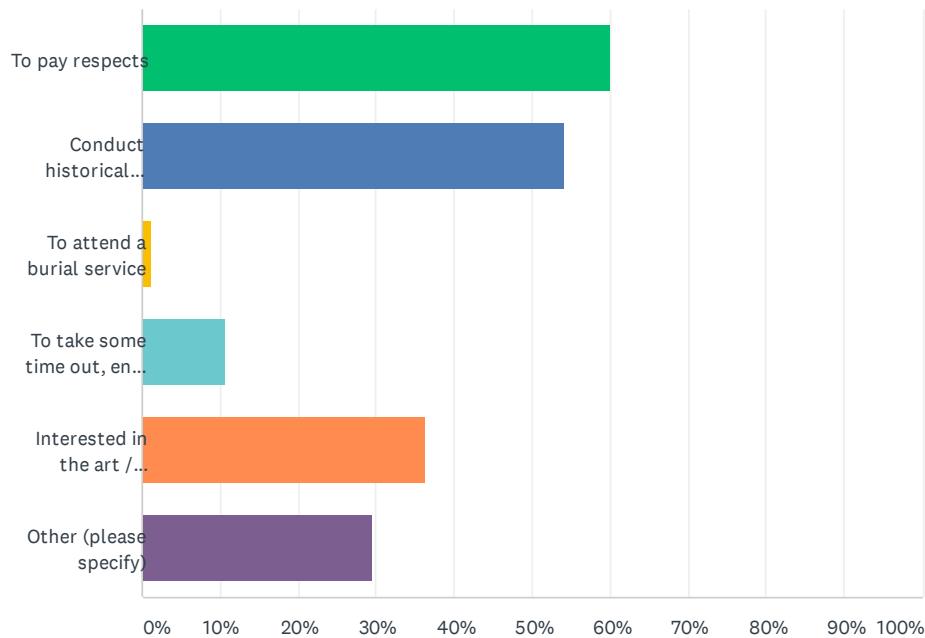
project, e.g. Men's Shed, Rotary, Apex or some such organisation. Having undertaken photographing cemeteries in other municipalities, Devonport can well step up and take a leaf out of councils such as Burnie, who are preserving their history for future generations and Ulverstone General placing markers also on unknown gravesites. I was only out at Mersey Vale on Sunday 14th photographing Lawn 1 (just inside the main gate in the centre I think), and a lot of the graves are overgrown or sunken and were unable to be photographed. Considering this cemetery is only approx 53 years old, it seriously needs something done to it. I actually saw a lady out there with a spade, obviously trying to improve upon a certain graves condition. I've heard of other people building up a loved ones grave. Not everybody has family members who can visit and tend to graves at all or on a regular basis. Maybe Council need to come up with a way to fix this problem. How can we (as in a friend and myself) document our fellow descendants when the Council lets graves fall into disrepair. I'm quite ashamed of the state a lot of graves are in.

28	Not strictly related to this survey - Mersey Vale Cemetery needs urgent improvements. (I did the last survey about Mersey Vale and have since found out how bad it is.) It may be a case of spend money to save money: A lot of plaques have sunk below the surface and are badly neglected for various reasons. (Family members may find it hard to visit the cemetery, or may be immobile or deceased) PLEASE consider putting cement beams across the older sections of the lawn cemetery & reattaching the plaques to the cement beams. This should help preserve the plaques, and make it easier for the council employees to keep the cemetery well maintained. Thanks for the opportunity to do this survey.	2/17/2021 3:47 PM
29	Visit due to historical value.	2/17/2021 1:58 PM
30	5 times in my life 4 as a child with my grandmother	2/17/2021 12:41 PM
31	Varies	2/17/2021 11:23 AM
32	go to visit my grandmother /grandfather	2/17/2021 10:56 AM
33	Live nearby	2/16/2021 9:51 PM
34	Beautiful place to be buried. But needs more maintenance	2/16/2021 7:02 PM
35	I believe this is also the resting place of Kate Cowle, wife of Gustav Weindorfer and just as important as her husband in the creation of Cradle Mountain National Park. Often overlooked because she died at a relatively young age. She deserves much more recognition, the works and achievements of pioneer women are frequently under rated or forgotten. As a Devonport local, her work should be celebrated.	2/15/2021 3:31 PM

Don Congregational Cemetery Survey

Q4 What are your reasons for visiting the Congregational Cemetery (tick one or more boxes)

Answered: 85 Skipped: 5



ANSWER CHOICES	RESPONSES	
To pay respects	60.00%	51
Conduct historical research, eg, researching family tree	54.12%	46
To attend a burial service	1.18%	1
To take some time out, enjoy the park like experience	10.59%	9
Interested in the art / design / architecture of headstones and plots	36.47%	31
Other (please specify)	29.41%	25
Total Respondents: 85		

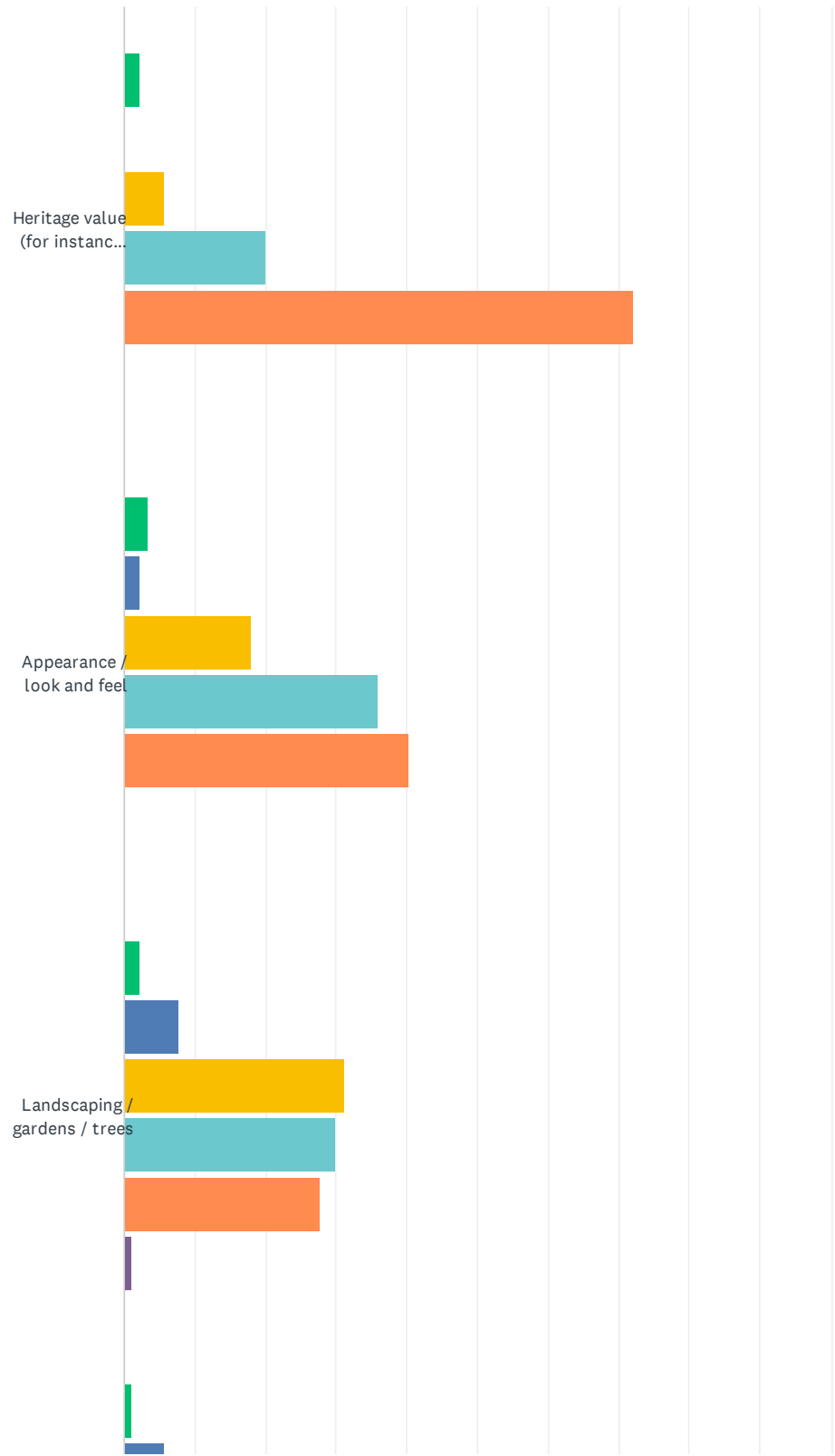
Attachment 5.1.1 Congregational Cemetery Survey Responses

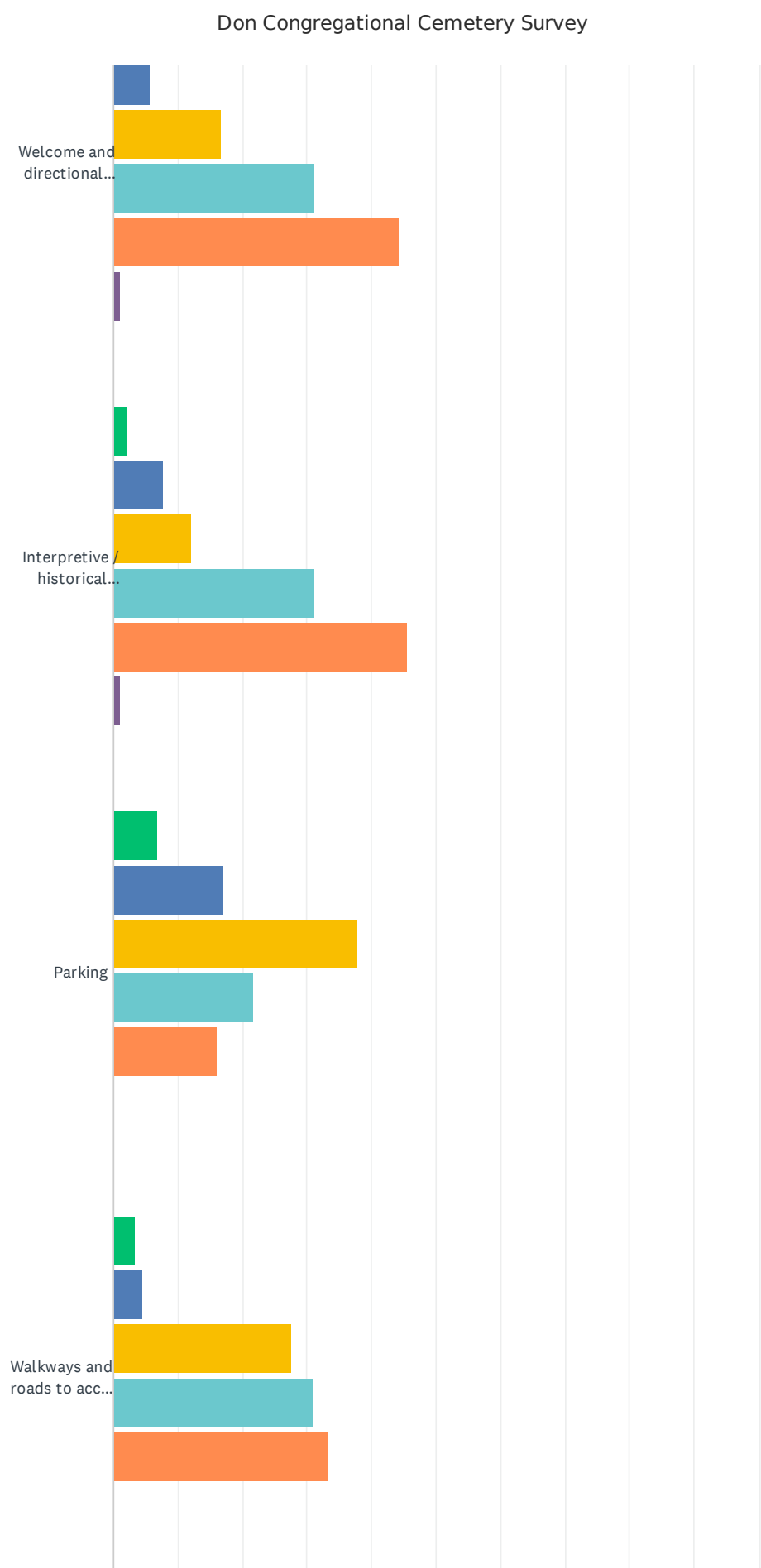
Don Congregational Cemetery Survey

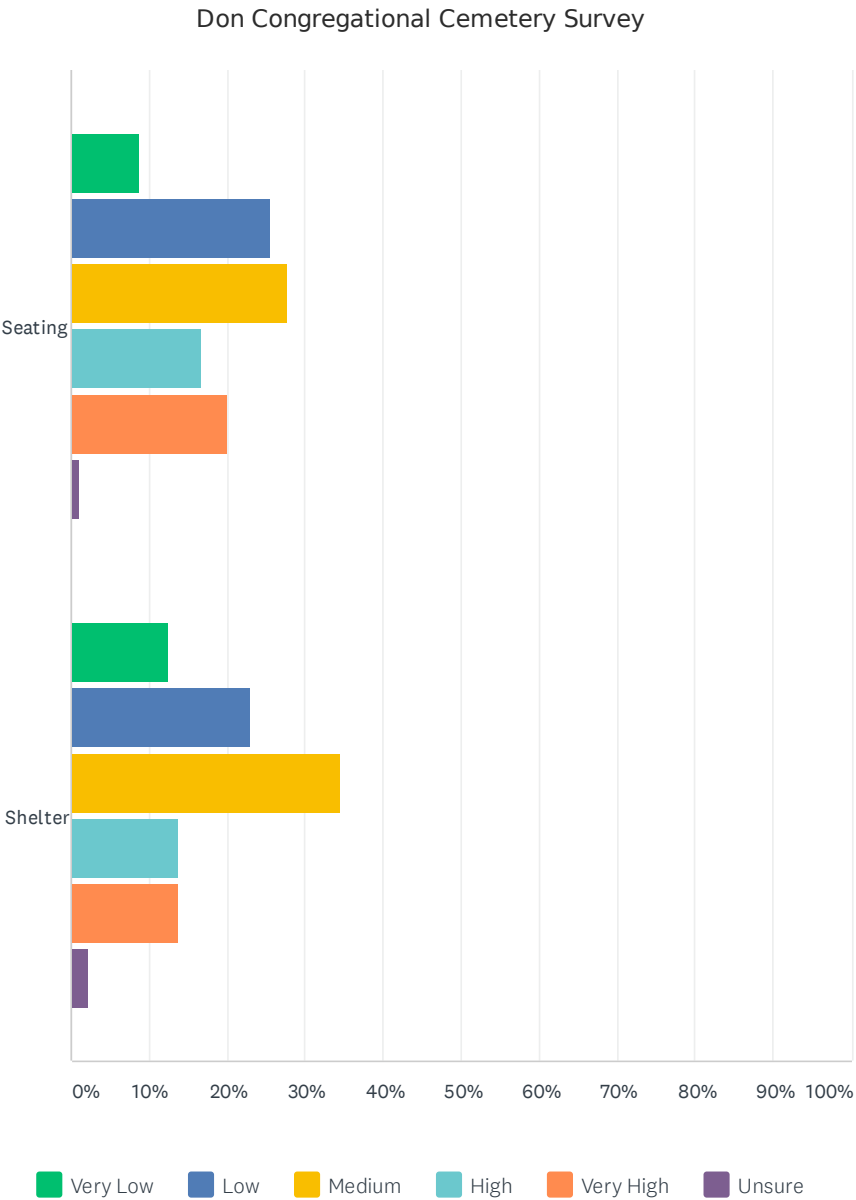
#	OTHER (PLEASE SPECIFY)	DATE
1	Stony Rise Road is a very busy road, parking is not very adequate and some sort of entrance would help make the visit to the cemetery more inviting.	3/1/2021 10:59 AM
2	Have always wanted to visit with Barbara Pendry's book, The Cycle of Time - but unsure where to park. Have ancestors - Roskert and Henry there.	3/1/2021 10:55 AM
3	I have ancestors who are buried in this historical cemetery.	2/28/2021 3:49 PM
4	Relatives buried there	2/28/2021 3:16 PM
5	I'm not yet to visit but I have visited the other cemeteries on stony rise road.	2/28/2021 9:52 AM
6	Interested in reading headstone information.	2/28/2021 9:18 AM
7	My great-grandparents and other family members are buried there.	2/25/2021 10:15 AM
8	family members buried there. historical interest and childhood memories of visits there with family	2/24/2021 1:56 AM
9	Never been.	2/21/2021 10:26 PM
10	My father was so proud when his parent's grave was finally finished properly. It cost him and his brother a lot of money to complete. Please don't allow this important part of our heritage to be eroded.	2/21/2021 10:23 PM
11	My late parents went to a funeral there. I was a child	2/21/2021 10:08 PM
12	The headstones provide information and stories of people who lived locally. Love reading them.	2/21/2021 9:58 PM
13	Great grandparents are buried there	2/21/2021 9:33 PM
14	My Great Grandparents (whom I knew) and some Great aunts and Great Uncles are buried in this cemetery.	2/21/2021 6:36 PM
15	Grandfathers and relative graves. History of Devonport.	2/20/2021 6:48 PM
16	History that you can touch is so important. The sea and river was the ONLY way to travel during early days. People should never forget this	2/20/2021 5:58 PM
17	To visit my first relatives that came to the Devonport and Don area from Scotland in the late 1800's	2/20/2021 3:08 PM
18	Try and keep family burial plots tidy	2/20/2021 1:57 PM
19	My pioneer family buried here	2/20/2021 11:19 AM
20	Historical interest	2/20/2021 10:29 AM
21	I have ancestors buried there, so it is important for me that the cemetery be retained and maintained.	2/19/2021 9:20 AM
22	I have never visited, but now seeing this survey I would interested in visiting from a history standpoint	2/17/2021 10:07 AM
23	Live nearby..lots of history	2/16/2021 9:51 PM
24	Walk my dog	2/16/2021 7:02 PM
25	I	2/16/2021 5:59 PM

Q5 Please rank the importance of each of the following aspects of managing the Congregational Cemetery

Answered: 90 Skipped: 0







Don Congregational Cemetery Survey

	VERY LOW	LOW	MEDIUM	HIGH	VERY HIGH	UNSURE	TOTAL
Heritage value (for instance maintenance of headstones/plots)	2.22% 2	0.00% 0	5.56% 5	20.00% 18	72.22% 65	0.00% 0	90
Appearance / look and feel	3.37% 3	2.25% 2	17.98% 16	35.96% 32	40.45% 36	0.00% 0	89
Landscaping / gardens / trees	2.22% 2	7.78% 7	31.11% 28	30.00% 27	27.78% 25	1.11% 1	90
Welcome and directional signage including plan of gravesites	1.11% 1	5.56% 5	16.67% 15	31.11% 28	44.44% 40	1.11% 1	90
Interpretive / historical signage	2.22% 2	7.78% 7	12.22% 11	31.11% 28	45.56% 41	1.11% 1	90
Parking	6.90% 6	17.24% 15	37.93% 33	21.84% 19	16.09% 14	0.00% 0	87
Walkways and roads to access plots	3.45% 3	4.60% 4	27.59% 24	31.03% 27	33.33% 29	0.00% 0	87
Seating	8.89% 8	25.56% 23	27.78% 25	16.67% 15	20.00% 18	1.11% 1	90
Shelter	12.64% 11	22.99% 20	34.48% 30	13.79% 12	13.79% 12	2.30% 2	87

Don Congregational Cemetery Survey

Q6 Do you have any suggestions for improving the Congregational Cemetery?

Answered: 48 Skipped: 42

Don Congregational Cemetery Survey

#	RESPONSES	DATE
1	Stony Rise Road is a very busy road, parking is not very adequate and some sort of entrance would help make the visit to the cemetery more inviting for visits. The access road through cemetery would help and safer to walk through the graves. I am proud of my forebears and appreciate this opportunity to have some input into this survey.	3/1/2021 10:59 AM
2	I feel question 5 answers that question	3/1/2021 10:55 AM
3	Booklets. Information re older graves and the people contained in them. Garden, trees. May need security cameras if improvements are attended and becomes popular. Or fencing and gates that lock at night.	2/28/2021 3:59 PM
4	From an historical point of view I feel this cemetery should be maintained as it is the resting place of many early pioneers in the district. It is an asset to people researching their family history.	2/28/2021 3:49 PM
5	Road in is often corrugated after rainwater runoff, so some remedial work would be necessary.	2/26/2021 9:22 AM
6	Please consider maintaining the headstones and grounds and general physical access to the grave sites. A plan of gravesites would be helpful for visitors who are unfamiliar with the cemetery.	2/25/2021 10:15 AM
7	many historical graves here of founding fathers should be maintained and respected	2/24/2021 1:56 AM
8	Clean it up, sick of paying rates to a disfunctional council	2/22/2021 1:44 AM
9	Keep the area and grave sites clean and weed free.	2/21/2021 10:43 PM
10	Keep it cleaned up	2/21/2021 10:40 PM
11	Unemployed out there could do this	2/21/2021 10:26 PM
12	Keep the weeds down. No point spending a fortune when it will get moved in 20 years	2/21/2021 10:26 PM
13	Just clean it up make it look respectable	2/21/2021 10:26 PM
14	Keep it maintained. It is a special part of Devonport's history and we should value our forefathers. My grandparents and other family members are buried there. I can remember how my father had to save for the grave and headstone to be completed.	2/21/2021 10:23 PM
15	See if work for the dole or other similar organizations can do this work	2/21/2021 10:08 PM
16	Be nice to have a traditional garden feel to suit the historical significance. Consideration should be given for mobility impaired visitors as many are elderly.	2/21/2021 9:58 PM
17	I'd like to see if maintained, weeds gone, treated with respect	2/21/2021 9:33 PM
18	Do not move the headstones into groups	2/21/2021 8:26 PM
19	Ensure good high fencing around site to deter vandalism but with visible and easy access to the road. Suitable fencing across the front in keeping with age of graves - eg picket or plastic coated wire heritage fence. Interpretative signage on the lines of those used along the Mersey River. Restoration of plots. Improved gravel pathways, lawns, shade trees. Kerbing beside road allowing for off road parking for 2 cars. Signage to cemetery from Don River Railway. Include significance of site amongst all Devonport Tourism promotions.	2/21/2021 4:47 PM
20	There needs to be greater emphasis out on the historical value. It would be good to see links to the families stories particularly influential families that have been in the area for generations. Lots of old cemeteries now use QR code's to link headstones to stories online. A map and information board would be a good start. The wooden headstone needs preserving as a unique item. Many graves need soil and cement work. Some are in terrible state of repair almost to the disturbing stage when you walk around them.	2/21/2021 4:41 PM
21	Keep it as it is and put a fence around it and look after it	2/20/2021 10:22 PM
22	Very interesting gravestones. Historical value. I would be interested in the stories. Actually my old geography teacher Mrs Coulson documented in two books dedicated to gravestones of Tasmania and the cemetery features in this publication. Here in Kuopio , cemeteries are beautiful with sensitive lighting and candles - a place to spend time in.	2/20/2021 6:48 PM
23	Possible have young folk help keep area clear	2/20/2021 5:58 PM
24	There are many unmarked graves, and tombstones dislodged, these need fixing	2/20/2021 5:55 PM
25	All cemeteries should be cared for and respected	2/20/2021 3:35 PM

Attachment 5.1.1 Congregational Cemetery Survey Responses

Don Congregational Cemetery Survey

26	Repair the very old headstones or vaults that have collapsed or are about to. Reference this site to others in Devonport to link the heritage	2/20/2021 3:08 PM
27	Our family visits this cemetery because we have ancestors buried there. I think there is high potential for "heritage tourism" or people interested in family tree research in this area, and anything that can be done to encourage or assist this would be well received. I know that the Council has quite a few historical items relating to our family in storage not far from this cemetery. Maybe the council could tie-in some of the items with "history trails" or guides or something. The Don area is so historic and picturesque it has great potential for self guided trails with signage linking things like the railway, cemeteries and river walks, particularly since the families were so important to the development of Don and Devonport.	2/20/2021 2:25 PM
28	Walkways cleared would be an advantage to many. Mine are easy access	2/20/2021 2:12 PM
29	Just keep up the work you are doing	2/20/2021 1:57 PM
30	If the above are implemented it would improve and help maintain this historical site into the future. It should be preserved at all costs.	2/20/2021 1:20 PM
31	Relocate all the plots and make it a nice park.	2/20/2021 1:19 PM
32	Lacks landscaping and signage explaining the historic significance of the cemetery and those buried there.	2/20/2021 12:59 PM
33	Clean it up and make it presentable for public. Include some history of Devonports forefathers and family	2/20/2021 11:47 AM
34	You currently take as much interest in this cemetery as you do in the others. Devonport consistently ignores it's history, streetscape, heritage. Time to lift your game.	2/20/2021 10:29 AM
35	As I live interstate, it is very important to have online access to details and photos of gravesites	2/20/2021 8:40 AM
36	Keep up the good work of maintaining the cemetery for future generations to enjoy the historical value of the site	2/19/2021 9:29 PM
37	Maybe it is possible to list all known burials online with an associated map. The old Stanley cemetery has a stainless steel etched plaque showing all known burials and where they are. I imagine this would be challenging and expensive, but once done, it would be recorded forever.	2/19/2021 9:24 AM
38	I hope there are no plans to dispense with headstones and turn the site into a park.	2/19/2021 9:20 AM
39	Just a general caring plan into the future.	2/18/2021 12:50 PM
40	As per my comments above	2/17/2021 5:40 PM
41	Find the records for all burials and have funding for basic vandal-proof headstones for all the people buried there in unmarked graves. Maybe a sectional marker for people buried there if the exact location is unknown.	2/17/2021 3:47 PM
42	No	2/17/2021 1:58 PM
43	Weed regularly, put some seats about and a map. Clean it up and keep it locked overnight	2/17/2021 12:41 PM
44	Ensure there are tap for water for flowers and not just one or two. And bins to dispose of rubbish, dead flowers etc again not just one and two. Ask family members who has descendants buried there for input	2/17/2021 11:23 AM
45	build more shelter and seating	2/17/2021 10:56 AM
46	Restore as much as possible..historical value same as cemetery up further...	2/16/2021 9:51 PM
47	Having interpretive and historical signage would be a very important asset to the heritage of the site. Don is a very significant area in the early colonial history of the north-west of Tasmania, which I believe is under valued and needs nurture to make sure we don't lose that.	2/16/2021 9:04 PM
48	Foot path access from Don village would be greatly appreciated.	2/15/2021 3:31 PM



**DON CONGREGATIONAL CEMETERY
MASTER PLAN
2022-2032
DRAFT**

March 2021

Next Date of Review: July 2032
Document Controller: Executive Manager City Growth
Document Reviewer: Infrastructure and Works Manager
Date Adopted by Council:
Resolution Number:

Cover Image: Kelly Slater 2020

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1 Introduction

1.1 Purpose

The Don Congregational Cemetery Master Plan 2022-32 is a guiding document for the development and management of the Congregational Cemetery over a ten-year period commencing July 2021. The development of master plans for all Devonport cemeteries is an action of the Cemetery Strategy 2011-2030.

The central aim of the Master Plan is:

To preserve the individual and shared heritage value of the Cemetery, while sustainably operating the site for current and future community needs.

The objectives of the Master Plan are to:

- Identify relevant heritage and operational constraints and opportunities.
- Understand and respect social and historical values in cemetery management.
- Ensure Council understands and meets its legal obligations as the Cemetery manager.
- Provide a strategic approach towards cemetery management that is realistic, achievable and within reasonable resources available to the Council and community.

1.2 Methodology

Development of this Master Plan has involved:

1. Consultation with the general community in the form of an online and print survey (90 respondents).
2. Onsite meetings with Devonport City Council officers to review consultation outcomes and identify further issues and opportunities.
3. Drafting of guiding principles and actions in line with the purpose of the Cemetery, local site characteristics, community input, and resourcing options.

1.3 Implementation and Review

Devonport City Council will be responsible for coordinating the implementation of the Plan. Review of actions will occur on an annual basis and align with Council's Annual Plan and Estimates process.

1.4 Related Plans and Strategies

The following Council documents inform the development and implementation of the Master Plan.

- *Devonport City Council Strategic Plan 2009-2030*
- *Cemetery Strategy 2011-2030*
- *Signage Strategy 2017-2020*
- *Pedestrian Strategy 2016-2021*
- *Public Open Space Strategy*
- *Disability Inclusion Plan 2020-2025*

1.5 Legislation

Council is required to comply with the following Tasmanian legislation related to cemetery management.

- *Burial and Cremation Act 2019*
- *Burial and Cremation Regulations 2015*
- *Local Government Act 1993*

Devonport City Council, being the cemetery manager, has a range of important legal obligations and duties as listed in the Burial and Cremation Amendment Act 2019. For example, cemetery managers are responsible for:

- the correct handling and interment (burial) of human remains;
- providing public access to cemeteries;
- administration and record-keeping; and
- general maintenance and upkeep of cemeteries.

As per the Act (section 34.3) maintenance of vaults, graves or monuments are generally not the responsibility of cemetery managers. However, with the passing of time Council may be obligated to repair vaults, graves or monuments that present a risk to public health or safety.

2 Context

2.1 Description

The Congregational Cemetery is just under 1 acre (0.4032 ha) of public open space in ownership of Devonport City Council, located at 207 Stony Rise Road.

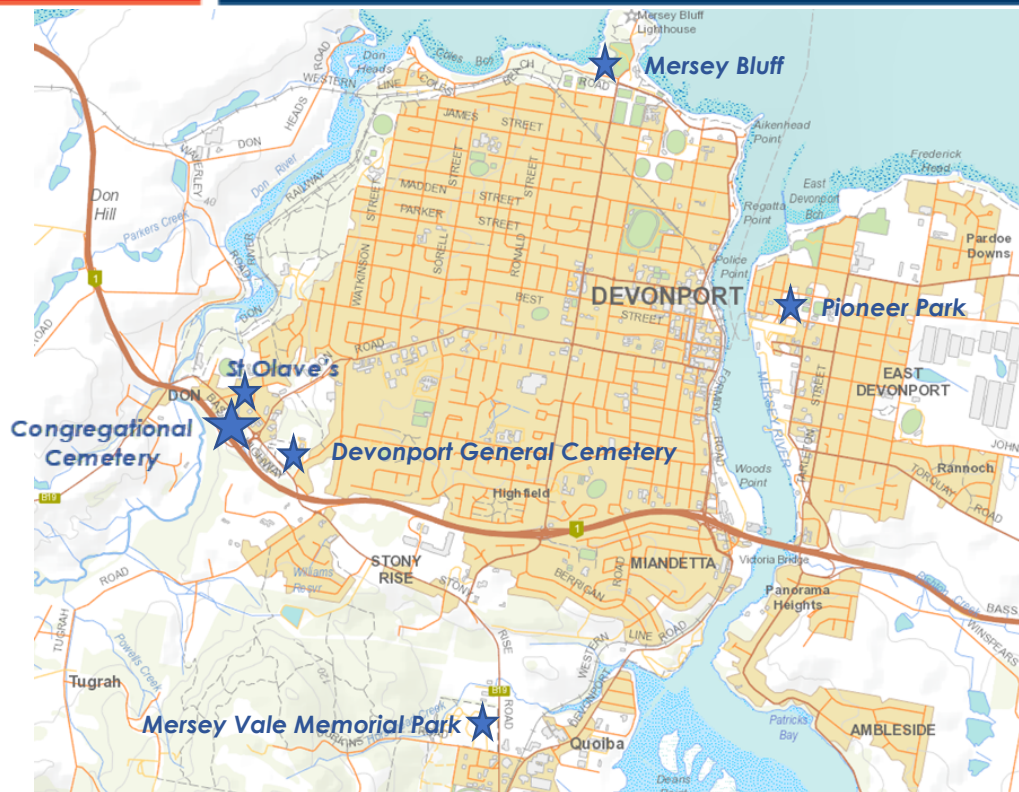
It is the second smallest of the four cemeteries along this road and is diagonally opposite to St. Olave's Anglican Cemetery (50m to the north) and 350 metres in a straight line from the Devonport General Cemetery (to the south-east).

The site is on a north-west facing incline with the entry at the lower elevated boundary off Stony Rise Road. The property rises from the road to near the centre and falls away towards the rear of the property. There is also a cross fall.

The north and south boundaries are adjacent to industrial properties with no plantings on the fence lines. The rear boundary is treed and meets the Bass Highway.

The Cemetery has a standard layout of headstones organised in straight lines. Some variety exists in monument form with more elaborate headstones in sandstone and marble, some with elaborate figurative carvings and iron surrounds. Later twentieth century headstones demonstrate the simplification in burial practices with predominance of simple granite headstones with cement surrounds. Headstones and plots range in condition, with many in significant disrepair.

The site has a service road of gravel in the centre for 90% of the block length with no dedicated constructed paths. Traditional memorial graves line either side of the access road to a maximum depth of 9-13 (nominal) individual sites each side. There are bare patches of grass haphazardly interspersed between the grave sites suggesting that either memorials have been allowed to disintegrate or the site was never filled to capacity.



Location Context: Don Congregational Cemetery



Location: Don Congregational Cemetery

2.2 Historic and Heritage Value

The Congregational Cemetery is a small burial ground, with the older headstones dating from the late nineteenth and early twentieth centuries. The Cemetery is one of the oldest in the State of Tasmania¹. At rest in this historical location are many of the Don Pioneers, several of whom were the original pioneers of the City of Devonport and its surrounding district.

The Cemetery occupies one acre of land, granted by James Fenton in 1864 and contains many headstones and graves of local significance, for example members of the Henry family, including John Henry CMG, member of Parliament, member of the Australian Federal Convention which framed the Australian Constitution; Henry Carter, a prominent Devonport pioneer and landowner; Senator Alexander Lillico; and Stephen Priest, a prolific builder, in Devonport's early history are also buried at the site.

There are over 700 known recorded burials and several unmarked sites. The first recorded burial is 17 October 1865 of Elizabeth June and Jane Hodgkiss. The historical record is incomplete.

The cemetery is closed to new burials, with only reserved plots and re-openings available.

The site is permanently registered on Tasmania's Heritage Register due to its identification as a place of importance to Tasmania, and Tasmanians, because of its connection to the State's history, culture, and society.

Places entered on the Register are protected through the *Historic Cultural Heritage Act 1995* to ensure that future changes or improvements to the place complement its significant aspects.



Image: Kelly Slater 2020

¹ Pendrey, B., 2000, *The cycle of time: an enduring epitaph of the Old Don Congregational Cemetery*, Devonport, Tas.

2.3 Previously Identified Issues

Identified issues acknowledged in 2009 as outlined in the Cemetery Strategy include:

- Deterioration of monuments, lack of conservation eroding character.
- No interpretive signage.
- No fencing (along front boundary) and limited landscaping.
- Increased risk of vandalism if site appears disused.

These issues remain current, although there have been minimal reports of vandalism.



Unmarked gravesites



Damaged headstone

In late 2019, the Congregational Cemetery was one of several cemeteries involved in a sample audit by the Tasmanian Government to assist in developing processes for monitoring compliance under the *Burial and Cremation Act and Regulations*. Areas for improvement identified through the audit include:

- Development of a site plan with locations of each grave, accessible to the public.
- Completion of burial records.
- Maintenance of tombstones and fences that are a risk to public health or safety.

At the time of writing, these improvements were in progress.

3 Key Findings from Consultation

The Don Congregational Master Plan draws on community comments raised through an online and print survey conducted in late February 2021. The main findings are summarised below.

The survey attracted 90 responses, with 56.8% or 50 respondents living in the Devonport municipality, 34.4% or 31 respondents living in other parts of Tasmania, 8.8% or 9 respondents from other Australian States (Vic, NSW, and Qld). The response rate was higher than expected demonstrating a strong level of community interest in the site.

3.1 Visitation

In terms of visitation, respondents were asked how often they visited the cemetery and the main reason(s).

- 75.3% of respondents visit the cemetery for special occasions, 6.7% visited monthly and 18.0% respondents have never visited.
- 60.0% respondents visit to pay their respects; 54.1% visit to conduct research such as genealogy; 36.5% visit as interested in the design and architecture of headstones and plots; and 10.6% visit to take some time out and enjoy the peaceful, park like experience.

Other reasons to visit included maintaining family graves, interest in the site as relatives are buried there (although never visited), and general interest in historical elements.

Reason to Visit	Responses	
To pay respects	60.00%	51
Conduct historical research, eg, researching family tree	54.12%	46
Interested in the art / design / architecture of headstones and plots	36.47%	31
To take some time out, enjoy the peaceful, park like experience	10.59%	9
To attend a burial service	1.18%	1
Other	29.41%	25
	Answered	85
	Skipped	5

3.2 Priorities for Management

Respondents were asked to rank the importance of a range of aspects for managing the cemetery. The number and percentage of responses that ranked each aspect as high or very high are outlined in the following table.

Aspect Ranked as High or Very High	Responses	
Heritage value (for instance maintenance of headstones/plots)	92.22%	83
Interpretive / historical signage	76.67%	69
Appearance / look and feel	75.56%	68
Welcome and directional signage including plan of gravesites	75.56%	68
Walkways and roads to access plots	62.22%	56
Landscaping / gardens / trees	57.78%	52
Parking	36.67%	33
Seating	36.67%	33
Shelter	26.67%	24

Additional issues identified through staff consultation:

- Lack of community awareness about responsibilities for restoration and management of headstones and plots.

- No existing plan of gravesites which is made more difficult due to unmarked graves. This is currently being addressed by Council officers.
- Safety risks posed by deteriorating headstones and plots.

3.3 Improvements

Respondents were asked for their suggestions to improve the Cemetery. The open-ended question attracted a variety of responses with similar themes.

The top three improvements suggested were:

- General maintenance (weed control, clean).
- Historical and interpretive information (on site and online).
- Plot maintenance/restoration.



Improvement	Responses
General maintenance (e.g. weed control, clean)	20
Historical and interpretive information and promotion	13
Plot maintenance / restoration	10
Site burial map	6
Landscaping	3
Parking	3
Volunteer assistance with maintenance / restoration	3
Boundary fencing	2
Road/walkway accessibility	2
Seating	2
Footpath access to site	1
Greater security if site increases in popularity	1
Improve entrance	1
Shelter	1
Signage – directional to cemetery	1

4 Principles and Actions

Three key principles that underpin the development of the Master Plan have been drawn from community and staff consultation, these are as follows.

- **Conserving Heritage Values**
- **Improving Access**
- **Enhancing the Cemetery Experience**

The principles and recommended actions are summarised below, with a detailed action plan provided on page 13.

4.1 Conserving Heritage Values

Cemeteries may be the only place where a person's life is recorded. Unusual examples of art and craft may also be found in the design of monuments which portray views of death often quite different from current customs. The long timespan of burials in the cemetery may also provide valuable social insights of changes in taste, custom and design over time.

The cemetery is culturally significant to many visitors as a source of genealogy and the resting place of many prominent individuals in Devonport's history; 92% of respondents ranked conserving of the cemetery's heritage values as a 'high' or 'very high' management priority. This presents a maintenance challenge for Council, as Council is no legal obligation to maintain or conserve headstones and plots unless elements pose a risk to public health or safety.

ACTIONS:

- Develop and promote information regarding plot restoration and maintenance.
- Encourage the community to be involved in the cemetery's maintenance and development (for instance, general maintenance/landscaping, heritage interpretation projects, genealogical research to coordinate plot maintenance/restoration).
- Promote historical significance and improve interpretive elements of the cemetery.

4.2 Improving Access

This principle focuses on assisting visitors and pedestrians find their way around the cemetery, as well as accessing site and burial information. Welcome signage, including a plan of gravesites, were one of the most prominent topics raised by respondents. Pedestrian and vehicle movement should be simple, convenient and a positive experience for all visitors. Topographical and geometric constraints will restrict Council's ability to provide inclusive access to all parts of the cemetery.

ACTIONS:

- Develop information and wayfinding signage within the cemetery in accordance with the Signage Strategy.
- Update burial records and make available to the public, including locations of gravesites.
- Review maintenance and customer service levels (landscaping, road maintenance etc.)
- Develop a site access plan that caters for pedestrians and vehicles.



A site access plan would improve access and movement for pedestrians and vehicles

4.3 Enhancing the Cemetery Experience

The cemetery is visited primarily by people coming to the burial grounds of the deceased (75.3% of survey respondents). However, this group is expected to decline long term. Other visitors also visit the site to see, understand and research heritage and historical elements, as well as the design/architecture. These are the groups that the site must also cater for into the future. While no specific actions fall under this principle, undertaking the above actions will assist to meet these community needs.

4.4 Delivery of Actions

Delivery of the 7 actions is anticipated to require a variety of delivery methods and funding sources. Community involvement is a key resource, which based on the level of engagement to date, shows potential. Council will be required to contribute funding allocations of around \$85,000 over the 10-year period, although some is already nominally committed in asset renewal programs. External funding through relevant grant programs is also required.

5 Appendices

Action Plan

Action Plan

Don Congregational Cemetery Master Plan

No	Action:	Year Planned							Priority: H,M,L	Resources: A-OPEX F-OPEX F-CAPEX	Cost Estimate (\$)	Responsible Department
		2021/22	2022/23	2023/24	2024/25	2025/26	2025/26	2027+				
Principle 1: Conserving Heritage Values												
1.1	Develop and promote information regarding plot restoration and maintenance								H	A-OPEX	2,000	Infrastructure & Works
1.2	Encourage the community to be involved in the cemetery's maintenance and development								M	A-OPEX	TBC	Infrastructure & Works Community Services
1.3	Promote historical significance and Improve interpretive elements of the cemetery								M	External funds	TBC	Infrastructure & Works Community Services
Principle 2: Improving Access												
2.1	Develop information and wayfinding signage within the cemetery in accordance with the Signage Strategy								H	F-CAPEX	10-20,000	Infrastructure & Works
2.2	Update burial records and make available to the public, including locations of gravesites								H	A-OPEX	5,000	Infrastructure & Works
2.3	Review maintenance and customer service levels								M	A-OPEX	10,000	Infrastructure & Works
2.4	Develop a site access plan that caters for pedestrians and vehicles								M	F-CAPEX	30-50,000	Infrastructure & Works



Ombudsman Tasmania

Public Interest Disclosures Act 2002

Public Interest Disclosure Model Procedures

Model procedures to be followed by
public bodies

Issued: 25 November 2020

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1. Statement of Support

Devonport City Council is committed to the purposes of the Public Interest Disclosures Act 2002 (the Act), which are primarily:

- to encourage and facilitate disclosures of improper conduct by public officers;
- to protect persons making those disclosures and others from reprisals;
- to provide for the matters disclosed to be properly investigated and dealt with; and
- to provide all parties involved with those disclosures with procedural fairness (referred to as natural justice in the Act).

The Devonport City Council recognises the value of transparency and accountability in its administrative and management practices and supports the making of disclosures that reveal the type of conduct to which the Act is directed. The Devonport City Council will take all reasonable steps to protect people who make such a disclosure from any detrimental action in reprisal for making the disclosure, and to protect their welfare. It will also afford natural justice to all parties involved in the investigation of a disclosure.

2. Purpose of these procedures

These procedures set out how:

- public officers and contractors can make disclosures about improper conduct or reprisal action;
- disclosures are assessed;
- public interest disclosures are investigated; and
- Devonport City Council protects disclosers and affords procedural fairness¹ to those being investigated.

These procedures are designed to complement normal communication channels between supervisors and employees. Employees are encouraged to continue to raise appropriate matters at any time with their supervisors, and to use existing grievance procedures within the organisation where appropriate, including but not limited to, the Staff Code of Conduct, Complaint Handling Policy, Fraud and Corruption Control Policy.

¹ Referred to as natural justice in the Act.

The procedures have been prepared in accordance with the Ombudsman's *Guideline One: Procedures for Public Bodies*. This Guideline can be accessed on the Ombudsman's website at www.ombudsman.tas.gov.au.

3. How the Act works

Briefly, the Act works in this way:

- it gives certain people – *public officers* and *contractors* – the right to make disclosures about *improper conduct* or *detrimental action* to certain integrity agencies, other persons and bodies (Part 2 of the Act, particularly s 6);²
- it provides certain statutory protections for *protected disclosures*, even if the discloser does not reference the Act (Part 3);
- it dictates how the recipient of the disclosure is to deal with it (Parts 4 to 8);
- it treats the Ombudsman as the oversight agency in relation to the operation of the Act, including the default investigator, monitor of investigations by public bodies, and setter of standards under the Act;
- where the disclosure is handled by the Ombudsman or a public body, it requires a determination as to whether the protected disclosure is a *public interest disclosure* (ss 30 and 33);
- subject to exceptions, it requires investigation by the Ombudsman or public body of any public interest disclosure (ss 39 and 63);
- it requires such investigation to be conducted as soon as practicable, but if it is being conducted by a public body, not more than six months from the date of the determination that the disclosure is a public interest disclosure (ss 39A and 77A);
- it controls the manner in which a disclosure is investigated, and provides investigative powers; and
- in the case of an investigation by a public body which results in a finding that the alleged conduct occurred, it requires the public body to take action to prevent that conduct from continuing or recurring, and to take action to remedy any harm or loss which may have arisen (s 75).

A flow chart, which depicts the way in which a public body should deal with a disclosure, is Attachment 4 to this document.

² Members of the public may also make disclosures in limited circumstances, when the Ombudsman or Integrity Commission deems this in the public interest under s 7A.

4. Roles and responsibilities

This part explains the roles and responsibilities under the Act of individuals within Devonport City Council.

4.1. Members, officers and employees

Members, officers and employees (public officers) of Devonport City Council are encouraged to report known or suspected incidences of improper conduct or detrimental action in accordance with these procedures.

All public officers of Devonport City Council have an important role to play in supporting those who have made disclosures. They must refrain from any activity that is, or could be perceived to be, victimisation or harassment of a person who makes a disclosure. They should protect and maintain the confidentiality of a person they know or suspect to have made a disclosure.

4.2. Principal Officer

The Principal Officer has primary responsibility for ensuring that the provisions of the Act are implemented by Devonport City Council. Section 62A of the Act provides that the Principal Officer has responsibility for:

- preparing procedures for approval by the Ombudsman;
- receiving public interest disclosures and ensuring they are dealt with in accordance with the Act;
- ensuring the protection of witnesses;
- ensuring the application of procedural fairness Devonport City Council's procedures;
- ensuring the promotion of the importance of public interest disclosures and general education about the Act to all staff, and ensuring easy access to information about the Act and the procedures, and
- providing access to confidential employee assistance programs and appropriately trained internal support staff for those involved in the process.

The Principal Officer may delegate all of these functions and powers to a Public Interest Disclosure Officer.

4.3. Public Interest Disclosure Officer

A Public Interest Disclosure Officer is appointed by the Principal Officer under s 62A(2) of the Act. They hold a delegation from the Principal Officer which enables them to:

- *act as a contact point for general advice about the operation of the Act for any person wishing to make a disclosure about improper conduct or detrimental action;*
- *make arrangements for a disclosure to be made privately and discreetly and, if necessary, away from the workplace;*
- *receive any disclosure from a public officer made orally or in writing;*
- *record in writing the details of any disclosure which is made orally;*
- *impartially assess the allegation and determining whether it is a disclosure made in accordance with Part 2 of the Act (that is, “a protected disclosure”);*
- *impartially assess under s 33 of the Act whether a disclosure is a “public interest disclosure”;*
- *take all necessary steps to ensure that the identity of the discloser and the identity of the person who is the subject of the disclosure are kept confidential; and*
- *administrative functions to support the role under the Act, as required.*

4.4. Investigator

Where it is determined that a disclosure is a public interest disclosure, or where the Ombudsman has referred a public interest disclosure to Devonport City Council for investigation, the Principal Officer will appoint an investigator to investigate the matter in accordance with the Act. An investigator may be a person from within Devonport City Council or a consultant engaged for that purpose.

4.5. Welfare Manager

The Welfare Manager will be appointed by the Principal Officer or by a Public Interest Disclosure Officer and is responsible for looking after the general welfare of the discloser. The Welfare Manager will:

- examine the immediate welfare and protection needs of a person who has made a disclosure, and develop a support plan for them;
- advise the discloser of the legislative and administrative protections available to them;³
- listen and respond to any concerns of harassment, intimidation, victimisation or other detrimental action which may be occurring in reprisal for making the disclosure; and

³ See [Protection](#) below for details of the legislative protections.

- so far as is practicable, protect the identity of the discloser in the course of carrying out these responsibilities.

A welfare manager may be a person employed by Devonport City Council or a consultant engaged for that purpose. They must not be responsible for assessing or investigating the disclosure.

5. Who can make a disclosure?

5.1. Public officers

Any current public officer⁴ can make a disclosure to Devonport City Council under the Act. This includes:

'all employees and councillors of Devonport City Council. Council volunteers are not considered public officers but could make a disclosure to the Ombudsman or Integrity Commission about a public body as a member of the public.'

5.2. Contractors

Current or past contractors and sub-contractors can make disclosures about public bodies, not public officers, but they can only make a disclosure to the Ombudsman or the Integrity Commission not to Devonport City Council. Public Interest Disclosure officers should refer any contractors wanting to make a disclosure to either of these bodies.

5.3. Members of the public

Members of the public can make a disclosure about a public body, and may be treated in the same way as a contractor if it is in the public interest to do so, but they can only make the disclosure to the Ombudsman or Integrity Commission. The Ombudsman or Integrity Commission determines whether it is in the public interest to treat the discloser as a contractor, not the discloser. Public interest disclosure officers should refer any members of the public wanting to make a disclosure to either of these bodies.

5.4. Anonymous persons

An anonymous disclosure may be accepted if the person receiving it is satisfied that the disclosure is being made by a public officer or contractor (see s 8 of the Act). If the person is satisfied that an anonymous disclosure is from a contractor it should be referred to the Ombudsman.

⁴ This can include a public officer from another public body

6. What can a disclosure be made about?

A disclosure can be made about one or more public officers or a public body itself. If a disclosure relates to Devonport City Council as a whole or the Principal Officer of Devonport City Council, it should be referred to the Ombudsman or Integrity Commission as internal investigation would not be appropriate.

6.1. Improper conduct

Disclosures about public officers need to relate to improper conduct by that officer, in the past, present or future (proposed action). Section 3 of the Act defines improper conduct as:

- a. conduct that constitutes an illegal or unlawful activity; or
- b. corrupt conduct; or
- c. conduct that constitutes maladministration; or
- d. conduct that constitutes professional misconduct; or
- e. conduct that constitutes a waste of public resources; or
- f. conduct that constitutes a danger to public health or safety or to both public health and safety; or
- g. conduct that constitutes a danger to the environment; or
- h. misconduct, including breaches of applicable codes of conduct; or
- i. conduct that constitutes detrimental action against a person who makes a public interest disclosure under this Act –

that is serious or significant as determined in accordance with guidelines issued by the Ombudsman.⁵

Examples of improper conduct include:

- to avoid closure of a town's only industry, an environmental health officer ignores or conceals evidence of illegal dumping of waste;

⁵ See Public Interest Disclosure Guideline Two: Serious or Significant Improper Conduct, available at www.ombudsman.tas.gov.au

- an agricultural officer delays or declines imposing quarantine to allow a financially distressed farmer to sell diseased stock; and
- a principal officer spends \$15,000 of public money on a staff Christmas party.

6.2. Corrupt conduct

Corrupt conduct is further defined in s3 of the Act as:

- a. conduct of a person (whether or not a public officer) that adversely affects, or could adversely affect, either directly or indirectly, the honest performance of a public officer's or public body's functions; or
- b. conduct of a public officer that amounts to the performance of any of their functions as a public officer dishonestly or with inappropriate partiality; or
- c. conduct of a public officer, a former public officer or a public body that amounts to a breach of public trust; or
- d. conduct of a public officer, a former public officer or a public body that amounts to the misuse of information or material acquired in the course of the performance of their functions as such (whether for the benefit of that person or body or otherwise); or
- e. a conspiracy or attempt to engage in conduct referred to in paragraph (a), (b), (c) or (d).

Examples of corrupt conduct include:

- a public officer takes a bribe in exchange for the discharge of a public duty;
- a public officer favours unmeritorious applications for jobs or permits by friends and relatives; and
- a public officer accesses and discloses confidential or sensitive information held by the public body at the request of a friend, without any legitimate reason.

6.3. Detrimental action

Detrimental action, or reprisal action, against a discloser can be a form of improper conduct. It is defined in s 3 of the Act, as including:

- a. action causing injury, loss or damage; and
- b. intimidation or harassment; and
- c. discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of disciplinary action; and

- d. threats of detrimental action.

Examples of detrimental action include:

- refusal of a deserved promotion;
- demotion, transfer, isolation in the workplace or changing a person's duties to their disadvantage;
- threats, abuse or other forms of harassment directly or indirectly against the discloser, their family or friends; and
- discrimination against the discloser or their family and associates in applications for jobs, permits or tenders.

7. Where to make a disclosure

For the protections in the Act to apply, a disclosure needs to be made to the right person or body. The following table sets this out, in accordance with s 7 of the Act:

Officer or public body to which the disclosure relates	Where the disclosure may be made
A member, officer or employee of Devonport City Council	Devonport City Council; or the Integrity Commission; or the Ombudsman
The Principal Officer of Devonport City Council or Devonport City Council as a whole	the Ombudsman; or the Integrity Commission
A councillor, within the meaning of the <i>Local Government Act 1993</i>	the Ombudsman
If the disclosure is about Devonport City Council as opposed to an individual public officer	the Ombudsman; or the Integrity Commission

8. How to make a disclosure

Public officers can make a disclosure about other public officers of Devonport City Council orally or in writing to the following officers:

- the General Manager – who is the Principal Officer of the public body, for the purposes of the Act; and
- a Public Interest Disclosure Officer.

8.1. Public Interest Disclosure Officers

The following staff are public interest disclosure officers and can receive disclosures:

- Executive Coordinator
- Governance Officer

If someone wants to make a disclosure about the Principal Officer or Devonport City Council, they should be referred to the Ombudsman or the Integrity Commission.

8.2. Written or oral disclosure

It is preferable that a disclosure be made in writing. It should be addressed to the public body, marked for the attention of the Principal Officer or Public Interest Disclosure Officer. A disclosure can be sent, delivered or left at Devonport City Council, parnaple centre, Level 2, 137 Rooke Street, Devonport Tasmania 7310, PO Box 604, Devonport Tasmania 7310 or ExecutiveSupport@devonport.tas.gov.au

A public officer can also make an oral disclosure over the phone or in person to a Public Interest Disclosure officer. An oral disclosure should be made in private. If a public officer is concerned about making a disclosure in person in the workplace, they can call or email the Public Interest Disclosure Officer to request a meeting in a location away from the workplace.

It is not a requirement that the person contemplating making a disclosure refers to the Act, or is aware of the Act.

8.3. Disclosure to the Ombudsman

A disclosure may also be made directly to the Ombudsman. The contact details for the Ombudsman are:

Ombudsman Tasmania
GPO Box 960
HOBART TAS 7001

or at

Level 6, 86 Collins Street
HOBART TAS 7000

Website: www.ombudsman.tas.gov.au
Email: ombudsman@ombudsman.tas.gov.au
Phone: 1800 001 170

8.4. Disclosure to the Integrity Commission

A disclosure may also be made directly to the Integrity Commission. The Commission can deal with a protected disclosure about individuals under the *Integrity Commission Act 2009* or refer it to a public body or the Ombudsman. A protected disclosure about a public body would be referred to the Ombudsman. The contact details for the Integrity Commission are:

Integrity Commission
GPO Box 822
HOBART TAS 7001

or at

Level 2
Surrey House
199 Macquarie Street
HOBART TAS 7000

Website: www.integrity.tas.gov.au
Email: contact@integrity.tas.gov.au
Phone: 1300 720 289

9. Confidentiality

Devonport City Council will take all reasonable steps to protect the identity of a discloser. Maintaining confidentiality is crucial to ensure that detrimental action is not taken against the discloser in reprisal for making the disclosure.

All reasonable care should also be taken to protect the privacy of witnesses and of the person against whom the disclosure has been made.

Section 23 of the Act requires any person who receives information in the course of or as a result of a protected disclosure or its investigation, not to disclose that information except in certain limited circumstances. Disclosure of information in breach of this section constitutes an offence that is punishable by a maximum fine of 60 penalty units or six months imprisonment, or both.

The circumstances in which a person may disclose information obtained about a protected disclosure include:

- where exercising their functions or the functions of the public body under the Act;
- when making a report or recommendation under the Act;
- when publishing statistics in the annual report of a public body; and
- in proceedings for certain offences under the Act.

The Act, however, prohibits the inclusion of particulars in any report or recommendation that is likely to lead to the identification of the discloser. The Act also prohibits the identification of the person who is the subject of the disclosure in any particulars included in an annual report made in accordance with Part 9 of the Act.

It may be necessary to consider disclosing information where:

- it is essential, having regard to the principles of natural justice, that the identifying information be disclosed to the person who is the subject of the disclosure;
- the investigating body believes that the disclosure of the identifying information is necessary for the matter to be effectively investigated; or
- the identity of the discloser is likely to be guessed from the circumstances of the disclosure and the risks for the discloser are better managed if their identity is known and specific warnings or risk management actions can be taken.

In these circumstances, the person who made the disclosure should first be consulted before any action is taken. Consider obtaining permission in writing from the discloser prior to identifying them.

The Devonport City Council will ensure that all relevant files, whether paper or electronic, are kept securely and can only be accessed by the Principal Officer, Public Interest Disclosure Officer/s, the investigator, and (in relation to welfare matters only) the Welfare Manager.

All printed and electronic material will be kept in files that are clearly marked as confidential, and all materials relevant to an investigation, such as interview recordings, will also be stored securely with the files. Electronic files should have access restricted to the relevant officers.

Care should also be taken to ensure that all relevant phone calls and meetings are conducted in private.

Section 90 exempts documents from release under the *Right to Information Act 2009* to the extent that:

- they contain information regarding a disclosure; or
- information that is likely to lead to the identification of the person who:
 - made the disclosure; or
 - the person who is the subject of the disclosure.

10. Assessing the disclosure

The Act requires the taking of two distinct steps when assessing a disclosure. It first needs to be determined whether or not it qualifies as a protected disclosure, and thus attracts the protections contained in the Act. In order to do so it must satisfy the following prerequisites:

- has it been made to the correct person or body; and

- if it has been correctly made to Devonport City Council
 - has it been made by a public officer (or, if the disclosure is anonymous, is the person receiving it satisfied that it is being made by a public officer);
 - is it about the conduct of a public officer;
 - does the discloser believe the public officer has, is or is proposing to engage in improper conduct;
 - is it about conduct that could objectively fall within the definition of improper conduct; and
 - does it concern conduct that occurred on or after 1 January 2001?

The next step is to determine if it is a public interest disclosure. This requires an assessment of the evidence provided by the discloser to determine if it shows or tends to show a public officer has, is or is proposing to engage in improper conduct.

10.1. What should the recipient of the disclosure do upon receipt of the disclosure?

If the disclosure is oral, the recipient should make a file note as soon as possible. The note should record the time the disclosure was made, the circumstances under which it was made and, so far as is possible, the exact words used by the discloser. The recipient should ask the discloser to consider putting the disclosure in writing as soon as possible.

Unless the recipient is the Principal Officer (or the disclosure is about the Principal Officer), the recipient should immediately inform the Principal Officer of the disclosure, and should provide the Principal Officer with a copy of the disclosure, or record of the disclosure, and any accompanying documents.⁶ If the disclosure is about the Principal Officer, contact the Ombudsman for advice.

10.2. Is it a protected disclosure?

The protections for disclosers, provided in Part 3 of the Act, only apply where the disclosure is a *protected disclosure* made in accordance with Part 2 of the Act.

The Principal Officer or a Public Interest Disclosure Officer should assess whether a disclosure has been made in accordance with Part 2 as soon as possible after it has been received. The assessment of disclosure form at Attachment 1 should be completed as part of this process. It contains a series of questions going to the essential elements of a protected

⁶ Contractors or members of the public who wish to make a disclosure should be advised to contact the Ombudsman or Integrity Commission, as per [Who can make a disclosure?](#)

disclosure, raised at [Assessing the disclosure](#), and what is needed to be established before a disclosure can be a protected disclosure. A separate assessment of disclosure form will usually need to be completed for each disclosure. This means, for example, that if a discloser is complaining about three different public officers, this constitutes three disclosures and three assessments should be completed.

If it is determined that it is a protected disclosure, the discloser should be given information about the protections in the Act (such as a copy of Part 3 of the Act). These protections should be explained to the discloser if necessary. The discloser should also be informed of the process which will be followed with respect to the disclosure.

The Principal Officer or a Public Interest Disclosure Officer should also immediately appoint a Welfare Manager to protect the interests of the discloser and ensure that the discloser is advised of the name and contact details of that person. A risk assessment should also be completed.

10.3. Mixed content disclosures

Many disclosures will also contain personal grievances. When conducting assessments of complaints or grievances the assessor needs to be alert to identifying those aspects that could constitute a protected disclosure.

It is not a requirement that a discloser specify they are making a disclosure, the onus rests on Devonport City Council to identify whether or not the Act applies. Consider discussing with the person whether they wish to make a public interest disclosure if it appears their concerns would meet the threshold.

Those matters that can be dealt with under a grievance process and those that are more appropriately dealt with under these procedures should be dealt with separately where possible.

10.4. Risk Assessment

A risk assessment should occur as soon as possible after the disclosure has been assessed as being a protected disclosure under the Act. The risk assessment template at Attachment 2 should be completed by the Principal Officer or Public Interest Disclosure Officer and any appropriate risk mitigation action required be implemented. A single assessment can be made of all relevant risks, or you may prefer to undertake separate assessments of the different risks relating to a particular disclosure, such as the risks to the discloser, the subject of the disclosure, any witnesses, or Devonport City Council. The discloser is usually the most able to identify potential reprisal risks, so input should be sought from the discloser and the Welfare Manager in completing the risk assessment. All reasonable steps to reduce risks of reprisal to the discloser should be taken.

10.5. Referral of a protected disclosure to the Integrity Commission

Devonport City Council may refer a protected disclosure, as distinct from a public interest disclosure, to the Integrity Commission where it considers that the disclosure relates to misconduct as defined in s 4(1) of the *Integrity Commission Act 2009*. Consideration should also be given to:

- whether independent investigation of the subject matter of the disclosure by the Integrity Commission is preferable; and
- the views of the discloser and the Integrity Commission about whether the matter should be referred.

Devonport City Council must notify the discloser of the referral under s 29D of the Act within a reasonable time (unless the disclosure was made anonymously).

The Integrity Commission may deal with the disclosure under its legislation, or it may refer the disclosure to the Ombudsman or a public body, as the case may require, for action in accordance with the Act.

10.6. Is the disclosure a public interest disclosure?

Once a disclosure has been assessed as being a protected disclosure, a further determination must be made as to whether or not it is a public interest disclosure. The Principal Officer or Public Interest Disclosure Officer must make this determination under s 33 of the Act within 45 days of the receipt of the disclosure. Use the Assessment of disclosure form at Attachment 1 to ensure you consider all the necessary requirements.

For a disclosure to be a public interest disclosure, the Principal Officer, or their delegated Public Interest Disclosure Officer, must be satisfied that the disclosure shows or tends to show that the public officer to whom the disclosure relates has:

- engaged, is engaging or proposes to engage in improper conduct in their capacity as a public officer, or
- taken, is taking or proposes to take detrimental action in reprisal for the making of the protected disclosure.

A disclosure must be more than a mere allegation without substantiation to meet this threshold. A disclosure must include an indication of the existence of evidence that, if substantiated, would show or tend to show that the alleged improper conduct occurred.

Where the Principal Officer or Public Interest Disclosure Officer determines that the disclosure amounts to a public interest disclosure, they must:

- advise the Principal Officer (if not the person assessing the disclosure);
- notify the Ombudsman within 14 days of the decision using the notification template at Attachment 3;

- notify the person making the disclosure within 14 days of the decision (unless they are anonymous and uncontactable); and
- proceed to investigate the disclosed matter under s 34 of the Act.

If the Principal Officer or Public Interest Disclosure Officer determines that the disclosure is not a public interest disclosure, they must:

- advise the Principal Officer (if not the person assessing the disclosure);
- notify the Ombudsman within 14 days of the decision using the notification template at Attachment 3; and
- notify the person making the disclosure within 14 days of the decision (unless they are anonymous and uncontactable) – see s 35.

The Ombudsman must then review this decision under s 35(2).

If, on review of the matter, the Ombudsman agrees that the disclosure is not a public interest disclosure, it does not need to be dealt with under the Act. The Principal Officer, or the Public Interest Disclosure Officer in consultation with the Principal Officer, will then decide how the disclosure should be dealt with.

If the Ombudsman determines on review that the disclosure is a public interest disclosure, it may be referred back to the public body under s 42 for investigation under the Act or the Ombudsman will deal with the disclosed matter.

10.7. Referral of criminal conduct to the Commissioner of Police

It is possible that, before or during the investigation of a public interest disclosure, facts are uncovered that indicate the possibility that a criminal offence might have been committed. If this happens, Devonport City Council will not commence, or will suspend, the investigation and will consult with the Ombudsman as to the future conduct of the matter. Under s 41 of the Act, the Ombudsman has the power to refer a public interest disclosure to the Commissioner of Police for investigation.

If the Ombudsman is satisfied that the disclosed matter should be referred to the Commissioner, Devonport City Council should consider whether the disclosure should be referred to the Ombudsman under s 68 of the Act.

Early referral of the matter may avoid interference with the evidentiary trail and so should be done at the first possible opportunity. Referral to the Commissioner through the Ombudsman will also avoid any question of a breach of confidentiality under s 23 of the Act. Once a disclosure is referred to the Commissioner through the Ombudsman, the investigation under the Act ceases. There may still be administrative or operational issues which have been identified during the disclosure process or investigation, however, these should be dealt with under other internal processes of Devonport City Council. The Principal Officer, or the Public Interest Disclosure Officer acting in consultation with the Principal Officer, will decide how the matter should be dealt with.

11. Protection

11.1. When does protection commence?

Where Devonport City Council receives a disclosure which complies with the requirements of Part 2 of the Act, the disclosure immediately attracts the protections set out in Part 3 of the Act. This is so whether or not the disclosure is factually correct (although one of the requirements of Part 2 is that the discloser genuinely believes that the alleged improper conduct or detrimental action in fact occurred).

The protection can also extend to a person who intends to make a disclosure - see s19 of the Act.

11.2. What protection does the Act provide?

Part 3 of the Act gives various types of protection to a person who makes a protected disclosure. Below is a summary of some elements of Part 3.

A person who makes a protected disclosure:

- is not subject to any civil or criminal liability, or to any liability arising by way of administrative process, for making the protected disclosure (s 16);
- does not by doing so commit an offence under a provision of any other Act that imposes a duty to maintain confidentiality, or which imposes any other restriction on the disclosure of information (s 17(1)(a)); and
- does not by doing so breach an obligation by way of oath, or rule of law or practice, or under an agreement, which requires the discloser to maintain confidentiality or otherwise restricts the disclosure of information (s 17(1)(b)).

If a disclosure is not made to the correct entity, the protections may not apply. For example, a discloser will not be protected if otherwise confidential information is disclosed to the media.

Part 3 also contains various provisions which are intended to protect a discloser from detrimental action by way of reprisal for a protected disclosure. These are:

- section 19, which makes it an offence to take such detrimental action;
- section 20, which creates a liability to pay damages for such detrimental action; and
- section 21, which gives a person who believes that detrimental action has been taken against them the right to apply to the Supreme Court for an order requiring the person who has taken the detrimental action to remedy that action, or for an injunction.

12. Investigation

12.1. Introduction

Any disclosure Devonport City Council determines to be a public interest disclosure under s 33 must be investigated under the Act, unless there is a good reason not to do so pursuant to s 64.

Devonport City Council must investigate every disclosure referred to it for investigation by the Ombudsman under s 63(b).

The Principal Officer will appoint an investigator to carry out the investigation. The investigator may be a person from within an organisation or a consultant engaged for the purpose.

The objectives of an investigation are to:

- collate information relating to the allegation as quickly as possible, which may involve taking steps to protect or preserve documents, materials and equipment;
- consider the information collected and to draw conclusions objectively and impartially; and
- maintain procedural fairness in the treatment of witnesses and generally to all parties involved in the disclosure.

12.2. Matters that do not have to be investigated

Before starting an investigation, the Principal Officer or Public Interest Disclosure Officer must first consider whether the disclosed matter needs to be investigated. Section 64 specifies certain circumstances under which a public body may legitimately decide not to investigate. Use the disclosure assessment template at Attachment 1 to assist in assessing whether any of the grounds in s64 apply.

Any decision not to proceed with an investigation on a ground specified in s 64 must be made by the Principal Officer.

If it is decided that the disclosed matter is not to be investigated, written notice must be given within 14 days of this decision to both the Ombudsman and (except in the case of an uncontactable anonymous discloser) the person who made the disclosure. Reasons for the decision must accompany the notice. Use the notification template at Attachment 3 to provide notice to the Ombudsman.

The Ombudsman will review the decision. If the Ombudsman agrees that the disclosure should not be investigated, the matter does not need to be dealt with under the Act. Importantly, the discloser still retains the protections. The Principal Officer, or the Public Interest Disclosure Officer in consultation with the Principal Officer, will decide how the matter should be dealt with.

If the Ombudsman determines that the disclosure should be investigated, they will advise the Principal Officer.

Section 64 may be reconsidered at a later time during the investigation.

12.3. Appointment of investigator and framing of terms of reference

The Principal Officer – not a Public Interest Disclosure Officer - will determine who is to carry out the investigation.

The investigator will be given formal terms of reference, signed by the Principal Officer.

The terms of reference will specify:

- the matters to be investigated;
- the date by which the investigation is to be concluded;
- the requirement for regular reports to be made to the Principal Officer, including details of compliance with any measures identified in the risk assessment; and
- the resources available to the investigator for the purposes of the investigation.

The completion date should be as soon as practicable but, in any event, not more than six months from the date of the determination that the disclosure is a public interest disclosure under s 77A(1). If at any stage before or during the investigation it appears that the investigation cannot be completed within six months, Devonport City Council may apply to the Ombudsman for an extension of up to a further six months.

12.4. Investigation plan

The investigator should prepare an investigation plan for approval by the Principal Officer. The plan should list the issues which are to be investigated and describe the steps which the investigator intends to take when investigating each of those issues. The risk assessment should be considered as part of the investigation planning and appropriate steps taken to reduce identified risks during the investigation.

The plan should be updated as necessary during the course of the investigation.

12.5. Procedural fairness

The principles of procedural fairness must be carefully observed in the course of the investigation, with respect to all parties involved. These principles are referred to as natural justice in the Act.

The principles are a set of procedural standards which need to be met in order to satisfy a person's right to a fair hearing. If natural justice is not provided, the investigation findings may be questionable and could be challenged.

Devonport City Council will comply with the following requirements in ensuring that procedural fairness is accorded to all parties involved.

No one is to be involved in the investigation:

- who is known to be biased against any person who is potentially subject to an adverse finding;
- who is known to hold any biases which are relevant to the subject matter of the investigation; or
- against whom there are reasonable grounds for apprehending or suspecting bias.⁷

If the investigator is aware of any reason why they may be susceptible to an allegation of bias on the basis of these principles, they should immediately inform the Principal Officer. It is best to err on the side of caution and to consider an external investigator if there might be a perception of bias over the investigation.

Any person who is potentially subject to an adverse finding or comment must be told of:

- the allegations made against them, or which have arisen against them as a result of the investigation;
- all of the information which is adverse to their interests and which is, on an objective basis, credible, relevant and significant to the investigation; and
- the proposed adverse findings, and their possible consequences.

This must be done before any final conclusions are formed by the investigator. The person subject to the potential adverse finding must be given a reasonable time to respond.

Despite the above, there is no requirement to inform the person who is subject to the disclosure as soon as it is received, or as soon as the investigation has commenced.

The final investigation report should be drafted in a way that demonstrates that procedural fairness has been afforded. For instance, it should record and deal with all submissions and evidence which a person has put in their defence.

⁷ The test for establishing the existence of apprehended bias is whether a fair minded lay observer, taking into account all relevant circumstances, might reasonably apprehend that the decision-maker might not bring an impartial mind to the resolution of the questions that they are required to decide.

12.6. Conduct of the investigation

The Integrity Commission's Guide to Managing Misconduct in the Tasmanian Public Sector⁸ is a useful guide on the conduct of a public interest disclosure investigation.

The investigator should make contemporaneous notes of all discussions and phone calls, and audio recordings of significant interviews with witnesses should be made where possible.

All information gathered in the course of the investigation must be securely stored.

Interviews should be conducted in private, and the investigator should take all reasonable steps to protect the identity of the discloser. The name of the discloser or any particulars which might identify that person must not be revealed unless necessary, and then only with the discloser's knowledge.

12.7. Referral of an investigation to the Ombudsman

Under s 68 of the Act, a public body may refer the investigation of a public interest disclosure to the Ombudsman where the public body considers that its own investigation is being obstructed or that it is otherwise not within the capacity of the public body to complete the investigation. An investigation can also be referred to the Ombudsman if evidence of possible criminal conduct is found, to enable the Ombudsman to refer the matter to Tasmania Police for investigation (see [Referral of criminal conduct to the Commissioner of Police](#) above for more detail).

Any decision as to whether the investigation should be referred to the Ombudsman will be made by the Principal Officer.

12.8. Provision of information about the investigation

The Principal Officer or the Public Interest Disclosure Officer must ensure that the discloser is kept regularly informed concerning the handling of their protected disclosure and any investigation.

Section 74 of the Act requires a public body, at the request of the Ombudsman or the person who made the disclosure, to give the Ombudsman or that person reasonable information about the investigation. The information must be given within 28 days of the request.

As provided by s 74(3), however, such information does not have to be given to the discloser if:

- it has already been given to the person; or

⁸ Accessible at <https://www.integrity.tas.gov.au/publications/prevention-resources/guides>.

- the giving of the information would endanger the safety of another or may prejudice the conduct of the investigation.

13. Action taken after an investigation

13.1. Investigator's final report

At the conclusion of the investigation, the investigator must submit a written report of their findings to the Principal Officer. The report should contain:

- the allegation/s;
- a description of the manner in which the investigation was conducted, with sufficient detail to demonstrate that natural justice was observed;
- an account of all relevant information received;
- details of the evidence and submissions supplied by any person against whom an adverse finding is made, and the evaluation of that material by the investigator; and
- the findings made and conclusions reached, and the basis for them.

Note in particular that the report should not include any comment adverse to any person unless that person has been given an opportunity to be heard on the matter and their defence is fairly set out in the report. A public body must take action, under s 75 of the Act, to redress any improper conduct found and try to prevent its recurrence. Accordingly, if the investigator has found that the alleged improper conduct has occurred, the investigator may wish to include recommendations as to:

- any steps that need to be taken by the Devonport City Council to prevent the conduct from continuing or occurring in the future; and
- any action that should be taken by the Devonport City Council to remedy any harm or loss arising from that conduct.

The steps to be taken may include bringing disciplinary proceedings against the person responsible for the conduct or referring the matter to an appropriate authority for further consideration. For example, if the investigation has revealed conduct that may constitute an unreported criminal offence, consideration should be given to whether the matter should be referred to Tasmania Police.

The internal investigation report must be accompanied by:

- the transcript or other record of any oral evidence taken, including audio or video recordings; and
- all documents, statements or other exhibits received by the investigator and accepted as evidence during the course of the investigation.

13.2. Action to be taken

If the investigation makes a finding that a public officer has engaged, is engaging or proposes to engage in improper conduct, Devonport City Council must, in accordance with s75, take all reasonable steps to prevent the conduct from continuing or occurring in the future and may take action to remedy any loss or harm arising from the conduct. The Principal Officer should take into consideration any recommendations in the investigator's report but can take different or broader action if appropriate.

The Principal Officer will provide a written report to the Minister for Local Government or Devonport City Council where disclosure relates to an employee of Council and the Ombudsman, setting out the findings of the investigation and any remedial steps taken. The report must not disclose particulars likely to lead to the identification of the discloser. The Ombudsman will also be provided with the full internal investigation report and accompanying evidence. See the notification template at Attachment 3.

As required by s 77 of the Act, the Principal Officer will also inform the discloser of the findings of the investigation, and of any steps taken under s 75 as a result of those findings having been made.

Where the investigation concludes that the disclosed conduct did not occur, the Principal Officer will report that finding to the Ombudsman, in accordance with the notification template at Attachment 3, and to the discloser.

14. Managing the welfare of the discloser

14.1. Support for the discloser

The Principal Officer or the Public Interest Disclosure Officer must appoint a Welfare Manager to support all persons who have made a protected disclosure. This must occur within five working days of the protected disclosure being received.

The Welfare Manager must contact the discloser as soon as possible and not more than five working days after being appointed.

A discloser who believes that they are being subjected to detrimental action in reprisal for having made the disclosure should report it to the Principal Officer or a Public Interest Disclosure Officer, as this can be a potential further protected disclosure. If they believe that the reprisal is not being effectively dealt with by Devonport City Council, they may report the matter to the Ombudsman.

14.2. Keeping the discloser informed

The Principal Officer or the Public Interest Disclosure Officer must ensure that the discloser is kept informed of action taken in relation to their disclosure, and the time frames that apply. The discloser must be informed of the objectives of any investigation that takes place, the findings of the investigation, and the steps taken by Devonport City Council to address any improper conduct that has been found to have occurred. The discloser must be given reasons

for all decisions made by Devonport City Council in relation to a disclosure. All communication with the discloser must be in plain English.

14.3. Occurrence of detrimental action

If a discloser reports an incident of detrimental action allegedly taken in reprisal for the making of a disclosure, the Welfare Manager should:

- record details of the incident;
- advise the discloser of their rights under the Act; and
- assist the discloser to advise a Public Interest Disclosure Officer or the Principal Officer of the detrimental action.

The taking of detrimental action in reprisal for the making of a disclosure can be an offence under the Act as well as grounds for making a further disclosure. Where such detrimental action is reported, the Public Interest Disclosure Officer or the Principal Officer will assess the report as a new disclosure under the Act, and it will be dealt with accordingly.

14.4. Discloser implicated in improper conduct

Where a person who makes a disclosure is implicated in improper conduct, Devonport City Council will handle the disclosure and protect the discloser from reprisals in accordance with the Act, the Ombudsman's guidelines and these procedures. At the same time Devonport City Council acknowledges that the act of disclosing should not shield disclosers from the reasonable consequences flowing from any involvement in improper conduct. Section 18 of the Act specifically provides that a person's liability for their own conduct is not affected by the person's disclosure of that conduct under the Act. In some circumstances, however, an admission may be a mitigating factor when considering disciplinary or other action.

The Principal Officer will make the final decision as to whether disciplinary or other action will be taken against a discloser. Where disciplinary or other action relates to conduct that is the subject of the person's disclosure, the disciplinary or other action will only be taken after the disclosed matter has been appropriately dealt with.

In all cases where disciplinary or other action is being contemplated, the Principal Officer must be satisfied that it has been clearly demonstrated that:

- the intention to proceed with disciplinary action is not because of the making of the disclosure (as opposed to the content of the disclosure or other available information);
- there are good and sufficient grounds that would fully justify action against any non-discloser in the same circumstances; and
- there are good and sufficient grounds that justify exercising any discretion to institute disciplinary or other action.

The Public Interest Disclosure Officer or Principal Officer will thoroughly document the process, including recording the reasons why the disciplinary or other action is being taken,

and the reasons why the action is not in retribution for the making of the disclosure. The Public Interest Disclosure Officer or Principal Officer will clearly advise the discloser of the proposed action to be taken, and of any mitigating factors that have been taken into account. They should advise the discloser that they can raise any concerns about the action taken being a potential reprisal with the Ombudsman.

15. Management of the person against whom a disclosure has been made

Devonport City Council recognises that employees against whom disclosures are made must also be supported during the handling and investigation of disclosures. When a person who is the subject of the disclosure is made aware of the allegations or of an investigation, they should be provided with an appropriate contact person to whom to direct queries. Information about employee assistance programs or other supports should also be provided, if appropriate.

Devonport City Council will take all reasonable steps to ensure the confidentiality of the person who is the subject of the disclosure during the assessment and investigation process. Where an investigation does not substantiate a disclosure, the fact that the investigation has been carried out, the results of the investigation, and the identity of the person who is the subject of the disclosure will remain confidential.

The Public Interest Disclosure Officer or Principal Officer will ensure that the person who is the subject of any disclosure investigated by or on behalf of Devonport City Council is afforded [procedural fairness](#) in accordance with these procedures.

Where the allegations in a disclosure have been investigated, and the person who is the subject of the disclosure is aware of the allegations or of the investigation, the Public Interest Disclosure Officer or Principal Officer will formally advise the person who is the subject of the disclosure of the outcome of the investigation.

Devonport City Council will give its full support to a person who is the subject of a disclosure where the allegations contained in a disclosure are clearly wrong or unsubstantiated. If the matter has been publicly disclosed, the Principal Officer of Devonport City Council will consider any request by that person to issue a statement of support setting out that the allegations were wrong or unsubstantiated.

16. Approval and review of these procedures

These procedures were approved by the Ombudsman under s 60(3) of the Act on 30th March 2021.

The procedures will be submitted to the Ombudsman for review at least once every three years to ensure they meet the objectives of the Act and accord with the Guidelines and Standards published by the Ombudsman under s 38(1)(c).

The date by which the procedures must be submitted to the Ombudsman for review is 30th March 2024.

Assessment of disclosure form (Attachment 1)

Public Interest Disclosures Act 2002

File number:

Date of assessment:

Name of assessing officer:

Summary of disclosure:

Include details of how the disclosure was received, the subject of the disclosure and details of the allegations.

An assessment of disclosure form will usually need to be completed for each disclosure. This means, for example, that if a discloser is complaining about three different public officers, this constitutes three disclosures and three assessments may be required.

Part I: Is the disclosure a protected disclosure?

Question 1: Is the discloser a public officer?

The discloser needs to be a current public officer. See s4(2) and s4(4) of the Act for the definition of a public officer. If the discloser is anonymous, it is enough to be satisfied that the discloser is a public officer.

If the discloser is a contractor, member of the public or no longer a public officer at the time the disclosure is made, refer them to the Ombudsman or Integrity Commission.

☐ Yes ☐ No

Please provide details if relevant:

Question 2: Is the disclosure about a public officer?

A disclosure can be made even if the discloser cannot identify the public officer – see s9 of the Act. If a disclosure is about the principal officer or the public body itself, refer the discloser to the Ombudsman or Integrity Commission.

☐ Yes ☐ No

Question 3: Has the disclosure been made to the right person or body?

See s7 of the Act and reg 8 of the Public Interest Disclosures Regulations 2013.

☐ Yes ☐ No

Please provide details:

Question 4: Does the discloser believe that a public officer has, is or proposes to engage in improper conduct?

☐ Yes ☐ No

If no, provide details:

Question 5: Does the disclosure relate to improper conduct?

Is the disclosure about conduct that could objectively fall within one of the categories of improper conduct, i.e:

- conduct that constitutes an illegal or unlawful activity; or
- corrupt conduct; or
- conduct that constitutes maladministration; or
- conduct that constitutes professional misconduct; or
- conduct that constitutes a waste of public resources; or
- conduct that constitutes a danger to public health or safety or to both public health and safety; or
- conduct that constitutes a danger to the environment; or
- misconduct, including breaches of applicable codes of conduct; or
- conduct that constitutes detrimental action against a person who makes a public interest disclosure under this Act –

that is serious or significant as determined in accordance with guidelines issued by the Ombudsman?

For example, a discloser may believe that taking a non-confidential work file home is serious or significant improper conduct but it may not objectively fall within that definition.

☐ Yes ☐ No

Please provide details:

Question 6: Does the disclosure concern conduct that occurred on or after 1 January 2001?

This is the only time limitation that is relevant when assessing if a disclosure is a protected disclosure. Delays in making a disclosure any time on or after 1 January 2001 can be relevant when deciding whether to investigate a public interest disclosure under s64 of the Act.

☐ Yes ☐ No

Assessment of Answers to Part 1 Questions

If **ALL** the answers to the above are yes, the disclosure is a protected disclosure.

The discloser should be notified as soon as possible, if the disclosure is a protected disclosure and the assessment of whether it is a public interest disclosure has not been undertaken simultaneously.

If **ANY** of the answers to the above are no, the disclosure is not protected and the Act does not apply. Refer the discloser to the appropriate body and/or handle the matter under complaint or grievance policies.

In either case, the discloser should be given reasons in writing. A copy of the assessment should be given to the Principal Officer without delay, where the person who carried out the assessment is not the Principal Officer.

Part 2: Should the protected disclosure be referred to the Integrity Commission?

Does the disclosure relate to misconduct, as defined in the *Integrity Commission Act 2009*?

☐ Yes ☐ No

If yes, should the disclosure be referred to the Integrity Commission under section 29B of the Act?

☐ Yes ☐ No

If yes, please provide details

If the disclosure is referred, the assessment process is complete after the discloser is notified of the referral.

Part 3: Is the protected disclosure a public interest disclosure?

Are you satisfied that the protected disclosure shows, or tends to show, that the public officer to whom the disclosure relates –

- a) has engaged, is engaged or proposes to engage in improper conduct in his or her capacity as a public officer; or
- b) has taken, is taking or proposes to take detrimental action in contravention of s 19 of the Act?

A mere allegation without substantiation is not sufficient – the disclosure must contain evidence or point to its existence (name documents, refer to potential witnesses etc) that shows or tends to show that the public officer is, has, or is proposing to engage in improper conduct.

This determination under s33 of the Act must be made within 45 days of the disclosure being received.

☐ Yes ☐ No

Provide reasons for your decision and attach evidence if available

Next steps

Notify the discloser and the Ombudsman of the assessment determination. Use the notification template attached to the public interest disclosure procedures when notifying the Ombudsman.

If the answer is no, the assessment is complete and Part 4 does not need to be completed. The Ombudsman will review the determination.

If the answer is yes, the public interest disclosure must be investigated unless a ground exists not to under s64 of the Act.

Part 4 - Is there a ground under s64 not to investigate the public interest disclosure?

Question 1: Is the public interest disclosure trivial, vexatious, misconceived or lacking in substance?

☐ Yes ☐ No

If yes, provide details. Compelling reasons will be required to justify not investigating on this ground:

Question 2: Has the subject matter of the public interest disclosure already been adequately dealt with by the Ombudsman or a public body, statutory authority, Commonwealth statutory authority, commission, court or tribunal?

☐ Yes ☐ No

If yes, please provide details

Question 3: Has the discloser commenced proceedings in a commission, court or tribunal in relation to the same matter, and does that commission, court or tribunal have power to order remedies similar to those available under this Act?

☐ Yes ☐ No

If yes, please provide details

Question 4: Did the discloser:

- have knowledge for more than 12 months of the public interest disclosure matter before making the disclosure; and
- fail to give a satisfactory explanation for the delay in making the disclosure?

☐ Yes ☐ No

If yes, provide details of this issue being put to the discloser and analysis concerning why any explanation provided was not satisfactory:

Question 5: Does the public interest disclosure relate solely to the personal interests of the discloser?

☐ Yes ☐ No

Most disclosures will contain some element of personal interest. This should only be used as a basis to not investigate in clear circumstances.

If yes, please provide details:

Question 6: Is the public interest disclosure based on false or misleading information?

☐ Yes ☐ No

If yes, please provide details and consider whether an offence may have been committed under s87 of the Act.

Question 7: Has the matter the subject of the public interest disclosure already been determined AND this additional disclosure fails to provide significant or substantial new information?

☐ Yes ☐ No

If yes, please provide details

Assessment of Answers to Part 4 Questions

If the answers to **ALL** the questions in Part 4 are no, the disclosure **must** be investigated in accordance with the public interest disclosure procedures. Referral to the Ombudsman can occur if internal investigation is not possible or appropriate.

If the answer is yes to **one or more of the above questions**, will the public interest disclosure be investigated?

Although the public interest disclosure may not need to be investigated if an answer to any of the Part 4 questions is yes, it may still be appropriate to investigate in some circumstances.

☐ Yes ☐ No

Provide reasons for your decision:

Notify the discloser and the Ombudsman if it is decided not to investigate. The Ombudsman will review the decision. Use the notification template attached to the public interest disclosure procedures when notifying the Ombudsman.

Summary

Part	Question	Answer
Part 1	Is the disclosure a protected disclosure?	
Part 2	Should the protected disclosure be referred to the Integrity Commission?	
Part 3	Is the protected disclosure a public interest disclosure?	
Part 4	Should the public interest disclosure be investigated?	

Approval

Approved by:

Name of Public Interest Disclosure Officer or Principal Officer:

Date of approval:

Risk assessment template (Attachment 2)

Public Interest Disclosures Act 2002

File number:

Date of assessment:

Name of assessing officer:

Risk assessed to:

Please select all relevant options

- | | |
|--|--|
| <input type="checkbox"/> Discloser | <input type="checkbox"/> Other employees including potential witnesses |
| <input type="checkbox"/> Your public body | <input type="checkbox"/> Other (e.g. Tasmanian Government, the general public) |
| <input type="checkbox"/> The subject of the disclosure | |

Type of risk / possible harm

Such as:

- Adverse employment action
- Workplace injury
- Physical violence
- Verbal abuse
- Stress
- Untenable work environment
- Withdrawal of cooperation due to fear of reprisal/lack of support
- Reputational damage
- Risk to public safety
- Misuse of public funds
- Disruption to functioning of public body

Please provide details:

Likelihood risk/s will occur

- ☐ Unlikely
- ☐ Possible
- ☐ Likely

Considerations:

- Can confidentiality be maintained?
- Is the discloser (or others) concerned about reprisals?
- How many public officers are involved in the alleged improper conduct?
- What is their level of seniority?

- What is the seriousness of the alleged conduct?
- Is there a history of conflict in the workplace?

Please provide your reasons:

Seriousness of consequences if risk/s occurs

- ☐ Minor
- ☐ Moderate
- ☐ Major

Considerations:

- What is the potential impact if the risk occurs?
- Will the impact be limited, with the person able to readily deal with it?
- Will the impact have consequences which will affect the person's work or their personal and home life?
- Will the consequences be short-term, medium-term or long-term?

Please provide your reasons:

Evaluation of level of risk

Risk occurrence	Minor consequence	Moderate consequence	Major consequence
Unlikely	Low	Low	Medium
Possible	Low	Medium	High
Likely	Medium	High	High

Determine your level of risk:

Steps needed to mitigate risk

Consult with discloser and other parties as required. Possible strategies include:

- maintaining confidentiality as much as possible
- ensuring all parties are aware of their obligations
- when the identity of the discloser will be known or guessed by the subject of the disclosure and/or associates, proactively identifying the discloser (with their written permission) and advising relevant parties of the consequences of taking reprisal action and that their actions are being monitored
- altering reporting structures
- increasing monitoring of the work environment
- standing down the subject of the disclosure
- temporarily relocating the subject of the disclosure or the discloser to a different location/ role
- independently verifying the work performance of the discloser
- providing access to specialist support services if required
- making a statement to all staff or the media to address concerns

Please provide details:

Action to be taken

Considerations:

- risk rating
- ease or difficulty of mitigating risk
- financial cost of taking action
- consequences of not taking action should risk occur

Please provide details of your risk action plan:

Approval

Approved by:

Public Interest Disclosure Officer or Principal Officer – Type Name

Date of approval

Risk assessment review

Risk assessment to be reviewed on (date) or when (event) occurs.

Name of reviewing officer:

Date of assessment:

Notes on changes to risk since last assessment

Review outcome

☐ No change to action plan

☐ Further action required

Please provide details:

*Thank you to the Queensland Ombudsman for the use of some of its
risk assessment materials in this template.*

Ombudsman notification template (Attachment 3)

Public Interest Disclosures Act 2002

Public body name:

Date of disclosure:

Contact person: *(include telephone and email contact details)*

Date of s 33 determination: *(to be made within 45 days of date of disclosure)*

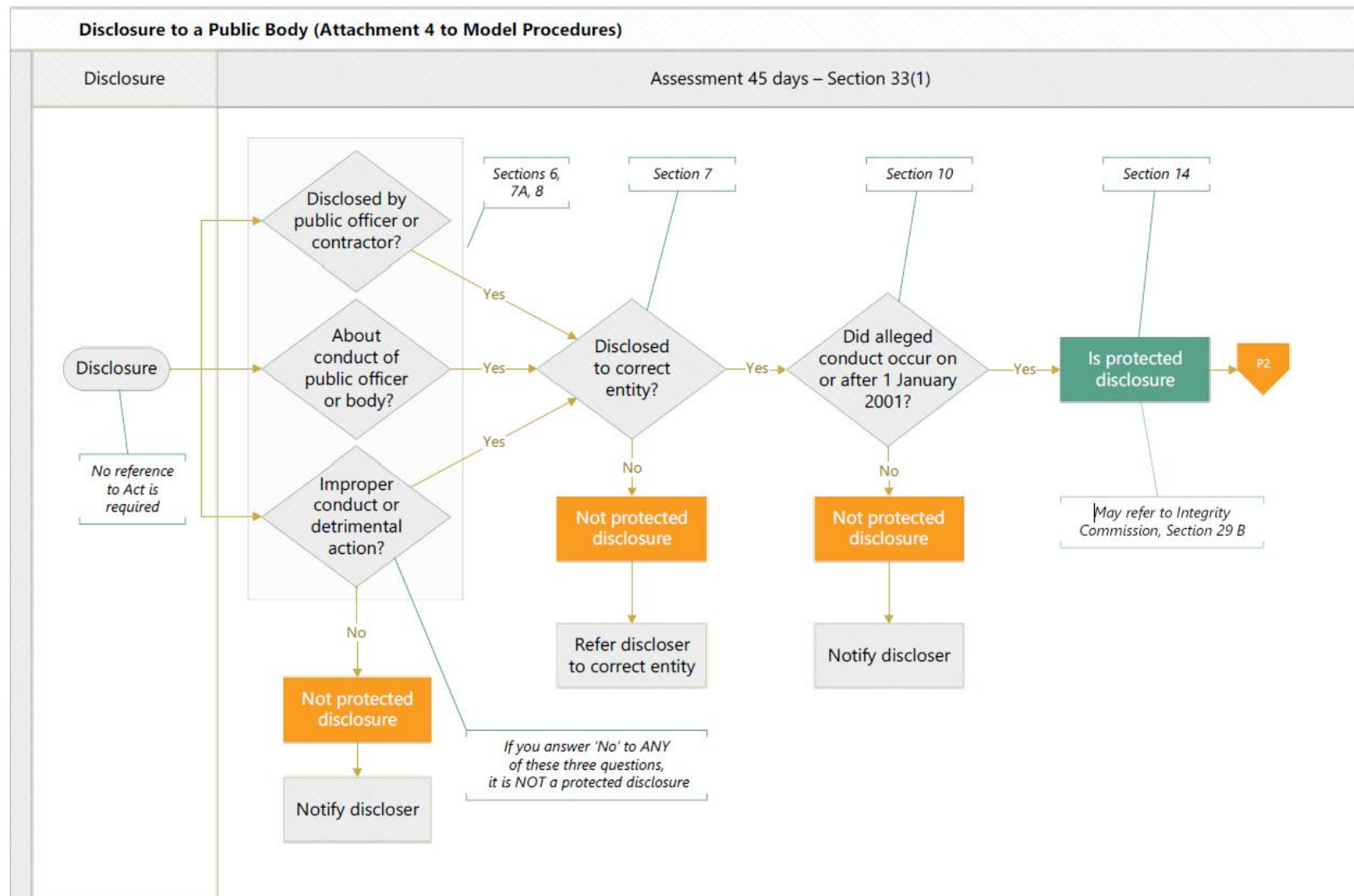
Date of notification:

Notification type

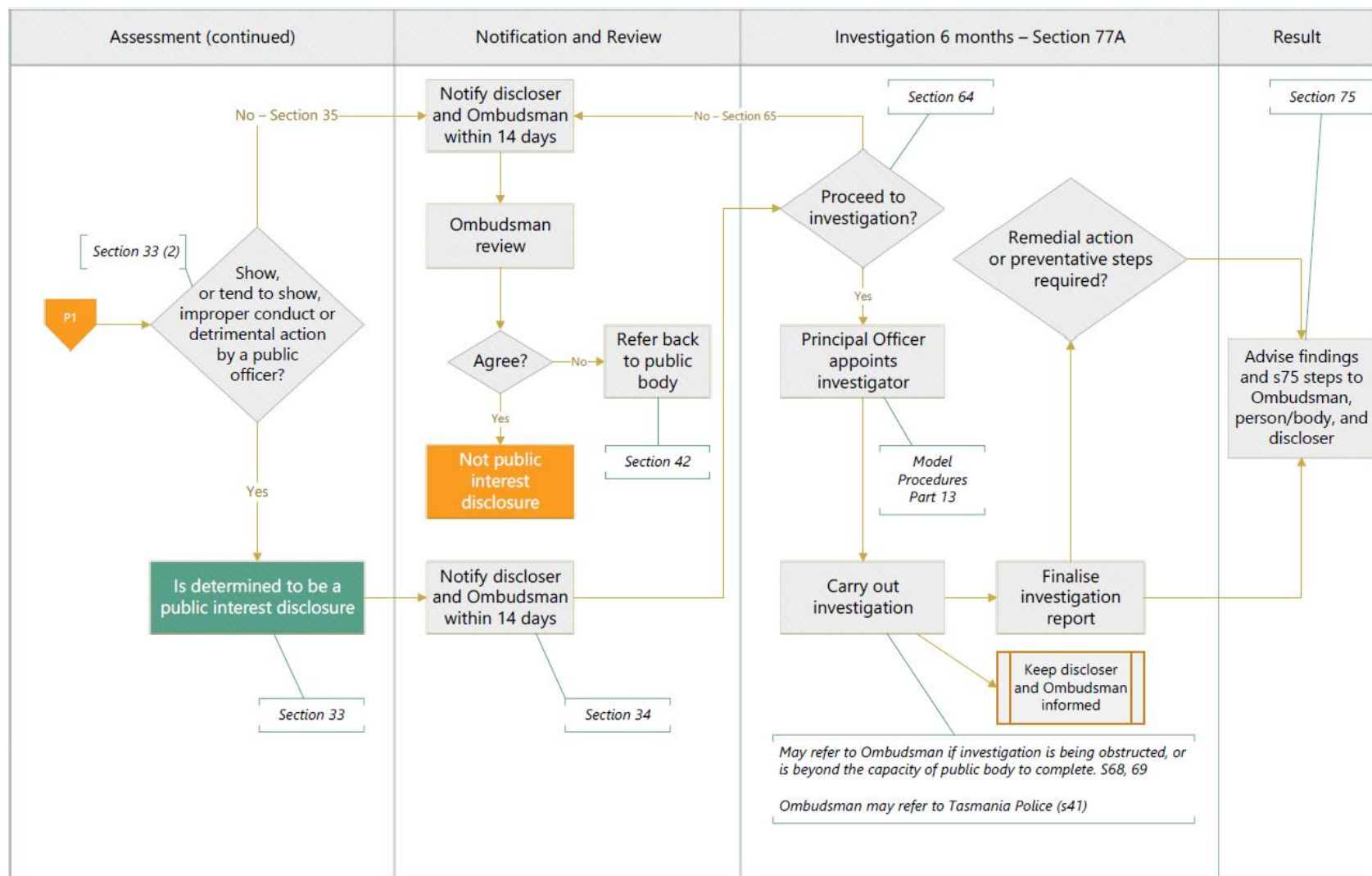
- ☐ Section 34 – Determination that disclosure is a public interest disclosure
Notification to be made within 14 days of decision
- ☐ Section 35 – Determination that disclosure is not a public interest disclosure
Notification to be made within 14 days of decision
- ☐ Section 65 – Decision not to investigate public interest disclosure under s 64
Notification to be made within 14 days of decision
- ☐ Section 76 – Findings of investigation and steps taken under s 75
Investigation to be completed within 6 months unless Ombudsman extension granted


Evidence attached

- ☐ Copy of original disclosure or record of oral disclosure
- ☐ Disclosure assessment
- ☐ Risk assessment/s
- ☐ Investigation report including:
 - the transcript or other record of any oral evidence taken, including audio or video recordings; and
 - all documents, statements or other exhibits received by the investigator and accepted as evidence during the course of the investigation.
- ☐ Any other material used to make determination (list):
 -
 -
 -



Flow chart - Attachment 4 to Model Procedures



	<h2 style="text-align: center;">WHISTLEBLOWER POLICY</h2>			
POLICY TYPE	DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	POLICY ADOPTED	REVIEW DUE
Council	Executive Coordinator	General Manager	Date	Month Yr
PURPOSE	The purpose of the Policy is to ensure Councillors and Council employees as public officers, are aware of the requirements and supported in, the making of protected disclosures in respect of corrupt behaviour or improper conduct.			
SCOPE	This policy applies to Councillors and Council employees, as public officers. Disclosures may be made by Councillors, Council employees and contractors of Council.			
DEFINITIONS	<p>For the purposes of this Policy, the following definitions apply:</p> <p>Public Interest Disclosures Act 2002 (the Act) – An Act to encourage and facilitate disclosures of improper conduct by public officers and public bodies, to protect persons making those disclosures and others from reprisals, to provide for the matters disclosed to be properly investigated and dealt with to provide all parties involved in those disclosures with natural justice and for other purposes.</p> <p>Improper Conduct – Under the Act, improper conduct means:</p> <ul style="list-style-type: none"> a) conduct that constitutes an illegal or unlawful activity; or b) corrupt conduct; or c) conduct that constitutes maladministration; or d) conduct that constitutes professional misconduct; or e) conduct that constitutes a misuse or waste of public resources; or f) conduct that constitutes a danger to public health or safety or to both public health and safety; or g) conduct that constitutes a danger to the environment; or h) misconduct, including breaches of applicable codes of conduct; or i) conduct that constitutes detrimental action against a person who makes a public interest disclosure under this Act – <p>that is serious or significant as determined in accordance with guidelines issued by the Ombudsman.</p> <p>Public body – in accordance with section 4(1), a Council is a public body for the purposes of the Act.</p> <p>Public Officer – in accordance with section 4(2) of the Act, a councillor or an employee of a council is a public officer.</p> <p>Protected Disclosure – Is a disclosure of improper conduct or detrimental action made by a public officer or contractor in respect of a public officer or a public body.</p>			

	<p>Public Interest Disclosure – Is a disclosure where the public body is satisfied that the disclosure shows or tends to show that a public officer to whom the disclosure relates:</p> <ul style="list-style-type: none"> a) has engaged, is engaging or proposes to engage in improper conduct in his or her capacity as a public officer; or b) has taken, is taking or proposes to take detrimental action in contravention of section 19 of the Act. <p>Reprisal or detrimental action – includes:</p> <ul style="list-style-type: none"> a) action causing injury, loss or damage; and b) intimidation or harassment; and c) discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of disciplinary action; and d) threats of detrimental action. <p>Ombudsman – The Ombudsman's functions under this Act, including:</p> <ul style="list-style-type: none"> a) receiving disclosures from public officers, contractors (including members of the public if it is in the public interest) and determining if the disclosures are public interest disclosures; b) investigating public interest disclosures; c) receiving notifications about public interest disclosures made internally to public bodies; d) reviewing certain decisions by public bodies under the Act; e) monitoring the progress of public bodies' investigations; f) preparing and publishing guidelines and standards; g) reviewing and approving large public bodies' procedures every three years; and h) providing advice to public bodies. <p>Principal Officer – The principal officer is responsible for –</p> <ul style="list-style-type: none"> a) preparing procedures for approval by the Ombudsman; and b) receiving public interest disclosures and ensuring they are dealt with in accordance with this Act; and c) ensuring the protection of witnesses; and d) ensuring the application of the principles of natural justice in the public body's procedures; and e) ensuring the promotion of the importance of public interest disclosures, including general education of all staff about the legislation, and ensuring easy access to information about both the legislation and the public body's procedures; and f) providing access, for persons making a disclosure and others involved in the process of investigation, to confidential employee assistance programs; and g) providing access, for persons making a disclosure and others involved in the process of investigation, to appropriately trained internal support staff.
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	<p>Public Interest Disclosures Officer (PID Officer) – The Public Interest Disclosure Officer is appointed by the Principal Officer to assist them to carry out their functions and responsibilities under the Act.</p>
POLICY	<p>The <i>Public Interest Disclosures Act 2002</i> (the Act) is Tasmania's whistleblowing legislation. The purpose of the Act is to:</p> <ul style="list-style-type: none"> • encourage and facilitate disclosures of improper conduct by Tasmanian public officers and public bodies; • protect persons making those disclosures and others from reprisals; • provide for the matters disclosed to be properly investigated and dealt with; and • provide all parties involved in those disclosures with natural justice. <p>1. What is a Disclosure?</p> <p>Disclosures are complaints about serious or significant improper conduct by a public officer. Improper conduct also relates to any detrimental or retaliatory action (reprisal) by a public officer or public body against someone who makes a protected disclosure under the Act.</p> <p>A disclosure is automatically protected if it complies with Part 2 of the Act. The threshold requirements include that it be:</p> <ul style="list-style-type: none"> • made by a public officer or a contractor; • made to the correct entity; • related to the conduct of a public officer or a public body; • made by a discloser who believes that the public officer or public body has engaged, is engaging or proposes to engage in improper conduct; • related to conduct that could fall within the definition of improper conduct; and • about conduct which occurred on or after 1 January 2001. <p>The low threshold for what constitutes a protected disclosure is to encourage public officers to report concerns about wrongdoing, and for the discloser to be protected under the Act. If the criteria is met, Council must notify the discloser that their disclosure is protected.</p> <p>If it is determined that the conduct disclosed is not serious or significant, Council will deal with the disclosure using existing internal policies or procedures. A determination of whether a protected disclosure is a public interest disclosure must be determined within 45 days of receipt.</p> <p>In assessing the disclosure there must be evidence or an indication that evidence can be found to show or demonstrate the existence of improper conduct – a mere allegation is not enough. The improper conduct must be considered serious or significant and</p>

factor such considerations as whether it demonstrates a course of conduct; the seniority of the person; and the harm or potential harm associated with the conduct or misconduct.

Anonymous disclosures may also be made, if the person receiving the disclosure is satisfied the disclosure is being made by a public officer or contractor.

2. How to disclose and to whom

The following table details to whom a disclosure can be made:

Officer or public body to which the disclosure relates	Where the disclosure may be made
A member, officer or employee of Devonport City Council	Devonport City Council; or the Integrity Commission; or the Ombudsman
The Principal Officer of Devonport City Council or Devonport City Council as a whole	the Ombudsman; or the Integrity Commission
A councillor, within the meaning of the <i>Local Government Act 1993</i>	the Ombudsman
In any other case, including if the disclosure is about a public body as opposed to an individual public officer	the Ombudsman; or the Integrity Commission

A disclosure must be made to the correct entity. Generally, a disclosure about a public officer can be made to the public body a person is employed with, but this is not always the case. A disclosure about a Councillor is to be made to the Ombudsman.

A public body cannot investigate itself; only its employees. Therefore, disclosures relating to Council should be submitted to the Ombudsman or Integrity Commission. Contractors (and volunteers also) may make disclosures about a public body directly to either the Ombudsman or Integrity Commission.

A disclosure that relates to a public officer, may be reported to another public officer, but it is recommended that it be disclosed directly to the Principal Officer or a PID Officer. Disclosures can be made verbally or in writing, and can be sent, delivered or left at Devonport City Council, paranaple centre, Level 2, 137 Rooke Street, Devonport, or to PO Box 604 Devonport, or emailed to ExecutiveSupport@devonport.tas.gov.au.

If a public officer receives a disclosure, they are to refer the disclosure to the Principal Officer or a PID Officer, at their earliest opportunity, for assessment.

Contractors may only make disclosures about a public body, so they must contact the Ombudsman or the Integrity Commission.

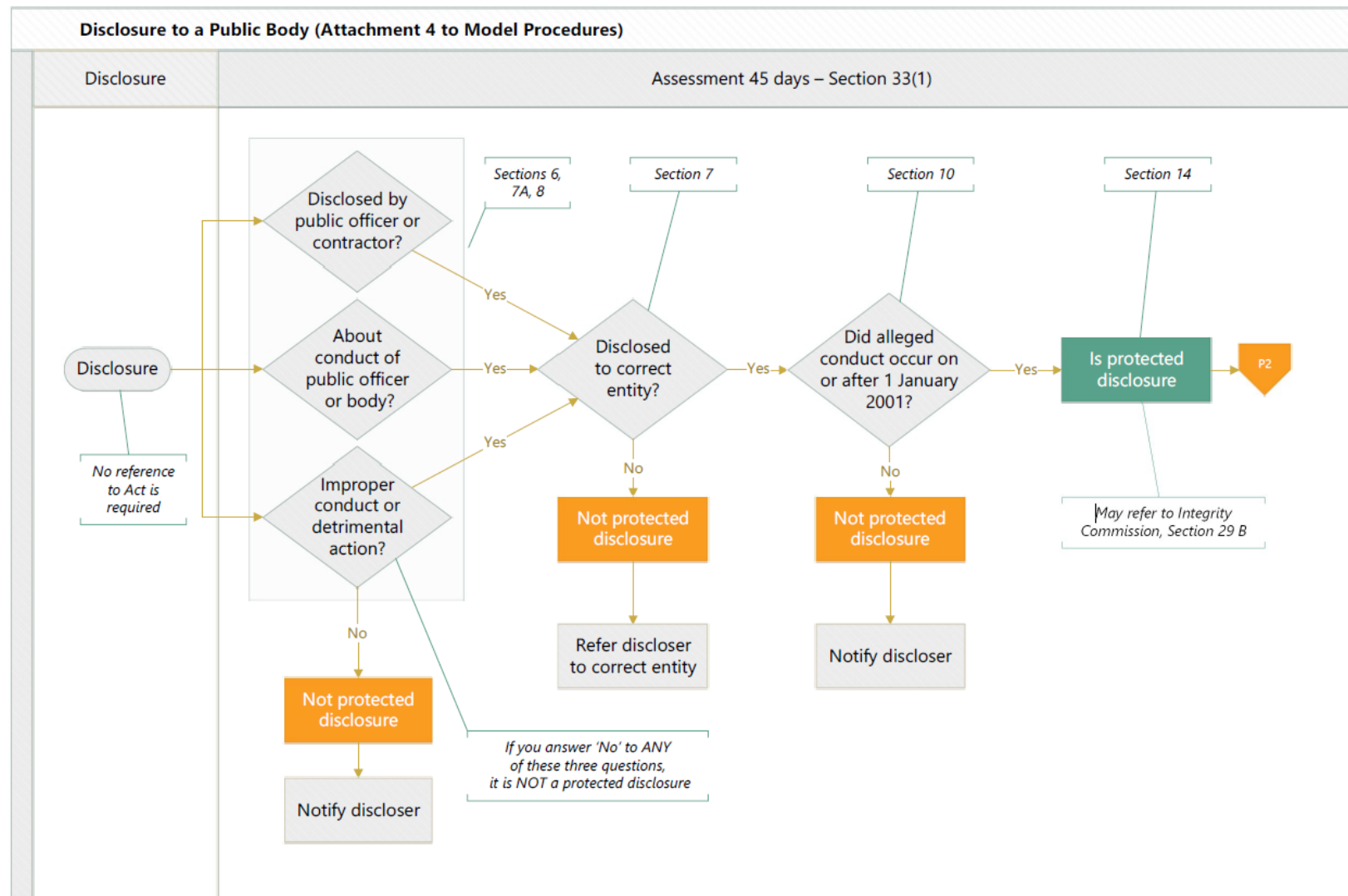
	<p>Members of the public can make disclosures if it is in the public interest. These must be reported to the Ombudsman or the Integrity Commission who will make the assessment on the disclosure.</p> <p>3. Assessment of Disclosure</p> <p>The PID Officers will assess the disclosure to determine if its disclosure is protected and if it is a public interest disclosure. If it is determined that it is not a public interest disclosure, the Ombudsman will review the decision.</p> <p>4. Investigation</p> <p>If it is determined that the protected disclosure is a public interest disclosure, Council must, under the Act, investigate the matter.</p> <p>Exceptions to this are detailed in section 64 and include scenarios where, for example:</p> <ul style="list-style-type: none"> • the discloser knew for more than a year about the improper conduct and did not adequately explain the delay in making the disclosure; and • the content of the disclosure has already been adequately dealt with by the Ombudsman or certain other bodies. <p>If it determines not to investigate, the Ombudsman and the discloser are to be provided with the reasons for the decision within 14 days, and the Ombudsman will review the decision.</p> <p>If an investigation finds that improper or corrupt conduct has occurred, Council:</p> <ul style="list-style-type: none"> • must take all reasonable steps to prevent the conduct from continuing or reoccurring in the future; and • may take action to remedy any harm or loss arising from the conduct. <p>The Ombudsman and the discloser must be notified of the findings of the investigation. If the investigation finds that improper conduct occurred, the Ombudsman and the discloser must be informed of the action taken in response.</p> <p>5. Referrals</p> <p>Council may refer a protected disclosure to the Integrity Commission if it is considered the disclosure relates to misconduct as defined in the <i>Integrity Commission Act 2009</i>. If conduct appears criminal in nature, Council may contact Tasmania Police or the Ombudsman for advice.</p> <p>6. Notification of the Ombudsman and discloser</p> <p>Where the Principal Officer or PID Officer determines that the disclosure amounts to a public interest disclosure, they must:</p> <ul style="list-style-type: none"> • advise the Principal Officer (if not the person assessing the disclosure); • notify the Ombudsman within 14 days of the decision.
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	<p>7. Reprisals/Detrimental action</p> <p>Under the <i>Act</i>, it is an offence to take reprisal action against someone who has made a protected disclosure. This is referred to as detrimental action. The fear of reprisals is a significant deterrent to disclosers coming forward with information. Protections are offered to disclosers under the <i>Act</i> for detrimental action that includes:</p> <ul style="list-style-type: none"> • action causing injury, loss or damage; • intimidation or harassment; • discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of disciplinary action; and • threats of detrimental action. <p>This applies also if a protected disclosure does not meet the higher threshold test of being a public interest disclosure – the protections of making a disclosure still apply.</p> <p>Blowing the whistle does not exempt a person from disciplinary action, as not all disciplinary action necessarily represents reprisal action.</p> <p>If a whistle-blower believes that someone has taken detrimental action against them for making a disclosure, they can make a further disclosure about this. Detrimental action itself is considered to be improper conduct, and the process for making and assessing the disclosure is the same.</p> <p>It is an offence to take reprisal action. A person can be fined up to 240 penalty units and/or imprisoned for up to two years for taking detrimental action against a person in reprisal for them having made a disclosure.</p> <p>Persons subject to reprisals also may undertake civil action, including:</p> <ul style="list-style-type: none"> • seeking damages in court; • seeking an order that the person who took the detrimental action remedy that action; and • seek an injunction to stop the detrimental action. <p>8. Penalties for false disclosures</p> <p>Under section 87 of the <i>Act</i>, a person must not knowingly provide false information, intending that it be acted on as a disclosed matter, to a public body, or knowingly provide false information to a person conducting an investigation under the <i>Act</i>. Penalties of up to 240 penalty units or imprisonment for up to two years, or both, may apply.</p>
LEGISLATION AND RELATED DOCUMENTS	<i>Public Interest Disclosures Act 2002</i> <i>Public Interest Disclosures Model Procedures</i> <i>Integrity Commission Act 2009</i>

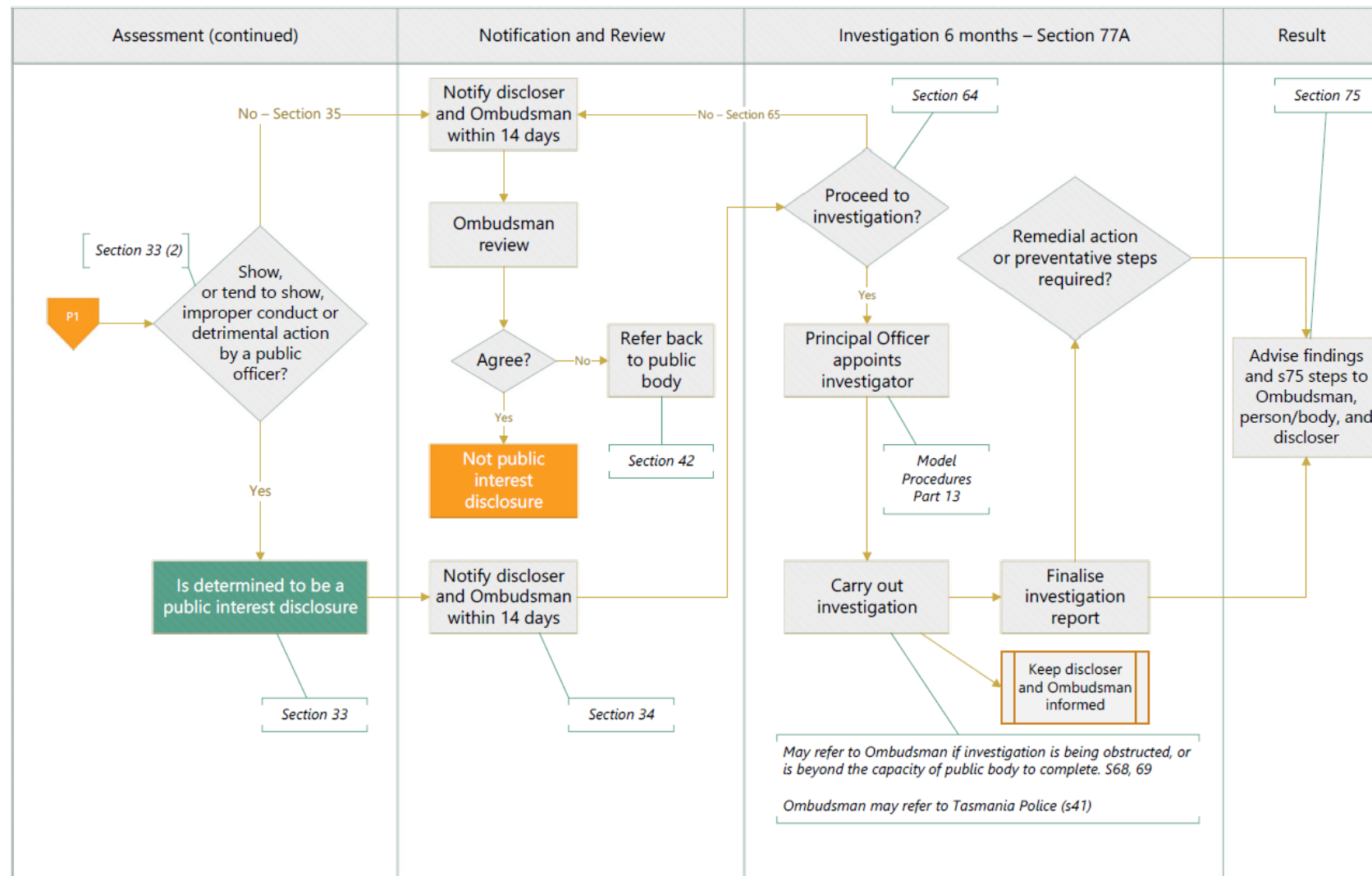
ATTACHMENTS (IF APPLICABLE)	Disclosure to a Public Body Flowchart	
STRATEGIC REFERENCE	5.3.1 – Review and amend structures, policies and procedures to adapt to changing circumstances	
MINUTE REFERENCE	If a Council Policy, insert the resolution number where the policy was approved. If a Management Policy insert 'N/A'	
OFFICE USE ONLY	Update Register	Training/Communication
	Advise Document Controller	Advise HR / MCO
	Management Sign Off: Date:	

DRAFT

ATTACHMENT – Disclosure to a Public Body - Flowchart



ATTACHMENT – Disclosure to a Public Body - Flowchart



Action Plan

Bike Riding Strategy 2015 – 2020 - Year 5 Status Update

No	Action:	Year Planned					Priority: H, M, L	Status	Outputs	Responsible Department
		2016/17	2017/18	2018/19	2019/20	2020/21				
	Objective 1: Improved Linkage to Coastal Pathway									
1.1	High Priority - Nicholls Street, North Fenton Street, Thomas Street						High	Underway	Thomas Street link completed. Remainder will be considered in the 2021 Strategy update.	Infrastructure & Works
1.2	Medium Priority - James Street, Mungala Crescent, Pardoe Street, Drew Street						Medium	Underway	Drew Street link completed. To be considered in the 2021 Strategy update.	Infrastructure & Works
1.3	Low Priority - Beaumont Drive, Forth Road near Richardson Drive, Riverview Avenue, Ronald Street/Eugene Street, Anchor Drive, Church Street, Clements Street, Oldaker Street						Low	Underway	Clements Street link completed Remainder will be considered in the 2021 Strategy update.	Infrastructure & Works
1.4	Future Priority - Miandetta: Miandetta Park, Devonport (Elizabeth Street, Lower Madden Street, George Street, Gloucester Avenue, West, Eugene Street, Best Street, Don: Jiloa Way, Howell Lane)						Low	Underway	Gloucester Avenue link completed. Remainder will be considered in the 2021 Strategy update.	Infrastructure & Works
	Objective 2: Road Crossing Priority									
2.1	High Priority - Victoria Parade Boat Ramp						High	Complete	Crossings were upgraded as part of the Victoria Parade Boat Ramp project completed as part of 2017/18 capital works program.	Infrastructure & Works
2.2	Medium Priority - Finlaysons Way, Coles Beach Road						Medium	Complete	Road crossing facilities on Coles Beach Road were constructed in 2018. A priority crossing was not required. A review of Finlaysons Way was completed, and minor works undertaken, but a priority crossing was not required.	Infrastructure & Works
2.3	Low Priority – Westport Road						Low	Future	The need for this project will be considered in the 2021 strategy update.	Infrastructure & Works

Attachment 5.4.1 Bike Riding Strategy 2015-2020 - Year 5 Status - action list

Objective 3: New Connection Link										
3.1	High Priority – extension to Spreyton						High	Yet to commence	Will only progress if external funding is available.	Infrastructure & Works
3.2	Medium Priority – River Road link to Latrobe						Medium	Complete	Construction completed in 2021.	Infrastructure & Works
3.3	Low Priority – Tea Tree Lane Link						Low	Future	The need for this project will be considered in the 2021 strategy update	Infrastructure & Works
3.4	Future Priority - Stony Rise Road: Leary Avenue to Tugrah Road, Lawrence Drive to Don Road, Don Road to Don Reserve, Middle Road to Quoiba, Oldaker Street Bike Lanes, Miandetta Primary to Middle Road, Forbes Street Bike Lanes, Lyons Avenue Link, Lawrence Drive Bike Lanes, Tugrah Road to Kelcey Tier						Low	Underway	Two sections of path on Stony Rise Road funded to be delivered by State Government in 2021 and 2022.	Infrastructure & Works
4	Network Hierarchy (develop a hierarchy of paths and lanes)						High	Complete	A bike route hierarchy was adopted in February 2019 Min IWC 04/19 refers)	Infrastructure & Works
5	Safety Assessment (undertake safety assessments of paths and lanes)						High	Underway	A safety assessment has commenced.	Infrastructure & Works
6	Remove Hazards (remove bike riding hazards from network)						High	Ongoing	Hazards are being removed or managed as they are identified.	Infrastructure & Works
7	Lighting (Victoria Parade: Cenotaph to North Fenton Street)						Low	Complete	The final stage of this project was completed in 2019, providing lighting between the CBD and Mersey Bluff.	Infrastructure & Works
8	Coastal Pathways (west to Leith, east to Port Sorell)						Future (unless funding available)	Underway	Design, planning and procurement of the Don-Leith section is advance with construction to commence in 2021. The link to Port Sorell is unlikely to progress in the short to medium term.	Infrastructure & Works
9	Path and Lane Maintenance (Provide adequate and regular maintenance)						High	Ongoing	Maintenance undertaken in accordance with Service Level Documents.	Infrastructure & Works

Attachment 5.4.1 Bike Riding Strategy 2015-2020 - Year 5 Status - action list

10	Infrastructure Upgrades Coastal Pathway (widen and improve sections)						Low	Ongoing	This action will be progressed when the condition of the existing path assets warrant replacement. No works are scheduled prior to 2021.	Infrastructure & Works
11	Infrastructure Upgrades Other (included in new subdivisions, road and footpath works)						Low	Ongoing		Infrastructure & Works
12	Provide Signage (provide trackmarker Signage)						Medium	Ongoing	Signage has been installed on designated bike tracks.	Infrastructure & Works
13	Provide Bike Parking (provide Bike Parking)						Medium	Ongoing	Bike racks installed in market square in 2018.	Infrastructure & Works
14	Bike Counts (collect Bike Path Usage Data and undertake counts)						Medium	Ongoing	Bike counts collected annually with the assistance of volunteers	Infrastructure & Works
15	Promotion (Promote the Coastal Pathway as one of Devonport's attractions)						Medium	Ongoing	There is opportunity to progress this action on a regional basis as the Coastal Pathway project progresses.	Infrastructure & Works
16	Promotion and support (bike education, Ride to Work day, bike week, encourage corporate support, implement bike track courtesy measures)						Medium	Ongoing	Bike safety park constructed at Pioneer Park, bike education program implemented as park of the project. Commuter café operated in 2020-21.	Infrastructure & Works
17	Lobbying for Funding (seek funding and lobby Government to extend the network)						High	Ongoing	Grant funding was obtained to assist with construction of bike safety park at Pioneer Park. Grant funding has been secured for the Don-Leith and Latrobe-Ambleside links.	Infrastructure & Works
18	New Connection Link - Nixon Street bike lanes, John Street bikes lanes, Charles Street bike Lanes						Low	Future	A review of the demand for on-road bike lanes is required prior to progressing with these projects. The bike route hierarchy provide guidance on the suitability of lanes vs dedicated paths	Infrastructure & Works

Action Plan

Waste Strategy 2018 – 2023 – Year Three Status

No	Action:	Year Planned					Priority: H, M, L	Status	Outputs	Responsible Department
		2018/19	2019/20	2020/21	2021/22	2023/23				
	Objective 1: Reduce the average amount of waste generated									
1.1	Promote and/or deliver programs to increase community and business awareness, education and action to avoid and minimise waste						High	Ongoing	Council works in partnership with Dulverton Waste Management (DWM) and Cradle Coast Waste Management Group (CCWMG) to deliver a suite of programs. The CCWMG will deliver programs valued at \$195,000 by 30 June 2021.	Infrastructure & Works Community Services Communications
1.2	Encourage reuse of construction and demolition waste						High	Ongoing	Council have been using crushed (recycled) concrete on small construction projects and are considering options to increase sales into residential and commercial construction projects. The feasibility of a large fill site at the Works Depot is being investigated which could make use of clean fill and rubble generated from Council projects.	All departments
1.3	Explore alternative mechanisms to encourage residents to reduce waste						High	Underway	Major changes to be driven by legislative change proposed for 2021.	All departments
1.4	Progressively transition to more on-line platforms for delivery of Council services						High	Underway	Council has delivered a modern website with more than 85 online forms available to the community. Additional forms are being added each month making it easier for the community to access Council services.	All departments
1.5	Work with event organisers to improve waste management at public events						Medium	Ongoing	CCWMG has made bin toppers available for Council and community events to enable diversion of recyclables. This action is currently on hold due to pandemic restrictions.	Community Services

No	Action:	Year Planned					Priority:	Status	Outputs	Responsible Department
1.6	Support for community gardens and home composting to reduce overall food waste, including waste generated through commercial food production and generation						Medium	Ongoing	Council delivers programs on living lightly, which include content on composting minimising food waste.	Community Services
1.7	Improve the quality and accuracy of waste data collected to understand opportunities for improvement						Medium	Ongoing	Waste data reported publicly bi-monthly and reported to DWM for regional analysis	Infrastructure & Works
Objective 2: Reduce the amount of waste to landfill by increasing the recovery and recycling of resources across all waste streams										
2.1	Investigate opportunities to segregate green waste from landfill						High	Underway	Proposed legislative changes will incentivise behaviours and services that improve waste sorting. E.g. kerbside FOGO collection, differential pricing for waste streams	Infrastructure & Works
2.2	Participate in bulk collection or free drop-off schemes for recyclables not collected through the domestic collection service (e.g. e-waste)						High	Ongoing	Council accepts e-waste paint, household batteries, mobile phones, chemical drums, fluorescent tubes and tyres for recycling with assistance from DWM.	Infrastructure & Works
2.3	Identify opportunities to increase resource recovery and recycling through Council facilities and operations						High	Underway	A 'Towards Zero Waste' project is underway to identify and reduce waste from activities within the parnape centre. FOGO is being diverted from landfill and other initiatives are planned.	Continuous Improvement
2.4	Deliver and/or support public education campaigns to encourage appropriate recycling.						Medium	Ongoing	Council supports the public education campaigns of DWM and CCWVG, creating regional consistency. This includes social media and TV campaigns.	Community Services Communications
2.5	Promote reuse through local businesses and charities						Medium	Ongoing	Council supports the Troll Shop at the Spreyton WTS and provides locations for charity donation bins on Council land.	Community Services Communications

Attachment 5.5.1 Waste Strategy 2018-2023 - Year 3 Status - action list

No	Action:	Year Planned					Priority:	Status	Outputs	Responsible Department
2.6	Actively implement Council's business processes and policies to reflect sustainability outcomes						Medium	Ongoing	Council's purchasing policy requires a consideration of sustainability.	Organisational Performance
2.7	Explore and trial recycling bins in public places						Low	Underway	The Waterfront Park design includes public recycling bins. Additional bins will be installed in high traffic pedestrian areas in May 2021.	Infrastructure & Works
Objective 3: Protect our natural environment by reducing the total amount of litter and illegal dumping										
3.1	Reduce litter and illegal dumping of waste through compliance and awareness raising activities						High	Ongoing	Surveillance programs are established (grant funding has been obtained to facilitate) and resources are allocated to compliance	Risk Management
3.2	Participate in community action programs to improve awareness of litter and its impact (e.g. Clean Up Australia Day, Beachwatch)						Medium	Ongoing	Council supports groups and events aimed at cleaning up litter including: <ul style="list-style-type: none"> Clean Up Australia Day Operation Marine Debris (Sea Shepherd) Various "Friends of" groups 	Community Services
3.3	Investigate smart options to optimise management of public waste infrastructure to minimise litter						Low	Yet to commence	Collections are scheduled based on patterns of use and adjusted for seasonal and one-off changes.	Infrastructure & Works

Current & Previous Minutes Resolutions					
Meeting Date	Res No.	Item	Status	Assignees	Action Taken
24/08/2020	20/66	Devonport Surf Life Saving Club - Kiosk proposal	In progress	Governance Officer	Notified Surf Club of decision. Draft licence agreement issued to Club for their review and comment.
23/11/2020	20/140	Disposal of Public Land at 116-122 Stony Rise Road Devonport	In progress	General Manager	Valuation has been received and negotiations for sale of land have commenced
21/12/2020	20/166	Use of Land - 260 Steele Street Devonport	Completed	Governance Officer	Consent from Crown to Council to sub-lease land at 260 Steele Street to Devonport Men's Shed Inc has been provided. Sub-lease between DCC & Devonport Men's Shed Inc has been formalised.
22/02/2021	21/36	Infrastructure and Works Report	Completed	Infrastructure & Works Manager	Payment to be added to application process.
22/03/2021	21/43	Responses to Questions Raised at Prior Meetings	Completed	Governance Officer	Noted
22/03/2021	21/44	Questions on Notice from the Public	Completed	Governance Officer	Released responses
22/03/2021	21/45	Collaboration with UTAS/CAPITOL	Completed	Community Services Manager	Contact made with UTas to discuss project
22/03/2021	21/46	Public Land Register - Biennial Review	Completed	Governance Officer	Public Land Register updated and amended and updated copy placed on website and hard copy available for public view
22/03/2021	21/47	2021-22 Budget Consultation	Completed	Executive Coordinator	Submissions referred to budget deliberations
22/03/2021	21/48	Local Government Association of Tasmania - Nomination for General Management Committee	Completed	Governance Officer	Nomination form sent to LGAT
22/03/2021	21/49	Community Housing Development - 108 Tarleton Street East Devonport	Completed	Governance Officer	Letter sent to Possability
22/03/2021	21/50	Novelty Train Experience	Completed	Convention & Art Centre Director	Prepare an EOI to distribute mid-year 2021
22/03/2021	21/51	Workshops and Briefing Sessions held since the last Council Meeting	Completed	Governance Officer	Received and noted
22/03/2021	21/52	Mayor's Monthly Report	Completed	Executive Coordinator	Received and noted
22/03/2021	21/53	General Manager's Report - March 2021	Completed	Executive Coordinator	Received and noted
22/03/2021	21/54	Community Services Report - January and February 2021	Completed	Community Services Manager	Received and noted
22/03/2021	21/55	Convention and Arts Report - January and February 2021	Completed	Convention & Art Centre Director	Received and Noted

Attachment 6.3.1 Current and Previous Minutes Resolutions

22/03/2021	21/56	General Management, People & Finance and Corporate Services Report - January and February 2021	Completed	Executive Coordinator	Received and noted
22/03/2021	21/57	Annual Plan Progress Report to 28 February 2021	Completed	Executive Coordinator	Received and noted
22/03/2021	21/58	Elected Members Expense Report to 28 February 2021	Completed	Executive Coordinator	Received and noted
22/03/2021	21/59	Financial Assistance Scheme Round Two 2020 2021	Completed	Community Services Manager	All recipients of financial assistance grant advised.

Capital Works Income & Expenditure Report March 2021												
	Funding 2020/21				Expenditure 2020/21			Balance	Performance Measures			
	Annual Budget	Additional Funds Carried forward & adjustments	Total Budget Available	External Funding	Actual	Commitments	Total Expenditure	Remaining Funds	Works Start	Works Completion	% Budget	Comments
	\$	\$	\$	\$	\$	\$	\$	\$	Month	Month	Spent	
Summary												
Open Space & Recreation	588,000	1,140,615	1,728,615	736,000	672,236	267,342	939,578	789,037				
Buildings & Facilities	120,000	2,769,562	2,889,562	189,000	1,865,261	1,776	1,867,037	1,022,526				
Transport	4,831,000	3,090,580	7,921,580	3,576,733	2,035,397	2,796,779	4,832,176	3,089,403				
Stormwater	1,196,000	1,194,096	2,390,096	-	227,722	21,619	249,341	2,140,755				
Living City	8,000,000	4,935,192	12,935,192	6,000,000	3,718,088	481,677	4,199,765	8,735,427				
Plant & Fleet	479,000	183,147	662,147	-	180,636	529,079	709,714	(47,567)				
Other Equipment	345,000	447,212	792,212	53,000	327,652	36,571	364,223	427,988				
Total Capital Works	15,559,000	13,760,403	29,319,403	10,554,733	9,026,991	4,134,843	13,161,835	16,157,569				
Open Space & Recreation												
CP0129 Don River Rail Trail - land purchase		11,304	11,304		4,982	-	4,982	6,322		May-21	44.1%	Creation and transfer of titles underway
CP0150 Maidstone Park - Replace Ground Lighting		250,024	250,024		158,129	27,372	185,500	64,523	Complete	Complete	74.2%	
CP0154 Dog Exercise Park - Dog Agility Equipmen		-	-		991	-	991	(991)	Complete	Complete		July expenditure was overheads only
CP0168 Victoria Parade and Mersey Bluff - park		-	-		182	-	182	(182)	Complete	Complete		July expenditure was overheads only
CP0169 Mersey Bluff - Barbeque renewal		-	-		301	-	301	(301)	Complete	Complete		
CP0170 Signage Strategy Actions		-	-		4,920	-	4,920	(4,920)	Complete	Complete		
CP0175 Mersey Bluff - inclusive playground		47,440	47,440		44,225	92	44,317	3,123	Complete	Complete	93.4%	
CP0176 Mersey Bluff - bin compound		4,769	4,769		40	-	40	4,729	Mar-21	May-21	0.8%	to be included with CT0271 and CT0288
CP0179 Reg Hope Park - slab and services for shopfront at Julie Burgess		10,393	10,393		-	-	-	10,393	TBA	TBA	0.0%	dependant on progress by JB operator
CP0180 Bluff Beach - accessible ramp		91,554	91,554		8,173	11,232	19,405	72,149	Mar-21	Apr-21	21.2%	Construction underway
CP0181 Mersey Bluff Caravan Park – accessible amenities		60,949	60,949		18,927	-	18,927	42,021	Complete	Complete	31.1%	
CP0182 Mersey Vale Memorial Park - signage upgrade		14,365	14,365		24,591	5,650	30,241	(15,876)	Nov-20	Apr-21	210.5%	Construction underway
CP0183 Mersey Vale Memorial Garden - ash interment columns		-	-		79	-	79	(79)	Complete	Complete		July expenditure was overheads only
CP0184 Don River Rail Trail - construction		98,413	98,413		2,534	-	2,534	95,879	TBA	TBA	2.6%	Dependant on completion of acquisition
CP0186 Girdlestone Park - ground lighting		279,520	279,520		99,049	151,146	250,195	29,325	Oct-20	Apr-21	89.5%	Construction underway
CP0187 Mussel Rock Fishing Area		3,884	3,884		-	-	-	3,884		TBA	0.0%	
CP0188 Don Reserve Pedestrian Rail Crossing upgrades	35,000	-	35,000		38,308	91	38,399	(3,399)	Complete	Complete	109.7%	
CP0189 Bluff Headland - Handrail Replacement and extension	45,000	-	45,000	45,000	32,885	-	32,885	12,115	Complete	Complete	73.1%	
CP0190 Seat Replacements - William Street (Fourways)	20,000	-	20,000		201	-	201	19,799	TBA	Jun-21	1.0%	
CP0191 Netball courts resurfacing and drainage - West end	40,000	-	40,000	40,000	28,004	168	28,172	11,828	Dec-20	May-21	70.4%	Resurfacing complete. Drainage work pending.
CP0192 Aquatic Centre / Don Reserve -playground renewal/ relocation	90,000	-	90,000	90,000	-	-	-	90,000	TBA	TBA	0.0%	Tenders being assessed
CP0193 Kiah Place - Playground equipment renewal	78,000	-	78,000	78,000	1,898	52,490	54,388	23,612	Apr-21	May-21	69.7%	Construction pending
CP0194 Path renewal Don Reserve – Nicholls St to James St	140,000	-	140,000	140,000	83,286	1,273	84,559	55,441	Complete	Complete	60.4%	
CP0195 Installation of Public Recycling Bins	30,000	-	30,000		82	-	82	29,918	Apr-21	May-21	0.3%	Additional \$8,560 secured
CP0196 Highfield Park new BBQ Shelter	75,000	-	75,000	75,000	1,587	1	1,588	73,412	May-21	Jun-21	2.1%	Design underway
CP0197 Mersey Vale Cemetery - ash interment columns for Memorial Garden	35,000	-	35,000		5,845	17,191	23,036	11,965	May-21	May-21	65.8%	Columns ordered
CP0199 Path Renewal Don Reserve - Nicholls to P		130,000	130,000	130,000	101,935	-	101,935	28,065	Complete	Complete	78.4%	
CP0200 Mary Binks Wetlands path upgrade - stage 2		55,000	55,000	55,000	10,779	637	11,417	43,583	Mar-21	May-21	20.8%	Construction underway
CP0202 Seat replacements - Valley Road		8,000	8,000	8,000	301	-	301	7,699	May-21	Jun-21	3.8%	LRCI Funding - phase 1
CP0203 Highfield Park nature play area		75,000	75,000	75,000	-	-	-	75,000	TBA	Dec-21	0.0%	LRCI Funding - phase 2
Total Open Space & Recreation	588,000	1,140,615	1,728,615	736,000	672,236	267,342	939,578	789,037			54.4%	

		Funding 2020/21				Expenditure 2020/21			Balance	Performance Measures			
		Annual Budget	Additional Funds Carried forward & adjustments	Total Budget Available	External Funding	Actual	Commitments	Total Expenditure	Remaining Funds	Works Start	Works Completion	% Budget	Comments
										Month	Month	Spent	
		\$	\$	\$	\$	\$	\$	\$	\$				
Buildings & Facilities													
CB0094	Council contribution to Sports Club Grants (Level the Playing Field)		50,000	50,000		-	-	-	50,000			0.0%	Carry forward not required
CB0095	Works Depot - Covered plant storage shed		-	-		147	-	147	(147)	Complete	Complete		July expenditure was overheads only
CB0096	Miandetta Park - New toilet block		-	-		5,974	-	5,974	(5,974)	Complete	Complete		
CB0097	Meercroft Park - facilities upgrade		1,396,295	1,396,295		1,360,426	1	1,360,427	35,868	Complete	Complete	97.4%	
CB0098	Devonport Football Club - new change rooms		812,435	812,435		43,169	-	43,169	769,266	TBA	Aug-21	5.3%	Construction pending
CB0099	East Devonport Football Club - new change rooms		422,060	422,060		419,654	-	419,654	2,406	Complete	Complete	99.4%	
CB0100	CB0100 WTS E Waste Shelter		19,773	19,773		18,691	450	19,141	631	Complete	Complete	96.8%	
CB0101	Maidstone ticket box renewal	25,000	-	25,000	25,000	12,864	-	12,864	12,136	Complete	Complete	51.5%	
CB0102	Horsehead Creek - New toilet block & link path	95,000	-	95,000	95,000	4,336	1,325	5,661	89,339	TBA	TBA	6.0%	Design underway
TBA	Spreyton Hall - heater renewal		10,000	10,000	10,000	-	-	-	10,000	May-21	Jun-21	0.0%	Construction pending
	PAC Theatre Door upgrade		14,000	14,000	14,000	-	-	-	14,000	N/A	N/A	0.0%	proeject to be withdrawn
CB0103	BSMC Door upgrade		15,000	15,000	15,000	-	-	-	15,000	TBA	Dec-21	0.0%	Quotations being sought
TBA	LCRI Grant balance		30,000	30,000	30,000	-	-	-	30,000	TBA	Dec-21	0.0%	Commencement subject to project approval
Total Facilities		120,000	2,769,562	2,889,562	189,000	1,865,261	1,776	1,867,037	1,022,526			64.6%	
Transport													
CT0169	Formby Road & Best Street intersection safety improvements		91,351	91,351		-	36,364	36,364	54,987	TBA	TBA	39.8%	Work scheduled after completion of waterfront hotel
CT0217	CBD Footpath - Pavers Only		-	-		(11,800)	-	(11,800)	11,800				Cost re-allocated
CT0230	Transport Minor Works		20,000	20,000		-	-	-	20,000	TBA	TBA	0.0%	
CT0245	New bus stop infrastructure		56,553	56,553		38,926	12,633	51,559	4,994	Complete	Complete	91.2%	
CT0247	Street light provision		22,268	22,268		440	-	440	21,828	TBA	TBA	2.0%	Design underway
CT0257	Road traffic device renewal		24,872	24,872		-	-	-	24,872	TBA	TBA	0.0%	Design underway
CT0259	Parking infrastructure renewal		57,473	57,473		61,575	455	62,029	(4,556)	Complete	Complete	107.9%	
CT0260	Victory Avenue kerb renewal		-	-		75	-	75	(75)	Complete	Complete		
CT0263	Oldaker Street footpath renewal - west of Rooke, south side		150,309	150,309		17,570	1,350	18,920	131,389	Complete	Complete	12.6%	
CT0264	Victoria Street Renewal - Northern End		-	-		75	-	75	(75)	Complete	Complete		
CT0265	Holyman Street renewal		-	-		75	-	75	(75)	Complete	Complete		
CT0270	Northern Rooke Street renewal		998,000	998,000		-	-	-	998,000			0.0%	Construction Underway
CT0271	Mersey Bluff Precinct – traffic, pedestrian, and parking improvements – staae 2		171,055	171,055		80,425	54,070	134,495	36,560	Nov-20	May-21	78.6%	Construction Underway. Combined with project CT0288
CT0272	Coastal Pathway contribution - part 1		371,840	371,840		390,755	584	391,339	(19,499)	Complete	Complete	105.2%	project not proceeding
CT0273	Southern Rooke Street - street scape enhancement		-	-		-	-	-	-				
CT0274	Electric Vehicle Charging Station	50,000	45,126	95,126		50,199	-	50,199	44,927	Complete	Complete	52.8%	
CT0275	CT0275 State Vehicle Entry Point	500,000	-	500,000	500,000	34,688	-	34,688	465,312	TBA	TBA	6.9%	
CT0277	Reseal Program 2020-2021	700,000	-	700,000		347,945	619,054	966,998	(266,998)	Complete	Complete	138.1%	
CT0278	Devonport Road Renewal Stage 1	1,100,000	(104,633)	995,367	538,000	36,889	505,251	542,140	453,227	Feb-21	May-21	54.5%	Construction underway
CT0279	Bridge Road Pavement Renewal - Stage 1	374,000	-	374,000		180,707	203,572	384,279	(10,279)	Jan-21	Mar-21	102.7%	Construction underway
CT0280	Wright Street Renewal - Tarleton to John	400,000	104,633	504,633		433,166	70,743	503,908	725	Complete	Complete	99.9%	
CT0281	Street light provision	25,000	-	25,000		11,412	-	11,412	13,588	Feb-21	Jun-21	45.6%	Construction underway
CT0282	Melrose Road - Morris Road intersection improvements	75,000	-	75,000	75,000	7,259	10,083	17,342	57,658	Apr-21	May-21	23.1%	Construction pending
CT0283	Steele and Percy Street Intersection Improvements	70,000	-	70,000	35,000	75,183	900	76,083	(6,083)	Complete	Complete	108.7%	
CT0284	Mersey Main Road safety improvements - Spreyton Primary School	104,000	-	104,000	104,000	93,562	11,816	105,378	(1,378)	Complete	Complete	101.3%	
CT0285	Mersey Main Road safety improvements - Maidstone Park	68,000	-	68,000	68,000	26,734	36,624	63,358	4,642	Complete	Complete	93.2%	
CT0286	Don Road, Lovett Street and Sorell Street safety improvements	40,000	-	40,000	40,000	806	-	806	39,194	Oct-21	Dec-21	2.0%	Grant extension apporved.
CT0287	Transport minor works	25,000	-	25,000		24,248	-	24,248	752	Jul-20	Jun-21	97.0%	Minor works ongoing throughout the year
CT0288	Mersey Bluff Precinct – traffic, pedestrian, and parking improvements – staae 3	300,000	-	300,000	300,000	12,818	172,198	185,016	114,984	Nov-20	May-21	61.7%	Construction Underway. Combined with project CT0271
CT0289	Coastal Pathway contribution - part 2	1,000,000		1,000,000		-	1,000,000	1,000,000	-	TBA	TBA	100.0%	Don River Bridge tender advertised
CT0290	Greenway Avenue Traffic Calming		82,733	82,733	82,733	6,237	-	6,237	76,496	TBA	Jun-21	7.5%	Design underway
CT0291	Ronald Street new footpath - Oldaker to Parker		44,000	44,000	44,000	53,569	391	53,960	(9,960)	Complete	Complete	122.6%	
CT0292	Pioneer Park - improved access from Thomas Street		50,000	50,000	50,000	3,946	49,363	53,309	(3,309)	Apr-21	Jun-21	106.6%	Construction pending
CT0293	Foreshore Path Link - Drew Street		25,000	25,000	25,000	27,578	330	27,907	(2,907)	Complete	Complete	111.6%	
CT0294	Nixon Street VRUP				120,000	9,034	-	9,034	(9,034)	May-21	Jun-21		Construction pending
CT0296	Forbes Street VRUP				230,000	6,028	4,200	10,228	(10,228)	TBA	TBA		Design underway
CT0298	Kelcey Tier SRRP				250,000	11,502	-	11,502	(11,502)	TBA	TBA		Design underway
CT0299	Coastal Pathway - River Rd, Oakwood-Ambleside		880,000	880,000	880,000	201	-	201	879,799	Jul-21	Dec-21	0.0%	Design underway
CT0300	Forth Road SRRP				235,000	1,784	6,800	8,584	(8,584)	TBA	TBA		Design underway
Total Transport		4,831,000	3,090,580	7,921,580	3,576,733	2,035,397	2,796,779	4,832,176	3,089,403			61.0%	

	Funding 2020/21				Expenditure 2020/21			Balance	Performance Measures			
	Annual Budget	Additional Funds Carried forward & adjustments	Total Budget Available	External Funding	Actual	Commitments	Total Expenditure	Remaining Funds	Works Start	Works Completion	% Budget	Comments
	\$	\$	\$	\$	\$	\$	\$	\$	Month	Month	Spent	
Stormwater												
CS0055 Squibbs Road drainage improvements			-		151	-	151	(151)			#DIV/0!	
CS0081 John Stormwater Catchment Stage 1		196,096	196,096		149	-	149	195,947	TBA	TBA	0.1%	Scope to be assessed after Sports Master Plan
CS0085 Oldaker (East) stormwater catchment upgrade – stage 1		998,000	998,000		955	-	955	997,045			0.1%	Construction underway
CS0091 Minor Stormwater Works	60,000	-	60,000		68,822	4,702	73,524	(13,524)	Complete	Complete	122.5%	
CS0092 Stormwater outfall risk management	25,000	-	25,000		-	-	-	25,000	TBA	TBA	0.0%	
CS0093 Hiller and Smith stormwater improvements	25,000	-	25,000		12,735	2,409	15,144	9,856	Complete	Complete	60.6%	Construction pending
CS0094 Stormwater improvements 200 Steele St	58,000	-	58,000		64,982	-	64,982	(6,982)	Complete	Complete	112.0%	
CS0095 298 Bellamy road stormwater culvert	18,000	-	18,000		16,826	2,973	19,798	(1,798)	Complete	Complete	110.0%	
CS0096 Oldaker (East) Catchment upgrade - stage 2	550,000	-	550,000		48,450	11,453	59,904	490,096	Mar-21	May-21	10.9%	Construction underway
CS0097 Church street stormwater improvements	350,000	-	350,000		2,928	-	2,928	347,072	TBA	TBA	0.8%	Design underway
CS0098 Pit replacements	50,000	-	50,000		10,761	82	10,843	39,157	Feb-21	Jun-21	21.7%	Construction underway
CS0099 Pipe renewal - 23 Steele St	60,000	-	60,000		963	-	963	59,037	TBA	TBA	1.6%	Quotations sought
Total Stormwater	1,196,000	1,194,096	2,390,096	-	227,722	21,619	249,341	2,140,755			10.4%	
Plant & Fleet												
CF0025 Fleet replacement program 19/20		176,092	176,092		85,176	-	85,176	90,916			48.4%	Actual expenditure is less trade in values
CF0027 Non-Hire Plant Replacement Plan 19/20 (including disposal proceeds)		7,055	7,055		49	-	49	7,006			0.7%	July expenditure was overheads only (task 4112)
CF0028 Fleet replacement program 20/21	85,000	-	85,000		54,024	78,956	132,979	(47,979)			156.4%	
CF0029 Hire Plant Replacement Plan 20/21 (including disposal proceeds)	394,000	-	394,000		34,640	450,123	484,763	(90,763)			123.0%	Actual expenditure is less trade in values
CF0030 CF0030 Non Hire Plant Replacement 20-21		-	-		6,746	-	6,746	(6,746)				Actual expenditure is less trade in values
Total Plant & Fleet	479,000	183,147	662,147	-	180,636	529,079	709,714	(47,567)			107.2%	
Other Equipment												
Office & Equipment and IT budget carried forward	70,000	447,212	517,212	53,000	295,627	31,445	327,072	190,140			63.2%	
CC0015 Information Technology - Renewals & upgrades	180,000	-	180,000		32,025	5,127	37,151	142,849			20.6%	
IT - Asset Management System Implementation	95,000	-	95,000		-	-	-	95,000			0.0%	
Total Other Equipment	345,000	447,212	792,212	53,000	327,652	36,571	364,223	427,988			46.0%	
TOTAL CAPITAL EXPENDITURE - EXCLUDING LIVING CITY	7,559,000	8,825,211	16,384,211	4,554,733	5,308,903	3,653,166	8,962,069	7,422,142			54.7%	
Living City												
Total Living City	8,000,000	4,935,192	12,935,192	6,000,000	3,718,088	481,677	4,199,765	8,735,427			32.5%	
TOTAL CAPITAL EXPENDITURE - INCLUDING LIVING CITY	15,559,000	13,760,403	29,319,403	10,554,733	9,026,991	4,134,843	13,161,835	16,157,569			44.9%	